

CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Thursday, May 26, 2022

7:00 PM

Council Chamber and Virtual Platform (Zoom)

Planning Commission

PLANNING COMMISSION MEETING

NOTICE: The Planning Commission will hold a hybrid meeting in the Council Chambers and virtually via Zoom.

How to watch the meeting from home:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

Send an email to cityclerk@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the Planning Commission and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Written comments received after 3:00 p.m. that address an item on the agenda will still be included as part of the record.

How to provide live Public Comment during the meeting:

Please click the link below to join the webinar:

<https://hayward.zoom.us/j/81125583117?pwd=NHlPS3d0YnJ0ZFB0NW85MWpQRHRXdz09>

Webinar ID: 811 2558 3117

Passcode: PC5/26@7pm

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or 888 788 0099 (Toll Free)

Webinar ID: 811 2558 3117

Passcode: 7787935057

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

CALL TO ORDER**ROLL CALL****PUBLIC COMMENTS**

The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action

WORK SESSION

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.

- 1 [WS 22-016](#) Proposed 2023 Reach Code Update

Attachments: [Attachment I Staff Report](#)
[Attachment II EV Charging Glossary](#)
[Attachment III EV Charging Requirements](#)

- 2 [WS 22-017](#) Climate Action Plan Update and Proposed Environmental
Justice Element: Considerations for New General Plan Policies
and Programs for the Hayward 2040 General Plan

Attachments: [Attachment I Staff Report](#)
[Attachment II CAP Mural Board Responses](#)
[Attachment III EJ Workshop 1 Mural Board Responses](#)
[Attachment IV Hayward EJ Draft Policy Framework](#)
[Attachment V EJ Workshop 2 Mural Board Responses](#)

APPROVAL OF MINUTES

- 3 [MIN 22-072](#) Minutes of the Planning Commission Meeting of March 24,
2022

Attachments: [Attachment I Draft Minutes of March 24, 2022](#)

- 4 [MIN 22-073](#) Minutes of the Planning Commission Meeting of April 14, 2022

Attachments: [Attachment I Draft Minutes of April 14, 2022](#)

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters

Commissioners' Announcements, Referrals

ADJOURNMENT

NEXT MEETING, JUNE 9, 2022, 7:00PM

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or cityclerk@hayward-ca.gov.



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: WS 22-016

DATE: May 26, 2022

TO: Planning Commission

FROM: Director of Public Works

SUBJECT

Proposed 2023 Reach Code Update

RECOMMENDATION

That the Planning Commission reviews and comments on the proposed updates to the 2023 Reach Code for development in the City of Hayward.

SUMMARY

Hayward's current Reach Code will expire on December 31, 2022. To continue the current requirements that prohibit or limit the use of natural gas in new buildings and to continue to require electric vehicle charging infrastructure beyond what is required in the state building code, a new ordinance will need to be adopted. This report presents a framework and considerations for a new Reach Code that may be adopted this year.

Staff is requesting feedback from the Planning Commission on the proposed Reach Code updates and will forward that feedback to Council for their consideration at a future meeting.

ATTACHMENTS

Attachment I Staff Report
Attachment II EV Charging Glossary
Attachment III EV Charging Requirements

**SUBJECT**

Proposed 2023 Reach Code Updates

RECOMMENDATION

That the Planning Commission reviews and comments on the proposed updates to the 2023 Reach Code for development in the City of Hayward.

SUMMARY

Hayward's current Reach Code will expire on December 31, 2022. To continue the current requirements that prohibit or limit the use of natural gas in new buildings and to continue to require electric vehicle charging infrastructure beyond what is required in the State Building Code, a new ordinance must be adopted. This report presents a framework and considerations for a new Reach Code that may be adopted this year.

Staff is requesting feedback from the Planning Commission on the proposed Reach Code updates and will forward that feedback to Council for their consideration at a future meeting.

BACKGROUND

On March 3, 2020¹, Council adopted a local amendment to the 2019 California Building Code known as a Reach Code. The Reach Code ordinance as well as checklists for builders and developers are available on the City's website². The Code requires all new single-family homes and new low-rise multi-family buildings (up to 3 stories) to be all-electric. Non-residential and high-rise residential buildings can be either all-electric or mixed fuel (both electric and natural gas equipment). The Code also includes requirements for Electric Vehicle (EV) charging infrastructure. When Hayward's Reach Code was adopted in March 2020, there were already twenty-eight such codes adopted by local jurisdictions throughout California. In December 2021, Contra Costa County became the 54th local jurisdiction to adopt an electrification reach code.

The California Building Code is updated every three years. The 2019 California Building Code and Hayward's Reach Code will both expire on December 31, 2022. The 2022 CalGreen Code will take effect on January 1, 2023. In order to continue Hayward's current Reach Code requirements, a new Reach Code must be adopted this year to be effective along with the 2022 California Building Code in January 2023.

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4345454&GUID=25134FC7-B7A3-4060-955A-F7A30A27567A&Options=&Search=>

² <https://www.hayward-ca.gov/reach-code>

Staff is working closely with a Bay Area working group³ led by East Bay Community Energy (EBCE), Peninsula Clean Energy (PCE), Silicon Valley Clean Energy (SVCE), and their consultants to prepare Hayward's new Reach Code. The working group is developing model codes for local jurisdictions to consider. The draft model codes were used to develop preliminary considerations for Hayward's new Reach Code, which were presented to the Council Sustainability Committee (CSC) on March 14, 2022⁴. Following is a summary of the comments made by the CSC:

1. New Low Rise Residential Buildings – The CSC supported continuing the existing all-electric requirement for new Low Rise Residential Buildings.
2. New Accessory Dwelling Units – The CSC supported ending the current exemption for ADUs smaller than 400 square feet but asked about how it may impact the cost of building an ADU. A cost-effectiveness study including an analysis for an all-electric ADU should be available later this month.
3. New Non-residential & High-Rise Residential Buildings - The CSC supported staff's recommendation to remove the existing mixed-fuel pathway so that all new buildings would have to be all-electric. For new non-residential buildings, the Committee wants to allow some flexibility – especially for industrial uses.
4. Existing Buildings – The CSC supported prohibiting gas extensions in older homes, however, doing so may make it difficult to build smaller attached ADUs. Regarding extensions of gas lines in older existing industrial buildings, the CSC directed staff to consult with the business community.
5. End of Flow – The CSC supported the concept of ending the flow of gas by 2045 but asked about the difficulty of enforcing such a policy and questioned community acceptance.
6. Existing Residential – The CSC agreed Hayward should wait for the California Air Resources Board (CARB) or the Bay Area Air Quality Management District (BAAQMD) to enact a ban on the sale of gas appliances.
7. EV Charging Requirements – The CSC would like to see robust requirements but asked for more information about the costs of developing charging infrastructure.

On May 9, 2022⁵, the CSC considered a report with additional information regarding options for new non-residential buildings as well as alternatives and costs associated with EV charging requirements. Committee members provided the following comments:

- The Code should include limited exceptions that would allow gas for restaurants and life science-related industrial uses.
- EV charging is going to be in high demand in the future and the code should require significant charging capacity at multi-family properties.

³ <https://bayareareachcodes.org/>

⁴ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5523060&GUID=4A5988AD-D820-4426-9F53-9CC938F9C94F&Options=&Search=>

⁵ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5644449&GUID=373D251F-6874-4DC3-AF7B-299444A3DA9A&Options=&Search=>

DISCUSSION

Staff is seeking comments from the Commission regarding the development of the new Reach Code as it will be implemented and enforced as part of the development review process. Staff intends to incorporate the EV charging requirements into the parking regulations to help facilitate compliance review earlier in the process. Other components of the Reach Code will be enforced during the building permit plan check process. Staff would like the Commission's perspective on the Reach Code considering its impact on developers, the City's review of development proposals, and the City's overall strategy to address the climate crisis. The Reach Code will likely be included as one of many programs in the updated Climate Action Plan.

Staff recommends that items 4, 5 and 6 in the list above be deferred to the next code cycle as more research is needed to evaluate costs and equity implications. Staff is developing an ordinance that will address the following:

- New Low Rise Residential Buildings
- New Accessory Dwelling Units
- New Non-residential & High-Rise Residential Buildings
- EV Charging Requirements for New Construction

New Low Rise Residential Buildings – Staff recommends maintaining the current requirements so that all new single-family homes and all new low-rise multi-family buildings (up to three stories) must be designed and constructed as all-electric. This portion of the current reach code has been very successful in that new all-electric residential buildings are cheaper to construct and operate compared to those with gas.

New Accessory Dwelling Units – The current reach code exempts Accessory Dwelling Units (ADUs) less than 400 square feet, which means they can include natural gas appliances for water heating, space heating, etc. Smaller units were exempt primarily due to the extra space required for an electric heat pump water heater tank compared to gas-fired tankless water heater. While most cities' reach codes do not exempt any detached ADUs and the model reach code does not exempt small ADUs, staff is still researching this issue and will review the soon-to-be-released cost-effectiveness study for all-electric ADUs.

New Non-Residential and High-Rise Residential Buildings – The current Reach Code allows non-residential and high-rise residential buildings (four stories and taller) to be either all-electric or mixed-fuel. At the March 14 CSC meeting, staff recommended eliminating the mixed-fuel option. Hayward's Economic Development staff has also expressed support for the Reach Code and is interested in having exceptions – particularly for restaurants and life science-related industries. In response to this feedback, staff is continuing to research the best approach to incorporate flexibility and allow exceptions – potentially for certain industrial uses and restaurants.

Exceptions are also being explored in light of the California Environmental Quality Act (CEQA) and the goal to be carbon neutral by 2045. On April 20, 2022, the Bay Area Air Quality District Board of Directors adopted new thresholds of significance for use in environmental analyses prepared pursuant to CEQA. The thresholds are used to determine

when an environmental impact is considered “significant”. If an impact is considered significant and cannot be mitigated, then project is required to have an Environmental Impact Report prepared. While the previous thresholds were quantitative, such as a certain number of metric tons of carbon dioxide equivalent per year, the new thresholds are qualitative due to the state’s carbon neutrality goal. The new thresholds state that any new building must either:

1. Not include natural gas; or
2. Be consistent with a local Climate Action Plan (CAP).

The Reach Code can include exceptions for certain uses such as restaurants and certain industrial operations, however, in order for a project to avoid having a significant impact, Hayward’s CAP would need to identify a means for offsetting the greenhouse gas (GHG) emissions from the gas use by 2045. Staff is currently working with a consultant team on an update of the CAP and plans to find a way to allow some gas use while still maintaining a path toward carbon neutrality by 2045.

EV Charging – The EV charging requirements in the current Reach Code have been especially difficult for developers of affordable housing. Some recently approved affordable housing projects in Hayward have been completely exempted from the charging requirements due to concessions granted under the state’s Density Bonus law.

Attachment II is a glossary of terms related to EV charging. On March 14, the CSC requested more information about the costs to install EV charging infrastructure. Attachment III includes potential requirements as well as cost estimates.

While the new CalGreen code will require 40% of spaces to have Level 2 readiness, the new regional model code would require the remaining 60% of spaces to be Level 1 EV Ready. Staff is not recommending Level 1 chargers as an overnight charge providing 30 miles of range is not sufficient for many people. New EVs have large batteries that may make Level 1 charging obsolete in the next few years. Staff is recommending some combination of Level 2 charging readiness and Level 2 chargers.

As part of this project, cost estimates were provided (Attachment III) from a 2019 report⁶ prepared for Peninsula Clean Energy and Silicon Valley Clean Energy. The study analyzed the costs for a 60-unit multi-family project; a 150-unit multi-family project; and an office building with 60 parking spaces. The study considered the cost of electrical service upgrades, electrical panels and transformers and includes the following key findings:

- Costs [for EV charging] for new construction were significantly lower, at almost four times as much per spot compared to the retrofit scenario. This indicates that increasing Code requirements for charging infrastructure could potentially save significant amounts of money to building owners in the new construction context rather than waiting for tenants to become interested in electric vehicles, at which

⁶ https://bayareareachcodes.org/wp-content/uploads/2020/03/PCE_SCVE-EV-Infrastructure-Report-2019.11.05.pdf

point significant costs related to invasive demolition and electrical infrastructure replacement would be necessary.

- Transformer capacity limitations are not expected to occur very frequently and that even in the retrofit context most buildings should be able to meet the added load. For those that do not have significant capacity, utilizing lower power “Level 1” ports or load management may be promising options. However, transformer upgrades are more likely with the increased EV infrastructure requirements such as those for Level 2 charging.
- For larger new buildings in need of a second transformer and associated electrical infrastructure, the owner/developer would need to bear those costs estimated to be approximately \$50,000 (or significantly more in a retrofit context).
- Installing an EV Capable parking space means that wiring, etc. would need to be installed at later date. Installing an EV Ready space at the outset (installing a complete electrical circuit with wiring and circuit breakers) will achieve better economies of scale and avoid the overhead and time needed to hire an electrician. This includes the need for tenants to get approvals from building owner for an electrical wiring retrofit (as in the case of a condominium with a homeowners association). Similarly, installing charging equipment during new construction can be completed at a much lower cost than retrofitting later.

The requirements for EV charging infrastructure will increase the cost of construction; however, future residents or employees can benefit from the cost savings of operating an EV compared to a gasoline vehicle. In addition, significant savings can be realized when installing EV Capable and EV Ready circuits at the time of new construction as compared with the retrofit of an existing building or existing parking lot.

The key to keeping costs of EV charging low is the installation of Automatic Load Management Systems (ALMS), which manage electrical loads across one or more electric vehicle chargers, circuits, or panels, and share electrical capacity and/or automatically manage power at each connection point. This allows several cars to remain plugged in overnight, but not all cars would be charged at the same time.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority to *Confront Climate Crisis & Champion Environmental Justice* as included in the Strategic Roadmap adopted May 3, 2022. Specifically, this item is related to implementation of the following projects:

- | | |
|-------------|--|
| Project C1 | Ban natural gas in new residential buildings (Completed with the March 2020 adoption of the Reach Code.) |
| Project C2 | Require EV charging infrastructure in new construction (Completed with the March 2020 adoption of the Reach Code.) |
| Project C10 | Explore feasibility of banning natural gas in non-residential (commercial) buildings. |

ENVIRONMENTAL REVIEW

Staff anticipates the Reach Code, once finalized, will be found to be not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, “CEQA”) because it has no potential for resulting in a physical change to the environment. The Ordinance may also be exempt from CEQA under CEQA Guidelines section 15308, because it is a regulatory action for the protection of the environment.

PUBLIC CONTACT

The Bay Area working group hosted two workshops for building industry stakeholders and community members on February 15 and 16, 2022. Staff sent an email to 658 builders and developers to let them know about these workshops and the March 14 CSC meeting. At the February workshops, attendees were generally supportive of reach codes. Specific comments included:

- Automatic Load Management (for EV charging) is critical and still new, and more education is needed.
- Multi-family property owners said they do not want to be in the EV charging business. They requested that EV charging be required such that it is on the utility’s side of the electric meter.

In addition, in early 2022, staff reached out to six representatives of affordable housing developers and had phone conversations with three to review existing and potential EV charging requirements. Staff has conducted limited outreach for this first discussion on the 2023 Reach Code. Upon direction from the CSC, staff will continue to seek input from development and business stakeholders. Specifically, staff intends to engage with the Chamber of Commerce and industrial property developers before returning to the CSC with more refined recommendations.

On May 6, 2022, staff presented to the Hayward Chamber of Commerce’s Government Relations Committee. The Chamber members’ comments included:

- Questions about the capacity of the electrical grid and its ability to accommodate the increased load that will result from electrification.
- People still love to cook with gas.
- More direct outreach is needed to get the word out to business owners and multi-family property owners.

