



FINAL ENVIRONMENTAL IMPACT REPORT CITY OF HAYWARD 2040 GENERAL PLAN

PREPARED BY:
THE CITY OF HAYWARD
WITH ASSISTANCE FROM:



URBAN AND ENVIRONMENTAL PLANNERS

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1. INTRODUCTION

1.1 RELATIONSHIP BETWEEN THE DRAFT EIR AND FINAL EIR

The Final Environmental Impact Report (Final EIR) for the proposed City of Hayward 2040 General Plan has been prepared by the City of Hayward (City), the Lead Agency, in keeping with State environmental documentation requirements set forth in the California Environmental Quality Act (CEQA). The City has prepared the Final EIR pursuant to the CEQA Guidelines, including sections 15086 (Consultation Concerning Draft EIR), 15088 (Evaluation of and Responses to Comments), and 15132 (Contents of Final Environmental Impact Report). In conformance with these guidelines, the Final EIR consists of the following **two volumes**:

- (1) the **Draft EIR**, which was circulated for a 45-day State agency and public review and comment period on February 4, 2014; and
- (2) this **Final EIR document**, which includes a list of all commenters on the Draft EIR during the Draft EIR public review period; all comment cards received during the Community Open House on March 8, 2014; the minutes of the March 13, 2014 Planning Commission meeting and public hearing on the Draft EIR; the minutes of the March 18, 2014 City Council/Housing Authority meeting and public hearing on the Draft EIR; verbatim versions of all written communications (letters, email, and city website) received during the Draft EIR review period; the responses of the EIR authors to all environmental points raised during the public meetings and hearings and in the written communications; and associated revisions to the Draft EIR. None of the revisions to the Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in preparing the Draft EIR.

Both volumes of the Final EIR are available for public review at the City of Hayward Development Services Department Permit Center, 777 B Street, Hayward, CA 94541.¹ The Final EIR and all documents referenced in the Final EIR and Draft EIR are available for review at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The responses to comments included in this document are correlated to the meeting/hearing minutes and letters/email by code numbers, which are posted in the right hand margin of the minutes, letters, and email.

Certification of this Final EIR by the Hayward City Council must occur prior to approval of the Hayward 2040 General Plan.

¹Available during regular business hours -- 8:00 AM to 5:00 PM, Monday through Thursday.

1.2 PROJECT DESCRIPTION SUMMARY

This project description summary should not be relied upon for a thorough understanding of the details of the project, its individual impacts, and related mitigation needs. Please refer to Draft EIR chapter 3 for a complete description of the project, Draft EIR chapters 5 through 19 for a complete description of identified environmental impacts and associated mitigation measures, and Draft EIR chapter 20 for an evaluation of alternatives to the General Plan.

The City of Hayward is proposing to adopt the 2040 General Plan. The 2040 General Plan represents the community's view of its future and expresses the community's conservation and development goals for the next 26 years (2014-2040). The General Plan would allow up to approximately 7,472 additional single family dwelling units, 7,399 additional multi-family dwelling units, and 25,787 additional jobs over current (2010) conditions in the Planning Area.

The Association of Bay Area Governments (ABAG) projects that the City of Hayward will grow to a total of 60,584 dwelling units by 2040, which is the horizon year of the new General Plan. This projection is significantly lower (by over 6,500 dwelling units) than the estimated buildout of Hayward under its currently adopted 2002 General Plan. Therefore, it is unlikely that the City will reach full buildout by 2040. Consistent with these projections, the proposed 2040 General Plan does not significantly alter existing or create new land use designations, or result in significant redesignation of land, in the Hayward Planning Area.

The Hayward Planning Area comprises all the land in the City's Sphere of Influence as defined by the Alameda County Local Agency Formation Commission (LAFCO), including all land within the Hayward City limits and adjacent unincorporated county land, including Garin Regional Park, open space areas east of the City, portions of San Lorenzo and Castro Valley, and the communities of Hayward Acres, Cherryland, and Fairview. The Planning Area totals approximately 72.18 square miles and has a population of about 183,350 (147,113 in the City and 36,236 in the remainder of the Planning Area).

The purpose of 2040 General Plan is to: (1) identify land use, transportation, environmental, economic, and social goals and policies as they relate to land use and development; (2) provide a basis for a community's decision-making regarding land use; (3) provide citizens an opportunity to participate in the planning and decision-making process; and (4) inform citizens, developers, decision-makers, and others of the ground rules that guide development in the community.

The 2040 General Plan addresses sustainability, preservation and maintenance of distinct neighborhood characteristics, and the fostering of complementary and innovative infill and redevelopment opportunities. In addition, the Vision, Guiding Principles, goals, policies, and programs contained in the 2040 General Plan were developed through an extensive community outreach and engagement process that included public workshops, an online citizen engagement program and survey, and a citizen Task Force.

The 2040 General Plan also addresses new State mandates and topics relevant to the City that were not part of the currently adopted 2002 General Plan, such as community health, police services, greenhouse gas emissions and climate change (AB 32 and SB 375), flood safety planning (AB 162), and complete streets (AB 1358).

The City of Hayward 2040 General Plan consists of two documents: the Background Report and the Policy Document. The following provides a summary of these two component documents:

- **Background Report.** The Background Report takes a “snapshot” of current (2012) conditions and trends within the Planning Area. It provides a detailed description of a wide range of topics, such as demographic and economic conditions, land use, public facilities, and environmental resources. The report provides decision-makers, the public, and local agencies with context for making policy decisions. Unlike the Policy Document, the Background Report is objective and policy-neutral. The Background Report also serves as the “Environmental Setting” sections in the Draft EIR.
- **Policy Document.** The Policy Document is the essence of the General Plan. It contains the Vision, Guiding Principles, goals, and policies that will guide future decisions within the City. It also identifies a full set of implementation programs that will ensure the goals and policies in the General Plan are carried out. The Policy Document is organized into the following ten “elements”:
 - Land Use and Community Character
 - Mobility
 - Economic Development
 - Housing
 - Community Safety
 - Education and Life-Long Learning
 - Natural Resources
 - Hazards
 - Public Facilities and Services
 - Community Health and Quality of Life

Implementation of the Hayward 2040 General Plan would require the following City actions:

- (1) Certification of the Final Environmental Impact Report for the proposed General Plan;
- (2) Adoption of the 2040 General Plan itself; and
- (3) Approval of any associated zoning amendments and any associated amendments to other City regulations to reflect and implement the land uses, goals, policies, and implementation programs specified by the 2040 General Plan.

As the Lead Agency, the City also intends this EIR to serve as the CEQA-required environmental documentation for consideration of this project by other Responsible Agencies¹ and Trustee Agencies² (e.g., Alameda County Department of Environmental Health, Regional Water Quality Control Board) which may have limited discretionary authority over future site-specific development proposals facilitated by this project.

¹Under CEQA Guidelines, the term "Responsible Agency" includes all public agencies, other than the Lead Agency, which have discretionary approval power over the project for which the Lead Agency has prepared a CEQA document.

²Under CEQA Guidelines, the term "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by the project which are held in trust by the people of California.

1.3 ADEQUACY OF FINAL EIR

Under CEQA, the responses to comments on a Draft EIR must include good faith, well-reasoned responses to all comments received on the Draft EIR that raise significant environmental issues related to the project under review. If a comment does not relate to the Draft EIR or does not raise a significant environmental issue related to the project, there is no need for a response under CEQA.

In responding to comments, CEQA does not require the EIR authors to conduct every test or perform all research or study suggested by commenters. Rather, the EIR authors need only respond to significant environmental issues and need not provide all of the information requested by the reviewers, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines sections 15088, 15132, and 15204).

Due to the number of comments received during the Draft EIR circulation period which discussed proposed or recommended 2040 General Plan policies, the City has prepared a companion document to this Final EIR, entitled "City of Hayward Responses to Policy-Related Comments," that formally responds to all policy-related comments. Although not a part of the Final EIR, this document is available concurrently with the Final EIR for review and comment at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

2. RESPONSES TO COMMENTS ON THE DRAFT EIR

After completion of the Draft EIR, the Lead Agency (the City) is required under CEQA Guidelines sections 15086 (Consultation Concerning Draft EIR) and 15088 (Evaluation of and Response to Comments) to consult with and obtain comments from other public agencies having jurisdiction by law with respect to the project, and to provide the general public with an opportunity to comment on the Draft EIR. Under CEQA Guidelines section 15088, the Lead Agency is also required to respond in writing to substantive environmental points raised in the Draft EIR review and consultation process.

Comments on the Draft EIR were submitted in the form of comment cards from individuals attending a Community Open House on March 8, 2014; public testimony and Planning Commission comment at the March 13, 2014 Planning Commission meeting and public hearing; City Council comment at the March 18, 2014 City Council/Housing Authority meeting and public hearing; and in letters, an email, and website (Hayward2040.org) comments received by the City during the Draft EIR public review period. Eighteen (18) comment cards were received at the Community Open House, and seven (7) letters, one (1) email, and comments from four (4) website visitors were received during the Draft EIR public review period.

CEQA Guidelines section 15132 (Contents of Final Environmental Impact Report), subsection (b), requires that the Final EIR include the full set of "comments and recommendations received on the Draft EIR either verbatim or in summary"; section 15132, subsection (c), requires that the Final EIR include "a list of persons, organizations, and public agencies commenting on the Draft EIR"; and section 15132, subsection (d), requires that the Final EIR include "the responses of the Lead Agency to significant environmental points raised in the review and consultation process." In keeping with these guidelines, this Responses to Comments chapter includes the following sections:

- a **list of Draft EIR commenters** (section 2.1) which lists each individual who submitted a comment card during the Community Open House, each Planning Commissioner and individual who testified during the Planning Commission meeting and public hearing, each City Council/Housing Authority member who testified during the City Council/Housing Authority meeting and public hearing, and each individual and organization that submitted written comments (letters, email, or City website) to the City during the Draft EIR public review period;¹
- a **responses to March 8, 2014 Community Open House comments** section (section 2.2), which includes the comment cards received during a Community Open House, followed by a summary of, and the response of the EIR authors to, each comment pertaining to Draft EIR content or adequacy;

¹There were no comments on the Draft EIR received by the City after the close of the Draft EIR comment period.

- a responses to March 13, 2014 Planning Commission meeting and public hearing comments section (section 2.3), which includes the minutes of the meeting and public hearing, followed by a summary of, and the response of the EIR authors to, each comment pertaining to Draft EIR content or adequacy;
- a responses to March 18, 2014 Special Joint City Council/Hayward Housing Authority meeting and public hearing comments section (section 2.4), which includes the minutes of the meeting and public hearing, followed by a summary of, and the response of the EIR authors to, each comment pertaining to Draft EIR content or adequacy; and
- a responses to written comments received during the Draft EIR public review period section (section 2.5), which includes copies of all letters and the email received during the Draft EIR public review period plus the quoted comments from the Hayward2040.org website, followed by a summary of, and the response of the EIR authors to, each comment pertaining to Draft EIR content or adequacy.

2.1 LIST OF DRAFT EIR COMMENTERS

The Community Open House commenters, Planning Commissioners, City Council/Housing Authority members, agencies, organizations, and individuals who commented at the Community Open House, Planning Commission meeting, City Council/Housing Authority meeting, and in letter or email form during the Draft EIR public review period, are listed below alphabetically by last name. Each meeting commenter and each letter, email, or website comment received is also identified in parenthesis by a code number--e.g., Planning Commission meeting comments PC 1, PC 2; letters L 1, L 2, L 3. The code numbers are chronological in the general order that the comments were received. If a commenter prepared more than one comment letter or email, those letters/emails are grouped together to help convey the full scope of that individual's collective comments. The website comments are collected at the back of the written comments section because they are not accompanied by facsimiles of letters.

2.1.1 Community Open House Commenters (March 8, 2014 Open House)

Anonymous (OH 2, OH 3, OH 4, OH 5, OH 6, OH 7, OH 8, OH 9, OH 10, OH 12, OH 15, OH 17, OH 18)

Charlie Cameron (OH 1)

Sally Holt, member, Hayward Area Recreation and Park District Citizens Advisory Committee (OH 16)

Katice (OH 13)

Didacus Ramos (OH 11)

Muhammad Robik (OH 14)

2.1.2 Planning Commission Members (March 13, 2014 meeting)

Commissioner Faria

Chairperson Lamnin (PC 13)

Commissioner Lavelle (PC 7, PC 8, PC 9)

Commissioner Loché (PC 2, PC 3)

Commissioner Trivedi (PC 4, PC 5, PC 6, PC 14, PC 15)

Commissioner Márquez (PC 10, PC 11, PC 12)
Commissioner McDermott

2.1.3 City Council/Housing Authority Members (March 18, 2014 meeting)

Council/Housing Authority Member Halliday
Council/Housing Authority Member Jones
Council/Housing Authority Member Mendall
Council/Housing Authority Member Peixoto
Council/Housing Authority Member Salinas
Mayor/Chair Sweeney
Council/Housing Authority Member Zermeño

2.1.4 Responsible and Interested Agencies

Erik Alm, AICP, District Branch Chief, Local Development-Intergovernmental Review, State of California, Department of Transportation (Caltrans) (L 7)
Cindy Horvath, Senior Transportation Planner, Alameda County Airport Land Use Commission (L 2)
William R. Kirkpatrick, Manager of Water Distribution Planning, East Bay Municipal Utility District (L 4)
Tess Lengyel, Deputy Director of Planning and Policy, Alameda County Transportation Commission (L 5)
Elizabeth McElligott, Assistant Planning Director, Alameda County Planning Department (L 3)
Scott Morgan, Director, State of California, Governor's Office of Planning and Research (L 6)
Maggie Wenger, Coastal Planner, San Francisco Bay Conservation and Development Commission (L 1)

2.1.5 Individuals and Organizations

JoAnne C. (L10, L11)
Charlie Cameron, Union City resident (PC 1)
Sherman Lewis, President, Hayward Area Planning Association (L 8)
Ruddel O. (L9)
Mathias V. (L12)

2.2 RESPONSES TO MARCH 8, 2014 COMMUNITY OPEN HOUSE COMMENTS ON THE DRAFT EIR

The following section includes comment cards received during the March 8, 2014 Community Open House pertaining to the adequacy of the Draft EIR, followed by a written response to each comment pertaining to the content or adequacy of the Draft EIR. The comments and responses are correlated by code numbers added to the right margin of the minutes.

...LOOKING FORWARD

2040 

HAYWARD GENERAL PLAN

OH

DRAFT HAYWARD 2040 GENERAL PLAN



welcome to the community open house

March 8, 2014

9:00 a.m.- 12:00 p.m.

Hayward City Hall Rotunda

777 B Street, Hayward

Short overview presentations will be given by City staff
every 45 minutes throughout the Open House
(9:00, 9:45, 10:30, and 11:15 a.m.)

COMMENT CARD

3/5/2014

Please fill out this card with any comments you have related to the Draft 2040 General Plan or Draft EIR
Return your completed comment card to a staff member

OH 1.01

How can you provide feedback on the General Plan and EIR?

The Draft General Plan was released for public review on January 31, 2014. While the City will continue to accept feedback on the draft until it is adopted, we would prefer you get us your input as soon as possible.

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Please provide your comments in writing. You can write your comments on this comment card or provide comments on www.Hayward2040.com. You can also mail or email your comments to the City or provide them in person at City Hall. Please address your comments to Sara Buzier, Senior Planner at Sara.Buzier@hayward-ca.gov.

How can I get involved in the process?

While the General Plan Update is nearly finished, there are several more opportunities to get involved:

1. Provide feedback on the Draft General Plan and/or Draft EIR.
2. Provide comments on www.Hayward2040.com.
3. Attend the upcoming meetings with the Planning Commission (March 13th) and City Council (March 18th).
4. Attend the final adoption hearings.

Item 1. Today I did attend the Open House of City of Hayward Gen. Plan 2040, at the 9:45 A.M. presentation. Ms. Sara Buzier ~~COULD/SHOULD HAVE USED A "WHISTLE" to get the attn. of all the Staffers that was talking while she started to speak, & continued to speak (as I do think most people & other staffers just ignored her?) OR what ever. The noise level when the Rotunda is used is quite high & annoying! & others that was/were talking on the side you could still hear a talk "buzz" & it hard for me to hear her, other people?~~

2. Most of all the other Elements look good, & just to be const. critical when the bench street scape for the B St. & Hayward City Hall area was to be selected I told & said, & WRITTEN IN TO THEN Dir. of Community Dev. Ms. Sylvia Eventharal & Ms. Marret Bartlet to get the benches RIGHT & NOT HAVE WATER IN THE BACK, BACK AREA accumulate & NOT DRAIN OFF or get & HAVE A BACK SWERVE & OR A SMALL PIN HOLE OR "PICK" so the rain water drain off & So the City watering of the grass get also drained off & thus have the area for people to sit down, BUT NO THINGS DID NOT HAPPEN & NOW WE HAVE NO PEOPLE SITTING down in All of the areas & now we have no Business in the Greater Downtown Area! I my self DID & DO DRY THE AREAS OFF FORMY self to Sit down & for others.

3. As we speak on Sat the Hayward St. ples & traffic light poles are & were posted up with an AD for some "NEW" Cup Cake Co. on MAIN ST. Hay. Ca. WHAT BLIGHT! & LITTER! TOO BAD A MR. JIM WINER AT ACE HDW. CANT cant correctly connect his merchant base!

cutting sidewalk
foot path
HARD to walk
MUD UP

REVIEWED AT 11:00

P.S. I now do think it now TOO BAD OF ALL THE CRACKING & BREAKING OF MOSTLY ALL OF THE DOWNTOWN HAYWARD SIDEWALKS PUT IN B ST & FOOTHILL AREA. The Greater CITY HALL AREA ARE ALL cracking & cracking due to then way too much sand & or chemicals & mgmt. at the time of the pour. I do think now all movers & shakers look down on it as ITS OK TO DUE SLOPY work & get PAID FOR It!

V.T.V.
Charlie Cameron
P.O. Box 55
Hayward, Ca. 94543

* Followed

COMMENT CARD

OH 2

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OH 2.01

Support community health
and reduce health disparities
by ensuring that Hayward's
housing stock is well-maintained,
safe, and healthy.

For more information visit:
www.hayward-ca.gov/generalplan

COMMENT CARD

OH 3

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OH 3.01

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PFS-5 goal is outdated and reflects a poor understanding of current direction (regulatory & planning) to develop & redevelop land to mimic natural hydrological cycles.

For more information visit:
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COMMENT CARD

OH 4

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I AM GLAD TO SEE THE AREAS TO BE ADDRESSED OH 4.01
AND PRIORITIES ASSIGNED TO THEM.

THE RE-DEVELOPMENT/IMPROVEMENT OF
- THE MISSION CORRIDOR IS VITALLY NEEDED.

PROTECTION OF HILLSIDES IS ALSO AN
IMPORTANT ELEMENT IN IMPROVING LIFE
IN HAYWARD

ECONOMIC RETENSION AND GROWTH IS
VITAL TO ACHIEVING ANY OF THE PLAN'S
GOALS.

I WOULD APPRECIATE ANY IMPROVEMENTS
IN TRAFFIC FLOW. MOVING TRAFFIC USES
LESS FUEL THAN STOPPING AT OVER LIGHT
AND HAVING TO MOVE FROM 0.

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COMMENT CARD

OH 5

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OH 5.01

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~~123~~ Eldridge Elementary School needs to get re-bulit and get new computers.

Age 10

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COMMENT CARD

OH 6

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① Where are you addressing the need to bring jobs to Hayward so fewer people have to commute long distances? OH 6.01

② You say "transit friendly" but where is the transit? Outside of downtown there is little transit and it is infrequent. OH 6.02

③ You talk about pedestrians and walking but you build a freeway around downtown that makes crossing the street a frightening and dangerous endeavor. How does that encourage walking? Narrow sidewalks and high speed lanes make walking dangerous. OH 6.03

④ Where are you addressing the need for parks near new housing that has no backyards? OH 6.04

#1 Priority - Bring jobs downtown. OH 6.05

#2 Build "bulbouts" and signals that favor pedestrians over cars. OH 6.06

#3 Create an "entertainment zone" downtown. Move liquor licenses away from neighborhoods and higher security guards to patrol downtown. OH 6.07

For more information visit:

www.hayward-ca.gov/generalplan

COMMENT CARD

OH 7

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Well-planned, attractive, informative display/presentation.

Staff and volunteers friendly and helpful.

Job well done.

OH 7.01

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COMMENT CARD

OH 8

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#6 - I would like to see that happen but it seems like moving mountains

OH 8.01

#7 & #8 are my favorite principles

OH 8.02

I am most interested in the Draft EIR

OH 8.03

For more information visit:
www.hayward-ca.gov/generalplan

COMMENT CARD

OH 9

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Housing

Affordable housing for low income, The disabled and elderly should be improved. It is very bad.

OH 9.01

Driving on B street and looking at some messy houses with wood on the windows and doors it is very sad.

OH 9.02

If you take a look on Stepped street 700 block between 2 schools it is not a good example for children to see, it is one of the garbage dumpsters and polluting the waters in the channels.

OH 9.03

The city need to install video cameras at that location, please review the city records of picking up trash.

The city should do an educational campaign to stop treating the "heart of the bay"

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COMMENT CARD

OH 10

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OH 10.01

The Retail/Office Commercial designation of Whipple/Industrial SW should be extended northerly along Industrial Hwy SW to take advantage of potential change of use ~~zones~~ on large parcels.

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COMMENT CARD

OH 11

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OH 11.01

- The problem with plans is that if the design is wrong the plan merely perpetuates it.

Poverty, vacancy, alienation, homelessness - these and more are in the plan as de facto elements. What if we designed these elements out of our plan?

By 2040 Hayward could be a series of Village Towns - each with a population of ~10,000, self-reliant, on 500 acres - 200 intensely developed, 300 open in perpetuity.

- Travelers consistently marvel at the villages of Italy and Greece then come home to our ugly built environment accepting - more acquiescing to a demeaning existence.
- A Village Town is organized using corporate law. It includes housing, light industry, shops and restaurants. Education is a modified home schooling / community-based system.

