

**PLANNING COMMISSION MEETING  
THURSDAY, FEBRUARY 9, 2023**

**PRESENTATIONS**

## **STAFF PRESENTATION**

### **ITEM #1 PH 23-001**

**Proposal to Amend Chapter 10, Article 1 (Zoning Ordinance) Section 10-1.2750 of the Hayward Municipal Code for Updates to the Alcoholic Beverage Outlets Ordinance and Related Regulations in the City of Hayward, Requiring Approval of a Zoning Text Amendment**

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# Proposed Amendments to Alcoholic Beverage Outlets Ordinance

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Planning Commission Meeting  
February 9, 2023  
Steve Kowalski, Associate Planner



# Project Background

- "Grow the Economy" adopted as one of six strategic priorities in FY 2021-23 Strategic Roadmap
- "Invest in programs that support Hayward business and workers" included as one of five projects identified under "Grow the Economy" Priority
  - "Revise the alcohol use regulations to support existing and encourage more full-service restaurants" included as one of the programs
- Multi-disciplinary team w/ staff from Planning Division, Police Department and Economic Development Division begins work on project in early 2022
- Public outreach efforts kick off in April
- CEDC meeting in September to obtain feedback on proposed amendments

# Outreach Efforts

- ✓ Interviews with Chamber of Commerce president and Downtown Hayward Improvement Association manager
- ✓ Flyer distributed to all 1,200 Chamber members
- ✓ Interviews with owners of several popular local eating/drinking establishments
- ✓ Interviews with owners of two successful East Bay microbreweries
- ✓ Email sent to 110 local restaurant owners having business licenses with the City
- ✓ Article published in July issue of The Stack
- ✓ Stack Extra article also published in July



# Amendments Proposed to CEDC

- ✓ Relax required 60:40 ratio of food to alcohol sales to 50:50
- ✓ Amend “full-service restaurant” definition to allow partnerships w/ separate alcohol and food service providers in same premises to qualify, but only establishments licensed as “bona fide eating place”
- ✓ Allow alcohol serving establishments that have freestanding kitchens operated by separate food service providers to qualify as full-service restaurants, but only those licensed as “bona fide eating place”
- ✓ Change times when restaurants can offer happy hour discount pricing from 4:00-9:00 to 2:00-7:00

# CEDC Feedback

- Expressed support for all proposed amendments
- Directed staff to explore ways to require all alcohol-serving establishments to offer information to patrons on ways to get home safely in the event of overconsumption
- Asked staff to compare regulations of neighboring municipalities to City's to determine if they are more or less permissive
- Asked staff to examine recent history of alcohol-related crimes to see if significant amount resulted from overconsumption at City restaurants

# Alcohol-Related Crimes Resulting from Overconsumption at Hayward Restaurants

- No clear indication that alcohol-serving restaurants contribute disproportionately to # of alcohol-related crimes being committed
- Information as to where perpetrator was drinking not always readily available on Police Reports
- Downtown typically sees highest level of alcohol-related crimes, but also includes highest concentration of bars & nightclubs in addition to restaurants



# Regulations of Neighboring Municipalities

- None require minimum ratio of food-to-alcohol sales
- None specify times when happy hour discount pricing is allowed
- None specifically allow partnerships wherein separate entities own food-service and alcohol-service components
- Overall, Hayward regulations consistent with, if not slightly more permissive than those of its neighbors

# Final List of Proposed Amendments

- ✓ Relax required 60:40 ratio of food to alcohol sales to 50:50
- ✓ Amend “full-service restaurant” definition to allow partnerships w/ separate alcohol and food service providers in same premises to qualify, but only establishments licensed as “bona fide eating place”
- ✓ Allow alcohol serving establishments that have freestanding kitchens operated by separate food service providers to qualify as full-service restaurants, but only those licensed as “bona fide eating place”
- ✓ Change allowable happy hour time from 4:00-9:00 to 2:00-7:00
- ✓ Add new performance standard requiring all alcohol-serving establishments to offer information to patrons on safe alternatives for getting home

A nighttime photograph of a city and a bridge over water. The city lights are visible in the foreground and middle ground, with a large bridge spanning across the water in the background. The sky is dark, and the water reflects the city lights.

