CITY OF
HAYWARD
HEART OF THE BAY

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DATE: May 14, 2009

TO: Planning Commission

FROM: Erik J. Pearson, AICP, Senior Planner

SUBJECT: Revisions to Hayward's Draft Housing Element

RECOMMENDATION

That the Planning Commission reads and comments on this report.

SUMMARY

The work session will provide the Commission with an opportunity to review and comment on the changes that have been made to the draft Housing Element since the March 5, 2009 work session, before it is submitted to the State's Housing and Community Development (HCD) Department for review and comment. Changes to the document reflect comments received at the March 3 City Council work session, the March 5 Planning Commission Work Session, and the March 9 community meeting, as well as letters received from the Home Builders Association of Northern California, Seventh Step Foundation, the Alameda County Child Care Planning Council, and San Francisco Baykeeper. These comment letters have been included as Appendix F in the revised Housing Element.

BACKGROUND

The current Housing Element of the General Plan was adopted by the Council on October 21, 2003, and certified by the State on January 22, 2004. State law requires the Housing Element to be updated every five years and work on the current update began in September 2008 with the Council's approval to hire Veronica Tam and Associates to assist with the effort. The update process was introduced to the public on December 9, 2008 at a joint work session with the City Council and the Planning Commission, and at a community meeting on December 15, 2008.

The draft Housing Element was presented to the Council on March 3, the Human Services Commission on March 4, the Planning Commission on March 5, the public at a community meeting on March 9, and the Hayward Community Action Network on March 23. The public comment period was open from March 2, 2009 through March 24, 2009.

DISCUSSION

In response to comments received from the Council, Planning Commission, and the public, staff has made several changes to the draft Housing Element. Many changes are technical in nature; however, following are the more significant changes that may be of interest to Commissioners. The attached revised draft Housing Element has changes indicated by gray shading.

In addition to responding to comments received, the revisions to the draft Housing Element are a reflection of the priorities the City Council adopted in January 2009 including public safety, neighborhood cleanliness, and economic development. The revisions discussed below serve to make the Housing Element more proactive in terms of ensuring safe operation of multi-family residential properties and homeless shelters and making the City's review process and fee structure less burdensome for developers.

Homeless Shelters –

The Council also expressed concern about the new State requirement (Senate Bill 2 (SB 2)) that homeless shelters be allowed as a primary use in at least one zoning district. The Council expressed a desire to ensure that such facilities are held to the highest standards with respect to operation and management. According to SB 2:

> "Emergency shelters may only be subject to development and management standards that apply to residential or commercial development within the same zone, except that a local government may apply written, objective standards that include all of the following:
>
> - The maximum number of beds or persons permitted to be served nightly by the facility.
> - Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
> - The size and location of exterior and interior onsite waiting and client intake areas.
> - The provision of onsite management.
> - The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
> - The length of stay.
> - Lighting.
> - Security during hours that the emergency shelter is in operation."

The performance standards that will apply to homeless shelters, transitional, and supportive housing are not required to be specified in the Housing Element. However, staff will provide a draft set of standards in the agenda report when the Housing Element that is approved by HCD is next presented to the Commission. Per the suggestion made at the March 3 Council work session, staff plans to add a requirement to the above list that counseling services be offered at homeless shelters.

Crime Prevention –

A program has been added to state that an ordinance will be developed to require Crime Prevention Through Environmental Design (CPTED) strategies for all new multi-family developments, and require owners of new multi-family rental properties to participate in the Hayward Police Department's Crime Free Multi-Housing program. The ordinance would also apply to all new homeless shelters, transitional, and supportive housing. Furthermore, when providing funding to existing affordable rental housing, the City will require participation in the Hayward Police Department's Crime Free Multi-Housing program.

Affordable Housing –

Regional Housing Needs Allocation –
At the March 3 work session, the Council asked if Hayward's current supply of affordable housing had any bearing on the Regional Housing Needs Allocation (RHNA). To reflect that the RHNA process does take into account a jurisdiction's supply of affordable housing units, staff has added the following quote from the Association of Bay Area Governments' (ABAG) June 2008 Housing Needs Plan in the RHNA section beginning on p. 5-68:

> "The income allocation method gives jurisdictions that have a relatively higher proportion of households in a certain income category a smaller allocation of housing units in that same category. Conversely, jurisdictions that have a lower proportion of households in an income category would receive a larger allocation of housing units in that same category. Under this formula, the income distribution within each jurisdiction moves closer into alignment with the region-wide distribution of household income."

In other words, because Hayward has a relatively high number of more affordable housing, Hayward received a smaller RHNA in the low and very low income categories.

Section 8 –
In response to concerns raised at the March 3 Council work session regarding the large number of affordable housing units that exist in Hayward that are supported by the Section 8 voucher program, and because such program is administered by the Alameda County Housing Authority, not the City of Hayward, Program 16 (Section 8 Housing Choice Voucher Program), has been deleted. Additionally, because of the perception that Hayward has a disproportionate number of voucher participants, City staff will research what actions the City can take to limit the number of vouchers used in Hayward, and present the Council with additional information in the future on possible options to address this issue.

Constraints to the Development of Housing –

Staff met with representatives from Citation Homes and the Home Builders Association of Northern California (HBANC) and received a letter dated April 13, 2009 from HBANC (see Appendix F of the attached revised draft Housing Element). In response to the comments about land and construction costs, staff made revisions to the Market Constraints section of the Housing Element to reflect the continued decline in housing prices and to more accurately state the cost of constructing multi-family housing units. In response to the comment about the cost of complying with the City's

Green Building Ordinance, Program 15 has been revised to reflect the goal of evaluating and adopting incentives for exempt projects to voluntarily comply with the Green Building Ordinance by the end of calendar year 2009.

Inclusionary Housing Ordinance –
As a result of discussions with HBANC staff, the discussion of the Inclusionary Housing Ordinance has been moved from the Resources section to the Constraints section of the Housing Element. While the Ordinance is beneficial in terms of achieving the production of affordable housing, it does represent a constraint to developers due to the costs involved in providing affordable units. Language has been added to Program 17 (Inclusionary Housing Ordinance) to state that the City will consider modifications to its Inclusionary Housing Ordinance by not later than July 2010 to allow for the payment of in-lieu fees by right due to current economic conditions and to conduct an analysis of the in-lieu fee amount.

Development Review Process –
The HBANC letter states that the City's process for reviewing a Precise Development Plan represents a "significant cost and delay associated with the "post-entitlement" process in Hayward". Program 18 (Development Fees and Processes) has been added to state that, by the end of 2009, staff will review the Precise Development Plan review process to make it more efficient and less time consuming. Regarding the HBANC's request for blanket extensions of entitlements due to current economic conditions, this idea will be included in a report to the City Council at a work session currently scheduled for late spring or early summer of this year.

Development Fees –
In response to discussions with HBANC staff and in light of recent economic trends, the section of the Housing Element that addresses Development and Planning Fees (beginning on page 5-62) has been revised to provide a more recent price of a new home. The fees shown for development of a 50-unit multi-family housing development were revised to include fees for water, sewer, park dedication, and the school district. This caused the total fees to increase from roughly $617,000 to approximately $1,600,000, or from about 4% to 11% of total construction costs.

In the Governmental Constraints section where fees are discussed, language has been added to note that, by the end of 2009, the City will consider allowing deferral of payment of certain development impact fees to the time of close of escrow and consider adjusting the park dedication in-lieu fee. Program 18 now indicates that the in-lieu park fee ordinance will be updated in 2009. Review of the ordinance will also include a re-evaluation of whether or not affordable housing projects should be exempt from the payment of in-lieu park fees, as they are currently.

Special Needs Populations –

Child Care –
The Alameda County Child Care Planning Council provided suggested language via e-mail (see Appendix F) to convey the interrelatedness of child care and housing, and importance of child care to the community. Accordingly, text has been added to the Special Needs Populations section of the Housing Element that states the lack of existing child care facilities and the need for policies that encourage new facilities. Also, Program 20 (Child Care Services and Facilities) has been added in

the Housing Plan that indicates the City will amend the Zoning Ordinance to proactively plan for child care in conjunction with housing and to provide incentives for child care in affordable and market rate housing developments.

Miscellaneous Items –

Sustainability/Water Quality –
A letter from San Francisco Baykeeper, dated March 24, 2009 (see Appendix F of the Housing Element), suggests the incorporation of low impact development strategies into the Housing Element for the purposes of protecting the water quality of San Francisco Bay. Accordingly, Policy 2.5 on page 5-86 has been revised with the following text: "Promote 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 energy use and other resources, and minimizes impacts on the surrounding environment." Also, a statement has been included to indicate that this policy will be implemented through existing ordinances and guidelines such as the Green Building Ordinance, the recently adopted Environmentally Friendly Landscape Guidelines (with an implementing ordinance expected to be adopted in the spring of 2010), the Water Efficient Landscape Ordinance, and the Alameda County Clean Water Program administered by the City.

Universal Design –
In response to comments from the Council, Program 22 (Universal Design Principles) has been changed from "Explore feasible mechanisms…" to "Develop an ordinance that promotes the use of Universal Design Principles in new construction and/or rehabilitation of housing by the end of 2010" to make a stronger commitment to the promotion of Universal Design in new construction and/or rehabilitation of housing.

FISCAL IMPACT

There are no significant fiscal impacts associated with the proposed revisions to the Draft Element that were not anticipated in the original Element project budget. The Housing Plan section of the draft Housing Element calls for new ordinances to be developed during the next fiscal year. The new ordinances will be developed with existing staff resources within the Development Services Department and City Manager's Office.

PUBLIC CONTACT

Section 65583 (c)(6)(B) of the Government Code states that "The local government shall make a diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element and the program shall describe this effort." Public participation has and will continue to play an important role in the formulation of Hayward's housing goals and policies.

As noted above, while the public comment period was open in the month of March 2009, staff made presentations of the draft Housing Element at several public meetings. Comments from those

meetings as well as those contained in the letters received have been reflected in the revised draft Housing Element.

Notice of this work session has been provided to interested parties, neighborhood associations and task forces, homeowners associations, mobile home residents associations, and on the City's website.

SCHEDULE

A work session with the City Council was held on May 12, 2009, regarding the attached revised draft Housing Element. Staff intends to submit the draft Housing Element to the State Housing and Community Development Department (HCD) by early June. HCD review is expected to take 60 days. After comments are received from HCD, further revisions will be made in order for HCD staff to indicate their intent to certify the Element, and the Housing Element will be presented to the Planning Commission and City Council for consideration of adoption. Afterwards, the adopted Element will be forwarded to the HCD Department for formal certification.

An Initial Study will be completed per the requirements of the California Environmental Quality Act (CEQA) after comments are received from HCD.

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Exhibits: Revised Draft Housing Element

5/7/2009

CHAPTER 5: HOUSING

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5.1 Introduction

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), will comply 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. As one of the fastest growing regions in the country, California has among the highest housing costs compared to other regions of the nation. 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.

A. Legality of the Housing Element

California State Housing Element Law requires that local jurisdictions present community housing needs, constraints to meeting those needs, and actions proposed to address those needs over a five-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 a five-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 persons. The Legislature also recognizes the importance of providing affordable housing for those 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 government should make a conscious effort to see that there are housing opportunities for all income groups.[2]

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.

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1 State of California Government Code § 65581 as amended.
2 State of California Government Code § 65580 as amended.

B. Format of the Housing Element

The City of Hayward Housing Element is comprised of 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.

C. 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.

With respect to the City's existing adopted General Plan, the following findings of the conformity may 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 Land Use Element and other General Plan Elements, or with other 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[3]; and

- Finally, this Element updates important background information used in the evaluation and/or formulation of housing policy.

D. Public Participation

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. Public outreach conducted during this Housing Element process includes the following components:

1. Housing Element Webpage and Weblog

The City of Hayward created a separate webpage on the City's official website to disperse information relating to the Housing Element update:

http://www.hayward-ca.gov/webware/Default.aspx?Message=476&t=-1

The webpage provides a copy of the current Housing Element, information on upcoming meetings, opportunity to respond to the Housing Needs Survey online (discussed below), requirements of the Housing Element, and other related resources. In addition, a weblog was created to facilitate discussions of housing-related issues. The weblog can be accessed at:

http://www.hayward-ca.gov/housingelementupdate/

2. Housing Needs Survey

The City conducted a Housing Needs Survey as part of the 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, the public libraries and several facilities operated by the Hayward Area Park and Recreation District, 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. A copy of the survey and a summary of the survey responses are provided in Appendix A.

In general, residents were satisfied with housing situations in Hayward. However, neighborhood safety issues, rehabilitation of multi-family structures, new construction of mixed use housing in

[3] The 238 Conceptual Land Use Plan contemplates new streets (extension of 2nd Street and off Carlos Bee Boulevard below the University campus). However, as the 238 Conceptual Land Use Plan is not yet adopted, this Housing Element uses the General Plan designations for the 238 Study Area. For the selection of preferred alternative and adoption of the Conceptual Land Use Plan, the City will re-evaluate its ability to meet the RHNA.

downtown and transportation corridors, and housing programs for the elderly and disabled have surfaced as key housing needs expressed by survey respondents.

3. Work Sessions

On December 9, 2008, the City conducted a joint Planning Commission and City Council Work Session to kick off the Housing Element update. During the work session, the Planning Commission and City Council were briefed regarding key components of the Housing Element, statutory requirements, and potential challenges for Hayward.

4. Stakeholders Interview

On December 15, the City of Hayward conducted two sessions of focused group interviews with housing developers, service providers, and other community stakeholders. The following groups attended the meetings:

- 4C's of Alameda County
- Citation Homes
- Community Resources for Independent Living
- Bay East Association of Realtors
- ECHO Housing
- Eden Housing
- Hayward Area Planning Association
- Housing Consortium of the East Bay
- Resources for Community Development
- Senior Services Foundation

Unable to attend the meeting, the Bay Area Youth Center submitted comments on housing needs. Comments received during these interviews are summarized in Appendix B. In general, stakeholders are concerned with housing for persons with special needs, especially those who are seniors, with disabilities, and with child care needs. Opportunities for homeownership through purchased of foreclosed properties and affordable rental housing were expressed as key concerns. Increasingly limited funding for affordable housing construction is another obstacle in this current housing market.

5. Community Workshops

On December 15, 2008, the City conducted a Community Workshop to kick off the Housing Element update. A notice of the meeting was published in the *Daily Review*. Invitations were sent to housing developers, non-profit housing service organizations, members of the City's commissions and committees, members of neighborhood task forces, and community stakeholders. Comments received during the Community Workshop are summarized in Appendix C.

Also, on March 9, 2009, a second Community Workshop was held on the Draft Housing Element. Comments received during the workshop are included in Appendix C.

