



CITY OF
HAYWARD
HEART OF THE BAY

PLANNING COMMISSION

NOVEMBER 6, 2014

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CITY OF HAYWARD
777 B STREET, HAYWARD, CA 94541-5007
(510) 583-4205 / www.hayward-ca.gov
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AGENDA
HAYWARD PLANNING COMMISSION
THURSDAY, NOVEMBER 06, 2014 , AT 7:00 PM
COUNCIL CHAMBERS

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION:

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. The Chair may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens for organization. Speakers are expected to honor the allotted time.

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT: (The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action).

ACTION ITEMS: (The Commission will permit comment as each item is called for Public Hearing. Please submit a speaker card to the Secretary if you wish to speak on a public hearing item).

PUBLIC HEARING: For agenda item No. 1, the Planning Commission may make a recommendation to the City Council.

1. Hayward General Plan 2015-2023 Housing Element

[Agenda Report](#)

[Attachment I - Housing Element](#)

[Attachment II - EIR Addendum](#)

[Attachment III - BIA Letter](#)

[Attachment IV - Response to BIA](#)

[Attachment V - HCD Letter](#)

[Attachment VI - Alameda County RHNA Comparison](#)



Assistance will be provided to persons requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons needing accommodation should contact Sonja Dal Bianco 48 hours in advance of the meeting at (510) 583-4204, or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

COMMISSION REPORTS:

2. Oral Report on Planning and Zoning Matters
3. Commissioners' Announcements, Referrals

APPROVAL OF MINUTES

4. [October 2, 2014](#)

ADJOURNMENT

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. **PLEASE TAKE FURTHER NOTICE** that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

NOTE: Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.

DATE: November 6, 2014
TO: Planning Commission
FROM: Sara Buizer, AICP, Planning Manager
SUBJECT: Hayward General Plan 2015-2023 Housing Element

RECOMMENDATION

That the Planning Commission recommends approval of the following items to the City Council:

- The General Plan [2015-2023 Housing Element](#) (Attachment I)
- City of Hayward: Addendum to General Plan Environmental Impact Report for the 2015-2023 Housing Element Update (Attachment II)

SUMMARY

In compliance with State housing element law, the City has prepared an update to the General Plan Housing Element. The purpose of the 2015-2023 Housing Element is to achieve an adequate supply of decent, safe, and affordable housing for Hayward's existing and future workforce, residents, and special needs populations. The Housing Element strives to conserve the city's existing housing stock, while providing opportunities for new housing for all economic segments of the community.

The 2015-2023 Housing Element was prepared with input from Hayward residents, housing advocacy groups, building industry representatives, the General Plan Update Task Force, and the Hayward Planning Commission and City Council. In addition, the California Department of Housing and Community Development conducted a streamlined review of the Draft Housing Element in August 2014, and concluded that the Element complies with the statutory requirements of State housing element law.

This public hearing is being held to allow the public and the Planning Commission an opportunity to provide final comments on the 2015-2023 Housing Element before the Planning Commission provides a formal recommendation to the City Council related to the approval of the document. Environmental impacts associated with implementation of the 2015-2023 Housing Element have been assessed by an Addendum to the General Plan Final Environmental Impact Report (see Attachment II).

BACKGROUND

The current Housing Element of the General Plan was adopted by the City Council on June 22, 2010 and certified by the State on July 9, 2010. State law requires the Housing Element to be updated every eight years.

Work on the current update began in September of 2012 with the Council's approval to hire Mintier-Harnish to assist with the General Plan update, including the update to the Housing Element. State Government Code Section 65583 (c) (7) requires cities and counties to "make a diligent effort to achieve participation of all economic segments of the community in the development of the housing element." On August 15, 2013, the City of Hayward satisfied this requirement by conducting a workshop with housing developers, service providers, and other community stakeholders that represent the housing needs of residents of all economic segments of the community. In addition, the City utilized the Hayward2040.org town hall forum to solicit input on housing issues and potential solutions. The City also discussed housing issues with the General Plan Update Task Force in October of 2013, and shared the draft goals, policies, and implementation programs with the General Plan Update Task Force on January 23, 2014. Members of the public were invited to attend these Task Force meetings.

On January 28, 2014, the City Council approved zoning text amendments related to transitional and supportive housing and reasonable accommodations for disabled households. These zoning text amendments were required to allow the City to take advantage of a streamlined review process for the Housing Element update. A Draft Housing Element was then prepared and published for public review between March 6, 2014 and April 30, 2014. The City of Hayward received one comment letter from the Building Industry Association of the Bay Area during the public comment period. That letter, and the City's response to that letter, are provided as Attachments III and IV of this report.

The Planning Commission reviewed and provided comments on the Draft Housing Element at a work session on [April 10, 2014](#). A similar work session by the City Council occurred on [May 6, 2014](#). As a result of comments received from the Planning Commission and City Council work sessions, the Draft Housing Element was revised to include additional information about the community outreach and public review process, and to add a new outreach program for the developmentally disabled (Program 21).

The revised Draft Housing Element was submitted to the California Department of Housing and Community Development (HCD) on June 12, 2014. HCD conducted a streamlined review of the document. During this review process, a few changes were made to the draft document to address HCD concerns. These changes include:

- The addition of a discussion of how the City incorporated public input into the document (pages 4-4 to 4-5);
- The addition of a statement that the City complies with the Employee Housing Act, which requires local governments to treat employee housing providing accommodations for six or fewer employees the same way as a single-family unit with a residential land use designation. (page 4-82);

- The addition of a description of the City’s five Priority Development Areas (PDAs) to further support redevelopment of the underutilized sites included in the Housing Element (pages 4-106 to 4-107); and
- The addition of an annual time-frame for Program 8, which is a program that indicates the City shall review available funding programs annually and shall provide technical support in the application for State, Federal, and other public affordable funding sources, and, as funding permits, shall provide gap financing for affordable housing (page 2-11).

HCD accepted the above changes and concluded that the revised Draft Housing Element meets the statutory requirements of State Housing Element Law, and the Element will comply with State Housing Element Law if it is adopted by the City and submitted to HCD for certification. HCD’s comment letter is provided as Attachment V to this report.

DISCUSSION

The proposed Housing Element establishes housing policies and programs for the planning period of 2015 through 2023. It serves as a guide to City officials in decision-making and provides an action plan to implement the City’s housing goals. It is intended to direct residential development and the preservation of housing in a manner consistent with the General Plan and the overall requirements of State Housing Element law. The Housing Element identifies local housing issues within the broader regional context, determines associated housing needs, and sets forth a housing strategy to address those needs.

Housing Element – Goals, Policies, and Programs - For the most part, the integrity of the prior Housing Element has been retained with the 2015-2023 Housing Element. Goals, policies and applicable implementation programs have been carried forward into the update. There have been a few modifications to language and organization in keeping with the style of the Hayward 2040 General Plan update. A new goal, Goal 6 - Housing for Persons with Special Needs, adds new policies to address senior housing needs, family housing needs, and student/faculty housing needs. These additions were made based on feedback received during the General Plan update process, including comments received from the housing workshop on August 15, 2013.

Regional Housing Needs Allocation (RHNA) – The Housing Element is required to demonstrate that the City has identified and zoned land to sufficiently and appropriately accommodate the development of the housing units identified in Hayward’s allocation, which is considered the City’s fair share of regional housing needs. The RHNA is not a production quota, but the City must show that the housing units can be accommodated. There is no mechanism at the State, regional or City level that requires the units identified in the RHNA to be constructed; however, it should be noted that the One Bay Area Plan and subsequent adopted, regional funding policies favor new transportation projects that are located within Priority Development Areas, which tend to be mixed-use areas with new housing, including affordable housing.

The RHNA is distributed by income category and covers January, 2014 to October, 2022. Hayward’s RHNA is 3,920 units, a 13% increase over the last reporting period; however, Attachment VI – Alameda County RHNA Comparison, shows that while the total RHNA has increased, the percentage of total RHNA allocated in the very low and low categories has decreased

since the last reporting period. Hayward’s overall RHNA of 3,920 units is further divided into the following income categories:

- Extremely Low-Income (up to 30 percent of area median income (AMI)): 425 units
- Very Low-Income (up to 50 percent of AMI): 426 units
- Low-Income (51-80 percent of AMI): 480 units
- Moderate Income (81-120 percent of AMI): 608 units
- Above Moderate-Income (more than 120 percent of AMI): 1,981 Units

Since the RHNA planning period began on January 1, 2014, the City may count any new units planned or approved and not yet constructed as of January 1, 2014 toward the RHNA. The below table outlines the progress to date on meeting the RHNA. As shown in the table below, the planned and approved units are sufficient to meet the RHNA for above-moderate-income units and the City has no remaining need in this category.

	Number of Housing Units					
	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
RHNA	425	426	480	608	1,981	3,920
Total Planned/Approved Units	0	173	10	0	2,257	2,440
Remaining RHNA	425	253	470	608	+276	1,756
Potential Units (Sites Inventory)	2,118			768	190	3,076
Remaining RHNA with Potential and Planned Units)	+970			+160	+466	+1,320

As part of the analysis to demonstrate that the City can meet its RHNA during the balance of the planning period, the City conducted a sites inventory primarily focused on areas with vacant or underutilized sites. Utilizing the “default density standards” deemed appropriate by State law to accommodate housing for lower-income households, the City of Hayward can assume that sites with a minimum density of 30 units per acre are appropriate for accommodating housing for lower-income households. Based on the assessment of vacant and underutilized residential sites in the Cannery Area, Mt. Eden Neighborhood, South Hayward BART Station Area, Mission Boulevard Specific Plan Area, and Route 238 Study Area, Hayward can accommodate 3,076 units, including 2,118 units at higher densities that can facilitate the development of housing affordable to lower-income households. When including both planned and approved projects to this potential, the City’s sites inventory exceeds the remaining RHNA in all income/affordability levels, with a surplus capacity of 1,320 units.

ENVIRONMENTAL REVIEW

The City of Hayward is the lead agency for the environmental review impact analysis associated with the 2015-2023 Housing Element. Section 15164(a) of the State CEQA Guidelines states that “the lead agency or a responsible agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary, but there are no new significant impacts resulting from these changes, nor are there any substantial increases in the severity of any previously identified environmental impacts.” The potential impacts associated with the proposed update to the Housing Element would either be the same or less than the anticipated impacts described in the previously adopted Housing Element. Pursuant to CEQA Guidelines Section 15164(b), the City of Hayward, as lead agency, has determined that an addendum to the adopted General Plan EIR be prepared for this General Plan Amendment (the Housing Element is part of the General Plan). The Housing Element is a policy document and adds new policies and implementation programs to the City’s General Plan that are consistent with all other General Plan policies, plans, and programs; none of the conditions described in CEQA Guidelines Section 15162 that might require the preparation of a subsequent EIR have occurred.

The 2015-2023 Housing Element will not result in new additional impacts on the environment, and the environmental impacts addressed in the General Plan EIR are not increased in severity or significance due to the adoption of the 2015-2023 Housing Element. The proposed update to the City’s Housing Element is consistent with development under the General Plan.

Also, according to Section 15164 (c) of the California Code of Regulations, “An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.”

PUBLIC CONTACT

The public has been informed of opportunities to participate in the Housing Element update throughout the process. The major outreach efforts that occurred are described in the Background section of this report.

The notice for this public hearing was published in *The Daily Review* newspaper on October 25, 2014. An email notification was also sent to the organizations and individuals that have been involved in the housing element update process. No comments were received at the time this staff report was completed.

SCHEDULE/NEXT STEPS

Following this public hearing, the adoption of the 2015-2023 Housing Element will be considered at a City Council public hearing, which is tentatively scheduled for December 2, 2014. Afterwards, the adopted Housing Element will be forwarded to the State Department of Housing and Community Development for formal certification.

Prepared and Recommended by: Sara Buizer, AICP, Planning Manager

Approved by:



David Rizk, AICP
Development Services Director

Attachments:

- Attachment I: [2015-2023 Housing Element](#) (available on the City's web page)
- Attachment II: City of Hayward: Addendum to General Plan Environmental Impact Report for the 2015-2023 Housing Element Update
- Attachment III: Comment Letter from the Building Industry Association of the Bay Area
- Attachment IV: Staff's Response to the Comment Letter from the Building Industry Association of the Bay Area
- Attachment V: HCD's Comment Letter on the City of Hayward's 5th Cycle (2015-2023) Draft Housing Element
- Attachment VI: RHNA Comparison

...LOOKING FORWARD

2040



HAYWARD GENERAL PLAN



Hayward 2040 General Plan

Public Hearing Draft Housing Element

September 2014



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POLICY DOCUMENT: PART 3

HOUSING ELEMENT

The purpose of the Housing Element is to achieve an adequate supply of decent, safe, and affordable housing for Hayward’s existing and future workforce, residents, and special needs populations. Housing Element law is designed to ensure that low-income families are not excluded from opportunities in all communities and to promote economic and environmental sustainability throughout the region. The Housing Element strives to conserve the city’s existing housing stock, while providing opportunities for new housing for all economic segments of the community.

State Housing Element law requires that local jurisdictions describe and analyze the housing needs of their community, the barriers or constraints to providing that housing, and actions proposed to address these concerns over an eight-year period. In addition, Housing Element law requires each city and county to accommodate its “fair share” of projected housing need over the Housing Element planning period. Cities and counties must demonstrate that adequate sites are available to accommodate this need, and that the jurisdiction allows for development of a variety of housing types. This housing need requirement is known as the Regional Housing Need Allocation (RHNA) and apportions to each jurisdiction its portion of the Bay Area’s projected need.

To make adequate provision for the housing needs of all economic segments of the community, the Housing Element establishes goals, policies, and programs to:

- Conserve and improve the condition of the existing affordable housing stock;
- Assist in the development of housing affordable to low and moderate income households;
- Identify adequate sites to encourage the development of a variety of types of housing for all income levels;

- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing;
- Promote equal housing opportunities for all persons; and
- Provide for the special housing needs of seniors, persons with disabilities, large families with children, single female-headed households, and the homeless.

The goals and policies of the Housing Element are closely related to several other elements of the General Plan, including the Land Use and Community Character Element and the Community Health and Quality of Life Element.

GOAL 1 CONSERVE AND IMPROVE THE EXISTING HOUSING STOCK

Conserving and improving the housing stock helps maintain investment in the community and keeps existing housing affordable. Because the majority of the housing stock is more than 30 years old, significant rehabilitation needs are anticipated. A number of factors can cause residential units to become unsafe or unhealthy to live in. Preventing these problems from occurring and addressing them when they do occur protects the safety and welfare of residents and assists in meeting housing needs throughout Hayward. The City will focus its efforts on rehabilitation, code enforcement, rental housing inspection, and preserving existing affordable units to take a proactive approach to conserving the current housing stock. An important part of preserving the existing affordable housing stock is ensuring that subsidized affordable housing units maintain their affordability and do not convert to market rate. Policies in this section focus on improving the existing housing stock and assisting in the preservation of affordable housing.

GOAL H-1

Maintain and enhance the existing viable housing stock and neighborhoods within Hayward. [Source: Existing Goal 1.0]

H-1.1 Code Enforcement

The City shall enforce adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing units. [Source: Existing Policy 1.1, modified] (RDR/CSO)

H-1.2 Preserve Affordable Single Family Housing

The City shall preserve the existing single family housing stock occupied by lower-income households by rehabilitating single family owner-

occupied conventional and mobile homes. [Source: Existing Policy 1.2, modified] (MPSP)

H-1.3 Residential Rehabilitation

The City shall administer residential rehabilitation programs that assist lower-income households to ensure the safety and habitability of housing units and the quality of residential neighborhoods. [Source: Existing Policy 1.3, modified] (MPSP)

H-1.4 Preserve At-Risk Units

The City shall avoid the loss of assisted housing units and the resulting displacement of low-income residents by providing funds, as available, to non-profit developers to be used for the acquisition of subsidized housing developments at risk of converting to market rate. [Source: Existing Policy 2.3, modified] (FB)

H-1.5 Address Foreclosures

The City shall strive to alleviate individual and community issues associated with foreclosures to preserve homeownership and promote neighborhood stability. (MPSP) [Source: New Policy]

GOAL 2 ASSIST IN THE DEVELOPMENT OF AFFORDABLE HOUSING

Providing affordable housing is essential for a healthy community. In addition to a diverse mix of housing types, it is necessary to make available housing for residents of all income levels. Seeking funding from varied sources increases the opportunities for the development of affordable housing units. The City works with both non-profit and for-profit developers in the production of affordable for-sale and rental housing. Recognizing that homeownership plays a significant role in establishing strong neighborhoods and a sense of community pride, the City also supports programs that make purchasing a home a realistic option for lower-income households.

GOAL H-2

Assist in the provision of housing that meet the needs of all socioeconomic segments of the community. *[Source: Existing Goal 2.0, modified]*

H-2.1 Homeownership Housing

The City shall encourage the development of ownership housing and assist tenants to become homeowners to reach a 60 percent owner-occupancy rate, within the parameters of federal and state housing laws. (MPSP) *[Source: Existing Policy 2.1, modified]*

H-2.2 Provide Incentives for Affordable Housing

The City shall promote the use of density bonuses and other incentives to facilitate the development of new housing for extremely low-, very low-, and low-income households. *[Source: Existing Policy 2.2, modified]* (RDR/PI)

H-2.3 Inclusionary Housing

The City shall enforce the Inclusionary Housing Ordinance to ensure that a certain percentage of new residential units will be made affordable to lower- and moderate-income households. *[Source: Existing Policy 3.6, modified]* (RDR)

H-2.4 Integration of Affordable Housing

The City shall encourage a mix of affordability levels in residential projects and encourage the dispersal of such units to achieve greater integration of affordable housing throughout the community. *[Source: New Policy]* (RDR/MPSP)

GOAL 3 PROVIDE ADEQUATE SITES FOR A VARIETY OF HOUSING TYPES

A major part of meeting the housing needs of all segments of the community is the provision of adequate sites to facilitate the development of all types, sizes, and prices of housing. Persons and households of different ages, types, incomes, and lifestyles have a variety of housing needs and preferences that evolve over time and in response to changing life circumstances. Providing an adequate supply and diversity of housing accommodates changing housing needs of residents. The Hayward General Plan, Zoning Ordinance, and various design/concept plans establish where and what types of housing may locate in the city. To provide adequate housing and maximize use of limited land resources, new development should be constructed at appropriate densities that maximize the intended use of the land.

GOAL H-3

Provide suitable sites for housing development that can accommodate a range of housing by type, size, location, price, and tenure. [Source: Existing Goal 3.0]

H-3.1 Diversity of Housing Types

The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments. [Source: Existing Policy 3.1, modified] (RDR)

H-3.2 Transit Oriented Development

The City shall encourage transit-oriented developments that take advantage of the City's convenient availability of transit [Source: Existing Policy 3.2, modified] (MPSP)

H-3.3 Sustainable Housing Development

The City shall improve affordability by promoting sustainable housing practices that incorporate a 'whole system' approach to siting, designing, and constructing housing that is integrated into the building site, consumes less water and improves water quality, reduces the use of energy use, and other resources, and minimizes its impact on the surrounding environment. (MPSP) [Source: Existing Policy 2.5]

H-3.4 Residential Uses Close to Services

The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes. [Source: Existing Policy 3.3, modified] (RDR)

H-3.5 Compatible Development of Underutilized Sites

The City shall encourage compatible residential development in areas with underutilized land. (RDR) [Source: Existing Policy 3.4, modified]

H-3.6 Flexible Standards and Regulations

The City shall allow flexibility within the City's standards and regulations to encourage a variety of housing types. [Source: Existing Policy 3.5, modified] (RDR)

H-3.7 New Sources of Infrastructure Financing

The City shall continue to seek new sources of financing for necessary infrastructure improvements for new development to facilitate new housing development. [Source: New Policy] (FB)

H-3.8 Facilitate Lot Consolidation

The City shall facilitate lot consolidation to encourage the development of housing for lower-income households on infill sites. [Source: New Policy] (RDR)

H-3.9 Adaptive Reuse

The City shall support innovative strategies for the adaptive reuse of residential, commercial, and industrial buildings to provide for a variety of housing types and residential uses. [Source: New Policy] (RDR)

H-3.10 No Net Loss Zoning

Consistent with Government Code Section 65863, the City shall consider the impacts of rezoning and general plan amendments of residential sites on the City's ability to meet its share of the regional housing need. [Source: New Policy] (RDR)

GOAL 4 REMOVE CONSTRAINTS

Pursuant to State law, the City is obligated to address, and where legally possible, remove governmental constraints affecting the maintenance,

improvement, and development of housing. Removing constraints on housing development can help address housing needs in the City by expediting construction, and lowering development costs.

GOAL H-4

Mitigate any potential constraints to housing production and affordability. [Source: Existing Goal 4.0]

H-4.1 Flexible Development Standards

The City shall review and adjust as appropriate residential development standards, regulations, ordinances, departmental processing procedures, and residential fees that are determined to be a constraint on the development of housing, particularly housing for lower- and moderate-income households and for persons with special needs. [Source: Existing Policy 4.1, modified] (RDR)

H-4.2 Clear Development Standards and Approval Procedures

The City shall strive to maintain and administer clear development standards, and approval procedures for a variety of housing types, including, but not limited to, multifamily housing and emergency shelters. [Source: New Policy] (RDR)

GOAL 5 EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS

The City recognizes the importance of extending equal housing opportunities for all persons, regardless of race, religion, sex, family status, marital status, ancestry, national origin, color, age, physical or mental disability, sexual orientation, source of income, or any other arbitrary factor.

GOAL H-5

Promote equal access to housing by educating City residents about fair housing and lending laws. [Source: Existing Goal 5.0]

H-5.1 Fair Housing Services

The City shall support services and programs that eliminate housing discrimination. (IGC/JP) [Source: Existing Policy 5.1, modified]

GOAL 6 HOUSING FOR PERSONS WITH SPECIAL NEEDS

The City of Hayward is a diverse community with people of all backgrounds, lifestyles, family types, and income levels. Many residents also have special housing needs. State law requires the housing element to address the needs of specific “special needs” groups, including seniors, persons with disabilities, large families with children, female-headed households, and people who are homeless. Meeting the needs of these residents requires a broad range of strategies for housing and other services. This section also addresses student and faculty housing. Hayward is home to Chabot College, California State University, East Bay, and various professional and vocational schools. Policies in this section support the production of student and faculty housing in Hayward, to enhance Hayward’s reputation as a great college town.

Several policies in the Community Health and Quality of Life Element also support aging in place for senior residents and people with disabilities.

GOAL H-6

Provide housing choices that serve the needs of “special needs” populations, including seniors, homeless, female-headed households, large families, and persons with disabilities, including developmental disabilities. [Source: New Goal; City Staff]

H-6.1 Address Special Housing Needs

The City shall address the housing needs of special populations and extremely low-income households through emergency shelters, transitional housing, supportive housing, and single-room occupancy units. [Source: Existing Policy 2.4, modified] (MPSP)

H-6.2 Housing and Supportive Services

The City shall promote housing, along with supportive services, for households with special needs, including seniors, persons with disabilities, single-parents, and the homeless. [Source: Existing Policy 5.2, modified] (MPSP)

H-6.3 Funding for Accessibility Retrofits

The City shall consider providing funding to residents for home retrofits that improve accessibility. [Source: New Policy] (MPSP)

H-6.4 Reasonable Accommodation

The City shall continue to implement a reasonable accommodation process for persons with disabilities to request exceptions or modifications of zoning, permit processing, and building regulations to ensure housing is accessible. [Source: New Policy] (RDR)

H-6.5 Support Alameda County Continuum of Care Council

The City shall support the efforts of the Alameda Countywide Continuum of Care Council in its

efforts to meet the needs of homeless families and individuals. [Source: New Policy] (IGC)

H-6.6 Support Organizations Serving the Homeless Community

The City shall support the efforts of non-profit and community organizations that provide emergency shelter and other assistance for the homeless population, including alcohol and drug recovery programs. [Source: New Policy] (IGC/JP)

H-6.7 Range of Housing for Seniors

The City shall facilitate and encourage the development of a range of housing types for seniors that are readily accessible to support services. [Source: New Policy] (RDR)

H-6.8 Family Housing

The City shall facilitate and encourage the development of larger rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible. [Source: New Policy] (RDR)

H-6.9 Student and Faculty Housing

The City shall engage and work with Chabot College and CSU East Bay to update campus master plans and provide housing accommodations for students, faculty, and employees that reflect the housing needs and preferences of their respective institutions. [Source: New Policy] (IGC)

H-6.10 University Housing in PDAs

The City shall support the development of student and faculty housing within the City’s Priority Development Areas (excluding the Cannery Transit Neighborhood). [Source: New Policy] (RDR)

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
1. Housing Rehabilitation Loan Program (HRLP). The City shall continue to provide below market-rate rehabilitation loans to qualified lower-income homeowners to make repairs (costing more than \$5,000) to correct major health and safety deficiencies and make needed accessibility modifications. The City shall disseminate information to homeowners who participate in the Housing Rehabilitation Loan Program regarding rehabilitation standards, preventative maintenance, and energy conservation measures. <i>[Source: Existing Program 1] (MPSP/PI/FB)</i>						✓
Implements Which Policy(ies)	H-1.2, H-1.3					
Responsible Department(s)	Library and Community Services					
Supporting Department(s)/ Partner(s)	City Manager					
Potential Funding Source(s)	CDBG					
2. Minor Home Repair Grant (MHRP). The City shall continue to provide rehabilitation grants up to \$5,000 to qualified lower-income elderly and/or disabled homeowners to make minor home repairs in order to address health and safety problems, correct code deficiencies, and improve the outward appearance of homes. Priority will be given to work that corrects health and safety issues, and to accessibility modifications for people who have disabilities. The City shall disseminate information to homeowners who participate in the Housing Rehabilitation Loan Program regarding rehabilitation standards, preventative maintenance, and energy conservation measures. <i>[Source: Existing Program 2] (MPSP/PI/FB)</i>						✓
Implements Which Policy(ies)	H-1.2, H-1.3					
Responsible Department(s)	Department of Library and Community Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	CDBG					
3. Residential Rental Inspection Program. The City shall continue to systematically inspect rental units throughout the city through the Residential Rental Inspection Program to safeguard the stock of safe, sanitary rental units within the city and protect persons entering or residing in rental units. The City shall focus attention on rental housing in higher density areas with the goal of inspecting these units every three to four years. The City shall inspect properties outside the focus area less frequently, unless they are the subject of a complaint. All rental units shall be subject to inspection. To fund the program,						✓

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
<p>the City shall continue to charge an annual, per-unit fee in addition to fees charged for every unit in which a violation is found. The City shall assess penalties for lack of timely correction of violations. The City shall disseminate information to residents about the mandatory rental inspections, as well as up-to-date information on the City’s building, mechanical, plumbing, electrical, and housing codes. <i>[Source: Existing Program 4] (CSO/FB/PI)</i></p>						
Implements Which Policy(ies)	H-1.1					
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	General Funds					
<p>4. Preservation of At-Risk Housing. The City shall continue to monitor all units considered at risk of conversion to market rate and assist property owners in maintaining the affordability of these units. The City shall support and assist property owners in applying for State and Federal funding to preserve at-risk housing, and as funding permits, shall provide financial assistance to nonprofit housing developers in the acquisition and rehabilitation of at-risk housing projects. The City shall ensure that property owners comply with State noticing requirements to notify tenants one year ahead of their intent to terminate subsidy contract or affordability covenants. As necessary, the City shall also provide technical assistance to tenants to access other affordable housing resources. <i>[Source: Existing Program 7] (MPSP)</i></p>						✓
Implements Which Policy(ies)	H-1.4					
Responsible Department(s)	City Manager					
Supporting Department(s)/ Partner(s)	Alameda County Department of Housing and Community Development					
Potential Funding Source(s)	HOME; Inclusionary Housing In-Lieu Fees; Section 8 Rental Assistance; and other HUD and State Housing Preservation funds					
<p>5. Foreclosure Prevention and Counseling. The City shall continue to support foreclosure prevention by partnering with non-profit organizations that provide foreclosure prevention services. The City shall continue to provide information about foreclosure prevention resources in the housing programs section of the City’s website, including information about the programs available for refinancing at-risk loans, and contact information for legal services agencies and HUD-approved counseling organizations in the area. The City shall mail foreclosure prevention materials to local residents who receive notices of</p>						✓

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
default and notices of trustee sale, and shall organize foreclosure-prevention seminars for Hayward residents at risk of losing their homes. <i>[Source: Existing Program 8] (JP/PI)</i>						
Implements Which Policy(ies)	H-1.5					
Responsible Department(s)	City Manager					
Supporting Department(s)/ Partner(s)	Library and Community Services; ECHO					
Potential Funding Source(s)	CDBG					
6. Mortgage Credit Certificate Program. The City shall continue to participate in the Mortgage Credit Certificate (MCC) program, administered by Alameda County, to assist eligible buyers qualify for a mortgage loan. The City shall assist the County in promoting the program to eligible buyers through the City website and written materials. <i>[Source: Existing Program 11] (IGC/PI)</i>						
Implements Which Policy(ies)	H-2.1					✓
Responsible Department(s)	Alameda County Department of Housing and Community Development;					
Supporting Department(s)/ Partner(s)	City Manager					
Potential Funding Source(s)	MCC Allocation					
7. Tenant-Based Rental Assistance for Emancipated Youth. The City shall continue to provide financial support to Project Independence, a program implemented by ABODE Services to provide a continuum of supportive services, including tenant-based rental assistance, to emancipated youth in Alameda County (youth from 18 to 24 who have aged out of the foster care system). <i>[Source: Existing Program 12] (FB)</i>						
Implements Which Policy(ies)	H-6.1					✓
Responsible Department(s)	City Manager					
Supporting Department(s)/ Partner(s)	ABODE Services					
Potential Funding Source(s)	HOME					

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
8. Affordable Housing Development. The City shall work with developers to facilitate affordable housing development. Specifically, the City shall review available funding programs annually and shall provide technical support in the application for State, Federal, and other public affordable funding sources, and, as funding permits, shall provide gap financing for affordable housing. Gap financing shall focus on rental housing units affordable to lower-income households and households with special needs (e.g., seniors, extremely low-income households, and persons with disabilities, including developmental disabilities), especially projects that promote the City’s goals relating to transit-oriented development and jobs/housing balance. <i>[Source: Existing Program 13] (JP/FB)</i>		✓			✓	
Implements Which Policy(ies)	H-2.2					
Responsible Department(s)	City Manager					
Supporting Department(s)/ Partner(s)	Library and Neighborhood Services; Development Services					
Potential Funding Source(s)	Proposition 1C funds, In-Lieu Fees					
9. Density Bonus. The City shall develop a brochure describing the Density Bonus Ordinance and distribute to potential developers in order to promote affordable housing development. <i>[Source: Existing Program 14] (PI)</i>		✓				✓
Implements Which Policy(ies)	H-2.2					
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)	City Manager					
Potential Funding Source(s)	General Fund					
10. Provision of Adequate Sites. The City shall maintain a residential sites inventory that can accommodate the City’s Regional Housing Needs Allocation. The City shall update the inventory annually to monitor the consumption of residential and mixed use properties and continued ability to fulfill the RHNA. The City shall make the updated inventory of sites available on the City website. <i>[Source: Existing Program 16] (MPSP/PI)</i>					✓	
Implements Which Policy(ies)	H-3.1, H-3.10					
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)	City Manager					
Potential Funding Source(s)	General Fund					

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
<p>11. Affordable Housing on Large Sites. The City shall facilitate the development of housing for lower-income households on large sites identified in the Sites Inventory by encouraging land divisions and specific plans resulting in parcels sizes that facilitate multifamily developments that include units affordable to lower income households in light of State, Federal and local financing programs. The City shall provide incentives for the development of affordable housing, including but not limited to:</p> <ul style="list-style-type: none"> • Priority to processing subdivision maps that include affordable housing units; • Expedited review for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plan and master environmental impact report; • Financial assistance (based on availability of Federal, State, local foundations, and private housing funds); and • Modification of development requirements, such as reduced parking standards for seniors, assisted care, and special needs housing on a case-by-case basis. <i>[Source: Existing Program 17] (RDR/FB)</i> 		✓				✓
Implements Which Policy(ies)	H-3.1					
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	General Fund					
<p>12. Inclusionary Housing Ordinance. The City shall continue to implement the Inclusionary Housing Ordinance, but shall modify the ordinance, if necessary, based on the findings of the Inclusionary Housing Ordinance Review and Affordable Unit In-lieu Fee/Nexus Study. <i>[Source: Existing Program 18] (RDR)</i></p>		✓				✓
Implements Which Policy(ies)	H-2.3					
Responsible Department(s)	City Manager					
Supporting Department(s)/ Partner(s)	Development Services					
Potential Funding Source(s)	General Fund; In-lieu Fees					
<p>13. Funding for Emergency Shelters and Transitional Housing. The City shall</p>						✓

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
use CDBG funds and other funds, as available, to support emergency shelters, and transitional and supportive housing programs for the homeless and those who are at risk of becoming homeless. <i>[Source: Existing Program 20] (FB)</i>						
Implements Which Policy(ies)	H-6.11, H-6.2, H-6.5, H-6.6					
Responsible Department(s)	Library and Neighborhood Services					
Supporting Department(s)/ Partner(s)	Development Services					
Potential Funding Source(s)	CDBG					
<p>14. Child Care Services and Facilities. The City shall consider amending the Zoning Ordinance to address child care needs associated with new residential development. Specifically, the City shall consider the following:</p> <ul style="list-style-type: none"> • For residential projects over 100 units, estimate the expected number of children and consult with child care intermediaries, such as the Child Care Coordinating Council of Alameda County on corresponding area supply and need for child care. • Encourage the inclusion of child care space, particularly in affordable housing developments. City staff shall consult with child care intermediaries such as the Child Care Coordinating Council of Alameda County when initiating new proposals for publicly funded projects to develop added incentives for projects that review need for child care. • Support the provision of child care centers in residential neighborhoods and in new residential projects through policies, planning, and coordinated staff support. • To the extent feasible, encourage applicants for publicly financed projects to consider need for child care and pursue supportive corresponding strategies if warranted, by working with child care intermediaries such as the Resource and Referral agencies. • Consider offering incentives for child care inclusion in other projects such as: parking reductions and density bonuses and consider creative mechanisms for supporting the financing of new housing linked child care such as development agreements for child care, public funding of the child care component, and/or other strategies. <i>(PSR/RDR)</i> 		✓				
Implements Which Policy(ies)	H-6.8					
Responsible Department(s)	Development Services					

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	None required					
15. Fair Housing Services. The City shall continue to contract with ECHO to provide fair housing and tenant/landlord services, including fair housing counseling and education and tenant/landlord counseling and mediation. The City shall also work with Bay East Association of Realtors to ensure that residential real estate agents and brokers adhere to fair housing laws and regulations, and work with tenants, tenant advocates, and rental housing owners and managers to eradicate housing discrimination and to ensure that Hayward's supply of rental housing is decent, safe and sanitary. The City shall promote training for property owners and managers to ensure that they are knowledgeable of the requirements of Federal, State and local real estate, housing discrimination, tenant protection, housing inspection and community preservation laws; and promote training of tenants in the requirements of Federal, State, and local laws so that they are aware of their rights and obligations. Finally, the City shall disseminate information to homeowners about predatory lending practices. <i>[Source: Existing Program 22] (JP/PI)</i>						✓
Implements Which Policy(ies)	H-5.1					
Responsible Department(s)	Library and Neighborhood Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	CDBG					
16. Universal Design Principles. The City shall develop an ordinance that promotes the use of Universal Design Principles in new construction and/or rehabilitation of housing. <i>[Source: Existing Program 23] (RDR)</i>		✓				
Implements Which Policy(ies)	H-6.1, H-6.7					
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	General Fund					
17. Small Lot Consolidation. The City shall assist in land consolidation by providing sites information to interested developers and provide gap financing assistance, as available, to nonprofit housing developers. The City will provide information about the lot consolidation procedure on the City website by						✓

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
2015. The City shall process lot consolidation requests ministerially when the lots are within the same zoning district. <i>[Source: New Program] (RDR/FB)</i>						
Implements Which Policy(ies)	H-4.2					
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	General Fund					
18. Boomerang Funds. The City shall consider options for allocating a portion of unrestricted City General Funds received as part of a one-time distribution of liquidated Low-Moderate Income Housing Trust Funds of the former Redevelopment Agency (aka “Boomerang funds”) for the development of affordable housing, and shall adopt a resolution regarding the use of these funds. <i>[Source: New Program] (FB)</i>						
Implements Which Policy(ies)	H-2.2	✓				
Responsible Department(s)	City Manager					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	General Fund					
19. Exemptions of Transit Priority Projects from Environmental Review. The City shall implement the provisions of SB 375 streamlining the CEQA process for Transit Priority Projects and projects that conform to the Sustainable Communities Strategy and meet specific criteria set forth in SB 375. <i>[Source: New Program] (RDR)</i>						
Implements Which Policy(ies)	H-3.2					✓
Responsible Department(s)	Development Services					
Supporting Department(s)/ Partner(s)						
Potential Funding Source(s)	General Fund					
20. Housing Choice Vouchers. The City shall continue to participate in the Housing Choice Voucher Program, administered by Alameda County, with a goal of providing rental assistance to lower-income residents. The City shall work with Alameda County to maintain, or if possible increase, the current number of vouchers for Hayward residents. <i>[Source: New Program] (IGC)</i>						
Implements Which Policy(ies)	H-2.4					✓

Table H-1 HOUSING ELEMENT Implementation Programs		2015-2017	2018-2020	2020-2040	Annual	Ongoing
Responsible Department(s)	Alameda County Department of Housing and Community Development					
Supporting Department(s)/ Partner(s)	City Manager					
Potential Funding Source(s)	Section 8					
21. Outreach to Developmentally Disabled.	The City shall work with the East Bay Regional Center to implement an outreach program informing residents of the housing and services available for persons with developmental disabilities. The City shall make information available on the City website.					
Implements Which Policy(ies)	H-6.2	✓				✓
Responsible Department(s)	Library and Community Services					
Supporting Department(s)/ Partner(s)	City Manager, Development Services					
Potential Funding Source(s)	General Fund					

Summary of Quantified Objectives

One of the requirements of State law (California Government Code Section 65583[b]) is that the Housing Element contain quantified objectives for the maintenance, preservation, improvement, and development of housing. The quantified objectives set a target goal for Hayward to achieve based on needs, resources, and constraints. State law recognizes that the total housing needs identified by a community may exceed available resources and the community’s ability to satisfy this need. Under these circumstances, the quantified objectives need not be, and are not intended to be, identical to the total housing needs.

The quantified objectives shown in Table 4-1 represent targets. They are estimates based on past experience, anticipated funding levels, and anticipated housing market conditions. The quantified objectives are not designed to be minimum requirements. The quantified objectives are based largely upon implementation programs that have measurable outcomes. However, the Housing Element contains several policies and implementation programs that reduce barriers and create opportunities for affordable housing. These policies and programs are essential to meeting the City’s housing needs, but are more qualitative and difficult to quantify.

TABLE 4-1 EIGHT-YEAR QUANTIFIED OBJECTIVES, 2015-2023					
	Extremely Low	Very Low	Low	Moderate	Total
New Construction	150	200	400	600	1,350
Rehabilitation	-	100	100	-	200
Preservation (At-Risk Units)*	-	-	-	-	-
Housing Choice Vouchers	1,200	1,200			2,400

*Note: *There are no units identified in the Housing Element that are at high risk of converting to market rate*

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BACKGROUND REPORT

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4 HOUSING

Hayward General Plan Update

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SECTION 4.1 INTRODUCTION

Housing Element Purpose

The purpose of the housing element is to identify local housing issues within the broader regional context, determine associated housing needs, and set forth a housing strategy which will address those needs, consistent with adopted goals and policies. The housing element is a mandatory component of a jurisdiction's general plan, and upon certification by the Department of Housing and Community Development (HCD), complies with State law.

Over the past several decades, the State Legislature has increased attention on housing-related issues in California. This attention is due to the State's continued population growth, particularly in the State's urban areas. This significant growth has placed increased demands on the existing housing resources and has accelerated the need for new housing, especially affordable housing. California has among the highest housing costs compared to other states. California has also led the rest of the nation in recognizing the need for long-range planning to determine how this growth may be accommodated.

Legality of the Housing Element

California State housing element law requires that local jurisdictions present community housing needs and constraints to meeting those needs, and adopt actions to analyze those needs over an eight-year period. In 1981 Article 10.6 of the Government Code was enacted to better define the scope and content of local housing elements, including: an assessment of housing needs; an inventory of housing resources; the identification of those constraints that may impede the development of new housing; a statement of goals, policies, and objectives; and an eight-year housing plan. More recent revisions have focused on the need to facilitate the provision of housing for extremely low-income households and those with special needs, including persons with disabilities.

State law is very specific concerning the scope and contents of housing elements.¹ The State Legislature understands the importance of local housing elements in implementing statewide goals for providing decent and suitable housing for all segments of the community. The Legislature also recognizes the importance of providing affordable housing for low- or moderate-income households. State law makes it clear that the provision of affordable housing is the responsibility of all local governments and, using vested powers, local governments should make a conscious effort to see that there are housing opportunities for all income groups.²

¹ State of California Government Code § 65581 as amended.

² State of California Government Code § 65580 as amended.



Additionally, in accordance with other State requirements, the Association of Bay Area Governments (ABAG) allocated a “fair share housing need” that the City must consider in the development of the Housing Element. The fair share need is an estimate of the number of new units that the City must plan for to meet anticipated demand over the planning period of the Housing Element.

Format of the Housing Element

The City of Hayward Housing Element contains the following key components that together fulfill the State’s housing element requirements:

- A background analysis that serves as the basis for the development of housing policy. Key topics considered include the city’s demographic characteristics, the characteristics of the existing housing stock, household characteristics, and socioeconomic characteristics.
- An analysis of those issues that could constrain the development and/or maintenance of housing, especially affordable housing. Constraints considered include: governmental constraints, market constraints, and environmental constraints.
- A discussion of resources available to address the city’s identified housing needs.
- A housing plan for accommodating existing and projected housing needs through new construction, rehabilitation, preservation, and provision of assistance.

Relationship to Other General Plan Elements

The elements that comprise the Hayward General Plan are required by State law to be internally consistent. Together these elements provide the framework for the development of facilities, services, and land uses necessary to address the needs and desires of City residents. To ensure that these needs are addressed throughout the General Plan, the Elements must be interrelated and interdependent. This Housing Element is most directly related to the Land Use Element, since it is the Land Use Element that designates the location and extent of residential development throughout the city. Hayward adopted its current General Plan in 2002, which is intended to guide development in the city through the year 2025. The City is currently (2013) working on an update to the General Plan to guide development through 2040. The Hayward Housing Element will be adopted as part of the 2040 General Plan in 2014.

With respect to the 2040 General Plan, the following findings of conformity can be made:

- This Housing Element does not propose any changes in land uses or in zoning that would result in any inconsistencies with the adopted General Plan elements, or with any specific plans and development plans.

- This Housing Element will not change the adopted land use and/or development standards included in the Land Use Element or other specific plans and development plans.
- This Housing Element does not promote or propose any land use changes requiring the installation of any new street or infrastructure not already anticipated in the General Plan.
- The Safety and Conservation Elements will be reviewed when preparing the environmental review (Initial Study) for the Housing Element.

As the Elements of the General Plan are amended in the future, the City will review the Housing Element to ensure internal consistency in the General Plan. Amendments to these other elements in the future may warrant an amendment to the Housing Element or vice versa.

Public Participation

As part of the Housing Element update process, the City implemented the State's public participation requirements in Housing Element Law, set forth in Government Code Section 65583(c)(7), that jurisdictions "...shall make a diligent effort to achieve participation of all economic segments of the community in the development of the housing element."

The City of Hayward values public input in the development of its community development goals and objectives, including in the provision of decent and adequate housing. On August 15, 2013, the City of Hayward conducted a workshop with housing developers, service providers, and other community stakeholders that represent the housing needs of residents of all economic segments of the community. The City also used the Hayward 2040 Town Hall Forum, an online community forum, to solicit additional input on housing issues and potential solutions. The City reviewed and considered all the public input, and several of the comments provided at the workshop and on the online Town Hall Forum helped the City develop new policies and programs and modify existing policies and programs included in the Housing Element. For example, some members of the public discussed wanting to attract more young families to Hayward; the City added a policy to facilitate and encourage larger rental and ownership units. Other members of the public identified opportunities to reuse older buildings for housing; the City added a policy to support adaptive reuse.

The following section summarizes public outreach conducted by the City of Hayward. The Housing Needs Survey conducted for the 2009-2014 Housing Element, included in Appendix A, also includes detailed information about housing needs in Hayward.

Community/Stakeholder Housing Element Workshop (August 15, 2013)

On August 15, 2013, the City of Hayward conducted a community/stakeholder workshop at City Hall. To advertise the workshop, the City sent an email notice to about 30 local agencies, community organizations, and stakeholders in the city. At the workshop City staff and the



Housing Element Consultant presented a brief overview of the Housing Element Update and facilitated an interactive discussion to solicit ideas from participants about the most critical housing issues facing Hayward residents, and new ways the City and community might address these issues. About six representatives of various local and regional agencies and organizations attended the workshop. Due to the lower than anticipated turnout, City staff sent a survey to the same 30 agencies to gather input on housing issues. Appendix A contains a summary of the comments gathered at the community/stakeholder workshop and from the survey. As described above, the City reviewed the public comments from the workshop and survey and considered these comments as it prepared the policies and programs for the 2015 Housing Element.

Hayward 2040 Town Hall Forum (August to October 2013)

The City of Hayward posted three topics about housing on the online Hayward 2040 Town Hall Forum to solicit input from the community on the unmet housing needs in the city and what the City can do to help provide for those needs: Diversifying Housing, Affordable Housing, and Housing Element Issues. The questions asked residents to: identify how the City could create more housing opportunities; describe the barriers to affordable housing in Hayward and to suggest solutions to address the issues and barriers identified; and describe what issues they would like to see addressed in the Housing Element Update. Responses generally focused on rehabilitation, however, while some residents believed that Hayward needs to do its part in providing affordable housing, others believe that Hayward has done enough already. Appendix A contains a summary of the comments gathered on the Town Hall Forum. As described above, the City reviewed the public comments from the workshop and survey and considered these comments as it prepared the policies and programs for the 2015 Housing Element.

General Plan Task Force Meeting (October 10, 2013)

The City held a General Plan Task Force meeting on October 10, 2013. Only one member of the Task Force attended the meeting. The comment provided at the meeting was that there is already enough affordable housing in Hayward and the city needs more high-end housing.

Planning Commission Study Session (April 10, 2014)

The City held a study session with the Planning Commission on April 10, 2014, to review the Draft Housing Element, solicit feedback from the Planning Commission, and provide the public an opportunity to comment on the Draft Housing Element.

City Council Study Session (May 6, 2014)

The City held a study session with the City Council on May 6, 2014, to review the Draft Housing Element, present the comments and recommendations from the Planning Commission, provide the public another opportunity to comment on the Draft Housing Element, and solicit feedback from the Council before submitting the Draft Housing Element to HCD.

SECTION 4.2 COMMUNITY PROFILE

Overview of the City of Hayward

In 1851 a frustrated gold miner named William Hayward opened a general store on (what is now) the corner of “A” and Main Streets. Located in southern Alameda County, Hayward was incorporated in 1876 and essentially remained a small town with an agrarian economy on the urban fringe of San Francisco and Oakland until the end of World War II.

Since that time Hayward has undergone substantial changes. Between 1950 and 1960 Hayward’s population increased over 400 percent, which was typical of many cities throughout the nation. This post-World War II population boom created a demand for single family detached housing. More than 70 percent (approximately 15,000 units) of Hayward’s single family detached homes were built between 1950 and 1960. From 1960 to 1990 only 3,411 units of single family housing were developed. Between 1990 and 2000 an increase in the rate of development occurred, where approximately 2,930 units of single family housing were developed – only 500 fewer than the total number of units developed in the preceding 30 years. Similarly, from 2000 to 2010 about 2,990 single family units were developed, many during the housing market boom that occurred in the first half of the decade, which was followed by a worldwide recession in the latter half of the decade.

Prior to 1960 there were relatively few (approximately 1,400) multifamily housing units in Hayward. To accommodate the substantial population increase and minimize the costs to extend City water, storm drain, and sewer infrastructure throughout Hayward, developers began to focus on creating multifamily housing. Between 1960 and 1970 there were approximately 7,000 units of multifamily housing built throughout the city and an additional 10,000 units of multifamily housing were developed during the next two decades. As a result of the post-war housing construction boom, Hayward was transformed into a suburban bedroom community.

During the late 1960s and 1970s Hayward experienced a surge in industrial development that created numerous employment opportunities, balancing to some extent the housing that was developed earlier.

Hayward’s character remains in transition as the city evolves from a suburban community to a more urbanized older city. The downtown core is undergoing revitalization as over 700 housing units and retail stores have been added to create transit-oriented developments within walking distance of the Hayward BART station. A Cannery Design Plan was adopted in 2001 to redevelop the old Hunt’s Cannery area just west of downtown, involving mixed use, high density residential development, including between 800 and 1,000 new units, a new elementary school, and a rebuilt and expanded community park. Many of these sites are still currently (2013) under construction.



Hayward today (2013) is a city of approximately 148,756 people.³ It is one of the oldest cities within the San Francisco-Oakland-San Jose area, a region with a population of approximately 8.4 million people.⁴ Although Hayward is an employment center, many residents commute between Hayward and other major employment centers and outlying satellite communities. This is primarily due to the high cost of housing in the Bay Area, since many people cannot afford to live in the type of housing they desire near their site of employment.

According to Trulia.com, the median sales price increased 15.5 percent between 2011 and 2012, increasing from \$242,500 to \$280,800. However, the 2012 median sales price is still substantially lower than it was in 2007 (\$466,625), which indicates that Hayward has yet to recover from the housing market crash.

Prices of existing homes and rentals in Hayward are generally lower than surrounding cities. In October 2012, the median sales price in Hayward was higher than the median sales price in Emeryville, Oakland, and San Lorenzo; was comparable to the median sales price in Newark, San Leandro, Union City, and the countywide total; and was lower than Alameda, Albany, Berkeley, Castro Valley, Dublin, Fremont, Livermore, and Pleasanton. In August 2013, Hayward had higher rents than Oakland and San Leandro and lower rents than Albany, Berkeley, Dublin, Emeryville, Fremont, and the countywide total.

Sources of Information

The primary source of demographic, housing, and socioeconomic information used to support the technical analysis in this Element includes data collected by the U.S. Census Bureau. This baseline population, housing, and socioeconomic data for cities and counties is collected every 10 years as part of the national Census. The most recent Census was collected in 2010.

The Census Bureau compiles interim data between censuses in the American Community Survey (ACS). The ACS, however, represents averaged data over one, three, and five years and is collected from a sample. Averaged data does not offer as good of a snapshot of the community or recognize the changes in that community over time as well. Furthermore, a small sample results in margins of errors that may not accurately represent specific socioeconomic characteristics. Using this same information, HUD creates a special Census tabulation for use in Consolidated Plans. The most recent HUD Comprehensive Housing Affordability Strategy (CHAS) data available was tabulated using the 2005-2009 ACS.

The 2010 Census data is supplemented with population and housing estimates from the State Department of Finance (DOF) and Association of Bay Area Governments (ABAG) employment data from the State Employment Development Department (EDD), as well as current housing market data from other sources, such as DataQuick and a local realtor.

³ California Department of Finance, Population and Housing Estimates, January 1, 2013.

⁴ United States Census Bureau, Annual Estimates of the Population of Combined Statistical Areas, March 1, 2013.

Demographic Characteristics

Population Growth Trends

The population in Hayward and Alameda County has been steadily growing since incorporation. Following Hayward's explosive growth during the 1950s when the population expanded by more than 400 percent (from 14,000 to over 72,000), the level of population increase slowed during the 1960s to 28 percent, and nearly halted during the 1970s. As shown in Table 4-1, between 1980 and 1990 the city's population increased nearly 20 percent, similar to the level of growth experienced by Alameda County during the decade. However, population growth in the city outpaced countywide growth between 1990 and 2000. While this trend was reversed from 2000 to 2010, the city's growth rate from 2010 to 2012 is slightly higher than that of the county. According to the State Department of Finance (DOF), the city's total population was 147,113 as of January 1, 2012. This represents only a 2 percent increase from 2010. In 2012 Hayward was the third largest city in Alameda County and the sixth largest city in the greater San Francisco Bay Area.

Population	Estimated Population Counts					Percent change			
	1980	1990	2000	2010	2012	1980-90	1990-00	2000-10	2010-12
Hayward	93,058	111,498	140,030	144,186	147,113	19.8%	25.6%	2.97%	2.03%
Fremont	131,945	173,339	203,413	214,089	217,700	31.4%	17.3%	5.25%	1.69%
Union City	39,406	53,762	66,869	69,516	70,646	36.4%	24.4%	3.96%	1.63%
Alameda County	1,073,183	1,279,182	1,443,741	1,510,271	1,530,176	19.2%	12.9%	4.61%	1.32%

Sources: U.S. Census, 1980, 1990, 2000, and 2010; California Department of Finance, E-1 Population Estimates for Cities, Counties, and the State, January 1, 2011 and 2012.

Table 4-2 shows how Hayward's population has compared to the population of Alameda County and the greater San Francisco Bay Area between 1940 and 2010. As shown, Hayward's population, as a percentage of the population of Alameda County and the Bay Area, has remained relatively consistent since the 1970s. This indicates that the city has experienced growth rates that are generally consistent with the growth rates of the county and the greater Bay Area region.



**TABLE 4-2
POPULATION GROWTH**
City of Hayward, Alameda County, and San Francisco Bay Area
1940 to 2010

Date	Hayward	Alameda County	Bay Area ¹	Hayward Population as a Percentage of:	
				Alameda County Population	Bay Area Population
1940	6,736	513,011	1,734,308	1.3%	0.4%
1950	14,240	740,315	2,681,322	1.9%	0.5%
1960	72,700	908,209	3,638,939	8.0%	2.0%
1970	93,058	1,073,184	4,628,199	8.7%	2.0%
1980	94,167	1,105,379	5,179,784	8.5%	1.8%
1990	111,498	1,279,182	6,023,577	8.7%	1.9%
2000	140,030	1,443,741	6,783,760	9.7%	2.1%
2010	144,186	1,510,271	7,150,739	9.5%	2.0%

¹ Includes the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.
Source: US Census Bureau, Federal Decennial Census, 1940 to 2010.

As shown in Table 4-3, among the neighboring cities the City of Dublin had the most growth from 2000 to 2013 at over 56 percent. Emeryville had a 48 percent increase in population and the cities of Livermore, Pleasanton, Albany, and Berkeley all had about a 12 percent increase in population between 2000 and 2012. Hayward had the fifth lowest population growth in the county (about 5 percent). Oakland and Piedmont each lost about 1 percent of their population.

**TABLE 4-3
POPULATION GROWTH IN ALAMEDA COUNTY JURISDICTIONS**
Cities in Alameda County
2010 to 2012

City	2000 Population	2012 Population	Percent Change
Alameda	72,259	74,640	3.3%
Albany	16,444	18,488	12.4%
Berkeley	102,743	114,821	11.8%
Dublin	29,973	46,785	56.1%
Emeryville	6,882	10,200	48.2%
Fremont	203,413	217,700	7.0%
Hayward	140,030	147,113	5.1%
Livermore	73,345	82,400	12.3%
Newark	42,471	43,041	1.3%
Oakland	399,484	395,341	-1.0%
Piedmont	10,952	10,807	-1.3%
Pleasanton	63,654	71,269	12.0%
San Leandro	79,452	86,053	8.3%
Union City	66,869	70,646	5.6%

Source: US Census Bureau, 2000; and DOF Population Estimates, January 1, 2011 and 2012.

Population and Household Projections

In Plan Bay Area, adopted July 18, 2013, ABAG projected that the City of Hayward will add 12,288 housing units between 2010 and 2040. If this occurs, there would be 59,919 housing units in Hayward in 2040. Assuming a vacancy rate of approximately 3.0 percent, there would be an estimated 58,825 households in the city.

The total projected population in the city of Hayward would vary based on the average household size. Assuming that the average household size remains at 3.12 persons per household, the city of Hayward would have an estimated 2040 population of 183,533.

