

DATE: April 26, 2011

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Draft Supplemental Environmental Impact Report for the South Hayward BART/Mission Boulevard Form-Based Code

RECOMMENDATION

That Council reads and comments on this report and the draft Supplemental Environmental Impact Report (SEIR) for the South Hayward BART/Mission Boulevard Form-Based Code¹.

BACKGROUND

On July 28, 2008 and December 2, 2008, the City Council held work sessions to discuss whether to prepare a Form-Based Code for the area encompassed by the 2006 South Hayward BART/Mission Boulevard Concept Design Plan. The Council directed staff to present such an idea to the Planning Commission, which was done during a January 15, 2009 work session. The City Council ultimately authorized proceeding with development of a Form-Based Code for the South Hayward BART area on May 26, 2009. A public design charrette was held September 30 through October 4 in 2009, which provided the public an opportunity for input on the formation of the Form-Based Code contents. A draft Form-Based Code was presented during work sessions to City Council on April 27, 2010, and to the Planning Commission on May 13, 2010. Revisions to the draft South Hayward BART/Mission Boulevard Form-Based Code have been made since those work sessions that reflect input from the Council and Commission, and where applicable, input received on the draft Mission Boulevard Corridor Form-Based Code.

In July of 2010, the Redevelopment Agency Board authorized the Agency's Executive Director to enter into a contract for an amount not to exceed \$75,000 with Lamphier-Gregory to prepare a Supplemental Environmental Impact Report for the South Hayward BART/Mission Boulevard Form-Based Code project. A contract was subsequently executed and a draft SEIR has been prepared, which is the subject of this report and work session.

¹ The Draft SEIR and Form-Based Code are available on the South Hayward BART/Mission Boulevard Form-Based Code Project webpage at: <http://www.hayward-ca.gov/forums/SHBARTFBC/shbartfbcforum.shtm>.

The draft SEIR “tiers” off two EIRs previously certified by the City: the 2006 South Hayward BART/Mission Boulevard Concept Design Plan Program EIR² and the 2009 Route 238 Bypass Land Use Study Program EIR³.

In December of last year, the City prepared an Initial Study and issued a Notice of Preparation (NOP), indicating it was going to prepare a SEIR associated with the Form-Based Code, and asking for input as to what the SEIR should address (see Appendices A and B in the draft SEIR). Two comment letters were received in response to the NOP, from the State Department of Transportation (Caltrans) and Dr. Sherman Lewis of the Hayward Area Planning Association (see Appendix A in the draft SEIR). Each commenter spoke to transportation and circulation/parking issues, and preparation of the draft SEIR included consideration of those comments.

The draft SEIR was released for public review and comment on April 4, 2011. Copies are available on the City’s website, at the Permit Center on the first floor of City Hall, as well as at the two Hayward library locations. The public review/comment period on the draft SEIR runs through Friday, May 20, 2011. Interested parties are encouraged to submit comments on the draft SEIR during that time period.

DISCUSSION

Overview of the Form-Based Code – The Form-Based Code would replace the 2006 Concept Design Plan and the majority of existing Zoning Regulations that are applicable to the Concept Design Plan area, which entails an approximately 240-acre area along Mission Boulevard and centered on the South Hayward BART Station. Adoption of the Form-Based Code would also entail amendments to the General Plan Land Use Map and Zoning Map, as shown in Attachments I and II.

The South Hayward BART/Mission Boulevard Form-Based Code is consistent with the Smart Code template, and identifies “Transect” zones. Transect zones are 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.

The South Hayward BART/Mission Boulevard Form-Based Code would establish a new Civic Space zone and two new “Transect” zones: T5 (Urban Center Zone: 35-55 units per net acre) and T4 (Urban General Zone: 17.5-35 units per net acre, similar to the existing High Density Residential Zoning District density). The T5 zone also includes two density overlay zones: Overlay Zone 1, which allows densities of 75-100 units per net acre, generally within one-quarter mile of the South Hayward BART station; and Overlay Zone 2, which allows densities of 40-65 units per net acre, generally within the area between one-quarter to one-half mile of the South Hayward BART station. New roadways or “thoroughfares” are also envisioned, which would

²The 2006 South Hayward BART/Mission Boulevard Concept Design Plan and related EIR are available on the City’s website at: <http://www.hayward-ca.gov/forums/SHBART/shbartforum.shtm>.

³The 2009 Route 238 Bypass Land Use Study information and related EIR are available on the City’s website at: <http://www.hayward-ca.gov/forums/rte-238blus/238blus.shtm>.

further help to promote pedestrian activity and increased access to the the South Hayward BART station and bus transfer facility, while also reducing reliance on the automobile. Attachment III shows the new Regulating Plan for the Form-Based Code that indicates where different zones are located along with their development densities, and Attachment IV includes tables that summarize new development standards for the two new transect zones.

The draft SEIR evaluates the environmental effects associated with future land use and development pursuant to implementation of the Form-Based Code. It is envisioned that development consistent with the Form-Based Code could result in 771 more housing units and 218,613 square feet of additional commercial space than would be expected per the Concept Design Plan that was analyzed in the Concept Design Plan EIR.