6. Other Commissions and Committees

In addition, City staff made presentations to various commissions and committees to solicit input on housing issues and recommendations, and comments on the Draft Housing Element. These include:

- Citizen's Advisory Commission - December 17, 2008 and March 18, 2009
- Human Services Commission – March 4, 2009
- Hayward Community Action Network – March 23, 2009

7. Public Hearings

On March 3, 2009, the City Council conducted a public hearing to discuss the Draft Housing Element. On March 5, the Planning Commission held a work session to review the Draft Housing Element. Public hearings are tentatively scheduled for June for both the Planning Commission and City Council to review the final draft of the Housing Element.

5.2 Community Profile

A. 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 on the east shore of San Francisco Bay, Hayward was incorporated on 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, and typical of many cities throughout the nation, Hayward's population increased over 400 percent. 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.

Prior to 1960, there were relatively few (approximately 1,400) multi-family housing units in Hayward. To accommodate the substantial population increase and minimize the costs to extend City water, storm drain, and sewer throughout Hayward, developers began to focus on creating multi-family housing. Between 1960 and 1970, approximately 7,000 units of multi-family housing were built. In the next two decades, approximately 10,000 units of multi-family housing were developed. As a result of the post-war housing construction boom, Hayward was transformed into 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. Approvals have also been granted for up to 785 new units in the Hayward Hills and approximately 530 units south of State Route 92.

Hayward today is a city of approximately 149,205 people.[4] It is one of the oldest cities within the San Francisco-Oakland-San Jose area, a region with a population of approximately 7.5

[4] According to the California Department of Finance, Population and Housing Estimates, May 1, 2008.

million people.[5] Although Hayward is an employment center, substantial commuting occurs throughout Hayward, and 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; many people cannot afford to live in the type of housing they desire near their site of employment.

Prior to 1998, the sales prices of new homes in Hayward were less expensive than in most other cities in Alameda County. According to the Bay East Association of Realtor's Multiple Listing Services data, over the two-year period from September 1998 to September 2000, the sales prices of single-family homes increased more than 53 percent. However, from 2007 to 2008 there was a 26-percent decrease in home prices countywide. Hayward's home prices decreased 32 percent during the same time period. In October 2008, the median home price in Hayward was $290,000. Prices of existing homes and rentals were still low compared to surrounding cities.

B. Sources of Information

The primary source of information used in the compilation of demographic, housing and socioeconomic information used in the supporting technical analysis herein includes data collected by the U.S. Bureau of the Census. This baseline population, housing and socioeconomic data for cities and counties is collected every ten years as part of the national Census. The most recent Census was collected in year 2000 and served as an additional source of data.

The Census Bureau utilizes a separate mechanism, the American Community Survey (ACS), to compile interim data between censuses. The ACS, however, represents averaged data over three years and is collected from a small sample. Averaged data does not offer a good snapshot of the community or recognize the changes in that community over time. Furthermore, a small sample results in margins of errors that may not be acceptable for describing specific socioeconomic characteristics.

The 2000 Census data is supplemented with population and housing estimates by the State Department of Finance and Association of Bay Area Governments (ABAG), employment data by the State Employment Development Department, as well as current housing market data by other sources, such as the California Association of Realtors, Home Mortgage Disclosure Act data, and Dataquick.

[5] According to the California Department of Finance, Population and Housing Estimates, May 1, 2008.

C. Demographic Characteristics

1. Population Growth Trends

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 increase slowed during the 1960s to 28 percent and nearly halted during the 1970s. 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 (Table 5-1). However, population growth in the City outpaced countywide growth between 1990 and 2000. According to the State Department of Finance, the City's total population was 149,205 as of January 1, 2008. This represents a nearly seven-percent increase from 2000, equivalent to the increase in Alameda County over the same period of time.

Among the neighboring cities, the City of Dublin had the most growth with nearly 57 percent. The cities of Oakland and Fremont had a five-percent increase in population and San Leandro had only a three-percent increase between 2000 and 2008 (Table 5-2).

Table 5-1: Population Trends

Population	Estimated Population Counts				Percent change		
	1980	1990	2000	2008	1980-90	1990-00	2000-08
Hayward	93,058	111,498	140,030	149,205	19.8%	25.6%	6.6%
Fremont	131,945	173,339	203,413	213,512	31.4%	17.3%	5.0%
Union City	39,406	53,762	66,869	73,402	36.4%	24.4%	9.8%
Alameda County	1,073,183	1,279,182	1,443,741	1,543,000	19.2%	12.9%	6.9%

Sources:
1. *U.S. Census, 1980, 1990 and 2000.*
2. *California Department of Finance, Population and Housing Estimates, May 1, 2008.*

Table 5-2: Population Comparison

City	2000 Population	2008 Population	Percent Change
Dublin	29,973	46,934	56.6%
Fremont	203,413	213,512	5.0%
Hayward	140,030	149,205	6.6%
Livermore	73,345	83,604	14.0%
Oakland	399,484	420,183	5.2%
Pleasanton	63,645	69,388	9.0%
San Leandro	79,452	81,851	3.0%
Union City	66,869	73,402	9.8%

Sources:
1. *U.S. Census, 2000.*
2. *California Department of Finance, Population and Housing Estimates, May 1, 2008.*

2. Age Characteristics

One of the more significant indicators of population growth trends is the age composition of residents. Table 5-3 charts age characteristics of the City's population in 1990 and 2000. The greatest amount of growth during the 1990s occurred among the population over age 80 while those aged 60 to 69 declined by ten percent during this same period. Other age groups that saw substantial increases during the 1990s include the middle aged population (40 to 59) and children (5 to 17). This suggests that the number of City households comprised of families with children was increasing. This trend is coupled with small increases in the number of pre-school and younger children and younger adults, ages 30 to 39, suggesting that although the number of young families was increasing in Hayward, this demographic grew less than other population groups, a sign of unaffordable housing for younger families. Finally, a small increase of only nine percent was observed among young adults ages 22 to 29.

Table 5-3: Age Characteristics

Age	1990	% of Total	2000	% of Total	% Change in #s
Under 5	8,990	8.1%	11,011	7.9%	22.5%
5 to 14	14,858	13.3%	20,952	15.0%	41.0%
15 to 17	3,851	3.5%	5,536	4.0%	43.8%
18 to 21	6,689	6.0%	8,302	5.9%	24.1%
22 to 29	17,810	16.0%	19,470	13.9%	9.3%
30 to 39	20,342	18.2%	23,932	17.1%	17.6%
40 to 49	13,207	11.8%	19,298	13.8%	46.1%
50 to 59	9,226	8.3%	12,933	9.2%	40.2%
60 to 69	8,871	8.0%	8,024	5.7%	-9.5%
70 to 79	5,280	4.7%	6,832	4.9%	29.4%
80+	2,374	2.1%	3,740	2.7%	57.5%

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

3. 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 5-4 shows some significant changes in the racial makeup of residents in Hayward in recent years. The number of Hispanic residents grew by approximately 80 percent and those who identified themselves as Asian or Pacific Islanders increased by 76 percent between 1990 and 2000. These numerical increases were accompanied by a substantial decrease among non-Hispanic White residents (-28 percent). As a result, whereas Whites comprised more than 51 percent of Hayward's population in 1990, this racial/ethnic group made up only 29 percent of the population in 2000. The proportion of the population that classified themselves as Hispanic increased from 24 percent of the population in 1990 to 34 percent in 2000. Similarly, Asian and Pacific Islanders increased from 15 percent of the population to nearly 21 percent of the population during the same time period. These changes comprise large proportionate shifts in race and ethnic demographics; however, there are some smaller numerical changes that are also significant. From 1990 to 2000, the number of Black/African American residents grew by 42 percent whereas the American Eskimo and Native American populations decreased by 22 percent. Table 5-5 compares Hayward's demographics to nearby communities. Hayward's race

demographics share some similarities with Oakland, also an older established community of ethnic diversity.

Table 5-4: Race/Ethnicity Trends

Race/Ethnicity	1990	2000	% Change
White	57,005	40,869	-28.3%
Black	10,440	14,846	42.2%
American Eskimo and Indian	735	570	-22.4%
Asian and Pacific Islander	16,299	28,700	76.1%
Other	348	692	98.9%
Two or more races1	--	6,476	--
Hispanic	26,671	47,850	79.4%
Total	111,498	140,030	25.6%

Note: The category of "Two or More Races" was not available in 1990 Census.
Source: U.S. Census, 1990 and 2000.

Table 5-5: Race and Ethnic Comparison

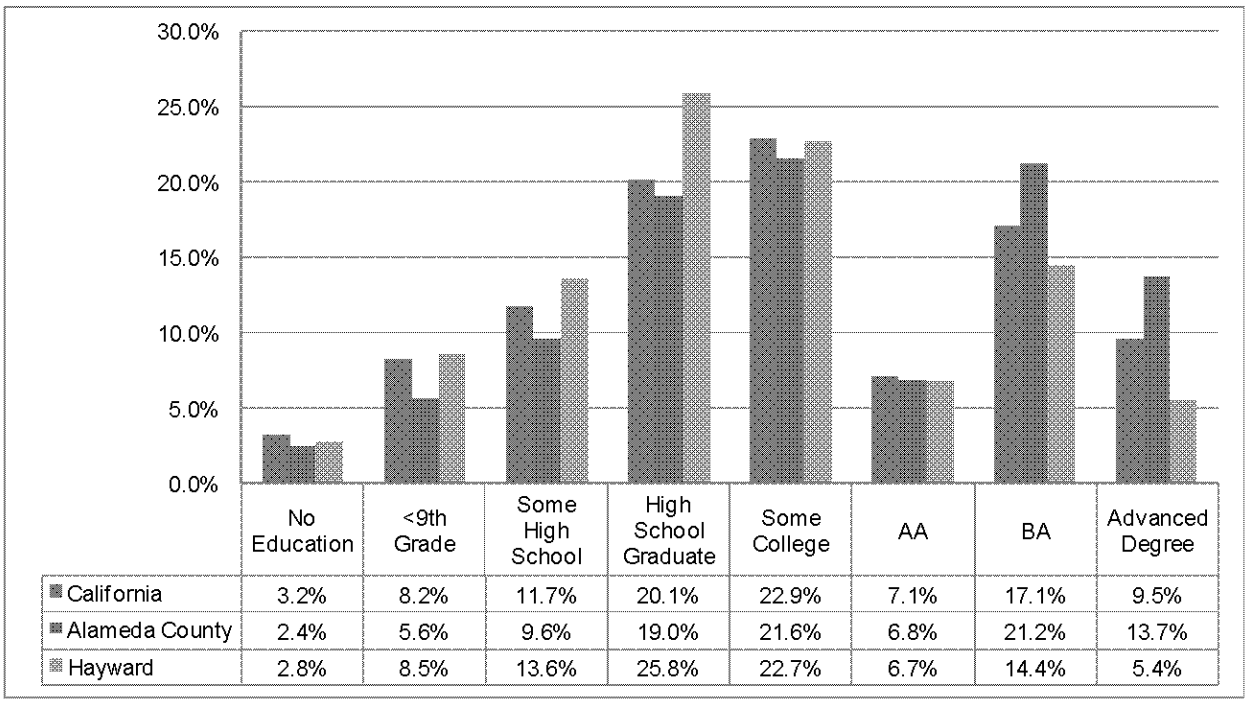
Race/Ethnicity	Hayward	Livermore	Dublin	Oakland	Alameda County
White	29.2%	74.4%	62.3%	23.5%	40.9%
Black	10.6%	1.5%	10.0%	35.1%	14.6%
American Indian	0.4%	0.4%	0.5%	0.4%	0.4%
Asian/Pacific Islander	20.5%	5.9%	10.5%	15.6%	20.9%
Other	0.5%	0.3%	0.2%	0.3%	0.3%
Two or more races	4.6%	3.1%	3.0%	3.2%	3.9%
Hispanic/Latino	34.2%	14.4%	13.5%	21.9%	19.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Source: U.S., Census, 2000.

4. Educational Attainment

Education 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 limit housing opportunities. The percentage of the population with no formal education is low (around three percent) in the City, County, and the State. However, as shown in Figure 5-1, compared with the State and Alameda County, Hayward had the highest proportion of residents with less than a ninth grade education, some high school and high school graduates (including GED). Conversely, compared with the State and Alameda County, Hayward had the lowest proportion of residents with higher education, including Associates, Bachelor's and advanced degrees.

Figure 5-1: Educational Attainment for the Population Age 25 and Over



Source: U.S Census, 2000.

D. Household Characteristics

According to criteria established by the U.S. Bureau of the Census, 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 5-6).

Table 5-6: Household Demographics

	1990	2000	2008	% Change	
				1990-2000	2000-2008
Population	111,498	140,030	149,205	25.6%	6.6%
Dwelling Units	42,216	45,922	48,273	8.8%	5.1%
Families	27,611	31,931	--	15.6%	--
Households	40,117	44,804	47,098	11.7%	5.1%
Average Household Size	2.75	3.08	3.12	12.0%	1.1%

Sources:

1. *U.S. Census, 2000.*
2. *California Department of Finance, Population and Housing Estimates, May 1, 2008.*

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. Owner-occupied units in Hayward in 2000 had a slightly larger household size than renter-occupied units (Table 5-7).

Table 5-7: Tenure and Household Size

Tenure	Population	% of Total	Average Household Size
Owner-Occupied	23,824	53.2%	3.13
Renter-Occupied	20,980	46.8%	3.02
Total Occupied Housing Units	44,804	100.0%	3.08

Source: U.S. Census, 2000.

E. Household Income

Household income is an important consideration when evaluating housing and community development because 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.