Age Characteristics

One of the more significant indicators of population growth trends is the age composition of residents. Table 4-4 shows age characteristics of the city's population in 2000 and 2010. The greatest amount of growth between 2000 and 2010 occurred among the age 55 to 64 (52 percent), while those aged 5 to 19 declined by almost 5 percent during this same period. Other age groups that increased between 2000 and 2010 include the elderly (65+) and middle aged population (35-54). In contrast, all age groups under 34 decreased between 2000 and 2010. These trends are generally consistent with those in Alameda County and the greater San Francisco Bay Area, where the percentage of seniors is increasing as result of an aging baby boomer generation. According to the 2010 Census, the median age in the city of Hayward is 33.5, which is slightly younger than the median age of both Alameda County (36.6) and the state (35.2). The city's median age has been increasing since 1960 when it was only 24.0.

Age	2000	Percent of Total	2010	Percent of Total	Percent Change
Under 5	11,011	7.9%	10,774	7.5%	-2.2%
5 to 19	30,494	21.8%	29,126	20.2%	-4.5%
20 to 34	35,761	25.5%	35,401	24.6%	-1.0%
35 to 54	38,831	27.7%	39,449	27.4%	1.6%
55 to 64	9,706	6.9%	14,794	10.3%	52.4%
65+	14,227	10.2%	14,642	10.2%	2.9%
Total	140,030	100.0%	144,186	100.0%	3.0%

Source: U.S. Census, 1990, 2000, and 2010.



Race and Ethnicity

Changes in the racial/ethnic composition of a population may have implications on housing needs. Traditionally, some cultures (such as Asians and Hispanics) are likely to live with extended family members. These households, therefore, tend to be larger and require large homes to accommodate their needs.

Table 4-5 shows some significant changes in the racial makeup of residents in Hayward between 2000 and 2010. The number of Asian or Pacific Islander residents grew by approximately 20 percent and those who were identified as Hispanic or Latino increased by 19 percent between 2000 and 2010. The Hispanic or Latino population is the largest population group in the city at 41 percent, followed by Asian and Pacific Islanders at 25 percent. These numerical increases were accompanied by a decrease among non-Hispanic White residents (-51 percent). As a result, whereas Whites comprised about 29 percent of Hayward's population in 2000, this racial/ethnic group made up less than 20 percent of the population in 2010. The decrease in the white population is a continuing trend that began in the 1950s. During the same time frame, the proportion of the population that identified as Hispanic or Latino increased from 34 percent of the population in 2000 to 41 percent in 2010.

**TABLE 4-5
CHANGES IN RACE AND ETHNICITY**

City of Hayward
2000 to 2010

Race/Ethnicity	2000		2010		Percent Change between 2000 to 2010
	Population	Percent of Total	Population	Percent of Total	
Hispanic or Latino (of any race)	47,850	34.2%	58,730	40.7%	18.5%
Not Hispanic or Latino:	92,180	65.8%	85,456	59.3%	-7.9%
White	40,896	29.2%	27,178	18.8%	-50.5%
Black or African American	14,846	10.6%	16,297	11.3%	8.9%
American Indian and Alaska Native	570	0.4%	492	0.3%	-15.9%
Asian	26,189	18.7%	30,090	21.6%	13.0%
Native Hawaiian or Other Pacific Islander	2,511	1.8%	4,290	3.0%	41.5%
Some Other Race	692	0.5%	352	0.2%	-96.6%
Two or More Races	6,476	4.6%	5,757	4.0%	-12.5%

Source: US Census Bureau, Federal Decennial Census, 2000 and 2010.

Table 4-6 compares Hayward's demographics to nearby communities. Hayward's race demographics share some similarities with Oakland, also an older established community of ethnic diversity. Generally, Hayward has a much lower Non-Hispanic White population than nearby communities and a much higher proportion of Hispanics/Latinos.

Race/Ethnicity	Hayward	Livermore	Dublin	Oakland	Alameda County
Not Hispanic or Latino:	59.3%	79.1%	85.5%	74.6%	77.5%
White	18.8%	64.7%	44.3%	25.9%	34.1%
Black	11.3%	1.9%	9.2%	27.3%	12.2%
American Indian	0.3%	0.3%	0.4%	0.3%	0.4%
Asian/Pacific Islander	21.6%	8.5%	27.0%	17.2%	26.7%
Other	3.0%	0.2%	0.3%	0.3%	0.3%
Two or more races	0.2%	3.4%	4.4%	3.6%	4.0%
Hispanic/Latino	40.7%	20.9%	14.5%	25.4%	22.5%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

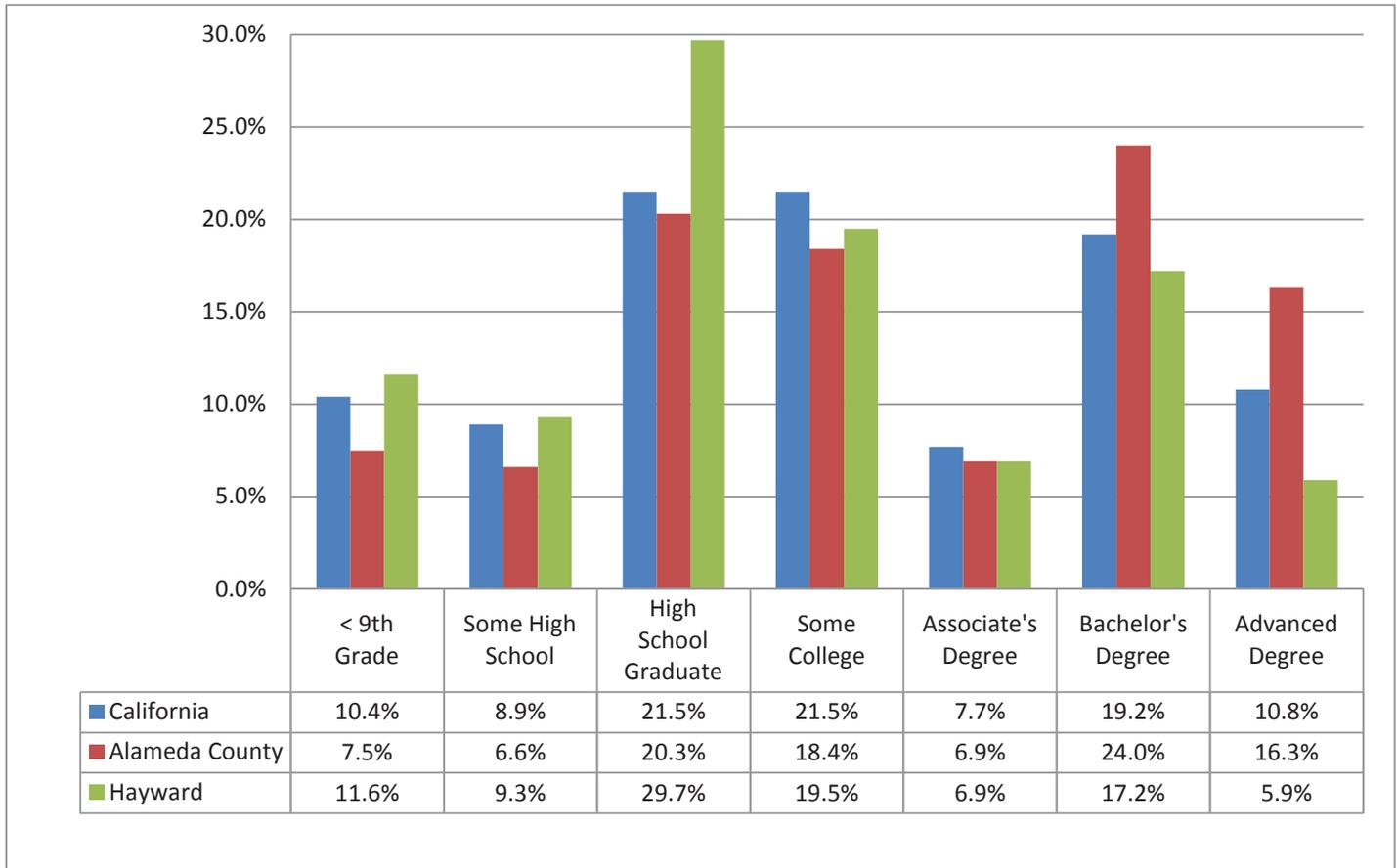
Source: U.S., Census, 2010.

Educational Attainment

Educational attainment is an important indicator of income level and, therefore, ability to afford housing. A college education is a strong indicator of earning potential and the lack of one can potentially reduce income and limit housing opportunities. The percentage of the population that did not graduate from high school in Hayward (20.9 percent) is slightly higher than in Alameda County (14.1 percent) and the state (19.3 percent). However, as shown in Figure 4-1, compared with the state (21.5 percent) and the county (20.3 percent), Hayward had the highest proportion of high school graduates, including GED equivalency (29.7 percent). Conversely, compared with the state (30 percent) and Alameda County (40.3 percent), Hayward had the lowest proportion of residents with higher education (23.1 percent), including Bachelor's and advanced degrees. Overall, Hayward had lower educational attainment than the county or state.



FIGURE 4-1
EDUCATIONAL ATTAINMENT FOR THE POPULATION AGE 25 AND OVER
Hayward, Alameda County, and California (2010)



Source: U.S. Census, 2010.

Household Characteristics

According to criteria established by the U.S. Census Bureau, a household consists of the occupants of a housing unit. A household may consist of one individual, a family, or a number of unrelated individuals. A “family household” is defined as a household consisting of two or more individuals related by blood, marriage, or adoption. Hayward saw a 16 percent increase in the number of families from 1990 to 2000 and a 12 percent increase in the number of households during the same time period (Table 4-7). However, from 2000 to 2010 both the number of families and households in Hayward decreased. At the same time, the average household size increased, indicating that larger non-family households are becoming more common.

TABLE 4-7 HOUSEHOLD DEMOGRAPHICS City of Hayward 1990, 2000, and 2010					
	1990	2000	2010	Percent Change	
				1990-2000	2000-2010
Population	111,498	140,030	144,186	25.6%	3.0%
Dwelling Units	42,216	45,922	48,947	8.8%	6.59%
Families	27,611	31,931	31,038	15.6%	-2.8%
Households	40,117	44,804	44,380	11.7%	-1.0%
Average Household Size	2.75	3.08	3.15	12.0%	2.3%

Source: U.S. Census, 1990, 2000, and 2010.

As mentioned before, increases in certain racial/ethnic groups may be accompanied by an increase in the average household size. The city's average household size has continued to increase since 1990, although leveling off somewhat since 2000. Household size increased slightly from 3.08 in 2000 to 3.12 in 2010. Owner-occupied units in Hayward in 2010 had a slightly larger household size than renter-occupied units (Table 4-8).

TABLE 4-8 TENURE AND HOUSEHOLD SIZE City of Hayward 2010			
Tenure	Population	Percent of Total	Average Household Size
Owner-Occupied	23,935	52.8%	3.14
Renter-Occupied	21,430	47.2%	3.10
Total Occupied Housing Units	45,365	100.0%	3.12

Source: U.S. Census, 2010.

Household Projections

The California Sustainable Communities and Climate Protection Act of 2008 (California Senate Bill 375) requires each of the 18 metropolitan areas in the state to reduce greenhouse gas emissions from cars and light trucks by preparing and implementing a Sustainable Communities Strategy (SCS). An SCS is a regional blueprint for transportation, housing, and land use that is focused on reducing driving and associated greenhouse gas emissions.



The SCS for the San Francisco Bay Area is contained within Plan Bay Area, an integrated long-range transportation, land use, and housing plan prepared by ABAG and the Metropolitan Transportation Commission (MTC) and adopted in July 2013. The SCS anticipates that 79 percent of the housing units built in Hayward between 2010 and 2040 (9,659 units) will be constructed within five priority development areas:

- The Cannery
- Downtown Hayward
- The South Hayward BART Corridor
- The South Hayward BART Neighborhood
- The Mission Corridor

Table 4-9 shows the specific allocation for each priority development area within the city.

TABLE 4-9 HOUSING UNIT AND HOUSEHOLD PROJECTIONS City of Hayward Priority Development Areas 2010 through 2040						
Priority Development Area	2010		Growth Between 2010 and 2040		2040	
	Housing Units	Households	Housing Units	Households	Housing units	Households
The Cannery	343	331	752	741	1,095	1,072
Downtown	2,287	2,096	3,223	3,275	5,510	5,371
South Hayward BART Corridor	184	172	1,173	1,158	1,357	1,330
South Hayward BART Neighborhood	1,796	1,658	2,698	2,737	4,494	4,395
Mission Corridor	1,482	1,229	1,839	1,977	3,321	3,206
<i>Subtotal: Priority Development Areas</i>	<i>6,092</i>	<i>5,486</i>	<i>9,685</i>	<i>9,888</i>	<i>15,777</i>	<i>15,374</i>
Remainder of City	42,204	39,879	2,603	3,572	44,807	43,451
Total City	48,296	45,365	12,288	13,460	60,584	58,825

Source: Association of Bay Area Governments. Sustainable Communities Strategy (Jobs-Housing Connection Strategy), July 2013.

Household Income

Household income is an important consideration when evaluating housing and community development because a lower income typically constrains a household's ability to secure adequate housing or services. While housing choices, such as tenure (owning versus renting) and location of residences are very much income-dependent, household size and type often affect the proportion of income that can be spent on housing.

For purposes of determining eligibility for housing assistance, the California Department of Housing and Community Development (HCD) has established the following income groups based on the Area Median Income (AMI) of a Metropolitan Statistical Area (MSA):

- Extremely Low Income: 0-30 percent AMI
- Very Low Income: 31-50 percent AMI
- Low Income: 51-80 percent AMI
- Moderate Income: 81-120 percent AMI
- Above Moderate Income: greater than 120 percent AMI

Collectively, households with extremely low, very low and low incomes are referred to as lower-income households.

According to the 2010 Census, the median household income in Hayward in 2009 was \$61,628, which was lower than the county and most neighboring cities, with the exception of the City of Oakland (see Figure 4-2). When adjusted for inflation, the 1999 median income of \$51,577 is equal to \$65,903 in 2009 dollars. Therefore, median household income actually decreased from 1999 to 2009 in Hayward when adjusted for inflation.

**FIGURE 4-2
MEDIAN HOUSEHOLD INCOME COMPARISON**

Hayward And Surrounding Cities (2009)



Source: U.S. Census, 2010.

Table 4-10 shows household income by tenure based on the Comprehensive Housing Affordability Strategy (CHAS) data prepared by the U.S. Department of Housing and Urban Development (HUD) using Census data. According to the CHAS data, 45 percent of the city’s households could be classified as having lower incomes and 55 percent had moderate or above moderate incomes in 2009. Lower-income households are disproportionately renters (60 percent) rather than owners (40 percent).



TABLE 4-10 HOUSEHOLD TYPE BY INCOME LEVEL City of Hayward 2009						
Household Type	Owner Occupied		Renter Occupied		Total	
	Households	Percent of Total	Households	Percent of Total	Households	Percent of Total
Extremely Low-Income	1,965	7.9%	4,710	24.5%	6,675	15.1%
Very Low-Income	2,680	10.8%	3,535	18.4%	6,215	14.1%
Low-Income	3,275	13.1%	3,570	18.6%	6,845	15.5%
<i>Subtotal (all lower-income)</i>	<i>7,920</i>	<i>31.80%</i>	<i>11,815</i>	<i>61.50%</i>	<i>19,735</i>	<i>44.7%</i>
Moderate/Above-Moderate Income	16,985	68.2%	7,425	38.6%	24,410	55.3%
Total	24,905	100.0%	19,240	100.0%	44,145	100.0%

Source: US Housing and Urban Development Department, Comprehensive Housing Affordability Strategy, 2005 to 2009.

Table 4-11 presents household income by income group and household type based on the CHAS data prepared by HUD using Census data. Elderly households make up 40 percent of lower-income owners and 54 percent of extremely low-income owners. About 87 percent of elderly renter households are lower-income. For large family households, 67 percent of renters are lower-income and 44 percent of owners are lower-income.

TABLE 4-11 HOUSEHOLD TYPE AND INCOME LEVEL City of Hayward 2009							
Income	Renter			Owners			Total
	Elderly	Large Families	Total	Elderly	Large Families	Total	
Extremely Low	750	525	4,710	1,055	270	1,965	6,675
Very Low	375	540	3,535	1,250	300	2,680	6,215
Low	285	515	3,570	830	665	3,275	6,845
All Lower Income	1,410	1,580	11,815	3,135	1,235	7,920	19,735
Moderate/Above Moderate	210	750	7,425	2,660	2,820	16,985	24,410
Total	1,620	2,330	19,235	5,795	4,055	24,910	44,145

Source: 2005-2009 Comprehensive Housing Affordability Strategy (CHAS), HUD.

Housing Characteristics

A community's housing stock is defined as the collection of all residential dwelling units located within the jurisdiction. The characteristics of the housing stock, including growth, type, age and condition, tenure, vacancy, costs, and affordability are important in determining the housing needs for the community. This section details Hayward's housing stock characteristics

in an attempt to identify how well the current housing stock meets the needs of current and future residents of the city.

Housing Unit Types

According to the most recent estimates prepared by the State Department of Finance (2013), there were 48,900 housing units in the city (Table 4-12). The distribution of unit types in Hayward and Alameda County are similar. Alameda County and Hayward had similar proportions of single family and multifamily homes. However, Hayward had a larger proportion of multifamily complexes with five or more units than the county. Mobile homes also constituted a larger portion of the city's housing stock than in the county. Approximately 52 percent of the city's housing structures were single family detached homes and 28 percent of units were in multifamily structures with five or more units. Nearly 5 percent of housing units were mobile homes, a considerable proportion given the urbanized nature of the city.

Unit Type	Alameda County		Hayward	
	Number	Percent	Number	Percent
Single family Detached	311,246	53.1%	25,371	51.9%
Single family Attached	44,965	7.7%	4,543	9.3%
2-4 Units	65,581	11.2%	2,935	6.0%
5+ Units	156,845	26.7%	13,729	28.1%
Mobile Homes	7,837	1.3%	2,322	4.8%
Total	586,474	100.0%	48,900	100%

Source: State Department of Finance, Population and Housing Estimates, May 1, 2013.

Table 4-13 displays the trends in residential development within the city that occurred over the past 20 years. The Census statistics are shown for 1990 and 2000, while American Community Survey is shown for 2010. The city's housing stock has remained predominately single family during the past 20 years. Single family attached and detached housing increased almost 14 percent from 2000 to 2010 while two- to four-unit multifamily housing decreased 11 percent and multifamily housing of five units or more decreased almost 2 percent. However, the Census Bureau used a new methodology for counting group quarters in 2000 that missed or wrongfully categorized millions of group homes and institutions. In 2010 the Census Bureau revised its methodology and definitions to more accurately count and categorize group homes. Therefore, the "loss" of multifamily buildings may actually be due to the recategorization of some multifamily units as group homes. Mobile home parks and other types of housing experienced a slight increase from 2000 to 2010, but have remained stable at five percent of housing units since 2000.



TABLE 4-13 HOUSING UNIT CHANGES City of Hayward 1990, 2000, and 2010								
Unit Type	1990		2000		2010		Changes 2000-2010	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Single family	23,591	56.4%	26,174	56.9%	29,718	60.7%	3,544	13.5%
2-4 Units	2,985	7.1%	3,352	7.3%	2,974	6.1%	-378	-11.3%
5+ Units	12,945	31.0%	14,133	30.8%	13,902	28.4%	-231	-1.6%
Other	2,286	5.5%	2,301	5.0%	2,353	4.8%	52	2.3%
Total	41,807	100.0%	45,960	100.0%	48,947	100.0%	2987	6.5%

Source: U.S. Census, 2000;2006-2010 American Community Survey.

Housing Tenure

According to Census data, Hayward is nearly equally split in tenure (53 percent owner-occupied units versus 47 percent renter-occupied units). As shown in Table 4-14, between 2000 and 2010 the proportion of owner-occupied households decreased slightly while the proportion of renters slightly increased.

TABLE 4-14 HOUSING UNIT TENURE City of Hayward 2000 and 2010						
Tenure	2000		2010		Change 2000-2010	
	Number	Percent	Number	Percent	Number	Percent
Owner	23,824	53.2%	23,935	52.8%	111	0.5%
Renter	20,980	46.8%	21,430	47.2%	450	2.1%
Total Occupied Housing Units	44,804	100.0%	45,365	100.0%	561	1.3%

Source: U.S. Census, 2000 and 2010.

Vacancy

Vacancy rate is often a good indicator of how effectively for-sale and rental units are meeting the current demand for housing in a community. Vacancy rates of 6 or 7 percent for rental housing and 1 to 2 percent for ownership housing are generally considered optimum, where there is a balance between the demand and supply for housing.⁵ A higher vacancy rate may

⁵ Giang Hoang-Burdette, Nobody’s Home: California Residential Vacancy Rates, May 9, 2012; Joan C. Fahrenthold, Associated Press, America’s Sickest Housing Markets, 2012; Emmett Pierce, San Diego Union Tribune, Uptick in County Rental, Vacancy Rates, Tenants Together, June 6, 2008; William Poe, Area Landlords High on Healthy Rental Market, July 27, 2012; Housing New York City, 2008; Mary Ellen Podmolik, Chicago’s a Renter’s Market, but Vacancies, Delinquencies on Rise, Census Paints a Bleak Picture of Arizona Housing, 2011; Rolf Boone, The Olympian, Thurston Apartment Vacancy Rates Up a Bit, 2012; Bill Conerly, Housing Recovery Progressing Very Slowly, Businomics, 2011.

indicate an excess supply of units and, therefore, price depreciation, while a low vacancy rate may indicate a shortage of units and escalation of housing prices. Census data indicated that Hayward had a normal overall vacancy rate 6.1 percent in 2010. The homeowner vacancy rate was 2.3 percent in 2010 and the rental vacancy rate was 6.6 percent.

Housing Unit Conditions

Generally, housing older than 30 years of age will require minor repairs and modernization improvements. Housing units over 50 years of age are more likely to require major rehabilitation such as roofing, plumbing, and electrical system repairs. Table 4-15 depicts the statistics on the age of the housing units in Hayward. An estimated 71 percent of the housing units in the city are over 30 years of age and 37 percent are over 50 years of age.

TABLE 4-15 HOUSING UNIT AGE City of Hayward 2010		
Year Structure Built	Number	Percent of Total
2005 or later	1,196	2.4%
2000 – 2004	2,313	4.7%
1990 – 1999	3,707	7.6%
1980 – 1989	6,898	14.1%
1970 – 1979	9,389	19.2%
1960 – 1969	7,340	15.0%
1950 – 1959	13,437	27.5%
1940 – 1949	2,671	5.5%
1930 and earlier	1,823	3.7%
Total	48,947	100.0%
<i>30 years or older (built before 1980)</i>	<i>34,660</i>	<i>70.8%</i>
<i>50 years or older (built before 1960)</i>	<i>17,931</i>	<i>36.6%</i>

Source: U.S. Census, 2010.

An important indicator of the existing condition of the housing supply is the number of structurally substandard units, or units needing rehabilitation or replacement. While the majority of the housing units within the city are in relatively good condition, as the existing stock ages, the number of housing units needing rehabilitation is expected to increase. According to the City's Code Enforcement staff, no units are estimated to be in need of substantial rehabilitation and none are in need of replacement in the city. Through the City's Community Preservation and Rental Housing Inspection programs, the City has addressed any housing units that are in need of rehabilitation.



Employment and Economic Characteristics

According to the 2010 Census, 75,733 Hayward residents over the age of 16 were in the labor force. Of these residents 66,877 were employed, yielding an unemployment rate of 7.9 percent. The State Employment Development Department reported an unemployment rate of 8.2 percent as of July 2013.

Table 4-16 tabulates occupations held by Hayward residents according to the 2010 Census and provides corresponding wage scales in Alameda County as of 2013. Among the employed residents, about 12 percent held construction and maintenance occupations, which command a moderate salary. Approximately 28 percent of residents were employed in retail sales and office support occupations, which are usually lower paid. Close to 26 percent of the employed residents held managerial and professional occupations, which command higher wages in the county.

TABLE 4-16 OCCUPATIONS AND WAGE City of Hayward 2010/2013			
Occupation	Number	Percent of Employed	Alameda County Mean Wage
Management, Business, Science, and Arts	17,641	26.4%	\$95,224
Service	11,254	16.8%	\$68,328
Sales and Office	18,967	28.4%	\$44,516
Natural Resources, Construction, and Maintenance	8,172	12.2%	\$47,934
Production, Transportation, and Moving Goods	10,843	16.2%	\$58,474
Total	66,877	100.0%	\$40,792

Sources: U.S. Census, 2010; California Employment Development Department, Labor Market Statistics, First Quarter 2013.

Employment Projections

According to ABAG, there were 69,100 jobs in the city of Hayward and 694,440 jobs in Alameda County in 2010. Hayward is home to approximately 10 percent of the jobs in the county. The ABAG projects that the city of Hayward will add 20,800 new jobs between 2010 and 2040, increasing from 69,100 to 89,900 jobs. This represents a 30 percent increase in local jobs. Only 6,960 jobs will be located in the priority development areas identified in the Sustainable Communities Strategy.

Housing Costs and Affordability

Housing affordability is a major consideration in providing suitable housing. The cost of housing itself is not a problem, unless households in the area cannot find adequately sized units at an affordable price. Affordability is defined as paying 30 percent or less of gross monthly household income on housing costs, based on both State and Federal standards.

Rental Housing

According to rental listings on Trulia (www.trulia.com), in December 2012 the average rent for apartments in Hayward is \$1,109 and the average rent for single family homes is \$2,232 (Table 4-17). Apartments in Hayward rent for significantly less than homes and condominiums.

TABLE 4-17 RENTAL PRICES City of Hayward 2012		
Apartments	Average Rent	Median Rent
Studio	--	--
1 Bedroom	\$1,109	\$1,070
2 Bedroom	\$1,396	\$1,350
3+ Bedroom	\$1,992	\$1,930
Total Apartment Rent	\$1,421	\$1,350
Homes for Rent	Average Rent	Median Rent
1 Bedroom	--	--
2 Bedroom	\$1,700	\$1,700
3 Bedroom	\$2,019	\$1,950
4+ Bedroom	\$3,060	\$2,900
Total Home Rent	\$2,232	\$2,048

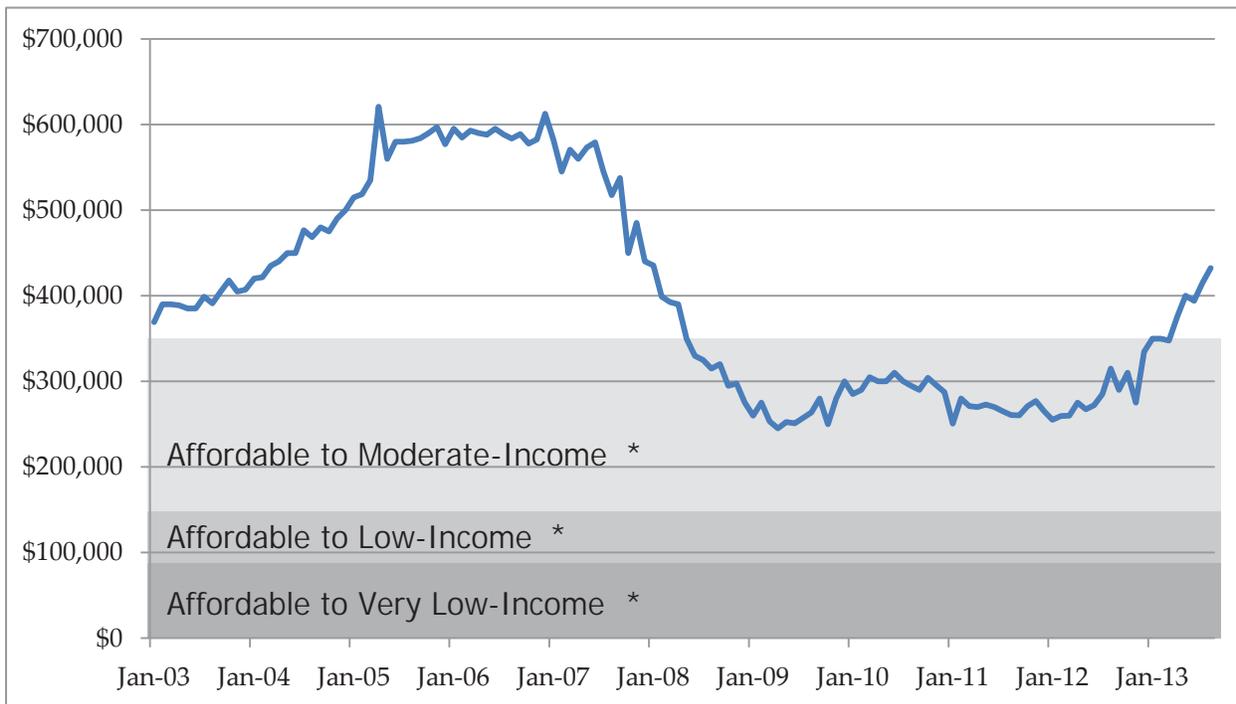
Source: www.trulia.com, Housing for Hayward, CA, December 5, 2012.

For-Sale Housing

Figure 4-3 shows the median sales prices for homes in Hayward between January 2002 and August 2013 and the affordable sales price based on 2013 income limits. The median sales price significantly increased between early 2003 and mid-2006. After 2006, the housing market slowdown affected sales prices in Hayward. Between mid-2006 and early 2009, the median sales price decreased by over 60 percent, making housing more affordable. While prices rose slightly from 2010 to 2011, they decreased to 2009 levels in 2012. The median sales price of \$255,000 in January 2012 was still out of reach for lower-income families, but within reach for most moderate-income families in Alameda County. However, by August 2013 the median sales price had increased by 69 percent to \$432,000 and was no longer affordable to moderate-income families. It is likely that housing prices will continue this upward trend during the Housing Element planning period.



**FIGURE 4-3
MEDIAN SALES PRICE AND PRICE PER SQUARE FOOT**



*Based on the ability to pay analysis in Table 4-24 for a household of four people.
Source: Bay East Association of Realtors, 2013.

Table 4-18 shows the median housing price by number of bedrooms and price per square foot for homes in the city of Hayward in 2007, 2011, and 2012. While the median home sale price for homes of all sizes is affordable to moderate-income households, lower-income households are not able to afford any size home. A low-income household of four, which would generally need a three-bedroom home, could only afford the median sales price of a one-bedroom home.

**TABLE 4-18
MEDIAN SALES PRICE AND PRICE PER SQUARE FOOT**

City of Hayward
2007, 2011, and 2012

Number of Bedrooms	2007		2011		2012	
	Median Price	Average Price Per sq. ft.	Median Price	Average Price Per Sq. Ft.	Median Price	Average Price Per Sq. Ft.
1 Bedroom	\$328,000	\$419	\$79,000	\$141	\$122,500	\$621
2 Bedroom	\$353,757	\$362	\$143,500	\$152	\$188,500	\$198
3 Bedroom	\$468,450	\$354	\$244,250	\$208	\$280,000	\$220
4+ Bedroom	\$546,000	\$318	\$325,445	\$173	\$382,500	\$199
All Properties	\$466,625	\$352	\$242,500	\$186	\$280,800	\$229

Note: Data for each year is from August to October.
Source: www.trulia.com, Hayward Market Trends, December 5, 2012.

Table 4-19 shows home price trends in Hayward from May 2012 to May 2013. This period reflects a time of significant changes in the housing market after the lending market collapse, as home prices are starting to increase again as the market recovers. Median sale prices throughout the city rose between 45 to 50 percent. The number of homes sold actually decreased, because while prices are nominally increasing, many owners are waiting for prices to continue to increase before selling their home. In addition, while interest rates are low and offer an incentive to buy, the lending market is very tight as loan qualifications are considerably stricter than in the past.

TABLE 4-19 HAYWARD HOME PRICE TRENDS Hayward Zip Codes 2012							
Zip Code	Number of Sales	Percent Change	Median Price	Percent Change	High Price	\$/sq. ft.	Percent Change
94541	34	-17%	\$375,000	30%	\$705,000	\$257	30%
94542	16	23%	\$550,000	17%	\$2,212,500	\$269	29%
94544	41	-20%	\$400,000	39%	\$841,000	\$301	44%
94545	29	26%	\$428,888	36%	\$640,000	\$308	42%

Notes: Data is presented for August 2013, Percent Change data is compared to August 2012.

Source: Bay East Association of Realtors, 2013.

Table 4-20 compares home sale prices in Hayward to neighboring communities as well as all of Alameda County. Every jurisdiction (except Emeryville) in Alameda County experienced an increase in median prices from October 2011 to October 2012. As shown, Hayward generally has a low median sales price when compared to other communities in Alameda County. Only a few communities had lower median sales prices in October 2012 (i.e., Oakland, Emeryville, and San Lorenzo). However, Hayward experienced a relatively large increase in median sales price between October 2011 and October 2012, with an increase of over 26 percent.



TABLE 4-20 MEDIAN SALES PRICE COMPARISONS				
Alameda County and Cities and Unincorporated Communities in Alameda County 2011 and 2012				
Location	Number of Homes Sold in October 2012	October 2011 Median Sales Price	October 2012 Median Sales Price	Percent Change from October 2011 to October 2012
Alameda County	1,431	\$330,000	\$358,727	16.89%
Alameda	54	\$429,000	\$561,500	30.89%
Albany	14	\$490,000	\$493,250	0.66%
Berkeley	67	\$475,000	\$610,000	28.42%
Castro Valley	62	\$370,000	\$468,000	26.49%
Dublin	82	\$519,500	\$590,250	13.62%
Emeryville	35	\$240,000	\$233,500	-2.71%
Fremont	197	\$449,000	\$525,000	16.39%
Hayward	167	\$237,000	\$300,000	26.58%
Livermore	108	\$366,750	\$429,000	16.97%
Newark	40	\$319,500	\$351,000	9.86%
Oakland	343	\$235,000	\$296,250	26.06%
Pleasanton	78	\$594,000	\$630,000	6.06%
San Leandro	77	\$300,000	\$328,500	9.50%
San Lorenzo	28	\$280,000	\$295,000	5.36%
Union City	65	\$330,000	\$356,000	7.88%

Source: DQNews, California Home Sales Price Medians by County and City, Home Sales Recorded in October 2012.

Foreclosures

With low interest rates, “creative” financing (e.g., zero down, interest only, adjustable loans), and predatory lending practices (e.g., aggressive marketing, hidden fees, negative amortization), many households nationwide purchased homes that were beyond their financial means during the peak of the real estate market (2005 to 2006). Under the assumptions that refinancing to lower interest rates would always be an option and home prices would continue to rise at double-digit rates, many households were unprepared for the hikes in interest rates, expiration of short-term fixed rates, and decline in prices that set off in 2006. Suddenly faced with significantly inflated mortgage payments, and mortgage loans that are larger than the worth of the homes, foreclosure was the only option available to many households.

Table 4-21 shows the active foreclosures within cities and unincorporated communities in Alameda County. As shown, there were 7,798 foreclosures in Alameda County (December 2012). Of these foreclosures, 1,082 (13.9 percent) were in Hayward. The city of Hayward had the second highest number of active foreclosures recorded in Alameda County. Only the City of Oakland had more foreclosures. In addition, the City of Hayward had the highest rate of new foreclosure filings in October 2012, as one in every 324 homes in the city filed for foreclosure. This is substantially higher than the County rate, which is one in every 534 homes.

TABLE 4-21 ACTIVE FORECLOSURES Alameda County and Cities and Unincorporated Communities in Alameda County 2012				
Location	Number of Homes in Foreclosure	Average Foreclosure Sales Price	Housing Units that Received a Foreclosure Filing in October 2012	
			Number	Rate
Alameda	216	\$499,016	27	1 in every 1,198
Albany	33	NA	6	1 in every 1,405
Berkeley	264	\$424,000	29	1 in every 1,794
Castro Valley	255	\$361,960	28	1 in every 786
Dublin	233	\$464,550	34	1 in every 464
Emeryville	322	\$243,948	30	1 in every 503
Fremont	634	\$425,095	76	1 in every 974
Hayward	1,082	\$296,931	183	1 in every 324
Livermore	480	\$386,846	77	1 in every 408
Newark	240	\$354,864	31	1 in every 433
Oakland	2,789	\$264,651	399	1 in every 412
Pleasanton	209	\$610,000	26	1 in every 1,023
San Leandro	526	\$294,591	70	1 in every 565
San Lorenzo	169	NA	27	1 in every 332
Union City	340	\$358,528	51	1 in every 417
Total Alameda County	7,798	\$335,050	1,094	1 in every 534

Source: Realtytrac, <http://www.realtytrac.com/foreclosure/October 2012>.

Housing Affordability

The generally accepted definition of housing affordability is for a household to pay no more than 30 percent of its gross annual income on housing, with the exception of moderate-income households and above. Families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation, and medical care. Housing affordability can be estimated by comparing a household's income with their monthly rent or a combination of their monthly mortgage, homeowner's association fees, and property taxes.

Housing affordability can be estimated by comparing the affordable housing cost of owning or renting a home in the city with the maximum affordable housing cost for households at different income levels. Together, this information can show who can afford what size and type of housing and which households are most likely to experience overpayment and overcrowding. Table 4-22 shows the affordable housing cost guidelines established in Section 50052.5 and 50053 of the California Health and Safety Code. The guidelines are based on the median income calculated by the HCD income limits.



Income Level	Income Limit	For Sale	Rental
Extremely Low	0-30% AMI	30% of 30% of AMI	30% of 30% of AMI
Very Low	31-50% AMI	30% of 50% of AMI	30% of 50% of AMI
Low	51-80% AMI	30% of 70% of AMI	30% of 60% of AMI
Moderate	81-120% AMI	35% of 110% of AMI	35% of 110% of AMI

Note: Affordability levels should be adjusted for household size.

HCD establishes household income limits to determine if a household has an extremely low-, very low-, low-, or moderate-income level. These income levels vary throughout the state and are based on the area median income of the region and adjusted based on the number of persons per household. The income limits for Alameda County are shown on Table 4-23. As shown in the table, a family of three with an annual income of \$59,600 would be considered a low-income household.

Income Level	Persons Per Household					
	1	2	3	4	5	6
Extremely Low	\$19,650	\$22,450	\$25,250	\$28,050	\$28,050	\$30,300
Very Low	\$32,750	\$37,400	\$42,100	\$46,750	\$50,500	\$54,250
Low	\$46,350	\$53,000	\$59,600	\$66,250	\$71,550	\$78,560
Median	\$65,450	\$74,800	\$84,150	\$93,500	\$101,000	\$108,450
Moderate	\$78,550	\$89,750	\$101,000	\$112,200	\$121,200	\$130,150

Source: California Department of Housing and Community Development, 2013.

Table 4-24 shows the 2013 HCD-defined household income limits for very low-, low-, and moderate-income households in Alameda County (including Hayward) by the number of persons in the household. It also shows maximum affordable monthly rents and maximum affordable purchase prices for homes. For example, a three-person low-income household with an income limit at 60 percent of the area median could afford to pay a monthly gross rent (including utilities) of up to \$1,263. A three-person low-income household with an income limit at 70 percent of the area median could afford to purchase a house priced at or below \$138,000.

TABLE 4-24 ABILITY TO PAY FOR HOUSING BASED ON HCD INCOME LIMITS Alameda County 2013			
Very Low-Income Households at 50 Percent of 2013 Median Family Income			
	1 BR	2 BR	3 BR
Number of Persons	2	3	4
Income Level	\$37,400	\$42,100	\$46,750
Max. Monthly Gross Rent ¹	\$561	\$631	\$701
Max. Purchase Price ²	\$64,000	\$81,000	\$95,000
Low-Income Households at 80 Percent of 2013 Median Family Income			
	1 BR	2 BR	3 BR
Number of Persons	2	3	4
Income Level Renter (60 percent of MFI)	\$44,880	\$50,520	\$56,100
Max. Monthly Gross Rent ¹	\$1,122	\$1,263	\$1,403
Income Level Owner (70 percent of MFI)	\$52,360	\$58,940	\$65,450
Max. Purchase Price ²	\$117,000	\$138,000	\$158,000
Moderate-Income Households at 120 Percent of 2013 Median Family Income			
	1 BR	2 BR	3 BR
Number of Persons	2	3	4
Income Level (110 percent of MFI)	\$82,280	\$92,565	\$102,850
Max. Monthly Gross Rent ¹	\$2,400	\$2,700	\$3,000
Max. Purchase Price ²	\$265,000	\$305,000	\$345,000

¹ Assumes that 30 percent of income (or 35 percent for moderate-income) is available for either: monthly rent, including utilities; or mortgage payment, taxes, mortgage insurance, and homeowners insurance

² Assumes 95 percent loan at 5.92 percent annual interest rate and 30-year term; assumes taxes, mortgage insurance, homeowners association, utilities, and homeowners' insurance account for 60 percent of total monthly payments

Source: California Department of Housing and Community Development, 2013; and Mintier Harnish, 2013.

Based on the rental and home sale prices presented earlier in Table 4-17 and Figure 4-3, most lower-income households would not be able to afford housing in Hayward. Rental housing is generally affordable to moderate-income households within the city, but for-sale housing is out of reach for most households except for above moderate-income households.



Table 4-25 shows HUD-defined fair market rent levels (FMR) for the Oakland-Fremont PMSA (including Hayward) for 2012 and 2013. In general, the FMR for an area is the amount that would be needed to pay the gross rent (shelter rent plus utilities) of privately owned, decent, safe, and sanitary rental housing of a modest (non-luxury) nature with suitable amenities.⁶ HUD uses FMRs for a variety of purposes: FMRs determine the eligibility of rental housing units for the Section 8 Housing Assistance Payments program; Section 8 Rental Certificate program participants cannot rent units whose rents exceed the FMRs; and FMRs also serve as the payment standard used to calculate subsidies under the Rental Voucher program.

The level at which FMRs are set is expressed as a percentile point within the rent distribution of standard quality rental housing units in the FMR area. The basic standard for the FMR figures is the 40th percentile. However, in some areas HUD sets the level at the 50th percentile to give lower-income families who participate in the voucher program access to a broader range of housing opportunities. The FMR figures that apply to the Oakland-Fremont PMSA are set at the 40th percentile of rents in the area. In other words, 60 percent of the rents in the Oakland-Fremont PMSA are above the figures shown and 40 percent are below.

TABLE 4-25 HUD FAIR MARKET RATE Oakland-Fremont PMSA 2013	
Bedrooms in Unit	2013 FMR
Studio/Efficiency	\$892
One-Bedroom	\$1,082
Two-Bedroom	\$1,361
Three-Bedroom	\$1,901
Four-Bedroom	\$2,332

Note: The Oakland-Fremont PMSA contains Alameda and Contra Costa Counties.

Source: U.S. Department of Urban Development (HUD), 2013.

Comparing the current FMR levels to Table 4-24, a three-person household classified as moderate-income could afford to pay \$2,700 monthly gross rent (including utilities). The 2013 FMR for a two-bedroom unit is \$1,361, which is affordable to a moderate-income household if such a unit were available in Hayward. However, a three-person low-income household (\$50,520 at 60 percent of the median) could afford to pay \$1,263, which is below the 2013 FMR.

⁶ According to HUD, "the level at which FMRs are set is expressed as a percentile point within the rent distribution of standard-quality rental housing units. The current definition used is the 40th percentile rent, the dollar amount below which 40 percent of the standard-quality rental housing units are rented. The 40th percentile rent is drawn from the distribution of rents of all units occupied by recent movers (renter households who moved to their present residence within the past 15 months). Public housing units and units less than 2 years old are excluded."

Housing Problems

Overpayment

Overpayment, also known as cost burden, is defined as households spending more than 30 percent of their gross household incomes on housing costs. HUD's Comprehensive Housing Affordability Strategy (CHAS) data provides information on housing overpayments by income group (Table 4-26).

Overall, 48 percent of households in the city experienced housing overpayment in 2009. Housing overpayment impacted certain groups more severely than others. Particularly, overpayment was prevalent among the following groups:

- Over 68 percent of lower-income households overpaid for housing.
- A majority of all extremely low-income households overpaid for housing (79 percent), and nearly all extremely low-income large family renters (91 percent) faced a housing cost burden.
- Among very low-income households, 89 percent of renters overpaid for housing and 90 percent of large family owners overpaid for housing.
- About 71 percent of all elderly low-income renters overpaid for housing.



**TABLE 4-26
HOUSING OVERPAYMENT**

City of Hayward
2009

Household by Type, Income, and Housing Problem	Renters			Owners			Total
	Elderly	Large Families	Total Renters	Elderly	Large Families	Total Owners	
Extremely Low Income							
Total	750	525	4,710	1,055	270	1,965	6,675
With cost burden >30%	610	475	3,810	725	230	1,485	5,295
	81.3%	90.5%	80.9%	68.7%	85.2%	75.6%	79.3%
With cost burden >50%	420	465	3,345	460	230	1,185	4,530
	56.0%	88.6%	71.0%	43.6%	85.2%	60.3%	67.9%
Very Low Income							
Total	375	540	3,535	1,250	300	2,680	6,215
With cost burden >30%	260	425	3,135	415	270	1,520	4,655
	69.3%	78.7%	88.7%	33.2%	90.0%	56.7%	74.9%
With cost burden >50%	125	65	1,275	165	230	1,060	2,335
	33.3%	12.0%	36.1%	13.2%	76.7%	39.6%	37.6%
Low Income							
Total	285	515	3,570	830	665	3,275	6,845
With cost burden >30%	130	130	1,665	255	520	1,865	3,530
	45.6%	25.2%	46.6%	30.7%	78.2%	57.0%	51.6%
With cost burden >50%	20	0	215	80	355	1,140	1,355
	7.0%	0.0%	6.0%	9.6%	53.4%	34.8%	19.8%
All Lower Incomes							
Total	1,410	1,580	11,815	3,135	1,235	7,920	19,735
With cost burden >30%	1,000	1,030	8,610	1,395	1,020	4,870	13,480
	70.9%	65.2%	72.9%	44.5%	82.6%	61.5%	68.3%
With cost burden >50%	565	530	4,835	705	815	3,385	8,220
	40.1%	33.5%	40.9%	22.5%	66.0%	42.7%	41.7%
Total							
Total	1,620	2,330	19,235	5,795	4,055	24,910	44,145
With cost burden >30%	1,079	1,100	9,859	1,845	2,170	11,150	21,009
	66.6%	47.2%	51.3%	31.8%	53.5%	44.8%	47.6%
With cost burden >50%	615	530	4,925	740	905	4,555	9,480
	38.0%	22.8%	25.6%	12.8%	22.3%	18.3%	21.5%

Source: 2005-2009 HUD Comprehensive Housing Affordability Strategy (CHAS).

Overcrowding

Overcrowding is typically defined as those housing units containing more than one person per room (including living and dining rooms but excluding bathrooms and kitchens) and units with more than 1.5 persons per room are considered as severely overcrowded. As shown in Table 4-27, in 2010 an estimated 7 percent of occupied units in the city were classified as overcrowded and 2.5 percent were severely overcrowded. The proportion of overcrowded renter-occupied units was almost double that of owner-occupied units. Nearly 9 percent of renter households were overcrowded, and 3.5 percent were severely overcrowded.

	Owner-Occupied		Renter-Occupied		Total Occupied Units	
	Number	Percent	Number	Percent	Number	Percent
Total Occupied Units	24,679	100%	19,701	100%	44,380	100%
Overcrowded (>1.0 persons/room)	1,368	5.5%	1,734	8.8%	3,102	7.0%
Severely Overcrowded (>1.5 persons/room)	438	1.8%	683	3.5%	1,121	2.5%

Source: US Census Bureau, 2006-2010 American Community Survey.

Overcrowding was less prevalent in Alameda County, compared with Hayward. Specifically, almost 4 percent of the households in the county and 7 percent in Hayward were considered overcrowded, with less than 2 percent in the county and 2.5 percent in Hayward being severely overcrowded. While overcrowding also impacted more renter-households than owner-households in the both the county and in Hayward, the extent of overcrowding in the county was not as significant as in Hayward. Approximately 3.1 percent of the owner-households and 7.9 percent of the renter-households countywide were overcrowded. In Hayward 5.5 percent of the owner-households and 8.8 percent of the renter-households were overcrowded.

Special Needs Populations

Local housing elements must include an analysis of special housing needs. Under State law special needs refer to those households that contain seniors, persons with disabilities (including developmental disabilities), large households, female-headed households, homeless, and farmworkers. Table 4-28 shows the number, percent, and characteristics of Hayward special needs populations.



**TABLE 4-28
SPECIAL NEEDS POPULATION**

City of Hayward
2010

Special Needs	Number of Households or Persons	Owners	Renters	Percent of Total Households or Population
Households w/ senior member	10,690	--	--	23.6%
Senior-Headed Households	8,047	5,942 (73.8%)	2,105 (26.2%)	17.7%
Seniors Living Alone	3,193	2,037 (68.7%)	1,156 (31.3%)	7.0%
Civilian Noninstitutionalized Persons with Disabilities ¹	14,924	--	--	10.3%
Persons with Development Disabilities ³	1,390	--	--	0.9%
Large Households	9,259	4,834 (52.2%)	4,425 (47.8%)	20.4%
Female-Headed Households ²	6,830	2,397 (35.1%)	4,433 (64.9%)	15.4%
Female-Headed Households w/ own Children ²	3,673	819 (22.3%)	2,854 (77.7%)	8.3%
Agriculture, forestry, fishing and hunting, and mining employees	290	--	--	0.4%
Residents Living in Poverty	17,565	--	--	12.5%
Extremely Low-Income Households	6,675	1,965 (29.4%)	4,710 (70.6%)	15.1%

¹ Data is from the 2008-2010 American Community Survey.

² Data is from the 2006-2010 American Community Survey.

³ Data for the following zip codes (includes most of Cherryland): 94540, 94541, 94542, 94543, 94544, 94545

Source: U.S. Census, 2010; 2006-2010 American Community Survey; 2008-2010 American Community Survey.

Senior Households

In 2010, 10,690 Hayward households (approximately 24 percent of the city's households) had members 65 years of age and over (see Table 4-28). The number of households with seniors increased between 2000 and 2010, as households with seniors represented only 22 percent of households in 2000. A total of 3,193 Hayward seniors live alone. Over 69 percent of seniors that live alone are female.

The housing needs of seniors, especially frail elderly, are often related to a disability and limited mobility. Senior households on fixed or with lower incomes may also have greater difficulty affording constant increases in rents and major home repairs. Other senior housing needs include providing options for active seniors, such as housing with space for arts and hobby, and easy access to recreational programs.

Several businesses and non-profit organizations provide licensed care for seniors in Hayward (see Table 4-29). Licensed care that is available includes adult day care, adult residential facilities, and residential care for the elderly. The California Community Care Licensing Division reports that 52 residential care homes for the elderly that can serve a total of 887 residents in Hayward. Together, all licensed facilities in Hayward have the capacity to serve 1,762 seniors. In addition, there is a large residential care for the elderly center that provides continuing care contracts (nursing care) in nearby Union City. This facility has a license to serve 376 seniors.

TABLE 4-29 RESIDENTIAL CARE FACILITIES City of Hayward 2012		
Type of Facility	Number of Facilities	Number of Beds
Adult Day Care	9	389
Adult Residential Facility	58	486
Residential Care for the Elderly	52	887
Total:	119	1,762

Source: California Department of Social Services, California Community Care Licensing Division, https://secure.dss.cahwnet.gov/cclid/securenet/cclid_search/cclid_search.aspx, December 6, 2012.

Persons with Disabilities

Persons with physical, visual, hearing, and mental disabilities have special housing needs. These needs can include ramps instead of stairs, elevators for units with two or more stories, modified bathrooms, wider doorways, lower shelves, and other modifications. State law requires all new single family construction to be accessible to persons with disabilities, but existing housing units are often not accessible or designed for the disabled. Many persons with disabilities also have fixed incomes, which can limit housing options.

According to the 2008-2010 American Community Survey, 14,924 residents reported having one or more disabilities, representing 10 percent of the city's civilian non-institutionalized population. As shown in Table 4-30, hearing disabilities affected all of the youth under age 5 who reported a disability. Cognitive disabilities were more common in youth 15 years of age or younger, affecting 61 percent of those who reported a disability. For adult residents (18-64 years of age), cognitive, ambulatory, and independent living disabilities were the most prevalent. Seniors were more frequently affected by ambulatory disabilities.



**TABLE 4-30
PERSONS WITH DISABILITIES**

City of Hayward
2010

Disability	Age <5	Age 5-17	Age 18-64	Age 65+	Total
Number of Persons	61	871	7,979	5,174	14,085
Hearing Disability	100%	20.4%	15.9%	30.6%	21.9%
Vision Disability	26.2%	12.6%	13.0%	16.8%	14.4%
Cognitive Disability	--	60.6%	48.1%	27.7%	41.2%
Self Care Disability	--	4.1%	17.0%	29.7%	20.8%
Ambulatory Disability	--	15.3%	46.1%	66.8%	51.6%
Independent Living Disability	--	--	40.4%	50.2%	41.3%

Note: A person can report multiple disabilities; therefore, totals within each age group may exceed 100 percent.

Source: 2008-2010 American Community Survey.

SB 812, which took effect January 2011, amended State housing element law to require an evaluation of the special housing needs of persons with developmental disabilities. A "developmental disability" is defined as a disability that originates before an individual becomes 18 years old, continues or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This includes Mental Retardation, Cerebral Palsy, Epilepsy, and Autism.

According to the California Department of Developmental Services, as of November 2013 the Regional Center of the East Bay served 17,055 residents with developmental disabilities in the region (see Table 4-31). In November 2013 the Regional Center served 1,390 developmentally disabled persons in Hayward. Of the total 24 percent of disabled persons are under the age of 14, 16 percent are aged 15-22, 41 percent are aged 23-54, 12 percent are aged 55-64, and 7 percent are 65 or older. The Agnews Developmental Center in San Jose, which also served residents from the region, closed in 2009. Most developmentally-disabled residents in Hayward (71.9 percent) have an intellectual disability and many (20.9 percent) are autistic.

Few developmentally-disabled Hayward residents receiving services from the Regional Center of the East Bay lived in a group home facility (less than 24 percent). Most developmentally-disabled individuals lived at home (58 percent). Many developmentally-disabled persons are able to live and work. However, more severely disabled individuals require a group living environment with supervision, or an institutional environment with medical attention and physical therapy. Because developmental disabilities exist before adulthood, the first housing issue for the developmentally-disabled is the transition from living with a parent/guardian as a child to an appropriate level of independence as an adult.

TABLE 4-31 DEVELOPMENTAL DISABILITY BY TYPE Served by the Regional Center of the East Bay Hayward ¹ November 2013		
Disability Type	Number²	Percent
Autism	290	20.9%
Epilepsy	263	18.9%
Cerebral Palsy	242	17.4%
Intellectual Disability	999	71.9%
Other Diagnosis	211	15.2%
Total	1,390	

¹ Includes the following zip codes (includes most of Cherryland): 94540, 94541, 94542, 94543, 94544, 94545

² Numbers do not add up to the total because some clients have more than one disability.

Source: California Department of Developmental Service, December 2, 2013.

The City of Hayward has several residential care facilities to serve disabled residents. The California Community Care Licensing Division reports the facilities and number of beds available, displayed in Table 4-29. On April 1, 2013, Anka Behavioral Health, Inc. (Anka) opened the doors of their new program, the Glen Eden Home, a program that provides a permanent home and supportive services, in partnership with the Regional Center of the East Bay, for women with intellectual and developmental disabilities.

Large Households

Based on State Housing Element law, a “large household” refers to a household with five or more persons. The increase in the number of household members does not proportionately increase the earning power of the household. Often, it means an additional dependent child or elderly parent. Large households often require larger dwelling units, but the availability of adequately sized and affordable units is usually limited, resulting in overcrowding and/or overpayment among large households.

According to the 2010 Census, approximately 20 percent of the households in the City of Hayward are considered large households (see Table 4-28), compared to only 12.6 percent of the households in Alameda County. The number of large households in Hayward increased from 5,421 households (14 percent) in 1990 to 8,729 households (20 percent) in 2000. Between 2000 and 2010, it increased slightly to 9,259. This trend is reflected in the increase in average household size over the past two decades (Table 4-7). The increase in the number of large households likely corresponds with the increase in the Hispanic and Latino population, as they generally have larger families than other population groups. In terms of tenure there was a larger proportion of owner-occupied (52 percent) large households than renter-occupied (48 percent) large households.