NEXT STEPS

Following feedback from the Planning Commission, staff will continue to work with the Bay Area working group and stakeholders to prepare a draft reach code ordinance for Council’s consideration. The following schedule is a tentative timeline for anticipated adoption of the 2023 Reach Code:

June 21, 2022	Council Work Session to consider draft Reach Code
July 11, 2022	Present draft Reach Code Ordinance to CSC

October 2022
January 2023

Council to consider adoption
Reach Code takes effect along with the 2022 CA Building Code

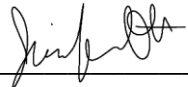
Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Jeremy Lochirco, Planning Manager

Approved by:



Sara Buizer, AICP, Deputy Director of Development Services

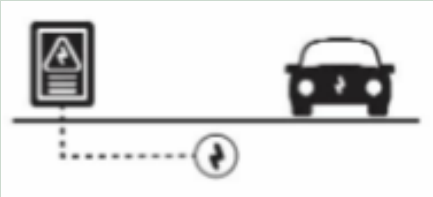
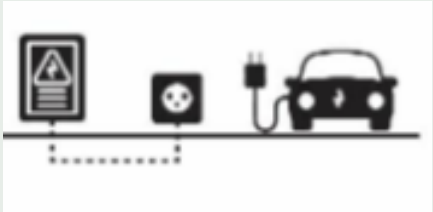



Jennifer Ott
Assistant City Manager/Development Services Director

Electric Vehicle Charger Types

Level 1		15-20 Amp, 120 Volt (standard household outlet) Driving Distance provided: 3-4 miles/hour
Low Power Level 2		20 Amp, 208/240 Volt Driving Distance provided: 10-15 miles/hour
High Power Level 2		40+ Amp, 208/240 Volt Driving Distance provided: 25-30 miles/hour
DC Fast Charge		80-400 Amp, 200-600 Volt DC (direct current) Driving Distance provided: 125-1000 miles/hour

EV Charging Infrastructure

EV Capable		Raceway (conduit), electrical capacity (breaker space)
EV Ready		EV Capable + overcurrent protection devices, wiring and outlet (i.e., full circuit)
EVCI (electric vehicle charger installed) Also known as EVSE (electric vehicle supply equipment)		All equipment to deliver electricity to EV

EV Charging Requirements

		Hayward’s Current Reach Code (% of dwelling units)	2022 CalGreen (% of parking spaces)	2022 Model Reach Code	2022 Model Reach Code Affordable Housing	Option A	Option B
Multi-Family (more than 20 dwelling units)		25% Level 2 EV Capable 75% Level 2 EV Ready	10% Level 2 EV Capable 25% <u>low power</u> Level 2 EV Ready 5% <u>high power</u> Level 2 EVSE	60% Level 1 EV Ready 40% <u>high power</u> Level 2 EVSE	60% Level 1 EV Ready 25% <u>low power</u> Level 2 EV Ready 15% <u>high power</u> Level 2 EVSE	60% <u>high power</u> Level 2 EV Ready 40% <u>high power</u> Level 2 EVSE	80% <u>low power</u> Level 2 EV Ready 20% <u>high power</u> Level 2 EVSE
Costs for a 100-unit Multi-Family Project*	L1 Ready			60	60		
	L2 Capable	25	15				
	L2 Low Power Ready		38		25		80
	L2 High Power Ready	75				60	
	L2 High Power EVSE		8	40	15	40	20
	Total Ports	100	61	100	100	100	100
	Total Cost		\$146,421	\$194,185	\$175,635	\$397,801	\$273,079
	Cost/Port		\$2,400	\$1,942	\$1,756	\$3,978	\$2,731
	% of dwellings w/access	100%	40-60%	100%	100%	100%	100%
	% of total const. cost**		0.3%	0.4%	0.4%	0.8%	0.6%

* Costs are estimated for 2022 and do not include the cost of transformers or increase panel capacity. Assuming 1.5 parking spaces per dwelling unit.

** The “% of total construction cost” may be as high as double as what is when accounting for transformers, etc. This is especially true of ‘Option A’ which includes the highest power requirements.

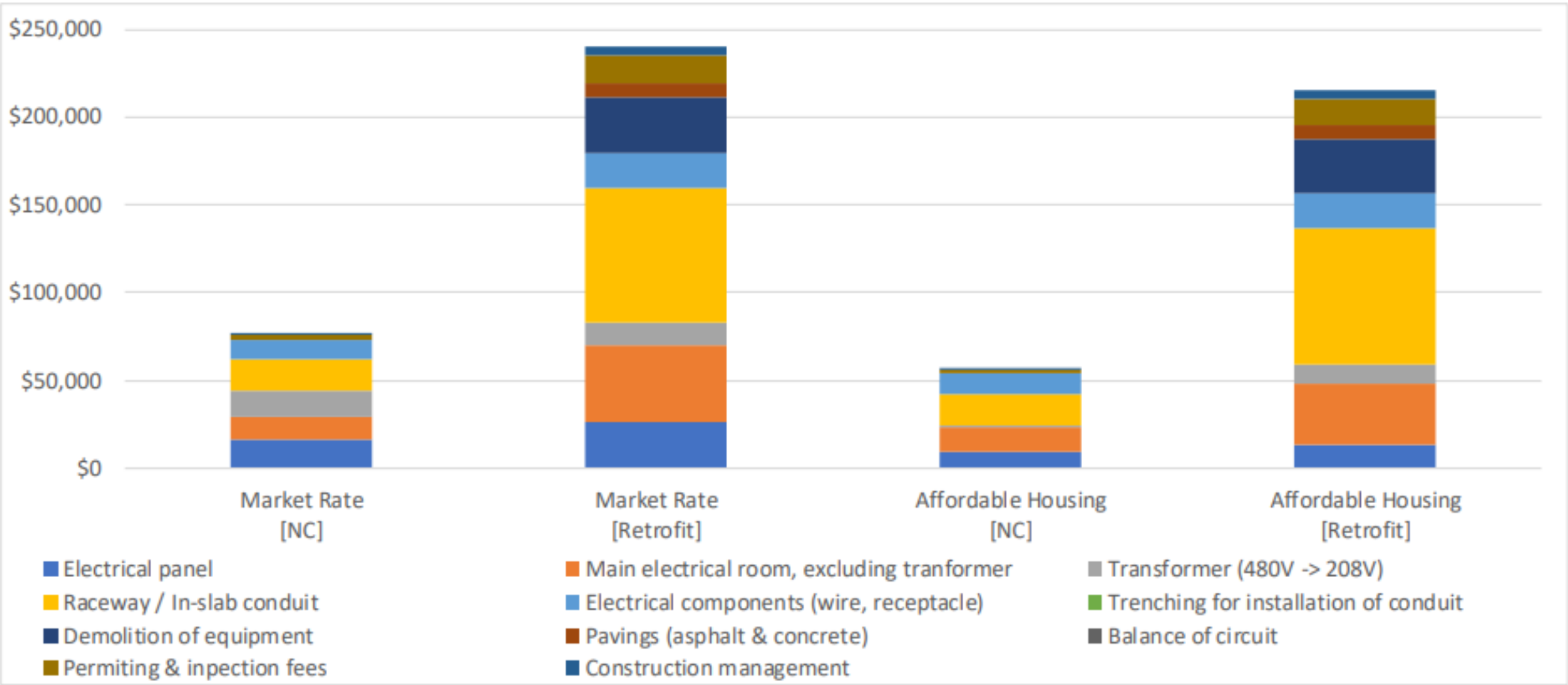
EV Charging Requirements (continued)

	2019 CalGreen	Hayward’s Current Reach Code	2022 CalGreen	<i>Model Reach Code (potential requirements)</i>	<i>Recommended</i>
Multi-Family ≤20 dwelling units	100% Level 2 EV Ready space	10% Level 2 EV Capable 25% <u>low power</u> Level 2 EV Ready (35% total)	40% <u>high power</u> Level 2 EVSE 60% Level 1 EV Ready (100% total)	15% <u>high power</u> Level 2 EVSE; 25% <u>low power</u> Level 2 EV Ready 60% Level 1 EV Ready (100% total)	TBD
Single Family & Townhome	One Level 2 EV Capable for one parking space per dwelling unit	Two Level 2 EV Ready spaces per dwelling unit	<i>No changes from 2019 CalGreen</i>	One Level 2 EV Ready space One Level 1 EV Ready space	Two Level 2 EV Ready spaces per dwelling unit
Non-Res Office	6% Level 2 EV Capable	20% Level 2 EVSE; 30% Level 2 EV Capable	5% Level 2 EVCS; 10% Level 2 EV Capable	20% Level 2 EVSE; 30% Level 2 EV Capable	
Non-Res Non-Office		15% Level 2 EVSE		10% Level 2 EVSE; 10% Level 2 EV Capable	
Hotel/ Motel	NA	NA	NA	5% Level 2 EVSE; 25% <u>low power</u> Level 2 EV Ready	

EV Charging Cost Estimates

The following cost estimates are from a 2019 study¹ prepared for Peninsula Clean Energy (PCE) and Silicon Valley Clean Energy (SVCE) analyzing the costs for: 1) a 60-unit multi-family project; 2) a 150-unit multi-family project; and 3) an office building with 60 parking spaces. The costs below are for EV Ready and do include costs for transformers. This study does not include costs for EVSE, and does not include and has a overall 20% contingency to account for ADA compliance. ADA can be a significant source of cost and in this study is only intended to capture a limited scope of ADA compliance.

Figure1. Cost Break-down for 60-unit Multi-family Residential Project



¹ https://bayareareachcodes.org/wp-content/uploads/2020/03/PCE_SVCE-EV-Infrastructure-Report-2019.11.05.pdf

Table 1. Estimated Incremental Cost of installing EV Infrastructure: 60-unit Multi-family Residential Project

Retrofit	60-Unit MUD			
	Market Rate [NC]	Market Rate [Retrofit]	Affordable Housing [NC]	Affordable Housing [Retrofit]
Level 2 Ports Added	9	9	0	0
Level 1 Ports Added	45	45	54	54
Electrical panel	\$15,960	\$26,008	\$9,289	\$13,004
Main electrical room, excluding transformer	\$13,609	\$43,911	\$14,055	\$35,193
Transformer (480V -> 208V)	\$14,164	\$12,743	\$1,081	\$10,897
Raceway / In-slab conduit	\$18,059	\$77,247	\$18,059	\$77,247
Electrical components (wire, receptacle)	\$11,366	\$20,131	\$11,307	\$20,049
Trenching for installation of conduit	\$0	\$0	\$0	\$0
Demolition of equipment	\$0	\$31,940	\$0	\$30,918
Pavings (asphalt & concrete)	\$0	\$7,889	\$0	\$7,889
Permitting & inspection fees	\$2,435	\$15,592	\$2,435	\$15,592
Construction management	\$549	\$4,449	\$403	\$4,264
TOTAL	\$76,142	\$239,909	\$56,629	\$215,051
TOTAL (Price per Port)	\$1,410	\$4,443	\$1,049	\$3,982

NC = New Construction

Figure2. Cost Break-down for 150-unit Multi-family Residential Project

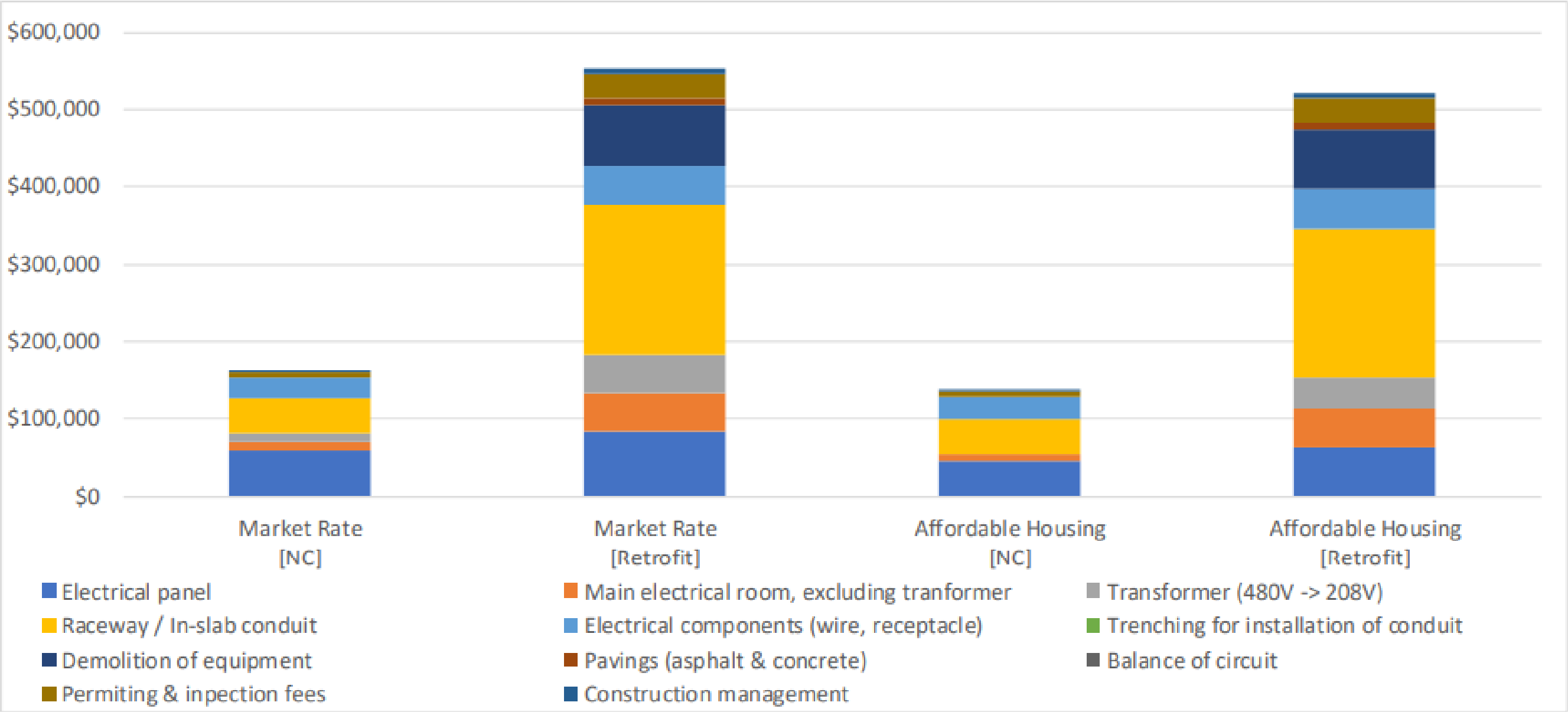


Table 2. Estimated Incremental Cost of installing EV Infrastructure: 150-unit Multi-family Residential Project

Retrofit	150-Unit MUD			
	Market Rate [NC]	Market Rate [Retrofit]	Affordable Housing [NC]	Affordable Housing [Retrofit]
Level 2 Ports Added	23	23	0	0
Level 1 Ports Added	112	112	135	135
Electrical panel	\$59,785	\$83,699	\$44,926	\$62,896
Main electrical room, excluding transformer	\$10,059	\$49,276	\$10,059	\$49,276
Transformer (480V -> 208V)	\$11,539	\$49,742	\$0	\$40,621
Raceway / In-slab conduit	\$45,147	\$193,116	\$45,147	\$193,116
Electrical components (wire, receptacle)	\$28,062	\$49,833	\$28,407	\$50,317
Trenching for installation of conduit	\$0	\$0	\$0	\$0
Demolition of equipment	\$0	\$79,850	\$0	\$77,294
Pavings (asphalt & concrete)	\$0	\$8,442	\$0	\$8,442
Permitting & inspection fees	\$5,798	\$33,069	\$5,798	\$33,069
Construction management	\$1,159	\$6,655	\$964	\$5,196
TOTAL	\$161,550	\$553,682	\$135,301	\$520,227
TOTAL (Price per Port)	\$1,197	\$4,101	\$1,002	\$3,854

