

# MISSION BOULEVARD CORRIDOR SPECIFIC PLAN

HAYWARD, CALIFORNIA



JANUARY 28, 2011 DRAFT

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# Draft Mission Boulevard Corridor Specific Plan

Hayward, California

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The City of Hayward

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# 1. Introduction

## 1.1 Introduction to the Specific Plan

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### 1.1 Introduction to the Specific Plan

The Mission Boulevard Corridor Specific Plan is one of the most important Hayward planning efforts in recent years. Mission Boulevard is the key north-south corridor in the eastern portion of Hayward. Through this Specific Plan, the City of Hayward seeks to provide opportunities for new development in the Mission Boulevard Corridor that respects the existing character of the area and its surroundings, and includes vibrant commercial uses, pedestrian-friendly neighborhoods that are safe, desirable, and at sufficient densities to support public transportation, and a built form that will encourage such uses, and complements the natural and historic amenities existing in the Specific Plan area.

Participants of the charrette<sup>1</sup> community workshops, stakeholder groups and public meetings, along with elected officials, Planning Commissioners, City staff and consultants, collaborated to develop a vision of the preferred future for Hayward's Mission Boulevard Corridor that is high quality, safe, environmentally sustainable and scaled to the pedestrian. This Specific Plan and its Form-Based Code<sup>2</sup> component provide the overall policy framework as well as a systematic approach to the planning and design of both public and private components, businesses to thrive, and the connections between them that will result in an active, healthy environment for residents and visitors to enjoy.

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<sup>1</sup> A charrette is an intensive multiple-day planning session where citizens, designers and others collaborate on a vision for development. It provides a forum for ideas and offers the unique advantage of giving immediate feedback to the designers. More importantly, it allows everyone who participates to be a mutual author of the plan. The team of design experts and consultants sets up a full working office locally. Formal and informal meetings are held throughout the event and updates to the plan are presented periodically. Through brainstorming and design activity, many goals are accomplished during the charrette. First, everyone who has a stake in the project develops a vested interest in the ultimate vision. Second, the design team works together to produce a set of finished documents that addresses all aspects of design. Third, since the input of all of the players is gathered at one event, it is possible to avoid the prolonged discussions that typically delay conventional planning projects. Finally, the finished result is produced more efficiently and cost-effectively because the process is collaborative.

<sup>2</sup> A Form-based code fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. Form-based codes are regulations adopted into city or county law. Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types. This approach contrasts with conventional zoning's focus on the micromanagement and segregation of land uses, and the control of development intensity through abstract and uncoordinated parameters (e.g., FAR, dwellings per acre, setbacks, parking ratios, traffic LOS), to the neglect of an integrated built form. Not to be confused with design guidelines or general statements of policy, form-based codes are regulatory, not advisory. They are drafted to implement a community plan. They try to achieve and code a community vision based on time-tested forms of urbanism. Ultimately, a form-based code is a tool; the quality of development outcomes depends on the quality and objectives of the community plan that a code implements.

# 1. Introduction

## 1.2 Planning Area

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### 1.2 Planning Area

The City of Hayward is known as the “Heart of the Bay,” thanks to its central and convenient location in Alameda County along the east side of the San Francisco Bay, 25 miles southeast of San Francisco, 14 miles south of Oakland, 26 miles north of San Jose and 10 miles west of the valley communities surrounding Pleasanton, as shown on Figure 1-1. Serviced by a network of freeways and bus lines, Hayward has two BART stations (Hayward and South Hayward), an Amtrak station, and the Hayward Executive Airport, with easy access to San Francisco, Oakland, and San Jose. As estimated by the California Department of Finance, as of January 1, 2010, Hayward had a population of 153,104. According to the Association of Bay Area Governments’ (ABAG) Projections 2009, Hayward is expected to be home to 184,600 residents in 2035. Also according to Projections 2009, the number of jobs in Hayward will grow from 72,240 in 2010 to 97,510 in 2035.

The Specific Plan area, in the northeastern portion of Hayward, comprises approximately 600 parcels, 240 acres, and has a total length of approximately 2 miles. As shown on Figure 1-2, the project area includes two segments along Mission Boulevard, a major transportation corridor that extends from Harder Road in the south to the City limits in the north, excluding the downtown core. The Specific Plan area is within the City’s Redevelopment Project Area and encompasses portions of three Hayward neighborhood planning areas, North Hayward, Mission/Foothills, and Jackson Triangle. Figure 1-3 outlines the Plan Area in greater detail.

# 1. Introduction

## 1.2 Planning Area

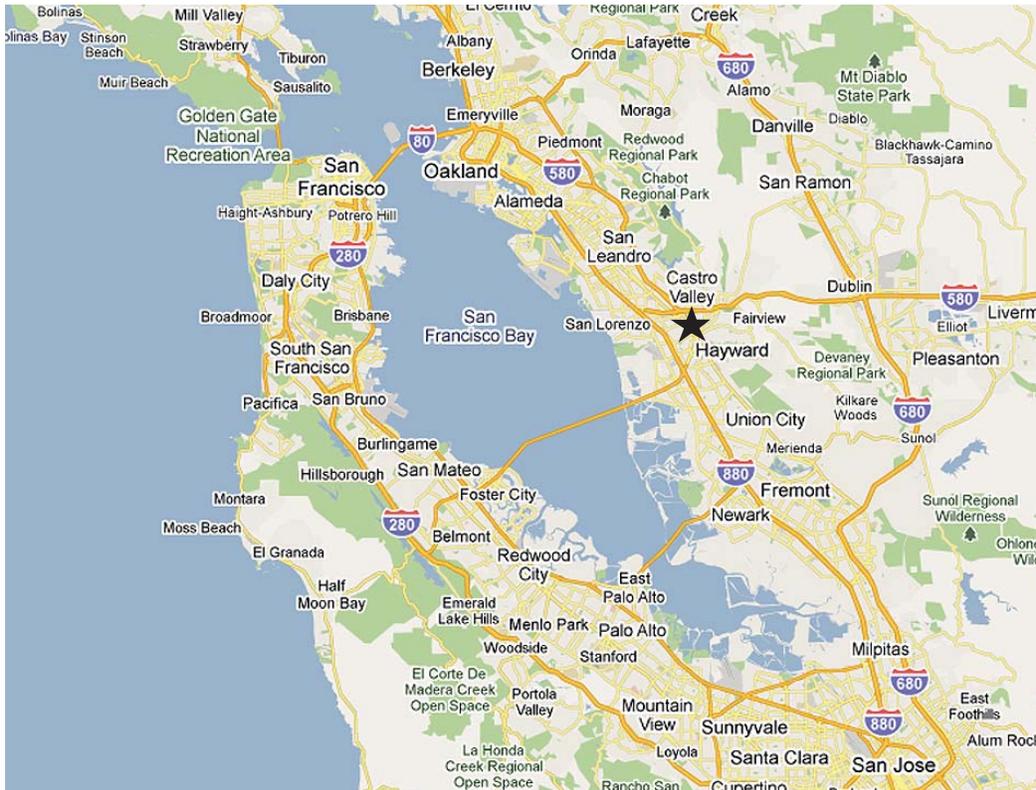


Figure 1-1: Regional Location Map

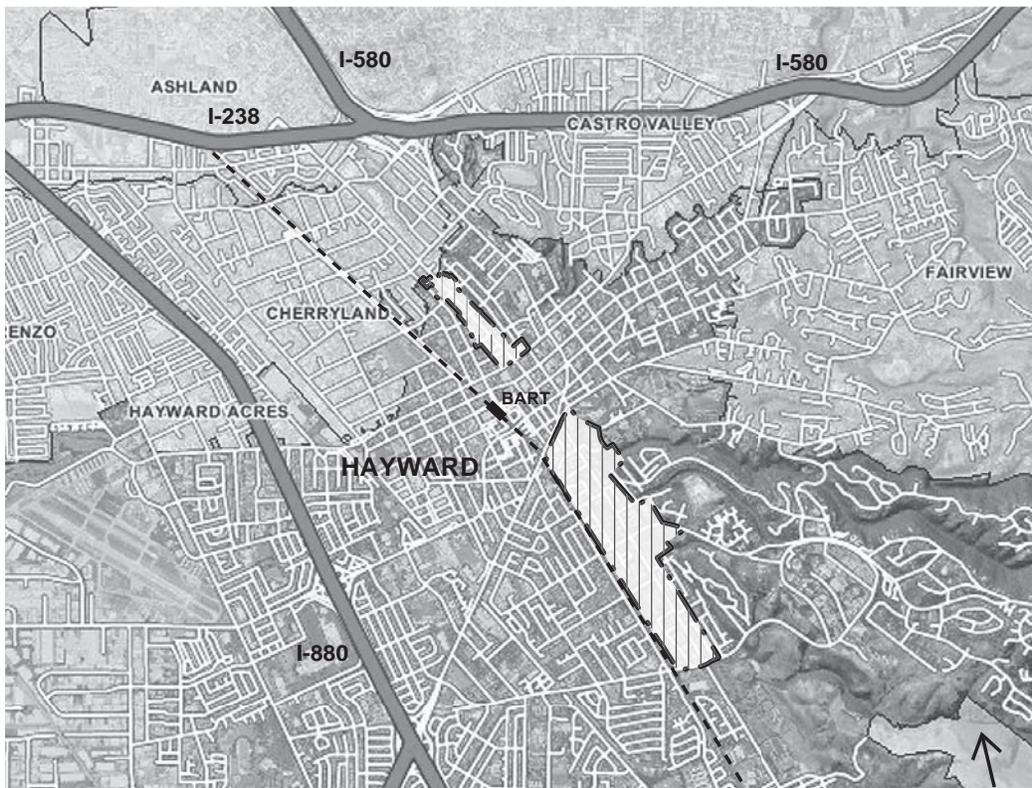


Figure 1-2: Project Area Vicinity Map

1. Introduction  
1.2 Planning Area

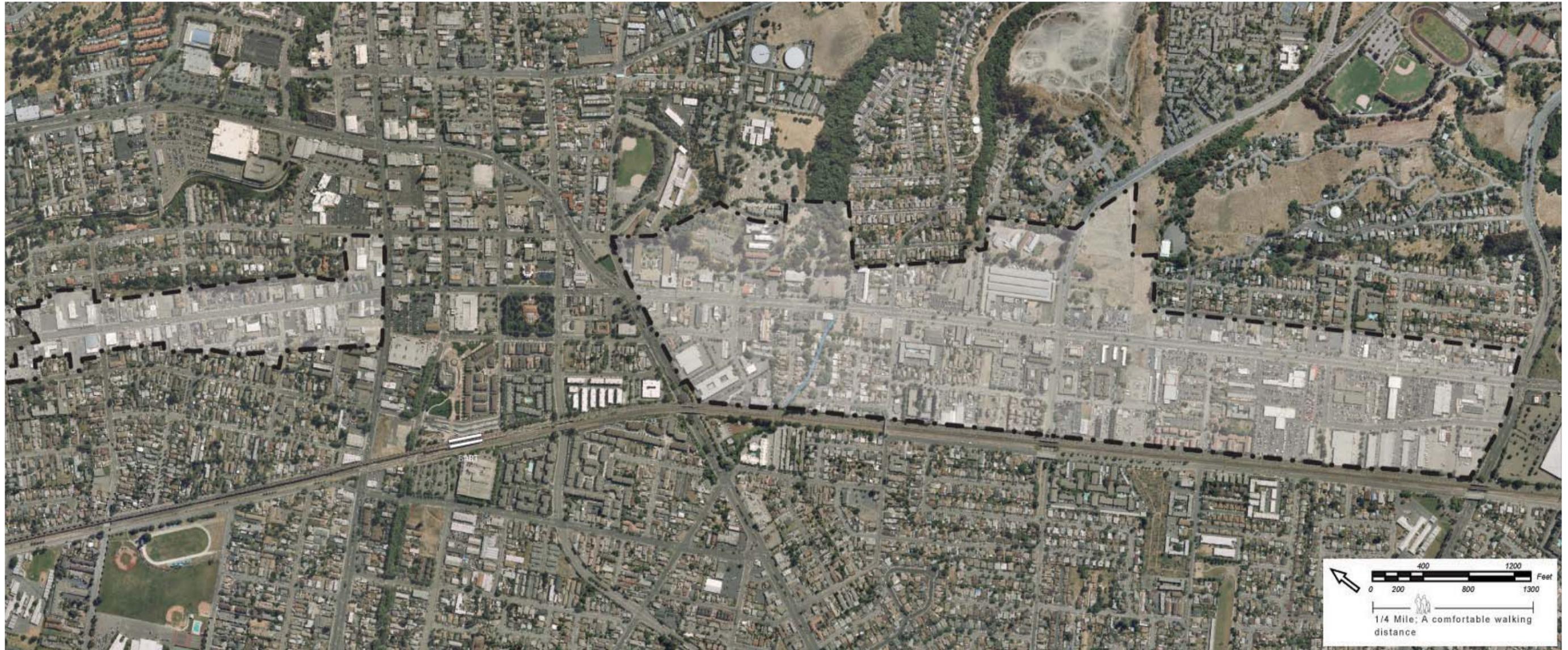


Figure 1-3: Site Location Map

# 1. Introduction

## 1.3 Purpose and Intent of the Specific Plan

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### 1.3 Purpose and Intent of the Specific Plan

Key objectives of the Specific Plan are to:

- Revitalize an economic spine that provides services to the eastern portion of the City while addressing the current deterioration of the existing uses, including distressed auto-related uses;
- Establish a vision for transit-oriented development that incorporates economic and environmental sustainability; offers housing options and civic functions;
- Strengthen the City's economy;
- Create a vibrant pedestrian-oriented environment;
- Foster a safe public realm;
- Improve circulation and streetscapes; and
- Support environmentally sustainable forms of development, while enhancing Hayward's existing character and quality of life.

The Specific Plan includes comprehensive and detailed design and development standards contained in an all-encompassing Form-Based Code and sets forth infrastructure and implementation strategies. The Plan allows flexibility, recognizing the potential for changing needs and market conditions over time, while also articulating a clear vision for the area.

The Specific Plan will be implemented through a variety of actions, including amendments to the City's General Plan and Municipal Code and other means set forth in the Implementation chapter of this document.

The Specific Plan is intended to express a long-range affirmative vision for the Mission Boulevard Corridor, an area that will likely evolve over time rather than one that will experience a rapid transformation.

### 1.4 Planning Process



Figure 1-4: Historic house on Pinedale Court



Figure 1-5: Historic restaurant on Mission Boulevard

# 1. Introduction

## 1.4 Planning Process

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### 1.4.1 Synoptic Survey

The consultant team prepared a synoptic survey of the Specific Plan area. The synoptic survey is a tool used by urban designers and planners to measure the physical elements of an existing community. The expression “synoptic survey” is taken from scientific analysis of the natural world, where cross-section diagrams illustrate the elements of natural environments – from the canopy above down to the soil below. By applying these techniques to the urban environment, a deeper understanding of the physical components of towns and cities is gained.

If designed well, the seemingly mundane details of a community, such as the perimeter length of blocks, lot widths, building types, frontage types and street widths create places that we love. They also directly relate to the establishment of locally crafted form-based code standards.

In this particular case, the Synoptic Survey also summarizes the existing development rule set of zoning districts, overlays and other standards, regulated land uses and permits, and the decision-making process.

During and after the public design charrette, the Synoptic Survey was used as a visual, easy-to-understand reference document for all participants in the form-based code writing process.

### 1.4.2 Specific Plan Meetings

Numerous types of individual and community meetings were held to fully develop a community-supported and feasible Specific Plan, including:

- Key Stakeholder meetings in the form of phone interviews and in-person conversations were held between 2 March and 6 April 2010. Stakeholders included: The Chamber of Commerce and the Hayward Area Planning Association (HAPA); Alameda County Economic Development Department, Redevelopment Agency and Community Development Agency; Hayward Area Recreation and Park District (HARD); Neighborhood Associations of Pinedale Court, Fairway Park, Grand Terrace and Prospect Hill; Bowman Elementary School; and interviews with six City Council members and four Planning Commissioners.



Figure 1-6: Historic apartment building on Mission Boulevard



Figure 1-7: Vintage auto dealership on Mission Boulevard

# 1. Introduction

## 1.4 Planning Process

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- Planning Commission Work Session to provide overview of project (25 March 2010)
- City Council Work Session to provide overview of project (23 March 2010)
- Public design charrette kick-off presentation (8 April 2010)
- Five-day public design charrette (12 April -16 April 2010)
- Planning Commission Work Session to provide feedback on the Draft Preferred Alternative Plan (24 June 2010)
- City Council Work Session to provide feedback on the Draft Preferred Regulating Alternative Plan (22 June 2010)
- City Council/Planning Commission/Staff field trip to San Francisco to survey possible thoroughfare precedents (2 October 2010)
- Planning Commission Work Session to provide feedback on the First Draft Specific Plan (10 February 2011)
- City Council Work Session to provide feedback on the First Draft Specific Plan (15 February 2011)
- Community Workshop to provide feedback on the First Draft Specific Plan (x July 2011)
- Planning Commission hearing on Draft Environmental Impact Report (EIR) (14 July 2011)
- City Council hearing on Draft EIR (19 July 2011)
- Planning Commission Work Session to provide feedback on the Second Draft Specific Plan (14 July 2011)
- City Council Work Session to provide feedback on the Second Draft Specific Plan (19 July 2011)
- Final Community Meeting to present Final Specific Plan (x September 2011)
- Final Planning Commission hearing to present Final Specific Plan (x October 2011)
- Final City Council adoption hearing (x October 2011)

### 1.4.3 Plan Preparation

Based on direction from community and key stakeholder meetings, City Council and Planning Commission meetings, and City staff input, the consultant team developed the Specific Plan. An overview of the Plan contents is included below, in section 1.6 Specific Plan Contents.

### 1.4.4 Environmental Review

Due to the fact that land use changes and hence, General Plan designations and zoning changes are required for this Plan, an environmental impact report was prepared pursuant to the California Environmental Quality Act. The Environmental Impact Report required for adoption of the Specific Plan was completed concurrently with the preparation of the Plan. The EIR is a separate document, the Mission Boulevard Corridor Specific Plan Draft Environmental Impact Report (DEIR). The DEIR examines the potential environmental impacts of the development proposed as part of the Specific Plan and includes recommended mitigation measures as necessary.

## 1.5 Statutory Requirements for the Specific Plan

Under California law, (Government Code Section 65450 et seq.), Cities and Counties may complete specific plans

# 1. Introduction

## 1.5 Statutory Requirements for the Specific Plan

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to develop policies, programs and regulations to implement the jurisdiction's adopted general plan. A specific plan frequently serves as a bridge between the general plan and individual development master plans and planned unit developments, or other large development projects. The purpose of the Mission Boulevard Corridor Specific Plan is to guide change in the Specific Plan Area and implement Hayward's General Plan.

Sometimes a general plan calls for development of a specific plan to flesh out specific policies for an area, or to address issues deferred or unresolved in the general plan. Other times, jurisdictions use them to address new issues or changed circumstances. In either case, the purpose is to address policy issues that were not adequately addressed in the general plan. Oftentimes, the specific plan adoption process includes amendments to the general plan to harmonize policies, thus achieving consistency. In the case of the Mission Boulevard Corridor Specific Plan, the Hayward City Council determined that it was appropriate to reexamine land use policy for the area.

### 1.5.1 Required Contents

This Specific Plan has been prepared in accordance with the requirements of California Government Code Section 65451. As prescribed by law, the Plan includes text and diagrams that generally describe the following:

- The distribution, location and extent of all land uses, including open space.
- The proposed distribution, location, extent and intensity of major components of public infrastructure, such as transportation and water and sewer systems.
- The standards and criteria by which development will proceed.
- A program of implementation measures, such as financing measures, policies, regulations and public works projects.
- A statement of the relationship of the Specific Plan to the General Plan.

### 1.5.2 Findings of Consistency with the General Plan

California law requires a specific plan be consistent with a city's general plan, and that findings regarding consistency



Figure 1-8: Vintage auto shop on Mission Boulevard



Figure 1-9: The Plunge, an historic civic building on Mission Boulevard

# 1. Introduction

## 1.5 Statutory Requirements for the Specific Plan

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be included in the specific plan itself. While one amendment to the General Plan is required so that the Mission Boulevard Corridor Specific Plan conforms with it, the goals and policies of the Specific Plan are generally consistent with, and in some cases further, main themes underlying Hayward's 2002 General Plan and subsequent amendments.

### 1.5.2.1 Land Use

The Specific Plan is consistent with the following General Plan Land Use Policies and Strategies:

- Goal 1. The Specific Plan will help promote a balance of land uses and achieve a vibrant urban development pattern that enhances the character of the area.
- Goal 2. The Specific Plan will help support higher-density and well-designed quality development in areas within ½ mile of transit stations and ¼ mile of major bus routes in order to encourage non-automotive modes of travel.
- Goal 5. The Specific Plan will help promote transit-oriented development in the Mission/Foothill Corridor in order to help create a distinctively attractive commercial boulevard.
- Goal 8. The Specific Plan will help promote infill development that is compatible with the overall character of the surrounding neighborhood.
- Goal 10.1. The Specific Plan will help maintain Urban Limit Lines in order to retain an attractive, natural setting and foster a distinctive sense of place.

### 1.5.2.2 Circulation

The Specific Plan is consistent with the following General Plan Circulation Policies and Strategies:

- Goal 4.1. The Specific Plan will help improve mobility to foster economic vitality.
- Goal 8.4. The Specific Plan will help create improved and safer circulation facilities for pedestrians.
- Goal 9.1. The Specific Plan will help provide the opportunity for safe, convenient and pleasant bicycle travel in its area.
- Goal 10. The Specific Plan will help encourage land use patterns that promote transit usage.
- Goal 13.1. The Specific Plan will help provide for future parking demand in ways that optimize mode choice.
- Goal 14.2. The Specific Plan will help seek to address traffic safety concerns.

### 1.5.2.3 Economic Development

The Specific Plan is consistent with the following General Plan Economic Development Policies and Strategies:

- Goal 1. The Specific Plan will help utilize an economic strategy that balances the need for development with other City goals and objectives.
- Goals 2.1. and 2.5. The Specific Plan will help create a sound local economy that attracts investment, increases the tax base, creates employment opportunities for residents and generates public revenues.
- Goals 4.6. and 4.8. The Specific Plan will help to enhance the City's image in order to improve the business climate.

### 1.5.2.4 Housing

The Specific Plan is consistent with the following General Plan Housing Policies and Strategies, as amended in 2010:

- Goal 1.1. The Specific Plan will help maintain and enhance the existing viable housing stock and neighborhoods within its area.

# 1. Introduction

## 1.5 Statutory Requirements for the Specific Plan

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- Goal 3. The Specific Plan will help provide suitable sites for housing development which can accommodate a range of housing by type, size, location, price and tenure.

### 1.5.2.5 Community Facilities and Amenities

The Specific Plan is consistent with the following General Plan Community Facilities and Amenities Policies and Strategies:

- Goal 5.2. The Specific Plan will help to increase the amount, diversity and quality of parks and recreational facilities and opportunities.
- Goal 6.4. The Specific Plan will help enhance the aesthetic and recreational values of open space corridors within the area.
- Goals 7.6. and 7.7. The Specific Plan will help enhance the City's image through preservation of historic resources.

### 1.5.2.6 Conservation and Environmental Protection

The Specific Plan is consistent with the following General Plan Conservation and Environmental Protection Policies and Strategies:

- Goals 4.6. and 4.7. The Specific Plan will help protect and enhance vegetative and wildlife habitat in its area.
- Goal 5.4. The Specific Plan will help minimizing risks from geologic and seismic hazards in the siting and design of development.
- Goal 11. The Specific Plan will help improve air quality by creating efficient relationships between transportation and land use.
- Goals 12.5. and 12.7. The Specific Plan will help support implementation of Transportation Control Measures adopted by the Bay Area Air Quality Management District.

### 1.5.2.7 Public Utilities and Services

The Specific Plan is consistent with the following General Plan Public Utilities and Services Policies and Strategies:

- Goals 5.1. and 5.2. The Specific Plan will help the City promote energy conservation.

Prior to adopting this Specific Plan, the City is making one amendment to the General Plan in order to make the General Plan and this Specific Plan consistent.

Under State law, general plans are not immutable and may be amended up to four times every year (and those amendments may be comprehensive in nature). The existing City of Hayward General Plan was adopted in 2002. In the subsequent 8 years, the General Plan has already been amended several times. To be consistent with the Mission Boulevard Corridor Specific Plan, the General Plan Land Use Map is being updated.

# 1. Introduction

## 1.6 Specific Plan Contents

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### 1.6 Specific Plan Contents

The Mission Boulevard Corridor Specific Plan includes the following chapters:

**Chapter 1** is this Introduction, which describes the planning area, the intent and purpose of the Plan, the planning process and the statutory requirements of a Specific Plan.

**Chapter 2** outlines the vision, goals and principles that guide development in the Mission Boulevard Corridor Specific Plan Area, names the goals on which the plan is based and introduces the Form-Based Code in Chapter 4 of this Specific Plan.

**Chapter 3** describes and includes the Regulating Plan for the Mission Boulevard Corridor Specific Plan Area.

**Chapter 4** is the Form-Based Code, which provides the regulations, requirements and standards for development in the Mission Boulevard Corridor Specific Plan Area. The Form-Based Code replaces the City's Zoning Ordinance in the Mission Boulevard Corridor Specific Plan Area.

**Chapter 5** is the Infrastructure Plan, which summarizes potential impacts of development on public utilities and community services and the strategies necessary to prevent deterioration in services.

**Chapter 6** is the Implementation Plan, which includes implementation steps and a conceptual financing plan for future development of the Mission Boulevard Corridor Specific Plan Area.

## 2. Vision and Goals for the Mission Boulevard Corridor Specific Plan Area

### 2.1 Introduction

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### 2.1 Introduction

Chapter 2 of the Hayward General Plan (“Land Use Element”) describes how the City’s Planning Area is composed of certain neighborhoods (see General Plan Figure 2-2), including the Mission/Foothills and North Hayward neighborhoods, and further designates, among other things, certain significant Focus Areas (see General Plan Figure 2-3) for the implementation of Smart Growth<sup>3</sup> principles. The Mission Boulevard Corridor Specific Plan and its Form-Based Code component implement such principles for portions of the Mission Boulevard Corridor.

The Mission Boulevard Corridor Specific Plan and its Form-Based Code component carry out the policies of the Hayward General Plan by classifying and regulating the types and intensities of development and land uses within the Specific Plan area consistent with, and in furtherance of, the policies and objectives of the General Plan. The Mission Boulevard Corridor Specific Plan and its Form-Based Code component are intended to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the community.

This chapter of the Specific Plan provides the policies that describe the desired form, character and uses of the Specific Plan area and introduces the Form-Based Code in Chapter 4. The Form-Based Code will guide development within the Specific Plan area through the application of its regulations during the City’s development review process. The Form-Based Code is intended to ensure that existing and new buildings work together to define the pedestrian-oriented space of the streets and other public spaces within the Mission Boulevard Corridor Specific Plan area, are harmonious with each other in scale and character, and create an attractive, walkable neighborhood.

More specifically, the goals of the Mission Boulevard Corridor Specific Plan and its Form-Based Code component are to ensure:

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<sup>3</sup> Smart Growth is commonly defined as growth that helps to achieve these six goals:

- a. Neighborhood Livability
- b. Better Access, Less Traffic
- c. Thriving Cities, Suburbs and Towns
- d. Shared Benefits
- e. Lower Costs, Lower Taxes
- f. Keeping Open Space Open



Figure 2-1: Illustrative vision for a walkable Mission Boulevard north of A Street

## 2. Vision and Goals for the Mission Boulevard Corridor Specific Plan Area

### 2.2 For the Community

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#### 2.2 For the Community

1. That neighborhoods and transit-oriented development are compact, pedestrian-oriented and mixed-use.
2. That neighborhoods should be the preferred pattern of development and that districts specializing in a single use should be the exception.
3. That ordinary activities of daily living occur within walking distance of most dwellings, allowing independence to those who do not drive.
4. That interconnected networks of thoroughfares be designed to disperse traffic and reduce the length of trips.
5. That within neighborhoods, a range of housing types and price levels be provided to accommodate diverse ages and incomes.
6. That affordable housing should be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.
7. That appropriate building densities and land uses be provided within walking distance of transit stops.
8. That civic, institutional, and commercial activity should be embedded in neighborhoods, not isolated in remote single-use complexes.
9. That schools be sized and located to enable children to safely walk or bicycle to them.
10. That a range of open space, including parks, squares, plazas and playgrounds, be distributed within neighborhoods.
11. That the region should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.



Figure 2-2: Illustrative vision of a new retail center at the northeast corner of Carlos Bee Boulevard and Mission Boulevard

## 2. Vision and Goals for the Mission Boulevard Corridor Specific Plan Area

### 2.3 For the Transect

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#### 2.3 For the Transect

1. That communities should provide meaningful choices in living arrangements as manifested by distinct physical environments, referred to as Transect Zones.
2. That the Specific Plan and Form-Based Code be based on the concept of the Transect, which is a system of ordering human habitats in a range from the most natural to the most urban. The Transect describes the physical character of place at any scale according to the density and intensity of land use and urbanism. A diagram of the Transect Zones is shown in Table 1 Transect Zone Descriptions.
3. That the Transect Zone descriptions on Table 1 including, in particular, the T3 Sub-Urban Zone, T4-1 and T4-2 General Urban Zones, T5 Urban Center Zone, and CS Civic Spaces, shall constitute the intent of the Mission Boulevard Corridor Specific Plan and Form-Based Code with regard to the general character of each of these environments within the Specific Plan Area.

#### 2.4 For the Block and Building

1. That block sizes be scaled small to maximize route options and safety.
2. That buildings and landscaping contribute to the physical definition of thoroughfares as civic places.
3. That development adequately accommodate automobiles while respecting the pedestrian and the cyclist and the spatial form of public areas.
4. That the design of buildings create defensible space, commonly referred to as 'eyes on the street.'
5. That architecture and landscape design grow from local climate, topography, history, and building practice.
6. That buildings provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
7. That civic buildings and public gathering places be provided as locations that reinforce community identity and support self-government.
8. That civic buildings be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
9. That the preservation and renewal of historic buildings be facilitated to affirm the continuity and evolution of society.



Figure 2-3: Illustrative vision for Pinedale Court neighborhood center

## 3. Regulating Plan for the Mission Boulevard Corridor Specific Plan Area

### 3.1 Introduction

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#### 3.1 Introduction

The Mission Boulevard Corridor Specific Plan and Form-Based Code Regulating Plan (hereafter referred to as the “Regulating Plan”) is shown in Figure 3-1. The Regulating Plan is the zoning map that shows the Transect Zones, the Civic Spaces Zone, the Thoroughfare Types, and Special Requirements of areas subject to regulation by the Mission Boulevard Corridor Specific Plan and Form-Based Code.

#### 3.2 Special Requirements

The Regulating Plan designates the following special requirements, the standards of which shall be applied as follows:

1. Designations for mandatory shopfront frontage require that a building shall provide a shopfront at sidewalk level along the entire length of its private frontage. The shopfront shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the sidewalk as generally illustrated in Table 5. The first floor shall be confined to Commercial Function.
2. Designations for recommended shopfront frontage indicate that a building should provide a shopfront at sidewalk level along the entire length of its private frontage. Where provided, the shopfront shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the sidewalk as generally illustrated in Table 5. Where the recommended shopfront is provided, the first floor shall be confined to Commercial Function.
3. Designations for Terminated Vista locations indicate that the building should be provided with architectural articulation of a type and character that responds visually to the location, as approved by the review authority. A building located at a terminated vista designated on the Regulating Plan should be designed in response to the axis through the use of color, material, massing and height such that visual orientation along the axis is improved and a prominently visible destination (i.e. building at the terminated vista) is established.
4. Designations for Height Overlay 1 and Height Overlay 2 indicate that the height of buildings to be located in these overlay areas shall be 2 to 3 stories and 2 to 4 stories, respectively.

#### 3.3 Transect Zones

The area within the Regulating Plan boundaries is subject to the Mission Boulevard Corridor Specific Plan and Form-Based Code, and shall be divided into Transect Zones that implement the Hayward General Plan. The Transect Zones, the general intent of which is described in Table 1 Transect Zone Descriptions, are hereby established, and shall be shown on the Regulating Plan for the Mission Boulevard Corridor Specific Plan and Form-Based Code area.

#### 3.4 Civic Spaces Zone

The Civic Spaces Zone (CS) accompanies Transect Zones on the Regulating Plan. The purpose of the CS Zone is for the provision of public open space, civic buildings and civic uses.

#### 3.5 Thoroughfare Plans

In addition to the Regulating Plan, a Thoroughfare Plan and a New Thoroughfare Plan are shown in Figures 3-2 and 3-3, respectively. Refer to Table 2 in Chapter 4 and the Mobility Plan in Chapter 5 for details on proposed upgrades to the existing thoroughfares and proposed standards for new thoroughfares.

