

## ARTICLE 24 MISSION BOULEVARD CODE

**ARTICLE 24 MISSION BOULEVARD CODE<sup>1</sup>****10-24.1.1.050 RULES OF INTERPRETATION**

- A. Provisions of this Code are activated by "shall" or "must" when required; "should" when recommended and optional; and "may" when optional.
- B. Terms used throughout this Code are defined in Subarticle 10-24.5 (Definitions). Terms not defined in Subarticle 10-24.5 shall be as defined in Section 10-1.3500 (Definitions) of the Hayward Zoning Code. Terms not defined in Subarticle 10-24.5 or Section 10-1.3500 shall be accorded their commonly accepted meanings.
- C. Diagrams and figures that accompany tables and text are considered examples, and are not regulatory. Diagrams may not be to scale.
- D. Where in conflict, numerical metrics shall take precedence over graphic metrics.
- E. Within the Code, sections are occasionally prefaced with "purpose" or "intent" statements. Each such statement is intended as an official statement of legislative finding or purpose. The "purpose" or "intent" statements are legislatively adopted, together with their accompanying Code text. They are intended as a guide to the administrator and interpretation of the Code and shall be treated in the same manner as other aspects of legislative history. However, they are not binding standards.
- F. The Planning Director may make interpretations of this Code in compliance with Hayward Zoning Code Section 10-1.120 (Reviewing Authorities) and may refer any interpretation to the Planning Commission in compliance with Hayward Zoning Code Section 10-1.2840 (Administrative Referral).
- G. Any interpretation of this Code by the Planning Director may be appealed to the Planning Commission in compliance with Section 10-1.2845 (Appeal and Review Process) of the Hayward Zoning Code.

**10-24.2.2.030 OVERVIEW OF MISSION BOULEVARD CORRIDOR ZONES**

- A. The Mission Boulevard Corridor Zones are described in this Division, and each zone is established based on the intent of the desired physical form and character of particular environments. Other than the Mission Boulevard - Civic Space (MB-CS) Zone, the zones range in function and intensity from moderate intensity (Mission Boulevard - Corridor Neighborhood), to a higher intensity (Mission Boulevard - Corridor Center). The naming of these zones is based on an overall spectrum of context types from less urban to more urban along the Mission Boulevard Corridor.
  1. **Mission Boulevard - Civic Space (MB-CS).** This zone is intended for the provision of public open space, civic buildings, and civic uses. When the MB-CS Zone is applied to privately owned property, the use and building existing at the time this Code comes into effect may continue until the site is redeveloped or becomes under public ownership. Allowed uses and permit requirements are as prescribed in Table 2.3.010.A: Allowed Uses and Permit Requirements. Buildings shall be designed and located in compliance with the standards of the MB-CN.

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<sup>1</sup>Note(s)—Added by Ordinance 20-12 , adopted July 14, 2020.

**B. Overlay Zones.**

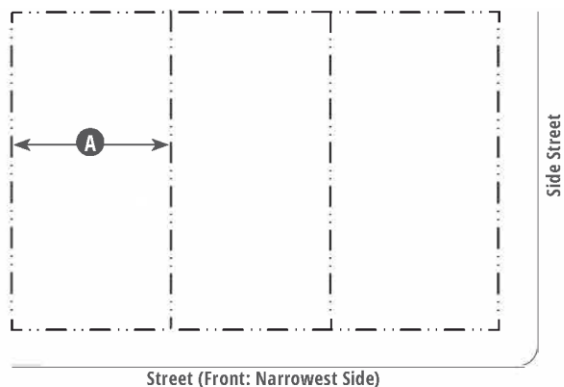
1. **TOD Overlays.** Properties within close proximity to public transit centers, including BART, as identified on the Mission Boulevard Code, are modified to allow for an increase in residential density and adjusted height regulations.
2. **Commercial Overlay #1.** Properties designated with a Commercial Overlay Zone 1 designation shall not be developed with residential units on the first or ground floor. Uses associated with the residential use, such as leasing office, community space, amenities, etc., are allowed on the ground floor. This requirement may be adjusted through the Major Site Plan Review Process.
3. **Commercial Overlay #2.** Properties designated with a Commercial Overlay Zone 2 designation shall not be developed with residential units at the ground floor along the primary street frontage unless permitted with a conditional use permit.

**10-24.2.2.040 MISSION BOULEVARD - CORRIDOR NEIGHBORHOOD (MB-CN)**



A. Intent	B. Density	
A mixed-use neighborhood environment with moderate-	Minimum <sup>1</sup>	17.5 du/ac
	Maximum	35 du/ac

<p>intensity, medium-scale residential and non-residential uses compatible with surrounding neighborhoods, along a multi-modal corridor within short walking, biking, or bus distance of neighborhood serving retail and service uses.</p>		<p>55 du/ac South of A Street with Major Site Plan Review</p>
<p><i>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</i></p>	<p><sup>1</sup>Reduction in minimum density allowed subject to Major Site Plan Review.</p>	



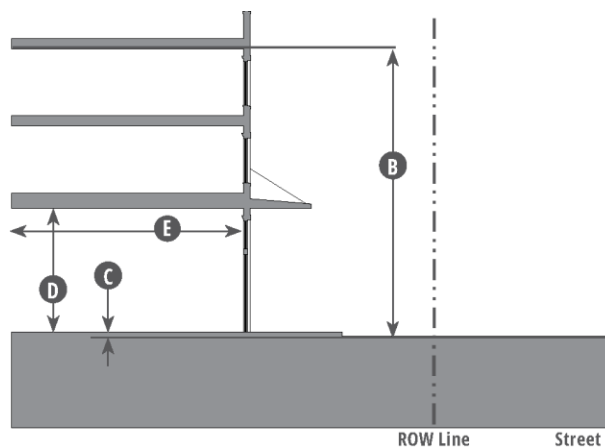
**Key**

--- ROW / Lot Line

**C. Lot Occupation**

Lot Width	18' min.	<b>A</b>
Lot Coverage	<del>80% max.</del>	
Landscaping	15% of lot area, min.	
Open Space	150 sf min. per unit <sup>1</sup>	

<sup>1</sup>~~Minimum 50 sf must be provided as private usable open space for minimum 50% of the units and minimum 50 sf per unit must be provided as common usable open space.~~ The remaining open space requirement may be met by a combination of private and/or common usable open space. See HMC 10-1.204 (I)(5) for additional requirements.



**Key**

---- ROW Line

**D. Building Form**

**Height**

**Main Building**

Stories - North of A Street	3 max.	<b>B</b>
Stories - South of A Street	4 max., 5 max. with Major Site Plan Review	
Overall - South of A Street	57' max., 68' max. with Major Site Plan Review	

**Accessory Structure(s)**

Stories	2 max.	
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**Ground Floor Finish Level**

Residential	12" min. <sup>1</sup>	<b>C</b>
Non-Residential	3' max.	

**Ground Floor Ceiling**

Non-Residential	14' min.	<b>D</b>
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**Other**

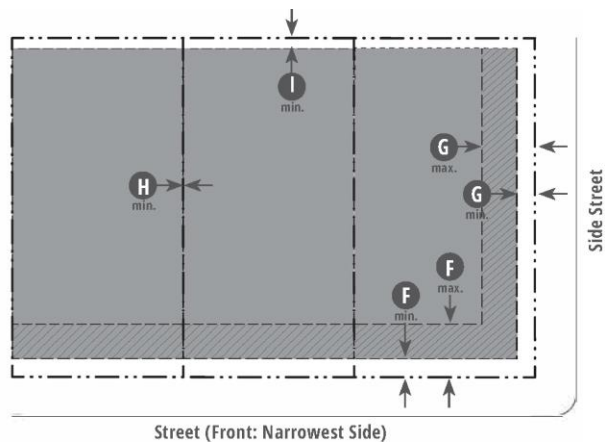
**Accessory Structure(s)**

Square Feet	440 max.	
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**Building Depth, Ground-Floor** 30' min. **E**

<sup>1</sup>The ground floor finish level of buildings facing a public ROW must be 12 inches above grade, unless otherwise adjusted to comply with ADA.

Height limits do not apply to chimneys, architectural features, parapets, solar energy systems, or necessary mechanical equipment, provided that such features are limited to the minimum height necessary for their proper functioning.



**Key**

- ROW / Lot Line
- Building Setback Line
- Buildable Area
- ▨ Facade Zone

**E. Building Placement**

**Setback (Distance from ROW/Lot Line)**

**Front (Facade Zone)**

- Main Building<sup>1,2</sup> 6' min.; 24' max.
- Accessory Structure(s) 26' min.

**F**

**Street Side (Facade Zone)**

- Main Building<sup>1</sup> 6' min.; 24' max.
- Accessory Structure(s) 6' min.

**G**

**Side**

- Main Building 0' min.
- Accessory Structure(s) 0' min.

**H**

**Rear**

- Main Building and Accessory Structure(s) 3' min.

**I**

<sup>1</sup> Or average front setback of adjacent abutting lots on the same frontage, whichever is less. For corner lots, average of minimum required and front setback of adjacent abutting lot on the same frontage, whichever is less.

<sup>2</sup> A larger setback may be required to accommodate required frontage or other planned right-of-way improvements.