NC = New Construction

Figure 3. Cost Break-down for Office Building with 60 Parking Spaces

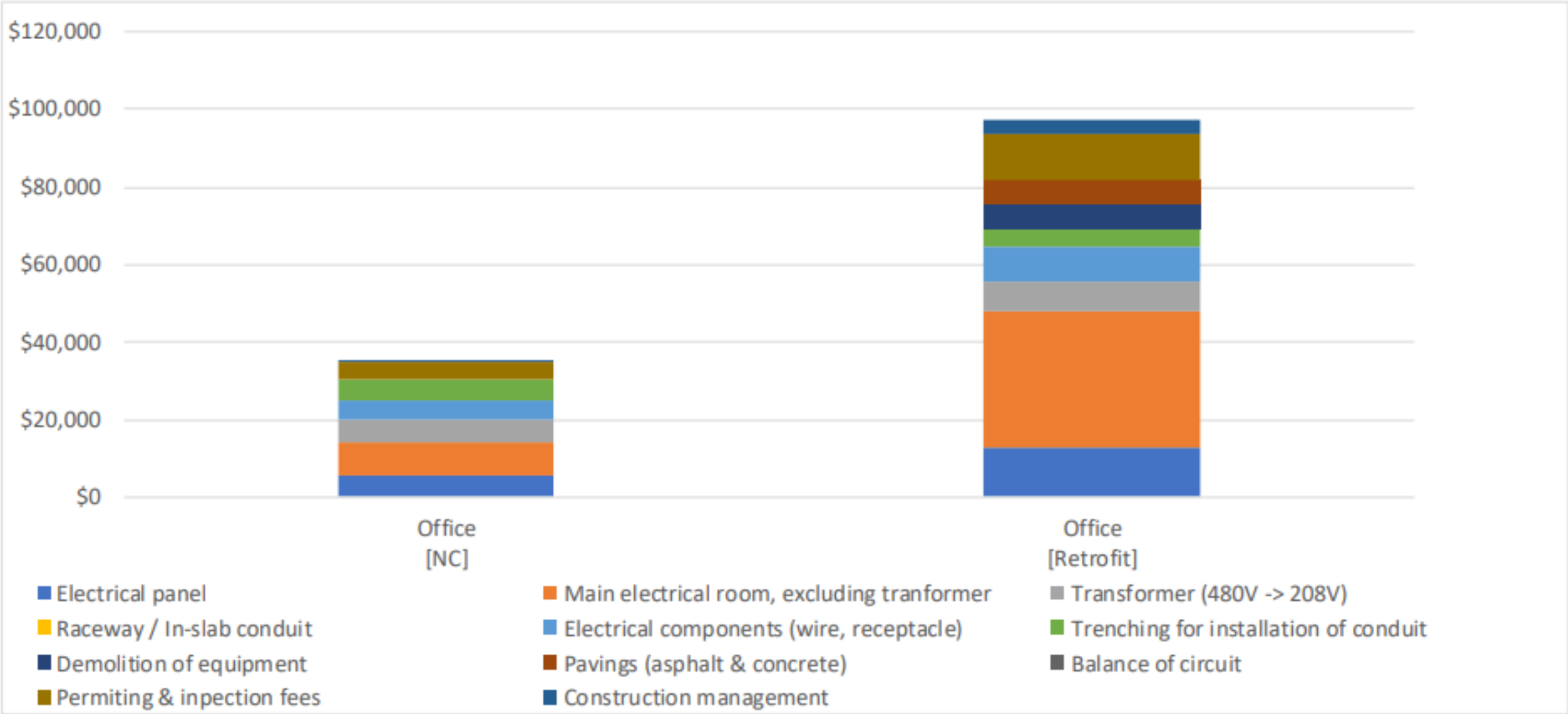


Table 3. Estimated Incremental Cost of installing EV Infrastructure: Office Building with 60 Parking Spaces

Retrofit	60-Space Office	
	Office [NC]	Office [Retrofit]
Level 2 Ports Added	2	2
Level 1 Ports Added	24	24
Electrical panel	\$5,571	\$13,004
Main electrical room, excluding transformer	\$8,558	\$35,005
Transformer (480V -> 208V)	\$5,748	\$7,786
Raceway / In-slab conduit	\$0	\$0
Electrical components (wire, receptacle)	\$5,285	\$9,031
Trenching for installation of conduit	\$5,133	\$4,562
Demolition of equipment	\$0	\$6,211
Pavings (asphalt & concrete)	\$0	\$6,305
Permitting & inspection fees	\$4,448	\$11,652
Construction management	\$227	\$3,414
TOTAL	\$34,971	\$96,970
TOTAL (Price per Port)	\$1,166	\$3,232

NC = New Construction



File #: WS 22-017

DATE: May 26, 2022

TO: Planning Commission

FROM: Director of Public Works

SUBJECT

Climate Action Plan Update and Proposed Environmental Justice Element: Considerations for New General Plan Policies and Programs for the Hayward 2040 General Plan

RECOMMENDATION

That the Planning Commission reviews and provides feedback on the proposed updates to the City's Climate Action Plan and new policies and programs related to the adoption of a new Environmental Justice element of the Hayward 2040 General Plan.

SUMMARY

The City is in the process of updating its Climate Action Plan (CAP) to establish policies and programs needed to meet greenhouse gas (GHG) reduction targets adopted by Council in 2020. The current CAP, part of the *Hayward 2040 General Plan* adopted in 2014, is being updated along with revisions to the Housing and Safety Elements of the General Plan, which is required by the State. This report also presents a draft policy framework for a new Environmental Justice element of the General Plan. This report provides a status update on the project, community engagement strategies, and next steps. The City is working with Rincon Consultants to forecast GHG emissions and develop policies and programs that will help reduce community-wide emissions. Staff will continue engaging with stakeholders to ensure that all policies in the CAP are equitable and align with community needs.

Staff is requesting feedback from the Planning Commission on the updates to the Climate Action Plan and proposed programs and policies related to a new Environmental Justice element of the *Hayward 2040 General Plan* and will forward that feedback to Council for their consideration at a future meeting.

ATTACHMENTS

- Attachment I Staff Report
- Attachment II CAP mural Board Responses
- Attachment III EJ Workshop 1 Mural Board Responses
- Attachment IV Hayward EJ Draft Policy Framework

File #: WS 22-017

Attachment V EJ Workshop 2 Mural Board Responses



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Staff is requesting feedback from the Planning Commission on the updates to the Climate Action Plan and proposed programs and policies related to a new Environmental Justice element of the *Hayward 2040 General Plan* and will forward that feedback to City Council for their consideration at a future meeting.

BACKGROUND

In July 2009, Hayward adopted its first CAP, which included aggressive goals for reducing GHG emissions. The CAP was later amended in 2014 and incorporated into the *Hayward 2040 General Plan*¹ and includes actions necessary to meet Hayward's 2020 GHG reduction target (20% below 2005 levels by 2020). This target was achieved two years early, with Hayward's 2018 emissions inventory showing that community-wide emissions were reduced by 21.6% from 2005 to 2018. In January 2021, staff presented to the CSC Hayward's 2019 GHG inventory² showing that emissions had been reduced by 25.7% since 2005.

¹https://www.hayward-ca.gov/sites/default/files/documents/General_Plan_FINAL.pdf

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=4747797&GUID=2B1F0C6F-B961-4AA3-9553-240ACE74B4B1&Options=&Search=>

On June 23, 2020³, the Council adopted an ordinance amending Hayward's CAP and General Plan to include the following goals:

- reduce emissions by 30% below 2005 levels by 2025
- reduce emissions by 55% below 2005 levels by 2030
- work with the community to develop a plan that may result in the reduction of community based GHG emissions to achieve carbon neutrality by 2045.

State law requires the Housing Element be updated by January 2023 and requires amendments to the Safety Element as part of those updates. State law also requires an Environmental Justice Element for communities that have disadvantaged census tracts⁴. To support this work, the Council adopted Resolution No. 20-054 in May 2020 to authorize the City Manager to apply for a Local Early Action Planning (LEAP) Grant to fund the Housing and Safety Element updates, as well as develop the new Environmental Justice Element of the *Hayward 2040 General Plan*. In May 2021, the City and State entered into an Agreement to fund the Housing, Safety and Environmental Justice portions of the project. The CAP portion is funded by enterprise funds managed by the Public Works Department.

On July 20, 2021⁵, Council adopted a resolution authorizing the City Manager to execute an agreement with Rincon Consultants to prepare General Plan amendments related to the Housing Element, CAP, Environmental Justice Element, and the Safety Element.

On May 9, 2022⁶, the Council Sustainability Committee (CSC) considered a report about the Climate Action Plan and Environmental Justice updates and outreach efforts. Committee members requested that staff:

- Engage with local organizations and nonprofits, including, Save the Bay, Hayward Promise Neighborhood, Hayward Unified School District (HUSD), StopWaste, Green the Church, and Indigenous groups;
- Partner with the City's Library to reach different audiences through already existing programs like Storytime; and
- Ensure that Strategic Roadmap initiatives align with proposed CAP and EJ initiatives.

Staff is in the process of reaching out to additional community organizations, including HUSD, to seek early input on equitable approaches to potential strategies to reduce GHG emissions. Throughout the development of the CAP and Environmental Justice Element, staff will continue to ensure that new policies and programs align with the City's Strategic Roadmap.

DISCUSSION

The CAP update is needed to identify the policies and programs necessary to achieve the 2030 GHG reduction target and put Hayward on a path to achieve carbon neutrality by 2045. The City's goals for 2030 and 2045 are consistent with the State's. SB 32, signed into law in

³Second Reading of VMT Thresholds and GHG Emission Reduction Targets Ordinance. June 23, 2020 City Council Meeting.

⁴<https://hayward.legistar.com/LegislationDetail.aspx?ID=4576651&GUID=4E2F5527-D216-4472-BB79-5D9A37A41AE8&Options=&Search=7DEB78AAD470&Options=&Search=> It was recently determined that Hayward does not have any census tracts classified as "disadvantaged", however some are just above the threshold. In addition, preparation of the EJ Element is consistent with Council's priority to address racial equity.

⁵<https://hayward.legistar.com/LegislationDetail.aspx?ID=5034289&GUID=A1DD2D35-7B4A-42C8-9284-7DEB78AAD470&Options=&Search=>

⁶<https://hayward.legistar.com/LegislationDetail.aspx?ID=5644445&GUID=18072FD1-2F1C-4355-91BE-CA6780C8961A&Options=&Search=>

December 2020, requires that when a city or county updates its CAP or general plan, they must be consistent with these statewide GHG reduction targets. The CAP update is being combined with the Housing Element update and Environmental Justice Element effort because issues of housing, environmental justice, safety and hazard planning, and climate change are inextricably linked. Conducting outreach, planning, and environmental review for all the General Plan amendments simultaneously will result in a comprehensive and more holistic approach that will result in cost savings and time efficiencies.

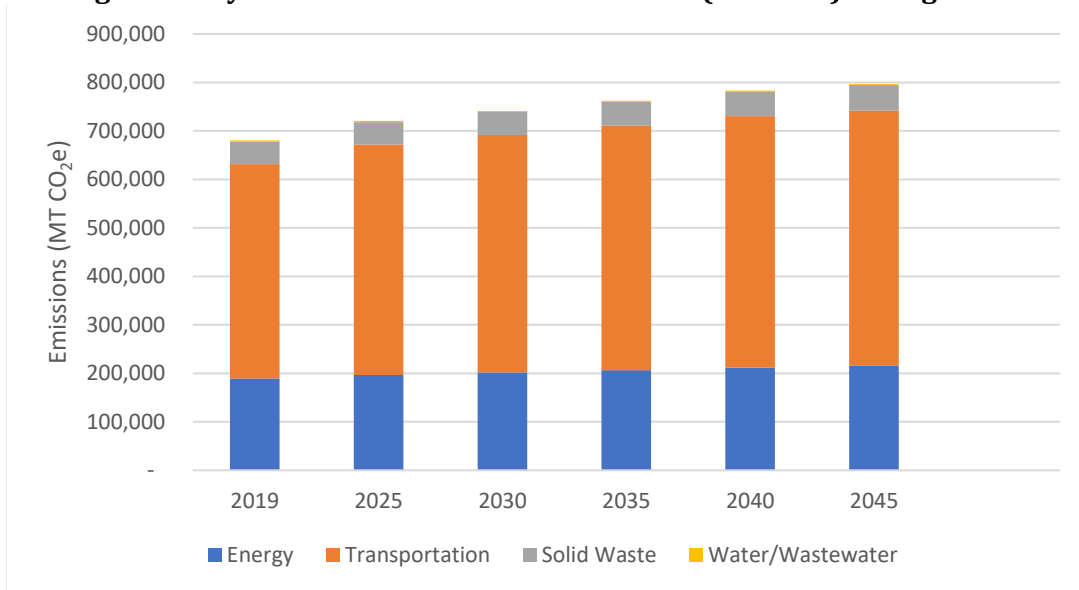
GHG Inventory and Forecast. Hayward's most recent inventory, presented to the CSC in January 2021⁷, accounts for community GHG emissions through 2019. Rincon consultants evaluated the 2019 GHG inventory and provided a forecast of emissions through 2045. The 2020 inventory is currently in progress and will be presented to the CSC when all necessary data becomes available.

In the GHG inventory evaluation, the consultants recommended that the City include emissions from public buses (AC Transit), update off-road emissions data, and calculate total transportation emissions using a new data source from Google called Environmental Insights Explorer (EIE). Previous inventories have included on-road transportation activity data from the Metropolitan Transportation Commission (MTC) in units of vehicle miles traveled (VMT), which is the standard metric for calculating transportation-related GHG emissions. The MTC data uses a transportation model which relies on surveys of transportation patterns, land use and population metrics to calculate VMT for passenger and commercial vehicles completing trips entirely within the city, ending or starting within the city, and those that only pass through. Staff supplemented the MTC data with data from the California Air Resources Board on motorcycles, motor homes, and buses to account for the full scope of on-road transportation in Hayward. The new dataset from Google EIE accounts for all vehicle types that start or end within the city. This data is advantageous because it uses anonymized and aggregated location history data that is a real time reflection of local changes in transportation use. For example, the Google EIE data reflected the decrease in on-road transportation during the COVID-19 pandemic.

After making these updates, the finalized inventory was used to forecast future emissions. The following forecasts are provided for two scenarios: *Business as Usual (BAU)* and *Adjusted for State and Federal Regulations*. The purpose of the forecasts is to provide an estimate of how the City's GHG emissions are expected to change from 2019 to 2045 as a result of economic and population growth (Business as Usual) and California climate-related legislation (Adjusted for State and Federal Regulations). The forecasts will help the City quantify the emission reductions that need to be addressed by local policies and programs in order to meet long term targets.

Business As Usual Forecast. The first forecast provided is Hayward's BAU GHG emissions, shown below in Figure 1. The BAU forecast provides an estimate of how emissions are predicted to change from 2019 to 2045, given that existing actions continue as they were in 2019 with no new regulations or actions that reduce local GHG emissions. The forecast is based on projected trends in population growth and employment, consistent with local and regional projections.

⁷ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4747797&GUID=2B1F0C6F-B961-4AA3-9553-240ACE74B4B1&Options=&Search=>

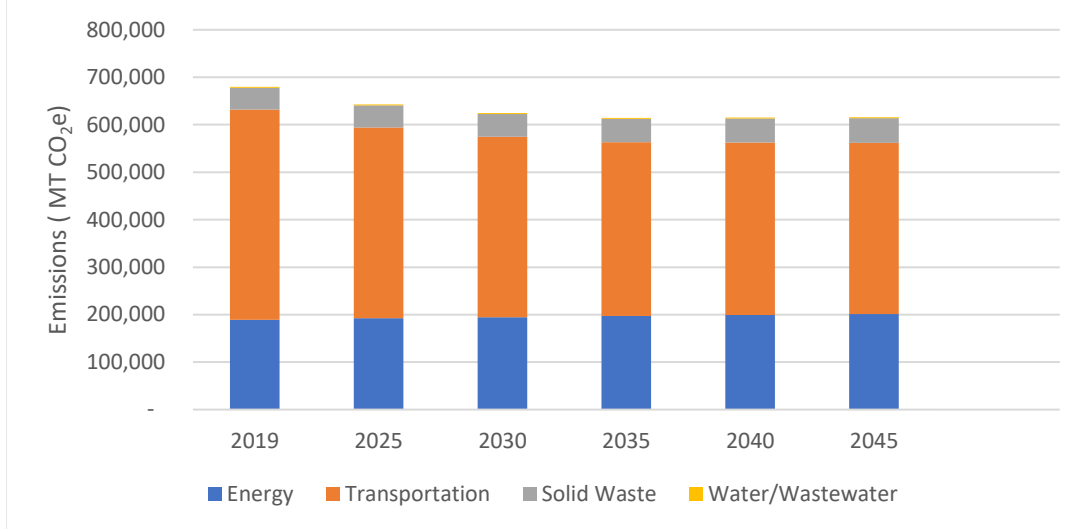
Figure 1. Hayward BAU GHG Emissions Forecast (MT CO₂e) through 2045

Adjusted State + Federal Regulations Forecast. There are multiple federal and state regulations that have been enacted recently, which will further help to reduce Hayward's GHG emissions in the coming years. The following State actions were applied to the Adjusted Forecast based on the unique sectors within Hayward:

- 2019 Title 24 Building Energy Efficiency Standards**
 The 2019 Title 24 Energy Efficiency Standards have come into effect, creating significantly more efficient new building stock. Starting in 2020, new residential developments are required to include on-site solar generation and near-zero net energy use.
- Renewable Portfolio Standard (RPS) and Senate Bill 100**
 The RPS program, accelerated in 2018 under SB 100, requires investor-owned utilities, publicly owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 50 percent of total procurement by 2026 and 60 percent of total procurement by 2030. The RPS program further requires these entities to increase procurement from GHG-free sources to 100 percent of total procurement by 2045.
- Transportation Legislation**
 The Advanced Clean Cars program coordinates the goals the Low Emissions Vehicles, Zero Emissions Vehicles, and Clean Fuels Outlet programs into a single coordinated package of requirements for model years 2017 to 2025. The new standards are anticipated to reduce GHG emissions by 34 percent in 2025. Public transit GHG emissions will also be reduced in the future through the Innovative Clean Transit (ICT) regulation, adopted in December 2018, which requires all public transit agencies to gradually transition to a 100-percent zero-emission bus fleet by 2040.