What is a "Supplemental" EIR?-Supplemental Environmental Impact Reports (SEIR) evaluate the potential environmental impacts that might reasonably be anticipated to result from modifications to previously approved projects. In short, the primary purpose of an SEIR is to address the impact difference between the previous and current projects. Another purpose of an SEIR is to evaluate potential environmental impacts based on new information that became available after certification of the previous California Environmental Quality Act (CEQA) Documents.

Prior to drafting the SEIR, a number of environmental topics were addressed in an Initial Study and determined to result in: (a) no new significant impact; and/or (b) no substantial increase in the severity of previously identified significant impacts. These topics included: Agricultural Resources; Biology; Cultural Resources; Geology/Soils; Hazards; Hydrology/Water Quality; Land Use/Planning; Mineral Resources; Noise; Population; Housing; Public Services; Recreation; and Utilities/Service. Pursuant to CEQA, those topics are not addressed further in the draft SEIR.

However, the Initial Study did reveal new potentially significant impacts and/or substantial increases in the severity of previously determined significant impacts under the remaining CEQA topics of: Air Quality; Aesthetics; Greenhouse Gas Emissions; and Transportation/Traffic. In the case of this draft SEIR, the following new information is addressed: (1) the CEQA Guidelines were amended to include requirements for addressing greenhouse gas emissions and global climate change; and (2) new thresholds and guidelines for determining air quality impacts were approved by the Bay Area Air Quality Management District (BAAQMD).

Summary of Draft Supplemental Environmental Impact Report-The draft SEIR is a programmatic EIR that assesses impacts at a general, versus project-specific, level. The 2006 Concept Design Plan EIR and 2009 Route 238 Bypass Land Use Study EIR were also programmatic EIRs. Following the first introductory chapter, Chapter 2 of the draft SEIR provides an Executive Summary and Impact Overview Table, and Chapter 3 contains a detailed project description. Chapters 4 through 7 include analyses and identify impacts and mitigation measures associated with the following four environmental impact topic areas: Aesthetics; Air Quality; Greenhouse Gas Emissions; and Traffic. The draft SEIR indicates, as explained in greater detail below, that implementation of the Form-Based Code would have no impact, a less than significant impact, or a less than significant impact after mitigation for these four environmental topic areas.

As reflected in Attachment V (Summary Table of the draft SEIR), the following five impacts are identified as potentially significant and requiring mitigation. The traffic impacts analysis assumes the Route 238 Corridor Improvement Project is completed, which is anticipated by the end of 2012. Other impacts identified in Chapters 4 through 7 are categorized as less than significant.

Impact Air-2: Siting of Sensitive Receptors Near Highway Emissions and Related Risks - Development anticipated per the Form-Based Code would bring additional uses involving sensitive receptors, which could include residences, schools, day care centers, playgrounds, and medical facilities, to sites exposed to increased health risks from vehicle emissions along Mission Boulevard (Highway 238). To mitigate these impacts, and in accordance with new guidelines of the Bay Area Air Quality Management District (BAAQMD), it is recommended that an overlay zone be established extending 500 feet from Mission Boulevard or a reduced distance if coordinated with BAAQMD. The mitigation measure would require: (a) shielded or buffered outdoor areas for sensitive receptors; (b) installation of compliant air filtration systems for buildings containing sensitive receptors; or (c) in lieu of items (a) and (b), demonstrate through a Health Risk Assessment that no threat to health exists. If this project's SEIR is ultimately certified by City Council, the Form-Based Code would need to be revised to reflect this mitigation measure.

Impact Traf-1: LOS at Dixon Street-East 12th Street/Tennyson Road - Adding traffic anticipated with development consistent with the Form-Based Code to the 2025 baseline would cause this intersection to operate at level of service (LOS) F in the AM peak-hour condition. To mitigate this impact to a less-than-significant level and improve LOS to LOS D in the AM peak-hour, the draft SEIR recommends that an exclusive right turn pocket and a shared through-left turn lane be created in the southbound direction on the East 12th Street approach. Other intersection improvements would entail that lane geometries in the northbound direction include an exclusive left-turn pocket and a shared through-right turn lane, signal phasing would be changed to split phasing in the northbound and southbound directions, with a southbound right-turn overlap during eastbound and westbound protected left turn phases, and U-turns in the eastbound direction would be prohibited to minimize conflicts with southbound right-turning vehicles.

Impact Traf-2: LOS at Mission Boulevard/Industrial Parkway - Adding additional traffic associated with development per the Form-Based Code to the 2025 Baseline would cause this intersection to operate at LOS E in the AM peak-hour. The draft SEIR indicates that an overlapping signal with the southbound left protected phase be added for the westbound right turn lane, which would reduce this impact to a less-than-significant level and improve the LOS at the intersection to LOS D in the AM peak-hour.

Impact Traf-3: LOS at Mission Boulevard/Tennyson Road - The previous EIRs did not identify impacts at this intersection as significant. With additional assumed traffic resulting from development consistent with the Form-Based Code, Mission Boulevard at Tennyson Road is projected to operate at LOS E in the AM peak-hour. Split phasing signal timing in the eastbound and westbound directions is already being constructed as part of the Route 238 Corridor Improvement Project. However, in addition to the split phasing, the following would need to be accomplished to reduce this impact to a less-than-significant level and improve the intersection to LOS D in the AM peak-hour: (a) convert the eastbound through lane to an

eastbound shared through-left lane; (b) stripe the westbound approach to a shared left-through lane and an exclusive right turn lane; (c) provide overlap phasing for westbound and eastbound right turns; and (d) prohibit northbound and southbound U-turns to avoid conflicts with the right turn overlap phasing.

