



## **SUBJECT**

Consideration of Proposed Amendments to the Hayward 2040 General Plan to Implement Adopted Programs within the Hayward Downtown Specific Plan

## **RECOMMENDATION**

That the Planning Commission recommend the City Council approve the proposed Amendments (Attachment III & Attachment IV) to the Hayward 2040 General Plan to implement adopted Programs within the Hayward Downtown Specific Plan; and review Findings that the project is fully consistent with the Downtown Specific Plan Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA).

## **SUMMARY**

On April 30, 2019, the Hayward City Council adopted the Hayward Downtown Specific Plan ("Specific Plan") which included programs to achieve the community's vision of a resilient, safe, attractive, and vibrant Downtown. The proposed Amendments are implementing two programs within the Specific Plan by 1) establishing a density range of 40 to 210 dwelling unit per net acre for the City Center-Retail Office Commercial (CC-ROC) and City Center – High Density Residential (CC-HDR) and 2) remapping a total of 130 parcels to the CC-ROC land use designation to be consistent with the existing zoning.

In addition to implementing the Downtown Specific Plan, the proposed Amendments are fully consistent with the Hayward 2040 General Plan, the Hayward 2023-2031 Housing Element, and the City's Transit-Orientated Community Policy. Furthermore, these Amendments will enhance the City's competitiveness for State and Regional grant funding opportunities and support BART's planned Transit Oriented Development at the Downtown Hayward BART Station.

## **BACKGROUND**

On April 30, 2019<sup>1</sup>, the Hayward City Council adopted the Hayward Downtown Specific Plan ("Specific Plan") which included design and development standards and programs to achieve the community's vision of a resilient, safe, attractive, and vibrant Downtown. Chapter 5, Implementation and Financing of the Downtown Specific Plan contains Goals, Policies and

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<sup>1</sup> April 30, 2019, City Council Public Hearing: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3930920&GUID=44BB4B50-145E-4878-9158-5B42EBAFD076&Options=&Search=>

Implementation Programs in the areas of land use, community design, housing, circulation, travel demand management, economic development and infrastructure and public facilities. Implementation Programs are actionable techniques and measures intended to realize the goals and policies of the Specific Plan.

The proposed Amendments are aimed at implementing the following adopted and analyzed Land Use-related Programs within the Specific Plan:

- **Program Land Use 6** - Remap the following General Plan Land Use Designations within the Plan Area to the City Center-Retail and Office Commercial Land Use Designation to implement the Specific Plan Vision: 1. Commercial/High Density Residential; 2. Medium Density Residential; 3. Parks and Recreation (between Mission Boulevard and A Street); and 4. Sustainable Mixed Use. (Planning, Short Term)
- **Program Land Use 7** - Amend the General Plan Land Use Designation, City Center-Retail, Office Commercial, and City Center - High Density Residential, to allow for density up to 210 dwelling units per acre. (Planning, Short Term)

These programs were initially intended to be implemented within five years of Specific Plan adoption (i.e. 2024), however, this timing was delayed due to shifting priorities. Recent Regional and State actions have made implementation of these Programs more urgent to ensure that the City is as competitive as possible for grant funding opportunities.

On March 25, 2026, the Metropolitan Transit Commission (MTC) adopted the Transit-Oriented Community Policy (TOC)<sup>2</sup> which is aimed at reducing greenhouse gas emissions by requiring that local jurisdictions allow higher average housing densities and greater commercial densities within a half mile of existing BART stations. MTC intends to evaluate compliance with the TOC Policy in determination of eligibility for One Bay Area Grant (OBAG) funding. On May 6, 2025, City Council adopted a Resolution 25-074<sup>3</sup> committing to working towards compliance with MTC's TOC Policy. Specifically, the Resolution notes the City's intention to adopt relevant plans, policies and zoning updates such as the proposed amendments.

