



**MINUTES OF THE SPECIAL WORK SESSION OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, October 11, 2018, 5:00 p.m.
777 B Street, Hayward, CA 94541**

MEETING

The Special Work Session meeting of the Hayward Planning Commission was called to order at 5:12 p.m. by Chair Goldstein.

CALL TO ORDER Pledge of Allegiance

Commissioner Bonilla Jr. led in the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Willis Jr., Andrews, Bonilla Jr., Patton, McDermott, Faria
CHAIRPERSON: Goldstein
Absent: COMMISSIONER: None

Staff Members Present: Brick, Buizer, Chan, Pearson, Schmidt

General Public Present: 6

PUBLIC COMMENT:

There were none.

WORK SESSION:

1. Industrial District Regulations Update Planning Commission Study Session

Senior Planner Schmidt spoke about the Industrial District Regulations Update and introduced Project Manager Consultant Miller.

Project Manager Consultant Martha Miller, with Lisa Wise Consulting, provided an overview and summary of the draft Industrial District Regulations and provided a PowerPoint presentation.

Commissioner Patton had concerns on how many long term non-conforming businesses would be allowed if they have plans to expand their businesses. Senior Planner Schmidt responded that staff has discussed this at length as there are many businesses currently operating illegally, as some don't have business licenses or some conduct business beyond the scope of their Use Permit. Staff determined that current non-conforming regulations allow businesses to operate indefinitely under the parameters of their Use Permit, but if the business wants to expand or add on and the new use is not under the Industrial District



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Regulations, then the business would need to bring the new use under conformance with the current regulations or the business would have to move. Ms. Schmidt said staff determined not to adopt separate regulations for the Industrial District with the goal of being consistent with non-conforming regulations used throughout the state.

Commissioner McDermott's asked if there are any plans to attract high tech businesses to the City and plans for street improvements in the light industrial area as currently some areas do not have sidewalks. Senior Planner Schmidt responded that there will be subdistricts in the industrial area, it is a large economic asset for the City and the jobs there are important. Ms. Schmidt said currently this area is treated the same, and said staff wants to incentivize development the City would like to see in that area. Ms. Schmidt said the City received a grant to install a fiber optic network in the industrial area, infrastructure the high-tech companies are seeking. Ms. Miller said new development will be required to install new sidewalks and pedestrian access connections. Ms. McDermott said it is difficult and frustrating as there are not many good places to eat in the industrial area and suggested that the City needs to prepare better planning for amenities for the workers in that area. Ms. Miller acknowledged the missing supportive elements of restaurants and other amenities.

Commissioner Faria questioned what transit option types are being considered for the Light Industrial Area and if bicycle access can be incorporated into the regulations. Senior Planner Schmidt responded that transit options are a citywide project, the City conducted a shuttle study for the industrial area and the Public Works, Engineering and Transportation Department has a map of the proposed shuttle path, but that there would need to be buy-in by employers to develop a public/private partnership. Ms. Schmidt said staff did not know if the City was still pursuing this transit option and noted that transit options were outside of the realm of this project, but staff can investigate this and will bring back the results of the City's industrial area shuttle study when the item comes back to the Planning Commission for final review. Ms. Schmidt said large developments could incorporate a shuttle program and receive trip reduction rates to reduce the business' impacts under the California Environmental Quality Act (CEQA) or reduce greenhouse gas emissions that are generated at the development site. Ms. Schmidt said car sharing programs are included in the updated regulations, a developer can incorporate transportation demand management measures including shuttle that is allowed under the regulations, resulting in benefits such as reductions in parking and trip generation. Ms. Miller said the regulations have more to do with pedestrian access and circulation and noted there are bicycle regulations in the City's Municipal Code. Ms. Schmidt said there is room in the design guidelines to mention adopted citywide plans for bicycle, pedestrian, park and trails, and to incorporate, as much as possible, connecting those trails to the industrial area. Ms. Schmidt noted the City is in the middle of the Bicycle Master Plan Update. In response to Ms. Faria's question if the City was encouraging AC Transit to expand their flex program into Hayward, Ms. Schmidt said



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staff would take this question to the Public Works, Engineering and Transportation department and will report back to the Commission.

Commissioner Bonilla asked about increasing public transportation access. Senior Planner Schmidt responded that once the updated regulations are adopted, new developments will be required to include sidewalks to promote the pedestrian connections and will expand as more new developments are built. Ms. Miller commented that this is an overall City effort to enhance the industrial corridor and meet the General Plan goals, and that this is a comprehensive update that involves economic development strategy, transportation, and infrastructure. Ms. Miller spoke about the public outreach to involve the community in developing the regulations. In response to Mr. Bonilla's question about how the City's regulations compare across the region, Ms. Miller noted that nearby cities do not allow industrial uses, but Hayward is unique and wants to retain her industrial area. Ms. Miller said it is important for Hayward to decide what will work best for the City.