### 3. Regulating Plan for the Mission Boulevard Corridor Specific Plan Area

Figure 3-1: Regulating Plan



#### Legend

--- Project Area

▭ Parcels

★ Terminated Vistas

----- Mandatory Shopfront Overlay

----- Recommended Shopfront Overlay

	T3 Sub-Urban Zone:	4.3 DU/acre min; 17.5 DU/acre max
	T4-1 Urban General Zone:	17.5 DU/acre min; 35 DU/acre max
	T4-2 Urban Center Zone:	17.5 DU/acre min; 35 DU/acre max
	T5 Urban Center Zone:	35 DU/acre min; 55 DU/acre max
	Height Overlay 1:	2 to 3 Story
	Height Overlay 2:	2 to 4 Story
	Civic Space Zone	

#### For illustrative purpose only:

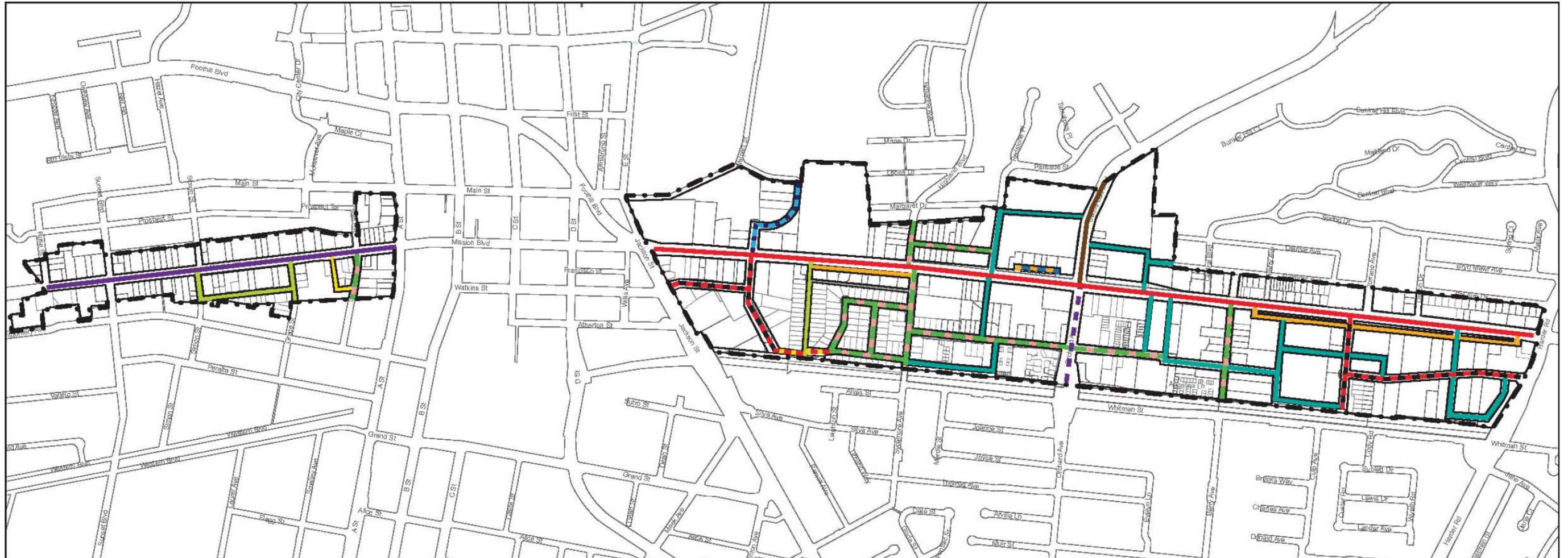
○ 10-minute walking radius  
(1/2 mile from BART)

○ 5-minute walking radius  
(1/4 mile)



### 3. Regulating Plan for the Mission Boulevard Corridor Specific Plan Area

Figure 3-2: Thoroughfare Plan



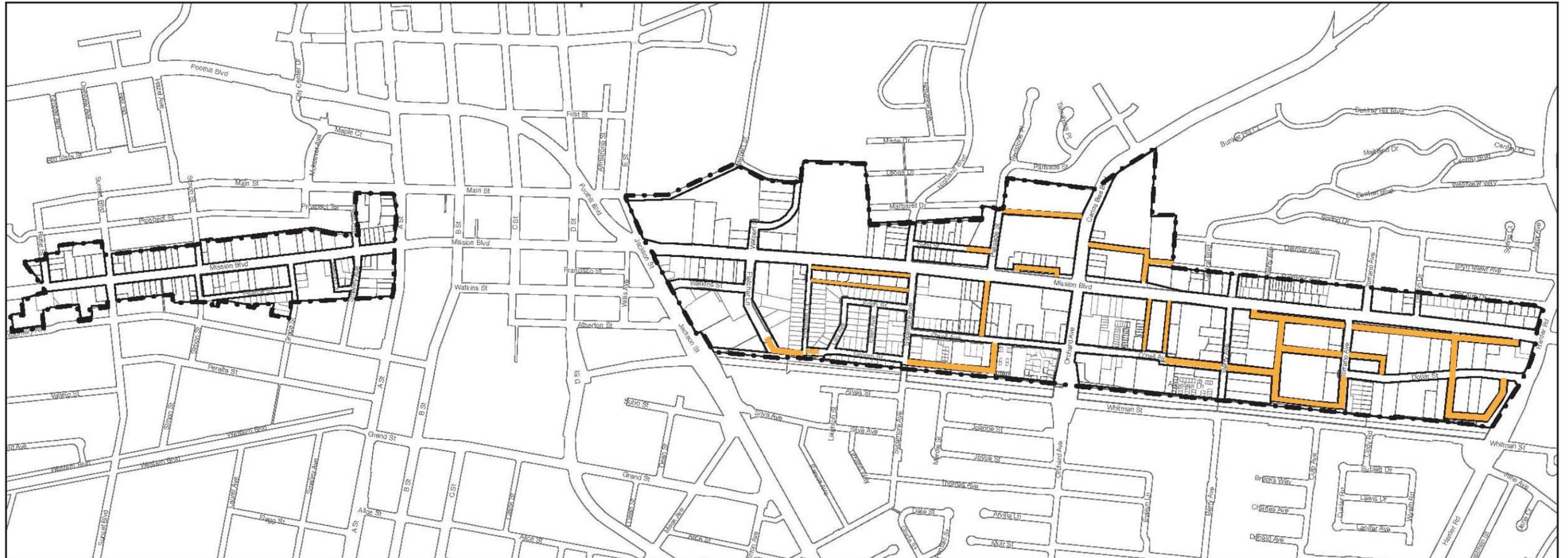
#### Legend

	Project Area		RA-24-24		SL-40-20-BR
	Parcels		ST-24-20-BR		SL-48-28-BR
			ST-32-20-BR		AV-68-36-BR
			ST-40-28-BR		AV-80-68-BR
			ST-50-34-BR		AV-88-68-BR
			ST-52-40-BL		AV-100-64/76-TR
			ST-56-34-BR		AV-110-72-BR



### 3. Regulating Plan for the Mission Boulevard Corridor Specific Plan Area

Figure 3-3: New Thoroughfare Plan



#### Legend

- - - - Project Area
- ▭ Existing Thoroughfares
- ▭ Parcels
- ▭ New Thoroughfares



## 4. Mission Boulevard Corridor Form-Based Code

### 4.1 Introduction to the Form-Based Code

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#### 4.1 Introduction to the Form-Based Code

The other chapters of this Specific Plan provide the vision and policies for new development and redevelopment in Hayward's Mission Boulevard Corridor area. Under this vision, the scale and general character of new development and redevelopment are intended to be based in many ways on the best elements of Hayward's heritage and the preferences of the community.

This Form-Based Code creates the regulatory framework to ensure that the vision is implemented through private and public development projects alike. The Hayward Mission Boulevard Corridor Form-Based Code constitutes Chapter 10, Article 25 of the City of Hayward Municipal Code. It replaces the City's Zoning Ordinance in the Mission Boulevard Corridor Specific Plan area.

A form-based code provides a system for ensuring that the design of the public realm and the design of private buildings are rigorously coordinated and are focused on a safe and lively pedestrian experience. It defines what is essentially a "kit of parts" with instructions for building an urban place – a place based directly on the preferences of the community as expressed through a public design charrette, workshops and meetings. The focus of this system is on the scale and character of the parts and how they complement and connect to each other.

The Mission Boulevard Corridor Form-Based Code is designed to be used both as a set of rules for property owners and their designers – to allow them to understand from the outset the parameters that the community has set for development in the Mission Boulevard Corridor Specific Plan area – and also as a framework and systematic checklist for the City's use as it plans its investments in capital projects and evaluates the design of proposed building projects. This will improve the quality of design proposals that the City receives and the value of the City's cumulative investment in the public realm.

# CHAPTER 10, ARTICLE 25

OF

# THE CITY OF HAYWARD

## MUNICIPAL CODE:

### HAYWARD MISSION BOULEVARD CORRIDOR

### FORM-BASED CODE

JANUARY 28, 2011 DRAFT



## ARTICLE 25. HAYWARD MISSION BOULEVARD CORRIDOR FORM-BASED CODE

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<b>SEC.10-25.100</b>	<b>PURPOSE AND APPLICABILITY</b>
10-25.105	TITLE
10-25.110	EFFECTIVE DATE
10-25.115	PURPOSE
10-25.120	AUTHORITY
10-25.125	ADMINISTRATION RESPONSIBILITY
10-25.130	APPLICABILITY
10-25.135	MINIMUM REQUIREMENTS
10-25.140	INTERFACE WITH OTHER REGULATORY REQUIREMENTS
<b>SEC.10-25.200</b>	<b>REGULATING PLAN AND TRANSECT ZONES</b>
10-25.205	PURPOSE
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10-25.220	CIVIC SPACE ZONE
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10-25.285	SIGN STANDARDS
10-25.290	TELECOMMUNICATION FACILITY STANDARDS
10-25.295	EMERGENCY SHELTER AND GROUP HOME STANDARDS
<b>SEC.10-25.300</b>	<b>STANDARDS AND TABLES</b>
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TABLE 2	THOROUGHFARE ASSEMBLIES
TABLE 3	THOROUGHFARE LIGHTING
TABLE 4	PUBLIC PLANTING
TABLE 5	PRIVATE FRONTAGES
TABLE 6	FENCES AND WALLS
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TABLE 9	SPECIFIC FUNCTION & USE
TABLE 10	CIVIC SPACE
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TABLE 12A	FORM-BASED CODE GRAPHICS: T3
TABLE 12B	FORM-BASED CODE GRAPHICS: T4-1
TABLE 12C	FORM-BASED CODE GRAPHICS: T4-2
TABLE 12D	FORM-BASED CODE GRAPHICS: T5

## FORM-BASED CODE

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Mission Boulevard Corridor

TABLE 13A	SUSTAINABILITY: WIND POWER
TABLE 13B	SUSTAINABILITY: SOLAR ENERGY
TABLE 13C	SUSTAINABILITY: FOOD PRODUCTION
TABLE 13D	LIGHT IMPRINT STORM DRAINAGE MATRIX

<b>SEC.10-25.400</b>	<b>PROCEDURES</b>
10-25.405	APPROVAL REQUIREMENTS
10-25.410	VARIANCES: WARRANTS & EXCEPTIONS
TABLE 14	APPROVAL REQUIREMENTS MATRIX
10-25.415	CODE MAINTENANCE
<b>SEC.10-25.500</b>	<b>DEFINITIONS AND RULES OF INTERPRETATION</b>
TABLE 15	DEFINITIONS ILLUSTRATED
10-25.505	DEFINITION OF TERMS
10-25.510	RULES OF INTERPRETATION

**SEC.10-25.100 PURPOSE AND APPLICABILITY**

**10-25.105 TITLE**

This Chapter 10, Article 25 of the City of Hayward Municipal Code shall be known, and may be cited, as the “Hayward Mission Boulevard Corridor Form-Based Code.” References to “Code” within the text of this Hayward Mission Boulevard Corridor Form-Based Code are references to this Hayward Mission Boulevard Corridor Form-Based Code unless the context clearly indicates otherwise, e.g., references to the “Municipal Code” refer to the Hayward Municipal Code; references to the “Government Code” refer to the California State Government Code, and so on.

**10-25.110 EFFECTIVE DATE**

The Hayward Mission Boulevard Corridor Form-Based Code has an effective date of [ to be inserted by City Clerk after adoption ].

**10-25.115 PURPOSE**

Chapter 2 of the Hayward General Plan (“Land Use Element”) describes how the City’s Planning Area is composed of certain neighborhoods (see General Plan Figure 2-2), including the Mission/Foothills and North Hayward neighborhoods, and further designates, among other things, certain significant Focus Areas (see General Plan Figure 2-3) for the implementation of smart growth principles. This Code implements such principles for portions of the Hayward Mission Boulevard Corridor

This Code carries out the policies of the Hayward General Plan by classifying and regulating the types and intensities of development and land uses within the Code area consistent with, and in furtherance of, the policies and objectives of the General Plan. This Code is adopted to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the community. More specifically, the purposes of this Code are to ensure:

**FOR THE COMMUNITY**

- a. That neighborhoods and Transit-Oriented Development is compact, pedestrian-oriented and mixed-use.
- b. That neighborhoods should be the preferred pattern of development and that districts specializing in a single use should be the exception.
- c. That ordinary activities of daily living occur within walking distance of most dwellings, allowing independence to those who do not drive.

- d. That interconnected networks of Thoroughfares be designed to disperse traffic and reduce the length of automobile trips.
- e. That within neighborhoods, a range of housing types and price levels be provided to accommodate diverse ages and incomes.
- f. That affordable housing should be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.
- f. That appropriate building Densities and land uses be provided within walking distance of transit stops.
- g. That Civic, institutional, and Commercial activity should be embedded in neighborhoods, not isolated in remote single-use complexes.
- h. That schools be sized and located to enable children to safely walk or bicycle to them.
- i. That a range of Open Space including Parks, Squares, Plazas and playgrounds be distributed within neighborhoods.
- j. That the region should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.

#### FOR THE TRANSECT

- a. That communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.
- b. That the Transect Zone descriptions on Table 1 including, in particular the T3 Sub-Urban Zone, T4-1 and T4-2 General Urban Zones, T5 Urban Center Zone, and CS Civic Spaces, shall constitute the Intent of this Code with regard to the general character of each of these environments within the Code area.

#### FOR THE BLOCK AND THE BUILDING

- a. That buildings and landscaping contribute to the physical definition of Thoroughfares as Civic places.
- b. That development adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
- c. That the design of streets and buildings reinforce safe environments, but not at the expense of accessibility.
- d. That architecture and landscape design grow from local climate, topography, history, and building practice.

- e. That buildings provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- f. That Civic Buildings and public gathering places be provided as locations that reinforce community identity and support self-government.
- g. That Civic Buildings be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
- h. That the preservation and renewal of historic buildings be facilitated to affirm the continuity and evolution of society.
- i. That the harmonious and orderly evolution of urban areas be secured through form-based codes.

10-25.120 AUTHORITY

This Code is a tool for implementing the goals, objectives, and policies of the Hayward General Plan, pursuant to the mandated provisions of the State Planning and Zoning Law, the California Environmental Quality Act, and other applicable State and local requirements.

10-25.125 ADMINISTRATION RESPONSIBILITY

This Code shall be administered by: the Hayward City Council, hereafter referred to as the “Council;” the Planning Commission, hereafter referred to as the “Commission;” the Development Services Director or his/her designee, hereafter referred to as the “Director;” the Development Services Department, hereafter referred to as the “Department,” and other City bodies and officials as identified in this Code.

10-25.130 APPLICABILITY

This Code applies to all land uses, subdivisions, and development within the Hayward Mission Boulevard Corridor Form-Based Code area (Figure 1-1), as provided herein.

- a. It shall be unlawful and a violation of this Code for any person to establish, construct, reconstruct, enlarge, alter, or replace any use of land or structure, except in compliance with the requirements listed below, including those relating to nonconforming uses, structures, and parcels. No building permit or grading permit shall be issued by the City unless the proposed construction complies with all applicable provisions of this Code.
- b. Any subdivision, Lot line adjustment and Lot line merger proposed within the Code area after the effective date of this Code shall enable development consistent with the Code.

## 10-25.135 MINIMUM REQUIREMENTS

- a. The provisions of this Code are minimum requirements for the protection and promotion of the public health, safety, comfort, convenience, prosperity, and general welfare. When this Code provides for discretion on the part of a City official or body, that discretion may be exercised to impose conditions on the approval of any project proposed in the Code area, as may be determined by the Review Authority to be necessary to establish or promote development and land use, environmental resource protection, and the other purposes of this Code.
- b. No condition(s) shall be imposed which has the effect of reducing the Residential Density, floor area, or height of any structure nor increase the number of off-street parking spaces when the corresponding requirements of this Code are met.

## 10-25.140 INTERFACE WITH OTHER REGULATORY REQUIREMENTS

- a. Municipal Code Provisions. This Code is a subpart (i.e., Article 25) of Municipal Code Chapter 10 (Planning, Zoning and Subdivisions). As is the case with other provisions of Municipal Code Chapter 10 (Planning, Zoning and Subdivisions), all other provisions of the Hayward Municipal Code continue to apply within the Code area except as expressly provided to the contrary in the Hayward Mission Boulevard Corridor Form-Based Code.

In any instance where there is no conflict between a requirement of this Code and a requirement or other provision of the Municipal Code because a regulatory subject is addressed elsewhere in the Municipal Code but not in the Hayward Mission Boulevard Corridor Form-Based Code, such as, by way of example but without limitation, the massage establishment permit requirements set forth in Chapter 6, Article 10 of the Municipal Code, the Municipal Code provision is intended to, and shall, apply.

- b. Conflicting Requirements.
  - i. Hayward Mission Boulevard Corridor Form-Based Code. If a conflict occurs between requirements within this Code, the most restrictive shall apply.
  - ii. Planning, Zoning and Subdivision Regulations. The provisions of this Code, when in conflict with Municipal Code Chapter 10 (Planning, Zoning and Subdivisions), shall take precedence.
  - iii. Development Agreement. If conflicts occur between the requirements of this Code and standards adopted as part of any

Development Agreement, the requirements of the Development Agreement shall apply.

- iv. Private Agreements. This Code applies to all land uses and development regardless of whether it imposes a greater or lesser restriction on the development or use of structures or land than a private agreement or restriction (for example, Conditions, Covenants & Restrictions), without affecting the applicability of any agreement or restriction.
- c. Inapplicable Planning, Zoning and Subdivision Regulations. The following Municipal Code Chapter 10 (Planning, Zoning and Subdivisions) provisions shall not apply within the Code area:
  - i. Article 1 (Zoning Ordinance)
    - (1) Sections 10-1.200 through 10-1.2600 (Zoning Districts)
    - (2) Section 10-1.2735(i) (Private Street Criteria)
    - (3) Section 10-1.3300 (Variances)
  - ii. Article 2 (Off-Street Parking Regulations) except for Sections 10-2.200 through 10-2.205, Sections 10-2.400 through 10-2.402, and Sections 10-2.600 through 10-2.770.
  - iii. Article 3 (Subdivision Ordinance)
    - (1) Section 10-3.505 (Street Standards)
    - (2) Section 10-3.845 (Block Lengths)
  - iv. Article 7 (Sign Regulations)

All remaining provisions of Municipal Code Chapter 10 not listed above in this section are applicable to the Code area.
- d. Public Notice. In Addition to the notice requirements of Municipal Code Section 10-1.2820 (Notice), a Notice of Application Receipt shall be provided within the Code area as follows:

- i. Notice Recipients. Within 15 days of receiving a complete application for those permit requests identified in Table 14b and 14c but prior to public hearing on the application, the Director shall provide a Notice of Application Receipt by first class mail to the applicant and owner, or the owner's authorized representative, and to the owners and occupants of all parcels within 300 feet of the perimeter of the subject property as shown on the latest equalized assessment roll.
- ii. Notice Contents. The Notice of Application Receipt shall provide a description of the property subject to the application that includes, at a minimum:
  - (1) The street address or, if the street address is unavailable, a description utilizing a readily recognizable geographic feature, as determined by the Director;
  - (2) The current zoning classification;
  - (3) The category of development approval requested and a brief description of the proposed development, revised zoning classification (if any), and uses requested;
  - (4) The real property tax assessment roll parcel number; and
  - (5) The name, mailing address, email address and phone number of the city staff person to which questions and/or comments should be directed.
- iii. Notice Broadcast. The Director may expand the list of owners and occupants receiving the Notice of Application Receipt beyond the 300 foot radius, including the provision of notice by means other than mail including, without limitation, via on-site posting or electronically.

## SEC.10-25.200 REGULATING PLAN AND TRANSECT ZONES

## 10-25.205 PURPOSE

This Section establishes the zones applied to property within the Code area, adopts the Regulating Plan for the Code area as its Zoning Map, and establishes standards applicable to zones.

## 10-25.210 REGULATING PLAN

The City Council hereby adopts the Hayward Mission Boulevard Corridor Form-Based Code Regulating Plan (hereafter referred to as the "Regulating Plan"), as shown in Figure 1-1, as an amendment to the zoning district map authorized by Municipal Code Section 10-1.3400 (Amendments).

- a. Special Requirements. The Regulating Plan designates the following Special Requirements whose standards shall be applied as follows:
  - i. Designations for mandatory Shopfront Frontage require that a building shall provide a Shopfront at Sidewalk level along the entire length of its Private Frontage. The Shopfront shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5. The first floor shall be confined to Retail Sales use through the depth of the second Layer.
  - ii. Designations for recommended Shopfront Frontage indicate that a building should provide a Shopfront at Sidewalk level along the entire length of its Private Frontage. Where provided, the Shopfront shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5. Where the recommended Shopfront is provided, the first floor shall be confined to Retail Sales use through the depth of the second Layer.
  - iii. Designations for Terminated Vista locations indicate that the building should be provided with architectural articulation of a type and character that responds visually to the location, as approved by the Review Authority. A building located at a Terminated Vista designated on the Regulating Plan should be designed in response to the axis through the use of color, material, massing and height such that visual orientation along the axis is improved and a prominently visible destination (i.e., building at the Terminated Vista) is established.

## 10-25.215 TRANSECT ZONES

- a. The area within the Regulating Plan boundaries is subject to this Code, and shall be divided into Transect Zones that implement the Hayward General Plan. The Transect Zones, whose general intent is described in Table 1 (Transect Zone Descriptions), are hereby established, and shall be shown on the Regulating Plan for the Hayward Mission Boulevard Corridor Form-Based Code area.
- b. Planned Development Zone (PD). Lots designated Planned Development Zone on the Regulating Plan shall retain their designations unless amended through a subsequent reclassification in accordance with Municipal Code Section 10-1.3400 (Amendments).

## 10-25.220 CIVIC SPACES ZONE

- a. The Civic Space Zone (CS) accompanies Transect Zones on the Regulating Plan. The purpose of the CS Zone is for the provision of public Open Space, Civic Buildings and Civic uses.
  - a. General to CS Zone
    - i. The physical composition of Civic Buildings should result in distinction from common, backstory buildings used for dwelling and commerce through, by way of example, the use of color, material, ornament, massing, Disposition and height.
    - ii. New Civic Buildings and/or exterior alterations to existing Civic Buildings require Site Plan approval by the Commission.
    - iii. Civic Buildings and Lots shall conform to the Functions on Table 9.
    - iv. Civic Buildings should be designed in compliance with the standards applicable to the abutting Transect Zone. However, deviation is permissible and encouraged with Warrant approval where necessary to achieve the intent of Section 10-25.220(a) and 10-25.220(b)(i).
    - v. Open Space shall be generally designed as described in Table 10.
    - vi. Sections 10-25.245, 10-25.255, 10-25.280, and 10-25.285 of this Code are inapplicable to the CS Zone.
    - vii. Buildings and Lots within the CS Zone are encouraged to incorporate the provisions of Section 10-25.270.

10-25.225

## BUILDING DISPOSITION

- a. General to T3, T4-1, T4-2 and T5 Zones
  - i. One Principal Building at the Frontage, and one Outbuilding of up to 440 square feet located to the rear of the Principal Building, may be built on each Lot as shown in Table 15.
  - ii. The Principal Entrance shall be on a Frontage Line.
- b. Specific to T3 Zone
  - i. Newly subdivided Lots shall be dimensioned according to Tables 11.e and 12A.
  - ii. Building Disposition types shall be as shown in Tables 8, 11.h, and 12A.
  - iii. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 11.f, Table 11.g, and Table 11a.
  - iv. Lot coverage by building shall not exceed that recorded in Table 11.e and Table 12A.
  - v. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 11.f and Table 12A.
  - vi. Setbacks for Principal Buildings shall be as shown in Table 11.f and Table 12A. In the case of an Infill Lot, Setbacks shall match one of the existing adjacent Setbacks. Setbacks may otherwise be adjusted by Warrant.
  - vii. Rear Setbacks for Outbuildings shall be a minimum of 15 feet measured from the centerline of the Rear Alley easement. In the absence of Rear Alley, the rear Setback shall be as shown in Table 11.g and Table 12A.
- c. Specific to T4-1 Zone
  - i. Newly subdivided Lots shall be dimensioned according to Tables 11.e and 12B.
  - ii. Building Disposition types shall be as shown in Tables 8, 11.h, and 12B.

- iii. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 11.f, Table 11.g, and Table 11a.
  - iv. Lot coverage by building shall not exceed that recorded in Table 11.e and Table 12B.
  - v. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 11.f and Table 12B.
  - vi. Setbacks for Principal Buildings shall be as shown in Table 11.f and Table 12B. In the case of an Infill Lot, Setbacks shall match one of the existing adjacent Setbacks. Setbacks may otherwise be adjusted by Warrant.
  - vii. Rear Setbacks for Outbuildings shall be a minimum of 15 feet measured from the centerline of the Rear Alley easement. In the absence of Rear Alley, the rear Setback shall be as shown in Table 11.g and Table 12B.
- d. Specific to T4-2 Zone
- i. Newly subdivided Lots shall be dimensioned according to Tables 11.e and 12C.
  - ii. Building Disposition types shall be as shown in Tables 8, 11.h, and 12C.
  - iii. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 11.f, Table 11.g, and Table 11a.
  - iv. Lot coverage by building shall not exceed that recorded in Table 11.e and Table 12C.
  - v. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 11.f and Table 12C.
  - vi. Setbacks for Principal Buildings shall be as shown in Table 11.f and Table 12C. In the case of an Infill Lot, Setbacks shall match one of the existing adjacent Setbacks. Setbacks may otherwise be adjusted by Warrant.

- vii. Rear Setbacks for Outbuildings shall be a minimum of 15 feet measured from the centerline of the Rear Alley easement. In the absence of Rear Alley, the rear Setback shall be as shown in Table 11.g and Table 12C.
- e. Specific to T5 Zone
- i. Newly subdivided Lots shall be dimensioned according to Tables 11.e and 12D.
  - ii. Building Disposition types shall be as shown in Tables 8, 11.h, and 12D.
  - iii. Buildings shall be disposed in relation to the boundaries of their Lots according to Tables 11.f, Table 11.g, and 12D.
  - iv. Lot coverage by building shall not exceed that recorded in Table 11.e and 12D.
  - v. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 11.f and Table 12D.
  - vi. Setbacks for Principal Buildings shall be as shown in Table 11.f and Table 12D. In the case of an Infill Lot, Setbacks shall match one of the existing adjacent Setbacks. Setbacks may otherwise be adjusted by Warrant.
  - vii. Rear Setbacks for Outbuildings shall be a minimum of 15 feet measured from the centerline of the Rear Alley easement. In the absence of Rear Alley, the rear Setback shall be as shown in Table 11.g and Table 12D.

## 10-25.230

## BUILDING CONFIGURATION

- a. General to T3, T4-1, T4-2 and T5 Zones
- i. Buildings on corner Lots shall have two Private Frontages as shown in Table 15. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
  - ii. All Facades shall be glazed with clear glass no less than 30% of the first Story.

- iii. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial Function, which shall be a minimum of 11 feet with a maximum of 25 feet. A single floor level exceeding 14 feet, or 25 feet at ground level, shall be counted as two (2) stories. Mezzanines extending beyond 33% of the floor area shall be counted as an additional Story.
  - iv. In a Parking Structure or garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
  - v. Height limits do not apply to Attics or raised basements, masts, belfries, clock towers, chimney flues, elevator bulkheads, church spires, cupolas, domes, ventilators, skylights, parapet walls, cornices, solar energy systems, or necessary mechanical appurtenances usually located on the roof level, provided that such features are limited to the height necessary for their proper functioning. Attics shall not exceed 14 feet in height.
  - vi. The habitable area of a Second Dwelling Unit within a Principal Building or an Outbuilding shall not exceed 440 square feet, excluding the parking area.
- b. Specific to T3 Zone
- i. The Private Frontage of buildings shall conform to and be allocated in accordance with Tables 5, 11.i and 12A.
  - ii. Building heights, Stepbacks, and Extension Lines shall conform to Tables 7, 11.j, and 12A.
  - iii. Open porches may Encroach the first Layer 50% of its depth.
  - iv. Balconies and bay windows may encroach the first Layer 25% of its depth except that balconies on porch roofs may Encroach as does the porch.
  - v. All developments shall provide at least 20% of their Lot area as Common Open Space.
  - vi. Common Open Space shall be located at-grade within the Second Layer or Third Layer.
  - vii. Common Open Space provided with a Sideyard building type shall be contiguous to the corresponding Principal Building and, to the maximum extent practicable, Enfronted by one or more of the permitted Private Frontages of Table 5.

- viii. Common Open Space provided with an Edgeyard building type shall be contiguous to the corresponding Principal Building.
- c. Specific to T4-1 Zone
- i. The Private Frontage of buildings shall conform to and be allocated in accordance with Tables 5, 11.i and 12B.
  - ii. Building heights, Stepbacks, and Extension Lines shall conform to Tables 7, 11.j, and 12B.
  - iii. Balconies, open porches and bay windows may Encroach the first Layer 50% of its depth.
  - iv. All developments shall provide at least 15% of their Lot area as Common Open Space.
  - v. Common Open Space shall be located within the Second Layer or Third Layer whether at-grade or upon roof decks (including roof decks above structured or podium parking).
  - vi. Common Open Space provided with a Sideyard or Courtyard building type shall be contiguous to the corresponding Principal Building and, to the maximum extent practicable, Enfronted by one or more of the permitted Private Frontages of Table 5.
  - vii. Common Open Space provided with an Edgeyard or Rearyard building type shall be contiguous to the corresponding Principal Building.
- d. Specific to T4-2 Zone
- i. The Private Frontage of buildings shall conform to and be allocated in accordance with Tables 5, 11.i and 12C.
  - ii. Building heights, Stepbacks, and Extension Lines shall conform to Tables 7, 11.j, and 12C.
  - iii. Balconies, open porches and bay windows may Encroach the first Layer 50% of its depth.
  - iv. All developments shall provide at least 15% of their Lot area as Common Open Space.
  - v. Common Open Space shall be located within the Second Layer or Third Layer whether at-grade or upon roof decks (including roof decks above structured or podium parking).

- vi. Common Open Space provided with a Sideyard or Courtyard building type shall be contiguous to the corresponding Principal Building and, to the maximum extent practicable, Enfronted by one or more of the permitted Private Frontages of Table 5.
  - vii. Common Open Space provided with an Edgeyard or Rearyard building type shall be contiguous to the corresponding Principal Building.
- e. Specific to T5 Zone
- i. The Private Frontage of buildings shall conform to and be allocated in accordance with Tables 5, 11.i, and 12D.
  - ii. Building heights, Stepbacks, and Extension Lines shall conform to Tables 7, 11.j, and 12D.
  - iii. Awnings, Arcades, and Galleries may Encroach the Sidewalk to within 2 feet of the Curb but must clear the Sidewalk vertically by at least 8 feet.
  - iv. Stoops, balconies, bay windows, and terraces may Encroach the first Layer 100% of its depth.
  - v. All developments shall provide at least 10% of their Lot area as Common Open Space.
  - vi. Common Open Space shall be located within the Second Layer or Third Layer whether at-grade or upon roof decks (including roof decks above structured or podium parking).
  - vii. Common Open Space provided with a Sideyard or Courtyard building type shall be contiguous to the corresponding Principal Building and, to the maximum extent practicable, Enfronted by one or more of the permitted Private Frontages of Table 5.
  - viii. Common Open Space provided with an Edgeyard or Rearyard building type shall be contiguous to the corresponding Principal Building.
  - ix. Loading docks and service areas shall be permitted on Frontages only by Warrant (See Section 10-25.410).
  - x. In the absence of a building Facade along any part of a Frontage Line, a Streetscreen shall be built co-planar with the Facade.

- xi. Streetscreens should be between 3.5 and 6 feet in height. The Streetscreen may be replaced by a hedge or fence by Warrant. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.
- xii. A first level Residential or Lodging Function shall be raised a minimum of 2 feet from average Sidewalk grade.

## 10-25.235 BUILDING FUNCTIONS

- a. General to all Zones
  - i. Buildings and Lots in each Transect Zone shall conform to the Functions on Table 9.
  - ii. Any one or more allowed Functions may be established on any Lot, subject to the permit required for the use by Table 9, and compliance with all other applicable requirements of this Code.
  - iii. Where a single parcel is proposed for development with two or more Functions listed in Table 9, the overall project shall be subject to the highest permit level required by Table 14 for any individual use.
  - iv. The Director may authorize a Temporary Use in any zone with approval of an Administrative Use Permit.
  - v. Assembly and Religious Facility Functions that front on Mission Boulevard shall be separated by a distance of one-half mile. Exemptions may be granted per Section 10-25.410 (a)(ii).

## 10-25.240 DENSITY STANDARDS

- a. General to T3, T4-1, T4-2 and T5 Zones
  - i. Second Dwelling Units do not count toward Density calculations.
  - ii. The permissible Residential Density on a Lot is set by Table 11.a.
  - iii. Density is subject to possible Street Dedication Bonus as described in Section 10-25.275(h)(ii).

## 10-25.245 PARKING STANDARDS

- a. General to T3, T4-1, T4-2 and T5 Zones
  - i. Non-Residential Functions shall have no requirement for a minimum number of off-street parking spaces.
  - ii. Where provided, open parking areas shall be masked from the

Frontage by a Building or Streetscreen conforming to Section 10-25.230(c)(xi).

- iii. Tandem parking may be provided for multi-family residences when spaces are assigned to the same dwelling unit.
  - iv. Tandem Parking may be provided for Commercial Functions when a valet/attendant is on duty during the hours when the business is open.
  - v. Truck loading spaces and the access and maneuvering areas serving loading spaces shall be located on the same parcel as the activity served and must be exclusive of the area used for required parking spaces and maneuvering areas. Truck loading spaces shall not interfere with on-street traffic, parking, or Sidewalks; as determined by the Director.
  - vi. Where provided, off-street parking and loading dimensions shall be as set forth in Municipal Code Sections 10-2.600 through 10-2.770.
- b. Specific to T3 zone
- i. For each rental dwelling unit, a maximum of 2.0 off-street parking spaces shall be provided.
  - ii. For each Residential condominium, a maximum of 2.0 off-street parking spaces shall be provided.
  - iii. Driveways at Frontages shall be no wider than 10 feet in the first Layer.
  - iv. Notwithstanding the provisions of Section 10-25.245(a), all parking areas and garages shall be located according to Table 12A.
- c. Specific to T4-1 zone
- i. For each rental dwelling unit, a maximum of 1.75 off-street parking spaces shall be provided.
  - ii. For each Residential condominium, a maximum of 2.0 off-street parking spaces shall be provided.
  - iii. Driveways at Frontages shall be no wider than 10 feet in the first Layer.
  - iv. Notwithstanding the provisions of Section 10-25.245(a), all

parking areas and garages shall be located according to Table 12B.

- d. Specific to T4-2 zone
  - i. For each rental dwelling unit, a maximum of 1.75 off-street parking spaces shall be provided.
  - ii. For each Residential condominium, a maximum of 2.0 off-street parking spaces shall be provided.
  - iii. Driveways at Frontages shall be no wider than 10 feet in the first Layer.
  - iv. Notwithstanding the provisions of Section 10-25.245(a), all parking areas and garages shall be located according to Table 12C.
- e. Specific to T5 zone
  - i. For each rental dwelling unit, a maximum of 1.5 off-street parking spaces shall be provided.
  - ii. For each Residential condominium, a maximum of 1.8 off-street parking spaces shall be provided.
  - iii. Notwithstanding the provisions of Section 10-25.245(a), all parking areas, garages, and Parking Structures shall be located according to Table 12B.
  - iv. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage.
  - v. Pedestrian exits from all parking lots, garages, and Parking Structures shall be directly to a Frontage Line (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building.
  - vi. A minimum of one bicycle rack shall be provided within the Public or Private Frontage for every ten vehicular parking spaces.

#### 10-25.250 ARCHITECTURAL STANDARDS

- a. General to T3, T4-1, T4-2 and T5 Zones
  - i. Building wall materials may be combined on each Facade only horizontally, with the heavier below the lighter.

- ii. Streetscreens should be constructed of a material matching the adjacent building Facade.
- iii. All openings, including porches, Galleries, Arcades and windows, with the exception of Shopfronts, shall be square or vertical in proportion.
- iv. Openings above the first Story shall not exceed 50% of the total building wall area, with each Facade being calculated independently.
- v. Doors and windows that operate as sliders are prohibited along Frontages.
- vi. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.
- vii. The exterior finish material on all Facades shall be limited to brick, wood siding, cementitious siding and/or stucco.
- viii. Flat roofs shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment to the satisfaction of the Review Authority.
- ix. Balconies and porches shall be of a material compatible with the architectural materials of the Principal Building.

#### 10-25.255 FENCE AND WALL STANDARDS

- a. General to T3, T4-1, T4-2 and T5 zones
  - i. Fences, hedges, and walls may be constructed to a height of six (6) feet in any side or rear yard, and to a height of four (4) feet in any portion of a Principal or Secondary Frontage, except that where the rear or side yard is contiguous to the BART tracks, a flood control channel, or parking lot, a maximum 8-foot-high fence, hedge or wall is permitted.
  - ii. Fences at the first Lot Layer shall be painted or of a decorative material compatible with the architectural materials of the Principal Building. Fences at other Layers may be of wood board or decorative metal.
  - iii. Fences and wall shall also conform to the requirements of Table 6.

## 10-25.260 LANDSCAPE STANDARDS

- a. General to T3, T4-1, T4-2 and T5 Zones
  - i. Impermeable surface shall be confined to the ratio of Lot coverage specified in Table 11.e.
  - ii. Building service elements, such as trash dumpsters, utility meters, loading docks, backflow preventers, and electrical, plumbing, mechanical and communications shall be located either within the third Layer or within the second Layer if screened from view to the street and adjacent properties.
  - iii. Exterior lighting and parking lot lighting shall be provided in accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is decorative and in keeping with the design of the development.
- b. Specific to T3 zones
  - i. The first Layer may not be paved, with the exception of Driveways as specified in Section 10-25.245(b) and 10-25.245(c).
  - ii. A minimum of one tree should be planted within the first Layer for each 20 feet of Frontage Line or portion thereof.
  - iii. Trees may be different species but shall match the species of Street Trees on the Public Frontage, or as shown on Table 4.
- c. Specific to T4-1 and T4-2 zones
  - i. The first Layer may not be paved, with the exception of Driveways as specified in Section 10-25.245(b) and 10-25.245(c).
  - ii. A minimum of one tree should be planted within the first Layer for each 30 feet of Frontage Line or portion thereof.
  - iii. Trees should be a single species to match the species of Street Trees on the Public Frontage, or as shown on Table 4.
- d. Specific to T5 zone
  - i. Trees shall not be required in the first Layer.
  - ii. The first Layer may be paved to match the pavement of the Public Frontage.

