



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, January 22, 2026, 7:00 p.m.**

Attachment I

The Planning Commission meeting was called to order at 7:07 p.m. by Chair Hardy. The Planning Commission held a hybrid meeting in the Council Chambers and virtually via Zoom.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: CHAIRPERSON: Hardy
COMMISSIONERS: Goodbody, Haman, Lowe, Stevens, Yorgov
Absent: COMMISSIONER: Meyers

Staff Members Present: Allen, Blanton, Lens, Lochirco, Ochinero, Riddle, Tabari, Vigilia

PUBLIC COMMENTS

Kelly A. criticized Hayward's piecemeal approval of data centers, citing the 77-MW Eden Landing project; and warned that up to 975 MW of proposed capacity could strain the grid, air quality, and water resources, while conflicting with the Diesel-Free by 2033 initiative.

ACTION ITEMS

1. Nomination and Election of Officers

Commissioner Lowe nominated Commissioner Goodbody for Chair, seconded by Commissioner Stevens. Commissioner Goodbody accepted the nomination and was unanimously approved. Commissioner Stevens nominated Commissioner Haman for Vice Chair, seconded by Commissioner Goodbody. Commissioner Haman accepted the nomination and was unanimously approved. For Secretary, Commissioner Lowe nominated Commissioner Meyers, seconded by Commissioner Yorgov. As Commissioner Meyers was absent, the vote was tabled until the next meeting pending acceptance.

WORK SESSION

2. Business Friendly Hayward Project Update: Work Session to Review Proposed Municipal Code and Zoning Map Revisions Related to the Business-Friendly Hayward Project **WS 26-002**

Staff report submitted by Assistant Planner Riddle, dated January 22, 2026, was filed.



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Assistant Planner Riddle and Senior Planner Blanton introduced the item and provided a synopsis of the staff report.

Commissioner Yorgov asked if any activity involving the sale of liquor would still require obtaining a liquor license and whether that licensing process would be separate from the matters currently under discussion. Senior Planner Blanton confirmed that ABC licenses are still required for any use involving the serving or sale of alcohol, and this process continues independently of the City's permitting requirements.

Commissioner Yorgov asked if environmental concerns were the primary reason staff did not recommend the Industrial Park District for data center development. Senior Planner Blanton explained the Industrial Park District is intended for lighter, office-flexible industrial uses, while data centers, with heavy equipment like generators and substations, are considered heavy industrial and therefore suited to the General Industrial District.

Commissioner Yorgov asked if the pilot for accessory commercial units is successful, is there a timeline for expanding it to a larger area. Senior Planner Blanton replied that there is no specific timeline, as the idea is new and adoption can take time; and noted that if the pilot proves popular and receives City Council and community support, expanding it to other areas would be relatively easy, since the changes required are minor.

Commissioner Yorgov asked whether retail within the accessory commercial units would include non-food vendors without on-site dining. Assistant Planner Riddle replied that small grocery store uses are currently allowed as accessory commercial units, limited to 500 square feet, so the space is not overly large.

Commissioner Yorgov asked if the intent was to add specific uses for small-scale live entertainment into the code, since the staff report did not explicitly list them. Senior Planner Blanton replied that the code is currently near a "90% draft" stage and that the limited entertainment permit section was still being finalized in consultation with the police. She said staff could add specific uses to the code if desired or leave it flexible so staff can determine which types of entertainment businesses fit the category, and welcomed direction from the Planning Commission or City Council on this.

Commissioner Yorgov asked if the cabaret license requirement for any performance presented to a crowd would be maintained in the code. Assistant Planner Riddle replied that the cabaret ordinance will remain in effect for more intense uses, such as nightclubs, which will still require a cabaret permit. She noted that the language will be updated to ensure it does not exclude smaller entertainment uses, but the ordinance will not be eliminated.



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Commissioner Stevens asked for clarification on what specific impacts or conflicts staff are trying to avoid by limiting data centers to the General Industrial District. Senior Planner Blanton replied that some data centers use diesel generators, which can affect air quality. She explained that to minimize impacts on sensitive uses such as residences and schools, limiting data centers to the General Industrial (IG) district is preferred, as it is well-buffered from these uses, whereas the Industrial Park (IP) and Light Industrial (IL) districts are generally closer to residential areas.

