



# **General Plan Update Task Force Meeting**

**June 6, 2013**

7:00 pm to 9:00pm; City Hall, Conference Room 2A

## **Meeting #10 – Land Use**

- I. Call to Order - 7:00 pm**
- II. Roll Call/Introductions**
- III. Presentation**
  - Summary of Existing Policies
  - Land Use Map Changes
- IV. Mapping Exercise**
  - In small groups, identify the Land Use Vision for Corridors, Neighborhoods, Priority Development Areas, Centers, and the Industrial Technology and Innovation Corridor
- V. Large Group Discussion and Mapping Exercise Reporting**
- VI. Public Comment Period**
- VII. Adjourn – 9:00 pm**



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June 6, 2013

Meeting #10 – Land Use

## Memorandum

**TO:** General Plan Update Task Force

**FROM:** Sara Buizer, AICP, Senior Planner

**SUBJECT:** Land Use

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In preparation for the June 6<sup>th</sup> meeting of the General Plan Update Task Force on Land Use, this memo provides details to facilitate our discussion. Staff is seeking general direction from the Task Force regarding land use-related policies or actions that may be included in the General Plan. Attached for your review are:

- Map: Land Use
- Map: Priority Development Areas
- The Land Use Element of the current Hayward General Plan
- Section of the General Plan Guidelines (published by the Office of Planning and Research) related to Land Use

You may also want to review the existing plans that have been adopted or soon to be adopted for the [Cannery Area](#), [South Hayward BART Area](#), and [Mission Boulevard Corridor Area](#). As it relates to potential policies for the Priority Development Areas in the City, you may also want to review the Bay Area's Sustainable Communities Strategy called [One Bay Area](#).

As a reminder the following are the Guiding Principles that relate to Land Use:

Hayward should have **safe and clean neighborhoods with an expanded network of parks and thriving commercial centers** that incorporate attractive design, support a diverse population, encourage long-term residency, and inspire all residents to live active, healthy, and green lifestyles.

Hayward should have **a safe, walkable, vibrant, and prosperous Downtown** that serves as an attractive destination for business, shopping and dining, arts and entertainment, and college-town culture.

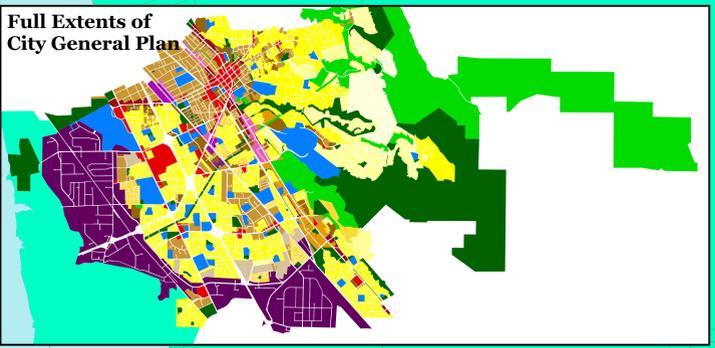
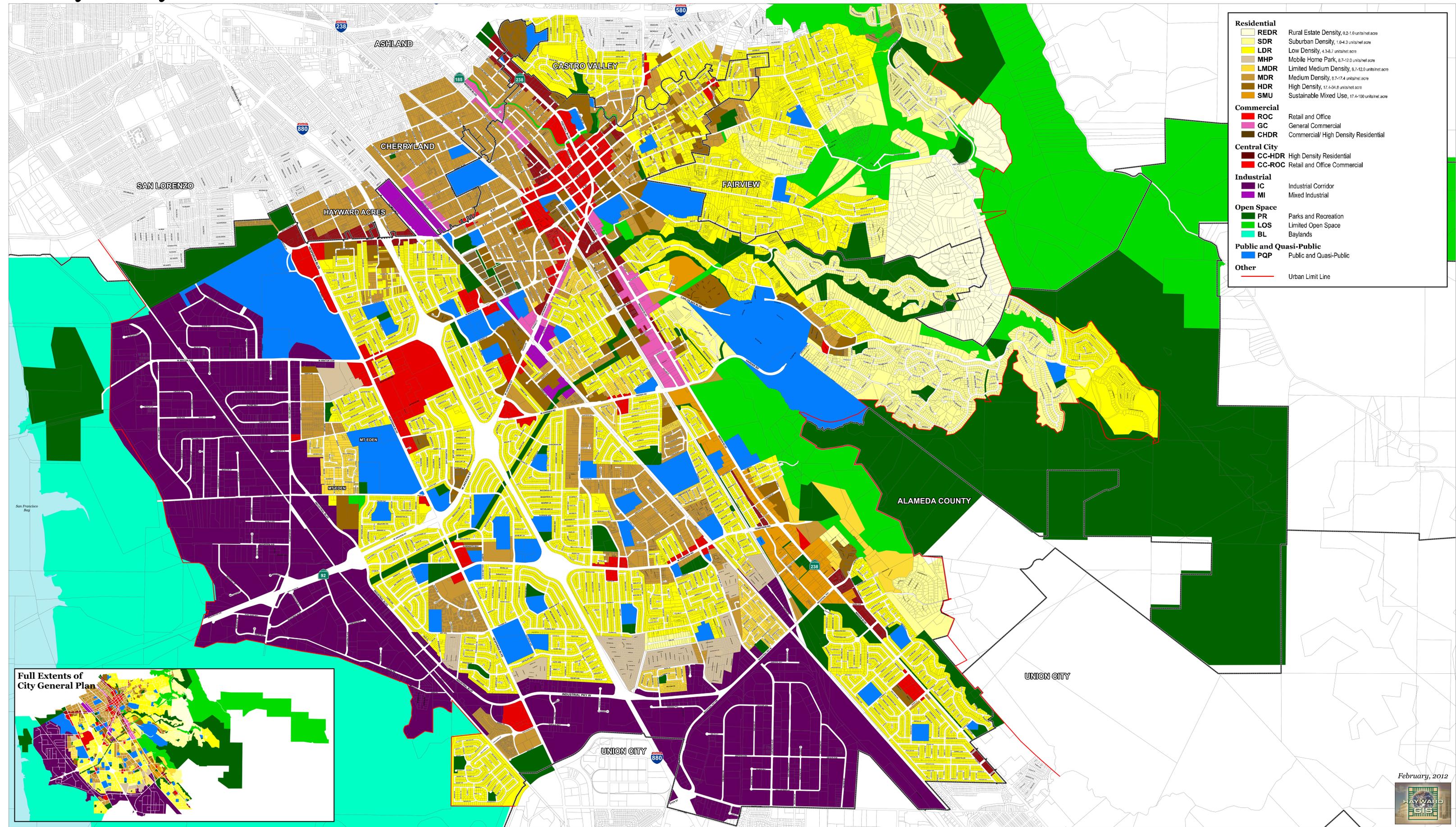
Hayward should **preserve, enhance, and connect its baylands, hillsides, greenway trails, and regional parks** to protect environmental resources, mitigate the impacts of rising sea levels, and provide opportunities to live an active outdoor lifestyle

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# City of Hayward General Plan

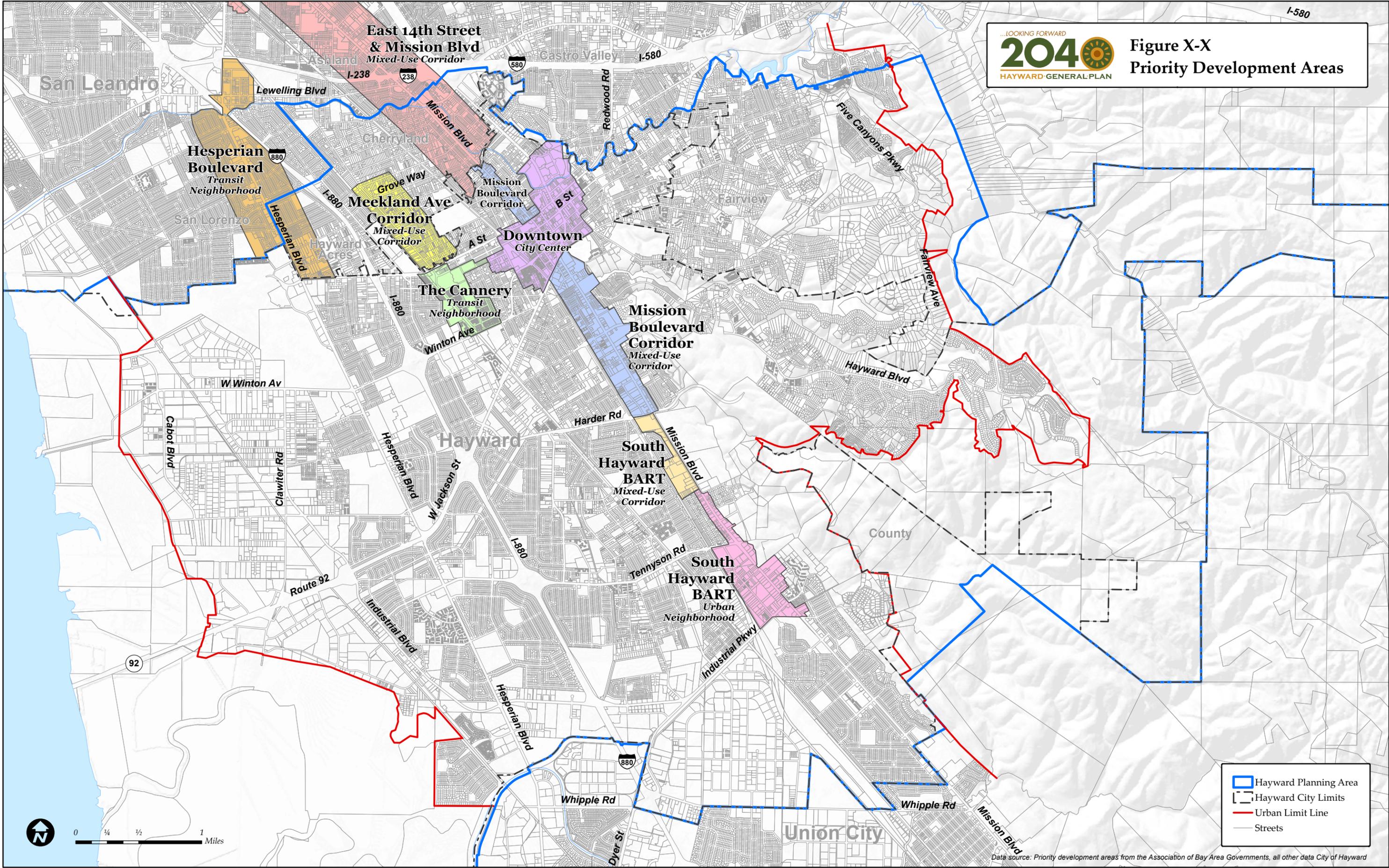


Residential	
REDR	Rural Estate Density, 0.2-1.0 units/net acre
SDR	Suburban Density, 1.0-4.3 units/net acre
LDR	Low Density, 4.3-8.7 units/net acre
MHP	Mobile Home Park, 8.7-12.0 units/net acre
LMDR	Limited Medium Density, 8.7-12.0 units/net acre
MDR	Medium Density, 8.7-17.4 units/net acre
HDR	High Density, 17.4-34.8 units/net acre
SMU	Sustainable Mixed Use, 17.4-100 units/net acre
Commercial	
ROC	Retail and Office
GC	General Commercial
CHDR	Commercial/ High Density Residential
Central City	
CC-HDR	High Density Residential
CC-ROC	Retail and Office Commercial
Industrial	
IC	Industrial Corridor
MI	Mixed Industrial
Open Space	
PR	Parks and Recreation
LOS	Limited Open Space
BL	Baylands
Public and Quasi-Public	
PQP	Public and Quasi-Public
Other	
—	Urban Limit Line