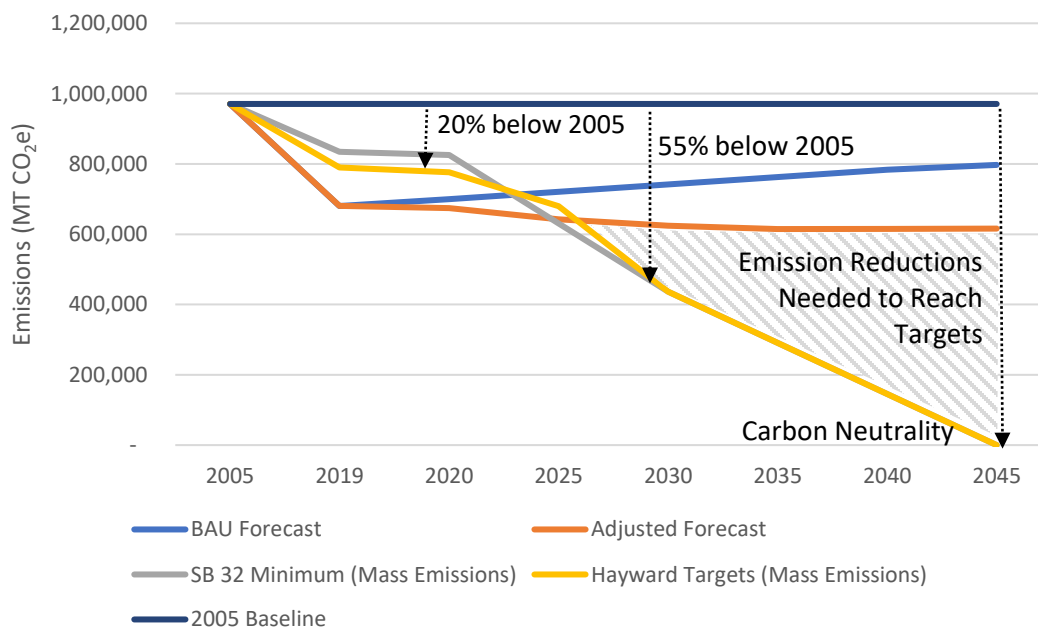
Compliance with State legislation is expected to result in GHG emissions reductions from the BAU GHG Emissions Forecast in the transportation and energy sectors for residential and non-residential activities. The impact of these regulations was quantified by Rincon to create the adjusted forecast shown below in Figure 2.

Figure 2. Hayward Adjusted GHG Emissions Forecast (MT CO₂e) through 2045



Gap Analysis. The Adjusted Forecast was then compared against the City's targets to identify the gap in emissions reductions that is needed by the City in order to reach the GHG reduction goals stated previously. The CAP Update will assess the GHG emissions reductions needed based on the difference between the legislative adjusted GHG emissions forecast and the adopted Hayward GHG reduction targets. The estimated targets and the emissions gap are shown in Figure 3 below.

Figure 3. GHG Emissions Targets & Gap Analysis



First CAP Community Workshop. The information reflected in the figures noted above were presented at a virtual community workshop on April 13, 2022. This meeting was open to the public and advertised through the project website, a Leaflet article, and emails to stakeholders, including attendees of the first EJ Forum. During the workshop, the attendees provided input on the following topics through a Mural Board interactive activity (see Attachment II). Below each topic, staff summarized the public feedback received:

- *Concerns about climate change and GHG emissions*
Many community members in the meeting expressed their concern for the disproportionate impact of climate change on low-income, BIPOC (black, indigenous and people of color) communities. Additionally, there were concerns about health impacts, livability, stability of the community over time, and disruption of the supply of essential resources (food, water, power, etc.).
- *Potential opportunities to reduce GHG emissions in Hayward*
Attendees recommended the CAP emphasize reducing emissions from on-road transportation. Comments included making public transportation, biking, and electric vehicles more accessible, safe, and affordable. Other comments addressed the need to reduce air pollution from factories and construction.
- *Sectors to prioritize in the CAP*
Attendees voted on which sectors they believe should be included in the CAP Update, and of the seven options provided⁸, the top four choices were:
 - Increasing Public Transit Access;
 - Increasing the Number of Trees Planted;
 - Electrifying New Buildings; and
 - Electrifying Existing Buildings
- *Recommendations to make the CAP Update more equitable*
To make the CAP more equitable, participants recommended that all Hayward residents be involved throughout the process, especially the most impacted communities, by meeting people in their neighborhood, including possible compensating them for their time. There were also recommendations to strengthen engagement in communities that will be most impacted by climate change to ensure that any programs included in the CAP Update are accessible and equitable. Finally, a key theme throughout this activity was the concern for future generations and the suggestion to involve the school district and students who are passionate about climate change but don't know how to contribute.

The meeting recording and presentation from the April 13 Workshop are available on the project website⁹. Additionally, there is also a short survey for residents to share ideas, concerns, and feedback on the CAP Update.

Staff is seeking direction and ideas from Council and the Planning Commission regarding additional potential GHG-reducing measures to be considered for the draft CAP. Staff will

⁸ The 7 options provided were: (1) increase public transit access, (2) increase electric vehicle (EV) charging infrastructure, (3) increase car sharing options, (4) increase tree count, (5) electrify existing buildings (residential + commercial), (6) electrify new buildings (residential + commercial), (7) ban natural gas.

⁹ <https://haywardhousingandclimateupdate.com/project-resources/#materials>

work with Rincon to analyze potential measures to develop a suite of recommended measures that are in-line with the community input received in the Workshop. Analysis will consider:

- Emissions reduction potential;
- Co-benefits such as cost savings or health benefits;
- Costs and challenges associated with implementation; and
- Equity
 - Who would the action benefit?
 - Who would the action not benefit?
 - Who is currently implementing the action?
 - Who is not currently implementing the action and why?

Environmental Justice Public Forums. On February 23, 2022, the City hosted the first Environmental Justice Public Forum virtually to discuss environmental justice issues, such as health, pollution exposure, parks access, food access, and community engagement outlined in an Environmental Justice Technical Report¹⁰. This meeting was open to the public and advertised through the project website, the Leaflet, and emails to stakeholders and interested parties. There were sixteen members of the public who attended the forum and recommended that the new Environmental Justice Element address the following issues, which are also detailed in Attachment III:

- The disproportionate amount of pollution that impacts some multifamily and affordable housing units and the related health risks associated with this impact;
- The lack of public transit/biking/walking routes to access public amenities and grocery stores, including stores with limited access to affordable and healthy food options;
- Inadequate programming and maintenance, and safety concerns at some parks;
- Multi-lingual outreach efforts that include underrepresented groups and bring meetings to residents to increase accessibility.

The community input was used to help create a draft policy framework (Attachment IV). Once finalized, the framework will be used as an outline of key environmental justice topics specific to Hayward that will be addressed by the policies and programs identified in the Environmental Justice Element.

At the second virtual Environmental Justice Public Forum held on April 27, 2022, community members had an opportunity to provide direct feedback on the topics identified as policy focal points for the Environmental Justice Element. This meeting was open to the public and advertised through the project website, and emails to stakeholders and participants from the first EJ Forum. Key themes that emerged around the policy focal points from the 19 attendees of the second public forum (see Attachment V) included:

- Limiting pollution exposure as a result of traffic;
- Considering illegal dumping as pollution and addressing the issue;
- Increasing public transit, active transportation, and EV charging facilities;
- Increasing food rescue programs and locally grown food;

¹⁰ <https://haywardhousingandclimateupdate.com/wp-content/uploads/2022/02/Hayward-EJ-Background-Tech-Report.pdf>

- Providing housing support, especially to non-English speakers and seniors;
- Creating more green space, and partnering with HARD and HUD to do so.

Staff intends to use the community input from these forums and other outreach efforts, including feedback from the Planning Commission and City Council to create the draft Environmental Justice Element. Staff is seeking direction and ideas from the Planning Commission regarding the areas listed above as well as additional Environmental Justice policies that should be considered in the Environmental Justice Element.

The meeting recordings and presentations from both Public Forums are available on the project website¹¹.

Safety Element. Along with the CAP update and new Environmental Justice Element, staff is also preparing an update to the Safety Element of the *Hayward 2040 General Plan*. The City is required to update the Safety Element due to several pieces of legislation that were triggered by updating the Housing Element. As a part of the Safety Element update, staff and the consultant team have been working on evacuation scenario planning and drafting a Climate Vulnerability Assessment, which are new requirements following State legislation. While the CAP will focus on efforts to minimize climate change, the Safety Element will contain policies and programs supporting community resilience and adaptation efforts. Staff will present draft Safety Element policies and programs to the Planning Commission at a later date.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority to *Confront Climate Crisis & Champion Environmental Justice* as included in the Strategic Roadmap adopted May 3, 2022. Specifically, this item is related to implementation of the following project:

Project C5: Adopt & Implement 2030 GHG Goal & Roadmap along with other General Plan Elements

ENVIRONMENTAL REVIEW

Environmental review for this project has yet to begin. Staff anticipates preparing an addendum to the Environmental Impact Report (EIR) prepared for the Hayward 2040 General Plan, which was adopted in 2014. Once completed, staff will return to the Planning Commission for review and a recommendation to Council.

PUBLIC OUTREACH

Equitable Outreach Plan. There is considerable overlap between the issues addressed in the CAP, Housing Element and Environmental Justice Element. As a result, staff is conducting public outreach efforts for all three projects simultaneously, with an emphasis on equity and extensive community involvement. For example, Rincon consultants created a project website¹² with information on the Housing Element, Environmental Justice Element, Safety Element, and the Climate Action Plan. Through the website, the public can see upcoming

¹¹ <https://haywardhousingandclimateupdate.com/project-resources/#materials>

¹² <https://haywardhousingandclimateupdate.com/>

meetings, access resources from past meetings, and engage through surveys and email. Currently, there is a short survey open for the CAP Update to receive feedback on what sectors to prioritize and ideas for GHG reducing policies and programs.

Prior to the Environmental Justice and CAP community workshops, staff contacted over 100 community-based organizations and stakeholder groups to gauge interest in collaborating on the General Plan updates. Staff also visited various locations around Hayward (grocery stores, laundromats, farmers market, BART stations, etc.) to pass out flyers with information on the General Plan Updates and how residents can be involved. Collectively, Environmental Services and Planning Division staff visited 19 different locations across the city to promote public outreach and solicit feedback. Additionally, the City's Housing Division outreach included standard surveys and interviews, including a interactive housing simulation that allows people to identify sites and areas for future development. More information on these efforts can be found on the "Get Involved" page of the project webpage¹³.

Additionally, earlier this year staff created a Gallery Walk Event, featuring large poster boards with information on the Climate Action Plan, Housing Element, Environmental Justice Element, Safety Element, and the History of Hayward. The posters were printed in both English and Spanish and were displayed in City Hall, the Downtown Hayward Library, BART, the Farmers Market and at Chabot and Hayward NAACP Branch offices in conjunction with outreach events. Staff offered the posters to various organizations including a request by Alameda County Transit Authority offices requested the posters to display in their Hayward facility where approximately 400 Hayward residents are employed. Community members were invited to learn about the General Plan updates by walking through the gallery and engage with the posters through QR codes.

Additional Chabot College and CSUEB Outreach Efforts. Another avenue of community engagement has been through surveys and interviews conducted by college students in Hayward. Chabot College students have helped the City by surveying residents about parks and housing. In Spring 2021, Chabot College students interviewed 252 residents about their experience, concerns, and ideas for parks in Hayward. Chabot students also interviewed approximately 550 residents online in Fall 2021 and Spring 2022 about housing, discrimination, pollution, and community amenities. Additionally, students in a public health capstone class at CSU East Bay (CSUEB) are conducting surveys around park access, pollution, access to healthy food, and safe and sanitary housing. They are currently in the process of collecting survey responses and will use the data to provide policy recommendations to the City to potentially include in the Environmental Justice Element or other parts of the General Plan Update. Survey results from both Chabot and CSUEB will be summarized in the presentation to the Commission.

NEXT STEPS

Following the input and feedback from the Commission, staff will consolidate the comments and update the recommended Environmental Justice and GHG reduction policies and programs, which will be presented to the Council Sustainability Committee on July 11, 2022. Staff will return to the Planning Commission at a future date when the draft goals policies and

¹³ <https://haywardhousingandclimateupdate.com/get-involved/>

programs for the CAP, the Environmental Justice Element and the Safety Element are completed. In the meantime, staff will continue to engage with the Hayward community to ensure that the Environmental Justice Element and CAP respond to community needs and does so in an equitable way.

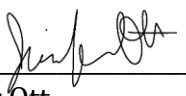
Prepared by: Carolyn Weisman, Climate Corps Fellow
Nicole Grucky, Sustainability Specialist
Leigha Schmidt, Principal Planner
Erik Pearson, Environmental Services Manager

Recommended by: Jeremy Lochirco, Planning Manager

Approved by:



Sara Buizer, AICP, Deputy Director of Development Services



Jennifer Ott
Assistant City Manager/Development Services Director

Hayward CAP Workshop - April 13, 2022

What concerns you most about climate change and GHG emissions? ¿Qué es lo que más te preocupa del cambio climático y de las emisiones de GEI?

1. how big companies will not be held accountable
2. Everything...passing 1.5C, breaking planetary boundaries, loss of ecosystems and biodiversity, fossil fuel industry lying about climate since the 60s
3. I'm concerned about how the next generation of adults will be involved
4. the wealthy will not change their consumption and capitalist practices which contribute to climate change
5. Not having a sustainable Earth for future generations
6. Poor health for community members
7. Concerned of the loss of ecosystems and family losing homes and having to rebuild
8. too many people loose hope that any action is important and that individuals behavior are not impactful on large scale climate change
9. Severe weather like
10. floods and intense storms
11. that people of color and low income communities will be impacted the most
12. We live in a society that values "things". We must change that in order to cut emissions to to our massive consumption of goods.
13. Disproportionate impact on our most vulnerable residents.
14. Climate change will disproportionately affect people of color and low socioeconomic status
15. Concern that climate change adaptation and reduction strategies leave out vulnerable communities
16. Decisions & plans that don't take into account the habits/routines of residents, and unfairly place the burden on individual sacrifice. Unequal access to opportunities to reduce individual carbon-footprints while celebrating reductions that won't materialize.
17. How will citizens adapt to the imminent changes to come?
18. we are already kind of late to the game and that we need to do more now!
19. extinction of species
20. Disrupting critical supply chains for essential resources like food, water, energy
21. Uncertainty how will it affect my long-term stability (where to live, family planning, etc).
22. The potential for failure to reach goals is harmful to human life and the quality of life.
23. feels like no solution
24. livability of our community for generations to come. Especially the ability to adapt to climate change impacts divided by wealth and power

25. our societies have trouble envisioning a world that is not driven by capitalism rather a sense of community and shared values
26. loss of nature and fresh water and clean air
27. Things will surely get worse. How to we help people adapt to these changes?
28. I am concerned the political will might not prioritize GHG for lower income communities

What do you believe are potential opportunities to reduce GHG emissions in Hayward? ¿Cuáles cree que son las oportunidades potenciales para reducir las emisiones de GEI en Hayward?