**Building within Facade Zone (Percent of Net Lot Width)**

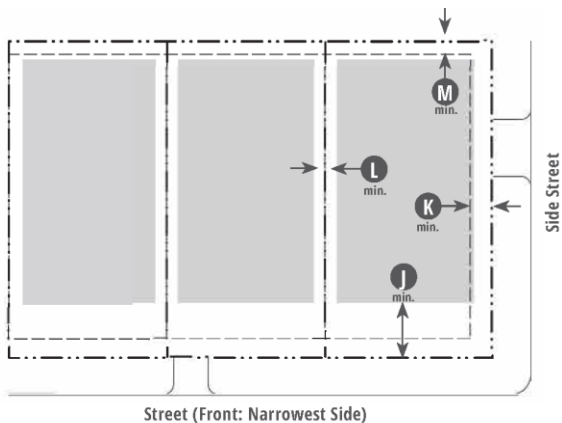
- Front<sup>3</sup> 60% min.
- Street Side 40% min.

<sup>3</sup> Required only when facing a public ROW.

**Miscellaneous**

Building facade must be parallel to ROW/Lot Line.

Minimum one primary pedestrian entrance from primary street must be located within front facade zone.



**Key**

- ROW / Lot Line      ■ Parking Area
- Building Setback Line

**F. Parking and Driveways**

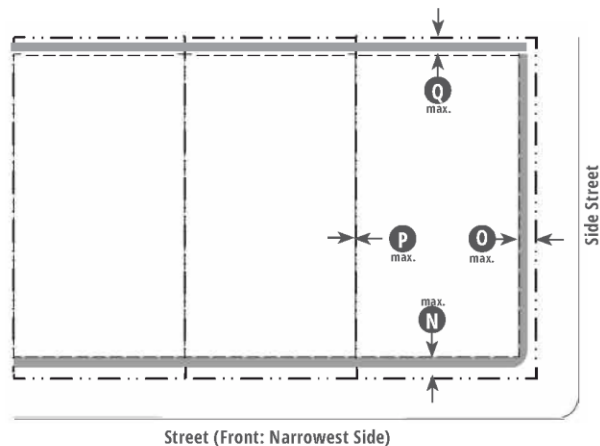
**Parking Requirements**

See Section 10-24.3.2.050 (Parking and Loading)

**Parking Location (Distance from ROW/Lot Line)**

Front Setback	30' min.	ⓐ
Street Side Setback	5' min.	Ⓚ
Side Setback	5' min.	Ⓛ
Rear Setback	5' min.	Ⓜ

- ⓐ
- Ⓚ
- Ⓛ
- Ⓜ



**Key**

- ROW / Lot Line                      ■ Encroachment Area
- Building Setback Line

**G. Projections into Required Yards**

<b>Encroachment Type</b>	<b>N</b> <b>Front</b>	<b>O</b> <b>St. Side</b>	<b>P</b> <b>Side</b>	<b>Q</b> <b>Rear</b>
Frontage <sup>1</sup>	3' max.	3' max.	—	—
Steps or Ramp to Building Entrance	4' max.	3' max.	—	—
Architectural Features	3' max.	3' max.	—	3' max.

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

<sup>1</sup>See Division 10-24.3.3 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

**H. Frontages**

<b>Private Frontage Type</b>	<b>Front</b>	<b>St. Side</b>	<b>Standards</b>
Front Yard	A	A	10-24.3.3.050
Porch: Projecting	A	A	10-24.3.3.060
Porch: Engaged	A	A	10-24.3.3.070
Stoop	A	A	10-24.3.3.080
Forecourt	A	A	10-24.3.3.090
Dooryard	A	A	10-24.3.3.100
Maker Shopfront	—	A	10-24.3.3.110
Shopfront	A	A	10-24.3.3.120
Terrace	A	A	10-24.3.3.130

**Miscellaneous**

Corner Lots must have private frontage located within the Front and Street Side Facade Zone as required in Subsection E.

First story facades for non-residential uses and common areas for residential, must provide minimum 30% glazing with clear glass. See Division 10-24.3.3 (Specific to Frontage Types) for further refinement of the glazing requirements by frontage type.

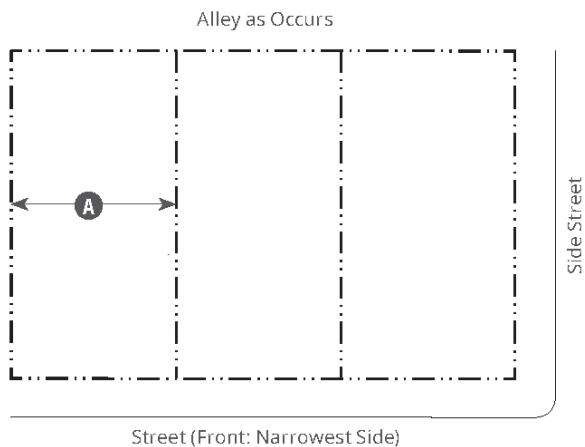
**Key**    A = Allowed    — = Not Allowed

**10-24.2.2.050 MISSION BOULEVARD - NEIGHBORHOOD NODE (MB-NN)**



A. Intent	B. Density	
A vibrant, urban neighborhood-serving node supporting mixed-use infill development to provide a range of commercial, retail, entertainment, civic, and moderate intensity residential uses in a more compact urban setting.	Minimum <sup>1</sup>	17.5 du/ac
	Maximum	35 du/ac
		65 du/ac with Major Site Plan Review
<i>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</i>	<sup>1</sup> Reduction in minimum density allowed subject to Major Site Plan Review.	





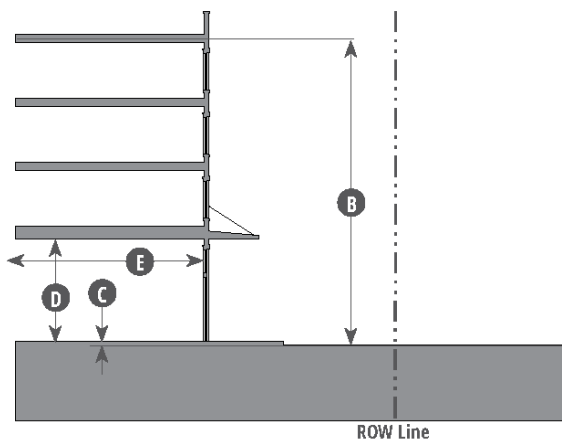
**Key**

---- ROW / Lot Line

**C. Lot Occupation**

Lot Width	18' min.	Ⓐ
Lot Coverage	<del>80% max.</del>	
Landscaping	10% of lot area, min.	
Open Space	100 sf min. per unit <sup>1</sup>	

~~<sup>1</sup> Minimum 50 sf must be provided as private usable open space for minimum 50% of the units and minimum 50 sf per unit must be provided as common usable open space. The remaining open space requirement may be met by a combination of private or common usable open space. The open space requirement may be met by a combination of private and/or common usable open space. See HMC 10-1.204(l)(5) for additional requirements.~~



**Key**

---- ROW Line

**D. Building Form**

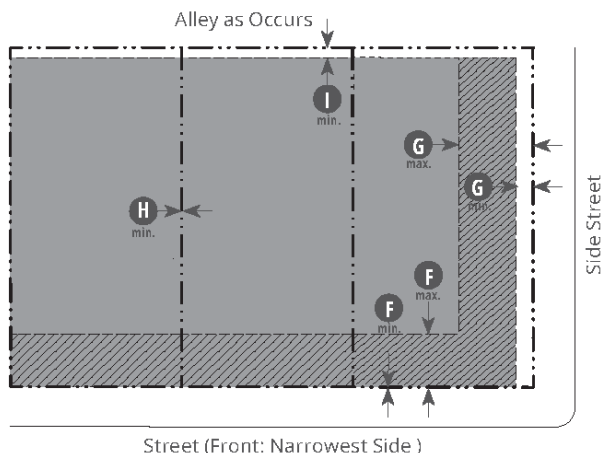
<b>Height</b>		
<b>Main Building</b>		Ⓑ

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Stories	4 max., 5 max. with Major Site Plan Review	
Overall	57' max., 79 max. with Major Site Plan Review	
<b>Accessory Structure(s)</b>		
Stories	2 max.	
<b>Ground Floor Finish Level</b>		Ⓒ
Residential	12" min. <sup>1</sup>	
Non-Residential	3' max.	
<b>Ground Floor Ceiling</b>		Ⓓ
Non-Residential	14' min.	
<b>Other</b>		
<b>Accessory Structure(s)</b>		
Square Feet	440 max.	
<b>Building Depth, Ground-Floor</b>	30' min.	Ⓔ

<sup>1</sup>The ground floor finish level of buildings facing a public ROW must be 12 inches above grade, unless otherwise adjusted to comply with ADA.

Height limits do not apply to chimneys, **architectural features**, parapets, solar energy systems, or necessary mechanical equipment, provided that such features are limited to the minimum height necessary for their proper functioning.



**Key**

- ROW / Lot Line
- Building Setback Line
- Buildable Area
- ▨ Facade Zone

**E. Building Placement**

**Setback (Distance from ROW/Lot Line)**

**Front (Facade Zone)**

- Main Building<sup>1,2</sup> 0' min.; 24' max.
- Accessory Structure(s) 20' min.

**F**

**Street Side (Facade Zone)**

- Main Building<sup>1</sup> 6' min.; 24' max.
- Accessory Structure(s) 6' min.

**G**

**Side**

- Main Building 0' min.
- Accessory Structure(s) 0' min.

**H**

**Rear**

- Main Building and Accessory Structure(s) 3' min.

**I**

Structure(s)

<sup>1</sup> Or average front setback of adjacent abutting lots on the same frontage, whichever is less. For corner lots, average of minimum required and front setback of adjacent abutting lot on the same frontage, whichever is less.

<sup>2</sup> A larger setback may be required to accommodate required frontage or other planned right-of-way improvements.