- For more information here's a website with details: <http://www.villagetowns.net>

- Or, ask: Didacus Ramos

310-270-5612

didacus90035@gmail.com

For more information visit:

www.hayward-ca.gov/generalplan

COMMENT CARD

OH 12

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OH 12.01

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- Please keep the Downtown Post office open.
- Please do something "active" with old city hall.
- Please change the Bypass back to before.
- Please don't waste tax payer funds.
- Please provide more elder housing.
- Get more business on B St & downtown.
- Force Hayward Chamber of Commerce to answer phone calls & be more supportive of Hayward events.
- Please remove the big unused building near the Safeway on Foothill.
- Do something with the old Supervisor's office.

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COMMENT CARD

OH 13

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As a college graduate I'm happy to see EDL-4. We need ways to land better jobs and make use of our degrees. I liked E-5 & E-6 as well. We need to have fair housing. I live in an apartment with mold for the past 4-5 years and the manager will not do anything but raise the rent from 950-1000/monthly. The carpet hasn't been changed in 6-8 years. The insulation is bad. The stairway can't be to code. 6 of my friends and family have fell over the years. There needs to be a way that apartments are checked out periodically because I feel helpless. Also my brother is mentally disabled and needs to be able to have affordable resources to function in this society. I love that Hayward is trying to bring everyone together as a community. I would love to be involved somehow.

OH 13.01

OH 13.02

-Katrice (510) 200-6694
-Katice634@yahoo.com

For more information visit:

www.hayward-ca.gov/generalplan

COMMENT CARD

OH 14

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OH 14.01

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I MUST SAY THAT I AM IMPRESSED WITH THIS WHOLE AREA, AND WHAT YOU ARE PLANNING TO DO. THIS AREA IS BEAUTIFUL. KEEP UP THE GOOD WORK

MUHAMMAD ROBIN
HURSA456@YAHOO.COM

COMMENT CARD

OH 15

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KEY NEGATIVE AREAS :

CRIME, AS IN CHESTLAND,
KELLY HILL AREAS

POOR REPUTATION OF SCHOOLS

OH 15.01

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COMMENT CARD

OH 16

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OH 16.01

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①

Figure 5-6 and
Table 5-6

Local + Regional Parks

please send to :

Sally Holt

email role62@pacbell.net

510 415-6803

member HARD CAC

Thank you!

I'm already receiving
Gen'l Plan email.

②

PS Hard copy mailed to me would
also be very helpful.

28247 Wren Ct.

Hayward, Ca 94545

For more information visit:

www.hayward-ca.gov/generalplan

COMMENT CARD

OH 17

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Bus 37 to -BART -Downtown
Timing is off since it misses train to SF

OH 17.01

For more information visit:
www.hayward-ca.gov/generalplan

OH Community Open House; March 8, 2014 (19 pages)

OH 1 Charlie Cameron

- OH 1.01 General--Plan elements overall look good; open house event noise problematic and a nuisance; other comments related to particular existing conditions in Hayward.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the Draft EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

OH 2 Anonymous

- OH 2.01 Housing--Community health is supported by well-maintained, healthy housing stock.

Response: See response to comment OH 1.01.

OH 3 Anonymous

- OH 3.01 Stormwater Drainage--Goal PFS-5 needs to be revised to reflect current direction for land uses to mimic natural hydrological cycles.

Response: See response to comment OH 1.01.

OH 4 Anonymous

- OH 4.01 General--Support for General Plan policies and improving traffic.

Response: See response to comment OH 1.01.

OH 5 Anonymous

- OH 5.01 Schools--Eldridge Elementary School needs rebuilding and new equipment.

Response: The comment is particular to the student's school. See response to comment OH 1.01.

OH 6 Anonymous

- OH 6.01 Jobs--Where is the discussion of bringing jobs into Hayward to reduce outcommuting?

Response: See response to comment OH 1.01.

OH 6.02 Transit--Need to expand and improve transit services beyond downtown.

Response: See response to comment OH 1.01.

OH 6.03 Accessibility--Freeways around downtown and narrow sidewalks discourage pedestrian-friendly access.

Response: See response to comment OH 1.01.

OH 6.04 Parks--Where is the discussion of parks near new housing?

Response: See response to comment OH 1.01.

OH 6.05 Jobs--Need to bring jobs into Hayward.

Response: See response to comment OH 1.01.

OH 6.06 Accessibility--Build bulbouts and signals to promote pedestrian-friendly access.

Response: See response to comment OH 1.01.

OH 6.07 Land Use--Create a downtown "entertainment zone," move liquor stores out of neighborhoods, and employ increased security patrols downtown.

Response: See response to comment OH 1.01.

OH 7 Anonymous

OH 7.01 General--Support for the open house and staff presentations.

Response: See response to comment OH 1.01.

OH 8 Anonymous

OH 8.01 Education--Support for Hayward's reputation as a great college town and community with opportunities for life-long learning (Guiding Principle #6).

Response: See response to comment OH 1.01.

OH 8.02 Transportation/Recreation/Climate Change--Strong support for: access to interconnected, safe, affordable, dependable, and convenient transportation network (Guiding Principle #7); and preservation and enhancement of environmental and recreational resources (Guiding Principle #8).

Response: See response to comment OH 1.01.

OH 8.03 EIR--Interest in the EIR.

Response: See response to comment OH 1.01.

OH 9 Anonymous

OH 9.01 Housing--Need to improve affordable housing.

Response: See response to comment OH 1.01.

OH 9.02 Aesthetics--Boarded-up houses on B Street look bad.

Response: See response to comment OH 1.01.

OH 9.03 Litter--City needs to improve litter control and pickup, including possible use of video surveillance.

Response: See response to comment OH 1.01.

OH 10 Anonymous

OH 10.01 Land Use--Extend Retail/Office Commercial designation at Whipple/Industrial SW northerly along Industrial Pkwy SW.

Response: See response to comment OH 1.01.

OH 11 Didacus Ramos

OH 11.01 Land Use--Plan should consider using "Village Town" design concepts typically seen in Greece and Italy.

Response: See response to comment OH 1.01.

OH 12 Anonymous

OH 12.01 General--Need to address several housing, land use, and transportation-related issues within the City.

Response: See response to comment OH 1.01.

OH 13 Katice

OH 13.01 Education--Support for Goal EDL-4 (Education-to-Jobs Bridge) and other General Plan policies.

Response: See response to comment OH 1.01.

OH 13.02 Housing--Support for affordable housing.

Response: See response to comment OH 1.01.

OH 14 Muhammad Robik

OH 14.01 General--Support for the General Plan.

Response: See response to comment OH 1.01.

OH 15 Anonymous

OH 15.01 Public Services--Concerns about crime and poor reputation of schools.

Response: See response to comment OH 1.01.

OH 16 Sally Holt, member, Hayward Area Recreation and Park District Citizens Advisory Committee

OH 16.01 General--Request for copies of Figure 5-6 and Table 5-6.

Response: See response to comment OH 1.01.

OH 17 Anonymous

OH 17.01 Transportation--Concern about bus-to-BART-to-Downtown timing.

Response: See response to comment OH 1.01.

OH 18 Anonymous

OH 18.01 General--City should provide a map showing all street names.

Response: See response to comment OH 1.01.

2.3 RESPONSES TO MARCH 13, 2014 PLANNING COMMISSION MEETING AND PUBLIC HEARING COMMENTS ON THE DRAFT EIR

The following section includes the minutes of the March 13, 2014 Planning Commission meeting and public hearing, followed by a written response to each comment pertaining to the content or adequacy of the Draft EIR or a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of the minutes.



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, March 13, 2014, 7:00 p.m.
777 B Street, Hayward, CA94541**

PC

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Lamnin.

ROLL CALL

Present: COMMISSIONERS: Loché, Trivedi, McDermott, Faria, Márquez, Lavelle
CHAIRPERSON: Lamnin
Absent: COMMISSIONERS:
CHAIRPERSON: None

Commissioner Lavelle led in the Pledge of Allegiance.

Staff Members Present: Buizer, Conneely, Madhukansh-Singh, Parikh, Siefers

General Public Present: 6

PUBLIC COMMENTS

Mr. Charlie Cameron, Union City resident, shared that he submitted corrections to staff regarding mistakes he noticed in the General Plan Update document. **PC 1 (with comment card)**

WORK SESSION

1. Hayward 2040 General Plan Update Draft Environmental Impact Report

Senior Planner Buizer provided a synopsis of the staff report.

In response to Commissioner Loché's question about updates to the City's Noise Ordinance, Senior Planner Buizer stated that the Noise Ordinance is a standalone policy that is separate from the General Plan Update. She added that updates to the ordinance would encompass all types of construction projects in the City and would set specific standards and address air quality and dust control. She confirmed for Commissioner Loché that the ordinance would establish the permitted hours for construction and the decibel threshold. **PC 2**

Senior Planner Buizer described for Commissioner Loché that flexible Levels of Service (LOS) standards were condition specific and allowed ratings other than the LOS threshold of D. **PC 3**

In response to Commissioner Trivedi's question, Senior Planner Buizer said that the Environmental Impact Report (EIR) is program level and that it considers overall development at 2040. She noted that project-specific mitigation would be applied as warranted in order to deal with potential impacts. **PC 4**

PC

Commissioner Trivedi asked staff to address the benefits and drawbacks of adopting the General Plan. Senior Planner Buizer indicated that the benefits of the project are the innovative design policies, the direction for a multimodal system, and flexible LOS standards which are lacking in the current General Plan.

PC 5

In response to Commissioner Trivedi's question about an analysis of tradeoffs of the environmental impacts, Senior Planner Buizer responded that the impacts would occur on a policy level and stated that high density development projects could have project-specific mitigation methods such as an air filtration system.

PC 6

Senior Planner Buizer noted for Commissioner Trivedi that the Policy document has a section in the Mobility Element which references establishing a complete streets plan for the City and requires examining the roadways through the City in order to determine what modes of travel should be priority on different streets.

Commissioner Lavelle emphasized that the alternative to not adopting the General Plan is that progress in the City will be halted and expressed that impacts caused by future developments and construction projects are unavoidable. She was pleased to see references in the General Plan to improve the relationship between the City and Hayward residents with Chabot College and CSUEB in order to make them more connected to these schools. Ms. Lavelle recommended that banners representing these colleges be added along main thoroughfares in the City to better highlight these schools. She echoed a previous suggestion that there be more sports bars in Hayward to attract students and residents. She pointed out that in the Profile and Vision section of the Draft General Plan on page 2-1, the design of the chart showcasing the ethnic breakdown of Hayward could be improved. Ms. Lavelle noted that on page 2-18, there is an image of bicyclist using a bicycle marked lane in San Francisco and she requested that this be changed to be more applicable to Hayward. She recommended that the writers of the General Plan document refrain from using current popular terminology in the document which may not be relevant in 25 years.

PC 7

PC 8

In response to Commissioner Lavelle's question about the high density land use discussed on page 3-15 of Land Use and Community Character, Senior Planner Buizer responded that 38.4 dwelling units per net acre was the High Density General Plan Land Use Designation and she pointed out that there are higher residential designations and sustainable mixed-uses in the downtown area. She added that 38.4 dwelling units per acre was the maximum number of units permitted in the high density area but this was not the absolute maximum that was permitted in the City.

PC 9

Commissioner Márquez asked staff to provide an overview of the Community Open House held at City Hall and also the work that the General Plan Update Task Force has done on the project. Senior Planner Buizer reported that the General Plan Update process began 18 months ago. The project involved seeking input from the community, consultants and Council appointed General Plan Update Task Force members that are representative of the Hayward community. She noted that the Draft document was released in January 2014 and that an Open House was conducted on March 8, 2014 to allow the community to learn more about the various elements of the General Plan and the EIR document. Ms. Buizer commented that the difficult part will be the implementation stage of the General Plan for achieving the vision that the community has for Hayward's future.

PC 10



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Senior Planner Buizer indicated for Commissioner Márquez that staff reached out to the Hayward Unified School District (HUSD) and Chabot College and she added that staff is making attempts to include everyone in the General Plan Update process.

Commissioner Márquez commented that the General Plan was a blue print for the future and she agreed that the language of the document needs to be written so that it will transcend over time. She asked staff what was being done from a marketing standpoint in order to sell Hayward and promote its image. Senior Planner Buizer responded that this was being addressed through the Economic Development Strategic Plan. She indicated that there are goals and objectives in the General Plan that deal with the City’s image and noted that these will be met through establishing partnerships with the business community, HUSD, Hayward colleges, and the community. Commissioner Márquez recommended that the Economic Development Manager speak to the Planning Commission at an upcoming meeting in order to discuss continued efforts in promoting Hayward’s image.

PC 11

Commissioner Márquez asked staff if there were going to be additional mitigation efforts for noise and air quality for projects that would be along the freeway. Senior Planner Buizer responded that if there is an existing source of noise or air quality issues due to the proximity to freeways, then such projects will be required to have a project-specific noise study performed. She added that issues related to temporary construction noise and dust control will be met through the City’s updated Noise Ordinance.

PC 12

Commissioner Faria thanked staff for providing the General Plan Update information on a CD and she further thanked staff and the Task Force for their efforts. She was pleased to see how the Planning Commission’s feedback was incorporated into the plan.

Commissioner McDermott stated that she was impressed with the commitment from the community members who were involved with the General Plan Update. She supported having a Noise Ordinance that would address temporary construction projects. In response to Commissioner McDermott’s question, Senior Planner Buizer noted that the General Plan Update Task Force consisted of individuals with different backgrounds.

Commissioner Loché shared that he attended the Community Open House and noted that it was a successful event and there was participation from various community stakeholders.

Commissioner Lavelle noted that General Plan Update Task Force consisted of a diverse group of members and she stated that it was a competitive process to be selected to serve on the Task Force. She acknowledged that the City used the website MindMixer to get feedback on the General Plan.

Chair Lamnin emphasized that as the General Plan is implemented, it will be important to continue to gauge the public’s perspective. She noted that in the Summary of Alternatives of the Draft EIR on page 2-21, the density projections appeared to be high and she indicated her support for alternative #3 because this preserved and attracted jobs.

PC 13

Senior Planner Buizer confirmed for Commissioner Trivedi that the Draft EIR identified alternative #2 as the environmentally superior alternative which included similar projects as indicated in the General Plan, but fewer of them.

Commissioner Trivedi pointed out that over the course of the General Plan’s timeframe there are 7,500 housing units that are expected to be developed and 79% of these are to be concentrated in the five priority development areas. He noted that 3,223 dwelling units are expected to be developed in the downtown alone.

COMMISSION REPORTS:

2. Oral Report on Planning and Zoning Matters

Planning Manager Siefers noted that Public Works and Economic Development staff will give presentations at future Planning Commission meetings. She reported that on March 7, 2014, City staff met with Capitol Corridor staff regarding the Phase 1 study of the Capitol Corridor project. Ms. Siefers stated that staff attended the Neighborhood Partnership meeting at the Cannery area to address concerns about inadequate visitor parking. She shared that the City’s grant request from the Alameda County Transportation Commission for a new Downtown Specific Plan and EIR has been approved. Ms. Siefers said that staff is working on the City’s new Sign Ordinance and revising sections of the Zoning Ordinance. She noted that the City Council denied the Integral Communities project and said that staff is working on the findings for denial. She said that a developer has shown interest in the Webber property which would be used as a warehouse and also for light manufacturing uses, and indicated that this project may come before the Planning Commission during Spring. Ms. Siefers stated that the recruitment for the position of Development Review Engineer is ongoing.

Chair Lamnin requested that the Solid Waste Manager address green waste and multifamily units during her upcoming presentation. She asked that the business community be included in the early stages of updating the City’s Sign Ordinance.

Commissioner Márquez added that a clear Sign Ordinance is necessary in order to remove some of the improper signage that is currently being used by businesses in storefronts and she thanked staff for addressing this concern.

Commissioner Trivedi asked that existing and prospective Hayward business owners be provided with tools and resources that would outline the instructions on how to develop a business identity and what type of signage is permissible. Commissioner Trivedi commented that signage is important to the success of a business and also to preserve visually appealing storefronts in Hayward.

Commissioner McDermott supported having a more universal business license application.

3. Commissioners’ Announcements, Referrals

Commissioner Lavelle wished everyone a Happy St. Patrick’s Day.



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777 B Street, Hayward, CA94541**

PC

Commissioner Márquez shared that Southland Mall will be having a Muppets Show event on Saturday, March 15, 2014.

Commissioner Loché requested that the City collaborate with the Hayward Area Historical Society in preserving some of the older business signs that may be of historic value. He requested that the Planning Commission meeting be closed in memory of César Chávez in celebration of his birthday in March and additionally noted that there will be a movie coming out later this month to honor him.

Commissioner Trivedi wished good luck to the Chabot College men's basketball team that was competing in the California Community College Athletic Association state tournament.

ADJOURNMENT

Chair Lamnin adjourned the meeting at 8:26 p.m. in honor of César Chávez.

APPROVED:

Vishal Trivedi, Secretary
Planning Commission

ATTEST:

Avinta Madhukansh-Singh, Senior Secretary
Office of the City Clerk

COMMENT CARD

Please fill out this card with any comments you have related to the Draft 2040 General Plan or Draft EIR

Return your completed comment card to a staff member March 13, 2014

How can you provide feedback on the General Plan and EIR?

The Draft General Plan was released for public review on January 31, 2014. While the City will continue to accept feedback on the draft until it is adopted, we would prefer you get us your input as soon as possible.

The public comment period for the Draft EIR closes on March 21, 2014. Comments provided after the 21st will not be addressed in the Final EIR.

Please provide your comments in writing. You can write your comments on this comment card or provide comments on www.Hayward2040.com. You can also mail or email your comments to the City or provide them in person at City Hall. Please address your comments to Sara Buzier, Senior Planner at Sara.Buzier@hayward-ca.gov.

How can I get involved in the process?

While the General Plan Update is nearly finished, there are several more opportunities to get involved:

1. Provide feedback on the Draft General Plan and/or Draft EIR.
2. Provide comments on www.Hayward2040.com.
3. Attend the upcoming meetings with the Planning Commission (March 13th) and City Council (March 18th).
4. Attend the final adoption hearings.

Dear Ms. Buzier:

Handwritten: Higgs

Item 1. ~~PLS~~ The correct spelling of words Capitol Corridor & NOT AS SHOWN & Chapter 18, on Pgs. 33, & 37,

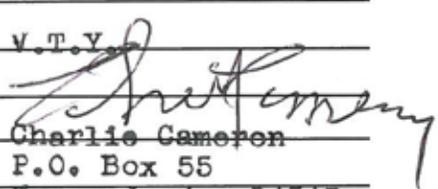
Handwritten: (1) PLS, CORRECT AGAIN THE WORDS CAPITOL CORRIDOR & NOT AS SHOWN & CHAPTER 18, ON PGS. 33, & 37, REVISITERS JAN, 30, 2014

Handwritten: (2) TO THE SPK PLANNING COMM UNIT, ATTACHED ON 1/30/2014

Handwritten: (3) ATTACHMENT (1) THE CURRENT LOCATION FOR THE HAYWARD CAPITOL CORRIDOR LOCATION

Handwritten: (3) BE IN TOUCH!

Vertical handwritten note: TO CORRECTLY REVISITERS JAN, 30, 2014

V.T.V.

 Charlie Cameron
 P.O. Box 55
 Hayward, Ca. 94543

PC Regular Meeting of the City of Hayward Planning Commission; March 13, 2014 (6 pages)

- PC 1 General--Charlie Cameron shared his revised comment card that noted that the Amtrak train line "Capitol Corridor" was misspelled in the General Plan documents.

Response: The correction has been made. "Capitol Corridor" is now spelled correctly throughout the EIR. The revised pages are included in section 3 (Draft EIR Revisions) of this Final EIR. The impact and mitigation conclusions in the Draft EIR remain the same.

- PC 2 City Noise Ordinance--Commissioner Loché raised a question about the City's Noise Ordinance.

Response: Senior Planner Buizer explained planned updates to the City's Noise Ordinance (see meeting minutes).

In addition, short-term construction-related noise impacts are addressed under Impact and Mitigation 15-1 in Draft EIR chapter 15 (Noise). City staff's response in the meeting minutes generally reflects proposed changes to General Plan policies and implementation programs to further mitigate short-term noise and air quality impacts related to construction, including the development of new Construction Noise and Dust Control Ordinances.

As shown in text changes to the Draft EIR in section 3 of this Final EIR (pages 15-7, 15-7A, and 15-8), short-term construction noise impacts would be reduced to a less-than-significant level with the addition of the proposed construction noise policy (HAZ-8.24) and Implementation Program (HAZ 7). However, short-term construction air quality impacts (see Impact/Mitigation 7-2 in Draft EIR chapter 7, Air Quality) would remain significant and unavoidable, primarily due to the existing nonattainment conditions in the Bay Area, as defined by the Bay Area Air Quality Management District (BAAQMD).

- PC 3 LOS Levels-- Commissioner Loché raised a question about LOS levels.

Response: Senior Planner Buizer explained the flexibility used in LOS standards (see meeting minutes). Transportation and circulation is discussed in Draft EIR chapter 18.

- PC 4 EIR--Commissioner Trivedi raised a question about the EIR.

Response: Senior Planner Buizer explained how the EIR would function as a program level environmental document (see meeting minutes). Draft EIR sections 1.3 (Program EIR Approach and Assumptions) and 4.1 (Program EIR Evaluation of Impacts) include further detail.

- PC 5 General Plan--Commissioner Trivedi raised a question about the benefits of the General Plan.

Response: Senior Planner Buizer explained the benefits of the General Plan (see meeting minutes).

PC 6 EIR--Commissioner Trivedi raised a question about environmental tradeoffs.

Response: Senior Planner Buizer explained policy level impacts versus project level mitigations (see meeting minutes). Draft EIR sections 1.3 (Program EIR Approach and Assumptions) and 4.1 (Program EIR Evaluation of Impacts) include further detail.

PC 7 General--Commissioner Lavelle expressed support for the General Plan.

Response: Commissioner Lavelle's comment applied to the General Plan, not to the EIR. See the meeting minutes for the details of Commissioner Lavelle's comment.

PC 8 General--Commissioner Lavelle raised a concern about improving graphics and avoiding pop terminology use in the General Plan.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the Draft EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

PC 9 Land Use and Community Character--Commission Lavelle raised a question about high-density residential use, as described in the General Plan Land Use and Community Character Element.

Response: Senior Planner Buizer explained the land use designation (see meeting minutes).

PC 10 General--Commissioner Márquez asked about public outreach during the planning process.

Response: Senior Planner Buizer explained the City's steps to ensure public involvement throughout the 18-month General Plan Update process (see meeting minutes).