Commissioner Stevens asked if limiting data centers to the General Industrial (IG) district would prevent the construction of smaller, lower-impact facilities given that its land use and power demands would be minimal. Senior Planner Blanton replied that under the current regulations, the answer would be yes. She explained that even if generators are rarely used for emergencies, they must undergo regular testing, and environmental analyses assume emissions from that testing, which contributes to the potential impact.

Commissioner Stevens asked whether, even for a 5-megawatt data center using fuel cells or other non-diesel power sources, the current regulations would still prevent construction outside the IG district, to which Senior Planner Blanton replied yes.

Commissioner Stevens asked whether a fiber optic regeneration station would be precluded in a non-IG district, and how staff would determine whether such a use is allowed. Senior Planner Blanton explained that when a use isn't explicitly listed in the code, staff must determine which category it most closely resembles. She noted that if it doesn't fit any category under the City's exclusionary zoning code, then it would not be allowed.

Commissioner Lowe asked about the entertainment uses listed in the limited entertainment permit program includes activities for children. Senior Planner Blanton replied that the limited entertainment permit program could potentially include activities for children and families. She highlighted that the intent is to allow uses appropriate for all ages, not just 21-and-over activities, and that the Police Department wanted to ensure permits weren't issued solely for adult-only events.

Commissioner Lowe asked whether the limited entertainment permit program would allow something like a small, portable amusement setup. Assistant Planner Riddle replied that a small portable amusement setup would likely fall under a temporary use permit rather than the limited entertainment permit. She explained that because it involves rides, tents, and more intensive activity than selling goods or live music, staff believe an administrative use permit is more appropriate to ensure a higher level of review.

Commissioner Lowe asked for clarification on the reasoning behind limiting operations of cultural facility or community center events to 11:00PM. Senior Planner Blanton explained



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that the 11:00 PM limit was recommended by the Police Department, as events ending by that time generally don't generate issues, allowing broader use of cultural and community spaces while minimizing potential police calls.

Commissioner Lowe asked whether, when staff decides to grant an administrative use permit, if they consider factors like clustering of the same type of business in one area. Senior Planner Blanton explained that although clustering isn't explicitly listed, considerations like whether the use would impair the district's character or create nuisances can address community concerns. She highlighted that if a project meets the findings, staff can approve it; if not, they would deny it. She noted that the main difference from a conditional use permit is that there is no public hearing—staff handles it administratively.

Commissioner Lowe asked whether there is any opportunity for neighbors or community members to express concerns if they become aware of a proposed project. Senior Planner Blanton explained that for administrative use permits, notices go to properties within 300 feet, and there's an appeal process to bring decisions before the Planning Commission or City Council. She noted that staff also conducts outreach through community engagement and neighborhood forums, allowing the public to ask questions or raise concerns even without a formal hearing.

Commissioner Goodbody asked whether the Police Department provided feedback on the relaxed permits for alcohol sales and buy-right permits in the proposed zoning districts. Senior Planner Blanton replied that the Police Department reviewed the relaxed and by-right alcohol permits and was fully supportive, noting that breweries, cideries, and similar uses generally don't generate calls for service. She noted that the community also viewed these uses as more family-friendly than bars, reinforcing that police had minimal concern about allowing them at a lower permitting level.

Commissioner Goodbody asked whether this is a good time to clarify the intent of saturation rules and whether businesses previously denied permits due to these restrictions would be grandfathered in. Senior Planner Blanton asked for clarification on whether the concern was about these alcohol-specific restrictions or a broader issue of having too many of the same type of business in one area. Commissioner Goodbody clarified that she was speaking more generally about saturation, not just liquor stores. Senior Planner Blanton replied that alcohol uses already have restrictions limiting how many can be located near each other, and those rules would remain in place. She highlighted that for other types of businesses, over-saturation isn't typically regulated unless the code includes specific language. She noted that if the Commission has concerns about business types, staff can review and propose appropriate limits.