1. construction requirements become more stringent;
2. bike lanes, city shuttles, more community services so less car needs
3. Hold businesses liable for their emission
4. Reimagining transportation especially on Tennyson, Hesperian, Mission... Partnering with schools to advance climate literacy, justice and action
5. become a pollution free city (limit and decrease factories, manufacturers, warehouses that produce carbon dioxide)
6. Schools should be mandated to use electric school buses to transport students
7. Tax-breaks for people who commute less
8. Make Hayward a place that has everything. That way people won't have to travel to get what they need.
9. Create incentives for residents to switch out gas appliances for electric
10. More electric car charging stations
11. becoming a smoke-free city
12. big chain corporations should have a cap on carbon dioxide and audited on greenhouse emissions
13. More bike lanes and electric cars for less GHG
14. Promote less energy usage
15. Reduce fossil fuel consumption
16. holistic approaches! ghg reduction should also align with creating healthier, safer, and more resilient communities to live!
17. Reduce resident dependency on cars (even if they're electric!) - supply chains for electric cars are very carbon intensive
18. Incentives for using public transportation and or creating more bike friendly streets
19. More frequent, reliable, and FREE buses and BART trains
20. *Safe* bike lanes allow other means of transportation other than cars. Also proximity to services & work. If people can't afford to live in Hayward, they will be commuting MUCH farther
21. Compost recycling aside from just yard waste
22. ghg reduction strategies should also reduce the inequality gap! we need a just transition

- 23. Mode shift!! Bike lanes and walkability! connections of different transportations! I want to bike and take public transit but I need to feel safe doing so!
- 24. 15 min cities! more places for social infrastructure which can improve our resilience and relationships in the community
- 25. Educate our students and explore alternative forms of energy that can produce electricity
- 26. ensuring neighboring cities are aware of action and see if they can get on board

Which sectors do you believe should be included in the CAP Update? ¿Qué sectores cree que deberían incluirse en la actualización del CAP?

Increase public transit access/ Aumentar el acceso al transporte público

9 votes

- 1. I would put 100 votes here. The majority of our GHG emissions come from vehicle travel
- 2. Public transit less congestion, faster commute, higher productivity and lower emissions

Increase electric vehicle (EV) charging infrastructure/ Aumentar las opciones de coche compartido en la ciudad

1 vote

- 1. if this is it then the city should have a program where low income people can trade in old cars for electric
- 2. As an electric car owner, I know it's hard to find a charge outside my garage!

Increase car-sharing options/ Aumentar la carga de vehículos eléctricos en la ciudad

2 votes

Increase tree count/ Aumentar el número de árboles

6 votes

- 1. I would tie this to improving parks across Hayward

Electrify existing buildings/ Electrificar los edificios existentes

5 votes

- 1. This is a public health issue as well! Folks are inhaling gases from their appliances

Electrify new buildings/ Electrificar los edificios nuevos

4 votes

Prohibit natural gas/ Prohibir el uso de gas natural

2 votes

1. Russell City natural gas plant

Other/ Otros

1 vote

1. Please involve all the Hayward schools in these issues. Our students will be inheriting these problems and they should learn HOW TO take action
2. i think CAP should include all of these and more!
3. RESILIENCE to climate change imapcts and earthquakes!

Do you have any recommendations to make the CAP Update more equitable? ¿Tiene recomendaciones para que la actualización del CAP sea más equitativa?"?

1. talking to folks by directly engaging them in their neighborhoods in their lanugage
2. build capacity in the frontline communities so they can engage in these processes
3. paying BIPOC folks to participate in discussions like this
4. Partner w/ neighboring cities for shared resources and ideas
5. Involve the impacted communities and helping them to determine mitigation and equity. Don't decide for them. Get their version of what equity looks like
6. Make big effort to involve ALL citizens of Hayward.
7. equitable implementation with goals to reduce inequities
8. Community education & outreach re: projects during implementation
9. Ask students what they think would work to make this plan equitable
10. More community gardens
11. Outreach to solicit community ideas by visiting local parks, schools, grocery stores and including voices from unhoused residents
12. Prioritizing & implementing solutions that impact & benefit systemically disenfranchised residents FIRST
13. Working directly with front line communities in Hayward and bringing them in on this process. Working with the schools can help reach our most vulnerable community members
14. Changing agricultural practices and ending food waste
15. ensuring access to programs that come out of CAP through langauge and culturally aware outreach and ease of aaccess
16. Taking into consideration who will be able to make said changes and how it will affect all incomes
17. Encourage markets to use LOCAL goods

18. help people see how climate change impacts their health and safety and the livability in the future. Most people do not connect to ghg emissions at all
19. Just one example: If a grocery store is 3 miles round-trip, it's not walkable. Designing what someone said before "15 minute cities".
20. providing bikes, electric cars and free public transportation with those in low income
21. especially if more bike lanes and electric charging stations are going to be built
22. Communicate to everyone that the City of Hayward is serious about supporting its citizens
23. Encourage the idea that "Less is More"
24. Also: HOUSING. I can't stress this enough but a longer commute is not what we need right now. Affordable homes is directly related to reducing GHG emissions.
25. yes!! understand that climate change ultimately is about housing access and preventing displacement because of climate impacts

What else should be included in the CAP Update? ¿Qué más debería incluirse en la actualización del CAP?

1. Accountability
2. include resiliency in the CAP. the ability to bounce back from climate induced hazards and disasters, and earthquakes go hand in hand with sustainability. Not to mention sea level rise adaptation work
3. More ambitious goals, community members' experiences and perspectives on climate, opportunities for community members to participate in the solutions, a community sustainability / justice committee (if one doesn't already exist), sequestration, adaptation, resilience
4. Incentives and rebates for public transportation use and electric vehicle purchases
5. Process education: Where should residents go to advocate for change? Which boards and elected officials have power over these decisions?
6. can we set more ambitious goals with the new IPCC report? Other cities are striving for 2030 carbon neutrality. It is a far stretch and we have a lot of work to get there but it is moonshot thinking and we have the technologies necessary, we need the behavior and systems change!
7. Encourage citizens to vote to reduce emissions
8. Youth involvement. Our students want to help, but don't know how
9. This is complicated because all the bills that attempt to support Climate solutions are difficult to understand.....some good and some not feasible
10. Preservation of natural, undeveloped land!!
11. Love this^
12. What GHG-reduction initiatives have potential for community involvement?
13. Protect our shoreline & parks

14. Hold politicians accountable for their responsibilities in reducing the effect of Climate Change
15. Implementation strategy that identifies required resources and funding mechanisms
16. coordinate with regional efforts! things like transportation are across city jurisdiction
17. press for legislation to make GHG emissions study part of school curriculum starting in elementary school

Hayward EJ Workshop #1 Mural Board Activities

Health Demographics Mural Board - Tablero sobre aspectos de la salud

Overall Health - Salud General

1. Interested in how these health conditions are spread statistically across income and education levels
2. Few options for kids to participate in sports and get outside
3. there should be an equitable living standard
4. I'd like to understand whether the high rates of ER admissions indicate lack of access to preventive care.
5. Most of these are outcomes of poverty
6. unfortunate that people do not have control on the outcome of their health
7. Urban Greening in neighborhoods to protect from urban heat, pollution, flooding
8. I find a lot of cigarette butts while picking up litter in Hayward. We still have too high smoking rates
9. Long term chronic stress due to economic insecurity impacts overall health
10. Feels difficult to find medical care within the city of Hayward + rising cost of healthcare is constant concern
11. Interested in how these health conditions spread over age (i.e. children, young adults, and seniors)
12. It is very difficult to get into sports classes through HARD, which is the best option for kids in Hayward
13. more greenery, trees, parks, etc. goes so far to reduce daily stress.
14. My first thought regarding overall health is the extreme financial costs for basic medications, appointments, etc. even with insurance.
15. I've heard from a lot of parents who don't let kids play outside because it doesn't feel safe and there are no low cost activiies
16. accessibility to healh resources is limited bc of cost, resources and concerns around confidentiality
17. Lots of overcrowding in Hayward housing due to high costs, which can impact health
18. Heard multiple stories about how others health is impacted by others or that it is generationla
19. I feel we have far more fast food options than other types of healthier restaurant choices.
20. Overall health is scary to think about because of costs of going to doctors
21. Green spaces must feel safe for people to access them
22. Diabetes, obesity, high blood pressure
23. My concern is the cost of healthcare and access

Asthma - Asma

1. would be good to have early and often Asthma screenings in schools

2. A friend (and former Hayward resident's) daughter had severe asthma which made wildfire season very difficult.
3. Poor housing conditions with mold or irritants
4. I have friends with Asthma, I wonder if there's a link between the prevalence of freeways in the Hayward lowlands and Asthma rates
5. I have asthma, many of my friends in Hayward do as well
6. people are more likely to develop asthma if they are exposed to secondhand smoke
7. Developed Childhood asthma playing in a park within the higher percentile areas
8. when people have asthma and have to breathe secondhand smoke it makes their asthma so much more worse
9. When I see the kids from local schools doing their cross-country running along Mission Blvd I wonder what effect all of that traffic emissions is bad for them

Cardiovascular Disease

1. Related to poor access to healthy food options and spaces to get physical activity
2. We also have demographic populations in Hayward that have higher incidence of cardiovascular disease. This is important to recognize that our population is already more vulnerable.
3. access to consistent health care for early preventative care is important
4. Hayward is too car-centric, would like more walkable, mixed-use neighborhoods + green spaces as an approach to public health
5. Chronic Stress increases cardio disease

Low Birth Weight

1. I don't have any experience with maternal health issues
2. It is unfortunate the Sleepy Hollow no longer has L&D. I had to drive to San Leandro to deliver my son, and almost ended up with an emergency delivery on I-880
3. Language barriers and immigration status can lead to moms not getting any first trimester care
4. Exposure to mercury in the air as a result of industrial activity
5. families exposed to secondhand smoke have low birth rate

Pollution Burden Mural Board - Tablero Sobre la Carga de Contaminación

Write Locations of Pollution Burden. - Escriba las Ubicaciones de Carga de Contaminación.

1. Traffic: The Loop
2. Traffic: Orchard & Jackson during commute
3. Traffic: Mission Boulevard
4. Traffic: Target/Costco and other large box store areas
5. Traffic: rush hour (general)
6. Traffic: Commuters avoiding Highway 880
7. Traffic: Going onto the San Mateo bridge; impacted traffic in this area near housing
8. Air travel
9. CO2 from airport
10. Increased traffic from COVID testing
11. Cigarette butts on sidewalks and other trash or debris
12. PG&E facility air pollution
13. Diesel Trucks: W. Winston & Hesperian
14. Diesel Trucks: Industrial Areas
15. Trucks: Heavy burden on road infrastructure
16. Diesel Trucks: Continuous through the 92/Jackson Corridor and along Highway 880
17. Diesel Trucks: Mission Boulevard during main traffic areas; newly developed areas highly affected; affordable housing areas are highly polluted
18. Diesel Trucks: All along Winston/D Street Corridor

Or Use Sticky Notes to Explain Locations of Pollution Burden. - También puede usar las notas adhesivas para mostrar las ubicaciones con mayor carga de contaminación.

1. I see a lot of illegal dumping in various areas and also litter including items like smoking and even drug paraphernalia.
2. Our open spaces have a lot of food litter (e.g. shoreline, Garin park boundary) that attracts rodents and insects.
3. Now longer commute to and from Palo Alto but 92 Jackson corridor, on-ramps, and off-ramps from 880 are dry high congestion and high air pollution

Food Access Activity - Actividad sobre el Acceso a los Alimentos

What are the barriers to accessing healthy foods in Hayward? ¿Cuáles son los obstáculos para tener acceso a alimentos saludables en Hayward?

1. No access to fully functioning kitchen and kitchen supplies to cook
2. No time to cook when working multiple jobs
3. A lot of financial support available is based on outdated information. Many income levels can be food insecure in the Bay Area especially if you support a family
4. Limited options to buy healthier prepared foods (e.g. salads)
5. Long lines at grocery stores can make shopping inconvenient
6. Limited organic produce access
7. People work long hours (multiple jobs) and don't have time to cook.
8. too many options for fast food chains. Seems like these are the only options when driving around.
9. Are we counting Food Maxx and Grocery Outlet as grocery stores? Because those aren't exactly promoting healthy food access
10. Streets leading to grocery stores need to be more pedestrian friendly
11. Communal living can make it hard to designate the space and time for everyone to equally prepare meals, have space for all the groceries, utensils, they want/need
12. My experience working in a low pay job is that people with lots of chronic stress often don't make healthy food choices, partially because of cost, but often because fast food is a comfort when you are stressed and tired
13. Most grocery options require driving (large grocery stores on busy roads, not walkable)
14. Housing insecurity can lead to limited access to kitchen, fridge, etc so can't store fresh food
15. it can be more
16. I was disappointed to see that Sprouts will also host another high calorie fried chicken place
17. Cooking/nutrition fundamentals would be useful (esp since it's not taught in k-12)
18. processed food costs less and lasts longer than produce
19. Many HUSD schools do not have kitchen facilities
20. HUSD meals include a lot of pre-prepared/fried foods
21. Enrollment in CalFresh/SNAP, especially for populations returning home from jail or prison
22. Odd/long working hours make it hard prepare healthy options at home, and there are not many "healthy" / quick options late at night or very early morning
23. Grocery stores that only provide fried foods in the cooked section instead of healthy options to-go.
24. No access to car
25. healthy food goes bad much faster than processed food

- 26. Transportation, income, food education
- 27. Too many fast food restaurants create convenience trade of costs for buying from grocery stores
- 28. when a grocery store closes, would be great to see local food vendors set-up a farmers market of sorts in those big empty parking lots
- 29. time and money
- 30. Not enough restaurants promoting farm-to-table dining experiences.
- 31. Difficult to make healthy choices when it's more convenient to go to the nearby fast-food joint then search for a grocer store.
- 32. Food Source on Mission Blvd leaving hit hard, there is a big void there now
- 33. people who work full time can have hardly any time to cook or shop fresh foods
- 34. Need frequent/FREE public transportation to assist people's trips. Groceries are heavy!!
- 35. not sure how to cook healthy food
- 36. Expand what foods SNAP covers
- 37. easier to go to liquor store thats around the corner then drive to a grocery store acorss the neighborhood

Hayward Parks Access - Acceso a los Parques de Hayward

What parks do you like to go to and why? ¿A qué parques le gusta ir y por qué?

1. The only play structure park in Fairway Park is the little park next to old Bidwell School. We use it a lot, and it could use some TLC, especially for a park that is actually used quite a bit by the neighborhood.
2. My daughter wants more parks with monkey bars, there are so few around.
3. Greenbelt trails, Don Castro, and Mt. Diablo. These areas are natural spaces as opposed to many of the parks on the interior areas of Hayward.
4. Garin Park and CSU open space.
5. Mia's Dream Come True Playground Park!
6. Don Castro, it's not as popular so there are less people.
7. JA Lewis is beautiful, but parking is an issue.
8. The downtown park across from the new plaza.
9. Skatepark on Tennyson but sometimes feels a little sketchy.
10. Dog park off of Sleepy Hollow (has two dog enclosures, and outdoor work area).
11. East Ave., JA Lewis, Hayward Heritage - Well maintained with wide open spaces.
12. I use College Heights Park, one up on Hayward Boulevard across from the Fire Station and on Hesperian with the old train.

Which areas of Hayward have limited access to parks? ¿Qué áreas de Hayward tienen un acceso limitado a los parques?

1. In the individual business areas, around Mission Boulevard, near most large apartments.
2. Many parks in Hayward don't feel safe so people don't use them.
3. Eden Greenway is nice but needs more resources for the surrounding communities.
4. Garin Park because there is a lot of hiking there and there is designated parking space.
5. Fairway Park has a surprising void of kids parks with play structures.
6. Smaller neighborhood parks can often feel more welcoming for small children.
7. Parks that are in poor condition can be more of a burden than asset because they attract illicit activity and trash.
8. I often see evidence of alcohol/drug use in parks which makes them unwelcoming for kids.
9. Would like more dog parks.
10. If there is no programming at parks, then they get used less - Hayward has very few sports leagues for kids - I have to go to Castro Valley.
11. Many underserved areas for green space/open space are correlated with DACs, this also includes green infrastructure being integrated on streets.
12. Areas with a lot of crime (?) because of the density.