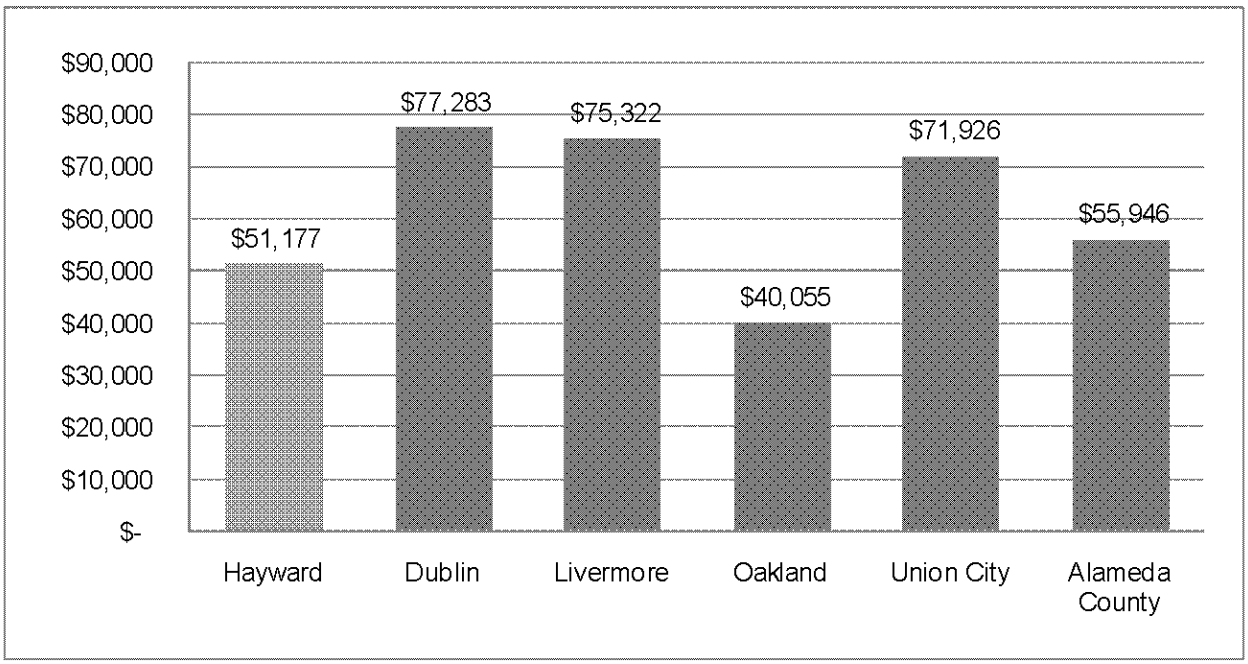
For purposes of determining eligibility for housing assistance, the State Department of Housing and Community Development (HCD) has established the following income groups based on the Area Median Income (AMI) of a Metropolitan Statistical Area (MSA):

- 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: >120 percent AMI

Collectively, households with Extremely Low, Very Low and Low incomes are referred to as lower income households.

According to the 2000 Census, the median household income in Hayward in 1999 was $51,177, lower than the County and most neighboring cities except the City of Oakland.

Figure 5-2: Median Household Income Comparison (1999)



Source: U.S. Census, 2000.

Table 5-8 presents household income by income group and household type based on the Comprehensive Housing Affordability Strategy (CHAS) data prepared for the U.S. Department of Housing and Urban Development (HUD) using Census data. According to the CHAS data, 43 percent of the City's households could be classified as having lower incomes and 57 percent had moderate or above moderate incomes in 2000. Lower income households are disproportionately renters (60 percent) than owners (40 percent).

Table 5-8: Household Type and Income Level

Income	Renter			Owners			Total
	Elderly	Large Families	Total	Elderly	Large Families	Total	
Extremely Low	799	570	3,793	984	134	1,600	5,393
Very Low	435	869	3,543	1,349	420	2,576	6,119
Low	333	835	4,213	1,155	780	3,444	7,657
All Lower Income	1,567	2,274	11,549	3,488	1,334	7,620	19,169
Moderate/Above Moderate	443	1,625	9,372	2,344	3,399	16,317	25,689
Total	2,010	3,899	20,921	5,832	4,673	23,937	44,858

Note: Data based on sample Census data (Summary File 3) and therefore total household figures may differ from the 100% count (Summary File 1).
Source: Comprehensive Housing Affordability Strategy (CHAS), HUD, 2005.

F. 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.

1. Housing Unit Types

According to the most recent estimates prepared by the State Department of Finance (2008), there were 48,273 housing units in the City (Table 5-9). The distribution of unit types in Hayward and Alameda County are similar. Alameda County and Hayward had similar proportions of single-family and multi-family homes. However, Hayward had a larger proportion of multi-family 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 50 percent of the City's housing structures were single-family detached homes and 31 percent of units were in multi-family structures with five or more units. Nearly five percent of housing units were mobile homes, a considerable proportion given the urbanized nature of the City.

Table 5-9: Housing Unit Types

Unit Type	Alameda County		Hayward	
	Number	Percent	Number	Percent
Single-Family Detached	303,613	53.2%	24,223	50.2%
Single-Family Attached	39,742	7.0%	3,578	7.4%
2-4 Units	62,584	11.0%	3,462	7.2%
5+ Units	157,025	27.5%	14,709	30.5%
Mobile Homes	7,655	1.3%	2,301	4.8%
Total	570,619	100.0%	48,273	100%

Source: State Department of Finance, Population and Housing Estimates, May 1, 2008.

Table 5-10 displays the trends in residential development within the City that had occurred over the past 20 years. The Census statistics are shown for 1990 and 2000, while Department of Finance estimates were used for 2008. Examination of these statistics reveals that the City's housing stock has remained predominately single-family. Single-family housing increased six percent from 2000 to 2008 while multi-family housing increased three and four percent, depending on the size of the structure. Mobile home parks and other types of housing experienced a slight increase from 1990 to 2000 but have remained stable at five percent of housing units since 2000.

Table 5-10: Housing Unit Changes

Unit Type	1990		2000		2008		Changes 2000-2008	
	#	%	#	%	#	%	#	%
Single-Family	23,591	56.4%	26,174	56.9%	27,801	57.6%	1,627	6.3%
2-4 Units	2,985	7.1%	3,352	7.3%	3,462	7.2%	110	3.3%
5+ Units	12,945	31.0%	14,133	30.8%	14,709	30.5%	576	4.1%
Other	2,286	5.5%	2,301	5.0%	2,301	4.8%	0	0.0%
Total	41,807	100.0%	45,960	100.0%	48,273	100.0%	2,313	5.0%

Sources:
1. *U.S. Census, 2000.*
2. *California Department of Finance, Population and Housing Estimates, May 1, 2008.*

2. Housing Tenure

According to Census data, Hayward is nearly equally split in tenure (53 percent owner-occupied units versus 47 percent renter-occupied units). Between 1990 and 2000, the proportion of owner-occupied households increased slightly, a result of the City's efforts in promoting homeownership opportunities in the community.

Table 5-11: Housing Unit Tenure

Tenure	1990		2000		Change 1990-2000	
	#	%	#	%	#	%
Owner	20,667	51.5%	23,824	53.2%	3,157	15.3%
Renter	19,450	48.5%	20,980	46.8%	1,530	7.9%
Total Occupied Housing Units	40,117	100.0%	44,804	100.0%	4,687	11.7%

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

3. 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 five or six percent for rental housing and one to two percent for ownership housing are generally considered optimum, where there is a balance between the demand and supply for housing. A higher vacancy rate may 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 the housing market in Hayward was tight with an overall 2.4 percent vacancy rate in 2000. The homeowner vacancy rate was 0.6 percent in 2000 and the rental vacancy rate of 2.6, indicating that the housing demand in the City outweighed supply. By 2008, the overall vacancy rate had remained at 2.4 percent, according to the State Department of Finance.[6]

[6] State Department of Finance, Population and Housing Estimates, May 1, 2008.

4. 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 5-12 depicts the statistics on the age of the housing units in Hayward. An estimated 74 percent of the housing units in the City are over 30 years of age and 38 percent are over 50 years of age.

Table 5-12: Housing Unit Age

Year Structure Built	Number	Percent of Total
2000 (March) – 2008 (Jan.)	2,313	4.8%
1990 – 2000 (March)	4,263	8.8%
1980 – 1989	5,994	12.4%
1970 – 1979	9,215	19.1%
1960 – 1969	8,160	16.9%
1950 – 1959	12,992	26.9%
1940 – 1949	3,327	6.9%
1930 and earlier	2,009	4.2%
Total	48,273	100.0%
30 years or older	35,703	74.0%
50 years or older	18,328	38.0%

Sources:
1. *U.S. Census, 2000.*
2. *California Department of Finance, Population and Housing Estimates, May 1, 2008.*

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. The recent housing boom, through resales and refinances, has resulted in many homes being upgraded or improved. In addition, through the City's Community Preservation and Rental Housing Inspection programs, the City has addressed any housing units that are in need of rehabilitation.

G. Employment and Economic Characteristics

According to the 2000 Census, 67,579 Hayward residents over the age of 16 were in the labor force. Of these residents, 63,270 were employed yielding an unemployment rate of 3.3 percent. However, with the downturn of the economy, the State Employment Development Department reported a significantly increased unemployment rate of 8.2 percent as of November 2008, up from the 6.7 percent just two months earlier.

Table 5-13 tabulates occupations held by Hayward residents according to the 2000 Census and provides corresponding wage scales in Alameda County as of 2008. Among the employed residents, about 11 percent held construction and maintenance occupations, which command a moderate salary. Approximately 30 percent of residents were employed in retail sales and office support occupations which are usually lower paid. Close to 27 percent of the employed residents held managerial and professional occupations, which command the higher pays in the County.

Table 5-13: Occupations and Wage

Occupation	#	% of Employed	Alameda County Mean Wage
Management and Profession	16,881	26.7%	$114,436
Service	8,524	13.5%	$29,819
Sales and Office	19,001	30.0%	$40,775
Farming, Fishing, and Forestry	136	0.2%	$25,194
Construction, Extraction, and Maintenance	6,912	10.9%	$54,175
Production, Transportation	11,816	18.7%	$36,743
Total	63,270	100.0%	$52,438

Sources:
1. *U.S. Census, 2000.*
2. *California Employment Development Department, Labor Market Statistics, First Quarter 2008.*

H. 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.

1. Rental Housing

According to rental listings on www.craigslist.org in December 2008, the average rent in Hayward is $1,415 (Table 5-14). Apartments in Hayward rent for significantly less than homes and condominiums. The average monthly rent of a single-family home is $1,726 while the average apartment rent is $1,214.

Table 5-14: Rental Prices

Apartments	Average Rent	Median Rent
Studio	$1,000	$1,063
1 Bedroom	$1,037	$1,025
2 Bedroom	$1,340	$1,273
3+ Bedroom	--	--
Total Apartment Rent	$1,214	$1,195
Homes for Rent	**Average Rent**	**Median Rent**
1 Bedroom	$1,238	$1,238
2 Bedroom	$1,478	$1,450
3 Bedroom	$1,856	$1,825
4+ Bedroom	$2,450	$2,600
Total Home Rent	$1,726	$1,550
Total Overall Rent	$1,415	$1,275

Source: www.craigslist.org, Accessed December 8, 2008.

2. For-Sale Housing

Table 5-15 summarizes the units listed for-sale in Hayward in December 2008. Given the current market conditions, larger homes in Hayward have been selling for less than asking price. On average, three- and four-bedroom units, which tend to be more expensive homes, were selling for less than the asking prices, indicating a dampened demand for homes in the higher price range. In contrast, smaller homes in the lower price range were selling for more than the asking prices. This may reflect the trend that first-time homebuyers and moderate income households were seizing the opportunity of the current market to achieve homeownership. However, according to real estate professionals, some of these transactions were also made by investors who purchased the homes for rentals until the market improves in the future.

Table 5-15: Homes Sales Data – 2008

Bedrooms	Average Listing Price	Median Sale Price	$/sq. ft.	# Sold	#Listings
2 Bedrooms	$190,000	$240,000	$264	205	100
3 Bedrooms	$336,000	$297,250	$249	500	200
4 Bedrooms	$407,000	$381,705	$227	105	75
Overall Median	N/A	$329,000	N/A	810	375

Source: www.trulia.com, Accessed December 11, 2008. Data reflects units sold in 2008.

Table 5-16 shows home price trends in Hayward from December 2007 to December 2008. This period reflects a time of significant changes in the housing market as the lending market collapsed and home prices saw significant decreases. Double-digit decreases in median sale prices were recorded throughout the City. These lower than normal home prices allowed for a large increase in the number of homes sold.

Table 5-16: Hayward Home Price Trends

Zip Code	# Sales	% Change	Median Price	% Change	High Price	$/sq. ft.	% Change
94541	67	148.1%	$252,750	-34.4%	$560,000	$224	-30.1%
94542	17	30.8%	$475,000	-37.5%	$808,000	$219	-13.4%
94544	71	294.4%	$260,000	-35.8%	$475,000	$227	-30.7%
94545	46	228.6%	$301,000	-53.9%	$737,500	$222	-34.9%

Notes: Data is presented for December 2008, Percent Change data is compared to December 2007 and Price per Square Foot is based on Single-Family homes re-sales only.
Source: www.dqnews.com, Accessed February 9, 2009. http://www.dqnews.com/Charts/Monthly-Charts/SF-Chronicle-Charts/ZIPSFC.aspx

Table 5-17 compares home sale prices in Hayward to neighboring communities as well as all of Alameda County. Every jurisdiction (except Pleasanton) in Alameda County experienced a significant decline in median prices from December 2007 to December 2008. Hayward saw a 38-percent decline in median home price.[7]

Table 5-17: Median Home Sale Comparisons

Jurisdiction	# Sold	October 2008	October 2007	% Change
Castro Valley	40	$455,000	$612,000	-25.7%
Fremont	136	$437,500	$598,000	-26.8%
Hayward	192	$265,000	$429,000	-38.2%
Livermore	74	$402,500	$528,000	-23.8%
Oakland	296	$224,955	$470,000	-52.1%
Pleasanton	36	$738,750	$810,000	-8.8%
San Leandro	83	$320,000	$475,000	-32.6%
Union City	47	$402,000	$549,000	-26.8%
Alameda County	1,108	$335,500	$543,500	-38.3%

Notes: Homes sales recorded in December 2008. % Change is from the same month the previous year.
Source: www.dqnews.com, Accessed February 9, 2009.
http://www.dqnews.com/Charts/Monthly-Charts/CA-City-Charts/ZIPCAR.aspx

3. 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.

[7] The large decreases in median home prices are misleading to some extent. According to real estate professionals, the decreases were caused partially by the lowering of home prices (devaluation) but also partially due to the types of homes being sold. In this market, smaller, lower end homes are being sold more quickly than larger, higher end homes. These transactions would result in lower median sales prices but not necessary lower values of the homes.

In the region covered by the Bay East Association of Realtors[8], 3,473 active foreclosures were recorded as of January 16, 2009 (Table 5-18). The City of Hayward had the highest number of active foreclosures recorded in this region.[9] Specifically, about three-quarters of the foreclosures in Hayward are single-family homes, with the remaining one-quarter being condominiums and townhomes. However, proportionally fewer active foreclosures in Fremont resulted in Real Estate Owned (REOs) or Potential Short Sales (PSS).