**Building within Facade Zone (Percent of Net Lot Width)**

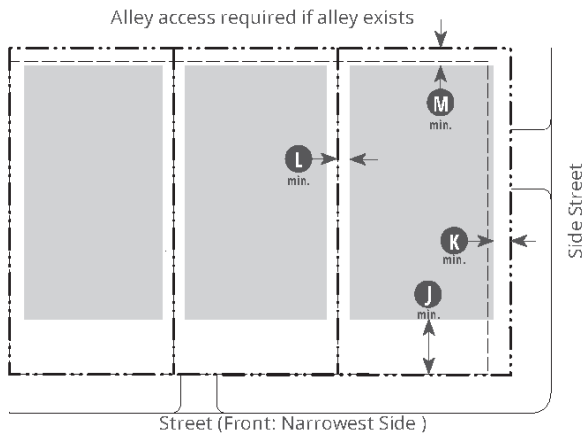
- Front<sup>3</sup> 60% min.
- Street Side 40% min.

<sup>3</sup> Required only when facing a public ROW.

**Miscellaneous**

Building facade must be parallel to ROW/Lot Line.

Minimum one primary pedestrian entrance from primary street must be located within front facade zone.



**Key**

- - - - ROW / Lot Line
- - - - Building Setback Line
- Parking Area

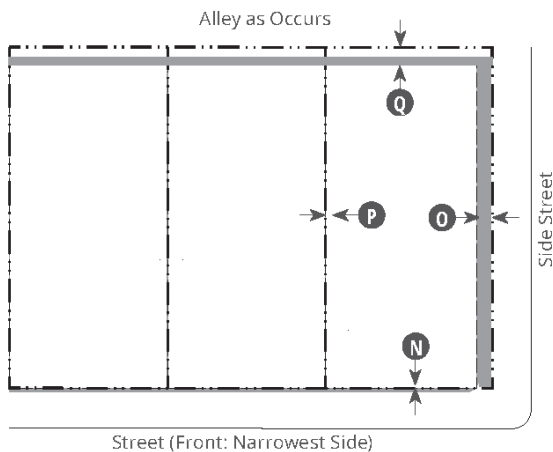
**F. Parking and Driveways**

**Parking Requirements**

See Section 10-24.3.2.050 (Parking and Loading)

**Parking Location (Distance from ROW/Lot Line)**

Front Setback	30' min.	Ⓧ
Street Side Setback	5' min.	Ⓚ
Side Setback	5' min.	Ⓛ
Rear Setback	5' min.	Ⓜ



**Key**

- ROW / Lot Line
- Building Setback Line
- Encroachment Area

**G. Projections into Required Yards**

Encroachment Type	N Front	O St. Side	P Side	Q Rear
Frontage <sup>1</sup>	May encroach up to the property line	—	—	—
Steps or Ramp to Building Entrance	May encroach up to the property line	—	—	—
Architectural Features	3' max.	3' max.	—	3' max.

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

<sup>1</sup> See Division 10-24.3.3 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

**H. Frontages**

Private Frontage Type	Front	St. Side	Standards
Porch: Projecting	A <sup>1</sup>	A	10-24.3.3.060
Porch: Engaged	A <sup>1</sup>	A	10-24.3.3.070
Stoop	A <sup>1</sup>	A	10-24.3.3.080
Forecourt	A	A	10-24.3.3.090
Dooryard	A	A	10-24.3.3.100
Maker Shopfront	-	A	10-24.3.3.110
Shopfront	A	A	10-24.3.3.120
Terrace	A	A	10-24.3.3.130
Gallery	A	A	10-24.3.3.140

<sup>1</sup> Not allowed facing Mission Boulevard.

**Miscellaneous**

Corner Lots must have private frontage located within the Front and Street Side Facade Zone as required in Subsection E.



<p>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</p>	<p><sup>1</sup>Reduction in minimum density allowed subject to Major Site Plan Review.</p>
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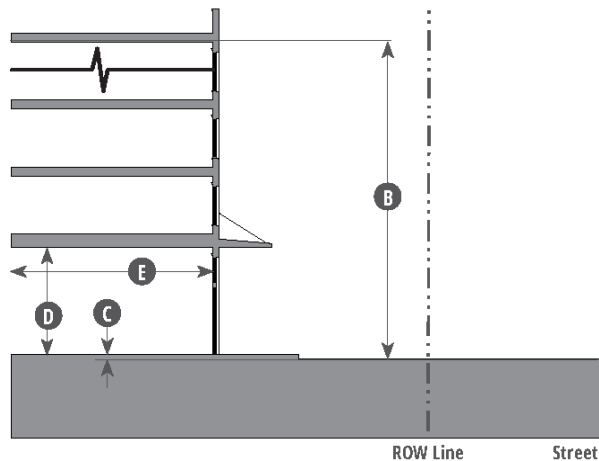
Key

--- ROW / Lot Line

**C. Lot Occupation**

Lot Width	18' min.	<b>A</b>
Lot Coverage	<del>90% max.</del>	
Landscaping	10% of lot area, min.	
Open Space	100 sf min. per unit <sup>1</sup>	

<sup>1</sup> ~~Minimum 50 sf must be provided as private usable open space for minimum 50% of the units and minimum 50 sf per unit must be provided as common usable open space. The remaining open space requirement may be met by a combination of private or common usable open space. The open space requirement may be met by a combination of private and/or common usable open space. See HMC 10-1.204(l)(5) for additional requirements.~~



**Key**

- - - - ROW Line
- ↗ Additional Stories in Place

**D. Building Form**

**Height**

**Main Building**

Stories 5 max., 6 max. with Major Site Plan Review **B**  
 Overall 68' max., 79' max. with Major Site Plan Review

**Accessory Structure(s)**

Stories 2 max.

**Ground Floor Finish Level**

Residential 12" min.<sup>1</sup> **C**  
 Non-Residential 3' max.

**Ground Floor Ceiling**

Non-Residential 14' min. **D**

**Other**

**Accessory Structure(s)**

Square Feet 440 max.

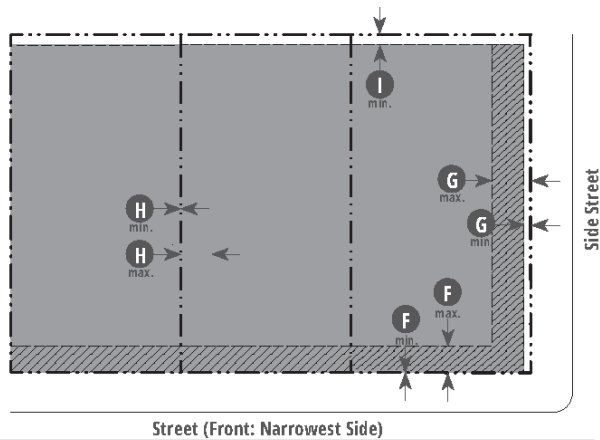
**Building Depth, Ground-Floor**

30' min. **E**

<sup>1</sup>The ground floor finish level of buildings facing a public ROW must be 12 inches above grade, unless otherwise adjusted to comply with ADA.

Height limits do not apply to chimneys, architectural features, parapets, solar energy systems, or necessary mechanical equipment, provided that such features are limited to the minimum height necessary for their proper functioning.





**Key**

- ROW / Lot Line
- Building Setback Line
- Buildable Area
- ▨ Facade Zone

**E. Building Placement**

**Setback (Distance from ROW/Lot Line)**

**Front (Facade Zone)**

Main Building <sup>1, 2</sup>	0' min.; 12' max.	Ⓕ
Accessory Structure(s)	Must be within 40' from rear lot line	

**Street Side (Facade Zone)**

Main Building <sup>1</sup>	2' min.; 12' max.	Ⓖ
Accessory Structure(s)	2' min.	

**Side**

Main Building	0' min.; 12' max.	Ⓗ
Accessory Structure(s)	0' min.	

**Rear**

Main Building and Accessory Structure(s)	3' min.	Ⓘ
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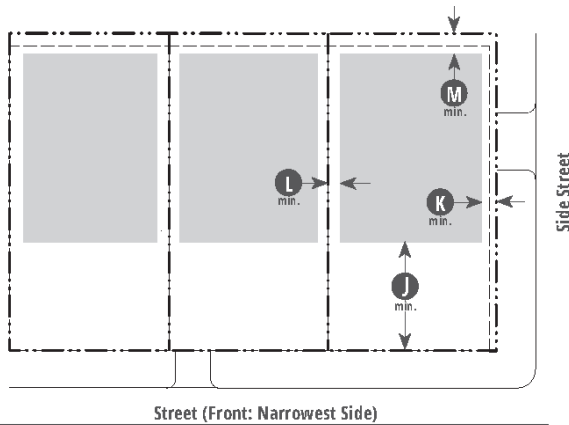
<sup>1</sup> Or average front setback of adjacent abutting lots on the same frontage, whichever is less. For corner lots, average of minimum required and front setback of adjacent abutting lot on the same frontage, whichever is less.

<sup>2</sup> A larger setback may be required to accommodate required frontage or other planned right-of-way improvements.

**Building within Facade Zone (Percent of Net Lot Width)**

Front <sup>3</sup>	80% min.
Street Side	60% min.

<sup>3</sup> Required only when facing a public ROW. May be reduced as needed to comply with minimum fire access requirements.



**Key**

- ROW / Lot Line
- Building Setback Line
- Parking Area

**E. Building Placement (continued)**

**Miscellaneous**

Building facade must be parallel to ROW/Lot Line.

Minimum one ~~primary~~ pedestrian entrance from primary street must be located within front facade zone.