Impact Traf-4: LOS at Mission Boulevard/Harder Road - The previous EIRs did not identify impacts at this intersection as significant. Adding additional traffic anticipated with implementation of the Form-Based Code to the Year 2025 baseline would cause the Mission Boulevard/Harder Road intersection to operate at LOS E in the PM peak-hour. To mitigate this impact to a less-than-significant level and improve the LOS at the intersection to LOS D in the PM peak-hour, the draft SEIR says to convert the signal phasing of this intersection to split phasing with right-turn overlap phasing in the eastbound and westbound directions during the northbound and southbound protected left-turn phase. In conjunction with the signal phasing changes, the following measures are also recommended: (a) convert one eastbound exclusive left turn lane into a shared left and through; (b) convert one eastbound through lane into an exclusive right; (c) provide overlap phasing for the westbound right turns and for the eastbound right turns, and (d) prohibit northbound and southbound U-turns to avoid conflicts with the right turn overlap phasing.

With the exception of the mitigation at Mission Boulevard/Harder Road, which would require right-of-way take, most of the intersection signal modifications are relatively minor. The traffic impact analysis did assume implementation of the Route 238 Corridor Improvement project and staff did evaluate whether those mitigations on Mission Boulevard should be implemented as changes to the Corridor Improvement project, but concluded such changes would not be appropriate at this time. This Program SEIR covers a long time period and it is possible regional traffic, as well as actual developments, may change in the future from what is projected in the traffic impact analysis associated with the Form-Based Code implementation. Therefore, and due to such issues as possible unnecessary right-of-way take needed for mitigation at the Mission Boulevard/Harder Road intersection, such measures were not incorporated into the Route 238 Corridor Improvement Project. With regard to timing of these four traffic mitigations, standard City practice requires a traffic study for larger individual developments (over 100 new peak hour trips) and that process would be used to determine the timing of each mitigation, based on the specific impacts of new developments and evaluation by the City's Director of Public Works.

Chapter 8 of the draft SEIR identifies the previous three alternatives analyzed in the 2006 Concept Design Plan EIR and the three alternatives analyzed in the 2009 Route 238 Bypass Land Use Study EIR, as well as a "No Project" alternative that would essentially reflect development consistent with current land use/zoning regulations. Because the draft SEIR for the Form-Based Code identified one new potentially significant, but mitigatable impact related to the level of service at Mission Boulevard and Harder Road, the "No Project" alternative is identified as the environmentally superior alternative in Chapter 8. In cases where the "No Project" alternative is identified as the environmentally superior alternative, the CEQA requires that the second most environmentally superior alternative be identified. The Form-Based Code project would generally represent the next-best alternative in terms of the fewest impacts, and it would meet the City's objectives to the same extent as the projects evaluated in the previous EIRs.

Chapter 9 of the draft SEIR addresses growth inducement (not created by the project beyond what was previously analyzed), significant irreversible changes (none identified), significant and unavoidable impacts, and cumulative impacts (none identified, other than those identified in Chapter 4 through 7). Although no new significant and unavoidable impacts related to implementation of the Form-Based Code have been identified, four previously identified significant and unavoidable impacts identified in the previous two EIRs would still exist and require a re-adoption of statement of overriding considerations by the City Council. Those include: air quality impacts associated with inconsistency with the Regional Air Quality Plan (Concept Design Plan EIR Impact 4.2-1); cumulative air quality impacts (Concept Design Plan EIR Impact 4.2-2); and cumulative traffic impacts (Concept Deesign Plan EIR Impact 4.7-4 and Route 238 Bypass Land Use Study EIR Impact 411-1).

ECONOMIC AND FISCAL IMPACTS

There would be no economic or fiscal impacts associated with certification of the SEIR. However, a fiscal impact report and market analysis were prepared associated with the proposed Form-Based Code, which are available on the Form-Based Code project page under “Documents and Studies” at: <http://www.hayward-ca.gov/forums/SHBARTFBC/shbartfbcforum.shtm>.

The fiscal impact report indicated an overall positive fiscal impact associated with projected development in accordance with the Form-Based Code during the next twenty years, with accrued tax increment revenue going to the City’s Redevelopment Agency, but a negative impact to the General Fund without such increment and without assessments associated with new Community Services Districts (CSDs). CSDs would be required for new developments, per Council policy.

As detailed in the fiscal impact report, the development spurred by the Form Based Code in the project area is estimated to have a net negative impact on the General Fund of approximately \$379,000 per year by 2020 and approximately \$403,000 annually by 2030. However, such deficits are shown to be offset with assessments associated with new CSDs. In addition, tax increment revenue, estimated to be \$505,941 annually by 2020 and \$1,835,880 annually by 2030, would accrue to the Redevelopment Agency, resulting in a net overall positive fiscal impact. Obviously, if the Redevelopment Agency is eliminated, there would be no tax increment revenue accruing to the Agency and the figures in the study would need to be revised.