## 10-25.265 VISITABILITY STANDARDS

- a. General to T3, T4-1, T4-2 and T5 zones
  - i. There shall be provided at least one zero-step entrance to each building from an accessible path at the front, side, or rear of each building.
  - ii. All first floor interior doors (including bathrooms) shall provide at minimum 32 inches of clear passage.
  - iii. There shall be a half or full bath provided on the first Story of each building.

## 10-25.270 SUSTAINABILITY STANDARDS

- a. General to all zones.
  - i. Sustainability: Wind Power (Table 13A).
    - (1) Locations. Vertical Axis Wind Turbines shall be located:
      - A. Within the Second or Third Layer when building-mounted; and
      - B. Within the Third Layer when pole-mounted.
    - (2) Number per Lot. A maximum of two pole-mounted Vertical Axis Wind Turbines per parcel is permitted on Lots less than one-half acre in size; a maximum of four building-mounted Vertical Axis Wind Turbines per acre are permitted on Lots greater than one-half acre in size.
    - (3) Height. Vertical Axis Wind Turbines shall not exceed:
      - A. Fifteen (15) feet above the maximum building height when building-mounted; and
      - B. Seventy (70) feet above existing grade when pole-mounted.
    - (4) Lighting. Vertical Axis Wind Turbines shall not be artificially lighted unless required, in writing, by the Federal Aviation Administration (FAA) or other applicable authority that regulates air safety. Where the FAA requires lighting, the lighting shall be the lowest intensity allowable under FAA

regulations; the fixtures shall be shielded and directed to the greatest extent possible to minimize glare and visibility from the ground; and no strobe lighting shall be permitted, unless expressly required by the FAA.

- (5) Access. All wind turbine towers must comply with the following provisions:
  - A. The Vertical Axis Wind Turbine shall be designed and installed so that there shall be no exterior step bolts or a ladder on the tower readily accessible to the public for a minimum height of 12 feet above the ground.
  - B. All building-mounted Vertical Axis Wind Turbines shall be secured to prevent unauthorized access.
  - C. All ground-mounted electrical and control equipment related to Vertical Axis Wind Turbines shall be labeled and secured to prevent unauthorized access.
  
- (6) Noise. All Vertical Axis Wind Turbines, either individually or in combination, shall create noise that exceeds no more than 35 decibels (dBA) at any property line where the property on which the wind machine is located.
  - A. Noise levels may not be exceeded at any time, including short-term events such as utility outages and severe wind storms.
  - B. Measurement of sound levels shall not be adjusted for, or averaged with, non-operating periods.
  - C. Any Vertical Axis Wind Turbine(s) exceeding these levels shall immediately cease operation upon notification by the Director and may not resume operation until the noise levels have been reduced and verified by an independent third party inspector, approved by the Director, at the property owner's expense.
  
- (7) Aesthetics and Maintenance.
  - A. Appearance. Vertical Axis Wind Turbines, unless subject to any applicable standards of the FAA, shall be a non-obtrusive color such as tan, sand, gray, black or similar colors. Galvanized steel or metal is acceptable for the support structures.

- B. Electrical Wires. All electrical wires leading from the tower to electrical control facilities shall be located underground.
  - C. Maintenance. Wind turbines shall be maintained in good repair, as recommended by the manufacturer's scheduled maintenance or industry standards.
  - D. Signs/Labels. The only advertising sign allowed on the wind turbine shall be a manufacturer's label, not exceeding one square foot in size.
- (8) Compliance with FAA Regulations. All wind turbines shall comply with applicable FAA regulations, including any necessary approvals for installations.
- (9) Repair and Removal of Vertical Axis Wind Turbines. Any wind turbine found to be unsafe by the City Building Official or his/her designee of the Building Department shall immediately cease operation upon notification by the Building Official and shall be repaired by the owner to meet federal, state, and local safety standards or be removed within six months. Vertical Axis Wind Turbines that are not operated for a continuous period of 12 months shall be removed by the owner.
- A. When a Vertical Axis Wind Turbine is removed from a site, all associated and ancillary equipment, batteries, devices, structures or support(s) for that system shall also be removed. For the purposes of this section, non-operation shall be deemed to include, but shall not be limited to, the blades of the Vertical Axis Wind Turbine remaining stationary so that wind resources are not being converted into electric or mechanical energy, or the Vertical Axis Wind Turbine is no longer connected to the public utility electricity distribution system.
- (10) Prohibitions. Horizontal Axis Wind Turbines are prohibited in the Code area.
- ii. Sustainability: Solar Energy (Table 13B).
- (1) Mechanical equipment and appurtenances illustrated in Table 13B and necessary for the collection of solar energy shall be exempt from height requirements of this Code.

- (2) No planning permit shall be required to install mechanical equipment and appurtenances for solar energy collection.
- iii. Sustainability: Food Production (Table 13C).
    - (1) Development projects are encouraged to incorporate the food production locations and arrangements illustrated in Table 13C, as assigned per T-zone and CS Zone.
    - (2) Prohibited Food Production-related Functions or activities within the Code area include: Animal husbandry (excluding the keeping of up to four (4) chickens), beekeeping, processing of food produced on site, spreading of manure, application of agricultural chemicals (including fertilizers and pesticides), and use of heavy equipment such as tractors.
    - (3) The keeping of chickens is allowed in "Vegetable Gardens" only and in T3 only.
    - (4) Food Production shall conform to the Functions on Table 9.
  - iv. Sustainability: Light Imprint Storm Drainage Matrix (Table 13D).
    - (1) Development projects are encouraged to incorporate the stormwater management techniques identified in Table 13D, as assigned per T-zone.

#### 10-25.275 THOROUGHFARE STANDARDS & PLAN

- a. The Council hereby adopts the Hayward Mission Boulevard Corridor Form-Based Code Thoroughfare Plan (hereafter referred to as the "Thoroughfare Plan"), as shown in Figure 1-2, and the corresponding Existing & New Thoroughfares Plan, as shown in Figure 1-3, as amendments to the zoning district map authorized by Municipal Code Section 10-1.3400 (Amendments).
- b. Intent
  - i. To enable the General Plan's recognized opportunities (see General Plan Pages 3-17 and 3-18) for infill development and redevelopment to accommodate alternate street patterns, including: (a) shorter Block lengths; (b) interconnected streets; (c) alleys; and (d) cul-de-sac avoidance.
  - ii. To enable New Thoroughfares which are dedicated and constructed in locations generally consistent with those depicted

in Figure 1-2 and Figure 1-3.

- iii. To utilize the provisions of this Section and Municipal Code Chapter 10, Article 4 (Precise Plan Lines for Streets) for the administrative aspects of implementing New Thoroughfares.
- iv. To enable both incremental modifications to Existing Thoroughfares through individual development projects or coordinated and holistic modifications to Existing Thoroughfares through City-sponsored capital improvement projects.

c. Applicability

- i. The Thoroughfare Plan (Figure 1-2) geographically assigns the standards of Table 2 to the Code area.
- ii. The Existing & New Thoroughfares Plan (Figure 1-3) distinguishes between Existing Thoroughfares present at the time of Code adoption and New Thoroughfares intended for dedication and improvement after Code adoption.

d. General to all Thoroughfares

- i. Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces.
- ii. Thoroughfares shall consist of vehicular lanes and Public Frontages.
- iii. Within the Code area, pedestrian comfort shall be a primary consideration of the Thoroughfare.
- iv. Where presented, design conflicts between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
- v. The City of Hayward shall accept by dedication or acquire those New Thoroughfares depicted on the Thoroughfare Plan (Figure 1-2 and Figure 1-3) when related to a development project consistent with the provisions of this Code.
- vi. The City of Hayward may accept by dedication or acquire those New Thoroughfares depicted on the Thoroughfare Plan (Figure 1-2) and Existing & New Thoroughfares (Figure 1-3) exclusive of a development project.
- vii. Underground utilities shall be located under the Sidewalks, at

a minimum of 5 feet away from the edge of planting, whenever possible, to allow tree planting.

e. Vehicular Lanes

- i. Thoroughfares may include vehicular lanes in a variety of widths for parked and for moving vehicles, including bicycles. The standards for vehicular lanes shall be as shown in Table 2.
- ii. The Thoroughfare Plan (Figure 1-2) and Existing & New Thoroughfares Plan (Figure 1-3) accommodate Bicycle Routes which are consistent with the City of Hayward Bicycle Master Plan (October 2007). The City of Hayward shall utilize the Thoroughfare Plan and Existing & New Thoroughfares Plan as it designs, funds and constructs Thoroughfare modifications to facilitate implementation of the City of Hayward Bicycle Master Plan (October 2007).
- iii. Where off-street parking spaces are provided outside of a building, the use of permeable/porous paving is required, as determined by the Director.

f. Public Frontages

- i. General to all Zones
  - (1) The Public Frontage contributes to the character of Transect Zones and the Civic Space Zone, and includes the types of Sidewalk, Curb, Planter, bicycle facility, and street trees.
  - (2) Public Frontages shall be designed as shown in Table 2 and allocated within Transect Zones and the Civic Space Zone as specified in Table 11.c.
  - (3) Within the Public Frontages, the prescribed types of Public Lighting and Public Planting shall be as shown in Table 3 and Table 4. The spacing may be adjusted by the Director to accommodate specific site conditions.
- ii. Specific to T3 zone
  - (1) The Public Frontage shall include trees of various species, naturalistically clustered, as well as understory.
  - (2) The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

## iii. Specific to T4-1, and T4-2 zones

- (1) The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.
- (2) The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

## iv. Specific to T5 zone

- (1) The Public Frontage shall include trees planted in a regularly spaced Allee pattern of single species with shade canopies of a height that, at maturity, clears at least one Story. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the Shopfronts.
- (2) The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

## g. Specific to Existing Thoroughfares

- i. The standards of Table 2 shall apply as the City of Hayward designs and constructs modifications to Existing Thoroughfares.
- ii. Development projects along Existing Thoroughfares shall comply with the provisions of Table 2 when they:
  - (1) Occur on a vacant Lot;
  - (2) Include the construction of a new Principal Building; or
  - (3) Include the construction of 50% or more of the gross floor area of any existing Principal Building.

## h. Specific to New Thoroughfares

- i. The Thoroughfare Plan allocates New Thoroughfares to Lots in a manner which results in Block perimeter distances equal to or lesser than the maximum distance of Table 11.b. The perimeter is measured as the sum of Lot Frontage Lines.
- ii. Development projects which propose and accomplish the construction and dedication of a New Thoroughfare and Public Frontage shall be eligible for the following incentives:

- (1) Upon receipt of a planning permit application, the Director shall expedite its processing through means including, without limitation, the prioritization of the application over others already filed; and
  - (2) A Street Dedication Bonus which increases: (a) the maximum Residential Density allocated to the corresponding T-Zone by up to four (4) units per increment of one hundred (100) feet of constructed and dedicated Street, and one (1) unit per increment of fifty (50) feet of constructed and dedicated Alley length; and (b) the maximum Principal Building height by one (1) Story.
- iii. The Review Authority may authorize New Thoroughfares in locations different from those depicted in Figure 1-2 and Figure 1-3 when it finds, in addition to other findings required by Section 10-25.400, that:
- (1) Immovable physical obstructions including, without limitation, large boulders, public infrastructure facilities, or environmentally sensitive habitat, are present; or
  - (2) The resulting maximum Block perimeter distance of Table 11.b would not be exceeded by either the current development or foreseeable future development proposals.
- iv. Planning permit applications including New Thoroughfares shall include a petition to establish a Precise Plan Line for the New Thoroughfare(s). The petition shall be processed in accordance with Municipal Code Chapter 10, Article 4 and:
- (1) Require no application fee payment;
  - (2) Be processed concurrently with the planning permit application; and
  - (3) Include any information requested by the Public Works Director to establish a Precise Plan Line that would enable construction of the New Thoroughfare without preventable financial hardship.
- v. Proposals for the City of Hayward to acquire or purchase New Thoroughfares exclusive of a development project shall still require the establishment of a Precise Plan Line for the New Thoroughfare(s).

10-25.280            SUBDIVISION STANDARDS

a. Intent

- i. The standards of this section intend to work in concert with others provided in the Code and, in doing so, generate buildings which provide primary entrances and windows facing public spaces, enable building Configurations which reflect the intended scale of the Code area, and to prevent large monolithic and repetitive buildings.

b. Applicability.

- i. This section regulates subdivisions, Lot mergers, and Lot line adjustments within the Code area.

c. General to all Zones

- i. All subdivisions shall include Nominal Parcels or Fee Simple Parcels conforming to the Lot Width standards of Table 11.e.
- ii. Each Lot shall Enfront a vehicular Thoroughfare.
- iii. Condominium subdivisions containing more than one building shall include Nominal Parcels conforming to Lot Width standards of Table 11.e.
- iv. New development on a pre-existing parcel exceeding the applicable maximum Lot Width of Table 11.e shall not occur unless the parcel is first subdivided to provide for Nominal Parcels or Fee Simple Parcels conforming to Table 11.e.
- v. Lot line adjustments or Lot mergers pertaining to parcels not conforming to the applicable Lot Width requirements of Table 11.e may occur so long as they bring the parcels closer into conformance.
- vi. No flag Lot shall be created in the Code area through either a subdivision or Lot line adjustment.
- vii. All New Thoroughfares shall be publicly owned or include an irrevocable easement providing for public access, and Existing Thoroughfares shall not be abandoned to private ownership.

10-25.285

## SIGN STANDARDS

- a. Permitted Signs are authorized in all zones subject to the provisions of this Section.
- b. Permitted Signs. Wall, window, awning, projecting, hanging, marquee signs, monument signs, Sidewalk display signs, scrolling signs, and signs of historical or aesthetic significance are permitted.
- c. Prohibited Signs. Roof, pole, animated, revolving, Aerial Sign (except when permitted for promotions), off-premise, flashing, permanent banner and portable (except sidewalk display). In addition, awnings that are translucent or which contain interior lighting for illumination are prohibited.
- d. Colors. Sign colors should relate to the color scheme of the building. No more than three colors should be used on any one sign, unless approved by the Director. In addition, use of "neon" or "dayglow" colors must be approved by the Director.
- e. Lighting. Signs may be illuminated with directional spotlights or indirect lighting if the effect at night is not glaringly bright. External lighting is encouraged.
- f. Graphic Design. Sign construction and sign copy shall be of professional quality. Primary signage shall be designed to identify a business rather than advertise a brand-name product. High contrast between sign, text, and background should be provided but glaring white sign backgrounds and intense colors should be avoided. A letter style that is legible and in scale with the size of the sign frame or background should be used. If more than one sign is used, the signs should be compatible in style.
- g. Sign Installation. All signs, except window signs, require a sign permit and building and electrical permits where required. All signs should be installed in a professional manner, avoiding, unsightly guy wires or other stabling devices. Attachments should be hidden from general view and in the least destructive manner possible. For masonry, attachments should be embedded into the mortar, not the brick or stone. All signs and murals painted on walls shall be covered with anti-graffiti coating.
- h. Sign Area and Number
  - i. Maximum Number. For all establishments, the maximum number of signs permitted per Frontage is two (2). The maximum number of signs permitted per establishment is four

(4). Temporary window signs and Sidewalk display signs do not count toward the total.

- ii. Sign Area. The maximum sign area is one square foot per linear foot of primary Frontage, and one-half square foot per linear foot of Secondary Frontage. Only one Frontage, which contains a public entrance, may be counted as Principal Frontage. All other building Frontages, which have exposure to pedestrian or vehicular traffic, are considered Secondary Frontages. Only one Secondary Frontage may be counted for determining maximum sign area for all Secondary Frontages. Signs displayed on a single Frontage shall be limited to the area and number that are permitted on that Frontage alone. No establishment shall be permitted more than a total of 100 square feet of sign area per Frontage unless Warrant approval is obtained. Each establishment shall be entitled to a minimum of 30 square feet for the Principal Frontage. The total area encompassed by a contrasting color scheme shall be counted when calculating allowable sign area.

- i. Sign Types

- i. Wall signs may be painted on the wall, or be made of metal, wood (except plywood), plastic, neon or vinyl. Fluorescent material is prohibited. Signs shall be located no higher than the cornice or parapet line, whichever is lower.

Wall signs legally erected before [insert Code effective date] shall be considered in conformance if they do not exceed the maximum allowable area by more than 25 percent, and do not extend above the cornice or parapet line, whichever is lower, by more than 25 percent of the height of the sign.

- ii. Permanent window signs may include graphics painted on glass, vinyl letters applied to glass, a clear acrylic panel behind the window, or small neon window signs and should be white or light in color. Permanent window signs shall not occupy more than 25 percent of the total area of the window.
- iii. Projecting signs shall be located no higher than the cornice or parapet line, whichever is lower, and must be located so as to not obscure any architectural detail of the Facade. A double face projecting sign shall be considered one sign. The maximum size of a projecting sign shall be 40 square feet (20 square feet per side). Projecting signs shall not project more than 3 feet horizontally. In no case may the sign come within 2 1/2 feet of the Curb. Projecting signs shall be clear of street trees, traffic

signals, street lighting and regulatory signs.

- iv. Horizontal hanging signs, suspended from a canopy, awning, or marquee, may be placed above an entry. A hanging sign shall not exceed 8 square feet in size (4 square feet per side).

Hanging signs erected before [insert Code effective date], shall be considered in conformance if they do not exceed the maximum allowable area by more than 25 percent.

- v. Overhang signs are mounted atop the overhang, parallel to the storefront and shall not be used in conjunction with wall signs. Overhang signs shall not exceed 3 feet in height.
- vi. The awning sign is limited to the front skirt of the awning. Colors and lettering of awning signs should be compatible with the building colors, businesses they serve, as well as harmonize with neighboring buildings and storefronts.

Awning signs legally erected before [insert Code effective date] shall be considered in conformance if they do not exceed the maximum allowable area by more than 25 percent.

- vii. Promotional Temporary Signs.
  - (1) Paper or Paint Window Signs. Special sale window signs of either paper or paint are permitted. Such signs when combined with permanent window signs, shall not occupy more than 25 percent of the total area of the window. These signs should be of a professional quality.
  - (2) Sidewalk Display Signs (such as A-frame signs and sandwich boards) may be placed on private property, or within the first 18 inches of public property that is directly in front of the individual business. Such sign shall not exceed 6 square feet per side and is limited to one per business. Sidewalk display sign area shall not count toward allowable sign area. A minimum passage way width of 48 inches shall be maintained along the Sidewalk in front of such Sidewalk display sign. The sign shall not project within 2 feet of the Curb interface with vehicles. Such signs shall not be displayed during non-business hours.

#### 10-25.290 TELECOMMUNICATION FACILITY STANDARDS

In addition to the requirements of Municipal Code Chapter 10, Article 13 (Antennae and Telecommunications Facilities Ordinance), the following

requirements shall also apply to all Telecommunication Facilities in the Code area.

- a. The following Telecommunication Facilities are classified as Class 1 facilities within the Code area:
  - i. Any Telecommunication Facility directly affixed to a building or structure, provided that all components of the facility are designed in a manner to be architecturally consistent with the building or structure. Examples include, without limitation, Telecommunications Facilities concealed within existing structures such as Attics, cupolas, steeples, stanchions, bell towers, or similar structures, mounted to the penthouse of a building to appear as part of the architecture.
  - ii. A ground-mounted or building-mounted receive-only radio or television satellite dish antenna which exceeds 36 inches in diameter but is not larger than 8 feet in diameter, provided the height of said dish does not exceed the height of the roof ridge line of a structure on which it is to be installed or is screened from view from the public right-of-way.
  - iii. Any freestanding Telecommunications Facility designed to blend into the surrounding natural or man-made environment in order to minimize the overall visual impact. Examples include, without limitation, flag, telephone or light poles, palm trees, windmills, or rock formations and other similar items.
  - iv. Any Telecommunications Facility proposed to co-locate on another freestanding existing Telecommunications Facility.
  - v. Government-owned and government-operated antenna(s).
- b. Class 1 Telecommunication Facilities may be located in any zone within the Code area.
- c. Prior to installation and operation of any Class 1 Telecommunication Facility, a Telecommunication Site Review shall be approved by the Director in accordance with Municipal Code Chapter 10, Article 13 (Antenna and Telecommunications Facilities Ordinance).
- d. In addition to the findings required by Municipal Code Section 10-13.070 and in order to approve a Telecommunications Site Review application, the Director must find the proposed Telecommunication Facility is:

- i. Sited and designed so as to be architecturally integrated such that it is virtually invisible to the naked eye from public streets and Civic spaces;
  - ii. The design, finish, colors and texture are non-reflective and blend with the surrounding natural and/or man-made environment; and
  - iii. If freestanding or pole-mounted, the height is the minimum necessary without compromising reasonable reception or transmission.
- e. The descriptions of Class 1 Telecommunication Facilities found in Municipal Code Section 10-13.070(1) through (8) are inapplicable to the Code area.
- f. Class 2 and Class 3 Telecommunication Facilities are prohibited in the Code area.

10-25.295 EMERGENCY SHELTER AND GROUP HOME STANDARDS

- a. Single Room Occupancy (SRO) Facilities:

SRO Housing shall conform to the following standards:

- i. Twenty-four-hour on-site management must be provided at an SRO.
- ii. The applicant will provide a copy of the proposed rules and residency requirements governing the SRO. The management will be solely responsible for the enforcement of all rules that are reviewed and approved by the City Council as part of a conditional use permit.
- iii. A Management Plan to address operations, safety and security and building maintenance must be submitted to the Police Department for review and approval.
- iv. The building shall contain a minimum of 250 square feet of common space such as recreation areas, lounges, and living spaces. An additional 10 square feet of common space is required per rooming unit over 10. Bathrooms, laundries, hallways, the main lobby, vending areas, and kitchens shall not be counted as common space.

## FORM-BASED CODE

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### Mission Boulevard Corridor

- v. Receptacles for garbage, recycling, and compostables are to be provided by the property owner. Garbage receptacles must be located and maintained on the lot or property in a manner consistent with City standards.
  - vi. A Management Plan to address operations, safety and security and building maintenance must be submitted to the Police Department for review and approval.
- b. Emergency Shelters:
- i. Homeless shelters shall maintain a maximum occupancy not to exceed sixty (60) individuals.
  - ii. Homeless shelters shall provide on-site waiting and intake areas screened from public view at the abutting thoroughfare, Civic Space or Civic Space Zone.
  - iii. Parking areas shall be paved with any permitted material identified in Table 13D.
  - iv. Yards shall be lit during nighttime hours, in accordance with the Security Standards Ordinance (No. 90-26 C.S.).
  - v. Homeless shelters shall be allowed to have intake between the hours of five p.m. to eight p.m. or at dusk, whichever is sooner, and may discharge patrons from eight a.m. to ten a.m.
  - vi. Homeless Shelters shall be located at parcels abutting Mission Boulevard.
  - vii. Homeless Shelters shall be separated by at least 300 feet, as measured from their parcel boundaries.
  - viii. Homeless shelters shall abide by all applicable development standards as set forth in this code.
  - ix. Each resident shall be provided a minimum of 50 gross square feet of personal living space per person, not including space for common areas. Bathing facilities shall be provided in quantity and location as required in the California Plumbing Code (Title 24 Part 5), and shall comply with the accessibility requirements of the California Building Code (Title 24 Part 2).
  - x. Individual occupancy in an emergency shelter is limited to six months in any 12 month period.

xi. Each emergency shelter shall have an on-site management office, with at least one employee present at all times the emergency shelter is in operation or is occupied by at least one resident.

xii. Each emergency shelter shall have on-site security employees, with at least one security employee present at all times the emergency shelter is in operation or is occupied by at least one resident.

xiii. Homeless Shelters shall not be eligible for a Warrant or Exception.

b. Group Transitional Housing:

Such facilities may be permitted as community care facilities with approval of a Conditional Use Permit. Group Transitional Housing facilities must be separated by at least 300 feet as measured from their parcel boundaries. Potential conditions for approval of transitional housing in a group quarters setting may include hours of operation, security, loading requirements, noise regulations, and restrictions on loitering. Conditions would be similar to those for other similar uses and would not serve to constrain the development of such facilities.

c. Group Supportive Housing:

For supportive housing facilities that operate as group quarters, such facilities may be permitted as community care facilities with approval of a Conditional Use Permit. Group Supportive Housing facilities must be separated by at least 300 feet as measured from their parcel boundaries. Potential conditions for approval of supportive housing for a group quarters setting may include hours of operation, security, loading requirements, noise regulations, and restrictions on loitering. Conditions would be similar to those for other similar uses and would not serve to constrain the development of such facilities.

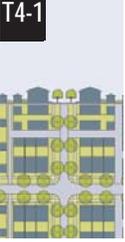
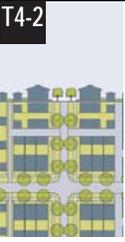
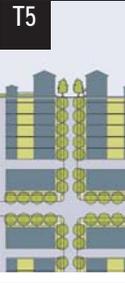
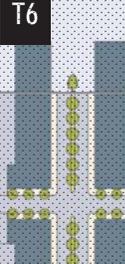
TABLE 1	TRANSECT ZONE DESCRIPTIONS
TABLE 2	THOROUGHFARE ASSEMBLIES
TABLE 3	THOROUGHFARE LIGHTING
TABLE 4	PUBLIC PLANTING
TABLE 5	PRIVATE FRONTAGES
TABLE 6	FENCES AND WALLS
TABLE 7	BUILDING CONFIGURATION (HEIGHT)
TABLE 8	BUILDING DISPOSITION (PLACEMENT ON LOT)
TABLE 9	SPECIFIC FUNCTION & USE
TABLE 10	CIVIC SPACE
TABLE 11	FORM-BASED CODE SUMMARY
TABLE 12A	FORM-BASED CODE GRAPHICS: T3
TABLE 12B	FORM-BASED CODE GRAPHICS: T4-1
TABLE 12C	FORM-BASED CODE GRAPHICS: T4-2
TABLE 12D	FORM-BASED CODE GRAPHICS: T5
TABLE 13A	SUSTAINABILITY: WIND POWER
TABLE 13B	SUSTAINABILITY: SOLAR ENERGY
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TABLE 14	APPROVAL REQUIREMENTS MATRIX
TABLE 15	DEFINITIONS ILLUSTRATED

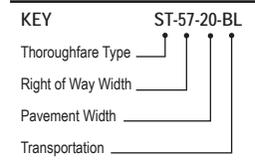
# TABLE 1. TRANSECT ZONE DESCRIPTIONS

# FORM-BASED CODE

## Mission Boulevard Corridor

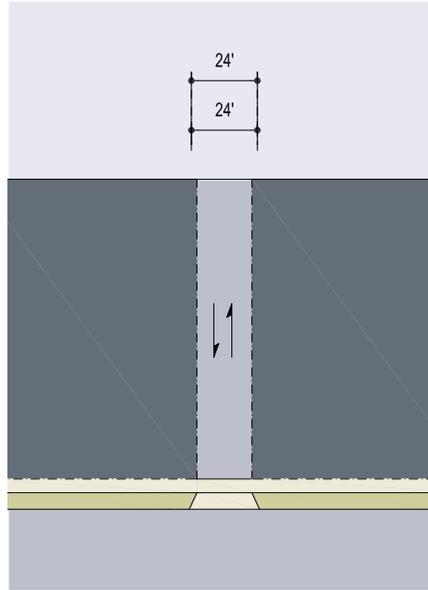
TABLE 1: Transect Zone Descriptions. This table provides descriptions of the character of each T-zone. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

	<p><b>T1 NATURAL</b> T1 Natural Zone consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Natural landscape with some agricultural use Not applicable Not applicable Not applicable Parks, Greenways</p>
	<p><b>T2 RURAL</b> T2 Rural Zone consists of sparsely settled lands in open or cultivated states. These include woodland, agricultural land, grassland, and irrigable desert. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Primarily agricultural with woodland &amp; wetland and scattered buildings Variable Setbacks Not applicable 1- to 2-Story Parks, Greenways</p>
	<p><b>T3 SUB-URBAN</b> T3 Sub-Urban Zone consists of low density residential areas, adjacent to higher zones that includes some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Lawns, and landscaped yards surrounding detached single-family houses; pedestrians occasionally Large and variable front and side yard Setbacks Porches, fences, naturalistic tree planting 1- to 2-Story Parks, Greenways, Squares, Playgrounds</p>
	<p><b>T4-1 GENERAL URBAN 1</b> T4-1 General Urban Zone consists of mixed use but primarily residential urban fabric. It includes a mix of building types: townhouses, apartment buildings, mixed-use buildings and commercial buildings. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Mix of townhouses, and apartment buildings with scattered commercial activity; balance between landscape and buildings; presence of pedestrians. Shallow to medium front and side setbacks Mostly Porches, fences, Dooryards, Shopfronts 2- to 4-Story with a few taller apartment or mixed-use buildings Parks, Squares, Playgrounds</p>
	<p><b>T4-2 GENERAL URBAN 2</b> T4-2 General Urban Zone consists of mixed use but primarily residential urban fabric. It includes a mix of building types: townhouses, apartment buildings, mixed-use buildings and commercial buildings. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Mix of townhouses, and apartment buildings with scattered commercial activity, light industrial buildings and warehouses; balance between landscape and buildings; presence of pedestrians. Shallow to medium front and side setbacks Mostly Porches, fences, Dooryards, Shopfronts 2- to 4-Story with a few taller apartment or mixed-use buildings Parks, Squares, Playgrounds</p>
	<p><b>T5 URBAN CENTER</b> T5 Urban Center Zone consists of higher density mixed-use buildings that accommodate retail, office, and residential uses, along with townhouses and apartment buildings. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Shops mixed with townhouses, apartment buildings, offices, work-places, and Civic buildings; attached and detached buildings close together; trees within the public right-of-way; substantial pedestrian activity. Shallow Setbacks or none; many buildings oriented to the street defining a street wall Mostly Stoops, Shopfronts, Galleries, Dooryards 3- to 6-Story with some variation and a few taller mixed-use buildings Parks, Plazas and Squares, Playgrounds</p>
	<p><b>T6 URBAN CORE</b> T6 Urban Core Zone consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; streets have steady street tree planting and buildings are set close to wide sidewalks. Typically only large towns and cities have an Urban Core Zone.</p>	<p>General Character: Building Placement: Frontage Types: Typical Building Height: Type of Civic Space:</p>	<p>Medium to high-Density Mixed Use buildings, entertainment, Civic and cultural uses. Attached buildings forming a continuous street wall; trees within the public right-of-way; highest pedestrian and transit activity Shallow Setbacks or none; buildings oriented to street, defining a street wall Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades 4-plus Story with a few shorter buildings Parks, Plazas and Squares; median landscaping</p>

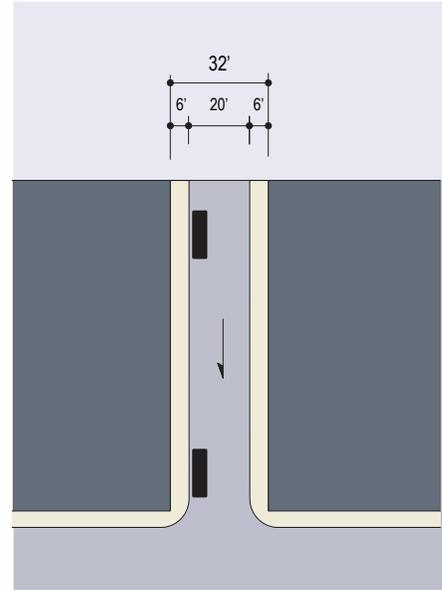


**THOROUGHFARE TYPES**

Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Slip Lane:	SL
Rear Alley:	RA
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



<b>RA-24-24</b>	
Thoroughfare Type	Rear Alley
Transect Zone Assignment	T4-1, T4-2, T5
Right-of-Way Width	24 feet
Pavement Width	24 feet
Movement	Slow Movement
Intended Speed	10 MPH
Pedestrian Crossing Time	6 seconds
Traffic Lanes	n/a
Parking Lanes	None
Curb Radius	Taper
Walkway Type	None
Planter Type	None
Curb Type	Inverted Crown
Landscape Type	None
Transportation Provision	N/A

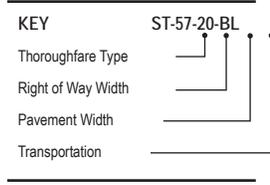


<b>ST-32-20</b>	
Thoroughfare Type	Street
Transect Zone Assignment	T4-1, T4-2, T5
Right-of-Way Width	32 feet
Pavement Width	20 feet
Movement	Slow Movement
Intended Speed	20 MPH
Pedestrian Crossing Time	5 seconds
Traffic Lanes	1 lane
Parking Lanes	One side, unmarked
Curb Radius	15 feet
Walkway Type	6 foot Sidewalk
Planter Type	None
Curb Type	6" Curb
Landscape Type	None
Transportation Provision	BR

# TABLE 2. THOROUGHFARE ASSEMBLIES

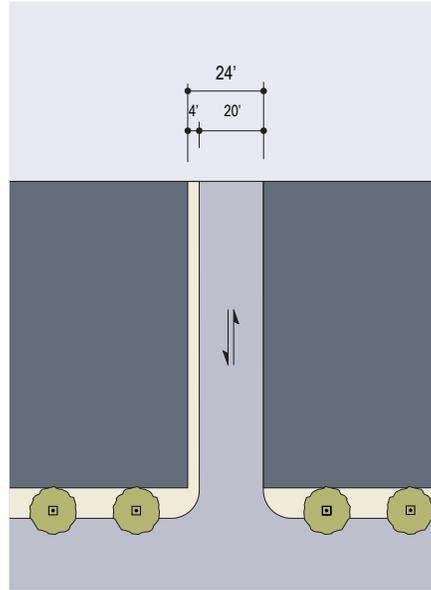
# FORM-BASED CODE

Mission Boulevard Corridor



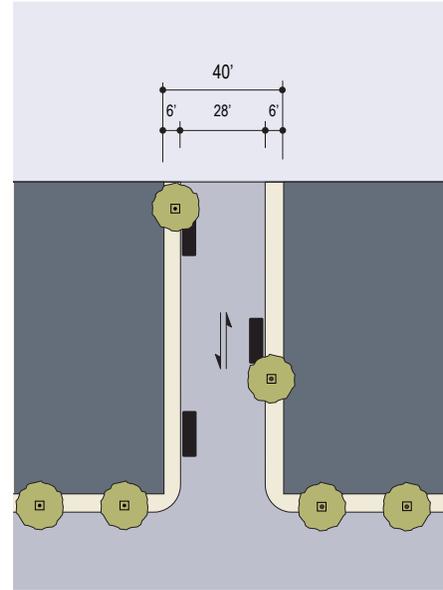
**THOROUGHFARE TYPES**

Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Slip Lane:	SL
Rear Alley:	RA
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



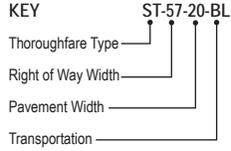
**ST-24-20-BR**

Thoroughfare Type	Street
Transect Zone Assignment	T3, T4-1, T4-2
Right-of-Way Width	24 feet
Pavement Width	20 feet
Movement	Slow Movement
Intended Speed	20 MPH
Pedestrian Crossing Time	5 seconds
Traffic Lanes	2 lanes
Parking Lanes	None
Curb Radius	15 feet
Walkway Type	4 foot Sidewalk, one side
Planter Type	None
Curb Type	6" Curb
Landscape Type	None
Transportation Provision	BR