**F. Parking and Driveways**

**Parking Requirements**

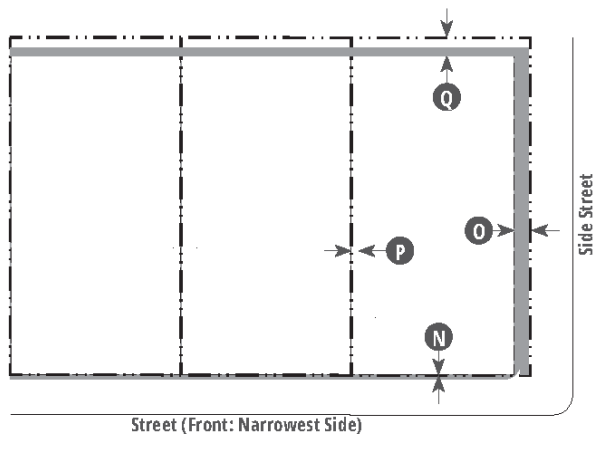
See Section 10-24.3.2.050 (Parking and Loading)

**Parking Location (Distance from ROW / Lot Line)**

Front Setback	40' min.	ⓐ
Street Side Setback	5' min.	ⓑ
Side Setback	5' min.	ⓒ
Rear Setback	5' min.	ⓓ

**Miscellaneous**

Pedestrian exits from all parking lots, garages, and ~~pParking Structures-structures~~ shall be lead directly to a public ROW (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building.



**Key**

- ROW / Lot Line
- Building Setback Line
- Encroachment Area

**G. Projections into Required Yards**

Encroachment Type	<b>N</b> Front	<b>O</b> St. Side	<b>P</b> Side	<b>Q</b> Rear
Frontage <sup>1</sup>	May encroach up to the property line	—	—	—
Steps or Ramp to Building Entrance	May encroach up to the property line	—	—	—
Architectural Features	3' max.	3' max.	—	3' max.

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

<sup>1</sup>See Division 10-24.3.3 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

**H. Frontages**

Private Frontage Type	Front	St. Side	Standards
Stoop	A	A	10-24.3.3.080
Forecourt	A	A	10-24.3.3.090
Dooryard	A	A	10-24.3.3.100
Maker Shopfront	—	A	10-24.3.3.110
Shopfront	A	A	10-24.3.3.120
Terrace	A	A	10-24.3.3.130
Gallery	A	A	10-24.3.3.140

**Miscellaneous**

Corner Lots must have private frontage located within the Front and Street Side Facade Zone as required in Subsection E.

First story facades for non-residential uses and common areas for residential, must provide minimum 30% glazing with clear glass. See Division 10-24.3.3 (Specific to Frontage Types) for further refinement of the glazing requirements by frontage type.

**Key**                                      A = Allowed                                      — = Not Allowed

DIVISION 10-24.2.3: USE TABLES

**DIVISION 10-24.2.3: USE TABLES**

**10-24.2.3.010 ALLOWED LAND USES AND PERMIT REQUIREMENTS**

A. Table 2.3.010.A (Allowed Uses and Permit Requirements), sets the land use regulations for the Mission Boulevard Corridor Zones by letter designation as follows unless a use or activity is prohibited or subject to a higher level of permit pursuant to other parts of this Code or other applicable regulations:

"P" designates permitted uses.

"A" designates uses that are permitted after review and approval of an Administrative Use Permit.

"C" designates uses that are permitted after review and approval of a Conditional Use Permit.

"P/C" designates uses that are permitted or permitted after review and approval of a Conditional Use Permit under certain circumstances.

"-" designates uses that are not allowed.

B. A project which includes two or more categories of land use in the same building or on the same site is subject to the highest permit level required for any individual use or single component of the project.

C. Land uses are defined in Section 10-1.3500 (Definitions), of the Hayward Zoning Code. In cases where a specific land use or activity is not defined, the Planning Director may make a determination in compliance with Section 10-1.2835 (District Uses Not Specified) of the Hayward Zoning Code.

Table 2.3.010.A: Allowed Uses and Permit Requirements					
Land Use	MB-CN	MB-NN	MB-CC	MB-CS <sup>1</sup>	Additional Regulations
<b>Residential</b>					
Emergency Homeless Shelter	P/C <sup>2,3</sup>	P/C <sup>2,3</sup>	-	-	Limited to parcels abutting Mission Boulevard
Live-Work	P/C <sup>2,3</sup>	P/C <sup>2,3</sup>	-	-	
<del>Multiple Multi-Unit Family Dwelling(s) Residential</del>	P/C <sup>2,3</sup>	P/C <sup>2,3</sup>	P/C <sup>2,3</sup>	-	
<del>Duplex/Triplex</del>	<u>P/C<sup>2,3</sup></u>	<u>P/C<sup>2,3</sup></u>	<u>P/C<sup>2,3</sup></u>	<u>-</u>	
<del>Single Family Dwelling Detached Residential Unit<sup>4</sup></del>	P	P	P	-	
Single Room Occupancy (SRO)	-	-	C	-	
<del>Townhouse Dwelling</del>	<u>P/C<sup>2,3</sup></u>	<u>P/C<sup>2,3</sup></u>	<u>P/C<sup>2,3</sup></u>	<u>-</u>	
<u>Accessory Dwelling Unit (s)</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>Where primary use is residential. See Hayward Zoning Code Section 10-1.2740 for criteria and standards.</u>
<b>Lodging</b>					
Hotel	A	A	A	-	
<b>Office</b>					

Architectural Service, Drafting Service, Engineering Service	P	P	P	-	
Banks <sup>5</sup>	P	P	P	-	
Financial Institutions <sup>5</sup>	P	P	P	-	
Medical/Dental Laboratory	A	A	A	C	
Office	P	P	P	-	
<b>Retail/Commercial</b>					
Alcohol Sales	Refer to Section 10-1.2750 et seq. of the Hayward Zoning Code for Alcoholic Beverage Outlets Regulations				
Appliance Repair Shop	P	P	A	-	
Appliance Store	P	P	A	-	
Bar, Cocktail Lounge	C	C	C	-	
Carpet/Drapery Store	P	P	A	-	
Check Cashing Store	-	-	-	-	
Convenience Market	P	P	P	-	If use includes alcohol sales, see also Section 10-1.2750 et seq. of the Hayward Zoning Code for Alcoholic Beverage Outlets Regulations
Copying or Reproduction Facility	P	P	P	-	
Equipment Rental Service	A	A	A	-	
Furniture Store	P	P	A	-	
Health Club	A	A	A	C	
Kennel	A	A	A	-	
Large Motion Picture Theater	C	C	C	C	
Liquor Store	-	-	-	-	
Live Performance Theater	A	A	A	A	
Massage Parlor	-	-	-	-	
Media Production	A	A	P	-	
Newspaper Printing Facility	A	A	P	-	
Nursery (Plants)	P	P	P	-	
Pawn Shop	-	-	-	-	
Payday Loan Facilities	-	-	-	-	
Personal Services	P	P	P	-	
Physical Fitness Studio	P	P	P	C	
Publishing Facility	A	A	P	-	
Recreational Facility	A	A	A	C	

Small Recycling Collection Facilities/Recycling Collection Area	A	A	A	-	See Hayward Zoning Code Subsection 10-1.2735.j, Small Recycling Collection Facilities and Unattended Collection Boxes
Restaurant, Including Micro-Breweries as accessory to the Restaurant and standalone Catering Facilities	P	P	P	-	See Hayward Zoning Code Section 10-1.2750 et seq. for alcohol regulations See Section 3.4.040.F.4 and 5 for outdoor seating requirements
Retail	P	P	P	C	
Small Motion Picture Theater	A	A	A	C	
Tattoo Parlor	-	-	-	-	
Tobacco Retail Sales Establishment	-	-	-	-	
<b>Civic</b>					
Cultural or Meeting Facilities	A	A	A	C	
Public Park/Public Gathering	P	P	P	P	
Parking Lots and Structures	A	A	A	C	
Public Agency Facilities	P	P	P	P	
Religious Facility	A	A	A	C	
<b>Other: Agriculture</b>					
Community Garden	P	P	P	P	
<b>Other: Automotive</b>					
Automobile Repair (Minor)	A	A	A	-	
Automobile Repair (Major)	C	C	C	-	
Automobile Sales <sup>6</sup>	P/A	P/A	P/A	-	
Drive-In Establishment	C	C	C	-	
Automobile Service Station	C	C	C	-	
Taxi Company	A	A	A	-	
<b>Other: Civil Support</b>					
Hospital	A	A	A	C	
Mortuary	A	A	A	C	
<b>Other: Education</b>					
Day Care Center	P	P	P	C	
Day Care Home	P	P	<u>P-</u>	-	
Educational Facilities ≤ 2,000 GFA	P	P	P	C	
Educational Facilities > 2,000 GFA	A	A	A	C	
Industrial/Vocational Trade School	A	A	A	C	

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(Supp. No. 19, Update 1)

<b>Other: Light Industrial</b>					
Micro-Brewery	C	C	C	-	See Hayward Zoning Code Section 10-1.2750 et seq. for alcohol regulations
Custom Manufacturing	P	P	P	-	
Distillery	C	C	C	-	See Hayward Zoning Code Section 10-1.2750 et seq. for alcohol regulations
Light Manufacturing	AUP	AUP	-	-	
Research and Development	P	P	-	-	
<b>Other Use</b>					
Animal Hospital	A	A	A	-	
Commercial Amusement Facility	A	A	A	-	
Food Vendor	P	P	P	-	See Hayward Zoning Code Subsection 10-1.2735.m, Food Vendor Permit
Temporary Uses	See Section 3.5.020, Temporary Uses				
<b>Specific Limitations:</b>					
1. When the MB-CS Zone is applied to privately owned property, the use and building existing at the time this Code comes into effect may continue until the site is redeveloped or becomes under public ownership.					
2. For properties located within Commercial Overlay Zone 1, as shown in the Regulating Plan, commercial uses are required on the ground floor along roadway frontages. Uses associated with the residential use, such as leasing office, community space, amenities, etc., are allowed on the ground floor.					
3. For properties located within Commercial Overlay Zone 2, as shown in the Regulating Plan, residential units are only allowed along the primary street frontage with a conditional use permit.					
4. <del>Single-family dwelling</del> <u>Detached residential unit</u> permitted if the lot/parcel has an existing, permitted <del>single-family dwelling</del> <u>detached residential unit</u> that was constructed prior to the effective date of this Code. No new detached <del>single-family dwellings</del> <u>residential units</u> are allowed.					
5. Does not include check cashing, pay loans, or auto title loans.					
6. An Administrative Use Permit is required for automobile sales uses south of Harder Road.					