## **STAFF RECOMMENDATION:**

That the Planning Commission make a recommendation to the City Council to approve the proposed Zoning Text Amendments to HMC Section 10-1.2750 as shown in Attachment III.

# **STAFF PRESENTATION**

## **ITEM #2 WS 23-001**

**Parking Analysis for Hayward Residential Design Study**

# Hayward Residential Design Study

## *Parking Analysis*

**Work Session with the Planning Commission**  
**February 9, 2023**  
**Elizabeth Blanton, Senior Planner & Taylor Richard, Assistant Planner**



The City was awarded SB 2 grant in 2020

✓ **Zoning/General Plan Consistency**

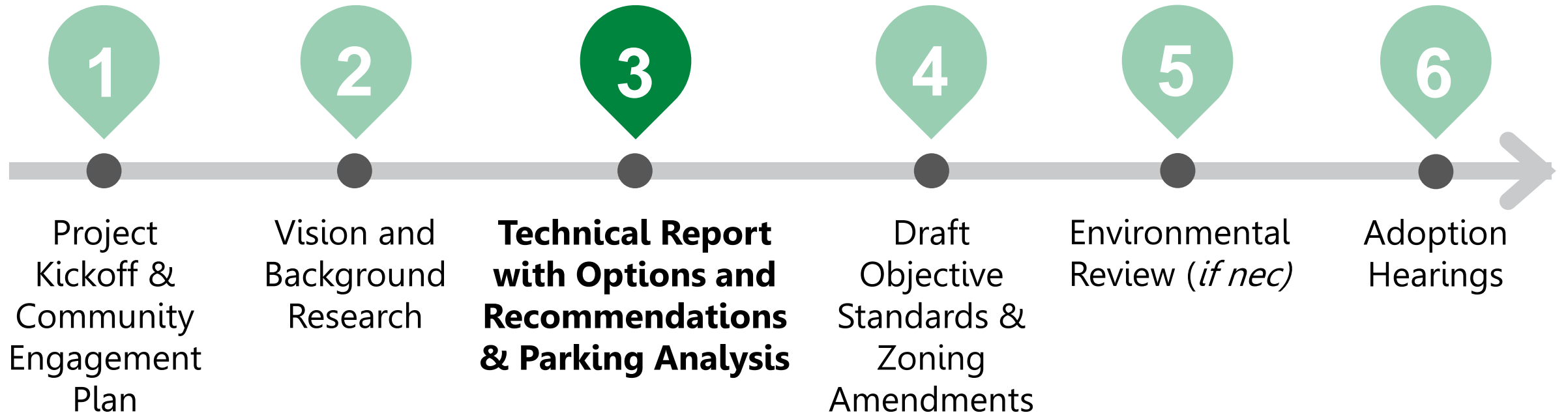
- 1,500+ parcels that are zoned RS have GP designations that allow/require higher densities.
- Through rezoning or zoning overlay, these parcels will be brought into conformance with the GP.

✓ **Residential Objective Standards**

- Development of more detailed objective residential standards in response to SB 330 and other recent legislation.