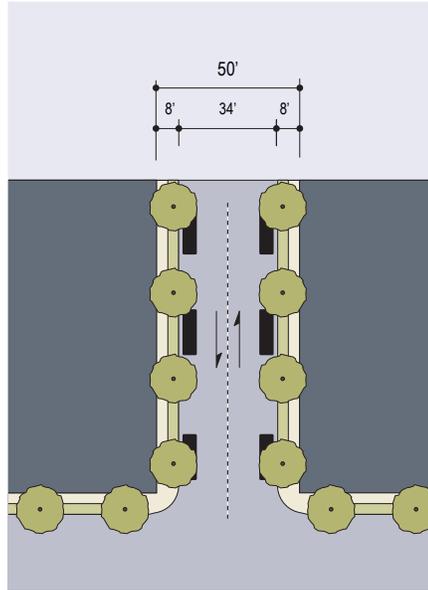
**ST-40-28-BR**

Thoroughfare Type	Street
Transect Zone Assignment	T3, T4-1, T4-2
Right-of-Way Width	40 feet
Pavement Width	28 feet
Movement	Slow Movement
Intended Speed	20 MPH
Pedestrian Crossing Time	7 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both Sides @ 7 feet marked
Curb Radius	15 feet
Walkway Type	6 foot Sidewalk
Planter Type	None
Curb Type	6" Curb
Landscape Type	Small-size trees, sporadic
Transportation Provision	BR

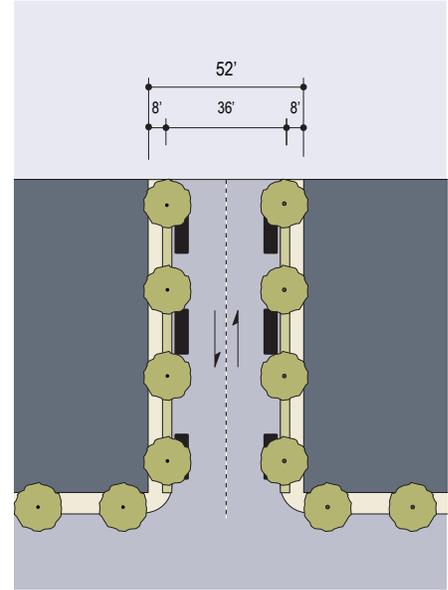


**THOROUGHFARE TYPES**

- Boulevard: BV
- Avenue: AV
- Commercial Street: CS
- Drive: DR
- Street: ST
- Road: RD
- Slip Lane: SL
- Rear Alley: RA
- Bicycle Trail: BT
- Bicycle Lane: BL
- Bicycle Route: BR
- Path: PT
- Passage: PS
- Transit Route: TR



**ST-50-34-BR**



**ST-52-36-BR**

Thoroughfare Type
Transect Zone Assignment
Right-of-Way Width
Pavement Width
Movement
Intended Speed
Pedestrian Crossing Time
Traffic Lanes
Parking Lanes
Curb Radius
Walkway Type
Planter Type
Curb Type
Landscape Type
Transportation Provision

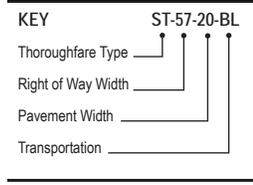
Street
T4-1, T4-2, T5
50 feet
34 feet
Slow Movement
35 MPH
8.5 seconds
2 lanes
Both Sides @ 7 feet unmarked
15 Feet
4 foot Sidewalk
3.5 foot wide continuous Planter
6" Curb
Small to Medium-size trees at 30' o.c. Avg.
BR

Street
T4-1, T4-2
52 feet
36 feet
Slow Movement
25 MPH
9 seconds
2 lanes
Both Sides @ 7 feet unmarked
15 feet
4.5 foot Sidewalk
3 wide continuous Planter
6" Curb
Small to Medium-size trees at 30' o.c. Avg.
BR

# TABLE 2. THOROUGHFARE ASSEMBLIES

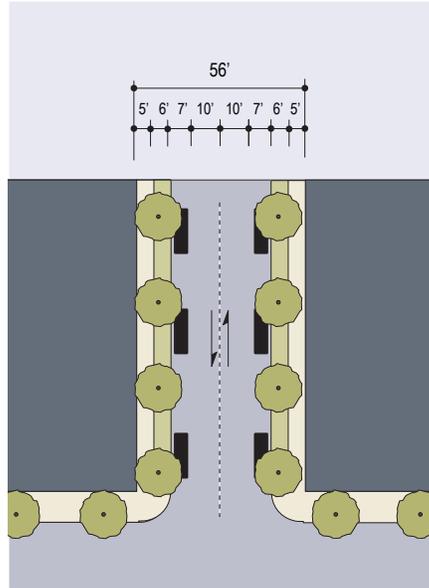
# FORM-BASED CODE

Mission Boulevard Corridor



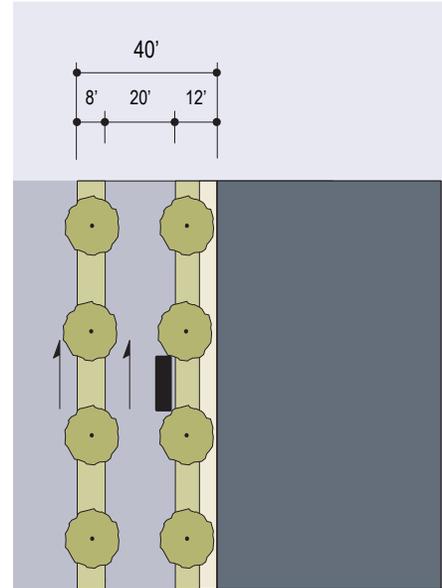
**THOROUGHFARE TYPES**

Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Slip Lane:	SL
Rear Alley:	RA
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



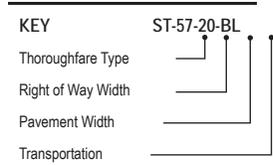
**ST-56-34-BR**

Thoroughfare Type	Street
Transect Zone Assignment	T4-1, T4-2, T5
Right-of-Way Width	56 feet
Pavement Width	34 feet
Movement	Slow Movement
Intended Speed	20 MPH
Pedestrian Crossing Time	8.5 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both Sides @ 7 feet unmarked
Curb Radius	15 feet
Walkway Type	5 foot Sidewalk
Planter Type	5.5 foot wide continuous Planter
Curb Type	6" Curb
Landscape Type	Small to Medium-size trees at 30' o.c. Avg.
Transportation Provision	BR



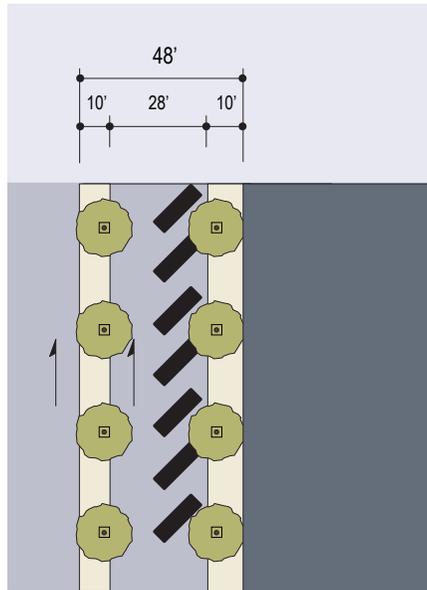
**SL-40-20-BR**

Thoroughfare Type	Slip Lane
Transect Zone Assignment	T4-1, T4-2, T5
Right-of-Way Width	40 feet
Pavement Width	20 feet
Movement	Slow Movement
Intended Speed	25 MPH
Pedestrian Crossing Time	5 seconds
Traffic Lanes	one 12 foot one-way lane
Parking Lanes	one parallel 8 foot lane
Curb Radius	10 feet
Walkway Type	6 foot Sidewalk
Planter Type	5.5 continuous Planter
Curb Type	6" Curb
Landscape Type	Large-size trees at 30' o.c. Avg.; planted 8' medians (Large-size trees at 30' o.c. Avg.)
Transportation Provision	BR

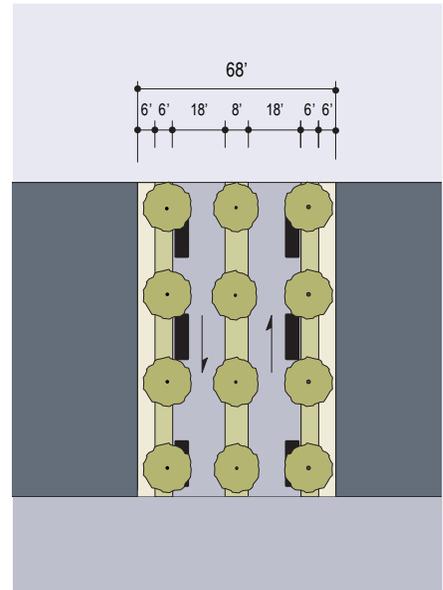


**THOROUGHFARE TYPES**

Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Slip Lane:	SL
Rear Alley:	RA
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



**SL-48-28-BR**



**AV-68-36-BR**

Thoroughfare Type
Transect Zone Assignment
Right-of-Way Width
Pavement Width
Movement
Intended Speed
Pedestrian Crossing Time
Traffic Lanes
Parking Lanes
Curb Radius
Walkway Type
Planter Type
Curb Type
Landscape Type
Transportation Provision

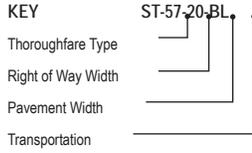
Slip Lane
T4-1, T4-2, T5
48 feet
28 feet
Slow Movement
25 MPH
7 seconds
one 12 foot one-way lane
one side angled @ 30° max. @ 16 feet marked
10 feet
6 foot Sidewalk
None
6" Curb
Large-size trees at 30' o.c. Avg.
BR

Avenue
T4-1, T4-2, T5
68 feet
18 feet, 18 feet
Slow Movement
25 MPH
9 seconds
2 lanes
Both Sides @ 7 feet marked
15 feet
6 foot Sidewalk
5.5 wide continuous planter
6" Curb
Medium-size trees at 30' o.c. Avg.; planted 8' medians (Medium-size trees at 30' o.c. Avg.)
BR

# TABLE 2. THOROUGHFARE ASSEMBLIES

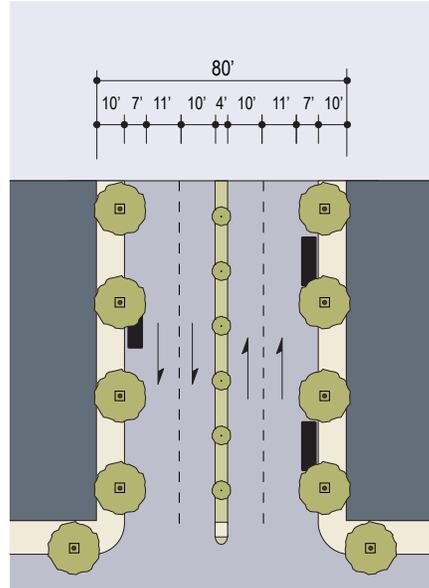
# FORM-BASED CODE

Mission Boulevard Corridor

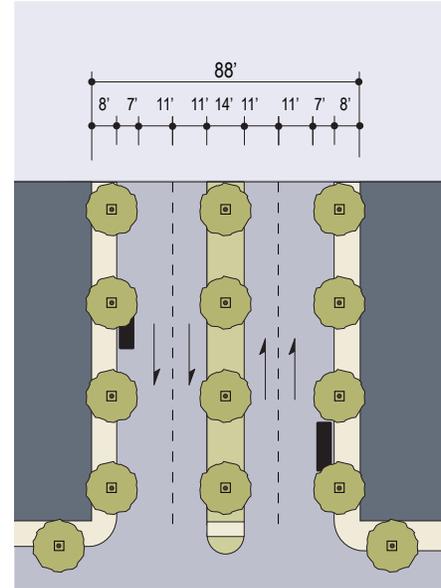


**THOROUGHFARE TYPES**

- Boulevard: BV
- Avenue: AV
- Commercial Street: CS
- Drive: DR
- Street: ST
- Road: RD
- Slip Lane: SL
- Rear Alley: RA
- Bicycle Trail: BT
- Bicycle Lane: BL
- Bicycle Route: BR
- Path: PT
- Passage: PS
- Transit Route: TR



**AV-80-58-BR**

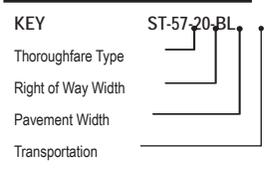


**AV-88-58-BR**

Thoroughfare Type	
Transect Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Intended Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	

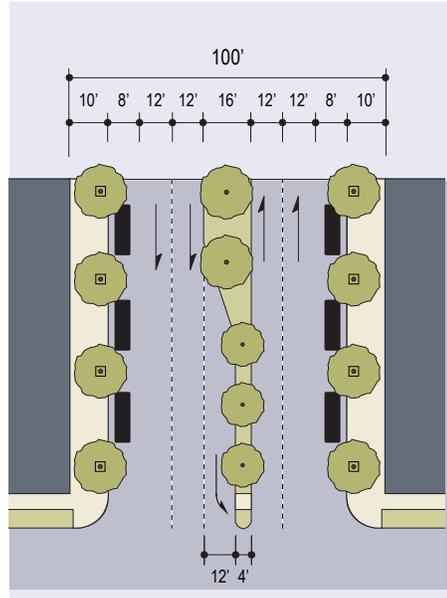
Thoroughfare Type	Avenue
Transect Zone Assignment	T4-1, T4-2, T5
Right-of-Way Width	80 feet
Pavement Width	29 feet - 29 feet
Movement	Slow Movement
Intended Speed	25 MPH
Pedestrian Crossing Time	15 seconds
Traffic Lanes	4 lanes
Parking Lanes	Both Sides @ 7 feet marked
Curb Radius	15 feet
Walkway Type	7 foot Sidewalk
Planter Type	Tree Wells
Curb Type	6" Curb
Landscape Type	Large-size trees at 30' o.c. Avg.; planted 4' medians (Small trees at 15' o.c. Avg.)
Transportation Provision	BR

Thoroughfare Type	Avenue
Transect Zone Assignment	T4-1, T4-2, T5
Right-of-Way Width	88 feet
Pavement Width	29 feet - 29 feet
Movement	Slow Movement
Intended Speed	25 MPH
Pedestrian Crossing Time	15 seconds
Traffic Lanes	4 lanes
Parking Lanes	Both Sides @ 7 feet marked
Curb Radius	15 feet
Walkway Type	4.5 foot Sidewalk
Planter Type	3 foot continuous Planter
Curb Type	6" Curb
Landscape Type	Large-size trees at 30' o.c. Avg.; Planted 14 foot median (Large-size trees)
Transportation Provision	BR

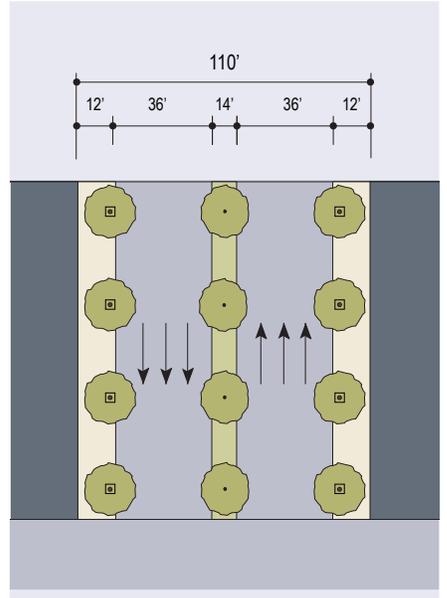


**THOROUGHFARE TYPES**

Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Slip Lane:	SL
Rear Alley:	RA
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



**AV-100-64/76-TR**



**AV-110-72-BR**

Thoroughfare Type
Transect Zone Assignment
Right-of-Way Width
Pavement Width
Movement
Intended Speed
Pedestrian Crossing Time
Traffic Lanes
Parking Lanes
Curb Radius
Walkway Type
Planter Type
Curb Type
Landscape Type
Transportation Provision

Avenue
T4-1, T4-2, T5
100 feet
32 feet - 32/44 feet
Free Movement
35 MPH
8 seconds - 8/11 seconds
4-5 lanes
Both sides @ 8 feet unmarked
30 feet (typical)
10 foot Sidewalk
4.5 foot wide continuous permeable paving strip with 4.5x4.5 tree wells
6" Curb
Large-size trees at 30' o.c. Avg.; Planted 16 foot median (Large-size trees)
TR

Avenue
T4-2
110 feet
36 feet - 36 feet
Free Movement
35 MPH
9 seconds - 9 seconds
6 lanes
None
30 feet
12 foot Sidewalk
4.5 foot wide continuous permeable paving strip with 4.5x4.5 tree wells
6" Curb or Swale
Large-size trees at 30' o.c. Avg.; Planted 14 foot median (Large-size trees)
BR

**TABLE 3. THOROUGHFARE LIGHTING**

**FORM-BASED CODE**

Mission Boulevard Corridor

TABLE 3: Thoroughfare Lighting. Lighting varies in brightness and also in the character of the fixture according to the Transect. The table shows six common types. Lighting shall comply with the standard found in chapter 41 of the Building Code of the City of Hayward. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

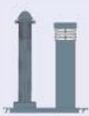
	T1	T2	T3	T4-1	T4-2	T5	T6	Specifications
<p>Cobra Head</p> 				■	■	■		<p>Cobra head fixtures are allowed in T4-1, T4-2 and T5 only when combined with pedestrian-scaled lighting.</p>
<p>Pipe</p> 			■					
<p>Post</p> 			■	■	■			
<p>Column</p> 			■	■	■	■		<p>Pole height: 12 ft                      Wattage: Equivalent 150-175 w metal halide                      Type: Decorative                      Uniformity Ratio: 4:1                      Average foot candle: 0.7 - 0.9                      Location: average 100 ft apart, staggered</p>
<p>Double Column</p> 						■		<p>Pole height: 12 ft                      Wattage: Equivalent 150-175 w metal halide                      Type: Decorative                      Uniformity Ratio: 3:1                      Average foot candle: 0.9 - 1.1                      Location: average 100-120 ft apart, staggered</p>
<p>Ornamental Bollard</p> 			■	■	■	■		<p>Specification: ornamental bollards should be located between other light fixtures in areas where there is retail</p>

TABLE 4: Public Planting. This table shows six common types of street tree shapes and their appropriateness within the Transect Zones. Development Services and Public Works Departments select species appropriate for the bioregion. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

	T1	T2	T3	T4-1	T4-2	T5	T6	Specifications: the tree species listed are examples provided for reference only.
Palm 			■	■	■	■		The following species shall NOT be specified: Syagrus romanzoffianum, Queen Palm Washingtonia robusta, Mexican Fan Palm _____ _____ _____ _____
Coniferous 			■	■	■	■		Calocedrus decurrens, Incense Cedar Cedrus deodora, Deodar Cedar Cupressus sempervirens, Italian Cypress Sequoia sempervirens, Coastal Redwood _____ _____ _____ _____
Narrow Canopy 			■	■	■	■		Carpinus betulus 'Fastigiata', European Hornbeam Lophostemon confertus, Brisbane Box Tree Ginko biloba 'Sentry', Sentry Maiden Hair Tree Pyrus calleryana 'Chanticleer', Ornamental Pear Quercus robur 'Fastigiata', Columnar English Oak Zelkova Musashino, Zelkova _____ _____ _____ _____
Small Size 			■	■	■	■		Cercis Canadensis 'ForestPansy', Eastern Redbud Cercis occidentalis, Western Redbud Eryobotrya deflexa, Bronze Loquat Lagerstroemia indica 'Muskogee' and 'Tuscarora', Crape Myrtle Malus spp, Flowering Crabapple _____ _____ _____ _____
Medium size * 			■	■	■	■		Acer buergerianum, Trident Maple Aesculus californica, California Buckeye Aesculus x. carnea, Red Horsechestnut Arbutus 'Marina', Arbutus Celtis spp, Hackberry Species Fraxinus oxycarpa 'Raywood', Raywood Ash Ginko biloba 'Autumn Gold', Maiden Hair Tree Koelreuteria bipinnata, Chinese Flame Tree Melaleuca quinquenervia, Cajeput Tree _____ _____ _____ _____
Large size * 			■	■	■	■		Cinnamomum camphora, Camphor Tree Liriodendron tulipifera, Tulip Tree Platanus agrifolia 'columbia', London Plane Tree Quercus agrifolia, California Coastal Live Oak Quercus ilex, Holly Oak Quercus virginiana, Southern Live Oak Zelkova serrata, Japanese Zelkova _____ _____ _____ _____

\* see "Definitions of Terms" section

# TABLE 5. PRIVATE FRONTAGES

# FORM-BASED CODE

## Mission Boulevard Corridor

TABLE 5: Private Frontages. This table shows seven common types of Private Frontages and their appropriateness within the Transect Zones.

	SECTION		PLAN		
	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	
a. <b>Common Yard:</b> a planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.					T3
b. <b>Porch &amp; Fence:</b> a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.					T3 T4-1 T4-2
c. <b>Terrace or Lightwell:</b> a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.					T4-1 T4-2 T5
d. <b>Forecourt:</b> a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.					T4-1 T4-2 T5
e. <b>Stoop:</b> a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use. The stoop elevation shall be 24"-36" above the sidewalk.					T4-1 T4-2 T5
f. <b>Shopfront:</b> a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and an awning that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.					T4-1 T4-2 T5
g. <b>Gallery:</b> a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.					T4-1 T4-2
h. <b>Arcade:</b> a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.					T5

TABLE 6: Fences and Walls. This table shows five common types of fences and walls and their appropriateness within the Transect Zones. Only these fences and wall types shall be used in any portion of a front or side yard. Refer to Section 10-25.255 for information on height, location and visibility requirements. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

	T1	T2	T3	T4-1	T4-2	T5	T6
Wood Picket Fence 			■	■	■		
Iron Picket Fence 			■	■	■		
Metal Fence on Concrete Base (1) 			■	■	■	■	
Brick and Iron Fence (2) 			■	■	■	■	
Brick Wall (2) 			■	■	■	■	

(1) The concrete base should be 18"-36" in height.

(2) Although brick only is illustrated, other materials such as stone, slate, etc., are also acceptable, with a tie-in to the building material.

**TABLE 7. BUILDING CONFIGURATION (BUILDING HEIGHT)**

**FORM-BASED CODE**

Mission Boulevard Corridor

TABLE 7: Building Configuration. This table shows the Configurations for different building heights for each Transect Zone. Expression Lines shall occur on buildings higher than 4 stories as shown. The maximum height is as specified in Table 11j.

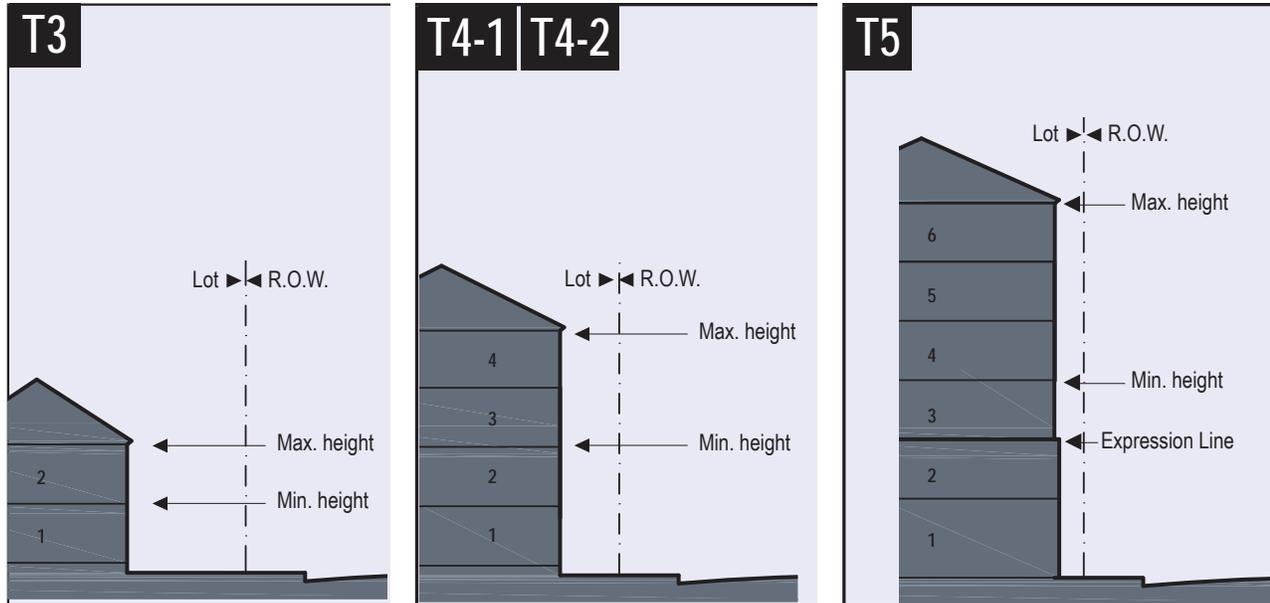
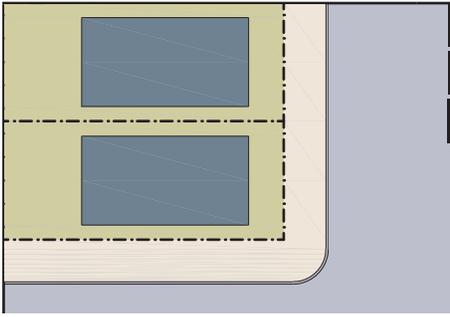
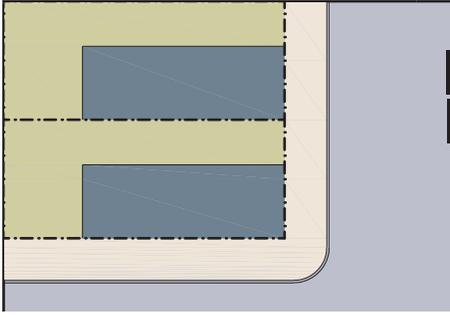
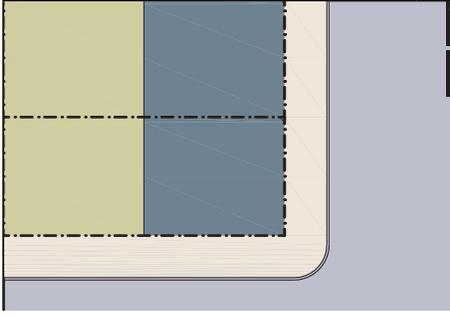
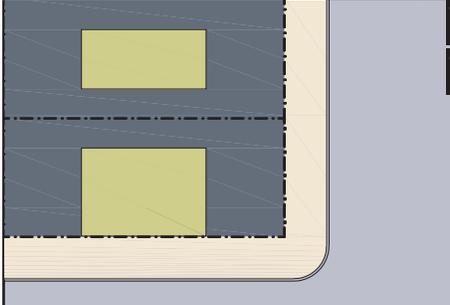


TABLE 8: Building Disposition. This table approximates the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Transect Zone.

<p>a. <b>Edgeyard:</b> A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding. The main entrance to the building shall be located within the façade and accessed directly from the street through an allowed frontage type.</p>	 <div style="float: right; text-align: center;"> <p>T3</p> <p>T4-1</p> <p>T4-2</p> </div>
<p>b. <b>Sideyard:</b> A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this Disposition. The main entrance to the building shall be accessed directly from the street through an allowed frontage type or side yard area equal in width to the street built-to line.</p>	 <div style="float: right; text-align: center;"> <p>T3</p> <p>T4-1</p> <p>T4-2</p> <p>T5</p> </div>
<p>c. <b>Rearyard:</b> A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking. The main entrance to the building shall be located within the façade and accessed directly from the street through an allowed frontage type.</p>	 <div style="float: right; text-align: center;"> <p>T4-1</p> <p>T4-2</p> <p>T5</p> </div>
<p>d. <b>Courtyard:</b> A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas. The main entrance to the building shall be directly off a common courtyard or directly from the street.</p>	 <div style="float: right; text-align: center;"> <p>T4-1</p> <p>T4-2</p> <p>T5</p> </div>

**TABLE 9. SPECIFIC FUNCTION & USE**

**FORM-BASED CODE**

Mission Boulevard Corridor

TABLE 9: Allowed Functions. This table allocates Functions and permit requirements to Zones within the Code area.

**a. RESIDENTIAL**

	T3	T4-1	T4-2	T5	CS
Multiple Family	CU	P	P	P	-
Second Dwelling Unit	P	P	P	P	-
Single Family	P	-	-	-	-
Live-Work	-	P	P	P	-
Transitional Housing	P	P	P	P	-
Group Transitional Housing	-	CU	CU	CU	-
Supportive Housing	P	P	P	P	-
Group Supportive Housing	-	CU	CU	CU	-
Emergency Homeless Shelter	-	P	P	P	-
Single Room Occupancy (SRO)	-	-	-	P	-

**b. LODGING**

Bed & Breakfast	CU	AU	AU	AU	-
Hotel	-	CU	CU	CU	-

**c. OFFICE**

Office	CU	P	P	P	-
--------	----	---	---	---	---

**d. RETAIL**

Alcohol Sales	-	CU	CU	CU	-
Artisan/Craft Production	-	P	P	P	-
Appliance Repair Shop	-	P	P	P	-
Check Cashing & Loans	-	CU	CU	CU	-
Dance/Nightclub	-	CU	CU	CU	-
Equipment Rentals	-	AU	AU	AU	-
Home Occupation	P	P	P	P	-
Indoor Recreation	-	AU	AU	AU	P
Kennel	-	AU	AU	AU	-
Massage Parlor	-	CU	CU	CU	-
Media Production	-	AU	AU	P	-
Pawn Shop	-	CU	CU	CU	-
Personal Services	CU	P	P	P	-
Printing and Publishing	-	AU	AU	P	-
Recycling Collection Area	-	AU	AU	AU	-
Restaurant	-	P	P	P	-
Retail Sales	-	P	P	P	-
Tattoo Parlor	-	CU	CU	CU	-
Small Motion Picture Theater	-	CU	CU	CU	P
Large Motion Picture Theater *	-	CU	CU	CU	CU
Live Performance Theater	-	CU	CU	CU	P

(-) = NOT PERMITTED

(P) = BY RIGHT

(AU) = ADMINISTRATIVE USE PERMIT

(CU) = CONDITIONAL USE PERMIT

\* An application for conditional use Permit for a Large Motion Picture Theater shall be accompanied by a study acceptable to the Planning Director documenting the absence of negative impact upon the downtown of the opening of another Large Motion Picture Theater.

**e. CIVIC**

	T3	T4-1	T4-2	T5	CS
Assembly	-	AU	AU	AU	AU
Conference Center	-	-	-	CU	-
Cultural Facilities	CU	P	P	P	P
Park & Recreation	P	P	P	P	P
Parking Facility	-	AU	AU	AU	-
Public Agency Facilities	CU	P	P	P	P
Religious Facility	CU	AU	AU	AU	AU
Wind Energy	P	P	P	P	P

**f. OTHER: AGRICULTURE**

Vegetable Garden	P	P	P	-	-
Urban Farm	P	P	P	P	P
Community Garden	P	P	P	P	P
Green Roof					
Extensive	P	P	P	P	P
Semi Intensive	P	P	P	P	P
Intensive	P	P	P	P	P
Vertical Farm	-	-	-	P	-

**g. OTHER: AUTOMOTIVE**

Automobile Repair (Minor)	-	AU	AU	AU	-
Automobile Repair (Major)	-	CU	CU	CU	-
Drive-Through Facility	-	CU	CU	CU	-
Gas Station	-	CU	CU	CU	-
Taxi Company	-	AU	AU	AU	-

**h. OTHER: CIVIL SUPPORT**

Fire Station	CU	P	P	P	-
Hospital	-	CU	CU	CU	-
Medical/Dental Clinic	-	AU	AU	AU	-
Mortuary	-	AU	AU	AU	-
Police Station	CU	P	P	P	-

**i. OTHER: EDUCATION**

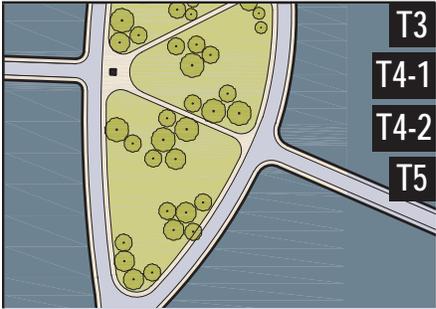
Day Care Center	CU	P	P	P	-
Day Care Home	P	AU	AU	AU	-
Educational Facilities	-	AU	AU	AU	P
Vocational School	-	AU	AU	AU	P

**i. OTHER: LIGHT INDUSTRIAL**

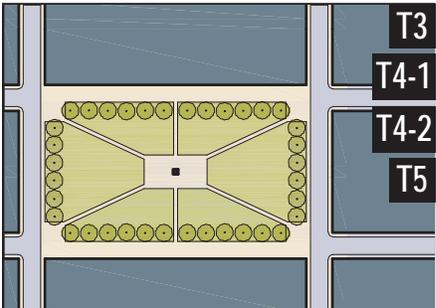
Research and Development	-	-	P	-	-
Wholesale	-	-	P	-	-
Manufacturing/Assembly of Clothing	-	-	P	-	-
Woodworking Shop	-	-	P	-	-
Artisan Manufacturing	-	-	P	-	-

Mission Boulevard Corridor

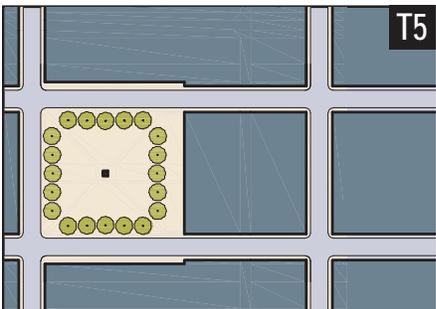
a. **Park:** A natural preserve or an Open Space, available for unstructured recreation. A Park may be independent of surrounding building Frontages or spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/2 acre.



b. **Square:** An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. They may contain shelters, gazebos, or benches. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.



c. **Plaza:** An Open Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Plazas should be located at the intersection of important streets. The minimum size shall be 5,000 s.f. and the maximum shall be 1/2 acre. A plaza may be governed by an HOA.



d. **Playground:** An Open Space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within parks and squares. There shall be no minimum or maximum size.