How could parks located in central and south Hayward be improved? ¿Cómo se podrían mejorar los parques ubicados en el centro y en el sur de Hayward?

1. I don't know what all of the renovations will be, but before it closed Kennedy Park was often covered in trash by Sunday (need covered trash cans).
2. There are a lot of random greenways, I would love to see the space be utilized.
3. KHCG often attracts many more volunteers for beautification events - need to increase sense of investment in open space.
4. Dog poop receptacles and bags.
5. Not have parks under large power electrical towers.
6. Less focus on open empty lawns and more emphasis on physical activity, ecological biodiversity, beautification, etc. with the limited park space.
7. More pathways and activities such as outdoor exercise machines that people can use like the one in Chabot Lake. Right now many of the parks are just open grass greenery that are not well maintained and not inviting for the community. People just use the open greenery to walk the dogs.
8. If school campuses were open after hours, this would increase sports fields and courts.
9. Some parks are unsafe due to homeless encampment like the one at Weeks Park.
10. Natural infrastructure should be integrated in all areas - this provides protection against climate hazards - urban heat, air pollution, stormwater/SLR flooding.
11. More walking loops like the design at the downtown park near the new library.
12. Parks, open space, urban greening must be equitably disbursed in all neighborhoods.
13. Areas for large picnics and barbeques, like Cannery Park.
14. I think restrooms would help the grounds and seating area, trash cared for more diligently.
15. Regular maintenance & programming that employs local residents!
16. Maybe we need covered trash cans, since sometimes it seems trash just blows out of the receptacles.
17. More basketball courts and skatepark with lights!

Hayward Community Engagement - Participación de la Comunidad de Hayward

What are the common barriers to participating in Hayward's decision making process? ¿Cuáles son algunos de los obstáculos comunes para participar en el proceso de toma de decisiones de Hayward?

I think people often don't know that discussions are happening. Social media and email/listserv are common ways of communication.

1 many people don't know about them.

2 Barriers: knowledge of what's being discussed and often the impact for the person/family; translation services; location

3 People may be hesitant to sign up for listservs and accounts if they have negative experiences with government

4 Are meetings accessible to community members experiencing disabilities?

5 Knowledge of city topics being discussed/decisions being made that impact them

City staff, and staff of county agencies that can communicate in the languages that exist in the community would make it easier

6 to access services

7 Feeling like their opinion does not matter

8 City Hall and downtown is far from South Hayward and can include long bus wait times

9 The Brown Act can sometimes be limiting, as non- or late-agendized discussions are not possible

10 length of evening meetings can be hard with people for families

11 I know that people who maybe hold more moderate views have expressed discomfort to me about sharing their thoughts

12 Tools like this not being available in languages like Chinese and Tagalog

13 Translation; door to door; burnout high already and language barriers totally disengage folks

14 Opposite of what's desired; glad to hear effort into horizon

15 Immigrants may not understand our government systems

I think zoom access to forums like these should continue post-pandemic, definitely easier for parents to participate this way,

16 transportation issues, etc.

I've heard from neighbors that they don't feel like things get better, so it doesn't feel like it's worth participating - so maybe some

17 successes more often would help

18 During the Community Safety workshops last year, community interviews indicated a lot of disillusionment that their voice

19 can be really difficult to wait hours for a item to speak on

20 Having to request translation at public meetings is a barrier with in itself for non English speakers

21 disillusionment/skepticism that their opinions will actually influence the end result. negative experiences with government

22 Transportation costs, scheduling conflict, mail/digital outreach, childcare, language barriers

23 not sure how to read agendas or know when to join to speak

Describe successful community engagement. Which strategies help reach key stakeholders? Describa como participación que sí funciona en la comunidad.

- 1 I am curious if virtual meetings have increased/decreased participation. It makes it easier for me, as I don't need to find child
- 2 reaching out to them for small group discussions
- 3 Having trusted community members reach out to talk to their network has been the most successful
- 4 The Mayor used to do coffees in various places which I think were nice.
- 5 Bringing city hall meetings to regions/ neighborhoods of the city
- 6 Compensation for transportation, time off, childcare
- 7 Offering childcare options for all city meetings
- 8 I invite people by email and Nextdoor app to send emails and join hearings
- 9 Pro-active engagement by decision makers to incorporate affected communities in decision making process
- 10 I think it's hard, people are caught up in every day routines, so multiple reminders good, and multiple sessions when possib
- 11 talking to city staff
- 12 Online meetings have made it easier to participate
- 13 Consult community groups/organizers, research forms of unconventional outreach (social media, flyers on telephone polls)
- 14 Face to Face connection in peoples homes. this was successful during the Hayward Promise Neighborhood Community Su
- 15 Going to schools where parents are already engaged, pta, etc. is a great way to find engaged families
- 16 door to door, schools and churches/worship sites

Who is missing from today's call? Who should we reach out to? ¿Quién falta en la llamada de hoy? ¿Con quién debemos comunicarnos?

- 1 People living in poor quality housing
- 2 I don't know the demographics of all attendees, but commissioners/appointees seem to be over-represented
- 3 more residents from the affected communities. Would be nice to hear from those who do not speak English
- 4 People who are food insecure
- 5 People who have chronic health conditions - since that is one of the indicators we are looking at
- 6 Children, who are most impacted by these issues
- 7 PEOPLE OF COLOR
- 8 Non-english speakers. It can be difficult but translation services are key in getting input from isolated populations
- 9 People who have been negatively impacted by specific environmental issues within the city.
- 10 unhoused community members and formerly incarcerated people
- 11 youth / promotoras

Key Themes

Use rule of 3 -- idea presented > 3 times, include it as a brief theme

Health Demographics:
Preventative Health Measures, Accessible and Low-Cost Healthcare, Recreational Opportunities

Overall Health:

- 1) Accessible, Low-Cost Healthcare
- 2) Youth Recreational Opportunities

Asthma:

- 1) Traffic Induced Health Impacts

Cardiovascular Disease

- 1) Similar to above concerns

Pollution Burden:
Diesel Emissions Reduction, Traffic Reduction

Location of burden:

- 1) Diesel Emissions
- 2) High traffic on main arterials

Food Access:
Healthy and Affordable Foods, Pedestrian and Transit Accessibility, Nutrition Education

Barriers:

- 1) Lack of healthy, affordable options
- 2) Limited time to cook
- 3) Lack of kitchen facilities
- 4) Lack of nutritional education
- 5) Easier access to fast food
- 6) Lack of accessibility

Park Access:
Urban Greening, Improved Park Infrastructure, Increased Park Safety, Recreational Opportunities

Overall:

- 1) Lack of playground facilities

- 2) Parks in need of improvements
- 3) Lack of youth recreational opportunities
- 4) Concerns about park safety
- 5) High-density areas lacking greenspace

Community Engagement:
**Translation Services, Accessible Engagement Practices and Procedures, Administrative
Community Involvement**

Barriers:

- 1) Need for translation services
- 2) Need for improved communication with community members
- 3) Generally, negative experiences interacting with City government
- 4) Feelings of disillusionment and unimportance; not thinking their voice matters
- 5) Accessibility issues (transport, time, physical disabilities, etc.)

Successful Tactics:

- 1) Meeting people where they are at (door-to-door, holding meetings in diff. neighborhoods, officials engaging with community members directly)
- 2) Childcare
- 3) Consultation with trusted community/local org. leaders

Cross-Topic Themes:
Recreational Opportunities, Urban Greening

Hayward Environmental Justice Element

Policy Framework, Draft April 19, 2022

Summary:

The following is a list of targeted policy topics to be addressed within the Hayward Environmental Justice Element. These focused policy topics are organized under broad “Goal” themes that reflect the focus areas outlined within Senate Bill 1000. All policy topics are informed by the Environmental Justice Technical Background and/or the Environmental Justice Public Forum Workshop that took place on February 23, 2022.

Framework:

A. Pollution Exposure (Air Quality, Water Quality, Land Use Compatibility)

- Reducing Diesel Particulate Matter (SPM) for communities along the 880 and Mission Boulevard Corridor ([Workshop 1](#) & [Tech Report](#)). Consider idling rules/enforcement
- Address elevated Cleanup Site percentile scores along western portion of City and other locations where there are proximally located residential neighborhoods ([Tech Report](#))
- Reducing impacts from hazardous waste generators across entire City ([Tech Report](#))
- Address the placement of polluting sources in western portion of City and other locations where there are proximally located residential neighborhoods ([Tech Report](#))
- Develop public programs or seek out existing programs to increase accessibility and feasibility of household air purification devices and upgrades, especially in the western portion of the City ([Tech Report](#))
- Increase public education and information regarding air quality hazards and options for increasing personal safety ([Workshop 1](#) & [Tech Report](#))
- Implement tree canopy, greening initiatives with priority for communities near major corridors, active transportation routes, and park access points

B. Public Facilities and Accessibility

- Work with Hayward Area Recreation and Park District (HARD) to ensure that new parks are accessible to pedestrians and bicyclists, and are connected with transit networks ([Workshop 1](#))
- Work with HARD to improve the quality and safety of existing parks with a focus on areas with the lowest per capita access.
- Work with HARD to improve park access (including per capita) in central Hayward, consider development of pocket parks ([Tech Report](#))
- Require future high-density development to incorporate green space to meet community need in central portion of City ([Workshop 1](#) & [Tech Report](#))

- Ensure that bus stops have necessary shelters and signage to support adequate access ([Workshop 1](#))
- Expand opportunities for youth recreational activities to effectively meet the demand from the community ([Workshop 1](#))
- Work with HARD to employ equity criteria for parks and facility investment decisions.
- Increase park safety by incorporating Crime Prevention Through Environmental Design (CPTED) strategies ([Workshop 1](#))
- Continue to perform regular assessments of City parks to ensure that park facilities are adequately equipped and safe for resident use and equitably resourced ([Workshop 1](#))

C. Food Access

- Increase accessibility and use of healthy food options for residents through existing and or new farmers markets and community gardens ([Workshop 1](#) & [Tech Report](#))
- Food equipment or cooking demonstrations through the library system or via community gardens or farmer's markets
- Bolster food access for low-income communities by partnering with local non-profits and food banks ([Workshop 1](#) & [Tech Report](#))
- Develop and/or identify existing organizations that provide nutritional education programs to inform residents about food-based strategies for leading a healthy life ([Workshop 1](#))

D. Sanitary & Safe Homes

- Mitigate the prevalence of high housing burden across the City ([Tech Report](#))
- Offer public programs (grants, loans) focused on financing home-based improvements for low-income residents ([Workshop 1](#) & [Tech Report](#))
- Consider development of a Community Tool Shed- free tool “rental” program, also potentially through the library system. ([Workshop 1](#))
- Monitor and expand the rental housing inspection program and/or code enforcement inspection program to improve housing conditions for vulnerable renters.
- Hold ongoing workshops about landlord/tenant programs to protect vulnerable renters.

E. Physical Activity/Health

- City-funded programs to address elevated Asthma percentiles across the entirety of City, possibly coordinated through County Health, or existing health organizations. ([Workshop 1](#) & [Tech Report](#))
- Coordinate with County Health or existing health organizations to develop and disseminate educational programs focused on asthma awareness, monitoring, and prevention ([Workshop 1](#) & [Tech Report](#))
- Coordinate with public health care organizations to increase accessibility to low-cost, possibly mobile healthcare services ([Workshop 1](#))
- Expand the Firehouse clinic model to additional locations in the City.
- Develop City-sponsored grant program to finance improved home air filtration systems for residents in areas with high levels of air pollution ([Workshop 1](#) & [Tech Report](#))

F. DACs - Prioritize the unique needs of underrepresented, disadvantaged and uniquely burdened communities.

- Establish a commitment to supporting improvements for census tracts close to DAC threshold 37101, 35500, 37300 ([Tech Report](#))
- Limit the placement of future polluting sources, when feasible, within and surrounding census tract 370101 (75th+ percentile for pollution burden) ([Tech Report](#))
- Coordinate with major polluting industries within census tract 37101 to promote the use of best available technology and practices to mitigate human impact related to pollution exposure.
- Strategically engage the linguistically isolated in central hayward ([Workshop 1](#) & [Tech Report](#))
- Require translations of all public materials: Spanish, Chinese, Tagalog ([Workshop 1](#) & [Tech Report](#))
- Ensure community meetings are held at key times that are uniquely accessible for community members ([Workshop 1](#))
- Provide childcare services to make community meetings more accessible to community members ([Workshop 1](#))
- Partner with trusted community leaders to actively engage community on future projects ([Workshop 1](#))
- Targeted strategy to bolster broader community awareness about City news and resources through social media and City webpage ([Workshop 1](#))
- Require the participation in Diversity and Equity training for all City staff to prioritize positive interactions with the community ([Workshop 1](#))

Hayward EJ Workshop #2 Mural Board Activities

Key Themes
Pollution Burden: Traffic, Limiting access in certain locations
Public Facilities & Accesibility: Public transit, active transportation, EV charging facilities, and park
Food Access: Food diversion, education programming, local grown food
Safe & Sanitary Homes: Older adults Safety, Housing support, Non-english speakers accessibility
Physical Activity& Health: Green Space, Older Adults, schools
Disadvantaged Communities: Food Access, Housing, Outerach, Funding, Pollution

Mural Activity: Pollution Exposure

- 1 Effects of illegal dumping needs to be further addressed
- 2 Visual Pollution
 - Reducing amount of car traffic in certain areas (restricting access), specific concern raised was cars passing
- 3 through Hayward
- 4 Limiting pollution exposure as a result of traffic
- 5 Particular attention to schools, multifamily housing, etc., people who are more vulnerable to pollution exposure
- 6 Planting more trees, landscape buffers for heavy traffic corridors
- 7 Public bicycle for rent close to the bus stop. I see some cities use them and it can help reduce pollution

Mural Activity: Public Facilities & Accessibility

- 1 Affordable or free summer programs for children/youth
- 2 HARD offers scholarships, but they are hard to get and fill up quickly
- 3 One thing that creates an unsafe environment is homeless people sleeping at the park. There was an officer that worked for HARD to enforce rules + maintain safety. (@ Kennedy Park)
- 4 Fencing for parks (could be a tree buffer)
- 5 Public bicycles for rent close to bus stops. I see some cities using them and it can help reduce pollution

- 6 Discuss HARD's relationship/partnership to park development/improvements/maintenance
- 7 Discuss EV charging stations and EV facilities development
- 8 Infrastructure for bicycle storage, partnerships with big businesses for storage options
- 9 Electric bicycle for public use, and electric charging stations
- 10 Also, public-private partnership for EV charging (i.e., Home Depot, other large businesses)
- 11 Need to address public transportation safety
- 12 Policies for student safety on public transit and affordability for public transit opportunities
- 13 Childcare for public meetings such as this one
- 14 Adding signage at public parks (recycling, waste, etc.)
- 15 Educate renters about new policies/their rights in their preferred language with various methods of outreach.
Not all are aware of city meetings, but many residents could be reached through their child's school, door knocking, social media and so on

Mural Activity: Food Access

- 1 Authorization of fruit stands/local small businesses in the neighborhood in order to increase availability of fresh fruit and freshly prepared foods
- 2 Allow pop up markets
- 3 Healthy meal + nutrition programs for children
- 4 in addition to childcare
- 5 especially in areas of low food access
- 6 Many markets such as 99 Ranch markets have food to sell in a day. At the end of the day, they throw out anything not sold. Can we connect those markets to provide surplus food to low-income or houseless people?
- 7 Providing education on health/nutrition programs, food entrepreneurship
- 8 Celebrating diversity in Hayward through food
- 9 Discussing carbon footprint of different foods and diets and promoting local grown foods
- 10 Discussing growth of local gardens for community usage
- 11 Educating on environmental justice aspect of how food is sourced

Mural Activity: Food Access

- 1 Safety for senior residents and housing
- 2 Informing senior citizens on their options and can walk them through resources available to them
- 3 increasing information at senior centers
- 4 Providing workforce housing
- 5 stressed about the stability of their housing (i.e., rent increase)
- 6 Educate renters about new policies/their rights in preferred language + various methods of outreach. Not everyone is aware of City meetings but residents could be reached through schools (HUSD), door-to-door advocacy, social media, etc.
- 7 Working with schools/ school district (HUSD) to create and provide flyers in multiple languages regarding Affordable Housing Options for students to take home to families
- 8 Who can provide housing support? How do we support homeless, people with mental health issues, physical disabilities, etc.
Housing support comes from Housing Division + County; City funded Navigation Center
- 9 Helping seniors finance for housing i.e. further discussing bank loan options or ways to facilitate this

Mural Activity: Physical Activity & Health

- 1 Tree buffers could help lower asthma rates, increasing green spaces
- 2 Partnering with school district for early health screenings
- 3 Public programs (schools) and accessibility to green spaces
- 4 Facilitate access to green spaces
- 5 Discuss how green spaces affect mental health
- 6 Advertisement of new senior center

Mural Activity: Disadvantaged Communities

- 1 Discuss how public/mass transportation can affect disadvantaged communities such as an increase in noise pollution and what can be done to address this
- 2 Building better housing in lower income communities, nicer/desirable infrastructure
- 3 Lower income communities should have access to proper healthy foods
- 4 Partnership between City and industries (for example, campaigns/incentives for electrification); City could take the lead to approach industries
- 5 Adjusting disproportionate impact on lower impact communities
- 6 Some sort of fund or mechanism to encourage industrial buildings to update their technology to decrease pollution?
- 7 Who is applicable for housing support? What do we do with mental health disabilities or physical disabilities?