Table 5-18: Active Foreclosures

		REOs			Potential Short Sales		
	Active Foreclosures	Number	Average Listing Price	% of Active	Number	Average Listing Price	% of Active
Detached Homes							
Hayward	553	177	$300,387	32.0%	265	$340,641	47.9%
Fremont	313	47	$463,726	15.2%	75	$481,586	24.0%
Livermore	277	49	$477,852	17.7%	76	$497,210	27.4%
Pleasanton	190	12	$876,100	6.3%	20	$621,624	10.5%
Castro Valley	160	21	$462,417	13.1%	32	$511,164	20.0%
San Leandro	217	49	$278,656	22.6%	89	$319,628	40.0%
Total	2,549	489	$516,586	19.2%	831	$527,714	32.6%
Condominiums and Townhomes							
Hayward	182	66	$183,776	36.3%	83	$210,867	45.6%
Fremont	192	56	$246,658	29.2%	66	$287,950	34.4%
Livermore	52	16	$278,138	30.8%	26	$277,375	50.0%
Pleasanton	43	10	$311,310	23.3%	11	$349,149	25.6%
Castro Valley	24	6	$354,900	25.0%	7	$388,849	29.2%
San Leandro	60	19	$194,268	31.7%	25	$224,652	41.7%
Total	924	245	$268,501	26.5%	355	$303,862	38.4%

Notes:

1. *An REO (Real Estate Owned) is a property that goes back to the mortgage company after an unsuccessful foreclosure auction.*
2. *A short sale is a sale of real estate in which the proceeds from the sale fall short of the balance owed on a loan secured by the property sold.*

Source: Bay East Association of Realtors.

[8] The East Bay Association of Realtors covers the following communities: Alameda; Castro Valley; Danville; Dublin; Fremont; Hayward; Livermore; Newark; Pleasanton; San Leandro; San Lorenzo; San Ramon; and Union City.

[9] Another 395 pending foreclosures were recorded in Hayward during the same period.

4. Housing Affordability

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 5-19 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 California Department of Housing and Community Development (HCD) income limits.

Table 5-19: Housing Cost Limits by Area Median Income Level

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.

Based on the rental and home sale prices presented in Table 5-14 and Table 5-15, most lower income households would not be able to afford housing in Hayward, except some low income households may be able to afford rents for smaller units. However, moderate income households can potentially afford to rent homes and apartments in Hayward. Older condominiums and townhomes are also within reach to some moderate income households.

I. Housing Problems

1. 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 5-20).

Overall, 35 percent of households in the City experienced housing overpayment in 2000. Housing overpayment impacted certain groups more severely than others. Particularly, overpayment was prevalent among the following groups:

- Nearly 62 percent of lower income households overpaid for housing.
- A majority of all extremely low income households overpaid for housing, however, nearly all extremely low income large family renters faced a housing cost burden.
- Among very low income households, 77 percent of renters overpaid for housing and 85 percent of large family owners overpaid for housing.
- About half of all elderly low income renters overpaid for housing.

Table 5-20: Housing Overpayment

Household by Type, Income and Housing Problem	Renters			Owners			Total
	Elderly	Large Families	Total Renters	Elderly	Large Families	Total Owners	
Extremely Low Income	799	570	3,793	984	134	1,600	5,393
With cost burden >30%	554	545	3,088	654	104	1,107	4,196
	69.3%	95.6%	81.4%	66.5%	77.6%	69.2%	77.8%
With cost burden >50%	469	440	2,814	455	100	870	3,592
	58.7%	77.2%	74.2%	46.2%	74.6%	54.4%	66.6%
Very Low Income	435	869	3,543	1,349	420	2,576	6,119
With cost burden >30%	306	609	2,732	374	355	1,301	4,032
	38.4%	12.7%	77.1%	27.7%	84.5%	50.5%	65.9%
With cost burden >50%	167	110	992	179	180	788	1,781
	38.4%	12.7%	28.0%	13.3%	42.9%	30.6%	29.1%
Low Income	333	835	4,213	1,155	780	3,444	7,657
With cost burden >30%	178	165	1,917	305	485	1,705	3,622
	53.5%	19.8%	45.5%	26.4%	62.2%	49.5%	47.3%
With cost burden >50%	54	0	139	146	70	544	681
	16.2%	0.0%	3.3%	12.6%	9.0%	15.8%	8.9%
All Lower Incomes	1,567	2,274	11,549	3,488	1,334	7,620	19,169
With cost burden >30%	1,038	1,319	7,736	1,333	944	4,113	11,850
	66.2%	58.0%	66.9%	38.2%	70.8%	53.9%	61.8%
With cost burden >50%	690	550	3,945	780	350	2,203	6,054
	44.0%	24.2%	34.2%	22.4%	26.3%	28.9%	31.6%
Total	2,010	3,899	5,693	5,832	4,673	23,937	44,858
With cost burden >30%	1,101	1,330	2,237	1,662	1,547	7,301	15,521
	54.8%	34.1%	39.3%	28.5%	33.1%	30.5%	34.6%
With cost burden >50%	689	550	1,048	846	388	2,585	6,460
	34.3%	14.1%	18.4%	14.5%	8.3%	10.8%	14.4%

Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2000.
Notes: Data presented in this table are based on sample Census data (Summary File 3 – Long Form Census). The number of households in each category usually deviates slightly from the 100.0% count (Summary File 1 – Short Form Census).

2. 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 kitchen) and units with more than 1.5 persons per room are considered as severely overcrowded.

In 2000, nearly 20 percent of occupied units in the City were classified as overcrowded and 11 percent were severely overcrowded. Overcrowding in renter-occupied units was more than double than in owner-occupied units. Approximately 28 percent of renter-households were overcrowded compared to 12 percent of owner-households. Severe overcrowding was also significantly higher in renter-occupied housing units.

Table 5-21: Overcrowding

	Owner-	Renter-	Total

	Occupied	Occupied	Occupied Units
Occupied Units	23,955	20,947	44,902
% Overcrowded (>1.0 persons/room)	2,930 (12.2%)	5,874 (28.0%)	8,804 (19.6%)
% Severely Overcrowded (>1.5 persons/room)	1,639 (6.8%)	3,369 (16.1%)	5,008 (11.2%)

Source: U.S. Census, 2000.

Overcrowding was less prevalent in the County or in Fremont, compared with Hayward. Specifically, 12.2 percent of the households in Alameda County and 11.8 percent in Fremont were considered overcrowded, with 5.2 percent in the County and 5.9 percent in Fremont being severely overcrowded. While overcrowding also impacted more renter-households than owner-households in the both the County and in Fremont, the extent of overcrowding was not as significant as in Hayward. Approximately 6.9 percent of the owner-households and 18.7 percent of the renter-households countywide were overcrowded. In Fremont, 6.2 percent of the owner-households and 22.0 percent of the renter-households were overcrowded.

J. 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, large households, female-headed households, homeless, and farmworkers.

Table 5-22: Special Needs Population

Special Needs	Number of Households or Persons	Owners	Renters	% of Total Households or Population
Households w/ senior member1	9,934	--	--	22.2%
Senior-Headed Households	8,219	6,179 (75.2%)	2,040 (24.8%)	18.3%
Seniors Living Alone	3,420	2,168 (63.4%)	1,252 (36.6%)	7.6%
Persons with Disabilities	29,251	--	--	20.9%
Large Households	8,729	4,772 (54.7%)	3,957 (45.3%)	19.5%
Female Headed Households	11,429	5,127 (44.9%)	3,957 (45.3%)	19.5%
Female Headed Households w/ Children	3,274	738 (22.5%)	2,536 (77.5%)	7.3%
Farmworkers	103	--	--	0.1%
Residents Living in Poverty	13,805	--	--	9.9%

Source: U.S. Census, 2000.

1. Senior Households

In 2000, 11,910 Hayward residents (approximately 11 percent of the City's population) were 65 years of age and over. Senior households are households headed with a member aged 65 or over. 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.

The 1990 Census reported 7,188 householders aged 65 years and over in the City, representing 18 percent of all households. By 2000, the number of senior-headed households increased to 8,219, but their share of all households remained steady at 18 percent.

The California Community Care Licensing Division reports 55 residential care homes for the elderly that can serve a total of 884 residents in Hayward (Table 5-23). These homes range in size from four beds to 140 beds. Most of the facilities are for six people.

Table 5-23: Residential Care Facilities in Hayward

Type of Facility	Number of Facilities	Number of Beds
Adult Day Care	9	338
Adult Residential Care	60	839
Group Home	7	40
Residential Care for the Elderly	55	884
Small Group Homes	1	6

Source: California Community Care Licensing Division, Accessed January 5, 2009.

2. 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, etc. Recent changes in State law require all new 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 2000 Census, 29,251 residents reported having one or more disabilities, representing 21 percent of the City's population. As shown in Table 5-24, mental disabilities affected 68 percent of the youth 15 years of age or younger who reported a disability. For those of working age (16-64 years of age), mobility (going-outside) and employment disabilities were the most prevalent disabilities. Seniors were more frequently affected by physical and mobility disabilities.

Table 5-24: Persons with Disabilities

Disability	Age 5-15	Age 16-64	Age 65+	Total
Number of Persons	952	22,107	6,192	29,251
Sensory Disability	16.6%	7.5%	30.4%	12.7%
Physical Disability	17.5%	22.9%	63.6%	31.4%
Mental Disability	68.7%	13.3%	27.1%	18.1%
Self Care Disability	27.9%	8.0%	22.5%	11.7%
Go-Outside-the Home Disability	--	46.3%	56.1%	46.9%
Employment Disability	--	70.9%	--	53.6%

Source: U.S. Census, 2000.
Note: A person can report multiple disabilities; therefore, totals within each age group may exceed 100%.

The City of Hayward has a number of residential care facilities to serve disabled residents. The California Community Care Licensing Division reports the facilities and number of beds available, displayed in Table 5-23.

3. Large Households

Based on State Housing Element law, a "large household" refers to that 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.

The number of large households in Hayward increased from 5,421 households (14 percent) in 1990 to 8,729 households (20 percent) in 2000. This trend is reflected in the increase in average household size over the past decade (Table 5-7). In terms of tenure, there was a larger proportion of owner-occupied (55 percent) large households than renter-occupied (45 percent) large households.

4. Single-Parent and Female Headed Households

Single-parent households tend to have lower incomes because there is only one working adult to support children. Female single-parent households are even more likely to be in poverty. Based on Census data, families with females as heads of households increased from 5,236 (13 percent) to 11,429 (20 percent) in 2000. Of Hayward's 11,429 female-headed households, 990 (three percent of all families) were living in poverty. This compares to only 279 single male-headed households making up nearly 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.

As stated in the Community Facilities and Amenities element of the General Plan, child care is a vital resource for Hayward residents, employers, and the economy, there is a shortage of quality licensed child care, and creative solutions and partnerships are needed. Hayward will strive to provide housing in balanced residential environments that combine access to employment

opportunities, transportation, child care and other community services. Both family child care and child care centers are desirable and key components of a strong child care system.

5. 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 2000 Census indicated only 103 Hayward residents were employed in farming, forestry, and fishing occupations. It is likely that these residents are employed in occupations associated with landscaping nurseries, landscaping services and gardens in the East Bay Area or they commute to other areas for farming-related jobs.

6. Homeless Persons

Two categories of need should be considered in discussing the homeless: 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. The issue of homeless emerged as a major issue in 1990 during the severe economic recession that California was undergoing at that time. While the region has experienced a dramatic economic rebound between 2000 and 2007, those conditions that typically contribute to homelessness have not significantly changed. Furthermore, the current recession led by the mortgage crisis is likely to have resulted in a new wave of individuals and families made homeless due to loss of employment or their homes. As a result, homelessness within California continues to be a problem.

The Alameda Countywide Shelters and Services Survey found over 5,000 homeless persons in the County. 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 o 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. As many as 16,000 people are estimated to be homeless during the course of a year in Alameda County, and more than 5,000 are homeless on any given night. The Alameda Countywide HCCC updated a 2004 survey of the region's homeless population on January 28, 2005.[10] The survey found a total of 5,129 people who were homeless (3,010 homeless individuals and 2,119 homeless adults and children making up 684 families). Segments of the total homeless population included:

- 1,506 adults meeting HUD's definition of chronic homelessness
- 719 homeless adults with serious mental illness
- 93 homeless adults living with HIV/AIDS
- 1,746 homeless adults with chronic substance abuse
- 355 homeless youth

Nearly half of the region's homeless population at the point of the survey was in Oakland, while 20 percent were in South and East County, 13 percent in Berkeley, and 17 percent in other Mid- and North County locations. Hayward was included in Mid- and North County locations along with Emeryville, Alameda, Castro Valley and San Leandro. Generally, the homeless population in Oakland and Berkeley includes more single adults and people with disabilities, while South, East, Mid-, and North County have higher proportions of homeless families with children. Although no specific count of homeless persons is available for Hayward, the homeless population can be estimated as a proportion of the population counted in Mid- and North County. Since Hayward's population is 47 percent of the total population in Mid- and North County cities, approximately 47 percent of the homeless population counted in this sub-region of the County can be expected to reside in Hayward at any given point in time (1,064 persons). The following programs and facilities serve homeless in Hayward and surrounding communities:

Supportive Services

- **Food Delivery to Homeless Shelters/Alameda County Food Bank**: Delivery of food provided by the Food Bank for the provision of healthy, nutrient-rich meals at six local homeless shelters.

- **Roving Housing Resource Program/Eden I&R:** The Roving Housing Resource Specialist assists individuals and families in obtaining housing. Specialized services include housing readiness activities as well as placement and will be provided on-site at each of the participating local homeless shelters.

[10] Alameda Countywide Homeless Continuum of Care Council (HCCC), "Alameda Countywide Homeless and Special Needs Housing Plan", April 2006. The HCCC is conducting a survey of homeless for 2009. However, the results are not be available for the writing of this Housing Element.

- **Housing Counseling and Support Services (ECHO Housing)**: Consultation and workshops on the topics of tenant/landlord rights and responsibilities are provided quarterly and as requested.

Emergency Shelters

- **Family Homeless Shelter:** This 24-bed facility provides shelter, case management, and other support services to homeless families.

- **Domestic Violence Shelter**: This 38-bed confidentially located facility provides shelter, counseling, case management, and other support services to female survivors of domestic violence and their children.

- **Single Women's Shelter (Women on the Way):** Women receive shelter, drug and alcohol recovery counseling, and other support services at this facility

Transitional Housing

- **Male Parolees' Transitional Housing Program (7th Step Foundation)**: Provides housing for 32 adult male parolees.

- **Magnolia House**: A six-bed residence where residential and support services are provided to homeless, addicted women.

- **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).

K. Inventory of Affordable Rental Housing and At-Risk Status

The City of Hayward has 28 affordable rental housing developments with 1,715 units that are made affordable either with subsidy contracts, deed restrictions, and/or development agreements.[11] Some development are set to lose their affordability covenants or subsidy contracts as early as 2009 while some are not set to expire until 2065.