On July 1, 2026, California Senate Bill 79 (SB 79) took effect which allows greater densities, heights and floor area ratios (FAR) near transit by right. Within the City of Hayward, this applies to areas within a ½ mile of the Downtown Hayward BART Station and the South Hayward BART Station. The law allows local jurisdictions to exempt certain areas or adopt a local Transit Oriented Development (TOD) Alternative Plan to modify SB 79 requirements. In consideration of these proposed Amendments to increase densities around the Downtown Hayward BART Station, City Staff worked with the California Department of Housing & Community Development (HCD) to shift density from South Hayward BART to Downtown Hayward BART as part of a TOD Alternative Plan. Ultimately, HCD denied our proposal since it was not able to meet the statutory requirements. As such,

<sup>2</sup> MTC TOC Policy: <https://mtc.ca.gov/planning/land-use/transit-oriented-communities-toc-policy>

<sup>3</sup> Hayward City Council Resolution 25-074: <https://portal.laserfiche.com/Portal/DocView.aspx?id=454949&repo=r-b6d2994c&searchid=7534f6b4-0bd3-43f4-a74f-3196857abc61>

Staff is proposing to adopt the proposed Amendments in order to implement the Downtown Specific Plan programs at this time, and staff will continue to work with HCD on developing a TOD Alternative Plan in the event that statutory requirements change.

On June 23, 2026<sup>4</sup>, BART and City staff presented findings from public outreach related to goals for redevelopment of the BART Station and the surrounding surface parking lot and vacant land at the Council Infrastructure and Airport Committee. The development assumptions discussed at that meeting were based on assumed densities set forth in the proposed General Plan Amendments which are in alignment with State Laws related to densities on BART land (Assembly Bill 2923<sup>5</sup>).

## **PUBLIC CONTACT**

Between September 2016 and April 2019, Staff conducted extensive outreach to inform the development of the Specific Plan. Outreach included the formation of a Downtown Specific Plan Task Force, a community workshop, a five-day design charrette, a community open house, social media posts, email notifications and public hearings. This outreach resulted in the development of the Land Use Programs that this project aims to implement.

In December 2025, Staff invited 22 tribal organizations to consult and provide feedback on proposed General Plan Amendments. Two tribal organizations requested consultation on this project: the Confederated Villages of Lisjan Nation and the Muwekma Ohlone Tribe of the San Francisco Bay Area. On March 4, 2026, Staff meet with the Confederated Villages of Lisjan Nation. They were generally supportive of the project and appreciated learning about the City's existing policies regarding tribal resources. The Muwekma Ohlone Tribe of the San Francisco Bay Area never responded to Staff's emails to schedule a meeting. As such, tribal consultation was officially closed on April 3, 2026.

On February 24, 2026, Staff notified 130 property owners via mail whose General Plan Land Use Designations are proposed to be remapped and invited them to a community meeting on March 20th. We received five public comments. Overall, the community members were supportive of the proposed amendments; expressing a desire for their General Plan land use designation and existing Zoning to be consistent. Most comments consisted of questions to better understand how the regulations may impact their property.

On July 31, 2026, notices of this public hearing were published in *The Daily Review*. To date, staff have not received any correspondence from the public in response to this notice.

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<sup>4</sup> June 23, 2026, Council Infrastructure and Airport Committee Work Session:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=8087266&GUID=A546D9F0-1F87-42F3-BFBA-AA6CB1424464&Options=&Search=>.

<sup>5</sup> Assembly Bill 2923. <https://www.bart.gov/about/business/tod/ab2923>

## PROJECT DESCRIPTION

Staff are recommending Amendments to the Hayward 2040 General Plan to implement adopted and analyzed programs identified in the Hayward Downtown Specific Plan. The recommended amendments are summarized below and can be found in Attachment III, IV A, and IV B.

General Plan Land Use Designation Text Amendments: The Text Amendments to the General Plan Land Use Designations City Center-Retail Office Commercial (CC-ROC) and City Center – High Density Residential (CC-HDR) are described below and can be found in Attachment III. The CC-ROC designation generally applies to the core of Downtown Hayward while the CC-HDR designation generally applies to properties surrounding the core of Downtown Hayward.