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: MIN 22-072

DATE: May 26, 2022

TO: Planning Commission

FROM: Assistant City Manager / Development Services Director

SUBJECT

Minutes of the Planning Commission Meeting of March 24, 2022

RECOMMENDATION

That the Planning Commission approve the minutes of the Planning Commission meeting of March 24, 2022

SUMMARY

The Planning Commission held a meeting on March 24, 2022

ATTACHMENTS

Attachment I Draft Minutes of March 24, 2022



**PLANNING COMMISSION MEETING
REMOTE PARTICIPATION
Thursday, March 24, 2022, 7:00 p.m.**

The Planning Commission meeting was called to order at 7:00 p.m. by Chair Oquenda.

The Planning Commission held a virtual meeting with teleconference participation by members of the Planning Commission, staff and public.

ROLL CALL

Present: COMMISSIONERS: Ali-Sullivan, Bonilla, Goldstein, Lowe, Roche, Stevens
CHAIRPERSON: Oquenda
Absent: COMMISSIONER: None

Staff Members Present: Brick, Chan, Chang, Lochirco, Ott, Parras, Schmidt, Wikstrom

PUBLIC COMMENT:

There were none.

PUBLIC HEARING:

1. Proposed Development of a New Residential Subdivision with 74 New Single-Family Homes and Eighteen Accessory Dwelling Units and Related Site Improvements, Including Construction of a Segment of the Foothill Trail, and a New Roadway Connector from Bunker Hill Boulevard to Carlos Bee Boulevard, Requiring a Zone Change and Tentative Tract Map Application No. 202003054 for Caltrans Parcel Group 5. Trumark Properties LLC (applicant), City of Hayward (Owner).

Acting Principal Planner Schmidt provided a synopsis of the staff report.

Transportation Planner Chang spoke about transportation study and traffic calming measures and traffic management plan.

Ms. Pamela Nieting and Mr. Garrett Hinds, applicant Trumark Homes, spoke about the Bunker Hill project.

Commissioner Stevens disclosed that he works with the proposed project's architects, environmental analyst, and landscape architect and this does not pose a conflict of interest and will participate in the item.

Commissioner Stevens asked if the development rendering from Mission Boulevard was provided to Planning Commissioners; Acting Principal Planner Schmidt said this was not part of the applicant's submittal to staff and believes it was shared with the community at



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the last community meeting. In response to Mr. Stevens' questions about design and architecture, Mr. Hinds said that Trumark's design is to have the homes step down the hill and chose the contemporary style which will work well with roof solar panels; and the maximized terracing and minimized massing. Mr. Stevens said in viewing the elevations the appearance looks cold, Mr. Hinds said they are working with the stucco facades, stones, and warm earth tone materials to have a richer texture and smooth out the sides and have smaller trees. Mr. Stevens asked about the pony wall on the downhill lots, Mr. Hinds responded the pony walls will have vegetation and other elements to eliminate that impact.

Commissioner Goldstein asked about access to the accessory dwelling units (ADU), Mr. Hinds responded that the ADUs will have their own access doors, the developer cannot guarantee that all 18 units will meet the universal design criteria as this is a sloped lot, and each home has open parking in front of the units. In response to Mr. Goldstein's question about the affordable ADUs; Acting Principal Planner Schmidt said if rented, the ADUs will be deed restricted; the Housing Division will monitor the deed restricted ADUs for compliance. Assistant City Manager Ott added there will be a recorded agreement on the property regarding the deed restriction with annual reporting and monitoring to ensure compliance. In response to Mr. Goldstein's question if the just cause eviction restrictions also apply to ADUs attached to single family homes as with ADUs that are separate units; Ms. Ott said that Housing Manager Morales confirmed that "just cause eviction restrictions" also apply to attached ADUs. Mr. Goldstein stated that low and very low-income populations depend on public transportation and if the traffic study took this into consideration; Mr. Sahimi, the City's traffic consultant with Kittelson responded about the availability of bus stops along Mission Boulevard between Carlos Bee and Harder. Transportation Planner Chang responded that the traffic generation took into consideration both the single-family homes and ADUs and looks at a worst-case scenario. Mr. Goldstein strongly encouraged the applicant to build the rooftop entertainment areas and ensure that units are re-enforced appropriately. Ms. Pamela Nieting responded to Mr. Goldstein that the London Tree had low suitability for preservation and the new trees being planted will be protected trees.

Commissioner Roche asked why an extension from Bunker Hill to Harder Road was not considered; Assistant City Manager Ott responded that both City staff, City consultants and Trumark engineers looked at this option, but the slopes were too steep. Ms. Roche said the sentiment from the community meetings for the Parcel Group 5 Master Plan and the neighborhood letter that was received, was to maintain a rural characteristic and she finds the design severe and more suited for a downtown housing corridor. Mr. Hinds responded that one neighbor liked the design, and one did not; he spoke about the research Trumark conducted and that the contemporary design is well received at this time. Ms. Roche said the design is not a good fit as there are unnatural straight lines as one looks across the hill.



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Acting Principal Planner Schmidt responded to Ms. Roche that all the hillsides have been rezoned Planned Development (PD) and spoke about the intent to preserve the large lots. Ms. Roche noted that parking could be a concern in this area and asked about a condition To restrict garages so that this space cannot be used for extra living space or storage; Ms. Schmidt said there is not a condition for this. Assistant City Attorney Brick responded that according to state law an ADU can be added in the garage and the City would need to research further regarding placing this restriction on the units. Ms. Ott said that staff's recommendation is not to have traditional onsite inclusionary housing; there is no guarantee that the ADUs will be rented; this site is near California State University East Bay (CSUEB) with a potential student rental market and noted the ADUs that are not deed restricted are still considered moderate income units which can address the housing crisis. Ms. Ott added that this is a new pilot program and City will evaluate the program to see how successful it is. Ms. Roche suggested the following options: compact townhouses/condominium complexes and SB 9; Ms. Ott responded that staff did look at the townhome option, but this would require a General Plan amendment; staff wanted to rely on the existing General Plan; noting that the community was vested in the General Plan designation. Ms. Ott responded that staff is researching the SB 9 option; Assistant City Attorney Brick confirmed that staff is looking into the SB 9 option and that the SB 9 split might not be allowed for Parcel 5 lots. Transportation Planner Chang responded to Ms. Roche's question about the impact to the traffic analysis if all the ADUs were occupied; Mr. Chang said CEQA only looks at land uses for the residential impacts and noted that for the local transportation analysis, staff used the industry standard which is the Institute of Transportation Manual which were inclusive of the ADUs.

Commissioner Ali-Sullivan commented that it will be interesting to see the outcome of the new ADUs pilot program. Mr. Hinds responded to Mr. Ali-Sullivan's question regarding building options for the ADUs and that not every lot can have an ADU because of lot limitations and access; Ms. Neiting said because of accessibility, the placement of the deed restricted ADUs was intentional. Mr. Ali-Sullivan stated that compliance on the deed restricted ADUs is important. Mr. Hinds responded that they are prepared to break ground as soon as Trumark receives approvals. Assistant City Manager Ott added that the City will have a contract with Trumark that will have a performance schedule and Parcel Group 5 will only be transferred out of the City when certain benchmarks are completed. Ms. Ott shared that Trumark is very professional and has been great to work with. Mr. Ali-Sullivan appreciated the variety of scale and that the design reflects the architectural style in the area. He also appreciated the developer's work on integrating the design with the topography of the area.

Commissioner Lowe disclosed visiting the site. Assistant City Manager Ott provided a background for the size of the lots to give the developer flexibility and assure the community that the new development would be compatible with the existing



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neighborhood. Ms. Lowe was very concerned about the ADUs being rented as affordable units as opposed to having a certain number of moderately priced houses; Ms. Ott said that the City was balancing several objectives such as keeping the development low density as that was preferred by the community; paying Caltrans; generating excess land value that can go back to the City for the cost of demolition of the existing buildings; helping pay for CSUEB easement and funds to go towards other City projects; and noting this site was very expensive because of all of the geotechnical work. Ms. Lowe asked if there were any plans for play structures along the trail; Mr. Hinds said the planning for the trail was for viewing and less kid friendly. Ms. Lowe asked if there were any traffic plans for Carlos Bee to prevent drivers from veering to the right and then making a left turn; Transportation Planner Chang responded that staff looked at this thoroughly and the existing issue is that there are two left turn lanes in the median and several driveways close to where the connector will be located, he added that existing residents needed to access their neighborhoods. Ms. Lowe asked if Hayward residents can have priority to the deed restricted ADUs; Ms. Ott said staff is finalizing the inclusionary agreement and that usually residents and employees will be given preference. Ms. Lowe asked how is it that the existing four homeowners are included in the zone change; Ms. Schmidt responded that one of the homeowners approached the City and wanted to build an addition/or another home and it became apparent that even though the existing neighborhood would be surrounded by a PD district they would not benefit from this change; staff then approached Trumark and asked if the existing four parcels could be included; Trumark was not opposed to this and staff prepared the addendum for the existing parcels.

Commissioner Bonilla was very concerned about the uncertainty that the deed restricted ADUs would be rented as affordable housing; he asked about having the developer pay the entire in-lieu fee to provide more affordable housing opportunities for the community. Assistant City Manager Ott responded that staff provided options to the City Council and Council felt that since this was public land that there should be an onsite affordable housing component.

Commissioner Roche asked about trail access that can include bikes and wheelchairs and noted the concerns about the parking location and requested that the applicant work with the neighbors; Acting Principal Planner Schmidt responded there is a sloped area for alternate trail access that will work for bicycles and wheelchairs.

Chair Oquenda asked what the constraints for affordable housing developers are; Assistant City Manager Ott responded that Parcel Group 5 is a very expensive site to develop; parcels must be looked at individually; other sites were better for affordable housing and noted that Eden Housing shared this consensus; the need to work with community partners and staff did not feel this site was viable for 100 percent affordable housing.



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Chair Oquenda opened the public hearing at 8:41 p.m.

Ms. Mary Ann Higgs, Hayward resident, supported the proposed project; likes the single-family homes and inclusion of the ADUs and feels this is a creative solution to the housing crisis; and shared that in the existing neighborhood many existing ADUs are rented to students. Ms. Higgs said that Trumark has been incredibly collaborative with the community and open to new ideas.

Ms. Debbie Fredericks, Hayward resident, spoke about a bus stop that is not used that can be pursued; thanked Commissioners and applicant for reading her comments and her email that asked that the area be left open space; asked that existing gas lines be maintained; said the traffic report had left hand turns coming into Bunker Hill Boulevard from the campus; the housing architecture is not compatible with the neighborhood as they look like warehouses and would like the applicant to soften the design as Trumark indicated.

Mr. William Craven, Hayward resident, expressed disappointment with the traffic plan and asked why residents are not able to make left hand turns and what is the timetable of the building of Parcel Group 5.

Mr. Thomas Birt, Hayward resident, had concerns about public parking; the parking density around the loop; asked how this will work for trash pickup trucks and fire trucks and requested more discussion about this.

Chair Oquenda closed the public hearing at 8:56 p.m.

Transportation Planner Chang responded to the left turn question; Mr. Chang said due to the proximity of Tanglewood which is less than 100 feet away from the proposed intersection, there would be a conflict for cars coming out or going into Tanglewood.

Acting Principal Planner Schmidt said the connector from Bunker Hill to Carlos Bee will be the first phase of development and the rest will come after.

Commissioner Goldstein commented that he is excited about this project; he favors the onsite inclusionary housing element as a pilot program; this is an excellent site to appeal to students; the ADUs will be built into very nice homes of high quality; hopes that this will work out and hopes for positive feedback. Mr. Goldstein likes the style and variation of the architectural design, the visual aspect; and the housing and ADU variations. He favored the collection of in-lieu fees that will benefit other affordable housing projects. Mr. Goldstein commended staff and applicant on this project. Mr. Goldstein asked staff to put Ms. Fredericks in touch with HARD about the land she wants to donate.



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Commissioner Roche appreciated the collaboration effort to get to this point; would have preferred a duet model for affordable housing; it is helpful to know that existing ADUs are rented to students; recommended to applicant to market the ADUs to the affordable housing population and students. Ms. Roche said this is a good project for the City; encouraged the softening of the design; liked the community benefit of the trail and connecting with other properties; and encouraged the applicant to continue discussions with neighbors especially about the traffic impacts.

Commissioner Lowe commented that she liked the modern architecture; there are a lot of great qualities; liked the dog parks; it is positive that the trail is a loop; is very concerned that the 18 ADUs would not be rented out but is encouraged that the original plan was for eight ADUs; the project does a good job of having a variety of low income housing types and creating student housing especially in this area that is so close to CSUEB; the \$2 million dollars in-lieu fees is significant; and recommended that there needs to be oversight that the ADUs be rented to low and very-low income individuals.

Commissioner Stevens does not favor the architectural plans; the product is generic and a poor choice for this location; and noted this is a prominent site with amazing views. Mr. Stevens said in reviewing the architecture in the Master Plan for this area, it was very different and questioned developing a Master Plan if it is not followed; another misuse is cramming ADU units in these houses that will cost about \$1 million dollars and the practicality of staff having to monitor the renting of the affordable units. Mr. Stevens recommended asking the applicant to develop an amazing product that will generate a tremendous amount of revenue for the City which can then be invested in other City projects.

Commissioner Ali-Sullivan commented that the Commission has seen two Route 238 projects; the projects are unique, intricate and complex; the ADU and affordable housing is a massive problem and this proposed project addresses this issue in two ways, the developer is paying in-lieu fees and also building potential affordable housing ADUs; which is a unique and novel approach; the Commission has raised concerns about enforcement; and is confident that through the City and developer agreements and the Conditions, Covenants and Restrictions, this will be monitored. The design has taken in the topography very well; and suggested that the rooftop decks be included this in the project. Mr. Ali-Sullivan supports the project and made a motion to approve the staff recommendation.

Commissioner Lowe seconded the motion.

Commissioner Bonilla stated that he likes the project; the community benefit of the trails; likes the design; it will be a beautiful community but has serious concerns regarding the City's commitment to affordable housing. Mr. Bonilla said that the \$2 million of in-lieu fees is significant but what about the other \$2 million that can be used for other projects; he is



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hoping that this affordable housing pilot program will work but has concerns that this is too much of a risk and then there is the staff time for the enforcement to make sure the deed restricted ADUs are in compliance. Mr. Bonilla said this is not feasible given the purchase price for these homes and preferred that the developer pay 100% in-lieu fees because of the ambiguity of renting the deed restricted ADUs.