## DIVISION 10-24.3.2: GENERAL STANDARDS

**10-24.3.2.010 ARCHITECTURAL STANDARDS**

- A. ~~**Facade Articulation.** Projects shall be designed consistent with the following design objectives:~~
  - 1. ~~Street facing elevations shall be articulated through variation in wall plane, variation in wall height, and roofs located at different levels in order to enhance visual interest of the elevation.~~
  - 2. ~~Massing elements shall be properly scaled and in proportion to one another in order to provide a balance between horizontal and vertical emphasis.~~
  - 3. ~~Minimize blank wall planes on all elevations through the use of wall plane variation, trim or reveals, entry and window openings, and/or varying colors and materials.~~
- B. ~~**Materials.**~~
  - 1. ~~Building wall materials may be horizontally combined on each facade with the visually heavier/denser material located below the lighter material.~~
  - 2. ~~Galleries, balconies, and porches shall be of a material compatible with the architectural materials of the main building.~~
- C. ~~**Openings.** All openings, including porches, galleries, and windows, with the exception of shopfronts, shall be square or vertical in proportion.~~
- D. ~~**Roofs.** Flat roofs shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment to the satisfaction of the Review Authority from view of public rights-of-way.~~
- A. **Building Massing.**
  - a. Facades between 75 and 125 feet long shall have vertical breaks using recesses or projections of the façade plane that are at least 8 feet wide and 2 feet deep at least once every 75 feet.
  - b. Facades that equal to or greater than 125 feet long shall have vertical breaks using recesses or projections that are at least 15 feet wide and 10 feet deep at least once every 125 feet.
- B. **Façade Design.** All buildings, excluding accessory structures, shall incorporate a combination of any of the following design elements to achieve a minimum of 70 points.

<b>TABLE 10-24.3.2.010.A: FAÇADE DESIGN ELEMENTS AND ASSOCIATED POINTS VALUE</b>	
<u>Design Element</u>	<u>Points Value</u>
<u>Balconies on at least 50 percent of street facing units with no dimensions less than 56 feet</u>	<u>50</u>
<u>Use of a siding or cladding material on the ground floor building facades that is different from the materials used above the ground floor</u>	<u>35</u>
<u>At least two distinct building materials that each make up at least 25 percent of the total building facades.</u>	<u>35</u>
<u>Variation in roof height or parapet by at least 2 feet</u>	<u>35</u>
<u>Roof overhang of at least 2 feet along all street facing facades</u>	<u>35</u>
<u>Upper story step back of at least 5 feet along at least 75 percent of street facing facades.</u>	<u>35</u>
<u>Use of horizontal window overhangs with a depth of at least 18 inches covering the entire length of the window on at least 25 percent of street facing windows</u>	<u>35</u>
<u>Windows covering at least 20 percent of the total surface area of the front facing façades</u>	<u>35</u>
<u>Cornices along the top of all building facades that are at least 6 inches deep</u>	<u>25</u>
<u>At least one sconce light fixture every 15 feet along the street facing facades</u>	<u>25</u>



<u>A sculpture or three-dimensional art piece that is at least 10 feet tall, 4 feet wide and 4 feet deep</u>	<u>25</u>
<u>A mural along a street-facing facade that is at least 200 square feet</u>	<u>20</u>
<u>At least one horizontal decorative band that is either:</u>	
• <u>A building material that is different from abutting façade materials</u>	<u>20</u>
• <u>Projects at least 2 inches along at least 50 percent of the building facades</u>	
<u>Window moldings at least 4 inches wide on all windows.</u>	<u>20</u>
<u>Use of shutters on at least 50 percent of street facing windows.</u>	<u>20</u>

### 10-24.3.2.020 MECHANICAL AND ELECTRICAL EQUIPMENT

All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from public rights-of-way. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, emergency generators, heaters, utility meters, cable equipment, telephone entry boxes, backflow preventions, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems. Screening materials shall ~~be consistent with~~ utilize the same color(s) with the exterior colors ~~and materials~~ of the building. Exceptions may be granted by the Planning Director or other approving authority where screening is infeasible due to existing development or health and safety or utility requirements.

### 10-24.3.2.030 EXTERIOR ~~AND PARKING LOT LIGHTING~~

- A. Exterior lighting ~~and parking lot lighting~~ shall be provided ~~and be designed by a qualified lighting designer and erected and maintained~~ so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. ~~Such lighting shall also be designed such that it is decorative and in keeping with the design of the development.~~
- B. **Safety and Security.** Common areas, parking lots, entries, and areas adjacent to walkways, bike paths, and other connections shall be well lit ~~and provide for visual surveillance~~, especially at points of entry. ~~Avoid dense hedges, dark corners, and other elements or site layouts that can obstruct visibility or result single point of entry and exit.~~

### 10-24.3.2.040 FENCES AND WALLS

- A. **Height.** Fences and walls ~~may~~ shall be constructed to a maximum height of ~~sixseven (67)~~ feet in any side or rear setback, and to a maximum height of four (4) feet in any portion of a front or street side setback, except that where the rear or side setback is contiguous to the BART tracks, a flood control channel, or parking lot, a maximum 8-foot-high fence or wall is permitted.
- B. **Materials.**
- Fences and walls in the front and street side setbacks shall be painted, mural-covered, vine-covered, or ~~of a high quality or decorative material compatible with the architectural materials of the main building~~ utilize a fence type specified in Table 3.2.040.A below.
  - Anti-graffiti coating shall be required for all solid walls, decorative or otherwise, unless covered with ~~a mural or~~ vines.
  - Other fences may be of wood board or decorative metal, as specified in Table 3.2.040.A below.
  - Barb wire, razor wire, or electric fences are prohibited.
  - Fences and walls above 3 feet are prohibited in the Vision Triangle area.

- C. **Fence Types.** Table A (Fences and Walls by Zone) shows five common types of fences and walls and their appropriateness within the Mission Boulevard Corridor Zones. Only these fences and wall types shall be used in any portion of a front or side yard unless an alternative type, complementary to the design and character of the development, is approved by the Planning Director.

Table 3.2.040.A Fences and Walls by Zone				
Fence Type	MB-CN	MB-NN	MB-CC	Notes
Chain Link Fence	X	X	X	Allowed only within side and rear yard areas that do not front private driveways or public roadways.
Wood Picket Fence	X	X	-	
<del>Iron</del> PicketDecorative Metal Fence	X	X	X	<u>Includes wrought iron, tubular steel, omega type steel, and decorative metal panels with punched out designs.</u>
Metal Fence on Concrete Base	X	X	X	The concrete base should be 18"—36" in height. <u>Metal fence may not be chain link in front yard.</u>
Brick/Stone and Iron Fence	X	X	X	<u>Although brick only is named, other materials such as stone, slate, etc. are also acceptable, with a tie-in to the building material.</u>
Brick <u>or Stone</u> Wall	X	X	X	

### 10-24.3.2.050 PARKING AND LOADING

The parking and loading provisions of Article 2 (Off-Street Parking Regulations) of the Hayward Zoning Code apply except as provided below:

A. **Required Ratio of Parking Spaces.**

1. There is no requirement for a minimum number of off-street automobile parking spaces.
2. There is a maximum of two (2) off-street parking spaces per residential unit allowed except within one-half mile radius of the Hayward and South Hayward BART Stations where there is a maximum of one (1) off-street automobile parking space per residential unit allowed. The Review Authority may approve additional residential parking after making all the following findings:
  - a. The request is consistent with the goals and policies of the Hayward General Plan, the Mission Boulevard Form Based Code; and any other adopted policies related to parking and the multi-modal network;
  - b. The request is supported by a quantitative justification from the applicant that the demand for the additional parking spaces exists and providing additional parking spaces is warranted; and
  - c. The additional parking will not impede bicycle and pedestrian circulation and safety.

B. **Tandem Parking.**

1. Tandem parking may be provided for residential uses when spaces are assigned to the same dwelling unit.
2. Tandem parking may be provided for nonresidential uses when a valet/attendant is on duty during the hours when the business is open.

- C. **Landscaped Planter.** A landscaped planter at least five feet wide shall be provided between any surface parking area and any property line for the length of the parking area.

D. **Bicycle Parking.** Bicycle parking shall be provided and located in accordance with the most recent version of Section 5.106.4 of the California Green Building Standards Code (CalGreen) ~~and/or~~ the following, whichever requires the higher number of bicycle parking spaces:

1. **Bicycle Parking Requirements.** Table D, Bicycle Parking Requirements, lists the amount of short-term and long-term bicycle parking to be provided.