PC 11 General--Commissioner Márquez commented that the General Plan text needs to be written to remain relevant over time. The Commissioner also asked about efforts to promote Hayward's image.

Response: See response to comment PC 8.

PC 12 EIR--Commissioner Márquez asked about additional noise and air quality mitigations for projects near the freeway.

Response: Senior Planner Buizer explained the process for project-specific studies as well as how construction period impacts would be covered in the City's Noise Ordinance (see meeting minutes). In addition, the Draft EIR addresses potential air quality (chapter 7) and noise (chapter 15) impacts and mitigations for individual development projects. For example, Impact/Mitigation 7-4 in the EIR Air Quality chapter addresses community exposure to toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}), and associated health risks. The analysis focuses on the Community Risk Reduction Strategy in the General Plan, which includes policies and implementation programs to mitigate health risks in new development near freeways or other sources of TACs and PM_{2.5}.

As another example, Impact/Mitigation 15-2 in the EIR Noise chapter addresses long-term operational noise impacts, along with General Plan policies and implementation programs that would mitigate roadway noise, including noise generated by freeways.

As noted under both Mitigation 7-4 and Mitigation 15-2, all feasible mitigations have been included in the proposed General Plan policies and implementation programs.

PC 13 General Plan/EIR--Chair Lamnin stressed the importance of continuing to gauge public opinion as the General Plan is implemented. Chair Lamnin also noted that density figures in the EIR alternatives chapter seemed high and, of the alternatives presented, expressed support for Alternative 3 over Alternative 2.

Response: The Commissioner's comment was comparing the various General Plan alternatives evaluated in Draft EIR chapter 20 (Alternatives to the Proposed General Plan). See Draft EIR chapter 20 for further details. No changes to the EIR analysis were requested by the Commissioner.

PC 14 EIR--Commissioner Trivedi raised a question about the environmentally superior alternative.

Response: Senior Planner Buizer confirmed that the EIR identified Alternative 2 as the environmentally superior alternative. See Draft EIR chapter 20 (Alternatives to the Proposed General Plan) for details. From an environmental impact standpoint, Alternative 2: Overall Lower Development Density and Intensity would result in the least environmental impacts. However, the alternative would be less effective in achieving the project objectives for the Hayward Planning Area, such as support for youth, safe and clean neighborhoods, a diversified economy, a walkable Downtown, opportunities for life-long learning, a closely knit network of transportation options, and preservation of natural resources.

PC 15 General--Commissioner Trivedi stated the number of housing units planned for the General Plan timeframe, how many would be in the five priority development areas, and how many would be located in the downtown.

Response: The details of forecasted growth under the 2040 General Plan are in Draft EIR chapter 3 (Project Description), section 3.6 (Development Capacity Assumptions).

2.4 RESPONSES TO MARCH 18, 2014 SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING AUTHORITY MEETING AND PUBLIC HEARING COMMENTS ON THE DRAFT EIR

The following section includes the minutes of the March 18, 2014 City Council/Housing Authority meeting and public hearing, followed by a written response to each comment pertaining to the content or adequacy of the Draft EIR or a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of the minutes.



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 18, 2014, 7:00 p.m.

CC

The Special Joint City Council/Hayward Housing Authority meeting was called to order by Mayor/Chair Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor/Chair Sweeney.

ROLL CALL

Present: COUNCIL/HA MEMBER Zermeño, Jones, Halliday, Peixoto, Salinas,
Mendall
MAYOR/CHAIR Sweeney
Absent: None

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney reported that the Council met in closed session regarding a performance evaluation for the City Clerk pursuant to Government Code 54957; met with real property negotiators pursuant to Government Code 54956.8 regarding South Hayward BART Land Purchase and Requisition; met with legal counsel pursuant to Government Code 54956.9 regarding pending litigation regarding Net Connection Hayward, LLC v. City of Hayward, U.S. District Court, N.D. of CA No. C 13-1212 SC, City of Hayward v. Chances Are, Alameda County Superior Court No. RG13681065, City of Hayward v. Donald T. Henriques, et. al., Alameda County Superior Court Case No. HG14713837; and met with labor negotiators pursuant to Government Code 54957.6 regarding all groups. The Council took no reportable action.

PRESENTATION

Mayor Sweeney read the proclamation designating March 2014 as American Red Cross Month and encouraged all residents to support the organization in its humanitarian mission. Mr. John McCoy, a volunteer with the American Red Cross and member of the Alameda County American Red Cross Leadership Council accepted the proclamation on behalf of the American Red Cross Bay Area Chapter and thanked the City for its continued support.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, commented that the safety of the city needed to be a top priority and he stressed the need for more police officers patrolling the streets.

Ms. Amber Bell, City employee and Service Employees International Union (SEIU) Local 1021 member, asked the Council to direct the City's negotiating team to go back to the bargaining table to reach an equitable contract.

Ms. Wynn Greich, Hayward resident, spoke about water fluoridation and announced a “March for Clean Water” rally on March 22, 2014, at Union Square, San Francisco.

Mr. Larry Arend, City resident and member of the Prospect Hill Neighborhood Association, noted that the City was measuring the impact of the loop on the Prospect Hill Neighborhood and added that his neighbors were looking forward to the results of the study.

Mr. Kim Huggett, Hayward Chamber of Commerce President, announced three events: the Export Conference on March 20 at City Hall, the Contractor’s Workshop on March 26 at Marelich Mechanical, and the ‘Shop Hayward’ Business Showcase and Mixer on April 9 at the Golden Peacock Banquet Hall and Restaurant.

Mr. Edward Bogue, Hayward resident, announced the Southgate Area Homeowner Association was sponsoring a Candidates Night for Hayward Mayor and City Council on April 9, 2014, at the Alameda County Flood Control Conference Room.

WORK SESSION

1. Hayward2040 General Plan Update Draft Environmental Impact Report

Staff report submitted by Senior Planner Buizer, dated March 18, 2014, was filed.

Development Services Director Rizk announced the report and introduced Senior Planner Buizer who provided a synopsis of the report.

Discussion ensued among City Council and City staff. There was general consensus that the General Plan Update Draft Environmental Impact Report and the requests that were incorporated were well done. The Council thanked City staff and the General Plan Update Task Force for their efforts and offered the following comments: the General Plan needs to address the obligation that the Air Quality Management District has in monitoring air quality in the area; protecting commercial property will lead to local job creation; consider developing an impact fee structure that would recognize that developments have an impact on traffic and air quality; consider adding bicycle lanes on Hesperian Boulevard; provide Council with a list of proposed zone changes in the General Plan; consider having neighborhood-serving commercial retail with residential; and consider noise and pollution issues.

CC 1
CC 2
CC 3
CC 4
CC 5
CC 6
CC 7

CONSENT

2. Approval of Minutes of the City Council Meeting on February 25, 2014

It was moved by Council Member Halliday, seconded by Council Member Zermeño, and carried unanimously, to approve the minutes of the City Council Meeting on February 25, 2014.



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 18, 2014, 7:00 p.m.

CC

-
3. Resolution Appropriating Funds and Authorizing the City Manager to Execute Amendments to Agreements to Increase Funds by \$200,000 with Consultants for Outside Building Plan Check/Inspection Services and \$25,000 for Development Review Engineer Services in Planning for the Current Fiscal Year

Staff report submitted by City Building Official Lepori, dated March 18, 2014, was filed.

It was moved by Council Member Halliday, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 14-029, “Resolution Appropriating Funds and Authorizing the City Manager to Execute Amendments to Agreements to Increase Funds by \$200,000 for Fiscal Year 2014 with Consultants for Outside Plan Check/Inspection Services and \$25,000 for Outside Development Review Engineer Services”

4. Russell City Energy Center – Resolution Commenting on RCEC’s Application to Bay Area Air Quality Management District for Variances in Air Quality Permit Conditions

Staff report submitted by Director of Public Works-Utilities & Environmental Services Ameri, dated March 18, 2014, was filed.

It was moved by Council Member Halliday, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 14-030, “Resolution Urging the Bay Area Air Quality Management District to Take Action to Address Ongoing Emission Violations from the Russell City Energy Center”

5. Authorization to Negotiate and Execute Professional Services Agreements with John DeClercq for Project Management Services Related to the South Hayward BART Transit Oriented Development Project and Appropriation of Funds to Cover Agreement Services

Staff report submitted by Assistant City Manager McAdoo, dated March 18, 2014, was filed.

It was moved by Council/HA Member Halliday, seconded by Council/HA Member Zermeño, and carried unanimously, to adopt the following:

Resolution 14-031, “Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with John DeClercq to Provide Project Management Services for the South Hayward BART Project”

Housing Authority Resolution 14-02, “Resolution of the Housing Authority Board Authorizing the Executive Director to Negotiate and Execute a Professional Services Agreement with John DeClercq to Provide Project Management Services for the South Hayward BART Project”

Resolution 14-032, “Resolution of the City Council of the City of Hayward Amending Resolution 13-104, as Amended, the Budget Resolution for the Operating Budget of the City of Hayward for Fiscal Year 2014, for a Transfer of Funds from the General Fund (Fund 100) to the General Fund Capital Improvement Fund, South Hayward BART Project, Project No. 5076”

LEGISLATIVE BUSINESS

- 6. Adopt Findings for Denial for Conditional Use Permit (Application No. PL-2012-0069) and Vesting Tentative Tract Map (Application No. PL-2013-0070) associated with 194 townhomes and 16,800 square feet of commercial space on an 11.33 acre site located at 22301 Foothill Boulevard. Integral Communities (Applicant); MDS Realty II & 22301 Foothill Hayward, LLC (Owners)

Staff report submitted by Senior Planner Golubics, dated March 18, 2014, was filed.

Development Services Director Rizk provided a synopsis of the report.

There being no public comments Mayor Sweeney opened and closed the public hearing at 7:53 p.m.

Council Member Mendall offered a motion per staff recommendation, and Council Member Jones seconded the motion.

It was moved by Council Member Mendall, seconded by Council Member Jones, and carried with the following roll call vote, to adopt the following:

- AYES: Council Members Jones, Peixoto, Mendall
MAYOR Sweeney
- NOES: Council Members Zermeño, Halliday, Salinas
- ABSENT: None
- ABSTAINED: None



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 18, 2014, 7:00 p.m.**

CC

Resolution 14-033, “Resolution Denying Vesting Tentative Tract Map Application PL-2013-0070 and Conditional Use Permit Application PL-2012-0069 Pertaining to the Development of One Hundred and Ninety-Four Townhome-Styled Condominiums and Sixteen Thousand Eight Hundred Square Feet of Commercial Space at 22301 Foothill Boulevard in Downtown Hayward”

7. Approval of Financing Plan for Fire Station 7 and Firehouse Clinic Project#

Staff report submitted by Assistant City Manager McAdoo, Director of Public Works – Engineering & Transportation Fakhrai, Fire Chief Contreras, and Director of Finance Vesely, dated March 18, 2014, was filed.

City Manager David provided a synopsis of the report and presented the conceptual plan for Fire Station 7 and Firehouse Clinic.

There was general Council consensus to support the recommended conceptual financing plan for Fire Station 7 and the new Firehouse Clinic, and there was support for the City’s partnership with the Alameda County Health Services Agency and the Tiburcio Vasquez Clinic.

Council Member Jones asked for a report on the impact to the Water Enterprise Fund and confirmed that the City would only bear the capital cost associated with the Firehouse Clinic.

Council Member Zermeño expressed the need to ensure that fire staff and engines are properly housed and secured during the reconstruction of Fire Station 7.

Mayor Sweeney opened the public hearing at 8:10 p.m.

Mr. Jim Drake, Hayward resident, expressed concern that the city could not afford the capital expense for the construction of Fire Station 7 and Firehouse Clinic and did not support using the funding from the Water Enterprise Fund.

Mr. Moses Sullivan, Hayward resident and Palma Ceia Baptist Church member, supported the project and the possible temporary relocation of firefighters and engines from Fire Station 7 to Palma Ceia Baptist Church during the construction.

Mayor Sweeney closed the public hearing at 8:15 p.m.

Council Member Zermeño offered a motion to approve the recommended conceptual financing plan for the construction of Fire Station 7 and the new Firehouse Clinic, and Council Member Peixoto seconded the motion.

Council Member Mendall supported the motion and strongly urged staff to explore avenues to control costs and requested City staff to enter into a private sector loan agreement that would not prevent the City from prepaying the private loan.

Mayor Sweeney indicated that Council Member Jones had requested that the Council be provided with a full report on the status of the Water Enterprise Fund. Mayor Sweeney also requested that Council be provided with the formal financing documents.

Council Members Zermeño and Peixoto were amenable to the three requests offered by Council Members Mendall and Jones and Mayor Sweeney.

It was moved by Council Member Zermeño, seconded by Council Member Peixoto, and carried unanimously, to approve the conceptual financing plan for the construction of Fire Station 7 and the new Firehouse Clinic, including three recommendations as follows: 1) enter into a private sector loan agreement that would not prevent the City from prepaying the private loan; 2) provided the Council with a full report on the status of the Water Enterprise Fund; 3) provide Council with the formal financing documents.

AYES: Council Members Zermeño, Jones, Halliday,
Peixoto, Salinas, Mendall
MAYOR Sweeney
NOES: None
ABSENT: None
ABSTAINED: None

8. Direction on Potential Hayward BART Station Renaming

Mayor Sweeney announced the report and Council Member Zermeño requested to continue the item until after the negotiations with the unions were settled. There was no consensus to continue the item.

Staff report submitted by Community and Media Relations Officer Holland, dated March 18, 2014, was filed.

City Manager David provided a synopsis of the report.

Discussion ensued among Council Members and City staff.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 8:31 p.m.

Council Member Zermeño noted the proposal was a good idea, but urged Council members to make City employees a priority and he offered a motion to continue the item until after the negotiations with the bargaining unions were settled. The motion died for lack of a second.



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD**

CC

**City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 18, 2014, 7:00 p.m.**

Council Member Halliday offered a motion directing City staff to proceed with spending no more than \$2,000 to get a station renaming cost estimate and participate in the process along with the other two stations that are pursuing name changes. Council Member Salinas seconded the motion.

Council Member Zermeño said spending \$2,000 was too much and therefore did not support the motion.

Council Member Jones noted that regardless of the outcome of the cost estimate, he would not be supporting the cost associated with renaming the Hayward BART station.

Mayor Sweeney agreed with Council Member Jones and noted that even if the estimate came close to \$600,000, the proposal would not get his support.

It was moved by Council Member Halliday, seconded by Council Member Salinas, and failed with the following roll call vote, to direct City staff to proceed with spending no more than \$2,000 to get a station renaming cost estimate and participate in the process along with the other two stations that are pursuing name changes.

AYES: Council Members Halliday, Salinas
NOES: Council Members Zermeño, Jones, Peixoto, Mendall
MAYOR Sweeney
ABSENT: None
ABSTAINED: None

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño announced the Keep Hayward Clean and Green Task Force was conducting a clean-up and graffiti removal event on March 22, 2014, at the upper B Street neighborhood, and invited all to attend.

ADJOURNMENT

Mayor/Chair Sweeney adjourned the meeting at 8:37 p.m., in memory of Ms. Virginia Casuga, a Hayward resident and dedicated City employee for almost 26 years. Ms. Casuga had BSBA and MBA degrees in Accounting. Ms. Casuga was married to Richard, a retired Merchant Marine, had a daughter who is a great baker and had a son who serves in the Navy. She was an accomplished gardener, liked playing mahjong, and was loyal to her job and worked up until one week before her passing. Mayor Sweeney requested that staff work with her family to find an appropriate place to plant a tree in her memory.

APPROVED:

Michael Sweeney
Mayor, City of Hayward
Chair, Hayward Housing Authority

ATTEST:

Miriam Lens
City Clerk, City of Hayward
Secretary, Hayward Housing Authority

CC Special Joint City Council/Hayward Housing Authority Meeting; March 18, 2014 (8 pages)

CC 1 Air Quality--need for BAAQMD to improve air quality monitoring in the area.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. Also, air quality monitoring activities and the data collected are summarized in Draft EIR chapter 7 (Air Quality), with full details provided in the General Plan Background Report. These documents are available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

CC 2 General--commercial should be protected so it can spur creation of local jobs.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

CC 3 Transportation and Air Quality--should consider impact fee on developments as part of their mitigation responsibility for transportation and air quality impacts.

Response: See response to comment CC 2.

CC 4 Transportation--should consider adding bike lanes to Hesperian Boulevard.

Response: See response to comment CC 2.

CC 5 General--need to provide City Council with a list of all zoning changes proposed in the General Plan.

Response: See response to comment CC 2.

CC 6 General--consider neighborhood-serving commercial retail with residential uses.

Response: See response to comment CC 2.

CC 7 Noise and Air Quality--consider noise and air pollution issues.

Response: See response to comment CC 2.

2.5 RESPONSES TO WRITTEN COMMENTS RECEIVED DURING THE DRAFT EIR PUBLIC REVIEW PERIOD

The following section includes copies of all letters and the email, plus the quoted Hayward2040.org website comments, received during the Draft EIR public review period, each followed by a written response to each comment on the content or adequacy of the Draft EIR or on a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of each letter, email, and website comment.



Making San Francisco Bay Better

L 1

RECEIVED

MAR 17 2014

PLANNING DIVISION

March 11, 2014

Sara Buzier
City of Hayward
Development Services Department
777 B Street
Hayward, CA 94541

SUBJECT: Draft Environmental Impact Report for the
Hayward General Plan 2040. SCH No. 2013082015

Dear Ms. Buzier,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Hayward General Plan, dated Feb. 4 2014, and received in our office on Feb. 12, 2014. These are staff comments based on the San Francisco Bay Conservation and Development Commission (BCDC) laws and regulations, the McAteer-Petris Act, and the provisions of the *San Francisco Bay Plan* (Bay Plan). In particular, these comments are related to BCDC jurisdiction within the project area, public access, transportation and climate change impacts.

Jurisdiction and Authority. BCDC is responsible for granting or denying permits for any proposed fill (earth or any other substance or material, including pilings or structures placed on pilings, and floating structures moored for extended periods), extraction of materials or change in use of any water, land or structure within the Commission's jurisdiction. Generally, BCDC's jurisdiction over San Francisco Bay extends from the Golden Gate to the confluence of the San Joaquin and Sacramento Rivers and includes tidal areas up to the mean high tide, including all sloughs, and in marshlands up to five feet above mean sea level; a shoreline band consisting of territory located between the shoreline of the Bay and 100 feet landward and parallel to the shoreline; salt ponds; managed wetlands (areas diked from the Bay and managed as duck clubs); and certain waterways tributary to the Bay. The Commission can grant a permit for a project if it finds that the project is either (1) necessary to the health, safety or welfare of the public in the entire Bay Area, or (2) is consistent with the provisions of the McAteer-Petris Act and the San Francisco Bay Plan (Bay Plan). The McAteer-Petris Act provides for fill in the Bay for water-oriented uses where there is no alternative upland location and requires that any fill that is placed in the Bay is the minimum that is necessary for the project. The McAteer-Petris Act also requires that proposed projects include the maximum feasible public access consistent with the project to the Bay and its shoreline.

For BCDC's Bay jurisdiction, an essential part of BCDC's regulatory framework is the Commission's Bay Plan. Projects approved by BCDC must be consistent with the McAteer-Petris Act and the Bay Plan. The Bay Plan includes priority land use designations for certain areas around the Bay to ensure that sufficient areas are reserved for important water-oriented uses such as ports, water-related industry, Hayward Regional Shoreline, the Hayward Shoreline Interpretive Center, and wildlife areas. In the vicinity of the City of Hayward, the Bay

Plan map policies require "Preserve interpretive center. Continue to manage for wildlife habitats and wildlife, and provide wildlife compatible recreation activities. Maintain trails and continue to provide environmental education."

Public Access. Section 66602 of the McAteer-Petris Act states in part that "existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided." Furthermore, the McAteer-Petris Act authorizes the placement of fill in the Bay only for water-oriented uses or minor fill for improving shoreline appearance or public access.

If any projects identified in the General Plan and DEIR may require bay fill or new shoreline development within BCDC's jurisdiction, then the final EIR should consider that BCDC policies on public access state, in part, "maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline." L 1.01

Transportation and Land Use. Because of the continuing vulnerability of the Bay to filling for transportation and development projects, the policies of the Bay Plan recognize that the Commission should continue to take an active role in Bay Area regional transportation and land use planning. The transportation findings of the Bay Plan state, in part, "pressure to fill the Bay for surface transportation projects can be reduced by improving the efficiency and increasing the capacity of existing transportation facilities and services, increasing access to public transit, providing safe and convenient public pathways for non-motorized forms of travel (e.g. bicycles, pedestrian)" and "transportation projects should be designed to maintain and enhance visual and physical access to the Bay and along the Bay shoreline."

The general goals described for the area defined in the DEIR are goals that, if met in a way that protects the ecological resources along the shoreline, BCDC supports. These goals include, the development of regional transit options and pedestrian facilities. L 1.02

Climate Change. The San Francisco Bay Plan policies on climate change state in part that:

To protect public safety and ecosystem services, within areas that a risk assessment determines are vulnerable to future shoreline flooding that threatens public safety, all projects—other than repairs of existing facilities, small projects that do not increase risks to public safety, interim projects and infill projects within existing urbanized areas—should be designed to be resilient to a mid-century sea level rise projection. If it is likely the project will remain in place longer than mid-century, an adaptive management plan should be developed to address the long-term impacts that will arise based on a risk assessment using the best available science-based projection for sea level rise at the end of the century.

To address the regional adverse impacts of climate change, undeveloped areas that are both vulnerable to future flooding and currently sustain significant habitats or species, or possess conditions that make the areas especially suitable for ecosystem enhancement, should be given special consideration for preservation and habitat enhancement and should be encouraged to be used for those purposes.

Wherever feasible and appropriate, effective, innovative sea level rise adaptation approaches should be encouraged."

Sara Buzier
March 11, 2014
Page 3

L 1

Consideration of climate change impacts reflected in the DEIR, specifically Goal HAZ-4 "Safeguard the Hayward shoreline, open space, recreation resources, and urban uses from flooding due to rising sea levels" appear to be consistent with these policies]

L 1.03

Thank you for the opportunity to comment on the DEIR. If you have any questions regarding this letter please contact me directly at (415) 352-3647 or by e-mail at maggiew@bcd.ca.gov.