Commissioner Willis asked if there are conditions that limit the amount of noise and pollution that can be generated as he has concerns about the impact to the housing developments near Costco at Marina and Industrial Boulevard. Ms. Miller responded that there is a section within the Industrial District Regulations on Performance Standards that addresses impacts such as hazardous materials, dust, fumes' odors, glare, noise, and waste, and there are standards on landscaping, buffers, screening, compatibility and protection issues. Ms. Miller said that industrial uses and hazardous materials are also subject to health and safety regulations and noted staff worked with the City's HazMat Division to ensure that both regulations worked together to address these impacts. Mr. Willis recommended that the City post warning signs when there is no pedestrian access due to the lack of sidewalks to prevent potential legal issues.

Commissioner Andrews commented that she liked the addition of public art and food vendors that will enhance the industrial area and the surrounding communities and inquired about breweries. Senior Planner Schmidt said breweries and micro-breweries are an allowed use and it depends on the zoning district what kind of use permit the business would have. Ms. Schmidt said breweries that offer tours and have ancillary tasting will not require an Administrative Use Permit (AUP). Ms. Andrews asked if zero landscaping can be incorporated into the Landscaping requirements, and Ms. Miller responded the City has water efficiency landscaping standards which is included in the updated regulations. In response to Ms. Andrews' question about the regulations to allow more food vendors into the industrial area, Ms. Schmidt said those regulations have not changed, and if the Commission would like the limitation removed, then staff can take this recommendation to Council. Ms. Andrews recommended review of the limitation in the food vendor regulations to allow more food vendors which can help serve workers in the industrial districts and surrounding areas.



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In response to Commissioner Faria's questions about allowing churches that want to open in the industrial area, Senior Planner Schmidt said under the section for Group Assembly Use, cultural and religious facilities are allowed with an AUP in the Limited Industrial Area only. Ms. Schmidt said these uses are not allowed in the Industrial Park or the General Industrial areas because of the use of hazardous materials present in those areas.

Commissioner Patton suggested the regulations should include a vision for the public entity and should include long-term strategies for both public and private entities, as both parties should be involved to pay their fair share. Mr. Patton said language should be included that requires property owners that receive short-term entitlements to agree to participate in future programs such as Capital Improvement Projects and/or Assessment Districts. In response to Mr. Patton's question about live/work space, Senior Planner Schmidt said the City's General Plan, adopted in 2014, does not allow residential uses in the industrial area. Ms. Schmidt said staff's goal was to have the zoning document conform with the General Plan. Mr. Patton suggested having several gradations in the food industry catering category to allow for rent space or rent time in building; review regulations for industrial-related schools and include language to break-up large buildings.

Commissioner Andrews had question regarding allowed school uses in the Light Industrial area that includes multi-age dance schools, karate schools, and health clubs. Senior Planner Schmidt responded that allowed uses are recreational facilities, commercial amusement facilities such as Pump It Up, indoor basketball/soccer, and health clubs. Ms. Schmidt said schools could be considered in the Light Industrial area depending on the adjacent areas, and that staff would review the school's business plans and work with the school about the best avenue to take.

Chair Goldstein would like to see a special events provision that would allow multiple food trucks and commented that food trucks should not be prevented from helping the community during a crisis. Mr. Goldstein concurred with Commissioner Patton and would like to see street improvement regulations that address breaking-up large buildings. Mr. Goldstein would also like the addition of bicycle markings addressed. Mr. Goldstein likes the idea of subdistricts and expressed concern about how the City plans to accommodate changing market conditions; Ms. Miller explained that there is an overlap of uses among the subdistricts and that they are not mutually exclusive; she added that there are refinements in each of the subdistricts as well as a number of uses allowed in all three subdistricts. Ms. Miller noted that cultural facilities are only allowed in the Light Industrial Area as those facilities would bring the general public to the area. Ms. Miller responded to Mr. Goldstein's question about the public process sharing that staff was in the middle of the public outreach process that has included stakeholder interviews, meeting with different groups, holding a public workshop, and conducting an online survey for employers and



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employees in the areas. Ms. Miller said the project information was sent out to several outreach lists that the City maintains. She said staff is conducting this Planning Commission Study Session and will hold the City Council Study Session. Staff will then revise and refine the regulations and then the item will return to Council for final adoption. Ms. Miller shared that staff had candid conversations about what would and would not work in Hayward. Senior Planner Schmidt shared that 15,000 notices were sent out and invited the Commissioners to visit the project website where all the public outreach meetings, correspondence, and feedback is posted.

There being no public comments, Chair Goldstein opened and closed the public comment at 6:28 p.m.

ADJOURNMENT

Chair Goldstein adjourned the meeting at 6:30 p.m.

APPROVED:

Ray Bonilla Jr., Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk