

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, March 14, 2019

7:00 PM

Council Chambers

Planning Commission

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. The Chair may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens for organization. Speakers are expected to honor the allotted time.

CALL TO ORDER Pledge of Allegiance**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.

ACTION ITEMS

The Commission will permit comment as each item is called for Public Hearing. Please submit a speaker card to the Secretary if you wish to speak on a public hearing item.

PUBLIC HEARING

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

1. [PH 19-018](#) Proposed Single-Family Residence on a Vacant 0.32-Acre Hillside Lot Located at 2366 Rainbow Court, by Joyce and Robert Steinfeld (Applicant/Property Owners), Requiring Approval of a Site Plan Review and Grading Permit and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Application No. 201804682).

Attachments: [Attachment I Staff Report](#)
 [Attachment II Findings](#)
 [Attachment III Conditions of Approval](#)
 [Attachment IV Project Plans](#)
 [Attachment V Initial Study and Mitigated Negative Declaration](#)

APPROVAL OF MINUTES

2. [MIN 19-032](#) Minutes of the Planning Commission Meeting of February 28, 2019

Attachments: [Attachment I Draft Minutes of February 28, 2019](#)

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters

Commissioners' Announcements, Referrals

ADJOURNMENT**NEXT MEETING, MARCH 28, 2019, 7:00PM****PLEASE TAKE NOTICE**

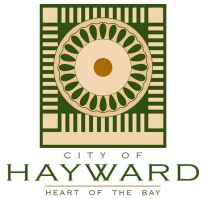
That if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

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 TDD (510) 247-3340.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: PH 19-018

DATE: March 14, 2019

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposed Single-Family Residence on a Vacant 0.32-Acre Hillside Lot Located at 2366 Rainbow Court, by Joyce and Robert Steinfeld (Applicant/Property Owners), Requiring Approval of a Site Plan Review and Grading Permit and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Application No. 201804682).

That the Planning Commission recommend to City Council the adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) and approval of the Site Plan Review with Grading Permit, for the proposed single-family residence on a vacant hillside lot, located at 2366 Rainbow Court, based on the required Findings (Attachment II) and subject to the Conditions of Approval (Attachment III).

SUMMARY

The applicant is requesting approval for a Site Plan Review (SPR) with Grading Permit application to allow the construction of a two-story, 2,700 square-foot single-family residence with related on- and off-site improvements on a 0.32-acre (14,195 square-feet) vacant hillside parcel located at 2366 Rainbow Court (Assessor Parcel No. 425-0410-027-00).

Normally, Site Plan Review applications for single-family residences within the hillside areas are subject to administrative staff level review. However, the City Engineer determined the average slope of the property exceeds 20% which requires City Council review for the Grading Permit per Section 10-8.023 of the Hayward Municipal Code (HMC). Since the HMC does not allow staff to refer a SPR application directly to City Council without Planning Commission review, staff determined that the applications require Planning Commission review and City Council consideration.

An Initial Study was prepared and concluded that with the adoption of a Mitigated Negative Declaration, the project could be built with mitigation measures that would reduce potential impacts to a level of less than significant.

ATTACHMENTS

Attachment I Staff Report

File #: PH 19-018

Attachment II	Findings
Attachment III	Conditions of Approval
Attachment IV	Project Plans
Attachment V	Initial Study/Mitigated Negative Declaration



SUBJECT

Proposed Single-Family Residence on a Vacant 0.32-Acre Hillside Lot Located at 2366 Rainbow Court, by Joyce and Robert Steinfeld (Applicant/Property Owners), Requiring Approval of a Site Plan Review and Grading Permit and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Application No. 201804682).

RECOMMENDATION

That the Planning Commission recommend to City Council the adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) and approval of the Site Plan Review with Grading Permit, for the proposed single-family residence on a vacant hillside lot, located at 2366 Rainbow Court, based on the required Findings (Attachment II) and subject to the Conditions of Approval (Attachment III).

SUMMARY

The applicant is requesting approval for a Site Plan Review (SPR) with Grading Permit application to allow the construction of a two-story, 2,700 square-foot single-family residence with related on- and off-site improvements on a 0.32-acre (14,195 square-feet) vacant hillside parcel located at 2366 Rainbow Court (Assessor Parcel No. 425-0410-027-00).

Normally, Site Plan Review applications for single-family residences within the hillside areas are subject to administrative staff level review. However, the City Engineer determined the average slope of the property exceeds 20% which requires City Council review for the Grading Permit per Section 10-8.023 of the Hayward Municipal Code ¹(HMC). Since the HMC does not allow staff to refer a SPR application directly to City Council without Planning Commission review, staff determined that the applications require Planning Commission review and City Council consideration.

An Initial Study was prepared and concluded that with the adoption of a Mitigated Negative Declaration, the project could be built with mitigation measures that would reduce potential impacts to a level of less than significant.

BACKGROUND

The project site is located within the Single Family Residential (RS) zoning district and is designated Suburban Density Residential (SDR) in the *Hayward 2040 General Plan*. The proposed development is located on a vacant 14,195 square-foot lot that slopes downward from Rainbow Court.

In 1978, Tract No. 3992 was recorded formally subdividing the land into ten individual residential lots creating the Rainbow Court cul-de-sac – accessible from Parkside Drive, a one-way street. Of the ten lots, three are currently developed with single-family dwellings

¹ Grading and Clearing Ordinance, Chapter 10 Article 8:

https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART8GRCL_S10-8.23ISDEPE

and remaining seven lots remain vacant. This proposed project and application seeks to entitle one of the remaining vacant lots located at the terminus of Rainbow Court to construct a new single-family dwelling.

Public Outreach. On September 11, 2018, a Notice of Receipt of Application was sent to all property owners and tenants located within a 300-foot radius of the project site, including interested stakeholder groups such as Old Highland Homeowners Association (OHHA), Highland Neighborhood Task Force, and the Hayward Area Planning Association.

On February 22, 2019, a Notice of Public Hearing and Notice of Intent to Adopt a Mitigated Negative Declaration was advertised in the newspaper and sent to all property owners, relevant stakeholders, and site addresses within 300-feet of the subject property indicating the public comment period from February 22, 2019 until March 14, 2019 at 5 p.m. As of the date this staff report, Planning Division staff has received no comments with respect to the proposed project nor the environmental document.

PROJECT DESCRIPTION

Existing Conditions. The 0.32-acre project site is a vacant, unimproved parcel of land located at the terminus of Rainbow Court. The Topographic Survey identifies an approximate 12-foot drop from the concrete sidewalk at street-level down to the existing tree line and vegetation on-site. Also, the project site is located approximately 300-feet from Ward Creek from the edge of the rear (northern) property line; however, the subject parcel does not immediately abut or share property lines with the creek.

Currently, the Rainbow Court cul-de-sac contains a mixture of existing two- and three-story single-family residences as well as several vacant parcels - all zoned as RS for single-family residential use. Off-site infrastructure such as roads, sidewalks, curb, and gutter have previously been installed on Rainbow Court and utilities are available within the public right-of-way pending connections with any future developments. Within the past two years, the City Council and Planning Division staff have approved applications for additional new single-family residences to be constructed upon 2398, 2383 and 2367 Rainbow Court increasing development activity on Rainbow Court on the previously vacant parcels. Thus, the proposed project will be located within an already established residential neighborhood consistent with the nearby structures and land uses.

Proposed Project. The applicant is proposing to construct a new, two-story 2,700 square foot, single-family residence containing 4 bedrooms, 4 bathrooms, and an attached two-car garage. The property currently obtains access from Rainbow Court and the proposed residence and two-car garage will utilize the existing driveway approach located at the terminus of the Rainbow Court cul-de-sac. The main-level (street level) of the residence will include a living room, dining room (nook), kitchen, laundry room, and the two-car garage, while the upper-level will include bedrooms, bathrooms, and the master bedroom. In addition, the project has included a deck along the rear of living room on the main level to serve as a private open space feature for the residence. The deck will offer views of California State University, East Bay, the Bay Area, and the preserved vegetation and trees along the downward slope toward Ward Creek.

The proposed two-story, traditionally designed residence will incorporate 5:12 and 11:12 pitched gables roofs. The proposed residence would use wood-framed construction and the exterior will be finished with cement fiber lap siding with composition shingle roofing. A copy of the project plans with architectural elevations are included as Attachment IV.

Site Improvements. The proposed single-family residence will require on-site improvements to the subject property prior to the issuance of a Certificate of Occupancy. On-site improvements will include the installation of drought-tolerant landscaping, erosion control measures (during construction), and stormwater management features. and shall incorporate Best Management Practices (BMPs) for construction noise, grading and construction activities to prevent adverse negative impacts onto adjacent properties. Other site improvements would include a new driveway, concrete step pads for walkways, stairs, landscaped planters, and retaining walls.

Landscaping and Tree Removals. The applicant has submitted a landscaping and irrigation plan (Attachment IV). The landscape and irrigation plans include conceptual level drawings that demonstrate compliance with the Bay-Friendly Water Efficient Landscape Ordinance (WELO) which requires sustainable landscaping practices by using drought-tolerant native species, appropriate irrigation methods, and water budget calculations. Much of the landscaping proposed on site will be near the proposed residence and include new tree planting, shrubs, perennials, and ferns. A new pathway with steps from Rainbow Court to the dwelling entrance will extend downward along the hillside to a grassy area to serve as an open space amenity for the house.

The landscape and irrigation plans identify several existing Live Oak and Bay trees which are proposed for preservation, and no existing trees are proposed for removal. A Condition of Approval has been added to the project to ensure the preservation of such trees during the construction of the new single-family residence at the project site pursuant to Chapter 10, Article 15 (Tree Preservation Ordinance)² of the HMC. If the mature and existing trees are inadvertently removed or damaged during construction and/or grading activities, the Ordinance requires on-site planting of trees with like-size, like-kind trees to meet or exceed the appraised value of the protected tree(s) as determined by a certified Arborist to be reviewed by the City Landscape Architect. The landscaping and irrigation plans would be reviewed in greater detail during the building permit phase. Additionally, the City Landscape Architect will inspect the construction site to verify the trees are planted correctly with proper irrigation that will maximize the health of the trees.

Site Plan Review. Development on parcels within the designated Hillside Urban/Wildland Interface Area are subject to the Site Plan Review process and associated findings contained in Section 10-1.3025 of the Hayward Municipal Code³. This is to demonstrate that proposed developments, along with any site improvements, are consistent with the development standards of the RS zoning district, Hillside Design Guidelines, as well as the applicable General Plan goals and policies. Per the HMC, the City Council may approve or conditionally approve an application for Site Plan Review when all of the following findings are made:

- The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City;
- The development takes into consideration physical and environmental constraints;
- The development complies with the intent of City development policies and regulations; and

² Tree Preservation Ordinance, Chapter 10, Article 15:

https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART15TRPR

³ Site Plan Review Findings, Chapter 10, Article 1:

https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1Z00R_S10-1.3000SIPLRE

- The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

Staff has provided a more detailed analysis for the required Site Plan Review findings for approval in Attachment II.

Grading Permit. The project is subject to City Council review for the proposed grading since the average slope of the site exceeds 20%. The applicant has submitted preliminary civil plans (grading, drainage, utility and erosion plans) for the project that was reviewed by the City's Engineering Division. The applicant has also submitted a Geotechnical Report prepared by Milstone Geotechnical (August 2018) providing recommendations and mitigation measures that reduce any environmental impacts to a level of *less than significant*. The report identifies that the primary geotechnical concerns are the presence of relatively weaker and potentially expansive-prone, near-surface soils and the potential for significant ground shaking by an earthquake from the nearby active San Andreas and Hayward fault systems. However, based on the findings of their investigation, the geotechnical engineers conclude that the property is suitable for the proposed site and landscape improvements provided the recommendation of the report are incorporated into the on-site construction and grading activities. Additionally, a standard set of conditions will include the review and approval of an erosion control plan; standards for import, export, and containment of construction materials; and a limitation on the days and hours of grading activity to minimize impacts on the surrounding neighborhood.

SUSTAINABILITY FEATURES

The project has been designed to meet all applicable 2016 California Residential and Green Building Codes, which require a minimal level of energy efficiency, conservation, material recycling, and air quality, for new construction. In addition, the landscaping areas and irrigation system will be compliant with Bay Area-Friendly Water Efficient Landscape Ordinance, which requires the use of drought tolerant planting with water-efficient irrigation systems. Furthermore, the applicant will comply with ordinances related to construction debris and recycling to divert waste from landfills.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The project site is designated as Suburban Density Residential (SDR) in the *Hayward 2040 General Plan*⁴. Properties within the SDR land use designation predominantly consist of single-family residences within the rural and suburban areas located within the eastern hills of the Hayward Planning Area. The General Plan indicates that future development within this land use area will primarily consist of additional residential development, building and landscape improvements, and neighborhood enhancements.

The *General Plan* also provides goals and policies which serve as guiding principles and provide a host of strategies for future development in the City. The proposed project was evaluated against the applicable goals and policies and found to be consistent with the following:

- LU Policy LU-1.7 (Design Guidelines): The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.
- LU Policy LU-3.7 (Infill Developments): The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and features.

⁴ Suburban Density Residential, Hayward 2040 General Plan: <https://www.hayward2040generalplan.com/land-use/residential>

- LU Goal LU-7: Preserve the rural and natural character of hillside development areas.

Staff has reviewed the project components and finds that the development is consistent with the goals and policies of the City's General Plan and the Hillside and Urban/Wildlife Design Guidelines by proposing a residence which architecturally steps with the natural topography of the hillside and is compatible with the other dwellings in the area.

Zoning Ordinance. The project site is located within the RS (Single-Family Residential) zoning district. Pursuant to Section 10-1.200⁵, the RS zoning district allows for the development of a single-family residence as a primary use permitted by-right. The project, as proposed, would allow the construction of a new single-family dwelling, which meets the following objective development standards. Table 1 includes a comparison chart displaying the development standard requirements and the proposed.

Table 1: Development Standards

Criteria	Proposed	Required or Max. Allowed
Lot Coverage	13.3%	40%
Front Setback	40'	20'
Side Yard	6'-6" and 7'-0"	5'
Rear Yard	Greater than 60'	20'
Parking	Two-car garage	Two-car garage
Driveway Length	20'	20'
Height	27'	30'

Hillside and Urban Wildlife Interface Guidelines. The project is located on a hillside parcel that is subject to the design standards of the Hillside and Urban Wildlife Interface Guidelines⁶. The purpose of the Hillside and Urban Wildlife Interface Guidelines is to seek to identify elements of good design which will enhance the appearance of the city and make the neighborhood more livable, while being conscious of the natural topographies and slopes. The proposed residence has been designed to minimize impacts to the existing hillside and will be attractively designed to minimize visual impacts from adjacent properties and the street frontages, consistent with the Guidelines.

Strategic Initiatives. This project supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities Strategic Initiative is to create and support services and amenities that provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. The project supports the following goal and objective from the Complete Communities Initiative:

Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.

STAFF ANALYSIS

⁵ Single-Family Residential District, Chapter 10, Article 1:

https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.200SIMIREDIRS

⁶ Hillside Design and Urban/Wildland Interface Guidelines: <https://www.hayward-ca.gov/sites/default/files/COH%20Hillside%20Design%20Urban-Wildland%20Interface%20Guidelines.pdf>

Staff finds that the proposed project is consistent with the development standards of the RS zoning district and the design requirements within the Hillside Design and Urban/Wildlife Interface Guidelines in that the proposed development is designed to minimize excessive grading and blend into the existing slope. The proposed residence has been designed to reduce bulk and mass and will incorporate significant window detailing, a mixture of materials (cement fiber lap siding and composition shingles) and with a neutral color palette. In addition, the proposed landscaping along the street frontage and along the side of the residence, coupled with the sloped topography of the site, will also help to soften the bulk and mass of the proposed building and minimize visual impacts from adjacent properties or from the public right-of-way. As such, staff believes that the Planning Commission can support the draft findings and recommend project approval to the City Council.

ENVIRONMENTAL REVIEW

The project required the preparation of an Initial Study which evaluated the potential environmental impacts of this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. The Initial Study (Attachment V) found that the proposed project would result in potential impacts related to Geology and Soils because the new construction on a project site could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills on the hillside property. Mitigation Measure GEO-1 requires that the applicant incorporate all recommendations set forth in the Geotechnical Report (Attachment V) to reduce the potential environmental impacts to a less than significant level.

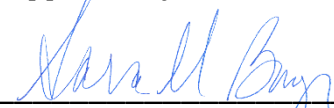
A Notice of Intent to Adopt the MND was filed with the Alameda County Clerk on February 22, 2019 for a twenty (20) day public comment period, which expired on March 14, 2019 with no correspondence received. The proposed MND with Mitigation Monitoring and Reporting Program were posted and available for public review at City Hall, the City's website, and delivered to Hayward libraries. Section 15074 of the CEQA Guidelines states that an advisory body (Planning Commission) making a recommendation to the decision-making body (City Council) shall solely consider, rather than adopt, the MND before making its recommendation.

NEXT STEPS

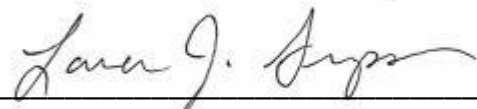
Following the Planning Commission recommendation, the City Council will review and consider the Site Plan Review with Grading Permit application and the MND and MMRP at a regularly scheduled meeting. If the City Council approves the project, the decision will be final.

Prepared by: Marcus Martinez, Assistant Planner

Approved by:



Sara Buizer, AICP, Planning Manager



Laura Simpson, AICP, Development Services Director

**CITY OF HAYWARD PLANNING DIVISION
SITE PLAN REVIEW NO. 201804682
DRAFT FINDINGS FOR APPROVAL
2366 RAINBOW COURT**

Proposed Single-Family Residence on a Vacant 0.32-Acre Hillside Parcel Located at 2366 Rainbow Court, Requiring Approval of a Site Plan Review with a Grading Permit (Application No. 201804682); and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Joyce and Robert Steinfeld (Applicant/Property Owners)

SITE PLAN REVIEW FINDINGS

Per Section 10-1.3025 of the Hayward Municipal Code, the Planning Commission may approve or conditionally approve an application when all the following findings are met:

A. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City

The proposed development will be compatible with on-site and surrounding structures and uses in that the project site is located in the Rainbow Court cul-de-sac, where all properties are in the Single-Family Residential (RS) zoning district subject to the same development standards (i.e. setbacks, height, and lot coverage), design guidelines, and performance standards. Currently, three of the ten parcels along Rainbow Court are developed with existing single-family residences which include two- to three- story existing single-family dwellings that range between 2,700 square-feet to 4,100 square-feet of living area.

Further, the proposed development of the single-family residence at the project site will be an attractive addition to the City as it will be designed with traditional design elements. The proposed two-story, 2,700 square-foot residence will incorporate 5:12 and 11:12 pitched roofs toward the street which will provide relief and incorporate visual interest along each elevation. The residence will be constructed using wood-framing and finished in a combination of cement fiber lap siding and composition shingles.

B. The development takes into consideration physical and environmental constraints

The proposed single-family residence takes into consideration the physical and environmental constraints in that it is designed to be constructed along the existing slope and natural topography. The proposed architectural design of the single-family residence is consistent with the City's Hillside Design and Urban/Wildlife Interface Guidelines. The Hillside and Urban/ Wildlife Interface Guidelines requires that new buildings within the development exhibit varied elevations, floor plans, setbacks, and a quality architecture to enhance the hillside setting. Most notably, the Hillside Design Guidelines requires that developments exhibit a stepped architecture along the slope to minimize excessive grading and unnecessary cuts into hillside. The proposed residence has incorporated well-articulated front and street side elevations with well-proportioned windows, a pitched roof and a variety of textures.

A Geotechnical Report (Milestone, 2018) was prepared for the proposed project at the property that included an analysis of the physical and environmental constraints on the property with respect to slope stability, drainage, landslide potential, foundation, and retaining walls that determined the property was adequate to be built upon with the incorporation of specific design-level measures recommended by the Geotechnical Engineer. These specific design-level geotechnical recommendations have been incorporated as Conditions of Approval and Mitigation Measures for the proposed development (see Mitigation Monitoring and Reporting Program).

C. The development complies with the intent of City development policies and regulations

The proposed single-family residence complies with applicable City development policies, including but not limited to the *Hayward 2040 General Plan*, the Hayward Municipal Code, and the City's Hillside Design and Urban/Wildlife Interface Guidelines. In addition, the development consistent with the following *Hayward 2040 General Plan* goals related to Land Use and Community Character:

Land Use Policy LU-1.7 Design Guidelines: The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.

Land Use Policy LU-3.7 Infill Developments in Neighborhoods: The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and features.

The project also incorporates new drought-tolerant landscaping in compliance with the Bay Area-Friendly Water Efficient Landscape Ordinance and will enhance the visual quality and character of the existing vacant site. Although no trees are proposed to be removed, the project shall conform to the City's Tree Preservation Ordinance which requires preservation of existing protected trees to the greatest extent feasible and mitigation for any protected trees removed.

D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

The proposed single-family residence, as conditioned, will be compatible with the surrounding residential development as the project will be subject to all applicable provisions of the Hayward Municipal Code including construction, maintenance, landscaping, etc. In addition, the proposed development of one single-family residence will be located within an already established single-family residential neighborhood, consistent with the land use pattern and character of the surrounding homes in the vicinity.

The project will incorporate both on- and off-site improvements. On-site improvements will include the installation of drought-tolerant landscaping, erosion control measures, stormwater management features, and shall incorporate Best Management Practices (BMPs) for construction noise, grading and construction activities to prevent adverse negative impacts onto adjacent properties. Other site improvements would include a new driveway, concrete step pads for walkways, stairs, landscaped planters, and retaining walls.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- E.** Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, an Initial Study was prepared for this project with the finding that a Mitigated Negative Declaration (MND) was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures.
- F.** The proposed MND was prepared by the staff on behalf of the City of Hayward (Lead Agency), and the MND was circulated to the State, all interested parties, and posted in the newspaper with a minimum 20-day public review period between February 22, 2019 and March 14, 2019.
- G.** The proposed MND was independently reviewed, considered and analyzed by the Planning Commission and reflects the independent judgement of the Planning Commission; such independent judgement is based on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the proposed MND and the administrative record as a whole); the Planning Commission recommends the City Council adopt the proposed MND and its findings and conclusions as its source of environmental information; and the proposed MND is legally adequate and was completed in compliance with CEQA.
- H.** The proposed MND identified all potential adverse impacts and based on the MND and the whole record before the Planning Commission, there is no substantial evidence that the Project, with mitigation measures incorporated, will have a significant effect on the environment.
- I.** The project complies with CEQA, and the proposed MND was presented to the Planning Commission, which reviewed and considered the information contained therein prior to recommending approval of the Project. The custodian of the record of proceedings upon which this decision is based is the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.

**CITY OF HAYWARD PLANNING DIVISION SITE
PLAN REVIEW APPLICATION NO. 201804682
DRAFT CONDITIONS OF APPROVAL
2366 RAINBOW COURT**

GENERAL CONDITIONS OF APPROVAL:

1. The approval of Site Plan Review No. 201804382 shall allow the construction of a two-story, 2,700 square-foot single-family residence with an attached two-car garage on a vacant hillside parcel located at 2366 Rainbow Court, Assessor Parcel No. 425-0410-027-00.
2. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
3. All outstanding fees owed to the City, including staff time spent processing this application, shall be paid in full prior to issuance of a building permit
4. The proposed single-family residence shall conform to these conditions of approval and the narrative/plans on file with the Planning Division stamped "Exhibit A".
5. Site Plan is approved subject to the Architectural, Civil and Landscape plans date stamped December 12, 2018, respectively, except as modified by the conditions listed below. Any proposal for alterations to the conditionally approved site plan and/ or design that does not require a variance to any zoning ordinance standard shall be subject to approval by the Development Services Director or his/her designee, prior to implementation. Alterations requiring a variance shall be subject to review and approval by the Planning Commission.
6. A copy of these conditions of approval shall be scanned and included on a separate full-sized sheet(s) within the building permit plan set.
7. Mailboxes shall be installed in accordance with Post Office policy and include locking mechanisms to minimize opportunities for theft. Approved address numbers shall be at least four inches in height on a contrasting background. Font strokes shall be of sufficient width such that they are legible to the public from the street fronting the property.
8. In accordance with Hayward Municipal Code (HMC) Section 10- 1. 3055, approval of this Site Plan Review is void 36 months after the effective date of approval unless:
 - a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or his/ her designee. If a building permit is issued for construction of improvements authorized by this approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on this approval; or
 - b. A time extension of the approval has been granted by the Development Services Director or his/her designee, which requires that a request for an extension of this approval must be submitted in writing to the Planning Division at least 15 days prior

to the expiration date of this approval.

9. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
10. The permittee, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
11. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/ or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were filed to construct the project.

MITIGATION MEASURES

12. The applicant shall be responsible for adhering the Mitigation Monitoring and Reporting Program (MMRP) for the adopted Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA) Guidelines.
 - a. The applicant shall be responsible for scanning a copy of the adopted MMRP into the Building Division plan check submittal.
 - b. The applicant shall be responsible for implementing the recommendations and mitigations measures identified in the Geotechnical Engineering Report prepared by Milstone Geotechnical (August 2018) in regard to seismic design, site preparations, foundations, retaining walls, concrete slab-on grade, and drainage in accordance with the MMRP.
 - c. The recommendations and mitigation measures shall be incorporated into the grading permit application and final construction level drawings (civil, drainage, landscape, site plans) and shall be submitted to the Building Division, Public Works Department – Engineering Division, Landscape Division, and Planning Division for review and approval.

BUILDING DIVISION:

13. Applicant shall apply for all necessary building permits and/or all other related permits from the Building Division. All structures shall be constructed and installed in accordance with the California Building Code, Uniform Mechanical and Plumbing Code, National Electrical Code, and the California Fire Code as adopted by the City of Hayward.
14. Given the property is located within a Wildland-Urban Interface Fire Area, the

materials and construction method for exterior wildfire exposure shall comply with Section R327 of the California Residential Code.

15. The plans submitted for plan check shall provide capability for electric vehicle charging in new single-family dwelling.
16. The proposed single-family residence shall be subject to the payment of school fees as set forth by the Hayward Unified School District (HUSD).

ENGINEERING:

17. Prior to building permit issuance, developer must pay all applicable development fees, as determined by the City Engineer in accordance with the most current approved fee schedule adopted by the City Council, including but not limited to, utility connection fees.
18. Grading & improvement plan sets shall be submitted to the Public Works Department for review and approval prior to issuance of any building permits. The grading and improvement plan submittal shall include, but not be limited to, three (3) copies of the grading and improvement plans, and erosion control plans. Contact the Development Review Engineer at (510) 583-4212 for application and submittal requirements.
19. Developer shall be responsible for preventing the discharge of pollutants (sediments) into the street and/or the storm drain system from the project site. An erosion control plan shall be required.
20. Earth retaining structures greater than 4-feet in height, if any, shall be reviewed and approved by the Building Division of the Development Services Department. The plans should include all proposed underground pipes, building drains, area drains and inlets.
21. **Construction Damages:** The Developer shall be responsible to remove and replace curb, gutter, sidewalks, driveways, signs, pavements raised pavement markers, thermoplastic pavement markings, etc. damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer. Developer is responsible for documenting the existing conditions prior to the start of construction to serve as a baseline for this requirement.
22. All existing public utilities shall be protected in place and if necessary, relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas.
23. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from the City.
24. Grading and clearing activities shall be in compliance with Chapter 10, Article 8 of the Hayward Municipal Code, including, but not limited to the submittal of a Work Schedule to the Public Works Department – Engineering Division, for the proposed grading schedule, schedule for the installation of interim erosion and sediment control measures, and the construction of public improvements.
25. To avoid or reduce the potential impact related to the site-specific geotechnical hazards related to seismic hazards, the project developer shall implement the following mitigation measures:

- a. The applicant shall submit a final grading plan subject to review by the City Engineer prior to issuance of grading permits.
 - b. For each building constructed in the development plan area, the required site-specific geotechnical investigation shall address expansive soils and provide appropriate engineering and construction techniques to reduce potential damage to buildings.
 - c. To reduce the potential impacts related to the presence of low to moderately expansive clays in the subsurface soils of the project site, mitigation measures to avoid the effects of expansive soils outlined in the Geotechnical Investigation shall be followed.
26. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the City:
- a. Grading and site construction activities shall be limited to the hours 7:00 a.m. to 7 p.m. Monday through Saturday, and 10 a.m. to 6 p.m. on Sunday and holidays.
 - b. Grading and construction equipment shall be properly muffled.
 - c. Unnecessary idling of grading and construction equipment is prohibited.
 - d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units.
 - e. Daily clean-up of trash and debris shall occur on Rainbow Court, and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
 - f. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.
 - g. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
 - h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions.
 - i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site.
 - j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
 - l. Sweep public streets daily if visible soil material is carried onto adjacent public streets;
 - m. Broom sweep the sidewalk and public street pavement adjoining the project

- site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
- n. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
 - o. The developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
27. In the event that human remains, archaeological resources, prehistoric or historic artifacts are discovered during construction of excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be retained to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedure for evaluation accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.f and 151236.4 of the California Environmental Quality Act.
28. All public improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
29. The project shall implement the provision of C.3.i Required Site Design Measures for Small Projects and Detached Single-Family Home Projects such as:
- a. Direct roof runoff into cisterns or rain barrels for reuse.
 - b. Direct roof runoff onto vegetated areas.
 - c. Direct runoff from walkway, and/or patio onto vegetated areas.
 - d. Direct runoff from driveway and/or uncovered parking areas onto vegetated areas.
30. Submit 3 copies of Soils and Geotechnical Report prior to the issuance of a Building Permit for review and approval by the City Engineer shall be wet stamped, signed by the engineer and in bound form.
31. The following items shall be completed and submitted with the improvement and/or grading plans:
- a. C.3 and C.6 Data Collection Form

LANDSCAPING:

32. Detailed landscape and irrigation plans in full compliance with the City's Bay-Friendly Water Efficient Landscape Ordinance prepared by a licensed landscape architect shall be submitted for review and approval prior to issuance of building permit.
33. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of the Building Permit Approval. All Park dedication in-lieu fees shall be paid prior to issuance of a Certificate of Occupancy for a residential unit.
34. A tree preservation bond will be required for all trees that are to remain, and the bond will be in effect throughout the construction period and until completion of the entire project improvements. If any trees that are designated as saved are removed or damaged during construction shall be replaced with trees of equal size and equal value.
35. Trees shall be preserved in accordance with the Tree Preservation Ordinance and shall be protected in accordance with the project arborist's recommendations. Prior to the commencement of clearing and grading operations, all trees to be preserved or removed shall be indicated on the grading, site and landscape plans, and trees to remain in place shall be noted and provided with tree protection measures in compliance with City codes.
36. Erosion control material shall be provided for slopes equal or steeper than three to one (3:1).
37. The area in the rear yard designated as "Seeded Erosion Control" shall be irrigated on a separate irrigation valve.
38. Any tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife Code Section 3503-3513 to not disturb nesting birds. To the extent feasible, tree pruning and removal shall be scheduled outside of the breeding season. Breeding surveys shall be conducted prior to tree work. Qualified biologists shall be involved prior to grading and construction activities to establish work buffers for active nests.
39. A tree removal permit shall be obtained prior to the removal of any tree in addition to grading permit. Tree mitigation summary chart provided on the landscape plan shall list the value of trees to be removed, total value of mitigation, and proposed tree sizes and their value equaling the mitigation value. Mitigation shall be in addition to the one 15-gallon required tree for this property.
40. Minimum fifty (50) gallon lidded rainwater catchment device per each single-family home shall be required as well as incorporation of onsite rain garden and porous paving are encouraged in accordance with Municipal Code Article 12, Section 10.12.015.
41. The detail of the laundry to landscape shall be included in the plumbing plan and shall be plan checked by the Building Division during the building permit process. Landscape plan shall refer to plumbing plan to provide California Plumbing Code compliant "laundry to landscape" plumb-ready system.
42. Prior to the issuance of Certificate of Occupancy, all landscape and irrigation shall be

completed in accordance to the approved plan and accepted by the City Landscape Architect. Before requesting an inspection from the City Landscape Architect, the project landscape architect shall inspect and accept landscape improvements and shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of Completion Part 1 through Part 7 or applicable parts shall be faxed/e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.

