

FINDINGS FOR APPROVAL

Mt. Eden Annexation Phase II

Findings for Approval – California Environmental Quality Act:

- A. That approval of the Mt. Eden Annexation Phase II project will have no significant impact on the environment, cumulative or otherwise. The project reflects the City’s independent judgment, and, therefore, a Mitigated Negative Declaration has been prepared.

Findings for Approval – Pre-Zoning Designations:

- B. Substantial proof exists that the proposed zone changes will promote the public health, safety, convenience, and general welfare of the residents of Hayward.**

The proposed annexation and associated public infrastructure improvements and future development would result in improved fire suppression capabilities, police protection, storm drain capacity, and roadways in the area. Police service should improve as the City can serve the area more efficiently than the County. Additionally, future development would be subject to City regulations and City development review, which is generally more intensive than that of the County in this area, which is expected to improve property conditions and reduce or eliminate any potentially harmful site contaminants.

- C. The proposed changes are in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans.**

The General Plan contains policies and strategies that encourage annexation of remaining unincorporated islands into the City:

- *Seek to achieve more congruous boundaries to provide for the efficient delivery of public services and to create a greater sense of community. (Land Use Chapter, Policy 11)*
- *Evaluate annexing unincorporated islands and adjoining urbanized county areas within the Sphere of Influence in light of desires of affected residents and fiscal impacts on the city. (Land Use Chapter, Policy 11, Strategy 1)*

The annexation will achieve more congruous boundaries for the City and the County and improvements in the efficiency with which services can be provided are expected.

The Mt. Eden Neighborhood Plan contains a policy that encourages the Residential Single-Family (RS) and the RS-B4 (4,000 square foot minimum lot size) zoning districts that:

- *Allow “Limited Medium Density” development between West Street and Depot Road for continuity with density of recent small lot single-family development. (Residential Land Use, Policy 1, Strategy 2)*

The Limited Medium Density Residential (LMDR) General Plan designation allows between 8.7 and 12 residential units per acre, which is equivalent to lot sizes ranging from 5,006 to

3,630 square feet. The LMDR land use designation exists in the majority of the annexation area and no land use designation changes are proposed.

One of the purposes of the Hayward Zoning Ordinance is to “accommodate expansion of development into vacant and under-utilized lands within environmental and infrastructure constraints”. The annexation will allow for in-fill development in the neighborhood as utility services are provided.

The purpose of the Light Manufacturing, Planning /Research and Development (LM) zoning district is “to provide for limited manufacturing and other light industrial uses within the Industrial Corridor which are compatible with business parks and adjacent residential areas.” Staff is recommending such designation for one property, consistent with that indicated in the Mt. Eden Neighborhood Plan, to provide a buffer between the properties zoned Industrial to the west, and residentially designated properties to the east.

The purpose of the Public Facilities (PF) zoning district is “to promote and encourage a suitable environment devoted to publicly owned government buildings and facilities, public community centers, libraries and museums, public educational facilities, public school districts facilities, public transit stations, public parking lots and structures, and other such uses directly or indirectly serving the general public.” The PF zoning designation that is recommended is consistent with the use of the property by Chabot College .

The purpose of the Agriculture (A) zoning district is to preserve agricultural areas until such time as orderly development may take place. The A zoning is appropriate for the Herman-Mohr and Mohr-Fry estates as these properties have development potential and the owners have yet to determine the most appropriate uses.

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

As noted in the draft environmental IS/MND, proposed infrastructure improvements, including roadway improvements and widening, extension of public sewer lines and upgrades to the existing storm drainage network, would be compliant with City standards and sufficient to serve potential future development.

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

The Mohr-West and Mohr-Depot islands are completely surrounded by properties in the City. Existing residential uses will be zoned for residential use. The Chabot College property will be consistent with the PF zoning district. The home on the property on Depot Road to be zoned LM will become a legal, nonconforming use. The Mohr-Fry estate and the Herman-Mohr estate will be zoned agricultural to protect the historic resources and to require discretionary approval prior to any change in use. Annexation and subsequent infrastructure improvements would allow for future development, which will lead to improved property conditions and aesthetics, which is currently not possible under existing conditions.