PUBLIC CONTACT

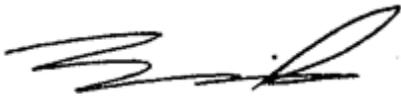
On April 1, 2011, notices of the availability of the Draft SEIR were sent to property owners and tenants in the Form-Based Code project area and to those within 300 feet of the project area, which amounted to over 2,300 notices. Also, notice of the availability of the Draft SEIR was published in *The Daily Review* newspaper on Saturday, April 2, two days before the start of the public review period for the draft SEIR. Finally, a notice of availability was filed with the Alameda County Recorder’s Office on April 1, and fifteen copies of the Draft SEIR and a Notice of Completion were filed with the California State Clearinghouse office on April 4. As of the writing of this report, staff has not received any comments on the Draft SEIR.

NEXT STEPS

The Planning Commission will hold a public meeting on Thursday April 28, 2011, at 7:00 pm to take public testimony and provide comments to staff on the Draft SEIR. Following the close of the public comment period on May 20, any comments received on the Draft SEIR, including those from Council members and Planning Commissioners, will be addressed in the Final SEIR, along with any revisions to the Draft SEIR. It is anticipated that the Final SEIR, along with the Form-Based Code and related amendments to the City's General Plan and Zoning Ordinance, will be presented to the Planning Commission for consideration at a noticed public hearing in late June 2011. The Planning Commission recommendation will then be forwarded to the City Council for consideration and a final decision at a noticed public hearing, anticipated for late July 2011. The Form-Based Code would be effective 30 days after adoption.

Prepared and Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Proposed New General Plan Land Use Designations
- Attachment II: Proposed new Zoning Designations
- Attachment III: Regulating Plan of the Form-Based Code
- Attachment IV: Development Standards of Transect Zones T4 and T5
- Attachment V: Impacts/Mitigation Measures Summary Table (Table 2-1) of the draft SEIR