...LOOKING FORWARD  
**2040**  
 HAYWARD GENERAL PLAN

**Figure X-X**  
**Priority Development Areas**



- ▭ Hayward Planning Area
- Hayward City Limits
- Urban Limit Line
- Streets



Data source: Priority development areas from the Association of Bay Area Governments, all other data City of Hayward

## **2. LAND USE**

The General Plan, pursuant to state law, must address all areas within the city as well as those areas beyond the city limits that are within its Sphere of Influence. The Hayward Planning Area is depicted in **Figure 2-1**. The Planning Area includes all land within the City of Hayward as well as surrounding unincorporated areas that are within the City's Sphere of Influence. These areas include the communities of Fairview and Cherryland. The Sphere of Influence, as adopted by the Alameda County Local Agency Formation Commission, recognizes areas that share a community of interest, are closely tied to the city through existing circulation patterns, currently receive some city services, or which may eventually be considered for annexation to the city.

### **Historical Overview**

The modern City of Hayward had its origins in the 1850s during the Gold Rush. The city's site lay within the boundaries of Rancho San Lorenzo, a 17,000-acre estate granted in 1821 to the Mexican colonist Guillermo Castro. In 1854, Castro had a map surveyed for a town covering 28 blocks in the vicinity of his adobe (a site now occupied by Hayward's Historic City Hall) and began selling land to settlers. Castro also sold a large tract to William Hayward, who built a general store and lodging house at present-day A and Main Streets, near the intersection of the principal road from Oakland to San Jose and the road from the bayshore landings to the Castro and Livermore Valleys. The settlement that grew up around Hayward's Hotel became known as Haywards, later shortened to Hayward.

Rich soil and abundant water supported a prosperous farming and ranching culture in the area. Numerous farms and ranches spread across the flatlands and hills, producing grains, vegetables, fruits, dairy products, and meat. Most of these landholdings were large, ranging in size from 100 to 500 acres, with a few exceeding 1,000 acres. The premier agriculturist in the area was William Meek, who owned nearly 3,000 acres south and west of San Lorenzo Creek and Hayward, on which he pastured sheep and cultivated almonds, plums, oranges, lemons, limes, cherries, currants, wheat, oats, barley, and corn.

Railroads spurred urban and agricultural development. In 1865, a local line began service between Hayward and Alameda, where trains connected with ferries to San Francisco. This line was soon taken over by the Central Pacific, and in 1869 transcontinental trains began running through Hayward. In 1878, a second railroad began service along the bay shore, with a station at the village of Mt. Eden. By 1870, Hayward had a population of 1000 and a thriving commercial district. When Hayward was incorporated in 1876, the town plat extended east from the vicinity of present-day Mission Boulevard to Fourth Street. A Street marked the town's north boundary; E Street and Jackson Street made up the south boundary. This grid would change little over the next 30 or 40 years. During these years, Hayward remained a small mercantile town with a cannery by the tracks and a couple of thousand residents. Roads radiated out from the town into the surrounding farmland. A Street ran east and west to Castro Valley and

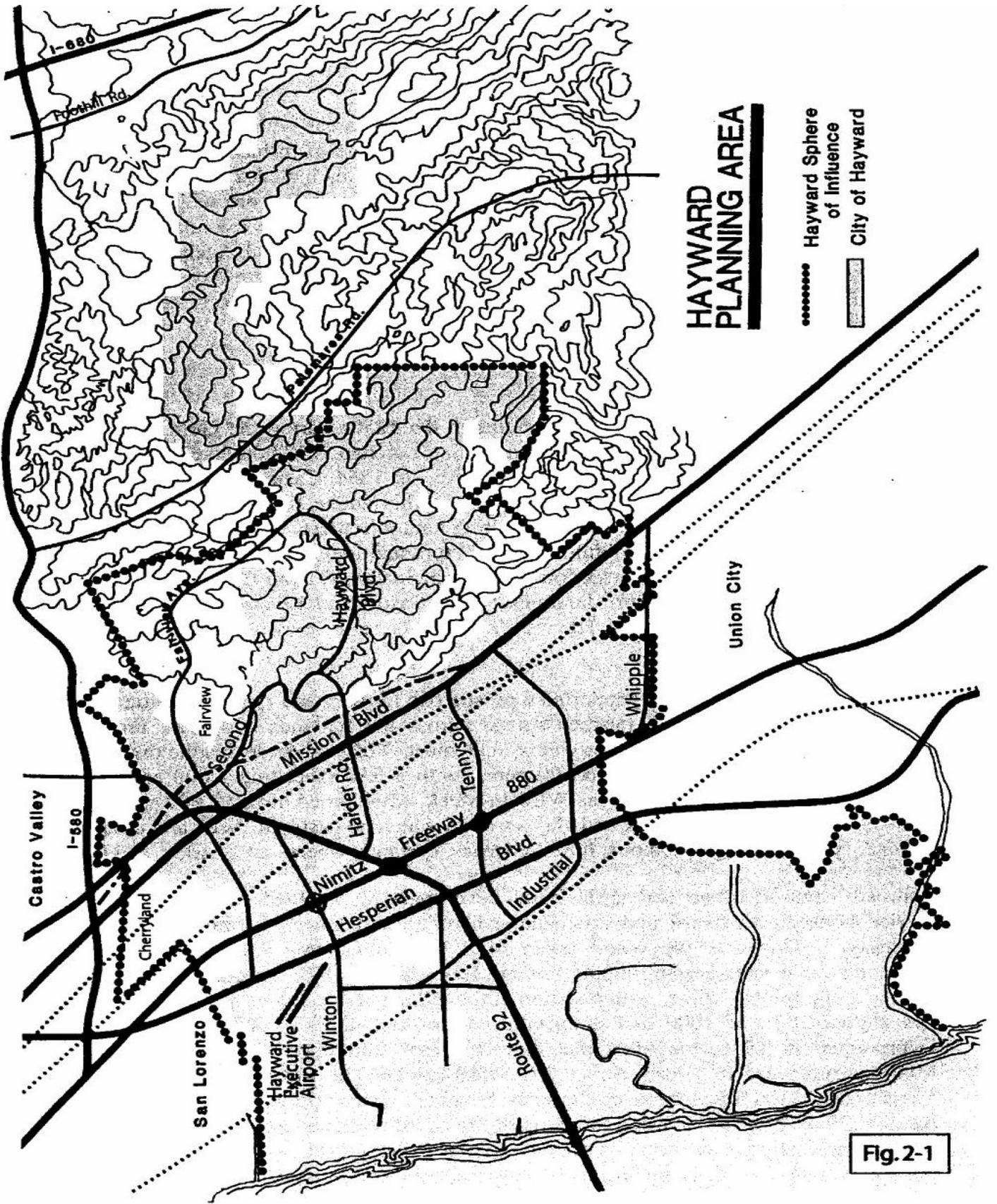


Fig. 2-1

the bay shore; Jackson Street headed southwest to the village of Mt. Eden; Mission Boulevard ran north and south to nearby towns and cities.

The Hayward area entered a period of accelerated change in the early decades of the 20<sup>th</sup> century. A steady influx of farmers and townsmen resulted in the gradual expansion of the town grid and the cutting up of larger farms into smaller farms. The opening of the Hayward–San Mateo Bridge in 1919 brought new prominence to the town as burgeoning numbers of automobiles passed through the area on newly improved county roads. During the prosperous 1920s, Hayward’s population surged to 5,000 and new tracts pushed out the boundaries of the grid. In 1941, when the United States declared war, Hayward was still an agricultural town, with a population of about 7,000.

By 1950, with a population exceeding 14,000, the town was well on its way to becoming a city. Housing tracts had begun to appear around the fringes of the grid, and the city limits now stretched south to Tennyson Road and west to the Southern Pacific tracks. The City also annexed the new municipal airport (established during the war as a military airbase).

Explosive growth in the 1950s, facilitated by the opening of the Nimitz Freeway (Interstate I-880), brought about a five-fold increase in the city’s population, which exceeded 72,000 by 1960. As vast tracts of agricultural land were annexed, pushing the city limits south to Union City and west toward the bay, farmland gave way to more subdivisions, shopping centers, and industrial parks. As a result of the post-war housing construction boom, Hayward was transformed into a suburban bedroom community.

During the late 1960s and 1970s, Hayward experienced a surge in industrial development that created numerous employment opportunities, balancing to some extent the housing that was developed earlier. To accommodate the substantial population increase and minimize the costs to extend city water, storm drain and sewer throughout Hayward, developers began to focus on creating multifamily housing. Construction of multifamily housing increased dramatically during this period and continued into the 1980s. Infill development in the form of single-family detached homes on smaller lots became the predominant type of residential development during the 1990s. Toward the end of the decade, townhouse (or single-family attached units) developments became more common, especially in the Downtown area.

Today, Hayward is a highly urbanized community, and yet still retains some aspects of the small town feeling. It also exhibits lingering characteristics of suburban sprawl. Most of the available land in Hayward has been developed for housing, commercial, industrial or other urban uses. Generalized land use is presented in Table 2-1. The City is now focusing on maintaining and enhancing existing neighborhoods, business districts, and surrounding open space. With a growing, changing population, it becomes more important to establish long-range plans for the City that accurately reflect the desired goals of the community.