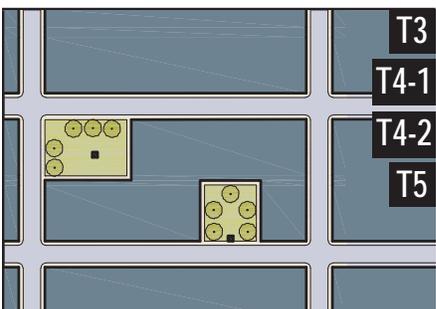


TABLE 11. FORM-BASED CODE SUMMARY

FORM-BASED CODE

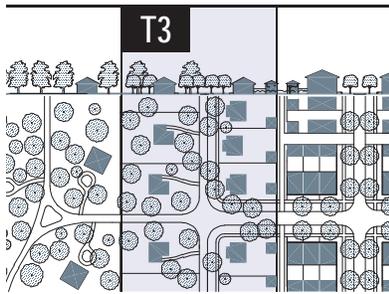
Mission Boulevard Corridor

	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4-1 GENERAL URBAN ZONE	T4-2 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE	T6 URBAN CORE ZONE
By Right Maximum Density			17.5 units / acre net	35 units / acre net	35 units / acre net	55 units / acre net	
Minimum Density			4.3 units/ acre net	17.5 units/ acre net	17.5 units/ acre net	35 units/ acre net	
b. BLOCK SIZE							
Block Perimeter			3000 ft. max	2400 ft. max	2800 ft. max	2000 ft. max	
c. THOROUGHFARES (see Table 2)							
Boulevard			permitted	permitted	permitted	permitted	
Avenue			permitted	permitted	permitted	permitted	
Commercial Street			not permitted	not permitted	not permitted	permitted	
Drive			permitted	permitted	permitted	permitted	
Street			permitted	permitted	permitted	permitted	
Road			permitted	not permitted	not permitted	not permitted	
Slip Lane			permitted	permitted	permitted	permitted	
Rear Alley			permitted	permitted	permitted	permitted	
Path			permitted	permitted	permitted	not permitted	
Passage			permitted	permitted	permitted	permitted	
Bicycle Trail			permitted	not permitted *	not permitted *	not permitted	
Bicycle Lane			permitted	permitted	permitted	not permitted	
Bicycle Route			permitted	permitted	permitted	permitted	
d. CIVIC SPACES (see Table 10)							
Park			permitted	permitted	permitted	permitted	
Square			permitted	permitted	permitted	permitted	
Plaza			not permitted	not permitted	not permitted	permitted	
Playground			permitted	permitted	permitted	permitted	
e. LOT OCCUPATION							
Lot Width			35-120 ft. max	18 ft. min 120 ft. max	18 ft. min 200 ft. max	18 ft. min 250 ft. max	
Lot Coverage			70% max	80% max	80% max	90% max	
f. SETBACKS - PRINCIPAL BUILDING (see Table 15)							
(f.1) Front Setback (Principal)			18 ft. min	6 ft. min 24 ft. max	6 ft. min 40 ft. max	2 ft. min 12 ft. max	
(f.2) Front Setback (Secondary)			10 ft. min	6 ft. min 24 ft. max	6 ft. min 40 ft. max	2 ft. min 12 ft. max	
(f.3) Side Setback			5 ft. min	0 ft. min	0 ft. min	0 ft. min 24 ft. max	
(f.4) Rear Setback			10 ft. min *	3 ft. min **	3 ft. min **	3 ft. min **	
Frontage Buildout			40% min at setback	60% min at setback	60% min at setback	80% min at setback	
g. SETBACKS - OUTBUILDING (see Table 15)							
(g.1) Front Setback			20 ft. min + bldg setback	20 ft. min + bldg setback	20 ft. min + bldg setback	40 ft. max from rear prop	
(g.2) Side Setback			3 ft. min, 10 ft. min. at corner	0 ft. min; 6 ft. min. at corner	0 ft. min; 6 ft. min. at corner	0 ft. min; 2 ft. min. at corner	
(g.3) Rear Setback			3 ft.	3 ft.	3 ft.	3 ft. max	
h. BUILDING disposition (see Table 8)							
Edgeyard			permitted	permitted	permitted	not permitted	
Sideyard			permitted	permitted	permitted	permitted	
Rearyard			not permitted	permitted	permitted	permitted	
Courtyard			not permitted	permitted	permitted	permitted	
i. private FRONTAGES (see Table 5)							
Common Yard			permitted	not permitted	not permitted	not permitted	
Porch & Fence			permitted	permitted	permitted	not permitted	
Terrace or Lightwell			not permitted	not permitted	permitted	permitted	
Forecourt			not permitted	not permitted	permitted	permitted	
Sloop			not permitted	not permitted	permitted	permitted	
Shopfront			not permitted	not permitted	permitted	permitted	
Gallery			not permitted	not permitted	permitted	permitted	
Arcade			not permitted	not permitted	not permitted	permitted	
Principal Building			2 Stories max	4 Stories max, 2 min	4 Stories max, 2 min	6 Stories max, 3 min	
Outbuilding			2 Stories max	2 Stories max	2 Stories max	2 Stories max	

DISPOSITION

CONFIGURATION

\* Maximum Residential Density and Maximum Building Height may be increased through a Street Dedication Bonus conforming to Section 10-25.275 (h).  
 T1, T2, and T6 do not occur in the Code area and are provided for reference only.



(see Table 1)

e. LOT OCCUPATION (see Table 11e)

Lot Width	35 ft min 120 ft max.
Lot Coverage	70% max.

f. SETBACKS - PRINCIPAL BUILDING (see Table 11f)

(f.1) Front Setback Principal	18 ft. min.
(f.2) Front Setback Secondary	10 ft. min.
(f.3) Side Setback	5 ft. min.
(f.4) Rear Setback	10 ft. min.*
Frontage Buildout	40% min at setback

g. SETBACKS - OUTBUILDING (see Table 11g)

(g.1) Front Setback	20 ft. min. + bldg. setback
(g.2) Side Setback	3 ft. min; 10 ft. min at corner
(g.3) Rear Setback	3 ft. min.*

h. BUILDING DISPOSITION (see Table 8)

Edgeyard	permitted
Sideyard	permitted
Rearyard	not permitted
Courtyard	not permitted

i. PRIVATE FRONTAGES (see Table 5)

Common Yard	permitted
Porch & Fence	permitted
Terrace or Lightwell	not permitted
Forecourt	not permitted
Stoop	not permitted
Shopfront	not permitted
Gallery	not permitted
Arcade	not permitted

Refer to Summary Table 11

j. BUILDING CONFIGURATION (see Table 7)

Principal Building	2 stories max.
Outbuilding	2 stories max.

PARKING PROVISIONS (see Section 10-25.245 )

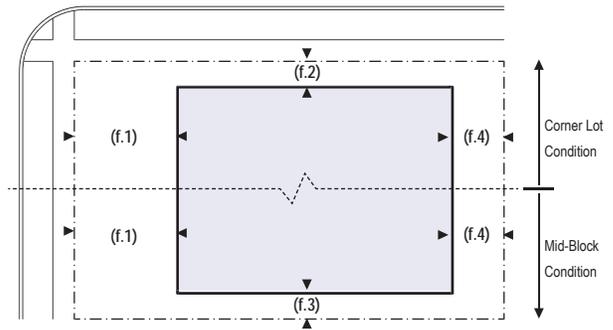
Rental DU: 2 max per unit
For Sale DU/Residential Condominium: 2 max per unit
Single-family House: 1-car garage min.; 2-car garage max.
Non-residential Function: no min - no max.

\* The minimum Rear Setback for 2-story buildings or portions thereof is 20 ft.

Note: Letters on the Table (e. Lot Occupation, f. Setbacks, etc.) refer to the corresponding section in Summary Table 11.

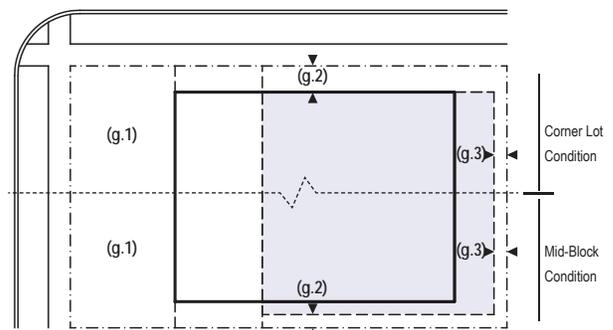
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
- Facades shall be built along the Principal Frontage to the minimum specified width in the table.



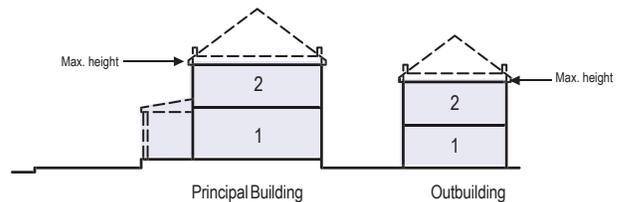
SETBACKS - OUTBUILDING

- The Elevation of the Outbuilding shall be distanced from the Lot lines as shown.



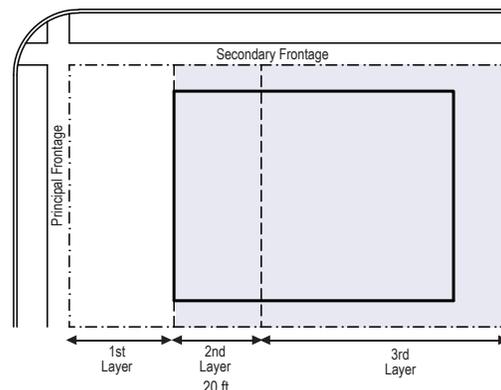
BUILDING CONFIGURATION

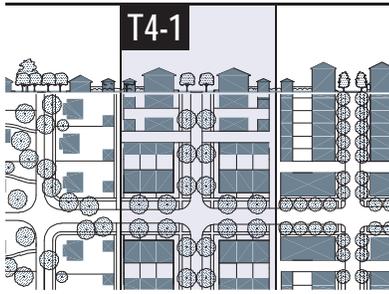
- Building height shall be measured in number of Stories, excluding Attics and raised basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 feet.
- Height shall be measured to the eave or roof deck as specified on Table 8.



PARKING PLACEMENT

- Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 15d).
- When provided, covered parking shall be located within the third Layer as shown in the diagram (see Table 15d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.
- When provided, one-car garages shall have minimum interior dimensions of 9 ft. by 19ft.
- Trash containers shall be stored within the third Layer.





(see Table 1)

e. LOT OCCUPATION (see Table 11e)

Lot Width	18 ft min 120 ft max.
Lot Coverage	80% max

f. SETBACKS - PRINCIPAL BUILDING (see Table 11f)

(f.1) Front Setback Principal	6 ft. min. 24 ft. max.
(f.2) Front Setback Secondary	6 ft. min. 24 ft. max
(f.3) Side Setback	0 ft. min.
(f.4) Rear Setback	3 ft. min.*
Frontage Buildout	60% min at setback

g. SETBACKS - OUTBUILDING (see Table 11g)

(g.1) Front Setback	20 ft. min. + bldg. setback
(g.2) Side Setback	0 ft. min.; 6 ft. min. at corner
(g.3) Rear Setback	3 ft. min.

h. BUILDING DISPOSITION (see Table 8)

Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted

i. PRIVATE FRONTAGES (see Table 5)

Common Yard	not permitted
Porch & Fence	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	not permitted

Refer to Summary Table 11

j. BUILDING CONFIGURATION (see Table 7)

Principal Building	4 stories max, 2 min
Outbuilding	2 stories max.

PARKING PROVISIONS (see Section 10-25.245 )

Rental DU: 1.75 max per unit
For Sale DU/Residential Condominium: 2.0 max per unit
Non-residential Function: no min - no max

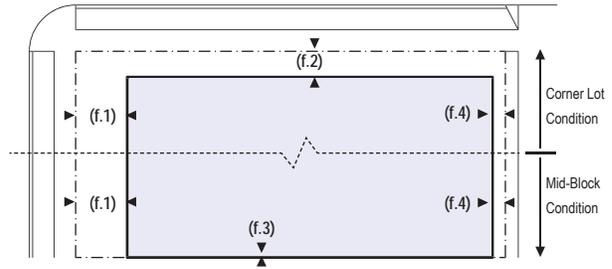
\* or 15 ft. from center line of alley

\*\* "N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Note: Letters on the Table (e. Lot Occupation, f. Setbacks, etc.) refer to the corresponding section in Summary Table 11.

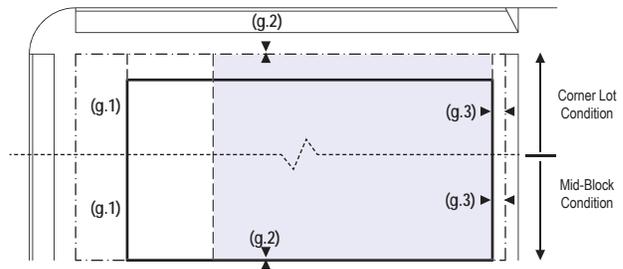
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
- Facades shall be built along the Principal Frontage to the minimum specified width in the table.



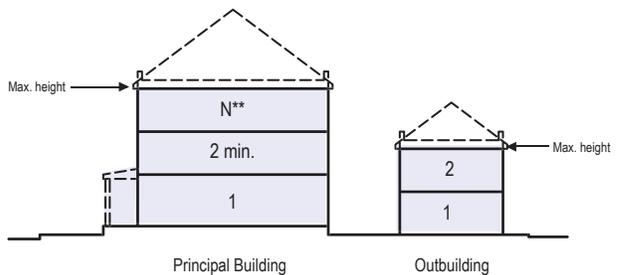
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



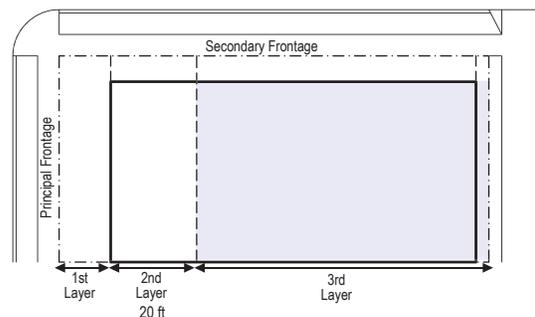
BUILDING CONFIGURATION

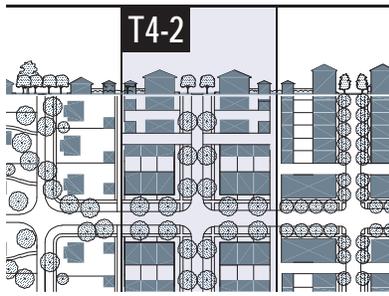
- Building height shall be measured in number of Stories, excluding Attics and raised basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
- Height shall be measured to the eave or roof deck as specified on Table 7.



PARKING PLACEMENT

- Covered and uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 15d).
- Trash containers shall be stored within the third Layer.





T4-2

(see Table 1)

e. LOT OCCUPATION (see Table 11e)

Lot Width	18 ft min 200 ft max.
Lot Coverage	80% max

f. SETBACKS - PRINCIPAL BUILDING (see Table 11f)

(f.1) Front Setback Principal	6 ft. min. 40 ft. max.
(f.2) Front Setback Secondary	6 ft. min. 40 ft. max.
(f.3) Side Setback	0 ft. min.
(f.4) Rear Setback	3 ft. min.*
Frontage Buildout	60% min at setback

g. SETBACKS - OUTBUILDING (see Table 11g)

(g.1) Front Setback	20 ft. min. + bldg. setback
(g.2) Side Setback	0 ft. min.; 6 ft. min. at corner
(g.3) Rear Setback	3 ft. min.

h. BUILDING DISPOSITION (see Table 8)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted

i. PRIVATE FRONTAGES (see Table 5)

Common Yard	not permitted
Porch & Fence	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	not permitted

Refer to Summary Table 11

j. BUILDING CONFIGURATION (see Table 7)

Principal Building	4 stories max, 2 min
Outbuilding	2 stories max.

PARKING PROVISIONS (see Section 10-25.245 )

Rental DU:	1.75 max per unit
For Sale DU/Residential Condominium:	2.0 max per unit
Non-residential Function:	no min - no max

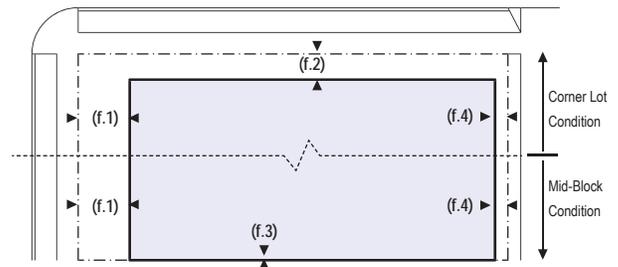
\*or 15 ft. from center line of alley

\*\*\*"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Note: Letters on the Table (e. Lot Occupation, f. Setbacks, etc.) refer to the corresponding section in Summary Table 11.

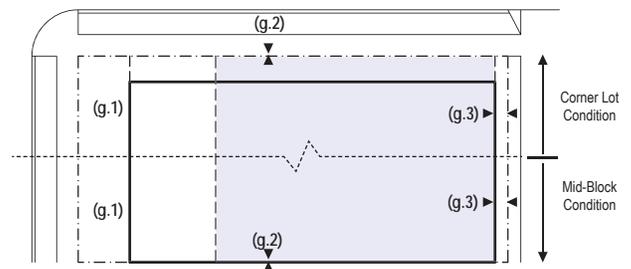
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
- Facades shall be built along the Principal Frontage to the minimum specified width in the table.



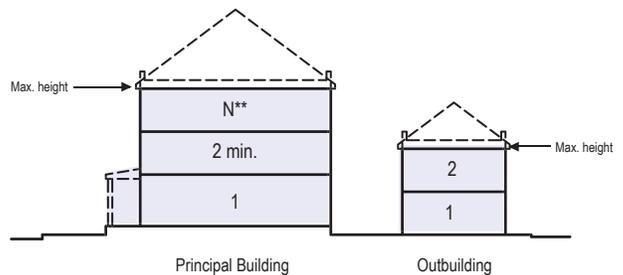
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



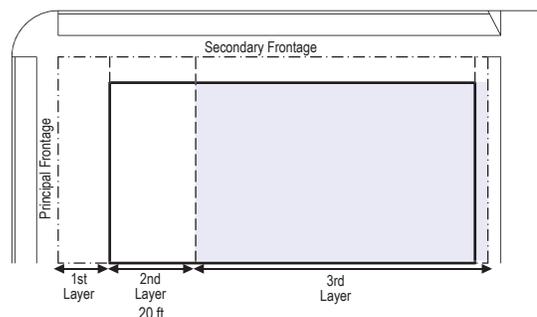
BUILDING CONFIGURATION

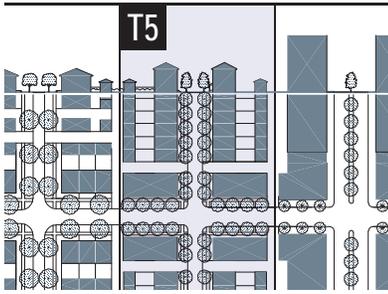
- Building height shall be measured in number of Stories, excluding Attics and raised basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
- Height shall be measured to the eave or roof deck as specified on Table 7.



PARKING PLACEMENT

- Covered and uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 15d).
- Trash containers shall be stored within the third Layer.





(see Table 1)

e. LOT OCCUPATION (see Table 11e)

Lot Width	18 ft min 250 ft max.
Lot Coverage	90% max

f. SETBACKS - PRINCIPAL BUILDING (see Table 11f)

(f.1) Front Setback Principal	2 ft. min. 12 ft. max.
(f.2) Front Setback Secondary	2 ft. min. 12 ft. max.
(f.3) Side Setback	0 ft. min. 24 ft. max.
(f.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback

g. SETBACKS - OUTBUILDING (see Table 11g)

(g.1) Front Setback	40 ft. max. from rear prop.
(g.2) Side Setback	0 ft. min.; 2 ft. min. at corner
(g.3) Rear Setback	3 ft. max.

h. BUILDING DISPOSITION (see Table 8)

Edgeyard	not permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted

i. PRIVATE FRONTAGES (see Table 5)

Common Yard	not permitted
Porch & Fence	not permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted

Refer to Summary Table 11

j. BUILDING CONFIGURATION (see Table 7)

Principal Building	6 stories max. 3 min.
Outbuilding	2 stories max.

PARKING PROVISIONS (see Section 10-25.245)

Rental DU: 1.5 max per unit
For Sale DU/Residential Condominium: 1.8 max. per unit
Non-residential Function: no min. - no max.

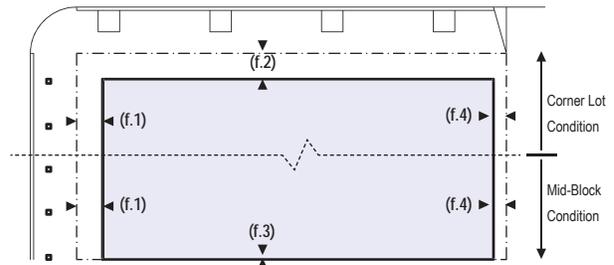
\*or 15 ft. from center line of alley

\*\*\*"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Note: Letters on the Table (e. Lot Occupation, f. Setbacks, etc.) refer to the corresponding section in Summary Table 11.

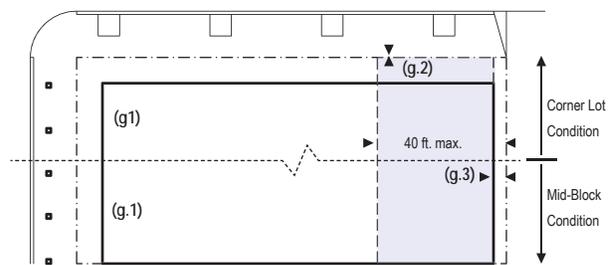
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
- Facades shall be built along the Principal Frontage to the minimum specified width in the table.



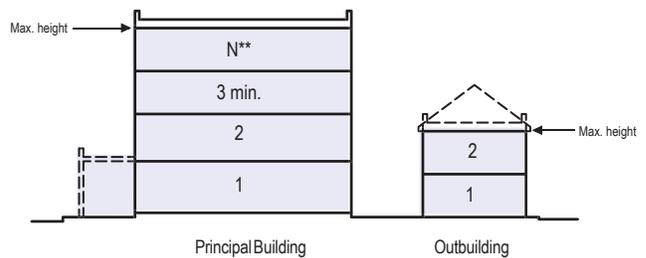
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



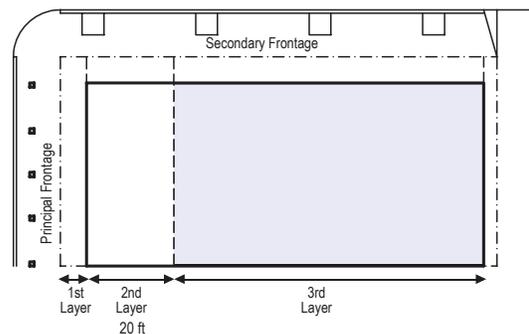
BUILDING CONFIGURATION

- Building height shall be measured in number of Stories, excluding Attics and raised basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
- Height shall be measured to the eave or roof deck as specified on Table 7.
- Expression Lines shall be as shown on Table 7.

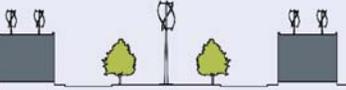


PARKING PLACEMENT

- Covered and uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 15d).
- Trash containers shall be stored within the third Layer.



Sustainability - Wind Power. This table prescribes opportunities for the placement of types of wind energy conversion systems within the Transect. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

	T1	T2	T3	T4-1	T4-2	T5	T6	CS
<b>Wind Farm</b> 			■					
<b>Horizontal Axis</b> 			■					
<b>Vertical Axis</b> 			■	■	■	■		■
<b>Public Furniture/Public Art in Civic Space</b> 			■	■	■	■		■

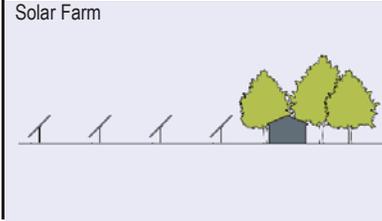
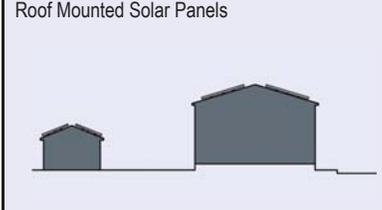
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**TABLE 13B. SUSTAINABILITY - SOLAR ENERGY**

**FORM-BASED CODE**

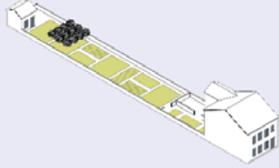
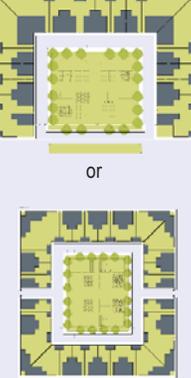
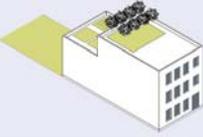
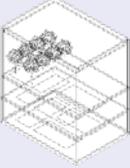
Mission Boulevard Corridor

Sustainability - Solar Energy. This table shows opportunities for the placement of types of solar energy collection devices within the Transect. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

	T1	T2	T3	T4-1	T4-2	T5	T6	CS
<p>Solar Farm</p> 								
<p>Roof Mounted Solar Panels</p> 			■	■	■	■		■
<p>Public Furniture</p> 			■	■	■	■		■

Mission Boulevard Corridor

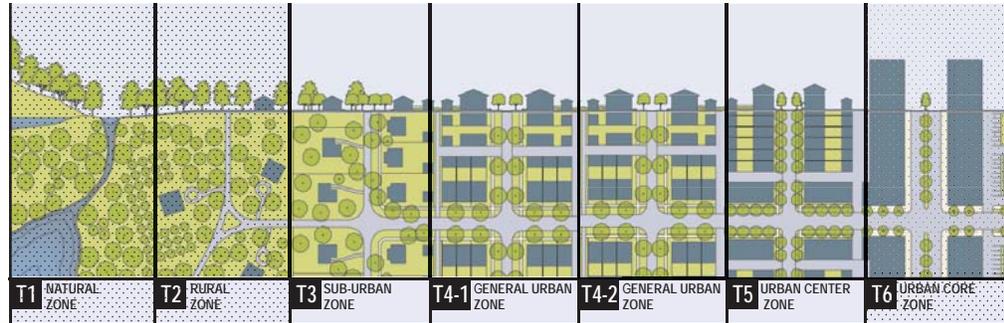
Sustainability - Food Production. This table identifies the general locations and arrangements for allowable food production in the code area. T1, T2, and T6 do not occur in the Code area and are provided for reference only.

	T1	T2	T3	T4-1	T4-2	T5	T6	CS
<p>Farm</p> 								
<p>Agricultural Plots</p> 			■					
<p>Vegetable Garden</p> 			■	■	■			■
<p>Community Garden/Urban Farm</p>  <p>or</p>			■	■	■	■		■
<p>Green Roof</p> <ul style="list-style-type: none"> <li>- Extensive</li> <li>- Semi Intensive</li> <li>- Intensive</li> </ul> 			■	■	■	■		■
<p>Vertical Farm</p> 						■		■

**TABLE 13D. LIGHT IMPRINT STORM DRAINAGE MATRIX (RECOMMENDATIONS) FORM-BASED CODE**

Mission Boulevard Corridor

T1, T2, and T6 do not occur in the Code area and are provided for reference only.



	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4-1 GENERAL URBAN ZONE	T4-2 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE	T6 URBAN CORE ZONE	Maint.	Cost
<b>a. PAVING</b>									
Compacted Earth			not permitted	not permitted	not permitted	not permitted		L	\$
Wood Planks			not permitted	not permitted	not permitted	not permitted		H	\$\$\$
Plastic Mesh/Geomat			not permitted	not permitted	not permitted	not permitted		L	\$
Crushed Stone/Shell			not permitted	not permitted	not permitted	not permitted		M	\$
Cast/Pressed Concrete Paver Block			permitted	permitted	permitted	permitted		L	\$\$
Grassed Cellular Plastic			permitted	permitted	permitted	permitted		M	\$\$\$
Grassed Cellular Concrete			permitted	permitted	permitted	permitted		M	\$\$\$
Pervious Asphalt			permitted	permitted	permitted	permitted		L	\$
Asphalt			permitted	permitted	permitted	permitted		L	\$
Concrete			permitted	permitted	permitted	permitted		L	\$\$
Pervious Concrete			permitted	permitted	permitted	permitted		L	\$\$
Stamped Asphalt			permitted	permitted	permitted	permitted		L	\$\$\$
Stamped Concrete			permitted	permitted	permitted	permitted		L	\$\$\$
Pea Gravel			permitted	permitted	permitted	permitted		M	\$
Stone/Masonry Paving Blocks			permitted	permitted	permitted	permitted		L	\$\$\$
Wood Paving Blocks on Concrete			not permitted	not permitted	not permitted	not permitted		L	\$\$\$
Asphalt Paving Blocks			not permitted	not permitted	not permitted	not permitted		M	\$\$
<b>b. CHANNELING</b>									
Natural Creek			permitted	permitted	permitted	permitted		L	\$
Terracing			permitted	permitted	permitted	permitted		M	\$\$
Vegetative Swale			permitted	permitted	permitted	permitted		L	\$
Drainage Ditch			not permitted	not permitted	not permitted	not permitted		L	\$
Stone/Rip Rap Channels			not permitted	not permitted	not permitted	not permitted		L	\$\$
Vegetative/Stone Swale			permitted	permitted	permitted	permitted		L	\$
Grassed Cellular Plastic			permitted	permitted	permitted	permitted		M	\$\$\$
Grassed Cellular Concrete			permitted	permitted	permitted	permitted		M	\$\$\$
Soakaway Trench			permitted	permitted	permitted	permitted		M	\$\$\$
Slope Avenue			permitted	permitted	permitted	permitted		M	\$\$\$
French Drain			permitted	permitted	permitted	permitted		M	\$
Shallow Channel Footpath/Rainwater Conveyor			permitted	permitted	permitted	permitted		L	\$
Concrete Pipe			permitted	permitted	permitted	permitted		L	\$\$
Gutter			permitted	permitted	permitted	permitted		L	\$\$
Planting Strip Trench			permitted	permitted	permitted	permitted		L	\$
Masonry Trough			permitted	permitted	permitted	permitted		L	\$
Canal			permitted	permitted	permitted	permitted		H	\$\$\$
Sculpted Watercourse, i.e. cascades			not permitted	not permitted	not permitted	not permitted		M	\$\$\$
Concrete Trough			not permitted	not permitted	not permitted	not permitted		L	\$\$
Archimedean Screw			not permitted	not permitted	not permitted	not permitted		L	\$\$\$
<b>c. STORAGE</b>									
Irrigation Pond			not permitted	not permitted	not permitted	not permitted		L	\$
Retention Basin with Sloping Bank			not permitted	not permitted	not permitted	not permitted		L	\$\$
Retention Basin with Fence			not permitted	not permitted	not permitted	not permitted		L	\$\$
Retention Hollow			not permitted	not permitted	not permitted	not permitted		M	\$
Detention Pond			permitted	permitted	permitted	not permitted		L	\$
Vegetative Purification Bed			permitted	permitted	permitted	permitted		M	\$\$
Flowing Park			permitted	permitted	permitted	permitted		M	\$\$
Retention Pond			permitted	permitted	permitted	permitted		M	\$\$
Landscaped Tree Well			permitted	permitted	permitted	permitted		L	\$\$
Pool/Fountain			permitted	permitted	permitted	permitted		H	\$\$\$
Underground Vault/Pipe/Cistern-Corrugated Metal			permitted	not permitted	permitted	permitted		L	\$\$
Underground Vault/Pipe/Cistern-Precast Concrete			permitted	permitted	permitted	permitted		L	\$\$
Underground Vault/Pipe/Cistern-Cast in place Concrete			permitted	permitted	permitted	permitted		L	\$\$
Grated Tree Well			permitted	permitted	permitted	permitted		L	\$\$
Underground Vault/Pipe/Cistern-Concrete or approved equal			permitted	permitted	permitted	permitted		L	\$\$\$
Paved Basin			not permitted	not permitted	not permitted	not permitted		M	\$\$\$
<b>d. FILTRATION</b>									
Wetland/Swamp			not permitted	not permitted	not permitted	not permitted		L	\$
Filtration Ponds			not permitted	not permitted	not permitted	not permitted		L	\$\$
Shallow Marsh			not permitted	not permitted	not permitted	not permitted		M	\$
Surface Landscape			not permitted	not permitted	not permitted	not permitted		L	\$
Natural Vegetation			permitted	permitted	permitted	permitted		L	\$
Constructed Wetland			not permitted	not permitted	not permitted	not permitted		M	\$
Bio-Retention Swale			permitted	permitted	permitted	permitted		M	\$\$
Purification Biotope			permitted	permitted	permitted	permitted		H	\$\$
Green Finger			permitted	permitted	permitted	permitted		L	\$\$\$
Roof Garden			permitted	permitted	permitted	permitted		M	\$\$\$
Rain Garden			permitted	permitted	permitted	permitted		M	\$\$
Detention Pond			permitted	permitted	permitted	permitted		L	\$
Grassed Cellular Concrete			permitted	permitted	permitted	permitted		M	\$\$\$
Waterscapes			permitted	permitted	permitted	permitted		H	\$\$\$

\*NOTE - Maintenance is denoted as L=Low, M=Medium and H=High.

## SEC. 10-25.400 PROCEDURES

## 10-25.405 APPROVAL REQUIREMENTS

Each building and land use shall be established, constructed, reconstructed, enlarged, altered, moved or replaced in compliance with the following requirements, as summarized in Table 14.

## a. General.

- i. Allowable use or Function. The land use or Function must be allowed by the Table 9 in the zone where the Lot is located. The following uses and Functions are prohibited within the Code area:
  - (1) Adult-oriented uses;
  - (2) Dormitories.
- ii. Permit and approval requirements. Any and all planning permits or other approvals required by this Code shall be obtained before the issuance of any required grading, building, or other construction permit, and before the proposed use is constructed, otherwise established or put into operation, unless the proposed use is listed as exempted below.
- iii. Legal parcel. The site of a proposed development or new land use must be a parcel that was legally created or certified in compliance with the Subdivision Map Act and the City's Subdivision Ordinance.
- iv. New nonresidential land use(s) in an existing building or on developed site. A land use permitted by right, that is proposed on a site where no construction requiring a Building Permit will occur, shall require a verification of zoning compliance to ensure that the site complies with all applicable standards of this Code, including parking, landscaping, signs, trash enclosures, etc. A verification of zoning compliance shall not be granted and the proposed land use shall not be established unless the site and existing improvements comply with all applicable requirements of this Code, except as provided by the Nonconformity Regulations of Municipal Code Section 10-1.2900 et al (Nonconforming Uses). No verification of zoning compliance may be issued if the request in question is located on the same site where there are existing violations of this Code, including, without limitation, violations of the terms of a discretionary permit or approval relating to the site. A verification of zoning compliance shall expire 180 days after issuance, unless otherwise indicated on

the clearance or unless the use of land or structures or building construction has commenced and is being diligently pursued.

- v. Access and Open Space review. Prior to issuance of building permits, site plans and floor plans may be reviewed by the Director to determine that building access and Open Space requirements will be met. This review shall preclude or lessen the possibility that dwellings without compliant access and sufficient Open Space, might be installed during or after construction. During the building access and Open Space review process, the Director may require additional changes in the placement of exterior doors, windows, stairways, hallways, utility connections, or other fixtures or architectural features when determined by the Director to be necessary or desirable to preclude or lessen the likelihood of unlawful dwelling unit creations in the future.
- b. Required Permits.
- i. Site Plan Review.
    - (1) All new development shall require Site Plan Review approval by the Director, unless waived in accordance with Municipal Code Section 10-1.3010(d).
    - (2) Site Plan Review application shall be processed in accordance with Municipal Code Section 10-1.3000.
  - ii. Administrative Use Permit.
    - (1) All uses or Functions identified by "AU" in Table 9.
    - (2) Administrative Use Permit applications shall be processed in accordance with Municipal Code Section 10-1.3100.
  - iii. Conditional Use Permit.
    - (1) All uses or Functions identified by "CU" in Table 9.
    - (2) Conditional Use Permit applications shall be processed in accordance with Municipal Code Section 10-1.3200.
  - iv. Telecommunications Site Review.
    - (1) Telecommunications Site Review applications shall be processed in accordance with Section 10.25-290 and Municipal Code Chapter 10, Article 13.

- v. Density Bonus Application.
  - (1) Density Bonus Applications shall be processed in accordance with Municipal Code Chapter 10, Article 19.
- vi. Warrants and Exceptions. See Section 10-25.410.
- c. Exemptions from Required Permits. The planning permit requirements of this Code do not apply to the structures, land uses, and activities identified by this Section. These are allowed in all Zones subject to compliance with this Section.
  - i. General requirements for exemption. The Functions, land uses, structures, and activities identified by Subsection (ii) through (vi) below are exempt from the planning permit requirements of this Code only when:
    - (1) The new use, activity or structure are established and operated in compliance with the requirements of this Code and all other applicable standards of the Municipal Code, and, where applicable, those relating to Nonconformity Regulations; and
    - (2) Any permit or approval required by City regulations other than this Code is obtained (for example, a Building Permit).
  - ii. Exempt activities and structures. The following are exempt from the land use permit requirements of this Code when in compliance with Subsection (i) above.
    - (1) Decks, paths and Driveways. Decks, platforms, on-site paths, and Driveways that are not required to have a Building Permit or Grading Permit.
    - (2) Fences and walls in compliance with height and location requirements of Section 10-25.255.
    - (3) Interior remodeling. Interior alterations that do not increase the gross floor area of the structure, or change the permitted use of the structure.
  - iii. Repairs and maintenance.
    - (1) Single-family dwellings. Ordinary nonstructural repairs to, and maintenance of, existing single-family dwellings.
    - (2) Multi-family, and non-residential structures. Ordinary

non-structural repairs to, and maintenance of multifamily Residential and non-residential structures, if:

- (A) The work does not change the approved land use of the site or structure, or add to, enlarge or expand the land use and/or structure; and
- (B) Any exterior repairs employing the same materials and design as the original construction.