Single-Parent and Female Headed Households

Single-parent households tend to have lower incomes because there is only one working adult supporting their children. Additionally, with no spouse present, there may be only one parental figure to provide time for child development and educational support. Female single-parent households, who generally earn less than men, are even more likely to be in poverty. Single parent households are also more dependent on affordable child care services and after school programs.

Based on Census data, families with females as heads of households decreased from 11,429 (20 percent) in 2000 to 6,830 (15 percent) in 2010 (see Table 4-28). Of Hayward's 6,830 female-headed households, 3,673 were living with their own children. In addition, 1,482 female-headed families (5 percent) and 1,362 female-headed families with related children (4 percent) were living in poverty. This compares to only 90 single male-headed households making up less than one percent of all families. These figures bear importance in relation to social service needs, such as child care, recreation programs, and health care, which are of special concern to these households.

According to the California Department of Social Services, California Community Care Licensing Division, there are 42 licensed child care centers, 56 licensed large-family child care homes, and three licensed school age child care centers in the city of Hayward. Collectively, these facilities have the capacity to serve 2,948 children.

Farmworkers

Farmworkers are considered a special housing group because of the seasonal nature of their work and the low wages for these employees. Farmworkers include employees of nurseries, stables, and agricultural and livestock operations. Farmworkers generally have limited and seasonable incomes, which present a need for affordable housing near their places of work on a seasonal basis. The 2006-2010 American Community Survey indicated that 290 people, approximately 0.4 percent of Hayward's civilian labor force, were employed in agriculture, forestry, and fishing occupations (see Table 4-28). It is likely that many of these residents are employed in fishing given Hayward's location adjacent to the San Francisco Bay. The others are likely employed with landscaping nurseries, landscaping services, and gardens in the East Bay Area. Given these statistics and the fact that there are no significant agricultural operations within Hayward, farmworker housing is not a significant issue.

Extremely Low-Income Households

Extremely low-income households are defined as those households with incomes under 30 percent of the county median income. Extremely low-income households typically consist of minimum wage workers, seniors on fixed incomes, persons with disabilities, and farmworkers. This income group is likely to live in overcrowded and substandard housing conditions. In Hayward a household of three persons with an income of \$25,250 in 2012 is considered an

extremely low-income household. In 2009 there were 6,675 extremely low-income households (15.1 percent) in Hayward.

As shown earlier in Table 4-10, Hayward had a much larger percentage of extremely low-income renter households (71 percent) than owner households (29 percent). About 81 percent of extremely low-income renters had a cost burden greater than 30 percent (see Table 4-28 above), and about 76 percent of extremely low-income owner households had a cost burden greater than 30 percent. About 71 percent of extremely low-income renters and 60 percent of extremely low-income owners had a cost burden greater than 50 percent.

HUD defines households with “any housing problem” as those with a housing cost burden greater than 30 percent of income, and/or overcrowding, and/or without complete kitchen or plumbing facilities. In 2009, 79 percent of extremely low-income households in Hayward experienced “any housing problems.”

Government Code Section 65583(a)(1) states:

“Local agencies shall calculate the subset of very low-income households allotted under Section 65584 that qualify as extremely low-income households. The local agency may either use available census data to calculate the percentage of very low-income households that qualify as extremely low-income households or presume that 50 percent of the very low-income households qualify as extremely low-income households. The number of extremely low-income households and very low-income households shall equal the jurisdiction's allocation of very low-income households pursuant to Section 65584.”

The 2014-2022 Regional Housing Needs Allocation (RHNA) assigns 851 very low-income units (inclusive of extremely low-income units) to Hayward. Pursuant to State law (AB 2634), the City's RHNA of very low-income units may be split into 425 extremely low- and 426 very low-income units. However, for purposes of identifying adequate sites for the RHNA, State law does not mandate the separate accounting for the extremely low-income category.

Homeless Persons

Two categories of need should be considered when discussing the homeless population: 1) transient housing providing shelter only and usually on a nightly basis; and, 2) short-term housing, usually including a more comprehensive array of social services to enable families to re-integrate themselves into a stable housing environment. Led by the mortgage crisis, the current recession has resulted in a new wave of individuals and families made homeless due to losing their jobs or their homes. As a result, homelessness within California continues to be a problem.



Various circumstances that may lead to homelessness include the following:

- Single adult transients passing through the city on the way to some other destination;
- Seasonal and/or migrant homeless individuals seeking seasonal employment in the city;
- The chronically homeless, single adults, including non-institutionalized, mentally disabled individuals, alcohol and drug abusers, seniors with insufficient incomes, and others who voluntarily, or due to financial circumstances, are forced to live on the streets;
- Minors who have run away from home;
- Lower-income families who are temporarily homeless due to financial circumstances or are in the process of searching for a home (single-parent families, mostly female-headed, are especially prevalent in this group); and
- Women (with or without children) who are escaping domestic violence.

The Alameda Countywide Homeless Continuum of Care Council (HCCC) relies on a “community-defined” definition of homeless. This includes the HUD-defined chronic homeless population as a subset of the County’s overall homeless population. Community-defined homelessness includes people staying in emergency shelters or transitional housing, living on the street or in a car, and people who will lose their housing within a month and have nowhere to go.

Assessing a region’s homeless population is difficult because of the transient nature of the population. In 2001 Congress directed HUD to require communities receiving McKinney-Vento Act Programs (now called Homeless Assistance Grants) to begin to collect counts of homeless populations by Continuum of Care jurisdictions. For Alameda County the Continuum of Care jurisdiction is the county as a whole. This HUD mandate called for the establishment of two things: a biennial point-in-time “street count” of homeless populations and the establishment of a Homeless Management Information System (HMIS). HMIS is primarily a database to collect demographic information on homeless individuals and families receiving housing and services. These two activities comprise the best data on homeless populations in Alameda County.

The Alameda County strategy to alleviate homelessness is called the EveryOne Home plan, and incorporates and coordinates as many of the various resources available as possible to reduce and ultimately end homelessness. In 2005 EveryOne Home administered a comprehensive count of the number of homeless people in Alameda County; the number was updated in 2007, 2009, 2011, and 2013 using sampling surveys. This data was analyzed and provides a good estimate of the number of homeless people in Alameda County; however, the County has not provided a detailed estimate of the homeless population of Hayward and other local jurisdictions since 2007. The 2009 count includes details of homeless population by subregion.

The County conducted the most recent homeless count on January 30, 2013, but the countywide report does not include an estimate for the city of Hayward. Grace Kong, Administrative Analyst in the Community Services Division at the City of Hayward, and Sara Lamnin, Program Director for the Hayward Community Action Network at South Hayward Parish, estimate that there are currently (2013) about 200 homeless persons within the city of Hayward.

The 2013 Alameda Countywide Homeless Count and Survey Report estimates that 4,264 people were “literally homeless” in Alameda County on a given day in late January 2013. Literally, homeless refers to individuals and families living on the street, in shelters, transitional housing, or other places not meant for prolonged or permanent human habitation. However, it does not include the “hidden homeless” (individuals or families residing on a temporary basis in motels, with friends or relatives, or that may be evicted from their home within seven days), and individuals or families in housing that rely on services, such as hot meal sites, food pantries, and drop-in centers.

Approximately 55 percent of the literally homeless surveyed in 2013 were classified as unsheltered homeless, 21 percent were in emergency shelter programs, and 24 percent were in transitional housing programs. Despite the economic recession, the “literally homeless” population has decreased slightly since 2007 when it was estimated at 4,838. Characteristics of the homeless population are presented below:

- 22 percent are chronically homeless;
- 11.5 percent are veterans;
- 25.9 percent are living with a severe mental illness;
- 32 percent were in a household with one or more children;
- 39.5 percent of the unsheltered homeless are African American;
- 36.1 percent of the unsheltered homeless are White;
- 7 percent of the unsheltered homeless are Hispanic/Latino; and
- 84 percent of the unsheltered homeless are male.

The most recent count that summarizes the homeless population at the sub-county level was conducted in 2009. In December 2009 there were an estimated 385 “literally homeless” people living in the mid-county region, which includes Hayward, San Leandro, and several unincorporated areas. An additional 148 “hidden homeless” were also living in the mid-county region. When these two homeless populations are combined, the total homeless population of the mid-county region is 533. As of December 2009 an estimated 7.2 percent of the County’s homeless population lives in the mid-county region.

In the mid-county region, which includes Hayward, approximately 56 percent of the estimated homeless population consists of families with children. Children comprise 35 percent of the



total mid-county homeless population. These characteristics distinguish Hayward from other parts of the county, where homeless families with children are generally present in lower proportions (23 percent countywide). Characteristics of the homeless population (including literally homeless and hidden homeless) in the mid-county region are presented below:

- 14.5 percent of the population are chronically homeless;
- 28.2 percent of the population have a severe mental illness;
- 22.8 percent are chronic substance abusers;
- 10.4 percent are veterans;
- 26.2 percent are victims of domestic violence; and
- 0.9 percent are unaccompanied youth.

In 2008 the City provided over \$255,000 to different non-profit area organizations to assist individuals and families that were homeless or at risk of becoming homeless. Programs funded included transitional housing, shelter and on-site case management services, a motel voucher program, and the Alameda County 2-1-1 housing and services referral system. The following programs and facilities serve homeless in Hayward and surrounding communities:

Supportive Services

- **The Alameda County Community Food Bank:** The Food Bank offers nutritious food to local homeless shelters and other local non-profit service providers. The Food Bank provides scholarships to six or more agencies in Hayward, which enables them to purchase food at a discounted rate.
- **The Bridge of Faith Meals of Love Program:** The Meals of Love Program provides hot meals, groceries, information and referral services, and clothing to low-income and homeless Hayward residents.
- **Centro Legal de la Raza:** Centro Legal de Raza provides free, direct legal services and tenants' rights education to low-income Hayward residents facing eviction and habitability issues.
- **The Davis Street Family Resource Center:** The Resource Center provides emergency food, clothing, subsidized child-care, free acute medical and dental care, mental health counseling, crisis intervention, case management, and many other support services to low-income Hayward residents.
- **Eden Information and Referral:** Eden Information and Referral provides the 2-1-1 telephone services, which provides free access to health, housing, and human services information and referral. Eden Council for Hope & Opportunity (ECHO) provides Fair Housing counseling and investigation services. ECHO also works with landlords and tenants on housing rights and responsibilities to prevent evictions. From 2007 to 2012 the

City provided \$203,615 to ECHO to conduct annual audits, tests, investigations of complaints, and fair housing workshops.

- **South Hayward Parish’s Hayward Community Action Network:** The Hayward Community Action Network provides outreach, coordination, and case management to homeless individuals who live in Hayward.
- **The Safe Alternatives to Violent Environments (SAVE) Program:** The SAVE program provides crisis intervention services in collaboration with law enforcement. SAVE provides services to homeless, low-income survivors of domestic violence and their children. Resources include affordable housing, emergency sheltering, counseling services, clothing, transportation, and assistance in obtaining retraining and protection orders, among many other services.
- **The South Hayward Parish:** The Parish provides emergency food for over 1,000 unduplicated low-income Hayward residents each year.

Emergency Shelters

- **Family Homeless Shelter:** The Family Emergency Shelter Coalition provides shelter and support services to approximately 60 homeless families, including children, each year. Services include intake, stabilization, a family needs assessment, and case management.
- **Domestic Violence Shelter:** This 42-bed confidentially-located facility provides shelter, counseling, case management, and other support services to low-income female survivors of domestic violence and their children.
- **Family Violence Law Center (FVLC):** The FVLC serves victims of domestic violence in Alameda County, including emergency overnight shelter and serving as a liaison with police and the criminal justice system. The FVLC helps families to leave domestic violence situations without becoming homeless or experiencing further injury.
- **Single Women’s Shelter (Women on the Way):** A 10-bed shelter that provides drug and alcohol recovery treatment, counseling, and other support services to women to help them transition into more stable housing.

Permanent and Transitional Housing

- **Male Parolees’ Transitional Housing Program (7th Step Foundation):** Provides housing for 32 adult male parolees from the California Correctional System returning to the Hayward area.
- **Magnolia House:** A six-bed residence that assists pregnant and post-partum women and their children to recover from the effects of mental illness and co-occurring substance abuse and addictions.



- **Bay Area Youth Centers and Project Independence:** These programs provide transitional housing and support services for emancipated youth (those who are no longer served by the foster care system).
- **Abode Services Alameda County Impact Program:** The Alameda County Impact Program is a permanent supportive housing program targeting chronically homeless people who have a history of interaction with law enforcement and other emergency systems. The program provides homeless individuals with permanent rental subsidies and supportive services.
- **Tranquility House Alternatives:** Tranquility House Alternatives provides safe and sober transitional housing to men and women in recovery. The nonprofit currently (December 2012) rents two houses in Hayward, one for women and another for men.

Inventory of Affordable Rental Housing and At-Risk Status

An affordable rental housing development is a development where all or a portion of the housing units must be rented at affordable levels to extremely low-, very low-, and low-income households. The units are made affordable for an extended period of time by subsidy contracts, deed restrictions, and/or development agreements. When the contracts, deed restrictions, and development agreements expire, the units can be rented at market rates to any household. State housing element law requires an analysis of the affordable housing developments to determine if there are any affordable units that are at risk of being converted to market rate units. The “at-risk” analysis must cover a period of 10 years.

Table 4-32 shows the affordable rental housing developments within the city of Hayward. The city of Hayward has 19 affordable rental housing developments with 1,298 units that are made affordable either with subsidy contracts, deed restrictions, and/or development agreements.⁷ Cypress Glenn, which has 54 affordable units, is the only development with affordability requirements that are set to expire within the 10-year time-frame of 2014 to 2024.⁸ However, Cypress Glenn is considered to have a low risk of conversion because it is owned by Eden Housing, Inc. which is listed on HCD’s list of qualified entities. Eden Housing, Inc. is a non-profit housing company with the mission “to build and maintain high-quality, well-managed, service-enhanced affordable housing communities that meet the needs of lower-income families, seniors and persons with disabilities.” The City of Hayward expects Eden Housing, Inc. to extend the affordability expiration of Cypress Glenn, as they have done so with several other housing developments within the city.

⁷An affordable rental housing development is one where all or a portion of the units are set at affordable levels to extremely low-, very low-, and low-income tenants based on local, State, or Federal standards.

⁸ State Housing Element law requires this “at-risk” housing analysis to cover a 10-year planning period. For the 2015-2023 Housing Element cycle, the at-risk housing analysis, therefore, covers the period from 2015-2025.

**TABLE 4-32
AFFORDABLE RENTAL HOUSING DEVELOPMENTS**

City of Hayward
2013

Project Name (Owners)	Total Units	Affordable Units	Funding Source	Affordability Expiration
Villa Springs (Eden Housing, Inc./Villa Springs, LLC)	66	66	RDA/TC	2065
C & Grand Senior Housing (Eden Housing, Inc./Grand/C LLC)	60	60	Inclusionary/ RDA/TC	2064
The Majestic Apartments (The Pacific Companies/Hayward Pacific Associates, L.P.)	81	81	Bond/RDA/TC	2063
Walker Landing (Eden Housing, Inc./Saklan Avenue, L.P.)	78	78	Inclusionary/Bond/TC	2062
Huntwood Commons (Eden Housing, Inc./Huntwood Commons Associates)	40	40	HOME/WFHRGP	2061
Josephine Lum Lodge (Eden Housing/Josephine Lum Lodge, L.P.)	150	150	Bond/Tax Credit	2060
Lord Tennyson (Volunteers of America)	252	252	Bond/TC	2060
Sara Conner Court (Eden Housing, Inc.)	57	57	HOME/RDA/TC	2059
Park Manor Apartments (Pacific American Properties, Inc.)	81	81	TC/CDBG	2031
742 Harris Court (Eden Housing, Inc./Harris Court Associates)	4	4	HOME	2054
Harris Court Apartments (Eden Housing, Inc./Harris Court Assoc.)	20	20	HOME/TC	2053
Glen Berry (Eden Housing, Inc.)	50	50	HOME/CDBG/TC	2048
Glen Eden (Eden Housing, Inc./Glen Eden Associates)	36	36	CDBG/RDA/TC	2047
E.C. Magnolia (Eden Housing, Inc.)	21	21	RDA/HUD 202/HUD 811	2046
Eden Issei Terrace (Eden Housing, Inc.)	100	100	HUD 202	2025
Cypress Glen (Eden Housing, Inc.)	54	54	HOME/RHCP/TC	2017/2062 ¹
Olive Tree Plaza (Eden Housing, Inc.)	26	26	HUD 202/HUD 811/Section 8/TC	2026
Tennyson Gardens Preservation Partners/Tennyson Preservation LP	96	96	Bond/HOME/TC	2056
Sycamore Square (Fairfield Residential, LLC)	26	26	CalHFA	2031
Total	1,298	1,298	--	--

¹ The Low Income Housing Tax Credit funding terms expire in 2017; however, the City also provided Cypress Glen with HOME funds which deed-restricted two units for 55 years, expiring in 2062.

Notes:

HOME: Department of Housing and Urban Development (HUD)'s HOME Investment Partnerships Act Program

HUD 202: HUD's Section 202 Supportive Housing for the Elderly Program

HUD 811: HUD's Section 811 Supportive Housing for Persons with Disabilities Program

RHCP: Rental Housing Construction Program

TC: Low Income Housing Tax Credits

Sec. 8: HUD's Housing Choice Voucher Program (Section 8 Program)

CDBG: Community Development Block Grant Program

CalHFA: California Housing Finance Agency

RDA: Redevelopment Agency Low and Moderate Income Housing Funds

Inc: Inclusionary Housing Program of the City of Hayward Municipal Code

Bond: Multifamily Housing Tax-Exempt Revenue Bonds

WFHRGP: State of California Workforce Housing Reward Grant Program

Source: City of Hayward, 2013.

In 2007 the Redevelopment Agency provided Eden Housing with a \$200,000 HOME loan for the Cypress Glen Apartments, a 54-unit housing complex affordable to low- and very-low-income



households. Eden Housing exercised the option to become the sole owner of the property and deed-restricted two units for 55 years. The Redevelopment Agency provided a \$250,000 loan for emergency repairs and the replacement of the roofs at the Villa Springs Apartments, an existing 66-unit rental housing complex affordable to low- and very low-income households. Additionally, the City facilitated the issuance of mortgage revenue bonds for the acquisition and rehabilitation of an 81-unit market-rate housing complex, The Majestic Apartments, which was restricted for low- and very low-income households for 55 years. The Redevelopment Agency also provided a \$750,000 loan to help pay for the seismic retrofit of the property.

In 2009 the City's Redevelopment Agency approved a \$1.5 million loan for a local non-profit housing developer to acquire and rehabilitate Tennyson Gardens, a 96-unit rental apartment complex for low-income families that was facing foreclosure. In addition, the City approved the re-funding of existing tax-exempt bonds. This, along with the Agency loan, allowed the new owner to address the immediate and long-term rehabilitation needs of the project, ensuring its long-term affordability and viability. However, soon after the City provided funds to Tennyson Gardens, Las Casitas, a 61-unit affordable rental housing project, also faced foreclosure as the Citizens Housing Corporation management closed its business. The City was not able to provide funds to Las Casitas, as they had already committed funding to preserve Tennyson Gardens. While Eden Housing took over management of Las Casitas temporarily, they could not ultimately afford to finance the property, and management of Las Casitas was returned to the bank. The bank sold the property to a market rate developer and the Las Casitas site is now owned and operated by Townhomes on Gading and no longer includes affordable units.

However, starting in 2011 and effective in 2012, the State of California enacted Assembly Bill 1x26, which dissolved redevelopment agencies across the state. Therefore, after 2011 the City was not able to acquire at-risk affordable housing, mostly due to the dissolution of Redevelopment which in turn eliminated the main source of funding for the creation, rehabilitation, or preservation of housing affordable to lower- and moderate-income households. In spite of this turn of events, the City's Community Program Specialist (CPS) has continued to monitor compliance of owners of affordable properties with income, occupancy, maintenance, and other regulatory restrictions required by funding sources, including HOME funds and tax-exempt bonds issued by the City. The CPS continues to monitor 60 deed-restricted ownership homes and over 1,100 City-funded affordable apartments located in 17 rental properties.

Preservation Options

To maintain the existing affordable housing stock, the City works to preserve existing assisted units or facilitate the development of new units. Depending on the circumstances of at-risk projects, different options may be used to preserve or replace the units. For purposes of compliance with Government Code Section 65583, the following describes actions the City could take to preserve the affordability of at-risk units. Preservation options typically include:

- **Transfer of Ownership to a Non-Profit Housing Provider:** Transferring ownership of an at-risk project to a non-profit housing provider is generally one of the least costly ways to ensure that the at-risk units remain affordable for the long term. By transferring property ownership to a non-profit organization, low income restrictions can be secured indefinitely and the project would become potentially eligible for a greater range of governmental assistance. This option applies only to the projects that are owned by for-profit development. According to a listing of multifamily rental apartments for sale on loopnet.com, the average cost to purchase an apartment rental unit is approximately \$156,209 for similar projects to Cypress Glen with at least 20 units. Based on this estimate, the cost to purchase the 50-unit Cypress Glen apartment building would be \$7.81 million.
- **Provision of Rental Assistance to Tenants:** Rental assistance using non-Section 8 funding sources can be used to maintain affordability of at-risk units. These rent subsidies could be structured to mirror the Section 8 program. Under Section 8, HUD pays the difference between what tenants can pay (defined as 30 percent of household income) and what HUD estimates as the fair market rent (FMR) for the unit. However, the feasibility of this alternative is highly dependent upon the availability of a sustainable funding source to make subsidies available and the willingness of the property owner to participate in the program. As indicated in Table 4-33, the total cost of subsidizing the rents for all 54 units in Cypress Glen is estimated at \$37,864 per month or \$454,368 annually. Over the course of 20 years, the long-term costs are estimated at approximately \$9.3 million or an average of approximately \$168,284 per unit over 20 years.⁹
- **Purchase of Affordability Covenants:** Another option to preserve the affordability of an at-risk project is to provide an incentive package to the owners to maintain the projects as affordable housing. Incentives could include writing down the interest rate on the remaining loan balance and/or supplementing the Section 8 subsidy received to market levels. The feasibility of this option depends on the equity of the property and the willingness of the property owner to participate in the program.
- **Construction of Replacement Units:** The construction of new lower-income housing is a means of replacing the at-risk units should they be converted to market-rate units. The cost of developing housing depends upon a variety of factors, including density, size of the units (i.e., square footage and the number of bedrooms), location, land cost, and type of construction. According to housing cost estimates from the Inclusionary Housing Ordinance Residential Nexus Study, the average multifamily rental housing project of about 65 units per acre and 900 square feet costs about \$213,000 per unit (see discussion on construction costs later in the Market Constraints section that starts on page 4-48).

⁹Assuming an annual inflation rate of 2.5 percent, the future value of rent subsidies over 20 years is estimated at approximately \$9.3 million.



Assuming an average of \$213,000, the cost to replace the 50-unit Cypress Glenn project is estimated at close to \$1.7 million.

TABLE 4-33 RENTAL SUBSIDIES REQUIRED City of Hayward 2013						
Unit Size	Total Units	Fair Market Rent ¹	Household Size	Very Low Income Affordable Housing Cost ²	Monthly per Unit Subsidy	Total Monthly Subsidy
1-br	12	\$1,082	2	\$561	\$521	\$6,252
2-br	25	\$1,361	3	\$631	\$730	\$18,250
3-br	17	\$1,901	4	\$1,115	\$786	\$13,362
Total	54					\$37,86437,864

¹Fair Market Rent (FMR) is determined by HUD.

²Section 8 rental assistance is only available to very low-income households. Alameda County 2013 Area Median Household Income (AMI) limits set by the California Department of Housing and Community Development (HCD).

Note: Affordable Cost = 30 percent of household income minus utility allowance.

Cost Comparison

The most costly option is usually new construction of affordable units. With increased requirements in local, State, and Federal government requirements, the time and costs involved in new construction are far more extensive than purchasing existing units and converting them into affordable housing, or than providing rent subsidies. Providing rental assistance generally requires the least upfront costs. However, a sustainable funding source must be identified for this option to be feasible.

Resources for Preservation

Federal Programs to Preserve At-Risk Units

For below-market properties Section 8 preservation tools include the Mark-Up-to-Market program, which provides incentives for for-profit property owners to remain in the Section 8 program after their contracts expire. The Mark-Up-to-Market program allows non-profit owners to increase below-market rents to acquire new property or make capital repairs while preserving existing Section 8 units. For above-market properties Mark-to-Market provides owners with debt restructuring in exchange for renewal of Section 8 contracts for 30 years.

For Section 236 properties Interest Reduction Payment (IRP) Retention/Decoupling enables properties to retain IRP subsidy when new or additional financing is secured.

Section 515 enables USDA to provide deeply subsidized loans directly to developers of rural rental housing. Loans have 30-year terms and are amortized over 50 years. The program gives first priority to individuals living in substandard housing.

A range of resources are available for preservation of Section 515 resources. Non-profit organizations can acquire Section 515 properties and assume the current mortgage or receive a new mortgage to finance acquisition and rehabilitation of the structures. Section 538 Rental Housing Loan Guarantees are available for the Section 514 and 516 loans and grants are also available for purchase and rehabilitation of Section 515 properties that are occupied by farmworkers. Section 533 provides a Housing Preservation Grant Program, which funds rehabilitation, but not acquisition.

State Programs to Preserve At-Risk Units

At the State level the California Housing Finance Agency offers low-interest loans to preserve long-term affordability for multifamily rental properties through its Preservation Acquisition Finance Program.

The Division of Financial Assistance also offers the Multifamily Housing Program (MHP), which provides deferred payment loans for preservation of permanent and transitional rental housing, as well as new construction and rehabilitation.

The HOME Investment Partnerships Program provides grants to cities and counties and low-interest loans to State-certified community housing development organizations to create and preserve affordable housing for single- and multifamily projects benefitting lower-income renters or owners.

Local Resources for Preserving At-Risk Units

Available public and non-profit organizations with the capacity to preserve assisted housing developments in Hayward include:¹⁰

- Affordable Housing Associates
- Alameda County Allied Housing Program
- Asian Neighborhood Design Bay Area Community Services
- C. Sandidge and Associates
- Christian Church Homes of Northern California, Inc.
- Community and Economic Development Agency

¹⁰ These are entities qualified for preserving at-risk housing in Alameda County, according to the State Department of Housing and Community Development.



- Community Development Corporation of Oakland
- Community Home Builders and Associates
- Community Housing Developers
- East Bay Asian Local Development Corporation
- Eden Housing
- Housing Authority of the County of Alameda
- Housing Corporation of America Nehemiah Progressive Housing Development Corporation
- Northern California Land Trust, Inc.
- Petaluma Ecumenical Properties, Inc.
- Resources for Community Development
- ROEM Development Corporation
- Satellite Housing Inc.

SECTION 4.3 HOUSING CONSTRAINTS

Constraints to the provision of adequate and affordable housing are created by market, governmental, infrastructure, and environmental factors, among others. These constraints may increase the cost of housing, or may render residential construction economically infeasible for developers. Housing production constraints can also significantly impact households with low and moderate incomes and special needs.

Market Constraints

Land Costs

Hayward is an almost entirely “built-out” city and there are no longer large quantities of vacant parcels available for residential development. High land costs have represented the overriding factor affecting the affordability of residential development in the city; however, this changed with the decline in land prices during the recession. In 2012 housing and land prices are increasing and are expected to continue to increase throughout the housing element planning period.

In November 2012, 15 vacant residential land parcels were listed for sale in the city.¹¹ These vacant parcels ranged in price from \$169,000 to \$15,865,500. The prices of land vary depending on a number of factors, including size, location, the number of units allowed on the property,

¹¹www.LoopNet.com, accessed November 2012.

and access to utilities. The asking price for land available for multifamily development generally ranged from \$15 to \$40 per square foot. In addition, a property with a fully entitled mixed-use and high density project had an asking price of \$86.57 per square foot. The asking price for land that is available for single family development generally ranged from \$15 to \$33 per square foot..

Developed residential, commercial, and industrial properties that are zoned for residential uses can also be redeveloped with new housing developments. The cost to clear an acre of land for redevelopment significantly increases the cost of development, as do the local, State, and Federal policies relating to relocation and replacement of low-income housing. Depending on the existing improvements that must be removed to redevelop a site, the total cost to acquire a parcel, relocate occupants, and possibly mitigate hazardous materials can be quite expensive. This can pose a problem for development if Hayward rents or sales prices cannot support the higher cost development.

Construction Costs

Table 4-34 shows the estimated construction costs for various residential projects in Hayward. The costs are based on the 2010 Residential Nexus Analysis prepared for the City of Hayward Inclusionary Housing Ordinance. As shown, the construction costs vary based on the type of housing, the type of construction, and the type of parking. The estimated per unit construction costs range from \$166,000 for rental apartments with surface parking to \$312,000 for a 2,700 square foot single family home with an attached garage. Construction costs per square foot range from \$116 per square foot for single family homes to \$237 per square foot for rental apartments and condominiums with structured parking.

Density bonuses for senior and affordable housing can help to offset this per-unit cost premium for multifamily developments. A reduction in amenities and quality of building materials could result in lower costs and sale prices. However, high quality design and sufficient tenant amenities are generally required by City policies and standards to maintain minimum health and safety standards, and to achieve a minimum standard of design quality.



**TABLE 4-34
HOUSING CONSTRUCTION COST ESTIMATES**

City of Hayward
2010

Type of Housing	Construction Type and Parking Type	Density (Units per Acre)	Average Unit Size (Square Feet)	Construction Costs (Per Square Foot)	Construction Costs (Per Unit)
Single family Home	Woodframe with Attached Garage	6	2,700	\$116	\$312,000
Small Lot/Zero Lot Line Homes to "Duet" Hybrids	Woodframe with Attached Garage	12	1,850	\$126	233,000
Townhomes	Woodframe with Attached garage	18	1,400	\$136	\$191,000
Condominium	Woodframe with Structured Parking	45	1,200	\$237	\$284,000
Rental Apartments	Woodframe with Surface Parking Lot	25	1,000	\$166	\$166,000
Rental Apartments	Woodframe with Structured Parking	65	900	\$237	\$213,000

Note: Construction costs exclude soft costs, such as fees, permits, and financing and carrying costs.

Source: City of Hayward, Residential Nexus Analysis: Inclusionary Housing Ordinance, April 2010.

Availability of Financing

Development Financing

The availability of developer financing options affects the feasibility of housing developments. Financing is available from a variety of sources including financial institutions, insurance companies, and pension plans (such as CalPERS). The collapse of the housing market and the subsequent credit crisis of 2007 and 2008 resulted in major changes to the housing credit market. The number of financing packages has been reduced, and the terms of financing are now more strict, which limits the amount of financing available to potential developers.

Public funding for affordable housing projects in California has also been reduced by the State's dissolution of local redevelopment agencies. As part of the 2011 Budget Act, the State Legislature approved the dissolution of over 400 redevelopment agencies in the state of California. After a period of litigation all redevelopment agencies were officially dissolved on February 1, 2012. As a result, the cities and counties that previously had redevelopment agencies, including the City of Hayward, no longer have the tool of Tax Increment Financing. Tax Increment Financing was the main tool used to generate revenue for redevelopment activities, including the provision of affordable housing.

According to the Implementation Plan for the Downtown Hayward Redevelopment Project Area (FY 2010 to FY 2012), Tax Increment Financing was projected to generate over \$17.5 million for affordable housing projects and programs between fiscal year 2012 and 2018. Since this money is no longer available due to the dissolution of the Hayward Redevelopment Agency, it will be more difficult for the City of Hayward and its housing partners to meet their affordable housing goals.

The cost of developing affordable units varies according to a number of factors, including the size of the project, cost of land, the quality of design and construction, and the population served. Based on the development costs of recently planned (2012) affordable projects in the city, it is estimated that affordable units in the city cost approximately:

- \$71,000 to \$129,600 per unit for the rehabilitation of an apartment complex;
- \$256,500 to \$415,400 per unit for the construction of an affordable ownership housing development for families;
- \$228,200 to \$388,600 per unit for the construction of an affordable housing project for seniors; and
- \$257,600 to \$352,800 per unit for the construction of an affordable housing development for families and seniors.

With tighter credit markets and the loss of redevelopment funding for affordable housing, obtaining financing for affordable housing is increasingly challenging. Typical sources of funding for affordable housing include:

- A first mortgage from a lending institution
- Low Income Housing Tax Credits and/or tax exempt mortgage bonds
- Community Development Block Grant
- HOME Investment Partnership funds
- State of California Proposition 1C funds
- California Housing Finance Agency loans

Depending on the type of financing used (e.g., tax credits, bonds, Federal funds), other requirements, such as the inclusion of certain accessibility accommodations and the use of prevailing wage versus Davis-Bacon¹² wage, can affect development costs significantly.

¹²The Davis-Bacon Act of 1931 is a federal law which established the requirement for paying prevailing wages on public works projects. All federal government construction contracts, and most contracts for federally assisted construction over \$2,000, must include provisions for paying workers on-site no less than the locally prevailing wages and benefits paid on similar projects.



Mortgage Financing

The availability of financing affects a person's ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications by the income, gender, and race of the applicants. This applies to all loan applications for home purchases, improvements, and refinancing, whether financed at market rate or with government assistance.

Home Purchase Financing

Table 5-35 summarizes the disposition of loan applications submitted to financial institutions in 2009 for home purchase, refinance, and home improvement loans in Hayward.¹³ The table includes information on loan applications that were approved and originated,¹⁴ approved but not accepted by the applicant, denied, withdrawn by the applicant, or incomplete.

In 2009 a total of 1,474 Hayward households applied for conventional loans to purchase homes. The overall loan approval rate was almost 68 percent. A total of 967 Hayward households applied for the purchase of homes in Hayward through government-backed loans (e.g., FHA, VA) in 2009, over 69 percent of which were approved. To be eligible for such loans, applicants must be lower- and moderate-income and the purchase price must meet the cap established by the program. While home prices decreased during the recent recession to levels affordable to low-income households, prices are already increasing and are anticipated to continue to increase throughout the housing element planning period.

¹³HMDA data is aggregated by census tract, not by municipal boundary. HMDA data presented in this Housing Element is based on the census tracts that approximate the geographic coverage of the City of Hayward.

¹⁴An originated loan is one that is approved by the lender and accepted by the applicant.

**TABLE 4-35
DISPOSITION OF HOME PURCHASE LOAN APPLICATIONS**

City of Hayward and Alameda County
2009

	Total Applicants	Approved	Denied	Other
City of Hayward				
Home Purchase Loans				
Government-Backed	967	669 (67.9%)	162 (16.8%)	136 (14.1%)
Conventional	1,474	1,001 (67.9%)	280 (19.0%)	193 (13.1%)
Home Improvement	169	76 (45.0%)	64 (37.9%)	28 (17.2%)
Refinance	3,070	1,731 (56.4%)	821 (26.7%)	518 (16.8%)
Alameda County				
Home Purchase Loans				
Government-Backed	5,496	3,912 (71.2%)	798 (14.5%)	786 (14.3%)
Conventional	26,065	10,926 (41.9%)	2,295 (8.8%)	1,918 (7.3%)
Home Improvement	4,236	1,588 (37.5%)	603 (14.2%)	457 (10.8%)
Refinance	110,269	45,208 (41.0%)	11,203 (10.2%)	8,670 (7.9%)

Note: "Other" includes files closed for incompleteness, and applications withdrawn.

Source: Home Mortgage Disclosure Act (HMDA) Aggregated Statistics For Year 2009, <http://www.city-data.com/city/Hayward-California.html#ixzz2Ey9tbqPO> and http://www.city-data.com/county/Alameda_County-CA.html#ixzz2GvrC8zJq.

Home Improvement Financing

Hayward residents were more likely to be denied for home improvement loans than for any other types of loan applications. About 40 percent of the applicants were denied, while 45 percent were approved by lending institutions in 2009. The large proportion of home improvement loan denials may be explained by the nature of these loans. Home improvement loans are usually second loans; the debt-to-income ratio may be too high for some homeowners to qualify for additional financing.

However, denial rates were generally higher in Hayward than in Alameda County. Most significantly, Hayward had denial rates about twice as high as Alameda County for conventional, home improvement, and refinance loans. Hayward residents were denied refinancing loans 38 percent more than residents in Alameda County as a whole.

To address potential private market lending constraints and expand homeownership and home improvement opportunities, the City of Hayward offers the Housing Rehabilitation Loan Program, which provides loans to homeowners to make improvements for:

- **Improved accessibility:** modifications to the home that would improve the ability of residents to use wheelchairs, canes, crutches, or walkers; or would aid in the performance of "activities of daily living" (ADLs) such as eating, bathing, or toileting. Examples of eligible work are ramps and safety grab-bars.



- **Code Corrections:** correction of violations documented in citations issued by safety personnel or mobile home park personnel. Examples of eligible work include broken doors and windows, tarped roofs, and vegetation that prevents safe entry/exit of the home.
- **System Failures:** repair of leaking roofs or rehabilitation of failing or inoperable systems including plumbing, electrical, or heating/air conditioning.

This program assists lower- and moderate-income residents by increasing access to favorable loan terms to purchase or improve their homes. Using the Housing Rehabilitation Loan Program and the discontinued Minor Home Repair Grant and Disability Access and Grant programs, the City spent approximately \$497,400 and \$359,000 on the Minor Home Repair Grant and Housing Rehabilitation Loan Programs, respectively, for 74 grants and 3 loans to assist eligible low-income homeowners with home repairs and upgrades. From 2010 to 2012 the City provided over \$907,600 in HRLP grants and loans using CDBG funds, and 156 low-income homeowners received assistance to upgrade and repair their homes and to conduct lead inspections.

Refinancing

Relatively low interest rates and a high prevalence of interest-only, adjustable-rate, and balloon-payment mortgages led Hayward residents to file 3,070 applications for home refinance loans in 2009. About 56 percent of these applications were approved, while 27 percent were denied. Refinancing activities fell during the recent credit crisis. Along with the decreased opportunities in refinancing came increases in foreclosures. The extent of foreclosures was discussed previously.

However, the market has shown signs of recovery, and refinancing activities have increased as homebuyers are taking advantage of low interest rates and increased opportunities for refinancing from Federal programs. The Departments of the Treasury and Housing and Urban Development offer 11 programs to assist homeowners in refinancing their homes to take advantage of better interest rates, reduce monthly payment amounts, or consolidate debt, including:

- Home Affordable Modification Program (HAMP®)
- Principal Reduction Alternative SM (PRA)
- Second Lien Modification Program (2MP)
- FHA Home Affordable Modification Program (FHA-HAMP)
- USDA's Special Loan Servicing
- Veteran's Affairs Home Affordable Modification (VA-HAMP)

- Second Lien Modification Program for Federal Housing Administration Loans (FHA-2LP)
- Home Affordable Refinance Program (HARP)
- FHA Refinance for Borrowers with Negative Equity (FHA Short Refinance)
- Home Affordable Unemployment Program (UP)
- Hardest Hit Fund (HHF)

Governmental Constraints

Local policies and regulations can impact the price and availability of housing and, in particular, the provision of affordable housing. Land use controls, site improvement requirements, fees, and exactions, and permit processing procedures, among other issues, may constrain the maintenance, development, and improvement of housing.

In general, Hayward's land use controls, design guidelines, codes and enforcement, required site improvements, fees and permit processing procedures have been developed, in part, to correct development problems that have become evident over time. For example, in the early 1990s, the City Council adopted design guidelines for various types of development to ensure that development within Hayward met a minimum quality standard and that developers were provided with consistent information from staff. This section discusses potential governmental constraints in Hayward.

Land Use Controls

General Plan

Hayward adopted its current General Plan in 2002, which is intended to guide development in the City through the year 2025. The City is currently (2013) working on an update to the General Plan to guide development through 2040. The 2040 General Plan will include a new mixed-use designation consistent with the Zoning Code: Sustainable Mixed-Use (25-55 du/ac). This new mixed-use designation is in addition to three existing mixed-use designations: Commercial/High Density Residential (17.4-34.8 du/ac), Downtown City Center: High Density Residential (40-110 du/ac), and Downtown City Center: Retail and Office Commercial (40-110 du/ac). Together these designations provide opportunities for housing on 1,035 acres along main arterials and in the central city.

The residential land use designations included in the Draft 2040 General Plan include:

- **Rural Estate Density:** Typical density is between 0.2-1.0 dwelling units per net acre. Typical lot sizes are one acre or more. Typical development is single family detached housing, although second units may be permitted. Planned Developments may include a variety of housing types within the overall density range.



- **Suburban Density:** Typical density is between 1.0- 4.3 dwelling units per net acre. Typical lot sizes are 10,000 square feet or more. Typical development is single family detached housing, although second units may be permitted. Planned Developments may include a variety of housing types within the overall density range.
- **Low-Density:** Typical density is between 4.3-8.7 dwelling units per net acre. Typical lot sizes range from 5,000 to 10,000 square feet. Typical development is single family detached housing, although second units may be permitted. Some mobile home parks are developed at this density. Planned Developments may include a variety of housing types within the overall density range.
- **Mobile Home Park:** Typical density is between 8.7-12.0 dwelling units per park acre. This designation covers all mobile home parks and development is limited to mobile home parks.
- **Limited Medium Density:** Typical density is between 8.7- 12.0 dwelling units per net acre. Minimum lot area per dwelling unit is 2,500 square feet. Typical development may be mobile home parks; single family detached, mixed with duplexes, triplexes, and fourplexes; or townhouses and two- to three-story garden apartments. Planned Developments may include a variety of housing types within the overall density range.
- **Medium Density:** Typical density is between 8.7-17.4 dwelling units per net acre. Minimum lot area per dwelling unit is 2,500 square feet. Typical development may be mobile home parks; single family detached, mixed with duplexes, triplexes, and fourplexes; or townhouses and two- to three story garden apartments. Planned Developments may include a variety of housing types within the overall density range.
- **High Density:** Typical density is between 17.4- 34.8 dwelling units per net acre, although individual projects may be approved at higher densities if over three stories (up to 58 dwelling units per net acre). Typical development includes apartments or condominiums within multi-story buildings near major activity centers or along major streets. Planned Developments may include a variety of housing types within the overall density range.
- **Sustainable Mixed-Use:** Mixed-use development may include residential with retail and/or office/commercial uses, or educational and cultural facilities with public open space as standalone uses or uses combined in the same building (e.g., commercial ground floor and residential upper floors). Residential densities range from 17.4-100 dwelling units per net acre for mixed-use projects that include a residential component. This land use designation is located along major transit corridors, near transit stations or in close proximity to public higher education facilities or large employment centers. To facilitate transit-oriented development in these areas, developments will have reduced parking requirements. Neighborhood-serving retail uses are highly recommended for residential component mixed-use projects to reduce car trips.

- **Commercial/High Density-Residential:** These areas may include retail and office or general commercial uses. Certain areas along major arterials that are commercially zoned but presently vacant or underutilized may be appropriate for high-density residential use or mixed commercial/residential use of 17.4 to 34.8 units per net acre. Development proposals within these areas should be evaluated within the context of applicable policies and standards and compatibility with adjoining areas.
- **Downtown-City Center High Density Residential:** Residential densities range from 40-110 dwelling units per net acre, although the highest densities are reserved for projects near the Downtown BART Station and City Center. Typical development throughout the remaining area will be three- to five-story apartments or condominiums.
- **Downtown-City Center Retail and Office Commercial:** This area is the major activity center in the planning area. It contains major public facilities such as City Center and the Main Library, retail and office areas, and high-density residential areas. Residential densities range from 40-110 dwelling units per net acre. Mixed-use development is encouraged to promote the pedestrian orientation and to maintain the downtown area as an integrated living, working, shopping, and recreational area. While typical building types include mixed-use buildings (e.g., commercial ground floor and residential upper floors), standalone residential uses may be appropriate outside of the retail core of the Downtown Area. The boundary of this area, as delineated on the Policies Plan Map, includes areas within the Central City Zoning District.

Specific/Area Plans

The City of Hayward has adopted several key specific and area plans including the Cannery Area Design Plan, the Downtown Hayward Design Plan, the Downtown Core Area Plan, the South Hayward BART/Mission Boulevard Concept Design Plan and Form-Based Code, the Walpert Ridge Specific Plan, and the South of Route 92/Oliver and Weber Properties Specific Plan. In addition, the City is currently (July 2013) preparing the Mission Boulevard Specific Plan. In general, these plans have created the opportunity for additional housing in the city by revising land use designations to allow more residential development opportunities. The Cannery Area Design Plan, the Downtown Hayward Design Plan, the Downtown Core Area Plan, and the South Hayward BART/Mission Boulevard Concept Design Plan and Form-Based Code also allow high-density housing near transit stations and along transit corridors. Therefore, the plans are not considered a constraint to the maintenance, development, and improvement of housing in Hayward. Instead, these plans represent efforts to remove constraints to encourage more housing in targeted areas of the city.

Downtown Hayward Design Plan

The Downtown Hayward Design Plan presents the City's development policies for the Downtown area. It addresses development potential, the density and intensity of development,



open space requirements, building heights, urban design objectives, and parking requirements. The Plan was adopted in 1987 and was last revised in 1992.

Downtown Core Area Plan

The Downtown Core Area Plan is a specific component of the Downtown Hayward Design Plan. Its focus is on the creation of a Downtown Plaza and visual focal point at the southern end of B Street, developing Downtown housing, revitalizing the B Street business district, increasing the number of cultural activities, creating Downtown boundaries and gateways to enhance identity, and realigning Mission Boulevard to the Hayward Fault corridor. The Plan was adopted in 1992.

South of Route 92/Oliver and Weber Properties Specific Plan

The South of Route 92/Oliver and Weber Properties Specific Plan was adopted in 1998. It is a specific plan for a 333.5-acre area southwest of the Industrial Parkway and Hesperian Boulevard intersection. The plan calls for the creation of a new neighborhood and business park and light manufacturing uses. The residential neighborhood, known as Eden Shores, is completely developed and includes a community center, community swimming pool, and several parks and green ways. Several of the business parks and light manufacturing properties within the Specific Plan Area are still vacant.

Cannery Area Design Plan

The Cannery Area Design Plan is a land use and urban design plan to transform the older industrial zone of the city into an urban mixed-use neighborhood. The Plan was adopted in 2001. Key features of the plan include a grid of streets and blocks, a system of over 29 acres of public open space, improved access to the Hayward Amtrak Station, a new Burbank Elementary School, a community center, neighborhood commercial and professional office uses, and 800 to 950 new homes, including townhouses, apartments, and lofts. Most of the Cannery Area Design Plan has been implemented, including the elementary school, the community center, and several housing developments.

South Hayward BART/Mission Boulevard Form-Based Code

The City adopted the South Hayward BART/Mission Boulevard Form-Based Code in October 2011. The Code establishes updated zoning rules for properties in the area surrounding the South Hayward BART Station and nearby Mission Boulevard. The Form-Based Code draws from the vision and design guidelines of the 2006 South Hayward BART/Mission Boulevard Concept Design Plan and combines the zoning regulations, subdivision standards, and design standards in one clear and concise document. The South Hayward BART/Mission Boulevard Form-Based Code better defines future development from the perspective of the community and from the perspective of property owners and developers.

Mission Boulevard Corridor Specific Plan

The City of Hayward is currently (May 2013) preparing the Mission Boulevard Corridor Specific Plan. The Specific Plan is a land use and urban design plan for segments of Mission Boulevard. The plan extends from Harder Road in the south to the city limits in the north, but excludes the segment of Mission Boulevard within the downtown core.

The Mission Boulevard Corridor Specific Plan will include a form-based code and a long-term economic strategy for the project area. The goals of the project are to develop a vision and supporting implementation strategies that will result in attractive development for the City, including vibrant commercial uses; pedestrian-friendly neighborhoods that are safe, desirable, and at sufficient densities to support public transportation; and a built form that will encourage such uses. Other goals include the revitalization of the corridor; addressing the deterioration of the existing uses, including distressed auto-related uses; and establishing a vision for transit-oriented development that incorporates economic and environmental sustainability. The project is scheduled for adoption in November 2013.

Walpert Ridge Specific Plan

The Walpert Ridge Specific Plan was adopted in 1998. It is a specific plan for a 2,160-acre area located in the hillsides east of Garin Regional Park. The plan allows for the development of 310 acres with large single family homes and an elementary school. The remainder of the Specific Plan Area is designated as open space. The area, now known as Stonebrae, has been approved for 550 homes and is partially built out. Stonebrae Elementary School was completed in 2006.

Smart Growth

Following the precedent set by the 2002 General Plan, the 2040 General Plan includes “smart growth” principles being promoted throughout the country. While there is no single definition of “smart growth” that everyone embraces, there are certain common elements. Typically, smart growth fosters development that revitalizes central cities and suburbs, supports and enhances public transit, and preserves open spaces and agricultural lands. Smart growth creates communities that are more livable by developing efficiently within the already built environment. Smart growth advocates argue that the problems of both the cities and the suburbs can be addressed through more infill development, and more concentrated development and redevelopment, especially in areas served by transit or close to major employment centers. The basic concept is to make more efficient use of existing developed areas so that the need to accommodate growth through unfettered expansion of a developed area is minimized. The basic principles can be summarized as follows:

- Mix land uses;
- Take advantage of compact building design;
- Create a range of housing opportunities and choices;



- Create walkable neighborhoods;
- Foster distinctive, attractive communities with a strong sense of place;
- Preserve open space, farmland, natural beauty, and critical environmental areas;
- Strengthen and direct development towards existing communities;
- Provide a variety of transportation choices;
- Make development decisions predictable, fair, and cost-effective; and
- Encourage community and stakeholder collaboration in development decisions.

Hayward has already undertaken various planning efforts that serve to implement smart growth principles. Examples include: adoption of a Historic Preservation ordinance to protect historic sites and structures; adoption of the South Hayward BART/Mission Boulevard Concept Design Plan and Form Based Code to promote transit-oriented development and smart growth principles; adoption of the Downtown Hayward Design Plan and Downtown Core Area Plan to promote high density, mixed-use, and transit-oriented development; and adoption of Urban Limit Lines (ULLs) to preserve the shoreline and the hills. The City is currently (2013) working on the Mission Boulevard Specific Plan which will include a form-based code to create pedestrian-friendly, transit-oriented development. The 2040 General Plan incorporates policies and strategies that continue to encourage the use of smart growth principles in long-range planning and development well beyond the Housing Element planning period. Such policies and strategies seek to reduce the city's dependence on the automobile, create pedestrian friendly neighborhoods, make efficient use of remaining land, preserve open space, and foster distinctive neighborhoods with a sense of place.

The current City of Hayward General Plan has an established Urban Limit Line (ULL). The City's ULL preserves the shoreline and the hills from development. Along the shoreline the land adjacent to and outside of the ULL is in public ownership and a plan has been developed to restore and/or maintain its natural habitat. The hill area outside the ULL has never been considered for affordable housing because of its topographic and geologic constraints. The ULL, therefore, is not a constraint on the development of affordable housing.

Zoning Ordinance

The City regulates the type, location, density, and scale of residential development primarily through the Zoning Ordinance. In general, the City's zoning regulations are designed to balance the goal of providing affordable housing opportunities for all income groups while protecting the health and safety of residents and preserving the character of existing neighborhoods. The City's Zoning Ordinance allows residential uses in the following districts:

- **Residential Natural Preserve (RNP):** The purpose of the RNP District is to allow for the development in areas where topographic configuration is a major consideration in

determining the most suitable physical development for the land. This district allows development only where it is subservient to and compatible with the preservation of major natural features, such as the tree line.

- **Single-Family Residential (RS):** The RS District is intended to promote and encourage a suitable environment for family life. It is to be used primarily for single family homes and the community services related to this use.
- **Medium Density Residential (RM):** The RM District is intended to promote a compatible mingling of single family and multifamily dwellings.
- **High Density Residential (RH):** The RH District is intended to promote and encourage a suitable high-density residential environment through the development of multifamily dwellings.
- **Residential Office (RO):** The purpose of the RO District is to protect the residential amenity of areas with a mix of residential and office use.
- **Sustainable Mixed-Use District (SMU):** The SMU District encourages mixed-use development consisting of either residential with retail, residential with commercial or office, or educational or cultural facilities with public open space, along major transit corridors, near transit stations, or in close proximity to public higher education facilities or large employment centers, in order to provide transit oriented development in a sustainable way.
- **Mobile Home Park (MH):** The MH District is intended to promote and encourage a suitable living environment for the occupants of mobile homes.
- **Neighborhood Commercial District (CN):** The CN District is intended to establish several areas throughout the city that are carefully located in relationship to other commercial districts and to residential districts. The CN District allows residential units above first-floor commercial uses only.
- **Neighborhood Commercial-Residential (CN-R):** The CN-R District includes a mixture of neighborhood serving businesses and residences along portions of certain arterials in order to provide housing with ready access to shops and transit. The CN-R District encourages joint development of lots along arterials in order to minimize curb cuts and maximize architectural continuity. The CN-R District adjusts parking and open space requirements to reflect the characteristics of mixed-use development along arterials.
- **General Commercial District (CG):** The CG District is intended to provide services for supporting primary business activities in the CB or CC Districts. The CG District allows residential units above first-floor commercial uses only.
- **Commercial Office District (CO):** The CO District provides for and protects administrative, professional, business, and financial organizations which may have unusual requirements for space, light, and air, and which are clean and quiet and are not



detrimental to adjacent residential properties. The CO District allows multifamily dwellings and small group homes associated with single family dwellings.

- **Limited Access Commercial District (CL):** The CL District accommodates uses typically serving commuters and travelers that are accessible from major arterials and freeways. Uses within the CL District are service-related, and serve the motoring public adjacent to highways of major importance. The CL District allows residential units above first-floor commercial uses only.
- **Central Business District (CB):** The CB District is intended to establish a principal downtown area of regional importance, and several outlying areas of citywide importance, where concentrations of comparison shopping facilities, financial and business services, and opportunities for amusement or recreation may be found. The CB District allows residential units above first-floor commercial uses only.
- **Central City-Residential (CC-R):** The purpose of the CC-R Subdistrict is to establish a concentration of multifamily and complementary uses in order to provide a quality Central City living environment and to provide market support for Central City businesses.
- **Central City Commercial Subdistrict (CC-C):** The CC-C District is intended to establish a mix of business and other activities which will enhance the economic vitality of the downtown area. Permitted activities include, but are not limited to, retail, office, service, lodging, entertainment, education, and multifamily residential uses. The CC-C District allows residential units above first-floor commercial uses only.
- **Central City Plaza Subdistrict (CC-P):** The CC-P District is intended to establish a unique environment of retail and other complementary uses contributing to the pedestrian nature and quality image of such streets as B Street. The CC-P District allows artist's lofts above the first floor of their place of business and standalone multifamily units.

Zoning Overlays

In addition to the above zoning districts, the Zoning Ordinance also establishes a combining district and overlay districts to apply additional regulations and standards to certain properties. The combining district applies additional lot standards to various residential zoned properties. Residential properties that must comply with these additional lot standards are denoted with their base zone, a "B", and a number. For example, a property with RSB40 zoning is zoned single family residential (RS) with a minimum lot size of 40,000 square feet (B40). A property with RMB4 is zoned medium-density residential (RM) with a minimum lot size of 4,000 square feet (B4). When a property is within an overlay district, the symbol of that district is added to the base zone of the property (example: RSB40/SD-1).

The following zoning overlays apply to residential development in portions of the city:

The “B” Street Special Design Street Car District

This district has some of the oldest housing in Hayward. It consists of the five blocks of B Street from Grand Avenue, west of City Hall, to Meekland Avenue. Architecture and materials used in this district must be sympathetic to original Victorian, Colonial Revival, or Craftsman styles. Untrimmed openings, garish colors, and plywood siding are generally not acceptable.

The Mission Corridor Special Design District

This district runs from Jackson Street along Mission Boulevard to Harder Road. The design theme for this district is Spanish ranch, compatible with the early history of Mission Boulevard as a connection between Spanish ranches and missions on the California coast. The theme is intended to support a friendly, neighborhood character with relatively low, spreading rooflines, warm earth textures and colors, and attractive exterior spaces for pedestrians, workers, and residents.