Sincerely,



MAGGIE WENGER
Coastal Planner

L 1 Maggie Wenger, Coastal Planner, San Francisco Bay Conservation and Development Commission; March 11, 2014 (3 pages)

- L 1.01 Public Access--Projects identified in the general plan and EIR that require bay fill or new shoreline development within BCDC jurisdiction should consider BCDC policies that provide for public access to and along the waterfront.

Response: Hayward 2040 General Plan policies and implementation programs would be implemented in conformance with BCDC policies and regulations. No policy or program in the General Plan is intended to usurp BCDC jurisdiction. Individual future project proposals that are within BCDC jurisdiction would be subject to BCDC review procedures. For example, General Plan Policy NR-1.4 (Shoreline Protection and Enhancement, Natural Resources Element) includes BCDC as one of the agencies with jurisdiction over the San Francisco Bay shoreline.

- L 1.02 Transportation/Land Use--BCDC supports General Plan goals defined in the EIR if their implementation promotes the protection of shoreline ecological resources.

Response: See response to comment L 1.01. As noted in the comment, the Hayward 2040 General Plan includes goals, policies, and implementation programs for the development of regional transit options and pedestrian facilities, which complement BCDC regional transportation and land use policies.

- L 1.03 Climate Change--General Plan Goal HAZ-4 appears to be consistent with San Francisco Bay Plan climate change policies related to safeguarding the Hayward shoreline from sea level rise.

Response: Regarding sea level rise, the comment notes consistency between the Hayward 2040 General Plan and BCDC policy. No response regarding the Draft EIR is necessary.



March 18, 2014

Sara Buizer, AICP, Senior Planner
Development Services Department
777 B Street
Hayward, CA 94541

SUBJ: ALUC Review of the DEIR for the City of Hayward General Plan 2040

Dear Ms. Buizer,

Thank you for the opportunity to review the materials submitted regarding the Draft EIR for the City's General Plan 2040 Update. I have completed an Administrative Review of the materials provided and have the following comments for your consideration.

Airport Land Use Compatibility Planning

ALUCs are established pursuant to the State Aeronautics law (Public Utilities Code Article 3.5, State Aeronautics Act, Section 21661.5, Section 21670 *et seq.*, and Government Code Section 65302.3 *et seq.*) to protect the public health, safety, and welfare by promoting the orderly expansion of airports and adoption of land use measures by local public agencies to minimize exposure to excessive noise and safety hazards near airports.

To fulfill this mandate, the Alameda County Airport Land Use Commission (ALUC) has adopted an updated Airport Land Use Compatibility Plan (ALUCP) for the Hayward Executive Airport in August 2012. This document can be accessed at <http://www.acgov.org/cda/planning/generalplans/airportlandplans.htm>

ALUC References in the Draft EIR and Draft General Plan

The Draft General Plan Policies considers the Airport Land Use Compatibility Plan (ALUCP) for the Hayward Executive Airport in Chapter 3: Policies HAZ-7.1 and HAZ-7.2.

HAZ-7-1 Land Use Safety Compatibility and Airspace Protection Criteria

The City shall consider land use safety and airspace protection when evaluating development applications within the Airport Safety Zones of the Hayward Executive airport.

HAZ-7.2 Airport Land Use Compatibility Plan

The City shall require all development projects to comply with the provision of the Hayward Executive Airport Land Use Compatibility Plan, except for sections of the plan that have been overruled by the Hayward City Council.

The Draft EIR lists policies to avoid conflict with other Plans, and mitigate potential environmental impacts associated with the General Plan 2040 Update. Table 14-2 of the Draft EIR lists proposed policies for the Hayward General Plan to avoid conflict with other Plans, Programs, and policies, including the Hayward Airport ALUCP.

Policy M-10.2 Airport Land Use Compatibility

Implementation: "The City shall ensure uses surrounding the airport are compatible with existing and planned airport operations and are consistent with the Airport Land Use Compatibility Plan for the Hayward Executive Airport."

How does it avoid or reduce impact? "Ensures compliance with the Airport Land Use Compatibility Plan"

Comments

1. State Aeronautics Law requires jurisdictions to avoid incompatible land uses within an Airport Influence Area (AIA), with regard to the four Airport Compatibility Planning Factors: Noise, Safety, Airspace Protection, and Overflight. General Plan Policy HAZ-7.1 needs to include those portions of the AIA that are within the City of Hayward. This area extends well beyond the Safety Zones as shown in Figure 3-4 of the ALUCP for the Hayward Executive Airport. We suggest the following policy revision to more accurately reflect the city's responsibility when considering development proposals:

L 2.01**HAZ-7-1 Land Use Safety Compatibility and Airspace Protection Criteria (Revision)**

The City shall consult Chapter 3 of the Hayward Executive Airport's Airport Land Use Compatibility Plan (ALUCP) for specific criteria for land use safety and airspace protection when evaluating development applications within the ~~Airport Safety Zones~~ Airport Influence Area of the Hayward Executive Airport.

2. The proposed mitigation in the Draft EIR Policy M-10.2 needs to provide a specific mechanism through which the City will be able to ensure compliance with the requirements of the Hayward Airport's ALUCP. For example, creating an Overlay Zone within the city's Zoning Ordinance identifying which parcels are within the AIA and what compatibility criteria applies to them (if any), would achieve the City's goal to mitigate potential impacts. Without some type of triggering mechanism, the ALUCP would be applied inconsistently, at best.

L 2.02

Thank you again for the opportunity to provide comments on the General Plan DEIR. Please do not hesitate to contact me to discuss any of these comments or other concerns you may have regarding compliance with the Hayward Airport's Airport Land Use Compatibility Plan.

Sincerely,



Cindy Horvath
Senior Transportation Planner

c: Members, Alameda County Airport Land Use Commission
Albert Lopez, Alameda County Planning Director, ALUC Administrative Officer



L2 Cindy Horvath, Senior Transportation Planner, Alameda County Airport Land Use Commission; March 18, 2014 (3 pages)

- L 2.01 Hazards--To avoid incompatibility with Airport Land Use Compatibility Plan (ALUCP) policies, General Plan Policy HAZ-7.1 should be modified to include portions of the Airport Influence Area that are within the City of Hayward but not depicted in the safety zones shown on Figure 3-4 of the Hayward Executive ALUCP.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

- L 2.02 Hazards--To ensure surrounding uses comply with the Hayward Executive ALUCP, include a specific mechanism in General Plan Policy M-10.2, such as a Zoning Ordinance Overlay Zone with compatibility criteria for parcels within the Airport Influence Area, so that the City can consistently apply Policy M-10.2.

Response: See response to comment L 2.01.



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

Chris Bazar
Agency Director

Albert Lopez
Planning Director

224
West Winton Ave
Room 111

Hayward
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94544

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www.acgov.org/cda

March 19, 2014

Sara Buizer, AICP, Senior Planner
Development Services Department
777 B Street
Hayward, CA 94541

Subject: City of Hayward Draft 2040 General Plan and EIR

Dear Ms. Buizer:

Thank you for providing Alameda County with a copy of the Draft General Plan, which consists of the Background Report and the Policy Document, and EIR for our review. We appreciate the opportunity to offer our comments on the two documents.

The Draft General Plan establishes goals and policies to guide development within the City of Hayward's Planning Area through the year 2040. The City's Planning Area includes the unincorporated communities of Cherryland and Fairview, as well as portions of Castro Valley. These unincorporated areas lie within the City's Sphere of Influence (SOI), as determined by the Local Agency Formation Commission (LAFCo). Please see our comments below.

Draft General Plan

Policy Document

- *Page 3-37, Policy LU 1.11* – This policy states that “The City shall consider the annexation of adjoining unincorporated properties if the annexation would improve the fiscal health of the City, ...” The County is likely to oppose the annexation of any land under the County’s jurisdiction that includes any high tax generating uses, such as commercial development, since the loss of such uses would be detrimental to the residents of the unincorporated communities. **L 3.01**
- *Page 3-171, Policy HQL-7.6* – This policy states that “The City shall partner with the Alameda County Public Health Department to provide education and technical assistance in reducing mold and lead hazards in homes.” We suggest that you contact the Healthy Homes Department of the County Community Development Agency (<http://www.achhd.org/>) for assistance with these efforts. **L 3.02**

Background Report

- *Page 1-53* – The list of countywide general plan elements in the last paragraph on this page is not accurate. The correct list of elements that apply to the entire unincorporated area is: Housing, Conservation, Open Space, Noise, Safety, and Scenic Route Elements. **L 3.03**
- *Page 1-101* – In the first paragraph in the section on the Hayward Area Recreation and Park District, Castro Valley is identified as a city. This reference should be corrected to state that Castro Valley is an unincorporated community. **L 3.04**

- *Pages 7-91 and 7-95 of the Background Report, and page 6-2 of the DEIR* – Each of these pages states that “... in November 2000 Alameda County passed Measure D, which applies to all of the unincorporated areas east of Walpert Ridge and requires voter approval of any changes in open space land use policies of the Alameda County General Plan.” It should be clarified that Measure D was not adopted by the Board of Supervisors, but was approved by a countywide vote. Also, the Board of Supervisors has the authority to change any goal, policy, or action in the County General Plan that was not specifically addressed in the Measure, as long as the change does not conflict with any provision of the Measure. **L 3.05**

Land Use Designations in Unincorporated Areas

- Page 1-54 of the Draft Background Report states that “City land use designations were applied to the unincorporated area of Fairview ...” Fairview is within the County’s Eden Planning Area. The Eden Area General Plan refers to the Fairview Area Specific Plan for land use designations for Fairview. The designations applied to the Fairview area on Figure LU-1 in the City’s Draft General Plan Policy Document and Figures 1-5 and 1-6 in the Background Report are inconsistent with the designations in the County’s Specific Plan, and in some cases would allow significantly higher density than the uses allowed under the County’s Specific Plan. For example, in the southernmost portion of Fairview, the County’s Specific Plan requires a minimum building site area of five acres while the City’s designation of “Rural Estate Density Residential” would allow a minimum building site area of one acre. Proposed land uses in the Fairview area should be changed to be consistent with the type and intensity of development allowed under the County’s Fairview Area Specific Plan. **L 3.06**
- Land Use designations within the Five Canyons development, east of Fairview, should reflect the land use designations for this area shown on the Land Use Diagram in the County’s Castro Valley General Plan. This area was moved from the Eden Planning Area to the Castro Valley Planning Area after the Fairview Area Specific Plan was revised in 1997. Figure LU-1 in the City’s Draft General Plan Policy Document and Figures 1-5 and 1-6 in the Background Report designate some parcels adjacent to the existing development as residential. These parcels are required to remain in open space as a condition of approval for the Five Canyons development and, therefore, should be designated as open space. **L 3.07**
- Land use designations in the unincorporated area along Center Street, north of the intersection of B, Center, and Kelly Streets to the city’s Planning Area boundary, should reflect the designations for these parcels on the Land Use Diagram in the County’s Castro Valley General Plan. These designations include: residential single-family, residential small lot, residential medium density multi-family, and neighborhood commercial. **L 3.08**

If you have any questions or comments, please contact me by e-mail at Elizabeth.mcelligott@acgov.org or at (510) 670-6120. Thank you for your consideration.

Very truly yours,

Elizabeth McElligott, Assistant Planning Director
Alameda County Planning Department

L3 Elizabeth McElligott, Assistant Planning Director, Alameda County Planning Department;
March 19, 2014 (2 pages)

- L 3.01 Land Use--County likely to oppose City annexation of unincorporated areas in City's sphere of influence that generate high tax revenues.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

- L 3.02 Health and Quality of Life--County recommends that the City seek assistance from the County's Healthy Homes Department for mold and lead reduction efforts.

Response: See response to comment L 3.01.

- L 3.03 Background Report--Countywide General Plan elements that pertain to unincorporated areas are incorrect as listed in the Background Report; County provides correct list.

Response: See response to comment L 3.01.

- L 3.04 Background Report--Castro Valley mistakenly identified in Background Report as a city and should be corrected to "unincorporated community."

Response: See response to comment L 3.01.

- L 3.05 Background Report/EIR--Statement about Measure D should be revised to clarify that Alameda County Board of Supervisors did not adopt Measure D but that the measure was passed by countywide vote in 2000.

Response: See response to comment L 3.01.

- L 3.06 Land Use--County land use designations for the unincorporated area of Fairview, as described in the Fairview Area Specific Plan, should be used in the Background Report and Policy Document graphics, instead of City of Hayward land use designations.

Response: See response to comment L 3.01.

- L 3.07 Land Use--As shown in the County's Castro Valley General Plan, some parcels for the Five Canyons development should be open space, and graphics in the Background Report and the Policy Document should be revised to reflect this.

Response: See response to comment L 3.01.

- L 3.08 Land Use--Land use designations for the unincorporated area along Center Street north of the intersection of B, Center, and Kelly Streets, and to the City of Hayward boundary, should reflect their appropriate Castro Valley General Plan land use designations.

Response: See response to comment L 3.01.

March 20, 2014

Sara Buizer, AICP, Senior Planner
Development Services Department
City of Hayward
777 B Street
Hayward, CA 94541

Re: Notice of Completion and Availability of Draft Environmental Impact Report for the
City of Hayward 2040 General Plan

Dear Ms. Buizer:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the City of Hayward (City) 2040 General Plan. EBMUD commented on the Notice of Preparation of a Program EIR for the project on August 26, 2013; EBMUD's original comments (enclosed) still apply regarding water service, water recycling, and water conservation.

L 4.01

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:KSG:sb
sb14_059.docx

Enclosure

Sara Buizer, AICP, Senior Planner
March 20, 2014
Page 2

bcc: X. Irias
D. Lee
A. Chakrabarti
L. Hu
D. Rehnstrom
K. Gali
Chron
A-0855

August 26, 2013

Sara Buizer, Senior Planner
City of Hayward
777 B Street
Hayward, CA 94541

Re: Notice of Preparation - Program Environmental Impact Report - City of Hayward
2040 General Plan

Dear Ms. Buizer:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Program Environmental Impact Report (EIR) for the City of Hayward (City) 2040 General Plan. EBMUD provides water service to the northern portions of the City of Hayward. EBMUD has the following comments.

WATER SERVICE

Any development project associated with the City's General Plan area located in EBMUD's service area will be subject to the following general requirements:

**L 4.01
cont.**

Depending on the size and/or square footage, the lead agency for future individual projects within the City's General Plan area should contact EBMUD to request a Water Supply Assessment (WSA) that meets the threshold of a WSA pursuant to Section 15155 of the California Environmental Quality Act Guidelines, and Section 10910-10915 of the California Water Code. EBMUD requires project sponsors to provide future water demand data and estimates for individual project sites for analysis of the WSA. Please be aware that the WSA can take up to 90 days to complete from the day on which the request is received.

Main extensions that may be required to serve any specific development projects to provide adequate domestic water supply, fire flows, and system redundancy will be at the project sponsor's expense. Pipeline and fire hydrant relocations and replacements due to modifications of existing streets, and off-site pipeline improvements, also at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. When the development plans are finalized, all project sponsors should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water service to the development. Engineering and installation of new and relocated pipeline

and services requires substantial lead-time, which should be provided for in the project sponsor's development schedule.

The project sponsor should be aware that EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants.

Applicants for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary. In addition, the applicant must provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater. EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the applicant is insufficient EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the applicant's expense.

WATER RECYCLING

EBMUD's Policy 9.05 requires that customers use non-potable water, including recycled water, for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant, fish and wildlife to offset demand on EBMUD's limited potable water supply.

L 4.02

The planning area is located near EBMUD's San Leandro Recycled Water Pipeline serving the Alameda Golf Courses and other sites. The size and nature of the proposed developments within the City's General Plan area might present several opportunities for the use of recycled water for landscape irrigation, commercial and industrial process uses, toilet and urinal flushing in sports arenas and other applications. As part of the long term water supply planning, EBMUD may investigate expanding the existing recycled water infrastructure or constructing a localized satellite facility that treats onsite wastewater to provide recycled water to the City's General Plan area. The existing San Leandro Recycled Water Project could potentially expand in the future should the treatment level be upgraded to a tertiary level and if additional distribution pipelines are extended

Sara Buizer, Senior Planner
August 26, 2013
Page 3

towards the City's General Plan area. Therefore, EBMUD recommends that the City coordinate and consult with EBMUD as it plans and implements the various goals as identified within the General Plan area.

WATER CONSERVATION

Individual projects within the General Plan area present opportunities to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsors comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Project sponsors for individual projects within the General Plan area should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

L 4.03

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:AMW:sb
sb13_184.doc

L4 William R. Kirkpatrick, Manager of Water Distribution Planning, East Bay Municipal Utility District; March 20, 2014 (5 pages)

- L 4.01 Water--Development projects in the Planning Area within the EBMUD service area will need to meet EBMUD requirements, including preparation of a water supply assessment if required (depending on the size of the project), project payment for any new water mains or relocation of pipelines or fire hydrants, and completion of appropriate site remediation for hazardous materials if excavation is required in a contaminated area.

Response: The comment explains standard EBMUD requirements that the City currently implements and will continue to implement as individual project proposals are submitted to the City under the 2040 General Plan. The impact and mitigation conclusions in the Draft EIR remain the same.

- L 4.02 Water-- EBMUD may investigate expanding its existing recycled water system to the Planning Area. Therefore, when undertaking activities to implement the City's General Plan, the City should consult and coordinate with EBMUD to investigate water recycling opportunities.

Response: The Hayward 2040 General Plan includes many policies and implementation programs that support the use of recycled water and require water efficiency measures. These are listed in Draft EIR chapter 19 (Utilities and Service Systems), Table 19.2.

- L 4.03 Water--EBMUD requests that the City require project compliance with the California Model Water Efficient Landscape Ordinance in its conditions of approval for development projects. EBMUD states that it may withhold new or expanded water service unless a project installs all applicable water-efficiency measures described in the ordinance.

Response: See response to comment L 4.02. In particular, General Plan Policy NR-6.16 (Landscape Ordinance Compliance) ensures that the City will continue to implement and administer the Bay-Friendly Water Efficient Landscape Ordinance, including for individual, private development projects.



March 21, 2014

Sara Buizer, AICP
Senior Planner
Development Services Department
777 B Street
Hayward, CA 94541

SUBJECT: Comments on Draft Environmental Impact Report for the City of Hayward 2040 General Plan

Dear Ms. Buizer,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the City of Hayward 2040 General Plan. The City of Hayward 2040 General Plan represents the community's view of its future and expresses the community's conservation and development goals for the next 26 years (2014-2040). The 2040 General Plan also addresses new State mandates and topics relevant to the City that were not part of the currently adopted 2002 General Plan, such as community health, police services, greenhouse gas emissions, and climate change (AB 32 and SB 375), flood safety planning (AB 162) and complete streets (AB 1358). The Association of Bay Area Government projects that the City of Hayward will grow to a total of 60,584 dwelling units by 2040, which is the horizon year of the new General Plan. This projection is significantly lower (by over 6,500 dwelling units) than the estimated buildout of Hayward under its currently adopted 2002 General Plan. Consistent with these projections, the proposed 2040 General Plan does not significantly alter existing or create new land use designations, or result in significant redesignation of land, in the Hayward Planning Area.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Comments on the DEIR

- The DEIR identifies a number of locations as having intersection Level of Service impacts in both existing (Impact 18-1) and cumulative (Impact 18-2) conditions. In some instances the DEIR claims that there is no feasible mitigation because "Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes." In other locations, the DEIR identifies mitigation measures, many of which involve widening intersections. The Alameda CTC is supportive of a flexible approach that considers factors such as land use context and anticipated mix of transportation network users when determining whether to maintain a minimum LOS threshold. However, such an approach requires transparent presentation of reasoning for adhering or not adhering to a LOS threshold. As such, the DEIR should be more explicit about why intersection widenings are considered to cause unacceptable impacts to pedestrian and bicycle access and circulation at some intersections but not at other intersections.

L 5.01

Sara Buizer
March 21, 2014
Page 2

- As part of this effort, the DEIR could consider factors such as whether an intersection is on the Countywide Bicycle Network or resides in an Area of Countywide Significance as identified in the Countywide Pedestrian Plan, whether transit traverses the intersection, and the adjacent land uses or nearby activity centers that may generate high levels of walking, biking, and transit riders.

L 5.02

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner

file: CMP/Environmental Review Opinions/2014

L5 Tess Lengyel, Deputy Director of Planning and Policy, Alameda County Transportation Commission; March 21, 2014 (2 pages)

- L 5.01 Transportation/Bicycle and Pedestrian Access--Draft EIR needs to be more explicit in explaining why widening some intersections would create an unacceptable impact on bicycles and pedestrians while widening others would not.

Response: Some impacted intersections and roadway segments cannot be widened as mitigation due to right-of-way constraints and impacts to other modes, including bicycle and pedestrian facilities. Further details regarding this conclusion have been added to Draft EIR Mitigation 18-1. The revised EIR pages are included in section 3 (Draft EIR Revisions) of this Final EIR. No additional changes to the Draft EIR are required.

- L 5.02 Transportation/Bicycle and Pedestrian Access--City should include factors such as whether intersections are on the Countywide Bicycle Network or within Countywide Pedestrian Plan-identified areas of Countywide Significance, nearby activity centers or adjacent land uses that generate high levels of walking, bicycles, and transit riders, and proximity of transit to the intersection when determining impacts on bicycles and pedestrians from intersection widening.

Response: The information and analysis in Draft EIR Mitigations 18-1 and 18-2 have been revised to reflect the comment. The revised EIR pages are included in section 3 (Draft EIR Revisions) of this Final EIR. No additional changes to the Draft EIR are required.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

March 21, 2014

Sara Buizer
City of Hayward
777 B Street
Hayward, CA 94541

Subject: 2040 General Plan
SCH#: 2013082015

Dear Sara Buizer:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 20, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

L 6.01

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

L 6

SCH# 2013082015
Project Title 2040 General Plan
Lead Agency Hayward, City of

Type EIR Draft EIR
Description The City of Hayward 2040 General Plan represents the community's view of its future and expresses the community's conservation and development goals for the next 26 years (2014-2040). Some of the City's post-2002 planning efforts that have helped guide the new General Plan process include the Bicycle Master Plan, South Hayward BART/Mission Boulevard Form-Based Code, Draft Mission Boulevard Corridor Specific Plan and Form-Based Code, and Route 238 Bypass Land Use Study. The new 2040 General Plan addresses sustainability, preservation and maintenance of distinct neighborhood characteristics, and the fostering of complementary and innovative infill and redevelopment opportunities.