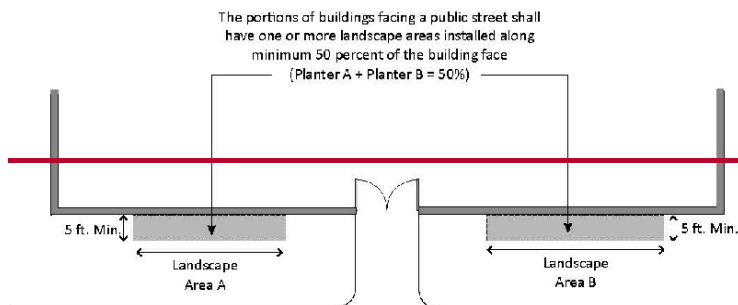
<b>Table 3.2.050.B: Bicycle Parking Requirements</b>			
<b>Use Type</b>	<b>MB-CN</b>	<b>MB-NN</b>	<b>MB-CC</b>
<b>Short-Term Parking</b>			
Residential	1 space per 10 units, minimum 2 spaces	1 space per 10 units, minimum 2 spaces	1 space per 10 units, minimum 2 spaces
Office	1 space per 15,000 square feet, minimum 2 spaces	1 space per 15,000 square feet, minimum 2 spaces	1 space per 15,000 square feet, minimum 2 spaces
Retail	1 space per 5,000 square feet, minimum 2 spaces	1 space per 5,000 square feet, minimum 2 spaces	1 space per 5,000 square feet, minimum 2 spaces
Civic, Non-Assembly	1 space per 15,000 square feet, minimum 2 spaces	1 space per 15,000 square feet, minimum 2 spaces	1 space per 15,000 square feet, minimum 2 spaces
Civic, Assembly	1 space per 15,000 square feet, minimum 2 spaces	1 space per 15,000 square feet, minimum 2 spaces	1 space per 15,000 square feet, minimum 2 spaces
School, University	1 space per 10 students, minimum 2 spaces	1 space per 10 students, minimum 2 spaces	1 space per 20 students, minimum 2 spaces
<b>Long-Term Parking</b>			
Residential	1 space per 4 units, minimum 2 spaces	1 space per 4 units, minimum 2 spaces	1 space per 4 units, minimum 2 spaces
Office	1 space per 10,000 square feet, minimum 2 spaces	1 space per 10,000 square feet, minimum 2 spaces	1 space per 10,000 square feet, minimum 2 spaces
Retail	1 space per 10,000 square feet, minimum 2 spaces	1 space per 10,000 square feet, minimum 2 spaces	1 space per 10,000 square feet, minimum 2 spaces
Civic, Non-Assembly	1 space per 15 employees, minimum 2 spaces	1 space per 15 employees, minimum 2 spaces	1 space per 15 employees, minimum 2 spaces
Civic, Assembly	1 space per 15 employees, minimum 2 spaces	1 space per 15 employees, minimum 2 spaces	1 space per 15 employees, minimum 2 spaces
School, University	1 space per 10 students, minimum 2 spaces	1 space per 10 students, minimum 2 spaces	1 space per 10 students, minimum 2 spaces

- 
2. **Bicycle Parking Standards.** Bicycle spaces must be provided in compliance with the following standards:
- a. Long-term bicycle parking must consist of one of the following:
    - (i) Covered, lockable enclosures with permanently anchored racks for bicycles;
    - (ii) Lockable bicycle rooms with permanently anchored racks;
    - (iii) Lockable, permanently anchored bicycle lockers; or
    - (iv) For residential uses, private garages or other private, lockable storage space accessible from the outside;
    - ~~(v) Lockable enclosure shall be located in compliance with CPTED principles;~~
  - b. Short-term bicycle parking must include racks to which the bicycle can be locked;
  - c. Lockers and racks must be securely anchored to the pavement or a structure;
  - d. Racks must be designed and installed to allow two points of contact with the frame and allow the frame and one or both wheels to be secured;
  - e. Areas containing bicycle spaces must be surfaced with ~~impervious surfaces such as asphalt, concrete, or pavers, decomposed granite or impervious permeable surfaces.~~ Pervious pavements or gravel may be used where appropriate as determined by the Planning Director or City Engineer;
  - f. When located within a parking area, curbs, fences, planter areas, bumpers, or similar barriers must be installed and maintained for the mutual protection of bikes, motor vehicles and pedestrians, unless determined by the Planning Director to be unnecessary; and
  - g. Bicycle parking must be placed ~~in a convenient, highly visible, active, and well-lit location~~ within 100 feet of the entrance of the use the bicycle parking is serving as measured by path of travel or within conformance with the California Green Building Standard Code (CalGreen), whichever is more restrictive. At the discretion of the Planning Director or City Engineer, required bicycle parking may be provided within the public right-of-way.
3. **Bicycle Parking Space Dimensions.** All bicycle parking racks must meet the following minimum dimensions:
- a. Each bicycle parking space must include a minimum area of 72 inches in length and 24 inches in width that is clear of obstructions;
  - b. No part of the rack may be located closer than 30 inches to a wall or other obstruction;
  - c. The front or back of the rack must be located no less than 48 inches from a sidewalk or pedestrian way; and
  - d. A minimum of 30 inches must be provided between adjoining racks.
- ~~4. **Bicycle Parking Modifications.** If providing required bicycle parking spaces on site is infeasible due to space or site specific constraints, the Planning Director may allow placement of bicycle parking off-site at a nearby location, which may include the public right-of-way.~~
- ~~5. **Location.** Bicycle racks and/or bicycle lockers shall be adjacent to building entries where they are clearly visible in order to enhance safety and security.~~

### 10-24.3.2.060 LANDSCAPING

#### A. MB-CN and MB-NN Zones.

1. All setbacks shall be landscaped except for permitted driveways and walkways.
2. A minimum of one tree per 30 feet of frontage shall be planted within the front setback, (e.g. A lot with 120 feet of frontage requires 4 trees total). Trees ~~should~~shall be a single species ~~to~~and must match the species of street trees along the project frontage, unless a complementary species is approved by the City Landscape Architect. Portions of buildings facing a public street shall have one or more landscaped areas with a minimum five-foot-wide landscaped area along a minimum 50 percent of the building face.



3. New development with building facades that are at least 15 feet taller than the tallest existing buildings on the abutting parcels, shall include a landscape buffer at least 12 feet wide between the new and existing buildings. The landscape buffer shall include 15-gallon evergreen trees that create a continuous tree canopy at maturity as defined by the Sunset Western Garden Book.

- #### B. MB-CC Zone.
- All setbacks shall be landscaped except for permitted driveways, walkways, or areas paved to match the pavement of the adjacent public frontage.

### 10-24.3.2.090 SUSTAINABILITY PLAN

All applications for new development or redevelopment of a site in the Code Area shall include a Sustainability Plan that incorporates best practices of sustainability for the proposed operations and site-specific improvements. The Plan may include, but not limited to, recommendations for energy conservation and efficiency, green infrastructure, water conservation, reductions in air emissions, use of toxic materials, and recycling. The Plan shall include how the development intends to meet the requirements of the California Green Building Code (CalGreen) and City of Hayward Reach Code, as amended from time to time.

## DIVISION 10-24.3.3: SPECIFIC TO FRONTAGE TYPES

### 10-24.3.3.030 OVERVIEW

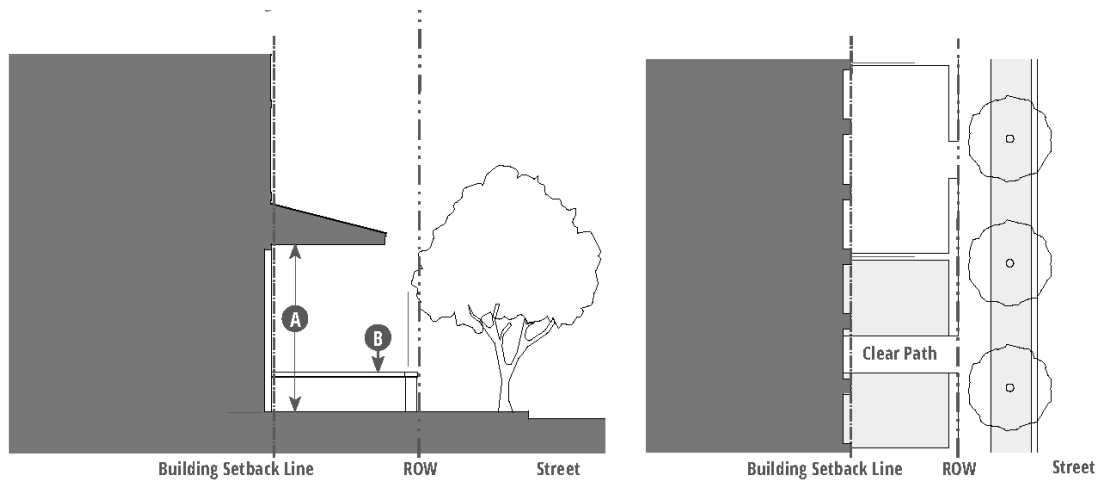
Table A (Frontage Types Overview) provides a list of the allowed frontage types by zone. The names of the frontage types indicate their particular configuration or function and are not intended to limit uses within the

associated building. For example, a porch may be used by non-residential uses such as a restaurant or office as allowed by the zone.