The Cottage Special Design District

This district is the smallest special design district, one block in length, along Montgomery Street. This overlay district allows a historic pattern of small lot, single family cottage development near town and transit which would otherwise be precluded by contemporary lot size, front setback, and parking requirements. The Cottage District development pattern was established before cars, and suits households with one or no motor vehicles. New cottage development would need to continue the architectural themes of horizontal wood siding, hip or gable rooflines of medium pitch, and a front entry porch that is expansive relative to the size of the cottage.

The Cannery Special Design District

This district contains older industrial uses that are surrounded by residential areas. The purpose of the Cannery Area Special Design District is to implement policies embodied in the Cannery Area Design Plan. The Design Plan envisions conversion of the industrial uses to commercial uses, residential uses, or mixed uses, as appropriate.

Mission-Garin Area Special Design District

This district ensures the orderly development of the Mission-Garin Area. The clustering of residential development is encouraged in this area, with development located so as to avoid geologic hazards, minimize grading and preserve significant natural site features, such as rock outcroppings, nature trees, natural drainage courses and scenic views. Preferred hillside development includes clustering of dwelling units, whether single family or multifamily, separated by interconnected natural open space or greenbelt corridors.



Hayward Foothills Trail

This district ensures the orderly development of a continuous trail as properties involved in the 238 Bypass Land Use Study are developed. The District establishes the general location for the trail as well as the standards and guidelines for establishing the trail. The Trail is envisioned as a 16-foot wide trail within a 20-foot wide area to accommodate multiple users. Where the trail traverses individual properties, it is envisioned to be developed in a location which will maximize the future development potential of the property. Residential development adjacent to the trail shall maintain at least a 10-foot setback from the edge of the trail, where feasible.

Zoning Development Standards

Development standards specific to each zone district are designed to protect and promote the health, safety, and general welfare of residents, as well as implement the policies of the General Plan. These standards also serve to preserve the character and integrity of existing neighborhoods. Specific residential development standards are summarized in Table 4-36. Generally, development standards can limit the number of units that may be constructed on a particular piece of property. These include density, minimum lot and unit sizes, height, and open space requirements. Limiting the number of units that could be constructed would mean higher per-unit land costs and, all other factors being equal, result in higher development costs that could impact housing affordability.

**TABLE 4-36
RESIDENTIAL DEVELOPMENT STANDARDS**

City of Hayward
2013

Zoning District	Min. Lot Area (sq. ft.)		Setback (ft.)			Max. Height (ft.)	Max. Lot Cover
	Interior	Corner	Front	Rear	Side		
RS	5,000 ¹	5,914 ¹	20	20	5 ²	30	40%
RM	5,000 ¹	5,914 ¹	20	20	5 ²	40	40%
RH	7,500 ¹		20	20	5 ²	40	65%
RNP	20,000		20	20 ⁶	30 ⁷	30	30%
RO	5,000	5,914	10	20	5	40	50%
SMU	20,000		10/20 ⁸	10/20 ⁸	10/20 ⁸	55	90%
MH	7 acres		20	10	10	40	40%
CN	6,000		10	0	0	40	90%
CN-R	10,000 (20,000 SD6 Special Design District)		10	20	0 ³	40 (60 SD6 Special Design District)	90%
CG	None		10 ⁹	0 ¹⁰	0 ¹¹	None	90%
CO	5,000	5,760	10	20	5 ²	40	50%
CL	10,000		20	20	10	40	40%
CB	None		10	None	5 ²	None	90%
CC-C	None		0 to 4 ⁵	15 ⁴	5 ²	42 to 173 ⁵	None
CC-R	None		0 to 4 ⁵	0 ⁴	5 ²	42 to 173 ⁵	None
CC-P	None		0 to 4 ⁵	0 ⁴	0	42 to 173 ⁵	None

¹ Although the minimum lot size for newly created lots is 5,000 square feet, the lot area per dwelling unit varies as a ratio of lot frontage to lot depth.

² Or 10 percent of the lot width at the front setback line whichever is greater up to a maximum of 10 feet.

³ Except where entrances or windows face the side lot line, then 10 feet is required.

⁴ Except 15 feet shall be required for residential uses or other uses abutting residential or open space zones or residentially developed property.

⁵ To be in compliance with Downtown Hayward Design Plan.

⁶ Or 30 feet from a tree line.

⁷ Combined, with no one side yard of less than 10 feet.

⁸ Setback is 20 feet along a public street and 10 feet for all other areas.

⁹ Unless building is located at the property line.

¹⁰ None when abutting a CG district but otherwise the same required rear yard of the abutting district.

¹¹ Unless abutting a R, A, MH, OS or residential PD District where the side yard shall be a minimum of 10 feet.



Parking Requirements

Parking requirements for residential uses in Hayward are summarized in Table 4-37. These requirements are similar to parking standards for density bonus eligible projects as established in State law and, therefore, do not present a significant constraint on the production of housing. Nonetheless, the provision of parking, especially if provided in underground or structured parking facilities, can significantly increase the cost of housing and could affect the feasibility of various housing projects in the city.

TABLE 4-37 PARKING STANDARDS FOR RESIDENTIAL DEVELOPMENT City of Hayward 2013		
Use	Parking Spaces Required	
Single family	2.0 covered spaces per unit	
If a lot abuts a public or private street that has no parking lane on either side of the street or is posted for no parking on both sides of the street	2.0 covered spaces per unit plus 2.0 open spaces per unit	
If a dwelling with a single car garage was built prior to March 24, 1959	1.0 covered space per unit	
Multifamily ¹		
Studio	1.0 covered and 0.5 open spaces per unit	
One-bedroom	1.0 covered and 0.7 open spaces per unit	
Two or more bedrooms	1.0 covered and 1.1 open spaces per unit	
Mobile Homes	2.0 per mobile home space, plus 1.0 guest parking space per three mobile home spaces	
Attached Second Units	No additional parking spaces required.	
Central Parking District (multifamily for elderly)	0.5 space per unit	
CN-R	Studio or One-Bedroom	1.5 spaces
	Two or More Bedrooms	2.0 spaces

¹ 10 percent of multifamily parking spaces are to be designated as visitor's parking, and at least 70 percent must accommodate standard size vehicles. When less than 10 spaces are required, a minimum of one parking space is to be designated as visitor's parking.

Within the area subject to the Downtown Core Area Specific Plan, the residential parking requirement may be reduced by the approving authority to a minimum of 1.0 space-per-dwelling unit, provided that the aggregate parking supply for all residential units at buildout, as described in the Specific Plan, excluding units exclusively for the elderly, is 1.5 spaces per dwelling. Residential parking requirements may be met in locations other than on the development sites, subject to the approval of the reviewing authority.

Furthermore, parking standards can be reduced throughout the city on a case-by-case basis when a project is located near the BART station or when the project caters toward seniors. The City also offers reductions in required parking spaces for proximity to public transportation

facilities, housing for senior citizens and/or persons with disabilities, and for projects using transportation systems management programs.

Planned Development District

The Hayward Zoning Ordinance provides for a Planned Development (PD) District to foster well-designed residential and nonresidential development by encouraging projects incorporating a variety of housing types or combinations of residential and nonresidential uses. The PD District allows diversification in the relationship of uses, buildings, architectural design, lot sizes, yard areas, and open spaces that may not be achievable under other zoning districts. The City encourages developers to use PD zoning for a creative or innovative project that may involve a mixture of uses or housing types or where the terrain or natural features of the property are such that make development difficult. The PD zone can provide flexibility in terms of site layout and encourages excellent design and enhanced site amenities. An application to establish a PD district must be reviewed by the Planning Commission and approved by the City Council, since it involves a rezoning of property. The Planned Development Zone provides housing developers, including affordable housing developers, flexibility to create unique housing projects. Therefore, it is not considered a constraint to housing.

South Hayward BART/Mission Boulevard Form-Based Code

The purpose of the Form-Based Code is to implement policies embodied in the South Hayward BART/Mission Boulevard Concept Design Plan. The Concept Design Plan envisions the development of high-density, transit-oriented development along the Mission Boulevard transit corridor, generally between Harder Road and Industrial Parkway, and a transit village including high-density residential development with a variety of neighborhood-serving retail and public uses in proximity to the South Hayward BART Station. The Form-Based Code establishes two residential zones to implement smart growth principles (i.e., Urban General Zone S-T4, Urban Center Zone S-T5). The City may also apply one of two overlay zones to further increase densities in the S-T5 zone (i.e., TOD Density Overlay 1 S-T5-1, TOD Density Overlay 2 S-T5-2). Table 4-38 includes the development standards established by the Hayward BART/Mission Boulevard Form-Based Code.



**TABLE 4-38
SOUTH HAYWARD BART/MISSION BOULEVARD FORM-BASED CODE**

City of Hayward
2013

Zoning District	Density	Setback (ft.) ¹			Max Height ²	Max Lot Cover	Parking
		Front	Rear	Side			
Urban General Zone (S-T4)	17.5 to 35.0 units/acre	6 to 24 feet	3 feet min ³	0 feet min	2 to 4 stories	80%	Max 1.75 off-street spaces (multifamily)
							Max 2.0 off-street spaces (condominium)
Urban Center Zone (S-T5)	35.0 to 55.0 units/acre	2 to 12 feet	3 feet min ³	0 to 24 feet	3 to 5 stories	90%	Max 1.5 off-street spaces (multifamily)
							Max 1.8 off-street spaces (condominium)
TOD Density Overlay 1 (S-T5-1)	75.0 to 100.0 units/acre	--	--	--	2 to 5 stories	--	--
TOD Density Overlay 2 (S-T5-2)	40.0 to 65.0 units/acre	--	--	--	3 to 6 stories	--	--

¹ For a secondary unit in the S-T4 zone the front setback is a minimum of 20 feet from the building setback, the side yard setback is 0 feet or 2 feet in a corner, and the rear setback is still 2 feet. In the S-T5 zone the setbacks are the same, except that the front setback is a minimum of 40 feet from the building setback.

² For a secondary unit the maximum height is 2 stories.

³ Or 15 feet from the centerline of the alley

Mission Boulevard Corridor Form-Based Code

The Mission Boulevard Specific Plan and Form-Based Code includes new development that respects the existing character of the area and its surroundings, vibrant commercial uses, pedestrian-friendly neighborhoods that are safe, desirable, and at sufficient densities to support public transportation, and a built form that will encourage such uses and complements the natural and historic amenities in the area. The Mission Boulevard Corridor Form-Based Code establishes four residential zones (i.e., Sub-urban Zone M-T3, Urban General Zone M-T4-2, Urban General Zone M-T4-1, Urban Center Zone M-T5). In addition, the Form-Based Code establishes two height overlay zones (i.e., M-T5-2, M-T5-1). Table 4-39 includes the development standards established by the Mission Boulevard Corridor Form-Based Code.

**TABLE 4-39
MISSION BOULEVARD CORRIDOR FORM-BASED CODE DEVELOPMENT STANDARDS**

City of Hayward
2013

Zoning District	Density	Setback (min. ft.) ¹			Max Height ³	Max Lot Cover	Parking
		Front	Rear ²	Side			
Suburban Zone (M-T3)	4.3 to 17.5 units/acre	18 feet	10 feet	5 feet	1 to 2 stories	70%	2.0 off-street spaces max (multifamily) 1 to 2 car garage (single family)
Urban General Zone (M-T4-2)	17.5 to 35.0 units/acre	6 to 24 feet	3 feet ⁴	0 feet	2 to 4 stories	80%	1.75 off-street spaces max (multifamily) 2.0 off-street spaces max (condominium)
Urban General Zone (M-T4-1)	17.5 to 35.0 units/acre	6 to 24 feet	3 feet ⁴	0 feet	2 to 4 stories	80%	1.75 off-street spaces max (multifamily) 2.0 off-street spaces max (condominium)
Urban Center Zone (M-T5)	35.0 to 55.0 units/acre	2 to 12 feet	3 feet ⁴	0 to 24 feet	3 to 5 stories	90%	1.5 off-street spaces max (multifamily) 1.8 off-street spaces max (condominium)
<i>Height Overlay (M-T5-2)</i>	--	--	--	--	<i>2 to 3 stories</i>	--	--
<i>Height Overlay (M-T5-1)</i>	--	--	--	--	<i>2 to 4 stories</i>	--	--

¹ For a secondary unit in the M-T3 and M-T4 zones the front setback is a minimum of 20 feet from the building setback. The side setback is 3 to 10 feet in the M-T3 zone, 0 to 6 feet in the M-T4-1 and M-T4-2 zones, and 0 to 2 feet in the T5 zones. In all zones the rear setback is 3 feet.

² For a secondary unit the maximum height is 2 stories.

³ The minimum rear setback for two-story buildings is 20 feet. Or 15 feet from the centerline of the alley.

General Plan Land Use Designations and Residential Zoning Districts

Table 4-40 lists the residential land use categories included in the Land Use Element of the City's updated General Plan. The table also includes allowed densities and the zoning districts that generally correspond to each residential land use designation of the General Plan. The City's General Plan and Zoning Ordinance provide for a wide range of housing types and densities, ranging from 0.2 units per acre in Rural Estate Density areas to a maximum of 110 units per acre in the Downtown City Center. In addition, the City allows a density bonus for developments that qualify under State law.



**TABLE 4-40
RELATIONSHIP BETWEEN GENERAL PLAN AND ZONING
City of Hayward
2013**

General Plan Designation	Density (Dwelling Units Per Acre)	Zoning District(s)
Rural Estate Density	0.2-1.0	RSB40
Suburban Density	1.0-4.3	RSB10, RSB20, RSB40
Low Density	4.3-8.7	RS, RSB6, RSB8, RSB10
Mobile Home Park	8.7-12.0	MHP
Limited Medium Density	8.7-12.0	RSB4, RMB4, RMB3.5, (RS, RSB6, RSB8, RSB10)
Medium Density	8.7-17.4	RSB4, RMB4, RMB3.5, RM, (RS, RSB6, RSB8, RSB10, RO, CN-R)
High Density	17.4-34.8	RH, RHB7, (RSB4, RMB4, RMB3.5, RM, CN-R)
Sustainable Mixed-Use	17.4-100.0	SMU, S-T4, S-T5, S-T5-1, S-T5-2, S-CS
Commercial/High Density Residential	17.4-34.8	RHR, RHB7, CN, CO, CB, CG, CL, CR, AT-C, (RMB4, RMB3.5, RM, RO, CN-R, A, OS, SD, PD)
Downtown City Center: High Density Residential	40.0-110.0	CC-R, (RH, RHB7, RO, CC-C, CC-P, OS, SD, PD)
Downtown City Center: Retail and Office Commercial	40.0-110.0	CC-C, CC-P (CC-R, RO, OS, SD, PD)

() = Zoning districts listed within parenthesis are potentially consistent. Compatibility with adjacent uses and overall densities in the project area must be considered to determine consistency.

Source: City of Hayward, Draft General Plan, 2040; and City of Hayward Zoning Ordinance, 2013.

Residential Development Trends

The City's residential development standards are established to facilitate the development of a range of housing options. Recent developments in the various higher-density residential districts demonstrate that the City's development standards allow for projects at a wide range of densities and product types. The City's development standards are reasonable and do not constitute a constraint to housing development. Table 4-41 shows recent (January 2013) examples of housing development in the city. The table also identifies the allowed and built density for each project.

To minimize potential and actual constraints caused by the City's residential zoning regulations, the City of Hayward offers density bonuses to developers that agree to construct affordable housing or senior housing. In addition, the City has a policy to provide Community Development Block Grant or HOME Investment Partnership funding to improve the financing of affordable housing projects.

**TABLE 4-41
RECENT RESIDENTIAL DEVELOPMENTS**

City of Hayward
January 2013

Project	General Plan Land use Designation	Zoning	Density		Reduced Parking
			Allowed	Built	
Walker Landing	High Density	RH	34.8	22.2	Yes
C & G Senior Housing	High Density	CC-C/CC-R	50.0	43.0	Yes
City Walk	Downtown City Center – High Density	CC-R	65.0	29.0	No
Grand Terrace	Downtown City Center – High Density	CC-R/CC-P	50.0	34.9	No
Sara Conner Place	High Density	RH	34.8	31.0	Yes
Renaissance Walk	Downtown City Center (now Sustainable Mixed Use)	CC-R	30.0	27.5	No
Studio Walk	Downtown City Center (now High Density)	CC-R	25.0-50.0	35.0	No
C & Main Condos	Downtown City Center (now Central City Retail and Office Commercial)	CC-C/CC-P	30.0-65.0	55.0	No
Mission Paradise	Mixed Use	CN-R/SD6	27.0-55.0	43.2	No
Wittek/Montanna	Station Area Residential (now Sustainable Mixed Use)	SAR (now S-T5-1 and S-T5-2)	75.0-100.0	76.0	No

Source: City of Hayward, 2013.

Airport Approach Zoning Regulations

The Hayward Executive Airport is a general aviation facility used by a multitude of diverse aircraft ranging from business and corporate jets to small privately-owned aircraft. Pursuant to State law, all General Plan amendments, Zoning Ordinance amendments, and projects proposed within the Airport Influence Area (AIA) must be reviewed by the Alameda County Land Use Commission. The Airport Land Use Commission has 60 days for the review. However, the City Council has the authority to override the review with a four-fifths vote if it can make certain findings. Since this requirement is applicable to all jurisdictions located near airports/airfields, this requirement is not unique to the City of Hayward and does not constitute a constraint to housing development.

Green Building Ordinance

In December 2008 the City adopted a Green Building Ordinance, which establishes green building requirements for private developments. This Ordinance took effect on January 1, 2009. The ordinance requires the submittal of the GreenPoint checklist with a building permit application for any new residential or commercial building. The ordinance also requires that



residential additions and remodels over 500 square feet achieve a minimum of 50 points on the GreenPoint checklist and that an independent rater verify that the project adheres to the checklist submitted with the building permit checklist. The ordinance was recently revised in response to comments from the California Energy Commission (CEC) and the City approved the revised ordinance by the CEC on December 15, 2009.

The Green Building Ordinance is just one example of Hayward's commitment to promoting and implementing environmental sustainability policies and practices. Green buildings are sited, designed, constructed, and operated to enhance the well-being of their occupants and support a healthy community and natural environment. Green building strategies will also conserve natural resources, protect air and water quality, enhance indoor air quality for occupants, and provide potential economic benefits by reducing maintenance and replacement requirements, reducing utility bills, and lowering the cost of home ownership, increasing property and resale values.

Green building standards can also increase the cost of new housing, the cost of making improvements to existing housing, and the time it takes a project to be approved by the City. However, such features will ultimately reduce energy consumption costs in the long term. Furthermore, the City offers a Housing Rehabilitation Loan Program for homeowners who need to make home repairs that cost over \$2,000. Energy conservation features are eligible improvements.

In addition, City staff has met with developers to discuss possible incentives to offset any costs and/or obstacles associated with the City's Green Building Ordinance. In February 2010, in response to developer input, the City developed a Fee-deferral Ordinance to encourage residential developments exempt from the Ordinance to comply voluntarily. Staff is currently considering potential amendments to the City's Green Building Ordinance. Given the changes to Cal Green that will take effect in 2014, there is less need for a local Green Building Ordinance.

Density Bonus

State law requires the provision of certain incentives for residential development projects that set aside a certain portion of the units to be affordable to lower- and moderate-income households. The City implements State law through its density bonus ordinance. Under current State law, jurisdictions are required to provide density bonuses and development incentives on a sliding scale, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided. The City of Hayward offers a density bonus consistent with State law to developers who agree to construct any of the following:

- 10 percent of total units for lower-income households;
- 5 percent of total units for very low-income households;
- A senior citizen housing development or a mobile home park; or

- 10 percent of total units for moderate income households.

The amount of density bonus granted varies depending on the percentage of affordable units provided and ranges from 5 percent to 35 percent. To obtain a density bonus in Hayward, the developer must submit a Density Bonus Application as well as an Affordable Housing Unit Plan and Agreement to the City.

Inclusionary Housing Ordinance

One of the City's most significant affordable housing policies is its Inclusionary Housing Ordinance. Hayward's Inclusionary Housing Ordinance requires that a certain percentage of new residential units be made affordable to low- and moderate-income households. This requirement applies to both ownership and rental housing developments consisting of 20 or more units. The current (September 2013) requirements are summarized below. However, as described later, the City adopted an Inclusionary Housing Relief Ordinance to waive inclusionary requirements for rental projects and reduce the inclusionary requirements for ownership units. The Ordinance also allows payment of in-lieu fees by right without approval from the City Council. The City is also conducting a review of the Inclusionary Housing Ordinance and preparing an Affordable Unit In-Lieu Fee/Nexus Study to determine if any further revisions to the Inclusionary Housing Ordinance are necessary.

Requirements

Affordable Rental Units

The Inclusionary Housing Ordinance has the following requirements for rental housing projects:

- 7.5 percent of the units must be affordable to households earning no more than 50 percent of the Area Median Income (AMI);
- 7.5 percent of the units must be affordable to households earning no more than 60 percent of the AMI;
- Monthly rent, plus an allowance for utility costs, must not exceed 30 percent of the maximum eligible monthly income;
- All affordable units must reflect the number of bedrooms provided in the development as a whole, and shall not be distinguished by design, construction, or materials.

Affordable Ownership Units

The Inclusionary Housing Ordinance has the following requirements for ownership housing projects:



- 15 percent of the units must be made affordable to households earning no more than 120 percent of the AMI for a term of no less than 45 years;
- Affordable housing costs (mortgage payment, taxes, utilities, insurance, and condo fees, if applicable) must not exceed 35 percent of 110 percent of the AMI, adjusted for house size;
- Affordable housing units should be dispersed throughout and be integrated with housing development as a whole; and
- Unit mix of affordable units must reflect the unit mix of the entire housing development.

Incentives and Alternatives

In residential development projects consisting solely of for-sale units, the applicant may request a waiver of the requirement to build affordable units in exchange for the payment of an affordable unit in-lieu fee. The waiver request requires City Council approval. In addition, the ordinance provides economic and land use benefits when the following conditions are met:

- **Density Bonus:** The City Council, upon request, may approve an increase in the number of units per acre permitted in a proposed project when such an increase in density is consistent with State Density Bonus law.
- **Off-Site Construction:** City policy is that affordable units must be integrated within the project to the extent possible. Where affordable units are required, an applicant may instead construct units not physically contiguous to the development (off-site) if the City Council determines that:
 1. Off-site construction will further affordable housing opportunities in the city to a greater extent than construction of the required units as part of the proposed residential project;
 2. A schedule for completion of the off-site units concurrently with completion of the related market-rate units is provided and agreed upon as a condition of approval for the project; and
 3. The off-site units are at least equal in size and amenities to affordable units which would be allowed in the project, or any comparative deficiency in size or amenities is compensated for by additional units, larger units, or affordability to households with lower incomes.
- **Modified Development Standards to Increase Density:**
 1. In a residential project that contains single family detached homes, the affordable units may be attached units rather detached homes. In a residential project that

includes attached multi-story dwelling units, the affordable units may contain only one story;

2. When a residential project is on a major transportation route, the applicant may request that City Council reduce the number of parking spaces required for the development based on the assumption that some households will take public transportation to their jobs. This will allow for increased density within the development.

- **Combination of Alternatives:** The City Council may choose to accept any combination of on-site construction, off-site construction, in-lieu fees, and land dedication that at least equal the cost of providing the affordable units on-site as would otherwise be required.
- **Expedited Processing:** Expedited processing of development approvals and permits will be available for projects with affordable units.
- **Technical and Financial Assistance:** Upon request, information shall be provided to developers, builders, or property owners regarding design guidelines and financial subsidy programs for residential development projects.

The Inclusionary Housing Ordinance has resulted in many affordable housing opportunities for Hayward residents. However, given the current market conditions, residential construction activities have slowed. In response to the economic downturn, the City allows the payment of an in-lieu fee by right as an option for fulfilling the inclusionary housing requirements. In 2010 the City conducted a study to:

- Review the Hayward Inclusionary Housing Ordinance and Affordable Housing In-Lieu Fee Resolution. Review best practices for methodology of determining fees.
- Determine the affordable housing cost differential.
- Prepare a nexus study to determine the impact of market-rate housing on the need for affordable housing.
- Analyze the financial costs, benefits, and use of incentives and alternatives to produce affordable housing.

The study showed that Hayward's existing 15 percent affordable housing requirement was justifiable for single family developments, but that a lower affordable housing requirement was needed for other types of residential development, given the economic climate.

Based on the results of this study, the City adopted an Inclusionary Housing Relief Ordinance on December 14, 2010, which waived inclusionary requirements for affordable units or payment of affordable housing in-lieu fees for rental projects, reduced the inclusionary requirement from 15 percent to 10 percent for moderate-income detached ownership units and from 15 percent to 7.5 percent for attached moderate-income ownership units, and allows payment of in-lieu fees



by right without approval from the City Council. At the end of 2011 the City also clarified some provisions of the Relief Ordinance, including allowing the application of relief provisions to developments subject to existing inclusionary agreements but not yet constructed. The Inclusionary Housing Relief Ordinance expired on December 31, and the City Council readopted the same ordinance on December 18, 2012, effective February 22, 2013, and expiring on December 31, 2015. Two inclusionary housing in-lieu fees have been paid to date (2013) totaling \$165,000.

The City is currently (November 2013) conducting another Inclusionary Housing Ordinance Review and Affordable Unit In-Lieu Fee/Nexus Study. The City Council will provide recommendations for revising the Inclusionary Housing Ordinance based on the findings in the study.

Provisions for a Variety of Housing Types

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of a variety of housing types for all economic segments of the population. This includes single family homes, multifamily housing, second units, mobile homes, agricultural employee housing, homeless shelters, and transitional housing, among others. Table 4-42 below summarizes the various housing types permitted within the City's zoning districts.

The housing types allowed within the City of Hayward zoning districts are described below.

Single family

A "single family dwelling" is defined in the Hayward Zoning Ordinance as a detached building containing only one dwelling unit. Single family dwellings are permitted in the RS, RNP, RM, and M-T3 zones. An Administrative Use Permit is required for single family housing units in the RH and CO zones.

Condos/Townhomes

Condominiums and townhomes are permitted in the City's RM, RH, RO, and CC-R zones.

4 HOUSING

Hayward General Plan Update

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**TABLE 4-42
HOUSING TYPES PERMITTED BY ZONE**
City of Hayward
2013

	RS/ RNP	RM	RH	RO	SMU	MH	CN-R	CC-R	CO	CN	CG	CL	C-B	CC-P	CC-C	S-T4	S-T5	M-T3	M-T4-1	M-T4-2	M-T5	
Single Family	P	P	A	P					A									P				
Condos/Townhomes		P	P	P			P															
Multifamily		P	P	P	P		P ² A ¹	P	P ^{1,2}	P ²	P ²	P ²	C ^{1,2}	P ¹	C ¹ P ²	P	P	C	P ³	P ³	P	
Mobile Home Park						P																
Manufactured Housing	P	P	A	P		P		P														
Second Units	P	P	P	P					A							P	P	P	P ³	P ³	P	
Small Group Home (6 or fewer residents)	P	P	P	P				P	P							P	P	P	P ³	P ³	P	
Large Group Home (7 or more residents)	C	C	C	C				C	C							C	C		C ³	C ³	C	
Artist's (Live/Work) Loft								P						P								
Mixed Use							A*/P															
Emergency Shelter											C					P	P		P ³	P ³		
Single Room Occupancy																P			P ³	P ³		C

P = Permitted C = Conditional Use Permit A = Administrative Use Permit

*Ground-level units require Administrative Use Permit

¹ Must be ground level

² Must be above commercial

³ Residential uses in the Commercial Overlay Zone are not permitted on the ground floor.

Source: Hayward Municipal Code, 2013.



Multifamily

Multifamily housing made up over 34 percent of the city’s housing stock in 2013. Multifamily developments are permitted in the RM, RH, RO, SMU, CC-R, S-T4, ST-5, M-T4-1, M-T4-2, and M-T5 zones. The maximum densities in these zones range from 8.7 units per acre in the RM to 110 units per acre in the CC-R zone. Ground level multifamily units are also permitted in the CO zone and in the CB, CC-C, CC-P, and M-T3 zones with a Conditional Use Permit. Multifamily housing above commercial uses is permitted in the City’s CO, CN, CN-R, CG, CL, CB, and CC-C zones, and in M-T4-1 and M-T4-2 zones with a Commercial Overlay.

Manufactured Housing and Mobile Homes

Manufactured housing and mobile homes can be an affordable housing option for low- and moderate-income households. According to the California Department of Finance, in 2013 only about 5 percent of Hayward’s housing stock was made up of mobile homes. Pursuant to State law, a mobile home built after June 15, 1976, certified under the National Manufactured Home Construction and Safety Act of 1974, and built on a permanent foundation may be located in any residential zone where a conventional single family detached dwelling is permitted subject to the same restrictions on density and to the same property development regulations. Hayward provides for mobile home parks within its MH zone.

Second Units

A “second unit” is defined as a unit attached to an existing owner-occupied single family dwelling that may be rented and contains no more than 640 square feet and no more than one bedroom. Second units may be an alternative source of affordable housing to lower-income households and seniors. In Hayward second units are permitted in the RS, RNP, RM, RH, RO, CC-R, S-T4, S-T5, M-T4-1, M-T4-2, and M-T5 zones, subject to the following standards:

- An attached second dwelling unit can only be added to an existing detached single family dwelling on a parcel containing no other dwellings, and which has at least two covered parking spaces, with at least one common wall between the attached second dwelling unit and the living or garage area of the existing dwelling;
- An attached second dwelling unit can contain no more than one bedroom. The unit must have a minimum area of 400 square feet and cannot be larger than 640 square feet in area;
- An attached second dwelling unit must conform to all required lot, yard, and height requirements; and
- An attached second dwelling unit cannot be located within the garage area or a converted garage area of the existing dwelling unless adequate substitute two-car garage parking is provided outside required front, side, and side street yards.

An Administrative Use Permit is required for the construction of second units in the CO zone. There were no second units permitted in the city from 2009 to 2013.

Farmworker Housing

While the City has an Agricultural zone, there are few people employed in agriculture in Hayward. Correspondingly, the Zoning Ordinance does not expressly address housing for agricultural workers. The city of Hayward is not an agricultural community. Since there are no large agricultural operations nearby that would attract a substantial permanent or seasonal farmworker population, there is no identifiable need for farmworker housing.

Group Homes/Residential Care Facilities

Residential care facilities licensed or supervised by a Federal, State, or local health/welfare agency provide 24-hour non-medical care of unrelated persons who have a disability and are in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment.

In Hayward, small group homes, serving six or fewer clients, are treated like a traditional single family use and are permitted in the RS, RNP, RM, RH, RO, CC-R, CO, S-T4, S-T5, M-T3, M-T4-1, M-T4-2, and M-T5 zones. Large group homes, serving seven or more clients, are conditionally permitted in the RS, RNP, RM, RH, RO, CC-R, CO, S-T4, and S-T5 zones.

The City has adopted a spacing requirement for large group homes. A large group home cannot be located within 500 feet of the boundaries of a parcel containing another group home, unless a conditional use permit is issued on the basis that waiver of such separation requirement would not be materially detrimental or injurious to the property, improvements, or uses in the immediate vicinity. According to the State Department of Social Services, Community Care Licensing Division, four licensed group homes with 24 beds and 58 licensed adult residential facilities are located in Hayward.

Live/Work Lofts

A live/work unit is an integrated housing unit and working space, occupied and used by a single household in a structure, either single family or multifamily, that has been designed or structurally modified to accommodate both residential occupancy and work activity. Live/work units are permitted in the CC-R, CC-P, S-T4, M-T4-1, and M-T4-2 zones, and are permitted above commercial uses in the M-T4-1 and M-T4-2 zones with a Commercial Overlay.

Mixed-Use

Mixed use projects combine both nonresidential and residential uses on the same site. Mixed-use development can help reduce the effects of housing cost burden by increasing density and offering opportunities for reduced vehicular trips by walking, bicycling, or taking public transportation. Mixed use residential developments with multifamily units located above a



ground floor commercial use are allowed in the CO, CN, CN-R, CG, CL, CB, and CC-C zones, and in M-T4-1 and M-T4-2 zones with a Commercial Overlay. Ground level multifamily units require approval of an Administrative Use Permit within CN-R zone.

Emergency Shelters

State law requires that local jurisdictions strengthen provisions for addressing the housing needs of the homeless, including the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use permit. The statute permits the City to apply limited conditions to the approval of ministerial permits for emergency shelters. The identified zone must have sufficient capacity to accommodate at least one year-round shelter and accommodate the City's share of the regional unsheltered homeless population. Section 50801(e) of the California Health and Safety Code defines emergency shelters as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or fewer by a homeless person.

The City's Zoning Ordinance permits emergency shelters in the S-T4, M-T4-1, and M-T4-2 zones and conditionally permits emergency shelters in its CG zone. Properties in the S-T4, M-T4-1, and M-T4-2 zones are located along transportation corridors with easy access to social and supportive services. As shown in the sites inventory later in this Housing Element, these zones contains over 68 acres of vacant and underutilized properties.

Pursuant to State law, the City may establish standards for the following:

- Maximum number of beds;
- Proximity to other shelters;
- Length of stay;
- Security and lighting; and
- Provision of on-site management.

The City of Hayward allows homeless shelters of up to 60 beds separated by at least 300 feet from the parcel boundaries, and limits individual occupancy to six months within any one year period.

Transitional Housing

Transitional housing is a type of housing used to facilitate the movement of homeless individuals and families to permanent housing. Residents of transitional housing are usually connected to supportive services designed to assist the homeless in achieving greater economic independence and a permanent, stable living situation. Transitional housing can take several forms, including group quarters with beds, single family homes, and multifamily apartments;

and typically offers case management and support services to help return people to independent living (often six months to two years).

The City recently (February 4, 2014) revised the citywide Zoning Ordinance to amend the definition of transitional housing to clarify that it shall be treated as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The City also revised the South Hayward/BART Mission Boulevard and Mission Boulevard Corridor Form-Based Codes to clarify that large transitional housing facilities shall also be treated as a residential use.

Supportive Housing

Supportive housing links the provision of housing and social services for the homeless, people with disabilities, and a variety of other special needs populations. California Health and Safety Code (Section 50675.2) defines “supportive housing” as housing with no limit on length of stay, that is occupied by the low-income adults with disabilities, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Similar to transitional housing, supportive housing can take several forms, including group quarters with beds, single family homes, and multifamily apartments.

The City recently (February 4, 2014) revised the citywide Zoning Ordinance to amend the definition of supportive housing to clarify that it shall be treated as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The City also revised the South Hayward/BART Mission Boulevard and Mission Boulevard Corridor Form-Based Codes to clarify that large supportive housing facilities shall also be treated as a residential use.

Single Room Occupancy (SRO)

SRO units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. SROs are permitted conditionally in the M-T5 zone.

Employee Housing

The Employee Housing Act requires local governments to treat employee housing providing accommodations for six or fewer employees the same way as a single-family unit with a residential land use designation. The City cannot require a conditional use permit or other permit that is not required of a family dwelling of the same type in the same zone, and use of a family dwelling for the purposes of employee housing for six or fewer occupants shall not constitute a change of occupancy. The City complies with these requirements of State law.



Housing for Persons with Disabilities

Both the Federal Fair Housing Amendment Act (FHAA) and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. An analysis was conducted of the zoning ordinance, permitting procedures, development standards, and building codes to identify potential constraints for housing for persons with disabilities. The City’s policies and regulations regarding housing for persons with disabilities are described below.

Zoning and Land Use

Under the State Lanterman Developmental Disabilities Services Act (aka Lanterman Act), small licensed residential care facilities for six or fewer persons must be treated as regular residential uses and permitted by right in all residential districts. As a result, small residential care facilities are exempt from all local land use and zoning restrictions, taxes, or fees that do not apply to single family homes, and are subject to the same permit requirements as a single family home. Small group homes, serving six or fewer clients, are permitted in the RS, RNP, RM, RH, RO, CC-R, CO, S-T4, S-T5, M-T3, M-T4-1, M-T4-2, and M-T5 zones. Large group homes, serving seven or more clients, are conditionally permitted in the RS, RNP, RM, RH RO, CC-R, CO, S-T4, and S-T5 zones.

The City has adopted a spacing requirement for large group homes. A large group home cannot be located within 500 feet of the boundaries of a parcel containing another group home, unless a conditional use permit is issued on the basis that waiver of such separation requirement would not be materially detrimental or injurious to the property, improvements, or uses in the immediate vicinity.

As described above, the City recently (February 4, 2014) adopted ordinance amendments to adopt a definition of supportive housing consistent with State law. In addition, the City plans to develop an ordinance that promotes the use of Universal Design Principles in new construction and rehabilitation of housing.

Definition of Family

Local governments may restrict access to housing for households failing to qualify as a “family” by the definition specified in the Zoning Ordinance. Specifically, a restrictive definition of “family” that limits the number of and differentiates between related and unrelated individuals living together may illegally limit the development and siting of group homes for persons with disabilities, but not for housing families that are similarly sized or situated.¹⁵ The Hayward

¹⁵ California court cases (City of Santa Barbara v. Adamson, 1980 and City of Chula Vista v. Pagard, 1981, etc.) have ruled an ordinance as invalid if it defines a “family” as (a) an individual; (b) two or more persons related by blood, marriage, or adoption; or (c) a group of not more than a specific number of unrelated persons as a single

Zoning Ordinance defines a family as “one or more persons living together as a single housekeeping unit, as distinguished from a group living in a boarding house, hotel, motel, or group or institutional living quarters such as a group home, day care home, or convalescent home.” This definition is not considered restrictive.

Building Codes

The City actively enforces 2013 California Building Standards Code provisions that regulate the access and adaptability of buildings to accommodate persons with disabilities. No unique restrictions are in place that would constrain the development of housing for persons with disabilities. Government Code Section 12955.1 requires that 10 percent of the total dwelling units in multifamily buildings without elevators consisting of three or more rental units or four or more condominium units subject to the following building standards for persons with disabilities:

- The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality tests.
- At least one powder room or bathroom shall be located on the primary entry level served by an accessible route.
- All rooms or spaces located on the primary entry level shall be served by an accessible route. Rooms and spaces located on the primary entry level and subject to this chapter may include, but are not limited to, kitchens, powder rooms, bathrooms, living rooms, bedrooms, or hallways.
- Common use areas shall be accessible.
- If common tenant parking is provided, accessible parking spaces is required.

Building Plan Checkers review development plans to ensure, among other items, that new developments meet the requirements of Title 24, Chapter 11, Volume 1 of the California Building Code. Major changes to existing residential, commercial, or industrial buildings are subject to review by the Planning and Building Departments. During the plan check process for Building Code compliance, Plan Checkers check for Title 24 compliance. Plan checkers also review commercial buildings for disabled access.

housekeeping unit. These cases have explained that defining a family in a manner that distinguishes between blood-related and non-blood-related individuals does not serve any legitimate or useful objective or purpose recognized under the zoning and land use planning powers of a municipality, and, therefore, violates rights of privacy under the California Constitution.



Reasonable Accommodation

The City's Department of Library and Neighborhood Services provides ongoing assistance to complete rehabilitation work for single family properties and public facilities to install necessary accommodations, including installation of accessibility ramps and railings to meet handicapped accessibility. The City offers Housing Rehabilitation Loans to disabled tenants and to low-income homeowners who need to make accessibility modifications for themselves or a disabled household member. This program increases the availability of accessible housing stock throughout the city. Funds provided through this program may be used for services and materials required to make the dwelling accessible to a disabled person. Both structural and non-structural modifications for accessibility are permitted. Where financially feasible, modifications will follow the California Disabled Accessibility Guidebook (CalDAG). Necessary improvements to enhance accessibility, however, may result in conflicts with Zoning Ordinance standards.

Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be reasonable to accommodate requests from persons with disabilities to waive a setback requirement or other standard of the Zoning Ordinance to ensure that homes are accessible for the mobility impaired. Whether a particular modification is reasonable depends on the circumstances.

On February 4, 2014, the City adopted a Zoning Ordinance amendment to implement a reasonable accommodation procedure to address reasonable accommodation requests. The reasonable accommodation procedure specifies eligibility, type, and extent of standards that the City will grant reasonable accommodation, criteria for determining reasonableness, review and approval procedure and body, and other provisions that will provide consistency in the granting of reasonable accommodation.

Development Review Process

The processing time needed to obtain development permits and required approvals is commonly cited by the development community as a prime contributor to the high cost of housing. Depending on the magnitude and complexity of the development proposal, the time which elapses from application submittal to project approval may vary considerably. Factors that can affect the length of development review on a proposed project include: rezoning or general plan amendment requirements, public hearing required for Commission/Council review, or a required Negative Declaration or Environmental Impact Report (EIR).

The residential development process in Hayward is comprised of a number of stages. Stages in the planning process may include: obtaining appropriate zoning, approval of parcel or subdivision map, site plan review, and environmental reviews. State law governs the

processing time for planning applications, although the applicant can waive these time limits. The length of processing time also depends upon the knowledge, expertise, and ability of the development team; and their ability to prepare plans in accordance with City requirements, make timely submissions (and resubmissions), and revise plans based on feedback received.

Development Application

A development application is required for any of the following: administrative use permits, conditional use permits, general plan amendments, lot line adjustments, lot mergers, parcel maps, site plan reviews, tentative maps, variances, and zone changes. The planning approvals process for some of these actions is summarized in Table 4-43.

Site Plan Review

Site Plan Review is not required in most residential districts unless the Planning Director determines that a project materially alters the appearance and character of the property or area or may be incompatible with City policies, standards, and guidelines. This determination is made by considering whether or not a proposal takes into account on-site and surrounding structures and uses, physical and environmental constraints, and traffic circulation. The development must contribute to an attractive city and be compatible with surrounding development. Only the SMU, M-T3, M-T4-1, M-T4-2, M-T5, S-T4, and S-T5 districts require Site Plan Review. However, in any case, the Planning Director may also waive the requirement for site plan review if the proposed project meets all design and performance standards or if the proposed project will not materially alter the appearance or character of the property or area. Waiving this requirement can reduce the application review process by between four to six weeks. The Planning Director does require site plan review when the scope of the project is such that the public should be aware of it and have an opportunity to have public input.

Precise Plan

Tentative Tract Maps that involve rezoning to a Planned Development District are required to submit a Preliminary Development Plan along with the Tentative Map. The City Council approves the Tentative Map, the Preliminary Development Plan, and the rezoning at one time. Subsequently, an applicant is required to submit a Precise Development Plan, which includes more detailed architectural plans, landscape plans, and draft improvement plans. The Precise Development Plan is reviewed and approved by City staff and the review process typically takes between six and nine months. The Precise Development Plan must be approved before the City will accept applications for building permits or submittal of improvement plans. The time required to complete the Precise Development Plan review process can be considered a governmental constraint. City staff continues to meet with builders and developers on a bimonthly basis to obtain input on the Precise Development Plan process. Staff is also developing new internal reviewing procedures and ordinance requirements to reduce the time and cost associated with the review of the Precise Development Plan.



Processing Timeframe

The processing time needed to obtain development permits and required approvals is commonly cited by the development community as a prime contributor to the high cost of housing. Depending on the magnitude and complexity of the development proposal, the time that elapses from application submittal to project approval may vary considerably. Factors that can affect the length of development review on a proposed project include: completeness of the development application submittal, responsiveness of developers to staff comments and requests for information, and projects that are not exempt from the California Environmental Quality Act (CEQA), require rezoning or general plan amendment, or are subject to a public hearing before the Planning Commission or City Council.

Certainty and consistency in permit processing procedures and reasonable processing times is important to ensure that the development review/approval process does not discourage developers of housing or add excessive costs (including carrying costs on property) that would make the project economically infeasible. The City is committed to maintaining comparatively short processing times. Total processing times vary by project, but the following timelines can be used as a general guide:

- Non-hillside single family project: 10 weeks
- Single family (hillside): 10 weeks
- Multifamily project: 10 weeks
- Multifamily project (with subdivisions): 16 weeks
- Mixed use: 10 weeks

The City of Hayward has a “one stop” permit processing center where an applicant can obtain information and feedback on plans from planners, plan checkers, fire prevention staff, and engineers. Handouts that describe requirements, time sequence, and checklists for all phases and types of development are available to the public. Table 4-44 summarizes the processes and procedures for various permits and provides a detailed summary of the planning review processing procedures and timelines of various types of projects in the city. Table 4-45 summarizes the development review processing time.

The City conducts Pre-Application and Code Assistance meetings to assist developers in preparing applications that meet City guidelines and can be processed quickly. When staff learns of a large or complex project, the developer and professional consultants, such as architects and engineers, are encouraged to meet with City staff to describe the project and obtain feedback from planning, building, fire, traffic, engineering, utilities, and any other City staff who may be likely to work on the project. This gives developers the opportunity to meet those likely to work on the project and learn about the City’s experience with and requirements for projects of this type. This also gives staff the opportunity to learn about and gain familiarity

with proposed projects in the pipeline, which can reduce the amount of time it takes to review plans once they are submitted. At these meetings representatives from each department discuss the codes and other regulations that pertain to the proposed project and make suggestions that, if accepted by the developer, can reduce application processing time and may, subsequently, reduce development costs. Feedback from developers has been very favorable about the utility of Pre-Application meetings and subsequent Code Assistance meetings (more detailed follow-up with fire, hazardous materials, and building) and improvements in processing time and activities.

Because the City does not require a public hearing for most types of residential development projects, there is more certainty in the City's development review time frame and outcome. Due to improvements in the City's development process, the processing of residential applications does not appear to be a constraint to the provision of housing.



**TABLE 4-43
DEVELOPMENT PROCESSES AND APPROVALS
City of Hayward
2013**

	Administrative Use Permit	Conditional Use Permit	Variance	Site Plan Review	Tentative Tract Map	Tentative Parcel Map
Step #1	Review of zoning and other regulations that relate to intended use.	Review regulations with a Planner.	Determine where the project varies from regulations and identify how the project could be designed to comply or identify special circumstances that might apply to the property.	Review applicable regulations and submittal material with Planner.	Determine what regulations apply and materials needed with the Development Review Engineer.	Determine what regulations apply and materials are needed with the Development Review Engineer or Specialist.
Step #2	Submit a completed application, filing fee, and other required documents.	Submit a completed application, filing fee, and other required documents.	Submit a completed application, filing fee, and other required documents.	Submit a completed application, filing fee, and other required documents.	Submit a completed application, filing fee, and other required documents.	Submit a completed application, filing fee, and other required documents.
Step #3	Within 30 days staff will notify whether submittal needs additional information or revised plans, or is complete.	Proposal referred for further review to other departments, agencies, property owners, and residents. Within 30 days City staff will notify whether submittal needs additional information or revised plans, or is complete.	Review is done by a Planner and other departments and agencies as needed. Within 30 days staff will notify whether submittal needs additional information or revised plans, or is complete.	Within 30 days City staff will notify whether submittal needs additional information or revised plans, or is complete.	Within 30 days City staff will notify whether submittal needs additional information or revised plans, or is complete.	Within 30 days City staff will notify whether submittal needs additional information or revised plans, or is complete.

**TABLE 4-43
DEVELOPMENT PROCESSES AND APPROVALS
City of Hayward
2013**

	Administrative Use Permit	Conditional Use Permit	Variance	Site Plan Review	Tentative Tract Map	Tentative Parcel Map
Step #4	After review, the application is either administratively approved or denied, or referred to the Planning Commission. Planning Director action may be appealed within 15 days to the Planning Commission.	Application is either approved or denied by the Planning Commission.	If a variance is warranted and the variance request is minor in nature, it is referred to the Planning Director for an administrative decision to approve or deny. Planning Director action may be appealed within 15 days to the Planning Commission.	Once the project review is complete, the Planning Director will decide whether to administratively approve the project or refer it to the Planning Commission. Planning Director action may be appealed within 15 days to the Planning Commission.	Preliminary meeting scheduled with all involved parties to review the project and its potential impact to the neighborhood and the environment.	Preliminary meeting is scheduled to review project and its potential impact to the neighborhood and the environment.
Step #5	Planning Commission action can be appealed to City Council (in writing within 10 days after decision made).	Planning Commission action can be appealed to City Council within 10 days.	Otherwise, the variance request is considered at a public hearing of the Planning Commission for a decision. Planning Commission action may be appealed within 10 days to the City Council.	Planning Commission decisions may be appealed to City Council within 10 days.	Project presented at the Planning Commission for a decision or recommendation to City Council.	Planning Director will make the decision or refer to Planning Commission for decision.



**TABLE 4-43
DEVELOPMENT PROCESSES AND APPROVALS
City of Hayward
2013**

	Administrative Use Permit	Conditional Use Permit	Variance	Site Plan Review	Tentative Tract Map	Tentative Parcel Map
Step #6					Decision of Planning Commission may be appealed to City Council.	Decision of Planning Commission may be appealed within 10 days to City Council
Total Time	Administrative: 3-8 weeks Planning Commission: 12-14 weeks	3-6 months	10-12 weeks			

Source: City of Hayward, 2013.

**TABLE 4-44
PLANNING REVIEW AND PROCESSING TIMES**

City of Hayward
2013

Project Type	Single family	Single family (Hillside)	Multifamily	Multifamily (with Subdivisions)	Mixed Use
Permits Required	Building Permit	SPR	SPR	SPR/TTM	SPR
Reviewing Body	Staff	Planning Director	Planning Director	Planning Commission	Planning Director
Public Hearing Required?	no	no	no	yes	no
Appeal Body (if any)	None	Planning Commission	Planning Commission	City Council	Planning Commission
Estimated Total Processing Time	10 weeks	10 weeks	10 weeks	16 weeks	10 weeks

¹ SPR = Site Plan Review

² TTM = Tentative Tract Map

³ Processing times include 30 days for determining whether or not an application is complete.

Source: City of Hayward, 2013.

**TABLE 4-45
DEVELOPMENT REVIEW**

City of Hayward
2013

Application/Action	Time
Building Permit Application submittal to first punch list provided to developer	25 working days
Re-submittal of application for corrections to items on first punch list	10 working days
Plans for model homes in subdivision	10 working days

Source: City of Hayward, 2013.

On- and Off-Site Improvements

In the mid-1990s the City reviewed all development requirements with an eye toward simplifying and speeding the process. At that time City staff discovered conflicts between the requirements of a number of departments. All conflicts have now been resolved (with public safety as the highest priority) and the City has a single standard for infrastructure that is applied uniformly. Public Works Engineering staff works with applicants to identify the development requirements that apply to their projects.

As a condition of approval, the City of Hayward requires housing developers to construct various on- and off-site improvements, including infrastructure, landscaping, and architectural improvements. These improvements are described below.



Infrastructure Improvements

When a new residential project is approved, the City of Hayward requires on-site infrastructure improvements to be constructed by the builder in accordance with City standards. Improvements include:

- The construction of curbs, gutters, sidewalks, street lighting, and street paving to meet the existing street pavement;
- Undergrounding existing overhead wires;
- The dedication of land, the payment of an in-lieu fee, or a combination of both, for park and recreational purposes; and
- The construction of water, sewer, storm drainage, and utility systems.

Completed improvements are typically dedicated to the City or privately maintained by a Homeowners Association. The City has not adopted any requirements above and beyond those authorized by the State Subdivision Map Act. Site improvement requirements on small infill sites, where interior streets are not required, are usually minimal. Such projects typically include curb and gutter replacements, street tree planting, and sidewalk repair. The City's site improvement requirements do not pose a development constraint, since the conditions required by Hayward are no greater than conditions for like subdivisions throughout Alameda County.

Minimum street widths are established in the City's Zoning Ordinance. Most streets are required to have a minimum width of 24 or 28 feet. However, the City has identified approximately 65 street segments whose specific street widths, ranging from 50 to 110 feet, are detailed in the Zoning Ordinance.

Landscaping and Architecture Improvements

The City has also established guidelines for site development, including: tree preservation, drainage, outdoor space, circulation, architectural design, and landscaping. These standards are specified in Hayward's Design Guidelines and performance standards are contained in the Zoning Ordinance. These guidelines are basic and reasonable principles that most architects would regularly incorporate into their plans and are not considered a constraint.

Development and Planning Fees

In addition to improvements and dedication of public land, developers are subject to a variety of fees and exactions to process permits and provide necessary services and facilities as allowed by State law. In general, these development fees can be a constraint to the maintenance, improvement, and development of housing because the additional costs borne by developers contribute to overall increased housing unit cost. However, the fees are necessary to maintain adequate planning services and other public services and facilities in the City.

New housing is typically charged for site plan review fees, sewer and water connection fees, plan checking and building permit fees, and school impact fees. If the development is a subdivision, there are additional fees for processing the tentative and final maps. In addition, the developer may have to pay the cost of preparing environmental reports, traffic studies, and soils reports.

Table 4-46 shows the fees for a typical 1,500 square-foot single family home and 50,000 square foot multifamily development in Hayward total. As shown in the table, the fees for a typical single family home are \$54,104, which represents 11 percent of the median price of \$515,000 for a new three-bedroom home.¹⁶ If school fees were subtracted from the total, planning and development fees would be \$49,649 or 10 percent of the median price of a new home. The estimated fees to construct a typical 50,000 square foot multifamily development would total \$1.25 million (including school fees). These fees represent approximately 12 percent of a \$10 million dollar project. When considering development impact fees alone, the City of Hayward's fees are modest compared to other communities in the county (see Table 4-47).

Whether a housing development is affordable or market rate, the impacts are quite similar. The City does not waive fees for affordable housing since these fees are intended to mitigate significant public facilities impacts. However, the City does waive the park in-lieu fee for projects for the elderly or disabled, for rental projects for households with incomes at or below 60 percent of the area median income, and for ownership projects for households with incomes at or below 95 percent of the area median income, subject to certain affordability agreements. If the fees create all or part of a financing gap, then City policy has been to provide the appropriate amount of Community Development Block Grant (CDBG), or HOME Investment Partnership (HOME) funds to bridge that gap. Nevertheless, in light of recent market conditions, the City defers the park dedication in-lieu fee and supplemental building construction improvement tax until the close of escrow for eligible speculative projects.

¹⁶ Based on the median price of a new three-bedroom single family home constructed in the last five years (2008 to 2012); www.trulia.com and www.zillow.com, accessed September 2013.



**TABLE 4-46
TYPICAL PLANNING AND DEVELOPMENT FEES**

City of Hayward
FY 2013/2014

Fee Description	Single Family Unit ¹	Multifamily Development ²
Plan Check Fee	\$499.00	\$499.00*
General Plan Fee	\$770.52	\$1,100.04
Landscape Fee	\$212.00	\$319.00*
Sewer Connection Fee	\$7,700.00	\$171,325.00 (\$6,853/unit)
Water Installation Fee ^{3*}	\$3,500.00	\$92,500.00 (\$3700/unit)
Water System Facilities Fee	\$8,106.00	\$162,100.00 (\$6,484/unit)
Fire Service Fee	\$0.00	\$162,100.00 (\$6,484/unit)
Inclusionary Housing In-lieu fee	\$0.00	\$160,000.00 ⁵
SMIP Fee	\$17.03	\$454.25
Solid Waste Review Fee	\$50.00	\$160.00
Fire Plan Check Fees (Residential Occupancy)	\$712.41	\$4,078.00
Fire Plan Check Fees (Garage)	\$650.00	\$2599.37
Fire Inspection Fees (Residential Occupancy)*	\$712.41	\$1,642.00
Fire Inspection Fees (Garage)	\$608.00	\$728.84
Building Plan Check Fees (Residential Occupancy)	\$4,549.00	\$8,157.00
Building Plan Check Fees (Garage)	\$753.00	\$2174.00
Building Inspection Fees (Residential Occupancy)	\$4,902.00	\$9,167.00
Building Inspection Fees (Garage)	\$1,519.00	\$4953.00
Building Construction & Improvement Tax	\$750.00	\$22,500
Supplemental Construction Fee	\$1,200.00	\$48,000
State Building Standards Fee	\$7.00	\$182.00
Park Dedication In-Lieu Fee	\$11,953.00	\$\$241,325.00 (\$9,653/unit) ⁴
Building Permit Administrative Issuance Fee	\$81.00	\$136.00
Address Assignment Fee	\$43.00	\$2,150.00
Technology Surcharge	\$354.84	\$542.89
Total City Fees	\$49,649.21	\$1,098,892.30
Hayward School District Fees	\$4,455.00	\$148,500
Total Fees (including School District Fees)	\$54,104.21	\$1,247,392.30

¹Based on a 1,500 square foot single family unit with a 500 square foot garage

²Based on a 50,000 square foot multifamily building of 25 two-bedroom, two-bathroom condo units [35,000 sq. ft. living plus 15,000 sq. ft. garage]

³Water Meter Installation Fee based on the size of the meter.