**Table 2-1.**

<b>Urban Land and Open Space within the City of Hayward</b>	
<b>Land Use Description</b>	<b>Square Miles</b>
Urban Land ( <i>Developed Areas</i> )	30 sq.mi.
Baylands ( <i>Marshes, Salt Ponds, etc.</i> )	9 sq.mi.
Rangelands ( <i>East Hills Annex</i> )	5 sq.mi.
Water ( <i>San Francisco Bay</i> )	17 sq.mi.
<b>Total Area within the City of Hayward</b>	<b>61 sq.mi.</b>

**Existing Land Use and Development Potential**

Continuous assessment of current development trends and review of long-range forecasts is essential to attaining housing and economic development goals and objectives, as well as planning for future public facilities and service requirements.

Residential Development

More than 70% (approximately 15,000 units) of Hayward’s single-family detached homes were built between 1950 and 1960. From 1960 to 1990, only 3,411 units of single-family housing were developed. Between 1990 and 2000, approximately 2,930 units of single-family housing were developed, or only 500 fewer units than the total number of units developed in the preceding thirty years.

Prior to 1960, there were relatively few (approximately 1,400) multifamily housing units in Hayward. Between 1960 and 1970 approximately 7,000 units of multifamily housing were built, and during the next two decades, approximately 10,000 units of multifamily housing were developed. Over the decade from 1990 to 2000, relatively few multifamily units were built due to changes in the federal tax code and market acceptance of single-family homes on smaller lots.

The most recent estimate of the number of housing units in Hayward is 46,345, as of January 1, 2001 (State Department of Finance). This is an increase of almost 10% from the 42,216 units in 1990. The annual average of new housing construction since 1990 is approximately 272 units; however, the annual average over the past three years is 318 units.

There is still potential for an additional 5,000 housing units based on existing General Plan policies. This number assumes that the average density of development will approximate the midpoint of the permitted density range. The estimated remaining housing potential by neighborhood is provided in Appendix E .

It should be noted that the remaining housing potential for the Hayward Highlands area incorporates the level of development approved in the amended Walpert Ridge Specific Plan. The Specific Plan allows for development of up to a total of 805 single-family homes on 310 acres and designates the remaining acreage for open space uses. Construction is underway in the Bailey Ranch portion of this area, which includes a total of 135 housing units. Hayward 1900 is allowed up to 650 housing units per its development agreement for the Blue Rock Country Club project. In the Glen Eden area, the housing potential reflects approved development applications for 537 housing units on 123 acres within the South of Route 92 Specific Plan area. Housing potential within the Downtown and Burbank areas reflects development envisioned as part of the recently expanded redevelopment area. Potential in the Mission-Foothills and Mission-Garin areas assumes future redevelopment activity along Mission Boulevard and near the South Hayward BART station. In the Mt. Eden area, the potential for housing development is dependent upon extension of urban services and annexation of county islands to the city.

#### Commercial and Industrial Development

The amount of new commercial and industrial space built annually in Hayward more than doubled from .58 million square feet in 1995 to 1.2 million square feet in 1998. Construction activity declined in 1999 as building permits were issued for approximately .87 million square feet. A further decline in activity was apparent in 2000 as applications were approved or pending for about .46 million square feet. According to data supplied by BT Commercial, Hayward currently has a total of 45,604,072 square feet of warehouse, manufacturing, and research and development building space. This includes 22,546,478 square feet of warehouse space, 17,744,141 square feet of manufacturing facilities, and 5,313,453 square feet of research and development space.

The city maintains a parcel-based listing of vacant and underutilized land that is available for non-residential development. Although some acreage has been added to this inventory through approval of the South of Route 92 Specific Plan, the recent surge in construction activity has reduced the supply of available land that can accommodate additional development. Recently approved development has also further reduced the availability of relatively large parcels. Refer to Appendix E.

The surge in non-residential construction activity in recent years is reflected in the increase in employment growth over the past five years. According to the Association of Bay Area Governments, total employment in Hayward was approximately 90,080 in 2000, an increase of almost 18% over the 76,440 in 1990. Employment was relatively stable in the early 1990s, even while significant job losses were occurring elsewhere in the Bay Area due to military base closures and the California recession, because of Hayward's diversified industrial base.

Jobs/Housing Balance

The Association of Bay Area Governments (ABAG), in projections prepared for the Metropolitan Transportation Commission’s *Regional Transportation Plan*, identifies Hayward as an area with a surplus of jobs over housing. While this may be true when considering only the City of Hayward, the greater Hayward area has a very favorable jobs/housing balance in comparison to other communities in the Bay Area. Existing and projected ratios of jobs to housing are presented in Table 2-2.

**Table 2-2.**

**Jobs/Housing Balance in Selected East Bay Communities**

<b>MTC Superdistrict</b>	Employed Residents	<b>2000</b>	Jobs	Employed Residents	<b>2025</b>	Jobs
Hayward/San Leandro	154,970	1.04	160,933	192,914	1.04	201,591
Fremont/Union City	167,213	0.78	131,152	211,705	0.89	188,742
Livermore/Pleasanton	93,988	1.25	117,602	156,622	1.30	204,366
Danville/San Ramon	68,166	0.77	52,481	111,166	0.77	85,683
Oakland/Alameda	196,116	1.07	209,560	246,967	1.09	268,738
Berkeley/Albany	82,315	1.29	106,542	101,500	1.26	127,754

Metropolitan Transportation Commission: Regional Transportation Plan

**Planned Land Use: The Future and Smart Growth**

This General Plan will give guidance for the next twenty years, through the Year 2025. During the update of the General Plan, the City has paid particular attention to “smart growth” principles being promoted throughout the country. The term “smart growth” is touted as the approach that can resolve the problems endemic to urban sprawl. These include loss of open space and farmland, growing traffic congestion, absence of a sense of place, poor quality housing, crowded schools and air pollution resulting from auto dependence.

While there is no single definition of “smart growth” that everyone embraces, there are certain common elements. Typically, smart growth fosters development that revitalizes central cities and suburbs, supports and enhances public transit, and preserves open spaces and agricultural lands. Smart growth creates communities that are more livable by developing efficiently within the already built environment. Smart growth advocates argue that the problems of both the cities and the suburbs can be addressed through more infill development, more concentrated development and more redevelopment, especially in areas served by transit or close to major employment centers. The basic concept is to make more efficient use of existing developed areas so that the need to accommodate

growth through unfettered expansion of developed area is minimized. The basic principles can be summarized as follows:

- Mix land uses
- Take advantage of compact building design
- Create a range of housing opportunities and choices
- Create walkable neighborhoods
- Foster distinctive, attractive communities with a strong sense of place
- Preserve open space, farmland, natural beauty, and critical environmental areas
- Strengthen and direct development towards existing communities
- Provide a variety of transportation choices
- Make development decisions predictable, fair and cost-effective
- Encourage community and stakeholder collaboration in development decisions

Hayward has already undertaken various planning efforts that serve to implement smart growth principles. Examples include: establishment of redevelopment areas to revitalize the Downtown as a major focal point of the city; participation in the Hayward Area Shoreline Planning Agency to plan for the protection of our bay shore; adoption of an Historic Preservation ordinance to protect historic sites and structures; and adoption of Urban Limit Lines to preserve the shoreline and the hills. This General Plan incorporates policies and strategies that will continue to encourage the use of smart growth principles in long-range planning and development over the coming twenty years. Such policies and strategies seek to reduce our dependence on the automobile, create walkable neighborhoods, make efficient use of remaining land, preserve open space, and foster distinctive neighborhoods with a sense of place.

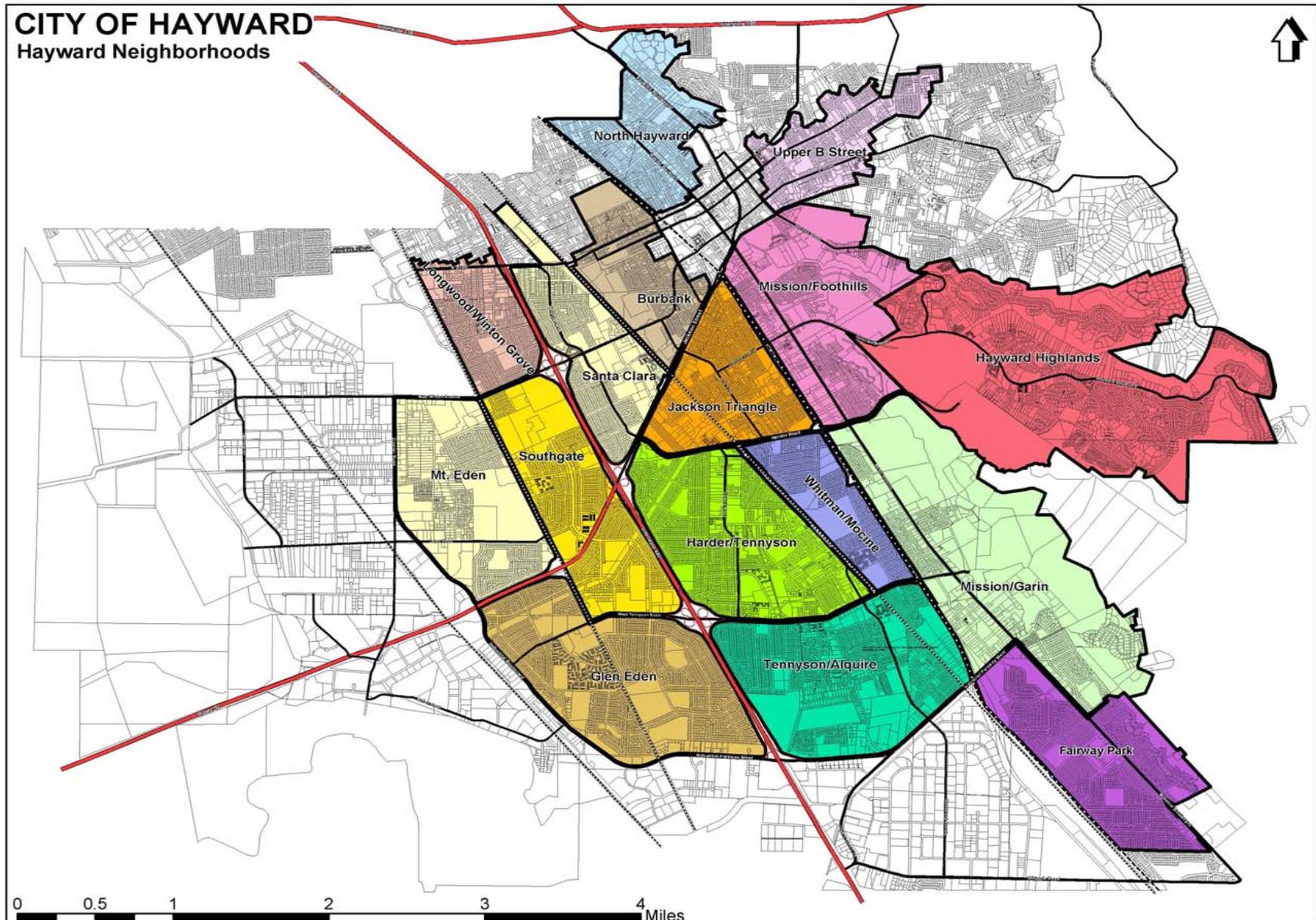
The General Plan Land Use Map is the primary graphic representation of the written policies and strategies. Appendix C contains a detailed description of the land use designations as they appear on the Land Use Map. Appendix D provides a matrix that guides determinations of zoning consistency with the General Plan.

### **Neighborhood Revitalization**

During the past 15 years, the City has undertaken the preparation of 16 neighborhood plans covering all residential and commercial areas of the city, with the exception of the Downtown area. Land use policies have been established in the respective plans and strategies for neighborhood improvements and revitalization have been developed and are being implemented. These Neighborhood Planning Areas are depicted in **Figure 2-2**.

### Infill Development

Although most of the land available for housing has been developed, some vacant land remains available for residential development. In addition, some land is underutilized and may be suitable for more intensive development. Any new development must be carefully designed because the land includes either parcels already surrounded by



**Figure 2-2**

Land Use

existing development or parcels that may have particular physical site constraints. The types and densities of housing will vary depending on the surrounding residential character and proximity to public transit, major arterials and activity centers. These factors are also important considerations in providing for choices in housing that are affordable to households at all income levels.

### Residential Densities

Smart growth principles encourage communities to meet the underlying demand for housing created by an ever-increasing population by building to higher densities in selected areas, revitalizing depressed areas, preserving meaningful open space and protecting environmentally sensitive areas. While many families continue to favor single-family homes on individual lots, smart growth recognizes that planning for growth should include planning for a wide range of housing types to suit the needs and income levels of Hayward's diverse population. The concern about higher densities in Hayward has its roots in the poorly designed, constructed and maintained multi-family projects in certain areas of the city. The undue concentration of so many multifamily units, without adequate open space, neighborhood services or transportation alternatives, has colored the perception of all multifamily housing. The reality of more recent multifamily housing shows how multifamily housing can be sited, designed and constructed to high standards. The negative perception of multifamily housing must be overcome if Hayward wants to preserve land and provide a choice of housing types to meet the needs of existing and future residents.

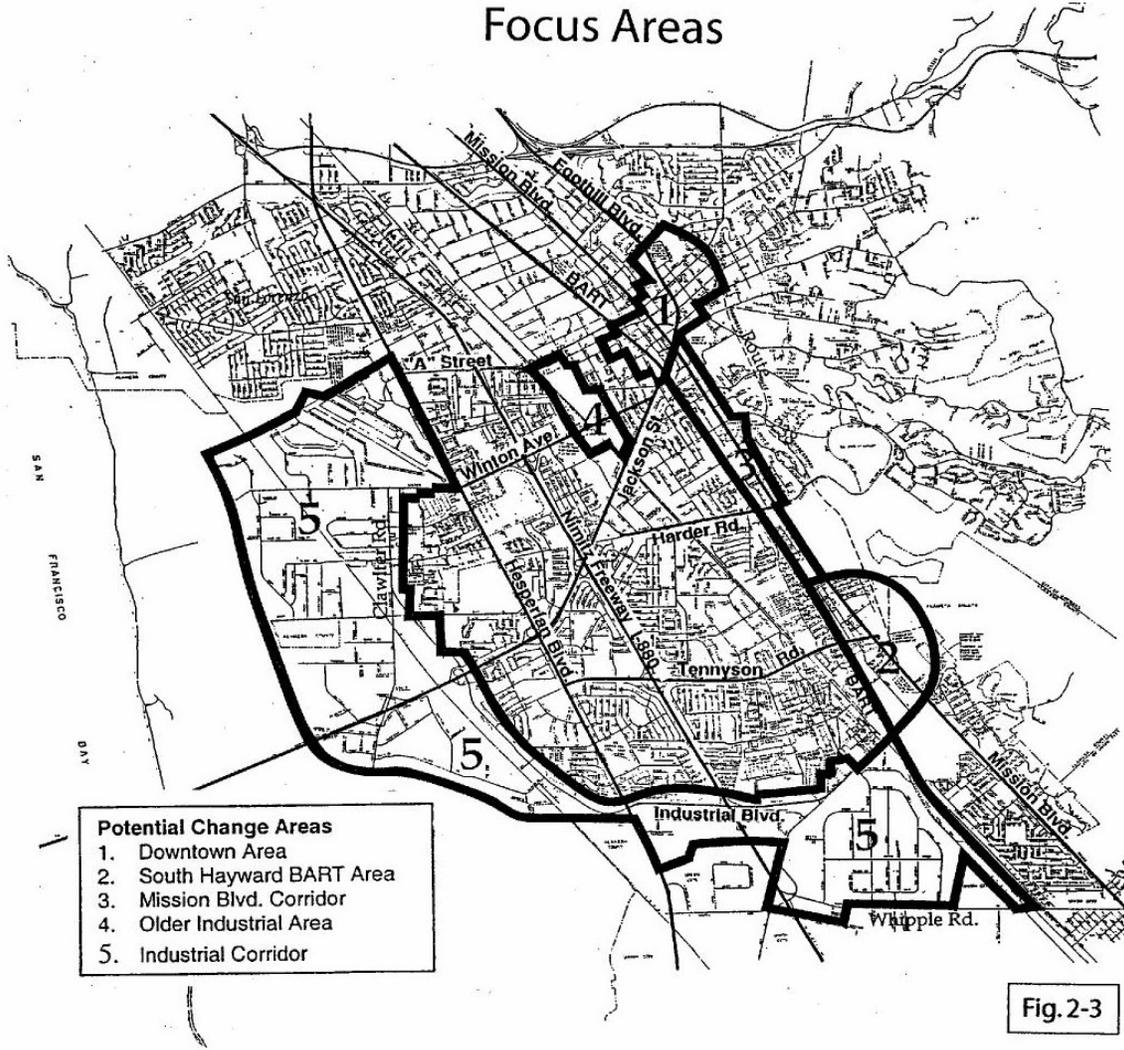
### Neighborhood Improvements

The City has established a Neighborhood Initiatives Program, which is designed to encourage individuals and groups to join together to carry out a project of value and importance to their neighborhoods. Examples of eligible projects, which must benefit all neighborhood residents, include neighborhood clean-up, tree planting and landscaping, signage, and other neighborhood improvements. The city has been divided into four areas for purposes of allocating funding to ensure that all parts of the city have an opportunity to participate in this program. The City also has a Community Preservation and Improvement Program, which is designed to ensure that all structures and areas visible from a public street are maintained in accordance with existing codes, ordinances and regulations.

### **Focus Areas**

The City has designated certain areas of Hayward where the implementation of smart growth principles is particularly appropriate. See **Figure 2-3**. The City has undertaken formal planning processes for all of these areas except the Industrial Corridor. In addition, the Downtown Redevelopment Area has been expanded in recent years to include all of these areas, with the exception of the Industrial Corridor. Expansion of the redevelopment area will assist efforts to revitalize these residential and commercial areas.

# Focus Areas



### Downtown

The Downtown is changing. The new City Hall has provided a focal point of activity and a gateway to the Downtown, inviting residents and visitors to stroll from the BART station into the central business area. New commercial and residential development has revitalized the area, helping to create a vibrant and active neighborhood. In addition, the older industrial area west of the BART Station is being envisioned as the future home of offices and residences. Both Mission Boulevard and Foothill Boulevard serve as gateways to the Downtown area.

### Cannery Area

With the closing of the United Can operations, the area around the old Hunts' Cannery is attracting considerable attention. The older warehouses are reaching the point of obsolescence. The City is currently reviewing a proposed design plan for the Cannery Area that envisions a new neighborhood with a mix of housing, a new community center, an expanded school and parks, and improved connections with the Downtown and the County governmental center on Winton Avenue.

### Mission Boulevard Corridor

Hayward's quintessential commercial strip is soon to become the focus of renewed attention. With expansion of the redevelopment area, new tools will be available to help property owners and businesses and the city make long-desired improvements. Streetscape improvements and undergrounding utilities are high on the list. Locating auto dealers closer together and providing adequate sites for their operations is also a high priority. New housing is also envisioned in selected locations. Well-designed high-density housing clusters along Mission Boulevard would help to revitalize the area by providing needed ownership and rental housing, upgrading the appearance of the street frontage, providing a population base to support resident-serving commercial activities, and locating housing near public transit to encourage its use.

The Mission Boulevard corridor is comprised primarily of disjointed commercial clutter, in part due to annexation of developed land and the long-held conviction that major arterials are undesirable for housing and should be limited to commercial development. However, well-designed high-density housing nodes along this major thoroughfare would help to revitalize the area by providing needed ownership and rental housing, upgrading the appearance of the street frontage, providing a population base to support resident-serving commercial activities, and by locating housing near public transit to encourage its use. This type of development might provide sufficient incentive to invest in upgrading public transit systems sufficiently that there would be negligible impact on automobile trip generation. Instituting a requirement that such housing be required to include a neighborhood-serving commercial component if such services were not in walking distance could assure that cars were not essential to living there. It would also allow the City to reduce parking requirements so that more efficient use could be made of the development site. One of the greatest challenges along Mission Boulevard is to create a

healthy balance between high-density housing and commercial endeavors so as to assure a high quality of life for both the residents and the businesses.

### South Hayward BART Area

This area has seen considerable residential development, but not much supporting retail businesses and even less in the way of parks and other amenities. With expansion of the redevelopment area, attention will be directed at revitalization of the area. Opportunities still exist within walking distance of the BART station to accommodate “transit-oriented” development. Remaining vacant and underutilized properties, including land east of Mission Boulevard, will be evaluated as part of a plan for the area.

### Industrial Corridor

For over 40 years, the industrial area in western and southern Hayward has attracted warehouse and distribution facilities due to its easy access and central location within the East Bay. Today, these same qualities, along with less expensive land, are attracting high-tech and other firms looking for alternatives to high-priced San Francisco and the Silicon Valley. New fiber optics and supporting business amenities are assisting in bringing the “new economy” to Hayward. To further aid in this transition, the City is looking at ways to better accommodate the differing needs of new campus-style high-tech uses and traditional manufacturing and warehousing uses, perhaps through the establishment of separate zoning districts.

The Industrial Corridor also includes several areas that function as important gateways to the city. The Point Eden area along Route 92 at the eastern end of the Hayward-San Mateo Bridge is attracting increased interest from the development community. The new Eden Shores complex along Hesperian Boulevard, containing a mix of mid-rise office and research and development uses, a new sports park and housing developments, will enhance that southern entry into the city. Other opportunities for more intensive development exist along Industrial Parkway on both sides of the Nimitz Freeway.

The Industrial Corridor has been the subject of particular attention during this General Plan update. This is in part due to the emergence of the “new economy” (see section on Economic Development). It also reflects the fact that while the City has conducted several planning studies for the Downtown area and completed sixteen neighborhood plans for all of the residential and adjacent commercial areas over the past decade, no comprehensive studies have been undertaken for the industrial areas of the city. A more detailed perspective on opportunities and constraints in the Industrial Corridor is presented in the following section.

### **The Transformation of the Industrial Corridor**

The emergence of the new economy is helping to shape the significant changes taking place in the industrial areas around the western and southern edges of the city. Indeed, this transformation suggests that perhaps a new name may be appropriate for the

Industrial Corridor. The following discussion identifies opportunities and constraints that may impact the shift in emphasis from manufacturing and distribution to more research and development oriented businesses in the Industrial Corridor. With this foundation, potential strategies have been suggested for further exploration with regard to the extent of the city's role in the transformation of the Industrial Corridor.

#### Development Trends in the Industrial Corridor

The Industrial Corridor comprises over 3,500 acres of land along the western and southern edges of the city. Data on existing land use are provided in Appendix E. There are three distinct geographical subareas. The western portion consists of the area north of Route 92; the southwestern portion is the area between Route 92 and I-880; and the southern portion includes the area east of I-880. Approximately 2,500 acres are currently devoted to industrial uses, including the industrial park on leased land at the Hayward Executive Airport and the South Hayward BART maintenance yards. Another 600 acres are presently devoted to commercial, residential, or public and quasi-public uses, including the Hayward Executive Airport and other public utility facilities. About 400 acres are classified as vacant land. It should be noted that some of this land (perhaps as much as 100 acres) may not be suitable for industrial development.

A significant portion of the land already devoted to industrial uses may see a change to more intensive land uses based on current development trends. The 1,400 acres now occupied by warehouses or other marginal uses may be candidates for conversion or redevelopment as office or research and development space. In addition, the approximately 200 acres consumed by land-intensive uses such as wrecking yards, wholesale auto auction businesses, and trucking terminals are considered underutilized and appropriate for more intensive development.

Recent new construction activity, as well as data on conversion activity in terms of the amount of warehouse space changing to office or research and development space, indicates that the trend toward more intensive development is continuing throughout the Industrial Corridor. As a result of this trend, the average employee density is projected to increase over the next 20 years from 17 employees per acre to 19 employees per acre. Employee densities currently range from 11 per acre in the South subarea to over 21 per acre in the West subarea. Although the increment in the overall average employee density throughout the Industrial Corridor appears small, this slight rise represents the equivalent of all new development on the remaining 400 vacant acres occurring at densities of 30 employees per acre. Forecasts of the average employment density may be understated in that the increased emphasis on office and research and development space within the proposed Eden Shores business complex and other recent similar development projects is not fully reflected in the current employment projections prepared by ABAG.

The General Plan, in acknowledging the Industrial Corridor as a major change area, recognizes the potential costs in terms of accommodating increased traffic and expanding utility capacities as well as the potential economic benefits in terms of more jobs and increased tax receipts. These concerns, along with other opportunities and constraints

that may be encountered in the transformation of the Industrial Corridor, are discussed in the remainder of this section and elsewhere in the relevant portions of the General Plan.

### Land Use Regulations and Development Standards

Development regulations in the Industrial Corridor essentially presume and encourage a manufacturing-based economy, whereas a new approach may be warranted that better reflects the needs of the information-based economy. This is essential with regard to provisions for business parks and research and development firms. The existing provisions in the Zoning Ordinance may serve to inhibit the development of new office and research and development space as well as conversion of warehousing to this type of space. In addition, provisions in the Off-Street Parking Regulations may inhibit the ability to address parking needs associated with more intensive use of these sites. These and other related concerns are addressed below.

*Multiple Zoning Districts.* There is only one Industrial zoning district in the city. The Industrial District currently allows office buildings only within business or industrial parks that are 25 acres or greater in size. Although most of the Industrial Corridor is comprised of business and industrial parks, some of these parks are less than 25 acres in size. Also, office buildings cannot exceed 40 feet in height. This height limitation effectively restricts office buildings to no more than three stories. These requirements are impediments to high-tech and research and development uses. These restrictions were apparently adopted at a time when it was felt that office buildings in the Industrial Corridor would detract from efforts to attract office development in the Downtown area. With the advent of the high-technology campus style of industrial development, such conditions no longer seem appropriate in today's economic environment.

It seems appropriate, therefore, to consider the establishment of multiple zoning districts within the Industrial Corridor to better accommodate the differing needs of new high-tech uses and traditional manufacturing and warehousing uses. For example, a Business Park district could encourage offices as primary uses while requiring a use permit for warehouses or even prohibiting such uses altogether. A Manufacturing district could be structured to accommodate manufacturing facilities as well as research and development operations. A new Warehousing district could respond to the needs of wholesaling and distribution uses.

*Integration vs. Separation of Land Uses.* The changing economic environment, along with the possible consideration of multiple zoning districts, suggests a need to examine provisions in the zoning ordinance regarding the separation of land uses. On the one hand, many of the businesses that use hazardous materials are located in the Industrial Corridor. For example, high-tech businesses such as computer chip manufacturers and, to a lesser extent, some biotech industries, use highly toxic or corrosive gases. These particular classes of hazardous materials, if not properly stored, handled, and monitored, can pose a threat to the community. The separation of these industrial uses from adjacent residential uses makes it easier for emergency responders to mitigate and evacuate a hazardous situation. On the other hand, as portions of the Industrial Corridor are

developed with more intensive uses, the increase in employee densities may result in a need for child-care facilities in closer proximity to the workforce. Such uses currently are prohibited in the Industrial District due to concerns about safety and land use compatibility. Perhaps there are portions of the Industrial Corridor, such as the newer business parks, where these facilities could be located and pose little or no safety risks.

*Parking Requirements.* Parking issues arise as more intensive development occurs in the Industrial Corridor. Parking requirements for warehouse uses are obviously much less than those for more intensive uses. This situation often inhibits the conversion of warehouse space to office and research and development uses. There are several approaches that might address this problem. Higher parking ratios could be required for all new buildings so as to facilitate conversion at a later date. Or, perhaps an overlay district could be applied to certain areas to address parking issues, including those related to conversion of warehouses to more intensive uses. In addition, it may be desirable to explore with industrial park owners the possibility of allowing on-street employee and visitor parking (no trucks) within some of the business and industrial parks.

*Minimum Parcel Size.* It may also be appropriate to consider increased minimum parcel sizes for certain types of industrial development. The minimum lot size in the Industrial District is currently 10,000 square feet. However, lots this small are not conducive to manufacturing or research and development operations. Perhaps the city should consider prohibiting the subdivision of industrial land into parcels of less than one acre.

#### Fire Protection and Hazardous Materials

*Retrofitting Buildings.* A frequent challenge posed to high-tech businesses wanting to locate in pre-existing buildings is the renovation of structures to meet current building and fire code requirements. This is particularly difficult when moving into some of the older multi-tenant warehouse buildings in Hayward, some of which are located in the Industrial Corridor. In addition, there often are issues related to transforming even newer or brand new buildings to meet the specialized needs of high-tech industries. Some of these buildings, originally built as speculative warehouses, could be retrofitted to more intensive uses.

*Contaminated Sites.* The City keeps track of all facilities in Hayward that handle hazardous materials or generate, store or treat hazardous waste. A review of the list of contaminated sites shows that there are approximately 175 contamination cases within the Industrial Corridor, 74 of which have been closed by the Regional Water Quality Control Board. Of the 101 open cases, 6 are in unincorporated Alameda County areas. The 95 open cases within the city limits consist of 64 underground storage tank cases (UST) and 31 other cases not directly linked to releases from underground storage tank systems. The City, as agents of the Regional Board, is the lead agency in Hayward for UST cases only. Non-UST cases are normally referred to the Regional Board. The 64 UST cases in the Industrial Corridor that are within the city limits include 4 that are within the Hayward Executive Airport property. Twenty-five of these open UST cases

are associated with commercial fueling stations and fueling operations for warehousing, distribution, and trucking facilities.

The contamination cases more difficult to investigate, characterize, and remediate are those that involve industrial solvents which affect not only soils but groundwater as well. These solvents travel readily in groundwater over long distances. The California Regional Water Quality Control Board is currently overseeing the investigation and cleanup of these cases in Hayward.

#### Annexation of Unincorporated Islands

There are pockets of unincorporated area within and adjacent to the Industrial Corridor that contain parcels that are underutilized or developed with marginal uses. Annexation of these unincorporated islands, located along Depot Road and in the Mt. Eden area, including Dunn Road and Saklan Road, will be necessary to realize the full development potential of these areas. It is appropriate to evaluate the merit of annexing these areas into the city.

## LAND USE POLICIES AND STRATEGIES

### Balance of Land Uses

**1. Employ sound planning principles to promote a balance of land uses and achieve a vibrant urban development pattern that enhances the character of the city.**

1. Seek to achieve an improved balance between jobs and housing in the Hayward planning area.
2. Assure adequate infrastructure capacities to accommodate planned growth.
3. Maintain an adequate supply of land designated and zoned for residential use at appropriate densities to meet housing needs, consistent with the objective of maintaining a balance of land uses.
4. Promote mixed-use development where appropriate to ensure a pedestrian-friendly environment that has opportunities such as housing, jobs, child care, shopping, entertainment, parks and recreation in close proximity.

### Transit-Oriented Development

**2. Support higher-intensity and well-designed quality development in areas within ½ mile of transit stations and ¼ mile of major bus routes in order to encourage non-automotive modes of travel.**

1. Encourage mixed-use zoning that supports integrated commercial and residential uses, including live-work spaces, in activity centers and along major transit corridors.
2. Encourage high-density residential development along major arterials and near major activity or transit centers, and explore the establishment of minimum densities in these areas.
3. Consider shared parking arrangements for mixed-use developments within the Downtown area and along major arterials.
4. Encourage design that orients development to the transit station and facilitates the use of transit.

Downtown Area

**3. Maintain the Downtown as a focal point for the City so that it continues to express the City's history, provides a venue for cultural vitality, and retains its role as a center for social, political, and other civic functions**

1. Continue to implement the Downtown Design Plan and the Core Area Specific Plan.
2. Emphasize making the downtown a focal point for the City within a pedestrian-friendly environment.
3. Recognize the importance of continuous retail frontage to pedestrian shopping areas by discouraging unwarranted intrusion of other uses that weaken the attractiveness of retail areas; encourage residential and office uses to locate above retail uses.
4. Encourage both commercial and residential development in the area surrounding the Downtown BART Station.
5. Encourage residential development in the downtown area to increase market support for business and to extend the hours of downtown activity.

Cannery Area

**4. Seek implementation of the Cannery Area Design Plan.**

1. Work with the private sector to redevelop older industrial parcels in the former Hunt's Cannery area into a new residential neighborhood with expanded school and park facilities.
2. Encourage commercial office development on the older industrial parcels west of the Downtown BART Station, and promote high density residential development around the perimeter as a buffer with the surrounding neighborhood.
3. Encourage residential development, including live-work spaces, on industrial properties west of the railroad tracks south of West A Street in a manner that is compatible with the adjacent neighborhood.
4. Encourage additional retail development on properties along Hathaway Avenue when existing manufacturing uses are no longer viable.

Mission/Foothill Corridor

**5. Promote transit-oriented development in the Mission/Foothill Corridor in order to help relieve regional congestion and create a distinctively attractive commercial boulevard.**

1. Create a more transit-oriented environment by encouraging a balance of land uses, including a mix of commercial and residential uses.
2. Seek to concentrate new car dealerships within Auto Row and buffer surrounding uses as appropriate.
3. Encourage the location of university-oriented retail and entertainment uses within the community.
4. Work to develop enhanced transit opportunities along Mission Boulevard that serve the two Hayward BART stations and California State University-Hayward.

South Hayward BART Station Area

**6. Seek to integrate greater intensity of development and enhance the surrounding neighborhood within ½ mile of the South Hayward BART Station.**

1. Develop a conceptual design plan for the South Hayward BART Station area to determine appropriate land use and infrastructure needs
2. Create opportunities to integrate mixed-use development in the South Hayward BART Station vicinity to achieve a balance of land uses.
3. Provide park and recreational facilities to support existing and planned residential development.

Business and Technology Corridor

**7. Promote the transition from a manufacturing-based economy to an information-based economy in the industrial areas.**

1. Consider adoption of multiple zoning districts that provide for concentration of similar types of uses such as manufacturing, warehouse/distribution, or research and development/office uses.
2. Identify specific sites or opportunity areas for highly desirable uses that enhance the tax base.

3. Provide for supporting commercial uses, such as restaurants, business services and heavy commercial uses, consistent with the function of newly created zoning districts.
4. Consider allowing childcare facilities within areas zoned for research and development or office uses.
5. Pursue implementation of proposed circulation improvements through adoption of an assessment district or other funding mechanisms.

### Infill Development

#### **8. Promote infill development that is compatible with the overall character of the surrounding neighborhood.**

1. Encourage visual integration of projects of differing types or densities through the use of building setbacks, landscaped buffers, or other design features.
2. Consider modifications to design guidelines and regulations that provide for flexibility in the review of residential additions while maintaining the integrity of the neighborhood.
3. Ensure that design guidelines reflect concerns about the preservation of viewsheds.
4. Promote walkable neighborhoods by encouraging neighborhood-serving commercial activities within residential areas.
5. Encourage development that is designed to provide direct pedestrian connections between housing and supporting activities.

### Hillside Development

#### **9. Design hillside development to be sensitive to the maintenance of a natural environment through retention of natural topographic features such as drainage swales, streams, slopes, rock outcroppings, and natural plant formations.**

1. Consider revisions to the grading ordinance in order to prohibit or limit development on slopes of specified gradients.
2. Avoid development on unstable slopes, wooded hillsides, and creek banks.

3. Respect natural topography in street layouts and require streets to be only as wide as necessary for public safety and traffic flow in order to minimize grading and disruption of ground cover.
4. Respect natural contours in the siting of development; structures on ridges should be landscaped so as to blend with the hill form and building height and location should be adjusted to retain views where feasible.
5. Densities of development in the hill area should feather out to very large lot development near the Urban Limit Line to provide for appropriate transition to permanent open space.

### Urban Limit Lines

#### **10. Maintain Urban Limit Lines in order to retain an attractive, natural setting and foster a distinctive sense of place.**

1. Preserve existing urban limit lines that have been established in the hill area and along the shoreline.
2. Cooperate with adjacent cities and Alameda County to protect the permanence of open space designations.
3. Prohibit new water hook-ups, roads, or other infrastructure (except as required for regional park, low intensity recreation and agricultural uses) beyond the urban limit line.

### City Boundaries

#### **11. Seek to achieve more congruous boundaries to provide for the efficient delivery of public services and to create a greater sense of community.**

1. Evaluate annexing unincorporated islands and adjoining urbanized county areas within the Sphere of Influence in light of desires of affected residents and fiscal impacts on the city.
2. Continue to pursue joint planning and review of proposed developments with Alameda County for remaining unincorporated areas within the Sphere of Influence.
3. Retain the East Hills Annex to facilitate interjurisdictional planning for the Pleasanton Ridgeland (also see Ridgeland Area Policies in the Appendix).

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## CHAPTER 4

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# Required Elements of the General Plan

*All statutory references are to the California Government Code unless otherwise noted.*

A general plan is required to address the specified provisions of each of the seven mandated elements listed in §65302—land use, circulation, housing, conservation, open space, noise, and safety—to the extent that the provisions are locally relevant. The purpose of this chapter is to outline the content of each element as required by statute. These are statewide guidelines, so they offer a broad overview of what a general plan might contain. The order in which the elements are presented matches the order in which they are listed in §65302. This should not be misconstrued as the order of importance or the order in which a jurisdiction should prepare elements. All elements have equal weight under the law and can be prepared in any order or even combined, as is discussed further in Chapter 5.

The discussion of each element includes the following sections: an overview, court and attorney general interpretations, relevant issues, ideas for data and analysis, and ideas for development policies. The “Relevant Issues” section discusses the required contents of each element and may include recommendations on topics related to those issues. The housing element guidelines expand on this basic format due to the complex statutory requirements of this particular element. For both the housing element and the open space element guidelines, there is a discussion of implementation measures. Despite the fact that statute requires a discussion of implementation only in these two elements, each planning agency has a duty to implement the entire general plan (§65103 and §65400). The discussion of each element concludes with a section on technical assistance.

### RELATIONSHIPS AMONG ELEMENTS AND ISSUES

Each of the seven mandatory elements is presented separately in this chapter, however there is no requirement that a plan consist of seven separate elements. A jurisdiction proposing a comprehensive or multi-element revision of its general plan may choose to consolidate elements so long as all of the relevant statutory issues are addressed (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692). When

revising a single element, local agencies should examine and revise all of the other elements, including optional elements, as necessary to avoid internal inconsistencies or conflicts. This chapter provides cross-references between elements to help identify where statutory requirements overlap and consolidation may occur.

The statutory requirements for the elements overlap and intertwine. For example, conservation of open space and agricultural land are topics under the open space, conservation, and land use elements. Similarly, the noise element is directly related to both the land use and circulation elements. Most general plans mix and consolidate some or all of their elements. The important thing is that the elements and issues form an integrated, internally consistent plan of which all parts are equally weighed in their application (*Sierra Club v. Board of Supervisors of Kern County* (1981) 126 Cal.App.3d 698). A concise general plan avoids repetitive discussions of topics by consolidating the statutory requirements into a few functional elements. In general plans, conciseness is a virtue.

General plan elements and issues interrelate functionally. For example, consideration given in the conservation element to the vegetation that supports an endangered wildlife species also involves analyzing topography, weather, fire hazards, availability of water, and density of development in several other elements.

### Key to Abbreviations in Chapter 4

The following abbreviations are used in this chapter to denote other elements that might also address a particular issue:

**L:** Land Use  
**Cl:** Circulation  
**H:** Housing  
**CO:** Conservation  
**O:** Open Space  
**N:** Noise  
**S:** Safety

**MAP** or **DIA** indicates information that can be shown on one or more maps or diagrams.

Thus, the preparation of a general plan must be approached on multiple levels and from an interdisciplinary point of view.

A general plan should be written as an integrated statement of policies. A basic understanding of the structural and functional interrelationships between issues and elements can help avoid the problems associated with treating issues in isolation, as well as focus planning efforts on the key issues. The table at right illustrates the relationships among the seven mandatory elements and the required topics of the general plan. Remember that not every general plan will address these issues to the same extent or in the same manner. Cities and counties should design their general plan formats to suit the topographic, geologic, climatologic, political, socioeconomic, cultural, and historical diversities that exist within their communities.

**LAND USE ELEMENT**

The land use element functions as a guide to planners, the general public, and decision-makers as to the ultimate pattern of development for the city or county at build-out. The land use element has perhaps the broadest scope of the seven mandatory elements. In theory, it plays a central role in correlating all land use issues into a set of coherent development policies. Its objectives, policies, and programs relate directly to the other elements. In practice, it is the most visible and often-used element in the local general plan. Although all general plan elements carry equal weight, the land use element is often perceived as being most representative of “the general plan.”

The land use element has a pivotal role in zoning, subdivision, and public works decisions. The element’s objectives and policies provide a long-range context for those short-term actions.

**Court and Attorney General Interpretations**

The following legal interpretations have addressed the land use element with regard to the land use diagram, population density, building intensity, the designation of solid waste disposal sites and its relationship to the circulation and noise elements.