FIRE DEPARTMENT:

43. Fire Sprinkler Protection Required – An automatic fire sprinkler system shall be designed and installed conforming to NFPA 13D (modified). Standards. Automatic fire sprinkler protection shall be within all living areas as dictated by NFPA 13D Standards. Additional fire sprinkler protection is required in attics, garages, under decks, crawl spaces, patios, porches and foyers. A separate fire permit is required for the fire sprinkler system installation. A State Licensed C-16 Fire Sprinkler Contractor shall be responsible for the fire sprinkler system installation.
44. The applicant shall provide the water/fire flow test data information on the plan, including static pressure, residual pressure, pitot pressure, test flow, calculated available water flow at 20 PSI and test date. This information may be requested from the Hayward Public Works Department.
45. Maximum Sprinkler System Design Pressure - A maximum static pressure of 80 PSI should be used when test data indicates higher pressures. Residual pressures used in the calculation should also be adjusted accordingly.
46. Underground Fire Service Line – Underground fire service line connection to the city main shall be installed in accordance with the Hayward Public Work Department SD-216. Water meter shall be minimum one-inch in diameter.
47. Materials and Construction Method for Exterior Wildfire Exposure – The building is located within the City of Hayward Wildland/Urban Interface Area, and shall meet the construction requirements (as reflected on the approved plans) as stated in the City of Hayward Hillside Design and Urban/Wildland Interface Guidelines, which includes Class A roofing materials and exterior non-combustible siding materials (stucco), double-pane windows. Do not use wood shake or treated wood shake roofs. The building construction shall comply with the requirements contained in the 2016 California Residential Code Section R327.
48. Spark Arrestor Required - Provide spark arrestors with 1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
49. Outdoor Storage - Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.
50. Chimney - Locate chimney at least ten feet away from existing tree canopies.
51. Roof eaves - Enclose all roof eaves with minimum required attic vents covered with

metal mesh in accordance with Chapter 7A of California Building Code. The dimensions of mesh openings shall be a minimum 1/16-inch and shall not exceed 1/8-inch.

UTILITIES:

52. The grading or improvement plans must be approved prior to building permit approval.
53. On the plans for the building permit application, show the size and location of a new 1" water service line and 1" domestic water meter, per SD-216.
54. On the plans for the building permit application, show the size and location of the existing ¾" water service line stub-out. Indicate on the plans if this water meter will be reused or abandoned.
55. On the plans for the building permit application, provide the total area of irrigated landscapes and gallonper-minute (gpm) demand of the irrigation system. If there will be over 5,000 square feet of irrigated landscapes, then a separate irrigation water meter is required.
56. Water and Sewer Service are available and subject to standard conditions and fees in effect at time of application and payment of fees:
 - a. Water Services – The owner/developer is required to pay water facilities fees and installation charges for connections to water mains and work performed by City forces.
Based on the water fixtures shown on the plans, it is estimated the finished structures will have a potential domestic water demand which requires a minimum 1" domestic water meter. Note that this estimate does not include any allowance for residential fire sprinklers or irrigation.
 - b. A separate fire permit is required for the fire sprinkler system installation.
The water meter size will be determined by the Fire Department's requirements for that permit; however, the minimum size water meter for residential fire sprinklers is 1". Residential combined domestic and fire services are allowed, per City Standard SD-216. Configurations per SD-216 are required to have two water service lines after the meter: one for domestic water service, and one for the fire service.
Currently, the cost for a new 1" service line and 1" domestic meter is \$19,710 (\$3,500 installation fee + \$16,210 facilities fee based on a domestic water demand for a 1" meter).
The Improvement Plans for Rainbow Court (Tract 3992) show that the property has an existing ¾" water service line and meter box with no meter. If this service line cannot be reused, it must be abandoned at the owner's/applicant's expense
 - c. The applicant/developer shall install a Reduced Pressure Backflow Prevention Assembly on the irrigation water meter, per City Standard SD-202. Backflow Prevention Assemblies shall be at least the size of the water meter or the water line on the property side of the meter, whichever is bigger.
 - d. Sewer Services – The owner/developer is responsible for payment of sewer connection fees at the current rates that the time the application for water and sewer service is submitted. The sewer connection fee for a single-family residential connection is \$7,700.
57. Water meters must be located a minimum of two feet from top of the driveway flares

- as per City Standard Detail 213 through 218.
58. If the property will have more than 5,000 square feet of irrigated landscape, a separate irrigation water meter must be installed. Irrigation water meters must be protected by a Reduced Pressure Principal Backflow Prevention Assembly, per SD-202. Water mains and services, including the meters, must be located “at least 10 feet horizontally from and one foot vertically above, any parallel pipeline conveying untreated sewage, ...” (such as a sanitary sewer lateral) per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. Note that the Waterworks Standards allow for horizontal separation of water and sewer lines to be less than 10-feet by “utilizing upgraded piping material” and is approved by the “Department”. “Upgraded piping material” generally means to use piping material with a pressure rating at least 1 grade above the minimum pressure rating that is required for the application.
59. The sanitary sewer lateral shall be installed per City Standard Detail SD-312.

SOLID WASTE & RECYCLING:

60. Please submit the Construction and Demolition Debris Recycling Statement at the time of your building permit. The applicant shall will only need to submit the top “applicant” half of the form during the building permit. The bottom half of the form should be completed upon completion of the project to receive final building inspection approval. The form can be located online at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>.

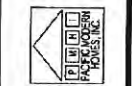
NEW CONSTRUCTION FOR
JOYCE STEINFELD
2366 RAINBOW COURT

CODE COMPLIANCE	SHEET INDEX	SQUARE FOOTAGE SUMMARY	PROJECT TEAM
COMPLIES WITH THE 2016 CBC, CRC, CMC, CPC, DEC, AND TITLE 24 ENERGY REQUIRMENTS & CAL GREEN.	DRAWING LIST CS COVER SHEET TOPOGRAPHICAL SURVEY L1.0 SITE PLAN CO1 GRADING PLAN L2.0 LANDSCAPE L3.0 IRRIGATION L4.0 PLANTING 1 ELEVATIONS 2 ELEVATIONS 3 FIRST FLOOR PLAN 4 SECOND FLOOR PLAN	LOT AREA 14375 S.F. 1ST FLOOR 1184 S.F. 2ND FLOOR 1516 S.F. GARAGE SPACE 528 S.F. COVERED PORCH 56 S.F. REAR DECK 168 S.F. LOT COVERAGE 13.3%	Civil Engineer Ambrose Wong PE, QSD Green Civil Engineering, Inc. 1900 S. Norfolk St. # 350 San Mateo, CA. 94403 650-931-2514 awong@green-ce.com Land Surveyor Keith Nofield, PLS. 5178 Wowry Ave. Ste. #2151 Fremont, CA. 94538 510-468-2703 kno77393@gmail.com Geologist Barry Milstone 17020 Melody Lane Los Gatos, CA. 95033 408-353-5528 phone 802-448-1025 fax bsm@milstonegeo.com www.milstonegeo.com Landscape Architect Jeni Webber + Associates 1743 Alcatraz Ave. Berkeley, CA. 94703 Jeni Webber 510-841-3311 phone 510-450-9091 fax jeni@jenwebber.com Structural Engineer Norman Scheel Structural Engineer 5022 Sunrise Blvd. Fair Oaks CA 95628 916-536-9585
SCOPE OF WORK		ASSESSORS PARCEL NO.	
SINGLE FAMILY RESIDENCE OF APPROXIMATELY 2700 S.F. LIVING SPACE WITH ATTACHED GARAGE.		425-0410-027	
		DEFERRED SUBMITTAL	
		SPRINKLERS	

OCCUPANCY GROUP R-3/U TYPE OF CONSTRUCTION V-B

REVISIONS	BY

PACIFIC MODERN HOMES
P.O. BOX 670
ELK GROVE, CA. 95759
PHONE: (916) 685-9514



COVER SHEET

PRE-ENGINEERED
JOYCE STEINFELD #9422
2366 RAINBOW COURT
HAYWARD, CA 94542
MANCHESTER

DATE	5/1/11B
SCALE	N.T.S.
DRAWN BY	HW
PLAN NO.	9422
SHEET	CS

LEGEND:

—	SUBJECT PROPERTY LINE
—	PROPERTY LINE
---	2' CONTOUR LINE
---	10' CONTOUR LINE
SS	SANITARY SEWER
~~~~~	LIMITS OF HEAVY VEGETATION/TREES
⊙	STANDARD CITY STREET MONUMENT
AC	ASPHALT CONCRETE
ACP	AGGREGATE CONCRETE PIPE
EL	ELEVATION
⊕ FH	FIRE HYDRANT
INV.	INVERT
S.F.	SQUARE FEET
SSMH	SANITARY SEWER HANHOLE
VCP	VETRIFIED CLAY PIPE
WM	WATER METER
• WV	WATER VALVE
12"	TREE DIAMETER (SPECIES SPECIFIED)
CONCRETE	CONCRETE

**NOTES**

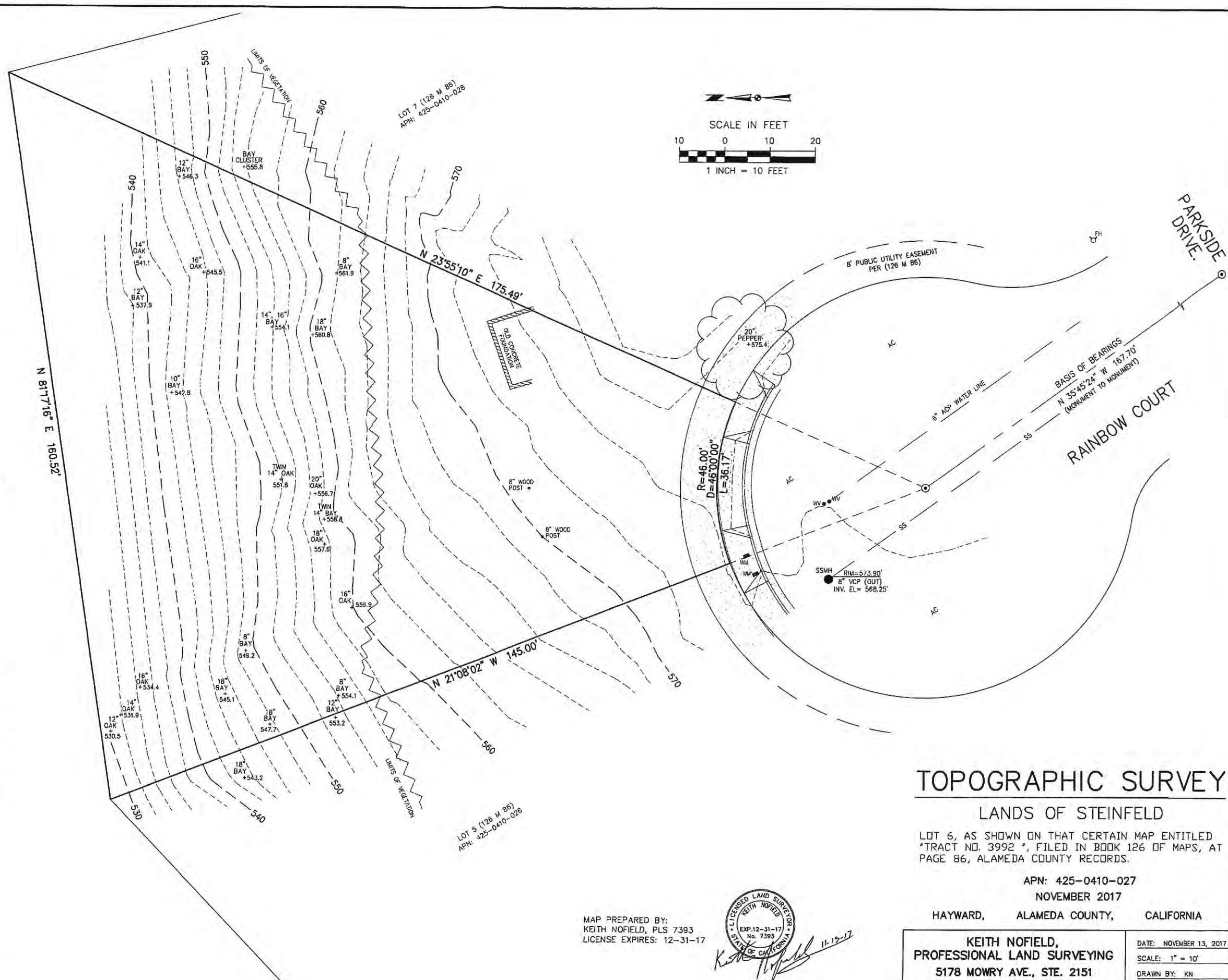
1. UTILITY LOCATIONS ARE ONLY APPROXIMATE AND NOT INTENDED FOR USE WITH CONSTRUCTION. INFORMATION WAS ACQUIRED FROM A FIELD SURVEY. CONTACT "USA" AT 1-800-642-2440 FOR ASSISTANCE WITH LOCATION OF UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
2. ALL DISTANCE AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
3. THE TOTAL AREA OF THE SUBJECT PROPERTY IS 14,139± S.F.
4. FEMA FLOOD ZONE (ZONE X - UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
5. ADDRESS OF SUBJECT SITE IS: 2366 RAINBOW COURT
6. SITE REPRODUCTION OF THIS MAP WITH OUT MY PROFESSIONAL LAND SURVEYOR'S SEAL AND SIGNATURE, IS NOT CONSIDERED AN ORIGINAL

**BASIS OF BEARINGS:**

THE BEARING OF N 35°45'24" W, FOR THE MONUMENT LINE OF RAINBOW COURT, ESTABLISHED FROM THE FOUND STREET MONUMENTS IN RAINBOW COURT, AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 3992" FILED IN BOOK 126 OF MAPS, AT PAGE 86, WAS USED AS THE BASIS FOR THIS MAP.

**BENCHMARK:**

A TEMPORARY BENCHMARK "TBM" WITH THE ELEVATION OF 573.47' (NAVD 88 DATUM) WAS ESTABLISHED BY GPS METHODS, ON THE TOP OF A STANDARD CITY OF HAYWARD BRASS DISK IN MONUMENT WELL AT THE CENTER OF CUL-DE-SAC OF RAINBOW COURT.

**TOPOGRAPHIC SURVEY****LANDS OF STEINFELD**

LOT 6, AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 3992", FILED IN BOOK 126 OF MAPS, AT PAGE 86, ALAMEDA COUNTY RECORDS.

APN: 425-0410-027

NOVEMBER 2017

HAYWARD, ALAMEDA COUNTY, CALIFORNIA

**KEITH NOFIELD,**  
**PROFESSIONAL LAND SURVEYING**  
 5178 MOWRY AVE., STE. 2151  
 FREMONT, CA 94538  
 510/468-2703

DATE: NOVEMBER 13, 2017  
 SCALE: 1" = 10'  
 DRAWN BY: KN  
 CHECKED BY: KN  
 JOB NUMBER: 17-126

MAP PREPARED BY:  
 KEITH NOFIELD, PLS 7393  
 LICENSE EXPIRES: 12-31-17



# Steinfeld Gardens

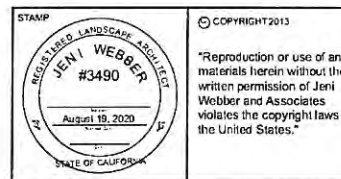
2366 Rainbow Court, Hayward, CA. 94542  
 LOT 6 TRACT NO. 3992 BOOK 126 OF MAPS PAGE 86 ALAMEDA COUNTY RECORDS

## OWNERS

ASSOCIATE ARCHITECT

STRUCTURALENGINEER

CONSULTANT

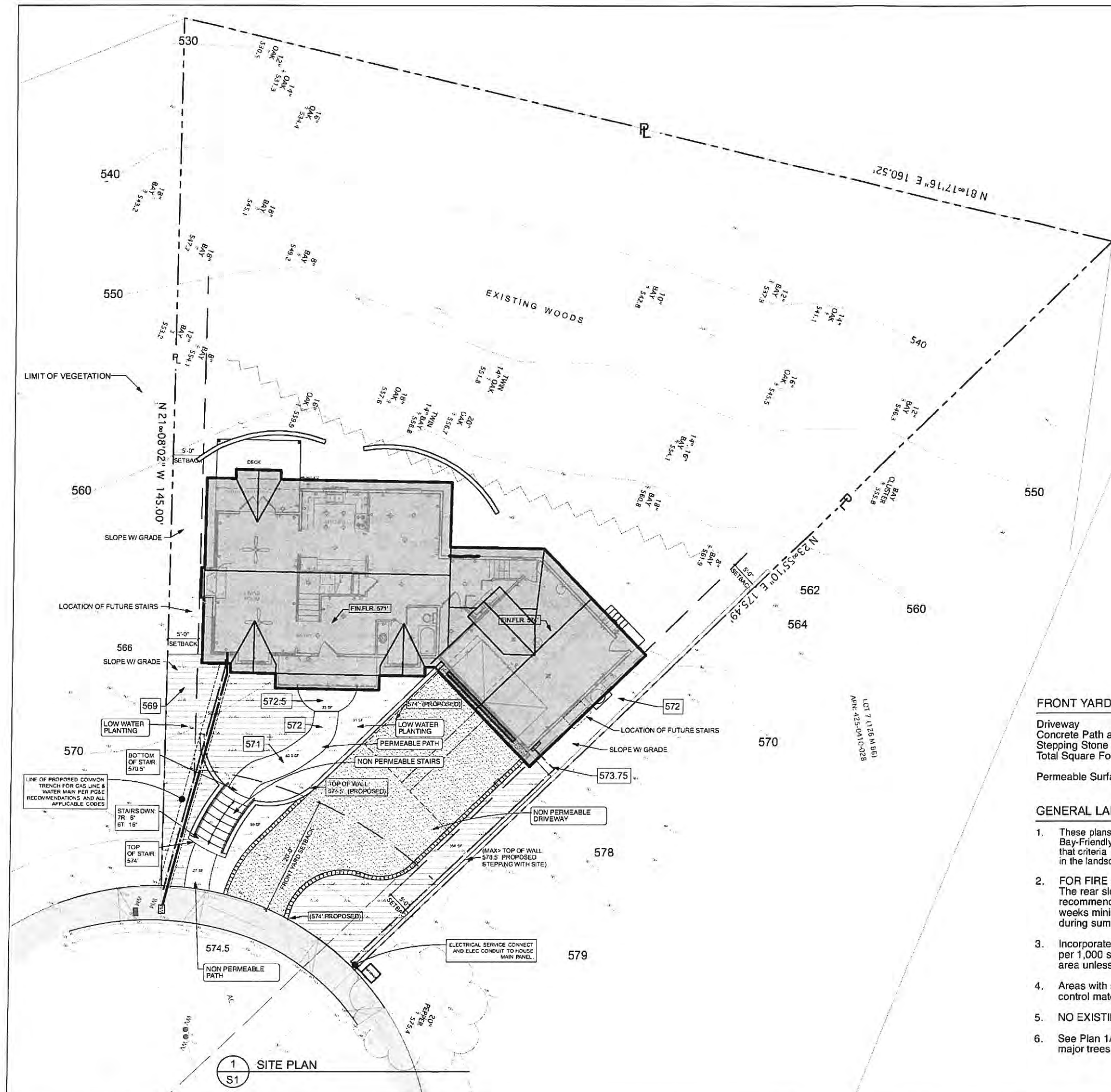
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SHEET TITLE

PROJECT NUMBER	PROJECT NAME
	Steinfeld
SCALE	
3/16 inch = 1 Foot	
NORTH	SHEET NUMBER



**L1**



TOTAL LOT SIZE:	14,140 SQ.FT.
TOTAL FRONT YARD SIZE:	2,251 SQ.FT.
TOTAL PERMEABLE: (FRONT)	1,197 SQ.FT.
TOTAL NON PERMEABLE: (FRONT)	1,054 SQ.FT.

 PERMEABLE  
 NON PERMEABLE  
 CITY SIDE WALK

XXX' PROPOSED GRADE  
---XXX'--- EXISTING CONTOUR

PROPERTY LINE — 

BUILDING SETBACK LINE — 

Driveway	Impermeable	918 Square Ft.
Concrete Path and Walls	Impermeable	136 Square Ft.
Stepping Stone Path and Planting Beds	Permeable	1,197 Square Ft.
Total Square Footage		2,251 Square Ft.

Permeable Surfaces Percentage	53 Percent
-------------------------------	------------

1. These plans comply with the criteria of 'City of Hayward Bay-Friendly Water Efficient Landscape Ordinance' and that criteria has been applied for the efficient use of water in the landscape and irrigation design plans.

2. **FOR FIRE SAFETY AND SUPPRESSION:**  
The rear slope will be thinned as per fire zone safety recommendations the plants will be watered every three weeks minimum. The native grasses will be cut to 4" ht. during summer months.
3. Incorporate compost at the rate of at least 4 cubic yards per 1,000 square feet to a depth of 6" into the landscape area unless counter-indicated by a soil test).
4. Areas with slopes greater than 3:1 to receive erosion control material.
5. **NO EXISTING TREES WILL BE REMOVED.**
6. See Plan 1/L1 for dimensions noting distances from major trees to proposed Line of Disturbance.

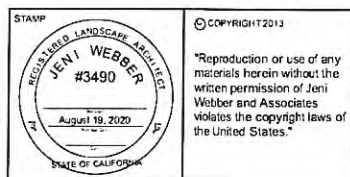
**Steinfeld Gardens**  
2366 Rainbow Court, Hayward, CA. 94542  
LOT 6 TRACT NO. 3992 BOOK 126 OF MAPS PAGE 66 ALAMEDA COUNTY RECORDS

## OWNERS

ASSOCIATE ARCHITECT

STRUCTURAL ENGINEER

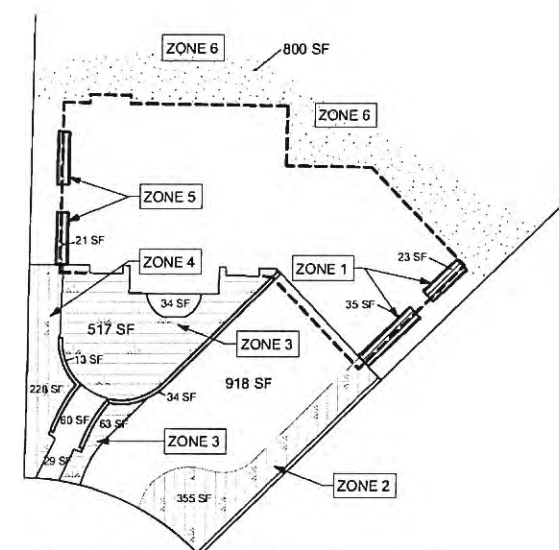
CONSULTANT

[illegible]

SHEET 110

PROJECT NUMBER	PROJECT NAME
	Steinfeld

SCALE  
3/16 inch = 1 Foot  
NORTH



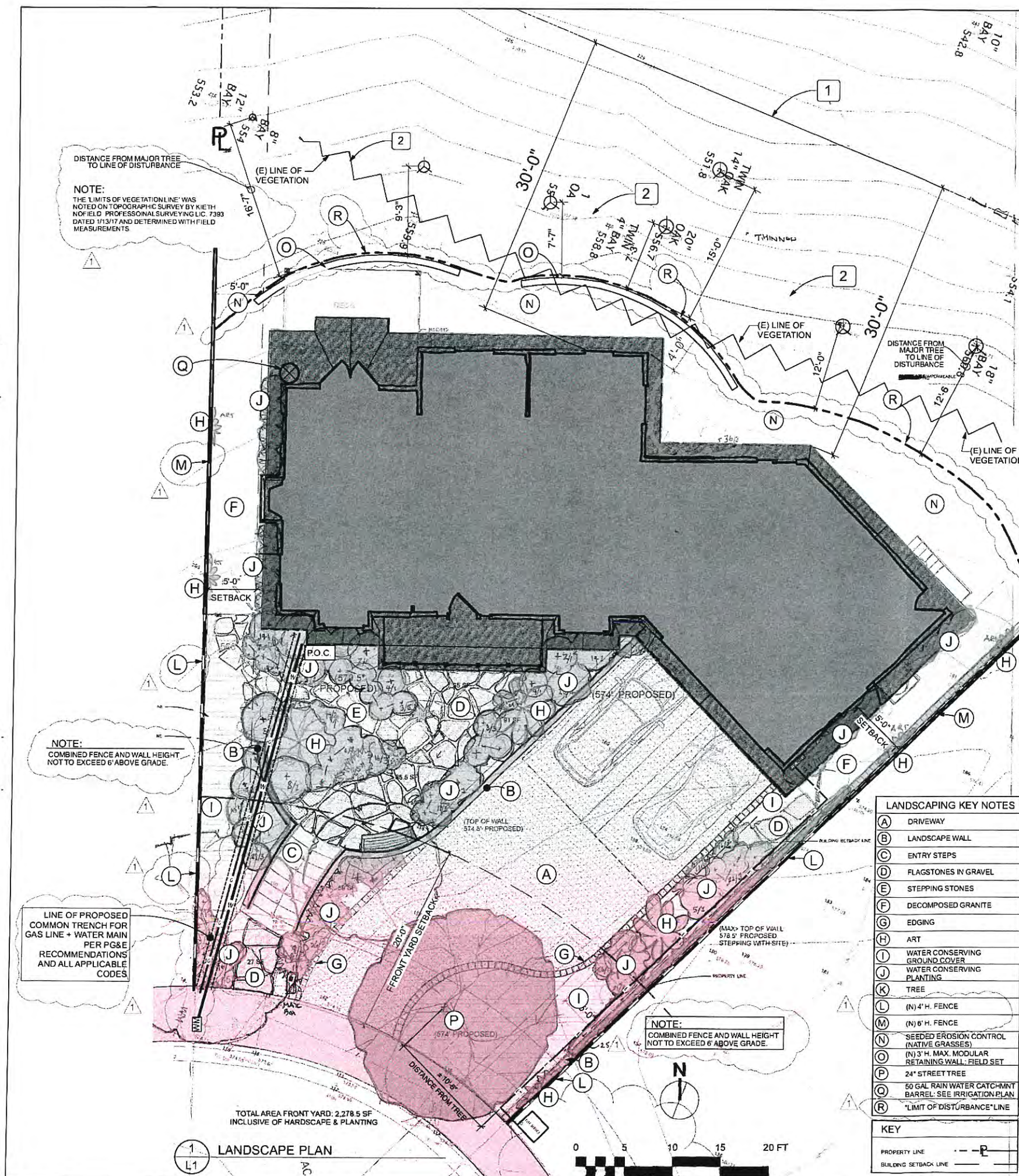
2 HYDRO-ZONE DIAGRAM  
L1 1/16" = 1 FOOT

HYDROZONE/ PLANTING DESCRIPTION	PLANT FACTOR/TF	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (TF/IE)	LANDSCAPE AREA (SQ FT)	ETAF X AREA	ESTIMATED TOTAL WATER USAGE (ETWU)
1- MODERATE WATER		0.4 DRIP		0.81	0.49 45 SQ FT	22.05	60
2- LOW WATER		0.3 DRIP		0.81	0.37 355 SQ FT	131.35	359
3- MODERATE WATER		0.4 DRIP		0.81	0.49 901 SQ FT	441.49	1208
4- LOW WATER		0.3 DRIP		0.81	0.37 231 SQ FT	85.47	234
5- MODERATE WATER		0.4 DRIP		0.81	0.49 42 SQ FT	20.58	56
6- VERY LOW WATER		0 NONE	NA	NA			
					1574 SQ FT	710.94	1919
SITE WIDE ETAF	700.94 DIV. BY 1574=	444.324		(EXCEEDS REQUIRED .55 ETAF)			

Driveway	Impermeable	918 Square Ft.
Concrete Path and Walls	Impermeable	136 Square Ft.
Stepping Stone Path and Planting Beds	Permeable	1,193 Square Ft.
<b>Total Square Footage</b>		<b>2,281 Square Ft.</b>

Permeable Surfaces Percentage	53 Percent
-------------------------------	------------

1. These plans comply with the criteria of 'City of Hayward Bay-Friendly Water Efficient Landscape Ordinance' and that criteria has been applied for the efficient use of water in the landscape and irrigation design plans.
2. **FOR FIRE SAFETY AND SUPPRESSION:**  
The rear slope will be thinned as per fire zone safety recommendations the plants will be watered every three weeks minimum. The native grasses will be cut to 4" ht. during summer months.
3. Incorporate compost at the rate of at least 4 cubic yards per 1,000 square feet to a depth of 6" into the landscape area unless counter-indicated by a soil test).
4. Areas with slopes greater than 3:1 to receive erosion control material.
5. **NO EXISTING TREES WILL BE REMOVED.**
6. See Plan 1/L1 for dimensions noting distances from major trees to proposed Line of Disturbance.



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PROJECT  
**Steinfeld Gardens**  
2366 Rainbow Court, Hayward, CA, 94542  
LOT 6 - TRACT NO. 2392 - BOOK 126 OF MAPS PAGE 86 ALAMEDA COUNTY RECORDS  
**LANDSCAPING PLANS**  
OWNERS

**Steinfeld**  
ASSOCIATE ARCHITECT

STRUCTURAL ENGINEER

CONSULTANT

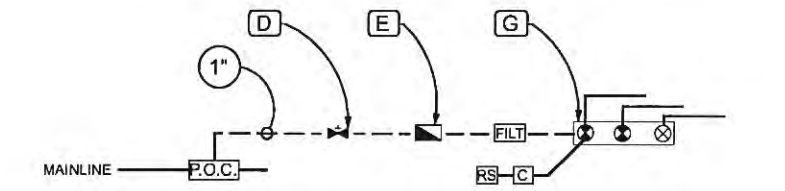
ISSUES/REVISIONS			
#	DATE	DESCRIPTION	DRAWN
2	181103		
1	181204		

STAMP  
JENI WEBBER  
#3490  
August 19, 2020  
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SHEET TITLE  
**Irrigation Plan**  
PROJECT NUMBER PROJECT NAME  
Steinfeld  
SCALE  
3/16 inch = 1 Foot  
NORTH  
SHEET NUMBER  
**L3**

IRRIGATION LEGEND			
SYMBOL	EQUIPMENT	MANUFACTURER	NOTES/DETAIL
P.O.C.	POINT OF CONNECTION - FIELD VERIFY EXACT LOCATION	SEE SPECIFICATIONS	
WM	WATER METER		
BFPA	BACK-FLOW PREVENTER ASSEMBLY	"FEBCO" REDUCED PRESSURE SERIES 850-1	
C	IRRIGATION CONTROLLER	"IRRI-TROL"	
BV	BALL VALVE, BRONZE, SAME SIZE AS MAINLINE	"NIBCO"	
NV	NUMBER OF VALVE (PLACEMENT OF STUB-UP)		
STUB	STUB UP WITH THREADED CAP IN LOCKABLE 10" ROUND BOX	SEE SPECIFICATIONS	
RS	RAIN SENSOR	"IRRI-TROL: CLIMATE LOGIC"	
	3" PVC SCHED. 40 SLEEVE- FLAG ALL ENDS OF SLEEVES- TO BE VISIBLE ABOVE GRADE		
PR	PRESSURE REDUCER		
FILT	FILTER, SEE SPECIFICATIONS FOR SIZE	"AMAD", 1" COMPACT FOR CONSTANT PRESSURE, W/220 MICRON MESH IN DURA ECONOMY BOX	
VALV	VALVES (SEE IRRIGATION DETAILS)	SIZE VARIES SEE SPECS.	

IRRIGATION PLAN KEY NOTES	
A	WATER METER
B	MAINLINE TO HOUSE
C	TEE IN MAINLINE FOR IRRIGATION TO BACK FLOW PREVENTER
D	BALL VALVE
E	BACK FLOW PREVENTER
F	IRRIGATION METER
G	VALVE MANIFOLD
H	PRESSURE COMPENSATION IN-LINE DRIP EMMITTER
I	IN-LINE DRIP EMMITTER
J	DRIP EMMITTER @ EA. PLANT (FUTURE INSTALL)



**2 IRRIGATION DIAGRAM**

WATER EFFICIENT LANDSCAPE WORK SHEET						
HYDROZONE/PLANTING DESCRIPTION	PLANT FACTOR/PF	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	LANDSCAPE AREA (SQ FT)	ESTIMATED TOTAL WATER USAGE (ETWU)
1- MODERATE WATER	0.4	DRIP	0.81	0.49	45 SQ FT	22.05
2- LOW WATER	0.3	DRIP	0.81	0.37	355 SQ FT	131.35
3- MODERATE WATER	0.4	DRIP	0.81	0.49	901 SQ FT	441.49
4- LOW WATER	0.3	DRIP	0.81	0.37	231 SQ FT	85.47
5- MODERATE WATER	0.4	DRIP	0.81	0.49	42 SQ FT	20.58
6- VERY LOW WATER	0	NONE	NA	NA		
					1574 SQ FT	700.94
						19192
SITE WIDE ETAF				700.94 DIV. BY 1574 =	443.324	(EXCEEDS REQUIRED .55 ETAF)

THIS INFORMATION BELOW NOT TO BE INCLUDED JUST FOR ME!  
ESTIMATED TOTAL WATER USAGE (ETWU) ETO X .62 X ETAF X AREA  
44.2 FOR UNION CITY 44.2 X .62 X (27.4) .....  
PLANT FACTOR VERY LOW 0-0.1 LOW 0.1-0.3 MODERATE 0.4-0.6 HIGH 0.7-1.0

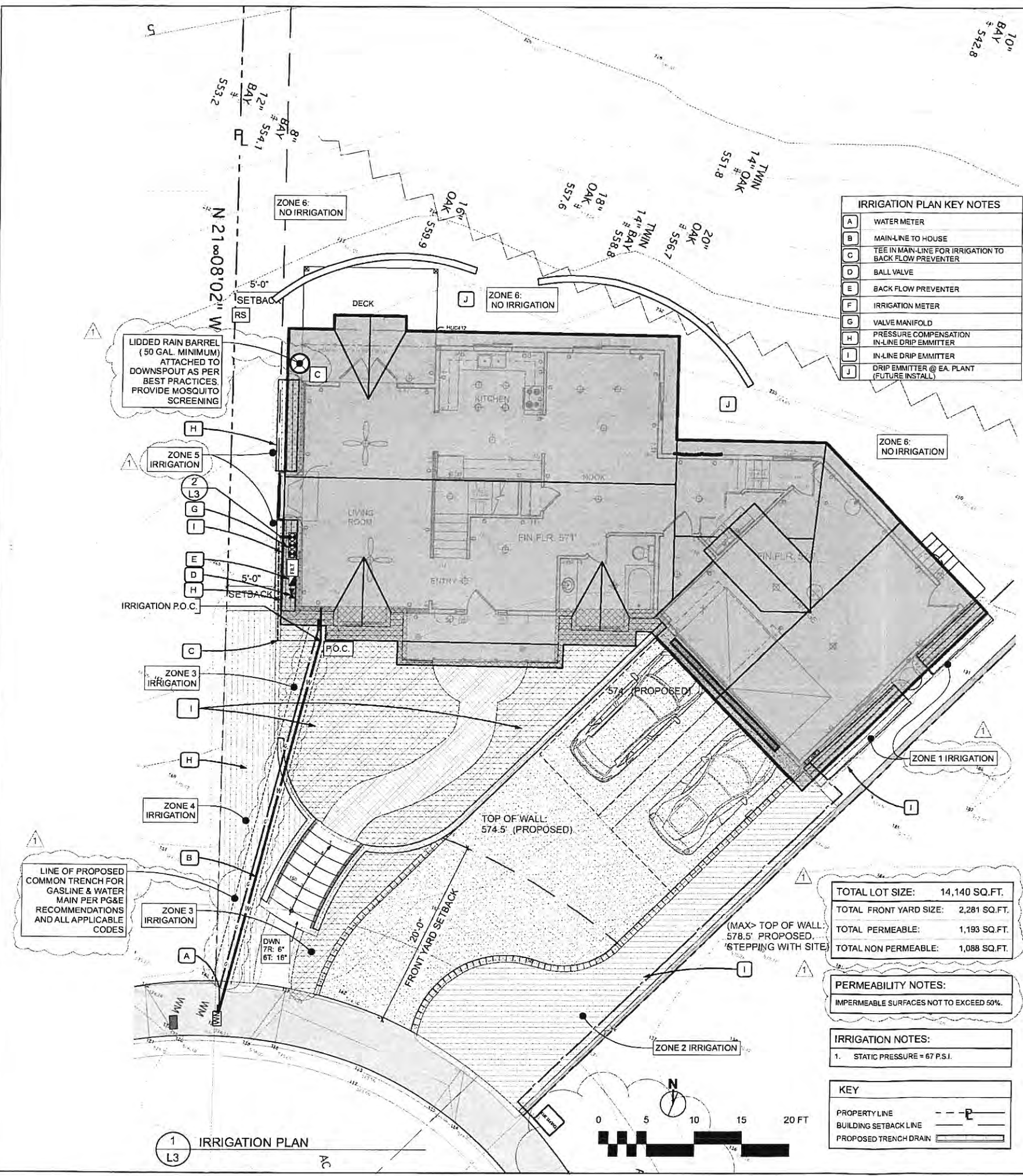
IRRIGATION LINE KEY	
MAIN LINE - COPPER, TYPE K, AS SIZED	
SCHEDULE 40 PVC MAINLINE TO VALVE (SEE PLAN FOR SIZING)	
"AGRIFIRM" IN-LINE DRIP EMMITTER TUBING 12" SPACING ALONG LINES 12" ROW SPACING .5 GPM FLOW	
"AGRIFIRM" IN-LINE DRIP EMMITTER TUBING 12" SPACING ALONG LINES 12" ROW SPACING .5 GPM FLOW	

TOTAL LOT SIZE: 14,140 SQ.FT.  
TOTAL FRONT YARD SIZE: 2,281 SQ.FT.  
TOTAL PERMEABLE: 1,193 SQ.FT.  
TOTAL NON PERMEABLE: 1,088 SQ.FT.

PERMEABILITY NOTES:  
IMPERMEABLE SURFACES NOT TO EXCEED 50%.

IRRIGATION NOTES:  
1. STATIC PRESSURE = 67 P.S.I.

KEY	
PROPERTY LINE	---
BUILDING SETBACK LINE	---
PROPOSED TRENCH DRAIN	---



**1 IRRIGATION PLAN**



PROJECT

**Steinfeld Gardens**2366 Rainbow Court, Hayward, CA. 94542  
LOT 6, TRACT NO. 3592, BOOK 126 OF MAPS, PAGE 85 ALAMEDA COUNTY RECORDS**LANDSCAPING PLANS**

OWNERS

**Steinfeld**

ASSOCIATE ARCHITECT

STRUCTURAL ENGINEER

CONSULTANT

ISSUES/REVISIONS

#	DATE	DESCRIPTION	DRAWN
2	181103		
1	181204		



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SHEET TITLE

**Planting Plan**

PROJECT NUMBER PROJECT NAME

**Steinfeld**

SCALE

3/16 inch = 1 Foot

NORTH

SHEET NUMBER

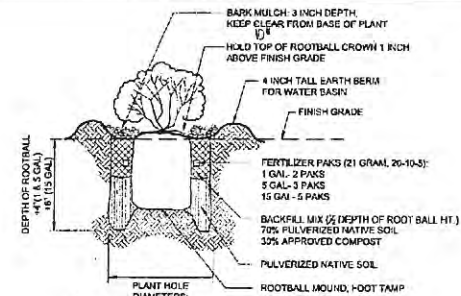
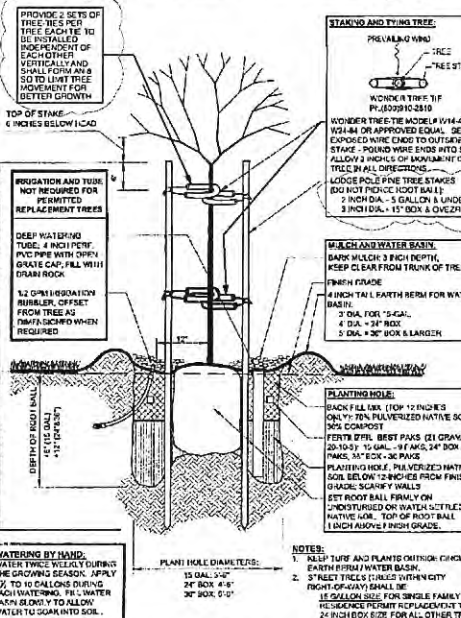
**L4**

SELECTIVELY THIN VEGETATION  
AS PER FIRE MANAGEMENT REQ.  
SEE SHEET L1.

LIMIT OF VEGETATION

SELECTIVELY THIN VEGETATION  
AS PER FIRE MANAGEMENT REQ.  
SEE SHEET L1.

LIMIT OF VEGETATION

**3 TREE PLANTING DETAIL****Steinfeld Plant List**

Symbol	SIZE	Plant	Common Name	Reference	WFO	Height	Width	Spacing
<b>Step-ables for the Between Pavers</b>								
DYS	flat	Dymondia m. 'Silver Carpet'	Silver Carpet Dymondia	Low	1-3"	16"-20"	20"	
<b>Perennial</b>								
AMI	4"	Achillea millefolium 'Island Pink'	Yarrow	Low	18"	18"	18"	
AGB	1 gal	Agapanthus 'Blue Storm'	Uly of the Nile	Moderate	2'	3'	3'	
AGR	1 gal	Agastache rupestris	Sunset Hyssop Licorice Mint	Low	36"-42"	3'	3'	
CLS	2 gal	Clivia 'Salome'	Natal Lily 'Salome'	Moderate	2'	2'	2'	
GLW	1 gal	Gaura lindheimeri 'Whirling Butterflies'	Wand Flower	Moderate	3'	3'	3'	
IRB	bulb	Iris germanica	Bearded Iris 'Black is Black'	Low	2'	1'	1'	
NMH	bulb	Narcissus 'Mount Hood'	'Mount Hood'	Very Low	1'	8"	12"	
NEW	4"	Nepeta 'Walker's Low'	'Catmint 'Walker's Low'	Low	18-24"	18"	16"	
STB	4"	Stachys byzantina	Lamb's Ear	Low	5'	2'	2'	
THS	4"	Thymus praecox pseudolanuginosus		Low	2"	24"	24"	
<b>Grasses and Grasslike</b>								
FSB	4"	Festuca idahoensis 'Siskiyuu Blue'	Idaho Fescue	Mod.	1-2'	1-2'	2'	
SEA	4"	Sesleria autumnalis	Moor Grass	Moderate	18"	18"	18"	
<b>Ferns</b>								
WOF	5 gal	Woodwardia fimbriata	Giant chain fern	Moderate	4'	3'	3'	
<b>Sub-shrubs</b>								
LAG	1 gal	Lavendula x intermedia 'Grosso'	Lavandins	Low	2.5'	2.5'	2.5'	
LAS	1 gal	Lavendula 'Silvery Anouk'	Spanish Lavender Silvery Anouk	Low	2'	2'	2'	
PEL	1 gal	Perovskia 'Longin'	Russian Sage	Low	3'	4'	4'	
SLQ	1 gal	Santolina neapolitana 'Lemon Queen'	Lavender Cotton	Low	2'	2-3'	2.5'	
<b>Shrubs</b>								
AZA	5 gal	Azalea 'Alaska'	Japanese barberry	Moderate	3'	4'	4'	
BEC	5 gal	Berberis 'Concord'	Smoke Bush	Moderate	18"	18"	18"	
BRC	5 gal	Berberis l. 'Royal Cloak'		Moderate	4'	4'	4'	
FCE	5 gal	Frangula californica 'Mound San Bruno'	Coffeeberry	Low	4'	8"	4'	
WEG	5 gal	Westringia 'Gray Box'	WEG	Low	2-3'	2-3'	3'	
<b>Trees</b>								
THP	24" b	Prunus c. 'Thunder Cloud'	Purple Leaved Plum	Moderate	20'	20'	20'	
<b>Fruits</b>								
CIM	15 gal	Citrus x meyeri 'Improved' espaliered	Improved Meyer Lemon - Standard	Moderate	8'	8'	8'	

**GENERAL LANDSCAPING NOTES**

1. These plans comply with the criteria of 'City of Hayward Bay-Friendly Water Efficient Landscape Ordinance' and that criteria has been applied for the efficient use of water in the landscape and irrigation design plans.

**PLANTING PLAN NOTES:**

- ALL PLANTED AREAS TO BE MULCHED WITH 3" DEEP ORGANIC RECYCLED CHIPPED WOOD DARK BROWN COLOR 1" DIA MAX SIZE (EXCEPTION OF THYME GROUND COVER)
- THYME GROUND COVER PLANTED AREAS TO HAVE GOLD FINES MULCH
- THE LIMITS OF VEGETATION LINE WAS NOTED ON TOPOGRAPHIC SURVEY BY KETH NOLFELD, PROFESSIONAL SURVEYING LIC. 7393 DATED 1/13/17 AND DETERMINED WITH FIELD MEASUREMENTS
- SOIL TO BE AMENDED TO A DEPTH OF 8" IN THE LANDSCAPE AREAS BASED ON SOIL FERTILITY TEST AFTER MASS GRADING. A SOIL ANALYSIS REPORT WILL BE INCLUDED FOR AMENDING THE SOIL WITH ORGANIC COMPOST TO BRING THE SOIL ORGANIC MATTER TO A MINIMUM OF 5% BY DRY WEIGHT AND INCORPORATING INORGANIC FERTILIZERS TO RECOMMENDED LEVELS FOR PLANTING AREAS. RECOMMENDED LEVELS OF 5CY PER 1000 SF IN ORDINANCE REVIEW JUNE 2015. THE SOIL ANALYSIS REPORT WILL BE ISSUED AS PART OF CERTIFICATE OF COMPLETION

**KEY**

PROPERTY LINE - - - - -

BUILDING SETBACK LINE - - - - -

**1 PLANTING PLAN****L4**



FRONT ELEVATION

SCALE 1/4" = 1'-0"

BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. SAID NUMBERS SHALL BE 5" MIN. AND CONTRAST WITH THE BACKGROUND.



LEFT ELEVATION

SCALE 1/4" = 1'-0"

REVISIONS	BY

PACIFIC MODERN HOMES  
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PAGE TITLE

ELEVATIONS

PRE-ENGINEERED MANCHESTER  
JOYCE STEINFELD #9422  
2366 REINBOW COURT  
HAYWARD, CA 94542

DATE: 5/11/18  
SCALE: 1/4" = 1'-0"  
DRAWN BY: HMV  
PLAN NO: 9422

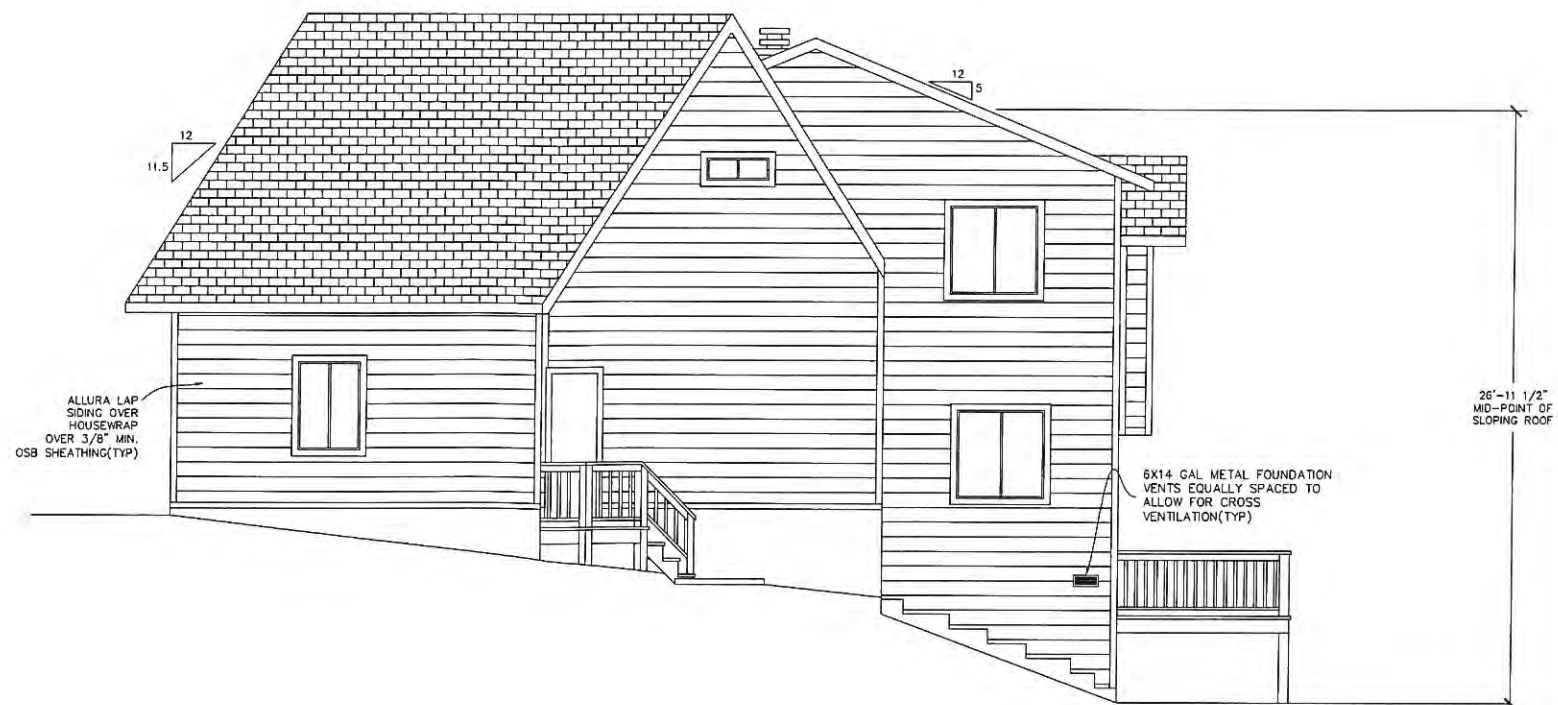
SHEET: 1



WINDOWS TO BE MILGARD DUAL GLAZED LOW E - VINYL TUSCANY

REAR ELEVATION

SCALE 1/4" = 1'-0"



RIGHT ELEVATION

SCALE 1/4" = 1'-0"

REVISIONS	BY

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PAGE TITLE

ELEVATIONS

RESIDENCE FOR:  
JOYCE STEINFELD #9422  
2366 RAINBOW COURT  
HAYWARD, CA 94542

PRE-ENGINEERED  
MANCHESTER

DATE: 5/11/18  
SCALE: 1/4" = 1'-0"  
DRAWN BY: HV  
PLAN NO: 9422

SHEET: 2

## RESIDENTIAL LIGHTING REQUIREMENTS

**LIGHTING CONTROLS & COMPONENTS.** ALL LIGHTING CONTROL DEVICES & SYSTEMS, BALLASTS & LUMINAIRES MUST MEET THE APPLICABLE REQUIREMENTS OF 110.9.

**JAB HIGH EFFICACY LIGHT SOURCES.** TO QUALIFY AS A JAB HIGH EFFICACY LIGHT SOURCE FOR COMPLIANCE WITH 150.0(k), A RESIDENTIAL LIGHT SOURCE MUST BE CERTIFIED TO THE ENERGY COMMISSION ACCORDING TO THE JOINT APPENDIX JAB.

**LUMINAIRE EFFICACY.** ALL INSTALLED LUMINAIRES MUST BE HIGH EFFICACY IN ACCORDANCE WITH TABLE 150.0-A.

**BLANK ELECTRICAL BOXES.** THE NUMBER OF ELECTRICAL BOXES THAT ARE MORE THAN 5 FEET ABOVE FINISHED FLOOR & DO NOT CONTAIN A LUMINAIRE OR OTHER DEVICE MUST BE NO GREATER THAN THE NUMBER OF BEDROOMS. THESE ELECTRICAL BOXES MUST BE SERVED BY A DIMMER, VACANCY SENSOR CONTROL, OR FAN SPEED CONTROL.

**RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS.** LUMINAIRES RECESSED INTO CEILINGS MUST MEET ALL OF THE REQUIREMENTS FOR INSULATION CONTACT, (IC) LABELING, AIR LEAKAGE, SEALING MAINTENANCE, & SOCKET & LIGHT SOURCE AS DESCRIBED IN 150.0(k) 1C. A JAB-2016-E LIGHT SOURCE RATED FOR ELEVATED TEMPERATURE MUST BE INSTALLED BY FINAL INSPECTION IN ALL RECESSED DOWN LIGHT LUMINAIRES IN CEILINGS.

**ELECTRONIC BALLASTS.** BALLASTS FOR FLOURESCENT LAMPS RATED 13 WATTS OR GREATER MUST BE ELECTRONIC AND MUST HAVE AN OUTPUT FREQUENCY NO LESS THAN 20KHZ.

**NIGHT LIGHTS.** PERMANENTLY INSTALLED NIGHT LIGHTS AND NIGHT LIGHTS INTEGRAL TO INSTALLED LUMINAIRES OR EXHAUST FANS MUST BE RATED TO CONSUME NO MORE THAN 5 WATTS OF POWER PER LUMINAIRE OR EXHAUST FAN AS DETERMINED IN ACCORDANCE WITH 130.0(c). NIGHT LIGHTS DO NOT NEED TO BE CONTROLLED BY VACANCY SENSORS.

**LIGHTING INTEGRAL TO EXHAUST FANS.** LIGHTING INTEGRAL TO EXHAUST FANS(EXCEPT WHEN INSTALLED BY THE MANUFACTURER IN KITCHEN EXHAUST HOODS) MUST MEET THE APPLICABLE REQUIREMENTS OF 150.0(k).

**SCREW BASED LUMINAIRES.** SCREW BASED LUMINAIRES MUST NOT BE RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS AND MUST CONTAIN LAMPS THAT COMPLY WITH REFERENCE JOINT APPENDIX JAB. INSTALLED LAMPS MUST BE MARKED WITH "JAB-2016" OR JAB-2016-E" AS SPECIFIED IN REFERENCE JOINT APPENDIX JAB.

**ENCLOSED LUMINAIRES.** LIGHT SOURCES INSTALLED IN ENCLOSED LUMINAIRES MUST BE JAB COMPLIANT AND MUST BE MARKED WITH "JAB-2016-E".

**INTERIOR SWITCHES AND CONTROLS.** ALL FORWARD PHASE CUT DIMMERS USED WITH LED LIGHT SOURCES MUST COMPLY WITH NEMA SSL 7A.

EXHAUST FANS MUST BE SWITCHED SEPARATELY FROM LIGHTING SYSTEMS.

LUMINAIRES MUST BE SWITCHED WITH READILY ACCESSIBLE CONTROLS THAT PERMIT THE LUMINAIRES TO BE MANUALLY SWITCHED ON AND OFF.

CONTROLS AND EQUIPMENT MUST BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS. NO CONTROL MUST BYPASS A DIMMER OR VACANCY SENSOR FUNCTION IF THE CONTROL IS INSTALLED TO COMPLY WITH 150.0(k).

LIGHTING CONTROLS MUST COMPLY WITH THE APPLICABLE REQUIREMENTS OF 110.9.

AN ENERGY MANAGEMENT CONTROL SYSTEM (EMCS) MAY BE USED TO COMPLY WITH DIMMER REQUIREMENTS IF IT FUNCTIONS AS A DIMMER ACCORDING TO 110.9; MEETS THE INSTALLATION CERTIFICATE REQUIREMENTS OF 130.4; MEETS THE EMCS REQUIREMENTS OF 130.5(f); AND MEETS ALL OTHER REQUIREMENTS IN 150.0(k)2.

AN EMCS MAY BE USED TO COMPLY WITH VACANCY SENSOR REQUIREMENTS IN 150.0(k) IF IT MEETS ALL OF THE FOLLOWING: IT FUNCTIONS AS A VACANCY SENSOR ACCORDING TO 110.9; THE INSTALLATION CERTIFICATE REQUIREMENTS OF 130.4; THE EMCS REQUIREMENTS OF 130.5(f); AND ALL OTHER REQUIREMENTS IN 150.0(k)2.

A MULTITASKING PROGRAMMABLE CONTROLLER MAY BE USED TO COMPLY WITH DIMMER REQUIREMENTS IN 150.0(k) IF IT PROVIDES THE FUNCTIONALITY OF A DIMMER ACCORDING TO 110.9, AND COMPLIES WITH ALL OTHER APPLICABLE REQUIREMENTS IN 150.0(k)2.

IN BATHROOMS, GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS, AT LEAST ONE LUMINAIRE IN EACH OF THESE SPACES MUST BE CONTROLLED BY A VACANCY SENSOR.

DIMMERS OR VACANCY SENSORS MUST CONTROL ALL LUMINAIRES REQUIRED TO HAVE LIGHT SOURCES COMPLIANT WITH REFERENCE JOINT APPENDIX JAB, EXCEPT LUMINAIRES IN CLOSETS LESS THAN 70 SQUARE FEET AND LUMINAIRES IN HALLWAYS.

UNDERCABINET LIGHTING MUST BE SWITCHED SEPARATELY FROM OTHER LIGHTING SYSTEMS.

**RESIDENTIAL OUTDOOR LIGHTING.** FOR SINGLE-FAMILY RESIDENTIAL BUILDINGS, OUTDOOR LIGHTING PERMANENTLY MOUNTED TO A RESIDENTIAL BUILDING OR TO OTHER BUILDINGS ON THE SAME LOT, MUST MEET THE REQUIREMENT IN ITEM 150.0(k)3A(ON AND OFF SWITCH) AND THE REQUIREMENTS IN EITHER ITEM 150.0(k)3A(PHOTOCELL AND MOTION SENSOR) OR ITEM 150.0(k)3A(1)PHOTO CONTROL AND AUTOMATIC TIME SWITCH CONTROL, ASTRONOMICAL TIME CLOCK, OR EMCS.)

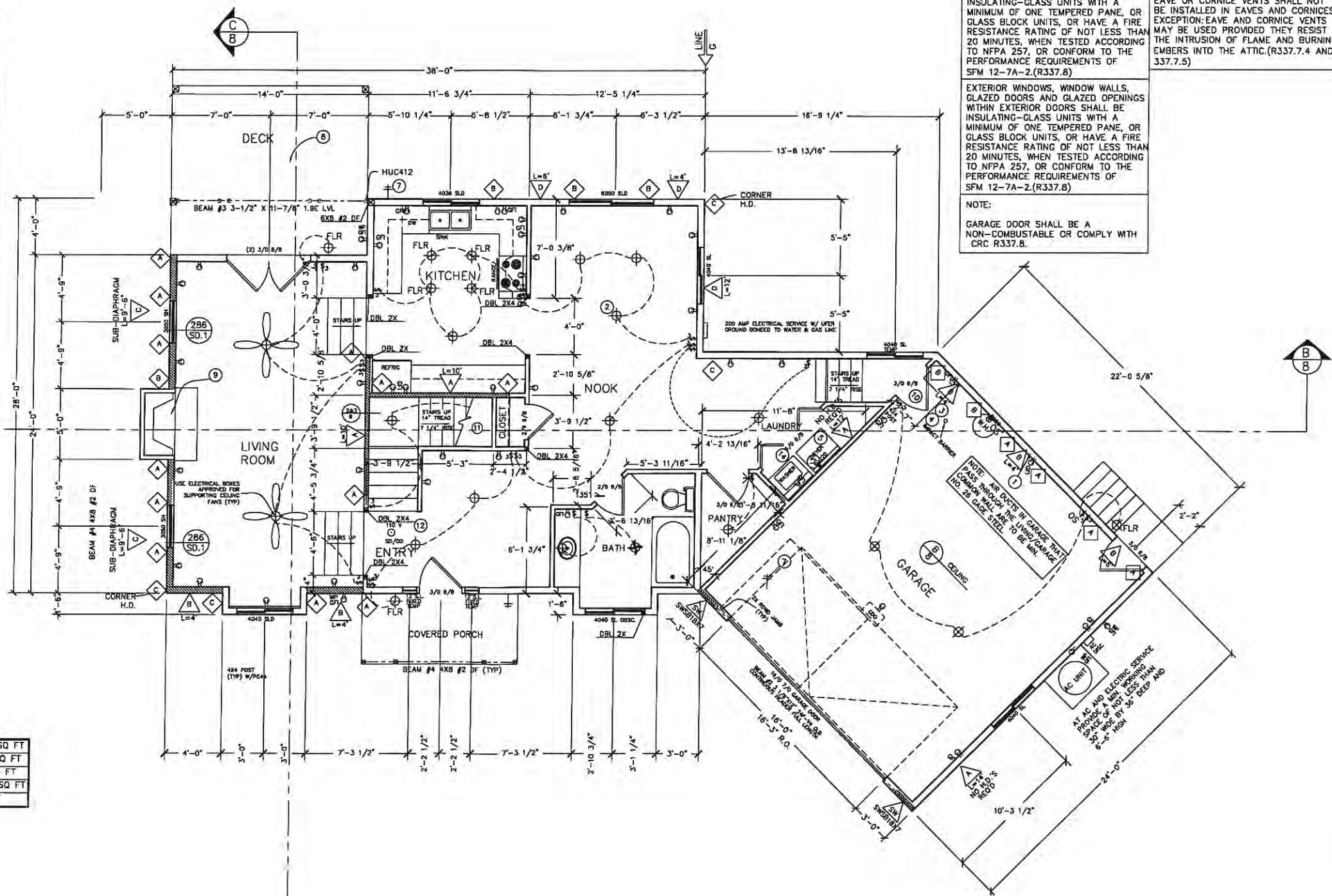
NOTE:  
SEE TITLE 24 SHEETS FOR RESIDENTIAL LIGHTING REQUIREMENTS.

NOTE: ALL EGRESS WINDOWS TO HAVE MAX SILL HEIGHT OF 44 INCHES. MIN CLEAR WIDTH SHALL BE 20 INCHES. MIN CLEAR HEIGHT SHALL BE 24 INCHES. MIN OPENABLE AREA SHALL BE 5.7 SQ FT.

SAFETY GLAZING TO BE IN ALL DOORS AND ANY WINDOWS WITHIN 24 INCHES OF DOOR. ALSO IN ALL WINDOWS SILLS WITHIN 18 INCHES OF FLOOR AND 60 INCHES FROM ANY TUB OR SHOWER DRAIN.

## SQUARE FOOTAGE

1ST FLOOR	1184 SQ FT
2ND FLOOR	1516 SQ FT
TOTAL LIVING	2700 SQ FT
GARAGE	528 SQ FT
CVRD PORCH	56 SQ FT



THE UNDERSIDE OF CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS SHALL MAINTAIN THE IGNITION-RESISTANT INTEGRITY OF EXTERIOR WALLS, OR THE PROJECTION SHALL BE ENCLOSED TO THE GRADE. (R337.7.6 THROUGH R337.7.9)

EXTERIOR WALLS SHALL BE APPROVED NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIAL, HEAVY TIMBER OR LOG WALL CONSTRUCTION OR SHALL PROVIDE PROTECTION FROM THE INTRUSION OF FLAMES AND EMBERS IN ACCORDANCE WITH STANDARD SFM 12-7A-1.(R337.7.3).

EXTERIOR DOOR ASSEMBLIES SHALL CONFORM TO THE PERFORMANCE REQUIREMENTS OF STANDARD SFM12-7A-1 OR SHALL BE OF APPROVED NON-COMBUSTIBLE CONSTRUCTION, OR SOLID CORE WOOD HAVING STILE AND RAILS NOT LESS THAN 1 1/2 INCHES THICK WITH INTERIOR FIELD PANEL THICKNESS NO LESS THAN 1 1/2 INCHES THICK, OR SHALL HAVE A FIRE-RESISTANCE RATING OF NOT LESS THAN 20 MINUTES WHEN TESTED ACCORDING TO NFPA 252. (R337.8)

EXTERIOR WINDOWS, WINDOW WALLS, GLAZED DOORS AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE INSULATING-GLASS UNITS WITH A MINIMUM OF ONE TEMPERED PANE, OR GLASS BLOCK UNITS, OR HAVE A FIRE RESISTANCE RATING OF NOT LESS THAN 20 MINUTES, WHEN TESTED ACCORDING TO NFPA 257, OR CONFORM TO THE PERFORMANCE REQUIREMENTS OF SFM 12-7A-2.(R337.8)

EXTERIOR WINDOWS, WINDOW WALLS, GLAZED DOORS AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE INSULATING-GLASS UNITS WITH A MINIMUM OF ONE TEMPERED PANE, OR GLASS BLOCK UNITS, OR HAVE A FIRE RESISTANCE RATING OF NOT LESS THAN 20 MINUTES, WHEN TESTED ACCORDING TO NFPA 257, OR CONFORM TO THE PERFORMANCE REQUIREMENTS OF SFM 12-7A-2.(R337.8)

NOTE:  
GARAGE DOOR SHALL BE A NON-COMBUSTIBLE OR COMPLY WITH CRC R337.8.

EAVE AND SOFFIT PROTECTION SHALL MEET THE REQUIREMENTS OF SFM 12-7A-3 OR SHALL BE PROTECTED BY IGNITION-RESISTANT MATERIALS OR NONCOMBUSTIBLE CONSTRUCTION ON EXPOSED UNDERSIDE.(R337.7.4 AND 337.7.5)

ROOF VALLEYS WHEN PROVIDED, VALLEY FLASHINGS SHALL NOT BE LESS THAN 0.019-INCH (0.48 MM)(NO.26 GALVANIZED SHEET GAUGE) CORROSION-RESISTANT METAL INSTALLED OVER A MINIMUM 3/8 INCH WIDE (9.14 MM) UNDERLAYMENT CONSISTING OF ONE LAYER OF NO.72 ASTM CAP SHEET RUNNING THE FULL LENGTH OF VALLEY.(R337.5)

ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER.(R337.5)

ATTIC VENTILATION IN ACCORDANCE WITH SECTION 1203, ROOF AND VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS INTO THE ATTIC AREA OF THE STRUCTURE, OR SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH MIN OF 1/8 INCH (1.6MM) & MAX 1/2 INCH (3.2MM) OPENINGS.(R337.6)

EAVE OR CORNICE VENTS SHALL NOT BE INSTALLED IN EAVES AND CORNICES EXCEPT: EAVE AND CORNICE VENTS MAY BE USED PROVIDED THEY RESIST THE INTRUSION OF FLAME AND BURNING EMBERS INTO THE ATTIC.(R337.7.4 AND 337.7.5)



FIRST FLOOR PLAN

RESIDENCE FOR:  
JOYCE STEINFELD #9422  
2366 RAINBOW COURT  
HAYWARD, CA 94542

PRE-ENGINEERED  
MANCHESTER

DATE: 5/11/18  
SCALE: 1/4" = 1'-0"  
DRAWN BY: HV  
PLAN NO.: 9422  
SHEET: 3



SECOND FLOOR PLAN

RESIDENCE FOR  
JOYCE STEINFELD #9422  
2366 RAINBOW COURT  
HAYWARD, CA 94542

PRE-ENGINEERED  
MANCHESTER

DATE: 5/11/18  
SCALE: 1/4" = 1'-0"  
DRAWN BY: HV  
PLAN NO.: 9422  
SHEET: 4

THE UNDERSIDE OF CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS SHALL MAINTAIN THE IGNITION-RESISTANT INTEGRITY OF EXTERIOR WALLS, OR THE PROJECTION SHALL BE ENCLOSED TO THE GRADE. (R337.7.6 THROUGH R337.7.9)	EAVE AND SOFFIT PROTECTION SHALL MEET THE REQUIREMENTS OF SFM 12-7A-3 OR SHALL BE PROTECTED BY IGNITION-RESISTANT MATERIALS OR NONCOMBUSTIBLE CONSTRUCTION ON EXPOSED UNDERSIDE. (R337.7.4 AND 337.7.5)
EXTERIOR WALLS SHALL BE APPROVED NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIAL, HEAVY TIMBER OR LOG WALL CONSTRUCTION OR SHALL PROVIDE PROTECTION FROM THE INTRUSION OF FLAMES AND EMBERS IN ACCORDANCE WITH STANDARD SFM 12-7A-1. (R337.7.3).	ROOF VALLEYS WHEN PROVIDED, VALLEY FLASHINGS SHALL NOT BE LESS THAN 0.019-INCH (0.48 MM) (NO.26 GALVANIZED SHEET GAUGE) CORROSION-RESISTANT METAL INSTALLED OVER A MINIMUM 36 INCH WIDE (914 MM) UNDERLAYMENT CONSISTING OF ONE LAYER OF NO.72 ASTM CAP SHEET RUNNING THE FULL LENGTH OF VALLEY. (R337.5)
EXTERIOR DOOR ASSEMBLIES SHALL CONFORM TO THE PERFORMANCE REQUIREMENTS OF STANDARD SFM12-7A-1 OR SHALL BE OF APPROVED NON-COMBUSTIBLE CONSTRUCTION, OR SOLID CORE WOOD HAVING STILE AND RAILS NOT LESS THAN 1 1/2 INCHES THICK WITH INTERIOR FIELD PANEL THICKNESS NO LESS THAN 1 1/2 INCHES THICK, OR SHALL HAVE A FIRE-RESISTANCE RATING OF NOT LESS THAN 20 MINUTES WHEN TESTED ACCORDING TO NFPA 252. (R337.8)	ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (R337.5)
EXTERIOR WINDOWS, WINDOW WALLS, GLAZED DOORS AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE INSULATING-GLASS UNITS WITH A MINIMUM OF ONE TEMPERED PANE, OR GLASS BLOCK UNITS, OR HAVE A FIRE RESISTANCE RATING OF NOT LESS THAN 20 MINUTES, WHEN TESTED ACCORDING TO NFPA 257, OR CONFORM TO THE PERFORMANCE REQUIREMENTS OF SFM 12-7A-2. (R337.8)	ATTIC VENTILATION IN ACCORDANCE WITH SECTION 1203, ROOF AND VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS INTO THE ATTIC AREA OF THE STRUCTURE, OR SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH MIN OF 1/8 INCH (1.6MM) & MAX 1/2 INCH (3.2MM) OPENINGS. (R337.6)
NOTE: GARAGE DOOR SHALL BE A NON-COMBUSTIBLE OR COMPLY WITH CRC R337.8.	EAVE OR CORNICE VENTS SHALL NOT BE INSTALLED IN EAVES AND CORNICES EXCEPTION: EAVE AND CORNICE VENTS MAY BE USED PROVIDED THEY RESIST THE INTRUSION OF FLAME AND BURNING EMBERS INTO THE ATTIC. (R337.7.4 AND 337.7.5)

**RESIDENTIAL LIGHTING REQUIREMENTS**

**LIGHTING CONTROLS & COMPONENTS.** ALL LIGHTING CONTROL DEVICES & SYSTEMS, BALLASTS & LUMINAIRES MUST MEET THE APPLICABLE REQUIREMENTS OF 110.9

**JAB HIGH EFFICACY LIGHT SOURCES.** TO QUALIFY AS A JAB HIGH EFFICACY LIGHT SOURCE FOR COMPLIANCE WITH 150.0(k), A RESIDENTIAL LIGHT SOURCE MUST BE CERTIFIED TO THE ENERGY COMMISSION ACCORDING TO THE JOINT APPENDIX JAB.

**LUMINAIRE EFFICACY.** ALL INSTALLED LUMINAIRES MUST BE HIGH EFFICACY IN ACCORDANCE WITH TABLE 150.0-A.

**BLANK ELECTRICAL BOXES.** THE NUMBER OF ELECTRICAL BOXES THAT ARE MORE THAN 5 FEET ABOVE FINISHED FLOOR & DO NOT CONTAIN A LUMINAIRE OR OTHER DEVICE MUST BE NO GREATER THAN THE NUMBER OF BEDROOMS. THESE ELECTRICAL BOXES MUST BE SERVED BY A DIMMER, VACANCY SENSOR CONTROL, OR FAN SPEED CONTROL.

**RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS.** LUMINAIRES RECESSED INTO CEILINGS MUST MEET ALL OF THE REQUIREMENTS FOR INSULATION CONTACT, (IC) LABELING, AIR LEAKAGE, SEALING MAINTENANCE, & SOCKET & LIGHT SOURCE AS DESCRIBED IN 150.0(k) IC. A JAB-2016-E LIGHT SOURCE RATED FOR ELEVATED TEMPERATURE MUST BE INSTALLED BY FINAL INSPECTION IN ALL RECESSED DOWN LIGHT LUMINAIRES IN CEILINGS.

**ELECTRONIC BALLASTS.** BALLASTS FOR FLOURESCENT LAMPS RATED 13 WATTS OR GREATER MUST BE ELECTRONIC AND MUST HAVE AN OUTPUT FREQUENCY NO LESS THAN 20KHZ.

**NIGHT LIGHTS.** PERMANENTLY INSTALLED NIGHT LIGHTS AND NIGHT LIGHTS INTEGRAL TO INSTALLED LUMINAIRES OR EXHAUST FANS MUST BE RATED TO CONSUME NO MORE THAN 5 WATTS OF POWER PER LUMINAIRE OR EXHAUST FAN AS DETERMINED IN ACCORDANCE WITH 130.0(c). NIGHT LIGHTS DO NOT NEED TO BE CONTROLLED BY VACANCY SENSORS.

**LIGHTING INTEGRAL TO EXHAUST FANS.** LIGHTING INTEGRAL TO EXHAUST FANS (EXCEPT WHEN INSTALLED BY THE MANUFACTURER IN KITCHEN EXHAUST HOODS) MUST MEET THE APPLICABLE REQUIREMENTS OF 150.0(k)

**SCREW BASED LUMINAIRES.** SCREW BASED LUMINAIRES MUST NOT BE RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS AND MUST CONTAIN LAMPS THAT COMPLY WITH REFERENCE JOINT APPENDIX JAB. INSTALLED LAMPS MUST BE MARKED WITH "JAB-2016" OR JAB-2016-E" AS SPECIFIED IN REFERENCE JOINT APPENDIX JAB.

**ENCLOSED LUMINAIRES.** LIGHT SOURCES INSTALLED IN ENCLOSED LUMINAIRES MUST BE JAB COMPLIANT AND MUST BE MARKED WITH "JAB-2016-E".

**INTERIOR SWITCHES AND CONTROLS.** ALL FORWARD PHASE CUT DIMMERS USED WITH LED LIGHT SOURCES MUST COMPLY WITH NEMA SSL 7A.

**EXHAUST FANS MUST BE SWITCHED SEPARATELY FROM LIGHTING SYSTEMS.** LUMINAIRES MUST BE SWITCHED WITH READILY ACCESSIBLE CONTROLS THAT PERMIT THE LUMINAIRES TO BE MANUALLY SWITCHED ON AND OFF.

**CONTROLS AND EQUIPMENT MUST BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.** NO CONTROL MUST BYPASS A DIMMER OR VACANCY SENSOR FUNCTION IF THE CONTROL IS INSTALLED TO COMPLY WITH 150.0(k)

**LIGHTING CONTROLS MUST COMPLY WITH THE APPLICABLE REQUIREMENTS OF 110.9**

**AN ENERGY MANAGEMENT CONTROL SYSTEM (EMCS) MAY BE USED TO COMPLY WITH DIMMER REQUIREMENTS IF IT FUNCTIONS AS A DIMMER ACCORDING TO 110.9; MEETS THE INSTALLATION CERTIFICATE REQUIREMENTS OF 130.4; MEETS THE EMCS REQUIREMENTS OF 130.5(i); AND MEETS ALL OTHER REQUIREMENTS IN 150.0(k)2.**

**AN EMCS MAY BE YUSED TO COMPLY WITH VACANCY SENSOR REQUIREMENTS IN 150.0(k) IF IT MEETS ALL OF THE FOLLOWING: IT FUNCTIONS AS A VACANCY SENSOR ACCORDING TO 110.9; THE INSTALLATION CERTIFICATE REQUIREMENTS OF 130.4; THE EMCS REQUIREMENTS OF 130.5(i); AND ALL OTHER REQUIREMENTS IN 150.0(k)2.**

**A MULTISCENE PROGRAMMABLE CONTROLLER MAY BE USED TO COMPLY WITH DIMMER REQUIREMENTS IN 150.0(k) IF IT PROVIDES THE FUNCTIONALITY OF A DIMMER ACCORDING TO 110.9, AND COMPLIES WITH ALL OTHER APPLICABLE REQUIREMENTS IN 150.0(k)2.**

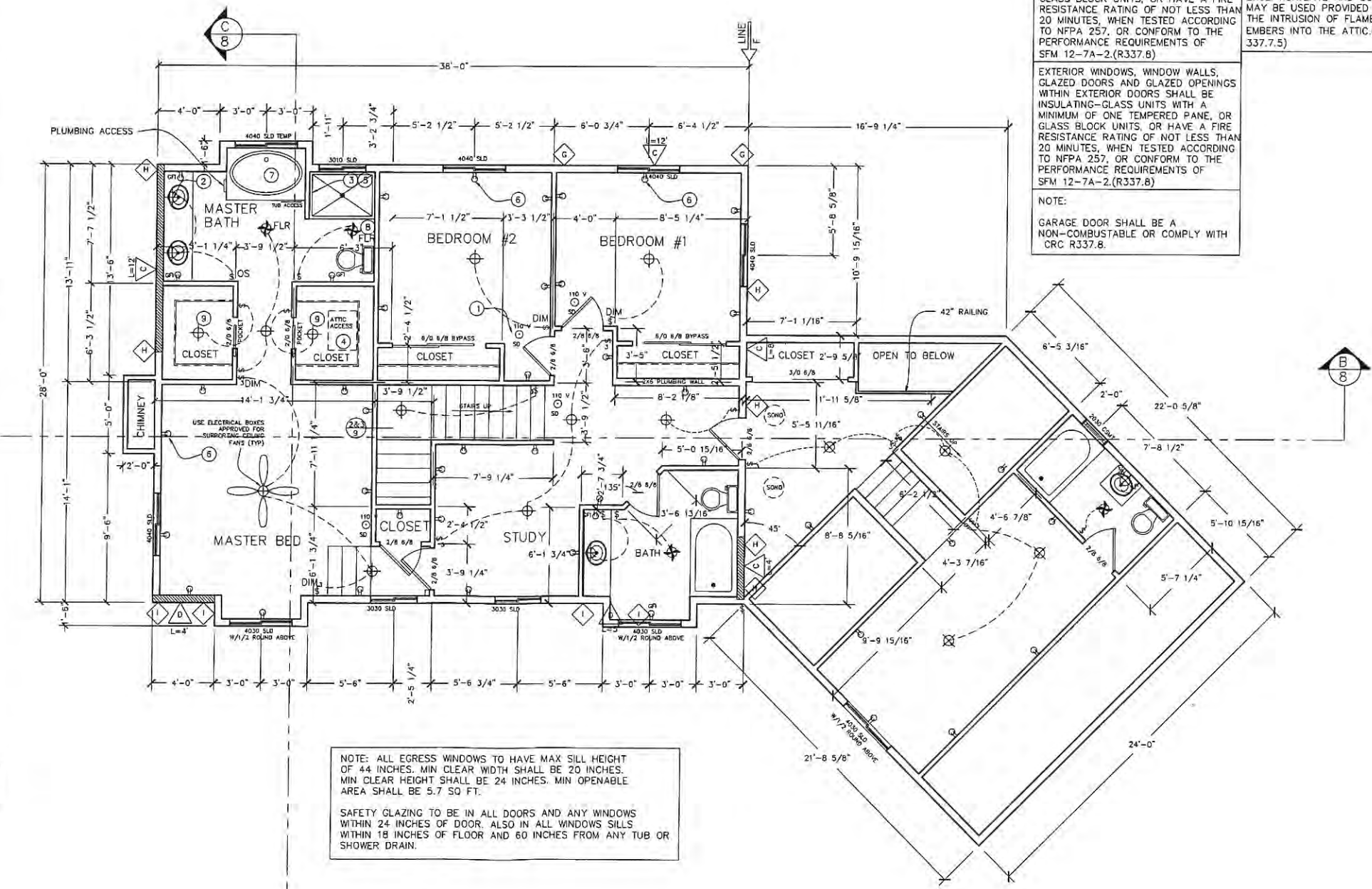