⁴The multifamily typical development fee includes a park in-lieu fee, landscape fee waiver, and plan check fee waiver.

⁵\$80,000 per required inclusionary unit.

Source: City of Hayward, June 10, 2013.

TABLE 4-47 COMPARISON OF DEVELOPMENT IMPACT FEES City of Hayward and Select Surrounding Cities 2011		
	Single family	Multifamily
Hayward	\$33,084	\$20,906
Fremont	\$66,608	\$42,667
Livermore	\$40,558	\$26,269
San Leandro	\$27,390	\$21,418

Note: Fee comparison only includes Roads, Water, Sewer, Parks, and Utility fees.

Source: Duncan Associates, 2011 National Impact Fee Survey, October 2011.

Building Codes and Enforcement

In addition to land use controls, local building codes also affect the cost of housing. The City of Hayward adopted the 2013 California Building Code in November 2013, and effective January 1, 2014, with various amendments, including the following:

- Creation of the Building Division of the Development Services Department as an enforcement agency.
- Automatic sprinkler system installation is required in all new buildings of 5,000 square feet or greater, regardless of occupancy classification.
- Automatic sprinkler system installation is required in existing buildings when cumulative additions, repairs, or alterations are made to the building and such additions, repairs, or alterations meet any of the following conditions:
 1. Additions, repairs, or alterations are valued at 50 percent or more of the current assessed value of the building.
 2. Any addition or additions to the original building which will add 10 percent or more of the total floor area of the existing building and the resulting floor area is 5,000 square feet or more, except where the occupancy classification for the building is Group S, division, 1 in which case the resulting total floor area required is 3000, square feet or more.
 3. Additions where items 1 or 2 do not apply that will result in total floor area that exceeds the maximum floor area allowed by the Building Code, under which the building was originally constructed; or
 4. Additions, repairs, or alterations that will result in a change of occupancy or use shall comply with 2013 California Building Code.



- Class I standpipe outlets are required to have added outlets located in enclosed corridors adjacent to enclosed stairway access doors at each level of every required stairway.
- Non-classified roofing is not allowed in the city.
- All structures must be separated from adjoining structures according to maximum inelastic response displacement.
- Every building three stories or more in height must be provided with at least one standpipe for use during construction.

The City has also adopted the 2009 International Code for Property Maintenance, Part 8 of the California Historical Building Code, Part 10 of Title 24 of the California Building Code of Regulations, and Part 11 of the 2013 California Green Building Code, as supplemental codes to the City of Hayward's Building Code.

All new buildings and alterations to existing buildings in California must meet the standards contained in Title 24, Part 6, of the California Code of Regulations (Building Energy Efficiency Standards for Residential and Nonresidential Buildings). These regulations respond to California's energy crisis and need to reduce energy bills, increase energy delivery system reliability, and contribute to an improved economic condition for the state. They were established in 1978 and most recently updated in 2013 (effective date of January 1, 2014). Through the building permit process, local governments enforce energy efficiency requirements. All new construction must comply with the standards in effect on the date a building-permit application is made.

In July 2010 the California Building Standards Commission (CBSC) adopted the 2010 California Green Building Standards Code, otherwise known as "CALGreen," which became effective January 1, 2011. CALGreen is California's first green building code and a first-in-the-nation State-mandated green building code. It is formally known as the California Green Building Standards Code, Title 24, Part 11, of the California Code of Regulations. The City of Hayward has adopted the most recent version of this code, which is the 2013 California Green Building Standards Code. CALGreen establishes mandatory minimum green building standards and includes more stringent optional provisions known as Tier 1 and Tier 2. Cities and counties, at their discretion, may adopt Tier 1 or Tier 2 as mandatory, or adopt and enforce other standards that are more stringent than the CALGreen Code. The City of Hayward has adopted the most recent version of CALGreen, but has not adopted the optional tiers. The City is not considering implementing voluntary Tier 1 or Tier 2 measures, but will focus instead on thorough enforcement of the mandatory requirements in the code.

CALGreen Requirements for new buildings include:

- Reduce water consumption by 20 percent;

- Divert 50 percent of construction waste from landfills;
- Install low pollutant-emitting materials;
- Separate water meters for nonresidential buildings' indoor and outdoor water use; and
- Moisture-sensing irrigation systems for larger landscape projects;

Mandatory inspections of energy systems (e.g., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity and according to their design efficiencies.

Except for the requirement for fire sprinklers, the City's building code requirements do not adversely impact the cost of construction. The requirements address basic health and safety considerations. The requirement for fire sprinklers is a life safety requirement for residences in the Hayward Hills due to the high fire danger.

Environmental and Historic Preservation Constraints

A community's environmental setting affects the feasibility and cost of developing housing. Environmental issues range from the availability of water to the suitability of land for development due to potential exposure to seismic, flooding, wildfire, and other hazards. If not properly recognized and accommodated in residential design, these environmental features could potentially endanger lives and property. The potential significance of a site or setting as it relates to a historic person, event, or period of time can also limit development and redevelopment opportunities. This section summarizes these potential constraints in Hayward.

Geologic and Seismic Hazards

Hayward is located in a seismically active area. The Hayward Fault runs through the city near Mission Boulevard and along the base of the hills. Liquefaction hazards exist in most flatter areas of the city. In the Alquist-Priolo Special Studies Zone, which extends 500 feet on either side from known fault traces, geologic hazard investigations are required before development can be approved. Minimum setback for construction near the fault is 50 feet. The cost to prepare geologic studies and investigations also increases the cost of development. However, other communities in the Bay Area and California have similar constraints and requirements. Therefore, geologic and seismic hazards are not considered a significant constraint to the maintenance, improvement, and development of housing.

Flooding

The city of Hayward is subject to flooding during major storm events and periods of high tide. Flood zones are generally located along the coastal baylands and along major creeks and drainages that traverse Hayward. While some residential properties near the baylands and creeks are subject to flooding, the majority of Hayward's residential land is not currently (December 2012) located within a flood zone. If located in a flood plain, appropriate mitigation



measures must be implemented so that the site meets applicable FEMA standards before the development can be constructed. Only two of the vacant or underutilized sites listed in the sites inventory are located in a FEMA flood zone. APN 441-0077-029-00, a one-acre Limited Medium Density Residential parcel inventoried for moderate-income housing, is located within a Special X FEMA flood zone, and 452-0020-007-06, a one-acre Sustainable Mixed Use parcel inventoried for low-income housing, is located within a FEMA flood zone A. Zone X applies to 500-year flood areas, 100-year flood areas with average depths of less than one foot or with drainage areas less than one square mile, and 100-year areas protected by levees. Zone A applies to 100-year flood areas that have no base flood elevations determined. The base flood elevation is the water-surface elevation of the 1 percent annual chance flood. However, no development standards are associated with these flood zones.

Hazardous Materials

The presence of hazardous materials in the soil and/or groundwater is another potential development constraint. Hazardous materials investigations are required prior to site development and remediation measures must be implemented where necessary. This will increase the cost of development and, more importantly, the length of time from acquisition to project completion. There are a number of ways to remediate hazardous materials, depending upon their type; however, some of the least expensive ways, for example, to remediate petroleum products, take time. Since time is a critical component of development, the presence of hazardous materials on a site is a constraint to development.

The City of Hayward Fire Department has had a Hazardous Materials Office since 1984. The Office inspects and regulates all hazardous materials/waste use and storage facilities within the City. In addition, that Office enforces the Hazardous Materials Storage Ordinance for the City and is the designated Certified Unified Program Agency for the Hayward area. This Office also identifies contaminated sites and works with various agencies including the California Regional Water Quality Board and the state Department of Toxic Substance Control to investigate, clean-up and close these sites.

Historic Preservation

The City of Hayward has a rich and diverse history dating back to 1843 when Mexican Governor Michaeltoreño rewarded Guillermo Castro for his past military and civil service, by granting him "El Rancho San Lorenzo," 27,000 acres of land now known as Hayward and Castro Valley. Castro constructed an adobe house where the historic Hayward City Hall is located and his corrals were in the area now occupied by the city's current Library and Post Office. By 1852 Don Castro had laid out the town of San Lorenzo, four blocks square, on the area surrounding his rancho adobe and rodeo plaza. Although Don Castro named what is now downtown Hayward "San Lorenzo," many people referred to the town as "Hayward's Place" or "Hayward's" because of the famous Hayward Hotel.

The protection, enhancement, perpetuation, and use of structures and districts of historical and architectural significance located within the city of Hayward are of cultural and aesthetic benefit to the community. The economic, cultural, and aesthetic standing of the city will also be enhanced by respecting the heritage of the city. The City adopted a Historic Preservation Ordinance, which was revised in 2009, to:

- Designate, preserve, protect, enhance, and perpetuate those historic structures, districts, and neighborhoods which contribute to the cultural and aesthetic heritage of Hayward;
- Foster civic pride in the beauty and accomplishments of the past;
- Stabilize and improve the economic value of certain historic structures, districts, and neighborhoods;
- Develop and maintain appropriate settings for such structures; and
- Enhance the visual and aesthetic character, diversity, and interest of the city.

All development permit applications affecting a historical structure or site, those over 50 years old or located within a historic district, are to be reviewed by the Planning Director. Additions and/or alterations will be approved and issued either a Minor (valuation less than \$10,000) or Major (valuation of \$10,000 or more) Historical Alteration Permit as long as they do not adversely affect the exterior architectural characteristics or the historical or aesthetic value of the historical structure or site, and as long as they comply with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Planning Director will review all development permit applications for proposed new construction and alterations that may substantially affect the style, scale, or bulk of a historic district or site. In making his/her decision, the Planning Director will consider the siting, landscaping, architectural style, design, materials, color, and all other pertinent factors of the proposed development project. The Planning Director may also require that a historical alteration permit application be reviewed and approved by the Planning Commission at his/her discretion.

The City prepared the Historical Resources Survey and Inventory Report in 2010 to identify historical properties in Hayward and completed an updated resources survey in 2013 as part of the General Plan Update. Hayward includes 20 historic buildings identified by the City and one building listed on the national register of historic landmarks. The City also has four historic districts: the Marks Historic Rehabilitation District, the Upper B Street Historic District, the B Street Historic Streetcar District, and the Prospect Hill Historic District.

Local Efforts to Reduce Governmental Constraints

The City has made significant efforts in recent years to remove barriers to meeting its housing needs. These efforts have included, but are not limited to, the following:



- **Increasing Densities.** To enhance development potential for high-density multifamily housing, the City included four new mixed-use designations in the 2040 General Plan for consistency with the Zoning Ordinance: Sustainable Mixed-Use (25.0-55.0 du/ac), Commercial/High Density Residential (17.4-34.8 du/ac), Downtown City Center: High Density Residential (40.0-110.0 du/ac), and Downtown City Center: Retail and Office Commercial (40.0-110.0 du/ac).
- **Providing for High-Density, Transit-Oriented Development.** The City adopted the South Hayward BART/Mission Boulevard Form-Based Code and is planning to adopt the Mission Boulevard Corridor Form-Based Code by the end of the year (2013), which both promote high-density development along transit corridors at 17.5 to 100 units per acre and 4.3 to 55 units per acre, respectively.
- **Zoning for Emergency Shelters.** The City adopted the South Hayward BART/Mission Boulevard Form-Based Code, which permits emergency shelters in the S-T4 zone, and will soon adopt the Mission Boulevard Corridor Form-Based Code, which permits emergency shelters in the M-T4-1 and M-T4-2 zones.
- **Transitional and Supportive Housing/Group Homes.** The City adopted the South Hayward BART/Mission Boulevard Form-Based Code and Mission Boulevard Corridor Form-Based Code, which allow small transitional and supportive housing facilities treated like a traditional single family use in the S-T4, S-T5, M-T3, M-T4-1, M-T4-2, and M-T5 zones. In September 2013 the City revised the South Hayward/BART Mission Boulevard and Mission Boulevard Corridor Form-Based Codes to clarify that large transitional housing facilities shall also be treated as a residential use. The City also amended the citywide Zoning Ordinance to revise the definition of group homes to clarify that transitional and supportive housing shall be treated as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- **Single-Room Occupancy Units.** The City is planning to adopt the Mission Boulevard Corridor Form-Based Code by the end of the year (2013), which conditionally permits SROs in the M-T5 zone.
- **Live/Work Units.** The City adopted the South Hayward BART/Mission Boulevard Form-Based Code and is planning to adopt the Mission Boulevard Corridor Form-Based Code by the end of the year (2013), which allow live/work units in the S-T4, M-T4-1, and M-T4-2 zones.
- **Reasonable Accommodation.** The City adopted a reasonable accommodation procedure on February 4, 2014.
- **Fee Deferrals.** In February 2010 the City developed a Fee-deferral Ordinance to encourage residential developments exempt from the Green Building Ordinance for private developers to comply voluntarily. Due to recent market conditions, the City

currently (2013) defers the park dedication in-lieu fee and supplemental building construction improvement tax until the close of escrow for eligible speculative projects.

- **Inclusionary Housing Ordinance Review.** The City is currently (2013) conducting a review of the Inclusionary Housing Ordinance and preparing an Affordable Unit In-Lieu Fee/Nexus Study. A draft of the review and study are expected to be complete in mid-October 2013 for consideration by the City Council in mid-November 2013. The City Council will provide recommendations for revising the Inclusionary Housing Ordinance based on the findings in the study.

SECTION 4.4 HOUSING RESOURCES

This section analyzes the resources available for the development, rehabilitation, and preservation of housing in Hayward. This analysis includes an evaluation of the availability of land resources for future housing development, the City's ability to satisfy its share of the region's future housing needs, the financial resources available to support housing activities, and the administrative resources available to assist in implementing the City's housing programs and policies.

Regional Housing Needs Allocation

State Housing Element law requires that a local jurisdiction accommodate a share of the region's projected housing needs for the planning period. This share, called the Regional Housing Needs Allocation (RHNA), is important because State law mandates that jurisdictions provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community. Compliance with this requirement is measured by the jurisdiction's ability in providing adequate land to accommodate the RHNA. The Association of Bay Area Governments (ABAG), as the regional planning agency, is responsible for allocating the RHNA to individual jurisdictions within the region.

The RHNA is distributed by income category and covers a planning period from January 1, 2014, to October 31, 2022. For the 2014 Housing Element update, the City of Hayward is allocated a RHNA of 3,920 units as follows:

- Extremely Low-Income (up to 30 percent of AMI): 425 units (10.8 percent)¹⁷
- Very Low-Income (up to 50 percent of AMI): 426 units (10.9 percent)
- Low-Income (51 to 80 percent of AMI): 480 units (12.2 percent)

¹⁷ The City has a RHNA allocation of 851 very low-income units (inclusive of extremely low-income units). Pursuant to State law (AB 2634), the City must project the number of extremely low-income housing needs based on Census income distribution or assume 50 percent of the very low-income units as extremely low. Therefore, the City's RHNA of 851 very low-income units may be split in half for an allocation of 425 extremely low- and 426 very low-income units.



- Moderate-Income (81 to 120 percent of AMI): 608 units (15.5 percent)
- Above Moderate-Income (more than 120 percent of AMI): 1,981 units (50.5 percent)

Progress toward RHNA

Since the RHNA planning period starts on January 1, 2014, jurisdictions may count toward the RHNA any new units planned or approved as of January 1, 2014.

Units Planned or Approved/Entitled

As of January 1, 2014, there are 1,711 units that have been planned or approved in Hayward. The planned and approved units are summarized in Table 4-48 and are inventoried for above moderate-income households unless they include deed-restricted affordable units.

Market Rate Units

The City of Hayward has approved several new residential and mixed-use projects in recent years that include a variety of housing types, including detached single family homes, townhomes and condominiums, duplexes, multifamily units, and senior housing. As of January 1, 2014, there are 1,620 market rate units that are planned and approved, but not yet built. These units are counted as available for above moderate-income households, although the City recognizes that some of the units may also be affordable to moderate-income households as well.

Affordable Units

The planned and approved projects that include affordable units are listed individually and described below. Altogether, there are 178 very low-income units and 60 low-income units that are planned and approved in Hayward.

South Hayward BART Mixed-Use Project

In March 2009 the City Council approved a 788-unit planned development in the South Hayward BART Station Specific Plan area. As part of this development, 206 housing units were to be affordable to very low- and low-income households. Financing for the project included \$47 million in State Proposition 1C grants, along with nearly \$20M in support from the City's former Redevelopment Agency.

In early 2011 the developers advised City staff that the project may no longer be feasible and asked the City to consider approving modifications to the project. The feasibility of the project was challenged by several factors, including the elimination of redevelopment agencies, eliminating the ability to bond for future tax increment, which was to be a core component to financing the project, and the inability of the City Redevelopment Agency to commit funds

toward construction costs. The developers, therefore, proposed a re-phasing and rearrangement of the project.

On June 8, 2011, the Planning Director approved the developers' request for a Minor Modification to the Preliminary Development Plan. Phase 1 now consists of construction of a residential development consisting of 151 units of affordable housing and 206 market rate units. Phase II, which encompasses the redevelopment of the main BART parking lot west of Dixon Street, will consist of development of 431 housing units.

For Phase I of the project, the State Proposition 1C financing has been reduced to approximately \$18 million for the Infill Infrastructure Grant for infrastructure construction work and \$7 million for the Affordable Housing Transit-Oriented Development permanent loan. There are no Redevelopment funds being used for the project (as the Agency has been dissolved). The Housing Authority has entered into loan agreements to provide \$5.9 million to Eden Housing for the affordable housing component of the project.

B Street and Grand

In 2012 the City approved a proposed development by Eden Housing for 22 very low-income senior units at 581-597 B Street. The City Council approved two loans to help fund the project, which total \$1.9 million. The rest of the financing will come from a variety of sources, including a Federal grant, County and Federal loans, tax credits, and other funds.

A and Walnut

The City is currently (September 2013) working with Habitat for Humanity on the approval of 10 affordable townhomes on A and Walnut Street. The project is currently being reviewed and is anticipated to be approved prior to the start of the Housing Element planning period.

Remaining RHNA

With units approved and under construction, the City of Hayward has already met a portion of its RHNA. For the 2014-2022 Housing Element period, the City has a remaining RHNA of 1,766 units, for which it must provide sufficient land to accommodate: 425 extremely low-, 253 very low-, 480 low-, and 608 moderate income units. The planned and approved units are sufficient to meet the RHNA for above moderate-income units; the City has no remaining need in this category.



**TABLE 4-48
PLANNED AND APPROVED PROJECTS**

City of Hayward
As of January 1, 2014

Project	ELI	VLII	LI	MI	AMI	Total
Market Rate Units						
Approved	--	--	--	--	160	160
Approved with Tentative Final Map	--	--	--	--	910	910
Planned Projects (Pending Application)	--	--	--	--	550	550
<i>Subtotal</i>	--	--	--	--	1,620	1,620
Projects Including Affordable Units						
South Hayward BART Mixed Use Project – Phase I	--	151	--	--	206	357
South Hayward BART Mixed Use Project – Phase II*	--	--	-	--	431	431
B Street and Grand Avenue	--	22	--	--	--	22
A and Walnut	--	--	10	--	--	10
<i>Subtotal</i>	--	173	10	--	637	820
Total Planned and Approved Units	--	173	10	--	2,257	2,440
RHNA	425	426	480	608	1,981	3,920
Remaining RHNA	425	253	470	608	+276 (surplus)	1,766

Notes: Phase II of the South Hayward BART Mixed-Use Project is entitled for an additional 431 units. Because the affordability of these units is undetermined at this time, this Housing Element uses a conservative assumption that these units are market-rate, affordable to above moderate income households. However, this assumption is not a determination of the actual affordability of these units.

Source: City of Hayward, 2013.

Residential Sites Inventory

The City of Hayward is a community with many established neighborhoods. The City's goal is to maintain the integrity of established neighborhoods with emphasis on improvements in these areas. New residential development is expected to occur primarily in the areas covered by the following plans. Several of these plans cover areas identified as Priority Development Areas (PDA) within the One Bay Area Plan, as noted below:

- Mount Eden Neighborhood Plan
- Cannery Area Design Plan (Transit Neighborhood PDA)
- South Hayward BART Form-Based Code (Urban Neighborhood PDA)
- Mission Boulevard Specific Plan (Mixed Use Corridor PDA)
- 238 Study Area

The sites inventory identifies vacant and underutilized sites within these plan areas that have the capacity to accommodate the City's RHNA. Appendix B includes a detailed sites inventory for the purpose of showing that Hayward has the capacity and proper zoning designations in place to meet the remaining Regional Housing Needs Allocation (RHNA) of 1,766 housing units between 2014 and 2022. The inventory found that the sites identified have a potential for 3,076 new housing units.

Methodology

Identifying Sites

The City first identified vacant and underutilized sites using GIS data from the inventory of vacant and underutilized residential and mixed-use sites maintained by the City. Vacancy status was verified through aerial photographs. Using the inventory, which includes up-to-date information on the uses and values of parcels in the city, the City calculated the improvement-to-land value for each parcel to identify underutilized parcels. Only underutilized properties with an improvement-to-land (I-L) ratio of less than 1.0 (i.e. the improvements on site are worth less than the land) are included in the inventory. After identifying all parcels that meet the I-L ratio threshold, City staff reviewed all parcels for feasibility for redevelopment and narrowed the list of underutilized parcels. The majority of the parcels were included in the 2009 Housing Element sites inventory. A few new underutilized parcels were added to the inventory for the 2015 Housing Element. As described above, the majority of the underutilized parcels are located within Priority Development Areas and are envisioned in both regional plans and local specific plans to redevelop as higher density uses. The selected parcels were also evaluated to determine existing uses on site, parcel size, and location near other vacant and underutilized residential properties. In most cases sites smaller than half an acre are excluded, with the exception of the following:

- Vacant and underutilized properties located adjacent to other groups of vacant and underutilized properties that could be assembled into a larger site (at least one-half acre); and
- Vacant subdivided lots that are inventoried for moderate- and above moderate-income units;
- Sites accommodating lower-income units with potential for at least 20 units.

Relationship of Density to Affordability

To identify sites that can accommodate a local government's share of the RHNA for lower-income households, housing elements must include an analysis that demonstrates the appropriate density to encourage and facilitate the development of housing for lower-income households. The statute (Government Code Section 65583.2(c)(3)) provides two options for demonstrating appropriate densities:



- Provide a detailed market-based analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower-income households.
- Use the “default density standards” that are deemed appropriate in State law to accommodate housing for lower-income households given the type of the jurisdiction. Hayward is considered a “metropolitan jurisdiction” with a default density standard of 30 units per acre. HCD is required to accept sites that allow for zoning at this density as appropriate for accommodating Hayward’s share of the regional housing need for lower-income households.

The sites inventoried as low-income in this Housing Element were those zoned to allow densities equal to or greater than the default density standard of 30 units per acre. Table 4-49 shows the General Plan land use designations and the corresponding affordability levels included in the sites inventory.

TABLE 4-49 RELATION OF DENSITY TO INVENTORIED INCOME LEVELS City of Hayward 2013			
General Plan	Zoning	Density Range	Inventoried Income Level
Rural Estate Density	RS	0.2-1.0	Above Moderate-Income
Suburban Density	RS	1.0-4.3	Above Moderate-Income
Low Density	RS	4.3-8.7	Above Moderate-Income
Limited Medium Density	RS, RM (RO, CN-R)	8.7-12.0	Moderate-Income
Medium Density	RS, RM (CN-R)	8.7-17.4	Moderate-Income
High Density	RH (CN-R)	17.4-34.8	Lower-Income
Sustainable Mixed Use	SMU, S-T4, S-T5, S-T5-1, S-T5-2, S-CS	17.4-100.0	Lower-Income
Commercial/High Density Residential	RH, CN, CO, CN, CG, CL, CR (RO, CN-R, PD)	17.4-34.8	Lower-Income
Downtown City Center High Density Residential	CC-R (RH, RO, CC-C, CC-P, PD)	40.0-110.0	Lower-Income
Downtown City Center Retail and Office Commercial	CC-C, CC-P (CC-R, RO, PD)	40.0-110.0	Lower-Income

Source: City of Hayward 2040 General Plan.

Capacity Assumptions

The sites inventory uses a conservative approach to estimating capacity on vacant and underutilized sites. Residential sites were generally inventoried at a realistic capacity of 75 percent of maximum density allowed by the 2040 General Plan land use designation (or the maximum allowed by the zoning designation, whichever was least).

The capacity identified for mixed-use sites is generally based on the conservative assumption that 50 percent of the site will be developed as residential (and 50 percent as commercial) at 75 percent of the maximum residential density allowed by the 2040 General Plan land use designation (or the maximum allowed by the zoning designation, whichever was least). This assumption for the buildout of mixed-use sites is supported by other recently approved mixed-use projects, including the South Hayward BART approved project (Phases I and II), which includes 788 units at a net density of 84 units per acre. The project includes 75 percent of the site dedicated to residential uses and 25 percent for commercial development.

Cannery Area Design Concept Plan

The Cannery Area Design Concept Plan, prepared in 2000 as part of the City's strategy to revitalize and rebuild the downtown area and adjoining neighborhoods, estimated that the Cannery Area could accommodate 800 to 950 new single family units, multifamily units, townhomes, and live/work lofts. The Concept Plan divides the Cannery Area into blocks to estimate the residential and commercial capacity of each block.

A total of 188 units have already been built and an additional 387 units are currently (2013) under construction. There is additional capacity for 178 units on 17 vacant and underutilized parcels within four blocks on two opportunity sites in the Cannery Area that are not associated with current projects. Blocks 4, 6, and 8 at the warehouse site are envisioned to be 30,000 square feet of live/work units and 72 to 92 townhomes. The sites inventory assumes, as outlined in the Cannery Area Design Concept Plan, that the live/work units will be developed at a density of 30 units per acre for a total of 55 units, and that the average number of 82 townhomes will be developed on the site. Block 21 is envisioned for 36 to 46 multifamily units above commercial development. The inventory assumes the average number of 41 units will be developed on the site. Infrastructure has already been installed in the area.



Table 4-50 shows the residential development potential in the Cannery Area.

TABLE 4-50 RESIDENTIAL DEVELOPMENT POTENTIAL IN THE CANNERY AREA							
Cannery Area January 1, 2014							
Site ID	General Plan	Zoning	Acres	Number of Parcels	Density Permitted (du/ac)	Potential Units	Affordability
Cannery Area Block 21	City Center – High-Density Residential/ City Center - Retail and Office Commercial	CC-R/ CC-C	5.98	16	40.0-110.0	41	Lower Income
Cannery Area Blocks 4,6,8	High-Density Residential	RH	8.56	1	17.4-34.8	137	Lower Income
Total			14.54	17		178	

¹Density based on unit estimates included in the Hayward Cannery Area Design Plan. See text above for more detail.

Source: City of Hayward, 2013; Hayward Cannery Area Design Plan, 2001.

Mount Eden Neighborhood Plan

The Mt. Eden Neighborhood Plan was adopted in 1990. One of the objectives of this Neighborhood Plan is to provide new housing for a variety of housing needs with qualities that encourage long-term residency. As an older neighborhood in the city, the area is developed with a variety of uses, including single family homes, mobile homes, and some commercial uses.

To identify residential development in the Mt. Eden area, vacant and underutilized residential properties are included in the analysis. For underutilized properties only parcels developed with older single family homes or marginal commercial uses, but are designated for higher intensity uses are included.

There were five islands of unincorporated land in the Mt. Eden neighborhood. During Mt. Eden Annexation Phase 1 the City annexed three of the islands into the city in 2007, and during Annexation Phase 2 the City annexed the remaining two islands in 2010. At the time of annexation, the City estimated the development potential of the Phase 1 annexation area to be about 475 new housing units, although in 2006, a 149-unit, 12.5-acre project was approved for KB Home and constructed in 2009. Similarly, at the time of annexation the City estimated the development potential of Phase 2 to be about 54 new housing units.

Based on the analysis of remaining housing capacity on vacant and underutilized sites identified in the sites inventory, the Mount Eden Area has the potential for 263 residential units, including 25 above moderate-income units and 238 moderate-income units (see Table 4-51). Infrastructure has already been installed in the area.

**TABLE 4-51
RESIDENTIAL DEVELOPMENT POTENTIAL IN THE MT. EDEN NEIGHBORHOOD**

Mt. Eden Neighborhood
January 1, 2014

Residential Land Use	Zoning	Acres	Number of Parcels	Density Permitted (du/ac)	Potential Units ¹	Affordability
Low-Density Residential	RS	3.94	4	4.3-8.7	25	Above Moderate-Income
Limited Medium-Density Residential	RS/PD	8.35	15	8.7-12.0	68	Moderate-Income
Medium-Density Residential	RM/PD	13.65	16	8.7-17.4	170	Moderate-Income
Total	--	25.94	35	--	263	--

¹Potential units calculated at 75 percent of the maximum allowed density.

South Hayward BART

The Concept Design Plan for the South Hayward BART area was adopted in 2006 and envisions development of high-density transit-oriented development along the Mission Boulevard transit corridor generally between Harder Road and Industrial Parkway, and a transit village with high-density residential development with a variety of neighborhood-serving retail and public uses in proximity to the South Hayward BART Station.

The South Hayward BART Form Based Code incorporates Smart Growth principles in the area around the South Hayward BART station to further the principles in the Concept Design Plan, and to provide more clarity in terms of building form and land use, which will benefit developers. The Code establishes updated zoning rules for properties in the area surrounding the South Hayward BART Station and nearby Mission Boulevard.

The Plan encompasses 240 acres of land. Selection of properties to include in this Plan was based on proximity to the BART Station and a detailed assessment of opportunities. The Plan area is primarily developed with older residential and retail uses. At the time of Plan adoption, the area contained more than 45 acres of vacant properties (with more than half of the vacant acreage owned by Caltrans). With the adoption of the Plan, which introduces high density residential uses in the area, many properties offer excellent opportunities for redevelopment.

There is potential for high-density and mixed-use development within this area and projects are already underway. Phase I of the South Hayward BART Mixed Use Project in the South BART Station Specific Plan area will include development of 151 affordable housing units and 206 market rate units. Phase II is approved for an additional 431 high-density units.



Based on the analysis of remaining housing capacity on vacant and underutilized sites identified in the sites inventory, the South Hayward BART Area has the potential for 484 lower-income units (see Table 4-52).

Some infrastructure improvements are required in the South Hayward BART areas and developers will need to provide the necessary improvements. The costs associated with the improvements are comparable to infill developments in other highly urbanized areas and, therefore, do not serve to constrain housing development. Several recently constructed projects in the South Hayward BART areas have already provided infrastructure improvements to support their developments.

**TABLE 4-52
RESIDENTIAL DEVELOPMENT POTENTIAL IN THE SOUTH HAYWARD BART STATION
AREA**

South Hayward BART Station Area
January 1, 2014

Residential Land Use	Zoning	Acres	Number of Parcels	Density Permitted (du/ac)	Potential Units ¹	Affordability
Sustainable Mixed Use	ST-4	16.20	12	17.5-35.0	209	Lower-Income
	ST-5	11.55	7	35.0-55.0	275	Lower-Income
Total		27.75	19		484	

¹To account for the commercial uses allowed on sites designated Sustainable Mixed Use, the potential units were calculated at a realistic capacity of 50 percent of site acreage for residential and 75 percent of the maximum density allowed by the 2040 General Plan land use designation (or the maximum allowed by the zoning designation, whichever was least).

Mission Boulevard Specific Plan

The Mission Boulevard Specific Plan is currently (September 2013) in public review. The Mission Boulevard area includes 600 parcels on 240 acres in two miles extending from the city limits to Harder Road. The plan includes a Form Based Code with detailed design and development standards for mixed and public land uses. The Plan is a strategy to lay the groundwork for an economic transformation of the corridor currently marked by underutilized properties and disjointed commercial buildings.

Based on the sites identified in the sites inventory, the Mission Boulevard Specific Plan area includes just over 58 acres of vacant and underutilized land with capacity for 38 moderate-income units and 761 lower-income units. Infrastructure has already been installed in the area.

Table 5-53 shows the residential development potential in the Mission Boulevard Specific Plan Area.

TABLE 4-53 RESIDENTIAL DEVELOPMENT POTENTIAL IN THE MISSION BOULEVARD SPECIFIC PLAN AREA						
Mission Boulevard Specific Plan Area January 1, 2014						
Residential Land Use	Zoning	Acres	Number of Parcels	Density Permitted (du/ac)	Potential Units ¹	Affordability
Sustainable Mixed Use	MT-3	5.87	11	4.3-17.5	38	Moderate-Income
	MT4-1/ MT4-2	55.32	59	17.5-35.0	728	Lower-Income
	MT-5	1.47	5	35.0-55.0	33	Lower-Income
Total	--	58.28	75	--	799	--

¹To account for the commercial uses allowed on sites designated Sustainable Mixed Use, the potential units were calculated at a realistic capacity of 50 percent of site acreage for residential and 75 percent of the maximum density allowed by the 2040 General Plan land use designation (or the maximum allowed by the zoning designation, whichever was least).

Route 238 Study Area

Over 40 years ago the State of California purchased 354 acres of vacant, commercial and residential land in the City of Hayward and unincorporated Alameda County, in preparation for the construction of a Route 238 Bypass. The area surrounding these parcels has been developed primarily with residential subdivisions, multifamily housing, and institutional uses. In 2007 the City of Hayward received a grant from the State Department of Transportation ("Caltrans") to complete a conceptual land use study of the Route 238 Bypass parcels. This study was conducted in preparation for the transfer of State-owned parcels to new ownership. The land use study was completed in the summer of 2009.

Because the entire area is State-owned, the existing land use information in the Assessors database indicates "State-Owned Land." As part of the Conceptual Land Use Study, an existing land use report was prepared in 2008 using aerial photos and site visits. The 354-acre State-owned area is approximately 80 percent vacant and without structures. Most of the developed parcels have old single family homes, with a few multifamily buildings dispersed among them. There are 364 housing units in the study area of which 308 are located in the city of Hayward and 56 are in unincorporated areas. Among the 308 units within the city, 170 are single family homes and 138 are multifamily units on Caltrans parcels. Of the 308 units in the city portion of the study area, approximately 100 are currently uninhabitable and are boarded up. Several single family parcels owned by Caltrans have been cleared of the built structures, leaving just the foundations. The only significant development since 2008 is a new apartment building built on one of the sites previously included in the inventory.



Commercial uses on the Caltrans properties are few, primarily facing Foothill and Mission Boulevards. There are a couple of small offices in old, single-story structures on Grove Way; a sliver of land on Foothill Blvd that serves as a drive-through lane for a Taco Bell franchise; and a couple of auto-related businesses on Mission Boulevard.

The City of Hayward conducted a Historic Resources Survey and Inventory in 2010 that encompasses all areas of the city, but focuses on the downtown and older portions of Hayward, including the area that contains the residential properties identified above. Four of the residential structures in the study area, located in the 1400 block of B and C Streets and along Chestnut Street, are considered potentially historic and appear eligible for listing in the National Register of Historic Places. These historic sites are not included in the inventory.

A preferred land use plan was selected based on the conceptual land use plan. The General Plan and Zoning have been amended to reflect the preferred land use plan. Based on the amended General Plan and Zoning designations and including only vacant or underutilized parcels without significant existing development as conservative estimates of development potential in the 238 Corridor Study Area, an estimated 1,352 units can be accommodated at various densities in residential only and mixed-use districts on properties with development and redevelopment potential (see Table 4-54). As the entire Study Area is under a single ownership (Caltrans) and parcels are contiguous, various combinations of lots can be grouped and made available for development.

There is some overlap of the Route 238 Study Area with the Mission Boulevard Specific Plan Area and South Hayward BART Specific Plan Area. Vacant and underutilized parcels within the overlapping area are included in either the Mission Boulevard Specific Plan Area or the South Hayward BART Specific Plan Area, and are not counted in Table 4-54.

**TABLE 4-54
RESIDENTIAL DEVELOPMENT POTENTIAL IN THE ROUTE 238 STUDY AREA**

Route 238 Study Area
January 1, 2014

Residential Land Use	Zoning	Acres	Number of Parcels	Density Permitted (du/ac)	Potential Units ¹	Affordability
Suburban Density Residential	RNP	38.73	8	1.0-4.3	81	Above Moderate-Income
Low Density Residential	RS	13.59	11	4.3-8.7	84	Above Moderate-Income
Medium Density Residential	RM	34.04	7	8.7-17.4	440	Moderate-Income
Commercial/High Density Residential	RM	4.04	6	8.7-17.4	52.00	Moderate-Income
High Density Residential	RH	2.45	2	17.4-34.8	63	Lower-Income
Commercial/High Density Residential	CO/CN/ CG/RH	2.00	10	17.4-34.8	26	Lower-Income
Sustainable Mixed Use	SMU	29.41	1	25.0-55.0	606	Lower-Income
Total	--	124.23	45	--	1,352	--

¹For residentially-designated sites, potential units calculated at 75 percent of the maximum allowed density. To account for the commercial uses allowed on sites designated Sustainable Mixed Use, the potential units were calculated at a realistic capacity of 50 percent of site acreage for residential and 75 percent of the maximum density allowed by the 2040 General Plan land use designation (or the maximum allowed by the zoning designation, whichever was least).

Timeline

Through a series of legal actions initiated by Hayward community members, the Route 238 Project was stopped, although the parcels have remained in the State's ownership. On October 6, 2009, the Hayward City Council authorized the City Manager to sign a settlement agreement related to the 238 Corridor Bypass properties. The settlement agreement was contingent upon the Governor signing AB 1386 and upon the Court's dismissal of the Class Action Complaint in State Superior Court (*La Raza v. Volpe*). The Governor signed AB 1386 on October 11, 2009, and the case was dismissed in August 2010. The settlement agreement was agreed upon by all parties and signed in December 2009. The City completed the terms of the settlement, including outreach to tenants, settlement payment, and implementation of the Opportunity to Purchase a Home Program in June 2012. While some sites are available for purchase by current tenants, the majority are planned to be packaged and sold to a single developer.

Public Improvements

The City of Hayward completed the Route 238 Corridor Improvement Project in June 2013. This project improved traffic conditions along Foothill and Mission Boulevards between I-580 on-ramps and Industrial Parkway. The Project included changes in circulation, changes in lane directions and controls, a downtown one-way loop street system, improvements to the Foothill Boulevard/Mission Boulevard/Jackson Street intersection, improvements to the Mission



Boulevard/Carlos Bee Boulevard intersection, and other roadway improvements along Mission Boulevard. Other infrastructure improvements will need to be extended or expanded to serve intensified developments in the Study Area. Such improvements are typical of urban redevelopment and would not constrain housing development.

Adequacy of Sites Inventory in Meeting RHNA

Pursuant to State law (AB 2348), land use designations that permit residential development at 30 units per acre by default are considered to be adequate to facilitate the development of housing affordable to lower-income households. Overall, vacant and underutilized residential properties in the Cannery Area, Mt. Eden Neighborhood, South Hayward BART Station Area, Mission Boulevard Specific Plan Area, and Route 238 Study Area can accommodate 3,076 units, including 2,118 units at higher densities that can facilitate the development of housing affordable to lower-income households (Table 4-55). When including planned and approved projects, the City's sites inventory exceeds the remaining RHNA in all income/affordability levels, with a surplus capacity for 1,310 units (Table 4-55).

As described above, this is a conservative estimate of capacity for residential development. The sites inventory focuses on the areas of the city that are anticipated to experience the most infill and redevelopment; however, there are additional parcels outside these areas designated for residential uses that are available for development. Additionally, with the recent increase in mixed-use zoning and the adoption of two form-based codes, large areas of the city are now designated for mixed-use development. The sites inventory takes a very conservative approach to counting capacity for residential development on mixed-use sites.

TABLE 4-55 ADEQUACY OF SITES TO MEET RHNA City of Hayward January 1, 2014				
Study Area	Lower-Income ¹	Moderate	Above Moderate	Total
Cannery Area	178	-	-	178
Mt. Eden Neighborhood	-	238	25	263
South Hayward BART Specific Plan Area	484	-	-	484
Mission Boulevard Specific Plan Area	761	38	-	799
Route 238 Study Area	695	492	165	1,352
Total Site Capacity	2,118	768	190	3,076
Remaining RHNA	1,158	608	0 (+221 surplus)	1,766
Sites (+Surplus/-Deficit)*	+960	+160	+411	1,310

* The surplus capacity is the difference between the residential capacity included in the sites inventory and the remaining RHNA, after accounting for planned and approved projects.

¹ Lower-Income includes low-, very low-, and extremely low-income households.

Source: City of Hayward, 2013.

Availability of Infrastructure and Service Capacity

Except for a few areas in the hills, infrastructure capacity is not a constraint to residential development in Hayward. There is sufficient capacity to serve all Hayward residents through 2040. The City of Hayward or private companies provide the following services:

Water Service

The City of Hayward provides water service to city residents, except for those areas annexed from the County that continue to be on East Bay Municipal Utility District water.

Sanitary Sewer

The City of Hayward provides sewer service to city residents, except for areas annexed years ago which continue to be served by other providers. Specifically, about 5 percent of incorporated Hayward is served by Oro Loma Sanitary District for sewer service. The areas are located generally in the north and northeast parts of the city. A noteworthy “landmark” located in Oro Loma service area is the old 11-story City Hall.

Storm Drainage

The City of Hayward provides storm drainage for the city. The Alameda County Flood Control and Water Conservation District serves certain areas annexed from the County.

Capacity for Emergency Shelters

The City allows emergency shelters in the S-T4, MT4-1, and MT4-2 zones by right, and the CG zoning district with a conditional use permit. Properties in these zoning districts are located along transportation corridors and, therefore, have easy access to services and public transportation. A review of capacity within these zoning district indicates that the City has over 68 acres of vacant and underutilized land in the S-T4, MT4-1, and MT4-2 zones where emergency shelters are allowed by right.¹⁸ There is additional capacity in the CG district where they are allowed with a conditional use permit. Therefore, capacity exists either in the form of new construction or adaptive reuse of existing buildings to accommodate the City’s homeless population.

Energy Conservation Opportunities

State housing element law requires an analysis of the opportunities for energy conservation in residential development. Energy efficiency has direct application to affordable housing because

¹⁸ Underutilized commercial properties are defined as properties with improvements that are at least 30 years old and improvement-to-land value ratio below 1.0 (i.e., the structures are worth less than the land). Many economists have used a building structure age of 15 years and improvement-to-land value ratio of 0.5 to identify underutilized commercial properties.



the more money spent on energy, the less available for rent or mortgage payments. High energy costs have particularly detrimental effects on low-income households that do not have enough income or cash reserves to absorb cost increases and many times must choose between basic needs such as shelter, food, and energy. In addition, energy price increases have led to a renewed interest in energy conservation.

Hayward is enforcing the provisions of Title 24. The code is a comprehensive and uniform regulatory code for all residential, commercial, hospital, and school buildings. The standards found in Title 24 create energy savings of approximately 50 percent over residential construction practices used prior to the standards.

There is a new section within the California Building Code that now includes green building regulations, referred to as CALGreen. This is the nation's first mandatory statewide green building code, intended to encourage more sustainable and environmentally friendly building practices, require low pollution emitting substances that can cause harm to the environment, conserve natural resources, and promote the use of energy efficient materials and equipment. Hayward is enforcing the provisions of CALGreen.

CALGreen requirements for new buildings include:

- Reduce water consumption by 20 percent;
- Divert 50 percent of construction waste from landfills;
- Install low pollutant-emitting materials;
- Separate water meters for nonresidential buildings' indoor and outdoor water use;
- Moisture-sensing irrigation systems for larger landscape projects; and
- Mandatory inspections of energy systems (e.g., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity and according to their design efficiencies.

Climate Action Plan

On July 28, 2009, the City of Hayward adopted a Climate Action Plan (CAP), which identifies greenhouse gas emissions reductions targets that are consistent with those adopted by the State of California as well as the actions that are needed to achieve the targets. The Hayward CAP is available at <http://www.hayward-ca.gov/GREEN-HAYWARD/CLIMATE-ACTION-PLAN/>.

The City of Hayward was awarded \$1.36 million in the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) funds. On January 25, 2011, for the City allocated the funds to hire a part-time Sustainability Coordinator, who will be responsible for implementing the CAP for three years and establish three energy-related programs.

Local Programs

There are several energy conservation programs that are currently (2013) available or will be available soon for Hayward residents.

Property Assessed Clean Energy (PACE) Program

The City and Alameda County collaborated with other counties around California on an application for grant funds from the California Comprehensive Residential Building Retrofit Program for a Property Assessed Clean Energy (PACE) program for energy efficiency and renewable energy financing. In 2010 the California State Energy Program awarded the eight counties and 103 cities a grant for \$10.75 million for a comprehensive Residential Retrofit Program. However, later that summer the Federal Housing Finance Agency canceled all awards for PACE programs for fear that lenders would refuse to refinance a mortgage until the PACE assessment was paid off. The California Energy Commission (CEC) has been taking action to rework the State Energy Program and was supposed to reissue the Municipal Financing Program solicitation in August 2010. The CEC has yet to award these funds and the City adopted the CaliforniaFIRST PACE program on September 24, 2010, to show support for Congressional action to restore the program. The California Statewide Communities Development Authority established CaliforniaFIRST, which finances renewable energy, energy efficiency, and water efficiency improvements for commercial, industrial, and multifamily projects.

Energy Upgrade California

Energy Upgrade California is a statewide program that offers incentives to homeowners who complete energy-saving home improvements. The incentives currently available through the Energy Upgrade California program are the “Home Upgrade” and the “Advanced Home Upgrade” programs. The Home Upgrade incentives involve installing three or more measures from a flexible menu of options. Different measures have different point values. A maximum of 250 points and \$2,500 in rebates are possible. The Advanced Home Upgrade requires a comprehensive energy assessment of the home and rebates and incentives depend on the energy savings of the project. Incentives can be up to \$4,500 for a 45 percent increase in efficiency.

Energy Upgrade California Multifamily Program

This program, launched in July 2013, offers cash rebates and free energy consulting for multifamily properties that undertake energy upgrades. The program assists in planning energy saving improvements designed to save about 10 percent of a building’s energy usage and provides \$750 per unit in rebates to help pay for upgrades.



Home Energy Analyzer

This free online tool became available to Alameda County residents in September 2013. Residents can log in using their PG&E login information and the website analyzes their PG&E data to provide detailed energy usage information and tips for reducing electricity and natural gas use.

Pay As You Save (PAYS) Program

City staff is currently developing a Pay As You Save (PAYS) program that will initially be offered to owners of multifamily properties. It will allow energy and water efficiency improvements to be installed with no upfront cost and with project costs paid for over time on water bills. The program is anticipated to be launched in February 2014.

East Bay Energy Watch

The East Bay Energy Watch serves commercial customers within Alameda and Contra Costa Counties. PG&E customers are eligible for a no-cost comprehensive energy assessment of their building. Energy Watch professionals perform assessments and make recommendations for cost-effective retrofits and improvements that are designed to save money on utility bills.

The California Youth Energy Services (CYES) Program

The California Youth Energy Services (CYES) program conducted “Green House Calls” in Hayward in 2010, 2011, and 2013. The program will be offered in Hayward again in 2014. CYES offers local residents no-cost energy efficiency and water conservation services. CYES hires and trains local youth to provide no-cost in-home energy education and hardware installation to homeowners and renters through its Green House Call Service. The CYES program demonstrated success in the summer of 2013 in Hayward by providing employment and training to nine youth, ages 15-22, and by providing 269 Hayward area households with energy-saving hardware and information, 97 percent of which were located in the city of Hayward.

Financial Resources

A variety of existing and potential funding sources are available for affordable housing activities in Hayward. The main funding resources are described below.

Federal and State Resources

Community Development Block Grant (CDBG) Funds

The City of Hayward receives an annual allocation of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds. The CDBG program allows the City to use Federal funds to address specific local housing and *community*

development needs. To be eligible for CDBG funds, organizations must be nonprofit or governmental, serve lower-income Hayward residents, and submit projects for funding that assist lower-income Hayward residents in one or more CDBG priority areas. The City of Hayward received \$1,239,289 in CDBG funds in 2012 and \$1,356,206 in 2013.

HOME Investment Partnership Act (HOME)

The HOME program provides Federal funds for the development and rehabilitation of affordable rental and ownership housing for households with incomes not exceeding 80 percent of area median income. The program gives local governments the flexibility to fund a wide range of affordable housing activities through housing partnerships with private industry and non-profit organizations. HOME funds can be used for activities that promote affordable rental housing and homeownership by low-income households.

The City of Hayward receives funding from the HOME Investment Partnership through its participation in the Alameda County HOME Consortium. HOME funds can be used to acquire, rehabilitate, finance, and construct affordable housing. During FY 2012-13 and 2013-14, the City received \$255,270 and \$259,650 in HOME funds, respectively, to help make affordable housing available to low-income Hayward residents. These amounts include a 5 percent set-aside for administrative costs.

Section 8 Housing Choice Vouchers

The Federal Section 8 program provides rental assistance to very low-income households in need of affordable housing. The Section 8 program assists a very low-income household by paying the difference between 30 percent of the gross household income and the cost of rent. Section 8 assistance is structured as vouchers; this allows the voucher recipients to choose housing that may cost above the fair market rent as long as the recipients pay for the additional cost. The City contracts with the Housing Authority of Alameda County to operate the jurisdiction's share of the Section 8 program. The Housing Authority manages an allocation of approximately 2,400 vouchers for people living in Hayward.

In addition, from 2008 to 2012 the City of Hayward provided almost \$466,500 to Project Independence, a program implemented by a non-profit organization that provides tenant-based rental assistance to emancipated youth, housing 125 Hayward households.

Proposition 1C

In 2006 the California voters authorized Proposition 1C, which significantly expanded the funding availability for affordable housing. Proposition 1C invests \$2.85 billion for housing and infrastructure programs to produce an estimated 118,000 housing units, 2,350 homeless shelter spaces, and infrastructure projects that help infill housing development such as water, sewer, parks, and transportation improvements.



The South Hayward BART mixed-use project received a total of \$21 million in Proposition 1C funds: a \$15 million TOD grant and \$6 million through the Infill Infrastructure Grant Program. The TOD grant is a permanent, long-term loan to Eden for the affordable housing, and will be disbursed to Eden upon completion of the affordable development.

As of June 2012 the State had approximately \$34.9 million remaining for the Infill Infrastructure Grant Program, \$2.7 million remaining for the Transit Oriented Development Program, and \$166 million remaining for the Housing-Related Parks Program.

Neighborhood Stabilization Program

Working with Habitat for Humanity East Bay, the City of Hayward implemented an acquisition, rehabilitation, and resale of single family foreclosed homes using a \$1.5 million Federal Neighborhood Stabilization Program (NSP)-1 grant from 2008 to 2011. Upon completion of the rehabilitation work, which included energy efficiency upgrades, the homes (nine total) were sold at affordable prices to low- and moderate-income households. The homes were located in areas severely affected by foreclosures.

As a member of the Alameda County NSP-2 Consortium, the City of Hayward received an additional \$1.5 million of NSP funding. In partnership with Habitat for Humanity, the City used these NSP-2 funds to supplement its NSP-1 Acquisition, Rehabilitation, and Resale of Foreclosed Homes Program. Using NSP-2 funds, the City included 14 additional homes in the program between 2010 and 2012.

Former Redevelopment Housing Set-Aside (Discontinued in 2012)

The former Hayward Redevelopment Agency (RDA) had been the primary source of housing funds for the City's housing programs. California Redevelopment Law required redevelopment agencies to set aside at least 20 percent of all tax increment revenues in a housing fund to be used for affordable housing. These redevelopment set-aside funds were used to supplement CDBG funding for residential rehabilitation loans, provide repair loans for owners of mobile homes, and assist in the development of affordable units.

In 2012 the State of California enacted Assembly Bill 1x26, which dissolved redevelopment agencies across the state. Existing redevelopment plan areas remain unchanged while city and county successor agencies wind down the activities of the former redevelopment agencies. The successor agencies are tasked with managing redevelopment projects currently underway, making payments on enforceable obligations, and disposing of redevelopment assets and properties with the sales proceeds to be given to the State.

With the elimination of redevelopment agencies, property tax revenues in the redevelopment plan areas are no longer available for new or future affordable housing programs. After making the required payments on existing bonds and other enforceable obligations, the remaining property tax revenues exceeding the amount of those obligations, if any, are allocated to taxing

entities such as cities, counties, special districts, and school and community college districts. As a result many cities and counties have lost their largest source of funding for affordable housing programs.

From 2007 to 2010 the City spent almost \$2 million on more than 60 loans to moderate-income homebuyers for downpayment assistance. However, due to the dissolution of the Redevelopment Agency, the City discontinued this program. Prior to the stay dictated by the State Supreme Court which effectively froze RDA activities, the City spent \$320,000 on 11 down payment assistance loans for first-time homebuyers. Additionally, during 2012 the City processed 10 subordination requests from lenders, which allowed program participants to benefit from lower and, therefore, more favorable interest rates. These lower interest rates, in turn, translated into savings for their households, improving the affordability of the homes for the participants of the City's homeownership programs.

While the City can no longer offer down payment assistance to first-time homebuyers due to the loss of redevelopment funds, Hayward residents can benefit from the Alameda County Mortgage Credit Certificate Program, Workforce Initiative Study for Homeownership (WISH) Program, and Wells Fargo Mortgage CityLIFT Program, described later.

Inclusionary Housing In-Lieu Fee

The City's Inclusionary Housing Ordinance represents an effective mechanism to create affordable housing in the community. As discussed earlier, the original Inclusionary Housing Ordinance allowed developers of for-sale only residential projects to request a waiver of providing affordable housing on site, subject to City Council approval. In exchange the developers must pay an in-lieu fee of equivalent value. In response to the downturn in the housing market during the last recession, and recent court decisions, the City of Hayward adopted an Inclusionary Housing Interim Relief Ordinance in January 2011 and an additional ordinance ("First Amendment") on November 15, 2011, to clarify certain provisions of the Relief Ordinance. The Interim Relief Ordinance, which allows the payment of in-lieu fees by right without City Council approval, expired on December 31, 2012, and the City Council readopted the same ordinance on December 18, 2012, effective February 22, 2013, and expiring on December 31, 2015. Two inclusionary housing in-lieu fees have been paid to date, totaling \$165,000. Revenues from in-lieu fees may be available in the future to fund affordable housing projects and programs.

Other Housing Funding and Programs

Rent Control Ordinance

The City administers two rent control ordinances. The Residential Rent Stabilization Ordinance ensures that multifamily projects of five units or more with certificates of occupancy issued prior to July 1, 1979, can only increase rent prices by 5 percent per year. If the property has not increased rent in previous years, then the landlord can increase the rent up to 10 percent.



Landlords are also required to pay interest on the security deposit. Only 1,291 units are under the Rent Control Ordinance or about 8 percent of units in the city. Additionally, the Mobilehome Space Rent Stabilization Ordinance that the mobile home park space rent may only be raised 3 percent or 60 percent of the percent change in the consumer price index (no greater than 6 percent total) within a one-year period.

Foreclosure Prevention Programs

The City of Hayward mailed approximately 7,360 letters containing foreclosure prevention materials to local residents who received notices of default and notices of trustee sale from 2009 to 2012, and the City website includes links for resources available to residents in danger or already going through foreclosure. In addition, the City, in partnership with real estate agents and a non-profit organization, organized 10 foreclosure prevention seminars from 2009 to 2012. The City also provided \$107,140 to a local organization to provide foreclosure prevention counseling.

Alameda County Mortgage Credit Certificate Program

The Alameda County Mortgage Credit Certificate (MCC) Program provides income eligible first-time homebuyers with an opportunity to reduce the amount of Federal income tax due by an amount equal to 15 percent of the mortgage interest payments at a dollar-for-dollar credit. The remaining 85 percent can be taken as the usual allowable deduction of the itemized return. The end result is an increase in the household's overall income and ability to qualify for a mortgage loan. From 2011 to 2012, 31 Hayward homebuyers obtained an MCC allocation, and the County reissued one MCC in 2011.

WISH Program

The WISH Program provides matching grants to low-income first-time homebuyers through the Federal Home Loan Bank of San Francisco (FHLB). Under the WISH Program, the FHLB provides up to \$15,000 per household, matching up to \$3 for every dollar contributed by the homebuyer toward the purchase of the home. Participants must complete a homebuyer counseling program and the WISH Program can complement or supplement a variety of local, State, and Federal homeownership programs, including CalHFA, NSP, and FHA programs.