- CC-ROC allows storefront commercial buildings, mixed-use buildings with ground-floor commercial uses with residential or office space above; and, outside the Downtown retail core, townhomes, live-work units, and apartment and condominium buildings.
- CC-HDR allows townhomes, live-work units, apartment and condominium buildings, and mixed-use buildings with ground-floor commercial uses and residential or office space above.
- Currently, the CC-ROC and CC-HDR designations have no minimum density and allow a maximum density of 110 dwelling units per acre.

The proposed Amendments would not change the allowable uses or building forms within the subject land use designations, but they would establish a minimum density of 40 dwelling units per acre and increase the maximum density to 210 dwelling units per acre.

General Plan Land Use Designation Map Amendments: The amendments to the General Plan Land Use Designation Map are described below and can be found in Attachments IV A and IV B. The proposed amendments to the General Plan Land Use Designation Map would redesignate certain properties identified in the Downtown Specific Plan from the following existing land use designations to the City Center – Retail and Office Commercial (CC-ROC) designation:

1. Commercial/High Density Residential (CHDR);
2. Medium Density Residential (RM);
3. Parks and Recreation (PR) (between Mission Boulevard and A Street); and
4. Sustainable Mixed Use (SMU).

As shown in Attachment IV A, 130 parcels are proposed to be remapped to the CC-ROC land use designation to correct existing inconsistencies between the General Plan land use designation and zoning district. Accordingly, only seven parcels with a PR land use designation between Mission Boulevard and A Street are proposed for remapping due to inconsistency with their zoning district; and one BART-owned parcel which is current being used as a bus transfer and circulation area would be remapped from Public/Quasi-Public to

CC-ROC to match the surrounding BART-owned property for future redevelopment purposes. To avoid creating new inconsistencies, the project does not propose to remap parcels with a High Density Residential (HDR) land use designation that are zoned Planned Development (PD).

## STAFF ANALYSIS

Staff recommends approval of the proposed General Plan Amendments to implement adopted Programs within the Hayward Downtown Specific Plan, as they are fully consistent with the Hayward 2040 General Plan, the 2023–2031 Housing Element, the Business-Friendly Hayward project, and the City’s Pro-housing Designation and Transit-Oriented Community Policy and will further strengthen the City’s competitiveness for grant funding opportunities and support BART’s redevelopment efforts at the Downtown Hayward BART Station.

Hayward 2040 General Plan: The proposed General Plan Amendments support implementation of the adopted Downtown Specific Plan<sup>6</sup> which is consistent with Hayward 2040 General Plan<sup>7</sup> Land Use Policy 2.7, which states “the City shall develop, maintain, and implement a Specific Plan to establish a vision for Downtown Hayward and to guide and regulate future development and infrastructure improvements.” In addition to Land Use Policy LU-2.7, implementation of the adopted and analyzed programs within the Specific Plan is consistent with other General Plan goals and policies, including:

- *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.

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<sup>6</sup> Hayward Downtown Specific Plan: <https://www.hayward-ca.gov/sites/default/files/documents/DSD-Planning-Hayward-Downtown-Specific-Plan.pdf>.

<sup>7</sup> Hayward 2040 General Plan: <https://haywarddev.prod.acquia-sites.com/sites/default/files/2026-03/DSDPL-Hayward-204-General-Plan-Downloadable-2604.pdf>.

*Housing Element:* The project will also support the following adopted housing policies within the Hayward 2023-2031 Housing Element<sup>8</sup>.

- *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.

On March 5, 2024, City Council adopted a resolution<sup>9</sup> authorizing the City's participation in the Pro-housing Designation Program (PDP). The PDP recognizes and supports jurisdictions that exceed state housing requirements to accelerate housing production by providing priority processing or funding points when applying for several funding programs. The proposed General Plan amendments are consistent with the City's participation in the Pro-housing Designation Program as these amendments will increase density and creates consistent regulations to support the development of additional housing.

