

**FINDINGS TO APPROVE A GENERAL PLAN AMENDMENT
TO IMPLEMENT ADOPTED PROGRAMS WITHIN
THE HAYWARD DOWNTOWN SPECIFIC PLAN**

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

- A. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, a Program Environmental Impact Report (EIR) was prepared for the Hayward Downtown Specific Plan ("Specific Plan"). On April 30, 2019, the City Council adopted Resolution No. 19-075, approving the Specific Plan and related Program Environmental Impact Report (EIR).
- B. In accordance with Section 15164 of the CEQA Guidelines, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The Program EIR covers the subject General Plan Amendments as a subsequent action contemplated with the adoption of the Specific Plan. The Amendments are fully consistent with "Program Land Use 6" and "Program Land Use 7" of the Specific Plan.
- C. Based on the draft regulations and the analysis provided in the staff report, no new or unanticipated levels of development are anticipated that were not previously identified in the Specific Plan or Specific Plan EIR. Therefore, the proposed Amendments substantially conform to the Programs set forth in the Specific Plan that were analyzed in the related Program EIR. As such, no further environmental review is necessary.
- D. It is certified that the project complies with CEQA, and that the Planning Commission has reviewed and considered the information prior to approving 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 94541.

GENERAL PLAN AMENDMENT FINDINGS

Pursuant to Hayward Municipal Code Section 10-1.3425(b), the Planning Commission may recommend approval of an Amendment to the General Plan upon making the following findings:

A. Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the residents of Hayward;

The proposed General Plan Amendments will promote the public health, safety, convenience and general welfare of the residents of Hayward in that they will implement the adopted Hayward Downtown Specific Plan, which established design standards, development regulations, and implementation programs intended to achieve the community's vision of a resilient, safe, attractive, and vibrant Downtown. In addition, the Amendments will further advance the City's commitment to achieving compliance with the Metropolitan Transportation Commission's (MTC) Transit-Oriented Communities (TOC) Policy thus enhancing the City's competitiveness for regional grant funding to support existing and future transportation projects.

B. The proposed change is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans;

The proposed General Plan Amendments are in conformance with the purposes of the Zoning Ordinance, and all applicable, adopted policies and plans in that it is consistent with the Hayward 2040 General Plan and Hayward 2023-2031 Housing Element. The proposed amendments support implementation of the adopted Downtown Specific Plan, which is consistent with Hayward 2040 General Plan Land Use Policy LU-2.7, requiring the preparation and adoption of a Specific Plan to establish a vision for Downtown Hayward. In addition to Land Use Policy LU-2.7, the amendments are also consistent with the following goals and policies of the Hayward 2040 General Plan:

- *Land Use Goal 2 (LU-2):* Revitalize and enhance Hayward's Priority Development Areas to accommodate and encourage growth within compact, mixed-use, and walkable neighborhoods and districts that are located near the city's job centers and regional transit facilities.
- *Downtown Housing (LU-2.5):* The City shall encourage the development of a variety of urban housing opportunities, including housing units above ground floor retail and office uses, in the Downtown to:
 - Increase market support for businesses,
 - Extend the hours of activity,
 - Encourage workforce housing for a diverse range of families and households.
 - Create housing opportunities for college students and faculty, and
 - Promote lifestyles that are less dependent on automobiles.
- *Downtown Bart Station (LU-2.6):* The City shall encourage a mix of commercial, office, high-density residential, and mixed-use development in the area surrounding the Downtown BART Station.

The proposed amendments are also consistent with the following adopted housing policies within the Hayward 2023-2031 Housing Element:

- *Diversity of Housing Types (H-3.1)*: The City shall continue to implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, Accessory Dwelling Units (ADUs), and units in mixed-use developments.
- *Transit-Oriented Development (H-3.2)*: The City shall encourage transit-oriented developments in close proximity to BART and high frequency bus lines.
- *Residential Uses Close to Services (H-3.4)*: The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

C. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified;

The proposed General Plan Amendments make modifications to the allowable density and land use designation. The proposed Amendments are fully consistent with the programs in the Downtown Hayward Specific Plan and analyzed in the related Program Environmental Impact Report. While the city is generally built out and has adequate streets and public facilities to serve the areas, each new development project would be evaluated on a case-by-case basis for environmental impacts and would be required to install or upgrade utilities, upgrade roadways or install frontage improvements such as standard conditions of approval to ensure that the future development or land use is adequately served.

D. All uses permitted when property is reclassified will be compatible with present and potential future uses, and further, a beneficial effect will be achieved which is not obtainable under existing regulations.

The proposed General Plan amendments make modifications to the allowable density and to change the land use designation on 130 properties from Commercial/High Density Residential, Medium Density Residential, Parks and Recreation (parcels between Mission Boulevard and A Street) and Sustainable Mixed Use to City Center – Retail and Office Commercial will be compatible with present and potential uses to encourage a balanced mix of commercial, office, high-density residential, and mixed-use development in Downtown Hayward. These changes provide a beneficial effect not achievable under the existing regulations by expanding housing opportunities for a diverse range of households, supporting a more vibrant and walkable downtown, and further aligning the City with the Metropolitan Transportation Commission's (MTC) Transit-Oriented Communities (TOC) Policy, thereby enhancing the City's competitiveness for future MTC grant funding opportunities.