Table 3.3.030.A Frontage Types Overview		
FRONTAGE TYPE	SECTION	ZONES
Front Yard	10-24.3.3.050	MB-CN <input type="checkbox"/> <input type="checkbox"/>
Porch: Projecting	10-24.3.3.060	MB-CN MB-NN <input type="checkbox"/>
Porch: Engaged	10-24.3.3.070	MB-CN MB-NN <input type="checkbox"/>
Stoop	10-24.3.3.080	MB-CN MB-NN MB-CC
Forecourt	10-24.3.3.090	MB-CN MB-NN MB-CC
Dooryard	10-24.3.3.100	MB-CN MB-NN MB-CC
Maker Shopfront	10-24.3.3.110	<input type="checkbox"/> MB-NN MB-CC
Shopfront	10-24.3.3.120	MB-CN MB-NN MB-CC
Terrace	10-24.3.3.130	MB-CN MB-NN MB-CC
Gallery	10-24.3.3.140	<input type="checkbox"/> MB-NN MB-CC

Key      Z=Zone      **Z** Allowed       Z Not Allowed

**10-24.3.3.100 DOORYARD**



Key  
 - - - - ROW / Lot Line      - - - - Building Setback Line

<b>A. Description</b>	
The main facade of the building is set back a small distance and the frontage line is defined by a low wall or hedge, creating a	

small dooryard. The dooryard may not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and may be used for ground-floor residential or non-residential uses.

MB-CN MB-NN MB-CC

**B. Size/Dimensions**

Height of awning, Clear	8' min.	<b>A</b>
Height of Dooryard Fence/Wall	36" max.	<b>B</b>

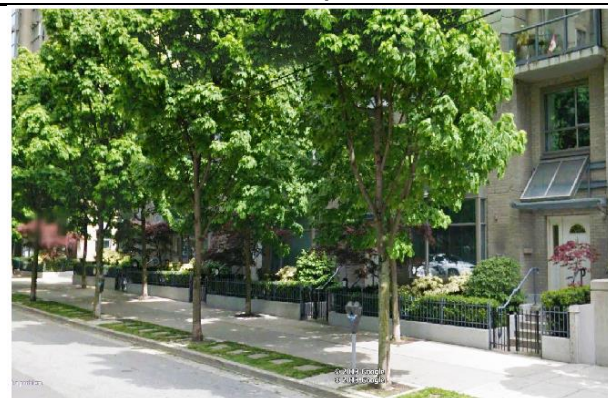


**Small dooryards include low fences to provide a visual transition from the public sidewalk.**

**C. Miscellaneous**

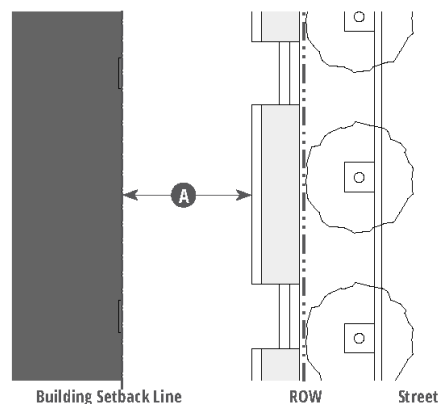
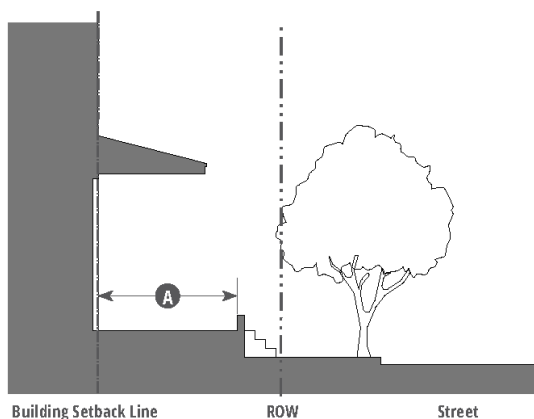
Each Dooryard must provide access to only one ground floor entry.

*General Note: Photos on this page are illustrative, not regulatory.*



**A series of small dooryards with small outdoor gardens along the front of each ground floor unit.**

**10-24.3.3.130 TERRACE**

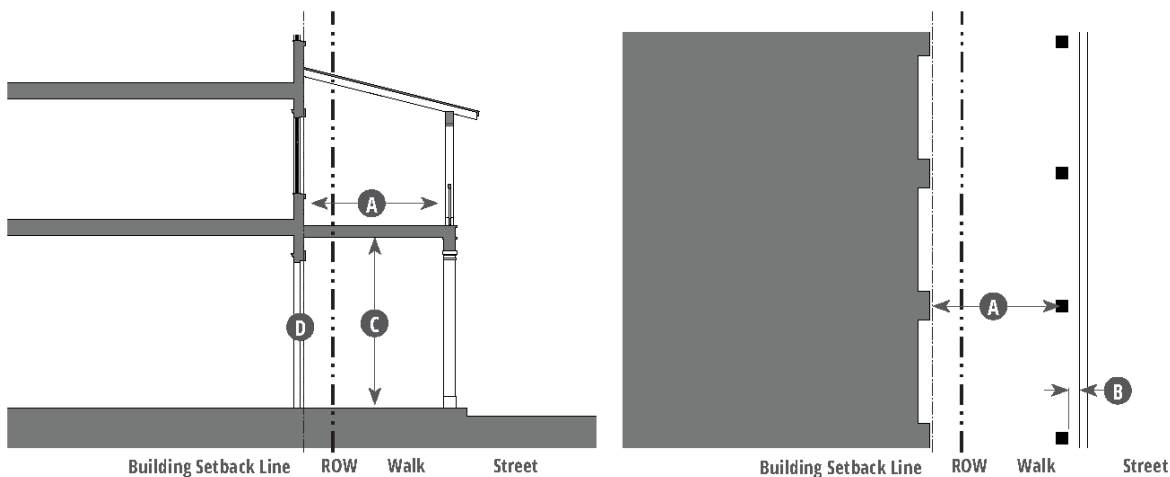


Key  
 ---- ROW / Lot Line      - - - - Building Setback Line

<b>A. Description</b>		
<p>The main facade is set back from the frontage line with an <del>an elevated</del> terrace providing public circulation along the facade. This type can be used to provide at-grade access while accommodating a grade change or buffer residential use from public sidewalk. <del>Typically elevated,</del> Frequent steps up to the terrace are necessary to avoid blank sections of walls and to maximize access. This type may also be used in historic industrial areas to mimic historic loading docks.</p>		
<div style="display: flex; justify-content: space-around;"> <div style="background-color: #cccccc; padding: 2px;">MB-CN</div> <div style="background-color: #cccccc; padding: 2px;">MB-NN</div> <div style="background-color: #cccccc; padding: 2px;">MB-CC</div> </div>		
<b>B. Size/Dimensions</b>		
Depth of Terrace	8' min.	<b>A</b>
<b>C. Miscellaneous</b>		
Low walls used as seating are allowed.		
<del>Where the zone requires the ground floor to be flush with the sidewalk, the terrace is considered to be the sidewalk.</del>		
Terrace may be utilized to group entries at a common elevation.		
<i>General Note: Photos on this page are illustrative, not regulatory.</i>		
		
<p><b>Terrace accommodates a change in grade with low walls for seating while keeping visual connection with sidewalk.</b></p>		
		
<p><b>One terrace spans across several ground floor townhouses with individual entries separated by landscaping.</b></p>		



### 10-24.3.3.140 GALLERY



**Key**  
 - - - - ROW / Lot Line      - - - - Building Setback Line

**A. Description**  
 The main facade of the building is at or near the frontage line with a cantilevered shed or colonnade that may overlap the sidewalk. The gallery may support habitable space on the upper story. This type is intended for buildings with ground-floor commercial or retail uses and may be one or two stories. If the gallery overlaps the right-of-way, an easement is required. Alternatively the lot line may be aligned with the edge of the gallery and curb.



**One-story gallery.**

MB-NN     MB-CC

**B. Size/Dimensions**

Depth, Clear	10' min.	<b>A</b>
Setback from Curb	2' min.	<b>B</b>
Height, Clear	10' min.	<b>C</b>



**A two-story gallery fronting a plaza.**

**C. Miscellaneous**

Galleries must also follow the regulations for the Shopfront Frontage Type (See Section 10-24.3.3.110). **D**

Galleries must have a consistent depth.

Galleries must project over ~~the sidewalk~~ pedestrian path of travel.

*General Note: Photos on this page are illustrative, not regulatory.*

## DIVISION 10-24.3.4: SPECIFIC TO CIVIC SPACES

### 10-24.3.4.030 OVERVIEW

- A. Table A (Civic Space Type Overview) provides an overview of the allowed civic space types in the Mission Boulevard Corridor Zones.
- B. The civic spaces specified in Table A (Civic Space Type Overview) are allowed as follows:
  1. **Allowed by Review.** Allowed if in compliance with the standards of this Division and if approved as part of Site Plan Review, ~~or Conditional Use Permit~~, Major Site Plan Review, or with an Administrative Use Permit ~~or Conditional Use Permit~~.
  2. **Not Allowed.** Civic Space Types not allowed in the zone.