**IN BATHROOMS, GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS, AT LEAST ONE LUMINAIRE IN EACH OF THESE SPACES MUST BE CONTROLLED BY A VACANCY SENSOR.**

**DIMMERS OR VACANCY SENSORS MUST CONTROL ALL LUMINAIRES REQUIRED TO HAVE LIGHT SOURCES COMPLIANT WITH REFERENCE JOINT APPENDIX JAB, EXCEPT LUMINAIRES IN CLOSETS LESS THAN 70 SQUARE FEET AND LUMINAIRES IN HALLWAYS.**

**UNDERCABINET LIGHTING MUST BE SWITCHED SEPARATELY FROM OTHER LIGHTING SYSTEMS.**

**RESIDENTIAL OUTDOOR LIGHTING.** FOR SINGLE-FAMILY RESIDENTIAL BUILDINGS, OUTDOOR LIGHTING PERMANENTLY MOUNTED TO A RESIDENTIAL BUILDING OR TO OTHER BUILDINGS ON THE SAME LOT, MUST MEET THE REQUIREMENT IN ITEM 150.0(k)3A(ON AND OFF SWITCH) AND THE REQUIREMENTS IN EITHER ITEM 150.0(k)3A(II)(PHOTOCELL AND MOTION SENSOR) OR ITEM 150.0(k)3A(III)(PHOTO CONTROL AND AUTOMATIC TIME SWITCH CONTROL, ASTRONOMICAL TIME CLOCK, OR EMCS.)

NOTE:  
SEE TITLE 24 SHEETS FOR RESIDENTIAL LIGHTING REQUIREMENTS.



NOTE: ALL EGRESS WINDOWS TO HAVE MAX SILL HEIGHT OF 44 INCHES. MIN CLEAR WIDTH SHALL BE 20 INCHES. MIN CLEAR HEIGHT SHALL BE 24 INCHES. MIN OPENABLE AREA SHALL BE 5.7 SQ FT.

SAFETY GLAZING TO BE IN ALL DOORS AND ANY WINDOWS WITHIN 24 INCHES OF DOOR. ALSO IN ALL WINDOWS SILLS WITHIN 18 INCHES OF FLOOR AND 60 INCHES FROM ANY TUB OR SHOWER DRAIN.

**CITY OF HAYWARD  
DEVELOPMENT SERVICES DEPARTMENT  
INITIAL STUDY CHECKLIST**



**PROJECT TITLE:** 2366 Rainbow Court Single-Family Residence  
Site Plan Review No. 201804682

**LEAD AGENCY NAME/ADDRESS:** City of Hayward  
Planning Division  
777 B Street  
Hayward CA 94541

**CONTACT PERSON:** Marcus Martinez, Assistant Planner  
Phone: (510) 583-4236  
Email: [marcus.martinez@hayward-ca.gov](mailto:marcus.martinez@hayward-ca.gov)

**PROJECT LOCATION:** 2366 Rainbow Court  
Assessor Parcel No. 425-0410-027-00

**PROJECT APPLICANT:** Joyce and Robert Steinfeld  
19281 Mountain Way  
Los Gatos CA 95030

**ZONING DISTRICT:** Single Family Residential (RS)

**GENERAL PLAN DESIGNATION:** Suburban Density Residential (SDR)  
1.0 – 4.3 Dwelling Units per Net Acre

**PROJECT DESCRIPTION:** The proposed project includes an application for Site Plan Review (SPR) with Grading Permit for the construction of a two-story split level, 2,700 square-foot single-family residence and related on- and off-site improvements on an 0.32-acre (14,196 square feet) vacant hillside parcel located at 2366 Rainbow Court. The proposed project includes grading and development on slopes exceeding 20% within the vicinity of the development area.

The proposed new single-family residence meets all the development regulations of the Single Family Residential (RS) zoning district set forth by the Hayward Municipal Code. The project also includes the construction of a driveway, drought-tolerant landscaping, and will connect to the existing utilities (electricity, gas, sewer, and water) on Rainbow Court.

Development Services Department

Planning Division

777 B Street, Hayward, CA 94541

T: 510.583.4200

F: 510.583.3649

TTD: 510.247.3340

[www.hayward-ca.gov](http://www.hayward-ca.gov)



**REQUESTED LOCAL APPROVALS:** The City of Hayward, as the Lead Agency, will take the following actions in order to carry out the project:

- Site Plan Review
- Grading Permit (For Sites with an Average Slope Greater than 20%)

**SURROUNDING LAND USES AND SETTING:** The 0.32-acre project site is pie-shaped and steeply sloped from the north (toe of slope) to the south (top of slope) toward Rainbow Court. Adjacent land uses include a predominantly single-family residential on varying lot sizes.

**OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:** None

**ATTACHMENTS:**

Attachment I - Project Plans

Attachment II - Geotechnical Report

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

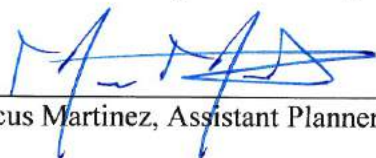
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |                                                   |                                                             |                                                             |
|---------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input checked="" type="checkbox"/> Geology /Soils          |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities / Service Systems        | <input type="checkbox"/> Mandatory Findings of Significance |

#### **DETERMINATION: (To be Completed by the Lead Agency)**

Based on this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 _____  
 Marcus Martinez, Assistant Planner

February 22, 2019  
 _____  
 Date

## EVALUATION OF ENVIRONMENTAL IMPACTS

### ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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#### I. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project site is not within the vicinity of any designated scenic vistas and the proposed single-family residence has been designed in accordance with the City of Hayward Hillside and Urban/Wildlife Interface Design Guidelines to step the building architecture with the existing hillside to maintain views afforded to other adjacent properties. Impacts to scenic vistas is considered *less than significant*.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within or along a designated State scenic highway and will not impact designated scenic resources, including trees, rock outcroppings or historic buildings. As such the project proposes *no impact*.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The existing site is located along a sloped area within the Single-Family Residential (RS) zoning district where other single-family residences are permitted by-right and currently exist. The proposed project consists of the construction of a two-story split-level, 2,700 square-foot single-family residence on a vacant hillside parcel at the above-referenced address. The City of Hayward Hillside and Urban/Wildfire Interface Guidelines requires that new development within interface area the exhibit varied elevations, floor plans, setbacks, and a quality architecture to enhance the hillside setting. Front elevations facing the public right-of-way should be articulated with well-proportioned windows, roof lines, entries, wall offsets, materials and other details. Side and rear elevations should be attractively designed. The architecture design of the home, color palette, and choice of building materials should provide a smooth visual transition between the homes and the natural surroundings.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project reduces the building bulk and mass by adding significant window detailing, neutral colors and a stepped, modern building design. Further, the proposed project will include new drought-tolerant landscaping in compliance with the Bay-Area Friendly Water Efficient Landscape Ordinance and will enhance the visual quality and character of the existing vacant site. As designed, the project would not substantially degrade the character or quality of the site and its surroundings and any impacts would be considered *less than significant*.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐
☐
☒
☐

The proposed single-family residence would result in the development of a currently vacant site and would thereby introduce a new source of light to the site, however the additional light emissions from one single-family dwelling is not considered significant. The project, as conditioned, will require that all exterior lights be shielded downward as to not to cast light or glare onto adjacent properties. Thus, the impacts of the proposed project are considered *less than significant* related to lighting and glare.

**II. AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐
☐
☐
☒

Per the California Department of Conservation, Important Farmland Finder Mapping System, the project site is designated as "*Urban and Built-Up Land*"; therefore, the project

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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does not involve any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; thus, *no impact*. (City of Hayward Zoning Map, Important Farmland Finder).

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is not zoned for agricultural uses nor is the property under Williamson Act contract; thus, *no impact* (Zoning Map, Google Earth).

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project, construction of single-family residence, does not involve the rezoning of forest land or timberland; thus, *no impact* (Zoning Map, Google Earth).

d) Result in the loss of forest land or conversion of forest land to non-forest use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project does not involve the loss of forest land or involve conversion of forest land to non-forest use; thus, *no impact* (Zoning Map, Google Earth).

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project would not result in a conversion of Farmland to non-agricultural uses nor would it result in conversion of any farmland to a non-forest use (Zoning Map, Google Earth). Thus, *no impact*.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**III. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

☐☐☒☐

The proposed project involves development of one single-family residence on an existing vacant parcel and will thereby result in an increase in stationary and mobile source emissions over the existing baseline condition. However, the proposed project is consistent with the subject Zoning District (Single Family Residential) and General Plan Land Use Designation (Suburban Density Residential) for the property, which envisioned the proposed development of a single-family residence. Therefore, the development of the subject site with a single-family residence will not conflict with the goals of the regional air quality plan; thus, considered *less than significant*.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

☐☐☒☐

The Bay Area Air Quality Management District (BAAQMD) established screening criteria (Urban Land Use Emissions Model) as part of their CEQA Air Quality Guidelines to assist in determining if a proposed project could result in potentially significant construction-related or ongoing operational air quality impacts (BAAQMD 2016 CEQA Guidelines, Table 3.1, Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes). Based on the District's criteria, the proposed single-family residence is well below the screening level for a significant impact related to air quality impacts and is therefore considered *less than significant*.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

☐☐☒☐

As noted in III.a and III.b above, the construction of a single-family residence is below the screening size for projects that are expected to result in significant air pollutant emissions. Therefore, air quality emissions from the proposed project are expected to be well below the BAAQMD significance thresholds for both construction exhaust and operational emissions for regional criteria pollutants.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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While the development of a single-family residence falls below the potentially significant threshold, it is important to note that any construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. Standard Conditions of Approval related to construction activities to minimize fugitive dust and particulate matter will be incorporated, in the form of Conditions of Approval and Best Management Practices (BMPs), into the Site Plan Review project approval; thus, *less than significant* impact.

d) Expose sensitive receptors to substantial pollutant concentrations?

☐☐☐☒

The proposed project involves development of a single-family residence on a vacant lot. The project site is located within a predominantly single-family residential neighborhood and is surrounded by similar land uses to the North, South, West, and East. There are no sources of pollutant concentrations near the site and the proposed single family-residence will not result in exposure of sensitive receptors to substantial pollutant concentrations. Thus, *no impact*.

e) Create objectionable odors affecting a substantial number of people?

☐☐☐☒

The proposed project would not include or result in any significant and permanent sources of significant odors that could create objectionable odors affecting a substantial number of people. Thus, *no impact*.

#### IV. BIOLOGICAL RESOURCES.

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

☐☐☒☐

The project site is currently vacant, consisting of ruderal groundcover and several mature trees. The project site is surrounded by other single-family residential homes on hillside lots. While development of the site will result in permanent disturbance of a portion of the currently vacant site that likely hosts urban wildlife such as mice, gophers, squirrels among others, it will not

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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have a substantial impact on any valuable habitat that is known to host candidate, sensitive or special status species. Thus, *less than significant* impact.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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While development of the site with a new single-family residence will result in permanent disturbance of a portion of the site which is likely hosting some urban wildlife such as mice, gophers, squirrels and other small rodents, the site does not contain a riparian habitat and will not have a substantial impact on any riparian habitat or other identified sensitive natural communities; thus, *less than significant* impact.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site does not contain any wetlands; thus, *no impact* (City of Hayward Background Conditions Report, Figure 7-1, Existing Vegetation Communities).

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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While development of the site with a single-family residence will result in permanent disturbance of a portion of the site, which is likely hosting some urban wildlife such as mice, gophers, squirrels and other small rodents, the location of the project site within an existing residential neighborhood will not impede the use of native wildlife nursery site. No trees are proposed to be removed as part of the proposed project; however, in the future if any existing, mature trees are proposed be removed and/or pruned, it require the issuance of a Tree Removal/Pruning Permit which will ensure that the tree proposed for removal and/or pruning

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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will not contain active nests, which could impact migratory birds pursuant to the Federal Migratory Bird Act. Thus, *less than significant* impact.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The subject site has a ruderal groundcover with several mature trees (City of Hayward Background Conditions Report, Figure 7-1, Existing Vegetation Communities; Google Earth). Although some existing Coast Live Oak trees are present and located towards the northern portion of the sloped site, none are requested to be removed in order to accommodate the proposed development of the single-family residence (Hayward GIS Web-Map, Landscaping Plan). All Coast Live Oak trees identified in the landscaping plans will remain and be preserved. In the event of any future tree pruning and/or removal on the subject property in conjunction with new development, the applicant shall be subject to Chapter 10, Article 15 of the Hayward Municipal Code (Tree Preservation Ordinance) which will require submittal of an Arborist Report with the appraised value of each tree prior to the issuance of a Tree Removal Permit.

In addition, the applicant has retained the services of a landscape architect who has prepared landscape, planting, and irrigation plans. The applicant proposes to plant a 24-inch box tree in accordance with the RS district development standards along with a combination of additional shrubs and groundcover. Additionally, the project would comply with local policies and ordinances protecting biological resources such as a tree preservation policy or ordinance, resulting in *less than significant impact* related to biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The City of Hayward does not have an adopted Habitat Conservation Plan or Natural Community Conservation Plan; thus, *no impact*.

V. CULTURAL RESOURCES. Would the project:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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a) Cause a substantial adverse change in the significance of a historical resource as

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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defined in § 15064.5?

There are no known historic resources associated with the project site or the adjacent parcels (City of Hayward Background Conditions Report, Figures 1-3 and 1-4, and Table 1-2). In the unlikely event that historic or cultural resources are discovered during excavation related to later phases of the project, standard Conditions of Approval for all development projects require the contractor to stop all work adjacent to the find and contact the City of Hayward Development Services Department to preserve and record the uncovered materials so it can be safely removed (General Plan Policy Natural Resources NR-7.2, Paleontological Resource Mitigation).

If standard procedures are followed in the event cultural/historical resources are uncovered at the project site, there will be a *less than significant* impact related to the project (Hayward 2040 General Plan Background Report and City of Hayward Historical Resources Survey and Inventory Report, July 2010).

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

☐☐☒☐

No known archaeological resources exist on the site (City of Hayward Background Conditions Report, Figures 1-3 and 1-4, and Table 1-2). As indicated above, in the unlikely event that historical or cultural resources are discovered in later phases of work, standard Conditions of Approval for all development projects would apply as described in Section V.A above. Therefore, if standard procedures are followed in the event cultural/historical resources are uncovered at the project site, there will be a *less than significant* impact related to the project (Hayward 2040 General Plan).

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

☐☐☒☐

No known paleontological resources exist on the site (City of Hayward Background Conditions Report, 7-137 and 7-138). Other than the steep slope, which is characteristic of the surrounding area, there are no unique geological features on or near the site (City of Hayward Web-map, Google Earth). In the unlikely event that paleontological resources are discovered during later phases of development, the project's standard Conditions of Approval for all development projects would apply as described in V.A above.

If standard procedures are followed in the event cultural, historical or paleontological resources are uncovered at the project site, there will be a *less than significant* impact related to the development of the single-family residence (Hayward 2040 General Plan).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) <u>Disturb any human remains, including those interred outside of formal cemeteries?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

There is no recorded information related to the location of known human remains or cemeteries near the project site; however, standard procedures for grading operations shall be followed during development, which require that if any such remains or resources are discovered, grading operations shall be halted, the City and County Coroner shall be notified and the resources/remains shall be evaluated by a qualified professional. Further, if necessary, mitigation plans shall be formulated and implemented prior to commencement of grading operations consistent with the City's General Plan Policy NR-7.2. These standard measures would be conditions of approval should the project be approved thus resulting in a *less than significant* impact related to the potential disturbance of human remains.

**VI. GEOLOGY AND SOILS.** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project site is not located within a known Earthquake Hazard Zone nor is there geomorphic evidence suggestive of active faulting within the site; however, the subject parcel is located in an area that is assigned a high seismic rating, due to the proximity of several faults, including the Hayward Fault. As such, a major earthquake in the future would expose people and property to strong seismic ground shaking, liquefaction and soil instability. It is essential to note that all structures will be designed using sound engineering judgment and adhere to the latest California Residential Code (CRC) requirements which will minimize impacts related to such activity, but site-specific mitigation is required to minimize these impacts due to the heavily sloped topography.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Per the Preliminary Geotechnical Report prepared by Milstone Geotechnical (August 2018), the proposed project could be built with mitigation to reduce impacts. The report provides general recommendations for the project, including the seismic design, site preparations, foundation, retaining walls, concrete slab-on-grade, and drainage that would reduce geological-related impacts to a *less than significant with mitigation*.

**GEO-1 Impact:** New construction on the subject site could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills in the existing steeply sloped hillside property.

**GEO-1 Mitigation Measure:** The proposed residence shall incorporate the proposed mitigation measures and recommendations set forth in the Geotechnical Engineering Report prepared by Milstone Geotechnical, dated August 2018.

**GEO-1 Mitigation Monitoring:** The City shall review and approve the civil, site and building plans to ensure compliance prior to the issuance of any grading or building permits.

ii) Strong seismic ground shaking?                      ☐                      ☒                      ☐                      ☐

See VI.A Implementation of **Mitigation Measure GEO-1** would reduce the impact to a level of *less than significant with mitigation*.

iii) Seismic-related ground failure, including liquefaction?                      ☐                      ☒                      ☐                      ☐

See VI.A. Implementation of **Mitigation Measure GEO-1** would reduce the impact to a level of *less than significant with mitigation*.

iv) Landslides?                      ☐                      ☒                      ☐                      ☐

Per the Geotechnical Report prepared by Milstone Geotechnical, investigation into the site does not reveal a record of or potential for landslides. Compliance with **Mitigation Measure GEO-1** will ensure that all the construction-level design will minimize any potential landslide related impacts to level of *less than significant with mitigation*.

b) Result in substantial soil erosion or the loss of topsoil?                      ☐                      ☐                      ☒                      ☐

The project will be subject to standard Planning and Building permit review and inspection processes that would require standard construction-related erosion control measures set forth in

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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the Hayward Municipal Code (HMC), including but not limited to gravelling construction entrances and protecting drain inlets. Furthermore, the project is required to obtain a Grading Permit from the City Council due to grading on slopes greater than 20 percent. The issuance of the Grading Permit is subject to the review and approval of the City's Public Works Department. The project will also be subject to the standard conditions of approval requiring grading to occur consistently with grading plans prepared by a State licensed engineer and approved by the City. The grading plan must include details for retaining walls and slope protection measures. Thus, the potential impacts to soil erosion or loss of topsoil is considered *less than significant*.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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As noted in VI.A.I above, the proposed project site is vulnerable to unstable geological activity. Implementation of **Mitigation Measure GEO-1** would reduce the impact to a level of *less than significant with mitigation*.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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According to a Geotechnical Investigation Report prepared by Milstone Geotechnical (August 2018), the proposed site is suitable for the proposed development of a single-family residence provided the project is constructed with the recommendations contained in the Geological Report. In addition, as noted in VI.A.III above, implementation of **Mitigation Measure GEO-1** would reduce the impact of unstable soils to a level of *less than significant with mitigation*.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project would not involve the use of septic tanks or an alternative waste water disposal system. Thus, *no impact*.