- iv. Small, portable residential accessory structures. A single portable structure of 120 square feet or less per Lot, including pre-manufactured storage sheds and other small structures in all Zones that are exempt from Building Permit requirements in compliance with the Municipal Code and the Uniform Building Code. Additional structures may be approved by the Director upon issuance of an Administrative Use Permit.
- v. Spas, hot tubs, and fish ponds. Portable spas, hot tubs, and constructed fish ponds, and similar equipment and structures that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed two feet in depth.
- vi. Utilities. The erection, construction, alteration, or maintenance by a public utility or public agency of utilities intended to service existing or nearby approved developments shall be permitted in any zone. These include: water; gas; electric; supply or disposal systems; including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, traffic signals, hydrants, etc., but not including new transmission lines and structures. Satellite and wireless communications antennas are not exempt, and are instead subject to Section 10-25.290.

#### 10-25.410 VARIANCES: WARRANTS AND EXCEPTIONS

- a. Type. Variances are classified into two categories – Warrant and Exception - based on their assignment to standards and, consequently, the ability of those standards to further the goals, policies and actions of this Code. Mere economic or financial hardship alone is not sufficient justification for granting either a Warrant or Exception.
  - i. Warrant.
    - (1) A Warrant is a deviation that would permit a practice that is not consistent with a specific provision of this Code, but is justified by its ability to fulfill this plan's intent while not

compromising its goals, policies and actions. All of the following are mandatory requirements unless approval of a Warrant is obtained:

- (A) Table 2 standards applicable to Existing Thoroughfares;
- (B) Section 10-25.220(b)(iv) (Civic Space Zone);
- (C) Section 10-25.225(b)(iii) (Building Disposition);
- (D) Section 10-25.225(b)(v) (Building Disposition);
- (E) Section 10-25.225(b)(vii) (Building Disposition);
- (F) Section 10-25.225(b)(viii) (Building Disposition);
- (G) Section 10-25.225(b)(ix) (Building Disposition);
- (H) Section 10-25.225(c)(i) (Building Disposition);
- (I) Section 10-25.225(c)(iii) (Building Disposition);
- (J) Section 10-25.225(c)(iv) (Building Disposition);
- (K) Section 10-25.225(c)(vi) (Building Disposition);
- (L) Section 10-25.225(c)(vii) (Building Disposition);
- (M) Section 10-25.230(a)(ii) (Building Configuration);
- (N) Section 10-25.230(a)(v) (Building Configuration);
- (O) Section 10-25.230(b)(i) (Building Configuration);
- (P) Section 10-25.230(b)(ii) (Building Configuration);
- (Q) Section 10-25.230(b)(iii) (Building Configuration);
- (R) Section 10-25.230(c)(i) (Building Configuration);
- (S) Section 10-25.230(c)(ii) (Building Configuration);
- (T) Section 10-25.230(c)(iii) (Building Configuration);
- (U) Section 10-25.230(c)(xi) (Building Configuration);
- (V) Section 10-25.230(c)(xii) (Building Configuration);
- (W) Section 10-25.245(a)(vi) (Parking Standards);

- (X) Section 10-25.245(b) (Parking Standards);
  - (Y) Section 10-25.245(c)(i) (Parking Standards);
  - (Z) Section 10-25.245(c)(ii) (Parking Standards);
  - (AA) Section 10-25.245(c)(iv) (Parking Standards);
  - (AB) Section 10-25.250 (Architectural Standards);
  - (AC) Section 10-25.255 (Fence and Wall Standards);
  - (AD) Section 10-25.260 (Landscape Standards);
  - (AE) Section 10-25.270 (Wind Power) except for prohibitions under Section 10-25.270(a)(i)(10);
  - (AF) Section 10-25.275(d)(vii) (Thoroughfare Standards);
  - (AG) Section 10-25.275(e)(i) (Thoroughfare Standards);
  - (AH) Section 10-25.285 (Sign Standards) except for Prohibited Signs under Section 10-25.285(c); and
  - (AI) Section 10-25.290 (Telecommunication Facility Standards).
- (2) Warrants are discouraged but may be permissible when they fulfill the intent of this Code.
  - (3) Warrants are required for all remodels, additions and alterations to designated historic resources not consistent with this Code.
  - (5) Warrants are subject to Director review and action.
- ii. Exception.
- (1) An Exception is a deviation that would permit a practice that is not consistent with a specific provision of this Code that is critical to the furtherance of its goals, policies and actions. All of the following are mandatory requirements unless approval of an Exception is obtained:
    - (A) Maximum Block perimeter distance of Table 11.b;
    - (B) Section 10-25.225(a) (Building Disposition);
    - (C) Section 10-25.225(b)(iv) (Building Disposition);

- (D) Section 10-25.225(a)(vi) (Building Disposition);
  - (E) Section 10-25.225(c)(ii) (Building Disposition);
  - (F) Section 10-25.225(c)(v) (Building Disposition);
  - (G) Section 10-25.230 (a)(i) (Building Configuration);
  - (H) Section 10-25.230(a)(iii) (Building Configuration);
  - (I) Section 10-25.230(b)(iv) (Building Configuration);
  - (J) Section 10-25.230(b)(v) (Building Configuration);
  - (K) Section 10-25.230(b)(vii) (Building Configuration);
  - (L) Section 10-25.230(c)(vi) (Building Configuration);
  - (M) Section 10-25.230(c)(viii) (Building Configuration);
  - (N) Section 10-25.230(c)(x) (Building Configuration);
  - (O) Section 10-25.235(a)(ii) (Assembly and Religious Facility Functions);
  - (P) Section 10-25.245(a)(ii) (Parking Standards);
  - (Q) Section 10-25.245(b)(i) (Parking Standards);
  - (R) Section 10-25.245(b)(ii) (Parking Standards);
  - (S) Section 10-25.245(c)(i) (Parking Standards);
  - (T) Section 10-25.245(c)(ii) (Parking Standards);
  - (U) Section 10-25.245(c)(v) (Parking Standards);
  - (V) Section 10-25.265 (Visitability Standards);
  - (W) Section 10-25.280(c)(i) (Subdivision Standards);
  - (X) Section 10-25.280(c)(iii) (Subdivision Standards);  
and
  - (Y) Section 10-25.280(c)(iv) (Subdivision Standards).
- (2) Exceptions are strongly discouraged since they severely compromise the ability to fulfill the intent of this Code.
- (3) Exceptions are subject to Commission review and action.

- b. Limitations. The following evaluation standards shall not be eligible for Warrants or Exceptions:
- i. Section 10-25.235(a)(i) (Building Functions);
  - ii. Section 10-25.240(a)(ii) (Density Standards);
  - iii. Section 10-25.245(a)(v) (Parking Standards);
  - iv. Section 10-25.280(c)(ii) (Subdivision Standards);
  - v. Section 10-25.280(c)(vi) (Subdivision Standards);
  - vi. Section 10-25.280(c)(vii) (Subdivision Standards);
  - vii. All Code standards relating to Second Dwelling Units; and
  - viii. Building Function, land use or activity on a particular site which is not otherwise allowed.
- c. Findings. In order to approve a Warrant or Exception, the Director must make all findings as follows:
- i. All Warrants:
    - (1) Policy Consistency. The Warrant is consistent with the General Plan and overall objectives of this Code.
    - (2) Compatibility. The Warrant is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development.
    - (3) No Adverse Impact. The Warrant would result in development that is not detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.
    - (4) Special Privilege. The Warrant would not affect substantial compliance with this Code or grant a special privilege inconsistent with the limitations upon other properties in the vicinity and in the same zoning district.
  - ii. Warrants for remodels, additions and alterations to Historic Resources. In addition to the findings required by Section 10.25-410(c)(i) above, the following finding shall also be required to grant approval for a Warrant involving a Historic Resource:

- (1) Historic Integrity. For remodels, additions and alterations to historic resources not consistent with the Code, said proposal results in development that, first and foremost, preserves those portions or features which convey the building's historical, cultural or architectural values, and secondarily, adherence to the Code's intent as reflected by the Purpose and Applicability Statements of Section 10-25.115.
- iii. Warrants within Civic Space Zone. The following finding shall also be required to grant approval for a Warrant involving a Civic Building:
    - (1) Community Identity. The building and land use provides a public service dedicated to arts, culture, education, recreation, government, transit and/or public parking and is uniquely designed to feature as a prominent, architecturally significant contribution to the built environment such that deviation from the provisions of this Code is warranted.
- d. Exception Findings. In order to approve an Exception, the following findings are required:
    - i. Uniqueness. That there are unique physical conditions, including irregularity, narrowness or shallowness of Lot size or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular Lot; and that, as a result of such unique physical conditions, practical difficulties or unusual hardship arise in complying strictly with the standards of this Code.
    - ii. Self-Created Hardship. That the practical difficulties or unnecessary hardship claimed as a ground for an Exception have not been created by the owner or by a predecessor in title. However, where all other required findings are made, the purchase of a Lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.
    - iii. Minimal Deviation. That within the intent and purposes of this Code the Exception, if granted, is the minimum deviation necessary to afford relief; and to this end, the Commission may permit a lesser variance than that applied for.
    - iv. Neighborhood Character. That the Exception, if granted, will not alter the essential character of the neighborhood or Zone in which the Lot is located; will not substantially impair the appropriate use or development of adjacent property; and will

not be detrimental to the public welfare.

- f. Submittal Requirements. Each Warrant or Exception application shall include, at a minimum, the following;
  - i. A statement of the evaluation standard or standards that are the subject of the proposed Warrant or Exception;
  - ii. A textual description of the manner in which the applicant proposes to deviate from such evaluation standard or standards;
  - iii. Plans, drawn to scale, showing the nature, location, dimensions, and Elevation of the structure, area, or part thereof that is the subject of the proposed Warrant or Exception; including the development projects relationship to the surrounding context;
  - iv. A justification for the proposed variance in light of the requirements set forth above; and
  - v. Such other information as may be required by the Review Authority.
- g. Processing. Both Warrants and Exceptions shall be reviewed and acted upon in accordance with the procedural requirements of this Code and Municipal Code Section 10-1.2800 (Administration and Enforcement).
- h. Conditions of approval. In approving a Warrant or Exception, the Review Authority may impose any reasonable conditions to ensure that the approval complies with the findings required above, except as limited by Section 10-25.135(b).

## 10-25.415

## CODE MAINTENANCE

- a. Within five (5) years of the Council adopting this Code and every five (5) years thereafter, the Commission shall review the outcomes of this Code and, upon concluding such review, forward its findings to Council.
- b. Any provision of this Code that is determined by the Review Authority to need refinement or revision will be corrected by amending this Code as soon as is practical. Until an amendment can occur, the Director will maintain a complete record of all official interpretations to this Code, indexed by the number of the Section that is the subject of the interpretation, and as required by Section 10-25.510(h).

TABLE 14: Approval Requirements Matrix. This table illustrates approval requirements within the Code area.

	Municipal Code Citation	Review Authority Role		
		Director	Commission	Council
<b>a. ADMINISTRATIVE</b>				
Verification of Zoning Compliance	10-23.405(a)(4)	D	A	A
Interpretation	10-23.510	D	A	A
<b>b. PLANNING PERMIT</b>				
Site Plan Review	10-1.3000	D	A	A
Administrative Use Permit	10-1.3100	D	A	A
Conditional Use Permit	10-1.3200	R	D	A
Telecommunications Site Review	Article 13	D	A	A
Density Bonus Application	Article 19	R	D	A
Petition for Precise Plan Line	Article 4	R	R	D
Warrant	10-23.410	D	A	A
Exception	10-23.410	R	D	A
Tentative Parcel Map	10-3.150(b)	D	A	A
Tentative Tract Map	10-3.150(a)	R	D	A
<b>c. LEGISLATIVE</b>				
Development Agreements	Article 9	R	R	D
Zoning Reclassification	10-1.3400	R	R	D
Zoning Text Amendment	10-1.3425	R	R	D

( D ) = Review Authority decides whether to approve or disapprove the application.

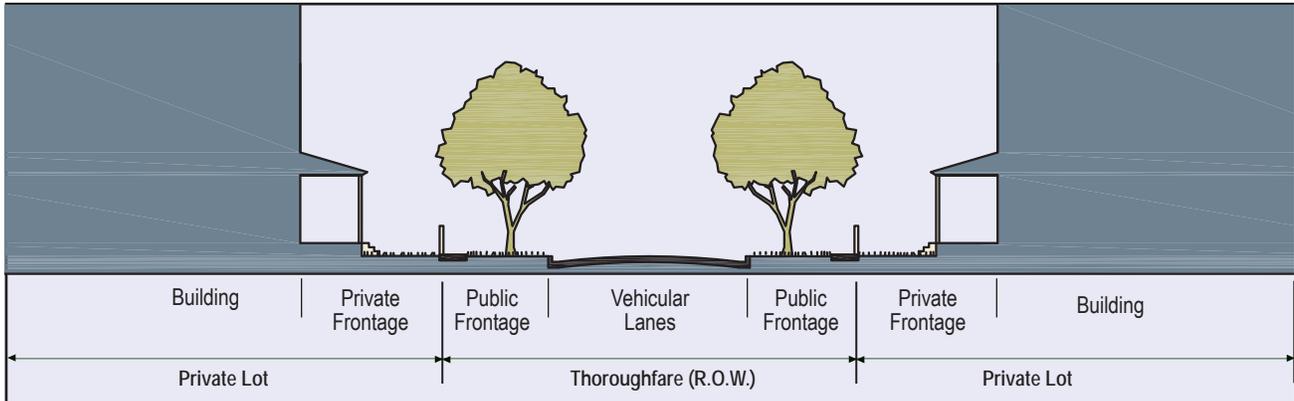
( R ) = Review Authority provides a recommendation to a higher level Review Authority.

( A ) = Review Authority considers the appeal of a lower-level Review Authority.

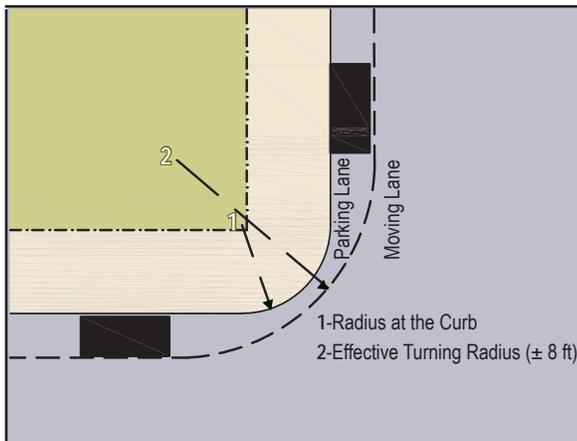
TABLE 15: Definitions Illustrated

Mission Boulevard Corridor

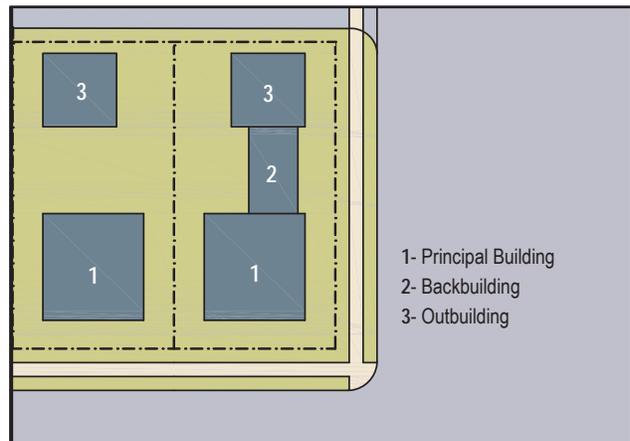
a. THOROUGHFARE & FRONTAGES



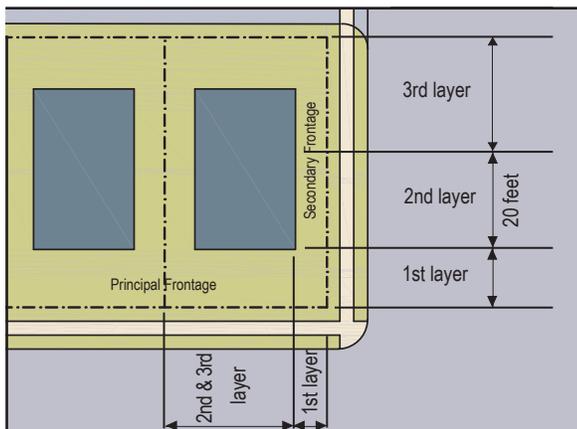
b. TURNING RADIUS



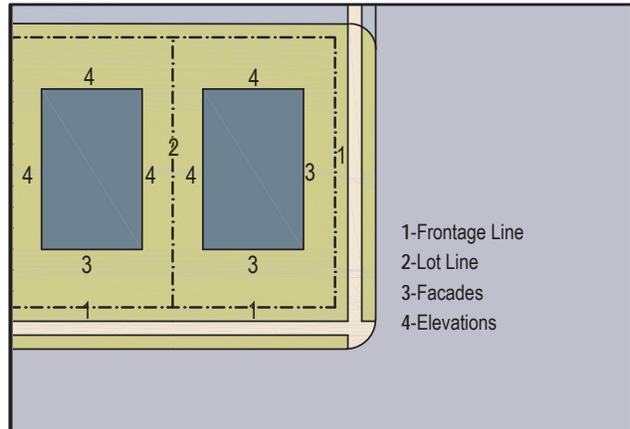
c. BUILDING DISPOSITION



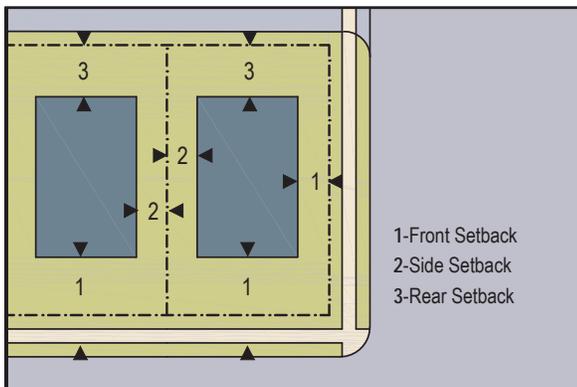
d. LOT LAYERS



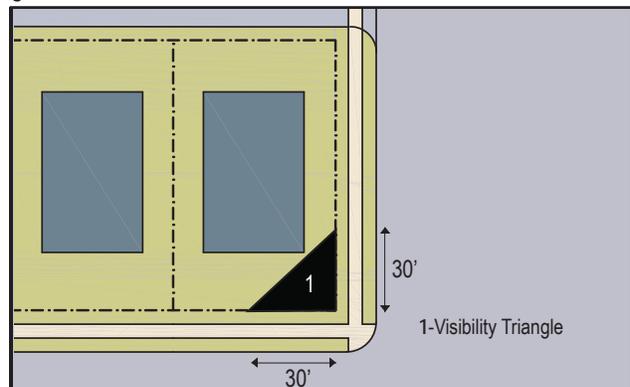
e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS



g. VISIBILITY TRIANGLE



**SEC.10-25.500    DEFINITIONS AND RULES OF INTERPRETATION**

**10-25.505            DEFINITION OF TERMS**

This Section provides definitions for terms in this Code that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this Section, then the Director shall determine the correct definition through the interpretation provisions of Section 10-25-510. Items in italics refer to Sections or Tables in this Code.

**Aerial Sign:** a balloon, or other airborne flotation device, which is tethered to the ground or to a building or other structure that directs attention to a business, commodity, service or entertainment conducted, sold or offered.

**Alcohol Sales:** all Functions subject to Municipal Code Section 10-1.2735 (Alcohol Beverage Outlet Regulations), including Bar, Cocktail Lounge.

**Allee:** a regularly spaced and aligned row of trees usually planted along a Thoroughfare.

**Appliance Repair Shop:** see Municipal Code Section 10-1.3500 (Definitions).

**Arcade:** a Private Frontage conventional for Retail Sales use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at the Frontage Line.

**Artisan/Craft Production:** an establishment manufacturing and/or assembling small products primarily by hand, including but not limited to clothing, furniture, jewelry, pottery and other ceramics, as well as small glass and metal art and craft products. Includes taxidermists.

**Assembly:** a Function synonymous with Outdoor Gatherings (Municipal Code Section 10-1.2735(h) but also including gathering within a building or structure.

**Attic:** the interior part of a building contained within a pitched roof structure.

**Automobile Repair (Minor):** see Municipal Code Section 10-1.3500 (Definitions).

**Automobile Repair (Major):** see Municipal Code Section 10-1.3500 (Definitions).

**Avenue (AV):** a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.

**Backbuilding:** a single-Story structure connecting a Principal Building to an Outbuilding. *See Table 15.*

**Bed and Breakfast:** an owner-occupied Lodging type offering 1 to 5 bedrooms, permitted to serve breakfast in the mornings to guests.

**Bicycle Lane (BL):** a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping.

**Bicycle Route (BR):** a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.

**Bicycle Trail (BT):** a bicycle way running independently of a vehicular Thoroughfare.

**Block:** the aggregate of private Lots, Passages, Rear Alleys, circumscribed by Thoroughfares.

**Boulevard (BV):** a Thoroughfare designed for high vehicular capacity and moderate speed, traversing an Urbanized area. Boulevards are usually equipped with Slip Roads buffering Sidewalks and buildings.

**Check Cashing & Loans:** a Function synonymous with Check Cashing Store, as defined within Municipal Code Section 10-1.3500 (Definitions).

**Civic:** the term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

**Civic Building:** a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

**Civic Space:** an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their Enfronting buildings. *See Table 10.*

**Civic Space Zone:** designation for public sites dedicated for Civic Buildings and Civic Space.

**Commercial:** the term collectively defining workplace, Office, Retail Sales, and Lodging Functions.

**Common Destination:** an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

**Common Open Space:** a portion of the Lot landscaped and utilized for group passive or active recreation but excluding permanent buildings, off-street parking areas, drive aisles, above-ground utility cabinet, boxes or structures and required side and rear setback areas for Principal Buildings.

**Community Garden:** a publicly accessible area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. (Syn: Urban Farm)

**Conference Center:** a specialized Function designed and built almost exclusively to host conferences, exhibitions, large meetings, seminars, training sessions, etc. May accompany the Hotel Function and provide office facilities and a range of leisure activities.

**Configuration:** the form of a building, based on its massing, Private Frontage, and height.

**Courtyard Building:** a building that occupies the boundaries of its Lot while internally defining one or more private patios. *See Table 8.*

**Cultural Facilities:** see Municipal Code Section 10-1.3500 (Definitions).

**Curb:** the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system. *See Table 2.*

**Dance/Nightclub:** a Function consisting of establishments engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises. Typical uses include taverns, bars, brew-pubs, cocktail lounges, and similar uses other than those classified under the Restaurant.

**Day Care Center:** see Municipal Code Section 10-1.3500 (Definitions).

**Day Care Home:** see Municipal Code Section 10-1.3500 (Definitions).

**Density:** the number of dwelling units within a standard measure of land area.

**Disposition:** the placement of a building on its Lot. *See Table 8 and Table 15.*

**Drive:** a Thoroughfare along the boundary between an Urbanized and a natural condition, usually along a waterfront, Park, or promontory. One side has the urban character of a Thoroughfare, with Sidewalk and building, while the other has the qualities of a Road or parkway, with naturalistic planting and rural details.

**Driveway:** a vehicular lane within a Lot, often leading to a garage.

**Drive-Through:** a Function synonymous with Drive-In Establishment found within Municipal Code Section 10-1.3500 (Definitions).

**Edgeyard Building:** a building that occupies the center of its Lot with Setbacks on all sides. *See Table 8.*

**Educational Facilities:** See Municipal Code Section 10-1.3500 (Definitions).

**Elevation:** an exterior wall of a building not along a Frontage Line. See Table 15. See: **Facade.**

**Emergency Homeless Shelter:** (per Health and Safety Code 50801): housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

**Encroach:** to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

**Encroachment:** any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.

**Enfront:** to place an element along a Frontage, as in "porches Enfront the street."

**Equipment Rentals:** a Function synonymous with Equipment Rental Service, as defined within Municipal Code Section 10-1.3500 (Definitions).

**Existing Thoroughfare:** a publicly-owned Thoroughfare present at the time of Code adoption. See Figure 1-2 and 1-3.

**Expression Line:** a line prescribed at a certain level of a building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. See *Table 7*. (Syn: transition line.)

**Extension Line:** a line prescribed at a certain level of a building for the major part of the width of a Facade, regulating the maximum height for an Encroachment by an Arcade Frontage. See *Table 7*.

**Extensive Green Roof:** a building roof with a planting medium six inches in depth or less, designed to be virtually self-sustaining and requiring a minimum of maintenance. Such roofs are intended to function as an ecological protection layer. They are planted with low-lying species designed to provide maximum cover achieving water retention, erosion resistance, and transpiration of moisture.

**Facade:** the exterior wall of a building that is set along a Frontage Line. See **Elevation**.

**Fee Simple Parcel:** a term synonymous with Subdivision Map Act's treatment of parcels exclusive of those for condominium purposes.

**Fire Station:** a Function synonymous with Public Agency Facilities, as defined within Municipal Code Section 10-1.3500 (Definitions).

**Focus Area:** areas within the City of Hayward which the General Plan provides that implementation of smart growth principles is particularly appropriate. See General Plan Page 2-9.

**Forecourt:** a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. See *Table 5*.

**Frontage:** the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into **Private Frontage** and **Public Frontage**. See *Table 5*.

**Frontage Buildout:** the minimum length of the Principal Frontage that must contain a Private Frontage. See *Table 11*.

**Frontage Line:** a Lot line bordering a Public Frontage. Facades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines. See *Table 15*.

**Function:** the use or uses accommodated by a building and its Lot, categorized as Restricted, Limited, or Open, according to the intensity of the use. See *Table 9*.

**Gallery:** a Private Frontage conventional for Retail Sales use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. See *Table 5*.

**Gas Station:** a Function synonymous with Automobile Service Station found within Municipal Code Section 10-1.3500 (Definitions).

**Green Roof:** a building roof partially or completely covered with vegetation and soil, or a growing medium, over a waterproofing membrane. Green roofs may be categorized as Extensive, Semi-Intensive, or Intensive, depending on the depth of the planting medium and the amount of maintenance required. (Syn: eco-roof, living roof, greenroof)

**Group Supportive Housing:** “Group Supportive Housing” means housing, configured as group care facilities or similar residential care facilities, with no limit on length of stay, that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**Group Transitional Housing:** “Group Transitional Housing” means housing configured as group care facilities or similar residential care facilities and operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

**Home Occupation:** see Municipal Code Section 10-1.3500 (Definitions).

**Horizontal Axis Wind Turbine:** a Wind Turbine with its rotor on the horizontal axis. Blades are visually similar to those utilized by aircraft, typically much more expansive than the Vertical Axis Wind Turbine, and typically have to rotate to face the prevailing wind.

**Hospital:** see Municipal Code Section 10-1.3500 (Definitions).

**Hotel:** see Municipal Code Section 10-1.3500 (Definitions).

**Indoor Recreation:** a Function offering predominantly participant sports conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, pool halls, indoor ice or roller skating rinks, indoor racquetball courts, indoor batting cages, and health or fitness clubs.

**Intended Speed:** is the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Intended Speed. *See Table 2.*

**Intensive Green Roof:** a building roof with a planting medium between 8 inches and 4 feet. It can sustain elaborate plantings that include shrubs and trees. Intensive Green Roofs are heavy and usually installed over concrete roof decks. They require considerable maintenance. In addition to their role in carbon mitigation, they are used for recreation or aesthetics, being park or garden-like.

**Kennel:** see Municipal Code Section 10-1.3500 (Definitions).

**Large-size tree:** single or multi trunk plant with a minimum 12 feet of natural vertical clearance at maturity to accommodate industrial trailer truck under with a minimum of 35 feet diameter canopy.

**Layer:** a range of depth of a Lot within which certain elements are permitted. *See Table 15.*

**Live-Work:** a Mixed Use unit consisting of an Office Function (Table 9c) or Retail Sales (Table 9d) Function and Residential (Table 9a) Function. The Retail Sales Function may be anywhere in the unit and is intended to be occupied by a business operator who lives in the same structure that contains the Retail Sales activity.

**Lot:** a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain or coarse grain) of the urban fabric.

**Lot Width:** the length of the Principal Frontage Line of a Lot.

**Massage Parlor:** see Municipal Code Section 10-1.3500 (Definitions).

**Media Production:** Facilities for motion picture, television, video, sound, computer, and other communications media production. These facilities include the following types: (1) Back lots/outdoor facilities. Outdoor sets, back lots, and other outdoor facilities, including supporting indoor workshops and craft shops; (2) Indoor support facilities. Administrative and technical production support facilities, including administrative and production offices, post-production facilities (editing and sound recording studios, foley stages, etc.), optical and special effects units, film processing laboratories, etc.; and (3) Soundstages. Warehouse-type facilities providing space for the construction and use of indoor sets, including supporting workshops and craft shops.

**Medical/Dental Clinic:** a Function in which 10 or more physicians and/or dentists or their allied professional assistants carry on their profession; a building that contains one or more physicians, dentists, and their assistants, and a laboratory and/or an apothecary limited to the sale of pharmaceutical and medical supplies. Shall not include inpatient care or operating rooms for major surgery.

**Medium-size tree:** single or multi trunk plant with a minimum 9 feet of natural vertical clearance at maturity to accommodate people to walk under with a minimum of 25 feet diameter canopy.

**Mixed Use:** multiple Functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency.

**Mortuary:** see Municipal Code Section 10-1.3500 (Definitions).

**Multiple Family:** a residential Function synonymous with the following Dwelling Unit categories found within Municipal Code Section 10-1.3500 (Definitions): Apartment/multiple family dwelling(s), Condominium dwelling(s), and Townhouse dwelling(s).

**New Thoroughfare:** a Thoroughfare intended for dedication and improvement after Code adoption. See Figure 1-2 and 1-3.

**Nominal Parcel:** building sites in a condominium subdivision which are regulated by the Lot Width requirements of Table 10 and Table 11.

**Notice of Application Receipt:** a type of public notice intended to facilitate public participation early in the decision-making process for permit applications.

**Office:** see Municipal Code Section 10-1.3500 (Definitions).

**Open Space:** land intended to remain undeveloped; it may be for Civic Space.

**Outbuilding:** an Accessory Building, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding which may or may not contain a Second Dwelling Unit. *See Table 15.*

**Park:** a Civic Space type that is a natural preserve available for unstructured recreation. *See Table 10.*

**Park & Recreation:** a Function consisting of land and facilities, such as playgrounds, fountains, or swimming pools, regardless of location, including the acquisition of such land, the construction of improvements, provision of pedestrian and vehicular access, and purchase of equipment for the facility.

**Parking Facility:** a Function characterized by the temporary provision of off-street parking spaces for motor vehicles within or outside of a structure by either a private or public entity. When situated within a Parking Structure, the inclusion of additional non-parking related Functions of this Code do and shall apply.

**Parking Structure:** a building containing one or more Stories of parking above grade.

**Passage (PS):** a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

**Path (PT):** a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

**Pawn Shop:** see Municipal Code Section 10-1.3500 (Definitions).

**Pedestrian Shed:** an area that is centered on a Common Destination.

**Personal Services:** establishments primarily engaged in the provision of services for the enhancement of personal appearance, cleaning, alteration or reconditioning of garments and accessories, and similar non-business related or nonprofessional services. Typical uses include reducing salons, tanning salons, barber shops, tailors, shoe repair shops, self-service laundries, and dry cleaning shops, but exclude uses classified under the Office and Trade School.

**Planter:** the element of the Public Frontage which accommodates street trees, whether continuous or individual.

**Plaza:** a Civic Space type designed for Civic purposes and Commercial activities in the more urban Transect Zones, generally paved and spatially defined by building Frontages.

**Police Station:** a Function synonymous with Public Agency Facilities, as defined within Municipal Code Section 10-1.3500 (Definitions).

**Precise Plan Line:** see Municipal Code Section 10-4.12.

**Principal Building:** the main building on a Lot, usually located toward the Frontage. *See Table 12.*

**Principal Entrance:** the main point of access for pedestrians into a building.

**Principal Frontage:** on corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot Width. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot. **See Frontage.**

**Printing and Publishing:** a small-scale establishment engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving, and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; establishments manufacturing business forms and binding devices.

**Public Agency Facilities:** see Municipal Code Section 10-1.3500 (Definitions).

**Private Frontage:** the privately held Layer between the Frontage Line and the Principal Building Facade. *See Table 5 and Table 12.*

**Public Frontage:** the area between the Curb of the vehicular lanes and the Frontage Line. *See Table 15.*

**Rear Alley (RA):** a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. Rear Alleys should be paved from building face to building face, with drainage by inverted crown at the center or with roll Curbs at the edges.

**Rearyard Building:** a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. *See Table 8.* (Var: Rowhouse, Townhouse, Apartment House)

**Recycling Collection Area:** see Municipal Code Section 10-1.3500 (Definitions).

**Regulating Plan:** a Zoning Map or set of maps that shows the Transect Zones, Civic Zones, Special Districts if any, and Special Requirements if any, of areas subject to, or potentially subject to, regulation by South Hayward/Mission Boulevard Form-Based Code and pertinent Municipal Code provisions.

**Religious Facility:** see Municipal Code Section 10-1.3500 (Definitions).

**Residential:** characterizing premises available for long-term human dwelling.

**Restaurant:** see Municipal Code Section 10-1.3500 (Definitions). Includes Micro-Breweries as accessory to the Restaurant and stand-alone Catering Facilities.

**Retail Frontage:** Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Retail Sales use. **See Special Requirements.**

**Retail Sales:** a Function characterizing establishments engaged in the sale of goods and merchandise (including the sale of new and used cars). *See Table 9.*

**Review Authority:** the City Council, Planning Commission or Development Services Director. A Review Authority is charged with reviewing a particular permit application. *See Table 14.*

**Road (RD):** a local, rural and suburban Thoroughfare of low-to-moderate vehicular speed and capacity. This type is allocated to the more rural Transect Zones (T1-T3). *See Table 2.*

**Rowhouse:** a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage Line. *See Rearyard Building.* (Syn: **Townhouse**)

**Second Dwelling Unit:** a dwelling unit that is accessory, supplementary, and secondary to the principal dwelling, which may be constructed as an addition to the principal structure or as an accessory to the principal structure.

**Secondary Frontage:** on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated. *See Table 15.*

**Semi-Intensive Green Roof:** a building roof with specifications between the Extensive and Intensive Green Roof systems. This type requires more maintenance, has higher costs, and weighs more than the Extensive Green Roof.

**Setback:** the area of a Lot measured from the Lot line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments authorized by this Code. (Var: build-to-line.)

**Shopfront:** a Private Frontage conventional for Retail Sales use, with substantial glazing and an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. *See Table 5.*

**Sidewalk:** the paved section of the Public Frontage dedicated exclusively to pedestrian activity.

**Sideyard Building:** a building that occupies one side of the Lot with a Setback on the other side. This type can be a Single or Twin depending on whether it abuts the neighboring house. *See Table 8.*

**Single Room Occupancy (SRO):** SRO means a dwelling unit consisting of no more than one occupied room with a maximum gross floor area of 400 square feet which may have kitchen and/or bathroom facilities. Each dwelling unit is restricted to occupancy by no more than two persons and is offered on a monthly rental basis or longer.

**Small-size tree:** single or multi trunk plant with a minimum 7 feet of natural vertical clearance at maturity to accommodate people to walk under with a minimum of 15 feet diameter canopy.

**Special Requirements:** provisions of Section 10-25.210(a) of this Code and/or the associated designations on a Regulating Plan or other map for those provisions.

**Square:** a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed. *See Table 10.*

**Stepback:** a building Setback of a specified distance that occurs at a prescribed number of Stories above the ground. *See Table 7.*

**Stoop:** a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance. *See Table 5.*

**Story:** a habitable level within a building, excluding an Attic or raised basement. *See Table 7.*

**Street (ST):** a local urban Thoroughfare of low speed and capacity. *See Table 2.*

**Streetscreen:** a freestanding wall built along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, be accompanied by landscaping, and/or strengthen the spatial definition of the public realm. (Syn: streetwall.)