A total of 13 developments are considered at risk of converting to market-rate housing due to expiration of subsidy contracts or affordability covenants within the next ten years (by 2019).[12] These 13 developments total 679 subsidized units. The majority of these developments are older projects with long-term Section 8 project-based contracts with HUD for rental assistance. These long-term contracts are expiring and HUD now typically requires renewal of these contracts annually.

Table 5-25: Affordable Rental Housing Developments

Project Name (Owners)	Total Units	Affordable Units	Funding Source	Affordability Expiration
Villa Springs (Eden Housing, Inc./Villa Springs, LLC)	66	66	RDA	2065
C & Grand Senior Housing (Eden Housing, Inc./Grand/C LLC)	60	60	Inclusionary/RDA	2064
The Majestic Apartments (The Pacific Companies/Hayward Pacific Associates, L.P.)	81	81	Bond/RDA	2063
Walker Landing (Eden Housing, Inc./Saklan Avenue, L.P.)	78	78	Inclusionary/Bond	2062
Huntwood Commons (Eden Housing, Inc./Huntwood Commons Associates)	40	40	HOME	2061
Josephine Lum Lodge (Eden Housing, Inc./Josephine Lum Lodge, L.P.)	150	150	Bond/Tax Credit	2060
			Section 8	12/31/2025
Lord Tennyson (Volunteers of America)	252	252	Bond	2060
Sara Conner Court (Eden Housing, Inc.)	57	57	HOME/RDA/TC	2059
Park Manor Apartments (Pacific American Properties, Inc.)	81	81	Tax Credit	2056
742 Harris Court (Eden Housing, Inc./Harris Court Associates)	4	4	HOME	2054
Harris Court Apartments	20	20	HOME	2053

[11] An 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.

[12] State Housing Element law requires this "at-risk" housing analysis to cover a ten-year planning period. For the 2009-2014 Housing Element cycle, the at-risk housing analysis therefore covers the period of July 1, 2009 through June 30, 2019.

Table 5-25: Affordable Rental Housing Developments

Project Name (Owners)	Total Units	Affordable Units	Funding Source	Affordability Expiration
(Eden Housing, Inc./Harris Court Associates)				
Glen Berry (Eden Housing, Inc.)	50	50	HOME/RDA	2048
Glen Eden (Eden Housing, Inc./Glen Eden Associates)	36	36	RDA	2047
E.C. Magnolia (Eden Housing, Inc.)	21	21	RDA	2046
			Section 202/ Section 8	7/30/2012
Las Casitas (Citizens Housing Corporation/Las Casitas, Ltd.)	61	61	Bond/Tax Credit	2035
Eden Issei Terrace (Eden Housing, Inc.)	100	100	Section 202/ Section 8	11/20/2009
Cypress Glen (Eden Housing, Inc./Cypress Glen Associates)	54	54	Bond/HOME/RHCP	2017
Waterford Apartments (Bay Waterford Inc.)	544	109	Bond	2014
The Timbers (Santa Clara Associates, LLC)	132	27	Bond	2013
Huntwood Terrace (Huntwood Terrace Associates)	104	26	Bond	2013
Olive Tree Plaza (Eden Housing, Inc.)	26	26	HUD 202	2026
			Section 8	5/31/2011
Tennyson Gardens Preservation Partners/ Tennyson (Preservation Limited Partnership)	96	94	Bond/HOME	2056
			Section 8	5/31/2011
Montelena (Fairfield Residential, LLC)	188	38	Bond	2010
Sycamore Square (Fairfield Residential, LLC)	26	26	CalHFA	2031
			Section 8	2009
Hayward Villa (Hayward Villa)	78	78	221d4/Section 8	10/31/2010
Mayten Manor (K. Wayne Rice)	40	30	Tax Credit	2009
Montgomery Plaza (Montgomery Plaza Associates)	50	50	221d4/Section 8	8/31/2009
Total	2,495	1,715	--	--

Note: Projects in shading are those considered at-risk of converting to market-rate housing due to expiration of subsidy contracts, deed restrictions, or development agreements.

1. Preservation Options

To maintain the existing affordable housing stock, the City works to preserve the 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. Preservation options typically include: 1) transfer of project to non-profit ownership; 2) provision of rental assistance to tenants using other funding sources; and 3) purchase of affordability covenants. 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.

Transfer of Ownership

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. At least three of the at-risk developments (E.C. Magnolia, Eden Issei Terrace, and Olive Tree Plaza) are non-profit owned and therefore transferring ownership is unnecessary. The costs of transferring these units vary substantially depending on the age and condition of the buildings and market conditions. According to Multiple Listing Services (MLS) listing of multi-family rental apartments for sale, the average cost to purchase an apartment rental unit is approximately $180,000 for projects with at least five units.

Rental Assistance

Rental assistance using non-Section 8 funding sources can be used to maintain affordability of the 838 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.

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 5-26, the total cost of subsidizing the rents for all 679 at-risk units is estimated at $263,876 per month or $3.2 million annually. Over the course of 20 years, the long-term costs are estimated at approximately $78 million or an average of approximately $115,000 per unit over 20 years.[13]

[13] Assuming an annual inflation rate of 2.5 percent, the future value of rent subsidies over 20 years is estimated at approximately $78 million.

Table 5-26: Rental Subsidies Required

Unit Size	Total Units	Fair Market Rent[1]	Household Size	Very Low Income[2]		Monthly per Unit Subsidy	Total Monthly Subsidy
				Affordable Housing Cost[3]	Affordable Cost – Utilities[4]		
Studio	38	$905	1	$754	$69	$220	$8,360
1-br	370	$1,093	2	$861	$86	$318	$117,660
2-br	202	$1,295	3	$969	$103	$429	$86,658
3-br	69	$1,756	5	$1,163	$149	$742	$51,198
Total	679						$263,876

Notes:

1. *Fair Market Rent (FMR) is determined by HUD.*
2. *Section 8 rental assistance is only available to very low income households.*
3. *Alameda County 2008 Area Median Household Income (AMI) limits set by the California Department of Housing and Community Development (HCD).*
4. *Affordable Cost = 30% of household income minus utility allowance.*

Purchase of Affordability Covenants

Another option to preserve the affordability of the 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 whether the projects are too highly leveraged.

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 recent affordable housing projects by a nonprofit developer, the average cost of an affordable senior unit is approximately $200,000 and the average cost for an affordable family unit is approximately $300,000, inclusive of land costs (see discussion on construction cost later in the Market Constraints section that starts on page 5-34). Assuming an average of $250,000, the cost to replace the 679 units is estimated at close to $170 million.

2. Cost Comparison

The most costly option is new construction of affordable units. With increased requirements in local, State, and federal government requirements, particularly relating to environmental review, 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 requires the least upfront costs. However, a sustainable funding source must be identified.

3. Resources for Preservation

Available public and non-profit organizations with the capacity to preserve assisted housing developments in Hayward include:[14]

- Alameda County Allied Housing Program
- BRIDGE Housing
- Community Housing Developers
- Eden Housing
- Housing Authority of the County of Alameda
- Nehemiah Progressive Housing Development Corporation
- Satellite Housing Inc.

[14] These agencies have previously expressed interest in preserving at-risk housing in Alameda County, according to the State Department of Housing and Community Development.

5.3 Housing Constraints

Constraints to the provision of adequate and affordable housing are posed 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.

A. Market Constraints

1. Land Costs

Hayward is an almost entirely "built-out" city and there are no longer large quantities of vacant parcels available for residential development. The cost of residential land in the City has typically been lower than in surrounding areas, but the intense development demand of the late 1990s has increased the price of vacant land substantially. In December 2008, 42 undeveloped residential land parcels were listed for sale in the City.[15] These vacant parcels ranged in price from $125,000 to $5,000,000. High land costs have represented the overriding factor affecting the affordability of residential development in the City, however this has changed with the decline in land prices in recent months. The prices of land vary depending on zoning (number of units allowed) and availability of improvements. According to recent appraisals prepared for the City, the cost of vacant and underutilized land in Hayward is between $20 and $30 per square foot; land zoned for medium or high-density housing is generally more expensive.

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.

2. Construction Costs

Construction costs are the largest component of total cost of a single-family detached unit, accounting for 30 to 40 percent of the finished sale price. According to RS Means Residential Square Foot Costs (2008),[16] construction costs for a typical two-story single-family home (2,000 square feet of living area), built of stucco on wood frame, average about $106.8 per square foot in the Hayward area. According to the Home Builders Association of Northern California[17], construction costs multi-family attached units typically cost 25 to 30 percent more (on a per square foot basis) than a comparable two-story detached single-family home. Density bonuses for senior and affordable housing can help to offset this per-unit cost premium for multi-family

[15] www.realtor.com, accessed December 9, 2008.
[16] RSMeans is an online resource for construction books and other related products.
[17] Letter from Home Builders Association of Northern California dated April 13, 2009.

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 necessary to maintain minimum health and safety standards.

3. Availability of Financing

Development Financing

Financing is available from a variety of sources including financial institutions, insurance companies, and pension plans (such as CalPERS). The decline in the U.S. economy and the recent credit crisis, however, will likely limit the amount of financing available to potential developers.

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 recent affordable projects in the City, it is estimated that affordable units in the City cost approximately:

- $306,700 per unit for an affordable family project
- $262,000 per unit for an affordable senior project
- $412,900 per unit for an affordable project for persons with disabilities

With the increased costs of housing development, packaging financing for affordable housing is increasingly challenging. Typically, multiple sources are required to finance an affordable housing project. 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
- Redevelopment Agency Low and Moderate Income Housing Fund monies
- Community Development Block Grant
- HOME Investment Partnership funds
- State of California Proposition 1C funds
- California Housing Finance Agency

Depending on the type of financing used (tax credits, bonds, federal funds, etc), other requirements, such as the inclusion of certain accessibility accommodations and the use of prevailing wage versus Davis-Bacon[18] wage, can affect development costs significantly.

Proposition 46, the Housing and Emergency Shelter Trust Fund Act of 2002, was intended to make it easier for non-profit developers to secure financing for their affordable projects. Proposition 46 funds are awarded twice annually (in June and October) to organizations that build workforce housing. Special preference is given to those building affordable housing for large families. In 2006, Eden Housing, Inc. received an award of $6.3 million for its 78-unit

[18] The 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.

Saklan Family Housing project (Walker Landing) in the City of Hayward.[19] By March 2006, Alameda County had received a total of $126,404,897 in Proposition 46 funds for the production of 2,824 homes.[20] In 2006, the California voters authorized Proposition 1C, which significantly expanded the funding availability for affordable housing. In upcoming years, the State HCD will issue Notices of Funding Availability (NOFA) for Proposition 1C funds. For example, the NOFA for Infill and Transit-Oriented Development funds is due April 1, 2009. Another component of the Proposition 1C funds anticipated for releasing a NOFA in 2009 is the Housing Related Parks program.

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 5-27 summarizes the disposition of loan applications submitted to financial institutions in 2007 for home purchase, refinance, and home improvement loans in Hayward.[21] Included is information on loan applications that were approved and originated[22], approved but not accepted by the applicant, denied, withdrawn by the applicant, or incomplete.

Table 5-27: Disposition of Home Purchase Loan Applications (2007)

	Total Applicants	Approved	Denied	Other
Home Purchase Loans				
Government-Backed	2	1 (50%)	1 (50%)	0 (0%)
Conventional	3,150	1,847 (59%)	924 (29%)	379 (12%)
Home Improvement	953	493 (52%)	352 (37%)	108 (11%)
Refinance	8,113	4,204 (52%)	2,596 (32%)	1,313 (16%)

Source: Home Mortgage Disclosure Act (HMDA), 2007.
Note: "Other" includes applications approved but not accepted, files closed for incompleteness, and applications withdrawn.

In 2007, a total of 3,150 Hayward households applied for conventional loans to purchase homes. The overall loan approval rate was 59 percent and 29 percent of applications were denied. Only two applications were submitted for the purchase of homes in Hayward through government-backed loans (e.g. FHA, VA) in 2007. 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. However, 2007 was still at the peak of the California housing market, most homes available for sale at the market far exceeded the home value cap.

[19] http://www.hcd.ca.gov/news/release/Total_Awards_June_30_2006.pdf
[20] Making the Bay Area a More Affordable Place to Live: Progress Report on Proposition 46, the Housing and Emergency Shelter Trust Fund Act of 2002, (May 2006).
[21] HMDA 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.
[22] An originated loan is one that is approved by the lender and accepted by the applicant.

To expand affordable homeownership opportunities, the City offers downpayment assistance to lower and moderate income households.

Home Improvement Financing: Hayward residents were more likely to be denied for home improvement loans than for any other types of loan applications. About 37 percent of the applicants were denied, while 52 percent were approved by lending institutions in 2007. 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.

To address potential private market lending constraints and expand homeownership and home improvement opportunities, the City of Hayward offers and/or participates in a variety of programs. These include the:

- Housing Rehabilitation Loan Program
- Disability Access Grant and Loan Program
- Minor Home Repair Grant Program
- Mobile Home Improvement Program

Such programs assist lower and moderate income residents by increasing access to favorable loan terms to purchase or improve their homes.

Refinancing: Relatively low interest rates and a high prevalence of interest-only, adjustable-rate, and balloon-payment mortgages led Hayward residents to file 8,113 applications for home refinance loans in 2007. A little over one-half (52 percent) of these applications were approved, while 32 percent were denied. Refinancing activities are expected to fall, however, with the recent credit crisis that began in 2007 and heightened in 2008.[23] Along with the decreased opportunities in refinancing came increases in foreclosures. The extent of foreclosures was discussed previously.

B. 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, 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.

[23] HMDA data for 2008 will not be available until late 2009.

1. Land Use Controls

Hayward's General Plan, adopted in 2002, is intended to guide development in the City through the Year 2025. 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 5-28 lists the residential land use categories included in the Land Use Element of the City's General Plan.

Table 5-28: Relationship Between General Plan and Zoning

General Plan Designation	Density (in dwelling units per acre)	Zoning District
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
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)
Mobile Home Park	8.7-12.0	MHP
High Density	17.4-34.8	RH, RHB7, (RSB4, RMB4, RMB3.5, RM, CN-R)
Downtown City Center	40.0-110.0	CC-R, (RH, RHB7, RO)
Mission Boulevard Residential	34.8-55.0	MBR
Station Area Residential	75.0-100.0	SAR

( ) = Potentially consistent. Must consider compatibility with other uses and overall densities in the area.
Sources:
1. *City of Hayward General Plan, 2002.*
2. *Hayward Municipal Code, 2008.*

2. 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.

3. Specific/Area Plans

Since 2000, the City of Hayward has adopted several key specific and area plans. In 2001, the City adopted the Cannery Area Design Plan for the Burbank Neighborhood, one of the oldest areas in Hayward. The Plan has resulted in the reconstruction of Cannery Park and the construction of a new Burbank Elementary school, which opened in the fall of 2008.. The Plan also proposes the separation of regional and neighborhood traffic and the redevelopment of underutilized industrial land into neighborhood services. The Area Plan has a residential capacity of 800 to 950 new dwelling units, consisting primarily of high density multiple-family housing, including townhouses, apartments and lofts. The City has approved several tracts in the Cannery Area totaling 575 housing units. Two additional tracts are currently under consideration that would provide an additional 219 units.

The South Hayward BART/Mission Boulevard Concept Design Plan was adopted in June 2006. The City hopes to encourage transit-oriented development around the South Hayward BART Station, as well as along the Mission Boulevard corridor, with the implementation of this Design Plan. The Plan focuses development on seven sub-areas along the Mission Boulevard corridor between Harder Road and Industrial Parkway. The planning area, which is adjacent to the South Hayward BART station, includes a variety of residential land use designations ranging from Medium Density Residential (up to 17.4 units per acre) to Station Area Residential (up to 100.0 units per acre). Overall, the South Hayward BART/Mission Boulevard Concept Design Plan has the capacity to add an additional 1,845 to 3,225 new housing units to the City. The City is also contemplating development of a Form Based Code, which would incorporate 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 would benefit developers in the future.

The City is currently in the process of developing a land use plan for the Route 238 Bypass study area. A detailed Existing Conditions Report was completed in February 2008, and the City Council met in June 2008 to discuss three possible land use alternatives for the planning area. It is anticipated that amendments to the General Plan and rezoning of certain properties in the study area will likely occur as a result of the study, which is anticipated to occur before July of 2009. The Council is expected to select the preferred alternative after review of the draft Environmental Impact Report in June 2009.

4. Smart Growth

During the update of the General Plan, the City paid particular attention to “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, more concentrated development and more 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
- Encourage community and stakeholder collaboration in development decisions

Hayward has already undertaken various planning efforts that serve to implement smart growth principles. Examples include: establishment of redevelopment areas to revitalize the Downtown as a major focal point of the city; participation in the Hayward Area Shoreline Planning Agency to plan for the protection of the bay shore; adoption of a Historic Preservation ordinance to protect historic sites and structures; adoption of the South Hayward BART/Mission Boulevard Concept Design Plan and possible adoption of a Form Based Code to promote transit-oriented development and smart growth principles; reduction in parking ratio requirements in the downtown and areas near transit stations; and adoption of Urban Limit Lines (ULLs) to preserve the shoreline and the hills. The City's 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 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.

5. Residential Development Standards

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 multiple-family dwellings.

- **High Density Residential (RH):** The RH District is intended to promote and encourage a suitable high density residential environment through the development of multiple-family dwellings.

- **Mission Boulevard Residential (MBR):** The MBR District encourages the development of multiple-family dwellings at high densities along Mission Boulevard, in order to provide opportunities for higher density housing near a major transit corridor.

- **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.

- **Station Area Residential (SAR):** The SAR District requires the development of multiple-family dwellings at high densities, along with neighborhood serving businesses and public facilities in proximity to the South Hayward BART Station, in order to provide opportunities for transit-oriented development with ready access to shops and transit.

- **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-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.

- **Central City-Residential (CC-R):** The purpose of the CC-R Subdistrict is to establish a concentration of multi-family and complementary uses in order to provide a quality central city living environment and to provide market support for Central City businesses.

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 5-29.

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 5-29: Residential Development Standards

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			20			40	
RH	7,500[1]						65%
RNP	20,000			20[6]	30[7]		
MBR			• 44 feet adjacent to Mission Boulevard • 20 feet adjacent to other public streets • 10 feet for other areas			55	90%
RO	5,000	5,914	10	20	5	40	50%
SAR	40,000		• 20 feet along Dixon Street • 25 feet adjacent to bus transfer facility • 10 feet (for ground-floor nonresidential) or 16 feet (ground-floor residential) adjacent to Mission Boulevard • 10 feet for other areas			60 (or 80 ft. if in compliance with the Minimum Design and Performance Standards)	90%
MH	7 acres		20	10	10	40	40%
CN-R	10,000 (or 20,000 in SD6 Special Design District)		10	20	0[3]	40 (or 60 ft. SD6 Special Design District)	90%
CC-R	None		--[5]	0[4]	5[2]		None

Notes:

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. *Setback 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.*

6. Parking Requirements

Parking requirements for residential uses in Hayward are summarized in Table 5-30. These requirements are similar to parking standards for density bonus eligible projects as established in State and therefore, do not present a significant constraint on the production of housing. Furthermore, parking standards can be reduced, on a case-by-case basis, when a project is located near the BART station or when the project is catered toward seniors. Residential development projects with reduced parking requirements are shown in Table 5-31.

In addition to these parking standards, the City 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.

Table 5-30: Parking Standards for Residential Development

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
Multiple-Family*		
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
Second Units		Primary unit must have 2.0 covered spaces
Central Parking District (multi-family for elderly)		0.5 space per unit
South Hayward BART Concept Plan Area (Parking spaces for the following Zoning districts are maximum parking requirements)		
SAR	Studio or One-Bedroom	1.0 space
	Two or More Bedrooms	1.3 spaces
MBR	Studio or One-Bedroom	1.3 spaces
	Two or More Bedrooms	1.5 spaces
CN-R	Studio or One-Bedroom	1.5 spaces
	Two or More Bedrooms	2.0 spaces

** = 10 percent of multiple-family 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.*

7. Zoning Overlays

In addition to development standards established for the residential and mixed use base zone districts, overlay districts of the Zoning Ordinance provide additional regulations for residential development. 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

The purpose of the Mission-Garin Area Special Design District (SD-5) is to ensure 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 multi-family, separated by inter-connected natural open space or greenbelt corridors.

South Hayward BART/Mission Boulevard Special Design District
The purpose of this district is to implement policies embodied in the South Hayward BART/Mission Boulevard Concept Design Plan. The Concept Design Plan 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 B Street and Cottage districts are quite small and built-out. The remaining four districts, however, are much larger. Each area has a design plan or an overlay district intended to create a unifying theme to improve the overall appearance of that portion of the City and attract new businesses and residents. These special design districts have the potential to increase the cost of development within them, if the developer had not previously planned to build to the quality of construction and design inherent in the standards. However, most developers do build to that standard in order to assure that their product will sell or lease quickly.

8. 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. Specifically, many projects achieved densities that exceed 80 percent of the maximum permitted densities. The City's development standards are reasonable and do not constitute a constraint to housing development.

Table 5-31: Recent Residential Developments

Project	General Plan	Zoning	Density (Units/Acre)		Reduced Parking (Y/N)
			Permitted	Achieved	
Walker Landing	High Density	RH	34.8	22.2	Y
C & Grand Senior Housing	High Density	CC-C/ CC-R	50.0	43.0	Y
City Walk	Downtown City Center – High Density	CC-R	65.0	29.0	N
Grand Terrace	Downtown City Center – High Density	CC-R/ CC-P	50.0	34.9	N
Sara Conner Place	High Density	RH	34.8	31.0	Y
Renaissance Walk	Downtown City Center	CC-R	30.0	27.5	N
Studio Walk	Downtown City Center	CC-R	25.0 – 50.0	35.0	N
C & Main Condos	Downtown City Center	CC-C/ CC-P	30.0 – 65.0	55.0	N
Mission Paradise	Mixed Use	CN-R/ SD6	27.0 – 55.0	43.2	N
Wittek/Montanna	Station Area Residential	SAR	75.0 – 100.0	76.0	N

9. Airport Approach Zoning Regulations

The Hayward Executive Airport is a general aviation facility utilized 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, Zone Code 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-fifth 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.

10. Green Building Requirements

In November 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 applies to all privately funded construction projects for which an application for a building permit is received after August 1, 2009. Projects entitled with vesting tentative maps by December 31, 2008 are exempt from the requirements of the ordinance. Under this new ordinance, all new residential construction in the City must be GreenPoint rated to receive a Certificate of Occupancy. To become GreenPoint rated, a home is required to meet minimum standards in landscaping, foundation, plumbing, exterior finishes, appliances, insulation, and heating and cooling, and score at least 50 points as verified by an independent, certified GreenPoint Rater.

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, and 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 plans to meet with developers to discuss possible incentives to offset any costs and/or obstacles that may potentially arise as a result of the City's Green Building Ordinance.

11. 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:

- Ten percent of total units for lower income households
- Five percent of total units for very low income households
- A senior citizen housing development or a mobile home park
- Ten 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 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.

12. 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 requirements are summarized below. However, due to the current downturn in the economy, the City may be considering allowing the payment of an in-lieu fee by right as an option for fulfilling the inclusionary housing requirements.

Requirements

Affordable Rental Units:

- 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:

- 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;

  (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; and

  (4) If the original development is located in the redevelopment agency project area and the off-site location is located outside of the redevelopment project area, for every one unit that is required to be built in the original location, two units shall be developed in the off-site location.

- **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. The City will evaluate the Inclusionary Housing Ordinance and make appropriate temporary and/or permanent adjustments as appropriate to foster residential development (see Program 18 in the Housing Plan section).

13. 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, multi-family housing, second units, mobile homes, homeless shelters, and transitional housing, among others. Table 5-32 below summarizes the various housing types permitted within the City's zoning districts.

Table 5-32: Housing Types Permitted by Zone

	RS/ RNP	RM	RH	MBR	RO	SAR	MH	CN-R	CC-R	CO	CN	CG	CL	C-B	CC-P	CC-C
Single-Family	P	P	A		P					A						
Condos/Townhomes		P	P	P	P	P			P							
Multiple-Family		P	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]
Mobile Home Park							P									
Manufactured Housing	P	P	A		P		P		P							
Second Units	P	P	P		P					A						
Small Group Home (6 or fewer residents)	P	P	P		P				P	P						
Large Group Home (7 or more residents)	C	C	C		C				C	C						
Artist's (Live/Work) Loft									P						P	
Mixed Use								A*/P								
Emergency Shelter												C				

P = Permitted C = Conditional Use Permit A = Administrative Use Permit
**Ground-level units require Administrative Use Permit*
Notes:
1. *Must be ground level*
2. *Must be above commercial*

Source: Hayward Municipal Code, 2008.

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, and RM 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, MBR, RO, and SAR zones.

Multiple-Family

Multiple-family housing made up 38 percent of the City's housing stock in January 2008. Hayward's Zoning Ordinance provides for multiple family developments in the RM, RH, MBR, RO, SAR, and CC-R 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 multiple-family units are also permitted in the CO zone and in the CB, CC-C, and CC-P zones with a Conditional Use Permit. Multiple-family housing above commercial uses is permitted in the City's CO, CN, CG, CL, CB, and CC-C zones.

Mobile Home Parks

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 2008, only about five 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, provided that the mobile home has received approval of the Planning Director or Planning Commission and receives a Certificate of Compatibility. 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 which 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, and CC-R 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;

- 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. In 2007, four second units were permitted in the City.

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 are handicapped and 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, and CO zones. Large group homes, serving seven or more clients, are conditionally permitted in the RS, RNP, RM, RH, RO, CC-R, and CO zones. According to the State Department of Social Services, Community Care Licensing Division, seven licensed group homes with 40 beds and 60 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 utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity. Live/work units are permitted in the CC-R and CC-P zones.

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 multiple family units located above a ground floor commercial use are allowed in the CN-R zone. Ground level multiple family units require approval of an Administrative Use Permit within this 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 conditionally permits emergency shelters in its CG zone. Pursuant to State law, the City will amend its Zoning Ordinance within one year of adoption of the Housing Element to permit homeless shelters by right without a discretionary approval process within the General Commercial (CG) zoning district. Properties in this zone are located along transportation corridors and with easy access to social and supportive services. As shown in the sites inventory later in this Housing Element, this zone contains adequate vacant and underutilized properties to accommodate the estimated homeless population of 1,064 persons in the City.

In updating the Zoning Ordinance, the City will establish objective performance standards for regulating emergency shelter use. 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.

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

Currently, the Hayward Zoning Ordinance does not explicitly address transitional housing facilities. The City will amend the Zoning Ordinance to differentiate transitional housing in the form of group quarters versus multiple-family rental housing developments. For transitional housing facilities that operate as multi-family rental housing developments, such uses will be permitted by right where multi-family housing is permitted. For transitional housing facilities that operate as group quarters, such facilities will be permitted as group homes/residential care facilities. Potential conditions for approval of large group homes (for more than six persons) as transitional housing 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.

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 multi-family apartments. Currently, the Hayward Zoning Ordinance does not explicitly address supportive housing facilities. The City will amend the Zoning Ordinance to differentiate supportive housing in the form of group quarters versus multiple-family rental housing developments. For supportive housing facilities that operate as multi-family rental housing developments, such uses will be permitted by right where multi-family housing is permitted. For supportive facilities that operate as group quarters, such facilities will be permitted as group homes/residential care facilities. Potential conditions for approval of large group homes (for more than six persons) as supportive housing 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.

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. The Hayward Zoning Ordinance does not contain specific provisions for SRO units. The City will amend the Zoning Ordinance to facilitate the provision of SROs, consistent with SB 2 enacted in 2007. SROs will be permitted conditionally in the General Commercial (CG).

14. 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 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. Small group homes, serving six or fewer clients, are permitted in the RS, RM, RH, RO, and CC-R zones. Large group homes, serving seven or more clients, are permitted in the CC-R zone and conditionally permitted in the RS, RM, and RH 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.

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.[24] The Hayward 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 2007 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 multi-family 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.

[24] 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 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.

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.

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 Disability Access Grants and 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.

There is currently no established process in place and reasonable accommodations are granted on a case-by-case basis. The City will amend the Zoning Ordinance to implement a reasonable accommodation procedure to address reasonable accommodation requests. The Reasonable Accommodation Ordinance will specify eligibility, type and extent of standards that the City will grant reasonable accommodation, criteria for determining reasonableness, review and approval procedure and body, fees (if any), and other provisions that will provide consistency in the granting of reasonable accommodation.

Permits and Fees

As there is no established procedure in place, no specific permits or fees are required for reasonable accommodation requests.

15. 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; their ability to prepare plans in accordance with City requirements; to make timely submissions (and resubmissions); and to 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 5-33.

Site Plan Review

Site Plan Review is not required in RS, RM, or RH 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. The Planning Director may also waive the requirement for site plan review if the proposed project meets all design and performance standards. 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 three 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 are in the process of reviewing procedures and ordinance requirements to reduce the time and cost associated with the review of the Precise Development Plan.

Processing Timeframe

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 5-34 presents the City's current processing times for single-family and multi-family building permits.

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 staff to describe the project and obtain feedback from planning, building, fire, traffic, engineering, utilities, and any other 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. 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 5-33: Development Processes and Approvals

	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, fee and other required documents	Submit a completed application, filing fee and other required documents	Submit a completed application, filling 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, 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, staff will notify whether submittal needs additional information or revised plans, or is complete	Within 30 days, staff will notify whether submittal needs additional information or revised plans, or is complete	Within 30 days, staff will notify whether submittal needs additional information or revised plans, or is complete
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

Table 5-33: Development Processes and Approvals

	Administrative Use Permit	Conditional Use Permit	Variance	Site Plan Review	Tentative Tract Map	Tentative Parcel Map
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
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**	**Administrative: 3-8 weeks** **Planning Commission: 12-14 weeks**	**Administrative: 3-8 weeks** **Planning Commission: 12-14 weeks**	**Administrative: 3-8 weeks** **Planning Commission: 12-14 weeks**	**3 - 6 months**	**10-12 weeks**

Table 5-34: Development Review Processing Time

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

16. 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.

The City of Hayward requires on-site infrastructure improvements to be constructed by the builder in accordance with City standards when a new residential project is approved. 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.

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 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.

17. 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. The City's permit processing fee schedule for residential development is displayed in Table 5-35.

New housing is typically charged for site plan review fees, sewer and water connection fees, plan checking and building permit fees, park in-lieu 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.

Fees to construct a 1,500-square-foot single-family home in Hayward total approximately $44,032,[25] which represents 12.0 percent of the average price of $365,000 for a new 1,500-square-foot home in April 2009.[26] If school fees were subtracted from the total, planning and development fees would be $39,389 or 10.8 percent of the average cost of a new home.

Fees to construct a multi-family development comprised of 50 units would total approximately $1,622,934 if each unit were 1,000 square feet. These fees represent approximately 11 percent of a $15 million dollar project. These fees include school fees, collected for the Hayward Unified School District or the New Haven School District, and park dedication fees. When considering development impact fees alone, the City of Hayward's fees are modest compared to other communities in the County (Table 5-36).

Whether a housing development is affordable or market rate, the impacts are quite similar. The City does not waive fees for affordable housing (except a partial fee waiver for the park in-lieu fee) since these fees are intended to mitigate significant public facilities impacts. 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), HOME Investment Partnership (HOME), or Redevelopment Housing Set-Aside funds to bridge that gap. Nevertheless, in light of the current market conditions, the City will also consider deferring the park dedication in-lieu fee and supplemental building construction improvement tax and possibly modifying the park dedication in-lieu fee.

[25] These fees include park in-lieu fees, water and sewer connection fees, and school fees.

[26] Based on the average price of a new 1,500-square-foot single-family home; www.trulia.com, accessed April 7, 2009.

Table 5-35: Planning and Development Fees

Type	Deposit	Fee
Administrative Use Permit	$2,500	Time and Materials
Conditional Use Permit	$5,000	Time and Materials
Site Plan Review		
Single-Family (Administrative Approval)		$3,435
Single-Family (Planning Commission Referral)		$5,037
Single-Family Residential Hillside (Administrative Approval)		$3,732
Single-Family Residential Hillside (Planning Commission Referral)		$5,870
Multi-Family Residential Hillside (Including Multiple SFRs) – Administrative Approval		$4,805
Multi-Family Residential Hillside – (Including Multiple SFRs) Planning Commission Referral		$5,565
Variance (Administrative Approval)		$1,790
Variance (Planning Commission Referral)		$4,440
Zone Change and Pre-Zoning	$15,000	Time and Materials
General Plan Amendment	$15,000	Time and Materials
Final Map	$5,000	Time and Materials
Parcel Map	$3,000	Time and Materials
Tentative Tract Map	$15,000	Time and Materials
Development Agreement		
Application Filing Fee		$256
Review and Processing	$5,000	Time and Materials
Annual Review	$700	Time and Materials
Amendment Processing	$5,000	Time and Materials
Tree Preservation		
Annual Pruning Certification		$174
Tree Removal/Pruning		$193
Sewer Connection Fee		$5,472-$6,148 per unit
Water System Facilities Fee		$4,610
Rent Stabilization Fees		$0.81/residential unit $0.89/mobile home space
School District Fees		$2.62/ft of habitable space $0.42/ft of non-habitable space
Building Construction & Improvement Tax		
One Family Dwelling (less than 1,500 sq. ft.)		$600/unit
One Family Dwelling (more than 1,500 sq. ft.)		$750/unit
Multiple Family Dwelling (less than 800 sq. ft.)		$300/unit
Multiple Family Dwelling (more than 800 sq. ft.)		$450/unit
Mobile Home		$300/unit
Park Dedication In-Lieu Fee		
Single-Family		$11,953
Single-Family, attached		$11,395
Multiple-Family		$9,653

Source: City of Hayward, November 15, 2008.

Table 5-36: Comparison of Development Impact Fees

	Single-Family Detached	Single-Family Attached	Multi-Family
Hayward	$25,106.00	$24,548.00	$20,548.00
Fremont	$36,694.00	$30,608.00	$27,067.00
Alameda	$11,294.00	$17,887.00	$11,134.00
Newark	$8,000.00	$6,683.00	$5,002.00
San Leandro	$16,373.09	$14,487.98	$7,163.23

Source: Fee Survey conducted by the City of Fremont, 2008.

18. 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 2007 California Building Code in January 2008 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;

    4. Additions, repairs, or alterations that will result in a change of occupancy or use shall comply with the most current CBC edition.

- 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.

- Roof coverings are required to be a minimum Class "C" classification or better. All wood, shake, and shingle roof covering must be fire retardant treated wood with a

minimum Class "C" classification, or Class "A" classification in areas designated as Hazardous Fire Areas.

- 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 2006 International Code for Property Maintenance, the 2007 California Existing Building Code, and Part 10 of Title 24 of the California Building Code of Regulations as supplemental codes to the City of Hayward's Building Code.

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.

C. 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 an historic person, event, or period of time can also limit development and redevelopment opportunities. This section summarizes these potential constraints in Hayward.

1. 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.

2. Flooding

Very little new development in Hayward is located in a flood plain. 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. None of the vacant or underutilized sites listed in the Sites Inventory is located in a flood plain.

3. 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. In the Redevelopment Area, the Agency can facilitate the remediation process. None of the parcels listed on the vacant Sites Inventory have hazardous materials contamination. Parcels on the Inventory of Sites with Redevelopment Potential may have some hazardous materials contamination that would require remediation activities; however, information to date indicates that there is nothing that would preclude residential 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.

4. 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 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 are to be reviewed by the Development Services/Planning Director. Additions and/or alterations will be approved as long as they do not adversely affect the exterior architectural characteristics or the historical or aesthetic value of the historical structure or site. The Planning Commission 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 its decision the Planning Commission will consider the siting, landscaping, architectural style, design, materials, color, and all other pertinent factors of the proposed development project. The City is currently developing a Preservation Plan, conducting a resources survey, and updating its ordinance; these efforts are anticipated to be completed by not later than the fall of 2009.

5.4 Housing Resources

This section analyses 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.

A. 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. The income allocation method gives jurisdictions that have a relatively higher proportion of households in a certain income category a smaller allocation of housing units in that same category. Conversely, jurisdictions that have a lower proportion of households in an income category would receive a larger allocation of housing units in that same category. Under this formula, the income distribution within each jurisdiction moves closer into alignment with the region-wide distribution of household income.

For the 2009 Housing Element update, the City of Hayward is allocated a RHNA of 3,393 units as follows:

- Extremely Low/Very Low Income (up to 50 percent of AMI): 768 units (22.6 percent)[27]
- Low Income (51 to 80 percent of AMI): 483 units (14.2 percent)
- Moderate Income (81 to 120 percent of AMI): 569 units (16.8 percent)
- Above Moderate Income (more than 120 percent of AMI): 1,573 units (46.4 percent)

[27] The City has a RHNA allocation of 768 very low income units (inclusive of extremely low income units). Pursuant to new 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. According to the CHAS data developed by HUD using 2000 Census data, the City had 11,512 households with incomes at or below 50 percent AMI (5,393 extremely low (46.8 percent) and 6,119 very low income (53.2 percent)). Therefore, the City's RHNA of 768 very low income units may be split into 359 extremely low and 409 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.

1. Progress toward RHNA

Since the RHNA uses January 1, 2007 as the baseline for growth projections for the Housing Element planning period of 2009-2014, jurisdictions may count toward the RHNA any new units built, under construction, or approved since January 1, 2007.

Units Completed/Under Construction

Since January 2007, 414 housing units have been constructed or under construction in Hayward. These units have the following income distribution: 59 very low-income units, 49 moderate-income units, and 306 above moderate-income units (see Table 5-37).

Garden Walk and Eden Shores are affordable ownership housing projects developed under the City's inclusionary housing program. Units are deed restricted as affordable housing for moderate income households for 45 years.

C & Grand Senior Housing is an affordable rental housing project. Redevelopment housing set-aside and inclusionary housing fees were used to make these units affordable. Units are deed restricted as affordable housing primarily for very low income households for 55 years (see further details in Table 5-25).

Units Approved/Entitled

The 575-unit Cannery Place project has been approved by the City Council but not yet under construction. This project located in the Cannery Area Design Plan area consists of 575 market-rate ownership units.

2. Remaining RHNA

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 2,404 units, for which it must provide sufficient land to accommodate: 709 very low income units; 483 low income units; 520 moderate income units; and 692 above moderate income units.

Table 5-37: Credits Towards RHNA

	Affordability Level				
	Very Low	Low	Moderate	Above Moderate	Total
	0-50% AMI	51-80% AMI	81-120% AMI	>120% AMI	
Units Completed/Under Construction since January 1, 2007					
C & Grand Senior Housing	59	0	1	0	60
Garden Walk	0	0	8	0	8
Eden Shores	0	0	40	0	40
Market-Rate Units	0	0	0	306	306
Subtotal	59	0	49	306	414
Units Approved/Entitled					
Cannery Place	0	0	0	575	575
Subtotal	0	0	0	575	575
Total Credits	**59**	**0**	**49**	**881**	**989**
RHNA	768	483	569	1,573	3,393
Remaining RHNA	**709**	**483**	**520**	**692**	**2404**

Note: Market-rate units include units finaled and permitted in 2007 and units permitted in 2008. According to City Annual Housing Element Progress Report for 2007, 213 market-rate units were completed. In addition, City permit records indicate 88 single-family homes on tract lots and 5 scattered single-family homes were permitted in 2008.

B. 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:

- Mount Eden Neighborhood Plan
- Cannery Area Design Plan
- South Hayward BART/Mission Boulevard Concept Design Plan
- 238 Study Area

A detailed sites inventory is provided in Appendix D.

1. Methodology

Vacant and underutilized sites were first identified using GIS data from the City. Improvement-to-land value was calculated for each parcel. Only properties with improvement-to-land ratio of less than 1.0 (i.e. the improvements on site are worth less than the land) are considered for inclusion in this inventory. The selected parcels are further evaluated for existing uses on site, parcel size, adjacency to other vacant and underutilized residential properties. In most cases, parcels with potential for fewer than five units are excluded, with the exception of the following:

- Vacant subdivided lots that can accommodate one unit per lot
- Vacant and underutilized properties that are located close to other groups of vacant and underutilized properties

2. Cannery Area Design Plan

A total of 575 units will be constructed as the Cannery Place project in the Cannery Area. These units have been accounted for under "Units Approved/Entitled" above. As a result of the City's Inclusionary Housing Ordinance, this project will result in the construction of 25 very low income senior units (currently planned for the corner of B Street and Grand Avenue) and approximately $2 million deposited into an affordable housing trust fund. In addition, the City is currently considering two projects in the Cannery Area that would result in an additional 219 units.

3. 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, and are of adequate size to accommodate at least five units are included. For vacant parcels, only lots that can accommodate at least five units per lot are included. Therefore, this analysis represents a conservative estimate of development potential because it does not account for smaller parcels with consolidation potential.

There were five islands of unincorporated land in the Mt. Eden neighborhood. In 2007, the Mt. Eden Annexation Phase 1 annexed three of the islands into the City. The remaining two islands (Phase 2) are currently being considered by the City and annexation is anticipated for fiscal year 2009 - 2010. The Phase 1 annexation area was found to have a development potential of 475 new housing units. In 2006, a 149-unit, 12.5-acre project was approved for KB Home and was conditioned upon the area being annexed into the City. Of the 149 units, 45 have been constructed as of January 1, 2009. The Phase 2 is estimated to have a development potential of 54 new housing units. This sites inventory includes only properties that are located within City limits as of January 2009.

Table 5-38: Residential Development Potential in Mt. Eden Area

Residential Land Use	Zoning	Acres	# of Parcels	Density Permitted (du/ac)	Mid-Range Density (du/ac)[1]	Potential Units (Average Density)
Underutilized Land						
Low Density	RS	0.00	0	4.3-8.7	6.5	0
Medium Density	RM	6.66	11	8.7-17.4	13.1	81
Subtotal		6.66	11			81
Vacant Land						
Low Density	RS	5.34	4	4.3-8.7	6.5	33
Medium Density	RM	6.61	9	8.7-17.4	13.1	82
Medium Density (Subdivided Lots)[2]	RM/ PD	10.11	156	8.7-17.4	15.4	156
Subtotal		22.06	169			271
Total		**40.82**	**180**			**352**

Notes:

1. *Mid-range densities are used for estimating capacity, except for subdivided lots where actual densities are calculated based on one unit per lot.*
2. *Subdivided lots include remaining vacant lots for KB Homes, a Planned Unit Development, and other subdivided lots.*

4. South Hayward BART/Mission Boulevard Concept Design Plan

This Concept Design Plan 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 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 contains more than 45 acres of vacant properties (more than half of the vacant acreage is owned by Caltrans). With the adoption of the Plan, which introduces high density residential uses in the area, many properties offer excellent opportunities for lot consolidation and redevelopment. Vacant and underutilized properties within the Design Plan Area can accommodate approximately 1,280 units (Table 5-39). The City is considering a project that would result in 772 residential units, including 125 affordable units, a grocery store, and a 910-space parking garage – all adjacent to the South Hayward BART Station.