**VII. GREENHOUSE GAS EMISSIONS.** Would the project:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The BAAQMD has established screening criteria as part of their CEQA Air Quality Guidelines to assist in determining if a proposed project could result in operational-related impacts to Greenhouse Gas (GHG) emissions. The proposed project involves the construction of one single-family residence along an existing hillside with associated grading (Project Description). Single-family residential projects with less than fifty-six (56) dwelling units have been identified by the BAAQMD Air Quality Guidelines as having emissions less than 1,100 metric tons of CO₂e per year which is below the threshold recommended by the respective Air Quality District for evaluation of GHG emissions for new land use projects; thus, *less than significant*.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐☐☐☒

As discussed in Section VII.A above, the proposed project will not exceed the threshold for operational GHG emissions. Further, the project would not conflict with the City of Hayward's adopted Climate Action Plan and *Hayward 2040 General Plan* policies and programs adopted for the purpose of reducing GHG emissions; thus, *no impact*.

#### VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

☐☐☐☒

The proposed construction of one single-family residence along the hillside and associated grading activities will not involve the transport, use or disposal of hazardous materials; thus, *no impact*.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

☐☐☐☒

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed construction of one single-family residence along the hillside and associated grading activities will not involve the use of hazardous materials that could result in the release of hazardous materials into the environment; thus, *no impact*.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project site and construction of one single-family residence along the hillside with associated grading activities will not emit hazardous emissions nor would it result in the handling of hazardous materials; thus, *no impact*.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project site is located within a predominantly residential area and is surrounded by single-family residential development. The proposed project site is not listed on the State of California's Department of Toxic Substances Control's EnviroStor Webpage (<http://www.envirostor.dtsc.ca.gov/public/search.asp?basic=True>, accessed February 6, 2019) and no hazardous material sites are located within 1,000 feet of the project site. Thus, *no impact*.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within the vicinity of a private air strip and is more than four-miles from the Hayward Executive Airport; thus, *no impact*.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site is not located within the vicinity of a private air strip and is more than four-miles from the Hayward Executive Airport; thus, *no impact*.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project proposes the construction of one single-family residence along the hillside that currently contains adequate emergency access. The project will not interfere with an adopted emergency response plan or emergency evacuation plan; thus, *no impact*.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project site is located within the City of Hayward Wildland/Urban Interface Area, and will be required to meet the construction requirements set forth in the City of Hayward Hillside Design and Urban/Wildland Interface Guidelines, including but not limited to installation of Class A roofing materials, exterior non-combustible siding materials, installation of double-pane windows, and compliance with requirements contained in the 2016 California Residential Code Section R327, as Conditions of Approval for the project. With implementation of these design and construction features, the proposed single-family residence will have a *less than significant* impact related to exposure of people or structures to wildland fire risk.

## IX. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Construction and grading activity would result in the disturbance of soil. Depending on the dates of proposed grading activity, the applicant will be required to submit a grading permit and comply with an Erosion Control Plan which will be monitored by the City's Public Works Department, as a standard Condition of Approval. The proposed project would also be required to manage post-construction stormwater runoff with Low Impact Development methods such as directing runoff into cisterns, rain barrels or vegetated areas (Site Plan and Civil, Drainage

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and Utility Plans). The project would comply with State and Local water quality and discharge requirements, resulting in a *less than significant* impact related to a degradation of water quality.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed single-family residence will be connected to the existing water supply and will not involve the use of water wells and will not deplete groundwater supplies or interfere with groundwater recharge; thus, *no impact*.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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While Ward Creek is located to the north of the subject property, there are no streams or rivers on, along or within the boundaries of the project site. The proposed project consists of construction of a new single-family residence and a driveway which would result in introduction of impervious areas on the site. Given that the project consists of a single-family residence, the project is deemed exempt from any on-site detention and treatment requirements of stormwater runoff due to the square-footage and size of the disturbed area. Based on the project grading and drainage plans, run-off will continue along the natural topography similar to the existing conditions.

Further, standard construction requirements and Conditions of Approval will require that project incorporate on-site measures and that run-off be directed into vegetated areas and/or rain barrels to minimize post-development run-off. The minimal increase in post-development run-off would result in a *less than significant* impact related to flooding on- or off-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

There are no streams or rivers on or within the project site. The site is substantially surrounded by development and water naturally drains along the existing slope. As noted in IX. c above, the drainage from the proposed development would continue along the natural topography and the project itself is exempt from any stormwater detention and treatment due to the scale of the development. Further, standard construction requirements and Conditions of Approval will require that run-off be directed into vegetated areas, rain barrels, and self-retaining areas to minimize post-development run-off. The minimal increase in post-development run-off would result in a *less than significant* impact related to flooding on- or off-site.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

☐ ☐ ☒ ☐

See IX.c and IX.d above.

f) Otherwise substantially degrade water quality?

☐ ☐ ☒ ☐

See IX.a, IX.c and IX.d above.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

☐ ☐ ☐ ☒

The project site is not located within a 100-year flood hazard area; thus, *no impact* (FEMA Flood Map Panel No. 06001CO2916, effective August 3, 2009).

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

☐ ☐ ☐ ☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site is not located within a 100-year flood hazard area; thus, *no impact* (FEMA Flood Map Panel No. 06001CO2916, effective August 3, 2009).

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within a designated flood zone. Further, the site is not located in proximity to any known dam or levee thus there is *no impact* related to flooding from such a facility (FEMA Flood Map Panel No. 06001CO2916, effective August 3, 2009 and Hayward 2040 General Plan Background Report Figure 9-5, Hayward Dam Inundation Areas).

j) Inundation by seiche, tsunami, or mudflow?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is located more than five miles from the San Francisco Bay thus there is no impacts related to inundation (FEMA Flood Map Panel No. 06001CO2916, effective August 3, 2009 and Google Earth).

#### X. LAND USE AND PLANNING.

Would the project:

a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project involves construction of a single-family residence on an existing parcel that is zoned for single-family residential development. The site is surrounded by other single-family residential land uses and as such, will not physically divide an established community; thus, *no impact*.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project involves construction of a single-family residence on a vacant parcel of land within an existing single-family neighborhood. The proposed development is consistent with the density and lot size of the Suburban Density Residential (SDR) General Plan Land Use designation, the minimum design and performance standards and development standards set forth in the corresponding Single Family Residential (RS) Zoning District and the proposed design of the residence is consistent with the applicable Urban/Wildland Hillside Design Guidelines in that the residential structure will exhibit a stepped design to follow the existing natural terrain of the property. Thus, the proposed development will result in a *less than significant* impact related to conflicts with applicable land use plans, policies and/or regulations.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The City of Hayward does not have an adopted Habitat Conservation Plan or Natural Community Conservation Plan; thus, *no impact*.

**XI. MINERAL RESOURCES.** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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There are no known mineral resources on the project site; thus, *no impact* (Hayward 2040 General Plan Background Report).

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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There are no known mineral resources on the project site; thus, *no impact* (Hayward 2040 General Plan Background Report).

**XII. NOISE --** Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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ordinance, or applicable standards of other agencies?

The project involves construction of a new single-family residence and associated grading activities in an existing residential neighborhood. The proposed use is not expected to generate a substantial increase in the permanent ambient noise levels above standards established in the Hayward 2040 General Plan. Additionally, the project site is not located near any roadway segments identified as significant noise generators (Hayward General Plan Background Report, Table 9-11, and Summary of Modeled Existing Traffic Noise Levels). Thus, there are *less than significant* impacts related to the proposed project resulting in exposure of persons to or generation of noise levels in excess of adopted standards.

b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

☐ ☐ ☒ ☐

Per the California Department of Transportation Construction Vibration Guidance Manual (September 2013), a significant impact related to excessive ground-borne vibration or ground-borne noise levels would occur if the construction of later phases of the proposed project would expose people to vibration levels exceeding 0.3 inches per second peak particle velocity (in/sec PPV).

Project construction activities related to grading activities will generate vibration in the immediate vicinity of the work area. Vibration levels from periods of heavy construction are anticipated to be 0.1 in/sec PPV or less at a distance of 50 feet from construction. The nearest point of grading activity would be about 20 feet from the existing residential developments adjacent to the project site; thus, the potential increase may be in the realm of 0.2 to 0.25 in/sec PPV, which is considered *less than significant*.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

☐ ☐ ☒ ☐

See XII.A above; *less than significant* impact.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

☐ ☐ ☒ ☐

The proposed project would result in temporary increase in noise related to construction activities. Noise generated by construction activities would temporarily elevate noise levels at adjacent noise sensitive receptors, but this would be considered *less than significant* because construction activities shall be conducted in accordance with the provisions of Section 4-1.03.4

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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of the Hayward Municipal Code, which incorporate construction best management practices specifically described in Conditions of Approval for the project. Thus, temporary or periodic noise impacts related to construction would be considered *less than significant*.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within the vicinity of a public or private airport, which would expose people residing at the residence to excessive noise levels; thus, *no impacts* would occur as a result of the project.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within the vicinity of a private air strip; thus, no such impacts would occur as a result of the project.

### XIII. POPULATION AND HOUSING.

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The proposed project involves construction of a single-family residence on an existing vacant lot within an established single-family residential neighborhood that was zoned for single-family residential uses. The project would not induce substantial population growth either directly or indirectly and is consistent with the General Plan. Thus, *less than significant impact*.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project involves construction of one single-family residence on a currently vacant lot and would thus not involve displacement of any existing housing stock. Thus, *no impact*.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed project involves construction of one new single-family residence on a currently vacant lot and would not displace anyone or require replacement housing elsewhere; Thus, *no impact*.

#### **XIV. PUBLIC SERVICES.**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

☐
☐
☒
☐

The proposed project involves construction of a single-family residence on a currently vacant lot in an established single-family residential neighborhood. The proposed project would not require the construction or expansion of fire protection facilities beyond those already planned under General Plan assumptions. Thus, the proposed development will have a *less than significant* impact related to fire protection.

Police protection?

☐
☐
☒
☐

Although construction of the new residence and occupation of the currently vacant site would incrementally increase the demand for police services, the proposed project would not require the construction or expansion of police protection facilities beyond those already planned under the General Plan assumptions. Thus, the proposed development will have a *less than significant* impact related to police protection.

Schools?

☐
☐
☒
☐

The proposed project is located within the Hayward Unified School District (HUSD) and the developer will be required to pay School Impact Mitigation Fees at the time of building permit issuance, which is considered full mitigation pursuant to State Law. Thus, impacts related to schools are considered *less than significant*.

Parks?

☐
☐
☒
☐

The project proponent would be required to pay park dedication in-lieu fees pursuant to Chapter 10, Article 16, Property Developers - Obligations for Parks and Recreation of the Hayward Municipal Code; thus, the project impacts would be reduced to *less than significant*.

Other public facilities?

☐☐☒☐

The proposed project site is infill and surrounded by development including roads, streetlights and other public facilities. The proposed project will not result in a need for public facilities beyond those already planned under General Plan assumptions. Thus, the proposed project impacts are considered *less than significant* related to other public facilities.

#### **XV. RECREATION.**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

☐☐☒☐

The proposed project involves construction of a one new single-family residence with related grading activities on a vacant lot within an established residential neighborhood. While the construction of the new residence would likely increase the use of existing parks by adding new residents to the community, it is not anticipated that the minor increase in population would result in substantial deterioration of such facilities. In addition, as noted above, the project proponent would be required to pay Park Dedication In-Lieu fees thus reducing the project's impact to a level of *less than significant*.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐☐☒☐

See XV.A comment above.

#### **XVI. TRANSPORTATION/TRAFFIC -**

- Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

☐☐☒☐

The traffic generated from construction of a new single-family residence within an established residential neighborhood is not sufficient to warrant further study and is not expected to result

in any discernible impact to the surrounding circulation patterns. Thus, the impact to the existing roadway is considered *less than significant*.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

☐ ☐ ☒ ☐

No intersection level of service will be impacted by the construction of a single-family residence on a vacant lot in an established residential neighborhood; thus, *less than significant*.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

☐ ☐ ☐ ☒

The proposed project involves no changes to air traffic patterns; thus, *no impact*.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐ ☐ ☒ ☐

The project will add a driveway on Rainbow Court but has been designed to meet all City standards and visibility requirements. As such, the increased hazards due to design are considered *less than significant*.

e) Result in inadequate emergency access?

☐ ☐ ☐ ☒

The proposed single-family residence would be located on a site that is accessible from an existing roadway (Rainbow Court). In addition, the residence would be sited within 20 feet of the front property line (20-feet required) and would therefore be within the range of fire service hoses. Thus, *no impact* is anticipated to emergency access.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

☐ ☐ ☐ ☒

The proposed project will not impact or conflict with any designated transit, bicycle or pedestrian plans or facilities and as such *no impact*.

**XVII. UTILITIES AND SERVICE SYSTEMS.** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

☐ ☐ ☒ ☐

Sanitary sewage from the City's system is treated at the Hayward Water Pollution Control Facility (WPCF) which discharges into the San Francisco Bay under a permit with the Regional Water Quality Control Board (RWQCB). As a standard Condition of Approval, the proposed new development will be required to connect to the City's service which is located along Rainbow Court. The proposed development consists of construction of one single-family residence on a vacant lot surrounded by an established residential neighborhood and would not result in exceedance of wastewater treatment requirements of the WPCF. Thus, *less than significant* impact.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐ ☐ ☒ ☐

The proposed project is located within the City's water and wastewater service boundaries. As noted in XVII.A above, the proposed project would result in a minimal increase in wastewater and would not require construction of or expansion of wastewater treatment facilities. With regard to water demand, the proposed single-family use was anticipated under the Hayward 2040 General Plan and the City's Water Master Plan (Hayward 2040 General Plan Background Report, 8-3).

The proposed project would not require construction of new water or wastewater treatment facilities or expansion of existing facilities; thus, *less than significant* impact.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐ ☐ ☒ ☐

As described in IX.C and IX.D related to hydrology and stormwater run-off, the drainage from the proposed development would be subject to standard on-site measure requirements and Conditions of Approval that require run-off be directed into vegetated areas, rain barrels, and/or self-retaining areas to minimize post-development run-off. Thus,

the overall increase in run-off flowing from the site would result in a minor increase over existing conditions and would result in a *less than significant* impact and would not require the construction of new stormwater drainage facilities.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

☐ ☐ ☒ ☐

As noted in XVII.B above, the proposed development of a single-family residence was anticipated in the Hayward 2040 General Plan and in the City's Urban Water Management Plan (Hayward 2040 General Plan Background Report, 8-3); thus, the proposed project would result in a *less than significant* impact related to water supplies.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

☐ ☐ ☒ ☐

See XVII.A and XVII.B above.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

☐ ☐ ☒ ☐

There is sufficient capacity to accommodate the proposed single-family residence and waste from the City of Hayward at Altamont Landfill through 2024. Solid waste generated by the project would contribute incrementally to the use of the landfill capacity. The City of Hayward has adopted City-wide policies and ordinances (see Hayward Municipal Code Chapter 5, Article 1, Solid Waste Collection and Disposal) intended to maximize the City's diversion rate from landfills. Adherence to these policies will result in a *less than significant* impact.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

☐ ☐ ☒ ☐

See XVII.F above. The project would be subject to all adopted City regulations related to solid waste and there is adequate capacity at the Altamont Landfill to accommodate the proposed project. Thus, the project would result in a *less than significant* impact related to solid waste.

# **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

☐ ☐ ☒ ☐

The proposed project involves construction of one single-family residence with associated grading on a currently vacant site in an established residential neighborhood. While urban wildlife may be present on the site, it does not have adequate or documented habitat for any identified, endangered or otherwise protected species. Further, there is no evidence of any cultural or paleontological resources at or near the site although standard General Plan policies and conditions related to halting work and reporting a find is required per local and State law. Thus, the impact is *less than significant*.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

☐ ☐ ☒ ☐

A lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." The proposed project involves construction of one single-family residence along the hillside in an established suburban residential neighborhood and would not result in an impact that would be cumulatively considerable over existing conditions. Thus, *less than significant* impact.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☒ ☐ ☐

As described in **Impact GEO-1**, the proposed project could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills in the existing steeply sloped site; however, implementation of **Mitigation Measure GEO-1** will minimize those risks through design and field verifications via a Licensed Professional Engineer prior, during, and post construction. With the implementation of standard measures and Conditions of Approval identified and described throughout this study, the proposed development of one single-family dwelling would not result in substantial adverse impacts on human beings, either directly or indirectly. Thus, *less than significant impact with mitigation*.

### SOURCES

1. Professional Judgement and Expertise of The Individual That Prepared This Initial Study Based Upon Review If the Site and Surrounding Conditions and Project Plans
2. Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. May 2011.
3. Bay Area Air Quality Management District Updated CEQA Guidelines, <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, accessed on January 2019.
4. City of Hayward 2040 General Plan
5. City of Hayward 2040 General Plan Background Report, January 2014
6. City of Hayward Geographic Information Systems (<http://webmap.hayward-ca.gov/>)
7. City of Hayward Hillside Design and Urban/Wildland Interface Guidelines
8. City of Hayward Municipal Code
9. FEMA Flood Map Panel No. 06001C0293G, August 3, 2009. FEMA Flood Map Service Center: Search by Address. <http://msc.fema.gov/portal/search>, accessed on January 2019
10. Geotechnical Report prepared by Milstone Geotechnical (August 2018)
11. Google Earth
12. State of California, Department of Conservation, Regulatory Maps. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>, Accessed on February 2019
13. State of California's Department of Toxic Substances Control's Envirostor Webpage (<http://www.envirostor.dtsc.ca.gov/public/search.asp?basic=True>, Accessed January 2019.
14. State of California, Department of Transportation, Scenic Highway Routes, [http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/scenic_hwy.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/scenic_hwy.htm), Accessed January 2019.
15. State of California, Department of Transportation Construction Vibration Guidance Manual (September 2013)
16. State of California Department of Conservation, California Important Farmland Finder, Accessed January 2019. <http://maps.conservation.ca.gov/ciff/ciff.html>



**CITY OF HAYWARD  
DEVELOPMENT SERVICES DEPARTMENT  
MITIGATED NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that the proposed project described in detail below would not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended:

**I. PROJECT DESCRIPTION:**

**Title:** 2366 Rainbow Court Hillside Single-Family Residence  
Site Plan with Grading Permit Review File No. 201804682

**Description:** The proposed project includes an application for Site Plan Review (SPR) with a Grading Permit for the construction of an approximately 2,700 square-foot single-family residence with a two-car garage and related on- and off-site improvements on an existing 0.32-acre (14,195 square feet) hillside lot located at 2366 Rainbow Court. The proposed project includes grading and development on slopes exceeding 20% within the vicinity of the development area.

The proposed new single-family residence meets all development standards related to building setbacks, building height, parking, floor area ratio, and permitted use regulations of the Single Family Residential (RS) zoning district set forth by the Hayward Municipal Code. Additionally, the project includes the construction of a driveway, drought-tolerant landscaping compliant with the Bay Area Friendly Water Efficient Landscape Ordinance, and will connect to the existing utilities (electricity, gas, sewer, and water) along Rainbow Court.