**Supportive Housing:** “Supportive housing” means housing, configured as regular housing developments, with no limit on length of stay, that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**Swale:** a low or slightly depressed natural area for drainage.

**Tattoo Parlor:** see Municipal Code Section 10-1.3500 (Definitions).

**Taxi Company:** see Municipal Code Section 10-1.3500 (Definitions).

**T-zone:** Transect Zone.

**Temporary Use:** see **Municipal Code Section 10-1.3500 (Definitions).**

**Terminated Vista:** a location on the Regulating Plan at the axial conclusion of a Thoroughfare.

**Theater:** see **Municipal Code Section 10-1.3500 (Definitions).**

**Thoroughfare:** a way for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces, consisting of Vehicular Lanes and the Public Frontage. *See Table 2, Figure 1-2 and Figure 1-3.*

**Thoroughfare Plan:** a component of the South Hayward BART/ Mission Boulevard Form-Based Code Zoning Map that shows planned changes to existing Thoroughfares and the general location of planned new Thoroughfares. *See Figure 1-2.*

**Townhouse:** see **Rearyard Building.** (Syn: **Rowhouse**)

**Transect:** a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in the SmartCode template is divided into six Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and Urbanism.

**Transect Zone (T-zone):** one of several areas on a Zoning Map regulated by the South Hayward BART/Mission Boulevard Form-Based Code. Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and Public Frontage. *See Table 1.*

**Transit-Oriented Development:** a mixed-use Residential or Commercial area designed to maximize access to public transport; often incorporating features to encourage transit ridership.

**Transitional Housing:** “Transitional housing” and “transitional housing development” (per California Health and Safety Code 50675.2 (h)) means housing configured as regular housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

**Urban Farm:** agricultural land dedicated to food production to be locally consumed. (Syn: Community Garden)

**Urbanism:** collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and sociocultural aspects.

**Vegetable Garden:** a privatized area of land managed and maintained to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. A Vegetable Garden may be incorporated into and count towards the minimum Common Open Space area.

**Vertical Axis Wind Turbine:** a Wind Turbine with its rotor on the vertical axis. Blades are usually helical, more compact than the Horizontal Axis Wind Turbine and do not have to rotate to face the prevailing wind.

**Vocational School:** see Municipal Code Section 10-1.3500 (Definitions).

**Wind Energy:** a Function synonymous with Wind Energy Conversion System (Municipal Code Section 10-1.3500).

Wind Turbine: a rotary device for converting wind energy into mechanical or electrical energy.

**Zoning Map:** the official map or maps that are part of the zoning ordinance and delineate the boundaries of individual zones and districts. See **Regulating Plan.**

## 10-25.510 RULES OF INTERPRETATION

- a. Provisions of this Code are activated by “shall” when required; “should” when recommended; and “may” when optional.
- b. Capitalized terms used throughout this Code are defined in Section 10-25.505 (Definitions of Terms). Section 10-25.505 contains regulatory language that is integral to this Code. Terms not defined in Section 10-25.505 shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those found within the remainder of the Municipal Code Chapter 10 (Planning, Zoning and Subdivisions), those of this Code shall take precedence.
- c. The metrics of Section 10-25.300 (Standards and Tables) are an integral part of this Code. However, the diagrams and illustrations that accompany them should be considered guidelines, with the exception of those on Table 12A and 12B (Form-Based Code Graphics), which are legally binding.
- d. Where in conflict, numerical metrics shall take precedence over graphic metrics.
- e. The present tense includes the past and future tenses; and the future tense includes the present. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise. The words “includes” and “including” shall mean “including but not limited to . . .”
- f. Within the Code, sections are occasionally prefaced with “purpose” or “intent” statements. Each such statement is intended as an official statement of legislative finding or purpose. The “purpose” or “intent” statements are legislatively adopted, together with their accompanying Code text. They are intended as a guide to the administrator and interpretation of the Code and shall be treated in the same manner as other aspects of legislative history. However, they are not binding standards.
- g. Whenever a number of days is specified in this Code, or in any permit, condition of approval, or notice provided in compliance with this Code, the number of days shall be construed as calendar days. A time limit shall extend to 5:00 p.m. on the following working day when the last of the specified number of days falls on a weekend or holiday.

- h. Whenever the Director determines that the meaning or applicability of any requirement of this Code is subject to interpretation generally, or as applied to a specific case, the Director may issue an official interpretation. The Director may also forward any interpretation of the meaning or applicability of any provision of this Code directly to the Commission for a determination at a public meeting.
  
- i. The issuance of an interpretation shall include findings stating the basis for the interpretation. The basis for an interpretation may include technological changes or new industry standards. The issuance of an interpretation shall also include a finding documenting the consistency of the interpretation with the General Plan.
  
- ii. Official interpretations shall be:
  - (1) Written, and shall quote the provisions of this Code being interpreted, and the applicability in the particular or general circumstances that caused the need for interpretations, and the determination;
  
  - (2) Distributed to the Council, Commission, Director, City Manager, City Attorney, City Clerk, and Development Services Department staff; and
  
  - (3) Compiled into a single volume made readily available to the public.
  
- iii. Any interpretation of this Code by the Director may be appealed to the Commission in compliance with Municipal Code Section 10-1.2845 (Appeal and Review Process).
  
- iv. If there is uncertainty about the location of any zone boundary shown on the Regulating Plan, the location of the boundary shall be determined by the Director as follows.
  - (1) Where a zone boundary approximately follows a Lot line, alley, or street line, the Lot line, street or alley centerline shall be construed as the zone boundary, as applicable;
  
  - (2) If a zone boundary divides a parcel and the boundary line location is not specified by distances printed on the

Regulating Plan, the location of the boundary will be determined by using the scale appearing on the Regulating Plan; and

- (3) Where a public street or alley is officially vacated or abandoned, the property that was formerly in the street or alley will be included within the zone of the adjoining property on either side of the vacated or abandoned street or alley.

## 5. Infrastructure Plan

### 5.1 Introduction

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#### 5.1 Introduction

The California Government Code requires a specific plan to include text and diagrams that specify “The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.” This chapter of this Specific Plan helps fulfill this requirement. In addition, this chapter facilitates orderly development by identifying the “backbone” utility infrastructure needed to support the proposed level of development.

#### 5.2 Infrastructure and Utility Plan

##### 5.2.1 Existing Conditions: Utilities Analysis

###### 5.2.1.1 Storm Drainage

The major storm drainage facilities in the Mission Boulevard Corridor Specific Plan area are owned and maintained by Alameda County Flood Control District (ACFCD), while storm drain pipes smaller than 30-inches are typically owned by the City of Hayward. In general, the storm drain system consists of gravity pipe lines, predominantly made of reinforced concrete, which discharge to underground storm drain lines or manmade open channels owned by the ACFCD (See Figure 5-1)<sup>4</sup>. Flows eventually drain into Mt. Eden Creek and Old Alameda Creek en route to San Francisco Bay. Collected stormwater from the north portion of the Specific Plan area is routed to the west through a 24-inch/30-inch main along Sunset Boulevard and a 21-inch/36-inch main along Grace Street, which drain into County “Line M”. Stormwater from the south area flows to the west through several mains of various sizes, ranging from 15-inch to 72-inch, and discharge into ACFCD’s “Line E” or ACFCD’s “Line B”.

The Specific Plan area has two mapped FEMA flood zones. The first is contained in the ACFCD’s Ward Creek “Line B”, which is a special flood hazard area subject to inundation by the 1% annual chance flood. The floodway is a channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood height. The second FEMA flood zone is contained in ACFCD’s “Line E”, which is a flood area subject to inundation by the 0.2% annual chance flood, and possibly the 1% annual chance flood with average depths of less than 1 foot. Beyond these two areas, which are contained within Alameda County Flood Control District channels, the Specific Plan area is located outside of FEMA flood zones.

With respect to stormwater quality, new developments and redevelopment areas must comply with Provision C.3 of the revised Municipal Regional Stormwater NPDES Permit (MRP) adopted by the San Francisco Regional Water Quality Control Board on October 14, 2009. The revised MRP regulates stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun City, and Vallejo. The City of Hayward is a member of the Alameda Countywide Clean Water Program, a consortium of local agencies that was created in order to meet regulatory requirements jointly. The Water Pollution Source Control Division performs annual inspections for all individual Stormwater Programs in the City.

Each proposed project that has potential to affect the system should be independently evaluated to determine whether

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<sup>4</sup> Based on GIS information, utility system block maps, and Route 238 Corridor Improvement Plans provided by the City of Hayward. Additional Storm Drain information also provided by Alameda County Flood Control District.

## 5. Infrastructure Plan

### 5.2 Infrastructure and Utility Plan

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storm drain upgrades are necessary. At this time, no capital improvements to the storm drain system are planned, with the exception of the Route 238 Corridor Improvements Project which is scheduled for construction in fall 2010. This project will add approximately 1,000 feet of 18" storm drain to Mission Boulevard adjacent to Carlos Bee Boulevard in South Hayward.

#### 5.2.1.2 Sewer Facilities

Sewer facilities within the Specific Plan area are owned and maintained by the City of Hayward. The facilities consist of gravity pipe lines (See Figure 5-2)<sup>5</sup> of various materials including vitrified clay, cast iron, asbestos cement, and reinforced concrete. Sewage discharge from the south portion of the Specific Plan area flows to the west predominantly through a 10-inch VCP line in Torrano Avenue, an 8-inch VCP line in Berry Avenue, a 18-inch RCP line in O'Neil Avenue, an 8-inch VCP line in Orchard Avenue, an 8-inch VCP line in Sycamore Avenue, and 8-inch lines in Mission Boulevard. Sewage discharge from the north portion of the Specific Plan area flows to the west predominantly through an 8-inch VCP line in Sunset Boulevard. Flows are then conveyed through a series of gravity lines to the Hayward Water Pollution Control Facility (WPCF) at 3700 Enterprise Avenue in Hayward.

A study for the City of Hayward Sanitary Sewer Master Plan Update, conducted in 2002, analyzed the existing sanitary sewer wet weather flows. The study revealed capacity deficiencies in the system downstream from both the north and south portions of the Specific Plan area. During peak conditions, sections of the downstream sewer line operate at 110% to 200% of the designed capacity. No capital improvements to the existing system are planned in the area at this time. Each proposed project that would add demand to the system needs to be studied on an individual basis to assess potential impacts on the system and the corresponding required mitigations.

#### 5.2.1.3 Water Facilities

##### Water Supply and Demand

Water service to the Mission Boulevard Corridor Specific Plan area is provided by City of Hayward Water System for residential, commercial, industrial, governmental, and fire suppression uses. Hayward's sole source of water since 1963 has been the City and County of San Francisco's regional system, operated by the San Francisco Public Utilities Commission (SFPUC). The Hetch Hetchy watershed, an area located in Yosemite National Park, provides the majority of water delivered by SFPUC to Hayward. Spring snowmelt runs down the Tuolumne River and is stored in the Hetch Hetchy Reservoir. SFPUC also provides a small amount of water from the Alameda watershed, which is located in the East Bay and stored in the Calaveras and San Antonio Reservoirs. The two local reservoirs hold rain, local runoff, and some Hetch Hetchy water. This surface water source is supplemented by a small amount of ground water from the Sunol Filter Galleries near the town of Sunol.

Hayward's water supply from SFPUC is based on a supply agreement signed by both agencies in 1962. This agreement provides Hayward with all of its needed water supply, as long as such supplies are within SFPUC's ability to deliver and water supply conditions are normal. In effect, Hayward does not have a numerical limit on the amount of water that is provided by SFPUC. The contract has no expiration date.

In 2005, Hayward provided SFPUC with the amounts of water that Hayward expected to purchase for the next 25

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<sup>5</sup> Based on GIS information and utility system block maps provided by the City of Hayward.

## 5. Infrastructure Plan

### 5.2 Infrastructure and Utility Plan

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years. Hayward estimated that demands would gradually increase from a projected 21.8 million gallons per day (24.4 thousand acre-feet per year) in 2010 to about 27.9 million gallons per day (31.3 thousand acre-feet per year) by 2030. SFPUC responded in 2005 with written water availability projections, verifying its ability to meet Hayward's projected demand under normal operating conditions.<sup>6</sup>

In the event that SFPUC transmission lines are not able to meet Hayward's demands for a limited time, five emergency wells located within the City can provide a total of 13.6 million gallons per day. These wells do not run concurrently with the SFPUC source and have been certified by the California Department of Health Services for short duration emergency use only.

Hayward has also established agreements with two neighboring agencies, East Bay Municipal Utility District (EBMUD) and Alameda County Water District (ACWD), to receive or deliver water in the event of an emergency. A total of three interties are capable of delivering up to about 14.5 million gallons per day. Delivery would depend upon each agency's ability to provide water without negatively impacting supplies or its own customers and emergency services.

Any parcel within the Specific Plan area that redevelops to a use that significantly increases water demand will need to be reviewed by the City for impacts to the water supply. Depending on the size of the proposed development, the City may require a Water Supply Assessment to determine if proposed domestic demands and fire flows can be met. Furthermore, it may be necessary for developments to make improvements to the water distribution system in order to meet Hayward's fire flow requirements, which are based on land use and density.

#### Water Distribution

The potable water is conveyed through a pressurized distribution system, owned and operated by the City of Hayward. The distribution system consists of a pipe network which lies predominantly beneath the traveled roadway in the public street rights-of-way. Water is delivered to the system from the SFPUC at two turnouts, one at the Irvington Portal and one at the Newark valve lot. The distribution system consists of 6 main pressure zones, 15 water storage tanks, and 7 pump stations delivering water to upper pressure zones.

The transmission system attached to the Hetch Hetchy aqueduct is complemented by two booster pump stations: Decoto pump station, located along the Mission Boulevard 24" transmission main, and the Hesperian pump station, located along the Hesperian Boulevard 42" transmission main. Multiple pressure reducing stations interface between the transmission and distribution systems. Five emergency water wells can be brought online in the event of a transmission system failure.

There is at least one storage tank located within each pressure zone, with pump stations to deliver water to the higher elevation zones. Water is delivered to the 250 pressure zone from SFPUC with sufficient pressure under most conditions. Storage is located in the eastern portion of the City, east of Mission Blvd. The Decoto and/or Hesperian pump stations boost pressure in the 250 zone when necessary. All five emergency wells are located west of Mission Blvd., as are three of the City's four emergency interties.<sup>7</sup>

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<sup>6</sup> City of Hayward, "2005 Urban Water Management Plan", December 2005. The City of Hayward will start preparation of a new Urban Water Management Plan in the fall of 2010 to be completed by mid 2011.

<sup>7</sup> Bay Area Water Supply & Conservation Agency (BAWSCA), "Annual Survey – FY 2007-08", January 2009

## 5. Infrastructure Plan

### 5.2 Infrastructure and Utility Plan

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Main lines along Mission Boulevard make up the backbone of the distribution system within the Specific Plan area (See Figure 5-3)<sup>8</sup>. The north portion of the area contains a 12-inch main along the majority of Mission Boulevard and a 6-inch/8-inch main for the remainder of the roadway. Within the south portion of the area, Mission Boulevard contains three parallel water lines, a 24-inch transmission line that delivers water to nearby reservoirs and two main lines (12-inch and 6-inch/8-inch) that distribute water to surrounding residences from each side of Mission Boulevard. The remainder of the network consists of 6-inch, 8-inch, and 12-inch main lines, and services that are pulled directly from the mains. There are very few "dead end" lines and no known maintenance or capacity issues in the Specific Plan area. Water delivery to the Specific Plan area is not expected to be a concern.

Distribution lines within the plan area are a combination of asbestos cement, steel, plastic (PVC), and cast iron pipe. Sections of 6-inch cast iron water main built in the 1920's can be found in the north and south areas of the Specific Plan. Since cast iron pipe tends to corrode, these water mains have potential to leak and require replacement. Any paving improvements that may be implemented as a result of the Specific Plan work should be coordinated with cast iron water line replacement, if necessary.

No capital improvements to the system are planned, with the exception of the Route 238 Corridor Improvements Project which is scheduled for construction in fall 2010. This project includes the relocation of approximately 9,000 feet of water main from underneath the sidewalk to beneath the roadway, primarily in Mission Boulevard outside of the plan area. All existing 6-inch water mains to be relocated will be upgraded to 8-inch mains in order to meet the 8-inch water main pipe size minimum. Within the Specific Plan area, approximately 740 feet of 6-inch cast iron pipe along the east side of Mission Boulevard between Carlos Bee Boulevard and Berry Avenue will be replaced with an 8-inch PVC main, and approximately 1040 feet of 6-inch cast iron pipe along the east side of Mission Boulevard between Pinedale Court and Palisade Street will be replaced with an 8-inch PVC main.

Water lines typically are located 5 feet from the face of curb within the public roadway. Any changes to street cross sections that change curb locations or add landscape features and/or street furniture will need to be carefully coordinated with water line locations.

Regarding the fire prevention code for residential districts, Hayward requires a minimum total fire flow of 1,500 gpm and at least one fire hydrant for low density areas, 3,000 gpm and at least 3 fire hydrants for medium density areas, and 4,500 gpm and at least 5 fire hydrants for high density areas. Developments within commercial and industrial districts must provide a fire flow of at least 5,000 gpm using a minimum of 5 fire hydrants. Civic districts (hospitals, schools, etc.) are required to provide a minimum flow of 4,000 gpm using at least 4 fire hydrants. All fire flow requirements must be met at a residual pressure of 20-psi minimum. Fire flow requirements may be reduced by 50% for 1 and 2-family dwellings and by 75% for other buildings if approved automatic fire sprinklers are provided.

Each new development area should be studied separately to evaluate its effects on water conveyance and supply. Upgrades or upsizing of portions of the distribution system may be required for developments that increase water use from the existing condition.

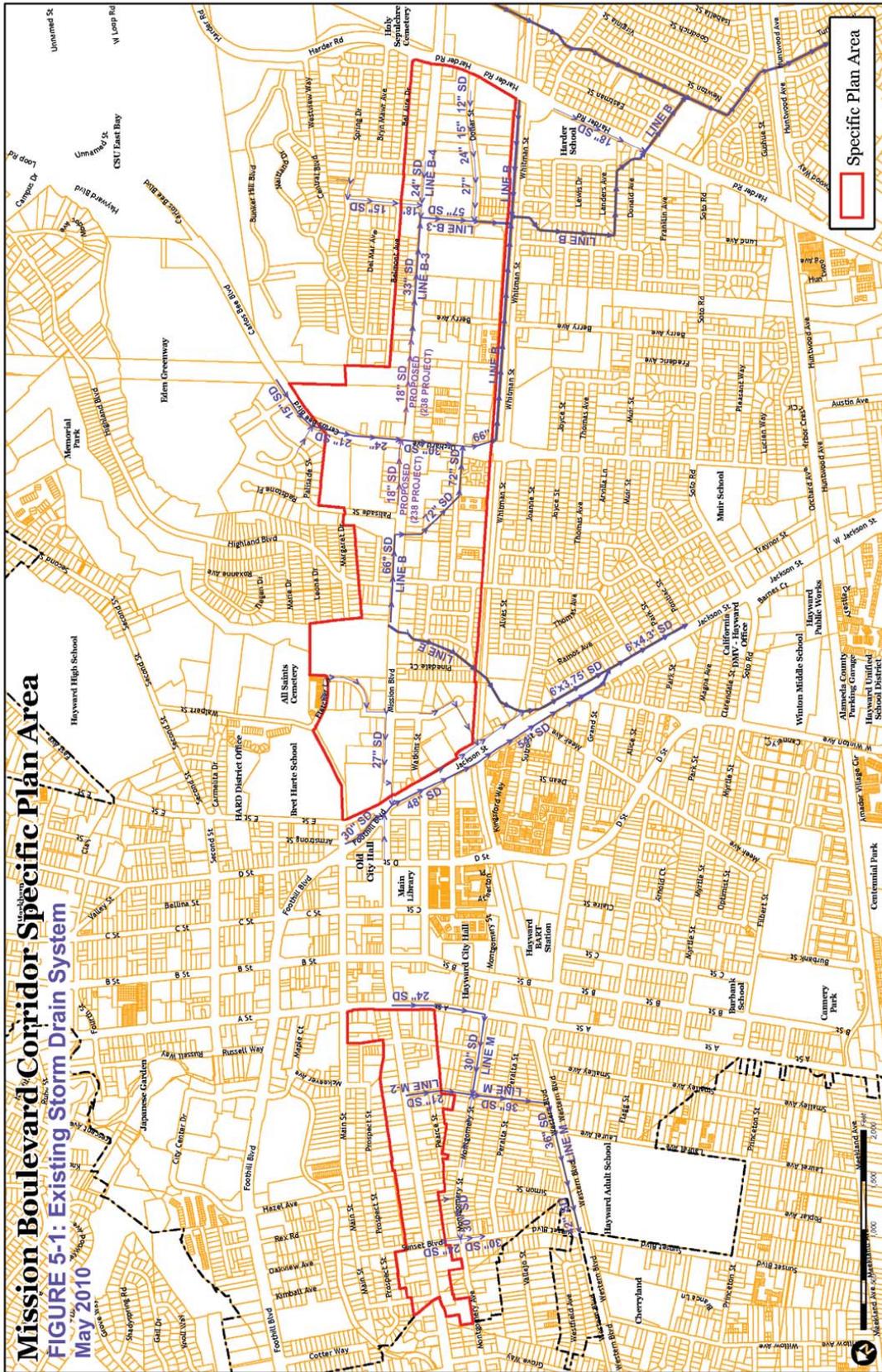
Currently, the City of Hayward does not have a recycled water system, but one is in the facility planning stage.

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<sup>8</sup> Based on GIS information, utility system block maps, and Route 238 Corridor Improvement Plans provided by the City of Hayward.

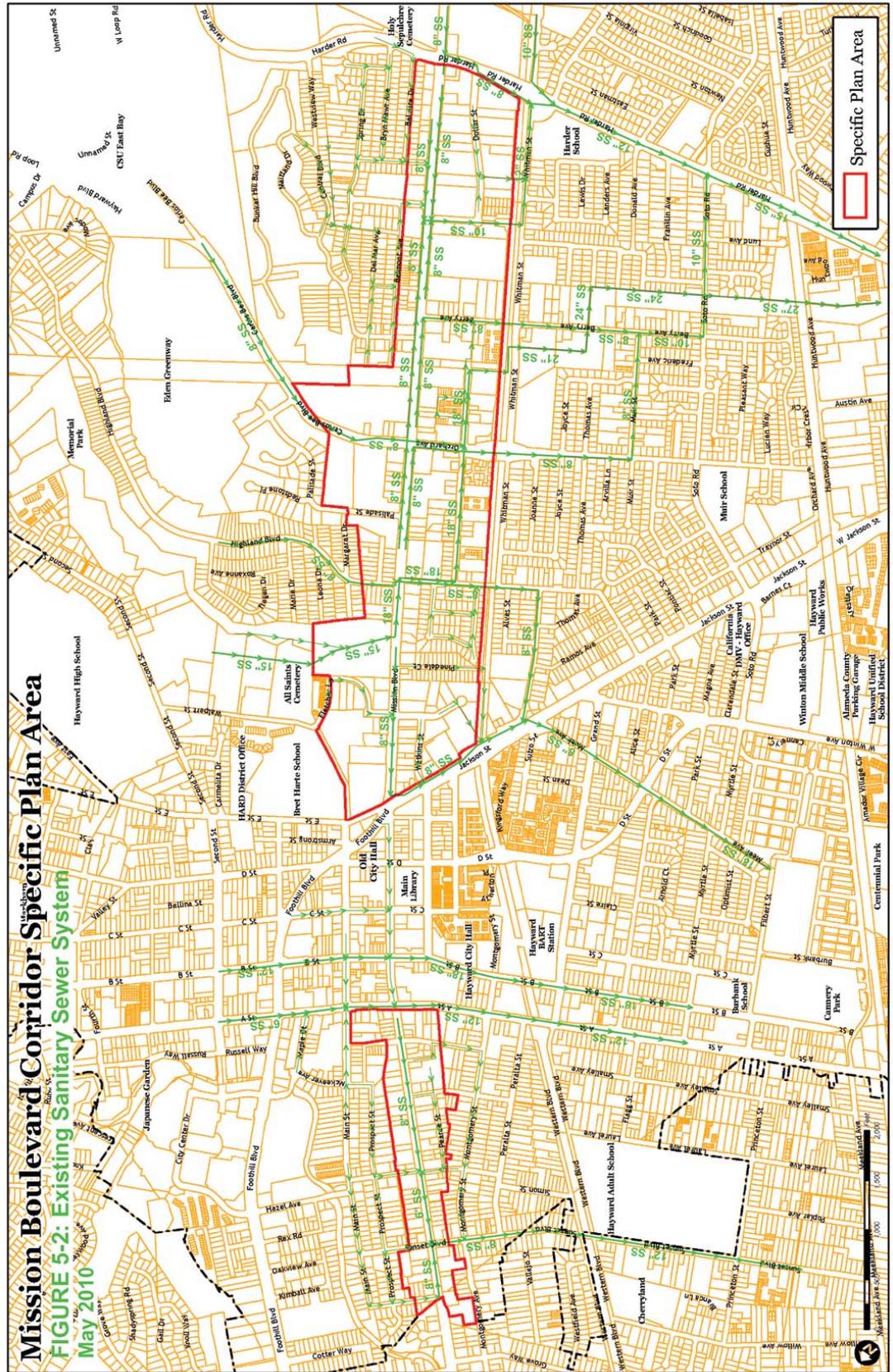
# 5. Infrastructure Plan

## Figure 5-1: Existing Storm Drain System



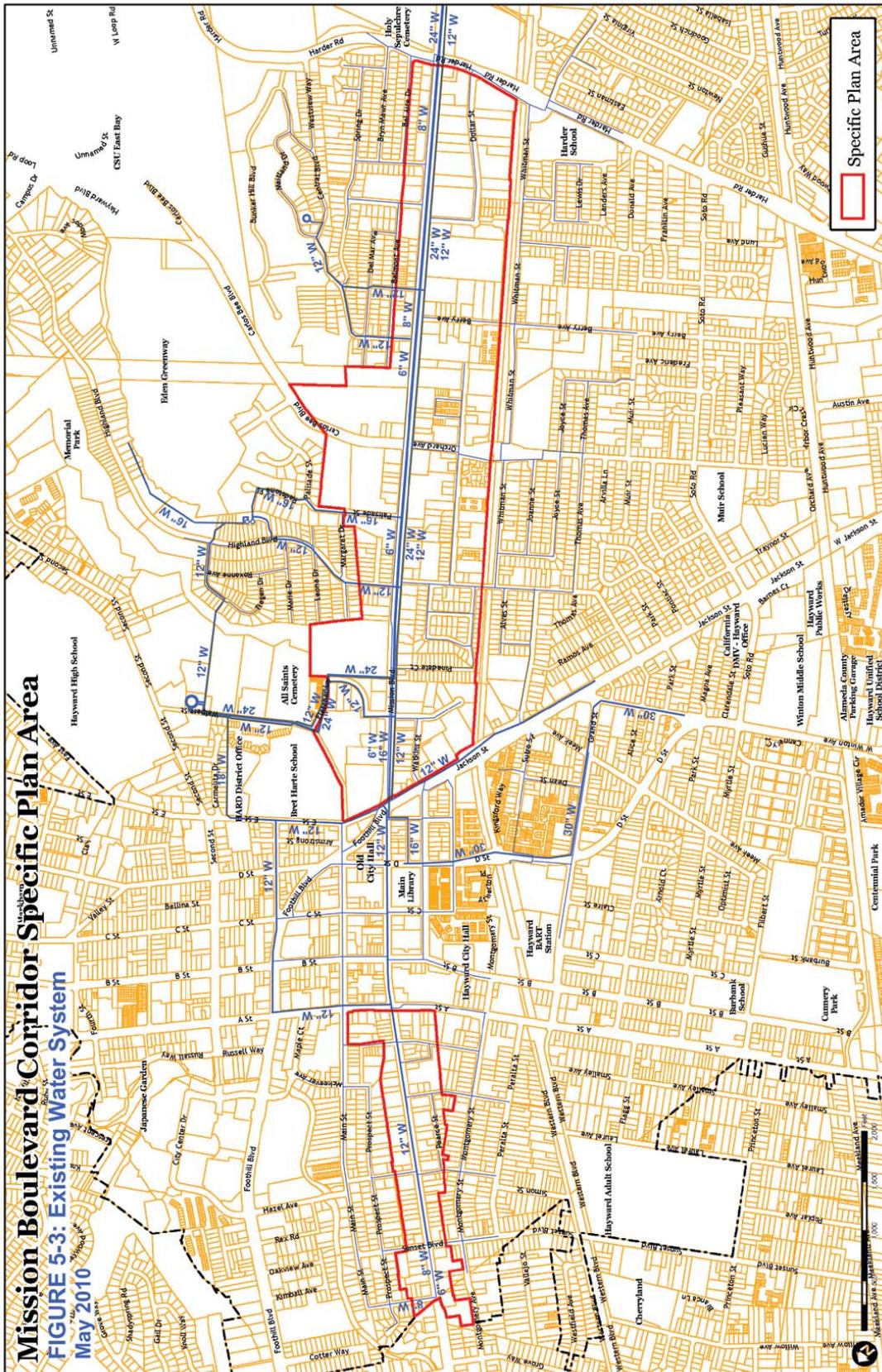
# 5. Infrastructure Plan

## Figure 5-2: Existing Sanitary Sewer System



# 5. Infrastructure Plan

## Figure 5-3: Existing Water System



## 5. Infrastructure Plan

### 5.2 Infrastructure and Utility Plan

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#### 5.2.2 Preferred Plan Alternatives: Utility Infrastructure Demands

##### 5.2.2.1 Storm Drainage

Potential storm drainage impacts resulting from the implementation of the preferred plan alternatives fall into three categories: system conveyance, treatment quality, and hydromodification flow control.

##### Stormwater Conveyance

Given that much of the existing specific plan area is currently impervious surface, future development will not significantly increase the overall quantity of storm runoff. Some portions of the plan area will be developed in ways that will intensify runoff, while other areas will be converted to civic park uses. The net impact to the conveyance system should be minimal.

As indicated in the existing conditions analysis, the developable area of the specific plan is located outside the mapped FEMA flood zones. There are two areas within, or adjacent to, the specific plan boundary that are flood areas contained within Alameda County Flood Control District (ACFCD) channels. As required by ACFCD, improvements will not be allowed with the banks of these existing channels.

##### Stormwater Treatment

With respect to stormwater quality, new developments and redevelopment areas must comply with Provision C.3 of the revised Municipal Regional Stormwater NPDES Permit (MRP) adopted by the San Francisco Regional Water Quality Control Board on October 14, 2009. The revised MRP now requires post-construction treatment of stormwater runoff at the source by means of low-impact development (LID) for projects that create or replace 10,000 square feet or more of impervious surface. This treatment requires utilization of natural or landscape methods, as opposed to mechanical filtration devices. In general, treatment will require designating pervious or landscaped areas to be programmed for stormwater treatment equal to 4% of the impervious area being proposed. Adequate treatment will be required to be provided within each parcel, or regionally by agreement between the City and the developers involved.

##### Stormwater Hydromodification

In addition to quality treatment requirements, the MRP also has flow control requirements to mitigate the erosion impact of stormwater runoff on existing drainage channels. Hydromodification requirements apply to projects proposing to create or replace an acre or more of impervious surface, and which are located in sensitive areas. When required, flow control measures must be implemented in the storm drainage design to reduce the runoff to pre-project levels. Alameda County has provided access to the Bay Area Hydrology Model (BAHM) to assist in the planning and design of hydromodification measures that meet the flow control requirements of the MRP.

## 5. Infrastructure Plan

### 5.2 Infrastructure and Utility Plan

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#### 5.2.2.2 Water Facilities

A water demand analysis for the preferred regulating plan and the two plan alternatives was prepared utilizing the projected land use data prepared by BKF on October 13, 2010 (See Table A). This land use assumes 50% of the zoning capacity built out with averaged residential densities. According to city water map records, the specific plan area is located within the 250' Pressure Zone. Based on information provided in the 2002 Water System Master Plan Update prepared by Carollo Engineers, the City of Hayward has anticipated development in the specific plan area to be high density residential, or a mix of commercial and high density residential, and therefore is assumed to be prepared to provide the projected domestic water demand.

Fire flow requirements for the specific plan area, as documented in the Fire Prevention Code of Hayward, Ordinance No. 07-19, page 12, are to be 4,500 gpm for high-density residential and 5,000 gpm for commercial areas. These requirements can be reduced by up to 75% when the building is provided with an approved automatic sprinkler system. According to the 2002 Master Plan Update, the 250' Pressure Zone is planned for providing 5,000 gpm of fire flow.<sup>9</sup>

#### 5.2.2.3 Sewer Facilities

Analysis of the sewer demand for the proposed specific plan area was based on the assumption that 90% of the water demand will result in wastewater generation (See Table A). Due to existing deficiencies downstream of the specific plan area, future development may be tasked with upsizing specific segments of the sewer mains that are currently operating beyond capacity. Furthermore, to alleviate inflow and infiltration issues in the current sewer system, the City may require new development to repair and replace mains adjacent to the development.

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<sup>9</sup> City of Hayward Water System Master Plan Update, December 2002, Carollo Engineers, page 3-15.

## 5. Infrastructure Plan

### 5.2 Infrastructure and Utility Plan

### Table A: Water and Sewer Demand Analysis

#### Preferred Plan:

Land Use	Quantity	Unit	Average Usage <sup>1</sup>	Water Demand (gpd)		Wastewater Demand (gpd) <sup>3</sup>
				Average Daily	Maximum Daily <sup>2</sup>	
T3 Residential	119	DU	400 gpd/DU	47,600	76,160	68,544
T4/T5 Residential	2,003	DU	250 gpd/DU	500,818	801,309	721,178
Retail	404,000	sf	260 gpd/ksf	105,040	168,064	151,258
Civic Space	20.0	acre	1785 gpd/acre	35,736	57,177	51,459
<b>Total</b>				689,194	1,102,710	992,439

#### Alternative A:

Land Use	Quantity	Unit	Average Usage <sup>1</sup>	Water Demand (gpd)		Wastewater Demand (gpd) <sup>3</sup>
				Average Daily	Maximum Daily <sup>2</sup>	
T3 Residential	119	DU	400 gpd/DU	47,600	76,160	68,544
T4/T5 Residential	1,958	DU	250 gpd/DU	489,587	783,339	705,005
Retail	404,000	sf	260 gpd/ksf	105,040	168,064	151,258
Civic Space	23.0	acre	1785 gpd/acre	41,091	65,745	59,171
<b>Total</b>				683,317	1,093,308	983,977

#### Alternative B:

Land Use	Quantity	Unit	Average Usage <sup>1</sup>	Water Demand (gpd)		Wastewater Demand (gpd) <sup>3</sup>
				Average Daily	Maximum Daily <sup>2</sup>	
T3 Residential	119	DU	400 gpd/DU	47,600	76,160	68,544
T4/T5 Residential	2,144	DU	250 gpd/DU	535,972	857,555	771,799
Retail	404,000	sf	260 gpd/ksf	105,040	168,064	151,258
Civic Space	21.4	acre	1785 gpd/acre	38,224	61,158	55,043
<b>Total</b>				726,836	1,162,937	1,046,643

#### Notes:

1. Average Usage factors are based on estimates used in "City of Hayward Water System Master Plan Update" prepared in December 2002 by Carollo Engineers (pages 3-18 thru 3-20)
2. Assumes a maximum day peaking factor of 1.6 as recommended in the "City of Hayward Water System Master Plan Update" for 250' zones (page 3-9)
3. Wastewater generation rates are based on 90% of the estimated maximum daily domestic water demand.