CityLIFT Program

The Wells Fargo Mortgage CityLIFT Program provides \$20,000 in down payment assistance for the purchase of primary, owner-occupied homes to income-qualified homebuyers. Although the program is implemented by Wells Fargo, it is administered by non-profit organizations. In order to participate, prospective buyers must participate in a CityLIFT program event sponsored by Wells Fargo in collaboration with local non-profit organizations.

Administrative Resources

Several City departments have staff that serve as administrative resources for affordable housing. The main departments are described below.

City of Hayward Development Services Department

The mission of the Development Services Department is to manage the future development of Hayward, in order to assure the economic and environmental health of the community and a high quality of life for its residents, protect the health and safety of the community through building inspection and enforcement of standards of the existing rental stock, and provide new housing opportunities for the residents of the city. The Development Services Department consists of the Planning and Building divisions.

The Planning Division is responsible for the review of building permit applications related to planning/design, landscape, and development review issues as well as the processing of applications for land development. The Building Division performs plan checking for compliance with City and State codes and ordinances, responds to complaints about code violations, and provides building code related information to Hayward citizens and contractors.

Department of Library and Neighborhood Services

The Department of Library and Neighborhood Services manages the Community Preservation, Community Development Block Grant, Social Services, and Paratransit divisions. This department offers the Housing Rehabilitation Loan Program. Through this program the City provides loans and grants to eligible residents (i.e., low-income, age 62 or older, severely disabled) for improved accessibility modifications, correction of code violations, and repair of leaking roofs and failing plumbing, electrical, or HVAC systems.

Housing Authority of the County of Alameda

The Housing Authority of the County of Alameda (HACA) administers the Section 8 Housing Choice Voucher Program (HCVP) for the City of Hayward. HCVP participants can also apply to HACA's Family Self-Sufficiency Program (FSS). The objective of the FSS program is to reduce or eliminate the dependency of low-income families on welfare assistance and on Section 8, public assistance, or any Federal, State, or local rent or homeownership program. HACA measures the success of its FSS program by the number of FSS families who have become welfare free, obtained their first job or a higher paying job, obtained a diploma or higher education degree, or similar goals that will assist the family in obtaining economic independence.

Non-Profit Housing Developers

Eden Housing is an affordable housing developer whose mission is to build and maintain high-quality, well-managed, service-enhanced affordable housing communities that meet the needs of lower-income families, seniors, and persons with disabilities. Since its founding in 1968, Eden



has created nearly 5,000 affordable housing units that have provided homes for thousands of people. In the mid-1990s Eden expanded the scope of affordable housing development to include the provision of free onsite support services and programs for its residents. Although Eden Housing's initial home base for development is the city of Hayward, Eden's charter calls for the organization to work wherever there is a need for affordable housing in California. So far Eden has partnered with 20 cities in six counties, including San Mateo, Santa Clara, and Contra Costa counties. The organization has already developed or acquired and rehabilitated nearly a dozen affordable housing projects in the City of Hayward, including:

- Sara Conner Court Apartments
- Glen Eden Apartments
- E.C. Magnolia Court
- Olive Tree Plaza
- Huntwood Commons
- Villa Springs
- Josephine Lum Lodge
- Walker Landing
- C & Grand Senior housing
- Cypress Glen

Habitat for Humanity East Bay has built several homes in Hayward in the past and is likely to continue to acquire underutilized infill sites for affordable housing development. In addition, there are several non-profit developers who operate in the Bay Area. Community Housing Partnership (CHP) is a San Francisco-based nonprofit organization that develops and operates permanent housing for formerly homeless people with on-site support services, job training, leadership development, and employment opportunities. While CHP has traditionally built housing within the city of San Francisco, they often partner in their development ventures with organizations, like Mercy Housing, that operate all over California.

SECTION 4.5 EVALUATION OF 2009 HOUSING ELEMENT

The following are some of the important steps the City has undertaken to provide greater housing opportunities during the previous (2009-2014) Housing Element planning period. A detailed evaluation of the housing programs from the 2009 Housing Element is included in Appendix C.

- The City revised the Zoning Ordinance to allow group homes serving special needs populations of up to six persons by right in all residential districts;

- The City adopted the South Hayward BART/Mission Boulevard Form-Based Code, which permits emergency shelters in the S-T4 zone, and will soon adopt the Mission Boulevard Corridor Form-Based Code, which permits emergency shelters in the M-T4-1 and M-T4-2 zones;
- The City revised the Zoning Code to ensure that transitional and supportive housing are residential uses subject only to those restrictions that apply to other residential uses of the same type in the same zone;
- The City adopted the South Hayward BART/Mission Boulevard Form-Based Code to conditionally allow single room occupancy units (SROs) in the M-T5 zone; and
- The City amended the Zoning Ordinance to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures that may be necessary to ensure equal access to housing.
- The City adopted an Inclusionary Housing Interim Relief Ordinance in 2010 which lowered the in-lieu fees for most housing product types, allowed developers to pay in-lieu fees "by right," and delayed payment of those fees to close of escrow, and in 2012, the City approved an extension of the relief provisions through the end of 2013 to allow for more time to determine whether the relief provisions are still necessary to stimulate residential construction.
- The City held 12 eight-hour trainings and 14 two-hour manager trainings as part of the City's Crime Free Multi-Housing Program between 2009 and 2012. To date, managers from 92 local rental properties have attended the trainings. Currently, there are 13 fully certified properties in the program.
- The City inspected approximately 8,845 apartments in over 934 multifamily rental properties and 828 single family homes from 2009 to 2012 through the Residential Rental Inspection Program.
- The City provided \$860,077 in 120 grants and nine loans to low-income homeowners for minor home repairs, code compliance-related repairs, and accessibility upgrades. In 2009 the City spent approximately \$497,400 and \$359,000 on the Minor Home Repair Grant and Housing Rehabilitation Loan Programs (HRLP) respectively in 2007 and 2008. The City provided 74 grants and three loans to assist eligible low-income homeowners with home repairs and upgrades. From 2010 to 2012 the City provided over \$907,600 in HRLP grants and loans using CDBG funds, and 156 low-income homeowners received assistance to upgrade and repair their homes and to conduct lead inspections.
- The City provided Eden Housing with a \$200,000 HOME loan for the acquisition of Cypress Glen Apartments, a 54-unit housing complex affordable to low- and very low-income households in 2007. The Redevelopment Agency provided a \$250,000 loan for emergency repairs and the replacement of the roofs at the Villa Springs Apartments, an existing 66-unit rental housing complex affordable to low- and very low-income households. The City also facilitated the issuance of mortgage revenue bonds for the



acquisition and rehabilitation of an 81-unit market-rate housing complex, the Majestic Apartments, which was restricted for low- and very low-income households for 55 years. The Redevelopment Agency also provided a \$750,000 loan to help pay for the seismic retrofit of the property.

- The City approved a \$1.5 million loan for a local non-profit housing developer to acquire and rehabilitate Tennyson Gardens, a 96-unit rental apartment complex for low-income families in 2009. In addition, the City approved the re-funding of existing tax-exempt bonds.
- The City monitored 60 deed-restricted ownership homes and over 1,100 City-funded affordable apartments located in 17 rental properties.
- The City mailed approximately 7,360 letters containing foreclosure prevention materials to local residents who received notices of default and notices of trustee sale from 2009 to 2012 and posted several foreclosure-prevention resources on its webpage. In addition, in partnership with real estate agents and a non-profit organization, the City organized 10 foreclosure prevention seminars from 2009 to 2012. The City also provided \$107,140 to a local organization to provide foreclosure prevention counseling.
- The City implemented the acquisition, rehabilitation, and resale of nine single family foreclosed homes in cooperation with Habitat for Humanity East Bay, using a \$1.5 million Federal Neighborhood Stabilization Program (NSP)-1 grant from 2008 to 2011. Using NSP-2 funds, the City included 14 additional homes in the program between 2010 and 2012.
- The City provided almost \$2 million on more than 60 loans to moderate-income homebuyers for downpayment assistance between 2007 and 2010. Prior to the elimination of the Redevelopment Agency by the State, the City spent \$320,000 on 11 down payment assistance loans for first-time homebuyers. Additionally, during 2012 the City processed 10 subordination requests from lenders which allowed program participants to benefit from lower, more favorable, interest rates.
- The City facilitated the construction of 31 deed-restricted homes sold at an affordable price to moderate-income households in Hayward through the Inclusionary Housing Ordinance.
- The City provided almost \$466,500 from 2008 to 2012 to Project Independence, a program implemented by a non-profit organization that provides tenant-based rental assistance to emancipated youth, housing 125 Hayward households (mostly single mothers).
- The City provided \$203,615 to a local non-profit organization from 2007 to 2012 to conduct fair housing activities including an annual audit, tests, investigation of complaints, and fair housing workshops. From 2009 to 2012 the City also provided the organization \$94,840 for landlord-tenant mediation and education services, and over \$14,380 for rental assistance.

Table 4-56 shows the number of units constructed since 2007, the start of the previous Regional Housing Needs Assessment planning period. During the previous planning period, few housing units were constructed as a result of the housing market crash and economic recession, and the loss of redevelopment funding, which had been the City’s primary funding source for new affordable housing. However, as described above, the City participated in several efforts to preserve and rehabilitate at-risk units to ensure existing affordable units remained available for lower-income households.

While construction activity was slow during the previous planning period, the City approved several affordable developments that are anticipated to be built in the coming years. The City is already seeing development activity increase and expects a great deal more development during the next planning period. However, the biggest challenge for affordable development – a lack of available funding sources – will continue to impede the ability for the private market to provide affordable housing.

TABLE 4-56 UNITS CONSTRUCTED BY INCOME CATEGORY								
City of Hayward 2007-2013								
Income Category	2007	2008	2009	2010	2011	2012	2013	Total
Extremely Low Income	0	0	0	0	0	0	0	0
Very Low Income	59	0	0	0	0	0	0	59
Low Income	0	0	0	0	0	0	0	0
Moderate Income	17	0	11	16	3	1	70	118
Above Moderate Income	213	292	187	236	266	238	8	1,440
Total	289	292	198	252	269	239	78	1,617
<i>Second Units</i>	4	0	0	0	0	0	0	4

Source: City of Hayward, 2013.



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APPENDIX A: COMMUNITY INPUT

Summary of Comments from the Community/Stakeholder Workshop (August 15, 2013)

The following is a summary of the public comments from the Community/Stakeholder Workshop held on August 15, 2013. The comments do not necessarily represent the views of the City of Hayward.

- Make sure the Housing Element is internally consistent with the Climate Action Plan (CAP) and review the CAP as a potential barrier to housing, especially ownership housing.
- There is not enough market-rate rental housing in Hayward to meet the demand. With two BART stations, the City could benefit from more market-rate rental units.
- The City may have land zoned appropriately, but the City is not approving housing.
- The rental market is key to providing lower-income housing
- Provide information in the Background Report on market-rate rental unit prices compared to ability to pay at different income levels.
- Focus public resources on the most vulnerable populations (e.g., extremely low-income, homeless).
- Most people in the Bay Area pay 40-50 percent of their income for housing.
- The City should look into a housing scholarship program, which used to be available for recent graduates to help cover housing costs until they find a job. There is currently a program to cover housing costs for emancipated youth.
- A major barrier to housing is the loss of the Redevelopment Agencies and tax increment financing. Tax credits are now useless without outside support from redevelopment funds. What is the replacement for the 20 percent set aside funding?
- Make sure the housing element builds in some flexibility to address housing over the longer eight-year planning period.
- Hopefully SB 391 will pass and a new statewide source of funding will be available. The City should address this in the housing element to identify how they might target these funds for affordable housing.
- The Green Shutter Hotel is an important source of housing for extremely low-income residents, but it is a dilapidated, historic building that needs rehabilitation.
- Density standards address units, but would be more effective if the standards were based on bedrooms. Unit-based density standards are problematic for developments that include mostly one-bedroom and studio units.



- The Regional Housing Needs Assessment process is anti-sustainability. It does not address the connection between jobs and housing and whether a city is serving its own housing needs versus housing needs created by commuting to outside job centers.
- Hayward has a lot of potential for growth with two BART stations and a lot of available land.
- Location-efficient, mobility-efficient, and energy-efficient mortgages allow people to buy more expensive homes than they normally would because buyers are saving on transportation and energy costs.
- The City should revise its parking standards. Renters are forced to pay for parking that they don't need. This undermines sustainability and raises costs. There is a direct correlation between income and car ownership. Surface parking costs about \$30,000 per space. Some projects, especially affordable projects, are overparked at a 1:1 parking/unit ratio. The City should explore unbundling parking.
- The City provides flexibility in parking standards, but there is a perception in the community that parking is an issue. Parking needs to be handled on a site-specific basis.
- Cap and Trade money could be used for building sustainable housing. The City of Hayward should work with the League of California Cities to encourage Cap and Trade to invest in equity guarantees.
- Habitat for Humanity is interested in the needs of large family households and would like to see information in the Background Report on housing developments by number of bedrooms.
- There is a lot of opportunity for second units as infill development in Hayward. The City should develop a streamlined process for second units and make it easier to build second units by modifying development standards and reducing fees for second units. The City could offer reduced permitting times if the units are rent-controlled units.
- The City should explore a graduated in-lieu fee (i.e., higher end homes pay more than moderate-priced homes) as part of the inclusionary ordinance.

Summary of Comments from the Hayward 2040 Town Hall Forum (August to October 2013)

The following is a summary of the public comments in response to questions the City posted on the Hayward 2040 Town Hall Forum. The comments are verbatim and do not necessarily represent the views of the City of Hayward.

Diversify Housing

Question: How can Hayward create more housing opportunities?

- Hayward is a few things: a low to middle class town, largely built on the sixties sprawl model. Everything is far away from other things. There are no central areas to see a movie, go skating, go bowling, arcade, see art, have a picnic in a park, go shopping, eat out and get good food. It is a parochial provincial town bent on looking to the past and hanging onto nostalgic nonsense in many ways afraid of the change they claim to want. Hayward is now a speedway between 580, 880 and the San Mateo Bridge. I still wonder why anyone would want to stop. Hayward is a people dump; lots of people live here and work elsewhere. Hayward now offers, starting at four hundred thousand, opportunity to buy a town home with no shade right next to the Probation Department and the City Court where the criminals pass. They are largely empty.
- Stop trying to solve its issues with the same old methods.
- There is talk of attracting families, but when the young buy homes, restore them, have children, the city throws up endless barriers to remodeling homes or starting a business. The school system attracts only unsuspecting families. Yet with straight faces city planners wonder why families don't come. Why settle in a place when problems further down the road are known? I understand years ago the building of CSU was banished to up the hill for two reasons: 1. someone gave the land for low cost or free and 2. Hayward residents didn't want a Berkeley, in other words college students that bring vibrant energy and business. There is talk of homes at the old Mervyns site to be offered at six hundred thousand. People with that sort of income chose to live in places they can get services and restaurants equal. That's not Hayward. This city has no issue allowing another Dollar Store or another junk/antique store little else. Why shop downtown? There's nothing there.
- What types of housing does Hayward need more of? Co-op housing where all homes are built in a circle with a central park and garden. All owners agree to participate in the overall for example cook once a month for all, then the overall care is spread out. Models abound all over the U.S. where these types of things are held by land trust. What people buy and sell is the houses; the land is owned by the trust but cared for by the inhabitant. There are many models. Ultimately, this provides stability for housing. Hayward has no central organizing theme. It's like a catchall for "let's try this, let's try that." I suggest embracing Hayward's agricultural past and creating gardens, walking paths and a



beautiful, calm town people want to be in. I suggest building Senior Villages, smaller communities that embrace this obsession with hometown, homespun warmth. People might want to be in such a place.

- Let's remove the old City Buildings at the original Hayward HS Location. There is some prime real estate. Why is Hayward waiting to take this building down? What about the old Mervyns site. Again prime real estate. If you want to create a "City Center" then let's by all means proceed. There are some older buildings on B Street and Main Street; I like the idea of lofts. Let's do it.
- Nothing says a neighborhood is low class than having chainlink fences and garbage, recycle and yard waste containers in their driveway or front yard. Suggest all new single family housing in Hayward be banned from having chain link fences and garbage containers must be out of sight behind a fence or in the garage so they are not visible from the street. For that matter I would like to see chain link fences and visible garbage containers banned within the Hayward city limits.
- We have so many beautiful old downtown buildings we should talk to those owners and allow some tax incentives to convert some to upscale lofts that would attract commuters to live here and take Bart from the downtown area. Mixed residential/retail has proven in other cities and so too would it work here. The current downtown 'negative element' could be controlled if Hayward Police could patrol or 'walk-the-beat' at random times or when the bars are in full peak operation.
- To attract a modern element, Hayward should allow a development of energy efficient factory built homes such as Blu Homes. These could be assembled quickly, be energy efficient and the style would be progressive to match the future of housing trends. Not tract homes and cookie cutter nor custom. Pre-made homes are the future and a neighborhood parcel should be zoned for this. No, not a mobile home or trailer park a neighborhood of modern house styles, single level, visual appeal, affordable.
- The City should support the Bayview Quarry Village project in concept for 690 units of affordable, sustainable housing for CSUEB Hayward, BART users, seniors, and work-at-homes. The project reduces use of cars while supporting a high quality life style. The site plan has an open feeling. Less land is used for pavement. Three story row THs are well set back. Residents may have parking but there will be more walking and more transit use based on a fast, free, frequent shuttle, car share/rental, taxi vouchers, etc. The project has appealing design, health and safety, and a sense of community. All this combined will appeal to the educators and high tech workers we want to live in Hayward, and will be a model for more development along Mission Blvd. and other areas. The City would work with Caltrans, HAPA and legislators to authorize cap/trade \$ for an investment guarantee for the developer using an agreed proforma, vetted for the state by OPR. KB Home should be asked if interested.

- I would like to see more old buildings renovated and converted into housing. Many cities are converting old factories, schools and churches into apartments, often with businesses on the ground floors.
- Making sure the local job market is healthy is a guaranteed way to have citizens with more money to invest in things like housing and putting money earned into the economy.
- Given the location of Hayward, there is a market potential for nicer, community feel apartment complex targeting younger professionals who are willing to spend. It would help boost the local business as well.
- I don't want a homogenized city. I love our diversity and we should create and celebrate different kinds of housing that meets the needs of different kinds of people. How interesting and attractive that would be! Take a new look at restrictive codes and fees. Make exceptions where needed. Don't make exceptions that are not safe or that hurt neighborhood relationships. Resolve conflicts, don't force.
- I have added this before however would like to reiterate the value of something like a central park. Today Hayward does not have a real Central Park similar to Fremont. We have tiny parks scattered around the perimeter of Hayward that are not well maintained. Although I don't think we have the real estate, we do have a prime spot that would be an ideal location for one and that is where Winton Middle school sits today. Since Winton Middle school is rather old anyway, why not put the land to use as a very nice Hayward Central Park? If the school and all supporting buildings were removed, a nice pond, running/walking trail, mature trees could be established that would attract wildlife and further make this area much more vibrant and attractive area to live in.
- I think there are enough single family homes in Hayward, especially old ones that hurt Hayward's overall housing market value. Condos and Townhomes in the right areas will attract, a good number of higher income families that need a starter home, which will boost education and lower crime rates. Also, raise home values. Again education and crime rates need to change in Hayward! This is also good because most condos and townhomes have HOA's that go towards keeping the community nice and clean, which is something Hayward could use more of. HOA's are run by the residents of the communities which is why funds are diverted for better use. Apartments are run by investors that have little interest in keeping their communities nice. Apartments also, attract more lower-income households, which Hayward does not need anymore. Hayward needs to have standards and standards need to be set for future prosperity of Hayward. This will promote a well educated, affluent and diverse city. Hayward2040!



Affordable Housing

Question: What are the barriers to affordable housing in Hayward? What can be done to address these issues and barriers?

- Retrofitting older homes and financial assistance. Hayward has a number of areas that need a face lift. Instead of ignoring these areas, help assist current homeowners. There are organizations with volunteers that come in and help a homeowner with painting, new roof, etc.
- Poverty. Cost of Living.
- If we want affordability, we need to accurately the present situation and compare it to the new vision of 100% affordability and then see how we can get from here to there in new baby steps. Is anyone doing that?
- Unless Hayward cities want to give tax incentives or give partial down payment to 1st time home buyers. I would not recommend affordable housing, as it will hurt current home values. Also, it will turn Hayward, into another San Lorenzo, Oakland and other less desirable cities. If Hayward, wants to be anything like Fremont, Foster City or even better Palo Alto, it needs to concentrate its resources on education, crime rate and helping local businesses. Hayward could easily turn itself around into a better, safer and more affluent city, if focus is used elsewhere. And NOT make it, MORE affordable. If affordability is a concern for someone, then moving to an affordable city or even out of state would be a better solution. Otherwise, you're just hurting home values, raising crime rates and lowering education standards by attracting lower income households.

Housing Element Issues

Question: What issues would you like to see addressed in the Housing Element Update?

- In all further development, the City should make sure that all water and sewer lines are properly tested so that there is no leakage or obstructions at the time the City accepts responsibility for them. The City shouldn't have to deal with sewer overflows because a contractor left a plug behind or a 2x4 got stuck in the line. Union Sanitary District has some good guidelines for accepting new work that Hayward might adopt.
- Access to services. Being close to community groups, schools, and stores.
- Affordable, sustainable neighborhoods based on systems. Neighborhood systems look at land use, transportation, and transportation pricing as a whole and in terms of the whole economy, not just money. The six NS goals are affordability, sustainability, mobility, health and safety, good design, and neighborliness. Achieving them requires enough people with a short enough walking distance to support local groceries, a cafe, and a fast, frequent, free shuttle to BART. Rather than scatter-shot, auto-dependent development driven by developers, the city should focus on BART areas and short corridors serving BART, remove parking requirements from zoning, and support

unbundling. The City should survey residents within .5 miles of BART to see their car ownership and use patterns, to see if inside parking is actually being used for parking.

- Considering our city has a fault named after it, I think Hayward could be a little more proactive in making retrofitting possible for lower income families and all homeowners in general. San Leandro offers a free tool library, workshops, handbook, standard/plan set, and financial assistance. I would like to see the City of Hayward become a leader in earthquake retrofitting. A little money spent now can make a world of difference later on.
- Hayward must increase the proportion of homeowners to renters. We have way too many shabby apartment buildings now making for awfully shabby neighborhoods. It is no secret that the worst neighborhoods in Hayward are those with a lot of the cheap, ugly apartments that proliferated back in the 1960s. Renters do not have investment in Hayward, and no real incentive to maintain property that doesn't belong to them. Homeowners who make substantial down payments definitely have that incentive. Every other community around here has substantially recovered from the housing slump but Hayward, it seems. We had way too many foreclosures here because we put so much effort into attracting low income. This has adversely affected our property values, and has also affected our ability to attract and retain businesses to Hayward. Enough already, let's take a bold step and focus on bringing in some quality development for those who are prepared to make an investment in their community.
- Maintaining the quality of Hayward's housing infrastructure. Ensuring that all new and existing housing is free of safety and health hazards and supports the health and well-being of Hayward families with education and training of property owners, parents, and others who manage housing or work with families in their homes about how to maintain a healthy home, the regulations that apply, and available resources.
- Bring in developers that are willing to buy out larger development areas. That way they can help create better, safer and cleaner communities. Kind of like the KB homes community near Winton, Stonebrae in Hayward Hills or Eden Shores community near Costco. These areas again bring in higher income households that can contribute to the city and help make it safer. When you find developers that can help make nice developments like this, it will reduce the cost of tax payer money to pay for new parks, schools and other nice amenities that these developers pay for. I should know because I've worked with these developers before and they bring value to Hayward. Focus needs to be on the larger developers that can help develop better communities and help build new schools. This way Hayward can get rid of the older, outdated schools and have something to be proud of. Hayward's best schools only rank 6 out of 10. Which is sad compared to Fremont, which has a handful of schools ranked 10's.



City of Hayward 2009-2014 Housing Element Housing Needs Survey

The City conducted a Housing Needs Survey as part of the 2009-2014 Housing Element Update. The survey was available in English and Spanish. The City distributed the survey to service providers; made the survey available at various public counters throughout City Hall, at the public libraries, and several facilities operated by the Hayward Area Park and Recreation District; distributed the survey at community meetings; and accommodated online responses on the City's website. The survey was also advertised on-line and in print in the Vision Hispana newspaper.

In general, residents were satisfied with housing in Hayward. However, neighborhood safety issues, rehabilitation of multifamily structures, new construction of mixed use housing in downtown and transportation corridors, and housing programs for the elderly and disabled have surfaced as key housing needs expressed by survey respondents.

Do you want to help shape housing policy in Hayward?
If so, we want to hear from you.

The City of Hayward is updating the Housing Element of its General Plan. Mandated by State law, this update will include an evaluation of the City's present & future housing needs, including affordable housing issues.

You're invited to share your opinions and concerns in a short survey about housing in the City and Hayward's future housing. To complete the survey, visit **www.hayward-ca.gov** - Under the "Projects & Studies" section, click: Housing Element - UPDATE

For more information, visit www.hayward-ca.gov or contact Erik Pearson at 510-583-4210 or erik.pearson@hayward-ca.gov

Para preguntas en español, llame a Omar Cortez al 510-583-4246.

CITY OF HAYWARD
HEART OF THE BAY

www.Vision

**City of Hayward
2009-2014 Housing Element
Housing Needs Survey Results**

1. What zip code do you live in?

94544	94124	94542	94541	94545	94521
46%	2%	23%	21%	7%	2%

2. What kind of residence do you currently live in?

89% Single family home 6% Apartment
 2% Duplex/triplex 3% Condominium/townhome
 0% All Others (Hotel, Motel, etc.)

4. How many bedrooms does your residence have?

# of Bedrooms	1	2	3	4	5	6
% of Responses	5%	6%	53%	19%	14%	3%

5. Including yourself, how many people live in your residence?

Persons	1	2	3	4	5	6	7	8	9	10
% of Responses	16%	31%	13%	19%	14%	0%	5%	0%	2%	2%

6. Do you own or rent the unit in which you live?

89% Own 11% Rent

7. Approximately what percent of your gross monthly income is spent on housing (including rent/mortgage payment, utilities, homeowner fees, taxes/insurance)?

34% < 30%
 41% 30-49%
 25% 50% or more

8. How satisfied are you with your current residence?

Answer	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Dissatisfied	Response Count
Price/Rent	48%	31%	8%	13%	61
Quality/Condition	51%	34%	14%	2%	59



Size	58%	32%	7%	3%	59
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9. How satisfied are you with your overall neighborhood?

Answer Options	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Dissatisfied	Response Count
Quality/Conditions	31%	34%	17%	17%	64
Access to Services/Facilities	34%	39%	18%	8%	61
Safety	25%	32%	25%	17%	63

10. Please rank the relative level of importance of the following housing programs in Hayward. (1=Most Important, 4=Least Important)

Neighborhood and Housing Preservation Programs

- 2.05 Rehabilitation of single family homes
- 2.05 Rehabilitation of apartment buildings
- 2.2 Residential code enforcement
- 1.64 Neighborhood revitalization programs (housing, rehabilitation, property maintenance, beautification, traffic safety, new parks, historic districts, etc.)

11. Please rank the relative level of importance of the following housing programs in Hayward. (1=Most Important, 4=Least Important)

Expanding the Supply of Housing

- 2.48 New construction of affordable for-sale housing
- 2.97 New construction of affordable rental housing
- 2.54 New residential/commercial mixed-use development (i.e. residential above ground floor retail or office) in Downtown
- 2.17 New residential/commercial mixed-use development along transit corridors

12. Please rank the relative level of importance of the following housing programs in Hayward. (1=Most Important, 7=Least Important)

Providing Housing Assistance

- 4.72 Rental assistance
- 3.13 Disabled population

3.44	Homeownership assistance	2.46	Elderly population
3.98	Homeless population	4	Low-Income population
2.97	Home improvement assistance		

Summary of Survey Responses

Current Housing Situation

A vast majority (84 percent) of respondents lived in single family homes. Six percent lived in apartments and the rest were in condominiums, town-homes or other attached housing units. Most respondents lived in three-bedroom or larger homes. Three-bedroom homes were the most common housing arrangement with 50 percent of respondents, followed by four-bedroom homes with 17 percent, and five-bedroom homes with 11 percent.

Household Characteristics

The largest group of survey responders lived in two-person households (36 percent), while 16 percent lived in one-person households and 14 percent lived in three- and four-person households. About 13 percent responded from five-person households.

Housing Costs

Most survey respondents, 79 percent, were homeowners. When asked what percent of their income is spent on housing costs, 31 percent responded with the ideal 30 percent or less of their gross monthly income. The largest group, 39 percent, spent 30 to 49 percent on housing, while 30 percent of respondents spent more than 50 percent on housing costs.

A majority of respondents were very satisfied with the price, quality/condition, and size of their current residence (49 percent, 51 percent, and 55 percent, respectively). Only four percent were dissatisfied with the quality/condition and four percent were dissatisfied with the size. About 11 percent were dissatisfied with the price.

Neighborhood Conditions

When asked about their satisfaction with their overall neighborhood, most people were very satisfied or somewhat satisfied. Specifically, 35 percent said they were somewhat satisfied with the quality and condition of their neighborhood while 33 percent were very satisfied.

Access to services and facilities are also important and 36 percent were very satisfied with the access in their neighborhood while another 36 percent were somewhat satisfied. Regarding the safety in their neighborhood, 33 percent were somewhat satisfied and 29 percent were very satisfied; however another 23 percent were somewhat dissatisfied and 15 percent were very dissatisfied.



Housing Programs

Survey respondents were asked to rank housing programs by what they felt was most important in the city. When asked about the importance of neighborhood and housing preservation programs, survey respondents rated neighborhood revitalization programs as the lowest priority. Rehabilitation of apartment buildings was the most important with a slight margin, followed by residential code enforcement and rehabilitation of single family homes.

When asked to rank the four programs that would expand the housing supply. Respondents felt they were all important programs with little prioritization. New construction of affordable rental housing was the most important followed by new residential/commercial mixed use in the downtown area, new construction of affordable for-sale housing, and new construction of residential/commercial mixed use along the transit corridors.

Respondents were finally asked to rank seven programs that provide housing assistance. The most important program was determined to be programs that serve the elderly population, followed by programs for the disabled population, and then overall home improvement assistance. These programs were followed by homeownership assistance, followed by programs for the homeless population, the low income population, and overall rental assistance.

Open Comments (Verbatim)

1. The large number of homes for sale, their deteriorating condition, decreasing the home values in the area, lack of tenants at the Fairway Park Shopping center
2. Low income housing assistance for those whose rent is more than 33% of income.
3. There are many issues in my neighborhood: Too many of the homes are in foreclosure or just not selling. Too many homes have too many tenants/inhabitants. Too many homes are falling apart or the grounds are not kept up. Too many parked cars line the streets. Too many unfriendly folks are moving in, and many of them don't take care of their kids. Too many cars speed thru the neighborhood, run stop signs and throw out their empty liquor bottles and fast food containers onto the streets. Too many scavengers rummage thru the garbage cans. There is too little retail and Fresh and Easy is not moving in soon enough to save the shopping center....Too many people don't care about the city.
4. Control and then eradication of the 20 some gangs ensconced in Hayward - they say they own this town, and with the way they run freely to steal and deface this City without legal consequence they do. The crime rate in and around Hayward stymies any potential positive commercial growth and revitalization efforts. Enough with the multimillion dollar housing in the Hayward Hills - clean up and clear out the destructive elements and then begin issuing permits to scar the hillsides again with unattractive chicken fence homes. We should not have to constantly tell you where

the graffiti is, it should be eradicated immediately - set up cameras (and/or work with local businesses prone to graffiti to put up cameras) to catch them in the act, prosecute and jail them. Without the consequence of a permanent arrest/jail record to their names there will be no stemming the tide of this neighborhood blight and its offshoot crimes (burglary, auto theft, robbery, petty theft, grand theft). Has common sense left you all? The only way we think we can protect ourselves (because the police can't/won't do it) is to gate out communities - to stem the flow of people (adults and juveniles) who do not live in the neighborhood but come in to case the area and/or intend to dump their trash, deface and steal our property - but we cannot afford to do even that because the City insists that Neighborhood Community Parks be installed in our neighborhoods for which the neighborhoods must buy them back from the City at unrealistic market values. For your information, these so called Neighborhood Community Parks become an attractive nuisance to those who only want to use it to deal drugs or use it for a drop site for whatever reason. My neighborhood doesn't even use it park because of the element that has moved in - both day and night. Thank you very much, Hayward, for bringing this element right to our front doorsteps.

5. Major concerns are drug traffic issues and car racing, spinning. I live in Fairway Park. The city has placed intersection barricades to deter cars spinning, racing. However, the aesthetics of the plastic water containers used does not instill pride or respect for the neighborhood. It gives the appearance of a forgotten construction zone instead of a family neighborhood. I realize in the large picture of Hayward's issues this is a small thing, but all changes begin with small steps.
6. I would just like to say that I live in Fairway Park and I am tired of rentals or houses that have many families living in the homes. My next door house is a rental and we have so many families coming and going we do not know who lives in the house. Of course with all the people comes the cars! 8 to 10 cars at night. Fairway Park use to be a very quiet neighborhood full of single family homes and that has changed. I have lived in my home for 21 years and I never had to worry if I could park in front of my own home. I think that this should be something for the city to work on. What is the number of people and cars allowed per house hold?
7. Increased regular policing of the Fairway Park area to reduce property crime and vandalism.
8. The largest issue I have is the degradation of neighborhoods and lack of enforcement for the existing laws. This is NOT about city services, this is about many of our residents that are allowed to present homes with poor hygiene and structural disrepair. Our reputation is one of old, non-maintained neighborhoods and antiquated shopping, entertainment. Hayward is "the" place for opening a .99 cent store, low rent housing, or waste treatment plant --- not for opening anything



marginally upscale or novel. Because reasonable laws/ standards are not enforced and residents are allowed to disrespect certain standards, our armpit reputation will not be changed. ---Presenting a delicious meal encourages appetites.

9. The parking on the streets in our neighborhood are terrible, either there are abandon cars with flat tires, huge trucks are parked in our neighborhood and I am assuming that are illegally parked. Also the appearance of the homes themselves, I know we have a lot of foreclosures in our neighborhood but come on people take pride in what you have invested in mow your lawns, pull your weeds. Get a can of paint and paint your fences!! I live on Carroll Ave.
10. I believe there should be less concern for minor problems such as violating laws like RV or old car parking, and appearance of homes; and more concern for problems such as real crime such as burglary, robbery, etc. I would rather have my tax dollars (which are stretched to the limit at this time) spent on what I consider serious crime. Also the city should spend less money on new building and more on helping owners fix up old buildings, and helping businesses stay in Hayward.
11. Traffic cameras, added lights. lack of shopping, abandon buildings and cars, gangs.
12. Not enough police presence.
13. Cleaning up trash along roadways. Putting up a cement wall in place of the wooden fences along Mission Boulevard at Fairway Park residential area.
14. Very concerned about blighted abandoned commercial buildings (Holiday Bowl, skating rink that burned down, car dealerships, grocery stores, etc.) Very concerned about our need for a decent grocery store in our neighborhood. We have been WITHOUT a DECENT grocery store for at least a decade. That is unconscionable! We are grateful to the new owners of Fairway Park shopping center for starting the ball rolling but don't think Hayward city fathers & mothers have done enough in the past. This SHOULD HAVE been taken care of EIGHT years ago at least! The longer the blight lasts, the harder it is to fix.
15. Would like to see a major supermarket near the fairway park neighborhood.
16. Crime and property values are the most concern.
17. I would like Fairway Park Shopping Center to get a grocery store and hardware store. I would like to have all graffiti and littering in our area stop. I would like to have a recreational facility for our youth in this area, such as the Holiday Bowl building. I would like to have a career guidance center for all those who need it in our area. I would like every church in our area to have a food pantry and a soup kitchen. I would like all reckless driving in our neighborhood (El Rancho Verde) to

stop. I would like to see all residential properties kept up. I would like to see all the spring water in our gutters and yards (El Rancho Verde), diverted underground. That's all I can think of now. Thanks for the opportunity to express my wishes.

18. If Hayward wants to attract and retain a population that is working and can therefore generate revenue for the city, the schools must be vastly improved. There should be MUCH less catering to the low income population. Apartments and other rentals that allow Section 8 should be minimized as these attract leeches on the taxpaying population (drug dealers, gang members, etc).
19. Hayward police need to talk to people get to now what's going on in the neighborhood. We have plenty of apartment complexes in Hayward with low income people it is time to make changes in Hayward.
20. My major issue of concern is the following: 1. Neighbors not knowing how to respect others and respecting the neighborhood. 2. Street Parking 3. Garbage cans being left in front of homes. They should be hidden from the street. 4. Code violations: illegal garage conversions. 5. Too many people living in small houses.
21. Root out all gang activity which so negatively impacts people's feelings about where they live. Strict enforcement of codes to keep neighborhoods looking good. Use every code you have to root out gang and drug people from Hayward. Never let graffiti be seen on public or private property. Have more graffiti removal trucks. Prosecute taggers and make the parents of underage taggers pay.
22. More help for the HOMELESS.
23. In city of Hayward, we have oversupply of residential properties. In spite of new housing developments, city need to concentration to make better schools, encourage businesses, and control the crime to attract the migration from other cities.
24. Assistance for families dealing with foreclosures; either to transition to more affordable housing or to remain in their current home. Ask HUD for some kind of special dispensation to, at least temporarily, increase the availability of housing vouchers or rental assistance to low-income individuals and families; a population that often includes seniors, disabled, and homeless. One striking aspect of housing in Hayward is the inconsistency of the housing stock from neighborhood to neighborhood. Because of the affordability crunch, several neighborhoods have homes that appear to be over-improved and often have a curious impact on home values.
25. Involving those who are in need of housing assistance in the development of their sustainable safety/ security. For example, for low income individuals who can do construction work, have them help build/refurbish their home or work on City



infrastructure development. Others can invest other types of sweat equity into their community. The highest priority should be to ensure that the City's housing stock enables Hayward's work force to live (and ideally own) in Hayward.

26. The only concern I have about my neighborhood is the state of the streets and the poor access for emergency vehicles. I do understand that the homeowners in this neighborhood are very much opposed to any improvements but I it is a necessity. The neighborhood is at great risk in the event of a major fire if fire engines are not able to access in a timely manner. I consider safety a most important issue throughout the city as I do consider the entire city as my neighborhood. I have family throughout Hayward and want them to be in a safe environment. I would like to have safe shopping centers where I can do my shopping locally and not have to go to outside areas.
27. Starting with the speed humps on Folsom some years back, there have been so many speed humps added around and in the neighborhood that it is not possible to drive out of the neighborhood without having to navigate these humps. Hard on car, body, nerves. There seems to be too much emphasis placed on age, "elderly". We have many senior citizens in town who are more able to care for themselves and their property than many young/other citizens. Focus should be on ABLE or NOT ABLE, not age.
28. It is the type of people that end up in Hayward that is the problem. Somehow Hayward needs to attract a more educated population. Nothing wrong with low-income population, I grew up from a low income family but I studied and went to college. The families, immigrant and the natives are not motivated. Just look at the schools, I never went to a school that has a security officer on site. That is the norm in all Hayward high schools. Neighborhoods are a function of the people, you get poor quality people, you will get poor neighborhoods. The sooner you improve the people that better and faster Hayward will get in neighborhoods.
29. In Hayward it is hard to find a nice, decent place to live. There are so many overcrowded neighborhoods. I have a Section 8 housing voucher and feel it is extremely hard to find a good place to live due to the stereotype placed on this rental assistance program! More housing is needed.
30. The amount of graffiti and vandalism in the local parks is disturbing.
31. (a) We need to support the Hayward Police and Fire Department. Over the last 50+ years we have added so many rental units that the low social economic folks dominate and therefore rule our neighborhoods. It is a bit frightening to see the characters that wander the streets looking for mischief. (b) It is a shame that many neighborhoods leave spilled garbage, do not mow their lawns or clean their front yards. I was raised in Hayward and love our town. It is a shame to be afraid at

night. (c) We do NOT need more low income residents. We need to attract the "families" that have moved out to feel safer and where they can have access to better schools for their children. Only the less fortunate stay in our town. What a shame. It is very sad. (((Can't some of the other towns like Fremont build low income housing for these folks?))) Signed; Roberta dePonte-Jacobs, 124 Fagundes St., Hayward since 1949. Our Primary residence is now in Valley Springs, Calif. 80 miles east. Thank you for this survey.

32. Clean Up what you have. The Caltrans Properties, the OLD City Hall and our creeks. Remove the homeless living in our creeks. You need to do what San Leandro did. Make paths through our creeks and have walks and lighting. You can make downtown as nice as you want but as long as you have homeless living in the creeks and Caltrans vacant properties you will never clean up downtown. The senior retirement homes are over run with homeless coming up from the creeks. We need a clean up! Work with the County and make this happen for Hayward!
33. Noise from Freeway, Helicopters hovering over Freeways. Noise from small Airplanes. 2. Parks {This has IMPROVED GREATLY} You got it Right There! 3. Businesses - Too much red tape or something, business don't come in, too many have left. Jobs and local business are key for Hayward. I'm talking small businesses, not just Mervyns & Auto Dealers which I'm very sorry is leaving. 4. Traffic - Traffic lights, horrible timing on lights. Traffic Gridlock is Incredible. 5. Schools - Education providing free "English" Learning education Maybe on the Hayward Cable Channel? for Spanish, Farcie (sp) - Really need to get a cheap and fast way for students to learn outside the classroom. 6. Hayward is viewed poorly by "Buyers" and by "Parents" and by people who live there, main arteries have been improved Again Great JOB. 7. Low Cost housing or any other housing should not be placed on high Noise and Traffic Areas. Hayward is to cut up with Freeways, Major streets, Trains, BART, Airport, it's impossible to locate a reasonable safe neighborhood that has any quality of life for families. 8. HIGH Rise Units on Fault Lines (ie Mission Blvd area) - Poor Idea. High rise units where units face Noisy areas Poor Idea. Factor in open space that has viewability and safety and something constructive for children to play on -- not just destroy. 9. Anything to reduce GANGs.
34. This neighborhood seems to take care of itself except for the prostitution from Mission Blvd. and a few rentals that have unwanted tenants that deal drugs. Street parking is bad for passing cars on opposite directions. Some small streets should be one way traffic or dead ends in the Cherryland area and other unincorporated areas. As far as programs for helping others the City should get rid of over head wires from the power poles and put them under ground, this way it will indeed look much nicer. Hayward has quite a lot of room for improvement. San Leandro on the other hand has come a long way.



35. Better schools
36. I grew up in Hayward and have been back only a year. I'm not sure of all the issues and how important each one of them is. However, if you're looking for someone to become involved my name is Robert Cohn and I can be reached on my cell phone.
37. In the city of Hayward to me and a few of my neighbors. It is safety. My home has been shot at. My truck windows broken more than once, Graffiti. There is always car speeding down our street and there is small children & grand children playing. Maintenance to trees around Signs & Traffic Lights, Repainting of speed bumps. I believe that the safety and the safe feeling needs to come back.
38. More homeless shelters w/ counseling/health care facilitation.
39. Safety is still a concern, esp. driving late at night. Better quality of education from elementary to high school seems to be too far-fetched; which means option for private education will mean a big chunk of someone's household budget. I'd like to see affordable and less-restrictive housing for retirees-seniors, who have worked all their productive years but whose income is greatly reduced upon retirement. Thank you.
40. More programs to help Hayward rental residents be able to purchase Hayward homes.
41. In the areas near the two BART stations high density owner occupied residential units should be a priority. High-rise units surrounded by useable open space would be the most effective use of the land and provide the greatest habitability. As part of any plan the city's image is important. If we want nice neighborhoods (residential or business) the residents must be proud of where they live. People only develop this pride when the community looks and feels good. It is very, very important for the City of Hayward to maintain the city owned facilities in a superior condition. Without that commitment Hayward has little chance of overcoming its current image and developing and maintaining great livable neighborhoods.
42. Safety Education Police presence in challenge neighborhoods Adult Education Public recreation Teenage Programs Community events Public awareness and involvement consumer protection
43. Yes, implement no rent control. Owners and Landlords are less likely to invest in Hayward and to spend money on existing improvements.
44. I am very concerned about the condition of our neighborhood, street condition, code enforcement, crime, lack of police patrol on our street, neighborhood preservation, lack of a quality elementary school. I am also concerned regarding the

Mission Blvd. (auto row) poor condition. City government needs to address this problem and better plan for the future, the car business is gone and won't be coming back.

45. The prices in the houses is drop too much, for that reason we need someone do something about adjust the prices to the know expensive houses
46. Traffic congestion is getting out of hand in most areas of Hayward. Especially during commute hours. Vacant and foreclosed homes need to enforce a minimum maintenance program.
47. The state - ABAG Housing Needs Determination needs to be reformed to reduce requirements on localities which have reduced population growth, have minimal job surplus over employed residents or better, and have enough affordable housing for their lower-earning workers. Council should adopt an advocacy position on this. The sustainability committee should discuss it.
48. Speaking as Citizen Kyle, The single greatest problem in Hayward is the serious lack of community reservation. I have recently suggested to City Manager Greg Jones, a resurrection of AN INFORMAL ACTIVITY which was once highly successful in relation to it's low cost and audacity! Had it continued we would have a population acutely aware of the risks in creating 'bootleg' additions to housing which upon examination are largely substandard. I would much like to see some progress on the subject and ask that Mr. Jones bring forward any progress that he has made subsequent to our discussion of something which I had presented to him in written form. For many years I have complained about the general lack of concern for 'do it yourself' projects that are in obvious violation of zoning, as well as health and building codes. You can have the world's greatest general plan but when adverse, controllable conditions affect growth it becomes the general plan for much ado about nothing! An example of what I mean is that concern for low income housing and ABAG's quota for compliance with regional goals is much ado about nothing if other communities blithely ignore those concerns. The effect of non-compliance upon City and Schools here in Hayward is enormous. Also, here in Hayward we have a ratio of parolees to general population much greater than is true of other communities in the County. All because of present availability of low income housing! Plus the presence of a parole office which likes to keep 'the boys' close to the office! The argument that parolees should be returned close to the place of offense is very, very weak! When not in the 'tank' felons procreate children who have serious affect upon schools. That particular population of our students is a heavily involved with classroom transiency. It is group through no fault of their own who are constantly being shuffled... the affect of 'classroom transiency' upon test scores does the School district and its stake holders a huge injustice... how do you raise test scores in classrooms where the transiency rate reaches 45% as it did in



the 1990's.\ at the Longwood School? Now, the subject of transiency rates in the classrooms is no longer available on HUSD's website which is an injustice to teachers who take it in the slats for poor test exams! Prior to annexation of territories now within this City, there was a period of time when the Alameda County Planning Commission decisions on multiple housing units were over-riden by Supervisors whose friends included builders of Schlock! I question ABAG'S COUNT SINCE THAT ORGANIZATION PROBABLY DID NOT EXIST WHEN THE SHENNAIGANS WERE GOING ON AT COUNTY LEVEL! IF IT WERE UP TO ME I'D REQUIRE ABAG TO REALLY EXAMINE THE EXISTING HAYWRD INVENTORY AND COMPARE THE SCHLOCK AGAINST THAT WHICH IS FOUND IN PLEASANTON AS ONE EXAMPLE OF FAILURE TO COMPLY! HAVE I RAISED A FEW QUESTIONS WORTH ANSWERS?

49. There just isn't enough available, affordable, safe housing for elders, especially older, single women.
50. Very concerned with this proposal at the South Hayward Bart Station. At this point there is already too many multi dwellings on Dixon. adding any more will cause traffic.
51. A second priority in "expanding the supply of housing" should be new construction of affordable for-sale housing for singles.
52. Weary of slaving of poor, game room, gated communities abound for a few.
53. Eden Avenue had become a public garbage dump for the City of Hayward. People come from miles around to drop off trash (toilets, mattresses, tires, furniture, garbage bags). There are three unauthorized HUGE dumpsters parked on the street.
54. Traffic in downtown and Mission Blvd.
55. Empty dealerships on Mission, property should be re-zoned for housing.
56. Landlord is negligent, property is disheveled, shabby, dilapidated, falling apart. Extremely expensive, overpriced, looking daily to move out. Worst place I have ever rented, most costly, ugly area, (behind, west of BART).
57. Low-income communal housing, mixed – young mothers + disabled + business.
58. Terrible streets, no walking patters or sidewalks; too distant for stores in my neighborhood. I am a therapist with many poor clients who are living in sub-standard or inadequate housing due to a lack of rental assistance for low income people, it's quite desperate for some.

59. Affordable rental housing – near community, allow pets, with personal yard/patio and with individual laundry hookups
60. Real (not fake) affordable housing for seniors (Elders) with quality of life concerns – including allowing companion animals, private garden space (patios, balcony) 100% no smoking on premises. Not warehousing seniors – complexes away from community as Alameda County officials have done – shame on them. *Note Sr. Itsy on Arbor St. and “A” St. – next to freeway, behind gas station, crime neighborhood and no community!
61. Help for the homeless
62. Assistance for homes not selling or foreclosures
63. Drug free city
64. Safety for people, good schools are far from where we live, public transportation are threatened.
65. Make sure homelessness does not increase, TOD – already implemented here – should be a focus, be creative to assist various special needs populations
66. First homebuyers program, free shuttle service around Hayward, especially downtown, more retail shops and restaurants downtown.



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APPENDIX B: RESIDENTIAL SITES INVENTORY

FIGURE B-2 VACANT LAND INVENTORY CANNERY AREA





4 HOUSING

Hayward General Plan Update

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**TABLE B-1
CANNERY AREA SITES INVENTORY
City of Hayward
January 1, 2014**

APN/Site ID	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units) ¹	Existing Use
Lower Income Sites								
Cannery Area Block 21								
431-0040-017-00	City Center - High Density Residential/ City Center - Retail and Office Commercial	40.0-110.0	0.2	CC-R/ CC-C	0.34	657	41	Misc. industrial (improved)
431-0040-033-00			0.33		0.31			Commercial repair garage
431-0040-031-00			0.24		0.79			Commercial repair garage
431-0040-020-02			0.58		0.79			Warehouse
431-0040-022-00			1.07		0.74			Automobile dealership
431-0040-029-00			0.62		0.59			Industrial Light/Manufacturing
431-0040-028-00			0.42		0.02			Warehouse
431-0040-023-00			0.41		0.06			Warehouse
431-0040-024-02			0.33		0.53			Veterinarian Office
431-0040-026-00			0.23		n/a			Commercial repair garage
431-0040-027-00			0.3		0.52			Commercial repair garage
431-0040-021-01			0.27		n/a			Commercial towing company
431-0040-019-00			0.14		0.36			Single family home
431-0040-018-00			0.15		n/a			Single family home
431-0040-032-00			0.4		n/a			Industrial Light/Manufacturing
4310040-030-00			0.29		n/a			Commercial repair garage
Total:			5.98					
Cannery Area Blocks 4,6,8	High Density Residential	17.4-34.8	8.56	RH	0.71	297	137	Warehouse
431-0109-003-04			14.54			954	198	

¹The Cannery Area Design Concept Plan divides the area into blocks and estimates the buildout of each block, as envisioned in the Plan. Blocks 4, 6, and 8 at the warehouse site are envisioned for 30,000 square feet of live/work units and 72 to 92 townhomes. The inventory assumes, as outlined in the Cannery Area Design Plan, that the live/work units will be developed at a density of 30 units per acre for a total of 55 units, and that the average number of 82 townhomes will be developed on the site. Block 21 is envisioned for 36 to 46 multifamily units above commercial. The inventory assumes the average number of 41 units will be developed on the site. Realistic capacity based on unit estimates included in the Plan. The capacity indicated does not limit the development of the sites at a higher density than allowed by the General Plan and/or Zoning. Source: City of Hayward, 2013; Hayward Cannery Area Design Plan, 2001.



