

ORDINANCE NO. 09-____

**AN ORDINANCE AMENDING CHAPTER 10,
ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE
BY PRE-ZONING CERTAIN TERRITORY LOCATED
IN THE MT. EDEN ANNEXATION PHASE II STUDY
AREA**

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. FINDINGS. Pre-zoning of certain parcels located in Alameda County and proposed for annexation into the City are in the area known as the Mt. Eden area. The City Council incorporates by reference the findings and approvals contained in companion Resolution No. 09-____, associated with the proposed annexation.

The City Council finds and determines as follows:

- A. Substantial proof exists that the proposed pre-zoning will promote the public health, safety, convenience, and general welfare of the residents of Hayward by pre-zoning properties to enable annexation of said properties into the City of Hayward and related public infrastructure improvements.
- B. The proposed pre-zoning is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans, including the General Plan and the Mt. Eden Neighborhood Plan.
- C. Streets and public facilities existing or proposed to be upgraded will be adequate to serve all uses permitted when property is reclassified.
- D. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, beneficial effects related to annexation and public infrastructure improvements will be achieved, which is not obtainable under existing regulations and conditions.

Section 2. SCOPE. This ordinance pertains to the pre-zoning of certain properties located in the Mt. Eden Annexation Study Area.

Section 3. ZONE CHANGES. Article 1 of Chapter 10 of the Hayward Municipal Code is hereby amended to pre-zone the properties as set forth and identified on the map in Attachment "VI-a" and the chart in Attachment "VI-b," incorporated herein by reference.

Section 4. SEVERANCE. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

Section 5. EFFECTIVE DATE. This ordinance shall apply only if annexation of the involved properties is approved, and shall become effective upon the effective date of such annexation.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of _____, 2009, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of _____, 2009, by the following votes of members of said City Council:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

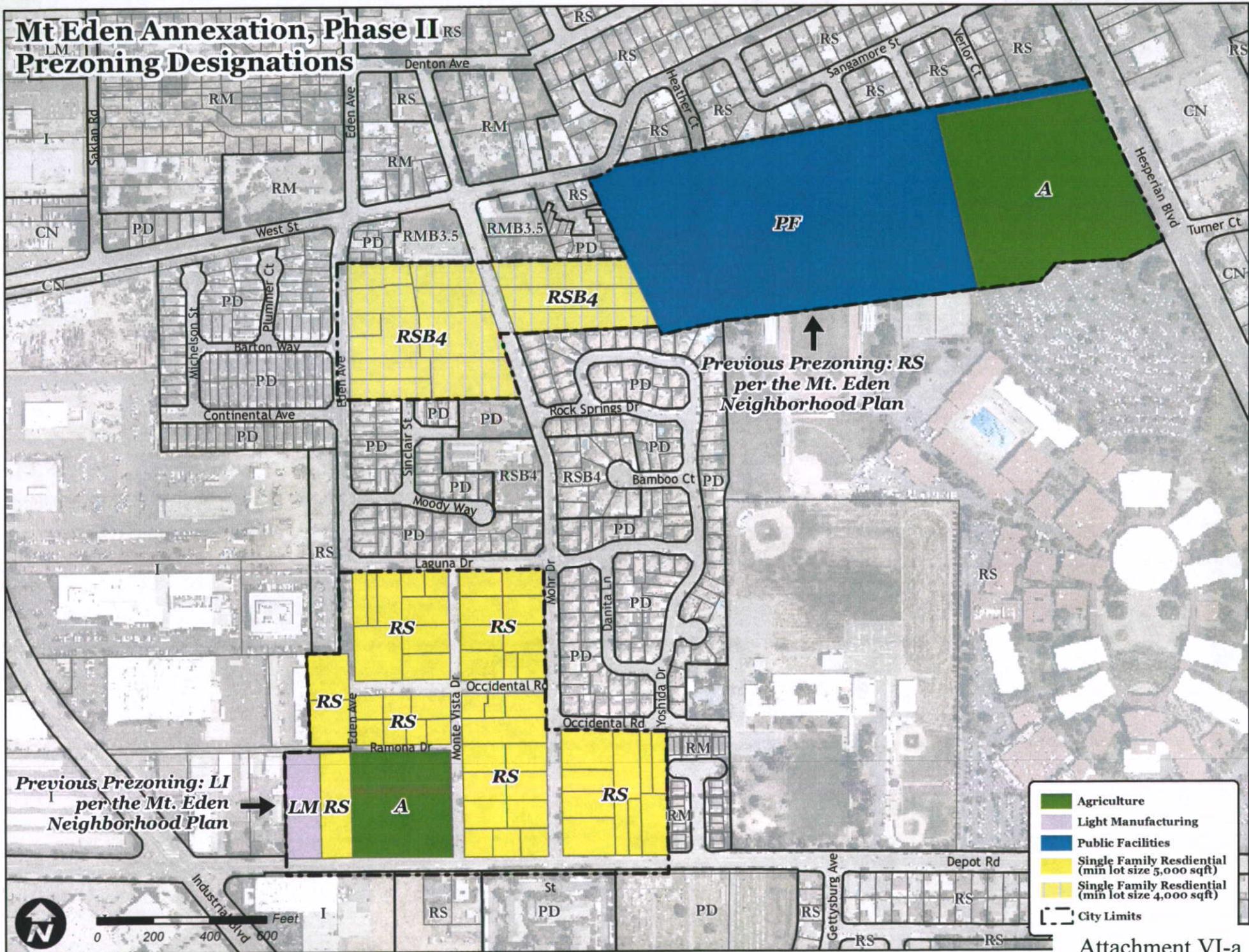
ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Mt Eden Annexation, Phase II

Prezoning Designations



- Agriculture
- Light Manufacturing
- Public Facilities
- Single Family Residential (min lot size 5,000 sqft)
- Single Family Residential (min lot size 4,000 sqft)
- City Limits

Mt. Eden Annexation Phase II Parcel List with Recommended Pre-Zoning Designations

OWNER NAME	Acres	STREET ADDRESS	APN	Mt. Eden Neigh. Plan Prezoning	Proposed Prezoning	USE CODE	USE DESCRIPTION (Assessor's)	TAX RATE AREA
STATE OF CALIFORNIA & SOU	17.32	1895 DEPOT RD	441-0020-002-07	RS	PF	300	Exempt Public Agency	25027
TULLY GAYLE F & JERYL R JR &	8.59	24985 HESPERIAN BLVD	441-0020-007-01	A	A	2100	Two, three or four single family homes	59049
CHECKABOARD SQUARE RENT	0.55	25017 EDEN AVE	441-0065-010-00	RS	RS	1100	Single family residential homes used as such	59086
MILISTEFR LINDA	0.54	25087 EDEN AVE	441-0065-011-00	RS	RS	1400	Single family res home with slight industrial use	59086
LIRANZO ANDREW C TR	0.93	2627 DEPOT RD	441-0065-013-00	RS	RS	1100	Single family residential homes used as such	59086
JORDAN CONSTANCE TR & JO	1.08	2661 DEPOT RD	441-0065-014-00	LI	LM	1130	Residential Imps on Industrial Land	59086
RODRIGUEZ ANASTACIO M &	0.22	2282 LAGUNA DR	441-0068-001-00	RS	RS	1100	Single family residential homes used as such	59086
ANDRADE CHERYL & MICHAEL	0.16	LAGUNA DR	441-0068-002-00	RS	RS	1100	Single family residential homes used as such	59086
ANDRADE CHERYL & MICHAEL	0.38	2240 LAGUNA DR	441-0068-003-00	RS	RS	1100	Single family residential homes used as such	59086
VANDENBROEK MARK TR	0.18	2230 LAGUNA DR	441-0068-004-00	RS	RS	1100	Single family residential homes used as such	59086
GOMEZ MARIA B TR	0.18	24921 MONTE VISTA DR	441-0068-005-00	RS	RS	1100	Single family residential homes used as such	59086
VANDENBROEK MARK TR	0.39	24941 MONTE VISTA DR	441-0068-006-00	RS	RS	2100	Two, three or four single family homes	59086
GAINUS LERA F	0.39	25061 MONTE VISTA DR	441-0068-007-00	RS	RS	2700	Res property of 4 units, lesser quality than 2400	59086
SIMPSON JANET TR	0.36	2365 OCCIDENTAL RD	441-0068-008-00	RS	RS	1100	Single family residential homes used as such	59086
DECASAS MANUEL & ROCIO	0.76	2381 OCCIDENTAL RD	441-0068-010-01	RS	RS	1100	Single family residential homes used as such	59086
ESCALANTE JULIO R & LOURDI	0.32	MONTE VISTA DR	441-0068-011-00	RS	RS	1000	Vacant residential land, zoned 4 units or less	59086
KEITH STANLEY JR	0.31	25039 MOHR DR	441-0068-012-00	RS	RS	1100	Single family residential homes used as such	59086
MALIZIA SAM S	0.33	25045 MOHR DR	441-0068-013-00	RS	RS	1100	Single family residential homes used as such	59086
GUTIERREZ RICHARD & LAFOR	0.33	25051 MOHR DR	441-0068-014-00	RS	RS	1100	Single family residential homes used as such	59086
MOTA ARACELI	0.21	25057 MOHR DR	441-0068-015-00	RS	RS	1100	Single family residential homes used as such	59086
BANDA DENISE T & FRANK J	0.10	2251 OCCIDENTAL RD	441-0068-016-00	RS	RS	1100	Single family residential homes used as such	59086
PALKOVIC CLIFFORD M HEIRS	0.36	25080 MONTE VISTA DR	441-0068-017-00	RS	RS	1100	Single family residential homes used as such	59086
GUTIERREZ JUAN C & SHIH SU	0.31	25060 MONTE VISTA DR	441-0068-018-00	RS	RS	1100	Single family residential homes used as such	59086
MEYERS RONALD A & SHIRLEY	0.34	24942 MONTE VISTA DR	441-0068-019-00	RS	RS	1100	Single family residential homes used as such	59086
MEBUST THOMAS & MATHIS I	0.20	25024 EDEN AVE	441-0068-020-00	RS	RS	1100	Single family residential homes used as such	59086
KETEVECS PAUL R & CLARKEKI	0.20	2374 OCCIDENTAL RD	441-0068-021-00	RS	RS	1100	Single family residential homes used as such	59086
BARNEY JUANA L	0.28	25111 MONTE VISTA DR	441-0068-022-00	RS	RS	1100	Single family residential homes used as such	59086
ALLEN KENNETH L & IRENE A	0.18	25123 MONTE VISTA DR	441-0068-023-00	RS	RS	1100	Single family residential homes used as such	59086
ORTEGA AGUSTIN & AMAYA V	0.15	2451 RAMONA DR	441-0068-024-00	RS	RS	1100	Single family residential homes used as such	59086
ANNUNZIATO FRANK A & ELAI	0.17	2475 RAMONA DR	441-0068-025-00	RS	RS	1100	Single family residential homes used as such	59086
LASTER JANE ETAL	0.21	25080 EDEN AVE	441-0068-026-00	RS	RS	1100	Single family residential homes used as such	59086
TAUMOEPEAU SALESI	0.17	25108 MONTE VISTA DR	441-0068-027-00	RS	RS	1100	Single family residential homes used as such	59086
KRAUSE HARRY R TR	0.13	2250 OCCIDENTAL RD	441-0068-028-00	RS	RS	1100	Single family residential homes used as such	59086
SUH CHUNG S & PAEK N	0.29	25169 MOHR DR	441-0068-029-00	RS	RS	1100	Single family residential homes used as such	59086
DORRIS HOWARD P & CHERYL	0.61	25124 MONTE VISTA DR	441-0068-030-00	RS	RS	1100	Single family residential homes used as such	59086
LAUSTEN ELLERY D JR & ELLER	0.33	25275 MOHR DR	441-0068-031-00	RS	RS	1100	Single family residential homes used as such	59086
SANTOS JOHN D & CYNTHIA N	0.33	25281 MOHR DR	441-0068-032-00	RS	RS	1100	Single family residential homes used as such	59086
MALIZIA SAM S	0.33	25387 MOHR DR	441-0068-033-00	RS	RS	1200	Single family res home with non-economic 2nd ur	59086
FLORES MARIA G ETAL	0.22	2401 DEPOT RD	441-0068-034-00	RS	RS	1100	Single family residential homes used as such	59086
PEDERSEN MARIE O TR	0.22	2449 DEPOT RD	441-0068-035-00	RS	RS	1100	Single family residential homes used as such	59086
WILLIAMS ROBERT H	0.23	2487 DEPOT RD	441-0068-036-00	RS	RS	1100	Single family residential homes used as such	59086
LEMUS JOSE E JR & VERONICA	0.34	25272 MONTE VISTA DR	441-0068-037-00	RS	RS	1100	Single family residential homes used as such	59086
MEDEIROS MITCHELL A TR	0.35	25256 MONTE VISTA DR	441-0068-038-00	RS	RS	1100	Single family residential homes used as such	59086
MARTING JONATHAN & DEBO	0.35	25240 MONTE VISTA DR	441-0068-039-00	RS	RS	1100	Single family residential homes used as such	59086

* The two bolded parcels indicate recommended pre-zoning that differs from that in the 1990 Mt. Eden Neighborhood Plan.

Mt. Eden Annexation Phase II Parcel List with Recommended Pre-Zoning Designations

HORIZON SERVICES	3.07	2595 DEPOT RD	441-0068-040-04	A	A	8700	Nursing or boarding home	59086
TRAYNOR ALAN R	0.27	2210 OCCIDENTAL RD	441-0071-007-01	RS	RS	1100	Single family residential homes used as such	59087
UMBLE CAROLYN & THOMAS	0.21	2214 OCCIDENTAL RD	441-0071-008-04	RS	RS	1100	Single family residential homes used as such	59087
NGUYEN HOA T & GONZALEZ	0.47	2233 DEPOT RD	441-0071-008-05	RS	RS	1100	Single family residential homes used as such	59087
GUTIERREZ JUAN J & JUANITA	0.52	2236 OCCIDENTAL RD	441-0071-009-00	RS	RS	1100	Single family residential homes used as such	59086
SULLIVAN FREDRICK T & MAVI	0.58	25272 MOHR DR	441-0071-010-00	RS	RS	1100	Single family residential homes used as such	59086
PRATT ROBERT A & ROBERTA	0.32	25278 MOHR DR	441-0071-011-00	RS	RS	2100	Two, three or four single family homes	59086
BERTILLION ALLEN W & JACQL	0.39	25384 MOHR DR	441-0071-012-00	RS	RS	1100	Single family residential homes used as such	59086
BERTILLION ALLEN W & JACQL	0.56	25392 MOHR DR	441-0071-013-00	RS	RS	1100	Single family residential homes used as such	59086
YORK MILTON E TR	0.22	2315 DEPOT RD	441-0071-014-00	RS	RS	1100	Single family residential homes used as such	59086
BERTELSEN ROSE B TR	0.21	2289 DEPOT RD	441-0071-015-00	RS	RS	1100	Single family residential homes used as such	59086
PRATT ROBERT & ROBERTA TF	1.03	24764 MOHR DR	441-0074-009-00	RSB4	RSB4	1100	Single family residential homes used as such	59049
SHEPPARD DONALD L & LINDA	0.89	24772 MOHR DR	441-0074-010-00	RSB4	RSB4	1100	Single family residential homes used as such	59049
CASTANEDA MARIA L	0.87	24880 MOHR DR	441-0074-011-00	RSB4	RSB4	1100	Single family residential homes used as such	59049
LIU CHECHEN & SHUFEN	0.49	24655 MOHR DR	441-0077-002-00	RSB4	RSB4	2100	Two, three or four single family homes	59086
PORTUGAL SENOVIO	0.52	24763 MOHR DR	441-0077-003-04	RSB4	RSB4	1100	Single family residential homes used as such	59086
WYLLIE JAMES V & DIANA L	1.04	24881 MOHR DR	441-0077-004-03	RSB4	RSB4	1100	Single family residential homes used as such	59086
HELLWIG PHYLLIS M	0.98	24887 MOHR DR	441-0077-005-00	RSB4	RSB4	1100	Single family residential homes used as such	59086
PHILLIP DAVID A & MARIANA	0.49	24694 EDEN AVE	441-0077-019-02	RSB4	RSB4	1100	Single family residential homes used as such	59086
DIAZ MAXIMIANO JR & CASTIL	0.49	24610 EDEN AVE	441-0077-020-02	RSB4	RSB4	2100	Two, three or four single family homes	59086
JETTE ARIEL C & RUTH B TRS	0.71	EDEN AVE	441-0077-021-02	RSB4	RSB4	1000	Vacant residential land, zoned 4 units or less	59086
HILARIO EDMUND & SANTOS	0.21	24594 EDEN AVE	441-0077-022-02	RSB4	RSB4	1100	Single family residential homes used as such	59086
LIU CHECHEN	0.51	24582 EDEN AVE	441-0077-024-02	RSB4	RSB4	4100	Warehouse	59086
LIU CHECHEN & SHU F	0.43	24570 EDEN AVE	441-0077-025-02	RSB4	RSB4	1100	Single family residential homes used as such	59086
Total Acreage:	55.40							

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