*Business-Friendly Hayward:* On April 21, 2026, City Council adopted Ordinance No. 26-06<sup>10</sup> adopting Zoning Map and Text Amendments as part of the Business-Friendly Hayward project streamlined permitting requirements for popular business types, established strategic new land use regulations and simple permit types, and consolidated zoning districts. As stated previously, the Downtown Specific Plan provided a strategy to achieve the community's vision of a resilient, safe, attractive, and vibrant Downtown. The proposed General Plan amendments support the Business-Friendly Hayward amendments as both work towards achieving the community vision of the Downtown Specific Plan and to increase development capacity within Downtown. Furthermore, encouraging mixed income residential development within Downtown will support economic development by bringing more households to the area and increasing the customer base that can patronize local businesses, restaurants, and services.

*Transit-Oriented Community Policy:* MTC's TOC Policy aims to reduce greenhouse gas emissions by allowing a greater mix of housing densities and greater commercial

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<sup>8</sup> Hayward 2023-2031 Housing Element: <https://www.hayward-ca.gov/sites/default/files/documents/DSD-General-Plan-Housing-Element-2023-2031-Downloadable.pdf>.

<sup>9</sup> Pro-housing Designation Program Authorizing Resolution: [https://www.hayward-ca.gov/sites/default/files/Resolution%201631\\_001.pdf](https://www.hayward-ca.gov/sites/default/files/Resolution%201631_001.pdf)

<sup>10</sup> Business Friendly Hayward Resolution: <https://hayward.legistar.com/LegislationDetail.aspx?ID=7987053&GUID=C94A3DF0-8BAB-4F0D-B8CE-5076FDDDD36E#docaccess-033be0a27e988c916c71551d23f7ee93>

densities within a half mile of existing BART stations. On May 6, 2025, City Council adopted Resolution 25-074<sup>11</sup> committing to achieving compliance with MTC's TOC Policy.

In January 2026, MTC approved their fourth round of the One Bay Area Grant (OBAG 4)<sup>12</sup> which includes \$820 million in federal funding for projects from 2027 through 2030. Allocation of this funding will consider consistency with the TOC Policy. To date, the City of Hayward has been awarded approximately \$4,200,000 in OBAG funding that supported complete streets projects, Senate Bill 743 (SB 743) implementation, a micromobility/safety program, TOC planning and a parking management plan. Implementation of the Specific Plan programs will further align the City with the TOC Policy and enhance competitiveness for future MTC grant funding opportunities.

## ENVIRONMENTAL REVIEW

On April 30, 2019, the City Council adopted Resolution No. 19-075<sup>13</sup>, approving the Specific Plan and related Program Environmental Impact Report (EIR). In accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary pursuant to the conditions described in Section 15162. Under Section 15162, a subsequent EIR need not be prepared unless the lead agency determines one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

<sup>11</sup> Hayward City Council Resolution 25-074: <https://portal.laserfiche.com/Portal/DocView.aspx?id=454949&repo=r-b6d2994c&searchid=7534f6b4-0bd3-43f4-a74f-3196857abc61>

<sup>12</sup> One Bay Area Grant Funding: <https://mtc.ca.gov/funding/federal-funding/federal-highway-administration-grants/one-bay-area-grant-4-obag-4>

<sup>13</sup> Hayward City Council Resolution 25-074: <https://portal.laserfiche.com/Portal/DocView.aspx?id=454949&repo=r-b6d2994c&searchid=7534f6b4-0bd3-43f4-a74f-3196857abc61>

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The proposed Amendments are entirely consistent with the Specific Plan and do not require any changes to the adopted Plan. Thus, no new or unanticipated levels of development are expected as a result of the proposed Amendments that were not previously identified in the Specific Plan EIR. As such, no further environmental review is necessary.

## **NEXT STEPS**

Following Planning Commission hearing and recommendation, the item is tentatively scheduled for a public hearing at the October 6, 2026, City Council Meeting. If adopted, the final General Plan amendments will be filed with Governor's Office of Land Use and Climate Innovation.

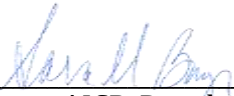
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