**TABLE B-2
MT. EDEN AREA SITES INVENTORY**
City of Hayward
January 1, 2014

APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR ¹	Maximum Capacity (units)	Realistic Capacity (units) ²	Existing Use
Above Moderate Income Sites								
441-0012-062-02	Low Density Residential	4.3-8.7	1.79	RS	0.36	17	13	3 SF homes
441-0012-042-00			0.12		0.99			
441-0012-041-00			0.12		0.85			
Total:			2.03		n/a	16	12	SF Home
<i>Above Moderate Income Subtotal:</i>								
			3.94			33	25	
Moderate Income Sites								
441-0083-008-02	Medium Density Residential and Parks and Recreation	8.7-12.0	2.52	PD and OS	n/a	42	36	Vacant, but 1/3 park land dedication for park expansion
441-0083-009-00			1.00					
Total:			3.52					
441-0065-013-02	Limited Medium Density Residential	8.7-12.0	0.92	RS	0.81	11	8	SF home
441-0068-011-02	Limited Medium Density Residential	8.7-12.0	0.31	RS	n/a	3	2	Vacant
441-0068-032-00	Limited Medium Density Residential	8.7-12.0	0.33	RS	0.68	7	5	SF home SF home
441-0068-033-00			0.33		0.31			
Total:			0.66					
441-0071-013-02	Limited Medium Density Residential	8.7-12.0	0.57	RS	0.70	11	8	SF home SF home
441-0071-012-00			0.39		0.76			
Total:			0.96					
441-0071-010-00	Limited Medium Density Residential	8.7-12.0	0.58	RS	0.61	6	5	SF home
441-0077-008-00	Limited Medium Density Residential	8.7-12.0	0.55	RS	n/a	4	3	n/a
441-0077-024-02	Limited Medium Density Residential	8.7-12.0	0.51	RS	0.28	39	28	Warehouse 4 SF home Vacant
441-0077-005-00			0.98		0.52			
441-0077-025-02			0.43		0.66			
441-0077-020-02			0.49		0.30			
441-0077-021-02			0.71		n/a			
441-0077-022-02			0.21		n/a			
Total:	3.33							
441-0077-029-00	Limited Medium Density Residential	8.7-12.0	1.04	RM	0.34	12	9	SF home

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TABLE B-2 MT. EDEN AREA SITES INVENTORY City of Hayward January 1, 2014								
APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR ¹	Maximum Capacity (units)	Realistic Capacity (units) ²	Existing Use
441-0080-016-00	Medium Density Residential	8.7-17.4	0.41	RM	n/a	6	4	Vacant
441-0087-004-02	Medium Density Residential	8.7-17.4	0.72	RM	0.42	23	17	3 SF homes
441-0087-029-05			0.35		0.59			
441-0087-003-02			<u>0.26</u>		0.59			
Total:			1.33					
441-0087-018-02	Medium Density Residential	8.7-17.4	1.00	RM	0.91	17	13	3 SF homes
441-0095-001-00	Medium Density Residential	8.7-17.4	0.98	RM	n/a	55	41	Vacant SF home SF home SF home SF home
441-0095-002-00			0.97		0.54			
441-0095-003-00			0.29		0.89			
441-0095-004-02			0.41		0.22			
441-0095-005-02			<u>0.52</u>		0.62			
Total:			3.17					
441-0095-008-02	Medium Density Residential	8.7-17.4	0.96	RM	0.48	16	12	SF home
441-0095-028-10	Medium Density Residential	8.7-17.4	0.20	RM	n/a	3	2	Vacant
441-0100-001-02	Medium Density Residential	8.7-17.4	1.01	RM	0.56	52	45	SF home SF home
441-0100-002-02			0.99		0.59			
441-0100-003-02			<u>1.06</u>					
Total:	3.06							
<i>Moderate Income Subtotal:</i>			22.00			307	238	
Total:			25.94			340	263	



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Hayward General Plan Update

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TABLE B-3 SOUTH HAYWARD BART AREA SITES INVENTORY City of Hayward January 1, 2014									
APN	General Plan	Density (units/acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use	
Lower Income Sites									
078C-0436-010-04	Sustainable Mixed Use	17.5-35.0	0.43	ST-4	n/a	15	5	Vacant	
078C-0455-001-03			0.32		n/a			Vacant	
078C-0455-001-04			4.66		0.23			Junk yard, unpaved parking space for small single-story	
078C-0455-001-05	Sustainable Mixed Use	17.5-35.0	0.15	ST-4	0.76	338	125	One SF home	
078C-0455-001-07			0.39		n/a			Marginal commercial use	
078C-0455-001-08			4.15		0.41			Marginal commercial use	
Total:			9.67						
452-0020-007-06			0.98		0.61			Junk yard, unpaved parking space for small single-story, marginal commercial use, located within FEMA A flood zone	
452-0020-008-00	Sustainable Mixed Use	17.5-35.0	0.68	CS/ST-4	0.4	58	21		
Total:			1.66						
078C-0455-005-01			2.45					Vacant	
078C-0455-005-02			0.58					Vacant	
078C-0455-004-00	Sustainable Mixed Use	17.5-35.0	0.94	ST-4	n/a	154	58	Vacant	
078C-0455-003-00			0.47					Vacant	
Total:			4.44						
Subtotal ST-4 Zoned Sites			16.20			565	209		
078C-0461-006-04	Sustainable Mixed Use	35.0-55.0	1.33	ST-5	n/a	73	54	Vacant	
078C-0438-011-02			1.34					Vacant	
078C-0438-019-01			5.85					Vacant	
078C-0438-011-01	Sustainable Mixed Use	35.0-55.0	1.04	ST-5	n/an/a	451	171	Vacant	



TABLE B-3
SOUTH HAYWARD BART AREA SITES INVENTORY
 City of Hayward
 January 1, 2014

APN	General Plan	Density (units/acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
Total:			8.23					
078C-0438-013-06			0.84					Vacant
078C-0438-014-00			0.62	ST-5	n/a	109	50	Vacant
078C-0438-015-02			0.53					Vacant
Total:	Sustainable Mixed Use	35.0-55.0	11.99					
<i>Subtotal ST-5 Zoned Sites</i>								
Total:			27.75			633	275	
						1,198	484	



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TABLE B-4 MISSION BOULEVARD CORRIDOR SPECIFIC PLAN AREA SITES INVENTORY City of Hayward January 1, 2014								
APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
Moderate-Income Sites								
445-0150-060-00	Sustainable Mixed Use	4.3-17.5	4.57	T3	0.23	79	29	School
445-0220-142-01	Sustainable Mixed Use	4.3-17.5	0.11	T3	n/a	9	4	Vacant
445-0220-003-00			0.06		n/a			Vacant
445-0220-004-00			0.06		n/a			Vacant
445-0020-005-00			0.06		n/a			Vacant
445-0220-006-00			0.06		0.00			Parking lot
445-0220-007-00			0.06		0.00			Parking lot
445-0220-008-00			0.06		0.00			Parking lot
445-0220-009-00			0.06		0.00			Parking lot
Total:			0.53			88	33	
<i>Subtotal Moderate Income Sites</i>								
Lower-Income Sites								
445-0220-018-00	Sustainable Mixed Use	17.5-35.0	0.12	T4-1	n/a	55	22	Parking lot/vacant
445-0220-017-00			0.14		0.65			One story store
445-0220-016-00			1.32		n/a			Small commercial buildings/parking lot
Total:			1.58					
445-0230-001-00	Sustainable Mixed Use	17.5-35.0	0.65	T4-1	0.20	27	10	Parking lot
445-0230-025-00			0.14		0.13			Commercial garage
Total:			0.79					
445-0230-023-00	Sustainable Mixed Use	17.5-35.0	0.35	T4-1	0.46	36	14	Small commercial
445-0230-022-00			0.35		0.25			Automobile dealership
445-0230-021-00			0.34		0.22			Parking lot
Total:			1.04					
445-0001-001-01	Sustainable Mixed Use	17.5-35.0	0.96	T4-1	n/a	229	91	Vacant
445-0001-004-13			4.64		n/a			Parking lot
445-0001-004-05			0.67		0.26			Service Station
445-0001-003-02			0.30		0.23			Service Station
Total:			6.57					
444-0060-010-00 ¹	Sustainable Mixed Use	17.5-35.0	0.16	T4-1/T4-2	0.08	354	141	Commercial garage
444-0060-011-00 ¹			0.40		0.15			Service station
444-0060-012-02 ¹			1.86		0.25			Automobile dealership



**TABLE B-4
MISSION BOULEVARD CORRIDOR SPECIFIC PLAN AREA SITES INVENTORY**

City of Hayward
January 1, 2014

APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
444-0060-019-04 ¹			7.43		0.12			Automobile dealership
444-0060-031-00 ¹			0.62		0.25			Automobile dealership
444-0060-030-00 ¹			0.65		0.10			Automobile dealership
Total:²			11.12					
444-0078-003-04 ¹			2.03		0.12			Church
444-0078-005-02 ¹			0.75		0.22			Church parking lot
444-0078-006-04 ¹			0.72		0.00			Parking lot (ILR 1.9?)
444-0078-007-06 ¹			1.24		0.72			One story store
444-0078-008-05 ¹	Sustainable Mixed Use	17.5-35.0	0.72	T4-2	0.15	225	90	One story store
444-0078-010-00 ¹			0.34		n/a			Vacant
444-0078-011-03 ¹			1.51		n/a			Vacant
444-0078-012-02 ¹			0.20		0.00			One story office
444-0078-019-01 ¹			0.27		0.00			Parking lot
Total:²			7.78					
444-0078-007-07			1.52		0.17			Commercial garage
444-0078-008-06	Sustainable Mixed Use	17.5-35.0	0.78	T4-2	0.16	140	56	Vacant commercial
444-0078-015-04			2.13		0.67			One story store
Total:²			4.43					
428-0006-058-01	Sustainable Mixed Use	17.5-35.0	1.11	T4-1	0	38	14	Vacant apartment land
428-0006-069-01	Sustainable Mixed Use	17.5-35.0	0.97	T4-1	0.04	33	12	Parking lot
428-0031-073-01			0.63		0.38			Automobile dealership
428-0031-070-00	Sustainable Mixed Use	17.5-35.0	0.24	T4-1	0.09	60	24	Parking lot
428-0031-069-01			0.86		0.08			Parking lot
Total:²			1.73					
428-0036-058-01			0.36		0.23			Car wash
428-0036-059-02	Sustainable Mixed Use	17.5-35.0	0.34	T4-1	0.60	31	12	One story store
428-0036-060-00			0.23		0.40			One story store
Total:²			0.93					
428-0031-064-00	Sustainable Mixed Use	17.5-35.0	0.64	T4-1	0.58	22	8	Commercial repair garage
428-0051-024-00	Sustainable Mixed Use	17.5-35.0	0.21	T4-1	0.97	22	8	Commercial repair garage

**TABLE B-4
MISSION BOULEVARD CORRIDOR SPECIFIC PLAN AREA SITES INVENTORY**
City of Hayward
January 1, 2014

APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use						
428-0051-023-00	Use		0.10		0.25			Commercial repair garage Restaurant One story store						
428-0051-025-00			0.15		0.94									
428-0051-026-00			0.17		0.54									
Total:			0.63											
444-0060-023-10 ¹	Sustainable Mixed Use	17.5-35.0	2.3	T4-2	0.11	80	32	Automobile dealership						
445-0200-012-01 ¹										9.80	T4-1	N/A	343	137
<i>Subtotal Lower Income Sites</i>														
Mixed-Income Sites														
428-0056-032-00	Sustainable Mixed Use	17.5-35.0	0.51	T4-1	0	44	17	Vacant commercial land Vacant commercial land Warehouse Commercial repair garage						
428-0056-031-00										0.12		0.52		
428-0056-034-00										0.64		0.48		
428-0056-037-00										0.25		0.48		
Total:			1.52			57	22							
428-0051-039-00	Sustainable Mixed Use	17.5-35.0	0.11	T4-1	0.21	19	8	Commercial repair garage Commercial repair garage Multiple residential building Service Station Vacant commercial land Vacant commercial land Vacant commercial land Vacant commercial land						
428-0051-040-00										0.20		0.40		
428-0051-036-01										0.28		0.37		
428-0051-042-03										0.48		0		
428-0051-037-02										0.50		0		
428-0051-043-02		0.11		T5		81	32							
428-0051-044-02		0.16												
428-0051-045-02		0.22												
Total:			2.06			100	40							
428-0011-076-02	Sustainable Mixed Use	17.5-35.0	0.24	T4-1	0.07	70	28	Parking lot Parking lot Vacant commercial Commercial repair Automobile dealership Vacant commercial land Automobile dealership						
428-0011-096-00										0.08		0.00		
428-0011-077-00										0.16		0.00		
428-0011-095-06										0.38		0.78		
428-0011-092-00										0.22		0.00		
428-0011-091-00										0.48		0.16		
428-0011-095-05										0.45		0.88		



MISSION BOULEVARD CORRIDOR SPECIFIC PLAN AREA SITES INVENTORY								
City of Hayward January 1, 2014								
APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
428-0011-090-00	Sustainable Mixed Use	4.3-17.5	0.59	T3	0.06	13	5	garage parking lot
428-0011-095-04			0.18		0.00			
Total:			2.78			83	33	
<i>Subtotal Mixed Income Sites</i>			2.78			240	95	
Total:			58.28			2,023	799	

¹ Parcel is within a commercial overlay zone. Development on these parcels must include commercial on the ground floor of buildings.

² There is a 40 ft. wide slip lane planned that will reduce acreage on these sites. Estimated units are based on an adjusted acreage.

Figure B-5
 Vacant Land Inventory
 Mission Boulevard Corridor
 Specific Plan Area



	Hayward City Limits
	Mission Boulevard Specific Plan Area
	Underutilized
	Vacant
	238 Corridor Study Area

Source: Esri, DigitalGlobe, GeoEye, Earthstar, IGN, JEP, swisstopo, and the © User Community

Note: There is overlap between the 238 Corridor Study Area and the Mission Boulevard Corridor Specific Plan Area (MBCSPA). There are two vacant or underutilized parcels and both are included in the MBCSPA data.



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**TABLE B-5
ROUTE 238 STUDY AREA SITES INVENTORY**
City of Hayward
January 1, 2014

APN	General Plan	Zoning	Density (units/acre)	Acres	Maximum Capacity (units)	Realistic Capacity (units)	Notes/Existing Use
Above Moderate-Income Sites							
445-0250-041-01	Suburban Density Residential	RNP	1.0-4.3	2.82	165	80	Includes several multifamily buildings. Planned to be grouped, sold, and developed as a single unit, however several subdivided parcels are eligible for tenant purchase.
445-0250-059-01				3.60			
445-0250-060-00				5.66			
445-0260-018-01				2.23			
445-0260-084-01				9.95			
445-0260-109-01				4.63			
445-0270-054-02	9.54						
Total:				38.43			
445-0240-054-00	Suburban Density Residential	RNP	1.0-4.3	0.30	1	1	Vacant
078C-0635-013-01	Low Density Residential	RS	4.3-8.7	0.83	7	5	One SF home
427-0026-040-00	Low Density Residential	RS	4.3-8.7	0.46	4	3	Vacant
427-0026-039-00 (portion)	Low Density Residential	RS	4.3-8.7	0.30	2	1	Vacant parcel; 0.41 acres, 0.30 designated LDR and 0.11 Parks and Recreation;
427-0026-042-00 (portion)	Low Density Residential	RS	4.3-8.7	0.18	1	1	Vacant parcel; 0.68, 0.50 designated Parks and Recreation, 0.18 LDR
427-0036-033-01	Low Density Residential/Medium Density Residential	RS	4.3-8.7	2.09	18	13	15 single family homes but remainder of site is about two acres that can be developed after parcels are created for homes
427-0036-055-01	Low Density Residential	RS	4.3-8.7	3.32	28	21	11 single family homes but remainder is 30,000 square feet that can be developed after parcels are created for homes
427-0046-029-00	Low Density Residential	RS	4.3-8.7	0.98	8	6	Vacant
427-0046-037-00	Low Density Residential	RS	4.3-8.7	0.34	2	2	Vacant



**TABLE B-5
ROUTE 238 STUDY AREA SITES INVENTORY**
City of Hayward
January 1, 2014

APN	General Plan	Zoning	Density (units/acre)	Acres	Maximum Capacity (units)	Realistic Capacity (units)	Notes/Existing Use
427-0046-038-00 (portion)	Low Density Residential	RS	4.3-8.7	1.25	10	8	Vacant parcel; 1.29 acres, 1.25 are designated LDR and 0.04 are Parks and Recreation
445-0070-078-00 (portion)	Low Density Residential	RS	4.3-8.7	3.47	30	22	3.47 acres are Vacant, the rest is Open Space
445-0210-001-01 (portion)	Low Density Residential	RS	4.3-8.7	0.37	3	2	Older commercial use and two single family homes, only 0.37 Vacant.
<i>Subtotal Above Moderate Income</i>				52.32	279	165	
Moderate-Income Sites							
078C-0626-001-07 (portion)	Medium Density Residential	OS RM	8.7-17.4	8.00	139	104	22 acre parcel; 8.00 acres designated MDR. The other 14 acres is Open Space.
078C-0626-003-09 (portion)	Medium Density Residential	OS RM	8.7-17.4	9.25	160	120	22 acre parcel; 9.25 acres designated MDR. The other 5.8 acres is Open Space
078C-0626-003-16	Medium Density Residential	RM	8.7-17.4	1.51	26	19	Vacant
443-0065-007-08 ¹	Medium Density Residential	RM	8.7-17.4	6.07	105	79	Vacant
427-0026-009-00	Medium Density Residential	RM	8.7-17.4	0.19	3	2	Vacant
427-0026-045-00	Medium Density Residential	RM	8.7-17.4	0.21	3	2	Vacant
445-0050-001-07 (portion)	Medium Density Residential High Density Residential	RM RH	8.7-17.4	8.78	152	114	Four single family homes – remainder of parcel is 8.78 acres that can be developed after parcels are created for homes, inventoried for moderate-income units only
415-0180-080-00				0.20			
415-0180-081-01				0.96			
415-0180-082-01				0.94			
415-0180-083-01				0.62			
415-0180-084-01				0.44			
415-0190-064-00				0.88			
Total:	Commercial/High Density Residential	RM	8.7-17.4	4.04	70	52	Vacant
<i>Subtotal Moderate Income</i>				38.05	658	492	

**TABLE B-5
ROUTE 238 STUDY AREA SITES INVENTORY**
City of Hayward
January 1, 2014

APN	General Plan	Zoning	Density (units/acre)	Acres	Maximum Capacity (units)	Realistic Capacity (units)	Notes/Existing Use
Lower-Income Sites							
445-0040-011-03	High Density Residential	RH	17.4-34.8	1.46	50	38	Duplex units on a large property that should be redeveloped
426-0200-014-01	High Density Residential	RH	17.4-34.8	0.99	34	25	Vacant
415-0170-017-00	Commercial/High Density Residential	CO	17.4-34.8	0.17	69	26	10-unit apartment; older building that could be combined and redeveloped with vacant properties
415-0170-018-00				0.17			
415-0170-019-00				0.17			
415-0170-020-00				0.17			
415-0170-022-00				0.17			
415-0170-023-00				0.16			
415-0170-021-00				0.17			
415-0170-025-00				0.33			
415-0170-029-02				0.33			
415-0170-024-00				0.16			
Total:				2.00			
445-0180-001-00	Sustainable Mixed Use	SMU	25.0-55.0	29.41	1,618	606	Single family home
<i>Subtotal Lower Income</i>				33.86	1,771	695	
Total				124.23	2,708	1,352	

¹ Parcel is located outside the Route 238 Study Area, but is owned by Caltrans and is, therefore, included in the inventory for this area.

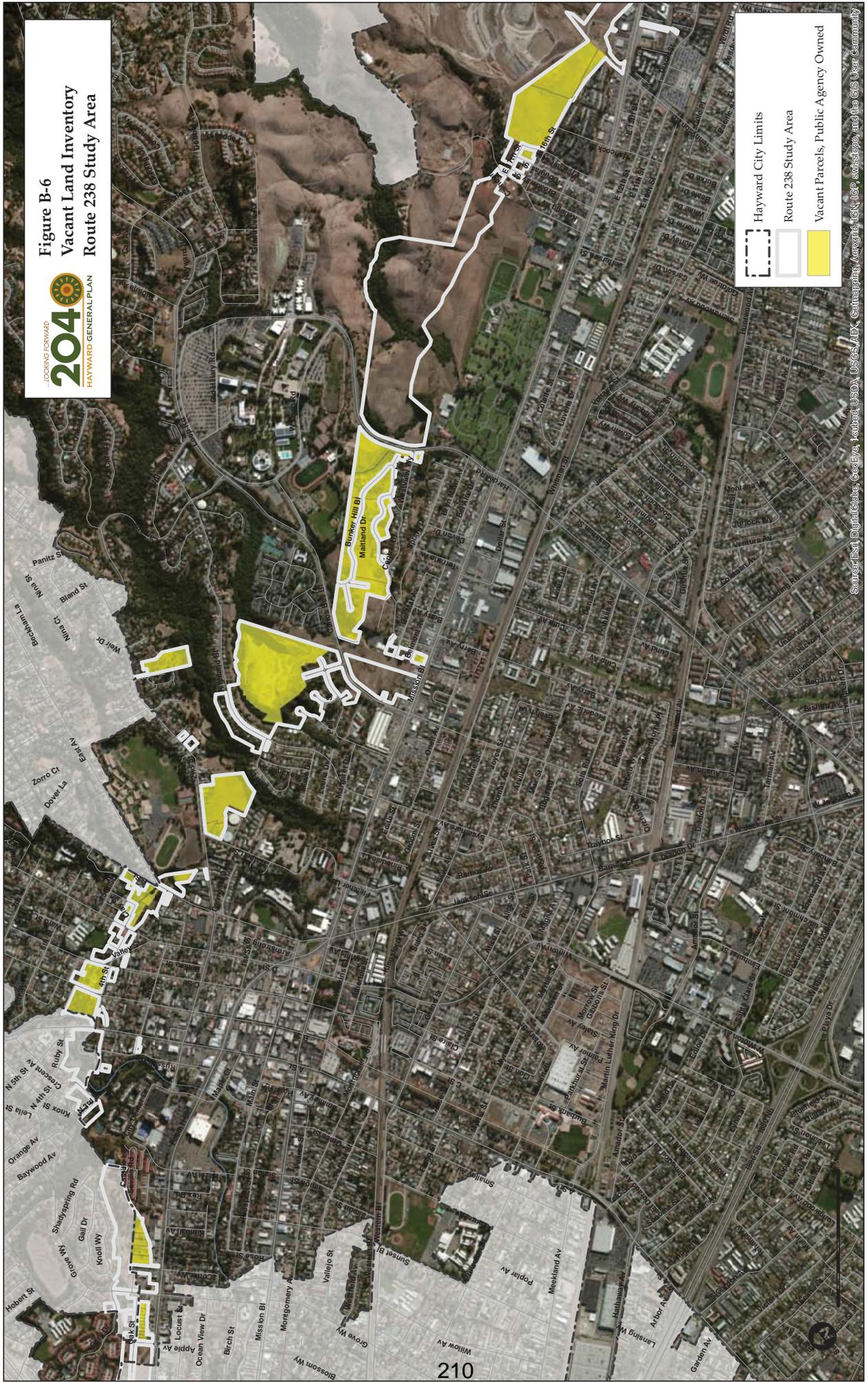


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Hayward General Plan Update

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Figure B-6
 Vacant Land Inventory
 Route 238 Study Area



Hayward City Limits
 Route 238 Study Area
 Vacant Parcels, Public Agency Owned

Source: Esri, DigitalGlobe, GeoEye, AeroMap, 1999, USDA, USGS, AEX, Geotrap, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community



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Hayward General Plan Update

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APPENDIX C: REVIEW OF PAST ACCOMPLISHMENTS

TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS				
Program	2009-2014 Objectives	Status	Accomplishments	
GOAL 1.0 Maintain and enhance the existing viable housing stock and neighborhoods within Hayward.			Recommendation	
<p>Program 1 Housing Rehabilitation Loan Program (HRLP): The Housing Rehabilitation Loan Program provides eligible lower income homeowners with below market-rate deferred loans to correct major health and safety deficiencies and make needed accessibility modifications. This program is intended for larger rehabilitation projects, where necessary repairs cost \$5,000 or more. Loans can be used for the following repair work:</p> <ul style="list-style-type: none"> ■ Repairs needed to bring the property up to building and housing code standards. Code violations will be corrected. ■ General property improvements including painting, flooring and kitchen and bathroom remodeling. ■ Roof replacement, electrical and plumbing repairs. ■ Accessibility renovations and improvements for people who have disabilities or mobility impairments. ■ Room additions where overcrowding is identified. 	<ul style="list-style-type: none"> ■ Continue to provide rehabilitation loans to qualified lower income homeowners. ■ Disseminate information to homeowners regarding rehabilitation standards, preventive maintenance, and energy conservation. ■ Assist 20 lower income households annually. 	Ongoing	In 2009 the City spent approximately \$497,400 and \$359,000 on the MHRG and HRLP Programs respectively, including 74 grants and three loans to assist eligible low-income homeowners with home repairs and upgrades. From 2010 to 2012 the City provided over \$907,600 in HRLP grants and loans using CDBG funds, and 156 low-income homeowners received assistance to upgrade and repair their homes and to conduct lead inspections. The three separate home rehabilitation programs were merged into one program.	Retain program.
<p>Program 2 Minor Home Repair Grant Program (MHRP): The Minor Home Repair Program offers grants up to \$5,000 for minor home repairs to low income elderly and/or disabled homeowners in order to address health and safety problems, correct code deficiencies, and improve the outward appearance of homes. Grants can be used to pay for minor repairs such as correcting leaky faucets, sinks, toilets, and replacing water heaters. Priority is given to work that corrects health and safety issues, and to accessibility modifications for people who have disabilities.</p>	<ul style="list-style-type: none"> ■ Continue to provide rehabilitation grants to qualified lower income elderly and disabled homeowners. ■ Disseminate information to homeowners regarding rehabilitation standards, preventive maintenance, and energy conservation. ■ Assist 50 lower income households annually. 	Ongoing - Subject to CDBG availability	The three separate home rehabilitation programs were merged into one program. See response to Program 1 above.	Retain program.
<p>Program 3 Disability Access Grant and Loan Program: The Disability Access Grant and Loan Program provides below market-rate deferred loans and grants to lower income homeowners for the removal of architectural barriers in a residence to improve accessibility for persons with disabilities.</p>	<ul style="list-style-type: none"> ■ Continue to provide rehabilitation grants and loans to qualified lower income homeowners. ■ Disseminate information to homeowners regarding rehabilitation standards, preventive maintenance, accessibility requirements, and energy conservation. ■ Assist 20 lower income households annually. 	Ongoing - Subject to CDBG availability	The three separate home rehabilitation programs were merged into one program. See response to Program 1 above.	Delete program.
<p>Program 4 Residential Rental Inspection Program: The purpose of the Residential Rental Inspection Program is to safeguard the stock of safe, sanitary rental units within the City and protect persons entering or residing in rental units through systematic inspection of rental housing throughout the City. The program focuses attention on rental housing in higher density areas with the goal of inspecting these units every three to four years. Properties outside the focus area are inspected less frequently, unless they are the subject of a complaint. All rental units are subject to inspection. In addition to an annual, per-unit fee, fees are charged for every unit in which a violation is</p>	<ul style="list-style-type: none"> ■ Continue to perform inspections on residential rental units Citywide. ■ Disseminate information to residents about the mandatory rental inspections, as well as up-to-date information on the City's building, mechanical, plumbing, electrical, and housing codes. ■ Inspect approximately 3,000 rental units annually. 	Ongoing	The City inspected approximately 828 single family homes and 8,845 apartments in over 934 multifamily rental properties from 2009 to 2012.	Retain program.



TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS				
Program	2009-2014 Objectives	Status	Accomplishments	
Program	2009-2014 Objectives	Status	Recommendation	
<p>found. Penalties are also assessed for lack of timely correction of violations.</p> <p>Program 5 Graffiti Abatement "Buster" Program: The Graffiti Buster vehicle offers graffiti abatement services on a one-time courtesy basis for retail/commercial businesses and residential fences and retaining walls that abut the public sidewalk. Staff removes graffiti from municipal property, pedestrian and vehicular overpasses, BART columns, sidewalks, traffic control boxes, and the Amtrak Station. Residents who wish to remove existing graffiti in their neighborhoods can also obtain paint from the Facilities Division to paint over graffiti. Paint is available in six basic colors.</p>	<ul style="list-style-type: none"> Continue to provide graffiti abatement services Citywide. Disseminate information to and get feedback from residents on community appearance, including weeds, signs, junk, graffiti, and vehicles. 	Ongoing	<p>The City owns and operates the Graffiti Buster Vehicle and offers graffiti abatement services on a one-time courtesy basis for retail and commercial businesses and residential fences and retaining walls that abut the public sidewalk. The City also runs a hotline to report graffiti and offers a reward of up to \$500 for any information that leads to the arrest and conviction of a graffiti vandal.</p> <p>The City encourages residents and business owners to be proactive in addressing graffiti and provides information on where they can buy anti-graffiti paint or obtain free paint to cover it.</p>	<p>This program is included in other elements of the General Plan and is not a housing-specific program. Recommend removing program from the Housing Element.</p>
<p>Program 6 Crime Free/Crime Prevention through Environmental Design: The City seeks to provide a safe and decent living environment for all residents. Specifically, the City will promote a crime-free environment through the following efforts:</p> <ul style="list-style-type: none"> The Development Services Department will continue to include the Police Department in the review of all development projects to adequately address crime and safety, and to promote the implementation of Crime Prevention through Environmental Design (CPTED) strategies. Prepare an ordinance that requires CPTED strategies for all new multifamily developments and requires owners of new multifamily rental properties to participate in the Hayward Police Department's Crime Free Multi-Housing program. When providing funding to existing affordable rental housing, require participation in the Hayward Police Department's Crime Free Multi-Housing program. 	<ul style="list-style-type: none"> Prepare ordinance on CPTED strategies for new multifamily developments in 2010. Disseminate information on the City's Crime Free Multi-Housing Program and CPTED strategies. 	Complete/ In Progress/ Ongoing	<p>In 2009 the City's Police Department launched the Crime Free Multi-Housing Program which educates managers and owners of multifamily rental properties on how to address and prevent crime and improve safety. To date, managers from a total of 92 local rental properties have attended the trainings. Currently, there are 13 fully certified properties in the program. The City held a total of 12 eight-hour trainings and 14 two-hour manager trainings between 2009 and 2012.</p> <p>The City plans to adopt an Ordinance that requires CPTED for all new multifamily developments by the end of 2014. The City's Police Department continues to review all development proposals to adequately address crime and safety and to promote CPTED strategies.</p>	Retain program.
<p>GOAL 2.0 Assist in the provision of housing that meet the needs of all socioeconomic segments of the community.</p> <p>Program 7 Preservation of At-Risk Housing: Thirteen assisted housing developments, with a total of 679 affordable housing units, in the City are considered at risk of converting to market-rate housing during the planning period of this at-risk analysis (July 1, 2009 through June 30, 2019). The City will monitor all units considered at risk of conversion to market rate and assist property owners in maintaining the affordability of these units.</p>	<ul style="list-style-type: none"> Annually monitor status of the 679 affordable housing units that are at risk of converting to market rate between 2009 and 2019. Ensure that property owners comply with State noticing requirements to notify tenants one year ahead of their intent to terminate subsidy contracts or affordability covenants. Support and assist property owners in applying for State and federal at-risk housing preservation funds. Provide technical assistance to tenants to access other affordable housing resources, such as assistance to tenants of at-risk affordable developments by referring them to the Eden I & R's Alameda County Referral Line, a 24-hour telephone line service (211) that provides residents free information about housing, health and social services throughout Alameda County. Currently, this program is partially supported by the City of Hayward with CDBG funding. 	Ongoing	<p>In 2009 the Redevelopment Agency approved a \$1.5 million loan for a local non-profit housing developer to acquire and rehabilitate Tennyson Gardens, a 96-unit rental apartment complex for low-income families. In addition, the City approved the re-funding of existing tax-exempt bonds. This, along with the Agency loan, allowed the new owner to address the immediate and long-term rehabilitation needs of the project, ensuring its long-term affordability and viability.</p> <p>From 2011 to 2013 the City did not acquire at-risk affordable housing, mostly due to the dissolution of Redevelopment which in turn eliminated the main source of funding for the creation, rehabilitation, or preservation of housing affordable to low- and moderate-income households. However, the City's Community Program Specialist (CPS) continued to monitor compliance of affordable properties with income, occupancy, maintenance, and other regulatory restrictions required by funding sources including HOME funds and tax-exempt</p>	<p>Modify program to reflect the loss of redevelopment.</p>

TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS				
Program	2009-2014 Objectives	Status	Accomplishments	
Program	2009-2014 Objectives	Status	Accomplishments	
	<ul style="list-style-type: none"> Encourage the sale or transfer of rent-restricted residential developments to non-profit organizations which will agree to maintain the affordability restrictions for the life of the project. As funding permits, provide financial assistance to nonprofit housing developers in the acquisition/rehabilitation of at-risk projects. 		bonds issued by the City.	
<p>Program 8 Foreclosure Prevention and Counseling: Hayward is one of the Alameda County jurisdictions with the largest number of foreclosures, subprime loans, and delinquencies – behind Oakland and Unincorporated Alameda County. Among all the jurisdictions in Alameda County, Hayward had the highest ratio of foreclosures to the total number of outstanding mortgage loans.</p>	<ul style="list-style-type: none"> Include information about foreclosure prevention resources in the housing program's section of the City's website. Post information about the programs available for refinancing at-risk loans, and contact information for legal services agencies and HUD-approved counseling organizations in the area. Provide funds to ECHO Housing (ECHO) or another HUD-approved counseling organization to fund a foreclosure counselor to serve Hayward. Mail residents who receive Notices of Default (NOD's) relevant information about resources available for homeowners facing the loss of their home. Organize foreclosure prevention seminars for Hayward residents at risk of losing their homes. 	Complete/ Ongoing	<p>The City and mailed approximately 7,360 letters containing foreclosure prevention materials to local residents who received notices of default and notices of trustee sale from 2009 to 2012 and posted several foreclosure-prevention resources on its webpage.</p> <p>In addition, in partnership with real estate agents and a non-profit organization, the City organized 10 foreclosure prevention seminars from 2009 to 2012. The City also provided \$107,140 to a local organization to provide foreclosure prevention counseling.</p>	Retain program. As Needed
<p>Program 9 Purchase, Rehabilitation, and Sale of Foreclosed Properties: Given the high rate of foreclosures in Hayward, the City has developed a program to acquire, rehabilitate, and resell foreclosed properties to lower and moderate income households. The program will likely target properties in ZIP Code 94544 where there is a concentration of foreclosed properties.</p>	<ul style="list-style-type: none"> The City will acquire four properties by June 30, 2010. The City plans to acquire another 16 units by the end of 2011. Work with nonprofit housing developer, Habitat for Humanity to implement program. 	Complete	<p>Working with Habitat for Humanity East Bay, the City of Hayward implemented the acquisition, rehabilitation, and resale of single family foreclosed homes using a \$1.5 million Federal Neighborhood Stabilization Program (NSP)-1 grant from 2008 to 2011. Upon completion of the rehabilitation work, which included energy efficiency upgrades, the homes (nine total) were sold at affordable prices to low and moderate-income households. The homes were located in areas severely affected by foreclosures.</p> <p>As a member of the Alameda County NSP-2 Consortium, the City of Hayward received an additional \$1.5 million of NSP funding. In partnership with Habitat for Humanity, the City used these NSP-2 funds to supplement its NSP-1 Acquisition, Rehabilitation, and Resale of Foreclosed Homes Program. Using NSP-2 funds, the City included 14 additional homes in the Program between 2010 and 2012.</p>	Delete program, as all NSP funds have been allocated.
<p>Program 10 First Time Homebuyer Program: The City of Hayward's First Time Homebuyer Program provides assistance to first-time</p>	<ul style="list-style-type: none"> The program features were restructured in 2009 to take advantage 	Discontinued	<p>From 2007 to 2010 the City spent almost \$2 million on more than 60 loans to moderate-income homebuyers for downpayment assistance.</p>	Delete program.



TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS			
Program	2009-2014 Objectives	Status	Accomplishments
<p>homebuyers by offering loans up to \$40,000 to qualified low-income homebuyers and up to \$30,000 to moderate-income homebuyers. Applicants may use the funds for down payment and/or closing costs. The program assistance is a 30-year loan which is secured by a deed of trust. Full amortization starts on year six with a 3.5% interest rate. No principal and interest accrue during the first five years.</p> <p>During the first part of 2009, City staff made the following changes to the Program in order to respond to current real estate market conditions:</p> <ul style="list-style-type: none"> The interest rate was fixed to 3.5 percent, as opposed to being tied to the 11th District Cost of Funds Index; A five-year loan payment deferral period was allowed; and <p>The loan amount was increased to \$30,000 to moderate-income homebuyers and \$40,000 to low-income homebuyers.</p> <p>Program 11 Mortgage Credit Certificate: The Mortgage Credit Certificate (MCC) program provides the income eligible buyer with an opportunity to reduce the amount of federal income tax otherwise due by an amount equal to 15 percent of the mortgage interest payments at a dollar-for-dollar credit. The remaining 85 percent can be taken as the usual allowable deduction of the itemized return. The result increases the household's overall income and ability to qualify for a mortgage loan. The MCC program provides assistance to first-time homebuyers for the purchase of owner-occupied single family homes, duplexes, townhomes, and condominiums.</p> <p>Program 12 Tenant-Based Rental Assistance for Emancipated Youth: The City provides funding to Project Independence, a program implemented by ABODE Services to assist emancipated youth in Alameda County (youth from 18 to 24 who have aged out of the foster care system). Most of the participants in this program are single mothers on Cal WORKS with extremely low incomes. In addition to affordable housing, the program provides the youth and their children (if applicable) with comprehensive supportive services. Program participants live in subsidized apartments at scattered rental complexes and participate in case management, education and vocational training, employment placement, financial literacy training, mental and physical healthcare, and other supportive programs.</p>	<p>of current market conditions and expand assistance to increased number of households.</p> <ul style="list-style-type: none"> Continue to provide loans to potential low and moderate income homeowners. Provide 15 to 20 loans annually. 	<p>Ongoing</p>	<p>However, due to the dissolution of Redevelopment, the City discontinued this program. Prior to the stay dictated by the State Supreme Court, which effectively froze RDA activities, the City spent \$320,000 on 11 down payment assistance loans for first-time homebuyers. Additionally, during 2012 the City processed 10 subordination requests from lenders which allowed program participants to benefit from lower, and more favorable, interest rates. These lower interest rates, in turn, translated into savings for their households, improving the affordability of the homes for the participants of the City's homeownership programs.</p> <p>The City continues to provide support to participants of the City's homeownership programs and provide information about available resources and financial assistance to potential first-time homeowners.</p> <p>The City contributes towards the administration costs of the Mortgage Credit Certificate (MCC) program, which is administered by the Alameda County Housing and Community Development Department (HCD). The MCC program allows low- and moderate-income homebuyers to deduct 15 percent of their annual mortgage interest payments on their Federal income tax returns, effectively lowering the dollar amount of their monthly mortgage payments. From 2011 to 2012, 31 Hayward homebuyers obtained an MCC allocation, and the County reissued one MCC in 2011.</p> <p>From 2008 to 2012 the City provided almost \$466,500 to Project Independence, a program implemented by a non-profit organization that provides tenant-based rental assistance to emancipated youth, housing 125 Hayward households (mostly single mothers).</p>
	<p>Continue to participate in the MCC program.</p> <ul style="list-style-type: none"> Assist the County in promoting the program to eligible homebuyers. 	<p>Ongoing</p>	<p>Retain program.</p>
	<p>Continue to support Project Independence.</p> <ul style="list-style-type: none"> Work with ABODE Services to provide a continuum of supportive services for emancipated youth. 	<p>Ongoing</p>	<p>Retain program.</p>

EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS				
Program	2009-2014 Objectives	Status	Recommendation	
<p>Program 13 Affordable Housing Development: The City will work with developers to facilitate affordable housing development. Specifically, as funding permits, the City will provide gap financing as a local match to State (e.g. Proposition 1C), Federal, and other public affordable funding sources. Gap financing will focus on rental housing units affordable to lower income households and households with special needs (e.g. seniors and disabled), especially projects that promote the City's goals relating to transit-oriented development and jobs/housing balance. Recent affordable housing developments in the City have included units for extremely low income households (such as Sara Conner Court and Walker Landing). The City will continue to target households at this income level.</p>	<ul style="list-style-type: none"> Assist in the development of transit-oriented housing units affordable to lower income and special needs households through gap financing. Specifically, facilitate the development of 206 senior and family affordable units in the South Hayward BART area, target 33 of the 206 affordable units for extremely low income households (16 family units and 17 senior units). Provide developers with technical support in the application for State, federal, and other funding programs. Facilitate affordable housing development on Redevelopment Agency-owned properties, such as the sites located at A & Walnut (acquired) and B & Grand (targeted for acquisition in FY 2010) by the Agency with set-aside funds. A & Walnut is being considered for housing for persons with disabilities, with the potential to accommodate extremely low income households with disabilities. 	<p>Complete/ Ongoing</p>	<p>The City and its Housing Authority (which is the Housing Successor Agency to the former Redevelopment Agency), in partnership with Eden Housing, Inc. (Eden) and a market-rate developer, have continuously worked to secure the funding necessary for the development of the South Hayward BART station affordable housing development. Due to the housing crisis and the dissolution of Redevelopment by the State of California Legislature in 2011, the project financing, which included a \$7.1 million commitment in Redevelopment Agency Low and Moderate-Income Housing funds ("Low-Mod" funds) has continually evolved. As a result, the 206 affordable units initially planned, was reduced to 151 to include including 87 affordable units to low and very low-income families and 64 affordable units to very low-income seniors. The South Hayward BART mixed use project received a total of \$21 million in Proposition 1C funds: a \$15 million TOD grant and \$6 million through the Infill Infrastructure Grant Program. The TOD grant is a permanent, long-term loan to Eden for the affordable housing, and will be disbursed to Eden upon completion of the affordable development.</p>	<p>Retain program.</p>
<p>Program 14 Density Bonus: State law requires the provision of certain incentives for residential development projects that set aside a certain portion of the units to be affordable to lower and moderate income households. The City implements State law through its density bonus ordinance. Under current State law, jurisdictions are required to provide density bonuses and development incentives on a sliding scale, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided. The City of Hayward offers a density bonus to developers who agree to construct any of the following:</p> <ul style="list-style-type: none"> Ten percent of total units for lower income households Five percent of total units for very low income households 	<ul style="list-style-type: none"> Continue to use the Density Bonus Ordinance to encourage the development of affordable housing. Develop a brochure describing the Density Bonus Ordinance and distribute to potential developers in order to promote affordable housing development. 	<p>In Progress</p>	<p>The City has not received any density bonus requests.</p>	<p>Retain program.</p>



TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS				
Program	2009-2014 Objectives	Status	Accomplishments	
			Recommendation	
<ul style="list-style-type: none"> A senior citizen housing development or a mobile home park Ten percent of total units for moderate income households <p>The amount of density bonus granted varies depending on the percentage of affordable units provided and ranges from five to 35 percent. To obtain a density bonus in Hayward, the developer must submit a Density Bonus Application as well as an Affordable Housing Unit Plan and Agreement to the City. In 2005, the City granted a density bonus of 5 units (10 percent) to the Olson Company for its 56-unit condominium development, Garden Walk.</p>	<ul style="list-style-type: none"> Continue to enforce the Green Building Ordinance. Develop possible incentives for affordable housing developers to offset any additional costs that the Green Building Ordinance may add to the cost of housing development. Incentives will be offered as part of the overall incentive package for housing development by July 2011. Develop possible incentives to encourage voluntary compliance with the Green Building Ordinance for all residential project projects by July 2011. Incentives may include financial assistance through the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) and Alameda County's Green Packages. Develop a guide for alternative features and mechanisms for meeting the Green Building Ordinance by July 2011, if allowed by the new statewide green building code known as CALGreen. 	Complete/ In Progress/ Ongoing	In February 2010 the City developed a Fee-deferral Ordinance to encourage residential developments exempt from the Green Building Ordinance for residential developers to comply voluntarily. Given the changes to CALGreen that will take effect in 2014, there is less need for a local Green Building Ordinance. The energy portions of the City's Green Building Ordinance are still in effect; all other sections of the Ordinance have been repealed and we are deferring to the Cal Green requirements.	Retain program.
<p>GOAL 3.0 Provide suitable sites for housing development which can accommodate a range of housing by type, size, location, price, and tenure.</p> <p>Program 16 Provision of Adequate Sites:</p> <p>Through the City's General Plan, Zoning Ordinance, and various concept/design plans, the City offers opportunities for a diverse range of housing options. Specifically, the City maintains an inventory of vacant and underutilized residential and mixed use sites that can accommodate the City's Regional Housing Needs Allocation (RHNA) of 3,393 units. With units constructed, under construction, and approved, the City of Hayward has already met a portion of its RHNA. For the 2009-2014 Housing Element period, the City has a remaining RHNA of 1,506 units: 553 very low income units; 433 low income units; and 520 moderate income units. The City will ensure adequate sites are available to accommodate this remaining RHNA.</p>	<ul style="list-style-type: none"> Maintain a residential sites inventory that can accommodate the City's remaining RHNA of 1,506 units. Update the inventory annually to monitor the consumption of residential and mixed use properties and continued ability to fulfill the RHNA. Begin implementation of the 238 Corridor Bypass Land Use Plan in 2010, coordinating with the provision of public improvements in the area according to the following schedule: <ul style="list-style-type: none"> California Transportation Commission (CTC) rescission of 238 Corridor Bypass project. CTC approval of LATIP no later than June 2010. Hiring of staff to implement program. Program implementation. Start sale/disposition of 238 Corridor properties estimated at 	Complete/ Ongoing	<p>The City began implementing the 238 Corridor Bypass Land Use Plan in 2010. The City completed the programmatic elements of the Lump Sum Stipend and the Opportunity to Purchase Home Program (OPHP) on December 31, 2012.</p> <p>The City continues to update its inventory of vacant and underutilized residential and mixed use sites that can accommodate the City's Regional Housing Needs Allocation (RHNA).</p>	Revise program to reflect the current (2014) RHNA.

TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS			
Program	2009-2014 Objectives	Status	Recommendation
	<p>no later than Fall 2010.</p> <ul style="list-style-type: none"> Complete programmatic elements of Lump Sum Stipend (LSS) and OPHP. Estimated to be no later than July 2012, since the Opportunity to Purchase Home Program (OPHP) is a two-year commitment. Assist in land consolidation by providing sites information to interested developers and provide gap financing assistance to nonprofit housing developers. Through redevelopment efforts, coordinate public improvements to facilitate lot consolidation. Offer the following incentives for the development of affordable housing, including but not limited to: <ul style="list-style-type: none"> Priority to processing subdivision maps that include affordable housing units; Expedited review for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plan and master environmental impact report; Financial assistance (based on availability of federal, state, local foundations, and private housing funds); and Modification of development requirements, such as reduced parking standards for seniors, assisted care, and special needs housing on a case-by-case basis. 	Ongoing	Retain program.
<p>Program 17 Affordable Housing on Large Sites: To facilitate the development of housing for lower income households on the largest sites identified in the Sites Inventory (i.e., the 24.12-acre site in the 238 Study Area, which has a potential for 964 units), the City will encourage land divisions and specific plans resulting in parcels sizes that facilitate multifamily developments that include units for affordable to lower income households in light of state, federal and local financing programs.</p>			
<p>GOAL 4.0 Mitigate any potential governmental constraints to housing production and affordability.</p> <p>Program 18 Inclusionary Housing Ordinance: Hayward's inclusionary Housing Ordinance requires that a certain percentage of new residential developments units be made affordable to low and moderate income households, depending on whether the project is intended as ownership or rental housing. Specifically: <i>Affordable Rental Units:</i></p> <ul style="list-style-type: none"> 7.5 percent of the units must be affordable to households earning no more than 50 percent of the Area Median Income (AMI). 7.5 percent of the units must be affordable to households earning no more than 60 percent of the AMI. <p><i>Affordable Ownership Units:</i></p> <ul style="list-style-type: none"> 15 percent of the units must be made affordable to households earning no more than 120 percent of the AMI for a term of no less than 45 years. <p>To monitor and evaluate the effectiveness of the City's Inclusionary Housing Ordinance, the City has retained a consultant in November 2009 to conduct a study and recommend</p>	<ul style="list-style-type: none"> Continue to enforce the inclusionary Housing Ordinance. Conduct a study by Spring 2010 to: <ul style="list-style-type: none"> Review the Hayward Inclusionary Housing Ordinance and Affordable Housing In-Lieu Fee Resolution. Review best practices for methodology of determining fees. Determine the affordable housing cost differential. Prepare a nexus study to determine the impact of market-rate housing on the need for affordable housing. Analyze the financial costs, benefits, and use of incentives and alternatives to produce affordable housing. As part of the study, consider modifying the Inclusionary Housing Policy to set aside a specific percentage of the Inclusionary Housing Ordinance fees for extremely low income housing. 	Complete/ Ongoing	<p>The City's Inclusionary Housing Ordinance, adopted by the City in 2004, requires that 15 percent of the units in new residential developments be made affordable to low and moderate-income households. The Ordinance applies to both ownership and rental housing developments consisting of 20 or more units. From 2009 to 2012 there were 31 deed restricted homes completed and sold at an affordable price to moderate-income households in Hayward.</p> <p>The City hired a consultant to evaluate the Inclusionary Housing Ordinance and fee requirements by conducting a financial feasibility analysis and a fee nexus study with input from stakeholder organizations. As a result, at the end of 2010 the City adopted an interim relief Ordinance which lowered the in-lieu fees for most housing product types, allowed developers to pay in-lieu fees "by right", and delayed payment of those fees to close of escrow.</p> <p>At the end of 2011, the City also clarified some provisions of the Relief Ordinance, including allowing the application of relief provisions to</p>



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<p>modifications to the ordinance if necessary.</p>	<p>developments subject to existing inclusionary agreements but not yet constructed.</p> <p>At the end of 2012 and 2013, the City approved a 12-month and six-month extension, respectively, of the relief provisions through to allow for more time to determine whether the relief provisions are still necessary to stimulate residential construction.</p> <p>Eight inclusionary housing in-lieu fees have been paid to date, totaling \$640,000.</p>	<p>Completed/ In Process/ Ongoing</p>	<p>In February 2010 the City Council approved a series of developer incentives that allow payment of the City's park dedication in-lieu fee and the supplemental building and construction improvement tax to be deferred to close of escrow.</p> <p>City staff continues to meet with builders and developers on a bimonthly basis to obtain input on improving the Precise Development Plan (PDP) process.</p>	<p>Modify program to reflect that the City has approved developer incentives, met with builders and developers for input on the PDP process, and is currently developing new internal procedures for processing PDPs.</p>
<p>Program 19 Development Fees and Processes: The City of Hayward charges a variety of fees to offset the costs of providing infrastructure improvements, public facilities, and services to serve new residential development. Fees are necessary to ensure that new residents are adequately served. However, they may also impact the feasibility of residential development especially during the current difficult market conditions. Applicants for Tentative Tract Maps that involve rezoning to a Planned Development District are required to submit a Preliminary Development Plan along with the Tentative Map. The City Council approves the Tentative Map, the Preliminary Development Plan and the rezoning at one time. Subsequently, an applicant is required to submit a Precise Development Plan, which includes more detailed architectural plans, landscape plans and draft improvement plans. The Precise Development Plan is reviewed and approved by City staff and the review process typically takes between three and nine months. Subsequent to approval of the Precise Development Plan, fully developed improvement plans are then submitted and reviewed. The time required to complete the Precise Development Plan/Improvement Plan review process can be considered a governmental constraint.</p> <p>Program 20 Extremely Low Income and Special Needs Housing: Extremely low income households and households with special needs have limited housing options in Hayward. Housing types appropriate for these groups include: emergency shelters, transitional housing, supportive housing, and single-room occupancy (SRO) units. Pursuant to State law, the City of Hayward's Zoning Ordinance must make provisions for such housing.</p>	<ul style="list-style-type: none"> ■ In February 2010, the City Council approved a package of developer incentives that allow payment of the park dedication in-lieu fee and the supplemental building and construction improvement tax to be deferred to close of escrow. The incentives also include longer time periods before initial development approvals expire and longer approval periods for extensions of approvals. ■ Hold public meetings in 2009 with builders and developers to obtain input on improving the Precise Development Plan process. Continue to meet bimonthly with developers and builders in 2010. (The City held the first meeting on December 2, 2009.) ■ As appropriate, amend the Zoning Ordinance and/or City procedures to establish a new Precise Development Plan process within six months of the adoption of the Housing Element. 	<p>In Progress</p>	<p>The City completed the necessary amendments to the Zoning Ordinance to comply with State law pertaining to emergency shelters. The City included appropriate language in the City's two new form-based codes: South Hayward BART, which was adopted in October 2011 and Mission Blvd. Corridor, which will be adopted by the end of 2013. Most of the City's General Commercial (CG) zoning will be replaced with new zoning designations per the Mission Boulevard Corridor-Specific Plan and form-based Code. The new code includes an area similar to the CG zone in size and number of parcels that will allow Emergency Homeless Shelters and SROs. The City's Zoning Ordinance permits emergency shelters in the S-T4, M-T4-1, and M-T4-2 zones and conditionally permits emergency shelters in its CG zone.</p> <p>The City revised the citywide Zoning Ordinance to amend the definition of transitional housing to clarify that it shall be treated as a residential</p>	<p>Delete program.</p>
<p>Program 20 Extremely Low Income and Special Needs Housing: Extremely low income households and households with special needs have limited housing options in Hayward. Housing types appropriate for these groups include: emergency shelters, transitional housing, supportive housing, and single-room occupancy (SRO) units. Pursuant to State law, the City of Hayward's Zoning Ordinance must make provisions for such housing.</p>	<p>Pursuant to State law, the Zoning Ordinance will be amended, within one year of the adoption of the 2009-2014 Housing Element, to address the following:</p> <ul style="list-style-type: none"> ■ Emergency Shelters: Pursuant to State Law, amend the Zoning Ordinance to permit homeless shelters with a ministerial permit within the General Commercial (CG) zoning district. Pursuant to State law, the City may establish standards such as: <ul style="list-style-type: none"> ○ Maximum number of beds; ○ Proximity to other shelters; ○ Length of stay; ○ Security and lighting; ○ Counseling services; and ○ Provision of on-site management. <p>The City will ensure that standards established work to facilitate the</p>	<p>In Progress</p>	<p>The City completed the necessary amendments to the Zoning Ordinance to comply with State law pertaining to emergency shelters. The City included appropriate language in the City's two new form-based codes: South Hayward BART, which was adopted in October 2011 and Mission Blvd. Corridor, which will be adopted by the end of 2013. Most of the City's General Commercial (CG) zoning will be replaced with new zoning designations per the Mission Boulevard Corridor-Specific Plan and form-based Code. The new code includes an area similar to the CG zone in size and number of parcels that will allow Emergency Homeless Shelters and SROs. The City's Zoning Ordinance permits emergency shelters in the S-T4, M-T4-1, and M-T4-2 zones and conditionally permits emergency shelters in its CG zone.</p> <p>The City revised the citywide Zoning Ordinance to amend the definition of transitional housing to clarify that it shall be treated as a residential</p>	<p>Delete program.</p>

TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS			
2009-2014 Objectives	Status	Accomplishments	Recommendation
<p>development of emergency shelters.</p> <ul style="list-style-type: none"> <p><i>Transitional Housing:</i> Pursuant to State law, amend the Zoning Ordinance to address transitional housing and differentiate the different forms transitional housing can take (group quarters versus regular housing developments). For transitional housing facilities that operate as regular housing developments, meeting the Health and Safety Code definition, such uses will be permitted by right where housing is permitted.</p> <p>For transitional housing facilities that operate as group quarters, such facilities will be permitted as community care facilities.</p> <p>Potential conditions for approval of transitional housing for more than six persons in a group quarters setting may include hours of operation, security, loading requirements, noise regulations, and restrictions on loitering. Conditions would be similar to those for other similar uses and would not serve to constrain the development of such facilities.</p> <p><i>Supportive Housing:</i> Pursuant to State Law, amend the Zoning Ordinance to address supportive housing and differentiate the different forms supportive housing can take (group quarters versus regular housing developments). For supportive housing facilities that operate as regular housing developments, meeting the Health and Safety Code definition, such uses will be permitted by right where housing is permitted.</p> <p>For supportive housing facilities that operate as group quarters, such facilities will be permitted as community care facilities.</p> <p>Potential conditions for approval of transitional housing for more than six persons in a group quarters setting may include hours of operation, security, loading requirements, noise regulations, and restrictions on loitering. Conditions would be similar to those for other similar uses and would not serve to constrain the development of such facilities.</p> <p><i>Group Homes/Residential Care Facilities:</i> Pursuant to State Law, amend the Zoning Ordinance to explicitly identify group homes/residential care facilities for six or fewer persons as a regular residential use and permitted by right where residential uses are permitted.</p> <p><i>Single Room Occupancy (SRO):</i> Pursuant to State Law, amend the Zoning Ordinance to permit SROs in the General Commercial (CG) zoning district.</p> <p>City staff will establish relationships with the State agencies that</p> 	<p>use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The City also revised the South Hayward/BART Mission Boulevard and Mission Boulevard Corridor Form-Based Codes to clarify that large transitional housing facilities shall also be treated as a residential use.</p> <p>The City adopted the Mission Boulevard Corridor Form-Based Code, which conditionally permits SROs in the M-T5 zone.</p> <p>In 2008 the City provided over \$255,000 to different non-profit area organizations to assist individuals and families that are homeless or at risk of becoming homeless. Programs funded included transitional housing, shelter and on-site case management services, a motel voucher program, and the Alameda County 211 housing and services referral system.</p>		



TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS			
Program	2009-2014 Objectives	Status	Accomplishments
			Recommendation
<p>Program 21 Child Care Services and Facilities: The City will consider amending the Zoning Ordinance and/or General Plan to address child care needs associated with new residential development. Specifically, the City will consider the following:</p> <ul style="list-style-type: none"> For residential projects over 100 units, estimate expected children and consult with a child care intermediaries such as the Child Care Coordinating Council of Alameda County on corresponding area supply and need for child care. Encourage the inclusion of child care space, particularly in affordable housing developments. City staff shall consult with child care intermediaries such as the Child Care Coordinating Council of Alameda County when initiating new proposals for publicly funded projects to develop added incentives for projects that review need for child care. Support the provision of child care centers in residential neighborhoods and in new residential projects through policies, planning and coordinated staff support and practice. To the extent feasible, encourage applicants for publicly financed projects to consider need for child care and pursue supportive corresponding strategies if warranted, by working with child care intermediaries such as the Resource and Referral agencies. <p>Consider offering incentives for child care inclusion in other projects such as: parking reductions and density bonuses and consider creative mechanisms for supporting the financing of new housing linked child care such as development agreements for child care, public funding of the child care component, and/or other strategies.</p>	<p>regulate group homes, emergency shelters, and transitional and supportive housing facilities to encourage:</p> <ul style="list-style-type: none"> Educational opportunities for City staff to learn about how various housing facilities are regulated; and Training managers/operators of housing facilities in the City's Crime Free Multi-Housing Program. Utilize CDBG funds to support emergency shelters, and transitional and supportive housing programs for the homeless (e.g. Spectrum and Magnolia House) and those who are at risk of becoming homeless. <ul style="list-style-type: none"> Develop for consideration new requirements, incentives, and policies to facilitate the provision of adequate child care facilities and services associated with new residential development in 2010. 	Incomplete	This program has not yet been implemented.
<p>GOAL 5.0 Promote equal access to housing by educating City residents about fair housing and lending laws.</p>			Retain program.

