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**DATE:** April 24, 2008  
**TO:** Planning Commission  
**FROM:** Carl T. Emura, ASLA, Associate Planner  
**SUBJECT:** Revisions to Single-Family Development Standards

**RECOMMENDATION:**

Staff recommends that the Planning Commission comment on the information presented at the work session and in this report.

**SUMMARY:**

The City Council identified a budget directive in 2007 to develop guidelines for additions and remodels to single-family homes in older neighborhoods addressing setbacks, parking and design standards. The new guidelines would assist residents living in these neighborhood to improve their homes. Homeowners who wish to make an addition to a house built prior to the effective date of the applicable provisions of the Zoning Ordinance often find it difficult and frustrating to do so, due to current standards. Staff proposes several amendments to address these issues, which would make the process of home remodels and upgrades less arduous, while respecting impacts to adjacent neighbors.

**BACKGROUND:**

In recent years, the Commission has approved variances for yard and garage width reductions for homes built prior to the 1959 Zoning Ordinance. These variances were usually to enlarge a garage to accommodate two cars so additional bedrooms could be added and/or to allow an addition to align with the home's existing wall line. Staff recommended denial of these variances because the required findings for approval could not be made. As an example, when a homeowner proposed to widen a garage to accommodate a second parking space, often the existing garage was setback anywhere from 14 to 18 feet from the front property line. The garage addition, in order to comply with the Zoning Ordinance, required a 20-foot setback.

The following findings are required to be made in order to approve a variance:

- *There are special circumstances applicable to the property including size, shape, topography, location, or surroundings, or other physical constraints.*
- *Strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity under the same zoning classification.*
- *The variance does not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.*

Since there were no special circumstances applicable to such properties and granting these variances would constitute granting a special privilege not afforded to other homeowners in the vicinity, staff recommended denial of such variances. As a result, several Planning Commissioners suggested amending the Zoning Ordinance so these impediments could be eliminated. Such desire evolved into the previously referenced budget objective, and is the purpose of this work session item.

### Zoning Ordinance

In 1959, the Zoning Ordinance established a set of uniform development standards for single-family detached homes, which are still contained in the current Ordinance. These standards include the following yard requirements:

- a. Minimum Front Yard: 20 feet
- b. Minimum Side Yard: 5 feet, or 10 percent of the lot width at the front setback line whichever is greater up to a maximum of 10 feet.

This created a problem for homes built prior to the original Zoning Ordinance, because these homes were often built with lesser setbacks. The new yard requirements often would not allow an addition to align with the existing wall line without an approval for a variance. For instance, a house built prior to the adoption of the Zoning Ordinance was often set back 5 feet from the side property line, regardless of the lot width. On a 55-foot wide lot, the Zoning Ordinance requires that the addition be set back 5 feet 6 inches from the side property line. In the absence of a special circumstance regarding the property, a variance could not be approved to allow the addition to align with the existing wall line.

Recognizing the difficulty created for homeowners of older homes, the single-family residential zoning district standards were amended in 1972 to allow ten percent yard and lot area reductions without a variance as follows:

*Section 10-1.206 Permitted Yard and Lot Reductions. The following yard and lot reductions are permitted without a variance.*

- a. *Reduction in yard or lot area requirements by up to 10% for one dwelling unit per lot.*

This allowed existing homes built prior to the adoption of the Zoning Ordinance to align their additions to the existing homes without applying for a variance. However, it also allowed homes built after the Zoning Ordinance was established to reduce their yard and lot area requirements.

In 1984, this section was modified and placed in the “Administrations & Enforcement” section of the Zoning Ordinance. The revised provision stated:

*Section 10-1.545 - The Planning Director may administratively reduce any required lot or yard requirement ten percent (10%) in any district if in his opinion no practical alternative exists, the purpose of the district would not be compromised, and no detrimental impact would result.*

This placed discretion with staff when the 10 percent reduction could be applied. It was later modified in 1995. This revision increased the yard requirement reduction to 25 percent:

*Section 10-1.545 – The Director of Community and Economic Development/Planning Director may administratively reduce any required yard requirement 25 percent in any district if in the opinion of the Director of Community and Economic Development/Planning Director’s opinion of the Director of Community and Economic Development/Planning Director’s no practical alternative exists and the purpose of the district would not be compromised and no detrimental impact would result either aesthetically or from a Building Code standpoint. Any departure which exceeds 10 percent of required yard areas is subject to notice as provided for in Sec. 10-1.543 and appeal provisions as outlined in Sec. 10-1.548.*

It was further modified in 1999 and today it is located in Section 10-1.3320: “Administrative Options” in the Zoning Ordinance, which states:

*The Planning Director may administratively reduce any yard requirement by 50 percent or any required lot size standard by 10 percent in any district if in the opinion of the Planning Director no practical alternative exists, the purpose of the district would not be compromised, no detrimental impact would result aesthetically, and the proposed use or construction otherwise complies with the City’s land use and Building Code regulations. Any departure which exceeds 10 percent of such required standards is subject to notice as provided for in Section 10-1.2820 and appeal provisions as outlined in Section 10-1.2845.*

Today, staff utilizes this “Administrative Options” provision and approves up to a 6-inch reduction of the side yard, up to a 2-foot reduction in the front yard, and reduction in the width of a double side-by-side garage from 20 feet to 18 feet without the need for noticing. While this has reduced the number of variance requests, any deviations of any yard requirements over the 10 percent allowance still require an application which may still be acted on administratively. Variances not exceeding 50 percent of the yard requirement could be acted on administratively.

In 1996, an amendment to the Zoning Ordinance provided another obstacle for owners of older homes who wished to expand their homes by requiring a two-car garage. The provision states:

*At the time that cumulative additions to a single-family dwelling increase the original building floor area by more than fifty percent or increase the number of sleeping rooms, the dwelling shall be required to provide all required off-street parking (per Section 10-2.200 (d) of the Off-Street Parking Regulations).*

This amendment was based on the theory that adding a bedroom to an existing home potentially increases the family size with the possibility of another driver and car.