Figure 3-6: Proposed General Plan Designations

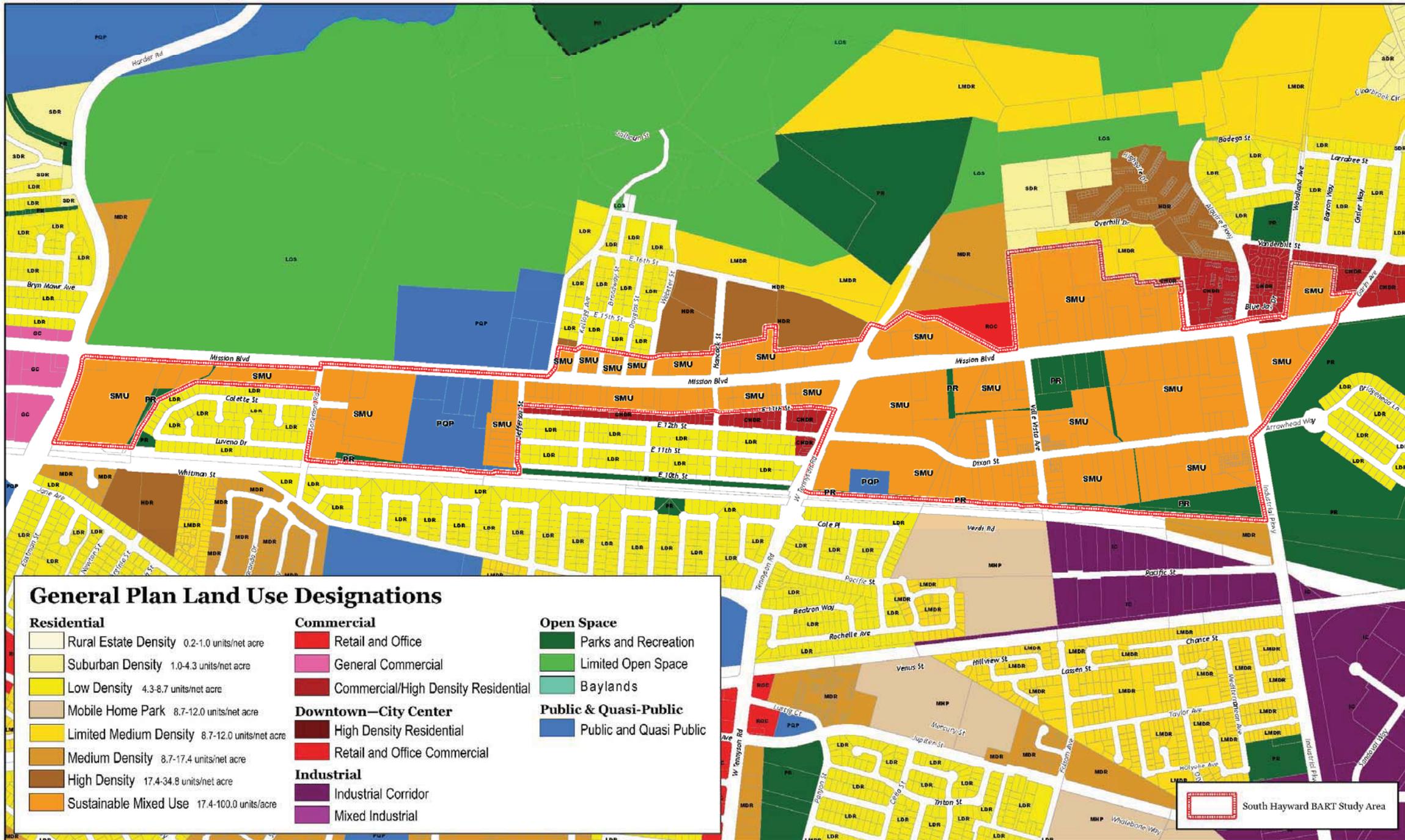
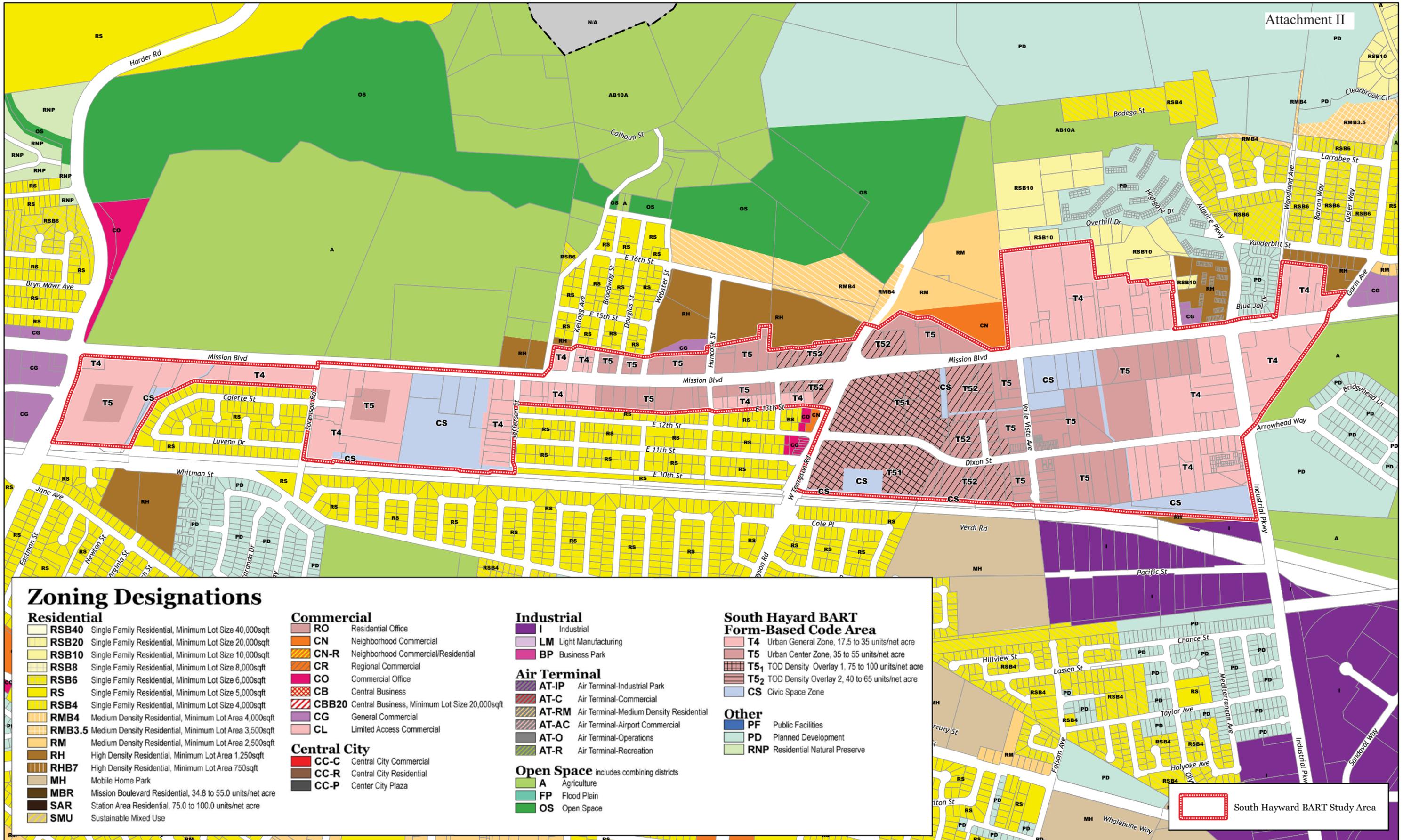




Figure 3-7: Proposed Form-Based Code Zoning Designations

0 500 1,000 2,000 Feet





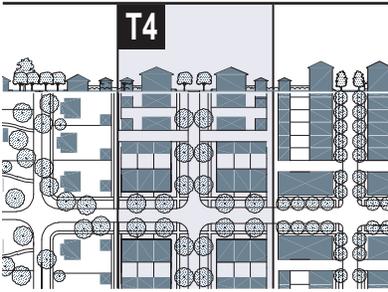
Legend

- Project Area
- Parcels
- ✱ Terminated Vistas
- Mandatory Shopfront Overlay
- Recommended Shopfront Overlay
- T4 Urban General Zone: 17.5 DU/Acre min; 35 DU/acre max
- T5 Urban Center Zone: 35 DU/Acre min; 55 DU/acre
- TOD Density Overlay 1: 75 DU/acre min; 100 DU/acre max
- TOD Density Overlay 2: 40 DU/acre min; 65 DU/acre max
- Civic Space Zone
- Civic Buildings