TABLE C-1 EVALUATION OF 2009-2014 HOUSING ELEMENT PROGRAMS 2009-2014 Objectives			
Program	Status	Accomplishments	Recommendation
<p>Program 22 Fair Housing Services: The City of Hayward contracts with ECHO to provide fair housing and tenant/landlord services.</p> <ul style="list-style-type: none"> <p><i>Fair Housing Counseling and Education:</i> ECHO's Fair Housing Counseling Program conducts site investigations and enforcement in response to reports of housing discrimination complaints, performs audit-based investigations to determine degrees of housing discrimination existing in designated areas, and provides fair housing education for members of the housing industry including managers, owners, and realtors.</p> <p>Tenant/Landlord Counseling and Mediation: ECHO's Tenant/Landlord Counseling Program provides information to tenants and landlords in Southern Alameda County on their housing rights and responsibilities. Additionally, ECHO has trained mediators to assist in resolving housing disputes through conciliation and mediation. The primary objective of the program is to build awareness of housing laws and prevent homelessness.</p>	<p>Ongoing</p>	<p>From 2007 to 2012 the City provided \$203,615 to a local non-profit organization to conduct fair housing activities including an annual audit, tests, investigation of complaints, and fair housing workshops. From 2009 to 2012 the City also provided the organization \$94,840 for landlord-tenant mediation and education services, and over \$14,380 for rental assistance.</p> <p>The non-profit organization funded to conduct fair housing activities also provided tenant/landlord mediation services and administered a rental assistance program on behalf of the City.</p>	<p>Retain program.</p>
<p>Program 23 Universal Design Principles: With 18 percent of the City's household being headed by an elderly person and 21 percent of the population has one or more disabilities, there is a need for accessible housing in the community. However, over 85 percent of the City's housing stock was constructed prior to 1990, before the passage of the Americans with Disabilities Act. Therefore, a significant portion of the City's housing stock is not accessible to persons with disabilities. The City will explore the feasibility of promoting the use of Universal Design Principles in new construction and rehabilitation of housing.</p> <p>Universal Design is the creation of products and environments meant to be usable by all people, to the greatest extent possible, without the need for adaptation or specialization. The intent of Universal Design is to simplify life for everyone by making products, communications and the built environment more usable by as many people as possible at little or no extra cost. Universal Design benefits people of all ages and abilities.</p>	<p>Incomplete</p>	<p>The City has not yet developed a Universal Design Ordinance.</p>	<p>Retain program.</p>

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**CITY OF HAYWARD
ADDENDUM TO THE 2040 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT
FOR THE 2015-2023 HOUSING ELEMENT UPDATE**

Purpose and Background

The City of Hayward has prepared an Addendum to the Certified Final Environmental Impact Report (EIR) for the City of Hayward General Plan in accordance with the California Environmental Quality Act (CEQA) statutes (Public Resources Code, Section 21000 *et seq.*); the State CEQA Guidelines (14 California Code of Regulations, 15000 *et seq.*); and the rules, regulations, and policies for implementing CEQA as adopted by the City of Hayward. The City of Hayward is the lead agency for the environmental review of the 2015-2023 Housing Element update. The 2015-2023 Housing Element environmental evaluation and compliance is satisfied with this Addendum to the Final EIR.

State Housing Element law requires that cities and counties describe and analyze the housing needs of their community, the barriers or constraints to providing that housing, and actions proposed to address these concerns over an eight-year period. In addition, Housing Element law requires each city and county to accommodate its “fair share” of projected housing need over the Housing Element planning period. Cities and counties must demonstrate that adequate sites are available to accommodate this need, and that the jurisdiction allows for development of a variety of housing types.

The City of Hayward is required to update its Housing Element every eight years. The 2015-2023 Housing Element discusses citywide housing and population demographics, regional fair-share housing allocations, and policies and implementation programs. The City of Hayward prepared the 2015-2023 Housing Element and submitted it to the State Department of Housing and Community Development (HCD) on June 12, 2014, for a 60-day review period. HCD conducted a streamlined review of the Draft Housing Element and, after minor revisions, found that the Draft Housing Element will comply with State housing element law once adopted by the City of Hayward.

Previously Adopted EIR for General Plan Update

The Hayward General Plan Final EIR (State Clearinghouse No. 2013082015) prepared by the City identified potentially significant environmental impacts, most of which could feasibly be mitigated or avoided. Such impacts and corresponding mitigation measures are identified in the General Plan Final EIR and are incorporated here by reference. The mitigation measures and mitigation monitoring and reporting program are included in the General Plan Final EIR. The General Plan Final EIR determined that all significant environmental effects, with the exception of several discussed below, can feasibly be avoided, have been avoided, or will be reduced to a less than significant level.

The General Plan Final EIR identified the significant impacts on the environment that cannot be avoided or mitigated to a less than significant level (CEQA Guidelines, Section 151.2(b)). The City of Hayward adopted a statement of overriding considerations and certified the General Plan Final EIR on July 1, 2014. The statement of overriding considerations (CEQA Guidelines, Section 15093) explained why the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the General Plan update outweighed the unavoidable significant impacts. The impacts that are unavoidable and cannot be mitigated to a less than significant level are listed in the General Plan EIR (Section 21.3).

Basis for Decision to Prepare Addendum

Section 15164(a) of the State CEQA Guidelines states that “the lead agency or a responsible agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary but there are no new significant impacts resulting from these changes, nor are there any substantial increases in the severity of any previously identified environmental impacts.” The potential impacts associated with the proposed update to the Housing Element of the City’s General Plan would either be the same or less than the anticipated impacts described in the previously adopted Housing Element. Pursuant to CEQA Guidelines Section 15164(b), the City of Hayward, as lead agency for the 2015-2023 Housing Element update, has determined that an addendum to the adopted General Plan EIR be prepared for this General Plan Amendment. The Housing Element is a policy document and adds new policies and implementation programs to the City’s General Plan that are consistent with all other General Plan policies, plans, and programs; none of the conditions described in CEQA Guidelines Section 15162 that might require the preparation of a subsequent EIR have occurred.

The 2015-2023 Housing Element will not result in new additional impacts on the environment, and the environmental impacts addressed in the General Plan EIR are not increased in severity or significance due to the adoption of the 2015-2023 Housing Element. The proposed update to the City’s Housing Element is consistent with development under the General Plan. The City elected to use the California Department of Housing and Community Development (HCD) Streamlined Review option for the 2015-2023 Housing Element Update.

Changes to the Housing Element include:

- An updated sites inventory, which identifies vacant and underutilized sites within Hayward that may accommodate the City’s regional housing needs;
- An update to the discussion that addresses suitable sites for development of a wide range of housing by type, size, location, and price; and
- The addition of a goal and several supporting policies to facilitate the production of housing to serve the needs of “special needs” populations (e.g., seniors, persons with disabilities, female-headed households, and student and faculty housing).

Accordingly, the Housing Element update will not result in new additional impacts on the environment, in that the project involves no physical changes to the environment and is consistent with the General Plan elements approved under the General Plan EIR. Sites that are identified in the 2015-2023 Housing Element are consistent with the Land Use Element of the General Plan and have been analyzed in the General Plan EIR.

The Housing Element will not, in and of itself, result in environmental impacts. No substantial changes to the project are being proposed. The adoption of the 2015-2023 Housing Element involves updates to data, analysis, policies, and programs and will not result in physical changes to the environment that would increase previously identified impacts in the General Plan EIR. All future development will require project-specific environmental evaluation in order to determine that any potential impacts are less than significant. Potential impacts are location-specific and cannot be assessed in a meaningful way until the location of a project site is known. At such time that a development proposal is considered, that project

will be subject to adopted development guidelines and standards, and any impacts identified with the development project will be addressed through mitigation measures specific to the impact.

CEQA Requirements for Use of an Addendum

When a lead agency has already prepared an EIR that has been certified or a negative declaration adopted for a project, CEQA states that “no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following events occurs: (a) substantial changes are proposed in the project which will require major revisions of the environmental impact report; (b) substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; (c) new information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available” (California Public Resources Code, Section 21166).

When only some changes or additions to a previously certified EIR are needed and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA authorizes a lead agency to prepare and adopt an addendum (CEQA Guidelines, Section 15164 (a)). The 2015-2023 Housing Element Update adds policies and implementation programs to the City of Hayward General Plan 2040 and warrants an addendum be prepared and adopted.

Environmental Findings

Pursuant to CEQA Guidelines Section 15162, the City of Hayward finds as follows:

1. No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The adoption of the 2015-2023 Housing Element involves updates to data, analysis, policies, and programs. It will not result in physical changes to the environment that would increase previously identified impacts in the General Plan EIR. All future development will require project-specific environmental evaluation in order to determine that any potential impacts are less than significant.

Statements of overriding considerations were made in conjunction with the General Plan EIR and implementation of related programs. Overriding considerations included: Air Quality, Noise, and Transportation and Circulation. Updates to the Housing Element will not cause an increase in the severity of identified significant impacts.

2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Although statements of overriding considerations were made in the Air Quality, Noise, and Transportation and Circulation sections in conjunction with the General Plan EIR, substantial changes in the circumstances under which the project was undertaken have not occurred since it was adopted in May 2014.

3. No new information of substantial importance has been introduced that would increase the severity of identified significant impacts or cause new significant effects not discussed in the General Plan EIR. In addition, no new information has been introduced that would make mitigation measures or alternatives previously found not to be feasible that were discussed in the General Plan EIR to now be feasible, nor has information been introduced that would require mitigation measures or alternatives to reduce one or more significant effects on the environment.

Pursuant to CEQA Guidelines section 15164(a), the City has determined to prepare an addendum because the 2015-2023 Housing Element is a policy document that adds policies and implementation programs to the General Plan, but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.

Pursuant to CEQA Guidelines section 15162(b) and 15164(b), the City of Hayward finds that there are no significant changes to the project or its circumstances, and no new information has become available after adoption of the EIR. As a result of these findings, the lead agency, the City, has determined to prepare an addendum to the EIR.

Pursuant to CEQA Guidelines section 15164(c), the addendum is hereby attached to the adopted General Plan Final EIR.

Pursuant to CEQA Guidelines section 15164(d), the City of Hayward City Council shall consider this addendum with the adopted Final EIR prior to making a decision on the General Plan Amendment.

Pursuant to CEQA Guidelines section 15164(e), the determination that an addendum to the previously adopted EIR will sufficiently satisfy the requirements of CEQA has been prepared pursuant to CEQA Guidelines section 15162 and 15164.



November 26, 2013

Housing/Planning Director
Jurisdiction
Via email

Re: Housing Element Update



The undersigned members of the Bay Area Business Coalition advocate for a vibrant regional economy and outstanding quality of life for existing and future residents of the San Francisco Bay Area. A necessary—though by no means sufficient—condition to achieve these goals is for the region to provide an adequate supply of housing within the region. State housing element law generally—and the governmental constraints component in particular—can be important tools to advance these goals. With Bay Area cities and counties currently updating their housing elements, our organizations respectfully request that your jurisdiction consider and address the following comments as part of the public review process.



We recognize that the housing element process can be resource intensive and sometimes difficult. We hope that by identifying certain priority issues and questions, this letter will assist in focusing resources on policies and practices that are of significant and recurring interest to the regulated community. We also would support incorporating these standardized issues into the framework for local jurisdictions to be able to take advantage of the housing element certification streamlining developed by the California Department of Housing and Community Development (HCD).



Jobs and Housing Coalition

I. Overview of the statutory provisions.

The California Department of Housing and Community Development (HCD) has prepared formal guidance interpreting the constraints analysis portion of housing element law (http://www.hcd.ca.gov/hpd/housing_element2/CON_home.php).



HCD's overview of the requirements and their purpose provides: *The element must identify and analyze potential and actual governmental constraints to the maintenance, improvement, or development of housing for all income levels, including housing for persons with disabilities. The analysis should identify the specific standards and processes and evaluate their impact, including cumulatively, on the supply and affordability of housing. The analysis should determine whether local regulatory standards pose an actual constraint and must also demonstrate local efforts*



to remove constraints that hinder a jurisdiction from meeting its housing needs.... The analysis of potential governmental constraints should describe past or current efforts to remove governmental constraints. Where the analyses identifies that constraints exist, the element should include program responses to mitigate the effects of the constraint. Each analysis should use specific objective data, quantified where possible. A determination should be made for each potential constraint as to whether it poses as an actual constraint. The analysis should identify the specific standards and processes and evaluate their impact, including cumulatively, on the supply and affordability of housing.

II. Requested specific areas of focus

We have identified certain policies that generally represent significant potential constraints in the Bay Area and we request that as you conduct the constraints portion of your housing element review, these issues in particular be addressed:

- **Did your jurisdiction commit to addressing specific constraints as a condition of HCD certification of the existing housing element?** If so, what was the constraint and what has been done to address it?
- **Does your jurisdiction have a mandatory inclusionary zoning policy?** If so, has an analysis been done that measures the economic impact? Does it contain meaningful and regularly available incentives, and is its implementation flexible so that there are alternatives to a “like for like must build requirement” such as payment of reasonable in lieu fees, land dedication, or acquisition and rehabilitation of existing units with provision affordability covenants? Are such alternatives available at the developer’s option or with staff approval—but without need for Council or Board approval on a project-by-project basis?
- **Has your jurisdiction adopted a density bonus ordinance consistent with governing state law (Gov’t Code Section 65915)?** Does the density bonus ordinance count mandatory inclusionary zoning units toward the density bonus threshold as required by the recent court of appeal decision in *Latinos Unidos del Valle de Napa y Solano v. County of Napa*, 217 Cal. App. 4th 1160 (2013)?
- **What is the cumulative fee and exaction burden on new housing in your jurisdiction?** This analysis should include not only development fees that are “formally” reflected in published fee schedules, but also include exactions imposed via housing allocation program/ “beauty contests,” community benefits/amenities agreements, CFD annexation requirements, and the like. The analysis should also include fees imposed by other agencies, for example school fees, sewer and water fees, and fees imposed pursuant to an applicable regional Habitat Conservation Plan. The analysis should determine the % of the sales price of new housing in the jurisdiction is represented by the cumulative fee/exaction burden, as well as the % of costs for rental housing units represented by the cumulative fee/exaction burden.
- **Does your jurisdiction have any recently adopted, proposed, or under consideration new or increased fee or exaction, such as an affordable housing impact fee?**
- **Has your jurisdiction required new housing projects, including multifamily/attached projects, to pay a fee or special tax for ongoing general governmental services?**

- **Does your jurisdiction have a designated Priority Development Area (PDA)? Is it a “planned” or “potential” PDA?** Have the number of residential units and densities shown in the PDA application been incorporated into the General Plan? Has the CEQA process been completed for the PDA so that no additional CEQA review is necessary for a proposed project consistent with the PDA? Have development restrictions and processes been streamlined in the area covered by the PDA?
- **What were the sites relied on for the adequate sites compliance of the existing housing element?** What has been the entitlement/development activity for these sites during the prior planning period? Were any of the sites subject to “by right” development procedures?
- **Does your jurisdiction have any type of cap or limitation on the number or type of housing units that may be permitted or constructed jurisdiction wide or in specific areas of the jurisdiction—including a cap or limitation tied to a specified level of new job creation in the jurisdiction?**
- **Has your jurisdiction provided for “by right” housing development in any areas?**
- **Are there zoning or other development restrictions (such as voter approval requirements, density limits or building height restrictions) that have impeded infill and/or transit oriented development?**
- **Has your jurisdiction consistently demonstrated compliance with both the letter and spirit of the Permit Streamlining Act?**
- **What are your jurisdiction’s historic preservation policies and review procedures and have they had a significant impact on the permit and entitlement processes for new development projects?**
- **Has your jurisdiction adopted an ordinance pursuant to the Quimby Act that gives developers credit for private open space?**
- **In implementing the Quimby Act, does your jurisdiction provide for consistency between the calculation of the existing neighborhood and community park inventory, and the criteria and procedures for determining whether to accept land offered for parkland dedication or to give credit for private open space?** For example, has your jurisdiction refused to accept an area in whole or in partial satisfaction of the parkland dedication ordinance on the basis that it is unsuitable for park and recreational uses even though the area is substantially similar to areas included in the overall parkland inventory used to calculate the parkland dedication requirement and fee?
- **In the project review process, has your jurisdiction required developers to use the Bay Area Air Quality Management District’s CEQA Thresholds of Significance for Toxic Air Contaminants (TAC Receptor Thresholds)?** Has your jurisdiction explored alternative procedures for addressing project siting and air quality concerns, such as in the general plan or zoning code?

- **Has your jurisdiction adopted a Climate Adaptation Plan that is more stringent with respect to the per capita GHG reductions for the land use sector/transportation sector than the equivalent per capita targets established for the region by CARB pursuant to SB 375?**

Our organizations intend to monitor housing element updates throughout the region, and we respectfully request that your jurisdiction formally respond to these questions early in the update process. We also ask that you send a paper or electronic copy of the responses to:

BIA of the Bay Area
Attn: Paul Campos
101 Ygnacio Valley Road, Suite 210
Walnut Creek, CA 94596
pcampos@biabayarea.org
415-223-3775

Yours very truly,



John Coleman
Bay Planning Coalition
Council



Paul Campos
BIA Bay Area



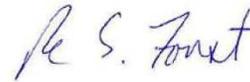
Tom Terrill
East Bay Leadership



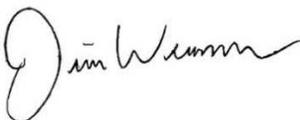
Gregory McConnell
Jobs & Housing Coalition



Cynthia Murray
North Bay Leadership Council



Rosanne Foust
SAMCEDA



Jim Wunderman
Bay Area Council



Joshua Howard
California Apartment Association



October 23, 2014

Paul Campos
 Building Industry Association Bay Area
 101 Ygnacio Valley Road, Suite 210
 Walnut Creek, CA 94596

Subject: City of Hayward Housing Element Comment Letter

Dear Mr. Campos:

Thank you for participating in the process to update the City of Hayward Housing Element. In November of 2013, you submitted a letter to the City with a variety of questions related to the Housing Element and housing issues within the City. The City's responses to those questions are provided below:

1. Did your jurisdiction commit to addressing specific constraints as a condition of HCD certification of the existing housing element? If so, what was the constraint and what has been done to address it?

No, the City of Hayward was not required to address any specific constraints as a condition of HCD certification of the current 2009-2014 Housing Element. The 2014 Housing Element, does include a goal and policies related to removing governmental constraints related to the development of housing including an analysis of development standards to provide more flexibility and making sure our review and approval process for the development of housing is clear.

2. Does your jurisdiction have a mandatory inclusionary zoning policy? If so, has an analysis been done that measures the economic impact? Does it contain meaningful and regularly available incentives, and is its implementation flexible so that there are alternatives to a "like for like must build requirement" such as payment of reasonable in lieu fees, land dedication, or acquisition and rehabilitation of existing units with provision affordability covenants? Are such alternatives available at the developer's option or with staff approval—but without need for Council or Board approval on a project-by-project basis?

Yes, the City has an Inclusionary Housing Ordinance (Article 17 of the Hayward Municipal Code). In response to the downturn in the housing market during the last recession and recent court decisions,

Development Services Department – Planning Division

777 B Street, Hayward, CA 94541-5007
 Tel: 510/583-4200 Fax: 510/583-3649 TDD: 510/247-3340 Website: www.hayward-ca.gov

the City adopted an ordinance on January 18, 2011 that provided interim relief from certain inclusionary housing provisions (the Relief Ordinance). An additional ordinance (the First Amendment to the Relief Ordinance) was adopted on November 15, 2011 to clarify certain provisions of the Relief Ordinance. Based on the Relief Ordinance and its First Amendment, the City's inclusionary housing percentage requirement was reduced from 15% to 10% for single-family detached housing and to 7.5% for attached single-family homes, townhomes, and other attached housing units. In addition, developers now have the by-right option to pay in-lieu fees instead of providing units on site, and rental housing is exempt from the requirements if they do not receive assistance or subsidies from the City.

On December 18, 2012 the City extended the inclusionary housing relief provisions until December 2013 to give staff additional time to conduct a nexus study for reviewing and revising the Inclusionary Housing Ordinance. The City Council also authorized further extensions of the Relief Ordinance by resolution if there is not a noticeable improvement in the housing market and increase in local residential construction during 2013. A resolution was adopted on June 24, 2014 to extend the Relief Ordinance for an additional six months.

The City of Hayward retained David Paul Rosen & Associates (DRA) in 2013 to assist the City in preparing an Inclusionary Housing Ordinance Review and a Nexus Study examining the legality and basis for establishing a rational nexus between market-rate residential development and the need for affordable housing in the City. This study was completed in 2013 and was recently updated to represent 2014 economic conditions. A City Council work session on the Inclusionary Housing Ordinance and the Nexus Study is scheduled for November 4, 2014. The City anticipates the adoption of a new Inclusionary Housing Ordinance by the end of 2014.

3. Has your jurisdiction adopted a density bonus ordinance consistent with governing state law (Gov't Code Section 65915)? Does the density bonus ordinance count mandatory inclusionary zoning units toward the density bonus threshold as required by the recent court of appeal decision in *Latinos Unidos del Valle de Napa y Solano v. County of Napa*, 217 Cal. App. 4th 1160 (2013)?

Yes, the City has a density bonus ordinance (Article 19 of the Hayward Municipal Code) that is consistent with State law. According to Section 10-19.120 of the Density Bonus Ordinance, affordable housing units provided under the Inclusionary Housing Ordinance may be counted toward the requirements of the Density Bonus Ordinance. Therefore, the City's ordinance complies with the recent court of appeal decision in *Latinos Unidos del Valle de Napa y Solano v. County of Napa*.

4. What is the cumulative fee and exaction burden on new housing in your jurisdiction? This analysis should include not only development fees that are "formally" reflected in published fee schedules, but also include exactions imposed via housing allocation program/ "beauty contests," community benefits/amenities agreements, CFD annexation requirements, and the like. The analysis should also include fees imposed by other agencies, for example school fees, sewer and water fees, and fees imposed pursuant to an applicable regional Habitat Conservation Plan. The analysis should determine the % of the sales of price of new housing in the jurisdiction is

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represented by the cumulative fee/exaction burden, as well as the % of costs for rental housing units represented by the cumulative fee/exaction burden.

Cumulative fees and exaction burdens vary from project to project and are based on a number of factors. Nonetheless, the City of Hayward estimated the typical development fees and exactions for a single family home and a 25-unit apartment project in 2013. The fees for a typical single family home were estimated at \$54,104, which represents 11 percent of the median price of \$515,000 for a new three-bedroom home. If school fees were subtracted from the total, planning and development fees would be \$49,649 or 10 percent of the median price of a new home. The estimated fees (including school fees) to construct a typical 50,000 square foot multifamily development with 25 two-bedroom units were estimated at \$1.25 million, or approximately \$49,895 per unit. These fees represent approximately 12.5 percent of a \$10 million dollar project.

5. Does your jurisdiction have any recently adopted, proposed, or under consideration new or increased fee or exaction, such as an affordable housing impact fee?

As described in the answer to question 2, the City is currently evaluating changes to its Inclusionary Housing Ordinance.

6. Has your jurisdiction required new housing projects, including multifamily/attached projects, to pay a fee or special tax for ongoing general governmental services?

No, the City of Hayward does not require a fee or special tax for ongoing general governmental services. However, the City has required some development projects to establish community facilities districts to finance on-going government services. Community facilities districts are established on a project-by-project basis.

7. Does your jurisdiction have a designated Priority Development Area (PDA)? Is it a “planned” or “potential” PDA? Have the number of residential units and densities shown in the PDA application been incorporated into the General Plan? Has the CEQA process been completed for the PDA so that no additional CEQA review is necessary for a proposed project consistent with the PDA? Have development restrictions and processes been streamlined in the area covered by the PDA?

The City of Hayward has five Priority Development Areas (PDAs). They include:

- The Downtown City Center
- The Cannery Transit Neighborhood
- The Mission Boulevard Mixed-Use Corridor
- The South Hayward BART Mixed-Use Corridor
- The South Hayward BART Urban Neighborhood

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The City has adopted plans or form-based codes for all of the PDA's. Program-level Environmental Impact Reports have been prepared for the plans, which allows for streamlined environmental review for projects that are consistent with the plan or form-based code.

The plan for Downtown Hayward is relatively old and outdated, and the City has initiated the development of a new Specific Plan for the Downtown. A program-level EIR will be prepared for the Downtown Specific Plan to allow for streamlined environmental review.

The Hayward 2040 General Plan addresses the PDAs. The policies under Goal LU-2 of the Land Use Element encourage growth, in-fill development, and investment within the PDAs. Growth assumptions that were used in the General Plan and General Plan Environmental Impact Report are also consistent with the regional growth projections for the City's PDAs.

8. What were the sites relied on for the adequate sites compliance of the existing housing element? What has been the entitlement/development activity for these sites during the prior planning period? Were any of the sites subject to "by right" development procedures?

The City used vacant and underutilized parcels within the following planning areas to demonstrate that there were adequate sites to meet the City's 2009 to 2014 fair share regional housing needs allocation:

- The Cannery
- Mt. Eden Neighborhood
- South Hayward BART
- Mission Boulevard Corridor
- 238 Bypass Land Use Study Area

The following table shows the entitlement and development activity for these areas between 2009 and 2013:

Area	Entitled Units (Not constructed or Occupied)		Entitled, Constructed, and Occupied Units		Total Units
	Affordable	Market-Rate	Affordable	Market Rate	
The Cannery	0	214	0	623	837
Mt. Eden Neighborhood	0	144	0	130	274
South Hayward BART	151	357	0	0	508
Mission Boulevard Corridor	0	0	0	0	0
238 Bypass Land Use Study Area	0	0	0	0	0
TOTAL	151	715	0	753	1,619

Some of the residential projects approved and constructed in the above areas were subject to "by-right" development procedures. However, many were proposed as Planned Unit Developments, which require discretionary approval by the Planning Commission and/or City Council because they establish alternative zoning standards that are unique to the development project.

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9. Does your jurisdiction have any type of cap or limitation on the number or type of housing units that may be permitted or constructed jurisdiction wide or in specific areas of the jurisdiction—including a cap or limitation tied to a specified level of new job creation in the jurisdiction?

No, the City does not have any type of cap or limitations.

10. Has your jurisdiction provided for “by-right” housing development in any areas?

The City generally allows “by-right” housing development in all residential zones if the project complies with applicable development regulations. In these circumstances, projects go through an administrative design review process and they are not subject to a public hearing and discretionary approval by the Planning Commission.

11. Are there zoning or other development restrictions (such as voter approval requirements, density limits or building height restrictions) that have impeded infill and/or transit oriented development?

The City of Hayward encourages infill development and has adopted plans or form-based codes for its transit-oriented development areas (see the response to question 7). The plans and form-based codes establish relatively high maximum densities. Development applications in these areas have consistently been proposed at densities that are below the maximum density allowed by the zoning. The City is not aware of any zoning or development restrictions that have impeded infill or transit-oriented developments within the City.

12. Has your jurisdiction consistently demonstrated compliance with both the letter and spirit of the Permit Streamlining Act?

Yes, Hayward consistently demonstrates compliance with the letter and spirit of the Permit Streamlining Act. The Community Development Department regularly evaluates its entitlement process and is constantly seeking ways to improve processes. The City has a Development Review Process Focus Group that meets bi-monthly to provide feedback and insights to the Department.

13. What are your jurisdiction’s historic preservation policies and review procedures and have they had a significant impact on the permit and entitlement processes for new development projects?

The City of Hayward has a Historic Preservation Ordinance (Article 11 of the Municipal Code). The Ordinance requires development projects and building permit applications involving structures or buildings at least 50 years in age or which are located within a historic district to follow steps in the development review process to determine if a historical alteration permit and/or historical resource demolition or relocation permit is required. The requirements of the ordinance may require a detailed historical analysis of the project to comply with the requirements of the California Environmental Quality Act. This could result in increased entitlement fees, a longer entitlement process, and additional

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costs related to mitigation measures (if applicable). However, these costs would likely occur regardless of the City's Historic Preservation Ordinance, as the City is still responsible for evaluating impacts to potentially significant historical resources to comply with State law, including the California Environmental Quality Act.

14. Has your jurisdiction adopted an ordinance pursuant to the Quimby Act that gives developers credit for private open space? In implementing the Quimby Act, does your jurisdiction provide for consistency between the calculation of the existing neighborhood and community park inventory, and the criteria and procedures for determining whether to accept land offered for parkland dedication or to give credit for private open space? For example, has your jurisdiction refused to accept an area in whole or in partial satisfaction of the parkland dedication ordinance on the basis that it is unsuitable for park and recreational uses even though the area is substantially similar to areas included in the overall parkland inventory used to calculate the parkland dedication requirement and fee?

Article 16 of the City's Municipal Code establishes developer obligations for parks and recreation. Article 16 requires developers to set aside land and/or pay in-lieu fees to provide for park and recreational facilities in the community. Article 16 provides criteria and procedures for determining the acreage requirements for the land dedication or the in-lieu fee requirement. It also establishes procedures and criteria for granting credits for privately owned and maintained recreation improvements. <http://www.hayward-ca.gov/CITY-GOVERNMENT/DEPARTMENTS/CITY-CLERK/MUNICIPAL-CODE/PropertyDevelopers-Parks&Recreation.pdf>

Article 16 requires the City, in consultation with the Hayward Area Recreation and Park District (HARD), to consider a number of factors when determining the suitability of the land dedications for park and recreational purposes. Generally speaking, if the land meant for dedication meets minimum requirements and criteria, it will be accepted. Factors include:

- The topography, soils, soil stability, storm drainage, existing flora, access, location, and general utility of the land in the development available for dedication;
- The size and shape of development and land available for dedication;
- The location of the land in relation to the surrounding street system, existing park and recreational facilities, and the surrounding residential population;
- Local recreational facilities to be privately owned and maintained by future residents of the development; and
- Conformance of the land offered for dedication with the park and recreation policies and strategies.

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15. In the project review process, has your jurisdiction required developers to use the Bay Area Air Quality Management District's CEQA Thresholds of Significance for Toxic Air Contaminants (TAC Receptor Thresholds)? Has your jurisdiction explored alternative procedures for addressing project siting and air quality concerns, such as in the general plan or zoning code?

The Hayward 2040 General Plan serves as Hayward's community risk reduction strategy to reduce health risks associated with toxic air contaminants (TACs) and fine particulate matter (PM2.5) in both existing and new development. The General Plan does not establish alternative procedures for addressing project siting and air quality concerns. The City's policy is to use the Air District's CEQA Thresholds of Significance for Toxic Air Contaminants (TAC) receptor thresholds. The City is currently monitoring the case of California Bldg. Indus. Assn. v. Bay Area Air Quality Mgmt. Dist., 312 P.3d 1070 (Cal. 2013) to determine if any adjustment to the City's procedures will be necessary as a result of the holding.

16. Has your jurisdiction adopted a Climate Adaptation Plan that is more stringent with respect to the per capita GHG reductions for the land use sector/transportation sector than the equivalent per capita targets established for the region by CARB pursuant to SB 375?

Hayward does have a Climate Action Plan (CAP) that has been incorporated into the Hayward 2040 General Plan. The City's targets for greenhouse gas reductions cannot easily be compared to the targets established by CARB for the Bay Area for the following reasons:

- Hayward's reduction targets are for total emissions, and CARB reduction targets are calculated on a per capita basis.
- Per SB 375, the CARB targets are to be achieved through the implementation of coordinated land use, housing, and transportation plans and strategies. Hayward's targets address the emissions that are accounted for in all sectors of the local inventory, which include vehicle emissions, building energy use, and the disposal of solid waste.

Based on the above distinctions, the CARB and City targets are not directly comparable. Nonetheless, the City's CAP and greenhouse gas reduction targets are 20% below 2005 levels by 2020, 61.7% by 2040 and 82.5% by 2050.

Again, thank you for participating in the Housing Element Update project. The Draft Housing Element is available for public review and can be downloaded from the City's website at:

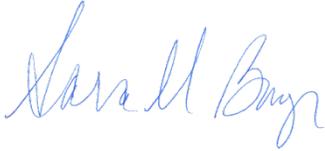
<http://www.hayward-ca.gov/GENERALPLAN/>

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The Draft Housing Element is scheduled for a public hearing before the Planning Commission on November 6, 2014. It will then be considered by the City Council on December 2, 2014. Please contact me if you have any remaining questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Sara Buizer". The signature is written in a cursive, flowing style.

Sara Buizer, AICP
Planning Manager

Development Services Department – Planning Division

777 B Street, Hayward, CA 94541-5007
Tel: 510/583-4200 Fax: 510/583-3649 TDD: 510/247-3340 Website: www.hayward-ca.gov

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

**RECEIVED**

AUG 13 2014

Development Services Department

August 6, 2014

Mr. David Rizk, Director
Development Services
City of Hayward
777 B Street
Hayward, CA 94541-5007

Dear Mr. Rizk:

RE: Review of the City of Hayward's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting Hayward's revised draft housing element update received for review on August 4, 2014 along with additional revisions received on July 29, 2014. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated via teleconference on July 15, 2014 and through other communications with the City's consultant, Ms. Chelsey Norton of Mintier Harnish.

The Department conducted a streamlined review of the draft housing element based on the City meeting all eligibility criteria detailed in the Department's Housing Element Update Guidance. The City also utilized the Association of Bay Area Government's pre-approved housing element data.

The revised draft element meets the statutory requirements of State housing element law. The revised element will comply with State housing element law (GC, Article 10.6) when these revisions are adopted and submitted to the Department, in accordance with GC Section 65585(g).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department appreciates the hard work and dedication of Ms. Norton in preparation of the housing element and looks forward to receiving the City of Hayward's adopted housing element. If you have any questions or need additional technical assistance, please contact Paul McDougall, of our staff, at (916) 263-7420.

Sincerely,

A handwritten signature in blue ink that reads "Glen A. Campora".

Glen A. Campora
Assistant Deputy Director

Alameda County RHNA Comparison

2007-2014 RHNA

Alameda County	Very Low	Very Low % Total RHNA	Low	Low % Total RHNA	Moderate	Above Moderate	Total	Total L + VL
Alameda	482	24%	329	16%	392	843	2,046	811
Albany	64	23%	43	16%	52	117	276	107
Berkeley	328	13%	424	17%	549	1,130	2,431	752
Dublin	1,092	33%	661	20%	653	924	3,330	1753
Emeryville	186	16%	174	15%	219	558	1,137	360
Fremont	1,348	31%	887	20%	876	1,269	4,380	2235
Hayward	768	23%	483	14%	569	1,573	3,393	1251
Livermore	1,038	31%	660	19%	683	1,013	3,394	1698
Newark	257	30%	160	19%	155	291	863	417
Oakland	1,900	13%	2,098	14%	3,142	7,489	14,629	3998
Piedmont	13	33%	10	25%	11	6	40	23
Pleasanton	1,076	33%	728	22%	720	753	3,277	1804
San Leandro	368	23%	228	14%	277	757	1,630	596
Union City	561	29%	391	20%	380	612	1,944	952
Unincorporated	536	25%	340	16%	400	891	2,167	876
Alameda Total	10,017		7,616		9,078	18,226	44,937	

2015-2022 RHNA

Alameda County	Very Low	Very Low % Total RHNA	Low	Low % Total RHNA	Moderate	Above Moderate	Total	Total Diff	Total L + VL	L + VL Diff
Alameda	444	26%	248	14%	283	748	1,723	-323	692	-119
Albany	80	24%	53	16%	57	145	335	59	133	26
Berkeley	532	18%	442	15%	584	1,401	2,959	528	974	222
Dublin	796	35%	446	20%	425	618	2,285	-1,045	1,242	-511
Emeryville	276	18%	211	14%	259	752	1,498	361	487	127
Fremont	1,714	31%	926	17%	978	1,837	5,455	1,075	2,640	405
Hayward	851	22%	480	12%	608	1,981	3,920	527	1,331	80
Livermore	839	31%	474	17%	496	920	2,729	-665	1,313	-385
Newark	330	31%	167	15%	158	423	1,078	215	497	80
Oakland	2,059	14%	2,075	14%	2,815	7,816	14,765	136	4,134	136
Piedmont	24	40%	14	23%	15	7	60	20	38	15
Pleasanton	716	35%	391	19%	407	553	2,067	-1,210	1,107	-697
San Leandro	504	22%	270	12%	352	1,161	2,287	657	774	178
Union City	317	29%	180	16%	192	417	1,106	-838	497	-455
Unincorporated	430	24%	227	13%	295	817	1,769	-398	657	-219
	9,912		6,604		7,924	19,596	44,036			



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, October 2, 7:00 p.m.
777 B Street, Hayward, CA94541**

MEETING

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

ROLL CALL

Present: COMMISSIONERS: Enders, Trivedi, Faria, Lavelle, Parso
CHAIRPERSON: McDermott
Absent: COMMISSIONER: Loché

Commissioner Parso led in the Pledge of Allegiance.

Staff Members Present: Ajello, Buizer, Lawson, Nguyen, Madhukansh-Singh, Rizk

General Public Present: 7

PUBLIC COMMENTS

Marston Davis, a Hayward resident, shared that a home in his neighborhood had been under construction for three years and that it was also being used as a warehouse. He asked what the timeline was for placing speed bumps on Bermuda Lane. Chair McDermott requested that staff work with Mr. Davis in addressing his concerns.

PUBLIC HEARING

1. Request for Approval of Tentative Tract Map No. 8058, a Five-Lot Subdivision on an approximately 1.15-acre site located between Hayward Boulevard and Hillcrest Avenue, approximately 500 feet west of Tribune Avenue (Tentative Tract Map Application PL-2010-0379) – The Proposed Project is Categorically Exempt from Environmental Review in Accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15332, In-Fill Development. Ron Esau (Applicant & Owner)

Development Review Engineer Nguyen provided a synopsis of the staff report. He indicated that staff received ten emails and one phone call for this project; seven individuals supported the project, some individuals had the following requests and/or concerns: view preservation; access to sewer main; environmental determination; water conservation; and one individual favored having a public trail easement on the eastern boundary of the project and two individuals opposed the public trail easement altogether. He noted that the property owners of lots 3, 4 and 5 of Tract 7402, which share a common driveway, are opposed to the creation of a public trail easement that will intersect their private roadway. Mr. Nguyen indicated that due to time constraints, staff did not have the opportunity to evaluate the following: the location where the proposed public trail easement is proposed to be constructed; whether this will be in compliance with Americans with Disabilities Act



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requirements; potential security and liability concerns; and determining who will be responsible for maintaining the public trail easement. For these reasons, it was staff's recommendation that the request for a public trail easement not be considered as a part of the proposed project at this time. Mr. Nguyen stated that regarding the view of the bay from the project site, the City did not have a view preservation ordinance in place at the moment; therefore, staff suggested that the applicant work with existing neighbors in addressing concerns about view preservation. In regards to the request for a sewer connection between an already existing property and the proposed project, Mr. Nguyen indicated that this was a private matter that could be resolved by the applicant and the neighboring property owner.

Development Review Engineer Nguyen indicated for Commissioner Lavelle that the applicant will possibly submit the Site Plan Review within the next couple of months.

Commissioner Lavelle expressed concern that a small development project comprised of five homes would have to be reviewed in order to determine if a Community Facilities District (CFD) is necessary. Development Services Director Rizk clarified for Commissioner Lavelle that the existing policy for new residential development within the city is that an analysis be conducted to determine if the development has to be included in a CFD.

Development Review Engineer Nguyen clarified for Commissioner Lavelle that the Homeowners' Association will also be responsible for the maintenance of the cleanwater pond which collects and treats stormwater before it is discharged into the underground storm drain in Hayward.

In response to Commissioner Trivedi's question, Mr. John Nguyen clarified that there is no constructed path currently in place on the west side and that several residents of Hillcrest Avenue use a path on the proposed project site as a cut-through to get to Hayward Boulevard. He indicated that constructing the path is not a part of the conditions of approval for the project; however, the legal settlement between the applicant and Mr. Sherman Lewis, the plaintiff, has outlined the requirements of the private pedestrian path that is to be constructed.

Commissioner Faria was concerned about the impact of seismic activity on the proposed development and asked staff if the homes would be built on stilts. Development Review Engineer Nguyen responded that the Geotechnical Engineer's recommendation for the project is to have a concrete foundation on piers that will be drilled down to seven feet below the bedrock which will enable the foundation to stay in place. He added that Building division staff will evaluate the project during the construction phase of the homes.

Development Review Engineer Nguyen confirmed for Commissioner Parso that the pedestrian easement will be built as a part of tract 8058 improvements, noting that maintenance of this pathway will not be the City's responsibility. The maintenance and accessibility of the pedestrian easement were outlined in the stipulations of the settlement agreement and would be between the applicant and the plaintiff.



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Commissioner Enders requested that a condition of approval be added to the project requirements that would address the preservation of views for existing residents in the area as there was a concern about the potential loss in value of the surrounding existing properties.

Chair McDermott opened the public hearing at 7:28 p.m.

Mr. Ron Esau, project applicant, responded to Commissioner Parso's question that he acquired Tract 8058 in 2007 and that he also owned Tract 7402. He shared that upon acquiring this parcel, a lawsuit was filed against him for prescriptive easement. He indicated that he had provided the settlement agreement to the Planning Commission and that the agreement described the following terms and conditions: that he grant the pedestrian easement on the western boundary; that Mr. Sherman Lewis (plaintiff) would be responsible for the maintenance of the path; that the path is a private easement accessible to a limited number of people residing within the area; and that access to the path be restricted by locking the gates located at the top and bottom of the easement, due to concerns about liability. Mr. Esau said that the current proposal for a pedestrian easement on the eastern boundary of the property would require that a third party grant the easement permitting the general public to pass over this portion of the property which was presently privately owned. Furthermore, he shared that the pedestrian easement would have to comply with ADA requirements such as the provision requiring a handicap ramp which would not be feasible for a path on the eastern side due to the steepness of the incline. Mr. Esau noted that the pedestrian easement on the western boundary did provide for a handicap ramp.

In response to Commissioner Trivedi's concerns about view preservation, Mr. Esau responded that his design plans would be such that the maximum height of his development would be the same height as the existing single story homes in the neighborhood. He shared that he spoke with the resident at 2587 Hillcrest Avenue who had concerns about view preservation, and Mr. Esau provided assurance that the view corridor on the eastern side would not be disturbed. He requested that the City not require the placement of a tree at this location as it would obstruct the view corridor.

Commissioner Lavelle shared that prior to the start of the Planning Commission meeting, Commissioners had received the settlement agreement between Mr. Esau and Mr. Lewis from staff. She pointed out that Item No. 7 in the agreement addressed easement conversion to a public trail and requested clarification on this. Development Review Engineer Nguyen indicated that to date, staff had not received a request to convert a private path into a public trail easement which would have to be maintained by the City. He pointed out concerns about meeting ADA requirements, liability, maintenance, and security which had not yet been reviewed by staff. Mr. Esau stated that per the settlement agreement, he had granted a three foot wide pathway that would be under the control of Mr. Lewis. He noted that there was an additional provision in the agreement that addressed acquiring three more feet in width of additional property from adjoining neighbors in order to convert this to a public trail easement. Mr. Esau stated that the agreement left it up to Mr. Lewis to acquire the adjoining land and to make petition to the City for dedication of the path.



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Ms. Kathy Lord, a Hillcrest Avenue resident, was concerned that there was only one way in and one way out of Tract 8058 and mentioned that this was not a paved road. She was worried about the traffic impacts to the area. Ms. Lord said that the proposed development would mean that more water would be drawn out of the ground and she had environmental concerns about the impacts of this on the current drought situation.

Mr. Sherman Lewis, a Hillcrest Avenue resident, requested that the Planning Commission consider converting the private easement on the eastern boundary of the proposed development to a public easement so that more residents can use it for activities like walking their dog or walking to the University campus. He noted that the easement will have a six foot fence along the side which would help preserve the privacy of adjacent residents. He said that he consulted an ADA specialist who indicated that if certain ADA requirements were impractical, then these do not have to be met. Mr. Lewis stated that the cost of maintaining the easement would be minimal and added that if there were any problems with the pathway then the City could manage this by closing the gates located at the top and bottom of the easement. The cleanup of litter along the easement would be done by his Homeowner's Association (HOA). Mr. Lewis encouraged the City to provide the public easement as an amenity for the neighborhood and that it would encourage connectivity and walking in the City.

Mr. Lewis clarified for Commissioner Trivedi that the public trail easement on the western boundary has not yet been constructed and that it was his preference to have the public trail easement on the eastern boundary of the proposed development. Mr. Lewis elaborated that there was a public road accessible from Hayward Boulevard which was available for public use, even though it was under private ownership.

Commissioner Parso commented that it was the City's policy to encourage transit oriented development and walkable neighborhoods. In response to Commissioner Parso's question about adding a condition to the application requiring the construction of a pedestrian path, Development Services Director Rizk responded that staff did not have the opportunity to explore this proposal. He elaborated that the addition of a public trail easement as a feature of the project would have to be approved by the City Council and that this could be done during the Final Map process.

Chair McDermott closed the public hearing at 7:50 p.m.

Chair McDermott stated that although she supported the project, there were some issues that needed to be further addressed such as the height of the proposed development and view preservation, as well as the inclusion of a pedestrian pathway in the development.

Commissioner Trivedi supported adding a condition of approval that would allow landscaping exceptions in the project for the purposes of view preservation and also requested that staff make a determination about the elevations of the proposed homes in the development. He commented that the sewer and easement issues were beyond the scope of the Planning Commission at the present meeting.



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Development Services Director Rizk noted that there was still an unresolved matter regarding the potential public trail easement along the eastern boundary of the project site which still had to cross through an adjacent property that was not owned by the applicant, in order for this path to fully connect with Hayward Boulevard. He stated that if the public trail easement along the eastern boundary of the property is approved, then this easement would become the City's liability.

Chair McDermott offered a motion to approve the project with direction that the applicant work with staff to add conditions of approval to preserve the views from Hillcrest Avenue of current residents by taking into consideration the height of the homes proposed in the project, the placement of trees, and other landscaping issues; and, that staff further study the feasibility of having a public trail easement along the eastern boundary of the property. Commissioner Enders seconded the motion.

Commissioner Lavelle did not favor the motion on the floor. She stated that staff's recommendation was the approval of a tentative tract map and that the request for building the development was not being proposed yet. She commented that any decisions about a future path along the eastern boundary could be considered later on in the process once the development plans were more defined adding that this would need the approval of the Planning Director or the Planning Commission.

The motion passed with the following vote:

AYES: Commissioners Enders, Trivedi, Parso
Chair McDermott
NOES: Commissioners Faria and Lavelle
ABSENT: Commissioner Loché
ABSTAIN: None

2. Request for adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of a Zone Change (Application No. PL-2014-0083) from Medium Density Residential to Planned Development and Vesting Tentative Tract Map 8172 (Application No. PL-2014-0084) associated with the subdivision and construction of 25 single-family detached homes, 10 attached homes and common areas on a 2.94-acre site bounded by Eden Avenue, Saklan Road and Montevina Way, Doug Rich of Valley Oak Partners (Applicant) Sandra Gudiel, Fernando Ramirez and Tatsumi Hirakawa (Owners)

Associate Planner Ajello provided a synopsis of the staff report. She indicated that the development proposed to continue the existing streetscape and that there would be six homes that would front on Montevina Way. Ms. Ajello indicated the following revisions to parts 'b' and 'c' of Condition of Approval No. 102: (b) The developer/subdivider shall be obligated to pay a Benefit District Fee in the an amount approximately of \$10,008 ranging from \$11,500 to \$16,000 per unit after the third building permits have been issued, with final per unit fee to be determined by the City's Finance Director consistent with the associated Mt. Eden Benefit District Agreement and Chapter 8, Article 16 of the Hayward Municipal Code. (c) For each additional unit for which a Benefit District Fee is



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due, the developer/subdivider shall also pay the City an additional fee of \$300 to \$500 per each additional unit to cover the cost of collecting and administering the Benefit District Fees, with final per unit fee to be determined by the City's Finance Director consistent with the associated Mt. Eden Benefit District Agreement and Chapter 8, Article 16 of the Hayward Municipal Code.

Associate Planner Ajello explained that the reason an increase in the per unit fee was being proposed for the Mount Eden Benefit District was because Condition of Approval No. 102 as originally written, did not factor in the interest that had been accruing on the loan from Dutra Enterprises. She stated that staff did not have the interest amount available at this time.

Chair McDermott opened the public hearing at 8:10 p.m.

Mr. Doug Rich, project applicant with Valley Oak Partners, shared a presentation with the Planning Commission. He indicated that the current proposed plan for the development featured improvements that would provide for a stronger community than originally intended. He stated that the new community would be accessible through a main access road on Saklan Road and Eden Avenue. He shared that the development had been reduced in density from 48 homes to 35 homes to provide for more group open space. Mr. Rich stated that the original plan provided limited guest parking (11 spaces) along Montevina Way; this had been modified to include 27 more guest parking stalls along the main access road bringing the total number of guest parking spaces up to 38 spaces, for 35 homes. He mentioned that the original design of the 48 homes consisted of building the new homes adjacent to the existing homes with 3.5 feet separation; additionally, the new homes were proposed to be three-story units and the existing homes were two-story units. The design was modified after taking into account sensitivity to neighbors and the plan was changed to add traditional rear yards creating a greater setback between the proposed development and the existing neighboring homes; the design of these new homes was reduced to two-story units. Mr. Rich shared that a neighborhood meeting was held with the existing neighbors and the existing HOA, and the development received positive feedback regarding the setbacks added to the project and changes in heights to the proposed units. He mentioned that the number of floor plans was increased to six to provide for more architectural variety. More exterior features were also added to the design plans including stonework, ornamental railings, shutters, covered porches, etc. which assist in blending the development with existing homes in addition to providing strong architectural detail.

Commissioner Trivedi noted that the project was thoughtful and an improvement from its previous iteration. He asked the applicant about the 11 guest parking spaces on Montevina Way and whether this easement had been acquired from the KB Homes HOA already. Mr. Rich responded that this agreement was currently being finalized. Mr. Rich described for Commissioner Trivedi that the aggregate group open space was adequate.

In response to Commissioner Trivedi's question about the varying lot sizes proposed for the development, Mr. Rich stated that the goal of the project was in line with the City's General Plan. Commissioner Trivedi encouraged the applicant to have enough open space in the development so that a volleyball or badminton court, picnic area, or a barbecue pit could be accommodated.



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In response to Commissioner Trivedi's concern about the proximity of the development to the Hayward Airport and potential noise issues, Associate Planner Ajello stated that the proposed development would be required to use certain types of windows and have mechanical ventilation to mitigate noise. In regards to the distance of the project site from the airport, she indicated that the development was at a range which would not require additional noise mitigation measures. Commissioner Trivedi suggested that residents moving nearby were made aware of the proximity to the airport, especially since the Hayward Airport was city controlled.

Commissioner Enders disclosed that she had met with the project applicant. She commented that each home in the development should have the opportunity to have an adequately sized private open space area of ten by ten feet or larger for barbecuing or to keep a pet. She spoke to the applicant's goal for providing a development that will appeal to multi-generational families and individuals with varying circumstances and recommended that in order for future residents to benefit from the development, she felt it would be better to have enough private space per unit rather than having additional park space for public use.

Commissioner Lavelle disclosed that she met with the applicant. She recommended that the applicant work with either KB Homes or Standard Pacific to build the development. She appreciated the six floor plans and the diversity of exterior designs being Italian, Tuscan and Spanish styles. Commissioner Lavelle liked the improvements to the surrounding neighborhood since the annexation of these properties from Alameda County. She commented that parking did not appear to be an issue as it had been in other parts of the city. She pointed out that one of the older homes in the area had a water tower and she requested that the applicant maintain this structure and possibly utilize it at the entryway to the development or in the open space area. Commissioner Lavelle noted that a water tower was successfully preserved and showcased at the entrance to another development on Cryer Street and suggested the same for the current project.

Chair McDermott said that she generally favored the project but shared the same concerns as Commissioner Enders about having larger homes on smaller lots. She stressed the importance of the availability of open space to residents. She agreed with the idea of having a place for the community to congregate that would include a barbecue pit and some benches. Mr. Rich indicated for Commissioner McDermott that the plans currently did not include providing electric vehicle charging stations in the garage per home. Commissioner McDermott commented that residents should have a designated place to store their garbage and recycling totes. Planning Manager Buizer noted for Commissioner McDermott that per a requirement of the United States Postal Service for new developments in the city, cluster mailboxes would be used in the project.

Commissioner Enders indicated that she was looking forward to the solar feasibility study and plans for Bioretention Treatment Areas where the rainwater will be filtered back into the environment. She emphasized the importance of having adequate private open space per unit, adding that the opportunity to place your garbage can and recycling bin outdoors was important. She mentioned that the front entrances to the homes were not inviting and that this could be improved by having awnings. She commented that the design of the homes lacked points of interest and were not unique



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from the surrounding homes, urging the applicant to incorporate designs that would make the development stand out in character. Commissioner Enders commented that plan 2 and plan 5 had insufficient master bedroom closet space. She encouraged the applicant to utilize native trees and shrubs for landscaping. She expressed concern about the parking limitations for residents.

Commissioner Faria appreciated that the applicant would be explore options for increasing the open space area and also commended the applicant for his willingness to replace the trees that will be removed due to construction at the development site with mature trees.

Chair McDermott closed the public hearing at 8:40 p.m.

Associate Planner Ajello clarified for Commissioner Lavelle that most homes in the proposed development would not be able to accommodate vehicle parking in the driveways.

Commissioner Lavelle offered a motion to approve the project per staff recommendation. She commented that it was a good feature of the project that it will blend in with the existing homes in the area. She was amenable to adding awnings to the front entryways of the homes. Commissioner Lavelle pointed out that neighboring residents were excited about the proposed project as it would help improve the neighborhood.

Commissioner Parso seconded the motion.

Commissioner Enders requested that some of her concerns be considered as a part of the motion by including the following: awnings over the front entryways; increasing the master bedroom closet space for floor plans 2 and 5; and that the developer provide a minimum of ten by ten square feet of private open space to the rear of the units.

Associate Planner Ajello stated that the applicant would be required to work with staff prior to the submittal of the Precise Plans and clarified that the open space requirement could be met with a combination of common open space and private open space. She exemplified that the developer could meet the requirement by enlarging the common open space area even if some units do not have private space with the dimensions of ten by ten square feet.

Commissioner McDermott commented that the proposed development could be marketed to a wide range of potential buyers as there were different floor plans and lot sizes available; however, it would ultimately be up to the buyer to determine the home that would be suitable for them and their family. She stated that some individuals may have a preference to have a smaller private open space as there would be less maintenance, especially individuals concerned about aging in place. She added that the present development may even appeal to some buyers as a starter home. Commissioner McDermott supported requiring awnings over the front porch of homes.

Commissioner Faria preferred having a development where residents could choose from a range of options in regards to the size of private open space available in a home, as some people may not



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want backyard space to maintain. She expressed concern that placing too many restrictions on a project may put the development in jeopardy and she appreciated the thoughtfulness that the developer put into blending the project with its surrounding homes. Commissioner Faria agreed with staff's recommendation regarding open space; however, she was favorable to adding awnings over the front entryways of homes.

Commissioner Lavelle agreed to adding conditions of approval that would require awnings to be placed over entryways of some units and also that some native shrubs and trees be used in the development. She stated that for this development, it was not necessary to specify the exact square footage of private open and/or closet space required, noting that planned development projects were intended to provide developers with more flexibility.

Commissioner Parso agreed with the amendments to the motion. The motion passed with the following vote:

AYES: Commissioners Enders, Trivedi, Faria, Lavelle, Parso
Chair McDermott
NOES: None
ABSENT: Commissioner Loché
ABSTAIN: None

COMMISSION REPORTS

3. Oral Report on Planning and Zoning Matters

None.

4. Commissioners' Announcements, Referrals

Chair McDermott announced that "Science in the Park" would be held on Saturday, October 4, 2014 at Alden E. Oliver Sports Park.

Commissioner Lavelle announced that the annual "Mariachi Festival" was being held in the City Hall Plaza on Friday, October 3, 2014.

Commissioner Trivedi proudly shared that according to the website www.livability.com, the City of Hayward was ranked among the "Top 100 Best Places to Live" in the United States.

APPROVAL OF MINUTES

5. The minutes of June 26, 2014 were approved with Commissioners Enders and Parso abstaining, and Commissioner Loché absent.



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The minutes of July 24, 2014 were approved with Commissioners Enders and Parso abstaining, and Commissioner Loché absent.

The minutes of September 18, 2014 were approved with Chair McDermott and Commissioner Faria abstaining; Commissioner Loché absent; and with a suggestion by Commissioner Lavelle to modify page three of the minutes to add “on 2nd Street nearby” and to add “despite meeting minimum requirements.”

ADJOURNMENT

Chair McDermott adjourned the meeting at 9:01 p.m.

APPROVED:

Heather Enders, Secretary
Planning Commission

ATTEST:

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