This amendment severely impacted homes built prior to the 1959 Zoning Ordinance. Many of these developments have one-car garages or nonconforming two-car garages and, therefore, additional bedrooms could not be easily accommodated. Typically, these homes included two to three bedrooms, ranging in size between 850 to 1,200 square feet, considerably smaller than homes built today on the same size lot.

### Hayward Households

The implementation of the Zoning Ordinance, including subsequent amendments, makes it difficult for homeowners in these older homes to meet the demands of their growing families. As indicated in the 2000 Census, approximately one third of Hayward households are composed of three or four persons and more than 18 percent of all households are comprised of five or more persons, these two to three bedroom homes are difficult and costly to expand. In addition, for those that could afford the additional construction cost or had the space to enlarge the garage, such effort often entails applying for a variance, which adds time and additional cost to the process. The result of the current regulations seems to be contrary to discussion and policy set forth in the General Plan's Housing Element, which states:

*"To address this need, the City might want to encourage the development of three, four and five bedroom units and/or the expansion of existing housing units".*

The General Plan's Housing Policies and Strategies further support expansion of existing homes. Under Policy 1, "Expand the Housing Supply" it states:

*"Explore ways to allow expansion of existing dwellings while maintaining the integrity of neighborhoods."*

Under Policy 2, "Conserve the Housing Stock" it states:

*"Maintain and upgrade the housing stock by encouraging the rehabilitation, maintenance and upkeep of residential properties."*

While the General Plan's Housing Element encourages expansion of existing homes to meet Hayward's household size, the Zoning Ordinance's two-car garage requirement before additional bedrooms may be added provides a major obstacle for homes built with a one-car garage or a nonconforming two-car garage. This requirement is not consistent with the General Plan, in staff's opinion.

**DISCUSSION:**

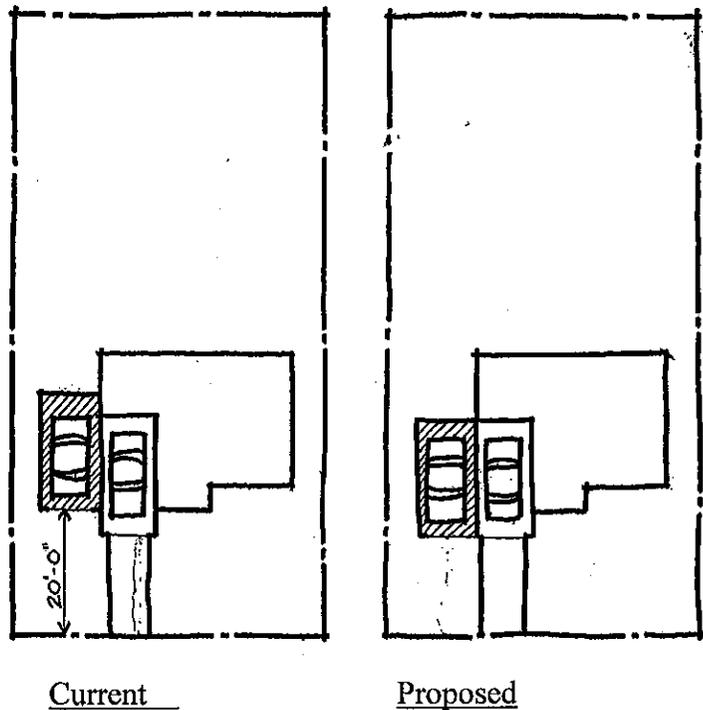
To encourage homeowners to make improvements while respecting the privacy and addressing impacts on neighboring properties, the following revisions to the standards for the Single Family Residential Zoning District are proposed. The revisions are highlighted in bold print:

Section 10-1.230 YARD REQUIREMENTS.

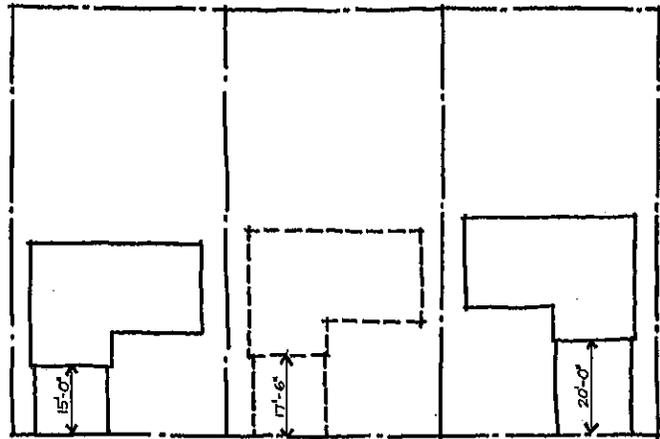
- a. Minimum Front Yard: 20 feet

**Exceptions:**

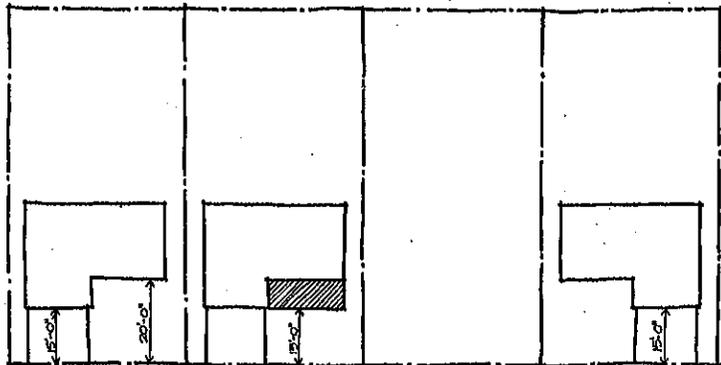
1. **When expanding a one-car garage to a two car garage, the new garage frontage may align with the existing garage frontage.**



2. Where there are abutting homes with setbacks less than 20 feet, the front yard for a dwelling erected or altered may be equal to the average of the two (2) abutting lots sharing common side lot lines. When an abutting lot is vacant, the next lot adjacent to the vacant lot shall be used in calculating the average. Where only one other lot has a common side lot line with the building site, the front yard may be reduced to match this adjoining lot. However, in no case shall a front yard setback be reduced to less than fifteen (15) feet. (*Depth of a compact stall*)



Average of two abutting lots



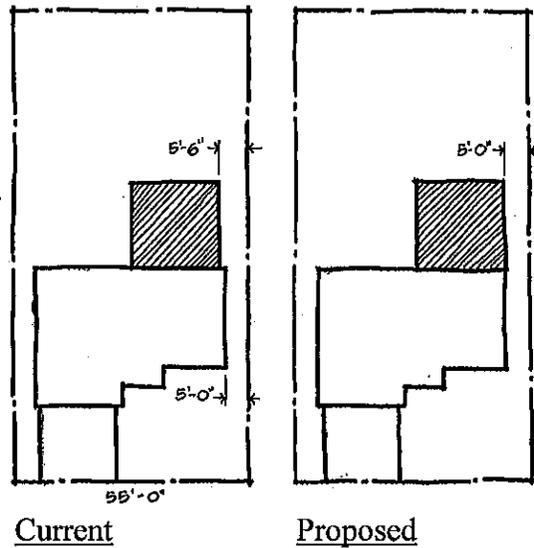
When abutting a vacant lot

b. Minimum Side Yard:

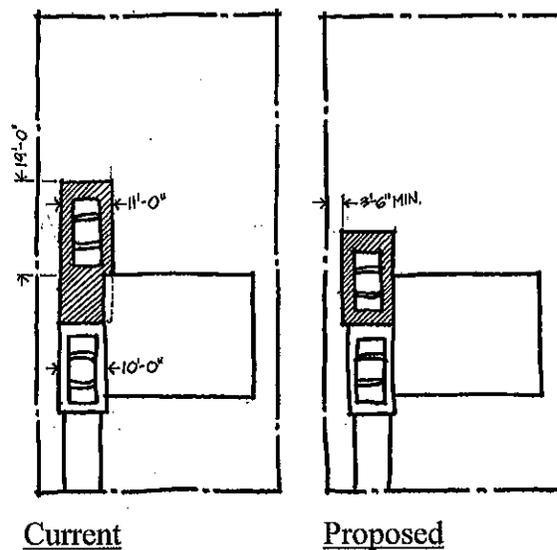
5 feet, or 10 percent of the lot width at the front setback line, whichever is greater, up to a maximum of 10 feet.

**Exceptions:**

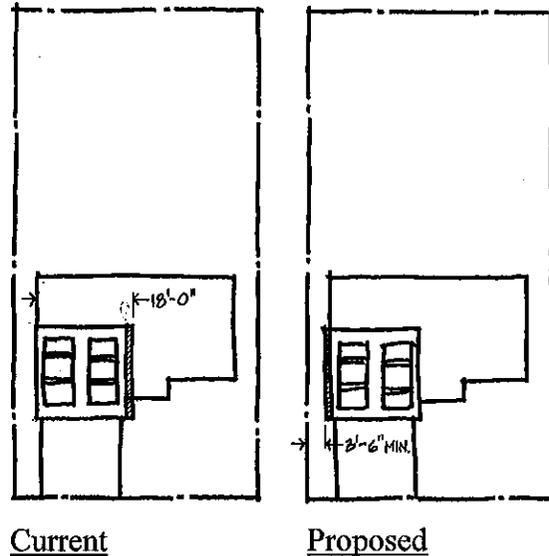
1. When expanding living area, the addition may align with the existing wall line where there is an existing 5-foot minimum side yard.



2. When extending the rear of the garage to accommodate a tandem garage, the garage addition may be setback a minimum of 3'-6" from the side property line. The interior width of the garage extension shall not exceed 11'-0" from the side of the existing house.



3. When expanding an existing garage to meet the minimum 18 feet wide side-by-side width requirement, the garage widening may be setback a minimum of 3'-6" from the side property line. The interior width of the garage extension shall not exceed 18'-0" from the side of the existing house.



Section 10-1.245 Minimum Design and Performance Standards

b. Additions and Accessory Structures Attached to Primary Building

- (2) At the time that cumulative additions to a single-family dwelling increase the building floor area by more than 50 percent or increase the number of sleeping rooms (including studies) to four or more, the dwelling shall be required to provide all required off-street parking per Section 10-2.200d of the Off-Street Parking Regulations. Existing two car garages with minimum interior dimension of 18 feet wide by 19 feet deep shall be considered to meet such regulations.

Exception:

In the case where there is an existing one-car garage with a minimum interior dimension of 10 feet wide by 19 feet deep, in lieu of providing parking as indicated above, an additional uncovered parking space adjacent to the driveway shall be considered to comply with the Off-Street Parking Regulations. The driveway and uncovered parking space width shall cumulatively not exceed 20 feet, nor be less than 16 feet. The minimum dimension for the uncovered parking space shall be 8 feet wide by 15 feet deep. (Note: 8'x15' is the size of a compact stall)

k. Parking, Driveways and Paving

(1) Parking Spaces Required

- (a) A minimum of two parking spaces per single-family dwelling shall be provided within an enclosed garage

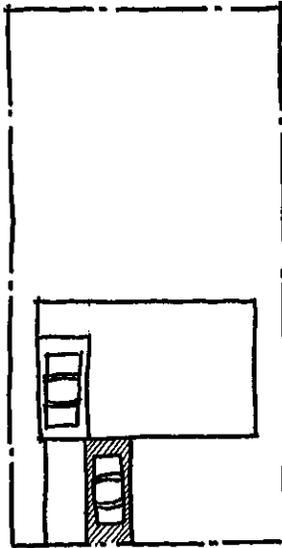
**Exception:**

1. In the case where there is an existing one-car garage, an additional uncovered parking space adjacent to the driveway may be considered to comply with the Off-Street Parking Regulations. Driveway and uncovered parking space width combined shall not exceed 20 feet nor be less than 16 feet. The minimum dimension for uncovered parking space shall be 8 feet wide by 15 feet deep.

- (c) Parking spaces shall not be located within the required front yard or side street yard setback or within 5 feet of any side or rear yard property line.

**Exception:**

1. In the case where there is an existing one-car garage, an additional uncovered parking space adjacent to the driveway may be allowed in the front yard or side yard.



(2) Parking Space Dimensions

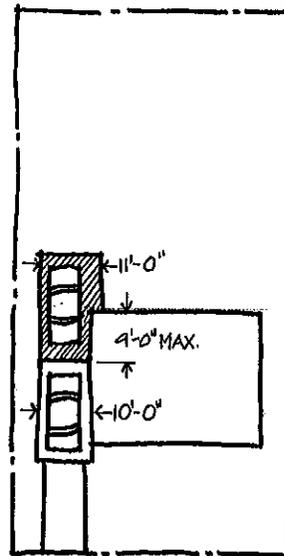
- (a) The minimum dimensions for covered parking spaces within a garage shall be 20 feet wide by 19 feet deep for two side-by-side spaces, 11 feet wide by 19 feet long for one space, and 11 feet wide by 38 feet long for two tandem spaces. Parking spaces shall be unobstructed by stairs, utilities, posts, etc.

**Exceptions:**

1. For the purpose of increasing the building floor area by more than 50 percent or increasing the number of sleeping rooms (including studies,

bonus rooms, dens, etc) to four or more for an existing single family dwelling:

- a) A two-car garage with minimum dimension of 18 feet wide by 19 feet deep for two side-by-side spaces shall be considered to comply with the Off-Parking Regulations
- b) A single-car garage with minimum dimensions of 10 feet wide by 19 feet deep shall be considered to comply with the Off-Street Parking Regulations as long as a second stall with minimum dimension 11 feet wide by 19 feet deep is added behind the existing single-car garage.



(Alternative: A single-car garage with minimum dimensions of 10 feet wide by 19 feet deep shall be considered to comply with the Off-Street Parking Regulations as long as a second stall with minimum dimension 11 feet wide by 19 feet deep is added behind the existing single-car garage. The width of the second stall may be reduced to a minimum of 10 feet to align with the existing stall for the first 9 feet of depth. The remaining portion of the second stall shall be a minimum of 11 feet wide.)

- c) A single-car garage with minimum dimensions of 10 feet wide (but no wider than 12 feet) by 19 feet deep shall be considered to comply with the Off-Street Regulations as long as an uncovered parking space is added adjacent to driveway. Driveway and uncovered parking space combined shall not be less than 16 feet and not greater than 20 feet wide. The minimum dimension for uncovered parking space shall be 8 feet wide by 15 feet deep.

1. Parking, Storage, Display, and Vehicle Repair Requirements.

(1) Parking and Storage of in Front Yards.

Vehicles shall be parked in the required front yard only on the paved driveway that provides direct access to the garage from a public street or an approved private street, perpendicular to the street, or on a curved driveway.

**Exception:**

**An uncovered parking space may be allowed adjacent to driveway where there is only a single car garage. Driveway and uncovered parking space combined shall not be less than 16 feet and not greater than 20 feet wide. The minimum dimension for uncovered parking space shall be 8 feet wide by 15 feet deep.**

By providing exceptions to the yard and parking requirements, impediments would be removed making it easier for homeowners to improve and expand their homes. For homes with a single-car garage and two or less bedrooms, additional bedrooms would be allowed to be added as long as the number of bedrooms in the house did not exceed three. This would bring these homes in parity with other existing three bedroom, single-car garage homes.

If an owner wants to increase the number of bedrooms to four or more, the off- street parking requirements would have to be met. The proposed revisions would reduce impediments to enlarging a garage and give homes with a single-car garage the option of providing an uncovered parking space in lieu of providing a second covered parking space. The proposed revisions reflect variances previously approved administratively or by the Planning Commission, with the exceptions of allowing up to three bedrooms with a single-car garage and allowing an uncovered parking space to meet the parking requirement.

Staff believes the impacts, if any, would be minimal to the surrounding properties and neighborhood. Additions would be allowed to align with the existing wall line, which would be consistent with the standards established when the homes were built. All living space would be setback a minimum of five feet from the side property line, which would provide adequate air and light between homes.

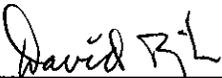
Staff request that you review and provide feedback on these proposed revision the work session. We will review your comments and bring the revisions back to you on May 22, 2008 to make a recommendation to the City Council to approve the revisions. Other ordinances such as the Off-Street Regulations will have to be revised as well. The revisions are scheduled to go to the City Council on June 24, 2008.

Prepared by:



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Associate Planner

Recommended by:



David Rizk, AICP  
Planning Manager

Attachments:

- A. Section. 10-1.200 Single-Family Residential District
- B. Variances 1999-2007
- C. Hayward Parking Standards/Car Width and Length

**SEC. 10-1.200 SINGLE-FAMILY RESIDENTIAL DISTRICT (RS)**

Sections:

- Section 10-1.205 Purpose.
- Section 10-1.210 Subdistricts.
- Section 10-1.215 Uses Permitted.
- Section 10-1.220 Conditionally Permitted Uses.
- Section 10-1.225 Lot Requirements.
- Section 10-1.230 Yard Requirements.
- Section 10-1.235 Height Limit.
- Section 10-1.240 Site Plan Review Required.
- Section 10-1.245 Design and Performance Standards.

**SEC. 10-1.205 PURPOSE.**

The RS District shall be subject to the following specific regulations in addition to the general regulations hereinafter contained in order to promote and encourage a suitable environment for family life where children are members of many families. The RS District is to be used only for single-family homes and the community services appurtenant thereto as permitted by this Zoning Ordinance.

**SEC. 10-1.210 SUBDISTRICTS.**

Any combining B District (See Sec. 10-1.2400).

**SEC. 10-1.215 USES PERMITTED.**

- a. **Primary Uses.** The following uses, or uses determined to be similar by the Planning Director, are permitted in the RS District as primary uses.
  - (1) **Residential Uses.**
    - (a) Single-family dwelling.
    - (b) Group home (6 or fewer residents, excluding staff). (See definitions)
  - (2) **Other Uses.**
    - (a) Day care home. (State-licensed, less than 24-hour care for children or adults, 14 or fewer persons, excluding staff. See definitions)
    - (b) Public agency facilities. (See definitions)
- b. **Secondary Uses.** The following uses are permitted as secondary or subordinate uses to the primary uses permitted in the RS District:
  - (1) **Residential Uses.**

SEC 10-1.200 SINGLE-FAMILY RESIDENTIAL DISTRICT (RS)

- (a) Attached second dwelling unit. (Also referred to as a "Granny or in-law unit." See Section 10-1.245n., for criteria)
  - (b) Second single-family dwelling. (Where one single-family dwelling already exists on a lot, one additional single-family dwelling may be constructed provided the minimum development standards (lot size, setbacks, height, etc., can be met for each dwelling).
- (2) Other Uses.
- (a) Accessory buildings and uses. (See Section 10-1.245a. & b.)
  - (b) Garage sales. (4 per year per dwelling. See General Regulations Section 10-1.2735e.)
  - (c) Home Occupation. (See definitions)
  - (d) Household pets.

SEC. 10-1.220 CONDITIONALLY PERMITTED USES.

a. Administrative Uses. The following uses, or uses determined to be similar by Planning Director, are permitted in the RS District subject to approval of an administrative use permit:

- (1) Residential Uses.  
None.
- (2) Other Uses.
  - (a) Ambulance service.
  - (b) Cultural facilities.
  - (c) Day care center. (State-licensed, less than 24-hour care for children or adults, 15 or more persons, excluding staff. See definitions)
  - (d) Educational facility.
  - (e) Home Occupation, expanded. (See definitions)
  - (f) Hospital, convalescent home.
  - (g) Livestock.
  - (h) Parking lot.
  - (i) Recreational facility.
  - (j) Religious facility.
  - (k) Wind energy conversion system.

b. Conditional Uses. The following uses, or uses determined to be similar by Planning Director, are conditional uses permitted in the RS District subject to the approval of a conditional use permit:

- (1) Residential Uses.  
Large group home. (7 or more residents, excluding staff.)

- (2) Other Uses.
  - (a) Cultural facility.
  - (b) Golf course, country club.

**SEC. 10-1.225 LOT REQUIREMENTS**

a. Minimum Lot Size.

- (1) Interior Lot: 5,000 square feet.
- (2) Corner Lot: 5,914 square feet.

b. Minimum Lot Frontage: 35 feet.

c. Minimum Flag Lot Frontage.

- (1) One-Flag Lot: 22 feet.
- (2) Two-Flag Lots: 28 feet.

(Note: Except on hillsides where shared driveways are preferable, flag lots should generally be avoided where other lot designs are possible and they should not be used solely to increase the maximum number of lots. See General Regulations Section 10-1.2720b., City Standard Detail #SD-109 and Design Guidelines for additional flag lot criteria)

d. Minimum Average Lot Width.

- (1) Interior Lot: 50 feet.
- (2) Corner Lot: 60 feet (excluding radius for street return).

e. Maximum Lot Coverage: 40 percent.

f. Maximum Rear Yard Coverage: 40 percent.  
(Cumulative coverage of the required rear yard area for accessory structure(s) plus one-story home addition).

g. Minimum Average Lot Depth: 80 feet.

h. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

**SEC. 10-1.230 YARD REQUIREMENTS.**

- a. Minimum Front Yard: 20 feet.
- b. Minimum Side Yard: 5 feet, or 10 percent of the lot width at the front setback line whichever is greater up to a maximum of 10 feet.
- c. Minimum Side Street Yard: 10 feet.
- d. Minimum Rear Yard: 20 feet.  
(Exception: Reduction of the required rear yard to 10 feet is permitted for one-story additions attached to the rear of a single-family dwelling, provided the required rear yard area is not reduced by more than 20 percent)
- e. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

**SEC. 10-1.235 HEIGHT LIMIT.**

- a. Maximum Building Height: 30 feet.
- b. Maximum Accessory Building Height: 14 feet and one story.  
See General Regulations Section 10.2735f. or height exceptions allowed for livestock barns.
- c. Maximum Height for Fences/hedges/walls.
  - (1) Front and Side Street Yard: 4 feet.
  - (2) Side and Rear Yard: 6 feet.  
See Section 10-1.245f. for additional standards.
- d. Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.

**SEC. 10-1.240 SITE PLAN REVIEW REQUIRED.**

Site Plan Review approval shall be required before issuance of any building or construction permit or construction of a fence within this district only if the Planning Director determines that a project materially alters the appearance and character of the property or area, or may be incompatible with City policies, standards, and guidelines. This may include fences, such as anodized gray chain link fences, which are visible to the public.

**SEC. 10-1.245 MINIMUM DESIGN AND PERFORMANCE STANDARDS.**

The City recognizes that high-quality design of residential structures can contribute to a positive appearance of neighborhoods and improve the overall character and general welfare of neighborhoods. This Section establishes design and performance standards that shall apply to the construction of new single-family dwellings, additions to existing dwellings, and accessory buildings and uses.

**Single-family dwelling.**

Refer to the design criteria contained in the City of Hayward Design Guidelines, the Hillside Design and Urban/Wildland Interface Guidelines, applicable Neighborhood Plans, and the following specific criteria and standards indicated below.

**Non-Residential development**

For commercial buildings and uses, including but not limited to cultural, educational, religious or recreational facilities, refer to the criteria and standards contained in the CN District, Section 10-1.800.

a. **Accessory Buildings, Detached.**

Detached accessory buildings, including but not limited to carports, garages, greenhouses, patio covers, sheds, etc., shall meet the following criteria:

- (1) Shall not exceed one story or 14 feet in height (except livestock barns. See Section 10-1.2735f.(5)).
- (2) Shall use exterior building materials and colors which either match or are compatible with the primary building, with the exception of pre-manufactured structure less than 120 square feet in area. Special design consideration should be given to structures visible from a public street.
- (3) Shall not be located in a required front yard or side street yard.
- (4) Shall not be located in front of the primary building, with the exception of detached carports or garages.
- (5) Accessory buildings less than 120 square feet in area and less than 14 feet in height may be setback a minimum of 3 feet from a side and rear property line, measured from the closest point of the structure (i.e. edge of roof eave or wall).
- (6) Accessory buildings exceeding 120 square feet in area shall be setback a minimum of 5 feet from a side and rear property line.

- (7) Shall be setback a minimum of 6 feet from the primary building and any other accessory building (measured from the wall, foundation or support post of both structures).
- (8) The area of all accessory buildings, either individually or cumulatively, shall not exceed 50 percent of the ground floor area of the primary building.
- (9) Accessory buildings and single-story home additions shall not cumulatively exceed 40% coverage of a required rear yard.
- (10) Accessory buildings may include a bathroom but may not include a kitchen or sleeping quarters.

b. **Additions and Accessory Structures Attached to Primary Building.**

- (1) Additions and accessory structures attached to the primary building shall meet all the development standards required of the primary building, including the City of Hayward Design Guidelines and Hillside Design and Urban/Wildland Interface Guidelines.
- (2) At the time that cumulative additions to a single-family dwelling increase the original building floor area by more than 50 percent or increase the number of sleeping rooms, the dwelling shall be required to provide all required off-street parking (per Section 10-2.200d. of the Off-Street Parking Regulations).

c. **Antennas and Satellite Dishes and Telecommunications Devices.**

Refer to Chapter 10, Article 13 of the Hayward Municipal Code, the Antenna and Telecommunications Facilities Ordinance for regulations of antennas, satellite dishes and telecommunications devices.

d. **Architectural Projections into Yards.**

- (1) Architectural features such as bay windows, fireplace chimneys, cornices, eaves, open or covered porches and entries, may extend 2 feet into any required side yard and 5 feet into any required front or rear yard.
- (2) Uncovered first floor landing places and outside open stairways may project 3 feet into any required yard, provided they do not exceed 6 feet in height (excluding railings) above ground level.
- (3) Second or third floor landing places and outside open stairways may project 3 feet into a required side or rear yard, but no closer than 5 feet to a side property line.

- (4) Balconies shall conform to the minimum yard setback requirements of the primary structure.
- (5) First floor entertainment center/bookshelf projections may extend 2 feet into a required side or rear yard when combined with a fireplace chimney, provided the combined width does not exceed 10 feet.

e. **Decks and Ramps.**

- (1) Decks and ramps 12 inches or less in height and ramps required for persons with physical disabilities may be located in any required yard area.
- (2) Decks and ramps between 12 to 30 inches in height may be located in any rear or side yard but no closer than 3 feet to the rear or side property line.
- (3) Decks 30 inches or more in height shall conform to the minimum yard setback requirements of the primary building.
- (4) Decks located in hillside areas shall conform to the Hillside Design and Urban/Wildland Interface Guidelines.
- (5) Ramps for persons with physical disabilities providing access to single-family dwellings shall be constructed in a side yard where possible. If constructed in the front yard shall be decorative, and materials used shall match the home as much as possible. Landscape screening shall be provided along the sides of the ramp.

f. **Fences, Hedges and Walls.**

- (1) Fences, hedges, and walls shall be limited to a height of 4 feet in any portion of a front or side street yard, and to a height of 6 feet in any side or rear yard.
- (2) Where the rear or side yard is contiguous to commercially or industrially developed or zoned land, freeway, flood control channels, arterial streets, parking lots, or similar use, a maximum 8-foot-high fence or wall may be permitted by the Planning Director.
- (3) On through lots, fences, hedges and walls shall be limited to a height of 4 feet in any portion of the front yards unless the Planning Director determines that up to a height of 6 feet, in the designated rear yard, would not compromise the safety of motorists and pedestrians nor the aesthetic value of the streetscape.
- (4) Where a lot is situated at the intersection of two or more streets, fences, hedges and walls shall not be erected, placed, planted, or allowed to grow in such a manner as to obstruct intersection visibility, as contained in Ordinance No. 100 C.S., as amended, Hayward Traffic Code, Sections 9.01 through 9.05, relating to Obstructions to Visibility at Intersections Prohibited, as the same are now in effect or which may hereafter be amended or replaced.

(5) The use of anodized gray chain-link fencing which is visible to the public is discouraged; barb or razor wire or similar fences is prohibited.

g. **Grading.**

All grading and storm drainage shall follow the grading, storm drainage and terrain design standards of the City of Hayward Subdivision Ordinance, Design Guidelines and Hillside Design and Urban/ Wildland Interface Guidelines.

h. **Group homes, large.**

A large group home shall not be located within 500 feet of the boundaries of a parcel containing another group home, unless a conditional use permit is issued on the basis that waiver of such separation requirement would not be materially detrimental or injurious to the property, improvements or uses in the immediate vicinity.

i. **Landscaping.**

For all new single-family dwellings the following landscaping shall be provided:

(1) A minimum of one 15-gallon-size or larger street tree, species to be approved by the Planning Director, shall be planted within the required front yard and side street yard of each lot.

(2) For a lot with more than 50 feet of frontage, or with a side street yard more than 50 feet, one street tree shall be planted for every 50 feet or fraction thereof of frontage.

(3) Where trees have been removed pursuant to provisions of the Tree Preservation Ordinance (Chapter 10, Article 15 of the Hayward Municipal Code), the Planning Director or other approving authority may require replacement trees exceeding 15 gallons in size.

(4) For subdivisions with 5 or more lots, or for subdivisions with less than 5 lots where site conditions warrant (such as graded hillside slopes), all front and side street yards shall be landscaped. Landscape and irrigation plans shall be approved by the Planning Director prior to issuance of building permits.

j. **Manufactured Housing.**

Please refer to Section 10-1.2735g. for Manufactured Housing regulations.

k. **Parking, Driveways and Paving.**

Parking, driveways and paving for a single-family dwelling(s) shall be provided in accordance with the City of Hayward Off-Street Parking Regulations, Standard Details, and the following criteria:

(1) **Parking Spaces Required.**

(a) A minimum of two parking spaces per single-family dwelling shall be provided within an enclosed garage.

- (b) A lot abutting a public or private street that has no parking lane on either side of the street or where a street is posted for no parking on both sides of the street shall provide four parking spaces outside the required front yard area; of which two spaces must be covered and two may be uncovered. As an alternative, a three-car garage may be used to fulfill this requirement if the driveway providing access to the garage can accommodate three vehicles.
  - (c) Parking spaces shall not be located within the required front yard or side street yard setback or within 5 feet of any side or rear yard property line.
- (2) Parking Space Dimensions.
- (a) The minimum dimensions for covered parking spaces within a garage shall be 20 feet wide by 19 feet deep for two side-by-side spaces, 11 feet wide by 19 feet long for one space, and 11 feet wide by 38 feet long for two tandem spaces. Parking space areas shall be unobstructed by stairs, utilities, posts, etc.
  - (b) The minimum garage door width shall be 16 feet for a two-car garage and 8 feet for a one-car garage.
  - (c) A one-car garage which is either less than 9 feet wide or 19 feet deep shall be considered nonconforming, and may be eligible to be converted to habitable living area without having to provide replacement parking.
  - (d) Covered parking spaces shall provide a minimum unobstructed vertical clearance of 7 feet, with the exception of garage door openings that shall provide a minimum unobstructed vertical clearance of 6 feet 6 inches.
- (3) Driveways and Paving.
- (a) Driveway widths in front of two-car garages or carports shall not exceed 20 feet nor be less than 16 feet wide and driveway widths providing access to three-car garages shall not exceed 26 feet. Driveways shall not be less than 20 feet long.
  - (b) Driveways providing access to required parking located in a side yard or rear yard shall be setback a minimum of 3 feet from a side property line and 2 feet from the primary building.
  - (c) Parking surfaces and driveways 40 feet or less in length shall be paved with Class B Portland Cement concrete (per SD-109), or other comparable decorative surface, such as bricks, Bomanite, or paving stones. Subject to approval of the Planning Director, driveways exceeding 40 feet in length may be paved with asphaltic concrete.
  - (d) The combined driveway and paving surface area in the front yard shall not exceed a maximum of 50 percent of the required front yard area, unless otherwise approved by the Planning Director.
  - (e) For lots 70 or more feet in width, the Planning Director may approve a greater driveway width if the Planning Director determines the design of the driveway is aesthetically pleasing and compatible with the lot terrain and adjacent development, and will not create a pedestrian or vehicular hazard.
  - (f) For single-family homes, a curved driveway ("Hollywood driveway") is permitted on lots that are 100 feet or more in width, and where item #(d) above is met.

- (g) For access to a recreational vehicle storage area adjacent to a dwelling, a maximum 10-foot wide driveway may be located on the opposite side of the lot from the garage, and outside the required side yard.
- (4) Driveway Turnaround Requirement.  
Lots that front on a major or secondary arterial and/or where driveways exceed 80-feet in length shall provide a sufficient paved driveway turnaround to allow vehicles to exit property in a forward direction, unless waived by the Planning Director or other approving authority.
- (5) Emergency Vehicle Turn-Around Requirement.  
Where the farthest point of a structure(s) is located 150 feet or more from the point of street access, a turn-around area shall be provided which will accommodate the turning around of fire protection vehicles, unless otherwise approved by the Fire Prevention Bureau. (For further details or alternative design considerations contact the Fire Prevention Bureau.)
- (6) Private Street Criteria.  
Refer to Section 10-1.2735i. for design criteria.

1. Parking, Storage, Display, and Vehicle Repair Requirements.

- (1) Parking and Storage in Front Yards.  
Vehicles shall be parked in the required front yard only on the paved driveway that provides direct access to the garage from a public street or an approved private street, perpendicular to the street, or on a curved driveway.
- (2) Parking or Storage in Other Than Front Yards.  
Parking or storage of vehicles in areas other than the front yard is permitted subject to the following requirements:
  - (a) No vehicle shall be parked or stored in a required side yard with the following exceptions: recreational vehicles that are not self-propelled, and are less than 6 feet in height, such as a boat, compact trailer tent or similar recreational vehicle can be stored in a required side yard if screened from view from the street by a 6 foot high solid fence.
  - (b) Parking or vehicle storage areas shall be paved with asphaltic or Portland Cement concrete and conform to City standards. A secondary driveway that provides access to a recreational vehicle storage area may be constructed with concrete, "grasscrete", asphalt, or rock or concrete wheel tracks.
  - (c) Open parking or vehicle storage areas located on lots less than 10,000 square feet in area shall not exceed 500 square feet in area or 700 square feet for lots 10,000 feet or larger, excluding driveways.
  - (d) Open parking areas, garages or carports shall be located no less than 5 feet from the side or rear property line and shall conform to all other requirements of the Zoning Ordinance and Building Code.