For illustrative purpose only:

- Civic Spaces outside of the project area
- 238 Bypass Trail Location
- 5 Min/10 Min Walk (Pedestrian Shed)
- Future pedestrian/bicycle bridge





(see Table 1)

j. BUILDING CONFIGURATION (see Table 7)

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

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	
(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)

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

Refer to Summary Table 11

PARKING PROVISIONS (see Section 10-24.245)

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

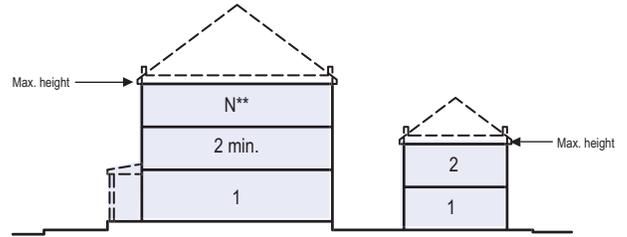
*or 15 ft. from center line of alley

***"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 (j. Building Configuration, e. Lot Occupation, etc) refer to the corresponding section in Summary Table 11.

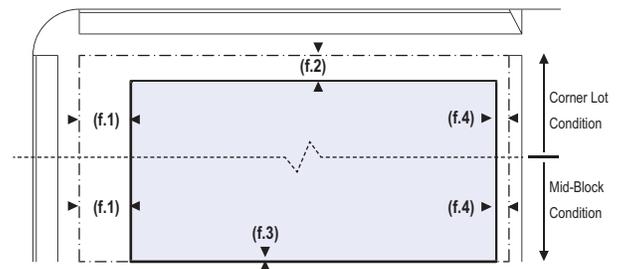
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. 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.
3. Height shall be measured to the eave or roof deck as specified on Table 7.



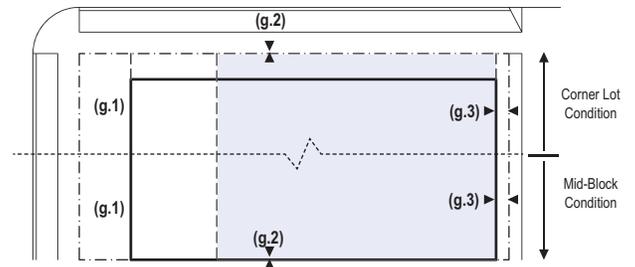
SETBACKS - PRINCIPAL BLDG

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



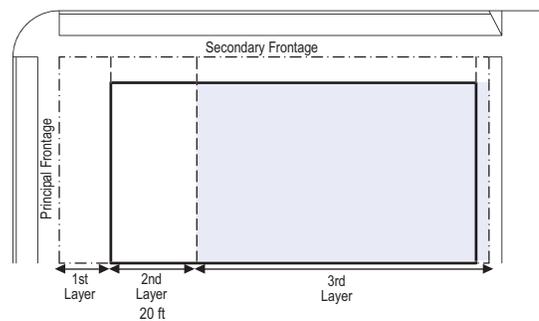
SETBACKS - OUTBUILDING

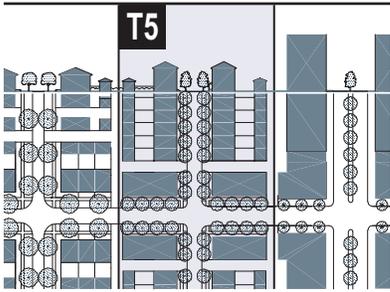
1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

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





(see Table 1)

j. BUILDING CONFIGURATION (see Table 7)

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

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. or 2 ft at corner
(g.3) Rear Setback	3 ft. max.

h. BUILDING DISPOSITION (see Table 8)

Edgeyard	not permitted
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted

i. PRIVATE FRONTAGES (see Table 5)

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

Refer to Summary Table 11

PARKING PROVISIONS (see Section 10-24.245)

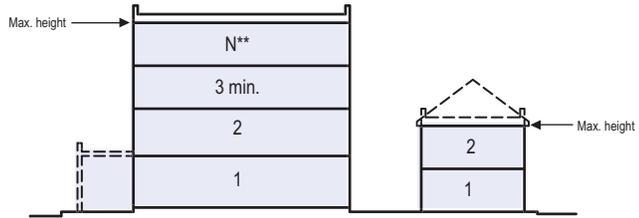
Rental DU:	1.5 max per unit
For Sale DU/Residential Condominium:	1.8 max. per unit
Non-residential Function:	no min. - no max.

*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 (j. Building Configuration, e. Lot Occupation, etc) refer to the corresponding section in Summary Table 11.