# Project Scope



# Process



### ✓ **Project Kickoff**

- ✓ Joint session of Planning Commission and Council on February 1, 2022

### ✓ **Feedback on Parking**

- Project should address community parking concerns
- Evaluate current regulations for areas of improvement
- Identify strategies to reduce parking necessity (shuttles, bike infrastructure, car sharing programs, unbundled parking)

# Planning Commission and Council Feedback





# Public Outreach

## ✓ Outreach Efforts to Date

- Online survey
- Online interactive mapping tool
- Neighborhood “walkshops”
- Pop-ups at community events

## ✓ Feedback on Parking

- Reduce “spillover” parking adjacent to Downtown/Mission Boulevard
- Allow unbundled parking
- Ensure front setbacks can accommodate driveway parking
- Increase protected bike lanes, shuttles, other alternatives to driving

<b>Bedroom Count</b>	<b>Number of Required Parking Spaces</b>
Studios	1 Per Dwelling Unit
One-Bedrooms	1 Per Dwelling Unit
Two Bedrooms	1.5 Per Dwelling Unit
Three Bedrooms	1.5 Per Dwelling Unit
Four Bedrooms	2.5 Per Dwelling Unit

- Prohibits jurisdictions from requiring more off-street parking than outlined within the law
- Developers can request a concession to further reduce their off-street parking requirements