Table 3.4.030.A Civic Space Type Overview				
CIVIC SPACE TYPE	SECTION	ZONES		
Greenway	10-24.3.4.050	MB-CN	MB-NN	MB-CC MB-CS
Green	10-24.3.4.060	MB-CN		MB-CC MB-CS
Square	10-24.3.4.070		MB-NN	MB-CC MB-CS
Pocket Plaza	10-24.3.4.080		MB-NN	MB-CC MB-CS
Playground	10-24.3.4.090	MB-CN	MB-NN	MB-CC MB-CS
<b>Key</b>	Z=Zone	<b>Z</b> Allowed by Review	<b>Z</b> Not Allowed	

### 10-24.3.4.040 GENERAL TO ALL CIVIC SPACES

- A. **Minimum Dimensions.** Minimum dimension of 25 feet by 25 feet.
- B. **Building Frontage.** Buildings on lots adjacent to or across a thoroughfare from a civic space must be oriented to have the building face the civic space.
- C. **Public Access.** Public access and visibility from a public street and from on-site areas normally frequented by nearby uses, must be maintained.
- D. **Accessory Structure Standards.** Accessory structures within civic spaces, including, but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters, and outdoor theaters, are subject to the standards of the applicable zone in Division 10-24.2.2 (Mission Boulevard Corridor Zones).
- E. **General Characteristics.** The placement of objects within the civic space.
  1. **Natural.** Civic spaces with natural character must be designed in a natural manner with no formal arrangement of elements.
  2. **Formal.** Civic spaces with a formal character must be designed in a more rigid layout that follows geometric forms and has trees and other elements arranged in formal patterns.
  3. **Informal.** Civic spaces with an informal character must be designed to have a mix of formal and natural characteristics.

- F. **Design Criteria.** An area used for civic space must comply with the following:
1. Unless the land includes sensitive natural resources, a civic space area must be readily accessible and usable.
  2. The area may be developed using any practical combination of high quality plant and hardscape materials such as bricks, stone, concrete, permeable paving, or tile.
  3. The surface of the civic space must be suitable for outdoor activities, such as a lawn or paving for designated activities.
  4. ~~Locate s~~ Seating areas and plazas should be located in areas with good solar exposure and wind protection.
  5. Civic space shall include benches or other seating. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including but not limited to trees and other landscaping, shade structures, drinking fountains, water features, public art, trash receptacles, information kiosks, or performance areas.

## DIVISION 10-24.3.5: SPECIFIC TO USES

### 10-24.3.5.020 TEMPORARY USES

- D. **Allowed Temporary Uses.** The following temporary uses and events require a Temporary Use Permit in compliance with Division 10-24.4.4 (Temporary Use Permits), and must comply with the following standards:
1. **Events.** In addition to the following standards, temporary events must comply with Subsection 10-1.2735.h (Outdoor Gatherings) of the Hayward Zoning Code. If there is a conflict between this Section and the Municipal Code, this Section controls.
    - a. Circuses, carnivals, and similar transient amusement enterprises in a MB-CC Zone subject to no more than 30 days of site occupation and operation in any calendar year.
    - b. Music festivals, movie nights, outdoor art and craft shows and exhibits, and similar outdoor entertainment activities subject to a limitation on the number of days of operation as determined by the Planning Director.
  2. **Seasonal Sale Events.** Seasonal sale events (e.g., Halloween, Thanksgiving, Christmas, etc.) must comply with Subsection 10-1.2735.c (Christmas Tree and Pumpkin Patch Lot Regulations) of the Hayward Zoning Code. Accessory uses, including temporary residence/security trailers, are only allowed on non-residential properties. Businesses holding valid a Business Permit, in compliance with Chapter 8-1 (Business Licenses) of the Municipal Code must not exceed 45 days for pumpkin and tree sales. Seasonal sales events may not occur more than four times per calendar year with a maximum of five days for each event.
  3. **Storage Containers.** Storage containers, including cargo containers or semitrailers, used for storage purposes.
    - a. No storage container may exceed a storage period of 15 days in any calendar year, except ~~Subsection, as specified~~ below.
    - b. A storage container located on an active construction site may be retained longer than 15 days, but must be removed immediately following the issuance of a certificate of conformance or final inspection.

- c. Storage containers are not allowed within the public ROW and must be placed to prevent public health or safety issues.
4. **Tract Homes or Lot Sales Offices.**
5. **Mobile Homes.** A mobile home to be utilized as a temporary dwelling in a residential zone while a single-family dwelling is under construction and subject to the following provisions:
- The mobile home may only be located on the same parcel under construction and occupied while actual construction activities are taking place upon the parcel. The period of placement and use may not exceed 12 months.
  - The mobile home may only be occupied by the property owner, the builder designated on the Building Permit, and the owner's/ builder's family.
  - The timely removal and compliance with all conditions of approval may be required.
  - The minimum setbacks for the zone must be maintained.
  - Additional conditions necessary and appropriate to ensure compatibility with surrounding development, existing and contemplated, may be imposed on the approved permit.
6. **Temporary Vegetable and Fruit Stands.** A temporary vegetable and/or fruit stand is allowed in compliance with the following standards:
- Vegetable and fruit stands must be operated by the producer;
  - The stand may not operate more than 90 days a year;
  - The producer shall obtain written consent from the land owner to operate a temporary vegetable and/or fruit stand on the property;
  - More than one stand per lot is prohibited;
  - Stands may encroach into required setbacks, but may not encroach into the public right-of-way.

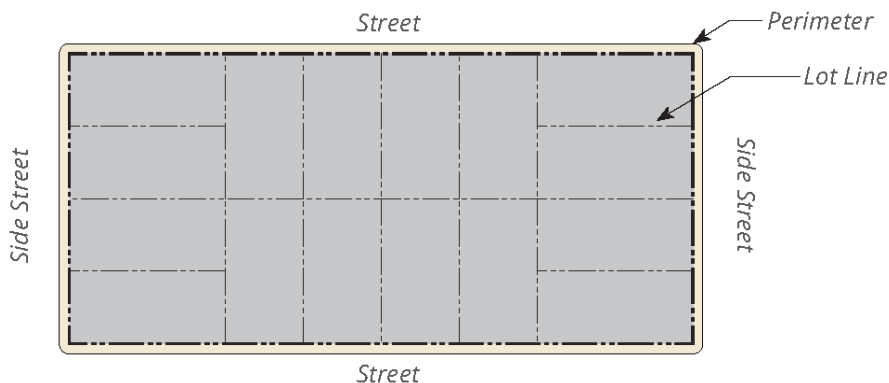
## DIVISION 10-24.3.6: STANDARDS FOR LARGE SITES

### 10-24.3.6.030 DEVELOPMENT REQUIREMENTS

#### A. Block Size.

- The total block perimeter must comply with the standards established in Table A (Block Size).
- If a block or site contains multiple zones, smallest applicable block perimeter applies.

<b>Table 3.6.030.A Block Size</b>	
Zone	New Block Perimeter
MB-CN, MB-CS	2,400 ft. max.
MB-NN	2,800 ft. max.
MB-CC	2,000 ft. max.



B. **Thoroughfares.** Thoroughfares, public or private, define the streets, pedestrian paths, and bicycle routes that refine large sites into walkable urban environments that may also provide multiple routes for vehicular circulation.

1. **General to All.**

- a. Thoroughfares are intended to provide multi-modal access to lots and civic spaces.
- b. Thoroughfares shall consist of vehicular lanes (including parking and bicycle lanes) and public frontages (including sidewalks and amenities) consistent with City complete streets principles and City plans for improvements.
- c. Pedestrian comfort shall be a primary consideration of the thoroughfare.
- d. Where presented, design conflicts between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.

2. **Design.**

- a. Thoroughfares must comply with Department of Public Works and Utilities standards.
- b. The thoroughfare network must indicate the layout on streets, pedestrian paths, and bicycle facilities (as appropriate), and the block network in compliance with standards in this Subsection and Subsection A.
- c. Thoroughfares shall accommodate sidewalks, Bicycle Lanes, Bicycle Routes and Bicycle Trails (if applicable) consistent with the City of Hayward Bicycle and Pedestrian Master Plan and any other plans for network improvements.
- d. Thoroughfares that pass through multiple zones must transition to align with the character of the zone. For example, while a thoroughfare within a Mission Boulevard-Corridor Center (MB-CC) Zone with retail shops may have wide sidewalks with trees in tree grates, it may transition to a narrower sidewalk with a planting strip within a less urban zone with lower intensity residential uses (e.g., Mission Boulevard-Corridor Neighborhood (MB-CN) Zone).

3. **External Connectivity.**

- a. Thoroughfares must be arranged to connect to existing or proposed thoroughfares into adjoining lands whether the adjoining lands are undeveloped and intended for future development, or if the adjoining lands are developed and include opportunities for such connections.
- b. Thoroughfare rights-of-way must be extended to or along adjoining property boundaries to provide a roadway connection or thoroughfare stub for development in compliance with the standards in Subsection A (Block Size).

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- c. The site plan must identify all stubs for thoroughfares and include a notation that all stubs must connect with future thoroughfares on adjoining undeveloped property.
  - d. Dead-end streets and cul-de-sacs are not allowed. This does not apply to public or private driveways leading to parking facilities, including garages, parking lots, or parking structures.
4. **Specific to Bicycle and Pedestrian Connections.** The site circulation system must include a system of bicycle and/or pedestrian paths that, at minimum, include the following:
- a. **Internal Connections.** A system of pedestrian walkways shall connect all buildings on a side to each other, to on-site automobile and bicycle parking areas, and to any on-site common open space areas, civic spaces, or pedestrian amenities. Walkways must be physically separated from drive aisles, except when crossing a drive aisle.
  - b. **External Connections.**
    - (1) Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
  - c. Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.
  - d. Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
  - e. Pedestrian access must consist of an accessible, easily discernible, well-lit, and ADA compliant walkway a minimum of 5 feet in width.

~~C. **Land Use.** The site shall provide a mix of land uses consistent with the uses allowed in Division 10-24.2.3 (Use Table), including a variety of entertainment, recreational, retail, residential, and supporting uses to create an active, mixed-use environment.~~

CD. **Civic Space.** Minimum of 10 percent of the net project area must be designed as civic space in compliance with Division 10-24.3.4 (Civic Space). Net project area is the area after subtracting streets right-of-way from the project area.