Lead Agency Contact

Name Sara Buizer
Agency City of Hayward
Phone 510 583 4191 **Fax**
email
Address 777 B Street
City Hayward **State** CA **Zip** 94541

Project Location

County Alameda
City Hayward
Region
Lat / Long 37° 40' 17" N / 122° 5' 6" W
Cross Streets city limits + Sphere of Influence

Parcel No.	Township	Range	Section	Base
-------------------	-----------------	--------------	----------------	-------------

Proximity to:

Highways SR-92, 185, I-880, 580, 238
Airports Hayward Executive Airport
Railways UPRR, Amtrak, BART
Waterways SF Bay, San Lorenzo Ck, Alameda Ck + tributaries
Schools Hayward Unified, others
Land Use Various mix of residential/ mixed use, commercial, industrial, public, and open space designations

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Cal Fire; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 4; Air Resources Board; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 02/04/2014 **Start of Review** 02/04/2014 **End of Review** 03/20/2014

L6 Scott Morgan, Director, State of California, Governor's Office of Planning and Research;
March 21, 2014 (2 pages)

- L 6.01 Draft EIR Review Period--“This letter acknowledges that [the City] has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.” The State Clearinghouse letter also attached the Caltrans letter (March 20, 2014), which is included as Letter L 7 in this Final EIR.

Response: The Governor’s Office of Planning and Research - State Clearinghouse helped distribute the Draft EIR as part of its responsibilities under the California Environmental Quality Act (CEQA). Please see upcoming Letter 7, which was sent to the Clearinghouse by Caltrans in response to the Draft EIR.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711

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March 20, 2014

Ms. Sara Buizer, AICP
Development Services Department
City of Hayward
777 B Street
Hayward, CA 94541

Dear Ms. Buizer:

City of Hayward 2040 General Plan – Draft Environmental Impact Report and Policy Document

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the City of Hayward 2040 General Plan (Plan). The following comments are based on the Draft Environmental Impact Report (DEIR) and Policy Document (PD).

Impacts to State Facilities

The proposed General Plan update will significantly impact the State Highway System (SHS). However, the DEIR states that these impacts are significant and unavoidable. Specifically, Mitigation Measures 18-1-b, 18-1-g and 18-2-b stated to be infeasible since they would be subject to the review and approval of other jurisdictions and not solely under the City of Hayward (City). However, we strongly encourage the City to begin coordination efforts with the various agencies that have jurisdiction at these locations and implement these necessary mitigation measures. In addition, the City should collect fair share contributions from new developments to fund the cost of the improvements, and plan for their implementation.

L 7.01

Traffic Diagrams

To fully evaluate impacts to the SHS, please provide us with a trip generation table, turning traffic diagram under Project/General Plan Only Conditions, 2040 Cumulative, 2040 Cumulative plus Project/General Plan Conditions for our review.

L 7.02

Traffic Model Data

Please provide Sychro data files (or other modeling data) for all scenarios for our review.

L 7.03

Regional Transportation Coordination

As the owner and operator of the SHS within the City, it is critical for the City to coordinate with Caltrans in the early stages of transportation planning. Under Goal M-2 on page 3-77 of the PD, please include Caltrans as one of the agencies for regional transportation coordination. The City

L 7.04

should encourage the establishment of a Regional Transportation Impact Fee program to fund improvements to regionally significant roadways.

Multi-Jurisdictional Transportation Corridors

Under M-2.3 on page 3-77 of the PD, please coordinate with Caltrans to develop multi-modal solutions to enhance the regional transportation system. We look forward to working with the City to develop innovative multi-modal programs and projects that would increase safety, mobility and sustainability on regional corridors.

L 7.05

Level of Service

Under M-4.3 on page 3-81 of the PD, mitigation measures should not advance roadway capacity expansion (i.e. add or widen lanes) as the only solution. In addition to increasing roadway capacity, there are alternative methods to manage the operations of the existing local and State roadways. M-4.4 notes examples of system management strategies that could also include ramp metering, High Occupancy Toll lanes, and other Intelligent Transportation System tools. Under project-level analysis, impacts should only be considered *Significant and Unavoidable* after a wider range of management tools and other strategies have been examined.

L 7.06

Transportation Demand Management (TDM) Program

In addition to M-8.2 Citywide TDM Plan, the City should develop a funding program that allows project proponents to contribute into the Citywide TDM Plan in lieu of paying for transportation improvements that only benefit auto vehicles. This will reduce unnecessary roadway expansion and provide continuous funding for the Citywide TDM Plan.

L 7.07

Further, although the DEIR and PD encourage the use of TDM programs to reduce vehicular impact, please discuss how and who will monitor the effectiveness of these TDM programs. If vehicle reduction targets are not achieved, what are some additional measures the City of can take to ensure these targets are met?

L 7.08

Parking

Under M-9.2 Parking Reduction on page 3-90, Caltrans recommends the City consider reducing parking requirements for developments that will contribute to the construction and/or operation of non-vehicular improvements (i.e. bike lane improvements) since these improvements will likely reduce auto-dependency within the project vicinity.

L 7.09

Goal 9 Parking in the PD should encourage Shared Parking between various uses to reduce the number of underutilized parking spaces.

L 7.10

Ms. Sara Buizer /City of Hayward
March 20, 2014
Page 3

L7

Should you have any questions regarding this letter, please call Yatman Kwan, AICP of my staff at (510) 622-1670.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

L7 Erik Alm, AICP, District Branch Chief, Local Development-Intergovernmental Review, State of California, Department of Transportation (Caltrans); March 20, 2014 (3 pages)

- L 7.01 Transportation--For mitigations (improvements) requiring approval of other jurisdictions or agencies, City should begin the coordination process. City should collect fair-share contributions from new development to fund improvements.

Response: City staff recognizes that Draft EIR Mitigations 18-1(b), 18-1(g), and 18-2(b) would require coordination with other agencies, including Caltrans. City staff also recommends modifying General Plan Mobility Element goals and policies to include coordination with Caltrans, and adding a new Implementation Program to address transportation impacts of future development.

Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

- L 7.02 Transportation--Caltrans requests the trip generation table and turning traffic diagrams under the project/general plan only conditions, 2040 cumulative, and 2040 cumulative plus project/general plan conditions.

Response: As noted in Draft EIR chapter 18 (Transportation and Circulation), section 18.2.2 (Analysis Methodology), traffic projections were developed using the Alameda CTC Countywide travel demand model and, as a result, trip generation was not based on standard ITE rates. Instead, trip generation was based on socio-demographic inputs that compute trips using MTC trip generation procedures. Tables showing the daily trip productions and attractions for all Hayward traffic analysis zones for 2035 Cumulative No-Project and 2035 Cumulative Plus Project/General Plan conditions are included in additional technical appendix material provided to Caltrans. In the same appendix material, turning volume graphics have been provided to Caltrans which use the intersection level of service output format from the Traffix software for 2035 Cumulative No-Project and 2035 Cumulative Plus Project/General Plan conditions.

- L 7.03 Transportation--Caltrans requests the Synchro data files (or other modeling data) for all scenarios.

Response: The intersection level of service computer file using the Traffix version 8.0 software has been provided to Caltrans as part of the additional technical appendix.

- L 7.04 Transportation--Need to include Caltrans under agencies for regional transportation coordination in the Policy Document (see Goal M-2). Also, the City should encourage establishment of a Regional Transportation Impact Fee program for regionally significant roadway improvements.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. City staff recommends modifying General Plan Mobility Element goals and policies to include coordination with Caltrans, and adding a new Implementation Program to address transportation impacts of future development.

Please refer to “City of Hayward Responses to Policy-Related Comments,” the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

- L 7.05 Transportation--The City should coordinate with Caltrans in developing multi-modal programs for regional transportation system enhancements (see Policy M-2.3 in the Policy Document).

Response: See response to comment L 7.04.

- L 7.06 Transportation--The City should consider other methods for managing existing local and state roadway operations, including, without limitation, system management strategies such as ramp metering, high occupancy toll lanes, and other Intelligent Transportation System tools.

Response: See response to comment L 7.04.

- L 7.07 Transportation--The City should develop an alternative funding program that allows contributions from projects instead of typical contributions to the City's Transportation Demand Management Plan (TDM). This alternative funding program would be used for transportation improvements beneficial to a range of transportation modes.

Response: See response to comment L 7.04.

- L 7.08 Transportation--Who will monitor TDM effectiveness and how? What measures will the City take if vehicle reduction targets are not met?

Response: See response to comment L 7.04.

- L 7.09 Transportation--The City should reduce parking requirements for developments that contribute to the construction or operation of non-vehicular improvements such as bicycle lanes.

Response: See response to comment L 7.04.

- L 7.10 Transportation--Goal M-9 in the Policy Document should be revised to encourage Shared Parking use as a means of reducing the number of underutilized parking spaces.

Response: See response to comment L 7.04.

From: Sherman Lewis [mailto:sherman.lewisiii@gmail.com] **On Behalf Of** Sherman Lewis
Sent: Friday, March 21, 2014 5:56 PM
To: Sara Buizer
Subject: Comments on Draft General Plan Policy Document



March 21, 2014

To: Sara Buizer. Senior Planner
 From: Sherman Lewis, President, HAPA
 Re: Comments on Draft General Plan Policy Document

I put many ideas on the city' Hayward 2040 Forum. On 4/29/2013 you asked what ideas I was referring to and I sent you a link to the Forum, <http://www.hayward2040.org/user/56237>. On November 26, 2013, the City Clerk forwarded to you "Ideas for Hayward," which further developed the ideas. I attach to this email an update, Ideas for Hayward.docx of February 22, 2014. "Policies proposed" below refers to Ideas for Hayward.

I have reviewed the Draft General Plan using PDF advanced search to look for some discussion of the policies proposed.

Better Access to CSUEB Hayward: No discussion of Pioneer Way. **L 8.01**

The Beeline Bus: No discussion of the ideas presented. 23 references to CSUEB, with only a reference to enhanced transit. **L 8.02**

Bayview Quarry Village: no reference to this or old Bee quarry development. **L 8.03**

Green Redevelopment on Mission Blvd.: Discussion of Mission Blvd corridor with smart growth policies and implicit continued auto dependency, no discussion of policies proposed, continued use of wide streets and subsidized parking, low rise buildings, and unrealistic expectations of commerce. **L 8.04**

Pedestrian access to CSUEB Hayward campus: No consideration of the idea presented. 97 references to pedestrians, generally generic policies without locational specificity. There are **L 8.05**

references to a network but I could not find a map of a real network.

Code Enforcement and Fairway Park: There are references to blight and crime, but the actual locations are not identified. The 3 item list at p. 3-114 is good but it's not just about fire hazards and there are no details about a program.

L 8.06

South Hayward BART Area (more at <http://brucebarrett.com/hapa/>, click on South Hayward Alt Access Planning): 20 references, no discussion of ideas submitted. The new form code and smart growth are better than past practice but fall far short of what is needed, starting with the anti-pedestrian anti-commercial land use at the station exit and continuing commitment to a parking structure.

L 8.07

Green Shutter Hotel and B St.: 105 references to downtown and none to the Green Shutter nor to social problems on B St. or downtown in general. The problem is that social issues hinder achieving the goals for downtown and are not discussed. The City is actually doing more than the Plan Update talks about.

L 8.08

Access to Downtown: No reference to the policies proposed. The Loop has excessive pavement, circularity problems, high speeds, merge problems, and preempted surface parking, which are blocking downtown retail development.

L 8.09

Parking Fee Pilot Projects: The Downtown Parking Management Plan is a step in the right direction but lacks needed specificity, hopefully to be fixed by the plan.

L 8.10

Downtown Redevelopment, The Boulevard, Hotel Convention Center: No reference to the policies proposed. The plan has three vague references to opportunity sites, but promotion of such redevelopment lacks city policies for sustainable mobility, which in effect goes against the commitments of the Climate Action Plan. There is also no evidence that the City is being economically realistic in how much development, and what kind, it can get. For growth and sustainability, the City need more housing and fewer cars. The conflict over the Boulevard proposal shows that the city as of yet does not have a policy clear enough for developers to know what they should do. The policies presented for Boulevard-type projects have not been considered.

L 8.11

BART Taxi Stand: No consideration of the ideas presented.

L 8.12

Fourth Street extension: No consideration of the ideas presented.

L 8.13

Home energy audits and energy upgrades: No consideration of the idea presented. 161 references to energy, with some useful ideas.

L 8.14

Apartment energy and waste: The update has no discussion of rental apartments, which have many problems and solutions proposed in what was submitted, but may be covered in the Housing Element, which I have not yet looked at.

L 8.15

Parking for Sustainability: 145 references, but contradictory policies. There is a useful reference to unbundling on p. 3-91 but no mention of the need to repeal city zoning policy which requires bundling. On the same page is policy support for subsidized parking structures, an anti-sustainability policy. Parking structures are also supported on p. 3-50. Parking structures are subsidized because no one will pay the actual cost of a space to park in one. The Downtown Parking Management Plan has many good ideas, including market charges, which are necessary to avoid under-charging or over-charging. **L 8.16**

Short corridor Development: No consideration of the ideas presented despite relevance for Mission Corridor. **L 8.17**

Green Smart Growth: No consideration of reviewing downtown housing or net zero, but some consideration of energy efficiency **L 8.18**

Electricity: The Update does propose taking first steps for Community Choice Aggregation.. **L 8.19**

Toilets: No consideration of the ideas presented. **L 8.20**

Arts, Music and History: No consideration of the ideas presented, only vision statements. **L 8.21**

Libraries: No discussion of the new main library but a policy to find funds to build it. **L 8.22**

Recreational trails: No consideration of the ideas presented. Trail policies are nice but vague. **L 8.23**

--

Sherman Lewis, Professor Emeritus, CSU Hayward
President, Hayward Area Planning Association
[510-538-3692](tel:510-538-3692) sherman@csuhayward.us
2787 Hillcrest Ave. Hayward CA 94542

L8 Sherman Lewis, President, Hayward Area Planning Association; March 21, 2014 (3 pages)

- L 8.01 Transportation--Need better access to California State University East Bay; the General Plan does not discuss Pioneer Way.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

- L 8.02 Transportation--Need better discussion of transit; General Plan has only one reference to enhanced transit.

Response: See response to comment L 8.01.

- L 8.03 Land Use--Need discussion of Bayview Quarry Village and the old Bee quarry development in the General Plan.

Response: See response to comment L 8.01.

- L 8.04 Land Use--Need better discussion of Mission Boulevard corridor development "Smart Growth" policies.

Response: See response to comment L 8.01.

- L 8.05 Transportation--Need discussion of enhanced pedestrian opportunities, particularly with respect to access to California State University East Bay.

Response: See response to comment L 8.01.

- L 8.06 Community Safety--Locations of blight and crime not identified; need a more detailed program for code enforcement.

Response: See response to comment L 8.01.

- L 8.07 Land Use--Though smart growth policies are a good start, the South Hayward BART Station area site plan needs to be revised to ensure more focus on pedestrian access and transit-oriented/commercial development.

Response: See response to comment L 8.01.

- L 8.08 Land Use/Cultural and Historic Resources--Need further discussion of social problems in the downtown area and City's programs that respond to them; need

discussion of importance of preserving and rehabilitating older buildings such as the Green Shutter.

Response: See response to comment L 8.01.

L 8.09 Transportation--Downtown circulation approach emphasizes automobile use and limits retail potential.

Response: See response to comment L 8.01.

L 8.10 Transportation/Parking--The General Plan should include actions to address the lack of specificity in the Downtown Parking Management Plan.

Response: See response to comment L 8.01.

L 8.11 Land Use--The City needs to establish a clear policy for development in the downtown area that balances residential and commercial development and achieves sustainable growth and mobility.

Response: See response to comment L 8.01.

L 8.12 Mobility--The BART station taxi stand should be relocated, and fare information should be clearly posted.

Response: See response to comment L 8.01.

L 8.13 Mobility--Fourth Street should be widened and extended from D Street to E Street with a bridge constructed to cross Sulfur Creek.

Response: See response to comment L 8.01.

L 8.14 Energy--Need discussion of land use and transportation relationships to City climate and sustainability needs, price reform approaches for energy efficiency, and how people can be involved in energy decisions.

Response: See response to comment L 8.01.

L 8.15 Energy/Utilities--Need discussion on how to make apartment buildings more energy efficient and sustainable, including solid waste generation and disposal.

Response: See response to comment L 8.01.

L 8.16 Transportation/Parking--Inconsistent parking policies should be revised to conform with the Downtown Parking Management Plan and reflect City goals for sustainability.

Response: See response to comment L 8.01.

- L 8.17 Land Use/Sustainability--No discussion of how City can use "short corridors" to achieve sustainability goals, in particular the Mission Corridor.
- Response:* See response to comment L 8.01.
- L 8.18 Land Use/Sustainability--Need performance review of existing Smart Growth policies and a discussion of energy efficient policy options for housing.
- Response:* See response to comment L 8.01.
- L 8.19 Energy--The General Plan includes policies that promote energy independence, efficiency, and sustainability, including consideration of Community Choice Aggregation.
- Response:* See response to comment L 8.01.
- L 8.20 Water--Should discuss encouraging the use of water-conserving toilets to reduce need for future expansion of wastewater facilities.
- Response:* See response to comment L 8.01.
- L 8.21 Health and Quality of Life--Should consider expanding the role of art, music, and history into the community, especially through increased use of volunteers and, as appropriate, grant seeking.
- Response:* See response to comment L 8.01.
- L 8.22 Public Facilities and Services--Policy discussion of a new main library is absent; only a discussion that the City will seek funds for construction.
- Response:* See response to comment L 8.01.
- L 8.23 Recreational Facilities--City should create more trails and ultimately connect the Bay Trail to the Bay Ridge Trail.
- Response:* See response to comment L 8.01.

Hayward 2040 General Plan website (Hayward2040.org)

L 9 Commenter's Name: Ruddel O. (February 5, 2014)

- L 9.01 I read the Introduction and several sections of the DRAFT General Plan today. I was pleased with everything that I saw, but disappointed in the level of innovative or new approaches to some of Hayward's challenges. It makes me wonder if the firm you had helping to draft the plan did any research into leading edge practices around the country that have been proven successful in comparable towns and cities like Hayward. Otherwise, it seems like a very short term General Plan, filled with existing normal responses to our challenges, i.e., a 5 year plan, not a 40 YEAR plan! Let's hope future updates will be more visionary and take advantage of "leading edge" technology, urban models and governance.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

L 10 Commenter's Name: JoAnn C. (February 7, 2014)

- L 10.01 Comments to Section 3 Mobility. Not enough emphasis on encouraging more walking and bicycling. This section seems to be the "same old, same old". The map doesn't depict many new bike lanes to be created by 2040 within the areas primarily designated residential. They are sorely needed.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

- L 10.02 The one obstacle to walking that is not mentioned is safety. Many people don't walk much because they're afraid for their personal safety. How will that issue be addressed? This would be especially true in the downtown area, where there are still some pretty shady characters wandering around harassing people.

Response: See response to comment L 10.01.

- L 10.03 Car-sharing is great, if we have enough market to support it. (I am already a zip car member & have used it in SF.) I'd get rid of my car completely if: we had enough

stations around town to where I could borrow a car if I needed one, and the walking, biking, and transit options were improved.

Response: See response to comment L 10.01.

L 10.04 The airport is a great asset for the City; let's make sure that we utilize it to its full potential.

Response: See response to comment L 10.01.

L 11 Commenter's Name: JoAnn C. (February 7, 2014)

L 11.01 My Comments to the Draft General Plan: I've read the whole document, and can honestly say that I am generally pretty pleased with it. There is enough room in the document to allow us to be creative and innovative and make our city a great place to live and/or work; however, this also allows for "business as usual", or to continue just kicking the can down the road. My hope is that the City will implement it in the spirit of those concepts and ideas that have been submitted by the residents.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same.

L 12 Commenter's Name: Mathias V. (March 25, 2014)

L 12.01 It must consider the effect of low income Housing . . .Or the effect of High Density Housing on the Hayward safety and culture 15 years hence. Will it be more policing or a functional well educated work force. Look at Oakland.

Response: The comment pertains to City of Hayward 2040 General Plan policy, not to the content or adequacy of the EIR. Please refer to "City of Hayward Responses to Policy-Related Comments," the companion document prepared by the City which responds to policy-related comments. This document is available at the City of Hayward 2040 General Plan website at:

<http://www.hayward-ca.gov/GENERALPLAN/>

The impact and mitigation conclusions in the Draft EIR remain the same. Draft EIR chapter 17 (Public Services, Police Protection, including Table 17.1) discusses safety.

3. DRAFT EIR REVISIONS

The following section includes all revisions to the Draft EIR made in response to comments received during the Draft EIR comment period. All text revisions are indicated by strike-through and underlining plus a bracket in the left margin next to the revised line(s). All of the revised pages supersede the corresponding pages in the February 2014 Draft EIR. None of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) indicating the need for recirculation of the February 2014 Draft EIR has been met as a result of the revisions. In particular:

- no new significant environmental impact due to the project or due to a new mitigation measure has been identified;
- no substantial increase in the severity of an environmental impact has been identified; and
- no additional feasible project alternative or mitigation measure considerably different from others analyzed in the Draft EIR has been identified that would clearly lessen the significant environmental impacts of the project.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>proposed General Plan could involve siting of sensitive receptors near major roadways or near major stationary sources of TAC and PM_{2.5} emissions, as well as the siting of potential new sources of these emissions. Such actions could increase community health risk exposure associated with these emissions. While the proposed General Plan contains a Community Risk Reduction Strategy consisting of goals, policies, implementation programs, and specific BMPs to reduce these risks, the effectiveness of the Strategy in reducing health risk exposure cannot be quantified at this time. Therefore, impacts associated with health risk exposure to TACs and PM_{2.5} would be a significant impact.</p>		<p>7.10 above), would further reduce impacts associated with health risk exposure to TACs and PM_{2.5}, as part of the Community Risk Reduction Strategy. While the above-referenced source-reduction and receptor-oriented measures and BMPs would reduce health risk exposure, the overall effectiveness of these measures and BMPs in reducing communitywide health risk exposure cannot be quantified at this time, due to lack of quantification methodology and/or limited research on their effectiveness. There are no additional mitigation measures that would substantially reduce community health risk exposure to TACs and PM_{2.5}. All feasible risk reduction measures and BMPs have been incorporated into the Community Risk Reduction Strategy contained within the proposed General Plan. Therefore, this impact would remain significant and unavoidable.</p>		

NOISE

Impact 15-1: Short-Term Construction Noise Levels. Implementation of projects under the proposed General Plan would involve construction that would result in temporary noise generation primarily from the use of heavy-duty construction equipment. Based on modeling for typical construction activities, short-term construction-generated noise could exceed applicable standards. This would represent a **significant impact**.