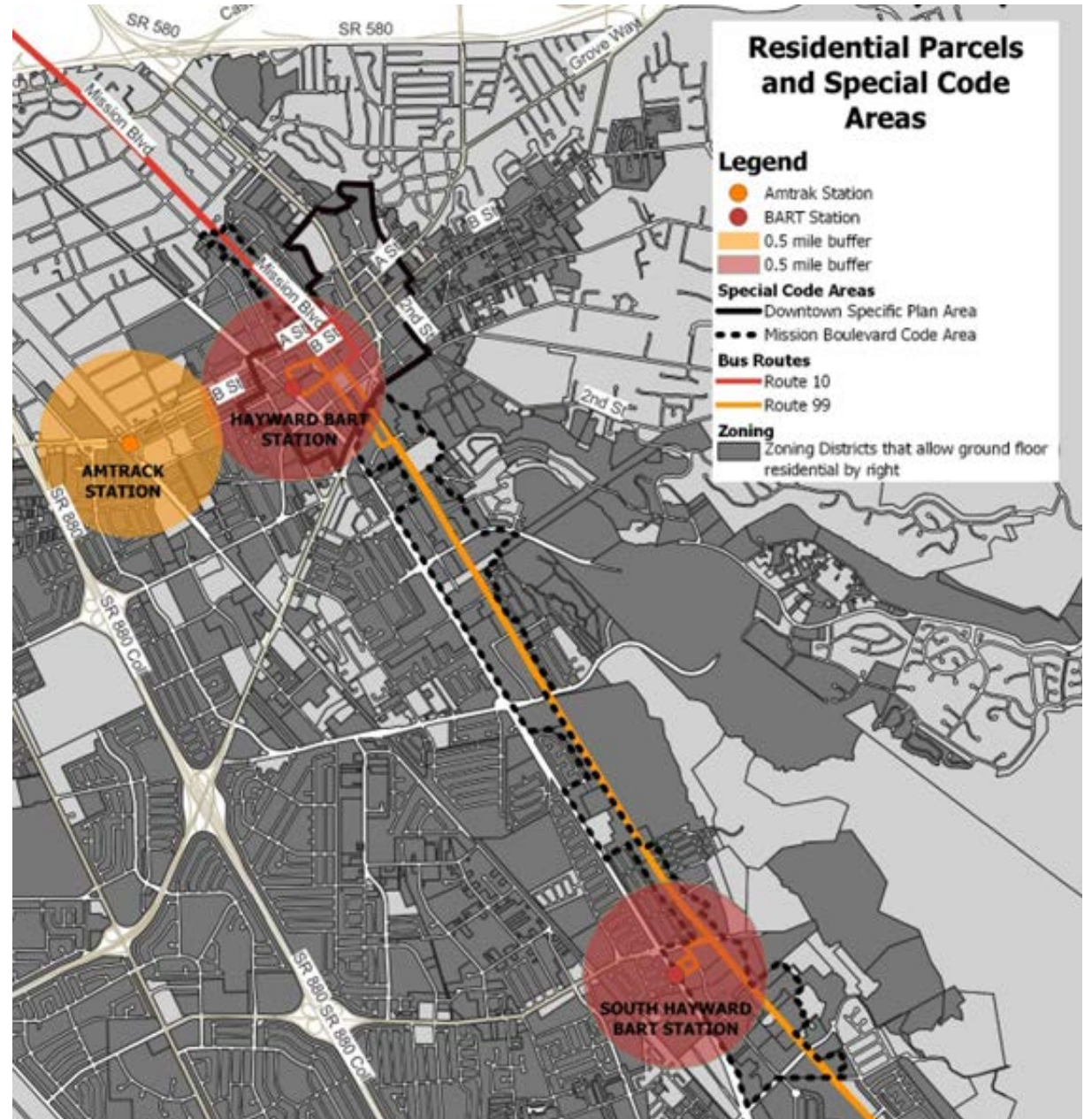
## Density Bonus Law



- Prohibits jurisdictions from adopting development standards, including minimum off-street parking requirements, that would effectively reduce the overall residential development potential that is currently allowed