**Location:** 2366 Rainbow Court, Assessor Parcel No. 425-0410-027-00

**Approvals:** Site Plan Review with Grading Permit

**II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:**


The proposed project, with the mitigation measures included in the Initial Study and Mitigation Monitoring and Reporting Program (MMRP) prepared for this project, will not have a significant effect on the environment.

**III. FINDINGS SUPPORTING DECLARATION:**

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.

2. The project was found to have either no impact or less than significant impacts in the areas of Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology or Water Quality, Land Use, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.
3. The project could result in impacts related to Geology and Soils in that new construction on the site with slopes over 20% could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills in the existing steeply sloped hillside property. Impacts can be mitigated to a level of less than significant if the proposed residence incorporates all the proposed recommendations and mitigation measures set forth in the Geotechnical Engineering Report prepared by Milstone Geotechnical, dated August 2018, in regard to seismic design, site preparations, foundations, retaining walls, concrete slab-on-grade, and drainage.
4. With regard to the Mandatory Findings of Significance, the proposed project could result in impacts that could cause an adverse effect on human beings as described above and in the attached Initial Study; however, those impacts can be mitigated to a level of less than significant as described above and in the Initial Study.

**IV. LEAD AGENCY REPRESENTATIVE AND PERSON WHO PREPARED THE INITIAL STUDY:**

  
 _____  
 Marcus Martinez, Assistant Planner

2/21/19  
 _____  
 Date

**V. CONTACT INFORMATION**

For additional information, please contact Marcus Martinez, Assistant Planner at the City of Hayward Planning Division at 510-583-4236.

Written comments may be sent to Marcus Martinez via email at [marcus.martinez@hayward-ca.gov](mailto:marcus.martinez@hayward-ca.gov) or at City of Hayward Planning Division, 777 B Street, Hayward, CA 94541.

**VI. COPY OF ENVIRONMENTAL CHECKLIST**

Copies of the Initial Study and Mitigated Negative Declaration are available for public review at Hayward City Hall, at 777 B Street, Hayward on the First-Floor Permitting Center, Monday through Thursday from 8 a.m. to 5 p.m.; at the Weekes Branch Library located at 27300 Patrick Avenue in Hayward, and on the City's website at <http://www.hayward-ca.gov/content/projects-under-environmental-review-0>. Please see the Library and Community Services webpage at <http://www.library.ci.hayward.ca.us/> for library days and hours.

**Mitigation Monitoring  
and Reporting Program (MMRP)**

**Hillside Single-Family Residence  
Located at 2366 Rainbow Court  
Application No. 201804682**

**City of Hayward  
Development Services Department  
Planning Division**

**February 2019**

## P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study concluded that the impacts from implementation of the project would be less than significant.

MITIGATION MONITORING OR REPORTING PROGRAM 2366 RAINBOW COURT SINGLE FAMILY HOME				
Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<b>GEOLOGY AND SOILS</b>				
<b>Geo-1 Impact:</b> New construction on the subject site which has slopes greater than 20% could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills in the existing steeply sloped site. <b>(Potentially Significant Impact)</b>	<b>Mitigation Measure GEO-1:</b> The project could result in impacts related to Geology and Soils in that new construction on the site with slopes greater than 20% could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills. Impacts can be mitigated to a level of less than significant if the proposed residence incorporates all the proposed recommendations and mitigation measures set forth in the Geotechnical Engineering Report prepared by Milstone Geotechnical, dated August 13, 2018, in regard to seismic design, site preparations, foundations, retaining walls, concrete slab-on-grade, and drainage.	All recommendations shall be included on grading permit application submittal and construction level drawings (civil, landscape, site plans). All recommendations shall be verified and approved by appropriate City Division prior to issuance of grading and building permits for the proposed development.	Project Applicant	Public Works – Engineering; Development Services Department – Planning Division and Building Division.

**SOURCE: City of Hayward, Rainbow Court Single-Family Residence Plans**

2366 Rainbow Court Single-Family Residence

February 2019

Mitigation Monitoring and Reporting Program



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# **REPORT**

## **GEOTECHNICAL INVESTIGATION**

**PROPOSED RESIDENCE**  
2366 Rainbow Court  
Hayward, California

for  
Joyce Steinfeld  
19281 Mountain Way  
Los Gatos, California 95030

Project No. 184920  
August 2018

**Project 201804682 SPR**  
**2366 Rainbow Court**



**MILSTONE  
GEOTECHNICAL**

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SEP 11 2018

PLANNING DIVISION



MILSTONE  
GEOTECHNICAL

August 13, 2018  
Project No. 184920

Joyce Steinfeld  
19281 Mountain Way  
Los Gatos, CA 95030

**SUBJECT: Geotechnical Report Update**  
Proposed Residence  
2366 Rainbow Court  
Hayward, California

Dear Ms. Steinfeld,

Milestone Geotechnical has completed a geotechnical investigation for the above referenced site in accordance with your authorization. The accompanying report presents the results of the investigation with conclusions and geotechnical design criteria for the proposed development.

Based on the results of this investigation we are pleased to report that, from a geotechnical perspective, the site is suitable for the residence if properly designed and constructed. It has been a pleasure providing professional services to you on this project and we are looking forward to assisting you and your design and construction team through project construction.

Please phone or e-mail if you have any questions regarding the contents of this report or require additional assistance.

Sincerely,

MILSTONE GEOTECHNICAL

*Barry S. Milstone*  
Barry S. Milstone, G.E. 2111  
Principal Geotechnical Engineer



# **GEOTECHNICAL INVESTIGATION PROPOSED RESIDENCE**

2366 Rainbow Court  
Hayward, California

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**APPENDIX A - FIELD AND LABORATORY INVESTIGATION**

Description of Small-Diameter Borehole Investigation

Soil Classification Chart

Log of Exploratory Borehole MG1

Log of GEI Borehole 15

Direct Shear Test Result (GEI)

## **GEOTECHNICAL INVESTIGATION PROPOSED RESIDENCE**

2366 Rainbow Court  
Hayward, California

### **INTRODUCTION**

This report presents the findings, conclusions, and updated recommendations resulting from our supplemental geotechnical investigation related to the construction of a proposed new residence at 2366 Rainbow Court in Hayward, California (Figure 1).

### **Project Description**

Based on our discussions and my review of the provided schematic site improvement drawings, it is my understanding that the project will involve the construction of a new, multi-level, single-family residence at a currently undeveloped site.

### **Purpose and Scope of Investigation**

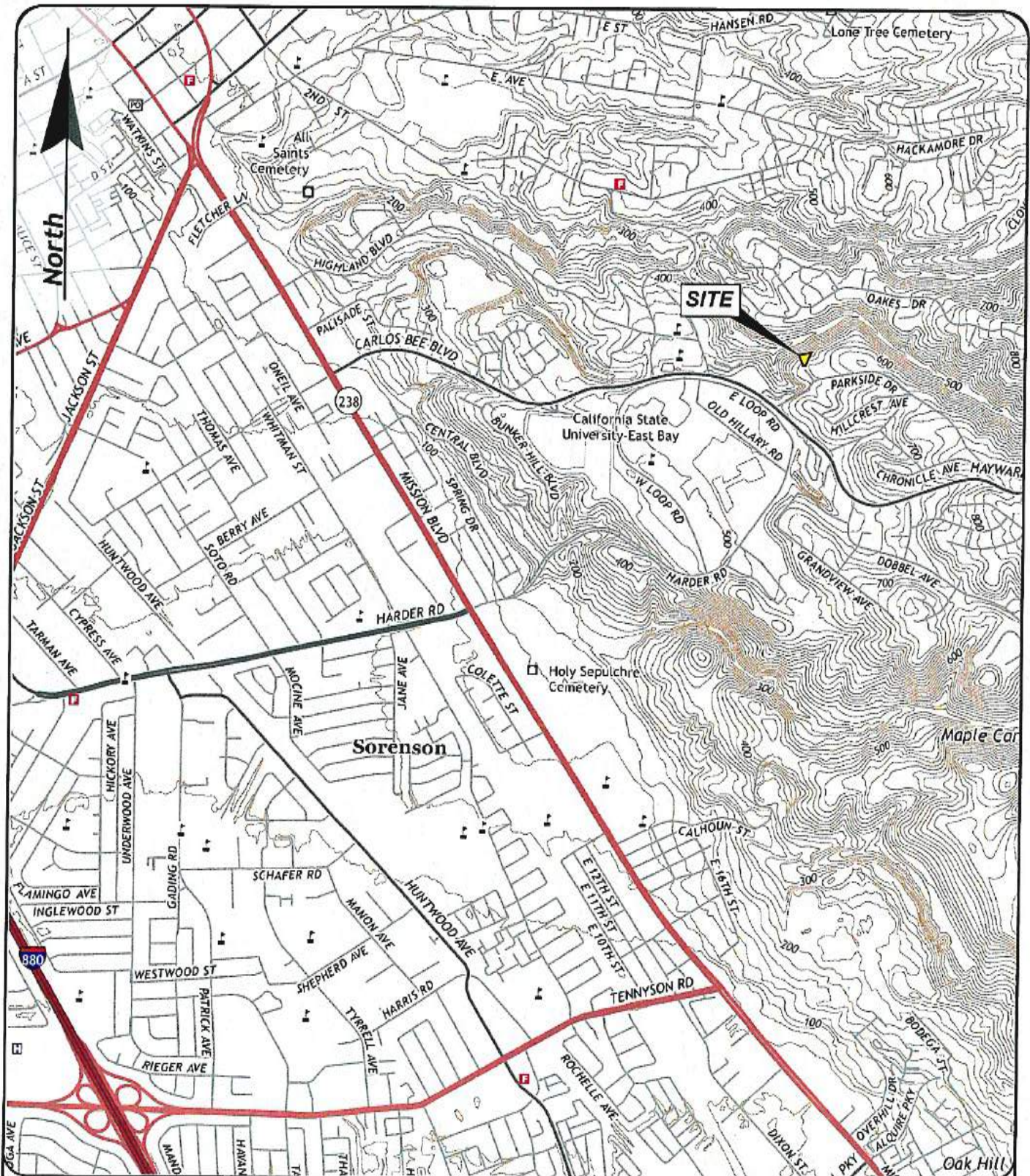
The site was previously investigated by Geotechnical Engineering Inc. (GEI). The purposes of this investigation were to characterize the geotechnical conditions of the site and provide specific recommendations for the geotechnical aspects of the proposed improvements. Our investigation was supplemented by data provided by Geotechnical Engineering Inc. (GEI) in their 1995¹ and 2017² geotechnical investigations of the site.

The scope of services performed for this investigation included the following tasks:


- Compilation and review of available engineering and geologic data relevant to site improvements including previous geotechnical investigation reports at the site prepared by GEI^{1,2};
- Limited geotechnical mapping of the site using the provided site plan to identify pertinent surficial features;
- Hand-drilling, logging, in-situ testing, and sampling of one (1) small diameter exploratory borehole;

¹ Geotechnical Engineering Inc., November 2, 1989, Geotechnical Investigation, Report, Supplementary Investigation and Geologic Reconnaissance, Proposed Residential Development, Parkside Drive & Rainbow Court, Tract 3992, Hayward California for Victoria Court Management, 1221 State Street, Suite 203, Santa Barbara, CA 93101.

² Geotechnical Engineering Inc., September 6, 2017, Geotechnical Investigation, Report – Soil Investigation, Planned Single Family Residence, 2366 Rainbow Court, Hayward, California for Robert Jay and Joyce Steinfeld, 19281 Mountain Way, Los Gatos, CA.



Modified from Hayward, 7.5' Quadrangle, Alameda County, CA, USGS, 2015.

 <b>MILSTONE GEOTECHNICAL</b>	<b>SITE LOCATION MAP</b>		FIGURE NO.
	<b>PROPOSED STEINFELD RESIDENCE</b> 2366 Rainbow Court Hayward, California		<b>1</b>
	Date: August 2018	Scale: 1 inch = 2,000 feet	Drawn by: BSM
			Project No. 184920

Page 2  
 Geotechnical Investigation  
 Proposed Steinfeld Residence  
 Proj. No. 184920  
 8/13/18

- Laboratory testing of representative soil samples to verify field classifications, characterize the subsurface materials, and determine index properties and pertinent engineering characteristics for analysis and design;
- Engineering analysis of the resulting data and formulation of geotechnical design criteria;
- Preparation of this report and the accompanying illustrations.

## **GEOLOGIC SETTING**

### **Regional Geologic Setting**

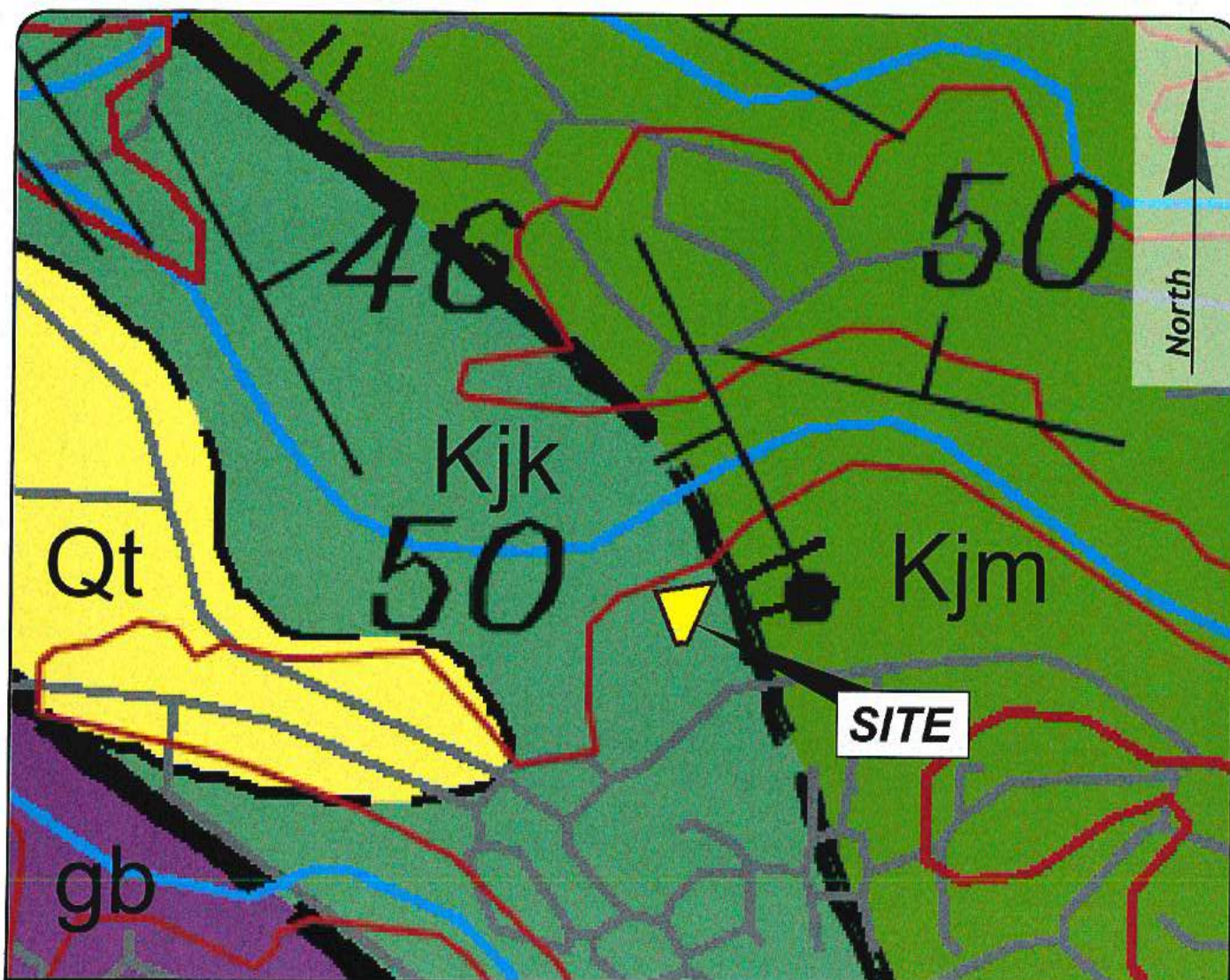
The subject property is located near the base of the east flank of the northern Santa Cruz Mountains and within the Coast Ranges Geomorphic Province of Northern California. These mountains are composed primarily of tertiary, sedimentary, and small amounts of igneous rock. The crustal bedrock have been uplifted, folded and faulted into their present form, and marine terraces, colluvium and alluvium have subsequently been deposited on the range's flanks. Structurally, the region is dominated by northwest trending faults and folds. Due to on-going plate tectonic activity, structural deformation of the Santa Cruz Mountain area continues into the present. In more recent geologic time, the dominant sense of movement is right lateral motion concentrated along the active San Andreas Fault zone located about 2.9 miles southwest of the site.

### **Local Geologic Conditions**

Graymer and others³ indicate that the site is underlain by Jurassic-age Knoxville Formation materials (Figure 2) consisting of "mainly dark greenish-gray silt or clay shale with thin sandstone interbeds". Locally, the bedrock is mapped as favorably bedded with a northwest strike and dipping generally cross slope at an inclination of about of 46 degrees. A northwest striking contact fault adjoining Late-Cretaceous-age Joaquin Miller Formation consisting of "thinly bedded shale with minor sandstone" is mapped approximately 200 feet to the northeast.

---

³ Graymer, R.W., Jones, D.L., and Brabb, E.E., 1996, Preliminary geologic map emphasizing bedrock formations in Alameda County, California: A digital database, U.S. Geological Survey Open-File Report 96-252.



Modified from: Graymer, R.W., Jones, D.L., and Brabb, E.E., 1996, Preliminary geologic map emphasizing bedrock formations in Alameda County, California: A digital database, U.S. Geological Survey Open-File Report 96-252.

#### EARTH MATERIALS

- Kjm - Joiquin Miller Formation  
(Late Cretaceous, Cenomanian)
- Kjk - Knoxville Formation  
(Late Jurassic and Early Cretaceous)
- gb - Gabbro  
(Jurassic)
- Qt - Terrace Deposits  
(Holocene and Pleistocene)

#### MAP SYMBOLS

- Geologic contact, dashed where approximately located
- Fault; dashed where approximately located
- Oblique fault with normal component, dashed where approximately located
- Strike and dip of bedding
- Strike and dip bedding, top direction known

Modified from Hayward, 7.5' Quadrangle, Alameda County, CA, USGS, 2015.



**MILSTONE  
GEOTECHNICAL**

#### REGIONAL GEOLOGIC MAP

**PROPOSED STEINFELD RESIDENCE**  
2366 Rainbow Court  
Hayward, California

FIGURE NO.

**2**

Date:  
August 2018

Scale:  
1 inch = 500 feet

Drawn by:  
BSM

Project No.  
184920

The site is located within a State-designated Earthquake-Induced Landslide Hazard Zone⁴ (Figure 3). The Alameda County landslide map prepared by Roberts and others⁵ does not depict any landslides in the general vicinity nor anywhere along the neighboring Ward Creek creekbanks that are located in the Seismic Hazard Zone. Visual reconnaissance of the site did not reveal surface geomorphology or disturbance to the mature tree cover that would be indicative of recent or historic slope stability.

### **Faulting and Seismicity**

Although no faults are known to traverse the property, the site is located within the influence of several active and potential active faults with potential to generate significant ground shaking. Structurally, the region is dominated by northwest trending faults and folds with structural deformation continuing into the present. The regional seismic setting is dominated by stress associated with the oblique collision of the Pacific tectonic plate with the North American tectonic plate. Throughout coastal California, the surface expression of this interface is the San Andreas fault, including its principal northwest-aligned branches. In the San Francisco Bay Region, the San Andreas fault system includes several major branches in addition to maintaining a relatively continuous main trace. The study area is part of a structural slice within the Diablo Range between two such branches: the Hayward fault, which is located 0.9 miles to the southwest, and the Calaveras fault, located seven (7) miles to the northeast. These faults are well known active features exhibiting abundant geologic evidence of recurring movement and are the source of both nearly continuous micro-seismicity as well as several large historic earthquakes. Although these are considered to be the closest significant faults, other Bay Area faults such as the San Andreas located 19.4 miles to the southwest and the San Gregorio, located 26.6 miles to the southwest, are considered capable of significantly impacting the proposed development.

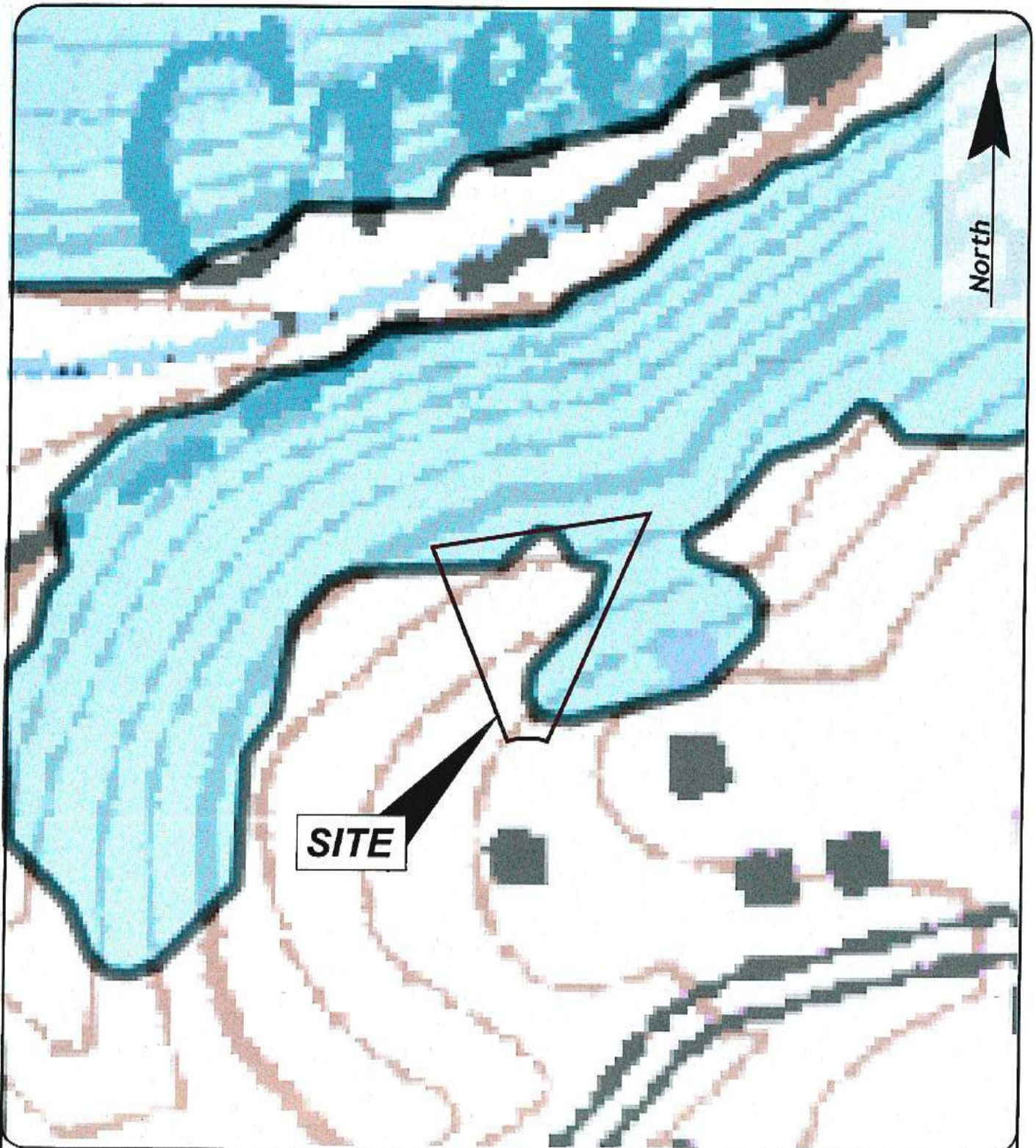
The site is not located within an Alquist-Priolo Earthquake Fault Zone⁶ and published geologic maps do not indicate the presence of any faulting in the immediate vicinity. Although fault rupture is unlikely within the proposed site

---

⁴ California Geologic Survey, 6/2/2003, Earthquake zones of required investigation, Hayward Quadrangle.

⁵ Roberts, S, Roberts, M.A., and Brennan, E.M., 1999, Landslides in Alameda County, California, A digital database extracted from preliminary photointerpretation maps of surficial deposits by T.H. Nilsen in USGS Open-File Report 75-277, U.S. Geological Survey, Open-File Report 99-504.

⁶ California Geologic Survey, 9/21/12, Earthquake zones of required investigation, Hayward Quadrangle.



California Geologic Survey, 6/2/2003, Earthquake zones of required investigation, Hayward Quadrangle.



**MILSTONE  
GEOTECHNICAL**

### SEISMIC HAZARD ZONES

**PROPOSED STEINFELD RESIDENCE**  
2366 Rainbow Court  
Hayward, California

FIGURE NO.

**3**

Date:  
August 2018

Scale:  
1 inch = 100 feet

Drawn by:  
BSM

Project No.  
184920

development area, strong to violent ground shaking due to local fault activity will probably occur sometime during the economic lifetime of the development. Historic data suggests the most severe ground shaking induced by fault rupture will most likely be generated by a major event along the nearby active Hayward fault system. When calculating seismic hazards, the US Geologic Survey⁷ assumes a maximum moment magnitude of 7.3 for the combined branches of the Hayward-Rodgers Creek fault, 7.0 for the combined branches of the Calaveras fault, and 7.7 for the combined northern and peninsular segments of the San Andreas.

Based on work performed by the National Earthquake Hazard Reduction Program, the USGS⁸ has classified the subject area as within a Site Class B shaking hazard zone.

**Anticipated  
 Ground Surface  
 Acceleration**

Based on the most recent earthquake forecasts published by the Working Group on California Earthquake Probabilities⁹, there is estimated to be there is a 72 percent chance of at least one magnitude 6.7 or greater earthquake occurring in the Bay Area region between 2014 and 2044. The property is expected to experience violent ground shaking during large earthquakes on the nearby faults. Based on the site location (lat. 37.6608, long. -122.0505), the peak ground acceleration with a 10% probability of being exceeded in 50 years is estimated to be 0.65g using the probabilistic seismic evaluation tools provided by the U.S. Geologic Survey¹⁰.

As a minimum, the proposed structure should be designed in accordance with the current California Building Code (CBC) standards for static and seismic design. More specific seismic design criteria are presented in the Geotechnical Design Criteria section. It should be noted that there is a paucity of data

⁷ Petersen, M.D. and others, 2008, Documentation for the 2008 Update of the United States National Seismic Hazard Maps, United States Geological Survey, Open File Report 2008-1128.

⁸ United States Geological Survey, undated, Soil type and shaking hazard in the San Francisco Bay Area, <https://earthquake.usgs.gov/hazards/urban/sfbay/soiltype/>.

⁹ Field, E.H., Biasi, G.P., Bird, P., Dawson, T.E., Felzer, K.R., Jackson, D.D., Johnson, K.M., Jordan, T.H., Madden, C., Michael, A.J., Milner, K.R., Page, M.T., Parsons, T., Powers, P.M., Shaw, B.E., Thatcher, W.R., Weldon, R.J., II, and Zeng, Y., 2013, Uniform California earthquake rupture forecast, version 3 (UCERF3)—The time-independent model: U.S. Geological Survey Open-File Report 2013-1165, 97 p., California Geological Survey Special Report 228, and Southern California Earthquake Center Publication 1792, <http://pubs.usgs.gov/of/2013/1165/>.

¹⁰ US Geologic Survey, 2/10/11, Earthquake Ground Motion Parameters V.5.1.0.

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available for near field sites, such as the subject site, and that it is possible that actual ground surface accelerations will exceed the current estimates.

**GENERAL  
SITE  
CONDITIONS**

**Site  
Setting**

The site is located on a plateau in the southwest foothills of the Diablo Range. The truncated-triangular-shaped, one-third-acre property is situated at the crest of the south flank of the west-flowing Ward Creek drainage channel. Locally, the property is situated on a northwest-trending spur ridge created by Ward Creek and an unnamed drainage to the west. The property is accessed from the north side of the Rainbow Court cul-de-sac, approximately 230 feet northwest of its intersection with Parkside Drive. The property is bordered by the Rainbow Court cul-de-sac to the south, by a wooded slope flanking Ward Creek to the north, by undeveloped land to the west, and by a residentially developed property to the east

**Existing  
Improvements**

The site is currently undeveloped although fence posts, an abandoned concrete foundation, and surface debris suggest that the area had been used historically for agricultural, and possibly other, purposes. Aerial photographs suggest that the structure was demolished sometime between 1993 and

**Topography**

The project is located approximately 570 feet above sea level. Ground surfaces in the vicinity of the proposed residence at the southern portion of the property slope moderately toward the north with inclinations ranging from about four to one (4 to 1) horizontal to vertical to five to one (5 to 1). A localized fill slope traverses the building pad at an inclination of about three to one (3 to 1) horizontal to vertical. Beyond a slope break located approximately 20 feet north of the north of the proposed residence, the slopes incline steeply toward Ward Creek at an inclination of about 1.8 to one (1.8 to 1) horizontal to vertical.

**Site  
Drainage**

Surface drainage of storm water occurs by sheet flow to the north toward the south flank of the west-flowing Ward Creek. We observed no indications of concentrated surface runoff such as rills or channels.

**Vegetation**

The proposed building pad is vegetated with wild grasses. Tightly spaced, predominantly oak and bay, trees of varying age and size, ranging up to at least 40-inch diameter, blanket the northern slope.

## **SUBSURFACE CONDITIONS**

### **Subsurface Investigation**

The subsurface conditions at the site were investigated by drilling, logging, and sampling one (1) small-diameter exploratory borehole to practical refusal at a depth of 4.5 feet and by reviewing data published by GEI from four (4) boreholes that they previously advanced on the site from 3.0 to 8.5 feet deep. Our subsurface investigation is described in more detail in Appendix A. The exploratory borehole locations are depicted on Figure 4 (Site Plan and Exploration Map). Graphical logs of the boreholes are presented in Appendix A of this report.

### **Subsurface Materials**

In general, the proposed development area is underlain by up to two (2) feet of artificial fill blanketing weathered Knoxville Formation siltstone with lesser amounts of sandstone. The upper two to three (2 to 3) feet of the bedrock exhibits advanced weathering to a residual soil. Our findings are similar to those encountered by GEI¹¹ during previous geotechnical investigations. The encountered earth materials are described below in order of decreasing age. Pertinent field and laboratory test results are summarized at the end of this section.

#### **Weathered Siltstone**

At a depth of about three (3) feet beneath the ground surface, our borehole encountered silty gravel that appears to have weathered out of the underlying siltstone. The encountered materials are very dense and consist of about 40 percent hard, angular, siltstone fragments in a matrix of about 40 percent fine to coarse grained sand and 20 percent non-plastic fines. GEI¹ reported a standard penetration blowcount of 85 blows in 11 inches at depth of about five (5) feet near the proposed residence. Pocket penetrometer resistance in these materials exceeded 4.5 tons per square foot (tsf).

Two (2) representative samples of these materials demonstrated an average dry density of 102.7 pounds per cubic foot (pcf) and an average moisture content of 7.5 percent. Unconfined compression test results of 3,540 and 1,750 pounds per square foot (psf) exhibited generally brittle failure and are believed to be a lower-bound representation of the in-situ compressive strengths. The California Geological Survey¹¹ has published a compilation of laboratory tests on Knoxville Formation materials and, based on 11 tests, report a friction angle of 32 degrees consistent with apparent cohesion of 621 psf.

¹¹ California Geological Survey, 2003, State of California Seismic Hazard Zones, Hayward 7.5-Minute Quadrangle, California: Seismic Hazard Zone Report 091.

# EXPLANATION

MG1

Milestone Geotechnical  
exploratory borehole

B1

Geoforensics (1997, 2017)  
exploratory borehole

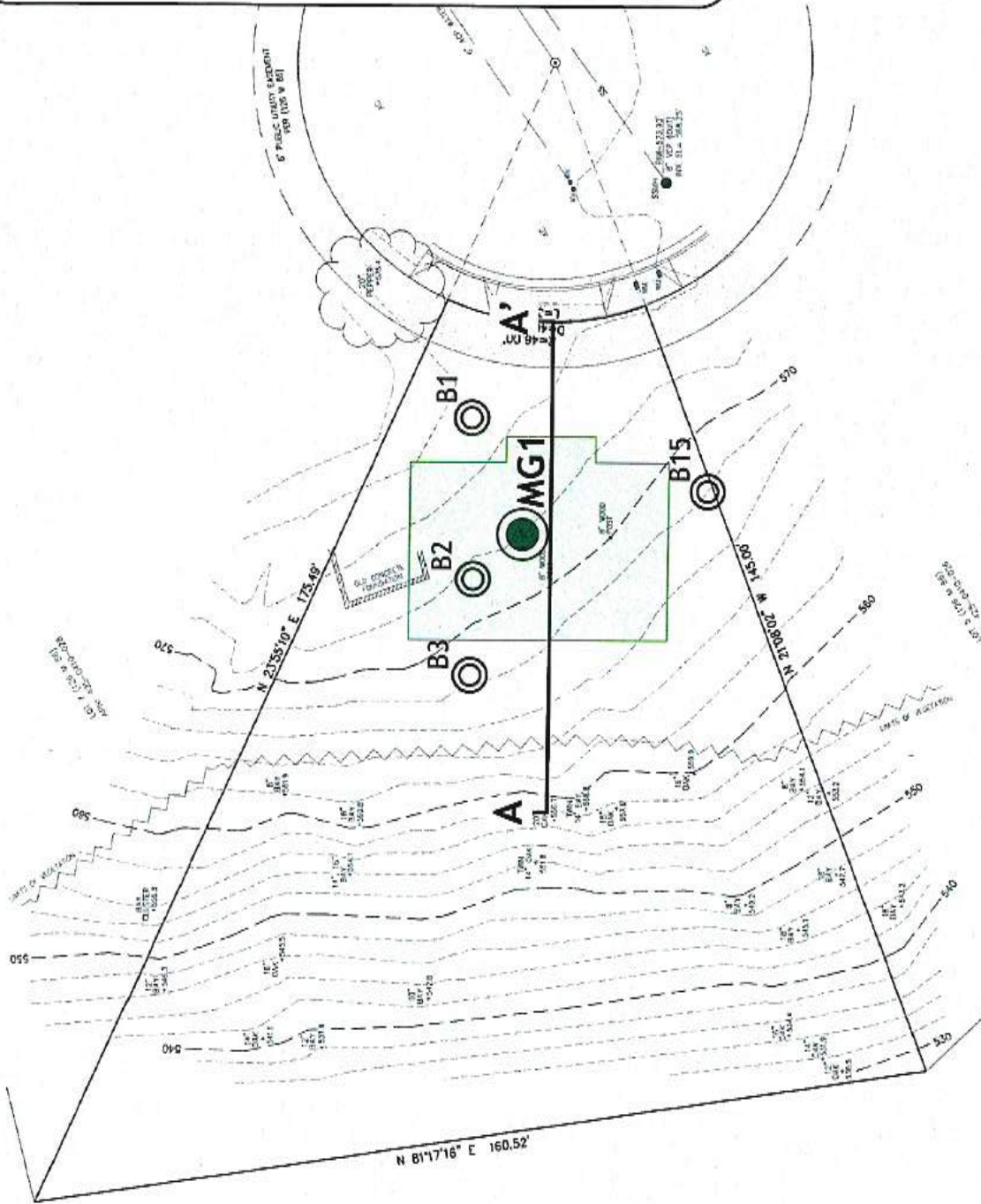
A A'

Approximate location of  
Geotechnical Cross Section.



Limits of proposed residence.

NOTES: Surface topography and Milestone Geotechnical borehole location determined by tape and compass methods. B1 through B3 borehole locations derived from 9/6/17 GEI Soil Investigation Report. B15 borehole location derived from 11/2/89 GEI Investigation and Geologic Reconnaissance Report. Limits of proposed residence derived from undated preliminary layout sketch provided by client. This figure is not intended to be used for construction purposes.



## SITE PLAN AND EXPLORATION MAP

FIGURE NO.

4

PROPOSED STEINFELD RESIDENCE  
2366 Rainbow Court  
Hayward, California

Project No.  
174840

Engineer  
BSM

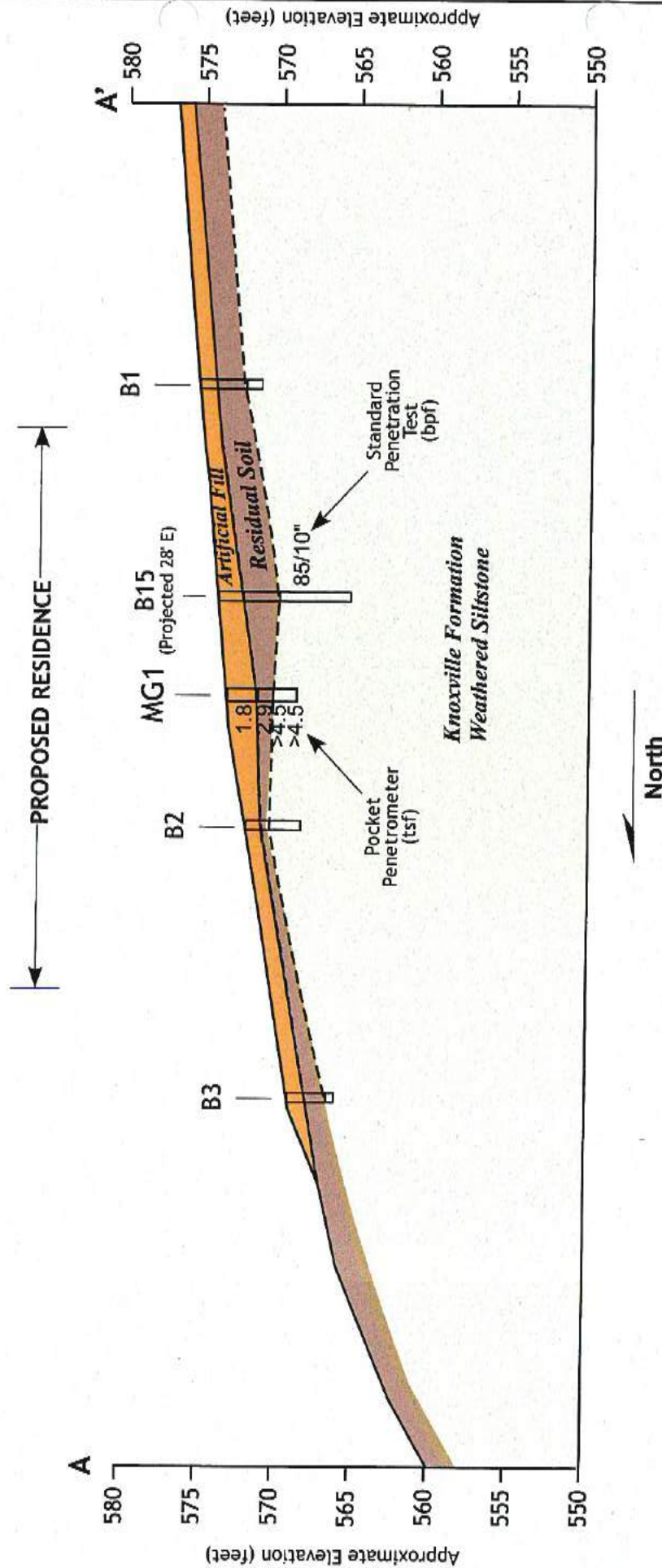
Scale  
1 inch = 30 feet

Date  
August 2018

MILSTONE  
GEOTECHNICAL



# GEOTECHNICAL CROSS SECTION A-A'



NOTES: Surface topography and Milstone Geotechnical borehole location determined by tape and compass methods. B1 through B3 borehole locations derived from 9/6/17 GEI Soil Investigation Report. B15 borehole location derived from 11/2/89 GEI Investigation and Geologic Reconnaissance Report. Limits of proposed residence derived from undated preliminary layout sketch provided by client. This figure is not intended to be used for construction purposes.

## GEOTECHNICAL CROSS SECTION A-A'

PROPOSED STEINFELD RESIDENCE  
2366 Rainbow Court  
Hayward, California



FIGURE NO.

5

Project No.  
174840

Engineer  
BSM

Scale  
1 inch = 10 feet

Date  
August 2018

**Residual Soil** The upper two to three (2 to 3) feet of the Knoxville Formation has decomposed through weathering to residual soil consisting of medium stiff to stiff, tough, low to medium plasticity clay and medium dense, clayey, fine-grained sand. Pocket penetrometer testing in these materials indicate an average unconfined compressive strength of about 2.6 (tsf). One (1) representative sample of the residual soil exhibited a dry density of 101.9 psf with a corresponding moisture content of 14.2 percent.

**Artificial Fill** The site is blanketed by up to two (2) feet of artificial fill placed during original grading operations to establish the cul-de-sac. The encountered fill is characterized as loose to medium dense, moist, silty sand with about 20 percent low plasticity fines, rootlets near the surface, a minor amount of construction debris, and isolated zones of silty gravel.

Two (2) representative samples of the fill demonstrated dry densities of 96.0 and 107.2 pcf with corresponding moisture contents of 13.2 and 10.7 percent. One representative sample of the silty sand exhibited an unconfined compressive strength of 1,700 psf.

#### Summary of Laboratory Tests

Borehole/ Sample No.	Depth (ft)	Earth Material	Moisture Content (%)	Dry Density (pcf)	Unconfined Compression (psf)
MG1/T1	0.75	Fill	13.2	96.0	1,700
MG1/T2	1.5	Fill	10.7	107.2	-
MG1/T3	2.5	Residual Soil	14.4	101.9	-
MG1/T4	3.0	W. Siltstone	22.0	101.8	3,540
MG1/T4	4.0	W. Siltstone	15.2	103.6	1,750

#### GROUND WATER

Ground water was not encountered in the borehole advanced for this investigation and the previous investigator did not encounter ground water in their four boreholes that extended to a maximum depth of 8.5 feet. It should be noted that ground water conditions at other locations and times, or during different weather conditions might differ from those encountered in our test boreholes. Nevertheless, based on the results of our subsurface investigation, it is anticipated that construction of the proposed improvements will not be adversely affected by ground water if constructed during the dry season.