S

Mitigation 15-1. The proposed General Plan includes Goal HAZ-8; ~~and~~ Policies HAZ-8.17, HAZ-8.20, ~~and~~ HAZ-8.21, and HAZ-8.24; and Implementation Program HAZ 7, which establish the overall goal and intentions of the City with regards to construction-related noise. Policy HAZ-8.17 refers to a community noise control ordinance for the purposes of regulating community noise levels. The City has adopted Section 4-1.03.4 of the Municipal Code

City

LS

-
- S = Significant
 - LS = Less than significant
 - SU = Significant unavoidable impact
 - NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		(Construction and Alteration of Structures; Landscaping Activities), which		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>states that individual devices/pieces of construction equipment are not to exceed 83 dB at a distance of 25 feet from the source and 86 dB at any point of the property plane Monday through Saturday from 7:00 AM to 7:00 PM and Sundays from 10:00 AM to 6:00 PM, “unless otherwise provided pursuant to a duly-issued permit or a condition of approval.” Thus, while the code establishes specific standards to reduce construction noise from typical construction activities, it may not apply to all development projects requiring discretionary approval. <u>However, Policy HAZ-8.24 establishes the City’s intent to develop specific construction noise standards, and Implementation Program HAZ-7 would result in the preparation and adoption of a Construction Noise Control Ordinance that would apply to all construction projects, including discretionary projects.</u></p> <p>Policy HAZ-8.20 establishes that a site-specific noise study may be required by the City for discretionary projects requiring land use entitlements. In addition, Policy HAZ-8.21 establishes limits on construction noise-generating activities to the less sensitive times of the day, when people are less likely to be disturbed.</p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>While a Adoption of these proposed General Plan policies <u>and implementation program could reduce potential impacts, these policies would not fully prevent ensure that</u> exposure of sensitive receptors located near construction activities to excessive noise levels <u>would be avoided or reduced to.</u> Some construction projects could still be approved that would not be subject to specific noise studies or be required to reduce construction noise levels.</p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>Impact 15-2: Long-Term Traffic Noise Levels. Implementation of the proposed General Plan would increase noise levels along transportation routes with nearby sensitive receptors. Proposed policies would establish noise standards for new development and require that site-specific noise studies be conducted to reduce noise exposure. However, in some instances, traffic-related noise increases could be more than 3 dB, the level typically audible to the human ear and ^{7.3} therefore, considered a substantial increase in noise. This would represent a significant impact.</p>	S	<p>Therefore, this impact would remain significant and unavoidable. a less-than-significant level.</p> <p>Mitigation 15-2. The implementation of the proposed policies and standards included in Tables 15.5 and 15.6 above would require all new development to comply with the City’s noise standards, noise mitigation procedures, and sensitive land use siting policies. The proposed policies would require new projects to evaluate noise exposure and provide mitigation measures, if applicable, to reduce noise exposure at sensitive land uses and meet noise standards for the specific project type. Therefore, conducting project-level noise studies to comply with adopted noise standards would ensure that individuals are not exposed to excessive noise levels.</p> <p>Although adoption of the proposed policies would ensure that new development would comply with adopted noise standards and, therefore, would not expose new receptors to excessive noise levels, the proposed General Plan would still result in increases in traffic-related noise (i.e., increases of 3 or more dB and up to 15 dB in some areas of the City). As a result, project-generated increases in noise would result in a substantial permanent increase in community noise levels that could adversely affect existing receptors.</p>	City	SU

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 - NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>Much of the City is already built out, and anticipated growth under the proposed General Plan is expected to occur as infill, primarily in PDAs located near transit stations, in the City's downtown, and along major corridors. The ability of the City to reduce adverse effects of increased traffic noise on existing receptors by either constructing sound barriers or walls, or requiring new development to construct these sound walls, is constrained by a number of factors. First, many existing homes and other sensitive uses front on major traffic corridors from which the increased traffic noise is generated, and construction of new sound walls would be infeasible or incompatible with these developed uses. Second, the proposed General Plan contains Policy LU-4.10 (New Sound Walls and Fences), which discourages the construction of new sound walls and fences along corridors, and encourages new developments to front corridors whenever feasible. There are no additional, feasible measures or policies that would reduce this impact. Therefore, this impact would remain significant and unavoidable.</p>		
TRANSPORTATION AND CIRCULATION				
<p>Impact 18-1: Project Intersection Impacts. Under the 2035 Project condition, implementation of the proposed General Plan would result in traffic volumes that exceed the City standard for intersection performance.</p>	S	<p>Mitigation 18-1. Make the following intersection improvements:</p> <p>(a) Intersection 13: NB I-880 Ramps / Whipple Road-Industrial Parkway SW. Widen</p>	City	LS

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 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>According to City guidelines, this change due to the proposed General Plan would potentially constitute a <i>'considerable' project contribution to the significant cumulative impact.</i></p>		<p>to convert northbound shared through-right lane to separate northbound right turn lane and a northbound through lane. <u>This may require additional right of way of approximately 12 feet.</u></p> <p>Implementation of this mitigation would reduce conditions to LOS E with 64.5 seconds of delay during the PM peak hour and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p><u>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.</u></p> <p><u>These improvements to the ramp intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, the mitigation would require coordination with these jurisdictions for implementation. The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these</u></p>		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>mitigations need to be implemented. The proposed mitigations are considered to be feasible after a determination is made for fair share contribution and coordination with Caltrans and other jurisdictions as applicable. The impact is considered to be less-than-significant.</u></p> <p>(b) Intersection 18: Industrial Boulevard / WB SR 92 ramps – Cryer St.</p> <p>(1) Widen to add second northbound left turn lane (which could be done with striping if 10 foot lanes allowed);</p> <p>(2) Add second receiving lane on on-ramp (ramp would need reconfiguring).</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 57.2 seconds of delay during the AM peak hour and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</p> <p><u>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection, and mitigation would require coordination with AC Transit to</u></p>	City	SU_LS

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 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>ensure there are no impacts to bus stop locations and bus service.</u></p> <p>These improvements to the on-ramp <u>intersection</u>, would be subject to the review and approval of other jurisdictions, <u>including Caltrans</u>, and not solely under the jurisdiction of the City of Hayward; therefore, the mitigation <u>would require coordination with other jurisdictions. The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after a determination is made for fair share contribution and coordination with Caltrans, AC Transit, and other jurisdictions as applicable. The impact is considered to be less-than-significant is considered to be infeasible, and the impact is considered to be significant and unavoidable.</u></p>		

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 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>_____</p> <p>_____</p> <p>_____</p>		<p>(c) Intersection 21: Hesperian Boulevard / Industrial Parkway.</p> <p>(1) Widen to convert the northbound through-right lane to a third northbound through (NBT) lane and one northbound right (NBR) lane; <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(2) Widen to convert eastbound through-right lane (EBTR) to second eastbound thru (EBT) lane and one eastbound right (EBR) lane; <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(3) Widen to convert southbound through-right (SBTR) to one southbound through (SBT) lane and one southbound right (SBR) lane; <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(4) Add overlap phasing at NBR, EBR, SBR, and WBR movements.</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 75.7 seconds of delay during the PM peak hour and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p><u>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location.</u></p>	City	LS

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 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>which does not support the proposed General Plan policies and programs supporting alternative modes.</u></p> <p><u>In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection. Mitigation would require coordination with Alameda County and AC Transit to ensure there are no impacts on the bicycle network, pedestrian amenities, bus stop locations, and bus service.</u></p> <p><u>The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County and AC Transit. The impact is considered to be less-than-significant.</u></p>		
		<p>(d) Intersection 22: Santa Clara Street / Jackson Street.</p> <p><u>(1) Widen to add a 4th westbound through lane (WBT); this will require approximately 12 feet of additional right of way.</u></p>	City	SU

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 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>(2) Widen to add a 2nd eastbound left turn lane (EBLT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(3) Widen to add a 2nd northbound through lane (NBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(4) Widen to add a 2nd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</u></p>		
		<p><u>Implementation of these improvements would mitigate both Project level and Cumulative level impacts, and improve conditions to LOS E with 66.9 seconds of delay during the AM peak hour, and LOS E with 91.0 seconds of delay during the PM peak hour. The mitigations would reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p>		
		<p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions or return the operations to the No Project condition. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the</p>		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>proposed General Plan policies and programs supporting alternative modes. <u>These improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward. At this time, these measures are considered to be infeasible, and As a result this the</u> impact is considered to be significant and unavoidable.</p> <p>(e) Intersection 23: Santa Clara Street / Winton Avenue.</p> <p>(1) Widen to reconfigure northbound approach to 2 northbound left (NBL), 1 northbound through (NBT), and 1 northbound shared through-right (NBTR); <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(2) Widen to reconfigure southbound approach to 1 southbound left (SBL), 2 southbound through (SBT), and 1 southbound right (SBR); <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(3) Widen to reconfigure westbound approach to 1 westbound left (WBL), 2 westbound through (WBT), 1 westbound shared through-right (WBTR); <u>this will require approximately 12 feet of additional right of way.</u></p>	City	LS

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 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>(4) Add overlap on all signal phases except for the northbound-right (NBR) phase.</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 75.2 seconds of delay during the PM peak hour and reduce the impact to <i>less-than-significant</i> with the new General Plan Policy of allowing LOS E.</p> <p><u>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.</u></p> <p><u>In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection. Mitigation would require coordination with Alameda County and AC Transit to ensure there are no impacts on the bicycle network, pedestrian amenities, bus stop locations, and bus service.</u></p>		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County and AC Transit. The impact is considered to be <i>less-than-significant</i>.</u></p> <p>(f) Intersection 25: Santa Clara St / West A St.</p> <p>(1) Widen to add exclusive northbound right (NBR) at least as far back as Amador Way</p>	City	LS

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>and widen to have dual left, convert northbound shared through-right (NBTR) to northbound through (NBT) resulting in 2 northbound left (NBL) lanes, 2 northbound through (NBT) lanes, and one northbound right (NBR); <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(2) Add second eastbound left (EBL) lane; <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(3) Add another southbound through (SBT) lane; <u>this will require approximately 12 feet of additional right of way.</u></p> <p>(4) Add overlap for right turns on all signal phases).</p>		
		<p>Implementation of this mitigation would reduce conditions to LOS D with 50.4 seconds of delay during the PM peak hour and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p>		
		<p><u>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection is located on the Alameda Countywide Bicycle</u></p>		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>network; mitigation would require coordination with Alameda County to ensure there are no impacts to the bicycle network.</u></p> <p><u>The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County. The impact is considered to be less-than-significant.</u></p>		
		<p>(g) Intersection 31: Foothill Blvd / Mattox Rd.</p> <p>(1) Reconfigure the southbound (SB) off-ramp lanes to 2 southbound left (SBL) lanes, 3 southbound through (SBT) lanes, and 1 southbound right (SBR);</p> <p>(2) Add overlaps for SBR and northbound right (NBR).</p> <p>Implementation of this mitigation would reduce conditions to LOS F with 90.7 seconds of delay during the AM peak hour and to LOS E with 76.9 seconds of delay during the PM peak hour, which returns the operations to better than the</p>	City	SU

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 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		No Project condition. However, additional significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.		
		<u>This intersection is under the jurisdiction of Alameda County. In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan.</u>		
		These improvements to the intersection would be subject to coordination with and approval of Alameda County, and this intersection is not solely under the jurisdiction of the City of Hayward; therefore, the mitigation is <u>At this time, these measures are</u> considered to be infeasible, and the impact is considered to be significant and unavoidable .		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>Impact 18-2: Cumulative Intersection Impacts. Future growth in Hayward and the region would result in substandard intersection LOS under 2035 conditions with or without the project. According to the significance thresholds, these changes constitute a significant cumulative impact.</p>	S	<p>Mitigation 18-2. Make the following intersection improvements:</p> <p>(a) Intersection 2: Mission Boulevard / A Street.</p> <p><u>(1) Widen to add a 4th westbound left turn lane (WBL);</u> <u>(2) Widen to add a 2nd westbound through lane (WBT);</u> <u>(3) Widen to add 2 exclusive westbound right turn lanes (WBR)</u> <u>(4) Widen to add a 2nd southbound through lane (SBT)</u> <u>(5) Widen to add a 3rd eastbound left turn lane (EBL)</u> <u>(6) Optimize signal cycle length to 115 seconds.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS E with 65.1 seconds of delay during the AM peak hour, and LOS E with 61.6 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p> <p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way</p>	City	SU

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection.</u></p> <p><u>The City has implemented Intelligent Transportation Systems (ITS) strategies at this location, including signal coordination and adaptive traffic control systems using the Sydney Coordinated Adaptive Traffic Systems (SCATS) system. These strategies could help to improve conditions and reduce impacts. However, at this time, the additional required measures are considered to be infeasible, and the</u>As a result<u>this impact is considered to be significant and unavoidable.</u></p>		

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 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>(b) Intersection 6: SB I-880 Ramps / A Street. Reconfigure eastbound approach to 1 eastbound through (EBT) lane, 1 eastbound through-right (EBTR) lane, and 1 right (EBR) lane and optimize signal timings. Implementation of this mitigation would reduce conditions to LOS E with 79.7 seconds of delay during the AM peak hour and LOS E with 77.8 seconds of delay during the PM peak hour, and would reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E. These improvements to A Street would be subject to the review and approval of other jurisdictions, <u>including Caltrans</u>, and not solely under the jurisdiction of the City of Hayward; therefore, <u>until Caltrans (and other jurisdictions as applicable) approve the mitigation</u>, the mitigation is considered to be infeasible, and the impact is considered to be significant and unavoidable.</p>	City	SU
		<p>(c) Intersection 8: Mission Boulevard / Carlos Bee Boulevard. Optimize signal cycle length to 115 seconds. Implementation of this mitigation would reduce conditions to LOS E with 73.8 seconds of delay during the PM peak hour and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</p>	City	LS

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>(d) Intersection 11: Mission Boulevard / Industrial Parkway.</p> <p><u>(1) Widen to add a 3th southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Restripe the southbound shared through-right lane as a southbound right turn lane (SBR).</u></p> <p><u>(3) Optimize signal cycle length to 115 seconds.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS E with 79.3 seconds of delay during the AM peak hour, and LOS E with 57.5 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p> <p>There is no feasible mitigation for this impact. The signal cycle length could be optimized to 115 seconds; this mitigation would reduce conditions to LOS E with</p>	City	SU

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 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>74.8 seconds of delay during the PM peak hour, but the AM peak hour would remain at LOS F with 128.1 seconds of delay. Significant improvements would be required to maintain LOS E conditions during the AM peak hour. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</u></p> <p>At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be significant and unavoidable.</p> <p>(e) Intersection 12: Industrial Parkway SW / Industrial Parkway.</p> <p><u>(1) Restripe the westbound shared through-right lane as a westbound right turn lane (WBR).</u></p> <p><u>(2) Widen to add 2nd and 3rd westbound through lanes (WBT); this will require approximately 24 feet of additional right of way.</u></p> <p><u>(3) Restripe the eastbound shared through-right lane as an eastbound right turn lane (EBR).</u></p>	City	SU

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>(4) Widen to add 2nd and 3rd eastbound through lanes (EBT); this will require approximately 24 feet of additional right of way.</u></p> <p><u>(5) Widen to add a 2nd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(6) Restripe the southbound shared through-right lane as a southbound right turn lane (SBR).</u></p> <p><u>(7) Widen to add a 2nd northbound through lane (NBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(8) Optimize signal cycle length to 95 seconds.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS D with 45.8 seconds of delay during the AM peak hour, and LOS E with 74.2 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p> <p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and</p>		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan.</u></p> <p><u>At this time, these measures are considered to be infeasible, and the</u>As a result this impact is considered to be significant and unavoidable.</p> <p>(f) Intersection 14: SB I-880 / Industrial Parkway.</p> <p><u>(1) Provide an additional receiving lane on the west side of the intersection to allow overlap phase for southbound right turn lane; this will require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Widen to add 3rd westbound through lane (WBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(3) Widen to add 3rd eastbound through lane (EBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS D with 54.6 seconds of delay during the AM peak hour, and LOS D with 54.9 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p>	City	SU

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 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require</p>		

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</u></p> <p><u>At this time, these measures are considered to be infeasible. As a result this and the</u> impact is considered to be significant and unavoidable.</p> <p>(g) Intersection 15: Hesperian Boulevard / EB SR 92 Ramps.</p> <p><u>(1) Widen to add 3rd northbound through lane (NBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Widen to add 2nd eastbound left turn lane (EBL) ; this will require approximately 12 feet of additional right of way.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS B with 19.0 seconds of delay during the AM peak hour, and LOS D with 50.1 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p>	City	SU

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</u></p> <p>At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be significant and unavoidable.</p> <p>(h) Intersection 16: Hesperian Boulevard / WB SR 92 Ramps.</p> <p><u>(1) Widen to add 3rd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Widen to add 2nd eastbound left turn lane (EBL); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(3) Widen to add separate eastbound right turn lane (EBR); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(4) Provide overlap phase for eastbound right turn lane.</u></p>	City	SU

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 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>Implementation of this mitigation would improve conditions to LOS E with 60.4 seconds of delay during the AM peak hour, and LOS B with 13.6 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p> <p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative</p>		

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 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>modes. <u>In addition, major AC Transit routes traverse this intersection. Also, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</u></p> <p><u>At this time, these measures are considered to be infeasible. As a result this and the</u> impact is considered to be significant and unavoidable.</p> <p>(i) Intersection 17: Industrial Parkway / EB SR 92 Ramps & Sleepy Hollow Avenue.</p> <p><u>(1) Widen to add 2nd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Widen to add separate southbound right turn lane (SBR); this will require approximately 12 feet of additional right of way.</u></p> <p><u>(3) Widen to add 2nd eastbound right turn lane (EBR); this will require approximately 12 feet of additional right of way.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS C with 24.3 seconds of delay during the AM peak hour, and LOS E with 61.0 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p>	City	SU

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</u></p> <p>At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be significant and unavoidable.</p> <p>(j) Intersection 24: Hesperian Boulevard / West Winton Avenue. <u>(1) Widen to add 2nd westbound left turn lane (WBL); this will require approximately 12 feet of additional right of way.</u> <u>(2) Optimize signal with a 105 second cycle length.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS E with 63.3 seconds of delay during the AM peak hour, and LOS E with 69.6 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level</u></p>	City	SU

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>with the new General Plan Policy of allowing LOS E.</u></p> <p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, major AC Transit routes traverse this intersection.</u></p> <p><u>At this time, these measures are considered to be infeasible. As a result this and the</u> impact is considered to be significant and unavoidable.</p>	City	SU
		<p>(k) Intersection 26: Mission Boulevard / Sunset Boulevard.</p> <p><u>(1) Widen to add a separate southbound left turn lane (SBL); this may require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Widen to add a separate northbound left turn lane (NBL); this may require approximately 12 feet of additional right of way.</u></p> <p><u>(3) Widen to add a separate eastbound left turn lane (EBL); this may require approximately 12 feet of additional right of way.</u></p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>(4) Widen to add a separate westbound left turn lane (WSBL); this may require approximately 12 feet of additional right of way.</u></p> <p><u>(5) Optimize signal with a 105 second cycle length.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS D with 35.2 seconds of delay during the AM peak hour, and LOS E with 73.7 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p> <p>There is no feasible</p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</u></p> <p><u>At this time, these measures are considered to be infeasible. As a result this and the</u> impact is considered to be significant and unavoidable.</p> <p>(I) Intersection 29: Mission Boulevard / D Street.</p> <p><u>(1) Widen to add 4th southbound through lane (SBT); this may require approximately 12 feet of additional right of way.</u></p> <p><u>(2) Optimize signal with a 120 second cycle length.</u></p> <p><u>Implementation of this mitigation would improve conditions to LOS E with 60.1 seconds of delay during the AM peak hour, and LOS E with 79.5 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</u></p>	City	SU

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>There is no feasible mitigation for this impact. Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. <u>In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</u></p> <p><u>The City has implemented ITS strategies at this location, including signal coordination and adaptive traffic control systems using the SCATS system. These strategies could help to improve conditions and reduce impacts. However, at this time, the additional required measures are considered to be infeasible, and the</u>As a result this impact is considered to be significant and unavoidable.</p> <p>(m) Intersection 40: Hesperian Boulevard / Tennyson Road. Widen to reconfigure to 1 northbound left (NBL) lane, 3 northbound through (NBT) lanes, and 1 northbound right (NBR) lane. Implementation of this mitigation would reduce conditions to LOS E with 78.0 seconds of delay during the PM peak hour. <u>In addition, this intersection resides in an area of</u></p>	City	SU

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<u>Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</u> However <u>At this time</u> , this mitigation is considered to be		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>infeasible because widening and increasing capacity could require <u>significant</u> right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. As a result this impact is considered to be significant and unavoidable.</p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