**SB 330**

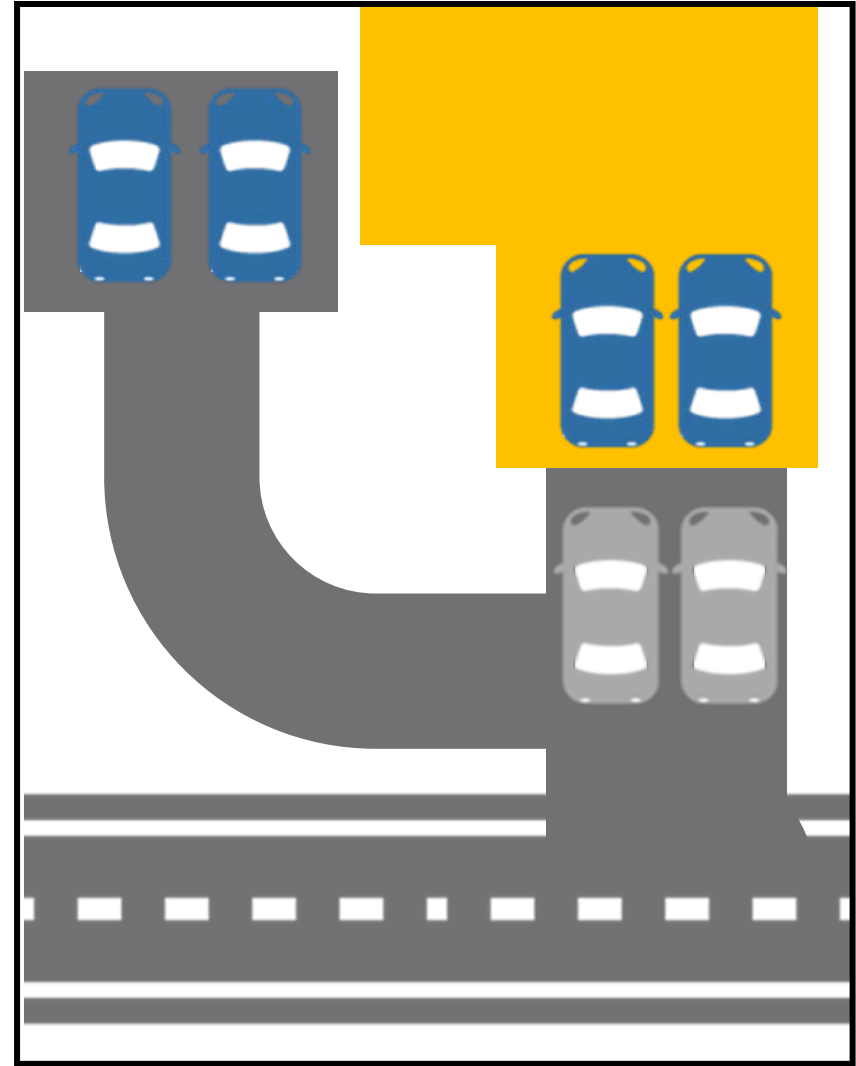
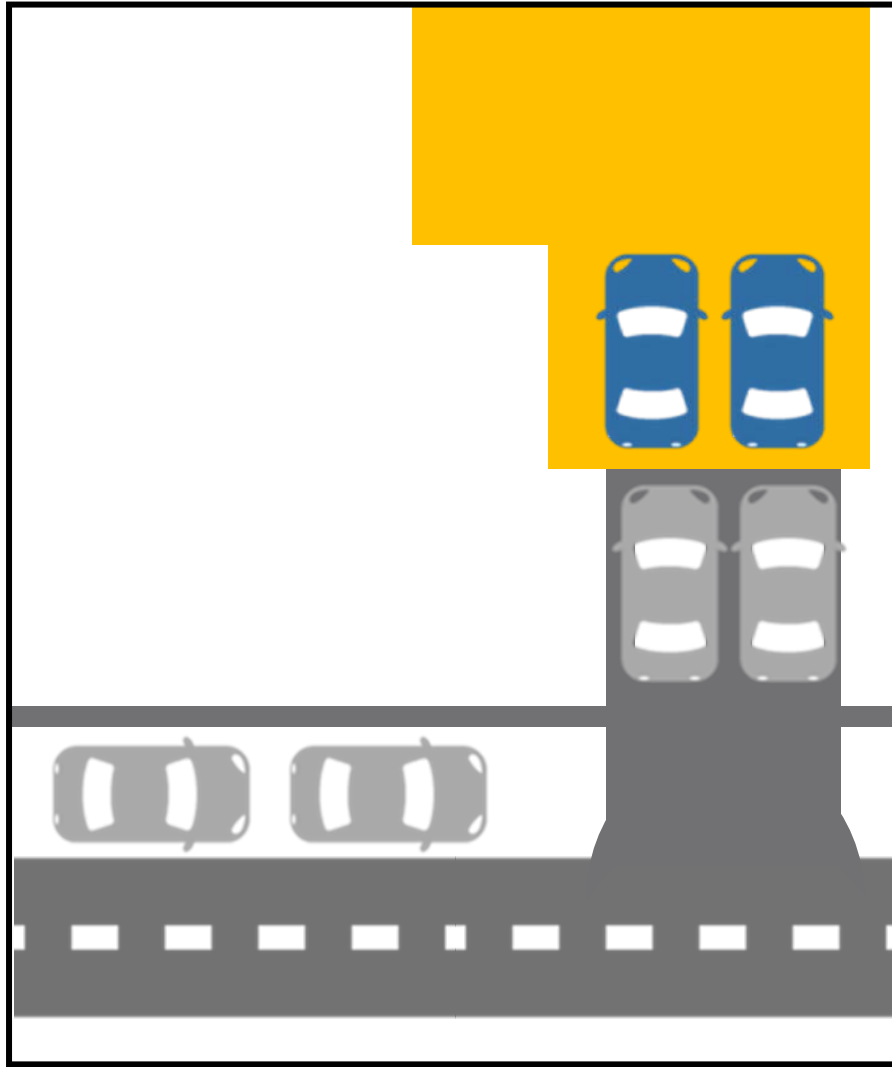
- Prohibits jurisdictions from imposing any minimum parking requirements for residential, commercial, or other development projects that are located within one half mile of a major transit stop.