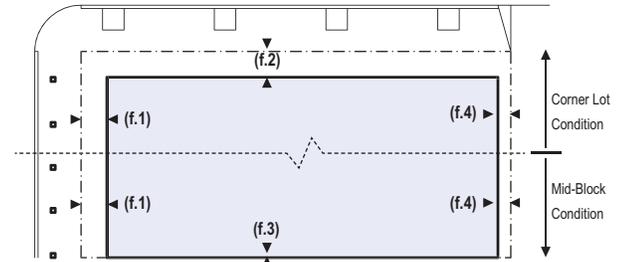
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. 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.
3. Height shall be measured to the eave or roof deck as specified on Table 7.
4. Expression Lines shall be as shown on Table 7.



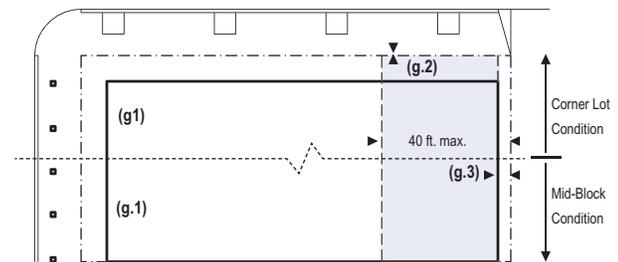
SETBACKS - PRINCIPAL BLDG

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



SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

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

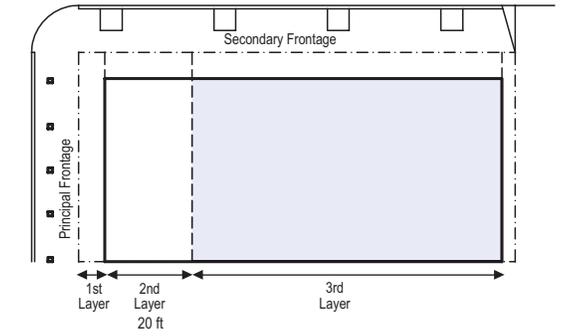


TABLE 2-1: SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

Potential Environmental Impacts	Recommended Mitigation Measures	Resulting Level of Significance
Significant and Unavoidable Impacts		
N/A	N/A	N/A
Less than Significant Impacts After Mitigation		
<p>Air-2: Siting of Sensitive Receptors Near Highway Emissions and Related Risks. Development anticipated under the Project would bring additional sensitive uses (which could include residences, schools, day care centers, playgrounds, and medical facilities) to sites exposed to increased health risks from vehicle emissions from Mission Boulevard (Highway 238). Such exposure would represent a potentially significant impact.</p>	<p>Air-2: Highway Overlay Zone. The Project shall include an overlay zone extending 500 feet from Mission Boulevard or a reduced distance if coordinated with BAAQMD. This overlay zone shall include the following considerations and mitigation:</p> <p><u>Indoor Air Quality:</u></p> <p>In accordance with the recommendations of the California Air Resources Board (CARB) and the Bay Area Air Quality Management District, appropriate measures shall be incorporated into the project design in order to reduce the potential health risk due to exposure to diesel particulate matter to achieve an acceptable interior air quality level for sensitive receptors. The appropriate measures shall include one of the following methods:</p> <p>(a). Development project applicants shall implement all of the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These features shall be submitted to the Development Services Department for review and approval prior to the issuance of a demolition, grading, or building permit and shall be maintained on an ongoing basis during operation of the project.</p> <p>i. For sensitive uses (residences, schools, day care centers, playgrounds, and medical facilities) sited within the overlay zone from Mission Boulevard, the applicant shall install, operate and maintain in good working order a central heating and</p>	LTS

TABLE 2-1: SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

Potential Environmental Impacts	Recommended Mitigation Measures	Resulting Level of Significance
	<p>ventilation (HV) system or other air take system in the building, or in each individual unit, that meets or exceeds an efficiency standard of MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used.</p> <p>Project applicants shall maintain, repair and/or replace HV system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HV system and the filter. The manual shall include the operating instructions and the maintenance and replacement schedule. This manual shall be included in the CC&Rs for residential projects and/or distributed to the building maintenance staff. In addition, the applicant shall prepare a separate homeowners manual. The manual shall contain the operating instructions and the maintenance and replacement schedule for the HV system and the filters.</p> <p>(b) Alternative to (a) above, a project applicants proposing siting of sensitive uses (residences, schools, day care centers, playgrounds, and medical facilities) within the overlay zone around Mission Boulevard shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the CARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to air pollutants prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Development Services Department for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA</p>	