**GENERAL PLAN ISSUES AND ELEMENTS**

	ELEMENT						
	Land Use	Circulation	Housing	Conservation	Open Space	Noise	Safety
Agriculture	X			Z	X		
Air Quality					X		
Airports	Z	Z			Z	X	
Density	X		X				
Education	X						
Fire					X		X
Fisheries				Z	X		
Flooding	X			X	X		X
Forests/Timber	X			X	X		
Housing	Z		X				
Industrial Uses	X					X	
Land Reclamation				X			
Land Use	X	X	Z	X	Z	X	Z
Minerals				X	X		
Noise Contours	Z					X	
Public Buildings	X						
Railways & Yards		Z				X	
Recreation	X				X		
Scenic Resources	X				X		
Seismic Hazards					X		X
Soil Conservation				X	X		
Soil Instability							X
Transportation Routes		X			X <sub>1</sub>	X	X
Transportation Terminals		X					
Utilities/Easements		X			X		
Waste Facilities	X		X <sub>2</sub>				
Water Quality				X	X		
Water Supply	Z		X <sub>2</sub>	X	X		X
Watersheds				X	X		
Waterways/Water Bodies				X	X		
Wildlife				X	X		

TOPIC/ISSUE AREA

- X** Indicates a topic identified in statute
- X<sub>1</sub>** Trail systems
- X<sub>2</sub>** Factors affecting adequate inventory of sites
- Z** Indicates a topic closely related to statutory requirements

*The land use diagram*

Attorney General Opinion No. 83-804, March 7, 1984 addresses the required level of specificity of the land use diagram. In answer to the question of whether a parcel specific map is required for the land use element of a general plan, the Attorney General reasoned that the detail necessary for a parcel specific map may be developed at a later stage in the land use process (through specific plans, zoning ordinances and subdivision maps); therefore, a parcel specific map is not required, only a diagram of general locations illustrating the policies of the plan.

The California Supreme Court, in *United Outdoor Advertising Co. v. Business, Transportation and Housing Agency* (1988) 44 Cal.3d 242, briefly discussed the degree of precision which can be expected of a general plan. The high court held that when San Bernardino County used a circle to distinguish the community of Baker as a “Desert Special Service Center” the county did not delineate a well-defined geographic area. According to the opinion of the court, “the circle on the general plan no more represents the precise boundaries of a present or future commercial area than the dot or square on a map of California represents the exact size and shape of Baker or any other community.”

The concept of the diagram as a general guide to land use distribution rather than a parcel specific map also figured in the case of *Las Virgenes Homeowners Association v. Los Angeles County* (1986) 177 Cal.App.3d 310. There, the court of appeal upheld the adequacy of a county plan which contained a generalized land use map and which delegated specific land use interpretations to community plans. See Chapter 1 for a discussion of consistency between the diagrams and the plan text.

*Population density*

*Camp v. County of Mendocino* (1981) 123 Cal.App.3d 334 established that a general plan must contain standards for population density. It did not, however, define such standards. The court in *Twain Harte Homeowners Association v. Tuolumne County* (1982) 138 Cal.App.3d 664 defined population density as the “numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is set forth explicitly in the plan.” Quantifiable standards of population density must be provided for each of the land use categories contained in the plan.

Population density standards need not be restricted solely to land use designations with residential devel-

opment potential. As the court stated in *Twain Harte*: “it would not be unreasonable to interpret the term “population density” as relating not only to residential density, but also to uses of nonresidential land categories and as requiring an analysis of use patterns for all categories . . . it appears sensible to allow local governments to determine whether the statement of population standards is to be tied to residency or, more ambitiously, to the daily usage [sic] estimates for each land classification.”

Although applied differently from one jurisdiction to another, population density can best be expressed as the relationship between two factors: the number of dwellings per acre and the number of residents per dwelling. Current estimates of the average number of persons per household are available from the Department of Finance’s Demographic Research and Census Data Center ([www.dof.ca.gov](http://www.dof.ca.gov)).

*Building intensity*

The *Camp* decision also held that an adequate general plan must contain standards for building intensity. Again, the *Twain Harte* court has provided the most complete interpretation of building intensity available to date. These are its major points: intensity should be defined for each of the various land use categories in the plan; general use captions such as “neighborhood commercial” and “service industrial” are insufficient measures of intensity by themselves; and, building intensity is not synonymous with population density. Intensity will be dependent upon the local plan’s context and may be based upon a combination of variables such as maximum dwelling units per acre, height and size limitations, and use restrictions. Unfortunately, the court stopped short of defining what are proper measures of building intensity.

Local general plans must contain quantifiable standards of building intensity for each land use designation. These standards should define the most intensive use that will be allowed under each designation. While the land use designation identifies the type of allowable uses, the building intensity standard will define the concentration of use. Intensity standards can include provisions for flexibility such as density bonuses, cluster zoning, planned unit developments, and the like.

OPR recommends that each intensity standard include these variables: (1) permitted lands uses or building types; and (2) concentration of use. Permitted uses and building types is a qualitative measure of the uses that will be allowable in each land use designation. The concentration of use can be defined by one or more quantitative measures that relate directly to the amount

of physical development that will be allowed. Maximum dwelling units per acre is a good residential standard. Floor area ratio (the ratio of building floor area to the total site area) is a useful measure of commercial and industrial intensity. The dual standard of maximum lot coverage and maximum building height is suitable for agricultural, open-space, and recreational designations where development is being limited. On the other hand, lot size, which has been widely used for agricultural and open-space designations, is an inadequate standard of building intensity because although it regulates lot area, it does not quantify the allowable concentration of development on each lot.

*Solid waste sites*

*Concerned Citizens of Calaveras County v. Board of Supervisors (1985) 166 Cal.App.3d 90*, held that the general plan is not required to identify existing solid waste disposal sites. However, because the purpose of the land use element is to designate “the proposed general distribution and general location and extent” of land uses, the element must identify future sites.

The identification of future solid waste disposal sites is particularly important when preparing or implementing Integrated Waste Management Plans (IWMPs). Public Resources Code §41720 now requires that the IWMP’s countywide siting element, including any areas identified for the location of a new or expanded solid waste transformation or disposal facility, be consistent with the applicable general plan.

*Circulation*

The *Twain Harte* and *Concerned Citizens* decisions also discussed the close relationship between the land use and circulation elements. Pursuant to the decisions of the *Concerned Citizens*, *Twain Harte*, and *Camp v. Mendocino* courts, the general plan must reflect both the anticipated level of land development (represented in the land use el-

ement) and the road system necessary to serve that level (represented in the circulation element). The road system proposed in the circulation element must be “closely, systematically, and reciprocally related to the land use element of the plan” (*Concerned Citizens, supra, at p.100*).

*Noise*

According to §65302(f), the noise element is to be used as “a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.” When the noise element is inadequate, the land use element may be invalid, as in the *Camp* case.

**Relevant Issues**

This discussion offers a general guide to the contents of the land use element. Note that while the focus is on the minimum requirements for an adequate land use element, an effective general plan will focus on those issues of greatest relevance to the community.

The purpose of the land use element is to designate “the proposed general distribution and general location and extent of uses of the land.” The land use element should focus on the future growth and physical development of the community and planning area.

A land use element should contain a sufficient number of land use categories to conveniently classify the various land uses identified by the plan. Land use categories should be descriptive enough to distinguish between levels of intensity and allowable uses. The element should include categories reflecting existing land uses as well as projected development.

There need not be an equal number of land use designations and zoning classifications. In many cases, there may be more than one zone that would be consistent with each land use designation.

The land use element should, consistent with §65302(a), address each of the following issues to the extent that it is relevant:

- ◆ Distribution of housing, business, and industry
- ◆ Distribution of open space, including agricultural land
- ◆ Distribution of mineral resources and provisions for their continued availability
- ◆ Distribution of recreation facilities and opportunities
- ◆ Location of educational facilities
- ◆ Location of public buildings and grounds
- ◆ Location of future solid and liquid waste facilities
- ◆ Identification of areas subject to flooding
- ◆ Identification of existing Timberland Preserve Zone lands
- ◆ Other categories of public and private uses of land.

### Ideas for Data and Analysis

The following is a list of topics that should be considered during the preparation of the general plan and, if relevant, included in the land use element. These subjects are based upon a close reading of the statutes and case law. When the information collected for the land use element overlaps that needed for other elements, the related element has been noted in parenthesis.

#### *Housing, business, and industry*

- ◆ Examine current and future population data. (H)
  - Identify demographic trends (age, income, persons per household, etc.).
  - Identify concentrations of low-income and minority populations.
- ◆ Inventory existing residential, commercial, and industrial land use in the planning area. (DIA) (CI)
- ◆ Assess local housing needs based upon projected community and regional growth trends, including the regional housing need allocation plan. (H)
- ◆ Project needs for specific land uses, including residential, commercial, and industrial development, based upon projections of future population and economic conditions. (H)
- ◆ Assess the capacity and availability of infrastructure necessary to support proposed land uses. (H)
- ◆ Assess the general efficiency of movement of people, goods, and services. (CI)
- ◆ Inventory potential transit-oriented development sites located near transit routes (within 1/4 to 1/2 mile). (L, H)
  - Assess appropriate density for the transit station community.
  - Assess appropriate residential/commercial mix.

#### *Open space*

- ◆ Inventory open-space lands, including open space for conservation and agricultural, forest, grazing, and recreational lands. (DIA) (CO, O)
- ◆ Assess local open-space needs based upon community goals and objectives, the existing open-space/population ratio, and the anticipated population growth. (O)
- ◆ Delineate the boundaries of watersheds, aquifer recharge areas, and floodplains and the depth of groundwater basins. (DIA) (CO, O, S)

- ◆ Delineate the boundaries and descriptions of unique water resources (e.g., saltwater and freshwater marshes, wetlands, riparian corridors, lakes, wild rivers and streams, etc.). (CO)
- ◆ Describe the species, distribution, and population of wildlife and fish, including rare and endangered species. Normally, this will coincide with a habitat inventory that includes the location and type of bodies of water; the type, location, and extent of plants, identified according to the Department of Fish and Game's classification system; and identification of key wildlife habitats, including winter range and migration routes for deer, wintering and nesting grounds for waterfowl and other birds, salmon spawning areas, and habitats of rare or endangered species. (DIA) (CO, O)
- ◆ Describe species of rare, threatened, and endangered plants, their distribution, and rate of occurrence. (DIA) (CO, O)

#### *Agricultural resources, including grazing land*

- ◆ Identify the location, amount, and ownership patterns of land in agricultural production and suitable for agricultural production. (DIA) (O)
- ◆ Include location, acreage, and extent of classification of soils (including identification of prime and other farmland classifications) in the planning area by Land Capability Classification. (DIA) (CO)
- ◆ Generally describe agricultural production in the planning area by crop type. (O)
- ◆ Identify land within the boundaries of Agricultural Preserves and land subject to Williamson Act contracts and Farmland Security Zone contracts or in other land conservation programs. (DIA) (CO)

#### *Mineral resources*

- ◆ Identify the type, location, quality, and extent of mineral resources, including oil and gas. (DIA) (CO, O)
- ◆ Inventory the location of significant mineral resource areas classified and designated by the State Mining and Geology Board pursuant to the Surface Mining and Reclamation Act (California Code of Regulations §2762(a)). (DIA) (CO, O)

#### *Other natural resources*

- ◆ Inventory areas available for the management or utilization of natural resources, such as wind energy generation, hydroelectric power, geothermal power, and large-scale solar power.