# AB 2097

Use	Number of Required Parking Spaces
Single-Family Dwellings	2 Covered per Dwelling Unit
Single-Family Dwellings that are abutting a street with no permitted parking on both sides of the street	2 Covered <u>AND</u> 2 Uncovered per Dwelling Unit (spaces cannot block the covered spaces)
Single-Family Dwellings built prior to March 24, 1959	1 Covered per Dwelling Unit

## Current Regulations – Single Family Dwellings



# Current Regulations – Single Family Dwellings

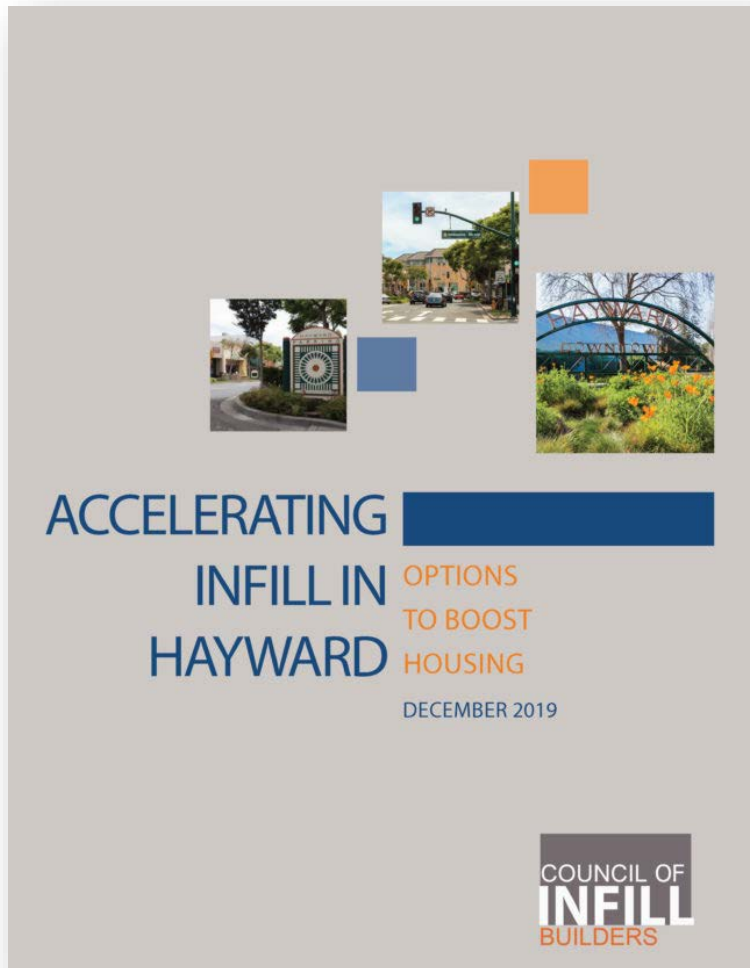
Use	Number of Required Parking Spaces	ITE Parking Generation Manual
Multi-Family Dwellings: Studios	1 Covered <u>AND</u> 0.5 Uncovered Per Dwelling Unit	1.0 to 1.3 per Dwelling Unit
Multi-Family Dwellings: One-Bedrooms	1 Covered <u>AND</u> 0.7 Uncovered Per Dwelling Unit	1.0 to 1.3 per Dwelling Unit
Multi-Family Dwellings: Two or More Bedrooms	1 Covered <u>AND</u> 1.10 Uncovered Per Dwelling Unit	1.0 to 1.3 per Dwelling Unit

## Current Regulations – Multi-Family Dwellings

Use	Number of Required Parking Spaces
All Residential Developments in Downtown Specific Plan (DTSP) Area	1 Per Dwelling Unit, No Parking Maximums
All Residential Developments in Mission Boulevard Code (MBC) Area	No Parking Minimums, A Maximum of 1 Per Dwelling Unit within ½ Mile of BART Station and A Maximum of 2 Per Dwelling Unit Elsewhere

# Current Regulations – MBC & DTSP





- Recommends parking regulations that encourage market-driven supply
- Lenders will not finance new projects without sufficient parking