Chair Oquenda shared Commissioner Bonilla's comments and asked how firm is requiring the deed restricted ADUs versus paying full in-lieu fees; Assistant City Manager Ott shared that this was a City Council directive that the onsite affordable housing be included in the request for proposals and to change this would have a significant economic impact on the bottom line; staff will pass along the Commission's recommendation and concerns to Council, especially the uncertainty of whether the deed restricted units be rented and noted that the item is going to Council on April 19, 2022. Mr. Oquenda stated that the affordable housing element for this project is a mistake; it is impractical and has concerns and he stated that he has been tracking this site for a long time. Mr. Oquenda said the additional funding that can be obtained from the developer can be used for future affordable housing projects and does not agree with building single family homes on this site. Ms. Ott said with the purchase price of the land, there will be excess land value and there could be a suggestion to Council about how to obtain these funds and utilize the funds for affordable housing. Mr. Oquenda trusts that staff will convey the Commissions concerns to Council.

Commissioner Roche said that the majority of Commissioners have the same concerns about the affordable housing element and if the ADUs will be rented and asked what the rent would be; Assistant City Manager Ott responded that the rent would be from \$1250 to \$1500. Ms. Roche agreed with Commissioner Bonilla about the price of these homes.

Commissioner Goldstein stated for his fellow Commissioners that for \$2 million dollars a developer would not be able to build 18 ADUs; he finds this pilot program brilliant and whole heartedly supports the project.

Commissioner Ali-Sullivan echoed Commissioner Goldstein's comments and that there is an opportunity here for the affordable housing option and this is a win-win for residents and the City.

Commissioner Lowe commented that this was not an easy decision; supports including in the staff report that the Commission wanted the in-lieu fees to go towards affordable housing and that the Commissioners would like to see all 18-deed restricted ADUs rented out and hopes that the new homeowners agree with the Commission. Ms. Lowe said this affordable housing pilot program is worth the gamble.



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A motion was made by Commissioner Ali-Sullivan, seconded by Commissioner Lowe, to approve the staff recommendation. The motion passed with the following roll call votes:

AYES: Commissioners Ali-Sullivan, Goldstein, Lowe, Roche
 NOES: Commissioners Bonilla and Stevens and Chair Oquenda
 ABSENT: None
 ABSTAIN: None

APPROVAL OF MINUTES

2. Approval of the Planning Commission Meeting Minutes of February 24, 2022.

A motion was made by Commissioner Roche, seconded by Commissioner Goldstein, to approve the Planning Commission Meeting Minutes of February 24, 2022.

The motion passed with the following roll call votes:

AYES: Commissioners Bonilla, Goldstein, Lowe, Oquenda, Stevens
 Chair Roche
 NOES: None
 ABSENT: None
 ABSTAIN: Commissioner Ali-Sullivan

STAFF AND COMMISSION ANNOUNCEMENTS

Staff announcements on Planning and Zoning Matters:

Planning Manager Lochirco made three announcements; reminded Commissioners that on Friday, March 25, 2022, there is the Decision Makers Training; the joint City Council and Planning Commission meeting scheduled for April 12, 2022, has been cancelled and that staff is working on several other efforts to get prepared for the joint meeting. Mr. Lochirco announced that staff will be releasing the Balancing Act that allows the public and Commissioners to go into the site and provide direct comments on topics. He announced that in May, staff will be releasing the Housing Draft Element and hold a community meeting. Mr. Lochirco said the target date for the first hybrid Planning Commission meeting will be on May 12, 2022.



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Commissioners' Announcements, Referrals:

Commissioner Stevens announced that the CSUEB Theater Department is now offering plays and he attended a wonderful event and that CSUEB has a great venue.

ADJOURNMENT

Chair Oquenda adjourned the meeting at 9:42 p.m.

APPROVED:

Brigitte Lowe, Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: MIN 22-073

DATE: May 26, 2022

TO: Planning Commission

FROM: Assistant City Manager / Development Services Director

SUBJECT

Minutes of the Planning Commission Meeting of April 14, 2022

RECOMMENDATION

That the Planning Commission approve the minutes of the Planning Commission meeting of April 14, 2022

SUMMARY

The Planning Commission held a meeting on April 14, 2022

ATTACHMENTS

Attachment I Draft Minutes of April 14, 2022



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Thursday, April 14, 2022, 7:00 p.m.**

The Planning Commission meeting was called to order at 7:00 p.m. by Chair Oquenda. The Planning Commission held a virtual meeting with teleconference participation by members of the Planning Commission, staff and public.

ROLL CALL

Present: COMMISSIONERS: Bonilla, Goldstein, Lowe, Stevens
CHAIRPERSON: Oquenda
Absent: COMMISSIONER: Ali-Sullivan and Roche

Staff Members Present: Ameri, Byrne, Chan, Chang, England, Garcia, Grewal, Hung, Lo, Lochirco, McNeeley, Nguyen, Parras, Solla, Strojny, Svrclin, Vigilia

PUBLIC COMMENT:

There were none.

PUBLIC HEARING:

For agenda items No. 1, the Planning Commission may make a recommendation to the City Council.

Commissioner Stevens recused himself from this item as there was a conflict of interest and left the meeting at 7:04 p.m.

1. Recommended FY 2023 – FY 2032 Capital Improvement Program (CIP)

Public Works Director Ameri introduced the item and Acting Senior Management Analyst Byrne provided a synopsis of the staff report and presented the online Proposed Capital Improvement Program (CIP).

Chair Oquenda opened and closed the public hearing at 7:27 p.m.

The Planning Commissioners thanked staff for the informative presentation; the user-friendly CIP online platform that was quite easy to understand and tracks progress on projects and the platform contributes to transparency.

Commissioner Bonilla appreciated that many of the projects were being accomplished in partnership with other agencies so that the City does not bear the full burden of the costs enabling projects to move forward. Mr. Bonilla asked what are the plans to fully fund the following projects: the Eden Youth and Family Center and the Police Department



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remodel/construction projects; Public Works Director Ameri responded that the City Manager's Office is actively researching grants and ideas to fund these projects and that one part that is moving forward is pursuing the design of the HPD locker room with the plan to build a 5500 square foot locker room. Mr. Bonilla supported the projects and recommendations and appreciates the focus of so many projects in the South Hayward area especially the ones the increase quality of life.

Commissioner Lowe asked about the number of trees and types of trees the City plants per year; Public Works Director Ameri responded that the total number of trees planted per year is approximately half by the City and half by developers.

Commissioner Goldstein said there are concerns not only from staff, but also from the community regarding the HPD building; he said there is a gap for addressing the needs of HPD staff and hoped that Council will consider this and put in place plans to move forward. Mr. Goldstein stated there is more park space per capita in the City and was glad there is movement on the La Vista Park project and asked if this has been fully funded; Public Works Director Ameri responded that staff is still seeking funding and that work will commence on a portion of this project. Mr. Goldstein asked about the plans for Safe Walking to school; Mr. Ameri responded that there are plans to improve access to Cesar Chavez school; staff is working with ACTC on these projects and staff continuously works on obtaining funding. Mr. Ameri confirmed that for the Mission Boulevard Project, Phase 2 has been completed; for Phase 3, he explained how the lowest bid was \$5 million over the engineers estimate; staff is working to close the funding gap and the project will go out to bid again for Phase 3.

Chair Oquenda supported the proposed Capital Improvement Program.

Public Works Director Ameri expressed that he appreciated the comments and recommendations that will be forwarded to Council.

Chair Oquenda thanked Public Works Director Ameri's for his contributions and dedication to the City of Hayward.

A motion was made by Commissioner Bonilla, seconded by Commissioner Goldstein, to approve the staff recommendation. The motion passed with the following roll call votes:

AYES:	Commissioners Bonilla, Goldstein, Lowe Chair Oquenda
NOES:	None
ABSENT:	Commissioners Ali-Sullivan and Roche
RECUSE:	Commissioner Stevens



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Commissioner Stevens returned to the meeting at 7:44 p.m.

WORK SESSION

2. Proposed Traffic Impact Fee and Nexus Study

Public Works Director Ameri provided a synopsis of the staff report and spoke about the contributions from staff and the City's consultant Community Attributes. Mr. Ameri provided a summary of the Stakeholder feedback and staff's responses.

Ms. Michaela Jellicoe with Community Attributes provided the financial portion of the staff report.

Chair Oquenda opened and closed the public hearing at 8:16 p.m.

Chair Oquenda shared that he participated in the community meetings; appreciates that there is still a fee on single-family housing development; he commented that single-family home (SFH) development will come from developers with resources; this construction will be in the hills where the land is more abundant and that this type of construction will not be for SFH infill development and not built in the flatlands. Mr. Oquenda stated the reduction in fees for SFH development is unnecessary; the City should consider the weight of the affordable housing fees versus fees on SFH development; and suggested for large lot SFH there should be a cut-off for the 2500 to 5000 square feet homes that will most likely have five to six cars a home as has seen in prior projects. He said it is reasonable to increase fees for SFH above a certain lot size and to have only a 30% reduction from the maximum allowable. He stated that this will not raise a lot of revenue for Hayward and suggested that the City needs to be more assertive in the mandated fees.

Commissioner Goldstein agreed with Chair Oquenda about the fees for the larger homes as these larger homes will have a substantially different impact than a smaller home in the flatlands; he suggested a sliding scale mechanism; there should be an allowance/or exclusions for ADUs and asked if ADUs can be designated as available for rent. He said that Hayward needs to incentivize homes and fund maintenance for streets and roads. Mr. Goldstein asked if the traffic impact fees (TIF) had been in place when Amazon converted their data center to a delivery facility would this have solved the fees for the traffic light.

Public Works Director Ameri responded to the comments about SFH fees and noted that in the category of SFH that townhomes are included. He said that staff will be reviewing the TIF performance in three years; and that CAI was hired to review the financial feasibility; noting that not many cities have set their TIFs at the maximum allowable. Mr. Ameri said regarding the Amazon warehouse it was contentious; Amazon had constructed a warehouse and then



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came to the City and wanted to change the use for the warehouse and found out with the use change the impact of the TIF costs which was not part of their budget. Mr. Ameri said if Amazon came to the City today the applicant would have access to all the costs and know that to be aware of all traffic impacts a local transportation analysis (LTA) would need to be conducted.

Commissioner Goldstein stated that the TIF program will make it easier for developers to know what costs will be involved for a proposed project then the developer would know how to move forward with their application. Mr. Goldstein asked is there any benefit for current projects submitted prior to July 1, 2022, to convert to the TIF program versus the grandfathered LTA. Public Works Director Ameri responded that staff will be discussing this with the City Attorney's Office.

Sr. Assistant City Attorney Vigilia said he has seen other jurisdictions' TIF ordinances where there are provisions for projects that will vest prior to when the TIF ordinance goes into effect where there can be a condition of approval (COA) for the developer to agree to pay the TIF.

Chair Oquenda said in the analysis for SFH and townhomes and the findings of marginal, he recommended separating and reducing the fees for townhomes and asked if an analysis was conducted on this. Ms. Michaela Jellicoe with CAI noted that her company specifically looked at townhomes as this housing product was representative of SFH development in the feasibility modeling and that it would be difficult and challenging for the City to separate townhomes since the NEXUS study has a single category development for both attached and detached homes. She added that in her experience larger homes will have a greater impact.

Senior Transportation Engineer Solla added that because of SB 330, the Housing Crisis Act of 2019 and SB 35, these senate bills streamline affordable housing; staff wanted to make sure not to disincentivize housing in general, especially since some detached SFH can also be affordable housing. Ms. Solla said that staff wanted to make sure housing was treated fairly and align with SB 330 and 35.

Public Works Director Ameri added that the fees for SFH was aligned with the fees in other jurisdictions in the East Bay and the City did not want to be in excess of what other cities are charging.

Chair Oquenda stated there should be a distinction between the SFH and townhomes and can appreciate the difficulty in making this distinction. He said since the fee would apply to all SFH as a baseline and treated similarly; his suggestion is that the larger SFH would have different fee reductions based on certain criteria such as the lot square footage as he mentioned prior and understands that it would be complicated as there is no separation between SFHs and townhomes in the Nexus study.



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Commissioner Lowe said since the City is considered to have strong regional demand, why is the City agreeing to a 30% reduction for General Industrial and Distribution/e-commerce; Ms. Jellico said that the City wanted to remain competitive and to arrive in the middle range of 30% recognizing that there is a strong demand and did not want to challenge development. Ms. Lowe asked if additional fees can be automatically charged if the impact study shows that a project's impact is worse than what was originally anticipated under the TIF; Public Works Director Ameri responded that when the TIF goes into effect and there is a development subject to a local transportation analysis (LTA) which shows there are other impacts not covered under the TIF and Nexus study; then those impacts will have to be mitigated and there maybe more costs for the project. Ms. Lowe asked would this impact the transparency of the TIF; Mr. Ameri added that projects such as this are rare, most projects will not be subject to an LTA and will not have project specific impacts. Ms. Lowe asked if a developer is requesting a zone change would this necessitate a specific study and be subject to additional fees; Senior Assistant City Attorney Vigilia responded it is possible that a zone change request that could result in increased density and/or intensity would be subject to the TIF. Transportation Planner Chang said when a developer submits an application the developer is still subject to a site plan review and if staff identifies a specific transportation related issue that is not covered by the TIF then staff will request the developer to mitigate the impact and provided the following example: if a development results in the need for a traffic signal at the intersection of the driveway and the intersection is not included in the TIF list, then the development would then be responsible to mitigate that impact by installing the traffic signal and this mitigation measure would be included as a COA. Mr. Chang added that the TIF does not address public safety thus if there are any public safety issues then staff will request the applicant to put in place mitigation measures to address these public safety issues.

Commissioner Stevens said the TIF program is a great approach and makes Hayward a much more attractive place to develop. Mr. Stevens asked that if a developer made a public improvement under the TIF list will the developer receive credit for improvements; Senior Assistant City Attorney Vigilia said that this will need to be discussed with staff and noted that other jurisdictions do allow credit for improvements. Mr. Stevens strongly encouraged that this credit be included in the ordinance. Mr. Stevens does not support adjusting the fee structure for SFH and that there are many SFH being built on very small lots; they perform similar to townhomes and to create a distinction could be very complicated and difficult for the City to administer. He commented that the number of very large homes being built is small and the fees received would be marginal as compared to other uses and the administrative costs would exceed the fees received.

Commissioner Bonilla asked if other jurisdictions have made distinctions to SFH in their TIF ordinances; Senior Assistant City Attorney Vigilia responded that he cannot say if this was included in other jurisdictions TIF ordinances. Mr. Bonilla supported what is being proposed; appreciated the simplified process and that the City was conservative in the fee structure to



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make sure that development was not disincentivized; appreciated the comparison fee structures of other jurisdictions and considered Hayward and the City's housing need, by staying below nearby cities fees will help incentivize development. Mr. Bonilla appreciated the slides as it helped him understand the recommendation and glad that the City was responsive to the stakeholders' feedback and that meetings were held to make sure the City was listening and understanding the community's needs.

Commissioner Lowe commented that she appreciated staff's hard work and since staff found that there is a strong regional demand for general industrial and distribution/e-commerce, she recommended that these fees be increased.

APPROVAL OF MINUTES

3. Approval of the Planning Commission Meeting Minutes of March 10, 2022.

A motion was made by Commissioner Lowe, seconded by Commissioner Stevens, to approve the Planning Commission Meeting Minutes of March 10, 2022.

The motion passed with the following roll call votes:

AYES:	Commissioners Bonilla, Goldstein, Lowe, Stevens Chair Oquenda
NOES:	None
ABSENT:	Commissioners Ali-Sullivan and Roche
ABSTAIN:	None

STAFF AND COMMISSION ANNOUNCEMENTS

Staff announcements on Planning and Zoning Matters:

Planning Manager Lochirco provided a friendly reminder that the Housing Balancing Act, which is part of the City's Housing Plan update, is currently available online at www.haywardhousingandclimateupdate.com. Mr. Lochirco announced that the first Planning Commission hybrid meeting will be Thursday, May 12, 2022. He said the next Planning Commission meeting on April 28, 2022, might be cancelled, as currently there are no items on the agenda.

Chair Oquenda shared that he found the online Balancing Act interesting and recommended that everyone look at this tool.



**PLANNING COMMISSION MEETING
REMOTE PARTICIPATION
Thursday, April 14, 2022, 7:00 p.m.**

Commissioners' Announcements, Referrals:

There were none.

ADJOURNMENT

Chair Oquenda adjourned the meeting at 8:49 p.m.

APPROVED:

Brigitte Lowe, Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk