

CITY OF
HAYWARD
HEART OF THE BAY

**Draft Hayward Executive Airport
Land Use Compatibility Plan
January 17, 2012
City Council Hearing**

David Rizk, AICP, *Development Services Director*



Overview of Presentation

1. Legal Context & History
2. Outline of draft ALUCP Content
3. Staff's Concerns
4. Process
5. Next Steps
6. Staff Recommendation



Legal Context

- Airport Land Use Commission (ALUC) is an advisory body authorized under the provisions of the California Public Utilities Code (PUC), Sections 21670 et seq.
- Option to Overrule ALUC decisions with required findings and 2/3 vote of City Council (PUC, Section 21676)
- **City of Hayward retains Land Use Authority**



History

- 1988 City Council approved an override of the ALUC's September 14, 1983 and July 16, 1986 inconsistency determinations related to the 1983 ALUCP and the 1986 Hayward General Plan
- Therefore, the City of Hayward is not required to route proposed development projects, General Plan and Specific Plan Amendments, etc. to the ALUC for review and advisory recommendation



Outline of Draft ALUCP Content

Chapters

- 1-Introduction
- 2-County-wide Policies
- 3-Hayward Executive Airport Policies
- 4-Hayward Executive Airport & Vicinity Data
- 5-References

Appendices/List of Figures/List of Tables



Chapter 3 – Restrictions on New Uses

Prohibited Uses-Zone 6

- Indoor Assembly >1,000 people
- Outdoor Assembly >1,000 people
- Power Plants
- Golf Courses

Conditional Uses-Zone 6

- Short-term Lodging (<30 days)
- Long-term Lodging (>30 days)
- Schools, K-12
- Commercial Daycare (>6 people)
- Care Facilities
- Correctional Facilities
- Indoor Assembly (>300 <1,000)
- Indoor Assembly (<300)
- Outdoor Assembly (>300<999)
- Outdoor Assembly (>50 <299)
- Reservoirs; water storage
- Water Treatment

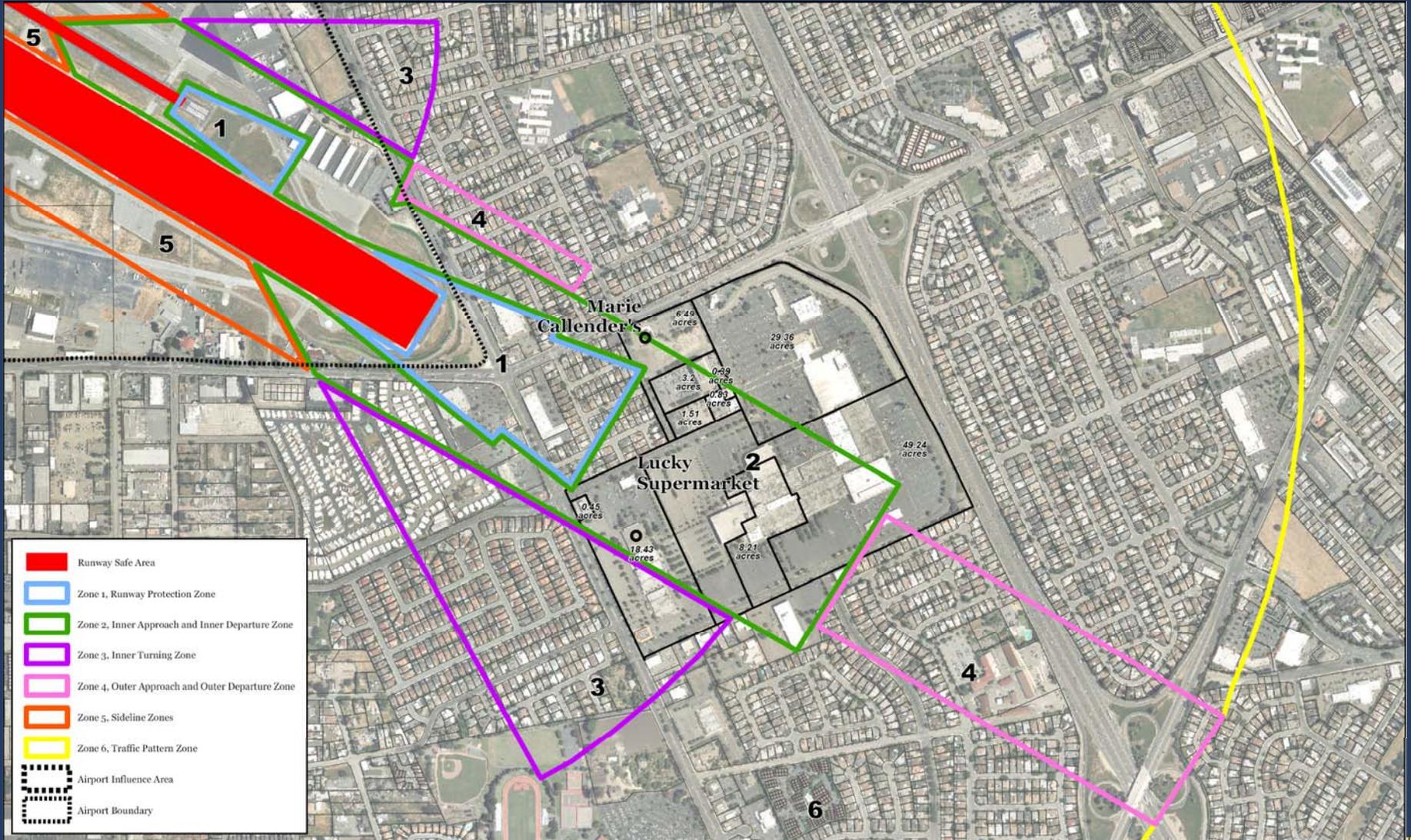
Conditional Uses-Zone 2

- Offices
- Mixed Use Retail with Restaurant (110 sf/person)
- Retail Center/ No Restaurant (170 sf/person)
- SFR Detached
- Warehouse, Distribution
- Water Treatment
- Parks

- Hazardous Materials-Use & Storage
- Tree farms, Landscape nurseries,
- Greenhouses
- Community Gardens
- Fish Farms, Water Ways, Reservoirs
- Electrical Substation, Power Plants
- Power lines
- Golf Courses



Chapter 3 – Restrictions on New Uses



Chapter 2 – Restrictions on New Infill Development & Existing Uses

- In-fill Development –
Could be found by ALUC to be consistent with ALUCP if intensity is consistent with surrounding development.



Chapter 2 – Restrictions on New In-fill Development & Existing Uses

- Non-conforming Uses –Relates to expansion of existing non-conforming uses (Marie Callender's, Lucky Market, etc...)
- Expansion of non-conforming uses could be supported by the ALUC if the criteria for **special conditions** or circumstances exist.
- **Special Conditions**-Specific uses that are normally incompatible can be considered compatible due to terrain, specific location, or other extraordinary factors related to a site.

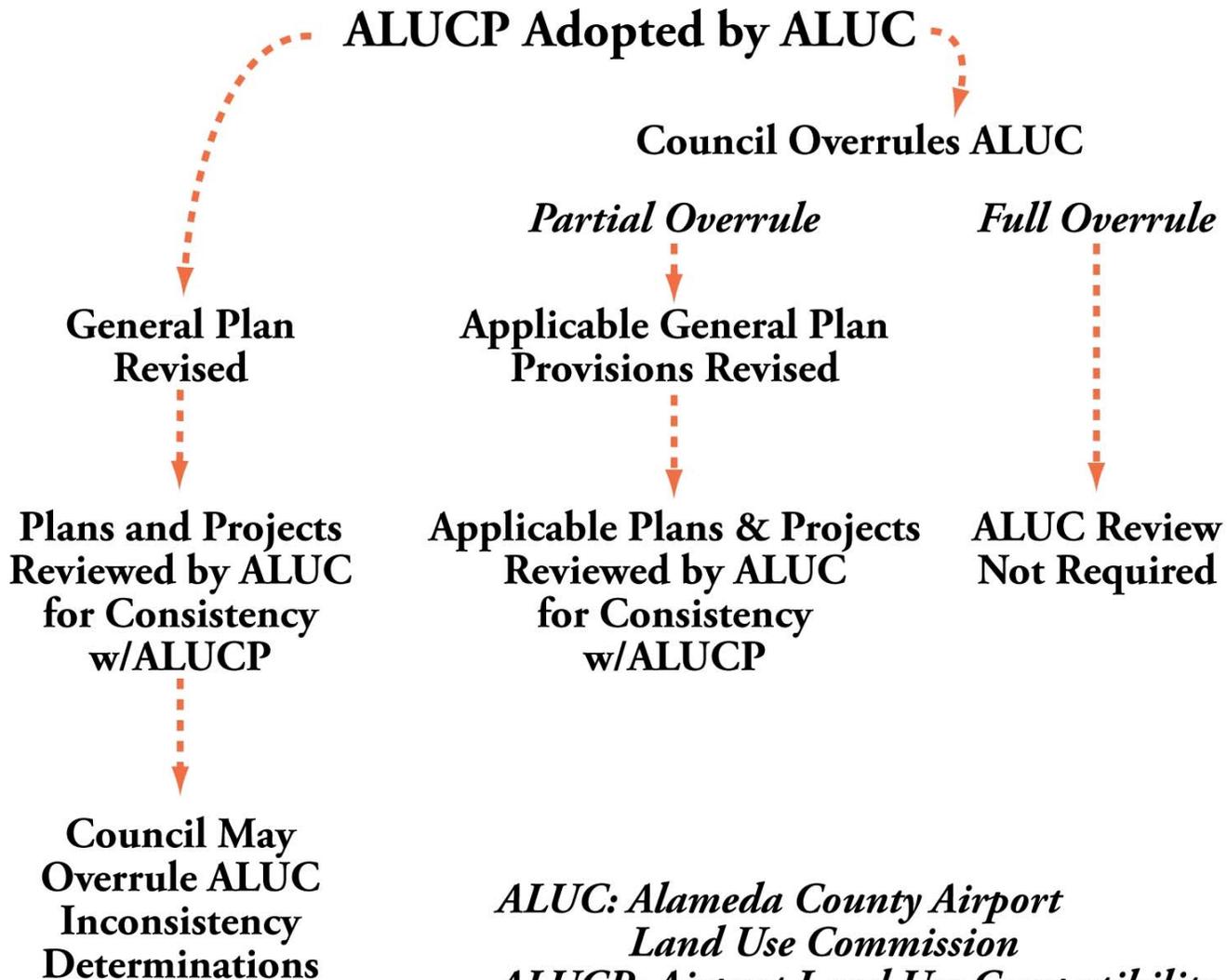


Staff's Concerns

- Section 2.7.5.7- Special Conditions, subsections (a) Infill, (b) Nonconforming Uses, & (e) Parcels Lying within Two or More Compatibility Zones, of the ALUCP contain provision that may limit redevelopment and economic growth at Southland Mall.
- Absent overrule by the City Council, the potential to delay the development review process for certain projects in the Hayward Airport Influence Area.



ALUCP Process Summary



*ALUC: Alameda County Airport
Land Use Commission
ALUCP: Airport Land Use Compatibility Plan*



Next Steps

- ALUC public work session on draft ALUCP to be held on January 19 from 6:30-8:30 pm at 224 Winton Avenue in Hayward.
- Staff will submit the attached resolution, if adopted, to the ALUC prior to the end of the public comment period on February 6.
- Staff will forward via letter any comments from the Planning Commission, which is scheduled to discuss the ALUCP at a work session on January 26.
- ALUCP adoption date is scheduled for March 21, 2012 at a ALUC public meeting.

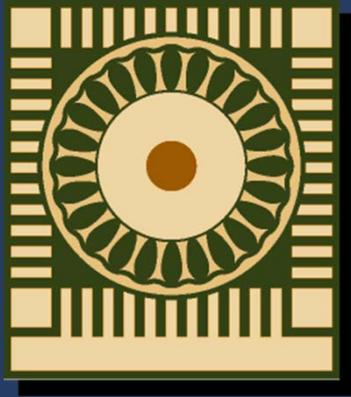


Staff Recommendation

That City Council adopts the resolution that states:

- Section 2.7.5.7- Special Condition, subsections (a) Infill, (b) Nonconforming Uses, & (e) Parcels Lying within Two or More Compatibility Zones, of the ALUCP contain provision that may limit redevelopment and economic growth at Southland Mall.
- Absent overrule by the City Council, the ALUCP has potential to delay the development process for certain projects in the Airport Influence Area.
- Therefore, the City Council opposes sections of the draft Hayward Executive Airport ALUCP





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