# Infill Housing Report



- Senior Citizen Housing and Housing for People with Disabilities
- Two-Wheel Vehicle Parking Spaces
- Tandem Parking
- Off-Site Parking

## Current Regulations- Credits

**HAYWARD COMPARATIVE PARKING STUDY MEMO**

DATE: December 6, 2022  
 TO: Elizabeth Blanton | City of Hayward  
 FROM: Josh Pilachowski, Alexandra Haag | DKS Associates  
 SUBJECT: Hayward Residential Design Study Project # 22049-000

**INTRODUCTION**

The Hayward Residential Design Study is an update to the City's zoning regulations to support the development of quality housing. Currently, the City of Hayward's (City) Municipal Code provides minimum off-street parking requirements for various land uses, with the purpose of providing off-street parking and loading facilities in developments that are in proportion to the demand created by the use. The purpose of this memorandum is to provide an overview of recent State legislation that impacts residential parking requirements, summarize the City's residential Off-Street Parking Regulations as required by the Municipal Code, compare the requirements to parking generation rates published in the Institute of Transportation Engineer's (ITE) Parking Generation Manual, 5<sup>th</sup> Edition (ITE Manual), and determine if any changes are necessary either at a city-wide or location/land-use specific level to manage parking demand and community needs.

This review focuses on the quantity of off-street parking and loading spaces required by the Municipal Code and does not cover specific design considerations such as the location of parking spaces on-site. Development standards and specific design options will be considered in the forthcoming Option and Recommendations Report.

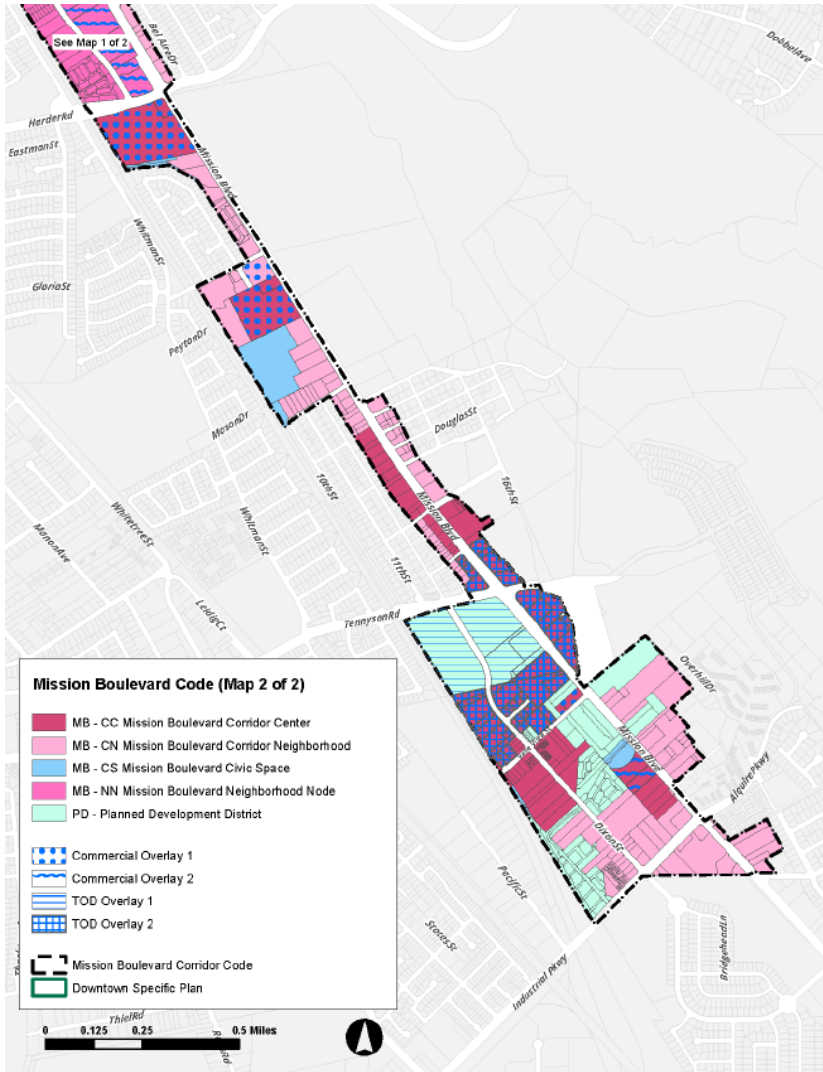
**SUMMARY OF STATE LEGISLATION****SB 330 HOUSING CRISIS ACT**