## 5. Infrastructure Plan

### 5.3 Mobility Plan

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### 5.3 Mobility Plan

The Mobility and Circulation Policies and Strategies of the General Plan include:

- Goal 4.1. The Specific Plan will help improve mobility to foster economic vitality.
- Goal 8.4. The Specific Plan will help create improved and safer circulation facilities for pedestrians.
- Goal 9.1. The Specific Plan will help provide the opportunity for safe, convenient and pleasant bicycle travel in its area.
- Goal 10. The Specific Plan will help encourage land use patterns that promote transit usage.
- Goal 13.1. The Specific Plan will help provide for future parking demand in ways that optimize mode choice.
- Goal 14.2. The Specific Plan will help seek to address traffic safety concerns.

The Mobility and Circulation chapter describes the existing transportation context and planned improvements in the Mission Boulevard Corridor Specific Plan area. The element also sets forth the circulation concept and detailed policies and standards for the street system within the specific plan area. The intent of the policies is to foster a “complete” street network that accommodates the needs of motorists, pedestrians, bicyclists and transit riders within the planning area, and facilitates safe and efficient local and regional access. The primary goal is to develop a transportation system that accommodates the needs of all users, motorists, pedestrians, bicyclists and transit riders.

#### 5.3.1 Automobile

The existing planning area is very disconnected, largely due to the patchwork and dispersed nature of the development areas. Furthermore, the planning areas are clustered around State Route 238/ Mission Boulevard, which bisects the study area but does not provide adequate continuity or consistent access. The areas also tend to be locked in by geographical constraints and a railway right of way. Furthermore, the southern planning area caters primarily to large auto dealer parcels that have primary frontage on Mission Boulevard and very little access to each other. Access and circulation between the parcels currently has to rely on Mission Boulevard creating a disconnect between the parcels and any future uses associated with these parcels. This is well described in Figure 1-3 of the Synoptic Survey. Therefore the intent of the Form Based Code plan is to develop compatible mixed uses that would enhance the community and benefit from better connectivity and improved access for all transportation modes. Auto access would be improved by providing a new street system of thoroughfares to complement Mission Boulevard and also to provide alternative routing and access, as shown in Figure 1-3. The characteristics of the new street system are further described in Table 2 of the Mission Boulevard Corridor Form-Based Code showing the Thoroughfare Assemblies for each street type.

Additional collectors west of Mission Boulevard will help to connect the new smaller sized parcels together and minimize the need to access Mission Boulevard for circulation among the parcels. The planning area south of Jackson Street and west of Mission Boulevard will include a new parallel local internal street network from Harder Road to Jackson Street that will provide almost continuous access and circulation for autos, bikes and pedestrians. This is accomplished by connecting the existing streets with an extension from Dollar Street to O'Neill Avenue in the south sector and Fletcher Lane to Groom Street in the north sector, thus providing almost continuous access for the entire planning area. This new access combined with compatible mixed land uses would help to reduce traffic and reliance on Mission Boulevard and potentially minimize impacts to signalized and unsignalized cross street intersections. The plan includes new slip lanes parallel to Mission Boulevard in three locations that will provide additional access and improved circulation to land uses fronting Mission Boulevard with the benefit of reduced auto travel speeds, improved

## 5. Infrastructure Plan

### 5.3 Mobility Plan

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safety, and additional commercial parking situated off the main street. The eastern planning area will include new connections to Carlos Bee Boulevard that will join two disconnected areas to the east of Mission Boulevard. The new thoroughfares connecting to Carlos Bee Boulevard will require more detailed traffic analysis during the EIR to determine whether these new intersections will need signal or stop control and whether traffic should exit with full access, or limited by right-in and right-out control.

The City of Hayward is currently upgrading the entire Route 238 Corridor. This project involves a widening of Foothill Boulevard north of Downtown and a one-way road system around downtown with one-way northbound flow on Foothill Boulevard and one-way southbound flow on Mission Boulevard. South of downtown, Mission Boulevard is being upgraded with selective widening replacing on-street parking and other improvements to upgrade the roadway. The Route 238 corridor north and south of Downtown has an Avenue designation with 100 feet right of way and the roadway characteristics are further described in Table 2 of the Mission Boulevard Corridor Form-Based Code.

Access into the planning areas will primarily be from the cross streets on Mission Boulevard. In the north planning area, access will be via Rose Street, Sunset Boulevard, Simon Street, Grace Street and Smalley Avenue. In the South, access will be via Watkins Street, Fletcher Lane, Pinedale Court, Highland Boulevard, Sycamore Avenue, Carlos Bee, Orchard Avenue, Central Boulevard, Berry Avenue, Torrano Avenue, Devon Drive, Dollar Street and Harder Road. While most of these cross streets are unsignalized, there are signals located at Sunset Boulevard, A Street, Walpert Street, Highland/Sycamore, Carlos Bee/Orchard and Harder Road.

#### 5.3.2 Bicycle

In addition to pedestrian access, bicycle access is also an important component of the Specific Plan. The City of Hayward General Plan includes a comprehensive bikeways map describing the bicycle system. The Bicycle network is further detailed in the City's 2007 Bicycle Master Plan.

The Caltrans Highway Design Manual (Chapter 1000) generally identifies three categories of bicycle facilities. These are similar to the system identified in the City General Plan:

- Class I – Provides a completely separated facility designed for the exclusive use of bicyclists and pedestrians with crossing points minimized (typically called a “bike path”).
- Class II – Provides a restricted right-of-way designated lane for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and cross-flows by pedestrians and motorists permitted (typically called a “bike lane”).
- Class III – Provides a right-of-way designated by signs or permanent markings (e.g., sharrows) and shared with pedestrians and motorists (typically referred to as a “bike route”).

Currently, a number of bicycle facilities exist in the planning area that connect to the existing and proposed bikeway network as shown in the map of existing Bike Network (Synoptic Survey Figure 4-2, Page 4-2 of the Synoptic Survey). Throughout the Planning Area, the bicycle network provides direct routes to major destinations as well as connections to bus stops, BART stations and surrounding neighborhoods.

Hayward does not have any Class I facilities, so most existing bikeways in the study vicinity are Class II (portion of A Street, D Street, Harder Road, Soto Road) and Class III (part of Mission Boulevard, 2nd Street, C Street, Carlos Bee

## 5. Infrastructure Plan

### 5.3 Mobility Plan

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Street, Orchard Avenue, Whitman Street, portion of Sycamore Avenue, Silvia Avenue, Meek Avenue, Grand Street). Proposed bicycle routes would be extended to include Class II facilities on a portion of Main Street, portion of Foothill Boulevard, portion of B Street, portion of C Street, Watkins Avenue, Fletcher Lane, and Class III facilities on portion of Mission Boulevard, portion of Main Street, C Street, Montgomery Avenue. In addition, the Hayward Fault Trail does provide for a bikeway as planned by others.

The streets directly inside the planning areas do not currently have any existing bikeways or planned bikeways. However, all new planned thoroughfares would allow for at least Class III facilities. In addition, the section of Mission Boulevard north of A Street will be designated as a Bicycle route, while the section south of Jackson Street would be designated as a transit route, but not as a bike route. Carlos Bee would be designated as a new bike route.

#### 5.3.3 Pedestrian

Pedestrian accessibility relates to the level of ease and comfort for pedestrians as they travel in an area. A high level of accessibility and ease of travel to key destinations and public services provides a framework for long-term sustainability. This is very important for communities that are transit-dependent, like those with seniors, low-income families, and school students, where walk access to services like transit, neighborhood retail, schools and social services is essential.

Existing pedestrian facilities currently include sidewalk access on all thoroughfares within the study vicinity together with crosswalks at key crossing locations on SR 238 Mission Boulevard. These facilities are shown in the map of existing Pedestrian & Public Transit Amenities (Synoptic Survey Figure 4-1, Page 4-1 of the Synoptic Survey). One of the key goals of the Specific Plan is to maximize connectivity in the Planning Area through creation of denser street grid pattern in the new development areas. This goal would provide improved access and circulation for pedestrians accessing the housing and commercial areas in the study vicinity and providing better access to transit stops in the corridor. Planned pedestrian facilities include sidewalks on all new thoroughfares as shown in Figure 1-3, Site Location Map, together with crosswalks on Mission Boulevard at all key signalized intersections in the study vicinity. Crosswalks would include push button equipment for signal crossings.

In the south corridor, pedestrian access across the railway right of way west of Mission Boulevard has limited crossing locations. Sycamore Avenue has a pedestrian overpass over the BART tracks and Jackson Street, Orchard Avenue and Harder Road have pedestrian access via roadway underpasses.

The current Route 238 Corridor Improvement project has plans to eliminate some pedestrian crossing locations. Therefore to improve pedestrian safety and accessibility, some additional pedestrian crossings are proposed:

1. The current Route 238 Corridor Improvement Project plan proposes to close the unprotected pedestrian crossing at Pinedale Court and includes a barrier in the median of Mission Boulevard to discourage pedestrians from crossing the street between the Jack in the Box and the Hayward Plunge just west of Pinedale Court. It is recommended that the City consider installing a signalized pedestrian crossing with offset pedestrian crosswalks to accommodate this desired line of travel. The signal could be set up to cross pedestrians on demand across one direction of travel to the median and then cross the other direction of travel after actuating a pushbutton in the median. Vehicle queues should not interfere with traffic operations at adjacent intersections. As an alternative to the pedestrian signal, an unsignalized, offset pedestrian crosswalk could be provided with advance yield pavement markings and signs, pedestrian crossing signs, and flashing beacons. Both options would have a corral in the median to funnel pedestrians to the proper crossing location. The

## 5. Infrastructure Plan

### 5.3 Mobility Plan

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City could also consider working with AC Transit to relocate nearby bus stops to provide far-side stops at the pedestrian signal.

2. The unprotected crossing at Devon Drive will be eliminated, and the proposed Torrano Avenue pedestrian crossing will be difficult for pedestrians to cross with the high volume of traffic on Mission Boulevard. Therefore, it is recommended that the City consider a similar treatment to the one described above at a mid-block location between Torrano Avenue and Devon Drive. If this option is determined to be infeasible, it is recommended the City consider advance yield pavement markings, pedestrian crossing signs, and flashing beacons at the Torrano Avenue location where the crosswalk is located.

#### 5.3.4 Transit

Mission Boulevard is a major transit corridor. As shown in the map of existing Pedestrian & Public Transit Amenities (Synoptic Survey Figure 4-1, Page 4-1 of the Synoptic Survey), every property within the Specific Plan area is within a five minute walk of one of the Mission Boulevard bus stops, and in addition, those portions of the Specific Plan area that are closest to downtown are within a 10 minute walk of the downtown Hayward Bay Area Rapid Transit (BART) station.

As described in Chapter 1, a key objective of this Specific Plan is to establish a vision for transit-oriented development along the corridor, and to then back up that vision with detailed design and development standards that both allow and encourage compact, pedestrian-friendly and mixed-use new development. The City's General Plan sets forth the following goals that specifically address transit and transit-oriented development:

- Land Use Goal 2. The Specific Plan will help support higher-density and well-designed quality development in areas within 1/2 mile of transit stations and 1/4 mile of major bus routes in order to encourage non-automotive modes of travel.
- Land Use Goal 5. The Specific Plan will help promote transit-oriented development in the Mission/Foothill Corridor in order to help create a distinctively attractive commercial boulevard.
- Circulation Goal 10. The Specific Plan will help encourage land use patterns that promote transit usage.

This Specific Plan's all-encompassing Form-based Code component provides the comprehensive design and development standards required to implement these goals, allowing buildings to be built that will allow many people to live, work and play in new neighborhoods along Mission Boulevard, with easy access to the extensive existing transit along Mission Boulevard and at the nearby BART station. These new buildings will aid in generating new ridership to support the existing transit lines. In turn, the transit lines make this corridor an appropriate place for new development, minimizing its traffic impacts and parking demands.

Bus service along the Mission Boulevard is provided seven days a week, 24 hours a day, by the Alameda-Contra Costa Transit District (AC Transit). AC Transit routes traveling along Mission Boulevard through the Specific Plan area include routes 93, 99 and 801 in the portion north of A Street, and routes 22, 99 and 801 in the portion south of A Street.

As described below, the Parking & Transportation Demand Management provisions of this plan's Form-based Code component are specifically designed to minimize automobile traffic generated by new development and to maximize transit ridership, so that over time, as new buildings emerge, new ridership is generated, making it cost-effective and feasible to increase transit frequencies along the corridor.

## 5. Infrastructure Plan

### 5.3 Mobility Plan

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#### 5.3.5 Parking & Transportation Demand Management

Every parking system has two key parts:

1. Quantity (number of parking spaces)
2. Management (policies, regulations and prices)

The parking and transportation demand management policies and regulations set forth in this Specific Plan are designed to address both quantity and management. They ensure that the Specific Plan area will develop over time with *quantities* of parking that are appropriate for a transit-oriented area, and equally importantly, with the *management* strategies in place that will be required to ensure that (a) automobile traffic from new development is minimized, and (b) nearby residential neighborhoods are protected from unwanted “spillover parking” (i.e., vehicles associated with new development filling up the curb parking on nearby neighborhood streets).

This approach implements the City’s General Plan Policies and Strategies regarding parking and transportation demand management. As described in Section 1.5, the City’s General Plan sets forth the following Policies and Strategies that specifically address parking and transportation demand management:

- Circulation Goal 13.1. The specific plan will help provide for future parking demand in ways that optimize mode choice.
- Conservation & Environmental Protection Goals 12.5. and 12.7. The Specific Plan will help support implementation of Transportation Control Measures adopted by the Bay Area Air Quality Management District.

Parking to serve existing and new development will be provided in two ways. Most streets, both existing and new, throughout the Specific Plan area provide on-street parking on both sides, as detailed in Table 2, Thoroughfare Assemblies. This helps to buffer pedestrians from passing traffic, supports street-facing shops and dining, and minimizes the amount of parking that must be provided off-street parking lots and garages. In addition, the design and development standards set forth in the Form-based Code component of this Specific Plan allow new private developments to provide the amount of parking appropriate to serve the development, while ensuring that all privately-owned parking is provided in ways that preserve a high-quality and pedestrian-friendly public realm.

In addition, the parking and transportation demand management provisions of this plan’s Form-based Code component are specifically designed to minimize automobile traffic and to maximize transit ridership, in order to minimize the traffic congestion, pollution and other impacts that result from new automobile traffic. *[Note: Nelson\Nygaard will be providing transportation demand management ordinance provisions to supplement the parking standards contained within the plan’s Form-based Code component.]*

Finally, Appendix XXX, Parking & Transportation Demand Management Strategy, sets forth a comprehensive management strategy for both public and private parking. This strategy is designed to ensure that curb parking within the plan area is appropriately managed, so that it is well-used but readily available, and to ensure that nearby residential neighborhoods are protected from unwanted “spillover parking”. *[Note: Nelson\Nygaard will be providing a Parking & Transportation Demand Management Strategy similar to the Parking & Transportation Demand Management Strategy provided for the South Hayward BART/Mission Boulevard Form-based Code.]*

## 6. Implementation Plan

### 6.1 Introduction

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### 6.1 Introduction

This chapter outlines the steps necessary for the successful implementation of the Mission Boulevard Corridor Specific Plan. The proposed General Plan Amendments and Municipal Code/Zoning Ordinance changes are listed below, as well as the following key components:

- Documentation of infrastructure that is required and its expected cost.
- Proposed financial policies and a financing strategy for this Specific Plan to guide City implementation efforts.

### 6.2 Implementation Steps

#### 6.2.1 Regulatory Actions

In order to implement the vision and concept that are outlined and described in this Specific Plan, the City will amend the Zoning Code and map to identify the Mission Boulevard Corridor Form-Based Code as the regulations controlling development in the Plan area. This action will happen at the same time the Specific Plan is adopted.

#### 6.2.2 Infrastructure Improvements

Development will require a variety of improvements, including those typically associated with infrastructure improvements needed to create sufficient capacity for the new development or redevelopment anticipated in the area, and civic amenities that benefit the entire city.

##### Thoroughfares

The Mission Boulevard Corridor Specific Plan includes new thoroughfares as well as improvements to existing streets. The new thoroughfares are shown in Figure 1-2 and described in detail in Table 2. New thoroughfares and related infrastructure will be implemented when needed to provide access to newly developed parcels as well as improve walkability in the specific plan area.

##### Water

Based on information provided in the 2002 Water System Master Plan update, and as described in Chapter 5 of this Specific Plan, the water system within the Mission Boulevard Corridor Specific Plan Area is projected to meet the system capacity requirements for both domestic water and fire flow demands.

##### Wastewater

As identified in Chapter 5 of this Specific Plan, existing deficiencies in the sanitary sewer system downstream of the Plan Area will require improvements in order to handle the additional capacity due to the planned densification. As well, each future development project should anticipate replacing existing sewer laterals serving the parcel and, in some cases, the public mains fronting the property, in order to alleviate the inflow and infiltration issues which are negatively impacting the capacity of the current system.

## 6. Implementation Plan

### 6.2 Implementation Steps

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#### Stormwater

As described in Chapter 5 of this Specific Plan, the backbone infrastructure for the storm drainage system serving the Specific Plan area has been designed to handle runoff from the existing development. Given that future improvements within the Specific Plan area are not likely to intensify runoff beyond current levels, storm drainage improvements to add additional system capacity should not be required. However, recent Regional Water Quality Control Board requirements will make onsite stormwater treatment a requirement for all future development where 10,000 square feet of impervious surface is replaced or created per project. As well, onsite flow control requirements may also be required for all future development.

## 6. Implementation Plan

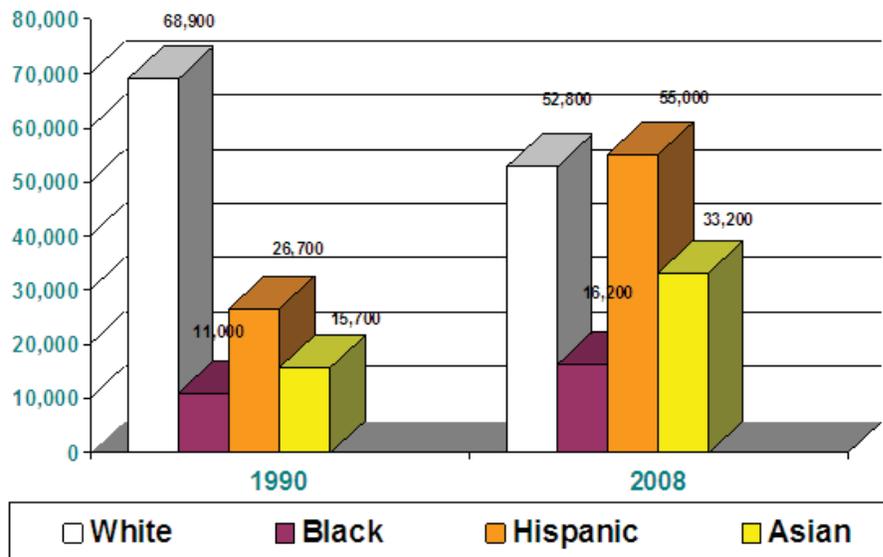
### 6.3 Conceptual Financing Plan for Future Development and Infrastructure

#### 6.3 Conceptual Financing Plan for Future Development and Infrastructure

The revitalization strategy of Mission Boulevard should not count on the long term resurgence of the automobile sales and service sector. The dealerships that have recently closed on Mission Boulevard are not expected to return; however, Toyota, Honda, Nissan and Volkswagen are expected to remain and perform well during the economic rebound expected in 2012 to 2015 period. As the role of Mission Boulevard changes from a regional arterial to more of a local serving boulevard, some of the auto-related uses may gradually relocate to be closer to I-880. Those that provide services to dealership will likely move to where the new car dealerships are located; however, those that serve car owners directly and have established local clientele will remain in Hayward.

Over the past two decades, the *Asian and Hispanic populations have been growing much faster in Hayward and its neighboring cities than the overall population.* The national retail chains that do not understand the preferences of these populations will not compete as effectively as the retailers that serve these populations well. *A successful economic development strategy for Mission Boulevard needs to recognize and take advantage of the changing demographics of Hayward and its neighboring communities.*

Figure 6-1: The Changing Ethnic Composition of Hayward and Retail Opportunities Created



Source: Bureau of Census and ESRI Business Analyst

## 6. Implementation Plan

### 6.3 Conceptual Financing Plan for Future Development and Infrastructure

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A detailed analysis of Hayward's proportionate share of the countywide retail sales by sector indicates that *the City is substantially under-retailed in the following sectors: furniture and appliances, specialty stores, restaurants and grocery stores.* (For detailed analysis, refer to Appendix B – Market Analysis and Economic Development Strategy.) The retail leakage along Mission Boulevard in part reflects the misalignment between the new ethnic composition of the trade area population and the types and quality of retail establishments that exist.

A review of the Hayward housing market indicates demand for 9,000 new units over the next 20 years. This averages out to 450 units per year; and given the highly cyclical nature of real estate cycles, the actual construction in any one year could deviate considerably from this long-term average. As land in the inner Bay Area becomes scarcer, the proportion of multi-family development will increase. The multi-family share of overall Hayward demand is estimated at 59 percent. The Mission Corridor Specific Plan Area is estimated to be able to capture 12 to 15 percent of the citywide demand provided that good residential sites can be created. This translates into 650 to 800 units over the next 20 years for the two sections of this corridor. Because of limited commercial demand, housing development is particularly important to the northern section of Mission Boulevard. Housing development in this northern section not only satisfies the City's economic development objectives but would also be consistent with the regional goal of concentrating growth in Planned Priority Development Areas that are focused along transit corridors to reduce vehicle miles traveled and greenhouse gas emissions. This northern section of Mission Boulevard is largely within walking distance of the Hayward BART station and the services available in Downtown Hayward.

#### PROJECTED DEVELOPMENT PROGRAM - BASED ON MARKET AND STRATEGY STUDY<sup>1</sup>

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	2010-20	2020-30	Total
<b>Residential Units</b>			
Townhomes	36	44	80
Condominiums	80	120	200
Market Rate Apartments	160	220	380
Affordable Apartments	<u>60</u>	<u>80</u>	<u>140</u>
<b>Total Residential Units</b>	<b>336</b>	<b>464</b>	<b>800</b>
<b>Commercial/Industrial SF</b>			
Retail Commercial	100,000	100,000	200,000
Industrial/Service Commercial	<u>40,000</u>	<u>60,000</u>	<u>100,000</u>
<b>Total Commercial/Industrial</b>	<b>140,000</b>	<b>160,000</b>	<b>300,000</b>

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<sup>1</sup> Appendix B - Mission Boulevard Market Analysis and Economic Development Strategy, May 2010

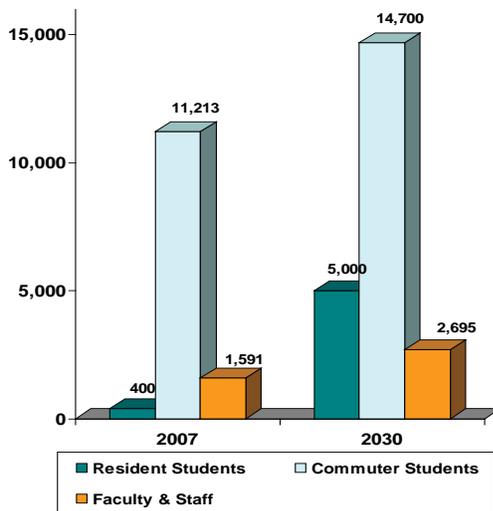
One of the key economic drivers for the Hayward economy is the presence of California State University East Bay located on the hill overlooking Mission Boulevard. The student head count at CSU East Bay is projected to increase from 12,200 in 2007 to 17,600 by 2020 and 21,000 by 2030. Of greater importance, the students residing on campus are projected to increase from about 400 in 2007 to 3,500 by 2020 and 5,000 by 2030. Other than the campus bookstore and dormitory food service, these on-campus students will have few dining, shopping or entertainment options. There are also few dining options locally for faculty or staff wishing to entertain visitors or recruitment candidates. Clearly, this campus is underserved by local commercial facilities, and the southern section of Mission Boulevard has the location to provide more commercial services to this campus community.

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### 6.3 Conceptual Financing Plan for Future Development and Infrastructure

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Figure 6-2: Projected Student, Faculty and Staff Growth at CSU East Bay



#### 6.3.1 Commercial Development Strategy for the Southern Section

AECOM Economics recommends an initial development of approximately 100,000 square feet in a new neighborhood/specialty center or district, assuming an economic recovery by 2012 to 2015. This development will likely require eight to nine acres of property. Departing from the standard shopping center formula, this district should have four key anchors including two grocery stores:

- An ethnic grocery store of 15,000 to 20,000 square feet (possibly Indian, South Asian or Pan Asian).
- A specialty grocery store of another 15,000 to 20,000 square feet (like Trader Joe's).
- A pub or sports bar of 8,000 square feet offering karaoke, ping pong, pool tables, dart board, Wii type sports and dancing.
- A full service dinner restaurant of 8,000 square feet (like Le Cheval in Walnut Creek).
- Smaller in-line shops and food service outlets with ethnic specialty foods and other items (e.g. ice cream or yogurt shop, sandwich shop, pizza parlor, coffee shop, tea shop, sushi, dumplings, tacos, bakery, laundry, cleaners, beauty salon, etc.).
- A cluster of other smaller restaurants (a selection from Indian, Chinese, Filipino, Korean, Japanese, Vietnamese, Thai, Middle Eastern, Mexican, South American and/or Southern).
- Apparel, specialty stores and sundry outlets.

A second phase of 50,000 to 60,000 square feet could be added approximately five to six years following the initial phase. The timing of the second phase would depend upon the success of the initial phase and will be influenced by the actual increase in the enrollment and on-campus population at CSU East Bay. Its tenant mix would be similar to the initial phase and should be planned to complement that phase. Once the first phase has demonstrated success, the second phase should not require any significant government incentives.

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#### 6.3.1.1 West Side of Mission Boulevard between Harder Road and Torrono Avenue

Three areas are identified as having good potential for near term redevelopment. The first is the west side of Mission Boulevard between Harder Road on the south and Torrono Avenue on the north. This site is largely vacant and is of sufficient size to attract a significant new development project. It is at a key intersection that has visibility to much north-south traffic along Mission Boulevard and east-west traffic along Harder Road. It is well located relative to the campus population at CSU, and is not on the Hayward Fault. A new Holiday Inn Express is being built across Mission Boulevard at the NE corner of Mission Ave. and Torrono Ave. A church has been approved for the mid section of this parcel, a clothing store has been approved toward the southern end of the site, and a few residences are on this land that will need to be addressed for redevelopment. The commercial strategy described above should focus initially on this site.

Figure 6-3: West side of Mission Blvd. between Harder Rd. and Torrono Ave. study area



The illustration below shows a frontage road on the west side of Mission Boulevard extending from one parcel south of Berry Avenue to one parcel north of Harder Road. This frontage road is one of the most important urban design elements of this Specific Plan. While this frontage road will require the dedication of private property and expenditures for construction, AECOM is of the opinion that it will accelerate the development of this portion of Mission Boulevard and cause this new development to take on a more urban character. The more urban characteristics of this new development along the frontage road, likely retail commercial and mixed-use, will signal a departure from the suburban style commercial centers of the last couple of decades and mark a new beginning for Mission Boulevard. The lots appear to have sufficient depth to allow development flexibility and the properties to reap the full benefit of the frontage road. Because the Route 238 improvements will remove peak commute period parking from this stretch of Mission Boulevard, an urban format commercial project fronting on Mission Boulevard is unlikely to succeed without this frontage road.

Figure 6-4: Illustration of new frontage road on the west side of Mission Blvd.



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#### 6.3.1.2 East Side of Mission Boulevard at Carlos Bee Boulevard

This is a high priority redevelopment area because the existing properties on site are either vacant or in poor condition, and the City and other public agencies own much of this property. Carlos Bee is the key entrance to CSU East Bay, and the Hayward Fault does not traverse these key public agency properties.

Figure 6-5: East side of Mission Blvd. at Carlos Bee Blvd. study area



Figures 6-6 and 6-7: Potential development concept for the study area in plan and in illustration



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#### 6.3.1.3 West Side of Mission Boulevard between Sycamore Avenue and Pinedale Court

Because the existing properties are either vacant or in poor condition, the redevelopment of this area would remove blight and upgrade Mission Boulevard. The City also owns a number of the parcels in this stretch of Mission Boulevard, and the properties are well located on the route between CSUEB and Downtown Hayward. However, shallow lot depth makes pedestrian-oriented design challenging for retail.

Figure 6-8: West side of Mission Blvd. between Sycamore Ave. and Pinedale Court study area in plan



The concept illustrated below shows how this property could be redeveloped with a frontage road buffering the Mission Boulevard through-traffic from the mixed use buildings (residential over retail) at the corners of Pinedale and Sycamore with residential buildings in between.

Figure 6-9: West side of Mission Blvd. between Sycamore Ave. and Pinedale Court study area in illustration



Considering the blighted conditions of much of this target area and the fact that several parcels are already in City ownership, active involvement of the Hayward Redevelopment Agency may be required to assemble the property, construct the frontage road and to provide other incentives to attract a private development consistent with the vision above.

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An illustrative concept of this development is shown below, as viewed from Mission Boulevard.

Figure 6-10: Illustration of neighborhood center on west side of Mission Blvd. between Sycamore Ave. and Pinedale Court



#### 6.3.2 Development Strategy for the Northern Section

Due to the lack of retail sites of any significant size, the mixture of auto related uses and older buildings in deteriorated condition, and close proximity to the earthquake fault, the demand for pure retail space in this section is projected to be fairly limited. The revitalization strategy for this northern section is going to require a more comprehensive multi-faceted approach that incorporates residential development. The key steps include the following:

- The reconstruction of the Mission Boulevard public right-of-way, which is being designed as part of this project.
- A long term commitment to protecting and upgrading the housing stock in the immediately surrounding neighborhoods through an expanded housing rehabilitation loan and grant program.
- Adopting an infill live-work mixed use strategy with housing above work space that could be retail, services, artist studios, or artisan manufacturing.
- Use of Redevelopment Agency resources to create one or two anchor projects at strategic locations and then encourage infill development with row houses that have ground floor commercial or workspaces at the street front.

The value of the City's housing stock is the key determinant of future community income and household purchasing power. Since local retail potential will be determined by community purchasing power, reinvestment in the City's housing stock needs to be an important policy priority. AECOM recommends that the City aggressively expand its residential rehabilitation loan program and target the older neighborhoods around the northern section of Mission Boulevard. After an initial start-up period, the program should be self funding as the repayment of earlier loans fund subsequent loans. A better housing stock around Mission Boulevard will attract higher income households over the long run and they will in turn spend more money in local retail establishments. The increased local retail spending will lead to new retail businesses and the upkeep of commercial properties. Most of the new retail establishments are expected to be local serving and would likely include smaller restaurants, specialty food stores, a hardware store, and local services.

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#### 6.3.3 Fiscal Impact of Plan Implementation

The combined impact of the State Route 238 Corridor Improvement Project, the City's economic development efforts, the actions by the Hayward Redevelopment Agency to induce private development, and the guidance and zoning protection provided by this Specific Plan and Form-Based Code adoption will help transform the Mission Boulevard Corridor over the next 20 years. The transformation will be from a corridor of vacant automobile dealerships, underutilized commercial property, and deteriorated buildings to one which the entire city can take pride in. The new Mission Boulevard will change the perception of Hayward for people of the Bay Area.

In addition to changing perceptions, the transformation of Mission Boulevard will improve the City's fiscal position resulting in new sales tax for the City's General Fund and new property tax increments for the Redevelopment Agency. The resulting fiscal impacts on the City of Hayward's General Fund and on the Hayward Redevelopment Agency are shown below for the years 2020 and 2030.

#### **SUMMARY OF ANNUAL FISCAL IMPACT OF MISSION BOULEVARD SPECIFIC PLAN AND FORM BASED CODE IMPLEMENTATION**

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Annual Impact in Year	2020	2030
Estimated General Fund Revenue Impact	\$717,148	\$1,667,854
Estimated General Fund Expenditure Impact	(481,096)	(1,127,970)
<b>Net City of Hayward General Fund Impact</b>	<b>\$236,052</b>	<b>\$539,884</b>
<b>Net General Fund Impact with CSD of \$500/unit per year<sup>1</sup></b>	<b>\$404,052</b>	<b>\$939,884</b>
<b>Tax Increment Impact to Hayward Redevelopment Agency</b>	<b>\$652,159</b>	<b>\$1,799,975</b>

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<sup>1</sup> Community Services District (CSD) municipal service fee applied to each new residential unit on a yearly basis

For more details, refer to Appendix C – Fiscal Impact Analysis.

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### 6.3 Conceptual Financing Plan for Future Development and Infrastructure

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#### 6.3.4 Financing Concepts

For the construction of public realm improvements that are in addition to the Route 238 Project, the City of Hayward has relatively few funding options. These are the use of the Redevelopment Agency's tax increment revenue, the City's capital improvement program funds, or grants from other government agencies or foundations. Once a real estate developer with tenants in hand has gained control of key properties, the Redevelopment Agency may be able to assist with land assembly, land price write-down and/or the provision of capital improvements such as a new frontage road or parking facilities. Financing for the actual development will require participation by private developers and financiers.

#### 6.3.5 Networking to Identify Appropriate Developers

The recent recession has devastated the real estate development industry. Many of the high flying development firms of the 2004 to 2006 period have shrunk to one-third to one-tenth of its former size, with many former developers turning into development consultants. The market capitalizations of major merchant home builders have contracted by a similar amount or greater. Without a substantial effort in networking with the development community, it will be extremely difficult for City staff to determine which development firms will be able to emerge aggressively from this recession. The near term success of Mission Boulevard revitalization will depend upon the City's ability to identify the right real estate developers and then to interest such developers in the available local opportunities.

The development of this network of contacts and knowledge will require City investment in staff time and associated expenses to attend events such as Urban Land Institute (ULI) gatherings and International Council of Shopping Center (ICSC) conferences. From knowledge gained at those meetings and conferences, the City will be able to compile a shortlist of developers that may have the financial ability, risk appetite and interest in Hayward to invest in Mission Boulevard.

#### 6.3.6 Marketing to Targeted Developers

Once City staff has identified the appropriate real estate developers, the effort shifts to marketing or "courtship." The marketing effort entails several key steps:

- The forwarding of marketing materials such as market studies, the adopted Form Based Code and Specific Plan, maps identifying City or Agency controlled development parcels, development concept plans for those parcels, pro formas demonstrating potential success and environmental approvals.
- Invitations to visit the City to inspect and discuss potential development sites.
- Discussion of what the City or Redevelopment Agency is prepared to do to facilitate the desired private real estate development – deliver assembled and cleared property with the necessary entitlements at attractive prices, assist in attracting tenants and subsidizing front-end tenant rents, waiving certain development fees, being somewhat flexible in terms of zoning requirements, and/or funding or partially funding the construction of public infrastructure (i.e. frontage road or parking structure).

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Depending upon the briskness of the economic rebound, the City may be able to interest one or more development entities. If there is substantial development interest, the City will be able to formally solicit through a competitive process. If there is only a single developer interested, then the City may need to enter into an exclusive negotiating period without much leverage. The key to gaining developer interest is the City or Agency being able to convey a development parcel of ample size with the necessary entitlements and environmental clearances. This does not necessarily imply the advance acquisition of all potential development parcels by the Redevelopment Agency but rather a willingness and ability to assist in the assembling of such parcels in the event of serious development interest.

#### 6.3.7 A Community Facilities District for Long-Term Fiscal Sustainability

In the near term, the City of Hayward will need to invest resources to attract development entities and to stimulate their investment of private risk capital. In the longer term, the success of Mission Boulevard will depend on the creation of good quality residential neighborhoods along this corridor, including both new neighborhoods and the maintenance and rehabilitation of existing neighborhoods. Because residential development, especially multi-family residential development, often does not generate sufficient General Fund revenue to cover long-term service cost, the sustainability of these neighborhoods will necessitate that the City augment its General Fund revenue base. In order to address this long-term problem, some cities have implemented Community Services Districts (CSD) that assess an annual fee on all new housing built after a certain date to help fund municipal services. The institution of such CSDs may slow housing development slightly in the term; however, in the longer-term such districts will help maintain the quality of residential neighborhood by insuring adequate municipal services. Having high quality residential neighborhoods in the corridor will insure high quality commercial establishments along Mission Boulevard.