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Commissioner Goodbody asked whether it was accurate to assume that the desirable businesses were those listed in the packet. Senior Planner Blanton replied that the term “desirable” was used as shorthand for business types frequently requested by the community, which included recreation uses, breweries, daycares, and personal services.

Commissioner Goodbody questioned whether implementing ACUs along the Mission and downtown corridors should proceed before the Loop plan is finalized, raising concerns about potential traffic, parking, and drop-off impacts. Planning Manager Lochirco replied that ACUs are intended to support small-scale entrepreneurs who cannot afford traditional commercial space. He noted that while traffic patterns are complex and not solely driven by land-use decisions, ACUs are designed as accessory, neighborhood-serving uses with limited intensity. He explained that they are not meant to operate as full commercial businesses, but rather to provide flexible, low-cost opportunities for startups with an expectation of minimal traffic impacts.

Commissioner Goodbody asked if street vendors would be an approved use within ACUs and requested clarification on how the implementation of that use would work. Assistant Planner Riddle stated that ACUs would only allow limited walk-up coffee service with no on-site consumption. She explained that sidewalk vendors, restaurants, and dining are intentionally prohibited, and the regulations are written to prevent loopholes. Senior Planner Blanton added that ACU regulations could potentially allow sidewalk vending in the future once permitting and enforcement are clarified. She noted that for now, to avoid confusion over permitted uses, the ACU program excludes most food uses except for small grocery stores or coffee shops. Planning Manager Lochirco clarified that sidewalk vending only applies to public sidewalks and right-of-way; vendors cannot operate on private property under those rules. He highlighted that state laws allow home-based food operations with minimal City oversight. He emphasized that the proposed ACU regulations, in contrast, would govern accessory commercial activities on private property under a controlled framework, allowing the City to monitor and manage these uses.

Commissioner Goodbody asked whether ACUs could be permitted on non-residential properties such as churches, or if such uses would require separate, event-based permits like for occasional fundraisers. Senior Planner Blanton replied that ACUs are only allowed as accessory uses to primary residential homes.

Commissioner Goodbody asked whether ACUs would be permitted in apartment complexes. Senior Planner Blanton replied that ACUs are currently limited to single-family detached homes. She explained that multifamily units are excluded in the pilot phase due to access and privacy concerns, as businesses would require exterior entry and could expose other residents to unconsented foot traffic. She noted that expansion to multifamily properties may be considered in future phases.



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Commissioner Goodbody suggested considering commercial properties, such as hotels, for pop-up events. She also expressed a desire for more feedback from industrial business owners regarding proposed zoning changes in the industrial areas, emphasizing that the City should continue to support innovative and sustainable businesses rather than restrict them only to industrial parks.

Commissioner Haman asked how the City determines which businesses are considered “desirable.” Senior Planner Blanton explained that “desirable businesses” are identified through community surveys, market analysis, and input from the Planning Commission and City Council, reflecting the types of businesses the community wants locally.

Commissioner Haman asked how the new streamlined permitting process would function. Senior Planner Blanton explained that streamlining permits can involve removing steps, such as replacing a CUP with an AUP to avoid public hearings, or converting discretionary permits into ministerial, checklist-based approvals. She noted that these approaches reduce time, staff workload, and costs for applicants.

Commissioner Haman asked if the streamlined permitting process could compromise safety. Senior Planner Blanton requested clarification, and Commissioner Haman specified he was concerned that relaxing restrictions might reduce staff review of applications. Senior Planner Blanton replied that while staff review would be reduced, the selected uses are ones that are routinely approved and do not generate safety concerns. She noted that the operational and performance standards, as well as existing state or regional licensing requirements, provide safeguards without needing full individual review for each application.

Commissioner Haman asked whether combining land use and zoning in the proposed revisions might reduce clarity or limit individual restrictions. Senior Planner Blanton replied that consolidating districts and land uses does reduce some of the old distinctions, but the previous code was outdated with overly specific categories. She noted that the updated approach simplifies zoning, making it easier for staff and the community to understand and implement, reflecting modern planning practices.