Table 7.3 Proposed Hayward General Plan Policies to Avoid or Reduce Construction-Related Emissions		
Objective	Goal/Policy/Implementation Program	How Does It Avoid or Reduce Impact?
	sensitive land uses in proximity to TAC- and PM _{2.5} -emitting sources and odor sources in order to minimize health risk.	
Policy NR-2.17 Source Reduction Measures	The City shall coordinate with and support the efforts of the Bay Area Air Quality Management District, the California Air Resources Board, the U.S. Environmental Protection Agency, and other agencies as appropriate to implement source reduction measures and best management practices that address both existing and new sources of toxic air contaminants (TAC) and fine particulate matter (PM _{2.5}), and odors.	Requires the application of project-specific BMPs that reduce construction exhaust and fugitive dust as part of the City's Community Risk Reduction Strategy (see Impact 7.4).
Policy NR-2.18 Exposure Reduction BMPs for New Receptors	The City shall require development projects to implement all applicable best management practices that will reduce exposure of new sensitive receptors (e.g., hospitals, schools, daycare facilities, elderly housing and convalescent facilities) to odors, toxic air contaminants (TAC), and fine particulate matter (PM _{2.5}).	Requires the application of project-specific BMPs that reduce exposure to construction exhaust and fugitive dust as part of the City's Community Risk Reduction Strategy (see Impact 7.4).
Policy NR-2.19 Exposure Reduction Measures for both Existing and New Receptors	The City shall work with area businesses, residents and partnering organizations to provide information about best management practices that can be implemented on a voluntary basis to reduce exposure of sensitive receptors to toxic air contaminants (TAC) and fine particulate matter (PM _{2.5}).	Encourages voluntary reduction of construction exhaust emissions and fugitive dust, as well as exposure to these emissions, as part of the City's Community Risk Reduction Strategy (see Impact 7.4).
<u>Implementation Program NR 19 Dust Control Ordinance</u>	<u>The City shall prepare a Dust Control Ordinance to regulate wind-blown dust generated from demolition, grading, excavation, and other temporary construction and landscaping activities. The ordinance shall include a list of best management practices (BMPs) designed to reduce dust, including but not limited to watering all active construction areas, covering any inactive areas on a construction site, installing wheel washers, sweeping streets surrounding project site, and installing dust monitors.</u>	<u>Establishes the City's intent to adopt a Dust Control Ordinance requiring application of BMPs to reduce dust from construction and landscaping activities.</u>

Table 15.2 Proposed Hayward General Plan Policies to Avoid or Reduce Construction Noise and Vibration		
Objective	Goal/Policy/Implementation Program	How Does It Avoid or Reduce Impact?
Hazards Element		
Goal HAZ-8	Minimize human exposure to excessive noise	States the overall goal of the City to protect the overall welfare of the residents from adverse levels of noise.
Policy HAZ-8.17 Community Noise Control Ordinance	The City shall maintain, implement, and enforce a community noise control ordinance to regulate noise levels from public and private properties, vehicles, construction sites, and landscaping activities.	Requires construction activities to comply with the adopted construction-noise standards (Municipal Code Chapter 4 Public Welfare, Morals and Conflict, SEC. 4-1.03.4), which is intended to prevent sensitive receptors from exposure to excessive noise levels from short-term construction activities within the City.
Policy Haz-8.20 Construction Noise Study	The City may require development projects subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on those uses, to the extent feasible.	Allows the City to require construction noise studies for discretionary projects that have the potential to result in substantial noise levels from construction activities. Noise studies would evaluate construction noise against adopted noise standards and provide mitigation measures to reduce noise exposure if deemed necessary.
Policy Haz-8.21 Construction and Maintenance Noise Limits	The City shall limit the hours of construction and maintenance activities to the less sensitive hours of the day (7:00 am to 7:00 pm Monday through Saturday and 10:00 am to 6:00 pm on Sundays and holidays)	Limits construction and maintenance activities to the less sensitive times of the day when people are more likely to be away from home. As result, people would be less likely to be affected by daytime construction noise activities.
Policy Haz-8.22 Vibration Impact Assessment	The City shall require a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used (e.g., pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur.	Requires construction activities located in close proximity to existing sensitive receptors to conduct site-specific vibration noise studies. The noise studies would determine vibration impacts and include measures to reduce impacts associated with vibration noise and vibration damage to buildings, if deemed necessary. Therefore, under the proposed GPU, construction activities would not expose existing sensitive receptors to excessive levels of ground vibration.
<u>Policy HAZ-8.24 Construction Noise Control Ordinance</u>	<u>The City shall develop noise control standards to regulate noise levels generated from temporary construction and landscaping activities.</u>	<u>Establishes the City's intent to develop noise control standards that would reduce noise levels from construction and landscaping activities.</u>

Table 15.2 Proposed Hayward General Plan Policies to Avoid or Reduce Construction Noise and Vibration		
Objective	Goal/Policy/Implementation Program	How Does It Avoid or Reduce Impact?
<u>Implementation Program HAZ 7 Construction Noise Control Ordinance</u>	<u>The City shall prepare and adopt a Construction Noise Control Ordinance to regulate the noise levels generated from temporary construction and landscaping activities. The ordinance shall include decibel level thresholds that should not be exceeded for construction equipment as well as establish appropriate hours and reduction measures for construction and landscaping activities to minimize impacts on nearby sensitive receptors.</u>	<u>Establishes the City's intent to develop a new Construction Noise Control Ordinance that would establish specific standards and appropriate hours of activity to reduce noise levels from construction and landscaping activities.</u>

Mitigation 15-1. The proposed General Plan includes Goal HAZ-8; ~~and~~ Policies HAZ-8.17, HAZ-8.20, ~~and~~ HAZ-8.21, and HAZ-8.24; and Implementation Program HAZ 7, which establish the overall goal and intentions of the City with regards to construction-related noise. Policy HAZ-8.17 refers to a community noise control ordinance for the purposes of regulating community noise levels. The City has adopted Section 4-1.03.4 of the Municipal Code (Construction and Alteration of Structures; Landscaping Activities), which states that individual devices/pieces of construction equipment are not to exceed 83 dB at a distance of 25 feet from the source and 86 dB at any point of the property plane Monday through Saturday from 7:00 AM to 7:00 PM and Sundays from 10:00 AM to 6:00 PM, “unless otherwise provided pursuant to a duly-issued permit or a condition of approval.” Thus, while the code establishes specific standards to reduce construction noise from typical construction activities, it may not apply to all development projects requiring discretionary approval. However, Policy HAZ-8.24 establishes the City’s intent to develop specific construction noise standards, and Implementation Program HAZ 7 would result in the preparation and adoption of a Construction Noise Control Ordinance that would apply to all construction projects, including discretionary projects.

Policy HAZ-8.20 establishes that a site-specific noise study may be required by the City for discretionary projects requiring land use entitlements. In addition, Policy HAZ-8.21 establishes limits on construction noise-generating activities to the less sensitive times of the day, when people are less likely to be disturbed. ~~While a~~Adoption of these proposed General Plan policies and implementation program could reduce potential impacts, these policies would not fully prevent ensure that exposure of sensitive receptors located near construction activities to excessive noise levels would be avoided or reduced. ~~Some construction projects could still be approved that would not be subject to specific noise studies or be required to reduce construction noise levels. Therefore, this impact would remain significant and unavoidable to a less-than-significant level.~~

Ground Vibration. Construction activities due to implementation of the proposed General Plan could result in the temporary ground vibration from the use of heavy-duty construction equipment as well as long-term exposure to ground vibration from sources such as trains, busses, and the BART. The proposed General Plan contains policies that require construction activities located in close proximity to existing sensitive land uses, as well as new development projects located in close proximity to vibration noise sources, to conduct vibration noise studies. Noise studies would determine vibration impacts, and the City would require all feasible mitigation to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur. Therefore, new development would not be exposed to excessive levels of vibration and this impact would be **less than significant** (see criterion [b] in subsection 15.2.1, "Significance Criteria," above).

Ground vibration may result from short-term construction activities as well as long-term exposure from transportation noise sources (i.e., passenger trains, freight trains, buses). Short-term and long-term vibration exposure are discussed separately below.

(a) Short-Term Construction-Related Ground Vibration Exposure. Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and activities involved. Vibration generated by construction equipment spreads through the ground and diminishes with increases in distance.

Summary

Adoption of proposed Policies HAZ-8.22 and HAZ-8.23 would require a project-level noise and vibration study to determine vibration-related impacts on structures and humans. For projects located within 200 feet of a vibration-noise source, noise levels could exceed the FTA recommended threshold of 72 VdB and result in excessive vibration-noise exposure to residents. However, project level noise studies would determine vibration levels at these projects and recommend feasible mitigation measures (e.g., insulated windows and walls, sound walls or barriers, distance setbacks, or other construction or design measures) that would reduce vibration-noise to an acceptable level. Therefore, existing sensitive receptors and new sensitive receptors would not be exposed to excessive levels of ground vibration from new construction or existing vibration sources. This would be a ***less-than-significant impact***.

Mitigation. No additional mitigation is required beyond the requirements described above.

Impact 15-2: Long-Term Traffic Noise Levels. Implementation of the proposed General Plan would increase noise levels along transportation routes with nearby sensitive receptors. Proposed policies would establish noise standards for new development and require that site-specific noise studies be conducted to reduce noise exposure. However, in some instances, traffic-related noise increases could be more than 3 dB, the level typically audible to the human ear and, therefore, considered a substantial increase in noise. This would represent a ***significant impact*** (see criteria [a] and [c] in subsection 15.2.1, "Significance Criteria," above).

Future planned development with implementation of the proposed General Plan could be exposed to existing community noise as well as increases in traffic noise due to anticipated traffic increases on transportation networks within the Planning Area. In addition, existing development within the Planning Area may also be exposed to increases in traffic noise as a result of the proposed General Plan.

Single-family residential development, schools, libraries, hospitals, convalescent homes, and places of worship are considered the most noise-sensitive land uses with regards to community noise. High-density and mixed-use residential, commercial, and industrial development is less noise-sensitive because uses are primarily indoors, and typically noise exposure can be reduced through design and material choice (e.g., outdoor activity areas are located in courtyards surrounded by structures, materials with greater insulation are used).

Existing and future traffic noise levels throughout the City were modeled to determine the anticipated traffic noise levels along major roadways. For a complete list of roadway segments and the modeled distances from the roadway centerline to the 60, 65, 70, and the 75 dB Community Noise Equivalent Level (CNEL)/Day-night noise level (L_{dn}) contour and the noise level at 50 feet from the roadway centerline (see the EIR appendices). Noise contours were developed for the proposed General Plan buildout year of 2040 based on modeling results, and are shown below in Figure 15-1. Table 15.4 shows the existing (baseline) traffic noise levels on modeled roadways and, the projected 2040 traffic noise levels, and the change in noise levels at 50 feet from the modeled roadways. Existing and future projected traffic noise levels were based on the traffic modeling and Average Daily Traffic (ADT) data

(a) Intersections. The threshold used to determine whether project-related impacts at signalized intersections would be considered significant is if the additional traffic associated with the project would:

- Degrade the AM or PM peak hour from an acceptable LOS D (average control delay of 55 seconds/vehicle) or better under the Existing or No Project condition to an unacceptable LOS E or worse under the Project condition except when LOS E is determined by the City of Hayward as acceptable due to costs of mitigation or when there would be other unacceptable impacts; or
- Degrade the AM or PM peak hour operating at LOS E or F under the Existing or No Project condition by increasing the average control delay per vehicle by five (5) seconds or more.

Since the proposed General Plan is a long range plan, the intersection impacts were determined comparing the future (2035) cumulative with project condition to the baseline (existing) condition. Then, to determine whether the proposed General Plan results in a "considerable" contribution to that future cumulative condition, the future with project condition was compared to the future no project condition.

(b) Congestion Management Program Roadways and Transit. For CEQA purposes, a roadway segment is considered to operate at an acceptable level if the segment operates at the level of service standard identified for that segment by the county congestion management agency. According to the Alameda County Transportation Commission (ACTC) 2011 Congestion Management Program (CMP), the ACTC has not adopted any policy for determining the threshold of significance for LOS for the Land Use Analysis Program of the CMP; therefore, for purposes of this EIR, the LOS standard for Metropolitan Transportation System (MTS) roadways, which include the CMP roadway network, has been set as any impact that:

- Results in any roadway segment currently meeting its CMP LOS E standard to degrade to an LOS F, or
- Result in more than a 5% increase in the volume to capacity (V/C) ratio for any roadway segment already exceeding its CMP LOS standard, or if already LOS F, under cumulative no project conditions.

For the MTS transit services, the LOS standard has been set as any increase in transit ridership that:

- Results in a change to the 15 to 30 minute headway standard for AC Transit bus service, or
- Results in a change to the 3.75 to 15 minute headway standard for BART.
- The Alameda CTC has not established a standard for Amtrak; therefore, for the purposes of this EIR, the LOS standard is proposed as a change to the existing 60 minute headway standard for Amtrak Capitol Corridor.

18.2.2 Analysis Methodology

The potential impacts to the transportation system were evaluated according to the standards and practices of the City of Hayward and ACTC using the *2000 Highway Capacity Manual* methodologies for intersections, freeways, and local roadways as well as transit headway

For the remaining intersections that would operate below the LOS standard and meet the 5 second threshold, mitigation measures were considered to reduce the impact. Per City practice, an intersection can be mitigated to a less-than-significant level if an infrastructure improvement or traffic volume reduction results in the intersection operating at its minimum threshold or better. If an intersection is currently operating at substandard LOS, the improvement must, at a minimum, return the intersection to its No Project operating conditions to achieve a less-than-significant finding.

Impact 18-1: Project Intersection Impacts. Under the 2035 Project condition, implementation of the proposed General Plan would result in traffic volumes that exceed the City standard for intersection performance. According to City guidelines, this change due to the proposed General Plan would potentially constitute a **'considerable' project contribution to the significant cumulative impact** (see criteria for "Intersections" in subsection 18.2.1, "Significance Criteria," above).

Mitigation 18-1. Make the following intersection improvements:

(a) Intersection 13: NB I-880 Ramps / Whipple Road-Industrial Parkway SW. Widen to convert northbound shared through-right lane to separate northbound right turn lane and a northbound through lane. This may require additional right of way of approximately 12 feet.

Implementation of this mitigation would reduce conditions to LOS E with 64.5 seconds of delay during the PM peak hour and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.

These improvements to the ramp intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, the mitigation would require coordination with these jurisdictions for implementation. The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after a determination is made for fair share contribution and coordination with Caltrans and other jurisdictions as applicable. The impact is considered to be *less-than-significant*.

(b) Intersection 18: Industrial Boulevard / WB SR 92 ramps – Cryer St.

- (1) Widen to add second northbound left turn lane (which could be done with striping if 10 foot lanes allowed);
- (2) Add second receiving lane on on-ramp (ramp would need reconfiguring).

Implementation of this mitigation would reduce conditions to LOS E with 57.2 seconds of delay during the AM peak hour and reduce the impact to a ***less-than-significant level*** with the new General Plan Policy of allowing LOS E.

Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection, and mitigation would require coordination with AC Transit to ensure there are no impacts to bus stop locations and bus service.

These improvements to the ~~on-ramp~~ intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, the mitigation would require coordination with other jurisdictions. The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after a determination is made for fair share contribution and coordination with Caltrans, AC Transit, and other jurisdictions as applicable. The impact is considered to be ***less-than-significant***, is considered to be infeasible, and the impact is considered to be ***significant and unavoidable***.

(c) Intersection 21: Hesperian Boulevard / Industrial Parkway.

- (1) Widen to convert the northbound through-right lane to a third northbound through (NBT) lane and one northbound right (NBR) lane; this will require approximately 12 feet of additional right of way.
- (2) Widen to convert eastbound through-right lane (EBTR) to second eastbound thru (EBT) lane and one eastbound right (EBR) lane; this will require approximately 12 feet of additional right of way.

(continued)

Mitigation 18-1 (continued):

- (3) Widen to convert southbound through-right (SBTR) to one southbound through (SBT) lane and one southbound right (SBR) lane; this will require approximately 12 feet of additional right of way.
- (4) Add overlap phasing at NBR, EBR, SBR, and WBR movements.

Implementation of this mitigation would reduce conditions to LOS E with 75.7 seconds of delay during the PM peak hour and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.

In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection. Mitigation would require coordination with Alameda County and AC Transit to ensure there are no impacts on the bicycle network, pedestrian amenities, bus stop locations, and bus service.

The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County and AC Transit. The impact is considered to be *less-than-significant*.

(d) Intersection 22: Santa Clara Street / Jackson Street.

- (1) Widen to add a 4th westbound through lane (WBT); this will require approximately 12 feet of additional right of way.
- (2) Widen to add a 2nd eastbound left turn lane (EBLT); this will require approximately 12 feet of additional right of way.
- (3) Widen to add a 2nd northbound through lane (NBT); this will require approximately 12 feet of additional right of way.
- (4) Widen to add a 2nd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.

Implementation of these improvements would mitigate both Project level and Cumulative level impacts, and improve conditions to LOS E with 66.9 seconds of delay during the AM peak hour, and LOS E with 91.0 seconds of delay during the PM peak hour. The mitigations would reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions or return the operations to the No Project condition. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. These improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward. At this time, these measures are considered to be infeasible, and As a result this the impact is considered to be **significant and unavoidable.**

(e) Intersection 23: Santa Clara Street / Winton Avenue.

- (1) Widen to reconfigure northbound approach to 2 northbound left (NBL), 1 northbound through (NBT), and 1 northbound shared through-right (NBTR); this will require approximately 12 feet of additional right of way.
- (2) Widen to reconfigure southbound approach to 1 southbound left (SBL), 2 southbound through (SBT), and 1 southbound right (SBR); this will require approximately 12 feet of additional right of way.
- (3) Widen to reconfigure westbound approach to 1 westbound left (WBL), 2 westbound through (WBT), 1 westbound shared through-right (WBTR); this will require approximately 12 feet of additional right of way.
- (4) Add overlap on all signal phases except for the northbound-right (NBR) phase.

Implementation of this mitigation would reduce conditions to LOS E with 75.2 seconds of delay during the PM peak hour and reduce the impact to *less-than-significant* with the new General Plan Policy of allowing LOS E.

Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.

In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection. Mitigation would require coordination with Alameda County and AC Transit to ensure there are no impacts on the bicycle network, pedestrian amenities, bus stop locations, and bus service.

The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County and AC Transit. The impact is considered to be **less-than-significant.**

(f) Intersection 25: Santa Clara St / West A St.

- (1) Widen to add exclusive northbound right (NBR) at least as far back as Amador Way and widen to have dual left, convert northbound shared through-right (NBTR) to northbound through (NBT) resulting in 2 northbound left (NBL) lanes, 2 northbound through (NBT) lanes, and one northbound right (NBR); this will require approximately 12 feet of additional right of way.
- (2) Add second eastbound left (EBL) lane; this will require approximately 12 feet of additional right of way.
- (3) Add another southbound through (SBT) lane; this will require approximately 12 feet of additional right of way.
- (4) Add overlap for right turns on all signal phases.

(continued)

Mitigation 18-1 (continued):

Implementation of this mitigation would reduce conditions to LOS D with 50.4 seconds of delay during the PM peak hour and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection is located on the Alameda Countywide Bicycle network; mitigation would require coordination with Alameda County to ensure there are no impacts to the bicycle network.

The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County. The impact is considered to be *less-than-significant*.

(g) Intersection 31: Foothill Blvd / Mattox Rd.

- (1) Reconfigure the southbound (SB) off-ramp lanes to 2 southbound left (SBL) lanes, 3 southbound through (SBT) lanes, and 1 southbound right (SBR);
- (2) Add overlaps for SBR and northbound right (NBR).

Implementation of this mitigation would reduce conditions to LOS F with 90.7 seconds of delay during the AM peak hour and to LOS E with 76.9 seconds of delay during the PM peak hour, which returns the operations to better than the No Project condition. However, additional-significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.

This intersection is under the jurisdiction of Alameda County. In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan.

~~These improvements to the intersection would be subject to coordination with and approval of Alameda County, and this intersection is not solely under the jurisdiction of the City of Hayward; therefore, the mitigation is~~ At this time, these measures are considered to be infeasible, and the impact is considered to be **significant and unavoidable**.

Impact 18-2: Cumulative Intersection Impacts. Future growth in Hayward and the region would result in substandard intersection LOS under 2035 conditions with or without the project. According to the significance thresholds, these changes constitute a **significant cumulative impact** (see criteria for "Intersections " in subsection 18.2.1, "Significance Criteria," above).

Mitigation 18-2. Make the following intersection improvements:

(a) Intersection 2: Mission Boulevard / A Street.

- (1) Widen to add a 4th westbound left turn lane (WBL);
- (2) Widen to add a 2nd westbound through lane (WBT);
- (3) Widen to add 2 exclusive westbound right turn lanes (WBR);
- (4) Widen to add a 2nd southbound through lane (SBT);
- (5) Widen to add a 3rd eastbound left turn lane (EBL);
- (6) Optimize signal cycle length to 115 seconds.

Implementation of this mitigation would improve conditions to LOS E with 65.1 seconds of delay during the AM peak hour, and LOS E with 61.6 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection.

The City has implemented Intelligent Transportation Systems (ITS) strategies at this location, including signal coordination and adaptive traffic control systems using the Sydney Coordinated Adaptive Traffic Systems (SCATS) system. These strategies could help to improve conditions and reduce impacts. However, at this time, the additional required measures are considered to be infeasible, and the As a result this impact is considered to be **significant and unavoidable**.

(b) Intersection 6: SB I-880 Ramps / A Street. Reconfigure eastbound approach to 1 eastbound through (EBT) lane, 1 eastbound through-right (EBTR) lane, and 1 right (EBR) lane and optimize signal timings. Implementation of this mitigation would reduce conditions to LOS E with 79.7 seconds of delay during the AM peak hour and LOS E with 77.8 seconds of delay during the PM peak hour, and would reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E. These improvements to A Street would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, until Caltrans (and other jurisdictions as applicable) approve the mitigation, the mitigation is considered to be infeasible, and the impact is considered to be **significant and unavoidable**.

(c) Intersection 8: Mission Boulevard / Carlos Bee Boulevard. Optimize signal cycle length to 115 seconds. Implementation of this mitigation would reduce conditions to LOS E with 73.8 seconds of delay during the PM peak hour and reduce the impact to a ***less-than-significant level*** with the new General Plan Policy of allowing LOS E.

(d) Intersection 11: Mission Boulevard / Industrial Parkway.

(1) Widen to add a 3th southbound through lane (SBT); this will require approximately 12 feet of additional right of way.

(2) Restripe the southbound shared through-right lane as a southbound right turn lane (SBR).

(3) Optimize signal cycle length to 115 seconds.

Implementation of this mitigation would improve conditions to LOS E with 79.3 seconds of delay during the AM peak hour, and LOS E with 57.5 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact. The signal cycle length could be optimized to 115 seconds; this mitigation would reduce conditions to LOS E with 74.8 seconds of delay during the PM peak hour, but the AM peak hour would remain at LOS F with 128.1 seconds of delay.~~ Significant improvements would be required to maintain LOS E conditions during the AM peak hour. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.

At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be ***significant and unavoidable***.