TABLE 2-1: SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

Potential Environmental Impacts	Recommended Mitigation Measures	Resulting Level of Significance
	<p>concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required.</p> <p><u>Exterior Air Quality:</u></p> <p>(c) To the maximum extent practicable, individual and common exterior open space proposed as a part of developments in the Project area, including playgrounds, patios, and decks, shall either be shielded from the source of air pollution by buildings or otherwise buffered to further reduce air pollution for project occupants.</p> <p>(d) Alternative to (c) above, an HRA could be prepared and implemented to take into account the risk specifics of the site, as more fully described in item (b) above.</p>	
<p>Traf-1: (Dixon Street-East 12th Street at Tennyson Road) Adding Project-generated traffic to the 2025 Baseline would cause this intersection to operate at LOS F in the AM peak-hour condition. This would be a potentially significant impact.</p>	<p>Traf-1: (LOS at Dixon Street/Tennyson Road) Create an exclusive right turn pocket and a shared through-left turn lane in the southbound direction (on the East 12th Street approach).</p> <p>Lane geometries in the northbound direction would include an exclusive left-turn pocket and a shared through-right turn lane.</p> <p>Signal phasing would be changed to split phasing in the northbound and southbound directions, with a southbound right-turn overlap during eastbound and westbound protected left turn phases.</p> <p>U-turns in the eastbound direction would be prohibited to minimize conflicts with southbound right-turning vehicles.</p>	<p>LTS</p>
<p>Traf-2: (LOS at Mission Boulevard/Industrial Parkway) Adding Project-generated traffic to the 2025 Baseline would cause this intersection to operate at LOS E in the AM peak-</p>	<p>Traf-2: (LOS at Mission Boulevard/Industrial Parkway) For the westbound right turn lane, provide an overlapping signal with the southbound left</p>	

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hour. This would be a potentially significant impact.	protected phase.	
<p>Traf-3: (LOS at Mission Boulevard/Tennyson Road) Mission Boulevard at Tennyson Road is projected to operate at LOS E in the AM peak-hour under the current Project. This is considered a potentially significant impact.</p>	<p>Traf-3: (LOS at Mission Boulevard/Tennyson Road) Split phasing signal timing in the eastbound and westbound directions is already being constructed as part of the Route 238 Corridor Improvement Project. However, in addition to the split phasing, the following would need to be accomplished: (a) convert the eastbound through lane to an eastbound shared through-left lane, and (b) stripe the westbound approach to a shared left-through lane and an exclusive right turn lane, and (c) provide overlap phasing for westbound and eastbound right turns; and (d) prohibit northbound and southbound U-turns to avoid conflicts with the right turn overlap phasing.</p>	
<p>Traf-4: (LOS at Mission Boulevard/Harder Road) Adding Project-generated traffic to the Year 2025 Baseline would cause the Mission Boulevard/Harder Road intersection to operate at LOS E in the PM peak-hour. This would be considered a potentially significant impact.</p>	<p>Traf-4: (LOS at Mission Boulevard/Harder Road) Convert the signal phasing of this intersection to split phasing with right-turn overlap phasing in the eastbound and westbound directions during the northbound and southbound protected left-turn phase. In conjunction with the signal phasing changes, accomplish the following: (a) convert one eastbound exclusive left turn lane into a shared left and through; (b) convert one eastbound through lane into an exclusive right; and (c) provide overlap phasing for the westbound right turns and for the eastbound right turns, and (d) prohibit northbound and southbound U-turns to avoid conflicts with the right turn overlap phasing.</p>	
Less than Significant Impacts with No Mitigation Required		
<p>Aes-1: The Project would increase building heights at locations that may, depending upon the vantage point, impact scenic vistas of the Hayward</p>	<p>Replace Concept Design Plan EIR Mitigation Measure 4.1-2 with Form-Based Code's Site Plan Review process (Zoning Ordinance §10-1.3000).</p>	<p>LTS</p>

TABLE 2-1: SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

Potential Environmental Impacts	Recommended Mitigation Measures	Resulting Level of Significance
<p>Hills. However, the Project would require Site Plan Review for all proposed new developments and additions or alterations to existing development and, therefore, result in a less than significant impact.</p>		
<p>Air-1: Conflict with Clean Air Plan. Development anticipated as a result of the Project would increase development intensity beyond that assumed in the CAP, but would support the goals of the CAP, including applicable control measures. This would be a less-than-significant impact.</p>	<p>No mitigation warranted.</p>	<p>LTS</p>
<p>Traf-5: (Design Feature Hazard) The Project includes planned new thoroughfares connecting to existing thoroughfares. Detailed engineering safety studies of each planned new thoroughfare, including their intersection with existing thoroughfares, has not been accomplished to date. However, the Project would require a detailed examination of new thoroughfares through an existing "Precise Plan Lines for Streets" review process. Implementation of this review process would ensure that the design of these new roads does not result in a roadway design hazard. Thus, a less than significant would result under this criterion.</p>	<p>No mitigation warranted</p>	<p>LTS</p>
<p>GHG-1: Generation of Long-Term Operational GHG Emissions. The Project would generate long-term operational GHG emissions over its lifetime. However, the Project's GHG efficiency, which accounts for the population and employment of the Project area, would be below the</p>	<p>No mitigation warranted</p>	<p>LTS</p>

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Potential Environmental Impacts	Recommended Mitigation Measures	Resulting Level of Significance
<p>BAAQMD’s GHG efficiency-based threshold. Therefore, the Project would not generate a level of GHG emissions that would have a significant impact on global climate change. As a result, this impact would be less than cumulatively considerable and less than significant.</p>		
<p>GHG-2: GHG reductions are addressed statewide by the AB 32 Scoping Plan, regionally by the Bay Area 2010 CAP, and locally through the Hayward Climate Action Plan (CAP) The proposed Project is consistent with the reduction strategies presented in these documents and therefore would result in no impact related to GHG reduction plan consistency.</p>	<p>No mitigation warranted</p>	<p>LTS</p>