## **SEISMIC SCREENING ANALYSIS**

### **Methodology**

Because a portion of the site is located within a seismic hazard zone⁴ the property has been evaluated following the guidelines presented by CGS in Special Publication 117¹² (SP-117). Subsequent to the publication of SP-117, the Southern California Earthquake Center (SCEC) published recommended guidelines¹³ for the implementation of SP-117. Based on personal communication with Tim McCrink of the CGS, it is my understanding that CGS recognizes the SCEC procedures to be acceptable, and in many ways preferred to the original SP-117 seismic analysis techniques. Although there is some disagreement within the Bay Area geotechnical community regarding the appropriate use of the SCEC document in Northern California, the seismic stability of the property was evaluated using the procedures described therein. As described by SCEC, the site was subjected to a seismic deformation screening analysis that has been modified from the Seed procedure¹⁴ described in SP-117.

Slope stability was evaluated using SLIDE¹⁵, a limit equilibrium computer program developed by Rocscience, Inc. An idealized slope model was developed for property using site geometry, subsurface stratigraphy, ground water conditions, and engineering properties of the site soils as summarized below. Thousands of potential circular and non-circular failure surfaces were evaluated with the SLIDE software using Bishop's and Spencer's methods with continued model refinement to result in the lowest achievable factors of safety for static and seismic conditions. The analyses considered potential landslides that extend below the surficial soils. The factor of safety is defined as the ratio of forces resisting failure to those that tend to induce failure. Seismic slope analyses were performed by applying a "pseudostatic" horizontal force component to simulate earthquake loading on the subject slope. This was done both by applying a pseudostatic horizontal component to the critical static

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¹² California Department of Conservation, Division of Mines and Geology, 1997, Guidelines for Evaluating and Mitigating Seismic Hazards in California, CDMG Special Publication 117.

¹³ Blake, T.F. and others, ed., 2002, Recommended procedures for implementation of DMG Special Publication 117 Guidelines for Analyzing and Mitigating Landslide Hazards in California, Southern California Earthquake Center.

¹⁴ Seed, H.B., 1979, "Considerations in the earthquake-resistant design of earth and rockfill dams," *Geotechnique*, 29(3), 215-263.

¹⁵ Rocscience, Inc., SLIDE version 5.044

surface as recommended by Stark¹⁶ and by conducting a search for the critical surface under seismic loading conditions.

### **Geometry**

Although most of the site below the proposed residence is not included in the State Seismic Hazard zone, for conservatism the analyzed cross section trends through the proposed building site along Section A-A' and extends downslope approximately 125 feet. The surface topography was determined by tape, hand-level, electronic distance meter.

### **Soil Properties**

Due to similar engineering characteristics, the fill and residual soils are combined for purposes of stability analysis. Three representative samples exhibited an average moist density of 115 pcf. Two representative samples of the encountered bedrock exhibited an average moist density of 110 pcf. As described previously in this report, direct shear testing of a representative weathered bedrock sample by a previous investigator yielded a friction angle of 33 degrees and apparent cohesion of 157 psf within the range of confining pressures under consideration. This compares with a friction angle of 32 degrees and cohesion of 621 psf published by CGS¹⁷ for similar materials.

### **Ground Water**

Five (5) boreholes advanced on the property by the current and previous investigators did not encounter ground water to the maximum depth explored of 8.5 feet. The local ground water conditions are likely to be significantly influenced by the deep drainages located to the immediate north and west. Consequently, the ground water level is assumed to be lower than the analyzed section.

### **Seismic Loading**

For this residential project, we applied a horizontal ground acceleration with a 10 percent probability of exceedance during a 50-year period as calculated by the CGS¹⁷ to be 0.65g. Using the 15-centimeter displacement criteria as suggested by Mr. McCrink for an assumed magnitude 7.8 event, a pseudostatic reduction factor of 0.49 was applied to the probabilistically determined seismic coefficient, yielding a pseudostatic seismic coefficient of 0.32g.

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¹⁶ Stark, T.D., 2003, Analysis of Landslides: Shear Strengths, Testing, and Stability Methods, Short Course.

¹⁷ California Geologic Survey, 2005, Probabilistic seismic hazards mapping ground motion page, <http://www.consrv.ca.gov/CGS/rghm/pshamap/pshamap.asp>.

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### **Findings**

The factor of safety is the ratio of available forces to resist failure, such as friction and cohesion, to the forces that would tend to induce failure, such as gravity and seismic loading. Limited Based on the described site properties and anticipated seismic loading conditions, described seismic screening analysis yielded a factor of safety against earthquake induced landsliding of the subject slope of 1.15 (Figure 6). These values exceed the minimum screening analysis factor of safety criteria of 1.0.

Based on the results of the analyses discussed herein, the risk of seismically induced landsliding adversely impacting the proposed development is judged to be low.

### **CONCLUSIONS**

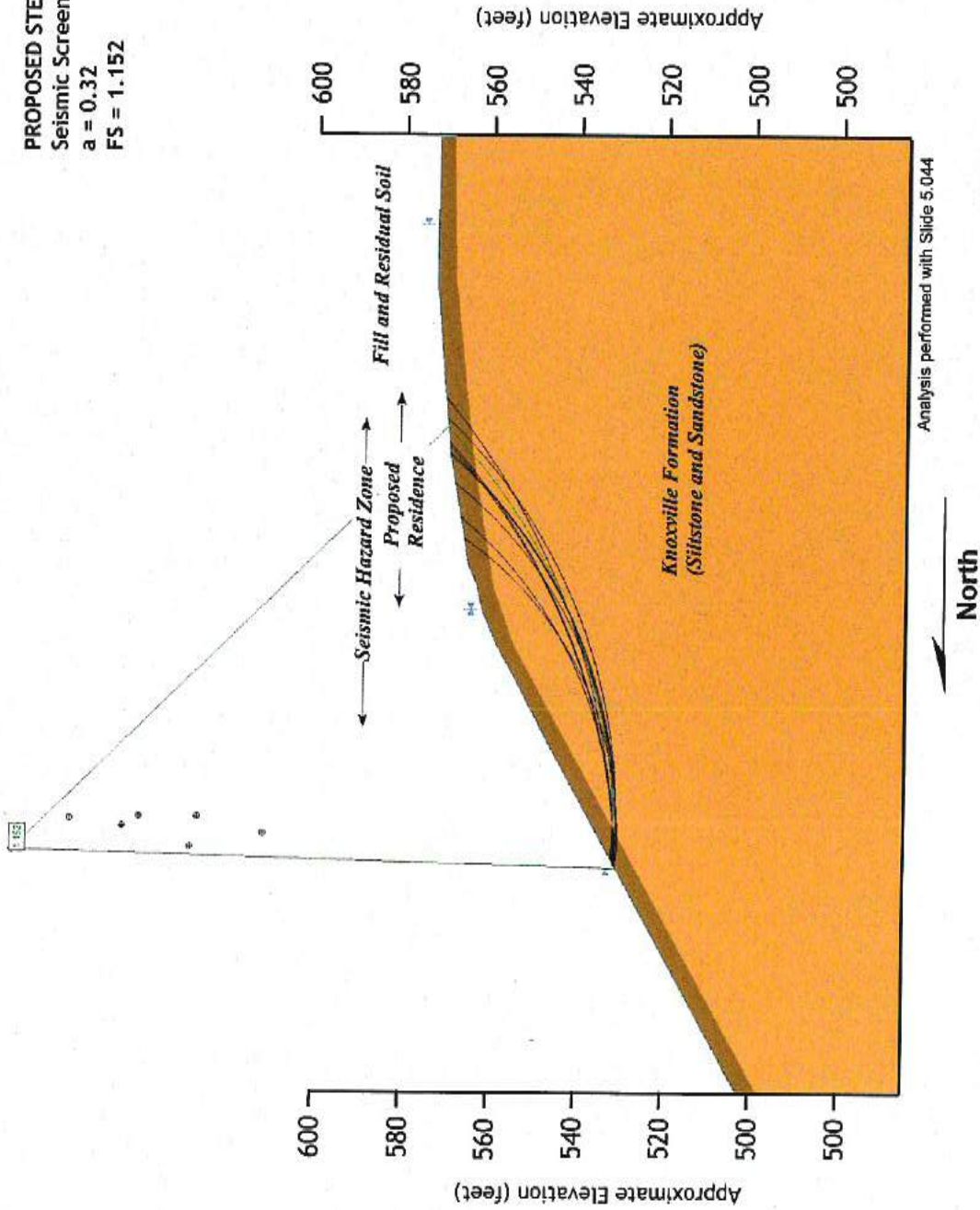
Based on the findings of this investigation, it is our opinion that the geotechnical conditions of the site are suitable for the proposed landscape improvements provided that the geotechnical criteria presented in this report are incorporated into the design and construction. We conclude that the primary geotechnical factors affecting the design and construction of the proposed improvements are the presence of relatively weaker and potentially expansive-prone near-surface soils and the potential for significant ground shaking caused by an earthquake on the nearby active San Andreas fault and Hayward fault systems.

### **GEOTECHNICAL DESIGN CRITERIA**

The following recommendations are presented as guidelines for subsequent stages of development. These recommendations shall be incorporated into the siting and design of the proposed site improvements. Final detailing of concrete elements and reinforcing steel is to be designed by a qualified structural engineer in accordance with the provided geotechnical criteria.

To assure that the intent of these recommendations is included in the project plans and specifications, we request an opportunity to review the plans prior to initiation of construction. It has been our experience that the permit process is often expedited when we review the plans prior to submittal. References to ASTM test designations are intended to indicate the most recent version at the time of construction.

**PROPOSED STEINFELD RESIDENCE**  
 Seismic Screening Analysis  
 $a = 0.32$   
 $FS = 1.152$



SEISMIC SCREENING ANALYSIS			FIGURE NO.
<b>PROPOSED STEINFELD RESIDENCE</b> 2366 Rainbow Court Hayward, California			<b>6</b>
Date	August 2018	Scale	1 inch = 10 feet
Engineer	BSM	Project No.	174840



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**Grading**

It is currently anticipated that grading will be limited to, minor cuts and fills to achieve design subgrade elevations and limited amounts of retaining wall backfill. Based on the experience of exploratory borehole drilling, it is expected that proposed site excavations can be performed with conventional earthmoving equipment. It is anticipated that much of the excavated weathered bedrock will be suitable for use as engineered fill.

**Clearing and  
Site Preparation**

All areas to be graded should be cleared of organic laden soil and obstructions such as buried utility lines. Stripped materials should be removed from the property for proper disposal. Holes created by the removal of root balls or other debris extending below the proposed finished subgrade should be backfilled with engineered fill as described below. Disturbed soil subgrades to receive fill, should be scarified to a depth of six (6) inches, moisture conditioned to within two (2) percent of optimum, and recompacted to a minimum of 90 percent of the maximum dry density as determined by the ASTM D1557 test method.

**Material for Fill**

Any fill to be placed at the site should not contain rocks or lumps greater than four (4) inches in greatest dimension and should not contain greater than 15 percent (by dry weight) larger than two-and-one-half (2.5) inches. Fill material in areas to receive structures or within five (5) feet of the ground surface should have a maximum plasticity index of 12. Minimum 50-pound samples of materials to be used as engineered fill should be submitted to the project geotechnical engineer for review and approval prior to placement. Granular soil from the proposed excavations, with the exception of surficial soils and oversized rock fragments, is expected to be suitable for use as engineered fill.

**Fill Placement  
and Compaction**

Fill should be moisture conditioned to within two (2) percent of optimum, spread in horizontal lifts not exceeding eight (8) inches in loose thickness, and compacted with an approved mechanical compactor to a minimum of 95 percent of the maximum dry density as determined by the ASTM D1557 test method. Fill placed in landscape areas that will not support structures or vehicular traffic may be compacted to a minimum of 90 percent. The upper 12 inches of fill in landscape areas may be compacted to a minimum of 85 percent to promote growth of vegetation.

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**Cut and Fill Slope Design** New permanent cut slopes and backfill slopes should not exceed inclinations of two to one (2 to 1) horizontal to vertical.

**Building Foundations** Due to the presence of relatively weak near-surface soils, hillside setting, and anticipated seismic shaking, the residence foundation should be supported on a drilled, cast-in-place, concrete piers and grade beams that extend through the surficial and residual soils to derive bearing through friction in the underlying weathered siltstone and sandstone. All foundation piers should be interconnected by grade beams or tie beams. Maximum total and differential settlement of the drilled pier and grade beam supported foundations is estimated to be one-half (1/2) inch or less. Final design of foundation configuration, connections, and reinforcement to be determined by a qualified structural engineer based on the following geotechnical design criteria:

**Minimum Pier Diameter** 16 inches.

**Minimum Pier Depth** Ten (10) feet into competent weathered siltstone that is estimated to be encountered at depths ranging from about two to four (2 to 4) feet below the existing ground surface.

**Minimum Pier Spacing** Three (3) pier diameters, center to center.

**Maximum Pier Spacing** 10 feet.

**Allowable Shaft Friction** In competent weathered sandstone:  
 600 psf in compression;  
 500 psf in uplift resistance.  
 Neglect shaft friction in overlying colluvial and fill soils.  
 Increase by 33% for transient loads such as wind or seismic.

**Lateral Resistance** 350 pounds per cubic foot per foot (pcf/f) equivalent fluid pressure in weathered sandstone.  
 Apply resistance over two (2) pier diameters.

Neglect passive resistance in overlying surficial soils.  
 Increase by 33% for seismic or wind loads.

Minimum Pier Reinforcement	Four (4) - vertical No. 4 bars with No. 3 spirals or ties at maximum 12-inch spacing. Reinforcement to be provided with a minimum of three (3) inches concrete cover. Reinforcing cages to be constructed to allow introduction of tremie pipe to bottom of pier.
Grade Beams	Perimeter grade beams should be embedded a minimum of 18 inches below adjacent exterior grade and 12 inches below the lowest adjacent interior grade. As a minimum, all grade beams should be reinforced with two (2) No. 4 bars, top and bottom with No. 3 stirrups at maximum 12-inch spacings.

Construction	Contractors should be made aware that exploratory boreholes met considerable resistance at relatively shallow depths. Consequently, they should mobilize appropriately-sized drilling equipment to achieve the required depths.
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Pier holes should be free of standing water and cleared of all loose debris prior to placement of concrete. Although not currently anticipated, if standing water collects in the pier excavations, the water should be pumped out or the concrete should be placed by the tremie method with the concrete displacing the water from the bottom up. If casing is required to maintain excavation stability, the casings shall be removed during placement of the concrete so that the concrete will cure in contact with native soil. Uncased holes that encounter groundwater should be poured within 24 hours of drilling.

All pier excavations should be inspected and approved by the project geotechnical engineer prior to the placement of reinforcing steel. Concrete over-pour ("mushrooming") of piers and grade beams should be prevented with the use of "sono-tubes" where required.

## Retaining Walls

Foundation retaining walls required to achieve grade along the upgradient sides of the structure should be constructed integrally with the building foundation. Site retaining walls may be supported on drilled pier and grade beam foundations as described for the building foundation or on continuous cantilever footings bearing on approved weathered siltstone that is encountered below the surficial soils. Total and differential settlements of retaining walls supported on shallow footings are estimated to be less than one-half ( $\frac{1}{2}$ ) inch. Retaining walls are to be designed in accordance with the following geotechnical criteria:

Lateral Loading	Unrestrained: 45 pcf/f equivalent fluid pressure Restrained: 60 pcf/f equivalent fluid pressure.
Seismic Surcharge	As described by Lew and others ¹⁸ , the evaluation of seismic earth pressures for unrestrained walls less than 12 feet tall is not necessary provided the walls are designed for a factor of safety of at least 1.5.
Wall Drainage	Positive drainage to daylight must be provided behind all retaining walls exceeding 18 inches in height. The drain should consist of a minimum 12-inch wide vertical blanket of Caltrans Class 2 permeable material or clean, one-half to three-quarter ( $\frac{1}{2}$ to $\frac{3}{4}$ )-inch drainrock that is completely enveloped by filter fabric such as Mirafi 140N. Drainage materials should be left 12 inches below the ground surface and the top 12 inches of wall backfill should consist of compacted, low permeability material separated from the drainrock by a double layer of non-woven filter fabric. Due to the low likelihood of collected water, the walls may be drained by screened, minimum two (2)-inch diameter weep holes located at maximum four (4) foot spacings that are integrated with the back drain.

If weep holes are not desired, an approved, minimum four (4)-inch diameter, perforated, rigid, smooth-wall, drain-pipe (or approved functional equivalent) should be placed with perforations pointed downward on a minimum one (1)-inch thick drainrock layer over the retaining wall heel. The pipe should be sloped to drain at a minimum

¹⁸ Lew, L., Sitar, N., Al Atik, L., Pourzanjani, M., and Hudson, M.B., 2010. "Seismic Earth Pressures on Deep Building Basements", SEAOC 2010 Convention Proceedings.

inclination of one (1) percent. The use of 90-degree angled connections should be strictly avoided in favor of long sweep-90 connections or combinations of maximum 45-degree angled connections. Drain lines should be provided with appropriate and sufficient cleanouts. Collected waters should be directed to an appropriate approved discharge location.

**Wall Backfill** Retaining wall drainrock and backfill placement and compaction should conform to the requirements for engineered fill and be compacted with appropriate equipment and in a manner to prevent excessive loading to adjacent walls or damage to waterproofing or drainage systems. Waterproofing membranes should be inspected for integrity during backfill placement and compaction.

**Deepened Footings Alternative** The proposed retaining walls may be founded on deepened continuous footings that bear in approved, competent, weathered siltstone materials that are anticipated to be encountered approximately three to four (3 to 4) feet below the existing ground surface.

**Footing Embedment** Deeper of 18 inches or 12 inches into approved, competent, weathered siltstone that is encountered below the existing artificial fill and surficial soils.

**Footing Width** Minimum 24 inches.

**Bearing Capacity** 3,000 psf for dead and live loads;  
4,000 psf for dead, live, and transient loads such as wind and seismic.

**Passive Resistance** 300 pounds per cubic foot per foot (pcf/f) equivalent fluid pressure against the face of footings embedded in weathered bedrock. Neglect passive resistance within artificial fill and surficial soils. Alternatively, lateral resistance may be derived by friction along the base of the footing calculated using a friction factor of 0.3.

**Drilled Pier Alternative** Proposed retaining walls may be founded on drilled, cast-in-place concrete piers and grade beams with piers deriving support through skin friction in the weathered siltstone that is encountered below the existing artificial fill and surficial soils. It is estimated that competent bearing materials will be

encountered approximately three to four (3 to 4) feet below the existing ground surface.

**Pier Embedment** Minimum eight (8) feet into approved, competent, weathered bedrock.

**Pier Diameter** Minimum 16 inches.

**Pier Spacing** Minimum three (3) pier diameters, edge to edge;  
 Maximum eight (8) feet.

**Shaft Friction** 500 pounds per square foot (psf) in approved weathered bedrock;  
 Neglect shaft resistance in artificial fill and surficial and residual soils.

**Passive Resistance** 300 pounds per cubic foot per foot in weathered bedrock applied across two (2) pier diameters.  
 Neglect passive resistance within artificial fill and surficial soils.  
 Alternatively, lateral resistance may be derived by friction along the base of the footing calculated using a friction factor of 0.3.

**Minimum Reinforcement** Four (4) - vertical No. 4 bars with No. 3 spirals or ties at maximum 12-inch spacing. Reinforcement to be provided with a minimum of three (3) inches concrete cover. Reinforcing cages longer than 10 feet to be constructed to allow introduction of tremie pipe to bottom of pier.

**Pier Construction** Pier holes should be free of standing water and cleared of all loose debris prior to pouring of concrete. Although not currently anticipated, if standing water collects in the pier excavations, the water should be pumped out or the concrete should be placed by the tremie method with the concrete displacing the water from the bottom up. Concrete in piers exceeding 10 feet should be placed using the tremie method. If casing is required to maintain excavation stability, the casings shall be removed during placement of the concrete so that the concrete will cure in contact with native soil. Uncased holes that encounter groundwater should be poured within 24 hours of drilling.

All pier excavations should be inspected and approved by the project geotechnical engineer prior to the placement of reinforcing steel. Concrete

over-pour ("mushrooming") of piers and grade beams should be prevented with the use of "sono-tubes" where required.

**Surface  
Drainage**

Positive surface drainage, with a minimum slope five (5) percent, should be provided away from the structures for a minimum distance of 10 feet as mandated by the current California Building Code. Where this is not possible due to topographic considerations, alternate approaches such as lined surface swales or low permeability surface treatments should be considered to limit the introduction of surface runoff to the building foundation.

All roof sections should be provided with gutters connected via downspouts to a minimum four (4)-inch diameter, non-perforated, rigid, smooth-wall drain-pipes that have a minimum slope of one (1) percent to discharge at an appropriate discharge facility. The use of 90-degree angled connections should be strictly avoided in favor of long sweep-90 connections or combinations of maximum 45-degree angled connections. Drain lines should be provided with appropriate and sufficient cleanouts and isolated from subsurface drainage facilities.

Final siting of on-site storm drain discharge facilities, such as infiltration trenches or energy dissipaters, should avoid areas immediately downslope of proposed improvements and should be determined in the field by the project architect, civil engineer, and geotechnical engineer. The use of drought tolerant landscaping is encouraged to limit irrigation requirements.

**Concrete  
Slabs-on-Grade**

Exterior concrete slabs may be constructed on grade in accordance with the following recommendations. Slabs should bear on approved, competent, inorganic, native, silty sand or engineered fill that bears on approved subgrade soils, up to a maximum of 18 inches. Engineered fill beneath concrete slabs in living areas should be of uniform thickness.

The slabs-on-grade should be underlain by a minimum of six (6) inches of compacted Caltrans Class 2 permeable material and reinforced with a minimum of No. 4 bars on 18-inch spacings in both directions. Slabs should be provided with minimum eight (8)-inch by eight (8)-inch thickened edges. Final design of slab thickness, steel reinforcement, load-transfer devices, and crack control features should be determined by the structural engineer.

Interior slabs in living areas should be structurally tied to, or constructed integrally with, the footings. Exterior slabs should be structurally isolated from adjacent structures although a sleeved dowel connection may be used at entrances to limit differential vertical displacement.

Interior slabs should be provided with a comprehensive moisture/vapor barrier as described in a subsequent Moisture Control section of this report. Exterior slab moisture and potential efflorescence can be limited with a moisture barrier consisting of a minimum 10-mil thick waterproof membrane that is protected from construction-related damage.

#### Seismic Design Criteria

The site is expected to experience strong ground shaking from earthquakes along active faults located within the region during the design life of the project. Peak probable horizontal ground accelerations of 0.65g have been predicted by probabilistic methods. As a minimum, the structure should be designed to resist lateral loads resulting from ground shaking as provided in the current California Building Code (CBC) or other accepted design methods. Based on the observed site conditions, we conclude the following design parameters to be appropriate for design using the 2016 California Building Code design method:

#### Seismic Design Parameters

PARAMETER	VALUE
Site Class	B
$S_s$ (0.2s Spectral Response Acc.) Default Site Class B	2.397
$S_1$ (1.0s Spectral Response Acc.) Default Site Class B	0.997
$S_{MS}$ (0.2s Spectral Response Acc.)	2.397
$S_{M1}$ (1.0s Spectral Response Acc.)	0.997
$S_{DS}$ (0.2s Spectral Response Acc.)	1.598
$S_{D1}$ (1.0s Spectral Response Acc.)	0.665
$F_a$ (Site Class B)	1.0
$F_v$ (Site Class B)	1.0

For additional guidance on reducing the risks associated with living in seismically active areas, owners may wish to consult "Putting Down Roots in Earthquake Country"¹⁹ (available on-line at the US Geological Survey), which references additional useful documents.

#### **Moisture Control**

To minimize efflorescence at the face of exposed exterior walls, the blind sides of the walls may be sealed with a continuous, minimum 15-mil water/vapor barrier that is functionally equivalent to Tremco's *Paraseal LG* or Grace's *Bituthene 3000*.

Installation, lapping, and sealing of waterproofing membranes should be performed in accordance with the manufacturers' recommendations. It is recommended that return corners, such as at wall/footing joints, be provided with a cant strip or sloping infill to reduce the potential for damage to the overlying waterproofing membranes. Waterproofing membranes should be protected from drainrock and backfill with a rigid panel or prefabricated drainage panel. It is critical that waterproofing systems be installed correctly by qualified professionals.

#### **Underground Utilities**

Underground utility pipes and conduits should be bedded with approved free-draining sand or quarry-fines. Trenches should be backfilled with compacted on-site or import fill material that does not contain rocks or lumps greater than three (3) inches in size. The backfill should be moisture conditioned to within two (2) percent of optimum, placed in maximum six (6)-inch horizontal layers and compacted by mechanical means to 90 percent of the maximum dry density as determined by the ASTM D1557 test method. The upper 24 inches of fill below exterior surface improvements (such as paved areas) should be backfilled with non-expansive soil and compacted to 95 percent of the maximum dry density. Compaction of trench backfill by flooding, jetting, or other non-mechanical means shall not be permitted.

Sloping trenches should be provided with minimum 12-inch thick, low permeability cutoff walls (such as clay or controlled density pumpable fill (CDF)) at maximum lateral intervals of 25 feet to limit the migration of bedding soils.

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¹⁹ United States Geological Survey, 2005, Putting down roots in earthquake country, General Information Product 15, <http://pubs.usgs.gov/gip/2005/15/>.

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Geotechnical Investigation  
Proposed Steinfeld Residence  
Proj. No. 184920  
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**Erosion  
Protection**

Project contractors should be responsible to install and maintain adequate erosion protection facilities to protect offsite areas from construction activities throughout the project. At a minimum, erosion protection should consist of properly installed fiber rolls or erosion fencing below the downslope limits of grading. Disturbed slopes should be protected with appropriate erosion resistant matting or hydromulch.

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8/13/18

## **TECHNICAL REVIEW**

This report should be reviewed by the project architect, engineers, contractors, and potential sub-contractors prior to the next stage of development. A copy of this report should also be provided to the general contractor for reference during construction. Any questions or discrepancies should be brought to the attention of a representative of Milstone Geotechnical prior to the start of construction.

We request an opportunity to review the final plans, design calculations, and specifications prior to construction to confirm that our recommendations have been incorporated and, if necessary, to provide supplemental recommendations. It has been our experience that the permit process may be expedited if we review the plans prior to submittal.