Commissioner Haman asked whether it would be difficult to revert the zoning and land use changes if the new approach proves ineffective. Senior Planner Blanton replied that reverting the changes would follow the same process, requiring City Council approval. She explained that detailed letters were sent to the 83 potentially affected property owners explaining the proposed rezonings, previous allowances, and current changes. She highlighted that a community meeting is scheduled, and staff are available for individual questions. Senior Planner Blanton added that early outreach aims to address concerns and



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make adjustments before the final City Council hearings, reducing the need for later revisions.

Commissioner Haman asked how bed and breakfast establishments would be permitted and whether any relaxed permit requirements are planned for them. Senior Planner Blanton replied that bed and breakfasts would now fall under the broader “hotel” category in the updated code, along with motels and other lodging types.

Commissioner Haman asked how electric vehicle charging stations would be addressed under the updated zoning and permitting. Senior Planner Blanton explained that electric vehicle charging stations as a primary use are being added as a new, separate zoning category. She noted that unlike accessory chargers in parking lots, standalone EV stations don’t fit existing gas station or auto service categories, so the code is being updated to specifically accommodate them.

Commissioner Haman asked whether standalone EV charging stations would be subject to relaxed permit requirements. Senior Planner Blanton replied that standalone EV charging stations would be permitted by right and would not require the conditional use permits typically needed for gas stations.

Commissioner Haman asked whether the relaxed permitting approach would also apply to truck terminals. Senior Planner Blanton replied that truck terminals are a different use; the update clarifies and modernizes the definition but does not change the permit requirements for them.

Commissioner Haman asked which sites in the downtown area are available and suitable for the ACU pilot program. Senior Planner Blanton replied that some downtown zoning districts, including areas with single-family homes within walking distance of City Hall, could host ACUs. She noted that typically an ACU would be converted from a garage or a front-room space with its own exterior access.

Commissioner Haman asked whether ACUs would also be implemented in areas beyond the immediate downtown radius. Senior Planner Blanton replied that the “downtown” district in the ACU pilot is defined by the Downtown Specific Plan, which covers a broader area than just the downtown core along B Street.

Commissioner Haman asked whether ACUs would still require plan review by the Building, Fire, and Health Departments. Senior Planner Blanton replied that ACUs would still require standard plan reviews and permits from the Building, Fire, and Health Departments if any structural changes are made.



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Commissioner Haman asked how the City will monitor ongoing compliance of ACUs over time. Senior Planner Blanton replied that ACU compliance would be monitored through the City's Code Enforcement system (Access Hayward), investigating complaints submitted by the public.

Commissioner Haman asked whether ACUs would allow activities similar to garage sales or flea markets. Senior Planner Blanton replied that ACUs would not include garage sales, which are separately permitted up to four times per year. She noted that ACUs are intended for more regular, higher-traffic home-based businesses than typical home occupations.

Commissioner Haman asked whether ACUs could include a mini thrift store or similar retail operation. Senior Planner Blanton replied that ACUs could potentially include retail uses, such as a mini thrift store, since retail is permitted under the program. Assistant Planner Riddle added that unlike garage sales, ACU retail would need to operate as a proper business enclosed within the primary residence, not as a temporary driveway sale.

Commissioner Haman asked whether food-related ACUs would involve the Health Department and whether they would require annual permits and inspections. Senior Planner Blanton replied that the Alameda County Health Department's requirements apply to all food-related businesses, including ACUs, independent of City permitting, and include necessary permits and inspections.

Commissioner Haman asked whether ACUs would still need to comply with current egress and accessibility requirements during the planning process. Senior Planner Blanton replied that ACUs must comply with egress and accessibility requirements. She highlighted that if existing spaces already meet code, minimal changes are needed; otherwise, any modifications would go through the full permitting and review process.

Commissioner Haman asked what specific safeguards are included in the staff report for the Limited Entertainment Permit program. Senior Planner Blanton replied that safeguards for the Limited Entertainment Permit program include standard conditions of approval and operational standards, such as noise limits, event end times, and maximum attendance, to prevent nuisances for neighboring properties.