(3) Display and Sale of Motor Vehicles.  
Display for sale of one motor vehicle, boat, trailer, motor home, or other vehicle is permitted as an accessory residential use, provided said vehicle is registered to a person who currently resides on the property.

(4) Vehicle and Boat Repair.  
It shall be unlawful and a public nuisance for any person to engage in, or any property owner to allow to occur, vehicle or boat repair in any residential zone:

(a) Upon any vehicle which is not registered to a current occupant of the premises where the work is being performed.

(b) Upon more than two vehicles at one time on the same premises or by the same person.

(c) Outside a fully enclosed structure for uses defined as major automobile repair as defined in this Ordinance.

(d) Home repair may be performed outside a fully enclosed structure where elapsed time between the beginning and end of the repair does not exceed forty-eight (48) hours.

(e) Vehicle painting, other than spot painting, shall not be permitted in residential zones.

m. Retaining Walls.

(1) Retaining walls that are not a part of walls of buildings shall not exceed 6 feet in height as measured from finished grade elevation to top of wall.

(2) A maximum of two successive, approximately parallel retaining walls is permitted when they are separated by a minimum horizontal distance of 6 feet as measured between centerline of the walls.

(3) Any additional successive walls shall require a minimum of 15 feet separation provided the required grading is in conformance with City standards and guidelines.

(4) The sides of exposed exterior retaining walls shall be architecturally treated as approved by the Planning Director.

(5) The Planning Director may administratively alter or waive any wall requirement, if, in the Planning Director's opinion, no practical alternative exists, the purpose of the regulation will not be compromised, and no detrimental impact will result.

n. Second Dwelling Unit, Attached ("Granny or in-law unit").

An attached second dwelling unit ("Granny or in-law unit") may be constructed in accordance with the following standards:

(1) An attached second dwelling unit may only be added to an existing detached single-family dwelling on a parcel containing no other dwellings, and which has at least

two covered parking spaces, with at least one common wall between the attached second dwelling unit and the living or garage area of the existing dwelling.

- (2) An attached second dwelling unit shall contain no more than one bedroom, shall be a minimum of 400 square feet in area and shall not exceed 640 square feet in area. No additional covered parking shall be provided.
- (3) Any separate entry constructed for an attached second dwelling unit shall be located only in the side, side-street (if approved by the Planning Director) or rear yard.
- (4) An attached second dwelling unit shall be counted as part of the primary building coverage requirements and also shall conform to all required lot, yard, and height requirements.
- (5) An attached second dwelling unit shall not be sold separately from the primary dwelling, but it may be rented.
- (6) An attached second dwelling unit shall only be approved where the owner of the existing dwelling has applied for the building permit and where same owner resides in the primary dwelling at the time of application and occupancy of the attached second dwelling.
- (7) Unless exempted, as determined by the Building Official, the primary or existing dwelling and the attached second dwelling unit shall conform to all applicable City code requirements; for example, building, fire, plumbing, electrical. A Certificate of Occupancy shall have been obtained for both units prior to occupancy of the attached second dwelling.
- (8) An attached second dwelling unit shall not be located within the garage area or a converted garage area of the existing dwelling unless adequate substitute 2-car garage parking is provided outside required front, side, and side street yards.
- (9) The exterior design of the attached second dwelling unit shall appear to constitute an integral part of the primary dwelling and not a separate dwelling unit.

o. **Signs.**

- (1) One nameplate and one address sign not exceeding 2 square feet in area shall be permitted for each single-family dwelling. Signs shall be of a design in harmony with the environment, shall not constitute excessive visual impact, and shall not be hazardous to vehicular traffic.
- (2) Garage/yard sale signs shall be permitted in accordance with the Hayward Sign Ordinance.

- (3) No sign(s) shall be permitted which identifies a home occupation business within a dwelling unit.

p. **Swimming Pools, Hot Tubs and Spas.**

May be located in any yard other than the required front or side street yard, provided that no wall line of a swimming pool, hot tub or spa shall be closer than 5 feet from any building, nor closer than 5 feet from any property line.



**Hayward Parking Standards**

Side by Side Garage (interior dimensions) – 20 feet wide x 19 feet deep. For an existing garage, staff accepts 18 feet wide x 19 feet deep.

Single Car Garage (interior dimension) – 11 feet wide by 19 feet deep. For an existing single car garage, staff accepts 10 feet wide x 19 feet deep (interior dimension)

Tandem Garage (interior dimension) – 11 feet wide x 38 feet deep

Standard Parking Stall – 9 feet wide x 19 feet deep\*

Compact Parking Stall – 8 feet wide x 15 feet deep\*

\*If the parking stall is located next to a wall, the parking stall width is increased by a foot.

**Car width and length (2008 models)**

<b><u>Toyota</u></b>			<b><u>Honda</u></b>		
<u>Model</u>	<u>Width</u>	<u>Length</u>	<u>Model</u>	<u>Width</u>	<u>Length</u>
Yaris	5'-6 ½"	14'-1"	FIT	5'-6"	13'-1"
Prius	5'-7 ½"	14'-7"	Civic	5'-9"	14'-8"
Corolla	5'-9"	14'-10 1/2"	Element	5'-11"	14'-1"
Matrix	5'-9 ½"	14'-5"	CR-V	5'-11 ½"	14'-9"
RAV4	5'-11"	15'-0"	Accord	6'-0"	16'-2"
Camry	5'-11 ½"	15'-9"	Odyssey	6'-5"	16'-10"
Avalon	6'-0"	16'-5 ½"	Ridgeline	6'-5 ¾"	17'-2 ¾"
Tacoma	6'-2 ½"	17'-4"	<b><u>Ford</u></b>		
Highlander	6'-3"	15'-8"	Focus	5'-7"	14'-7"
Sienna	6'-5"	16'-9"	Taurus	6'-2"	16'-9"
Tundra	6'-8"	19'-0"	Ranger	6'-9"	15'-9"