*Assessment of the demand for public and private parks and recreational facilities and inventory of areas suitable for parks and recreational purposes*

- ◆ Describe the type, location, and size of existing public and private parks and recreational facilities. (DIA)
- ◆ Assess present and future demands for parks and recreational facilities, including trails, river and lake access, and per capita supply of parks (acres per thousand inhabitants).
  - Identify underserved areas.
- ◆ Identify future park and recreational sites. (DIA)
- ◆ Review federal, state, and local plans for the acquisition and improvement of public parks. (DIA)
- ◆ Inventory areas of outstanding scenic beauty and scenic vistas. (DIA) (O)
- ◆ Identify programs for protecting, conserving, and acquiring open-space lands. (O, CO)

*Enjoyment of scenic beauty*

- ◆ Inventory scenic viewsheds and points of interest. (O)
- ◆ Define community scenic values.
- ◆ Identify programs for protecting and promoting community aesthetics. (O)
- ◆ Identify scenic highways and byways. (O)

*Education*

- ◆ Inventory existing schools and school facilities. (DIA)
- ◆ Assess the adequacy of school facilities and the need, if any, for additional facilities based upon existing and projected numbers of school-age children. The projections should correlate with projected residential development.
- ◆ Identify suitable locations for new school facilities based upon population projections and land use compatibility.

*Public buildings and grounds*

- ◆ Inventory public buildings and grounds. (DIA)
  - Assess distribution of public facilities and identify underserved areas.
- ◆ Assess the need for additional facilities based upon existing need for additional services and projected increases in land use intensity and population.
- ◆ Inventory public and private historical landmarks pursuant to Public Resources Code §5020, et seq.
- ◆ Inventory existing public surplus land and disposition pursuant to §54220, et seq. and §25539.4.

*Solid and liquid waste facilities*

- ◆ Inventory existing solid and liquid waste disposal facilities, correlated with the County Integrated Waste Management Plan and the County Hazardous Waste Management Plan. (DIA) (CI)
- ◆ Assess the need for additional facilities based upon the projected levels of land use and population and correlated with the County Integrated Waste Management Plan.
- ◆ Inventory proposed solid and liquid waste disposal and transformation sites. (DIA)
- ◆ Identify land uses near existing solid and liquid waste facilities, waste-to-energy plants, and sites reserved for future such facilities. (O)
  - Identify overconcentrated waste facilities near residential uses and schools.

*Assessment of the potential for flooding*

- ◆ Collect historical data on flooding. (CO, O, S)
- ◆ Identify areas subject to inundation by a 100-year flood. (DIA) (CO, O, S)
- ◆ Identify floodways and flood channels. (DIA) (CO, O, S)
- ◆ Identify areas subject to inundation as a result of dam failure. (S)
- ◆ Identify areas subject to flooding as a result of tidal action occurring in conjunction with river and stream runoff. (S)
- ◆ Identify areas subject to flooding due to tsunami, seiche, or flash flood.

*Timber production*

- ◆ Describe the location, type, amount, and ownership of land and timber resources subject to timberland production zoning. (DIA)

*Other public and private uses of land*

- ◆ Identify redevelopment projects areas.
- ◆ Identify areas covered under a Local Coastal Land Use Plan.
- ◆ Inventory lands subject to regulation by other agencies (e.g., state land, federal land, etc.).
- ◆ Inventory lands designated under Habitat Conservation Plans (HCPs) and Natural Community Conservation Planning (NCCP) programs for the protection or restoration of threatened or endangered species and their habitat. (O, CO)

### Ideas for Development Policies

Policies contribute to a framework of plan proposals and implementation programs and in some instances provide the basis for requiring exactions and development fees of new projects (for example, parks and recreational facilities under the Quimby Act (§66477)). The distribution of land use categories which is reflected in the plan diagram must conform to the plans policies. Existing development may not adhere to all of the development policies set forth by the plan, however, new and future development must be in uniform compliance.

The following subjects should be addressed through development policies in the land use element to the extent that they are relevant.

- ◆ Type, intensity, general distribution, and general location of each class of land use proposed by the plan. (DIA) (CI, CO, H, N, O, S)
- ◆ Categories and standards for establishing the allowable levels of residential, commercial, and industrial land use intensity. (CI)
- ◆ Population density standards for each land use category with residential potential. (CI, H)
- ◆ Density and intensity standards for areas to be served by transit. (CI, H)
- ◆ Standards for transit-oriented development
  - Appropriate mix of uses near transit stations.
  - Increased density and intensity standards near transit stations.
  - Limitations on the amount and location of parking.
- ◆ The location of new development allowed by the plan, including requirements for the consideration of impacts to the environment, surrounding land uses, and infrastructure. (CI, O, CO, H, S, N)
- ◆ The spatial relationships between types of land use (e.g., housing, business, industry, open space, etc.). (H, O)
  - Community design principles.
  - Buffer zones between residential/school uses and industrial uses that pose a hazard to human health and safety.
- ◆ The location of town/community/village centers.
  - Encourage locating public facilities that benefit the community in town centers.
- ◆ General standards for mixed-use development.
- ◆ The type, location, and intensity of development (if any) to be allowed within flood hazard areas, including standards for allowable uses. (CO, S)
- ◆ Development regulations for open-space areas. (O)
- ◆ The type and intensity of allowable development in areas with severe slopes.
- ◆ The evaluation and regulation of timberland production zones, including standards for inclusion in the zones. (CO)
- ◆ The location of existing oil, gas, and geothermal resources as identified by the Department of Conservation’s Division of Oil, Gas, and Geothermal Resources.
- ◆ The location, acquisition, development, and management of public and private parks and recreational areas, including access to lakeshores, beaches, rivers, and streams. (O)
  - The equitable distribution of parks and recreational facilities.
- ◆ The evaluation and regulation of important wildlife habitats (such as HCP or NCCP lands, critical habitat, or deer wintering areas), including allowable uses and/or density of development.
- ◆ The preservation and protection of rare, threatened, or endangered species within the planning area, including candidate species and species of special concern.
- ◆ The promotion and protection of agricultural land, including policies regulating development.
  - Allowable uses, intensity, and density at agricultural-urban interface
- ◆ The promotion and protection of areas of scenic beauty, including policies regulating development.
- ◆ The relationship between the land use element and the local zoning, subdivision, and building ordinances.
- ◆ The location, type, and height of development in areas surrounding airports, correlated to the local Airport Land Use Plan.
- ◆ The location of schools and the future use of surplus school facilities, coordinated with the plans of local school districts.
  - Restrictions on proposed school locations near industrial facilities that pose a hazard to human health and safety.
- ◆ The development, maintenance, and siting of existing and projected public facilities, including buildings and infrastructure.
  - The equitable distribution of beneficial public facilities.

- ◆ The analysis, approval, and regulation of future liquid and solid waste facilities. (CI)
- ◆ The compatibility of nearby land uses with existing solid waste and liquid waste facilities and with sites reserved for future facilities. (O)
- ◆ The relationship between the distribution of land uses and the local capital improvements program and guidelines for the timing and siting of capital improvements.
- ◆ The protection and future productivity of mineral resource lands, including significant mineral deposits classified or designated by the California Geological Survey.
- ◆ General plan designations to allow local governments to comply with §65583 regarding the provision of low and moderate income housing. (H)

### Technical Assistance

The following state agencies may provide information or assistance for the preparation of the land use element:

- ◆ Coastal Commission
- ◆ Coastal Conservancy
- ◆ Department of Conservation
- ◆ Department of Forestry and Fire Protection
- ◆ Department of Health Services, Division of Drinking Water
- ◆ Department of Housing and Community Development
- ◆ Department of Transportation (Caltrans), including district offices
- ◆ Department of Water Resources
- ◆ Energy Commission
- ◆ Environmental Protection Agency
- ◆ Integrated Waste Management Board
- ◆ Public Utilities Commission
- ◆ Office of Emergency Services
- ◆ Office of Planning and Research
- ◆ Technology, Trade and Commerce Agency

### CIRCULATION ELEMENT

The circulation element is not simply a transportation plan. It is an infrastructure plan addressing the circulation of people, goods, energy, water, sewage, storm drainage, and communications. By statute, the circulation element must correlate directly with the land use

element. The circulation element also has direct relationships with the housing, open-space, noise and safety elements.

The provisions of a circulation element affect a community's physical, social, and economic environment as follows:

- ◆ **Physical**—The circulation system is one of the chief generators of physical settlement patterns and its location, design, and constituent modes have major impacts on air quality, plant and animal habitats, environmental noise, energy use, community appearance, and other environmental components.
- ◆ **Social**—The circulation system is a primary determinant of the pattern of human settlement. It has a major impact on the areas and activities it serves, on community cohesion, and on the quality of human life. The circulation system should be accessible to all segments of the population, including the disadvantaged, the young, the poor, the elderly, and the disabled.
- ◆ **Economic**—Economic activities normally require circulation for materials, products, ideas, and employees, thus the viability of the community's economy is directly affected by the circulation element. The efficiency of a community's circulation system can either contribute to or adversely affect its economy.

No city or county can ignore its regional setting. The local planning agency should coordinate its circulation element provisions with applicable state and regional transportation plans (see §65103(f) and §65080, et seq.). Likewise, the state must coordinate its plans with those of local governments (§65080(a)). The federal government is under a similar obligation (Title 23 USC §134).

Caltrans is particularly interested in the transportation planning roles of local general plans and suggests that the following areas be emphasized:

- ◆ Coordination of planning efforts between local agencies and Caltrans districts.
- ◆ Preservation of transportation corridors for future system improvements.
- ◆ Development of coordinated transportation system management plans that achieve the maximum use of present and proposed infrastructure.

These areas of emphasis are addressed through Caltrans' Intergovernmental Review (IGR), Regional Planning, and System Planning programs. One of the