(continued)

Mitigation 18-2 (continued):

(e) Intersection 12: Industrial Parkway SW / Industrial Parkway.

- (1) Restripe the westbound shared through-right lane as a westbound right turn lane (WBR).
- (2) Widen to add 2nd and 3rd westbound through lanes (WBT); this will require approximately 24 feet of additional right of way.
- (3) Restripe the eastbound shared through-right lane as an eastbound right turn lane (EBR).
- (4) Widen to add 2nd and 3rd eastbound through lanes (EBT); this will require approximately 24 feet of additional right of way.
- (5) Widen to add a 2nd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.
- (6) Restripe the southbound shared through-right lane as a southbound right turn lane (SBR).
- (7) Widen to add a 2nd northbound through lane (NBT); this will require approximately 12 feet of additional right of way.
- (8) Optimize signal cycle length to 95 seconds.

Implementation of this mitigation would improve conditions to LOS D with 45.8 seconds of delay during the AM peak hour, and LOS E with 74.2 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan.

At this time, these measures are considered to be infeasible, and theAs-a result this impact is considered to be **significant and unavoidable**.

(f) Intersection 14: SB I-880 / Industrial Parkway.

- (1) Provide an additional receiving lane on the west side of the intersection to allow overlap phase for southbound right turn lane; this will require approximately 12 feet of additional right of way.
- (2) Widen to add 3rd westbound through lane (WBT); this will require approximately 12 feet of additional right of way.
- (3) Widen to add 3rd eastbound through lane (EBT); this will require approximately 12 feet of additional right of way.

Implementation of this mitigation would improve conditions to LOS D with 54.6 seconds of delay during the AM peak hour, and LOS D with 54.9 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.

At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be **significant and unavoidable**.

(g) Intersection 15: Hesperian Boulevard / EB SR 92 Ramps.

(1) Widen to add 3rd northbound through lane (NBT); this will require approximately 12 feet of additional right of way.

(2) Widen to add 2nd eastbound left turn lane (EBL) ; this will require approximately 12 feet of additional right of way.

Implementation of this mitigation would improve conditions to LOS B with 19.0 seconds of delay during the AM peak hour, and LOS D with 50.1 seconds of delay during the PM peak hour, and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.

At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be **significant and unavoidable**.

(h) Intersection 16: Hesperian Boulevard / WB SR 92 Ramps.

(1) Widen to add 3rd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.

(2) Widen to add 2nd eastbound left turn lane (EBL); this will require approximately 12 feet of additional right of way.

(3) Widen to add separate eastbound right turn lane (EBR); this will require approximately 12 feet of additional right of way.

(4) Provide overlap phase for eastbound right turn lane.

Implementation of this mitigation would improve conditions to LOS E with 60.4 seconds of delay during the AM peak hour, and LOS B with 13.6 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection. Also, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.

At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be *significant and unavoidable*.

(i) Intersection 17: Industrial Parkway / EB SR 92 Ramps & Sleepy Hollow Avenue.

(1) Widen to add 2nd southbound through lane (SBT); this will require approximately 12 feet of additional right of way.

(2) Widen to add separate southbound right turn lane (SBR); this will require approximately 12 feet of additional right of way.

(3) Widen to add 2nd eastbound right turn lane (EBR); this will require approximately 12 feet of additional right of way.

Implementation of this mitigation would improve conditions to LOS C with 24.3 seconds of delay during the AM peak hour, and LOS E with 61.0 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.

At this time, these measures are considered to be infeasible. As a result this and the
impact is considered to be ***significant and unavoidable***.

(continued)

Mitigation 18-2 (continued):

(j) Intersection 24: Hesperian Boulevard / West Winton Avenue.

- (1) Widen to add 2nd westbound left turn lane (WBL); this will require approximately 12 feet of additional right of way.
- (2) Optimize signal with a 105 second cycle length.

Implementation of this mitigation would improve conditions to LOS E with 63.3 seconds of delay during the AM peak hour, and LOS E with 69.6 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection.

At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be **significant and unavoidable**.

(k) Intersection 26: Mission Boulevard / Sunset Boulevard.

- (1) Widen to add a separate southbound left turn lane (SBL); this may require approximately 12 feet of additional right of way.
- (2) Widen to add a separate northbound left turn lane (NBL); this may require approximately 12 feet of additional right of way.
- (3) Widen to add a separate eastbound left turn lane (EBL); this may require approximately 12 feet of additional right of way.
- (4) Widen to add a separate westbound left turn lane (WSBL); this may require approximately 12 feet of additional right of way.
- (5) Optimize signal with a 105 second cycle length.

Implementation of this mitigation would improve conditions to LOS D with 35.2 seconds of delay during the AM peak hour, and LOS E with 73.7 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.

At this time, these measures are considered to be infeasible. As a result this and the impact is considered to be **significant and unavoidable**.

(l) Intersection 29: Mission Boulevard / D Street.

- (1) Widen to add 4th southbound through lane (SBT); this may require approximately 12 feet of additional right of way.
- (2) Optimize signal with a 120 second cycle length.

Implementation of this mitigation would improve conditions to LOS E with 60.1 seconds of delay during the AM peak hour, and LOS E with 79.5 seconds of delay during the PM peak hour, and reduce the impact to a *less-than-significant level* with the new General Plan Policy of allowing LOS E.

~~There is no feasible mitigation for this impact.~~ Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.

The City has implemented ITS strategies at this location, including signal coordination and adaptive traffic control systems using the SCATS system. These strategies could help to improve conditions and reduce impacts. However, at this time, the additional required measures are considered to be infeasible, and the~~As a result this~~ impact is considered to be **significant and unavoidable**.

(m) Intersection 40: Hesperian Boulevard / Tennyson Road. Widen to reconfigure to 1 northbound left (NBL) lane, 3 northbound through (NBT) lanes, and 1 northbound right (NBR) lane. Implementation of this mitigation would reduce conditions to LOS E with 78.0 seconds of delay during the PM peak hour. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection. ~~However~~At this time, this mitigation is considered to be infeasible because widening and increasing capacity could require significant right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. As a result this impact is considered to be **significant and unavoidable**.

2020 Impacts on MTS and CMP Roadways. New development under the proposed General Plan would add new vehicle trips on the MTS and CMP roadway segments, including during peak commute hours. However, increased numbers of vehicle trips resulting from implementation of the proposed General Plan can be accommodated by existing or projected capacity. These changes to future traffic would represent a **less-than-significant impact** (see criteria for "Roadway Impacts" in subsection 18.2.1b, "Significance Criteria," above).

Mitigation. None required.

2035 Impacts on MTS and CMP Roadways. New development under the proposed General Plan would add new vehicle trips on the MTS and CMP roadway segments, including during peak commute hours. However, increased numbers of vehicle trips resulting from implementation of the proposed General Plan can be accommodated by existing or projected capacity. These changes to future traffic would represent a **less-than-significant impact** (see criteria for "Roadway Impacts" in subsection 18.2.1b, "Significance Criteria," above).

Mitigation. None required.

In addition, Table 18.9 identifies proposed General Plan policies and implementation programs that would avoid or reduce impacts on roadways.

(2) Transit. Some commuters are expected to use the transit system to travel to work, particularly the AC Transit buses, BART trains to and from the Hayward and South Hayward stations, and Amtrak Capitol Corridor.

The transit baseline forecasts for Cumulative 2020 and Cumulative 2035 were extracted for all AC Transit bus routes, BART, and Amtrak trains serving Hayward from the Alameda CTC Countywide Model. The daily ridership was factored into peak hour ridership for Baseline and Plus Project conditions.

Cumulative 2020 Conditions. The proposed General Plan has the potential to generate increases in systemwide ridership for AC Transit, BART, and Amtrak Capitol Corridor (see Table 18.10).

- When compared to 2020 No Project, the ridership on AC Transit is expected to increase with the proposed General Plan. The transit ridership on all AC Transit routes serving Hayward increases by 2.29% overall and varies by individual route. The ridership on one AC Transit bus (Route 86) increases by 24.3% as a result of the proposed General Plan. However, given the available capacity on Route 86 within Hayward, this is not considered an impact. For the other AC Transit routes, the change in future AC Transit ridership is not expected to cause a significant impact to the peak hour bus service that would result in a change beyond the 15 to 30 minute headways standard (significance threshold).
- When compared to 2020 No Project, the ridership on BART is expected to increase with the proposed General Plan. The ridership on any BART line or station does not increase by more than 0.13 % as a result of the proposed General Plan. Therefore, given the future

Table 18.10
TRANSIT CMP ANALYSIS--COMPARISON OF CUMULATIVE 2020 NO-PROJECT AND 2020 PLUS GENERAL PLAN PROJECT PM PEAK HOUR TRANSIT RIDERSHIP

Operator/Route	2020 Ridership - PM Peak Hour				Significant Impact	Requires Frequency Change
	No Project	With Project	Difference	Percent Diff		
BART						
Hayward Lines						
Berryessa - Richmond	8,550	8,554	3	0.04%	no	no
Daly City - Dublin/Pleasanton	14,257	14,258	1	0.00%	no	no
Daly City - S. Hayward	1,042	1,043	1	0.05%	no	no
Daly City - San Jose	12,317	12,320	3	0.02%	no	no
Sum	36,167	36,174	7	0.02%		
Hayward Stations						
Hayward	1,556	1,558	2	0.13%	no	no
South Hayward	2,000	2,001	1	0.06%	no	no
Bay Fair	2,198	2,200	2	0.09%	no	no
Castro Valley	3,220	3,220	0	0.01%	no	no
Sum	8,974	8,979	5	0.06%		
Amtrak - Capitol Corridor	743	748	5	0.71%	no	no
AC Transit Routes						
22	-	-	-	0.00%	no	no
32	-	-	-	0.00%	no	no
37	-	-	-	0.00%	no	no
48	143	143	0	0.04%	no	no
60	-	-	-	0.00%	no	no
68	-	-	-	0.00%	no	no
83	214	215	0	0.12%	no	no
85	1,234	1,235	0	0.04%	no	no
86	207	258	50	24.30%	no	no
93	663	663	0	0.02%	no	no
94	109	109	-	0.00%	no	no
95	272	272	(0)	-0.16%	no	no
97	1,688	1,694	7	0.39%	no	no
99	889	888	(1)	-0.16%	no	no
386	61	61	-	0.00%	no	no
M	653	654	0	0.05%	no	no
S	87	88	0	0.51%	no	no
Sum	6,223	6,280	57	0.91%		
Total	52,107	52,182	75	0.14%		

capacity of the four BART lines that serve the City, the change in future BART ridership is not expected to cause a significant impact to the peak hour BART service that would result in a change beyond the 3.75-15 minute headways standard.

- When compared to 2020 No Project, the ridership on Amtrak Capitago Corridor is expected to increase with the proposed General Plan. The ridership on the route or at the Hayward Station does not increase by more than 0.71% as a result of the proposed General Plan. Therefore, given the future capacity of the Amtrak Capitago Corridor that serves the City, the change in future Capitago Corridor ridership is not expected to cause a significant impact to the peak hour Capitago Corridor service that would result in a change beyond the current frequency of service.

Cumulative 2035 Conditions. The proposed General Plan has the potential to generate increases in systemwide ridership for AC Transit, BART, and Amtrak Capitago Corridor (see Table 18.11).

- When compared to 2035 No Project, the ridership on AC Transit is expected to increase with the proposed General Plan. The transit ridership on all AC Transit routes serving Hayward increases by 0.91% overall and varies by individual route. The ridership on one AC Transit bus (Route 86) increases by over 50% as a result of the proposed General Plan. However, given the available capacity on Route 86 within Hayward, this is not considered an impact. For the other AC Transit routes, the change in future AC Transit ridership is not expected to cause a significant impact to the peak hour bus service that would result in a change beyond the 15 to 30 minute headways standard.
- When compared to 2035 No Project, the ridership on BART is expected to increase with the proposed General Plan. The ridership on any BART line or station does not increase by more than 0.17 % as a result of the proposed General Plan. Therefore, given the future capacity of the 4 BART lines that serve the City, the change in future BART ridership is not expected to cause a significant impact to the peak hour BART service that would result in a change beyond the 3.75-15 minute headways standard.
- When compared to 2035 No Project, the ridership on Amtrak Capitago Corridor is expected to increase with the proposed General Plan. The ridership on the route or at the Hayward Station does not increase by more than 1.7% as a result of the proposed General Plan. Therefore, given the future capacity of the Amtrak Capitago Corridor that serve the City, the change in future Capitago Corridor ridership is not expected to cause a significant impact to the peak hour Capitago Corridor service that would result in a change beyond the current frequency of service.

The proposed General Plan includes policies and programs to support transit (see Table 18.12). **2020 Impact on MTS Transit.** New development under the proposed General Plan by 2020 would add new transit trips on the existing bus and rail network, including during peak commute hours. However, increased numbers of transit riders resulting from implementation of the proposed General Plan can be accommodated by existing or projected capacity in 2020. These changes to transit ridership would represent a **less-than-significant impact** (see criteria for "Transit Impacts" in subsection 18.2.1b, "Significance Criteria," above.)

Mitigation. None required.

Table 18.11
 TRANSIT CMP ANALYSIS--COMPARISON OF CUMULATIVE 2035 NO-PROJECT AND 2035
 PLUS GENERAL PLAN PROJECT PM PEAK HOUR TRANSIT RIDERSHIP

Operator/Route	2035 Ridership - PM Peak Hour				Significant Impact	Requires Frequency Change
	No Project	With Project	Difference	Percent Diff		
BART						
Hayward Lines						
Berryessa - Richmond	21,737	21,748	11	0.05%	no	no
Daly City - Dublin/Pleasanton	20,809	20,811	2	0.01%	no	no
Daly City - S. Hayward	1,002	1,003	2	0.16%	no	no
Daly City - San Jose	23,561	23,569	8	0.03%	no	no
Sum	67,109	67,132	22	0.03%		
Hayward Stations						
Hayward	3,322	3,329	6	0.19%	no	no
South Hayward	3,603	3,607	4	0.11%	no	no
Bay Fair	3,759	3,765	6	0.17%	no	no
Castro Valley	5,732	5,733	1	0.01%	no	no
Sum	16,416	16,434	17	0.10%		
Amtrak - Capitol Corridor	976	992	17	1.70%	no	no
AC Transit Routes						
22	-	-	-	0.00%	no	no
32	-	-	-	0.00%	no	no
37	-	-	-	0.00%	no	no
48	188	188	0	0.11%	no	no
60	-	-	-	0.00%	no	no
68	-	-	-	0.00%	no	no
83	329	330	1	0.24%	no	no
85	1,571	1,572	1	0.09%	no	no
86	284	442	158	55.85%	no	no
93	782	783	0	0.05%	no	no
94	127	127	-	0.00%	no	no
95	318	316	(1)	-0.44%	no	no
97	1,970	1,991	21	1.05%	no	no
99	1,031	1,026	(5)	-0.45%	no	no
386	92	92	-	0.00%	no	no
M	1,001	1,002	1	0.10%	no	no
S	92	93	1	1.53%	no	no
Sum	7,784	7,962	178	2.29%		
Total	92,285	92,520	234	0.25%		

not implement the substantial improvements proposed by the 2040 General Plan to bicycle, pedestrian, and transit circulation and connectivity (see chapter 18 tables).

Under this alternative, projected systemwide ridership on AC Transit, BART, and Amtrak Capital Corridor would be less compared to the 2040 General Plan (see Table 18.11 in chapter 18). Because these transit providers have existing capacity to accommodate the projected increased ridership under the 2040 General Plan, the more efficient use of the transit system under the 2040 General Plan is considered a beneficial effect. This beneficial effect would be reduced under the No Project alternative.

(o) Utilities and Service Systems. This alternative would result in reduced water demand, wastewater generation, and solid waste compared to the 2040 General Plan.

20.1.3 Attainment of Project Objectives

With fewer housing units, less employment, and more auto-oriented development, Alternative 1: No Project--Existing 2002 General Plan would be less effective in achieving the project objectives (listed at the beginning of this chapter), especially objectives #5 and #7.

20.2 ALTERNATIVE 2: OVERALL LOWER DEVELOPMENT DENSITY AND INTENSITY

20.2.1 Principal Characteristics

Alternative 2 assumes adoption of a similar 2040 General Plan, but with an overall lower density and intensity of development in the Planning Area--for example, less new (net) residential development in the Priority Development Areas (PDAs) and less new (net) potential employment in the Planning Area. For the sake of comparison, new potential multi-family residential units and new potential employment would each be reduced by 20 percent compared to the proposed General Plan. Therefore, this alternative would result in 5,920 new multi-family units and 20,620 new jobs, compared to 7,399 new dwelling units and 25,787 new jobs under the 2040 General Plan, a reduction of 1,479 dwelling units and 5,167 jobs.

ABAG projects that Hayward will grow to a total of 60,584 dwelling units by 2040; this alternative would result in about 57,308 units. The Planning Area household population would be approximately 202,000 under the alternative and 206,580 under the 2040 General Plan, a difference of 4,580.

20.2.2 Comparative Impacts and Mitigating Effects

(a) Aesthetics and Visual Resources. With less overall development, Alternative 2 would have reduced impacts compared to the 2040 General Plan with respect to aesthetics and visual resources.

(b) Agricultural Resources. With both the existing and 2040 General Plans subject to development within the established Urban Limit Line, this alternative would result in similar potential impacts on agricultural resources.

(c) Air Quality. Alternative 2 would result in lower air pollutant emissions, and fewer sensitive receptors exposed to toxic air contaminants (TACs), PM_{2.5}, and odors.

(l) Population and Housing. Alternative 2 would result in smaller increases in population, housing, employment, and revenue accruing to the City. There would also be less new housing to meet the community and regional need for market-rate housing and affordable housing.

(m) Public Services. This alternative would result in a corresponding reduction in impacts on fire protection/emergency medical service (EMS), police protection, public schools, libraries, and parks and recreation compared to the 2040 General Plan. However, with less development, fewer development fees to maintain and enhance these public services would be collected.

(n) Transportation and Circulation. For this alternative, trip generation and traffic impacts from new development within the Planning Area would be reduced compared to the 2040 General Plan. The transportation and circulation impacts of the 2040 General Plan are evaluated in chapter 18 (Transportation and Circulation). Buildout under this alternative would avoid the significant impacts of the 2040 General Plan on nine study intersections (see Table 18.3 in chapter 18). In addition, the alternative would implement the substantial improvements proposed by the 2040 General Plan to bicycle, pedestrian, and transit circulation and connectivity (see chapter 18 tables).

Under this alternative, projected systemwide ridership on AC Transit, BART, and Amtrak Capital Corridor would be less compared to the 2040 General Plan. Because these transit providers have existing capacity to accommodate the projected increased ridership under the 2040 General Plan, the more efficient use of the transit system under the 2040 General Plan is considered a beneficial effect. This beneficial effect would be reduced under Alternative 2.

(o) Utilities and Service Systems. This alternative would result in reduced water demand, wastewater generation, and solid waste compared to the 2040 General Plan.

20.2.3 Attainment of Project Objectives

With fewer housing units and less employment, Alternative 2: Overall Lower Development Density and Intensity would be less effective in achieving the project objectives (listed at the beginning of this chapter), but the alternative still would include the goals, plans, and implementation programs of the 2040 General Plan.

20.3 ALTERNATIVE 3: LESS EMPLOYMENT IN THE INDUSTRIAL TECHNOLOGY AND INNOVATION CORRIDOR

20.3.1 Principal Characteristics

Alternative 3 assumes adoption of a similar 2040 General Plan, but with less employment in the Industrial Technology and Innovation Corridor--for example, a combination of less new (net) development and less employee-intensive uses (e.g., manufacturing and warehousing at 1 employee per 750 square feet vs. research & development at 1 employee per 450 square feet). For the sake of comparison, this alternative assumes that the net change in employment across the Planning Area (including secondary employment not in the Industrial Corridor) would be reduced by 15 percent compared to the proposed General Plan. Therefore, this alternative would result in approximately 21,920 new jobs, compared to 25,787 new jobs under the 2040

The proactive sustainability policies in the 2040 General Plan (e.g., for on-site stormwater retention and natural filtering) would continue to be implemented (see chapter 13 tables). With less overall development under this alternative, fewer occupants and buildings within the Planning Area would be exposed to flooding and sea level rise risks.

(j) Land Use and Planning. This alternative would have similar impacts with respect to community cohesion and consistency with adopted plans. Both the alternative and the proposed 2040 General Plan include numerous policies to ensure that new development would be compatible and integrated with the established land use pattern, and their implementation would be an additional benefit to land use and planning over existing conditions (see chapter 14 tables).

(k) Noise. Buildout under this alternative would result in less noise than under the 2040 General Plan due primarily to a reduction in the number of new vehicle trips added to local roadways.

(l) Population and Housing. Alternative 3 would result in smaller increases in employment and revenue accruing to the City.

(m) Public Services. This alternative would result in a corresponding reduction in impacts on fire protection/emergency medical service (EMS), police protection, libraries, and parks and recreation compared to the 2040 General Plan. However, with less development, fewer development fees to maintain and enhance these public services would be collected.

(n) Transportation and Circulation. For this alternative, trip generation and traffic impacts from new development within the Planning Area would be reduced compared to the 2040 General Plan. The transportation and circulation impacts of the 2040 General Plan are evaluated in chapter 18 (Transportation and Circulation). Buildout under this alternative would reduce the significant impacts of the 2040 General Plan on nine study intersections (see Table 18.3 in chapter 18). In addition, the alternative would implement the substantial improvements proposed by the 2040 General Plan to bicycle, pedestrian, and transit circulation and connectivity (see chapter 18 tables).

Under this alternative, projected systemwide ridership on AC Transit, BART, and Amtrak Capital Corridor would be less compared to the 2040 General Plan. Because these transit providers have existing capacity to accommodate the projected increased ridership under the 2040 General Plan, the more efficient use of the transit system under the 2040 General Plan is considered a beneficial effect. This beneficial effect would be reduced under Alternative 3.

(o) Utilities and Service Systems. This alternative would result in reduced water demand, wastewater generation, and solid waste compared to the 2040 General Plan.

20.2.3 Attainment of Project Objectives

With less employment, Alternative 3: Less Employment in the Industrial Technology and Innovation Corridor would be less effective in achieving the project objectives (listed at the beginning of this chapter), especially objective #4. The alternative still would include the goals, plans, and implementation programs of the 2040 General Plan.