Commissioner Haman asked whether Limited Entertainment Permits would be issued on a yearly basis or on an event-by-event basis. Senior Planner Blanton replied that Limited Entertainment Permits are intended to be more permanent, potentially issued annually or biannually, allowing recurring event without needing separate permits for each occurrence.



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Commissioner Haman asked what the specific noise level cap is for events under the Limited Entertainment Permit program. Assistant Planner Riddle replied that the noise level cap for Limited Entertainment Permits is believed to be 70 decibels measured at the property line.

Commissioner Haman asked whether there are any circumstances or events where the 70-decibel noise cap could be exceeded. Planning Manager Lochirco replied that the noise ordinance allows up to 70 DBA from 7:00 AM to 9:00 PM and reduces to 60 DBA for single-family homes between 9:00 PM and 7:00 AM.

Commissioner Haman asked whether events could ever exceed the established noise limits or operate outside the permitted hours. Senior Planner Blanton replied that noise limits and permitted hours vary by zoning district, but generally, events must comply with the established decibel and time restrictions.

Commissioner Haman asked whether any existing locations in the Downtown Mission Corridor are currently considered cabarets. Senior Planner Blanton replied that a recent example of a cabaret in the Downtown Mission Corridor is the Dirty Bird Lounge, which obtained a cabaret permit for its downstairs area. Planning Manager Lochirco added that many bars and restaurants already host small events like karaoke or trivia nights. He explained that the Limited Entertainment Permit program is intended to regulate these ancillary activities, ensuring proper protocols, security, and staff review while preventing nuisances to neighboring properties, without changing the primary use of the business.

Commissioner Haman asked whether the Limited Entertainment Permit events would be open to all ages. Assistant Planner Riddle replied that Limited Entertainment Permit activities are open to all ages and intended for family-friendly events. She noted that they are not a loophole for nightclubs or bars to expand entertainment beyond what their primary use allows.

Commissioner Haman asked whether the downtown movie theater could participate in or help promote the types of entertainment allowed under the Limited Entertainment Permit program. Senior Planner Blanton replied that a business like the downtown movie theater could host secondary events, such as themed activities or karaoke, in addition to their primary movie-showing use.

Commissioner Haman asked whether there are any plans for the downtown movie theater to expand its offerings beyond showing movies. Senior Planner Blanton replied that she is not aware of any plans for the movie theater to expand beyond showing movies.

Chair Hardy asked about how perceptions of safety are being addressed for businesses and residents, and how they are impacting business in Hayward. Senior Planner Blanton replied



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that, due to budget constraints, increasing police patrols isn't feasible. She noted that the Police Department has suggested enhancing public safety by increasing downtown activity, which aligns with reducing permitting requirements for businesses that activate the area, especially before 11:00 p.m.

Chair Hardy asked whether survey translations have already taken place and, if not, whether there are plans to provide translated versions in the coming months to ensure wider community participation. Senior Planner Blanton explained that while recent efforts have focused on drafting standards, staff are now resuming outreach. She noted that planned efforts include mailers to affected property owners, meetings with properties proposed for rezoning, and discussions with industrial business owners to gather feedback. She added that data centers are the primary change under consideration and invited the Commission to suggest additional groups for targeted outreach.

Chair Hardy asked whether staff have planned for or evaluated the potential workload and resource impacts across departments, if accessory units become highly popular and generate significant new interest. Senior Planner Blanton explained that accessory unit permitting would primarily impact planning staff. She noted that accessory commercial units are quick to review and recommended using a zoning conformance permit, which is low-effort for staff and straightforward for applicants, making it an efficient solution given current staffing levels. Planning Manager Lochirco added that staff created a checklist to ensure compliance with state law, allowing the process to become clear for both applicants and staff.

Chair Hardy asked whether managing post-permit responsibilities would create a significant workload for staff. Senior Planner Blanton replied that post-permit responsibilities are generally handled through existing processes, and they do not anticipate a heavy workload. She explained that they recommend initially rolling out the program as a pilot in specific areas and for certain uses to manage potential challenges. She highlighted that this approach would allow staff to identify issues, assess resource needs, and adjust controls or expand the program as appropriate once its effectiveness is evaluated.

Chair Hardy opened public comment at 8:34 p.m.