## **CONSTRUCTION OBSERVATION**

Foundation site preparation, footing and slab subgrade preparation, pier drilling, installation of waterproofing and drainage systems, and placement of engineered fill and backfill should be observed by the project geotechnical engineer (prior to placement of steel and pouring of concrete) to verify that the encountered site conditions are the same as those anticipated by this investigation and to verify conformance with our recommendations. A minimum of three (3) working-days notification prior to construction activities requiring inspection services is required. The cost of these services will be charged on a time-and-expenses basis.

Geotechnical plan review and construction observation are conducted to reduce - not eliminate - the risk of problems arising during construction, and provision of the service does not create a warranty or guarantee of any type. In all cases, contractors shall retain responsibility for the quality and completeness of their work, for adhering to the plans, specifications, and recommendations on which their work is based, and for contacting the appropriate parties in a timely manner regarding construction activities that require inspection or observation services.

It is suggested that an on-site pre-construction meeting be conducted with the owner, designer, geotechnical engineer, general contractor, and appropriate subcontractors (such as excavation and grading) prior to the start of construction to establish project expectations and communication protocol.

**LIMITATIONS**

These services consist of professional opinions and recommendations made in accordance with generally accepted engineering geologic and geotechnical engineering principles and practices in the San Francisco Bay Area at the time this report was written. The investigation was performed, and this report prepared, for the exclusive use of the client, and for specific application to proposed site development as outlined in the body of the report. No third-party shall have the right to rely on the findings, opinions, or recommendations rendered in connection with this investigation without the written consent of Milstone Geotechnical. No warranty, express or implied, or merchantability of fitness, is made or intended in connection with this work, by the proposal for consulting or other services, or by the furnishing of oral or written reports or findings.

This report is issued with the understanding that the owners choose the risk they wish to bear by the expenditures and savings involved with the chosen construction alternatives. The recommendations and design criteria presented in this report are contingent upon a representative of Milstone Geotechnical being retained to review the final plans and specifications and to provide testing and inspection services for all earthwork and construction operations.

Unanticipated soils and geologic conditions are commonly encountered during construction and cannot be fully determined from existing exposures. If conditions encountered in the field are different than those anticipated by this report, our firm should be contacted immediately to provide any necessary revisions to the recommendations.

**APPENDIX A**  
**FIELD AND LABORATORY INVESTIGATION**

Description of Small-Diameter Borehole Investigation

Soil Classification Chart

Log of Exploratory Borehole MG1

Log of GEI Borehole 15

Direct Shear Test Results (GEI)

## **SUBSURFACE INVESTIGATION DESCRIPTION**

The small-diameter exploratory borehole MG1 was drilled and logged on February 21, 2018 at the location shown on Figure 4. The borehole was advanced using a 3.5-inch diameter hand auger. The borehole was drilled and sampled to a depth of 4.5 feet.

Earth materials encountered in the borehole were continuously logged and described in the field by a registered geotechnical engineer and representative soil samples were obtained at various depths. Relatively undisturbed samples were obtained with a three (3)-inch-outside-diameter, two-and-one-half (2.5)-inch-inside-diameter, sampler with a six (6)-inch-long, thin walled brass liner. The sampler was advanced using an 18-inch, 10-pound slide hammer. In-situ testing was performed at five (5) locations using a down-hole vane shear device.

Upon the completion of logging, the borehole was backfilled with loosely compacted drill cuttings. All soil samples were transported to the laboratory to verify field descriptions and perform index and strength testing. The laboratory test results are summarized in the body of this report.

A graphical log of the borehole and a key to soil classification follow in this appendix. The following log and related information show our interpretation of the subsurface conditions at the dates and locations indicated. It is not implied that they are representative of subsurface conditions at other locations or at other times.

CRITERIA FOR ASSIGNING GROUP SYMBOLS AND GROUP NAMES			SOIL CLASSIFICATION		
			GRAPHIC SYMBOL	USCS GROUP SYMBOL	TYPICAL NAMES
COARSE-GRAINED SOILS MORE THAN HALF IS LARGER THAN NO. 200 SIEVE	GRAVELS MORE THAN HALF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE SIZE	CLEAN GRAVELS WITH LITTLE OR NO FINES		GW	Well graded gravel
				GP	Poorly graded gravel
		GRAVELS WITH MORE THAN 12% FINES		GM	Silty gravel
				GC	Clayey gravel
	SANDS MORE THAN HALF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE SIZE	CLEAN SANDS WITH LITTLE OR NO FINES		SW	Well graded sand
				SP	Poorly graded sand
		SANDS WITH MORE THAN 12% FINES		SM	Silty sand
				SC	Clayey sand
FINE-GRAINED SOILS MORE THAN HALF IS SMALLER THAN NO. 200 SIEVE	SILTS AND CLAYS LIQUID LIMIT LESS THAN 50%	INORGANIC		ML	Low plasticity silt
				CL	Low plasticity clay, Lean clay
		ORGANIC		OL	Low plasticity organic silt, Low plasticity organic clay
	SILTS AND CLAYS LIQUID LIMIT GREATER THAN 50%	INORGANIC		MH	High plasticity silt, Elastic silt
				CH	High plasticity clay, Fat clay
		ORGANIC		OH	Medium to high plasticity organic silt or clay
	HIGHLY ORGANIC SOILS	PRIMARILY ORGANIC MATTER		PT	Peat

Note: Blow-counts reported for samplers other than a Standard Penetration Split Spoon Sampler were obtained by empirically converting the number of blows required to drive the sampler through the last 12 inches of an 18-inch penetration to the equivalent number of blows using a Standard Penetration Split Spoon Sampler.

Note: The borehole logs depict our interpretation of the subsurface conditions at the dates and locations indicated. It is not warranted that they are representative of subsurface conditions at other times and locations. The lines separating strata on the boring logs represent approximate boundaries only. Actual transitions may be gradual.

#### ABBREVIATIONS

AD: Auger Drilling  
 HD: Modified California Sampler  
 T1: Tube Sample (undisturbed)  
 B1: Grab Sample (disturbed)



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SOIL CLASSIFICATION CHART  
 AND  
 KEY TO LOGS OF EXPLORATORY BOREHOLES

**LOG OF EXPLORATORY BOREHOLE MG1**

Project Lands of Steinfeld  
 Location 2366 Rainbow Court, Hayward, CA  
 Drilling Equipment Hand Auger  
 Drilling Contractor -

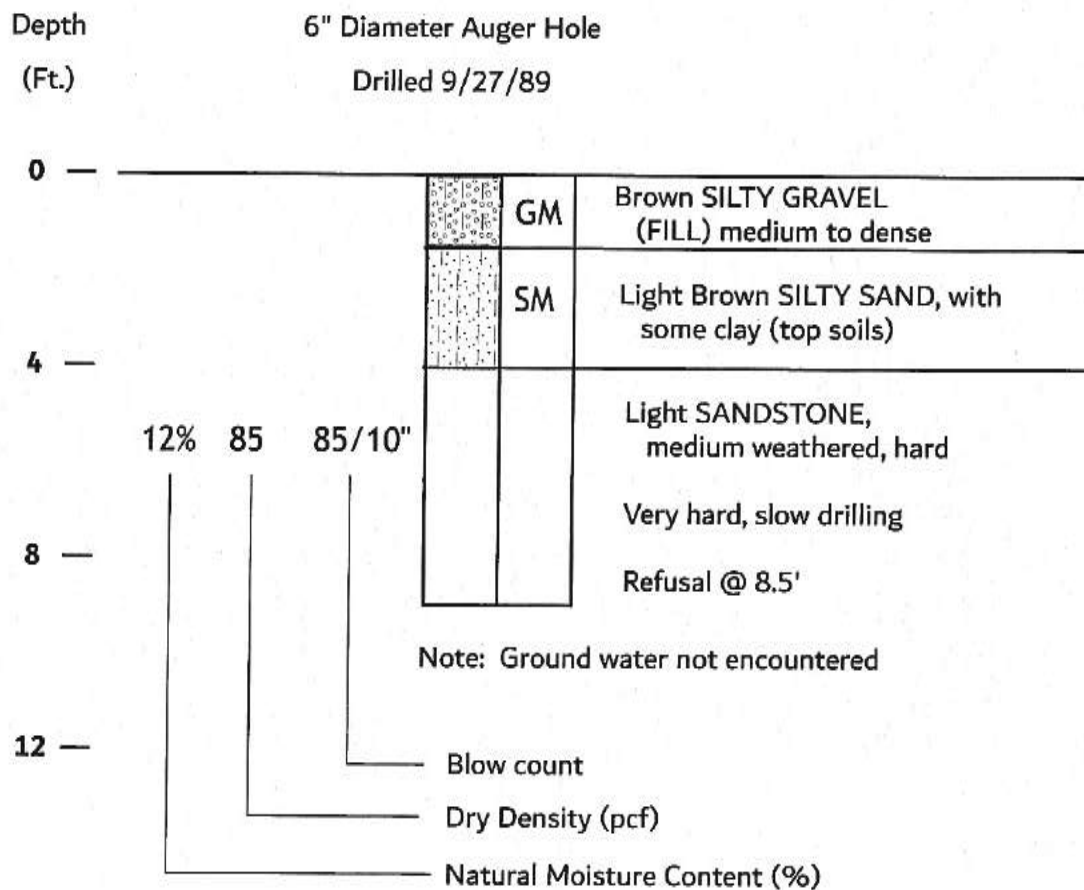
Project Number 174840  
 Project Elev. ~570 feet  
 Hole Diameter 3.5 inch  
 Surface bare soil  
 Page 1 of 1  
 Logged By BSM  
 Date 11/29/17

GROUND WATER	POCKET TORVANE (tsf)	POCKET PENET. (tsf)	RECOVERY (%)	SPT (bpf) or PRESS. (psf)	SAMPLE OR DRILL MODE	SAMPLE DESIGNATION	DEPTH IN FEET	GRAPHIC LOG	USCS DESIG.	GEOTECHNICAL DESCRIPTION
		1.8	6/6		AD					<b>ARTIFICIAL FILL</b>
		-	4/6		HD	T1	1		SM	Silty SAND: Dark yellowish brown (10YR3/4); ~80% fine to medium grained sand; ~20% low plasticity fines; loose; moist; rootlets in upper 3 inches; glass fragment.
		2.9	3/6		AD	B1				
					HD	T2	2			
					HD	T3				
		>4.5	6/6		AD	B3	3		GM	Silty GRAVEL: Dark yellowish brown (10YR3/4); ~60% hard, angular gravel; ~30% fine to medium grained sand; ~10% low plasticity fines; dense; moist.
		>4.5	5/6		HD	T4				
					AD	B4	4			
					HD	T5			SC-SM	<b>RESIDUAL SOIL</b>
							5			Clayey to silty SAND with Gravel: Dark yellowish brown (10YR4/4); ~15% fine, hard, angular, gravel; ~60% fine grained sand; ~25% medium plasticity, tough fines; medium dense; moist.
							6			Resistant drilling at 4 feet.
							7			
							8		GM-SM	<b>WEATHERED SILTSTONE</b>
							9			Silty GRAVEL to Silty SAND: Dark yellowish brown (10YR4/4); ~45% medium hard, angular, siltstone fragments to 1/2-inch size; ~40% fine to coarse grained sand; ~15% low to medium plasticity fines; very dense; moist.
							10			Drilling refusal at 4.5 feet.
							11			
							12			
							13			
							14			
							15			
							16			
							17			
							18			
							19			



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Remarks: Borehole terminated at 4.5 feet.  
 No ground water encountered.  
 Borehole backfilled with tamped cuttings.



Trace of borehole log presented in *Geotechnical Engineering Inc.*, November 2, 1989, Report - *Supplementary Investigation and Geologic Reconnaissance, Proposed Residential Development, Parkside Drive & Rainbow Court, Tract 3992, Hayward, California* for Victoria Court Management.



### GEI BOREHOLE 15

FIGURE NO.

STEINFELD RESIDENCE  
2366 Rainbow Court  
Hayward, California

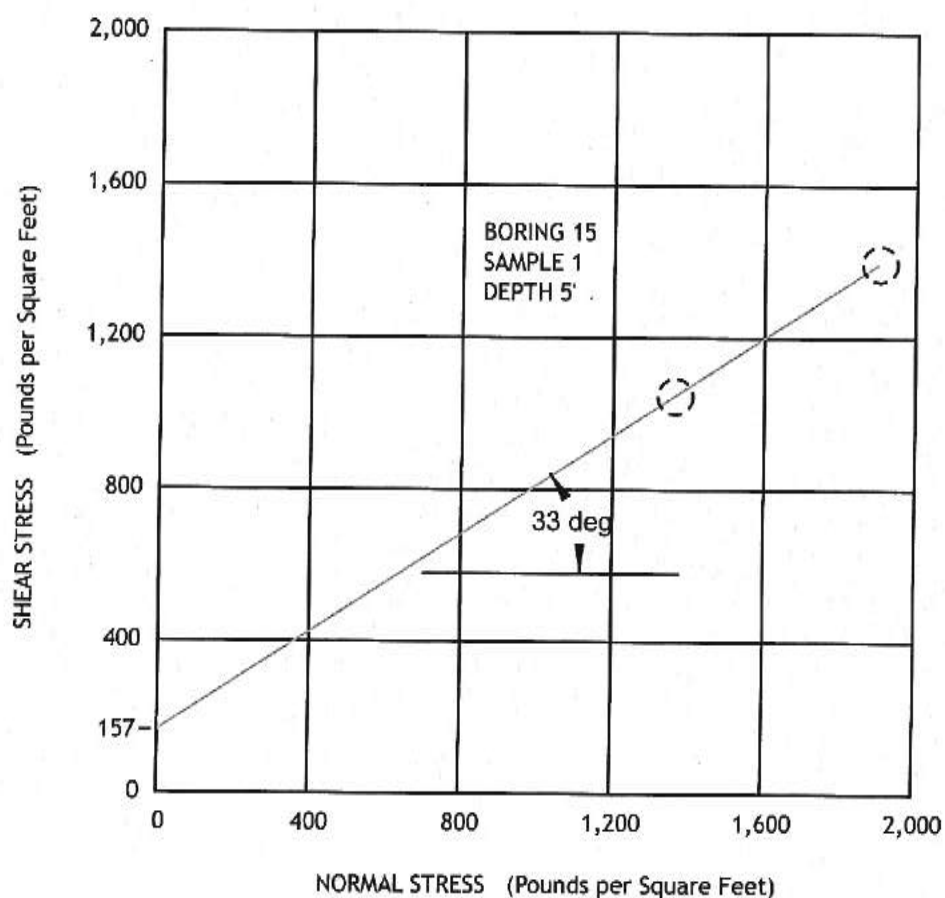
Date:

Scale:

Drawn by:

Project No.  
184920

# SATURATED DIRECT SHEAR TEST



Modified from direct shear test presented in *Geotechnical Engineering Inc., November 2, 1989, Report - Supplementary Investigation and Geologic Reconnaissance, Proposed Residential Development, Parkside Drive & Rainbow Court, Tract 3992, Hayward, California* for Victoria Court Management.



**MLSTONE  
GEOTECHNICAL**

## DIRECT SHEAR TEST

**STEINFELD RESIDENCE  
2366 Rainbow Court  
Hayward, California**

FIGURE NO.

Date:  
11/2/89

Scale:  
as shown

Drawn by:  
BSM

Project No.  
184920





# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** MIN 19-032

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**DATE:** March 14, 2019

**TO:** Planning Commission

**FROM:** Director of Development Services

**SUBJECT**

Minutes of the Planning Commission Meeting of February 28, 2019

**RECOMMENDATION**

That the Planning Commission approve the minutes of the Planning Commission meeting of February 28, 2019

**SUMMARY**

The Planning Commission held a meeting on February 28, 2019

**ATTACHMENTS**

Attachment I      Draft Minutes of February 28, 2019



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, February 28, 2019, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

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**MEETING**

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Faria.

**CALL TO ORDER Pledge of Allegiance**

Commissioner McDermott led in the Pledge of Allegiance.

**ROLL CALL**

Present: COMMISSIONERS: Willis, Andrews, Bonilla, Patton, McDermott  
CHAIRPERSON: Faria  
Absent: COMMISSIONER: Goldstein

Chair Faria granted Commissioner Willis' request to be excused as he did not feel well.

Staff Members Present: Brick, Chan, Lochirco, Ott, Stefanski, Vigilia

General Public Present: 11

**PUBLIC COMMENT:**

There were none.

**WORK SESSION:**

1. Update on the Planning, Development, and Disposition of Former State Route 238 Corridor Lands Pursuant to the Purchase and Sale Agreement with the California Department of Transportation (Caltrans)

Assistant City Attorney Brick reminded the Commissioners that this item might come before the Commission again and that it was important that they should not make any comments which would indicate how they would vote on this item or indicate any strong bias for or against the project.

Commissioner Andrews disclosed that her company submitted a proposal for a project on Parcels 3 and 4 and will not be making any comments on this item.

Deputy City Manager Ott provided a synopsis of the staff report which included the background, history and timeline of the project and presented a PowerPoint presentation.



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Management Analyst Stefanski provided a synopsis of the staff report and a PowerPoint presentation.

Commissioner Patton said it is important for the City to maintain a discretionary review of the project and asked if there has been a community development program developed for each parcel. Deputy City Manager Ott said through the community outreach, staff has a strong sense of what issues the community cares about and said the City will be focusing on the top issues of affordable housing, trails and open space. Ms. Ott said the City is the property owner and will have a say in what will happen to these properties and what will be included in the projects.

Deputy City Manager Ott explained for Commissioner McDermott the term exclusive negotiations agreement (ENA), which means the City can only be in talks with that certain developer and cannot entertain any other developers during the term of the ENA. Assistant City Attorney Brick responded to Ms. McDermott that ideally the City should be in escrow prior to 2022 and if some parcels cannot be sold by 2022, then Caltrans will take the parcels back. Ms. Ott responded to Ms. McDermott that the November 2017 community outreach meeting resulted in approximately 150 community members attending and there have been approximately 20 stakeholder meetings on different topics. Ms. McDermott said it is very important to have extensive community outreach to ensure that the community is informed.

Deputy City Manager Ott described the Request for Proposals (RFP) process for Commissioner Bonilla and shared that most of the parcels will go through this RFP process. Ms. Ott said for Parcel 7, the City was approached by a Subaru dealership and the Council decided that it was the community's desire to bring back auto dealerships which will help generate revenue for the City. Mr. Bonilla encouraged staff to continue with the community outreach as it is very important for the stakeholders to be informed about the vision for the community. Mr. Bonilla supports the topics of affordable housing and open space and was inspired by what he viewed in the plans. He also appreciates the strategic thinking of how staff is looking at the parcels regarding affordable housing and in-lieu fees.

Chair Faria appreciates the community input, is looking forward to having more affordable housing and open space and asked about the cell tower on Parcel 7. Deputy City Manager Ott responded that the City owns that parcel and the tower will be part of the dealership.

Chair Faria opened the public hearing at 7:38 p.m.

Ms. Vicki Lewis, Castro Valley resident whose property backs up to Parcel 8, appreciates the community outreach and noted there were community meetings in 2009 and 2010 for the Commission, staff and the community members to reference.



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Ms. Mary Ann Higgs, Hayward resident whose property backs up to the Bunker Hill parcel, said the community outreach has been fantastic and that staff has listened to the community, but feels that less than the proposed maximum number of residences of 1,000 plus units should be built on Parcel 6. Ms. Higgs asked the City to be conscious of traffic patterns and consider a grocery store for Parcel 7 which will benefit the surrounding community which includes the anticipated new residents.

Mr. Bill Espinola, Hayward resident, said he is disappointed that community outreach was not done for Parcel 7 prior to the City entering into the ENA with the Subaru dealership. He said the City needs to consider the impact to the community and how the residents would be better served with a grocery store.

Mr. Nestor Castillo, educator and Alameda County resident, spoke on behalf of residents of Parcel 8 regarding the displacement of residents living on Bridge Court. Mr. Castillo would like a community land trust established to maintain affordability of these units. Mr. Castillo would like a community benefits agreement and said public land should go towards public good.

Ms. Ida Alvarez, longtime resident of Parcel 8, said the City needs to maintain affordable housing, she is happy the City is going to help existing residents and would like the City to consider the community land trust. Ms. Alvarez said she opposed the auto dealership and that Parcel 7 could be used to help the homeless and those who are mentally ill.

Chair Faria closed the public hearing at 7:53 p.m.

Deputy City Manager Ott thanked the Commission and speakers, and staff will take their comments into consideration and will return to the Commission with a specific plan. Ms. Ott noted staff is always available for any questions.

Chair Faria asked staff to provide information about the community land trust and how the Commission can work with the community to maintain affordable housing and avoid displacement.

Deputy City Manager Ott said staff will meet with the Oakland land trust and staff is pursuing affordable housing projects. Ms. Ott said staff are in discussions with Habitat for Humanity to avoid displacement of existing residents.

Commissioner Patton said a grocery store in a high traffic area such as Mission Boulevard can cause delays and accidents.



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2. Review of Proposed Updates to the Mission Boulevard Corridor and South Hayward BART Station Form Based Codes

Principal Planner Lochirco provided a synopsis of the staff report and a PowerPoint presentation.

Commissioner Andrews expressed concerns about the Form-Based Code being able to address the numerous vacant spaces and suggested considering uses that will create activity in the downtown area. Ms. Andrews suggested different uses and to incorporate a public art component to reduce some of the blight and said there is too much parking in the downtown area. Principal Planner Lochirco said staff is looking at the uses and how there can be more flexibility to allow previously unallowed uses.

Commissioner Bonilla favors ground floor uses and suggested bringing in uses to activate the Mission Boulevard area such as nice restaurants. He suggested to help make Mission Boulevard a destination spot to have the Form-Based Code address traffic slowing measures in order to encourage walkability and pedestrian friendly areas. Principal Planner Lochirco said the goal of the Form-Based Code is to establish criteria to make the area more conducive to walkability with elements such as wider sidewalks, better juxtaposition between sidewalks and building height, and to have staff look at the public realm element by including items such as benches and bike racks. Mr. Lochirco pointed out that when going through this process staff found duplications between the City's Municipal Code and the Form-Based Code and terminology inconsistencies. Mr. Lochirco said Hayward's Form-Based Codes follows the Smart Code Institute, and the goal is to make the Form-Based Code clear on what the expectations are for developers on what uses are allowed and what forms are expected.

Commissioner Patton said the City needs to create a safe environment for the public with a connection to how people feel when walking the streets. He said simplicity is best and suggested creating Form-Based guidelines with the approach to create concentrated retail at dense intersections then work on having more pedestrian oriented uses such as yoga studios situated along the sidewalks. Mr. Patton suggested the City create incentives for developers to have traffic access at corners and create a circulation/parking plan by looking at each block as a whole unit. Mr. Patton suggested streamlining the process by establishing a threshold where staff can administratively approve plans when a developer has met the requirements of the Form-Based Code, and developments that go beyond this threshold will go before the Planning Commission.

Commissioner McDermott agreed with Commissioner Patton on simplifying and establishing guidelines of plans that can be approved administratively by staff. Ms. McDermott said there has been an evolution along Mission Boulevard with the loss of the



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dealerships and some uses that have opened along Mission Boulevard look ragtag which gives a bad impression of Hayward. Ms. McDermott said the City needs to be careful about what uses are going into the vacant buildings and would like to see consistency in the uses along Mission Boulevard. Ms. McDermott suggested bringing back entertainment along Mission Boulevard that appeals to youth and young adults. Ms. McDermott suggested bringing in live/work environments along Mission to help activate the area.

Chair Faria would also like to see a simplified code and to have consistency requirements for developers, she suggested relaxing the code in order for residents to have services where they live. Ms. Faria said there is the need to have pedestrian safety elements such as incorporating more slip lanes and selecting the correct landscaping, as existing trees have caused sidewalk damage which have become a safety hazard. Ms. Faria agrees with the public art component and noted that when parking is limited along the main thoroughfares this causes spillover parking into the neighborhoods.

Commissioner Andrews agrees with bringing in more wellness alternatives along Mission Boulevard and suggested staff walk Foothill and Mission Boulevards to be able to see what will work. Ms. Andrews said when she walked Mission Boulevard it felt like a freeway. Ms. Andrews agrees with Commissioner McDermott about having consistency with the uses along Mission Boulevard.

Chair Faria opened and closed the public hearing at 8:37 p.m.

**PUBLIC HEARING:**

3. Application to Amend Chapter 10, Article 1 (Zone Ordinance), Section 10-1.3603(B) related to a Proposed Modification of the Required Setbacks for Commercial Cannabis Businesses from certain sensitive land uses; and Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3607(C).1 related to a Reduction of the Overconcentration Buffer from 1,000 feet to 500 feet for Commercial Cannabis Retail Dispensaries of the Hayward municipal Code in the City of Hayward, Requiring Approval of a Zoning Text Amendment, Application No. 201900727

Principal Planner Lochirco provided a synopsis of the staff report and a PowerPoint presentation.

Commissioner Patton asked about what has transpired in the past and where the City is headed, to which Principal Planner Lochirco responded to that the City needed to be cautious when regulations were established regarding the new Cannabis industry. Mr. Lochirco said since then, other cities have relaxed their standards and boundaries. The City's proposed changes are only regarding the setback allowances to make businesses



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more conducive for their patrons, and noted the City has land use regulations in place which addresses that there is still no public consumption allowed. Mr. Lochirco said the City feels comfortable that there is enough regulatory framework surrounding the Cannabis industry and pointed out that, unique to Hayward, is that Cannabis operators are required to renew their licenses on a yearly basis. Mr. Lochirco said staff is seeking ways to streamline the process without negatively impacting the community. Mr. Lochirco said currently only two applicants are preparing to open and noted revenue projections have yet to be realized.

Commissioner Andrews asked about the design requirements for having dispensaries closer together, to which Principal Planner Lochirco said the land use regulations require operators to ensure the site is safe with the following components: lighting elements, security in place, correct displays, each dispensary goes through a police safety review, and each dispensary is subject to a conditional use permit, as not every location is suitable for this use.

Commissioner Bonilla spoke about visiting Portland where the Cannabis dispensaries were very inviting and were designed to fit into the landscape and noted the operators should be able to accomplish the same here in Hayward. Mr. Bonilla favors reducing regulations and asked what cities have 500-foot setbacks, to which Principal Planner Lochirco said the City has modeled its regulations after Santa Rosa, and that San Francisco and Emeryville have reduced their regulations and developed criteria for areas of mixed uses that will still ensure a safe environment.

Commissioner McDermott does not favor reducing the setbacks and would like to have more family-oriented businesses. Ms. McDermott expressed concerns that the City needs to be careful with the number of dispensaries in the downtown area. Principal Planner Lochirco said Council has limited the number of dispensaries to three and even if the text amendment is changed, the number of dispensaries remains the same.

Principal Planner Lochirco confirmed for Commissioner Bonilla that by direction of the City Council additional dispensaries cannot come to Hayward.

Chair Faria said with the knowledge that the dispensaries will still be 500 feet apart, she can support the motion. Principal Planner Lochirco explained the Cannabis application process and that Council has set the cap at three dispensaries.

Principal Planner Lochirco confirmed for Commissioner Andrews that the Planning Commission will be the referring body to Council for the Cannabis dispensaries' design review. Ms. Andrews encouraged staff to be strict about what is brought before the Planning Commission and that the dispensaries' design needs to be upscale.

Chair Faria opened and closed the public hearing at 8:37 p.m.



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Commissioner Patton made a motion, seconded by Commission Bonilla, to approve the staff recommendation. The motion passed with the following votes:

AYES: Commissioners Andrews, Bonilla, Patton  
Chair Faria  
NOES: McDermott  
ABSENT: Goldstein and Willis  
ABSTAIN: None

**APPROVAL OF MINUTES**

4. Approval of the Planning Commission Meeting Minutes of February 14, 2019.

Commissioner Bonilla made a motion, seconded by Commissioner McDermott, to approve the Planning Commission Meeting Minutes of February 14, 2019. The motion passed with the following votes:

AYES: Commissioners Andrews, Bonilla, McDermott  
Chair Faria  
NOES: None  
ABSENT: Goldstein and Willis  
ABSTAIN: Patton

**COMMISSION REPORTS**

**Oral Report on Planning and Zoning Matters:**

Principal Planner Lochirco reminded the Commissioners to file their Annual Form 700 which is due by Tuesday, April 2, 2019.

**Commissioners' Announcements, Referrals:**

There were none.

**ADJOURNMENT**

Chair Faria adjourned the meeting at 9:13 p.m.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, February 28, 2019, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

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**APPROVED:**

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Ray Bonilla Jr., Secretary  
Planning Commission

**ATTEST:**

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Denise Chan, Senior Secretary  
Office of the City Clerk