

CITY OF HAYWARD
AGENDA REPORT

Planning Commission
Meeting Date 07/15/99
Agenda Item 3

TO: PLANNING COMMISSION
FROM: Planning Manager
SUBJECT: Amendments to the Zoning Ordinance and Subdivision Ordinance

RECOMMENDATION:

It is recommended that the Planning Commission recommend approval of the Zoning Ordinance amendments to the City Council.

DISCUSSION:

On September 10, 1998 and April 1, 1999, work sessions for the Planning Commission were held to review a summary of the substantive changes proposed for the Zoning Ordinance. On September 15, 1998, and April 20, 1999, work sessions were held with the City Council. Meetings with the Hayward Chamber of Commerce were held on September 17 and November 16, 1998, and March 30, 1999, and one meeting was held with former Neighborhood Task Force members, homeowner associations and the livestock focus group on November 16, 1998. Copies of the reports of previous work sessions and a summary of substantive changes are attached for background information.

The following issues are those previously discussed and which are proposed to be amended in the Zoning Ordinance:

1. Industrial District

- a. **Industrial Building Design Standards** - The proposed Industrial Building Design Standards (Exhibit A) are intended to provide a basic standard of development for all industrial properties in order to contribute to an attractive, healthy industrial district in Hayward. Currently, only those industrial buildings requiring an administrative or a conditional use permit are subject to design review. These permits are generally required only for properties that are adjacent to residentially zoned property or that involve the use of certain types and quantities of hazardous materials. A slide presentation will be made at the hearing to demonstrate good and poor quality industrial building design features and elements.

Generally, the City Council, the Planning Commission and the industrial subcommittee of the Hayward Chamber of Commerce have supported applying design standards to industrial buildings. Implementation of the industrial design standards could be achieved through the "site plan review" process only on proposed buildings that do not meet the standards.

Concerns about Industrial Building Design Standards expressed at work sessions relate to the potential to increase the costs of industrial development, increase the time for reviewing design, and concern that the proposed standards could be subject to varying interpretations. Some indicated that the proposed guidelines are very minimal and should be applied.

Staff is also concerned about these issues. As with other applications, administrative site plan review can be as brief as one day or require a week or so for redesign. Only in those instances where the applicant is unwilling to meet these basic standards would it be necessary to significantly impact the time frame by requiring a public hearing. However, in staff's opinion attractive buildings in the Industrial District would contribute to and sustain the economic value of the affected property as well as neighboring properties. Staff believes that these benefits outweigh the costs and time associated with meeting a base standard.

Hayward has enjoyed a competitive edge over surrounding cities in that no layer of discretionary review is required of most industrial buildings prior to a building permit. In staff's opinion, this competitive edge would not be compromised as site plan review would be applied in only the few instances where the proposed buildings do not meet the minimum design standards. Surrounding cities require some type of discretionary review of all industrial buildings.

Staff acknowledges that design review involves a degree of subjectivity, since the design guidelines are crafted to allow flexibility of design as well as design parameters. There would be no greater subjectively exercised with respect to buildings in the Industrial District than is applied to structures in the City's commercial and residential areas.

Noting that some of Hayward's industrial parks have attractive buildings, the Chamber's industrial subcommittee suggested reviewing CC&R's from some of the parks. However, most of the CC&R's lack specific building design criteria. Because they were not particularly useful, they were not made a part of the proposed design guidelines. Nonetheless, because the newer, more active industrial parks seem to pay close attention to design, it is unlikely that buildings within these parks would be subject to site plan review.

Sherman Balch, a member of the industrial subcommittee, believes that the proposed Industrial Building Design Standards are too restrictive since most industrial buildings

are boxy by nature and are softened "with relief lines, painting, glass panels, recessed entryways, and landscaping." (See letter of April 20, 1999, labeled Exhibit B.) He suggests amending the proposed industrial design guidelines in consideration of the basic shape of the buildings and providing more flexibility by adding words such as "where practical." Staff agrees that guidelines should be flexible and has reworded some sections of the guidelines to make clear that there are various design *options*, not specific requirements, for relieving otherwise uninteresting industrial buildings.

In order to minimize varied interpretations of the industrial design guidelines among various City staff members, Mr. Balch suggests establishing a citizen review committee to review "all proposed new projects." Given the vast number of industrial projects received and processed over the counter, staff is concerned that review of all new projects would significantly delay the review process. While the idea has value, both the staff and the Planning Commission can fill this role. However, an independent viewpoint could be valuable when a developer and staff. As proposed, when staff believes that the guidelines are not met, the site plan review process is applied and the matter is referred to the Planning Commission for their independent judgment. If another independent group were to be formed, they would, like the Planning Commission, be subject to the Brown Act. Staff is reluctant to add another review body without first determining the adequacy of the proposed process, which works well for commercial and residential development.

- b. **Truck Parking for Restaurants** - One of the recommended code amendments is to delete the requirement for truck parking in conjunction with restaurants in the Industrial District. At the work sessions, several individuals expressed concern about a complete elimination of the current 15 percent truck parking requirement for restaurants in the Industrial District. At the Planning Commission work session of April 1, some Planning Commissioners suggested requiring truck parking at restaurants along the freeways, and the chair asked staff to consult with a trucking association. A former Hayward restaurateur pointed out that truckers do not typically "dine" since they must eat quickly, so many restaurants will not have truckers as customers even if they provide truck parking.

Staff contacted the California Trucking Association, which responded that "CTA sees no reason that Hayward restaurants should continue to be compelled by ordinance to set aside truck parking space for driver customers." (See letter labeled Exhibit C). In addition to the points raised in their letter, a representative of the Northern California section of the Association told staff that when trucks park near standard vehicles, there can be visibility problems. He added that there have been issues associated with truck noise near restaurants.

Staff recommends eliminating the requirement for truck parking at restaurants in the Industrial District because staff has observed that this requirement discourages restaurants from being located there. According to those who have inquired about developing

restaurants in the Industrial District, the costs and time associated with acquiring additional land for truck parking prevent them from developing restaurants there. For example, for a 4,000-square-foot restaurant, about 10,000 square feet of additional land of a configuration conducive to truck parking would be necessary.

Staff recognizes that truck drivers benefit by being able to park at restaurants in the Industrial District and that some restaurants could benefit by marketing to truck drivers. However, the majority of workers in the Industrial District are not truck drivers, and only a limited number of eating establishments are found in the vicinity of their places of employment. Other eating alternatives in the Industrial District are employee cafeterias, catering trucks, and hot dog carts.

- c. **Educational Facilities** - A proposed Zoning Ordinance amendment replaces the words "educational facilities" in the Industrial District with "industrial trade schools for individuals above the 12th grade" to more specifically only allow for specialized training of skilled labor which is supportive of the Industrial District. For example the vocational/trade schools definition would include schools for plumbers, carpenters, truck drivers, mechanics, machine operators, technical schools, etc. This definition would not include or allow for, beauty colleges, business schools, or degree programs, etc. Planning Commission comments included suggestions that educational facilities not be limited as to type when existing buildings are reused and that non-industrial uses should not dominate the Industrial District. City Council members did not disagree with the amendment, although one member indicated that any educational use would be acceptable as long as they are on small sites.
- d. **Retail sales** of commodities produced or distributed on-site would be permitted with no permit, up to 10 percent of floor area (currently requires Administrative Use Permit).
- e. **Weekend retail sales** are proposed to be allowed year-round (currently only 4 times/year unless administrative use permit is obtained.)
- f. **RV Storage and Public Storage** facilities are proposed to require a Conditional Use Permit (currently, RV Storage requires an administrative use permit as "outdoor storage", and Public Storage is principally permitted as "warehousing".)
- g. **Retail at regional marketing base level** would be permitted on a 4-acre parcel visible from 880 or 92 with a conditional use permit (currently is 8 acres.)
- h. **Nursery (plants)** would be permitted on a +2-acre parcel located on an arterial street with a conditional use permit (currently not allowed)

2. Central City Uses

- a. **Religious Facilities** - A proposed amendment to the Zoning Ordinance eliminates religious facilities from the Central City - Plaza (CC-P) sub-district. Currently the Ordinance prohibits religious facilities from the first floor and allows them only above the first floor subject to approval of a conditional use permit. Religious facilities are "tax-exempt religious institutions" including their ancillary activities. Since religious facilities are currently prohibited on the ground floor of the CC-P, this would not change. The CC-P subdistrict is limited to B Street between Foothill and Watkins and on Main Street from A to C Streets.

The reasons for prohibiting religious facilities in the CC-P are to protect and enhance the retail environment of the downtown core area on B and Main Streets and to encourage uses that contribute to the pedestrian nature and quality image of these streets. Religious facilities would not contribute to the tax base, do not provide direct retail economic activity, and do not provide the weekday pedestrian traffic that is necessary for contributing to the overall vitality of the CC-P. In that there are no legally established religious facilities in the CC-P, observed or on record at this time, this proposed change would not directly impact any religious facilities. Religious facilities would continue to require conditional use permit approval in the Central City - Commercial and Central City - Residential (CC-C & CC-R) sub-districts.

At its April 1 work session, Planning Commissioners were not united in their opinions about eliminating churches from above the first floor in the CC-P. Their comments included the suggestion that prohibiting churches could be construed as the "wrong message," a suggestion to allow churches subject to conditional use permit approval, that the CC-P sub-district is not an appropriate area for churches, that the restriction on churches should be extended to Foothill Boulevard, and that newly constructed churches would be acceptable but that store-front churches would not be. City Council members also were divided in regard to the appropriateness of this use in this district. Some felt that churches would bring people into the downtown who will patronize local businesses, although the view was also expressed that church services result in a significant increase in the number of vehicles at one time that cannot be easily accommodated in the downtown.

- b. **Thrift Stores** - A proposed amendment to the Zoning Ordinance prohibits thrift stores in the CC-C and CC-R sub-districts. Thrift stores are currently prohibited in the CC-P sub-district only. The reason for prohibiting thrift stores in all CC districts is to protect and enhance the quality retail environment of the entire downtown area. Staff believes thrift stores in general do not promote a high-end retail environment and in fact the opposite may be true. Some members of the Chamber of Commerce commented that thrift stores can be perceived as a indication of downtown decline and therefore discourage other retailers from locating near them. Existing thrift stores in the Central

City subdistricts would become “legal, nonconforming uses.” These existing thrift stores would have the advantage of no further competition from new thrift stores in the downtown.

- c. **Consignment Stores** – Currently the Zoning Ordinance does not address consignment stores. A proposed amendment permits consignment stores in the CC-C, CC-P & CC-R sub-districts as a Primary Use in the CC-C & CC-P, and requires an Administrative Use Permit in the CC-R. This arrangement would be consistent with other retail uses in the Central City sub-districts. At the various work sessions, Council members and Planning Commissioners generally supported consignment stores as long as they can be distinguished from thrift stores. A definition is included in the proposed text that requires the business owner to sell only good quality merchandise (for example, clean, not damaged, stained, or frayed) accepted on consignment (not donated) and prohibits the consignment store proprietor from accepting and/or selling donated goods or second-hand merchandise. This would prevent the operator from acquiring used merchandise from other sources than consignment customers. Of course, the sale of new items in conjunction with the consignment goods is permitted.
- d. **Height Limit** – The height limit in the Core Area of the downtown is 55 feet, with a provision to increase the height if the footprint of the building is reduced. An amendment to the “Downtown Hayward Design Plan” limits the height of buildings in the CC-C sub-district around City Hall to 55 feet, with no provision to increase the height, in order to maintain City Hall as a focal point in the downtown.

3. Airport Terminal – Commercial Uses

Additional retail uses are proposed to be added to the "Airport Terminal - Commercial" (AT-C) sub-district. Currently retailing is limited to within motels and restaurants, pumpkin patches and Christmas trees. This zone is generally located along the west side of Hesperian Boulevard. The stated purpose of the Air Terminal – Commercial District is to “provide for certain specified commercial and service uses that are compatible with airport activity, in addition to simultaneously serving the general population of the City.” The proposed amendment to the Zoning Ordinance allows retail uses in the AT-C sub-district only with approval of a conditional use permit, which allows review of the retail use on a case-by-case basis. In addition they must be retail uses that have a regional or sub-regional marketing base in order to avoid small or disjointed strip commercial retail activity.

Staff had originally suggested allowing retail activity in the AT-C district only on parcels larger than 5 acres. Subsequently, a long-term airport tenant, Watt Commercial Properties, requested that retail sales be permitted on smaller parcels since their leased parcel is 2.8 acres. (See their letter attached at Exhibit “D.”) In reviewing this request in more detail staff believes Watt’s request is reasonable because it would allow for retail opportunities on a variety of AT-C properties along Hesperian Boulevard. In addition, considering that

airport land is held by the City of Hayward, which has the power under its leasing authority to control the area designated to specific commercial users, staff now recommends not including a requirement for a minimum site area. However, staff still recommends that commercial sites be limited to no more than 8 acres under the AT-C zoning designation. Larger developments would have to apply for Planned Development zoning, which would be reviewed by both the Planning Commission and the City Council so that greater control can be exercised over the type, intensity and mixture of uses.

Some comments received at the City Council and Planning Commission work sessions include a suggestion to limit retail uses to those that are airport-serving or related and that the intensity of retail uses and the aspect of safety around the airport should be a consideration. The suggestion to limit retail uses to "airport serving" is not consistent with the adopted purpose of the AT-C Sub-District, which is *"to provide for certain specified commercial and service uses that are compatible with airport activity, in addition to simultaneously serving the general population of the City."* The proposed change is to allow retail sales of *"goods with a regional or sub-regional marketing base, including but not limited to discount retail or warehouse retail, on land not to exceed 8 acres which is visible from Hayward Boulevard."* Retail sales are subject to approval of an administrative use permit. Any approval action must include a finding that the use conforms to the purpose of the AT-C District described above.

4. Livestock and Animal Regulations

The Hayward Highlands Neighborhood Plan, adopted by the City Council on February 24, 1998, addresses the issue of livestock regulations and asks City Council to adopt guidelines for the keeping of livestock in the residential zones of the City of Hayward. A task force, consisting primarily of individuals in the Hayward hill area with an interest in livestock, met to discuss this issue. They recommended allowing livestock in the Single-Family Residential (RS) District and the Residential Natural Preservation (RNP) District. Currently, large livestock are limited to the RNP District. The task force distinguished between large and medium livestock and recommended requiring at least 20,000 square feet of land for large livestock and 10,000 square feet of land for medium livestock. Some members of the task force indicated that standards should be established for keeping livestock, and standards relating to the amount of available land per animal are included in the proposed ordinance. Members of the task force members who are livestock owners indicated that there should be no discretionary review, such as an administrative use permit; rather than an administrative use permit, as required in the current Zoning Ordinance.

As proposed, livestock, irrespective of size, would be permitted in the RS and RNP Districts with approval of an administrative use permit. However, as proposed, **minimum lot size for the keeping of both medium and livestock has been retained at 20,000 square feet or more.** This proposal is in keeping with the request of several City Councilmembers at its last work session. The Planning Commission asked that the

language clearly spell out requirements for large and small livestock and required land area. The proposed amendment for "Keeping of Livestock and Other Animals" is attached as Exhibit E.

5. Streamlining

a. **Changing Review Process from Conditional Use Permit to Administrative Use Permits for Some Uses**

In order to streamline the review process, the Planning Commission and City Council, reviewed a proposal to change certain uses from conditional use permits to administrative use permits. The Commission and City Council are generally in support of this proposal. A list of uses proposed to be changed from conditional use permit review to administrative use permit review is attached as Exhibit "F."

Planning Commissioners stressed the importance of streamlining the development review process while assuring that projects are given adequate review, both technically and by the public. Some also mentioned that, while they have confidence that the current staff would inform the public and pay close attention to design, there is the understandable concern that this sensitivity may not be exhibited in the future. Because City Council members and Planning Commissioners receive notice of all projects and notices of the Planning Director's action, this represents a good opportunity to assure that proper decisions are rendered by staff.

The streamlining proposal is put forth because the public hearing process adds time and costs to applicants. In order to streamline the process for applicants without compromising quality and citizen participation, administrative action on applications would be made under current practice. The current practice is that projects are approved only when (1) they meet all City policies and design guidelines; (2) all interested individuals, including surrounding property owners and residents, members of local homeowners associations, neighborhood task forces, and other agencies are notified when the project is received; (3) notice of approval action and the appeal procedure is provided to interested parties; (4) the comments and concerns of interested individuals are addressed and there is no objection to the project; and (5) City Council members receive notification of the administrative action and may "call up" applications individually.

Streamlining was introduced in 1994 when City Council authorized review and approval of certain uses at the administrative level. To date, City Council members have called up none of the applications approved by the staff.

Decisions on conditional use permit applications are limited to approximately twice monthly when the Planning Commission meets. The public hearing process adds significant time and costs to applicants. The suggested changes to the process would

streamline the process for applicants while still affording Planning Commissioners, City Council members, and interested parties the opportunity for input.

A proposed list of uses to be changed in the Single-Family (RS) and General Commercial (CG) District was drafted by staff. During the Planning Commission's last work session on Zoning Ordinance amendments, some Commissioners indicated the number of uses that could be approved administratively should be augmented, and one Commissioner said that convenience markets should not be approved administratively.

- b. **Subdivision Ordinance - Final Maps** - An amendment of the Subdivision Ordinance would allow the City Engineer to approve final maps. A 1998 amendment to the Subdivision Map Act authorizes cities to adopt ordinances that allow the City Engineer to approve final maps. Currently that approval action lies with the City Council and is placed on their agendas as a consent item. In the past five years, staff has placed final maps on the agenda under "legislative acts" rather than the consent calendar when the action held a broad interest (Twin Bridges) or when linked with other actions requiring actions outside the consent calendar. No final maps placed either on consent or elsewhere on the agenda within that time frame have been denied. Final maps are "ministerial" actions, that is, they cannot be denied if they are consistent with the approved tentative map. Otherwise, the final map is denied or the developer must seek a modification of the tentative map. If Hayward adopts an ordinance that would allow the City Engineer to approve final maps, the following elements must be present:

- The City Council will be provided notice when a developer asks the City to approve a final map.
- The designated official must approve or disapprove the final map within 10 days after the first City Council meeting after the mailing of notice of the final map application to the City Council and interested parties.
- Notice is required to be mailed of any pending application for final map approval to interested parties.
- The ordinance must provide for periodic City Council review of the final map delegation authority.

While Planning Commissioners and some City Council members supported City Engineer approval of final maps, some City Council members were reluctant to endorse an action that did not provide for action by elected officials, who are more directly accountable to the general public.

6. Live-Work Provision.

The current amendments to the Zoning Ordinance do not include a provision for additional live-work opportunities, although this type of development could be considered presently under Planned Development zoning. Planning Commissioners and City Council members were generally supportive of live/work and mixed development opportunities. This issue will be brought back to the public hearing bodies for review once technical issues relating to building and fire codes have been addressed. For example, access to lofts or mezzanine sleeping areas via ladders or the lack of escape routes from sleeping areas (windows), or reduced headroom may be necessary to promote live-work situations.

7. Group Homes

The proposed group home ordinance is attached as Exhibit G. Staff has revised the group home regulations to comply with state and federal law as follows. The definition of a group home has been revised to include both licensed and unlicensed residential facilities. A small group home, serving six or fewer residents, is designated as a primary use in any district where a single-family residence is a primary use. State law does not allow the City to impose separation requirements on small group homes. However, a large group home, consisting of seven or more residents, will require approval of a conditional use permit, which is currently the case, and will be subject to 500 foot separation requirement, unless a provisions of the conditional use permit waives the separation requirement. Several Planning Commissioners suggested further limits on a neighborhood-by-neighborhood basis because the incidence of licensed group home facilities in Hayward is higher than in surrounding cities. The City cannot impose further limits because State and federal laws prohibit discrimination against protected groups, who comprise a substantial portion of the group home population. Additionally, a "reasonable accommodation" provision has been added to reflect the federal and State law requirement that zoning requirements for a use serving disabled or handicapped residents be waived or modified in appropriate instances.

During a recent hearing related to a large group home use permit, a Planning Commissioner raised a question relating to when a large group home may be considered institutional rather than residential. This decision could be made on a case-by-case basis depending on the design of the structure involved in terms of its compatibility with surrounding structures and on the character and zoning of the neighborhood. The proposed amendments to the Zoning Ordinance provide for review of large group homes under a conditional use permit.

8. Tattoo Parlors

Currently, tattoo parlors are interpreted to be a primarily retail use in all commercial districts. Staff believes tattoo parlors are a use that requires assurance of land use compatibility. Planning Commissioners raised no objections at their April work session. A City Council Member suggested limiting the zoning districts in which the activity can take

place. The proposed amendment to the Zoning Ordinance limits tattoo parlors to the General Commercial zoning district. If this amendment were adopted, tattoo parlors outside of the General Commercial District would become legal non-conforming uses. Staff is aware of only two legally established tattoo parlor that would become a legal, nonconforming use, which are on B Street in the downtown and on West Tennyson Road. Another tattoo parlor was observed in the Industrial District, and this matter has been turned over to the Community Preservation Division for resolution.

9. Small Education Facilities

A proposed Zoning Ordinance amendment allows small educational facilities (usually less than 2,000 square feet) for students between grades K-12 as a primary use in the CN, CN-R, CG, CO, CB districts and the CC-C sub-district. Currently a conditional use permit is required. Staff has recently received a number of inquiries and requests for small private educational/tutoring. These uses are usually seeking to locate in a retail or office type space. Because "educational facilities" require a conditional use permit, the applicants are often discouraged (for time and financial reasons) and do not pursue the process. At the City Council work session, council members were generally supportive of this amendment, although Planning Commissioners said that all educational facilities should be subject to close scrutiny, including a conditional use permit.

10. New Zones

- a. A new "General Provisions" section has been created at the front of the document, which has incorporated the "Establishment of Zoning Districts" section.
- b. A "Public Facilities" zoning district has been created to be consistent with the General Policies Plan and Map. Eventually, all public facilities, such as post offices, schools, CSUH, and City Hall can be identifiably zoned "PF" on the Zoning Map.
- c. Per the South of Route. 92 Specific Plan, four new zoning districts were created and approved by City Council by resolution. They are included in this document (e.g., the CR, BP, LM and OS districts). The new districts have been slightly modified and reformatted to be consistent with other reformatted districts.

11. Miscellaneous Amendments

- a. The "Nonconforming Uses" section has been rewritten to address both *nonconforming uses* and *nonconforming structures*.
- b. Drive-In Establishments standards have been updated to include several minor changes and a new section for standards of "Drive-Through Coffee/Esspresso Shops."

- c. The requirement that a transfer of ownership triggers a use permit in the "Alcoholic Beverage Outlet Regulations" has been eliminated in response to recent court decisions.
- d. Administrative use permits would be required for check cashing and similar uses in all commercial districts. They are currently primary uses.
- e. An amendment would permit childcare centers in the Commercial Office District. Child care is presently permitted in most zoning districts except the Industrial District.

12. New Issues Not Previously Discussed

- a. **Floor Area Ratio (FAR)** – Some Planning Commissioners asked staff to explore the concept of FAR in order to address concerns with residential bulk within subdivisions, particularly within subdivisions with small lots. The bulk of a structure refers to its size in terms of height and volume. The FAR concept has also been raised by a Hayward resident, Mr. John Kyle, who indicates that the FAR concept would be an effective tool for reducing bulk, for providing seniors with housing opportunities to "move down," and for providing a more attractive street pattern. (Please refer to his letter of June 19, 1999, attached as Exhibit H.)

FAR is a measure of development intensity. FAR is the ratio of the floor area (square footage) of a building to the area (square footage) of its lot. To determine FAR, one divides the total floor space of the building on a lot by the total land area of the lot. Size, for purposes of FAR, is measured solely in terms of square footage. Perhaps it is easiest to visualize just what FAR values mean if one remembers that the figure always represents a ratio. Whatever the dimensions of a lot, its value is always 1; a building to be constructed on that lot is given a FAR value that is always a proportion of the land area of the lot. An FAR value of .25 means that a one-story building may occupy one-quarter of the square footage of the lot; an FAR of 1 means the building has the same square footage as the lot. A 2,500 square foot, one-story house that covers half a 5,000 square-foot lot has an FAR of .5. A two-story house that covers half a lot has an FAR of 1.

FAR is more commonly applied to commercial buildings. When applied to residential structures, it typically excludes accessory structures, porches, attics, basements, stairways, and utility rooms. FAR does not address the shape of the house, including roofline or side yard setbacks.

Currently, single-family dwellings can cover up to 40 percent of a lot. The Bay Area is experiencing increased property values and a scarcity of land available for housing. At the same time, the current development trend to provide move-up, or at least large homes. As a result, pressure is exerted to maximize the square-footage of housing on small lots. The impact of new residential development is a change in scale from the prevailing small-scale single-story development in Hayward.

To provide a sense of bulk for previously approved housing, the following examples are offered.

- The recently approved single-family development with 4,000 square-foot lots on the former Sakai Nursery features relatively large homes (up to 2,966 square feet within a 40x40 structure), with up to five bedrooms and three full baths. The 2,966 square feet is calculated by including the square footage of the ground floor plus the square footage of the upper floor. Because the living room extends through the second-floor area, the square footage of the second floor is less than the first floor. The FAR for this dwelling (which is the sum of the square footage of the first and second floors divided by the square footage of the lot) is .74. The actual lot coverage is 40 percent.
- Homes at Twin Bridges are being constructed on (min.) 5,000 square-foot lots. One of the models is 2,482 square feet on a (min.) 5,000-square-foot lot, with a FAR of .5 and a lot coverage of 31 percent. The largest houses are on (min.) 6,000-square foot-lots. They are 3,355 square feet for a FAR of .56 and a lot coverage of 38 percent. Again, because the first floor ceilings of several of the rooms extend through the second floor, the bulk remains.

In either case, the bulk of the houses may appear to be excessive to some because, as viewed from the outside, the side yard setbacks are 5 feet for both the first and second stories. In the case of the development of the Sakai Nursery property, to impose an FAR of .45 would limit the maximum size of the house to 1,800 square feet instead of 2,966 square feet. The chart below reflects the square footage of houses that would be permitted under existing coverage requirement and using an FAR.

Lot Size	Sq. Ft. of House Permitted With Current Site Coverage Of 40%	Sq. Ft. of House Permitted With FAR .45	Sq. Ft. of House Permitted With FAR .55	Sq. Ft. of House Permitted With FAR .65	Sq. Ft. of House Permitted With FAR .70
4,000	3,000*	1,800	2,200	2,480	2,800
5,000	3,800*	2,250	2,750	3,250	3,500
5,500	4,200*	2,475	3,025	3,575	3,850

* This area excludes 200 square feet of stairwell space

The market demand at this time appears to be for the larger homes. When Stratford Village was developed on small lots, a variety of housing types were constructed during the first phase of development. However, their second phase featured all larger houses due to demands of the consumer. Larger homes result in more property taxes than smaller homes, and development fees, such as school impact taxes, are based on square footage. In Hayward, the number of children generated from new development has not increased with the size of the homes. By further restricting bulk on the second floor,

either through the use of FAR or by requiring additional setbacks for second stories, the potential square-footage of the homes is reduced unless there can be intrusions into traditional front, rear or side yards.

One method of reducing bulk would be to amend the City's Design Guidelines to require second floor bulk to be less than the first floor to reduce the visual impacts created by high building walls, specifically at side elevations. Surrounding cities do not impose FARs for residential development and have been able to achieve more attractive rooflines through design guidelines. Union City addresses this issue within its design review process, and Fremont requires additional setbacks for second stories.

Another method that could be used as an incentive for reducing bulk, providing for a greater variety of design along the street, and providing for the needs of seniors is to require a certain percentage of a new housing development of more than ten lots to incorporate single-story housing. An incentive for single-story development would be to allow an increase in the amount of lot coverage permitted from 40 percent to up to as much as 60 percent. This technique is used in Union City.

To maximize design flexibility, staff recommends revising the Design Guidelines to encourage second floor bulk to be less than the first floor and by amending the Zoning Ordinance to provide incentives for single-story dwellings within new subdivisions. Developers can also use Planned Development districts for more creative and flexible designs, such as zero lot-line homes.

- b. Tents and Similar Covers** - Tents and similar covers are not currently addressed in the Zoning Ordinance and are presently used in conjunction with some commercial activities, mainly car washes and auto dealerships. Staff's observation is that tents used in conjunction car washes are for utilitarian purposes in that they shield vehicles and workers from the sun as vehicles are hand dried. When used at auto dealerships, it appears that they are used as an attention-getting mechanism, much like a sign. In the latter instance, they are typically garish having bright colors, often with stripes and additional signage. An amendment to the Zoning Ordinance would prohibit tents in conjunction with commercial uses other than during limited outdoor sale events. Permanent structures, such as decorative wood trellises, would be required for other commercial endeavors, such as at car washes.
- c. New Auto Dealers as Primary Uses Along "Auto Row"** - As a streamlining measure, staff recommends amending the Zoning Ordinance to allow basically new car dealers as primary uses in the General Commercial Zoning District along "auto row," which is on Mission Boulevard between Fletcher and Harder Road. A stipulation is that all minimum development requirements for automobile dealers must be met, including elimination of loudspeaker systems and minimum landscaping, fencing, and building design requirements. These minimum development standards for new automobile dealers are attached as Exhibit I.

INDUSTRIAL DISTRICT

SEC. 10-1.1640 SITE PLAN REVIEW REQUIRED

Site Plan Review approval is required before issuance of any building, grading, or construction permit within the Industrial 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, guidelines, Neighborhood Plans and the following design standards:

Design Standards.

- (1) Incorporate design elements that are harmonious and in proportion to one another.
- (2) Incorporate an attractive mixture of color and materials. Examples of some options include a variety of textures, use of interesting patterns, provision for interesting shadows, offsets, decorative siding, and attractive accent materials. Select building materials and colors that are harmonious with the site and surrounding uses, buildings and area. Base colors shall be low reflective, subtle, neutral, including soft white, off-white or earthtone. Building trim may be feature brighter accent colors.
- (3) Articulate entries and windows along all street frontages.
- (4) Create shadow relief with recesses, columns, score lines, trellises, windows, or other features on blank walls when they are visible from adjacent streets.
- (5) Building facades in excess of 100 feet long and/or greater than 20 feet in height shall be setback a minimum of 20 feet from the front property line and must incorporate recesses and projections, which may include windows, and trellises.
- (6) New buildings shall use roof parapet walls to screen rooftop mechanical equipment. Existing buildings shall use screen walls that are consistent with the design of the building to conceal new rooftop mechanical equipment.
- (7) Any metal clad building which is visible from a street or residential district shall adhere to the above design criteria. Unpainted (gray galvanized) metal surfaces shall not be used on primary structures.
- (8) Truck loading areas shall not face the street, unless no practical alternative exists.
- (9) Industrial facilities, whose building design is utilitarian by necessity, shall be screened with landscaping.

Prepared by:


Dyana Anderly, AICP
Planning Manager

- Attachments:
- Exhibit A - Industrial District Site Plan Review/ Design Standards
 - Exhibit B - Letter from Sherman Balch dated April 20, 1999
 - Exhibit C - Letters of April 7 and 12, 1998 from California Trucking Association
 - Exhibit D - Letter from Watt Commercial Properties, dated 3/24/99)
 - Exhibit E - Proposed Livestock Regulations
 - Exhibit F - List of Uses Proposed to be Reclassified from CUP to AUP
 - Exhibit G - Proposed Group Home Regulations
 - Exhibit H - Letter from John Kyle re FAR, dated
 - Exhibit I - Proposed Development Standards for New Automobile Dealers along Auto Row
 - Exhibit J - Negative Declaration and Initial Study
 - Exhibit K - Proposed Ordinance Amendments in Text Form

7.12.99

Balch Enterprises Inc.

Developers — Builders — License #427860

30960 Huntwood Ave.
Hayward, CA 94544
(510) 429-9400
FAX (510) 429-9966

April 20, 1999

Ms. Dyana Anderly
Development Review Services Administrator
City of Hayward
777 B Street
Hayward, CA 94545-5007

RE: Agenda Report - April 20, 1999 update of zoning ordinance

Dear Dyana:

I have reviewed the above report and proposed changes to the ordinance and wish to express the concerns of the Hayward industrial developers. We are concerned with the requirement for site plan review, the criteria set forth when this requirement might be enforced, the additional time required for plan review, but most importantly the additional time and costs required to make any changes to the plans.

When plans are submitted for permits, they are in final form ready for construction with subcontractor bids and prices in place. Your design standards refer to "offsets, articulated entries, windows and roof elements" along with "recesses, columns, etc." Historically, Hayward's industrial buildings are "boxes" that are softened with relief lines, painting, glass panels, recessed entryways, and landscaping. The proposed design guidelines change this concept entirely. Should some planner decide they do not like a particular front elevation and require any of the above changes, the costs incurred and time lost to make changes would be significant. Any change made to a building exterior also affects the inside. A design change to create a building offset, as an example, would require entirely new plans and engineering. Under current seismic codes, a simple offset can trigger major changes to maintain shear values, etc. Such a change means new drawings for landscaping, site work, fire sprinklers, roofing, electrical, HVAC, and interior improvements. Every page of a 40-page set of plans must change, resulting in major costs and weeks of lost time.

I furnished your office multiple copies of C.C. & R.s from industrial subdivisions that have a reputation for quality buildings with attractive street appearances. Your staff report in the last paragraph of item No. 1 shrugs off the effectiveness of such restrictions. You must consider that these C.C. & R.s were written by developers who wish to have an attractive project while still making it financially feasible for builders and clients to create affordable, high-image buildings. The final building designs reflect the effectiveness of these documents. The secret of their

RECEIVED

APR 22 1999

DEVELOPMENT REVIEW SERVICES

Ms. Dyana Anderly
April 20, 1999
Page Two

success is a plan review by other developers who make acceptable design judgements based on sound business principles.

I suggest that rather than have a design review you appoint a citizen's panel consisting of developers, architects, engineers, and builders who will review all proposed new projects. I will offer the services of our company and I am sure I can find others who would be glad to serve on such a panel.

Modification needs to be made to some of the proposed design standards that will allow us to continue to design and build the type of product that has made Hayward's industrial area one of the most successful and desirable business centers in the Bay Area. I am enclosing a series of photographs of existing buildings that would probably not meet your proposed standards.

I request that you consider the following changes to the proposed ordinance and design guidelines:

- Exempt all buildings in industrial or business parks subject to C.C.& R.s requiring plan approval of a designated party or committee.

No.2 delete word "offsets"

No.3 eliminate "and roof elements" and add "where practical" at end of sentence

No.4 add "windows" to list of relief items and delete "or residential district"

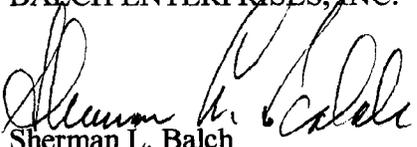
No.5 delete "and projections"

No.6 begin sentence with "where roof equipment is visible from the sidewalk or any property line of the building"

The conditions are still vague and subject to planning staff opinions. With these changes, the appointment of a citizens review committee, and with exemptions for the industrial subdivisions that have restrictive C.C.& R.s requiring plan approval of a designated party or committee, I think we can accept the revisions. We are interested in replacing the "junky" looking industrial structures in the City and will assist you in any way possible to accomplish this goal.

Sincerely,

BALCH ENTERPRISES, INC.


Sherman L. Balch

Enclosure

Ms. Dyana Anderly

April 20, 1999

Page Three

Cc: Scott Raty, Hayward Chamber of Commerce
City of Hayward Council Members
City of Hayward Planning Commissioners

Barry Diraimondo, Lincoln Property Company
Peter Schnugg, Spieker Partners
Mike Schonenberg, Warehouse Properties
Slim Seguire, Rohm & Haas
T.J. Bristow, Britannia Developments, Inc.
Opus Construction
Catellus Development
Trammel Crow Company



April 7, 1999

The Honorable Roberta Cooper
Mayor, City of Hayward
City Hall
777 B Street
Hayward, CA 94541

Re: Hayward Truck Parking Ordinance

Dear Mayor Cooper:

The California Trucking Association (CTA) and our Bay Area Unit are very pleased that the City of Hayward has requested our position on the Hayward truck parking ordinance. That ordinance currently requires an industrial zone set aside of 15% of restaurant parking for commercial truck accommodation.

The City of Hayward is to be commended for recognizing in law the role played by trucking and truck drivers in your industrial sector economy. We feel comfortable that in a competitive restaurant market some facilities will wish to attract truck drivers as customers and will do whatever is necessary to retain that clientele. CTA sees no reason that Hayward restaurants should continue to be compelled by ordinance to set aside truck parking space for driver customers.

Central Office

2251 Beacon Boulevard
West Sacramento, CA 95691
(916) 373-3500
Fax (916) 371-7558

West County Office

1100 West Conroy Avenue South
Suite 300
West Contra, CA 91793
(626) 856-2076
Fax (626) 856-2064

CTA does support, however, the consideration of truck parking needs in the building and zoning codes of all cities for another purpose: the pickup and delivery of freight and parcels to businesses. Whether it's an overnight parcel delivery to an office building, or a caseload of supplies to a restaurant, or the pickup of shipments from a local printing firm, every commercial building requires access by some type of truck. Too often trucks making urban pickups and deliveries are required to double-park and clog traffic because appropriate loading zones, off-street truck parking or freight docks were not required of commercial developers. Neither trucking nor the city gains by this omission.

So while CTA supports the City of Hayward in revising the 15% set aside ordinance, we urge you to continue in your recognition of trucking by requiring commercial development to include specific plans for necessary truck pickup and delivery.

Thank you for contacting the California Trucking Association.

Yours truly,


Warren E. Hoemann
Vice President

April 12, 1999

VIA FAX (510) 583-3649

Ms. Dyana Anderly, AICP
 Development Review Services Administrator
 City of Hayward
 777 B Street
 Hayward, CA 94541-5007

Re: Truck Parking at Restaurants in Hayward's Industrial District

Dear Ms. Anderly:

General Office

1751 Beacon Boulevard
 West Sacramento, CA 95691
 (916) 323-8500
 fax (916) 371-7258

I am in receipt of your April 9, 1999 correspondence, together with map of Hayward outlining the primary industrial area and copy of Municipal code section referring to parking requirements. Thank you for forwarding these to my attention.

West Contra Costa Office

1900 West Gateway Avenue
 Suite 360
 West Contra Costa, CA 91790
 (813) 858-0076
 fax (813) 858-0084

Immediately after we spoke last week, I advised the Vice President of our Association, Mr. Warren Hoemann of the City's most gracious concern and he subsequently corresponded with Mayor Cooper. I enclose copy of his response for your files.

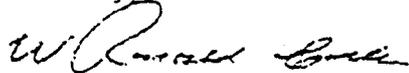
Hayward Office

2375 South Avenue
 Hayward, CA 94545
 (510) 782-3270
 fax (510) 782-1857

We again thank you for taking into consideration the trucking industry's role in your industrial sector economy; however I believe Mr. Hoemann's response addresses these concerns and would support your revising of the 15% set-aside ordinance. We also would again urge you to continue your recognition of trucking by requiring commercial development to include specific plans for necessary truck pickup and deliveries.

Hope this helps.

Sincerely,



W. Ronald Coale

encl.

Cc: Warren Hoemann

WATT

COMMERCIAL

PROPERTIES

Via Federal Express & FAX

February 24, 1999



Mr. Charles P. Mullen, AICP
 Associate Planner
 City of Hayward
 777 B Street
 Hayward, CA 94541-5007

Re: Zoning - Air Terminal - Commercial (AT-C) Sub District

Dear Charles:

Thank you for meeting with our local representative, Ms. Mary Hoopes, and myself to explain the proposed changes in the AT-C zoning ordinances. Your efforts and patience were sincerely appreciated. Based on your explanation of the facts and our review of the proposed zoning ordinance, we wish to go on record as follows:

Our company has two long-term ground leases (60 years) with the City of Hayward for approximately four acres of land located at **21615-22429 Hesperian Blvd.** Although we are currently in compliance with the terms of these leases, over the past few years it has been very difficult for our owner entity partnerships to achieve a breakeven cash flow. In fact, we have advanced one of these partnerships several hundred thousand dollars in order to meet its obligations to the City and the construction lender. To make matters worse, the FAA recently gave notice of their intent to vacate our property by July 1, 1999 which, in turn, could result in the need for another \$200,000 cash advance. If so, this would burden our partnerships even further and could possibly hinder our ability to meet our ground lease obligations.

Based on past experience, we are anticipating difficulties in locating a replacement tenant for the FAA. Due to the existing zoning ordinance, we are quite limited as to the types of tenants interested in this location. When we had our last vacancy, we lost potential tenants simply because of the existing "retail" zoning prohibitions. While the proposed zoning ordinance would be of some assistance in this matter, it still does not adequately address the needs of the property owner and the surrounding community.

To make matters worse, it has been brought to my attention that "Home Depot" is currently negotiating with the City for the site located immediately to the north of our property. Apparently the proposed zoning ordinance will accommodate a retail use on this site since it is in excess of five acres, but not on our adjacent site which is less than five acres - a fact that we find to be quite unfair and biased.

RECEIVED

FEB 26 1999

Charles P. Mullen, AICP
February 24, 1999
Page 2

If a "Home Depot" type of operation is allowed to occupy this site, it is our opinion that the entire nature of our sleepy little office park will be adversely impacted. In fact, we anticipate severe problems concerning Home Depot's patrons, trash, traffic structure, hours of operation, and security issues. Moreover, without "retail" modifications to the proposed zoning ordinance pertaining to our office park, wherein we, too, are permitted to place retail tenants that complement a Home Depot type of operation, our available tenant base will be reduced even further. This would severely jeopardize the ongoing viability of our partnerships and our ground lease with the City of Hayward.

Consequently, we feel quite strongly that it is absolutely necessary that the City reconsider the proposed AT-C zoning modifications to include retail usage on sites less than five acres. Moreover, in accordance with Section 5.7 of our ground lease, it appears that the City is required, if necessary, to cooperate with us in obtaining conditional use permits and/or re-zoning. The City's approval of "retail" zoning would not only help to insure the ongoing viability of the ground leases, but it would also increase ground lease rental participation income and provide additional sales tax revenues to the City.

Therefore, please be advised that we are in disagreement with the pending AT-C zoning revisions, as they currently stand, and without modifications to same, we are opposed to the establishment of a Home Depot on the adjacent land parcel. We stand ready to meet with you, the Planning Commission and/or the City Council to discuss this matter further, and would appreciate notice as to when the next forum will be available to address our concerns.

Sincerely,

WATT COMMERCIAL PROPERTIES



David R. Eshelman
Vice President

cc: James Maginn
Richard Heller
Mary Hoopes

pm

PRELIMINARY DRAFT

(As revised for inclusion in the Draft Zoning Ordinance)

REGULATIONS FOR KEEPING OF LIVESTOCK AND OTHER ANIMALS

PROPOSED AMENDMENTS TO CHAPTER 10, ARTICLE 1, OF THE CITY OF HAYWARD MUNICIPAL CODE (ZONING ORDINANCE)

SEC.10-1.508 MAINTENANCE OF LIVESTOCK AND OTHER ANIMALS.

The purpose of these regulations is to establish minimum requirements for the keeping and maintenance of livestock and certain other animals in order to preserve and protect the public health, safety and general welfare of residents and animals, and to ensure compatibility with surrounding land uses. The provisions of this section shall apply to such uses as may be permitted in any zone, whether such use is the principal use of the property or incidental to another principal use. Regulations for the keeping and maintenance of household pets and other domestic animals are contained in Chapter 4, Article 4, of the City of Hayward Municipal Code.

(1) Definitions.

For the purposes of this Article, certain words and phrases are defined and certain provisions shall be construed as herein set out, unless it shall be apparent from their context that a different meaning is intended.

- (a) Animal, Exotic. The words “exotic animal” shall mean any animals which are not customarily confined or maintained for domestic or commercial purposes and sometimes are kept as a pet or for display, including pot belly pigs, snakes, reptiles, emus, ostriches, or similar animals, as determined by the Planning Director based on criteria established by the State Department of Fish and Game.
- (b) Animal, Livestock. The word “livestock” shall mean animals customarily kept, used, maintained or raised on a farm or ranch for commercial purposes, including horses, cattle, sheep, goats, or similar animals, as determined by the Planning Director. For the purposes of this section, the word “livestock” may be further categorized in terms of “large livestock,” defined as horses, cattle, or similar animals, and “medium livestock,” defined as sheep, goats, llamas, or similar animals.
- (c) Animal, Poultry. The word “poultry” shall mean domesticated birds customarily kept for eggs or meat, including chickens, turkeys, ducks, geese, or similar animals, as determined by the Planning Director.
- (d) Apiary. The word “apiary” shall mean any premises where bees, hives, and related appliances are located.

- (e) Pet, Household. The words “household pet” shall mean a small animal ordinarily and customarily domesticated and permitted in a dwelling and kept for company or pleasure and not for profit, including dogs, cats, canaries, parakeets, domestic mice, rats, rabbits, guinea pigs, pigeons, doves or similar animals, as determined by the Planning Director, subject to numerical or other limitations set forth in Section 4-4.30 of Chapter 4, Article 4, of the City of Hayward Municipal Code.
- (f) Temporary Use. The words “temporary use” shall mean the keeping of animals for specified periods of time either following birth, for purposes of recovery by non-profit breed rescue organizations, or other reasons as determined by the Planning Director.

(2) Permitted Zoning Districts.

- (a) Household pets are permitted in any lawful residence located in a zoning district where residential uses are allowed. Domestic animals not otherwise qualifying as household pets are permitted subject to conditions contained in this ordinance and Section 4-4.30 of Chapter 4, Article 4, of the City of Hayward Municipal Code.
- (b) Exotic animals, poultry or other birds not otherwise qualifying as household pets are permitted in the A, RNP, RS and RM zoning districts with approval of an Administrative Use Permit and subject to the conditions as set forth in this ordinance. Notwithstanding the above provisions, no peacocks, pea hens, roosters, or gobblers are allowed in the RNP, RS and RM zoning districts.
- (c) Livestock is permitted in the RNP and RS zoning districts with approval of an Administrative Use Permit and by right in the A District and subject to the conditions as set forth in this ordinance. Notwithstanding the above provisions, no pigs are allowed in any residential zoning districts; nor are male sheep or goats (unless castrated and de-scented) allowed in the RS District.
- (d) Apiaries (bees) are permitted in the RNP and RS zoning districts with approval of an Administrative Use Permit and subject to the conditions contained in this ordinance.
- (e) Animals and apiaries are permitted uses in the A and FP zoning districts, subject to the conditions and requirements as set forth in this section.

(3) Minimum Lot Area.

The minimum lot area for any lot used to maintain livestock and other animals, except for household pets, whether a temporary use or principal use of the property, shall be the greater of either the

minimum lot area specified in the zoning district in which the property is located or the area hereinafter specified:

- (a) For large and medium livestock, the minimum lot area shall be 20,000 square feet;
- (b) For exotic animals, poultry or other birds, the minimum lot area shall be 5,000 square feet, or greater, depending on the species of the animal, as determined by the Planning Director;
- (c) For apiaries, the minimum lot area shall be 40,000 square feet.

(4) Maximum Number of Animals.

The maximum number of livestock or any other animals allowed pursuant to this section is subject to a determination by the Planning Director that the site is suitable, including consideration of size, configuration and location, and can support the number of livestock or other animals without creating nuisance problems for surrounding residential properties. In no case shall the number of livestock, as defined herein, kept or maintained on any lot exceed one large livestock for each 20,000 square feet of land contained in such parcel, or one medium livestock for each 10,000 square feet of land contained in such parcel.

(5) Minimum Available Open Area.

All livestock or other animals shall be provided with the minimum available open area specified below (such area may include barns, stables, sheds or similar structures used to house animals):

- (a) For large livestock, the minimum available open area per animal shall be 5,000 square feet;
- (b) For medium livestock, the minimum available open area per animal shall be 2,500 square feet;
- (c) For poultry, the minimum available open area per animal shall be 200 square feet;
- (d) For exotic animals, the minimum available open area per animal shall be as determined by the Planning Director, based on the species of the animal.

(6) Buildings and Structures.

All animals shall be provided with adequate shelter or other protection from the elements. Buildings and structures used for the housing of animals shall be located behind the principal structure on the lot. Such buildings and structures may be located elsewhere on the lot due to topography or other special characteristics of the lot, subject to approval of the Planning Director.

(7) Maximum Height of Structures.

No building or structure used for the housing of animals shall be erected or maintained on any lot to a height greater than that permitted for accessory structures in the respective zoning district. A greater height may be permitted based on consideration of special characteristics of the lot, including, but not limited to, topography, lot size, and building placement, and subject to approval of the Planning Director.

(8) Minimum Setback Requirements.

All barns, stables, and other structures used for the housing of animals, except for household pets, on any lot shall be located not less than 20 feet from any property line and not less than forty (40) feet from any dwelling on the same or adjoining lot. The distances as specified in this subsection may be reduced or waived upon the finding that such distances are not necessary for the protection of nearby residences.

(9) Fence Requirements.

All areas containing livestock or other animals shall be enclosed by fences which are good, strong, substantial, and sufficient to prevent the ingress and egress of livestock or other animals. Such fences shall be designed and constructed of appropriate materials and be of an adequate height so as to control and contain such animals at all times, while avoiding injury to such animals, preventing such animals from reaching across any property lines, and of a design that does not detract from the appearance of the site or surrounding area.

(10) Maintenance of Livestock and Other Animals.

All livestock and other animals shall be kept or maintained so as to minimize and prevent production of flies, excessive odor, dust, noise, or other conditions detrimental to the community health and welfare, by applying the following minimum requirements:

- (a) Manure must be removed daily from the corral, stable, paddock, or other holding areas and stored in fly-tight containers, cans or holding boxes, until disposal; roosts, lofts, and rabbit hutches must be cleaned daily unless worm beds are maintained under the rabbit hutches. Composting or similar treatments may be permissible if performed to appropriate standards so as not to constitute a nuisance, as determined by the Director of Community and Economic Development/Planning Director.

- (b) Watering troughs must be so constructed and located that they do not overflow excessively in the stall, corral or paddock area, as to promote mosquito larvae growth.
- (c) Hay must be stored in such a manner so as not to become a nesting place for rodents, i.e., stored in rodent-proof buildings or off the floor and away from walls, other material or equipment.
- (d) Grain feeds shall be stored in rodent-proof containers or buildings, i.e., metal cans or rodent-proof feed cribs; all other feed must be stored in vermin-proof containers.
- (e) The entire area set aside for the animals shall be cleared of all rubbish and debris.

LIST OF USES PROPOSED TO BE RECLASSIFIED FROM CUP TO AUP

Residential

- (a) Cultural facility.
- (b) Educational facility.
- (c) Hospital, convalescent home.
- (d) Recreational facility.
- (e) Religious facility.

General Commercial District

Automobile Related Uses.

- (a) Automobile sales and rental.
- (b) Automobile service station.
- (c) Automobile storage facility.
- (d) Car wash.

Commercial Districts

Personal Services.

Massage parlor.

(When ancillary to a primary use such as a beauty shop or tanning salon.)

Retail Commercial Uses.

Convenience market.

(Where no alcohol sales occur.)

Service Commercial Uses.

- (a) Equipment rental service.
- (b) Hotel or motel.
- (c) Sign shop.

(Where abutting a residential district or property.)

Other Uses.

- (a) Commercial amusement facility.
- (b) Cultural facility.
- (c) Educational facility.
- (d) Flea market.
- (e) Minor open storage.
- (f) Passenger transportation terminal.
- (g) Recreational facility.
- (h) Religious facility.
- (i) Warehouse.
- (j) Wholesale establishment.

(When located behind and ancillary to primary uses.)

(When located behind and ancillary to primary uses.)

EXHIBIT G

PROPOSED GROUP HOME REGULATIONS

DEFINITION:

105. **GROUP HOME.** A Group Home is the use of any single-family residence or other dwelling unit for a group residence where residents pay a fee or other consideration to the Group Home operator in return for residential accommodations. A Group Home includes a boarding home, a rooming house, as well as a group residence for the elderly, or mentally or physically disabled or handicapped persons, or other persons in need of care and supervision. Each dwelling unit so used shall be considered a single Group Home. The term Group Home includes both licensed and unlicensed Group Homes.

- (a) **Licensed Group Home, Licensed.** A licensed Group Home is any residential facility subject to State licensing requirements pursuant to the California Health and Safety Code (HSC), implementing State regulations, and amendments thereto. Any Group Home which is subject to State licensing requirements shall be treated as an unlicensed Group Home if the facility's license has expired or such license has been suspended, revoked or terminated. Group Homes subject to State licensing requirements include the following:
- (1) Residential facilities providing non-medical residential care, specifically, any residential Community Care Facility (HSC section 1502), a Residential Care Facility for the Elderly (HSC section 1569.2) and a alcoholism or drug abuse recovery or treatment facility (HSC section 11834.11).
 - (2) The following types of Health Facilities (HSC section 1250, specifically, a Congregate Living Health Facility (HSC section 1250 (i)), an Intermediate Care Facility/Developmentally Disabled Habilitative (HSC section 1250 (e)), an Intermediate Care Facility/Developmentally Disabled (HSC section 1250(g)), and an Intermediate Care Facility/Developmentally Disabled-Nursing (HSC section 1250(h)).
- (b) **Unlicensed Group Home.** An unlicensed Group Home is the use of a dwelling unit by an owner or operator as a dormitory, boarding house, rooming house or similar use, where such residential facility is not subject to State licensing requirements or whose state license has expired, or has been suspended or revoked.

ADD THE FOLLOWING TO THE SECTION 111 DEFINITION OF A HOME OCCUPATION:

For purposes of this ordinance, a licensed Group Home shall not be considered a "home occupation."

ADD TO THE GENERAL REGULATIONS:

10-1. REASONABLE ACCOMMODATION. The City shall any consider any request for modification or waiver of any requirement which the applicant requests as a reasonable accommodation for any use which serves one or more disabled or handicapped residents or users of the proposed facility. Approval of a variance shall not be necessary to approve any modification or waiver which the decision-maker finds to be necessary to reasonably accommodate the needs of the handicapped or disabled residents because there are no practicable or reasonable alternatives which would accomplish a similar result.

10-1. GROUP HOME REGULATIONS.

a. Findings. The City Council finds that these Group Home regulations are necessary to protect the public health, safety and welfare, including but not limited to the following considerations:

- (1) Group Homes are an important source of housing for many persons, including persons who may be in need of care and supervision, such as some elderly persons, persons with mental or physical disabilities, persons with serious illnesses and persons recovering from drug and/or alcohol addiction. Data obtained in 1998 from the State agencies responsible for the licensing of residential facilities indicate over 100 licensed Group Homes in the Hayward area. Moreover, the same data show that the concentration of licensed Group Homes in the Hayward area is the highest in Alameda County as compared to other cities. In addition, there are numerous unlicensed residential facilities in Hayward, which provide housing to persons who may be in need of additional care and services.
- (2) The public health, safety and welfare are best served when a Group Home for residents in need of care and supervision is operated in accordance with State licensing requirements, which require licensed facilities to provide care and supervision or other support services to Group Home residents. However, many Group Home facilities do not provide the care and services supplied by licensed Group Homes and are not subject to state licensing requirements, although they may house persons in need of care or supervision.

- (3) A disproportionate concentration of Group Homes can be detrimental to the integrity of the area, in which such facilities are located, particularly if the area is a single-family neighborhood. HSC section 1520.5 declares that it is state policy to prevent the overconcentration of licensed Residential Care Facilities which impair the integrity of residential neighborhoods and therefore requires a license application for such facility to be denied if the proposed facility will be less than 300 feet away from an existing residential care facility. A similar policy is contained in HSC section 1267.9 as to certain types of Health Facilities. The City also believes there is a strong and compelling need to balance the need for Group Home facilities against the need to prevent overconcentration of Group Home facilities in those areas zoned for single family uses.
 - (4) State law, specifically HSC sections 1267.8, 1568.0831, 1569.85, and 1569.87, requires the City to treat certain smaller licensed Group Homes, specifically those serving six or fewer residents, as a single-family residential use of property for purposes of the City's land use policies and regulations. These facilities are a Residential Care Facility, a Residential Care Facility for the Elderly, an Intermediate Care Facility/ Developmentally Disabled Habilitative, an Intermediate Care Facility/ Developmentally Disabled-Nursing, and a Congregate Living Health Facility.
 - (5) Federal and State law also require governmental agencies to provide reasonable accommodation to meet the special needs of persons with physical and mental disabilities or handicaps ("Reasonable Accommodation"). Accordingly, the Group Home regulations hereafter described are intended to be applied in a manner which will enable the provision of reasonable accommodation in considering any Group Home facility which serves disabled or handicapped persons, including but not limited to a Group Home which requires a use permit.
- b. Group Homes - Zoning Districts Allowing Residential Use. A Group Home in any zoning district which allows residential use is allowed as either a primary use or as a conditionally permitted use, and shall be subject to the separation requirements contained in subdivision c. In addition, the need for reasonable accommodation shall be considered if a Group Home will serve disabled or handicapped persons. In applying the following provisions, the Group Home provider or resident staff employed by the provider shall not be included in determining the number of residents.

(1) Licensed Group Homes.

- (a) **Six or Fewer Residents.** Any licensed Group Home for six or fewer residents shall be a primary use in any zoning district where a single-family dwelling is a primary use. All such Group Homes shall be subject to the same City of Hayward land use, housing, and building regulations and codes applicable to other single-family dwellings in that district, unless there is a need to provide reasonable accommodation for disabled or handicapped residents.
- (b) **Seven or More Residents.** Any licensed Group Home for seven or more residents is allowed subject to the issuance of an conditional use permit, which shall include conditions comparable to other multi-family uses, and compliance with the parking requirements of HMC section 10-2.320.

(2) Unlicensed Group Homes. An unlicensed Group Home serving no more than fifteen residents is allowed in any district allowing residential uses if a conditional use permit is issued.

- c. Separation and Overconcentration Requirements. A Group Home for seven or more residents 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.
- d. Group Homes in Zoning Districts Which Do Not Allow Residential Uses. A Group Home may not be located in any zoning district which does not permit a residential use as a primary use.

**New Automobile Dealerships
Located on Mission Boulevard
Design and Performance Standards**

Before occupancy all design and performance standards must be met to the satisfaction of Planning Director.

1. The design of all structures shall be consistent with the City of Hayward Design Guidelines, the General Policies Plan, applicable neighborhood plans, and special design districts.
2. Parking shall be provided for employees and customers in accordance with the Off-Street Parking Regulations in addition to that provided for vehicle display. The employee/customer parking lot shall be clearly delineated from the auto display area. All parking and maneuvering areas shall be paved with Class B Portland Cement Concrete, or a minimum of 3 inch asphaltic concrete over a minimum of 6 inches aggregate base @ 95 percent compaction. This shall be accomplished to the satisfaction of the City Engineer prior to issuance of occupancy permits.
3. Signs shall be installed in accordance with the City of Hayward Sign Ordinance; all non-conforming signs shall be removed.
4. A trash/recyclables enclosure shall be provided, which is attractive and consistent in the design of the primary structure. The space provided for the storage of recyclables should be the same size as that provided for trash. The City's Solid Waste Manager shall approve a recycling plan for the dealership
5. The site shall be adequately lighted for safety and security. Lighting fixtures shall be decorative and shall not shed light on adjacent residential areas.
6. All drainage inlets shall be retrofitted with filters to treat surface runoff before discharging to the storm drain system. All vehicle washing shall take place in accordance with the City's standards so that untreated run-off does not enter the storm drain.
7. Driveway cuts to Mission Boulevard and side streets shall be added and removed in accordance with the requirements of Planning Director and City Engineer. A Caltrans permit is required for any work within Mission Boulevard right-of-way.
8. Landscaping and irrigation shall be installed in accordance with plans prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance*.

EXHIBIT - I

- a. A 6-inch high class "B" Portland Cement concrete curb shall separate landscaped areas adjoining drives and/or parking areas.
 - b. The parking area, excluding the auto display area, shall include one 15-gallon tree for every 6 parking stalls. Parking lot trees shall be planted in tree wells or landscape medians located within the parking area. Parking rows shall be capped with a landscape median. All tree wells and medians shall be a minimum 6-inch wide measured inside the curbs.
 - c. Parking and loading areas shall be screened from both streets with shrubs of a type and spacing that will create a continuous 30-inch high hedge within two years.
 - d. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. Trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.
9. Any fencing shall be constructed of decorative tubular or wrought metal fencing, except where the dealership abuts a residential district, in which case an 8-foot-high masonry wall shall be installed.
 10. All other applicable City codes, including building, fire and community preservation codes, shall apply.
 11. All project features, including buildings, paving, signs, landscaping, shall be well maintained. Except for automobiles, no outside storage of material, crates, boxes, etc., shall be permitted on site, except within the trash enclosure area as permitted by Fire Codes.
 12. Violation of these conditions is cause for revocation of the use after public hearing before the duly authorized review body.

K:\CED2\drs\Work DRS\Project Files 98\Zoning Ordinance Update 98\Auto Dealer Design and Performance Standards.doc

John W. Kyle
22638 Teakwood St.
Hayward, Ca. 94541
Home Phone (510) 782-7612

June 21, 1999

Diana Anderly, Director
Planning and Development Plan Review,
Hayward, City Hall
777 B street
Hayward, Ca. 94541

Subject: A case for '0' Lot lines
on 40' x 100' lots with use of 'FAR'

Ladies and Gentlemen;

As a means of preserving open space, some recognition ought be given to zero lot lines in conjunction with Floor Area Ratios (FAR) on lots with width of 40' but having 100' depths.

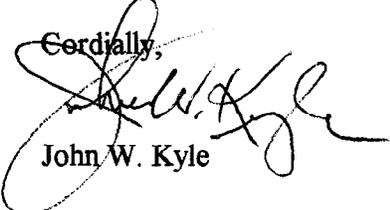
Reference to the attached diagram will aid visualization of a concept which is explained as follows.

Single story structures on zero lot line parcels are popular with older residents who seek to downsize an empty nest. Why compel local long time residents to move to other more upscale counties where the concept is no longer considered an 'avant-garde' land use?

Maintain existing setback requirements with an application of 45% FAR lot coverage. Utilization of reciprocal easements on a single driveway permits placement of garages at points other than the front elevation of structures and creates a distance of at least 20 feet between structures. The aesthetic possibilities are limited only by imaginative capabilities. The objections are usually limited to those open space advocates motivated more by 'anti-developer envy' than by the logic of preservation. (Why do we envy entrpreneurs who provide employment to the rest of us at their risk?)

The 'San Francisco Patio' is taken to suburbia and aids greater creativity and utilization of space within perimeter walls of the dwelling. Quality of life improves for those desirous of remaining in Hayward. Those seniors with discretionary income, sorely needed by Hayward, become able to swap maintenance time for time spent as a community volunteer. The cautions attending to the concept is that they should not be confined to one development or one area of the city nor should a development consist solely of this type. The 'interior' patio use is confined to employment with living rooms such as den or dining room; bedroom windows must always be placed at exterior walls where opportunity for window escape from fire is maintained.

Cordially,


John W. Kyle

(attachment)

3 plans, X 3 elevations, X 2 (when 'flopped' or reversed) = 18.

If that rationale is applied to FAR, per the attached, then future Hayward developments with 4,000 SF lots would result in developments having 54 plans. I PREFER TO THINK OF IT AS JUST NINE PLANS WITH THE USUAL OVERHAND SWITCH AND THREE ELEVATIONS EACH.

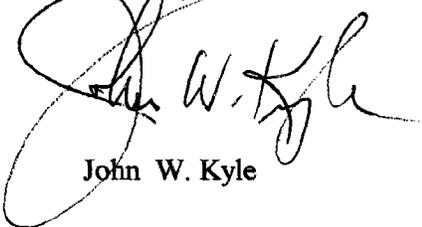
If the idea is applied to developments having lots of the 4000 sf size and the 5000 sf size then you begin to appreciate how to avoid 'the Daly City' appearance which is strongly becoming evident in Hayward.

Recently, while driving north along Mission Blvd from Mission San Jose, for the first time in about one year, I could not help but look across the new golf course to what appears to be an escarpment. The rear elevation of houses, spread across the permissible building pad reminds me of the escarpment observable at Greenfield when southbound on US 101 at a point 10 or 11 miles north of King City. If not an escarpment, then perhaps 'rows of soldiers' marching somewhere. FAR would have avoided that appearance.

Other detail suggestions:

- a.) subdivisions of less than ten units, apply 65% FAR
- b.) subdivisions of over ten units, regardless of lot size mix, impose 10% minimum at FAR and 10% maximum at 75% FAR balance not to exceed 65% FAR
- c.) seriously consider application of FAR to lot sizes up to 5,500 sq.ft

Cordially,

A handwritten signature in black ink, appearing to read "John W. Kyle". The signature is written in a cursive, flowing style with a large initial "J".

John W. Kyle

(attachment)

CURRENT RES. LOT USE ORDINANCE.

Permitted land use area = 40. %
20' front and rear setback
5' side yard setback
2 story height limitation (25')
Assume lot = 50' front x 80' depth
 $4,000 \times .40 = 1600 \times 2 = 3,200$ sf. bldg
buildable pad area $40 \times 60 = 1600$ sf
(see diagram shaded area)

STAFF'S PROPOSED CHANGE:

5' second floor setback. one side only:

Observe that in many instances at recent developments this already occurs. 5'x 40' = 200 sf.... an optimum deduct amount if whole 2nd floor previously equaled 1600 s.f. (If it currently occurs it is due to 1st floor ceiling heights). Thus, with a lot 50x 80 you have staff proposed potential for 3,000 sq.ft.gross bldg. (includes garage, porches ignored).

FLOOR AREA RATIO PROPOSAL:

50% FLOOR AREA RATIO:
(Same setback conditions as now exist)

4,000 sq.ft. LOT X .50 = 2,000sf max bldg.
pad area = 1600 sf maximum
using full pad = 400sf upstairs; not too economical since space is lost in stairwell but finds some market acceptance; space up expands if porch is recessed.
(Living space over garage) 1600 sf includes garage leaving maximum of 1200sf living spaces on first floor from which stairwell area is functionally lost.

4,000 SF LOT X .65 = 2,600sf max bldg.
pad area = 1600sf
using full pad = 1,000 sf upstairs to which you might add recessed porch area.

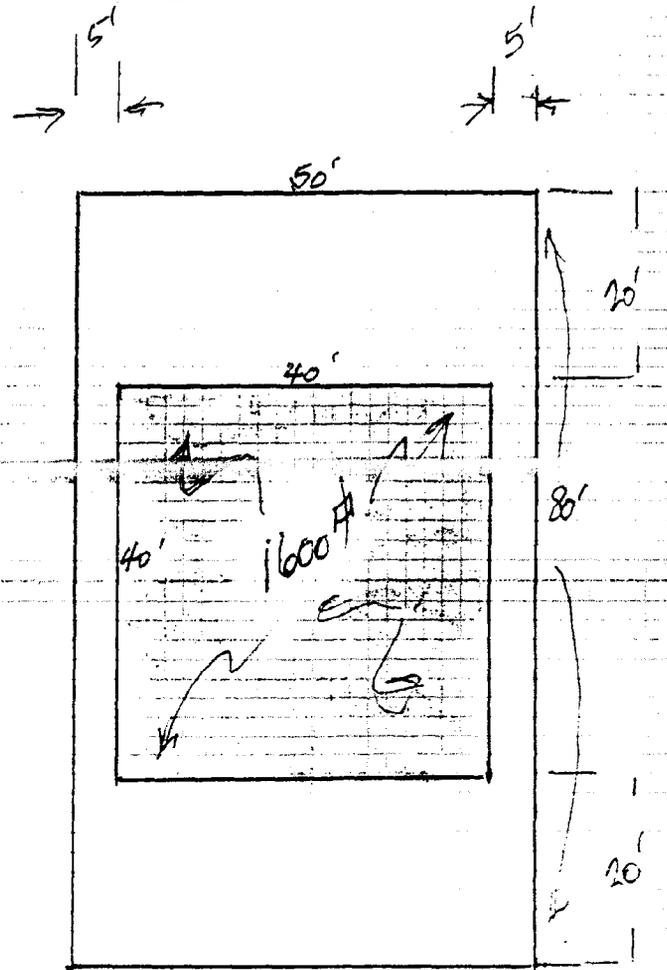
4,000 SF LOT X .75 = 3,000 SF max bldg.
pad area = 1600sf
using full pad = 1400 sf maximum upstairs to which in this case, recessed porch area is deducted.

Note that some flexibility occurs and design options increase by use of anything less than full first floor pad area; Typical vaulted ceilings are usually single floor construction to reduce area given to stairwells. Construction above vaulted ceilings intrudes upon height limitations.

imposing with FAR

10% MINIMUM TOTAL OF LOTS AT 50%
10% MAXIMUM OF LOTS AT 75%
BALANCE TO AVERAGE NO MORE THAN 65%

RESULT: Assumed use of just 3 plans at each ratio = 9 PLANS,
(Assume) 3 elevations each plan, add overhand plan (reverse)and this becomes the equivalent of 54 'plans' at some sales offices.





DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
Planning Division

NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

TEXT CHANGE APPLICATION NO. 98-140-04 - INITIATED BY THE PLANNING DIRECTOR - PROPOSED AMENDMENTS TO THE MUNICIPAL CODE, CHAPTER 10, PLANNING, ZONING AND SUBDIVISIONS AND CHAPTER 7 RELATING TO TREE PRESERVATION AND OBLIGATIONS FOR PARKS AND RECREATION - The proposed amendments include but are not limited to the following:

- (1) industrial building design standards;
- (2) clarification of provisions of the Municipal Code
- (3) update the Zoning Ordinance to recognize changes in State law, court decisions and City policies;
- (4) keeping of livestock;
- (5) streamlining the development review process;
- (6) expansion of the potential for retail commercial development within the Air Terminal - Commercial sub-district and Industrial District near freeways;
- (7) elimination of churches from the Central City - Plaza sub-district; and
- (8) elimination of thrift stores from the Central City subdistricts.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

That the proposed amendments will have no substantial effect on the area's resources, cumulative or otherwise.

III. FINDING SUPPORTING DECLARATION:

The proposed amendments, primarily address process, do not result in any significant land use changes in land use or standards or procedures that would result in increase in exposure of people or property to geologic hazards, result in reduction of plant or animal life, or impact transportation systems. When development proposals are reviewed on an individual basis, additional environmental assessments will occur that address issues pertaining to specific site conditions and project impacts.

IV. PERSON WHO PREPARED INITIAL STUDY:



Dyana Anderly, Planning Manager

Dated: June 25, 1999

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Planning Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4213

DISTRIBUTION/POSTING

- Provide copies to project applicants and all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.

INITIAL STUDY CHECKLIST FORM

Project title TEXT CHANGE APPLICATION NO. 98-140-04 - INITIATED BY THE PLANNING DIRECTOR - PROPOSED AMENDMENTS TO THE MUNICIPAL CODE, CHAPTER 10, PLANNING, ZONING AND SUBDIVISIONS AND CHAPTER 7 RELATING TO TREE PRESERVATION AND OBLIGATIONS FOR PARKS AND RECREATION

Lead agency name and address: City of Hayward, 777 B Street, Hayward, CA 94541-5007

Contact person and phone number: Dyana Anderly (510) 583-4214

Project location: City-wide

Project sponsor's name and address:

Planning Director, City of Hayward, 777 B Street, Hayward, CA 94541

Description of project: TEXT CHANGE APPLICATION NO. 98-140-04 - INITIATED BY THE PLANNING DIRECTOR - PROPOSED AMENDMENTS TO THE MUNICIPAL CODE, CHAPTER 10, PLANNING, ZONING AND SUBDIVISIONS AND CHAPTER 7 RELATING TO TREE PRESERVATION AND OBLIGATIONS FOR PARKS AND RECREATION - The proposed amendments include but are not limited to the following: 1) industrial building design standards; 2) clarification of provisions of the Municipal Code, 3) update the Zoning Ordinance to recognize changes in State law, court decisions and City policies, 4) keeping of livestock, 4) streamlining the development review process, 5) expansion of the potential for retail commercial development within the Air Terminal - Commercial sub-district and Industrial District near freeways, 5) elimination of churches from the Central City - Plaza sub-district, and 7) elimination of thrift stores from the Central City subdistricts.

Surrounding land uses and setting: City-wide.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) None. Primarily procedural

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Mat'ls | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Dyana Anderly

Signature

June 25, 1999

Date,

Dyana Anderly

Printed name

City of Hayward

For

EVALUATION.doc

ENVIRONMENTAL IMPACTS:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	---	---	------------------

I. AESTHETICS. *Would the project?*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings?
Comment: A proposed amendment would enhance the visual appearance of the Industrial District. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

II. AGRICULTURE RESOURCES: *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? Comment: The proposed amendments would not affect properties currently zoned Agriculture. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. AIR QUALITY *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES. *Would the project::*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. CULTURAL RESOURCES. *Would the project:*

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. GEOLOGY AND SOILS. *Would the project:*

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comment: There are lands within the City of Hayward impacted by the presence of the Earthquake Fault Zone. The Zoning Ordinance amendments do not impact review of any development proposals within this area.</p>				
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | <i>Potentially
Significant
Impact</i> | <i>Less Than
Significant
With
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No Impact</i> |
|--|---|---|---|-------------------------------------|
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: Although the proposed Zoning Ordinance amendments expands the types of commercial activity allowed in the vicinity of the Hayward airport, each project will be subject to discretionary review and the opportunity to review the project in terms of its compatibility with the airport.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. HYDROLOGY AND WATER QUALITY. *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. LAND USE AND PLANNING. *Would the project:*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	---	---	------------------

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Comment: The Zoning Ordinance amendments would provide for zoning designations that are consistent with the General Plan Map, as previously reviewed and endorsed by the City Council as appropriate. | | | | |
| d. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. MINERAL RESOURCES. *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XI. NOISE. *Would the proposal result in:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | <i>Potentially
Significant
Impact</i> | <i>Less Than
Significant
With
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No Impact</i> |
|---|---|---|---|-------------------------------------|
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XII. POPULATION AND HOUSING. *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Potentially Significant Impact</i>			

XIII. PUBLIC SERVICES.

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- b. Comment: Any project that would be permitted by any amendment to the Zoning Ordinance requires review of public service issues, both from the point of view of demand of the project on public services and from a cumulative standpoint.

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION.

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

XV. TRANSPORTATION/TRAFFIC. *Would the project:*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? Comment: Any project that would be permitted by any amendment to the Zoning Ordinance requires review of traffic issues, both from the point of view of traffic generated by the project and from a cumulative standpoint.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. UTILITIES AND SERVICE SYSTEMS. *Would the project:*

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
-
- b. Does the project have impacts that individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)
-
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
-

EXHIBIT J

Due to the length of this report, the original is on file at the Main Library, Weekes Library, the City Clerk's Office and the Planning Division