



CITY OF
HAYWARD
HEART OF THE BAY

PLANNING COMMISSION

JANUARY 22, 2015

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CITY OF HAYWARD
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LIVE BROADCAST – LOCAL CABLE CHANNEL 15

AGENDA
HAYWARD PLANNING COMMISSION
THURSDAY, JANUARY 22, 2015, AT 7:00 PM
COUNCIL CHAMBERS

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION:

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. The Chair may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens for organization. Speakers are expected to honor the allotted time.

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT: (The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action).

ACTION ITEMS: (The Commission will permit comment as each item is called for Public Hearing. Please submit a speaker card to the Secretary if you wish to speak on a public hearing item).

NON-ACTION ITEMS: (Work Session items are non-action items. Although the Commission may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda).

WORK SESSION:

1. Amendments to Hayward's Sign Regulations

[Staff Report](#)

[Attachment I - Draft Sign Ordinance](#)

[Attachment II - Draft Fee Chart](#)



Assistance will be provided to persons requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons needing accommodation should contact Sonja Dal Bianco 48 hours in advance of the meeting at (510) 583-4204, or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

COMMISSION REPORTS:

2. Oral Report on Planning and Zoning Matters
3. Commissioners' Announcements, Referrals

APPROVAL OF MINUTES

4. [December 18, 2014](#)

ADJOURNMENT

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. **PLEASE TAKE FURTHER NOTICE** that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

NOTE: Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.



DATE: January 22, 2015
TO: Planning Commission
FROM: Donna M. Kenney, AICP MCRP, Associate Planner
SUBJECT: Amendments to Hayward's Sign Regulations

RECOMMENDATION

That the Planning Commission reviews and comments on this report and the attached draft sign regulations.

SUMMARY

The City is updating its sign regulations (Chapter 10 Article 7 of the Hayward Municipal Code) and has scheduled a series of meetings and work sessions to take public comment and receive feedback and direction from City decision makers. The purpose and objectives of the sign regulations are not recommended to be changed, which are to:

- Implement General Plan policies for improving the physical image of Hayward; encouraging economic development; safeguarding and enhancing property values; recognizing the commercial communication requirements of businesses; protecting public and private investments in buildings and open spaces; encouraging sound signing practices; and promoting both the renovation and proper maintenance of signs;
- Preserve and improve the appearance of the City;
- Reduce visual clutter of signs through coordination of type, placement and scale of signs;
- Prohibit or restrict distracting signs, which may impede vehicular and pedestrian safety; and
- Promote the public health, safety and general welfare.

Issues that have been previously identified by the public and staff that are incorporated into the new draft regulations include the need for an easier to read format that includes charts, photos and drawings for clarification purposes; the creation of sign corridor overlay district(s) to enhance auto- and pedestrian-oriented experiences on parcels fronting streets with a higher concentration of businesses and traffic; an expansion of the use of A-Frame signs into the Downtown Entertainment Area; an increase in the permitted time allowed for temporary signs; and the addition of an amortization section which requires the removal of abandoned signs and nonconforming signs to conform within five (5) years after adoption of the sign regulations.

BACKGROUND

The sign regulations last received a comprehensive update in 1998. To begin the current update process, a survey was distributed to Hayward Chamber of Commerce members in August of 2011. The survey results indicated 43% of the respondents found the City's sign regulations confusing and required too much time to locate the appropriate information. While more than half of the respondents were able to find the sign regulations online, over 25% preferred to speak with a Planner instead (by phone or in person) and others relied on their sign contractor to handle the process. All the respondents were unsatisfied with the current sign regulations.

Staff reformatted the sign regulations and provided clarification using charts, photos, and drawings, which were recently distributed to various City staff for review and input. In November of 2014, the Hayward Business Collaborative submitted several suggestions, including:

- Allow a 133% increase in the amount of permanent signage area over current standards;
- Incorporate more flexibility on sign types, locations and duration; and
- Exempt nonprofits and special events from sign permits.

On December 1, 2014, the Council Economic Development Committee ("CEDC") discussed the draft sign regulations at their monthly meeting. CEDC member comments included:

- Visual examples are needed in the sign regulations;
- Temporary signage is up too long after a permit is issued; and
- New standards should be considered for City corridors.

On December 13, 2014, a public notice advertising a January 7, 2015 public meeting was published in *The Daily Review* newspaper and was subsequently mailed to interested parties, including participants from the previous update in 1998, all downtown businesses, outside agencies, the Planning Commission and the City Council. In all, 738 notices were mailed and the Hayward Chamber of Commerce sent the notice to all of its members via their electronic newsletter. Issues raised during this public meeting include:

- Better promotion of businesses through signage;
- An expansion of the use of A-Frame signs; and
- The ability to change regulations as technology changes.

On January 9, 2015, staff met with the Government Relations Committee of the Hayward Chamber of Commerce. A short presentation was made and staff answered a range of questions. Issues raised during this meeting include:

- Better enforcement of sign violations, including A-Frames within City right-of-way;
- The education of new business owners concerning sign regulations, including utilizing videos; and
- Less clutter and more efficient signage along Mission Boulevard.

DISCUSSION

General Plan Consistency: The proposed draft amendments are consistent with the General Plan in that the sign regulations promote economic development while preserving an aesthetic quality Citywide. There are three relevant General Plan policies:

LU-4.4 Design Strategies for Corridor Developments - Enhance commercial and mixed-use building facades with awnings, shade structures, pedestrian-oriented signage, decorative lighting, and other attractive design details and features.

Staff recommends the creation of a sign corridor overlay district or districts that would include both auto- and pedestrian-oriented signage to enhance the corridors with attractive design. It is further recommended that the current area permitted to use A-Frame signs (along A and B Streets between Foothill Boulevard and Watkins Street and along Main Street between A and C Streets) be expanded to include the Downtown Entertainment Area (area between A and D Streets and between Second Street and Grand Street). Various cities that staff surveyed concerning A-Frame sign regulations varied somewhat in sign size and days/hours allowed. The City's current A-Frame requirements are generally in line with the regulations of those other cities. Therefore, no changes are recommended for A-Frame signs other than an expansion into the Downtown Entertainment Area.

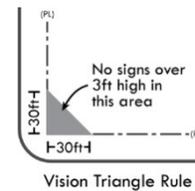
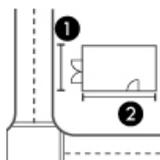
Also, the time limit for temporary signs would increase to 30 days, two times per year – the current regulations allow 14 days, two times per year.

LU-4.6 Commercial Signs - The City shall maintain, implement, and enforce sign regulations and design standards to reduce sign clutter and illegal signage along corridors.

Staff recommends the creation of a sign corridor overlay district that would reduce sign clutter and illegal signage along selected corridors and collector streets and enhance them with attractive design. Temporary signage such as wind feathers and air dancers could be permitted along corridors outside the downtown core for specific uses, such as auto dealerships. Staff recommends using a deposit as an incentive for removing temporary signs. An application for temporary signage would require a \$100 fee and a \$200 deposit. When the temporary signage is verified as having been removed through an inspection or applicant-submitted photos, the deposit can then be returned to the applicant. Likewise, the addition of an amortization section is recommended to aid in the removal of nonconforming and abandoned signage.

LU-6.7 Design Strategies - The City shall encourage developments within the Industrial Technology and Innovation Corridor to incorporate the following design strategy: Develop coordinated and well-designed signage for tenant identification and way-finding.

Staff recommendation is to clarify the regulations through charts, photos and drawings to assist business owners in selecting appropriate signage for their industrial uses. Visual examples (see below) have been added throughout the draft sign regulations to effectively illustrate exempt, prohibited and permitted signs.



NEXT STEPS

Staff will incorporate input from the Planning Commission into a staff report and revised draft regulations for the City Council at a noticed work session, anticipated for late February/early March. After incorporating all input regarding proposed changes, the regulations will be presented at noticed public hearings to both the Planning Commission and to the City Council for their consideration in the spring.

Prepared by: Donna M. Kenney, AICP MCRP, Associate Planner

Reviewed by:



Sara Buizer, AICP
Planning Manager

Approved by:



David Rizk, AICP
Development Services Manager

Attachments:

- Attachment I: Draft Sign Ordinance
- Attachment II: Draft Fee Schedule

ARTICLE 7: SIGN REGULATIONS

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10-7.100 PURPOSE

The purpose of this article is to:

- (A) Implement the General Policies Plan through the regulation of sign size, location, design, and illumination which accomplish the following:
- Improve the physical image of Hayward with more attractive signs;
 - Encourage economic development in the community;
 - Safeguard and enhance property values;
 - Recognize the commercial communication requirements of all sectors of the business community;
 - Protect public and private investment in buildings and open spaces;
 - Encourage sound signing practices as an aid to business and to inform the public; and
 - Promote both renovation and proper maintenance of signs.
- (B) Preserve and improve the appearance of the City as a place in which to live and work in accordance with the City Design Guidelines.
- (C) Reduce visual clutter of signs of different sizes, shapes, and types through the coordination of the type, placement, and scale of signs within the different land uses, zones, and locations.
- (D) Prohibit or restrict distracting signs, which may impede vehicular and pedestrian safety. Such signs include those that are blocking doors or windows, those that conflict with the City Security Ordinance (Ord. No. 90-26), those that could hamper firefighting or police surveillance activities, and those that obscure traffic signs, impair drivers' sight lines or distract drivers.
- (E) Promote the public health, safety, and general welfare.

The regulations in this article are in addition to those set forth in Chapter 9 of the Hayward Municipal Code (Building Regulations), and the Uniform Building Code.

Should any regulations in this article be at variance with one another or the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing higher standards shall apply.

10-7.200 GENERAL REGULATIONS

- (A) The following regulations shall apply to all signs in all districts within the City. No sign may be placed in any of the following areas:
- (1) Within the public right-of-way (including planter strips, tree wells, sound walls, fences, and street medians), except for community identification signs and Open House Directional Signs on sidewalks allowed by Section 10-7.300 (b)(22)(b).
 - (2) On any public property.
 - (3) In any location which interferes with vehicular, bicycle, or pedestrian circulation safety.
- (B) A Sign which contains foreign alphabet characters must also include some English alphabet characters. Signs are not required to be translated in English as long as the sign contains English alphabet characters that comprise words relating to the business or organization it is representing.

10-7.201 PERMITS REQUIRED.

- (a) It is unlawful to erect any sign except those exempted under Section 10-7.300 without first obtaining a sign permit from the Development Review Services Division and a building permit and/or an electrical permit as required by the City Building Official. Fees for sign permits, building permits, and electrical permits are based on the current Master Fee Schedule and are non-refundable.
- (b) A sign permit application in compliance with Section 10-7.202 "Permit Applications" shall be submitted to the Development Review Services Division.

A sign permit will be approved, denied or referred to the Planning Commission, a board, a commission or a City Council committee within thirty (30) days after the application is deemed complete. If the application is referred to the Planning Commission, a board, a commission, or a City Council committee, the sign permit application shall be approved or denied within thirty (30) days after such referral.
- (c) The Development Services Director ("Director") has the authority to refer a sign permit application to the Planning Commission, a board, a commission, or a City Council committee for review.
- (d) Signs requiring a variance may be considered and acted on administratively by the Development Services Director.
- (e) A sign permit is not required for the repair, maintenance or replacement of a lawful and conforming sign, the repair or maintenance of a lawful non-conforming sign, or the replacement of a destroyed sign, except when the sign is required to be removed by Section 10-7.708 "Legal Non-Conforming Signs" and/or Section 10-7.710 "Removal of Certain Signs."
- (f) Approval of a sign permit application does not constitute approval of any other requirement of the City or under other applicable law.

10-7.202 PERMIT APPLICATIONS.

Application for a sign permit shall be made to the Development Review Services Division and shall include three (3) copies of the plot plan and elevations, drawn to scale and fully dimensioned, showing:

- (a) Property address and applicant's name, address and telephone number;
- (b) North arrow, overall site dimensions, and the location, setbacks, and dimensions of all existing structures, existing signs, and proposed signs on the parcel;
- (c) Sign elevations - depicting the letter size, overall sign area, colors, materials, type of illumination, support structures, and relationship of the sign to surrounding structures.
- (d) Photographs of the proposed sign location and any existing signs.
- (e) Structural and electrical plans as required by the City Building Official.

10-7.203 FEES.

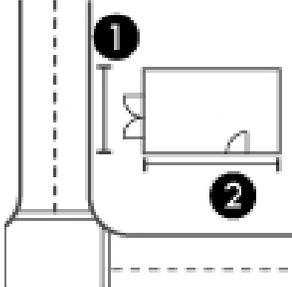
Each application for a sign permit or for approval of a Master Sign Program shall be accompanied by the applicable fees which shall be established by the Master Fee Schedule.

10-7.204 DURATION OF PERMIT.

A sign permit shall become null and void if the sign for which the permit was issued has not been installed within **one (1) year** of issuance of said permit.

10-7.205 NUMBER OF SIGNS PERMITTED.

No more than two (2) establishment (building) frontages may be used for purposes of calculating sign area and the number of signs permitted. Building mounted signs displayed on a single establishment frontage, including secondary-frontage walls, may not exceed the area and number that are permitted on that frontage alone, with no additional signage allowed for corner lots. Square footage allotted to an establishment may be transferred to a freestanding sign, but may not exceed the acceptable size for freestanding signs.



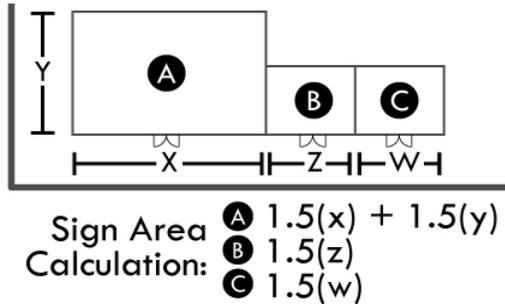
10-7.206 SIGN AREA CALCULATION

Sign area calculations noted throughout this Article is the maximum size allowed. A smaller sign area may be required where design, placement, and/or other aesthetic factors dictate. These allowable calculated sign areas may be determined by the Development Services Director, Planning Commission, or City Council.

Unless otherwise noted in this Article, the area of a sign shall be computed as follows:

(a) *Signs containing integral background areas.*

- The area of a sign containing a clearly defined background shall be calculated based on the area of the smallest standard geometric shape encompassing a perimeter of the background area of the sign.



- In the case of signs in which multiple background areas are separated by open space, sign area shall be calculated based on the sum of the areas of all separate background areas, but without regard for any open space between the separate background areas.



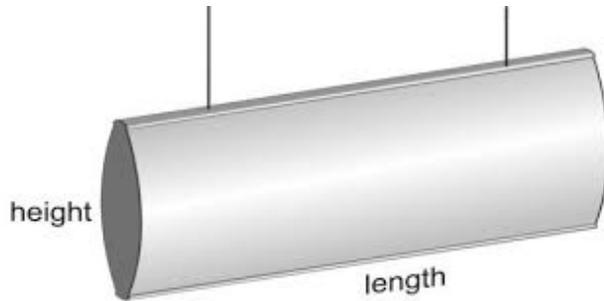
(b) *Signs without integral background areas.*

- In instances in which a sign consists of individual elements such as letters, symbols or other graphic objects or representations that are painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, awning, architectural projection, or to any surface not specifically designed to serve as a sign background, the sign area shall be based on the sum of the individual areas of the smallest geometric shape.



(c) *Double Faced Signs.*

- Only one (1) side of a double faced sign is counted in determining the area of sign faces. Where the two (2) sides are not of equal size, the larger of the two (2) sides will be used to determine sign area.



(d) *Awning Signs.*

- The area of a graphic or sign copy on an awning shall be based on the smallest geometric shape encompassing the graphic or sign copy. When there are signs on two panels of the awning, only one side is counted in overall sign calculation.



(e) *Three-dimensional Signs.*

- The area of a three dimensional sign shall be four (4) times the area of the largest vertical cross-section as enclosed by the smallest standard geometric shape.



(f) *Logos and Accent elements.*

- The area of a logo and accent element will be incorporated into the overall sign area calculation unless otherwise noted in this article. The area of a logo and accent element shall be calculated based on the area of the smallest standard geometric shape enclosing the logo or accent element.



(g) *Window signs*

- The area of a window sign shall be calculated based on the area of the smallest standard geometric shape or the sum of areas of the smallest geometric shapes enclosing the sign and logos.



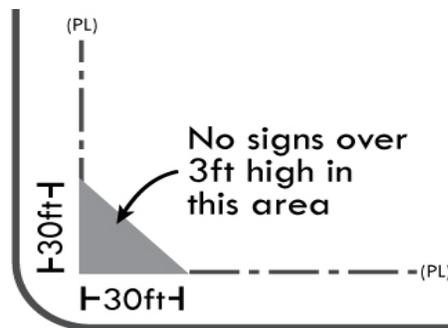
10-7.207 REDUCTION IN PERMITTED SIGNAGE.

An approved Master Sign Program or the conditions of approval for a site plan review, administrative use permit, conditional use permit, variance, or planned development may further regulate or reduce the permitted sign area, number of signs, height, location, color, or design of signs in addition to the regulations contained in this article.

10-7.208 DESIGN.

- Signs shall be an integral and complementary element of the overall architectural and streetscape composition and shall be integrated with the building and landscape design. In some instances, it may be necessary and appropriate to integrate the building and landscape design such that the sign gains maximum visibility.
- Signs or sign programs shall be included in site plan review, administrative use permit, conditional use permit, variance, or precise plan applications.

- (c) Three-dimensional signs representing human or animal figures, inanimate objects, or signs of a highly unusual shape or color shall be reviewed by the Development Services Director for compatibility with the design of the building, the features of the site, and the character of the neighborhood.
- (d) In some instances, a sign that is of historic nature, is of a unique artistic design, or which represents a period of time or site that is of community importance, should be retained and preserved, as determined by the Development Services Director.
- (e) Where possible, “lexan” shall be encouraged as a durable plastic material that withstands vandalism.
- (f) Plastic signs shall be prohibited in residential districts.
- (g) The surface where a previous sign existed must be cleaned, repaired, patched, and/or painted before a new sign is installed.
- (h) Corner Lots and Driveways: Freestanding or monument signs higher than three (3) feet shall be subject to the “Vision Triangle Rule”, Article 9, Hayward Traffic Code, for visibility requirements.



Vision Triangle Rule

10-7.209 ILLUMINATION.

- (a) Internal and external sign lighting shall be designed to prevent light spillage and glare onto any adjacent residentially zoned property or public right-of-way. Additionally, sign lighting shall not create hazardous glare for pedestrians or vehicles in a public street or on any public or private premises.
- (b) External illumination is permitted in residential districts in accordance with the City Security Ordinance (Ord. No. 90-26). Where not in conflict with the City Security Ordinance (Ord. No. 90-26), brightly-lit signs in residential districts or within one hundred (100) feet of and visible from any residential district are also permitted.
- (c) Neon and Halo back-lit lighting may be used in all zoning districts **except** the residential districts, on the exterior of buildings, whether for signage or decorative artwork. Use of neon or halo-lit lighting for these purposes shall be subject to review. Neon intended for advertising and which is within twenty-four (24) inches inside a glass window or door of a building shall count toward total signage allowable. Neon intended for “Open” signs, decorative artwork or to represent an ancillary product sold on the premises shall not count toward total signage allowable, and may be

part of the twenty-five (25) percent exempted window coverage as long as there is **no** flashing or intermittent illumination.

- (d) The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, to illuminate buildings, structures, in windows, or at outdoor sales or storage areas, is prohibited except on a temporary basis for areas in which carnivals, fairs, Christmas tree lots, or other similar activities have been approved under a short-term promotional program.
- (e) Cabinet lighting is prohibited. Legal non-conforming cabinet lit signs and service station price signs are exempt.
- (f) The type of illumination for all signs is subject to approval by the Development Services Director or approving authority.

10-7.210 MASTER SIGN PROGRAM.

A Master Sign Program is required for any project that has five (5) or more business or office uses, and which requires site plan review, an administrative or conditional use permit, a variance, or is a planned development. No permit shall be issued for an individual sign requiring a permit on a site with five (5) or more existing or proposed business spaces unless and until the discretionary permit and a Master Sign Program for the property on which the sign will be erected has been approved by the Development Services Director. After the application is determined to be complete, a Master Sign Program shall be acted upon within sixty (60) days, unless submitted as a required component of an application request which requires public review. If a Master Sign Program does require public review, time limitation requirements for the particular permit process shall apply.

Owners of two (2) or more contiguous lots or the owner of a single lot with more than one (1) building may voluntarily file a Master Sign Program with the City conforming to the provisions of this article.

In some instances, the approved Master Sign Program may include a unique freestanding sign that is otherwise not defined or permitted in this article. For example, such a sign may comprise a freestanding architectural element with four (4) walls, designed specifically to support the sign identifying a shopping center. Such an architectural feature is permitted, subject to the review and approval process called for in this section, as long as they are intended to be an integral part of the design of the project.

The Master Sign Program shall conform to and complement the architectural design and character of the structures erected or to be erected on the property on which it is proposed.

- (a) Application Content. A Master Sign Program application shall include the following:
 - (1) An accurate plot plan of the lot, at such a scale as the Development Review Services Division may require.
 - (2) Location of buildings, parking lots, driveways, and landscaped areas on the lot.
 - (3) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs, and the number of freestanding signs allowed on the lot, shall be included in the plan. Primary tenants shall have signage in accordance with a Master Sign Program and the zoning district. For secondary tenants, a wall sign may cover up to a maximum of

seventy (70) percent of the width of tenant's establishment frontage in a shopping center, not to exceed thirty-five (35) feet in length.

- (4) An accurate indication on the plot plan of the location of each existing and future sign of any type, whether requiring a permit or not (i.e., include directional signs too).
 - (5) Color scheme.
 - (6) Lettering or graphic style.
 - (7) Lighting.
 - (8) Location of each sign.
 - (9) Materials.
 - (10) Sign dimensions.
 - (11) Provisions for leasing information.
 - (12) Amount of window signage, if any, and type (i.e., painted, etched on glass).
- (b) Existing Signs Not Conforming to a Master Sign Program.
- If any new or amended Master Sign Program is filed for property on which existing signs are located, it shall include a schedule for bringing them into conformance with the proposed Master Sign Program.
- (c) Binding Effect.
- After approval of a Master Sign Program, no signs shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision in this article. The Master Sign Program shall be attached to the lease agreements for all leasable space within the project. In the case of any conflict between the provisions of such a plan and any other provision herein, this article shall control.
- (d) Modification to an Approved Master Sign Program.
- The Development Services Director may approve minor modifications to an approved Master Sign Program with respect to colors, material, elevations, site plans, landscape plans, lighting and other physical changes.
- (e) Alternative Master Sign Programs
- In the event that design guidelines are created for specific neighborhoods and areas, flexibility with Master Sign Programs within these areas can be granted per the discretion of the Development Services Director.

10-7.300 EXEMPT SIGNS.

- (a) This article shall not relate to flags of any nation or government, gravestones, barber poles, religious symbols, official traffic or government signs; the content of signs; product dispensers and point-of-purchase displays not directly visible from a vehicular or pedestrian right-of-way; scoreboards on athletic

fields; seasonal displays unless regulated herein; or signs not intended to be viewed from a vehicular or pedestrian right-of-way as defined in this article.

- (b) The following signs may be installed without a sign permit, subject to all other provisions of this article. Such signs are not exempt from the requirements of the City Building Official or the Transportation Engineer. Exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area but their locations shall be included on the plot plan for a Master Sign Program application.

(1) Accessory Sign.

Exempt if not exceeding six (6) square feet in area for each sign.

(2) Address Sign (non-business).

- Exempt if not exceeding two (2) square feet in area for a single family or duplex unit, and four (4) square feet for all other uses.
- Address numerals shall be at least four (4) inches in height for residential uses and ten (10) inches in height for nonresidential uses. All such numerals shall have a minimum one-half (1/2) inch stroke width and shall be of contrasting color to the background to which they are attached. Address signs shall also adhere to the following:
 - ✓ Single-family homes shall have address numerals illuminated permanently in accordance with the Security Ordinance (Ord.No.90-26);
 - ✓ Multi-family developments with more than three individual buildings (containing one or more units), and for which one or more buildings do not face the same street, shall have an illuminated diagrammatic representation of the complex which shows the location of the viewer and the unit designations within the complex (Security Ordinance Ord. No. 90-26);
 - ✓ For all uses, a larger address sign may be permitted if necessary to adequately identify a building which is set back unusually far from the street, subject to the discretion of the Development Services Director.

(3) Automatic Teller Machine Sign.

Not to exceed four (4) square feet in area per machine.

(4) Balloons.

Not to exceed fourteen (14) inches in diameter and must be of non-Mylar material. No limit as to number.

(5) Banner, Decorative Art Work.

When placed vertically on light poles. Maximum fifteen (15) square feet per banner; two (2) banners per light pole unless additional are approved by the Development Services Director. May not advertise or identify a business, product, or service. See also "Promotional Event and Grand Opening Signs," Section 10-7.601.

(6) Bulletin Board (On-Site).

One (1), not exceeding thirty (30) square feet in area per face and six (6) feet in height, for Hayward Unified School District, California State University East Bay, Chabot College District, Hayward Area Recreational District, a private or religious school, church, community theater, or other type of educational/cultural facility. It may include changeable copy.

(7) Change of Copy.

- Replacement or change of copy on a legally installed sign that conforms to the requirements of this article does not require a sign permit for changes of copy if a sign structure is not altered or modified.
- If applicable, the replacement copy shall conform to the requirements of any Master Sign Program and/or the conditions of approval of the project where the sign is located.
- For nonconforming Multiple Occupancy Signs, a change of copy to any one (1) given tenant is permitted if the sign identifies other businesses on the same premises.
- No permits are required for changes of copy on reader boards or theater marquees.
- Individual letter signs, such as those used by religious facilities and schools to promote weekly changing but similar messages, and complying with the original approved conditions do not need a permit.

(8) Commemorative Plaques.

One (1) memorial tablet, commemorative plaque, or sign, per building, designating the building name and date of erection, when cut into or raised on any masonry surface or when constructed of cast or wrought metal, with a total maximum sign area of ten (10) square feet.

(9) Community Identification Signs.**(10) Construction Signs.**

One (1) single-faced sign per street frontage with maximum area of thirty-two (32) square feet per face, ten (10) feet in height, non-illuminated, installed parallel to the street, and located on property where work is or will be under construction. Larger signs may be approved by the Development Services Director when the project and location warrants a larger sign. Within fifteen (15) days after completion of construction or final occupancy, signs shall be removed.

(11) Decorative Artwork (See 10-7.300(b)(5)).**(12) Directional/Informational Sign.**

Permitted as defined in this article; limited to six (6) square feet in area per each sign; a logo may comprise up to twenty (20) percent of the total of each sign area.



(13) Flag (Other than National or Government.)

One (1) flag per establishment and must be mounted on a pole. The pole height may not exceed twenty-five (25) feet if freestanding, or fifteen (15) feet if located on top of a building, not to exceed the structural height limit of any given District. The longest dimension of the flag may not exceed six (6) feet.

(14) Garage/Yard Sale Signs.

- Signs used to advertise such a sale on residential property, provided that said signs are non-illuminated, do not exceed four (4) square feet in area, and adhere to the following:
- One (1) garage/yard sale sign is allowed on the garage/yard sale site.
- Up to four (4) additional signs, which may also exhibit directional arrows and instructions, shall be allowed on weekends and holidays on other private properties with the property owners' permission.
- Shall not be placed on public property, including sidewalks, parking areas, landscaped areas, trees, utility poles and sign poles.
- Shall be removed by the owner within one (1) day following the date of the sale.

(15) Interior Signs.

Signs, which are within the interior of any building or complex, or signs which cannot be seen from a right-of-way as defined in this article.

(16) Murals.

(17) Official Signs.

Legal notices, identification, information, or directional signs erected or required by governmental bodies or public utilities.

(18) Political/Election Signs.

Allowed up to thirty-two (32) square feet on each face, which are temporary in nature, and are removed within fourteen (14) days after the election for which they are designed.

(19) Product Identification Sign.

Product Identification Signs are allowed when they are not directly visible from a vehicular or pedestrian right-of-way as defined in this article.

(20) Projecting Signs.

Projecting signs such as “blade” or “shingle” signs, up to six (6)-square feet maximum size per face, are permitted in Downtown or as part of an approved Master Sign Program. Minimum eight (8) foot high clearance from the bottom of the sign to finished grade is required. Only natural or external illumination is permitted. One (1) is allowed per establishment, which will be included in the calculation of overall number of signs permitted. It may require an encroachment permit if it is above public property.

(21) Real Estate Signs:

(a) *On-site Signs.*

One (1) single or double faced non-illuminated sign per street frontage. Sign can be hanging post, window sign, or a wall sign type. The sign shall be removed within fifteen (15) days after the close of escrow or leasing of the property.

Maximum size per face:

Residential Uses:

Single family homes,	
Townhouses, Condominiums	Four (4) square feet
Apartment Complexes	Twenty (20) square feet

Non-residential uses:

Site under five (5) acres	Thirty-two (32) square feet
Site five (5) acres or more	Sixty-four (64) square feet

(b) *Open House Directional Signs: Single Family Homes and Subdivisions.*

For each open house for an individual home for sale, a maximum of four (4) directional signs and one (1) on-site sign are permitted.

Signs shall be portable A-frame or sandwich board types, maximum four (4) square feet per face, and three (3) feet in height. Signs may be placed on private property with the written permission of the property owner. Signs may also be placed on public property, such as sidewalks, subject to the following regulations:

1. Signs shall be placed so that a minimum of four (4) feet remains clear on the sidewalk for pedestrians.
2. Signs shall not be located:
 - (a) In the street or a center median.
 - (b) In a publicly maintained landscaped area.
 - (c) In parks.

- (d) In any bus stop zone.
- (e) Where they may interfere with maneuvering vehicles, bicycles, pedestrians or where visibility of traffic or traffic signs would be hampered.
- 3. Signs shall not be illuminated, inflatable, have moving parts or be held by a human directional.
- 4. Signs shall not be attached in any manner to trees, utility poles, utility cabinets, street or traffic signs, benches, hydrants, mailboxes, traffic signal light post, or any pole or post displaying a traffic sign, motorist call box or historical marker, or public buildings.
- 5. Signs shall not include balloons, streamers, ribbons, pennants, or other similar devices designed to move in the wind.
- 6. Signs shall not resemble traffic control signs or devices.
- 7. A total of four (4) signs are permitted per intersection, limited to one (1) sign per corner.
- 8. The name and phone number of the broker, agent or owner/seller shall be placed on the sign for identification purposes.
- 9. Signs shall be constructed of a durable, weatherproof material and shall be permanently attached to an A-frame type sign structure.
- 10. The use of wooden, plastic and metal stake signs is prohibited.
- 11. Signs may be displayed only on weekends, federally recognized holidays, and one (1) designated tour-day each week. Signs shall be displayed no earlier than 8:00 a.m. and shall be removed beginning by sunset each day.
- 12. The City of Hayward may remove any sign if necessary for maintenance activities or safety considerations. The City of Hayward shall not be liable for any damage to or loss of sign.

(22) Service Stations.

Permitted to have the following additional signs provided they conform to the height and setback requirements of the district in which they are located:

- (a) *State authorized testing center services.*
Four (4) square feet per sign, wall mounted only.
- (b) *Price signs.*
One (1) single or double faced sign per street frontage permitted and twenty (20) square feet maximum per face. This exemption is intended to allow for full compliance with state law for posting of gasoline prices. Portable price signs are not permitted.

- (c) *Pump signs.*
One (1) sign for each gas pump unit not to exceed two (2) square feet per pump face, or one (1) sign per bank of pumps, not to exceed eight (8) square feet per face, identifying the gasoline brand and rating **only**.

(23) Supergraphics.

Except when proposed in a "Special Design District" as defined in Section 10-1.2600, on an historic structure, or in an historic district.

(24) Time and Temperature devices.

Devices with no advertising, located in nonresidential Districts only, maximum area twenty (20) square feet per face.

(25) Towing Authorization-Private Property Sign.

Signage should follow the City of Hayward Police Department's guidelines for Private Property signs.

(26) Transit, Bus Shelter Signs or Bench Signs.

Signage may be displayed on shelters and benches located at stops which serve AC Transit and other public transit lines in the following circumstances:

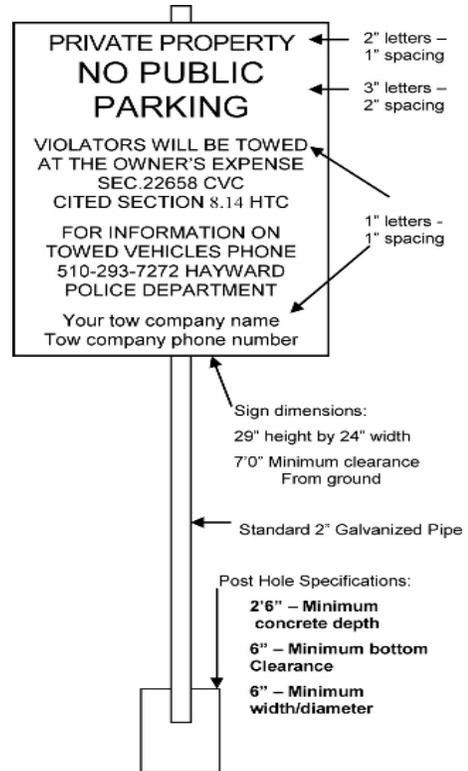
- (a) The sign conveys transit information and has been authorized by the public transit agency; or
- (b) The signage is displayed on a bus or transit shelter in accordance with the terms and conditions of a written agreement between the City of Hayward and the public transit agency.

(27) Under-Canopy Sign

A maximum area of six (6) square feet is permitted.

(28) Vehicle Sign.

Vehicle signs, as defined in Appendix A are exempt; up to two (2) signs maximum per vehicle.



10-7.400 PROHIBITED SIGNS.

Except as otherwise qualified, the commercial and advertising signs in this section shall not be permitted in any District:

- (1) **Signs on public property or right of way, unless otherwise expressly allowed in Section 10-7.300.**
- (2) **Advertising Banners.**
Exception: Banners used for decorative artwork (Section 10-7.300) and promotional event and grand opening banners (Section 10-7.601).
- (3) **Bunting.**
Exception: Temporary bunting permitted for promotional and grand opening events at Automobile Dealerships.
- (4) **Changeable Copy Signs/Reader Boards.**
Exception: Permitted signs for facilities used for theatrical, cultural, church, school, sports or other seasonal events, or for industrial use with establishment frontage on a freeway.
- (5) **Dilapidated Sign.**
A sign including its supporting structure, which is no longer in a good state of repair, is not visually attractive or functional, or has become a health or safety hazard.
- (6) **Flashing Signs.**
Any sign which appears to change color or intensity of lighting, or is perceived as an intermittent or flashing light.
Exception: time and temperature signs per 10-7.300(24) and marquee signs per Section 10-7.500(e) approved by the Development Services Director.
- (7) **General Advertising Signs (Off-Premises).**
Any sign relating to a business, commodity, service, entertainment, or event not conducted, sold, or offered on the premises on which such sign is located, except for Subdivision Directional Signs and Open House Directional Signs. This shall include such signs as those illegally posted on telephone poles which usually advertise such events as gun shows, plant sales, car shows, etc. An existing lawfully erected general advertising sign may be relocated under the terms of a relocation agreement pursuant to Business & Professions Code Section 5412 or successor provision.
- (8) **Hazardous Signs.**
Signs which visually obstruct ingress or egress from a building or which adversely affect traffic (vehicular, bicycle, or pedestrian) safety.
- (9) **Home Occupation Signs.**
- (10) **Inflatables and Mylar Balloons.**

Excluding balloons as permitted by Section 10-7.601 and balloons defined in Section 10-7.200.

(11) Moving Signs.

A sign, which has any actual or apparent moving parts activated by a mechanical device, by wind currents or by human beings, where the sign moves or the shape or content of the sign face changes. This includes wind banners/flags, air and wind dancers and human directional signs and excludes scrolling signs. Prohibited as permanent signage, may be permitted as temporary signage.



(12) Natural Objects.

Signs attached to or painted on a tree, rock, or other natural object.

(13) Obsolete Signs.

Any sign, including its supporting structure, which no longer advertises a business, leaser, owner, product, service or activity on the premises where the sign is displayed.

(14) Pennants.

Flags or emblems of any type material, which may or may not taper to a point and are usually strung together, except when permitted for promotional and grand opening events are prohibited.

(15) Pole Signs.

Signs supported by a single pole are prohibited except for:

- (a) Businesses with Freeway frontage on Highway 880 or State Route 92 (west of Industrial Boulevard) which provide food, fuel, or lodging;
- (b) Major freeway oriented Commercial Centers of at least five (5) acres with an approved Master Sign Program on Highway 880 or State Route 92 (West of Industrial Boulevard);
- (c) Commercial or industrial sites of ten (10) acres or more and which have an approved Master Sign Program;
- (d) Commercial buildings which have an historic designation and for which a small, architecturally appropriate sign may be considered, subject to approval by the Development Services Director.

(16) Portable Signs.

Any sign that is not permanently affixed to a building, other unmovable structure, or the ground such as A-frame signs, T-frame signs and sandwich boards and which is located in a building or in the ground. Exceptions: Real estate open house directional signs (see “Exempt” Section 10-7.300); Sidewalk display signs in the Downtown Entertainment Area; and Vehicle signs (see “Exempt” and “Definitions” Sections).

(17) Roof Signs, Wall Signs, or Projecting Signs which extend above the roof line or the parapet wall of a building.

Exception: Rooftop address numerals which are readable from an aircraft, required in accordance with the City Security Ordinance (Ord. No. 90-26).

(18) Searchlights.

Exception: Searchlights used for promotional and grand opening events.

(19) Streamers.

Long narrow strips of any type material that resembles a banner and that float with the wind.
Exception: Streamers for promotional and grand opening events.

(20) Vehicle-Mounted Commercial Signs which do not meet the definition set forth in Appendix A of this article.**(21) Sign erected without a permit.****(22) Temporary sign displayed without a permit.**

10-7.500 SIGN REGULATIONS BY ZONING DISTRICT AND USE

Hayward Municipal Code Section 10-7.500 contains specific regulations for signs on private property, based on the zoning district and sign usage.

(a) RS, RNP, RO (Single-Family Residential and Residential Office) Districts

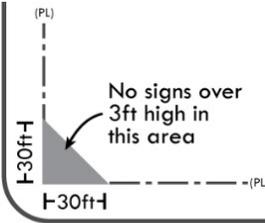
Sign Type Allowed	Max. # / Height	Max. Area	Setback	Illumination	Additional Provisions
<p>Permanent Subdivision Signs</p> 	<p>No: 1 Height: 10 ft.</p>	<p>50 sq. ft. per face. 100 sq. ft. total.</p>	<p>10 ft. from all property lines.</p>	<p>Natural or External.</p>	<ul style="list-style-type: none"> • If subdivision is >25 lots or condos, 1 additional sign is permitted, not to exceed 30 sq. ft./face, 60 sq. ft. total. • Home Occupation signs are prohibited.
<p>Residential Office, religious, educational, health care, childcare for fifteen (15) or more, cultural, recreational, or similar facility.</p> 	<p>No: 1 per establishment up to 5 acres. 2 if > 5 acres. Height: 6 ft.</p>	<p>15 sq. ft. per sign.</p>	<p>10 ft. from all property lines.</p>	<p>Natural or External.</p>	<ul style="list-style-type: none"> • If freestanding/ monument sign, base shall be landscaped.

(b) RM, RH (Multi-Family Residential), MH (Mobile Home), and AT-RM (Air Terminal Medium Density Residential) Districts

Sign Type Allowed	Max. # / Height	Max. Area	Setback	Illumination	Additional Provisions
<p>Multi-Family Complex Identification Signs.</p> 	<p>No: 1 per 500 ft. of street frontage. 2 if >500 ft.</p> <p>Height: 6 ft.</p>	<p>1-8 units: 12 sq. ft.</p> <p>9-25 units: 25 sq. ft.</p> <p>>26 units: 50 sq. ft.</p>	<p>10 ft. from all property lines.</p>	<p>Natural or External.</p>	<ul style="list-style-type: none"> • 26+ units with >1 street frontage, a second sign is permitted with total sign area ≤ 70 sq. ft. (35 sq. ft. per entrance) • 2 signs on 1 frontage are permitted if entrances are ≥ 200 ft. apart.
<p>Permanent Subdivision Signs.</p> 	<p>No: 1</p> <p>Height: 10 ft.</p>	<p>1-8 units: 12 sq. ft.</p> <p>9-25 units: 25 sq. ft.</p> <p>>26 units: 50 sq. ft.</p>	<p>10 ft. from all property lines.</p>	<p>Natural or External.</p>	<ul style="list-style-type: none"> • For 26+ unit subdivisions with long or multiple street frontages, a second sign is permitted.
<p>Religious, educational, health care, childcare for fifteen (15) or more, cultural, recreational, or similar facility.</p> 	<p>No: 1 per establishment up to 5 acres. 2 if > 5 acres.</p> <p>Height: 6 ft.</p>	<p>20 sq. ft./ sign.</p>	<p>10 ft. from all property lines.</p>	<p>Natural or External.</p>	<ul style="list-style-type: none"> • If freestanding/ monument sign, base shall be landscaped.

(c) All Commercial Districts - (Except CC-R, CC-C and CC-P), Including AT-AC, AT-C (Airport Commercial Zones)

The following regulations apply to properties in all Commercial Districts excluding the CC-R, CC-C and CC-P districts.

Sign Type Allowed	Max. # / Height	Max. Area	Setback	Illumination	Additional Provisions
<p>For Residential Uses: Same regulations as Multi-family Districts.</p>					
<p>For Non-Residential Uses:</p>					
<p>General (applies to all uses) All Types:</p> <p>Freestanding/monument signs Signs on corner lots higher than 3 ft. are subject to the “Vision Triangle Rule” of 30 ft.</p>  <p>Vision Triangle Rule</p> <p>Wall signs</p>	<p>No: 3 signs max.</p>	<p>1.5 sq. ft. per lineal foot of establishment frontage 25 sq. ft. min. 100 sq. ft. max.</p>	<p>Varies by use.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Businesses with more than 1 frontage shall be allowed 50% more permitted sign area upon approval of the Development Services Director. • AT-AC, AT-C zones: Office or industrial complexes with ≥ 2 frontages can have an additional sign per approval of the Development Services Director. • If freestanding/monument sign, base shall be landscaped.
<p>General Freestanding/Monument (applies to all uses)</p> 	<p>No: 1 per establishment</p> <p>Height: 12 ft. and 1 ft. lower every foot closer to property line.</p>	<p>36 sq. ft. per face</p>	<p>12 ft. from all property lines.</p> <p>Setback may be reduced 1 ft. for every ft. the sign is lowered, 2 ft. min.</p>	<p>See Section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • See General Provisions above.

<p>General Wall/Canopy (applies to all uses)</p> 	<p>No: up to 2 Height: No higher than roofline of first story element.</p>	<p>36 sq. ft. for frontages < 25 linear ft. 50 sq. ft. for frontages 25-40 linear ft. Exceptions: freeway-oriented, drive-throughs, auto dealerships.</p>	<p>Same as the structure to which it is attached.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • See General Provisions above.
<p>General Temporary (applies to all uses)</p>	<p>See Section 10-7.600 “Temporary Signs.” Events sponsored by a federal, state, or local governmental agency are exempt.</p> 				
<p>Auto Dealership Freestanding/Monument</p> 	<p>No: 1 Height: 12 ft.</p>	<p>50 sq. ft. per face, 100 sq. ft. total</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • For additional Banner information see 10-7.601. • 1 additional freestanding sign is permitted if > 1 street frontage.
<p>Auto Dealership Wall</p> 	<p>No: 2 Height: No higher than roofline of first story element.</p>	<p>100 sq. ft. total</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • See General Provisions above.

<p>Auto Dealership Temporary Event/Grand Opening</p> 	<p>No: 2 for up to 4 times a year (14 consecutive days for each event).</p>	<p>50 sq. ft. per sign.</p>	<p>None.</p>	<p>Natural only</p>	<ul style="list-style-type: none"> • See Section 10-7.600 for permit requirements and additional regulations. • Bunting, pennants and searchlights are permitted. • Shall not be placed in City right-of-way.
<p>Drive-Through Freestanding/Monument</p> 	<p>No: 1 Height: 10 ft. unless it qualifies as a Freeway-oriented sign, then 50 ft.</p>	<p>40 sq. ft. per face. 80 sq. ft. total.</p>	<p>Varies by zoning district.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Drive-Through signs on corner lots higher than 3 ft. are subject to the “Vision Triangle Rule” of 30 ft. • Applies to restaurants, coffee shops, pharmacies, cafes and banks.
<p>Drive-Through Menu Board</p> 	<p>No: 2 max. Height: 6 ft.</p>	<p>30 sq. ft. each max.</p>	<p>N/A</p>	<p>Internal or external</p>	<ul style="list-style-type: none"> • Restaurant Menu Boards do not count towards max. 3 signs per site and 100 sq. ft. total. • Logos on exempt directional signs are only allowed up to 20% of the directional sign area for Drive-Throughs.
<p>Drive-Through Wall</p> 	<p>No: 3 Height: 18-inch max. letter size and 24-inch max. logo height.</p>	<p>40 sq. ft. total</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Applies to restaurants, coffee shops, pharmacies, cafes and banks.

<p>Food Vendor/Catering Truck</p> 	<p>No: 1 on each side of cart or truck.</p>	<p>8 sq. ft. each 16 sq. ft. total</p>	<p>None.</p>	<p>Natural only.</p>	<ul style="list-style-type: none"> • Shall be in accordance with California Department of Motor Vehicles regulations.
<p>Food Vendor/Catering Truck</p> 	<p>No: 1 Height: 4 ft.</p>	<p>20 sq. ft. per face 40 sq. ft. total</p>	<p>Placed on private property only.</p>	<p>Natural only.</p>	<ul style="list-style-type: none"> • Issuance of a sign permit may include provisions to ensure that the portable sign does not create a safety hazard or is not aesthetically detrimental or incompatible with surrounding uses.
<p>Recycling</p> 	<p>No: 4 total 1 per side</p>	<p>Max. 20% per side or 16 sq. ft., whichever is larger.</p>	<p>None. Containers shall be clearly marked to identify materials.</p>	<p>Natural or external.</p>	<ul style="list-style-type: none"> • For a wheeled facility, side shall be measured from pavement to top of container. Directional signs with no message (for traffic or if facility not visible from ROW) shall be approved by the Director.
<p>Service Station General</p> 	<p>No: 2 signs per frontage, 4 signs per establishment max. unless otherwise approved by Development Services Director.</p>	<p>100 sq. ft. max.</p>	<p>Varies by zoning district.</p>	<p>See Section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Exempt signs include: Four (4) sq. ft. wall mounted <i>State Authorized Testing Center Services</i>; one (1) single or double faced price sign per street frontage with twenty (20) sq. ft. max. per face; and one (1) sign for each gas pump unit not to exceed two (2) sq. ft. per pump

					<p>face or one (1) sign per bank of pumps, not to exceed eight (8) sq. ft. per face, identifying the gasoline brand and rating only.</p> <ul style="list-style-type: none"> • Signs on corner lots higher than 3 ft. are subject to the “Vision Triangle Rule” of 30 ft. set forth in Article 9 of the Hayward Traffic Code. • Sign base shall be decorative in stucco, brick, wood or similar material that matches the primary building and shall have landscaping around it.
<p>Service Station Freestanding/ Monument</p> 	<p>No: 1</p> <p>Height: 15 ft. unless it qualifies and a Freeway-oriented sign, then 50 ft.</p>	<p>30 sq. ft. per face</p> <p>60 sq. ft. total.</p>	<p>Cannot extend beyond property line.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Canopy logo areas are not included in total sign area calculation if less than 6 sq. ft.
<p>Service Station Wall</p> 	<p>No: 4 max.</p> <p>Height: 24-inch max. letter size and 26-inch logo height.</p>	<p>40 sq. ft. total</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • See General Provisions above.

<p>Regional Shopping Center</p>	<p>Shall be reviewed on a site-specific basis. An approved Master Sign Program is required.</p>				
<p>Large Shopping Center Freestanding/Monument</p> 	<p>No: 1 Height: 14 ft.</p>	<p>200 sq. ft. per face. 300 sq. ft. if >1 establishment frontage</p>	<p>10 ft. from property lines.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Signs on corner lots higher than 3 ft. are subject to the “Vision Triangle Rule” of 30 ft. • If a Master Sign Program exists, the Development Services Director may approve additional signs or sign area as needed to adequately direct the public to the Center.
<p>Large Shopping Center Wall</p> 	<p>No: 1 per establishment Height: No higher than the building wall on which it is mounted.</p>	<p>1.5 sq. ft. per linear foot of establishment frontage.</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Unless otherwise stated in a Master Sign Program, 24-inch max. letter size and 30-inch max. logo size. • If a Master Sign Program exists, the Development Services Director may approve additional signs or sign area as needed to adequately direct the public to the Center.
<p>Small Shopping Center Freestanding/Monument</p> 	<p>No: 1 Height: 14 ft.</p>	<p>150 sq. ft. per face. 225 sq. ft. if >1 establishment frontage.</p>	<p>4 ft. from curb.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Unless otherwise stated in the Master Sign Program of a Small Shopping Center, 24-inch max. letter size and 30-inch max logo height. • Small Shopping Center signs on corner lots higher than 3 ft. are subject to the “Vision Triangle Rule”.

<p>Small Shopping Center Wall</p> 	<p>No: 1 per establishment</p> <p>Height: No higher than the building wall on which it is mounted.</p>	<p>1.5 sq. ft. per linear foot of establishment frontage.</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Unless otherwise stated in a Master Sign Program, 24-inch max. letter size and 30-inch max. logo size. • If a Master Sign Program exists, the Development Services Director may approve additional signs or sign area as needed to adequately direct the public to the Center.
<p>Theater Freestanding/ Monument</p> 	<p>No: 1</p> <p>Height: 25 ft.</p>	<p>50 sq. ft.</p>	<p>10 ft. from property lines.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Not allowed in CC-P district.
<p>Theater Display</p> 	<p>No: N/A</p> <p>Height: N/A</p>	<p>36 sq. ft. each</p> <p>240 sq. ft. max. total</p>	<p>None.</p>	<p>See Sec. 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Minimum of 2 display cases allowed. • Display case areas not included in total permitted sign area.
<p>Theater Marquee</p> 	<p>No: 1</p> <p>Height: 45 ft.</p>	<p>350 sq. ft. for one screening room plus 50 sq. ft. for each additional screening room.</p> <p>1100 sq. ft. max.</p>	<p>Marquee shall be permitted over right of way subject to approval by Development Services Director.</p>	<p>Lighting must be approved by the Development Services Director for traffic safety before final approval.</p>	<ul style="list-style-type: none"> • Total sign area is not permitted on 1 façade or 1 sign. • Electronic Reader Boards are allowed on marquee if used to display movie times. • Sign shall be compliant with architecture of theater.

(d) **CC-R (Central City - Residential) District**

The following regulations apply to all properties in the CC-R district.

Sign Type Allowed	Max. # / Height	Max. Area	Setback	Illumination	Additional Provisions
For Residential Uses: Multi-Family Complex Identification Signs only.					
General Freestanding/ Monument and/or	No: 1 Height: 5 ft.	1-8 units: 12 sq. ft. 9-25 units: 25 sq. ft. >26 units: 50 sq. ft.	4 ft. from all property lines.	Natural or External.	<ul style="list-style-type: none"> • 26+ units with >1 street frontage, a second sign is permitted with total sign area ≤ 70 sq. ft. (35 ft. per entrance). • 2 signs on 1 frontage are permitted if entrances are ≥ 200 ft. apart.
Wall Sign	No. 1				
For Non-Residential Uses:					
General Wall signs	No: 1 per establishment frontage. Height: 6 ft.	36 sq. ft. per face.	4 ft. from all property lines.	All types. See section 10-7.209 for lighting restrictions.	<ul style="list-style-type: none"> • Office complex or directory sign: 1 per complex with 20 sq. ft. max per face, 40 sq. ft. max total. • If freestanding monument sign, base shall be landscaped.

<p>Theater Monument</p> 	<p>No: 1 Height: 25 ft.</p>	<p>50 sq. ft.</p>	<p>10 ft.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • See General Provisions above.
<p>Theater Display</p> 	<p>No: N/A Height: N/A</p>	<p>36 sq. ft. each 240 sq. ft. max. total</p>	<p>None.</p>	<p>All types. See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Minimum of 2 display cases allowed. • Display case areas not included in total permitted sign area.
<p>Theater Wall</p> 	<p>No: 1 Height: 45 ft.</p>	<p>350 sq. ft. for one screening room plus 50 sq. ft. for each additional screening room. 1100 sq. ft. max.</p>	<p>None.</p>	<p>Lighting must be approved by the Development Services Director for traffic safety before final approval.</p>	<ul style="list-style-type: none"> • Total sign area is not permitted on 1 façade or 1 sign. • Electronic Reader Boards are allowed on marquee if used to display movie times. • Sign shall be compliant with architecture of theater. • Marquee shall be permitted over right of way subject to approval by Development Services Director.
<p>Temporary Signs</p>		<p>See Section 10-7.600 “Temporary Signs.”</p>			

(e) *CC-C (Central City Commercial District) and CC-P (Central City Plaza) District.*

The following regulations apply to all parcels in the CC-C and CC-P Zoning Districts.

Sign Types Allowed	Total Max. #	Max. Area	Illumination
<p>General</p> <ul style="list-style-type: none"> • Awning • Hanging • Menu Board • Overhang/Edge • Projecting • Theater Marquee • Theater Displays • Service Station Signs • Sidewalk displays (A-Frame/ T-Frame) • Temporary • Wall • Window 	<p>2 signs per frontage.</p> <p>4 signs max per establishment unless otherwise approved by Development Services Director.</p>	<p><u>CC-C & CC-P (Foothill and A):</u></p> <p>2 sq. ft. per linear footage of primary frontage.</p> <p>30 percent of primary frontage for secondary frontage signs.</p> <p><u>CC-C & CC-P (other than Foothill and A):</u></p> <p>1 sq. ft. per linear footage of primary frontage.</p> <p>½ sq. ft. per linear footage of primary frontage.</p> <p>30 sq. ft min and 100 sq. ft max.</p>	<ul style="list-style-type: none"> • See section 10-7.209 for lighting restrictions. • External lighting is encouraged. • No more than three colors. • Neon or day glow must be approved.

Sign Type	Height	Max. Area	Additional Provisions
<p>General Awning (ground floor only)</p> 	<p>8 ft. min. clearance from bottom of sign to top of finish grade.</p>	<p>20% of the total surface area of front awning skirt.</p>	<ul style="list-style-type: none"> • Internal illumination of awning is prohibited. • Awning signs legally erected before July 22, 1986 shall be considered in conformance if they do not exceed the maximum allowable area by 25%.
<p>General Horizontal Hanging</p> 	<p>8 ft. min. clearance from bottom of sign to top of finish grade.</p>	<p>8 sq. ft. total, 4 sq. ft. per face.</p> <p>Signs ≤ 6 sq. ft. are exempt from permitting.</p>	<ul style="list-style-type: none"> • Hanging signs legally erected before July 22, 1986 shall be considered in conformance if they do not exceed the maximum allowable area by 25%.

<p>General Overhang/ Edge</p> 	<p>Height: Shall not exceed 3 ft.</p>	<p>See 10-7.501.e general regulations above.</p>	<ul style="list-style-type: none"> • Shall not be used in conjunction with wall signs.
<p>General Projecting</p> 	<p>Height: No higher than cornice or parapet, whichever is lower.</p> <p>8 ft. min. clearance from bottom of sign to top of finish grade.</p>	<p>40 sq. ft., 20 sq. ft. per face.</p> <p>Double face is counted as one sign.</p>	<ul style="list-style-type: none"> • May project up to 3 ft. horizontally, 5 ft. at Foothill & A • In no case may sign come within 2.5 ft. of curb. • Signs shall be clear of street trees, traffic signals, street lighting, regulatory signs and architectural details.
<p>General Sidewalk Display (A-Frames/ T-Frames)</p> 	<p>4 ft. passageway past sign.</p> <p>Only permitted in the CC-P zone on B Street between Foothill and Watkins and on Main Street between A and C Streets.</p>	<p>6 sq. ft. per side (area will not be included in total permitted sign area).</p>	<ul style="list-style-type: none"> • Max 1 per establishment. • Can be placed within 18 inches of public property in front of establishment. • 4 ft. min passage way on sidewalk must be maintained. • Signs only permitted during business hours. • Sign shall not project within 2 feet of the curb interface with vehicles.
<p>General Temporary</p>	<p>See Section 10-7.600 Temporary Signs.</p> 		

<p>General Wall</p> 	<p>No higher than cornice or parapet, whichever is lower.</p>	<p>See General Regulations above.</p>	<ul style="list-style-type: none"> • Wall signs may be painted on the wall or be made of metal, wood (except plywood), plastic, neon or vinyl. • Fluorescent material is prohibited. • Wall signs legally erected before July 22, 1986 shall be considered in conformance if they do not exceed the maximum allowable area by 25%.
<p>General Window</p> 	<p>N/A</p>	<p>25% of total area of window.</p>	<ul style="list-style-type: none"> • Signs may include graphics painted on glass, vinyl letters applied to glass, a clear acrylic panel behind the window, or small neon window signs. Signs should be white or light in color.
<p>Auto Dealership Temporary</p> 	<p>No: 2 for up to 4 times per year (14 consecutive days for each event)</p>	<p>50 sq. ft. per sign</p>	<ul style="list-style-type: none"> • Natural light only. • Bunting, pennants and searchlights are permitted. • See Section 10-7.601 for permit requirements and additional regulations.
<p>Auto Dealership Wall</p> 	<p>No: 2 Height: No higher than roofline of first story element.</p>	<p>100 sq. ft. total</p>	<ul style="list-style-type: none"> • See section 10-7.209 for lighting restrictions.

<p>Drive-Through Menu Board</p> 	<p>No: 2 max. Height: 6 ft.</p>	<p>30 sq. ft. each max.</p>	<ul style="list-style-type: none"> • Menu Boards do not count towards max. 3 signs per site and 100 sq. ft. total. • Logos on exempt directional signs are only allowed up to 20% of the directional sign area for <u>Drive-Throughs</u>. • Lighting is internal or external.
<p>Drive-Through Wall</p> 	<p>No: 3 Height: 18-inch max. letter size and 24-inch max. logo height.</p>	<p>40 sq. ft. total.</p>	<ul style="list-style-type: none"> • Applies to restaurants, coffee shops, pharmacies, cafes and banks. • See section 10-7.209 for lighting restrictions.
<p>Service Station Monument</p> 	<p>No: 1 Height: 15 ft. unless it qualifies and a Freeway-oriented sign, then 50 ft.</p>	<p>30 sq. ft. per face 60 sq. ft. total.</p>	<ul style="list-style-type: none"> • Canopy logo areas are not included in total sign area calculation if less than 6 sq. ft.
<p>Service Station Wall/Canopy</p> 	<p>No: 4 max. Height: 24-inch max. letter size and 26-inch logo height.</p>	<p>40 sq. ft.</p>	<ul style="list-style-type: none"> • See section 10-7.209 for lighting restrictions.

<p>Theater Marquee</p> 	<p>Height: 45 ft.</p>	<p>350 sq. ft. for one screening room plus 50 sq. ft. for each additional screening room.</p> <p>1100 sq. ft. max.</p>	<ul style="list-style-type: none"> • Total sign area is not permitted on 1 façade or one sign. • Sign shall compliment architecture of theatre • Shall be permitted over right of way subject to approval by the Development Services Director. • Lighting must be approved by Director of Public works for traffic safety before final approval.
<p>Theater Display Cases</p> 	<p>N/A</p>	<p>36 sq. ft. each and total of 240 sq. ft.</p>	<ul style="list-style-type: none"> • Min. of 2 displays allowed. • Area is not included in total permitted sign area.
<p>Theater Wall</p> 	<p>No: 1</p> <p>Height: 45 ft.</p>	<p>350 sq. ft. for one screening room plus 50 sq. ft. for each additional screening room.</p> <p>1100 sq. ft. max.</p>	<p>None.</p>

(f) *I, (Industrial), AT-IP (Airport Terminal Industrial), and AT-R (Airport Terminal Recreational) Districts*

Sign Type Allowed	Max. # / Height	Max. Area	Setback	Illuminati on	Additional Provisions
<p>General (applies to all)</p>	<p>No: 3 signs max.</p>	<p>1 sq. ft. per lineal foot of establishment frontage or 25 sq. ft., whichever is greater.</p>	<p>Varies.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> Office or industrial complexes with ≥ 2 frontages or ≥ 2 street entrances can have additional signs per approval of the Development Services Director.
<p>General Freestanding/ Monument</p> 	<p>No: 1 per 50 linear feet of establishment frontage.</p> <p>Height: 14 ft.</p>	<p>1 sq. ft. per lineal foot of establishment frontage or 25 sq. ft., whichever is greater.</p>	<p>10 ft. from all property lines.</p> <p>If sign is < 6 ft., it may be 2 ft. from front property line so long as it does not interfere with visibility.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> If freestanding/ monument sign, base shall be landscaped.
<p>General Temporary</p>	<p>See Section 10-7.600 "Temporary Signs."</p>				
<p>General Wall</p> 	<p>No: 2-3</p> <p>Height: No higher than building it is mounted on.</p>	<p>1 sq. ft. per lineal foot of establishment frontage or 25 sq. ft., whichever is greater.</p>	<p>N/A</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> Office or industrial complexes with ≥ 2 frontages or ≥ 2 street entrances can have additional signs per approval of the Development Services Director.
<p>Changeable Copy/ Electronic Reader Board/Freeway Sign.</p> 	<p>No: 1</p> <p>Height: No higher than building it is mounted on.</p>	<p>None.</p>	<p>May not comprise more than 50% of area of primary sign.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> Only permitted when designed as part of freeway-oriented business identification sign. Signs are subject to provisions of State Outdoor Advertising Act.

<p>General Drive-Through</p> 	<p>No: 3</p>	<p>100 sq. ft. max.</p>	<p>N/A</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> Logos on directional signs are only allowed up to 20% of the directional sign area.
<p>Drive-Through Freestanding/Monument</p> 	<p>No: 1 Height: 10 ft. unless it qualifies as a Freeway-oriented sign, then 50 ft.</p>	<p>40 sq. ft. per face. 80 sq. ft. total.</p>	<p>Varies by zoning district.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> Restaurant Menu Boards do not count towards max. 3 Drive-Through signs per site and 100 sq. ft. total. Logos on exempt directional signs are only allowed up to 20% of the directional sign area for Drive-Throughs.
<p>Drive-Through Wall</p> 	<p>No: 3 Height: 18-inch max. letter size and 24-inch max. logo height.</p>	<p>40 sq. ft. total</p>	<p>N/A</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> Applies to restaurants, coffee shops, pharmacies, cafes and banks.
<p>Food Vendor Vehicle</p> 	<p>No: 1 on each side of cart or truck.</p>	<p>8 sq. ft. each 16 sq. ft. total</p>	<p>None.</p>	<p>Natural only.</p>	<ul style="list-style-type: none"> Shall be in accordance with California Department of Motor Vehicles regulations.

<p>Food Vendor Portable</p> 	<p>No: 1 Height: 4 ft.</p>	<p>20 sq. ft. per face 40 sq. ft. total</p>	<p>Shall be on private property.</p>	<p>Natural only.</p>	<ul style="list-style-type: none"> • Issuance of a sign permit may include provisions to ensure that the portable sign does not create a safety hazard or is not aesthetically detrimental or incompatible with surrounding uses.
<p>General Service Station</p> 	<p>No: 2 signs per frontage, 4 signs per establishment max. unless otherwise approved by Development Services Director.</p>	<p>100 sf. max</p>	<p>Signs on corner lots higher than 3 ft. are subject to the "Vision Triangle Rule" of 30 ft.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Exempt signs include: Four (4) sq. ft. wall mounted <i>State Authorized Testing Center Services</i>; one (1) single or double faced price sign per street frontage with twenty (20) sq. ft. max. per face; and one (1) sign for each gas pump unit not to exceed two (2) sq. ft. per pump face or one (1) sign per bank of pumps, not to exceed eight (8) sq. ft. per face, identifying the gasoline brand and rating only. • Service Station sign base shall be decorative in stucco, brick, wood or similar material that matches the primary building and shall have landscaping around it. • If freestanding/monument sign, base shall be landscaped.

<p>Service Station Freestanding/ Monument</p> 	<p>Service Station No: 1</p> <p>Height: 15 ft. unless it qualifies as a Freeway-oriented sign, then 50 ft.</p>	<p>30 sq. ft. per face. 60 sq. ft. total</p>	<p>Cannot extend beyond property line.</p> <p>Signs on corner lots higher than 3 ft. are subject to the “Vision Triangle Rule” of 30 ft.</p>	<p>See Sec. 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Service Station exempt signs include: Four (4) sq. ft. wall mounted <i>State Authorized Testing Center Services</i>; one (1) single or double faced price sign per street frontage with twenty (20) sq. ft. max. per face; and one (1) sign for each gas pump unit not to exceed two (2) sq. ft. per pump face or one (1) sign per bank of pumps, not to exceed eight (8) sq. ft. per face, identifying the gasoline brand and rating only. • Sign base shall be decorative in stucco, brick, wood or similar material that matches the primary building and shall have landscaping around it.
<p>Service Station Wall/Canopy</p> 	<p>No: 4 max.</p> <p>Height: 24-inch max letter size and 26-inch max logo height.</p>	<p>40 sq. ft. total</p>	<p>None.</p>	<p>See section 10-7.209 for lighting restrictions.</p>	<ul style="list-style-type: none"> • Logos are not included in total sign area calculation if less than 6 sq. ft.

(g) PD (Planned Development) District

The Development Services Director or approving authority shall approve all signs within a Planned Development District. Where signs are not included in or regulated by the preliminary or precise plan approval, the standards of the zoning district most similar in use to the uses in the Planned Development District shall be used as a guideline for approval of signs.

(h) A (Agricultural) and FP (Flood Plain) Districts

Sign Type Allowed	Max. # / Height	Max. Area	Setback	Illumination	Additional Provisions
All types 	No: 1 per establishment or parcel. Height: 10 ft.	<ul style="list-style-type: none"> • 50 sq. ft. per establishment or parcel. 	10 ft. from all property lines.	See section 10-7.209 for lighting restrictions.	<ul style="list-style-type: none"> • If freestanding/monument sign, base shall be landscaped.

(i) New Districts

Any new zoning Districts adopted by the City Council subsequent to the adoption of this Article shall be subject to regulations of the District most similar in nature and function as determined by the Development Services Director.

10-7.600 TEMPORARY SIGN REGULATIONS.

10-7.601 Auto Dealership Banners

i. Purpose.

The purpose of allowing banners for automobile retail establishments located in the General Commercial (CG) zoning district along Mission Boulevard, generally between Sycamore Avenue/Highland Boulevard and Harder Road, is to recognize the distinctive requirements of this form of retail and to foster a unified image of a Hayward “auto row.” Uniform banners strengthen the collective impact of display and advertising for auto retail along Mission Boulevard, in a manner that is attractive, compatible, and safe, and enhances the streetscape and the economic well-being of the city.

ii. Automobile Retail Establishment Defined.

“Automobile retail establishment” means an establishment whose primary use of a building or property is for outdoor display and sale of new or used automobiles, trucks, vans, motorcycles, trailers or recreational vehicles. The term does not include establishments for which the sale of vehicles is an incidental use, such as rental car agencies.

iii. Banner Defined.

“Banner” means a non-permanent sign, made of durable fabric, fastened from the top and bottom to a ground-mounted pole or similar structure on private property.

iv. Banner Permits and Requirements.

The Development Services Director may approve a banner permit in accordance with the regulations and criteria set forth in this section and may impose such other reasonable conditions as may be deemed necessary in the public interest. The following regulatory standards are required conditions for any banner:

1. *Size.*

Each “**large banner**” shall be a minimum of sixteen point one (16.1) square feet and a maximum of twenty-eight (28) square feet.

Each “**small banner**” shall be a minimum of eight (8) square feet and a maximum of sixteen (16) square feet. All banners of the same type on a property shall be the same size.

2. *Quantity.*

Each property may display a maximum of one (1) “large banner” for every thirty (30) lineal feet of street frontage. Each property may display a maximum of one (1) “small banner” for every four hundred (400) square feet of parking and auto display area.

3. *Location and Setbacks*

The entire banner shall be located on private property, outside of vision triangles of motorists and shall not extend into or be allowed to move into the public right-of-way.

“Large banners” may be located within ten (10) feet of the property line adjacent to Mission Boulevard. “Small banners” may be located elsewhere within parking and auto display areas.

4. *Distance between Banners.*

No banner shall be located closer than ten (10) feet to another banner.

5. *Height.*

The bottom of each banner shall be at least eight (8) feet and not more than twelve (12) feet above the surface below it. All decorative banners located on a property shall be the same height.

6. *Materials.*

Banners shall be of durable fabric intended for outdoor use such as alufab, pryatone, sunbrella or similar quality fabric. No fade inks shall be used on the banners.

7. *Hardware.*

Brackets for mounting the decorative banners to poles shall be of high quality such as stainless steel banding with fiberglass arms which can flex with the wind.

8. *Maintenance.*

Banners shall be promptly replaced when ink fades or fabric tears, frays or fades. Hardware shall be replaced or repaired when damaged or twisted. All banners shall be fastened to keep taut and shall not be loose or floppy.

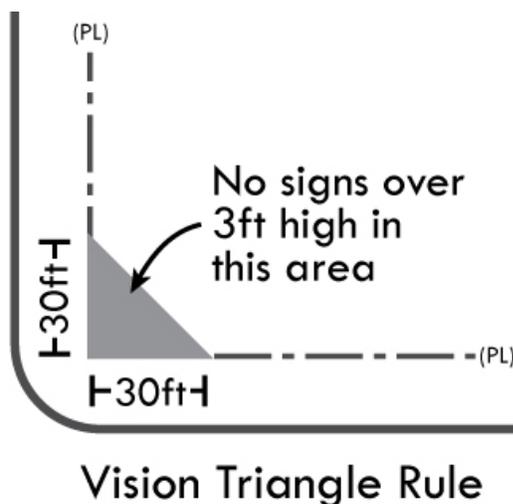
9. *Promotional Signs.*

The possession of a sign permit for Auto Dealership Banners would prohibit the installation of temporary promotional displays on the same property.

v. **Permit Application.**

An application for a sign permit shall be made on a form supplied by the Development Services Director and initiated by owners or agents of automobile retail establishments. The application shall be accompanied by the required fee, as adopted by resolution of the City Council. Along with demonstrating that all of the above required conditions of approval have been met, the following information shall be submitted to the Director in conjunction with an application for a permit:

1. Site plan for the automobile retail establishment, indicating quantity, location and height of banners for the property;
2. Color drawings showing banner design, including colors, materials, hardware and size;
3. Explanation of duration of display of the banners that are requested.
4. Additional information, as determined by the Director may be required.



10-7.602 PROMOTIONAL EVENT AND GRAND OPENING SIGNS.

Promotional event or grand opening signs are regulated only by this section. These signs are permitted in addition to the sign area and number allowed for other classes of signs.

(A) *Permitting*

In order to display any promotional or grand opening signs, a person must file a Sign Permit Application with the Development Review Services Division. The application shall state the applicable number of signs allowed and the number proposed, the date(s) when the signs are to be erected and when they are to be taken down, in accordance with time limits set forth in this article. If applicable, the application shall state the number of times such signs have already been erected in a given calendar year.

(B) *Location*

Promotional and grand opening signs may not be placed within the public right-of-way (including planter strips, tree wells, sound walls, fences, sidewalks, and street medians), on public property or in any location which interferes with vehicular, bicycle, or pedestrian circulation or safety.

(C) *Number and Type Permitted and Time Frame*

Event/Use	Type	Max. #	Max. Area	Illumination	Time-Frame
<ul style="list-style-type: none"> • Business promotional event • Carnival • Festival • Special exhibit • Parade 	<ul style="list-style-type: none"> • Banners • Flags • Streamers • Pennants • Searchlights 	<p>No: Banners: 1</p> <p>Other: Director determination</p>	<ul style="list-style-type: none"> • Banners: 50 sq. ft. 	Natural only.	<ul style="list-style-type: none"> • (2) 14-day periods per year; and • 4 weekends or 3-day federally recognized holiday weekends every 3 months per year.
<ul style="list-style-type: none"> • Grand opening 	<ul style="list-style-type: none"> • Banners • Flags • Streamers • Pennants • Searchlights 	<p>No: Banners: 1</p> <p>Other: Director determination</p>	<ul style="list-style-type: none"> • Banners: 50 sq. ft. 	Natural only.	<ul style="list-style-type: none"> • Once for 30 days max. • Shall be removed within 5 days after the grand opening ceases. • Searchlights: 7 days max.

<ul style="list-style-type: none"> • Auto Dealerships Promotional event signs 	<ul style="list-style-type: none"> • Banners • Bunting • Searchlights 	<p>No: Banners, Bunting: 2</p> <p>Other: If a banner permit is issued, then none other.</p>	<ul style="list-style-type: none"> • Banners: 50 sq. ft. per sign. 	<p>Natural only.</p>	<ul style="list-style-type: none"> • Up to 4 times a year (14 consecutive days for each event). • See Section 10-7.601.
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10-7.603 SUBDIVISION DIRECTIONAL SIGN (OFF-SITE).

- One (1) temporary sign per lot on which it is placed related to the sale or lease of any real property, up to thirty-two (32) square feet in sign area per sign; ten (10) feet in height and ten (10) feet back from property line.
- For each two hundred (200) feet of street frontage, one (1) additional temporary sign related to the lease or sale of any real property is permitted, subject to the size, height, and setback requirements provided in this section.
- Must be placed on private property with the owners' permission, and may remain for twelve (12) months after first installed, or until last unit is sold, whichever is first.
- A time extension, if needed, must be applied for and approved by Development Services Director and must be submitted fifteen (15) days prior to the expiration date of the permit.

10-7.700 ADMINISTRATION, COMPLIANCE AND ENFORCEMENT.

The Development Services Director or his or her designee shall be vested with the authority to determine compliance with provisions of this ordinance except for building or fire code requirements. The Development Services Director or his or her designee is empowered to interpret and enforce the provisions and requirements of this article and to remove or cause to be removed any sign or other advertising structure which has been constructed, erected, altered, relocated, or maintained in violation of this article.

10-7.701 ADMINISTRATIVE REFERRAL.

When there is a question regarding the interpretation of this ordinance, or its application to any specific case or situation, the Development Services Director may, in his or her discretion, refer the question to the Planning Commission.

10-7.702 ADMINISTRATIVE MODIFICATIONS.

The Development Services Director may administratively reduce the setback requirement or increase the permitted sign area if such modifications are minor, not more than twenty-five (25) percent, and he or she determines that no practical alternative exists, that the purposes of the ordinance would not be compromised, and that no detrimental impact would result.

10-7.703 VARIANCES.

The purpose of the Variance provision is to authorize, in specific cases, departure from the terms of the Ordinance if not contrary to the public interest where, owing to special conditions, literal enforcement would result in unnecessary hardship.

- (a) Applications for Variances shall be processed in accordance with Sections 10-1.2815 through 10-1.2825 and Sections 10-1.3305 through 10-1.3375 of the Zoning Ordinance.
- (b) The Development Services Director, or the Planning Commission upon referral by the Director, may grant a Variance when it can be determined that:
 - (1) There are special conditions or circumstances peculiar to the property involved that do not apply generally to property in the same district; and
 - (2) Literal interpretation of this article would cause a hardship or deprive the applicant of rights enjoyed by others in the same district; and
 - (3) The granting of the Variance does not grant a special privilege inconsistent with the limitations on other properties in the same district.

10-7.704 REVOCATION OF SIGN APPROVAL.

The Development Services Director has the authority to revoke any permit or approval issued by the Director or the Director's designee. The Planning Commission has the authority to revoke any sign approval issued by it. Revocation shall occur pursuant to Section 10-7.705, "Grounds for Revocation."

10-7.705 GROUNDS FOR REVOCATION.

Any sign permit approval or action may be revoked on the basis of one (1) or more of the following grounds:

- (a) Fraud or misrepresentation by the applicant with respect to any information contained in his or her approved application or with respect to any other information provided to the City.
- (b) Failure of the applicant to meet or abide by any condition imposed upon approval.
- (c) Failure of the applicant to erect the approved sign(s) within one (1) year of permit issuance.
- (d) Abandonment of the sign for a period of thirty (30) days.

10-7.706 HEARINGS - NOTICE.

Prior to revocation, the Development Services Director or Planning Commission, as the case may be, shall hold a hearing after written notice is provided to the applicant.

10-7.707 APPEALS.

Any person aggrieved by a decision by the Development Services Director may appeal such action to the Planning Commission by filing a written appeal with the Development Review Services Division within ten (10) days from the date of such action. Upon completion of its consideration, the Planning Commission may sustain,

or modify, or reverse the Director's decision. Any action or decision of the Planning Commission is final and not appealable.

10-7.708 LEGAL NON-CONFORMING SIGNS.

- (a) A legal non-conforming sign (see Appendix A: Definitions), unless made to conform to the provisions of this article, may not be structurally altered, expanded, moved, modified in any way, or be reestablished after:
 - (1) Discontinuance for six (6) months or more; or
 - (2) Damage or destruction of more than fifty (50) percent of replacement value.
- (b) Any legal non-conforming sign shall be permitted to remain until such time as:
 - (1) There is a change in the use of the property on which the sign is located and discretionary approval for the change of use is required;
 - (2) Expansion, movement or modification of the sign. A change of copy or normal maintenance and repair does not constitute modification of a non-conforming sign.
- (c) At such time as any of the events mentioned in subsections (a) (b), and/or (c) occur, the sign must be brought into conformance with this article. This provision shall not apply if the existing non-conforming sign is located within the same commercial complex but at a different business location, or if the existing non-conforming sign is not owned or controlled by the sign permit applicant, or if the applicant is not the agent of the person who owns or controls the existing non-conforming sign.

10-7.709 SIGN MAINTENANCE.

- (a) Each sign, including a legal non-conforming sign, shall be maintained in the same condition as when the sign was installed. Normal wear and tear of aged signs shall be repaired when they detract from the visible quality of signs, as determined by the Development Services Director. Repaired signs will be consistent with the approved sign permit for the sign (i.e. paint colors and illumination will match, etc.).
- (b) When signs are removed, the wall behind the sign shall be repaired and painted to match the rest of the building wall.
- (c) Abandoned, dilapidated or unsafe signs shall be subject to abatement in accordance with Sections 10-7.713 and 10-7.714.

10-7.710 REMOVAL OF CERTAIN SIGNS.

- (a) A sign which is unsafe, abandoned, significantly dilapidated, deteriorated or was constructed illegally, may be removed without payment of compensation. This includes:
 - (1) A sign which meets any of the criteria specified in Business and Professions Code Section 5497, or all of the requirements of Business and Professions Code Section 5495, or their successor provisions, shall be removed without compensation in accordance with those provisions.

- (2) A sign, which meets the requirements of Business and Professions Code Sections 5412.1 or 5412.2 shall be removed in accordance with those provisions, or their successor provisions.
- (3) A sign which was constructed unlawfully.
 - (a) Within six (6) months from the date of the adoption or amendment of this article, whichever is later, the City shall commence inventorying and identifying all illegal or abandoned advertising displays, as required in Section 5491.1 of the California Business and Professions Code. Within sixty (60) days after the six (6) month period, the City shall commence abatement of the identified preexisting illegal and abandoned on-premises displays. Fees for the cost of inventorying and identifying illegal or abandoned advertising displays shall be collected in accordance with Section 5491.2 of the Business and Professions Code and the Master Fee Schedule.
 - (b) Any sign which is abandoned or deemed to be abandoned due to the sign's obsolescence or disuse shall be removed by the owner of the property on which the sign is located within thirty (30) days after the sign is abandoned or deemed to be abandoned.

10-7.711 ENFORCEMENT OF SIGNS ON PRIVATE PROPERTY.

(a) *Removal.*

Development Services Director or his or her designee may remove or cause the removal of a sign which is constructed, installed or maintained on private property in violation of this article or other provisions of law ("illegal sign"), in accordance with the procedures set forth in this section.

(b) *Notice to Abate.*

Prior to removal of an illegal sign, a written notice to abate shall be mailed or delivered to the owner and occupant of the premises on which the illegal sign has been installed.

The notice to abate shall set forth a time limit for abatement of the illegal condition, which shall be no less than two (2) calendar days. The notice to abate shall indicate that the sign may be impounded by the City if the illegal sign condition is not abated in a timely manner.

(c) *Sign Impoundment and Recovery of Impounded Sign.*

If the illegal sign condition has not been abated within the time specified by the notice to abate, the City may cause the sign to be removed and impounded. Any sign, which has been impounded, may be recovered by the owner of the sign by paying the City's cost of removal and storage.

(d) *Sign Destruction.*

An impounded sign may be discarded or destroyed by the City without any further notice five (5) days thereafter in any of the following circumstances:

- (1) If the owner of the sign cannot be identified; or

- (2) If the apparent owner of the sign has failed to respond to the City's notice of notice of opportunity to redeem the impounded sign; or
- (3) If the sign is of de minimis value.

10-7.712 ENFORCEMENT OF SIGNS ON PUBLIC PROPERTY.

(a) *Removal.*

The City may remove any temporary or portable sign in the public right-of-way or on public property in violation of this Ordinance.

(b) *Notification.*

No notice shall be required prior to removal of unlawful temporary signs in the public right-of-way or public property.

(c) *Reclamation.*

Any sign removed by the City, except any sign of de minimis value, shall be held in storage and the owner or other person in control of such sign, if known, shall be given written notice and ten (10) days to reclaim such sign.

(d) *Disposal.*

The City may destroy any unclaimed sign held in storage by the City if not reclaimed within the time period set forth in (c) above or within ten (10) days after removal if the owner or other person in control of such sign is not known.

(e) *Payment.*

In order to reclaim a sign removed by the City, the owner or other person in control of such sign shall first pay to the City a fee equivalent to the City's removal costs (time and materials.)

(f) *Liability.*

The owner or entity responsible for placing a temporary unlawful sign on public property may be billed all time and materials costs incurred by the City to remove the sign, whether or not the person or entity desires to reclaim the sign.

(g) *De minimis value signs.*

For purposes of this Section, any sign made of nondurable material shall be deemed to be of de minimis value.

Any temporary sign of de minimis value located in the public right-of-way in violation of this Ordinance shall be deemed to be abandoned and may be destroyed by the City after removal. No opportunity to reclaim such sign shall be given by the City.

10-7.713 ENFORCEMENT OF ON-PREMISES SIGNS.

The City may declare as a public nuisance and abate at the owner's expense any sign maintained in violation of this article. A sign maintained in violation of this article includes, but is not limited to:

- (a) An on-premises advertising display erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use.
- (b) An on-premises advertising display that was legally erected, but has been abandoned or not maintained.
- (c) An on-premises advertising display that was legally erected, which later became nonconforming as a result of the adoption of an ordinance, the amortization period for the display provided by the ordinance rendering the display non-conforming has expired, and conformance has not been accomplished.
- (d) An on-premises advertising display which is a danger to the public or is unsafe.
- (e) An on-premises advertising display or painted wall sign that was not erected or applied with a sign permit or which remains after the business has vacated the premises for six months for on-premises advertising display and one month for painted wall sign.
Abatement of illegal signs shall be in accordance with the procedures set forth in Chapter 5, Article 7.

10-7.714 PROCEDURE NOT EXCLUSIVE: VIOLATION AN INFRACTION.

The procedures for abatement set forth herein shall not be exclusive and shall not in any manner limit or restrict the City from enforcing other City ordinances and regulations or abating public nuisances in any other manner provided by law. Nothing in this article shall be deemed to prevent the commencement of a civil proceeding to abate a public nuisance pursuant to applicable law or from pursuing any other remedy available under applicable law. Violation of the provisions of this article constitutes an infraction or a misdemeanor, as set forth in Chapter 1, Article 3 of the Hayward Municipal Code.

10-7.715 SEVERABILITY.

If any provision of this Article is determined invalid, void or unenforceable by a final judgment rendered by a court of competent jurisdiction, the validity of the remaining provisions of this Article shall not be affected, provided that the enforcement of the remaining provisions of this Article are not rendered impractical by the severance of the provision deemed to be invalid, void or unenforceable.

10-7.716 AMORTIZATION.

Notwithstanding other provisions of this chapter, the following signs shall be required to be removed or modified to comply with the provisions of this chapter.

1. "Abandoned signs" as defined herein, must be removed:
 - a. Any sign, including its supporting structure, remaining in place or not maintained for a period of six (6) months, which no longer advertises or identifies an active business, product, or service, whether such business, product, or service is provided on-site or off-site.

- b. Any painted wall sign remaining in place or not maintained for a period of one (1) month, which no longer advertises or identifies an active business, product, or service, whether such business, product or service is provided on-site or off-site.

2. Signs nonconforming to the established signing standards must be made to conform within five (5) years after adoption of the sign standards.

APPENDIX: DEFINITIONS

The following definitions shall apply to the interpretation of this article. The definition of the singular form of any defined term also applies to the plural form of the same term.

A-Frame Sign.

Portable Sign and Sandwich Board Sign. The terms “A-Frame Sign,” “Portable Sign,” “T-Frame Sign,” and “Sandwich Board Sign” shall mean portable signs capable of standing without support or attachment.



Abandoned Signs.

Any sign, including its supporting structure, remaining in place or not maintained for a period of six (6) months which no longer advertises or identifies an active business, product, or service whether such business, product or service is provided on-site or off-site.

Any painted wall sign remaining in place or not maintained for a period of one (1) month which no longer advertises or identifies an active business, product, or service whether such business, product or service is provided on-site or off-site.

Accessory Sign.

A sign, generally informational or directional, that has a purpose secondary to the use of the parcel on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” or other similar language.



Accessory sign also includes logos—a graphic mark, symbol, icon, or emblem.

Address Sign.

The official street address of a parcel, building or part thereof.

Awning.

Any frame covered with cloth, aluminum, or other materials which is attached to and projects from the exterior wall of a building, typically over a window or door.



Awning Sign.

Any sign, which is painted, printed, sewed, or otherwise attached to an awning. For purposes of this article, signage on two (2) panels of an awning counts as one (1) sign for purposes of calculating total number of allowable signs. Internal illumination of the signage is prohibited.

Balloon.

Any spherical shaped inflatable device (excluding Mylar balloons) fourteen (14) inches or less in diameter, tethered in a fixed location. Often used for promotional events and grand openings. See “Inflatable.”

Banner.

A temporary sign composed of lightweight, flexible, non-rigid material that is mounted to a pole or a structure at one (1) or more edges either vertically or horizontally. Requires a sign permit for advertising a product, service, business or promotional event. National, state, or municipal flags shall not be considered banners. An eight (8) foot clearance is required between a banner and finished grade. See Section 10-7.600.

Banner, Decorative Artwork.

A banner that depicts artwork, murals or graphic. Does not require a sign permit.

Billboard.

See “General Advertising Sign.”

Blade sign.

A small sign which is suspended from an overhang, canopy, marquee, or awning, or is suspended from a mounting attached directly to the building wall, and hangs perpendicular to the building wall. An eight (8) foot clearance is required between a blade sign and finished grade. It may require an encroachment permit.



Building Identification Sign.

A wall sign identifying the name of a building, largest leaseholder, or owner of a building of two (2) stories or more in height, within which they are doing business.

Bulletin Board (On-Site).

A permanent wall or monument sign with changeable copy. Found on educational or cultural sites (i.e., church, school, community theaters, etc.).

Bunting.

A temporary sign made of gathered cloth, canvas, light fabric or plastic exhibiting the color or colors of a flag of a government or governmental agency or any patriotic, religious, charitable, civic, educational or fraternal organization.

Business Identification Sign.

A sign indicating the name, trademark, address, use, primary commodity, or service available on the premises where the sign is located.

Canopy.

Any structural, ornamental roof-like appendage, freestanding or attached to a building, including roof overhangs, but excluding awnings, marquees or metallic hoods.

Changeable Copy Sign.

A permanent sign whose informational content can be changed or altered by manual or electronic means. Also includes a sign known as an “Electronic Reader Board,” “Marquee Sign,” “Scrolling Sign,” or time and temperature sign.

Change of Copy.

Alteration of wording and/or advertising information, including logos, on an existing sign structure, where no change to the size, height, and structural content or support of sign is made. A change of copy does not require a sign permit.

Community Identification Sign.

A sign incorporating information referring exclusively to service clubs, community slogans, directional information to public facilities, and/or municipal statistics.

Construction Sign.

A sign listing the future occupant or use on a given property (e.g. “Coming Soon”), and the landscape architect, engineer, planner, contractor, or other person or firm participating in the development, construction, or financing of the project on the property where the sign is located.

Copy.

The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

Corridor Overlay District (“Corridor”).

A Corridor Overlay District is a zoning district that provides for specific signage regulations to be applied to designated areas in combination with the requirements of the underlying or base zoning districts. Parcels fronting A Street, B Street, Jackson Avenue, Foothill Boulevard, Mission Boulevard, Hesperian Boulevard, Tennyson Road and Industrial Drive and Parkway comprise the Corridor Overlay Districts.

Decorative Artwork.

Exterior works of art, such as statues, murals, and super graphics that do not advertise a product, service, or business; may include vertical banners attached at two (2) ends to a light pole.

Dilapidated Sign.

A sign, including its supporting structure that is not in a good state of repair, or is not visually attractive and/or functional due to lack of maintenance, or is a safety hazard.

Directional/Informational Sign.

Any on-premises sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic. This includes street name signs, danger signs, and traffic control signs (i.e., “Stop,” “Yield”), and similar signs, the face of which must meet the State of California Department of Transportation standards.

Said sign may contain the name or logo of an establishment but no advertising copy, provided that the logo does not comprise more than twenty (20) percent of the total sign area per sign face.

Directory Sign.

Any identification sign listing the occupants of a building or complex, identifying the location of, and providing directions to any establishment.

District.

Zoning district designated in the Zoning Ordinance of the City of Hayward, Chapter 10, Article 1.

Double-Faced Sign.

A sign with two (2) distinct, generally parallel faces, each designed to be viewed from separate directions, and which at no point is thicker than twenty-four (24) inches measured from the external surface of each face.

Electronic Reader Board.

An electronically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location.

Establishment.

An individual, separate place of business.

Flag.

Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol. Regulations herein do not apply to flags denoting nations, government, or noncommercial organizations.

Flashing Sign.

Any illuminated sign whose motion or visual impression primarily changes through electronic means. Said signs include visual simulation of motion characteristic of chasing, running, blinking, oscillating, twinkling, or expanding or contracting light patterns.

Freestanding Sign.

Any sign supported by one (1) or more uprights, braces, columns, poles, or other similar structural components placed on or into the ground, and not attached to a building, and having no exposed or connecting wires.

Freeway Frontage.

For purposes of this article, “Freeway Frontage” means any establishment(s), business(es) and/or property(ies) in the vicinity of Interstate 880 or State Route 92 (west of Industrial Boulevard) located within six hundred (600) feet of a freeway, freeway frontage road, or freeway overpass. The business(es) must provide food, lodging, or fuel to freeway users or must comprise a commercial center of at least four (4) acres with an approved Master Sign Program.

Freeway-Oriented Sign.

For purposes of this article, any sign that is designed to be visible from at least one direction of Interstate 880 or State Route 92, west of Industrial Boulevard.

Allowable Freeway-Oriented sign types are: freestanding or monument signs, pole signs subject to section 10-7.400.15, and wall signs. Electronic reader board signs are allowed if used for a commercial center greater than or equal to five (≥ 5) acres with an approved Master Sign Program.

Freestanding, monument and pole signs can be fifty (50) feet maximum in height.

Frontage, Establishment.

The ground floor horizontal distance of a building or portion thereof occupied by the business. It is measured along a ground floor wall which has a customer entrance that faces and has access onto a public open space, such as a courtyard or plaza; or is adjacent to a public street, or adjacent to a driveway or parking lot which serves that use.

If any building frontage does not consist of one (1) straight line, the frontage of any offset portion shall be projected, for computation purposes, to the extension of the line of the most forward face of the building.

Frontage, Primary.

The establishment frontage containing a customer entrance that faces and has access onto a public open space, such as a courtyard or plaza; or is adjacent to a public street, or adjacent to a driveway or parking lot which serves that use. Only one (1) frontage, which must contain a customer entrance, may be counted as primary frontage.

Frontage, Secondary.

The establishment frontage, other than the primary frontage which has exposure to pedestrian or vehicular traffic. Only one (1) secondary frontage may be counted for determining maximum sign area.

General Advertising Sign.

Any sign relating to a business, commodity, service, entertainment, or event not conducted, sold, or offered on the premises on which such sign is located. Also referred to as a “Billboard.”

Grand-Opening Signs.

Banners, pennants, flags, balloons that are not larger than fourteen (14) inches in diameter, searchlights and similar advertising devices are allowed with a permit when used for bona-fide grand-openings events. See Section 10-7.600.

Hanging Sign.

A sign no larger than eight (8) square feet, four (4) square feet per side, which is suspended from below a marquee, canopy or awning. A hanging sign is larger than a “Blade” or “Shingle” sign.

Hanging Post Sign.

A sign that hangs from a bracket attached to a structure comprised of one (1) or two (2) posts.

Halo-Lit: Halo Lighting Illumination.

The illumination of individual letters, numbers or graphics having an opaque surface by the use of internal, reverse illumination where the light source is not directly visible.

Height.

The vertical distance from the lowest point of the ground directly below the sign to the highest point of the sign (including the support structure and any projecting design elements).

When a sign is located on a berm, retaining wall, or similar feature, at the Director of Community and Economic Development/ Planning Director's discretion, the height of such berm may be subtracted from the overall height of the sign where consistent with the overall design of the project.

Illuminated Sign.

A sign with an internally or externally illuminated light source which makes the message on the sign readable.

Industrial Complex.

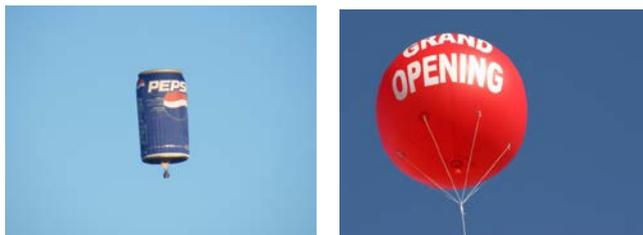
A continuous area of land and any structures thereon, under single ownership or operated under a single direction, of at least three (3) separate establishments engaged in industrial or manufacturing activities.

Industrial Complex Directory Sign.

A sign identifying an industrial complex and/or the industrial establishments therein.

Inflatable.

Any inflated device, exceeding fourteen (14) inches in diameter, intended to advertise or draw attention to a grand opening, promotion, or similar event. Examples are: a large balloon, animal figure, bouncy house or product replication. See Section 10-7.600.



Legal Non-conforming Sign.

A sign which was legally constructed and maintained under laws or regulations in effect at the time of construction which does not conform with the provisions of this article.

Logo.

A graphic mark, symbol, icon, or emblem representing an establishment or business.

Marquee.

A permanent roof-like shelter extending from part or all of a building face and may or may not project over the public right-of-way. Is also referred to as an overhang and is three (3) feet maximum in height.

Marquee Sign.

Any sign utilizing changeable copy painted on or attached to or supported by a marquee.

Master Sign Program.

A coordinated sign plan which includes details of all existing and future signs whether requiring a permit or not (including directional signs,) i.e. Shopping Center, Business Park, Industrial Complex, Major Tenant identification, individual business, and directory signs.

Monument Sign.

A freestanding sign not erected on one (1) or more poles or similar supports but erected to rest on the ground or to rest on a base designed as an architectural unit with the sign.

Monument signs shall be an integral and complementary element of the overall architectural and streetscape composition and shall be integrated with the building and landscape design.

Moving Sign.

A sign which has any actual or apparent moving parts, activated by a mechanical device by wind currents or by human beings where the sign moves or the shape or content of the sign face changes. It is different from a changeable copy sign, such as an electronic reader board and excludes scrolling signs.

Examples include wind banners/flags, air and wind dancers and human directional signs.

Multiple-Faced Sign. A sign on a curved surface or on three (3) or more planar surfaces designed to be viewed from more than two (2) directions.

Multiple-Family Development.

A continuous area of land occupied by multi-family dwellings under single ownership or operated under single direction.

Multiple Occupancy Signs.

A sign identifying several businesses on the same premises.

Mural.

A picture painted on an exterior surface of a structure. A mural is a sign if it contains any language or logo which advertises any product or service or if the mural identifies any business. See “Decorative Artwork” and “Super Graphic.”



Neon or Other Gas Tube Illumination.

A sign that is illuminated by a light source consisting of a neon or other gas tube which is bent to form letters, symbols, or other business identifying shapes.



Off-Premises Sign.

See "General Advertising Sign."

Office Complex.

A continuous area of land and any structures thereon, all under single ownership or operated under a single direction, consisting of at least five (5) separate establishments.

Painted Wall Sign.

Any sign which is applied with paint or similar substance on the surface of a wall. This does not include "Decorative Artwork," "Mural," or "Super Graphic."

Pennants.

A temporary sign composed of light-weight plastic, fabric, or other material, whether or not containing a message of any kind which may taper to a point suspended from a rope, wire, ribbon, or string or other material usually in a series. Often used for promotional events and grand openings. This does not include automobile antenna sleeves. See Section 10-7.600.

Pole Sign.

A freestanding sign supported wholly by one pole placed in the ground.



Political/Election Sign.

A Temporary Sign referring to a candidate, proposition, or issue subject to a local, state, or national public election or referendum.

**Portable Sign.**

Any sign not permanently affixed to a building, other unmovable structures, or the ground, such as sidewalk display signs like A-frame signs, T-Frames and sandwich boards. Includes magnetic signs placed on the roof or side of vehicles as long as no other structural support is added to the vehicle.

**Product Identification Sign.**

A standardized sign supplied by a distributor or manufacturer at nominal cost or free to a business which identifies the business as well as a product of a local, regional, or national distributor or manufacturer which is available only incidentally on the premises, such as product dispensers and point of purchase displays which are not directly visible from a vehicular or pedestrian right-of way.

Promotional Event Sign.

See “Grand Opening Sign” and Section 10-7.600.

Projecting Sign.

A sign, other than a wall sign, which is attached to a building or other structure, and extends beyond the line of building or structure to which it is attached. Projecting Signs shall be at least 8 feet above the finished grade of the public sidewalk and fifteen feet above a driveway. Also see “Blade,” “Hanging,” “Shingle,” signs.

**Real Estate Sign.**

A temporary sign for the sale, lease, or rental of the parcel, structure, or establishment on which the sign is located.

Right-of-Way.

For purposes of this article, “Right-of-Way” is defined as that area of land owned or maintained by a governmental entity in which is located a street, curb, gutter, landscape planter strip, tree wells, sidewalks, or any other structure, device or equipment in or upon public property within the City of Hayward.

Roof Sign.

A sign painted or erected on or extending above the roof or parapet of any building or structure.

**Scrolling Sign.**

A sign made from durable materials that mechanically changes face at set intervals. The sign face is printed or adhered to a set of panels that rotate to expose a subsequent sign face. “Electronic Reader Board” and “Change of Face” are not included under this definition.

Setback.

The minimum distance from the property line from which a sign must be located.

Shingle Sign.

A small sign, which is either suspended from an overhang, canopy, marquee or awning, or is suspended from a mounting attached directly to the building wall. It may be placed parallel or perpendicular to the face of a building.

**Shopping Center.**

A continuous area of land under single ownership or operated under a single direction, developed for retail commercial purposes, and typically has at least one major tenant (“Anchor”). For the purpose of this article a small shopping center is less than five acres and a large shopping center more than five (5) acres.

Shopping Center Identification Sign.

A sign identifying a shopping center and major or anchor tenants only.

Sidewalk Display. See “Portable Sign”.

Sign.

A device, fixture, placard, structure, or painting that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

For purposes of this article, a Sign includes any object, which is intended to attract the attention of passersby to a business, service, or product, whether or not such object contains any text. This may include but is not limited to bright colors, wall signs, freestanding or monument signs, flags, whirl-a-gigs, pennants, streamers, banners, all of which are subject to the regulations set forth herein.

Murals, paintings, and similar pictorial displays that are an integral part of the architectural theme and are not intended to draw attention to any product, service, event, or entertainment are not considered signs.

Sign Face. See “Copy”.

Special Events Sign.

Any sign advertising special temporary events, such as carnivals, festivals, exhibits, and parades, but not including promotional sales or Grand Opening signs.

Streamers.

Long relatively narrow strips of any type material, resembling a banner that floats with the wind.

Subdivision Directional Sign (Off-Site).

A sign containing only the name, location, and description of a subdivision and/or a multiple-family residential project and directions for reaching the project. Does not include pricing or financing advertisement. Allowed to remain for twelve (12) months after first installed or until last lot/unit is sold. See Section 10-7.600.

Substandard Sign.

Any sign which does not meet the requirements of this article, or is not legally non-conforming as regulated by Section 10-7.700.

Super Graphic.

A painted design which covers all, or a major portion of a wall or structure. A super graphic is a sign only if language, logo, or pictorial depiction relates it to the advertisement of any product or service or the identification of any business. See “Decorative Artwork.”

Temporary Sign.

A sign which is displayed for less than fourteen (14) days. See also “Balloon,” “Banner,” “Pennants,” “Promotional Events and Grand Opening Signs,” “Special Event Sign,” and “Streamers.” See Section 10-7.600.

Theater Display Case.

A display case located on the facade of a theater which displays handbills or posters advertising a scheduled event, performance or film, and merchandise associated with the theater or an event, performance or film. The total area of all theater display cases shall not be included in the calculation of allowable sign area. A theater display case shall not exceed thirty-six (36) square feet in area.

Towing Authorization-Private Property Sign.

A sign that is posted on private property that authorizes the Hayward Police Department to issue a citation for violation of Hayward Traffic Code Section 8.14 or any amendment or replacement thereof to allow

the towing of vehicles illegally parked on private property. This sign shall comply with Section 10-7.300(b)(25) and shall be inspected and approved by the City of Hayward Police Department.

Vehicle Sign.

Flat, one (1) dimensional signs painted or placed magnetically or otherwise attached (i.e., glue) on the side of vehicles as long as no other structural support is added to the vehicle, in accordance with California Department of Motor Vehicles regulations. Advertising on vehicles for sale at bona fide automobile dealerships are excluded from this definition. Maximum of two (2) signs is permitted per vehicle. A “vehicle wrap” covering both sides and the rear of the vehicle is considered one (1) sign.

Wall Sign.

A sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located in a place substantially parallel to such exterior building wall to which the sign is attached or by which it is supported. Does not extend above the building face or parapet, nor project more than twelve (12) inches from the wall.

Window Sign.

A sign attached to, suspended behind, and/or placed less than twenty-four (24) inches inside a glass window or door of a building, or painted upon the window or glass door of a building, and which is intended for viewing from the exterior of such building. This excludes seasonal displays.

Window signs are allowed to cover only twenty-five (25) percent of the total window area in any zoning district.

SIGN ORDINANCE
FEE SCHEDULE *

EXISTING FEES:

Sign Permit (1 business)	\$ 300
Sign Permit (each additional business, same application)	\$ 250
Sign Program	\$ 1,500
Fine for Sign Violations **	\$0 + (\$522+\$100) = \$622
Second Follow Up Inspection	\$522+\$200 = \$722
Third Follow Up Inspection	\$522+\$500 = \$1022
Subsequent Violations within 12 months	\$651 + \$800 = \$1451
Each Follow Up Inspection	\$506 + \$1000 = \$1506

PROPOSED CHANGE:

Temporary Sign Permit (Banners, Flags, Streamers, Pennants, Bunting, Searchlights) \$100 fee + \$200 deposit***

*Fees will be re-examined as part of the annual review process of the City's Master Fee Schedule.

**This is the existing charge (fine) for all inspections performed by the Community Preservation Staff for all ordinances they enforce. There is no charge for initial inspection when the first notice of violation is served. If violation is abated by the date of reinspection, there is no charge. If violation persists at reinspection, a \$522 fine and \$100 penalty are imposed. Subsequent reinspection(s), if necessary, carry an additional penalty.

***Deposit will be refunded when the temporary signage is removed and proof (a photo) is submitted to Planning. Deposit is forfeited if the signage is not removed and goes into Code Enforcement. All Code Enforcement charges will apply.



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, December 18, 2014, 7:00 p.m.
777 B Street, Hayward, CA94541**

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair McDermott.

ROLL CALL

Present: COMMISSIONERS: Loché, Enders, Faria, Parso
CHAIRPERSON: McDermott
Absent: COMMISSIONER: Trivedi, Lavelle
Commissioner Lavelle arrived at 7:11 p.m.

Chair McDermott announced that Commissioner Trivedi was absent due to an unforeseen family emergency.

Commissioner Enders led in the Pledge of Allegiance.

Staff Members Present: Ajello, Camire, Cortez, Lawson, Madhukansh-Singh, Nguyen, Rizk

General Public Present: 20

PUBLIC COMMENTS

None

PUBLIC HEARING

1. Legacy Eden Shores Development Agreement – Request to amend the Development Agreement by extending its term for five years. The project is generally located west of Hesperian Boulevard and east of Marina Drive, between Industrial Boulevard and Eden Park Place and south of Industrial Boulevard between the Alameda County Flood Control floodway and Marina Drive, Steve Dunn of Legacy Partners (Applicant/Owner)

Associate Planner Ajello provided a synopsis of the staff report. She confirmed for Commissioner Faria that the initial development agreement was signed in 1999 and the term of the agreement was ten years. She noted that a five year term extension was approved in 2008 and that the applicant was seeking another five year extension to this agreement.

Development Services Director Rizk shared that the initial agreement for the South of Route 92 General Plan and Specific Plan included the development of a larger area than what was currently being proposed, noting that some areas had already been developed by other developers aside from Legacy Eden Shores. He added that Legacy Eden Shores obtained entitlements for the site in 2007 and that this did not include the Bridgeport or The Crossings projects.

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Chair McDermott opened the public hearing at 7:08 p.m.

Mr. Michael Olson, project applicant, provided an update on the activities for the proposed site: there has been significant interest in the residential parcels; the Neighborhood Commercial parcel was in contract to sell to a developer; fourteen acres of the Business Park was ready to go into contract; a local school was interested in operating two parcels that were a part of the Costco parcel. He shared that if all of these projects come to fruition, then it was anticipated to have development commence by spring of 2015.

In response to Commissioner McDermott's question about the estimated completion date for the proposed development site, Mr. Olson stated that he expected the project site to be fully developed within five years.

Chair McDermott closed the public hearing at 7:10 p.m.

Commissioner Loché supported granting a five-year extension to the developer, noting that the project that was being phased in was an expensive one and also highlighted that the economic recession had hindered development plans in recent years. Commissioner Loché offered a motion to recommend that the City Council approve the amendment to the agreement, seconded by Commissioner Parso.

The motion passed with the following vote:

AYES:	Commissioners Loché, Faria, Parso Chair McDermott
NOES:	Enders
ABSENT:	Commissioner Trivedi
ABSTAIN:	Lavelle

2. Proposed subdivision and construction of 10 townhomes and common areas on a 0.73-acre site at 123-197 A Street, requiring adoption of a Resolution and Introduction of an Ordinance for a Zone Change from Medium Density Residential to Planned Development, Vesting Tentative Tract Map 8104 and a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Natalie Monk, Habitat for Humanity East Bay/Silicon Valley (Applicant), the Housing Authority of the City of Hayward (Owner)

Associate Planner Ajello provided a synopsis of the staff report. She indicated that although the zoning requirements were to provide 1.0 covered parking space per unit and 1.10 uncovered parking spaces per unit, staff supported the project proposal to have 2.0 uncovered parking spaces per unit and 8 bicycle parking spaces. She shared that the two projects that Habitat for Humanity had in Oakland, Kinsell Commons and Brookfield Court, both provided uncovered parking spaces for residents and noted that the organization had not experienced any problems with this so far. Ms. Ajello mentioned that due to the irregular shape of the project site, it would be difficult to construct



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covered parking without disrupting the existing Sequoia trees and/or to situate the homes in a way that would obstruct a view of the homes while avoiding having a wall of garages along the front of the property.

Associate Planner Ajello noted the following revisions to the recommended Conditions of Approval: that Condition of Approval No. 77 state “Prior to issuance of Building or Grading Permits, the Developer a final clearance shall provide a final report submitted by a qualified professional be obtained from either California Regional Water Quality Control Board or Department of Toxic Substance Control and submitted to the Hayward Fire Department that demonstrates the environmental condition of to ensure that the property is appropriate for the proposed meets residential development. investigation and cleanup standards. Depending on the results of the report, additional concurrence may be required to be obtained from either the California Regional Water Quality Control Board, California Department of Toxic Substance Control, or Alameda County Environmental Health. Allowance may be granted for some grading activities, if necessary, to ensure environmental clearances.”; that Condition of Approval No. 78 state: “Prior to grading...and other persons are mitigated. All hazardous materials and hazardous waste must be properly managed and disposed of in accordance with state, federal and local regulations.”; that Condition of Approval No. 79 state: “Any wells, septic tank systems and others subsurface structures - including hydraulic lifts for elevators - shall be removed properly in order not to pose a threat to the development construction workers, future residents or the environment. Removal of these structures shall be documented and done removed under permit, as required by law when required.”; that Condition of Approval No. 99(f) state: The HOA shall maintain...shall be replaced within thirty fifteen days...”.

Associate Planner Ajello noted for Commissioner Lavelle that no additional comments were received from the public in response to the Public Hearing Notice.

In response to Commissioner Loché’s question about how much additional street parking was available on Walnut Street, Associate Planner Ajello said that she did not have this figure available and noted that staff would have to evaluate the number of street parking spaces. She indicated for Commissioner Loché that 10% of the parking spaces in the development would be designated as guest parking.

Chair McDermott opened the public hearing at 7:24 p.m.

Ms. Michele Choi, Project Assistant with Habitat for Humanity, shared information on Habitat for Humanity’s model for homeownership. She stated that the homes were constructed by models and were sold to working families within the following three income brackets: very low income, low income, and/or moderate income. The program required homeowners to undergo the following trainings: first-time homebuyer, financial planning, HOA and leadership, and home maintenance. Ms. Choi indicated that the homes at Sequoia Grove would have resale restrictions preventing the homes from being resold at market rate pricing and granted Habitat for Humanity the first right to



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purchase the home. In this way, the organization could sell the home to a new qualified family at an affordable price if the home were available for resale.

Mr. Geoff Holton, architect working with Habitat for Humanity, stated that due to the unique configuration of the project site and its constraints, the site plan was determined very quickly and was dependent on the feedback received from the initial meeting with the neighborhood group. He described that the design consisted of orienting the back sides of the new units against the adjacent existing residential properties. He noted that by having the ingress and egress points to the development on Walnut Street, this enabled the preservation of the redwood trees along A Street. Mr. Holton pointed out that the emergency connection to A Street would be gated and used by Fire vehicles. He mentioned that community areas were very important in Habitat for Humanity projects and described the following: in the center of the development between Units 5 and 6 will be a hardscaped common area featuring a barbecue and picnic area; there would be a turf play area for kids; and there would also be a fenced community garden space. He emphasized that the redwood trees were an important element in the development and added that understory planting below the trees would allow the parking to be appropriately screened from view. Mr. Holton commented that the proposed project would transition nicely into the existing neighborhood. He mentioned that each unit will be assigned two parking spaces.

Mr. Geoff Holton confirmed for Commissioner Loché that there would most probably be a six-foot redwood fence serving as a barrier between the backyards of the units and separating them from the existing adjacent residences.

Commissioner Lavelle disclosed that she met with Habitat for Humanity staff. She requested an explanation on the layout of the trash enclosures and why one was proposed to be located in the parking lot. Mr. Geoff Holton explicated that the typical location of trash carts for individual units would be the side or rear yards; however, since the center units of the triplexes did not have immediate access along a side yard, two fenced trash enclosures had been created for these units. He noted that the trash enclosure for Unit 4 would be in the parking lot and Unit 9 would have a trash enclosure near the bicycle parking area. Mr. Holton mentioned that the plans submitted to staff included the location of where the trash carts have to be placed on collection day.

Commissioner Lavelle was pleased to see the inclusion of a vegetable garden in the development. Ms. Natalie Monk, Senior Project Manager with Habitat for Humanity, indicated for Commissioner Lavelle that the vegetable garden was a part of the Homeowners Association (HOA), noting that the HOA could determine if this was to be maintained by the residents or a landscaping company.

Commissioner Lavelle asked the applicant if any comments had been received from current residents regarding the green space that backed into the rear yards of adjacent residents. Ms. Natalie Monk stated that during the project design phase, a community meeting was held to gauge feedback from surrounding neighbors and it was expressed at this meeting by neighbors that the preference was to have the new units' backyards adjacent to the existing residents' backyards, rather than to



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have the development's parking closer to their residences.

In response to Commissioner Loché's question about the composition of future homeowners from different income brackets, Ms. Natalie Monk responded that Habitat for Humanity has a legal agreement in place with the City of Hayward requiring that five units be made available to very low-income first-time homebuyers and five units to low-income first-time homebuyers.

Commissioners Parso and Loché disclosed that they had met with the project applicant.

Chair McDermott expressed concern about the potential vandalism that may occur to residents' vehicles since there would only be uncovered parking spaces available in the development, given the close proximity of the project site to BART. Ms. Natalie Monk shared that Habitat for Humanity had not experienced any significant amount of vandalism occurring in their developments. She described that there were at least ten required trainings that partner families have to undergo in the Habitat for Humanity program, noting that each class was approximately two hours long. Ms. Monk indicated for Chair McDermott that Habitat for Humanity partners with a third-party mortgage lender for financing and they recommend these lenders to buyers. She noted that with the current project, there were three deferred loans; two of the loans were through the City of Hayward and the third was through Habitat for Humanity and HCD funds. She stated that sales prices of the units were based on the income levels of buyers where all of the buyers' household expenses would not exceed 35% of their annual income; this included HOA dues, expected home maintenance costs, utilities, etc. Ms. Monk stated that Habitat for Humanity's resale restrictions were for a term of 45 years and that the only way in which a buyer could sell their property for a profit was if they had resided in their home for the full 45-year term, then this unit would become a market rate house.

Ms. Natalie Monk confirmed for Commissioner Faria that renting a unit belonging to the Habitat for Humanity development was not permitted per the resale restrictions.

Feven Debas, submitted a speaker card but did not speak.

Mr. Mario Bamberger, a Hayward resident, shared his experience in purchasing a home through the Habitat for Humanity program. He commented that it was always his dream to buy a home for his family in Hayward and described how difficult it was for him to obtain financing for a conventional loan and noted that he had placed approximately 40 offers on homes in the past, but was not successful in purchasing a home until he joined the Habitat for Humanity program. He mentioned that renting a home did not provide stability for his family as his kids had to keep changing schools every time they moved. He spoke favorably of the Habitat for Humanity program, stating that the organization strives to identify families in need of their assistance. He added that the organization has taught his family to give back and noted for Commissioner Loché that he was a part of the Sweat Equity program where he helped construct his home after it was demolished and then rebuilt through the program.



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Mr. Rudi Fernandes, a Hayward resident, expressed his support of the project and stated that he had always supported Habitat for Humanity's mission by making donations towards the organization.

Ms. Saba Teklean, a Hayward resident, described her hardship in being a single mother and expressed her gratitude towards Habitat for Humanity for making her family's dream of owning an affordable home a reality. She mentioned that the organization constructed amazing homes and she hoped that other families in Hayward could benefit from the program as she did.

Chair McDermott closed the public hearing at 7:52 p.m.

Commissioner Enders supported the project and offered a motion to recommend that the City Council approve the project, seconded by Commissioner Loché.

Commissioner Faria expressed concern about the potential lack of parking in the development as there was already limited street parking in the area. She emphasized that the project was a great opportunity for the community and expressed her support of the project.

Commissioner Lavelle was pleased with the project as it would benefit lower income residents, especially since income inequality continued to be a big issue in society. She was also glad that the project would provide for low-income homeownership and would grant residents the opportunity to invest in themselves. Ms. Lavelle was supportive of in-fill projects in the City as it would assist in making the community more vibrant. She added that with Hayward being a green community, she was pleased that the project would include the preservation of the redwood trees located at the site.

Commissioner Enders commented that she did not have concerns about parking limitations because she did not envision that the residents living in the development would own too many cars. She described that potential residents may include single mothers with young children.

Chair McDermott favored the project, emphasizing that she was a proponent of affordable housing; she expressed disappointment with some recent developments in the City that did not make below-market rate affordable housing units available in their projects. She underscored that homeownership had become a dream for individuals due to the dramatic increases in housing prices, especially for individuals belonging to lower income households. She stressed that everyone deserved a right to homeownership.

The motion passed with the following vote:

AYES:	Commissioners Loché, Enders, Faria, Lavelle, Parso Chair McDermott
NOES:	None
ABSENT:	Commissioner Trivedi
ABSTAIN:	None



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3. Proposal to subdivide a 2.15-acre parcel to construct 38 townhomes at 25993 Dollar Street at the southwest corner of Harder Road, requiring approval of a Site Plan Review Application and Warrants for Parking and Roof Pitch Standards, and adoption of a related Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, John Compaglia/KB Home, South Bay, Inc. (Applicant) / Wilma Family Trust of 2008 (Owner)

Associate Planner Camire provided a synopsis of the staff report.

Commissioner Lavelle commented that the project site was bordered by BART, Mission Boulevard and Harder Road, all of which were busy locations; however, she noted that once the project was built, she envisioned that it would fit in nicely with its surroundings. She asked if the mitigation measures would be adequate to address the noise being generated by BART and also from the surrounding traffic. Associate Planner Camire responded that some of the noise generated in the area would be abated by the CVS building located on Mission Boulevard. Ms. Camire noted that the applicant could further discuss mitigation measures for noise generated by BART.

Associate Planner Camire confirmed for Commissioner Loché that the acoustical analysis that will be performed will be taken at different times of the day and noted that this would be an average of the noise level.

In response to Commissioner Loché's question about whether the purpose of the roof pitch was as an aesthetic requirement or for weather related reasons, Development Services Director Rizk responded that the roof pitch requirement was to ensure that the form of roof had elements making it visually prominent and to eliminate shallower roofs lacking this element.

Director Rizk noted for Chair McDermott that it was difficult to visually discern between a 4:12 and a 5:12 roof pitch.

Chair McDermott opened the public hearing at 8:11 p.m.

Mr. John Compaglia, Senior Planner with KB Home, stated that his team was excited about the project even though it was a challenging site to work with. He indicated that a noise study was conducted to determine the type of wall design that would be used separating the development from exterior noises. He shared that there would be an eight foot sound wall between the development and the BART tracks and another sound wall separating the development from adjacent commercial uses. Mr. Compaglia added that the project would feature Green Rating and that Energy Star products would be used.

Ms. Jennifer Mastro, architect for the project, shared that one of the goal's for the project was to create a pleasant entry into development. This was accomplished through the articulation of roofs, providing individual and defined entries for each townhome, and featuring a variety of colors and materials that would be aesthetically pleasing. She pointed out that six of the buildings were unique in style and unit makeup. She mentioned that each unit would have 100 square feet of private



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outdoor open space. Ms. Mastro discussed some of the features that the Italianate and Spanish style buildings would have. She commented that a 4:12 roof pitch was more representative of a Spanish or an Italianate style architecture that had the appearance of a low slung roof style.

Ms. Mastro confirmed for Commissioner Faria that the entrance and exit points to the development would be accessible from Dollar Street and also confirmed that there would be enough space in the development to accommodate emergency vehicles.

Ms. Mastro noted for Chair McDermott that the ceiling height on the first two floors would be nine feet and eight feet on the third floor. Ms. Mastro confirmed that if a buyer opted for any additional options provided by the developer, there would generally be additional costs for this. She exemplified that if a buyer selected to have a fourth bedroom in place of a den, this option would have additional costs.

Mr. David Gates, Landscape Architect for KB Home, indicated that the horticultural report of the development site evaluated the value of the existing trees at the site. He noted that although the present olive trees might have some value, they were not in great shape and therefore it would be a better option to remove and replace these trees. He added that the City's requirements per the landscaping plan was to use 24 inch boxes and to have a certain spacing between the trees, and per these requirements, the number of trees suggested to be planted in the project site would outnumber the amount existing trees. Mr. Gates confirmed for Commissioner Lavelle that the proposed landscaping plan would be a substantial improvement to the site.

Chair McDermott closed the public hearing at 8:22 p.m.

Commissioner Faria offered a motion to approve the project per staff recommendation, seconded by Commissioner Lavelle.

Commissioner Lavelle expressed that she was glad to see a project that would revitalize the area. She noted that the development was located in a very central part of the community and would potentially be appealing to professors, university staff and graduates as a place to reside. She proposed a friendly amendment to Condition of Approval No. 9 that that the exterior colors of the units are not purple, pink, red, orange or yellow.

Development Services Director Rizk clarified for Commissioner Parso that the 60% homeownership requirement was an overall requirement for the City of Hayward, noting that per the Covenants, Conditions and Restrictions (CC&R's), the homeownership requirement for the proposed development was a 75% threshold.

In response to Commissioner Loché's concern about the potential hazard resulting from the proximity of the development site to a nearby elementary school, Associate Planner Camire commented that both staff and the developer could notify the Hayward Unified School District upon commencement of construction.



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The motion passed with the following vote:

AYES: Commissioners Loché, Enders, Faria, Lavelle, Parso
Chair McDermott
NOES: None
ABSENT: Commissioner Trivedi
ABSTAIN: None

COMMISSION REPORTS

4. Oral Report on Planning and Zoning Matters

Development Services Director Rizk wished everyone Happy Holidays. He shared that a Conceptual Plan for the Mervyns Headquarters site will be discussed at a future Planning Commission meeting.

5. Commissioners' Announcements, Referrals

Commissioner Loché regretfully shared that former Council Member Doris Rodriguez had passed away. He expressed that she truly epitomized what a great and compassionate leader should be. Chair McDermott noted that Ms. Rodriguez contributed a lot to the City of Hayward as she was passionate about this community; she added that Ms. Rodriguez' values carry on in her son who is the President of the Hayward Education Association.

APPROVAL OF MINUTES

6. Approval of Minutes of the Planning Commission Meeting on November 20, 2014

It was moved by Commissioner Lavelle, seconded by Commissioner Parso, and carried unanimously with Commissioner Trivedi absent, to approve the minutes of the Planning Commission Meeting on November 20, 2014.

ADJOURNMENT

Chair McDermott adjourned the meeting at 8:35 p.m. in memory of former Council Member Doris Rodriguez.

APPROVED:

Heather Enders, Secretary
Planning Commission

ATTEST:

Avinta Madhukansh-Singh, Senior Secretary
Office of the City Clerk

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