Philip Sidles of Prologis expressed support for Hayward's Business-Friendly initiative but raised concerns that banning data centers in industrial park zones could hinder investment. He noted data centers are compatible with other industrial uses, citing the Heinz data center, and that the western IP area's electrical infrastructure makes it a prime location. He highlighted fiscal benefits, including taxes and infrastructure upgrades, and recommended allowing data centers with clear performance standards and site plan review rather than a blanket ban.

Chair Hardy closed public comment at 8:38 p.m.



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Commissioner Lowe praised the consolidation of the Commercial Code, highlighting that simplifying the code makes it easier for the community to understand and helps prevent staff workload and compliance issues. She encouraged child-focused entertainment activities in the streamlined process to attract families and visitors. Commissioner Lowe also supported staff's attention to noise control for event spaces, ensuring neighbors are not adversely affected. She endorsed the proposed uses for ACUs, including beauty and nail salons, and appreciated the pilot program approach as a cautious way to implement significant changes.

Commissioner Haman supported AUPs for animal care facilities, CUPs for massage parlors and data centers, while recommending further review of data center zoning restrictions. He favored the proposed rezoning to clean up the map and promote new businesses, supported pilot programs for accessory units downtown, and endorsed the limited entertainment permit program, including broader theater uses and event spaces, with attention to safety and proximity to public transit. Commissioner Haman emphasized streamlining entitlements to activate vacant properties responsibly and expressed optimism that these measures will help Hayward reach its business potential.

Commissioner Yorgov supported consolidating codes, simplifying rezoning, relaxing permits, and allowing by-right uses for daycare, cultural, and recreational facilities. He endorsed ACUs to incubate small businesses, suggesting broader eligibility and expansion beyond downtown. He supported limited entertainment and temporary use permits with streamlined approvals, flexible event types, and reduced fees, while maintaining controls for larger-scale venues. Commissioner Yorgov praised the proposals for making Hayward more vibrant, flexible, and business-friendly.

Commissioner Stevens expressed general support for the proposals but strongly opposed restricting data centers to the IG zone. He emphasized that data centers are a critical future-oriented business with significant economic impact, citing Hayward's existing facilities as evidence. He argued that limiting their location is overly restrictive, does not reflect emerging trends like decentralized power, and could hinder economic opportunity. Commissioner Stevens supported using the CUP process to manage impacts and urged reconsideration to ensure Hayward remains truly business-friendly for future-focused industries.

Commissioner Goodbody expressed support for all four proposals. She highlighted the need for further clarity on the data center policy, emphasizing the importance of supporting both small entrepreneurs and large, future-focused businesses. She praised the pilot program approach to test innovations collaboratively and efficiently, noting its potential to improve processes, build an innovative culture, and optimize staff resources while advancing the City's goals.

Chair Hardy expressed general support for the draft municipal code revisions, permit types, and proposed rezonings, appreciating the streamlining for both businesses and staff. She was



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less enthusiastic about accessory commercial units, citing concerns about food safety and their alignment with the goal of activating vacant storefronts, but was open to considering them as a pilot. She supported the limited entertainment program and event spaces, suggesting exploring more performing arts uses in theaters. Chair Hardy emphasized the importance of inclusive community outreach, including translations, and acknowledged the data center issue as one needing further exploration while trusting staff's research.

COMMISSIONERS' ANNOUNCEMENTS, REFERRALS

Planning Manager Lochirco made two announcements: 1) he thanked Chair Hardy for her service and recognized Chair Goodbody as the incoming chair; and 2) the next Planning Commission meeting is scheduled for Thursday, February 26, 2026.

Commissioner Yorgov thanked City staff for organizing the Point-in-Time Count, calling it a massive, well-run effort critical to addressing the homelessness crisis.

Chair Hardy thanked the Commission for their support during her year as chair and congratulated Chair Goodbody and Vice Chair Haman on their new roles.

ADJOURNMENT

Chair Hardy adjourned the meeting at 9:10 p.m.

APPROVED:

Ron Meyers, Secretary
Planning Commission

ATTEST:



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Briea Allen
Planning Commission Secretary
Office of the City Clerk