SB 330 strengthens the Housing Accountability Act and Permit Streamlining Act to address California's housing crisis by removing barriers to residential development, protecting existing housing inventory, and expediting permit processing. It prohibits local jurisdictions from enacting new laws that would have the effect of reducing the capacity for new housing or delaying housing development via administrative or other regulatory barriers. Specifically, SB 330 prohibits local jurisdictions from adopting development standards, including minimum off-street parking

## ✓ Parking Analysis Memo prepared by DKS Associates (Transportation Engineers)

- Reviewed State legislation
- Compared current off-street parking regulations to ITE Manual
- Reviewed current credits/exceptions
- Considered best practices from other jurisdictions
- Considered input from staff, decision-makers, and community members

# Methods



- ✓ **Maintain parking requirements within the Mission Boulevard Code area.**
  - State legislation (AB 2097, SB 330) limit the ability to require/increase parking
  - Upcoming AC Transit network redesign
- ✓ **Do not increase parking requirements for multi-family developments outside of Mission Boulevard Code and Downtown Specific Plan areas.**
  - Existing parking regulations are higher than ITE Manual rates

# Recommendations



✓ **Develop Transportation Demand Management (TDM) strategies for multi-family developments.**

- Consider parking reduction/credits under certain conditions
  - Proximity to transit
  - Provision of active transportation amenities
  - Car-share on site
  - Provision of subsidized transit passes

## Recommendations



✓ **Allow for unbundling of parking.**

- Separate the cost of housing units from the cost of parking spaces
- Purchase/rent spaces as needed

✓ **Revise parking requirements for single-family dwellings that are abutting a street with no on-street parking.**

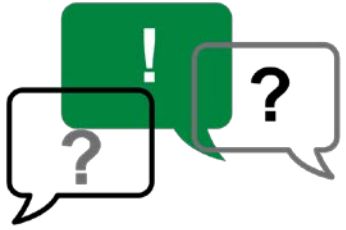
- Allow driveway spaces to count for the extra two required parking spaces.

# Recommendations



## Council Direction

- ✓ Generally **supportive of all recommendations** in the Parking Analysis
- ✓ Seek **data or studies** regarding the efficacy of TDM strategies and unbundling parking
- ✓ **Incentivize**
  - ✓ *"Last mile" options*
  - ✓ *Two-wheeled vehicles (motorcycles, scooters)*
  - ✓ *Bike/pedestrian infrastructure*
  - ✓ *Ground floor uses that reduce trips*
  - ✓ *Shared or off-site parking*
  - ✓ *Parking stackers*
  - ✓ *Car share*
- ✓ Ensure that **residents receive the benefit** from not utilizing a parking space



# Questions for Discussion

- 1 Which of the recommendations do you think are right for Hayward?
- 2 Do you support the development of TDM requirements or credits for multifamily development?
  - If so, which TDM strategies should be included?
  - Are there specific areas of the city, such as Downtown, along Mission Boulevard, and/or around major transit stops where TDM requirements or credits should apply?
  - Would you be supportive of differentiating TDM requirements or credits based on project size, location, level of affordability and/or tenure (rental vs. ownership)?
- 3 Are there any other parking design issues (i.e., setbacks, visibility, etc.) that should be addressed as part of the Hayward Residential Design Study?