Table 5-39: Residential Development Potential in South Hayward BART Station Area

Residential Land Use	Zoning	Acres	# of Parcels	Density Permitted (du/ac)	Mid-Range Density (du/ac)	Potential Units (Average Density)
Underutilized						
Limited Medium Density	RH	4.14	1	8.7-12.0	10.4	43
Medium Density	RM	0.00	0	8.8-17.4	13.1	0
Commercial/High Density	CN-R	0.79	4	17.4-34.8	26.1	20
High Density	RH	22.19	20	17.4-34.8	26.1	607
Mission Boulevard	MBR	0	0	34.8-55.0	44.9	0
Station Area Residential	SAR	0	0	75.0-100.0	87.5	0
Subtotal		27.12	25			670
Vacant						
Limited Medium Density	RH	2.45	1	8.7-12.0	10.4	25
Medium Density	RM	0.00	0	8.8-17.4	13.1	0
Commercial/High Density	RH/ CN-R	2.53	7	17.4-34.8	26.1	63
High Density	RH	7.43	11	17.4-34.8	26.1	188
Mission Boulevard	MBR	1.87	2	34.8-55.0	44.9	83
Station Area Residential	SAR	2.88	2	75.0-100.0	87.5	251
Subtotal		17.16	23			610
Total		**44.28**	**48**			**1,280**

Note: Mid-Range densities are used in estimating capacity.

5. 238 Bypass Land Use 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. Through a series of legal actions initiated by Hayward community members, the project was stopped, although the parcels have remained in the State's ownership. The area surrounding these parcels has been developed primarily with residential subdivisions, multi-family 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 is being conducted in preparation for the transfer of State-owned parcels to new ownership, and is anticipated to be completed by July 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 multi-family 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. There are 170 single-family homes and 138 multi-family units on Caltrans parcels located in the City. Of the 308 units in the City portion of the study area, approximately 100 are currently are uninhabitable and are boarded up. Several single-

family parcels owned by Caltrans have been cleared of the built structures, leaving just the foundations. Given the lack of parcelized existing land use data and that the majority of this area is vacant, with a small number of parcels being only developed with older and marginal uses, for purposes of this sites inventory, no distinction between vacant and underutilized properties is made.

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 Blvd.

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, according to an analysis done in the late 1980s as part of the Environmental Impact Report/Statement (EIR/EIS) prepared for the formerly proposed bypass freeway. The City of Hayward is in the process of conducting a Historic Resources Survey 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.

The City is in the process of developing the preferred conceptual land use plan that will be the basis for amendments to the General Plan and rezoning of properties. Three alternatives are being evaluated as part of that process, as presented in Table 5-40. Between 566 and 2,912 units are provided for in these alternatives, based on low and average estimates.

Table 5-40: 238 Conceptual Land Use Plan Alternatives

Potential	Alternative A		Alternative B		Alternative C	
	Low	Average	Low	Average	Low	Average
General Plan Allows	2,222	3,220	874	1,182	1,209	1,775
Existing units	308	308	308	308	308	308
Pot. New Units	1,914	2,912	566	874	901	1,467

As adoption of the preferred conceptual land use plan is not expected until summer of 2009, for purposes of this Housing Element, the current adopted General Plan land use designations and zonings are being used for the evaluation of residential development potential in the study area. Before the Conceptual Land Use Plan is adopted, the City will evaluate its continued ability to meet the RHNA against the preferred alternative.

Based on existing General Plan designation and mid-range densities, and including only parcels that can accommodate at least ten units (not yet accounting for lot consolidation potential), an estimated 2,463 units can be accommodated in the study area. Discounting the existing 308 units, this would result in a potential net increase 2,155 units. When lot consolidation of smaller parcels (feasible as all parcels are owned by the State) is considered, or a high density factors are used, the potential can be much higher.

Table 5-41: Residential Development Potential in 238 Study Area

Residential Land Use	Zoning	Acres	# of Parcels	Density Permitted (du/ac)	Mid-Range Density (du/ac)	Potential Units (Average Density)
Suburban Density	RS	40.13	1	1.0-4.3	3.2	129
Low Density	RS	51.87	12	4.3-8.7	6.5	331
Limited Medium Density	RM	42.11	6	8.7-12.0	9.0	375
Medium Density	RM	54.62	8	8.8-17.4	13.1	710
Commercial/High Density	CN-R	9.74	10	17.4-34.8	26.1	250
High Density	RH	19.85	16	17.4-34.8	26.1	510
Mission Boulevard	MBR	3.57	4	34.8-55.0	44.9	158
Total		**221.89**	**57**			**2,463**

Notes:

1. *County Assessor data is not available for existing land use by parcel. County Assessor database identifies this area as "State-Owned Properties" for existing land use. However, given previous field survey/aerial photo reviews, at least 80 percent of the total acreage is vacant.*
2. *Mid-range densities are used for estimating capacity.*

6. 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 Mt. Eden neighborhood, South Hayward BART Station area, and 238 Bypass Land Use Study Area can accommodate 4,095 units, including 1,192 units at higher densities that can facilitate the development of housing affordable to lower income households (Table 5-42). The City's sites inventory exceeds the remaining RHNA in all income/affordability levels, with a surplus capacity for 1,691 units (Table 5-43).

In addition to the sites in the Mt. Eden neighborhood, South Hayward BART Station area, and 238 Bypass Land Use Study Area, three projects are under consideration in the Cannery Area. A senior housing development with at least 25 units for very low income housing is being considered for the site at the corner of B Street and Grand Avenue. These units are off-site inclusionary housing units for the 575-unit Cannery Place already approved by the Council. In addition, two projects totaling 219 units are being evaluated by the City. Combining these 244 additional units with the sites inventory, the City has a surplus of 1,935 units in sites.

Table 5-42: Total Residential Development Potential

Land Use	Potential Units			
	Mt. Eden	BART Station	238 Study Area	Total
Underutilized				
Suburban	0	0	0	0
Low Density	0	0	0	0
Limited Medium Density	0	43	0	43
Medium Density	81	0	0	81
Commercial/High Density	0	20	0	20
High Density	0	607	0	607
Mission Boulevard	0	0	0	0
Station Area Residential	0	0	0	0
Subtotal	81	670	0	751
Vacant				
Suburban	0	0	129	129
Low Density	33	0	331	364
Limited Medium Density	0	25	375	400
Medium Density	238	0	710	948
Commercial/High Density	0	63	250	313
High Density	0	188	510	698
Mission Boulevard	0	83	158	241
Station Area Residential	0	251	0	251
Subtotal	271	610	2463	3344
Total	**352**	**1,280**	**2,463**	**4,095**

Table 5-43: Adequacy of Sites to Meet RHNA

Land Use	Very Low/ Extremely Low	Low	Moderate	Above Moderate	Total
Suburban		0	0	129	129
Low Density		0	0	364	364
Limited Medium Density		0	0	443	443
Medium Density		0	1,029	0	1,029
Commercial/High Density		333	0	0	333
High Density		1,305	0	0	1,305
Mission Boulevard		241	0	0	241
Station Area Residential		251	0	0	251
Total Site Capacity		2,130	1,029	936	4,095
Remaining RHNA		**1,192**	**520**	**692**	**2,404**
Sites (+Surplus/-Deficit)		**+938**	**+509**	**+244**	**+1,691**
Additional Projects under Consideration in Cannery Design Area		25	0	219	244

C. Capacity for Emergency Shelters

The City has identified the General Commercial (CG) zoning district as an appropriate district for emergency shelters for the homeless. Properties in the zoning district are located along transportation corridors, and therefore with easy access to services and public transportation. A review of capacity within this zoning district indicates that the City has 114 parcels zoned CG, totaling approximately 54 acres that are considered either vacant or underutilized.[28] Therefore, capacity exists either in the form of new construction and adaptive reuse of existing buildings to accommodate the estimated homeless population of 1,064 persons.

D. Financial Resources

A variety of existing and potential funding sources are available for affordable housing activities in Hayward. Primary sources of funding include the City's Redevelopment Set-Aside Fund and the federal Community Development Block Grant program.

1. Redevelopment Housing Set-Aside

The Redevelopment Housing Set-Aside fund is one of the primary sources of financing used for the preservation, improvement, and development of affordable housing. The Hayward Redevelopment Agency sets aside 20 percent of the tax increment revenue generated from its Project Area (which encompasses the City's commercial center, as well as several governmental and cultural facilities, including Centennial Hall, the main library, the Hayward Little Theatre, and Japanese Gardens) for the purpose of increasing and improving the supply of housing for low and moderate income households. The Agency's Project Area was expanded in 1998 and again in 2001 to include the Burbank/Cannery area west of downtown and the Mission/Foothill Boulevard corridor.

Until FY 2003-2004, increases in tax revenue in redevelopment project areas were anticipated to generate an annual average of approximately $500,000 in tax-increment funds for affordable housing. Due to expansions of the Redevelopment Area, tax increment set aside funds from redevelopment project areas have increased. As of January 2009, the Agency has a balance of $9.84 million in Set-Aside funds, with another $2 million expected for FY 2009. These funds can be used for the acquisition, construction, and rehabilitation of all types of housing serving very low, low, and moderate-income households. Hayward has used these funds as gap financing to create affordable rental housing for very low income households and for the first-time homebuyer program.

[28] 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.

2. 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, developers of for-sale only residential projects can request a waiver of providing affordable housing on site, which is subject to City Council approval. In exchange the developers must pay an in-lieu fee of equivalent value. No developer has utilized this option yet. However, because of the current market conditions and many residential development proposals being on hold, the City will consider allowing the payment of in-lieu fees by right and will conduct an analysis of the in-lieu fee amount (Program 18).

3. 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.

For FY 2008-09, an Entitlement Grant of $1,693,616, $430,700 in re-programmable funds from prior years, and projected program income of $200,000 were available to the City, for a total of $2,324,316 in CDBG funds.

4. 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 2008-09, the City received $576,231 in HOME funds to help make affordable housing available to low income Hayward residents.

5. 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.

E. Administrative Resources

1. 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.

2. Economic Development and Redevelopment

The Economic Development Division, as part of the City Manager's Office, provides business attraction, retention, and expansion services. This Division offers loans to qualified businesses in Hayward in order to create job opportunities for low and moderate income Hayward residents and provides technical assistance and financing mechanisms for business development. And, finally, the Housing and Redevelopment Agency provides affordable housing assistance within and outside the Redevelopment Area, in support of the Redevelopment Plan, the Hayward General Plan Housing Element, and other City policies and ordinances.

3. Department of Library and Neighborhood Services

The Department of Library and Neighborhood Services manages Community Preservation, Community Development Block Grant, Social Services, and Paratransit divisions. Rehabilitation programs offered by this department include Minor Home Repair Grants, Housing Rehabilitation Loans, and Disability Access Grants and Loans.

4. Housing Authority of the County of Alameda

The Housing Authority of 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.

5. 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 being founded 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 in Alameda County, Eden's charter calls for the organization to work wherever there is a need for affordable housing in California. Eden has so far partnered with twenty cities in six counties, including San Mateo, Santa Clara, and Contra Costa counties. The organization has already developed nearly a dozen affordable housing projects in the City of Hayward, including:

- Sara Conner Court Apartments
- B Street Bungalows
- Glen Eden Apartments
- E.C. Magnolia Court
- Olive Tree Plaza
- Tyrell Gardens
- Sparks Way Commons
- Josephine Lum Lodge
- Walker Landing
- C & Grand Senior housing

Habitat for Humanity East Bay is considering acquiring three irregular, underutilized infill sites located at 645, 687 and 29239 Olympic Avenue to develop duet-style homes affordable to low income families. Habitat estimates being able to build 25-28 homes in the 2.21 acres comprising the three lots.

Satellite Housing is a non-profit affordable housing developer who has its own property management affiliate and places heavy emphasis on supportive services for seniors, particularly ESL and transportation/van services (Satellite administers the paratransit system for the City of Newark). Satellite is currently under a purchase contract to acquire a currently vacant, 1.7 acre, infill flat site located at 25906 Gading Road in the Harder-Tennyson Neighborhood to build 34-38 affordable rental apartments for seniors.

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.

5.5 Housing Plan

The City of Hayward's long-term housing goal is to provide housing that fulfills the diverse needs of the community. In the short term, this will be accomplished with the objectives, policies, and programs set forth in this Housing Plan. The goals, policies, and programs in the Plan build upon the identified housing needs in the community, constraints confronting the City, and resources available to address the housing needs, and will guide City housing policy through the 2009-2014 planning period.

Goals are statements of community desires, which are broad in both purpose and aim, but are designed specifically to establish direction. Policies provide specific standards and/or end statements for achieving a goal. Essentially, goals represent desired outcomes the City seeks to achieve through the implementation of policies. Further articulation of how the City will achieve the stated goals is found in the programs. Programs identify specific actions the City will undertake toward putting each goal and policy into action. Quantified objectives identified in particular programs are estimates of assistance the City will be able to offer, subject to available financial and administrative resources.

To make adequate provision for the housing needs of all economic segments of the community, the programs in the Housing Plan aim to:

- Conserve and improve the condition of the existing affordable housing stock;
- Assist in the development of housing for 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; and
- Promote housing opportunities for all persons.

A. 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 protect the safety and welfare of residents and assist 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.

GOAL 1.0 **Maintain and enhance the existing viable housing stock and neighborhoods within Hayward.**

Policy 1.1 Enforce adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing units.

Policy 1.2 Preserve existing single-family housing stock occupied by lower income households by rehabilitating single-family owner-occupied conventional and mobile homes.

Policy 1.3 Administer residential rehabilitation programs that assist lower income households to ensure the safety and habitability of the City's housing units and the quality of its residential neighborhoods.

Policy 1.4 Work with property owners and nonprofit housing providers to acquire and/or preserve existing housing for low and moderate income households.

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:

- 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.

Timeframe and Objectives:

- 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.

Responsible Agency: Department of Library and Neighborhood Services
Funding Source: CDBG

Program 2: Minor Home Repair Grant (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.

Timeframe and Objectives:

- 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.

Responsible Agency: Department of Library and Neighborhood Services
Funding Source: CDBG

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.

Timeframe and Objectives:

- 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.

Responsible Agency: Department of Library and Neighborhood Services
Funding Source: CDBG

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 found. Penalties are also assessed for lack of timely correction of violations.

Timeframe and Objectives:

- 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.

Responsible Agency: Development Services Department
Funding Source: General Funds

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.

Timeframe and Objectives:

- 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.

Responsible Agency: Department of Library and Neighborhood Services
Funding Source: General Funds

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:

- 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 multi-family developments and requires owners of new multi-family 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.

Timeframe and Objectives:

- Prepare ordinance on CPTED strategies for new multi-family developments in 2010.
- Disseminate information on the City's Crime Free Multi-Housing Program and CPTED strategies.

Responsible Agency: Police Department
Funding Source: General Funds

B. 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 development of affordable housing units. The Redevelopment Agency actively 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 supports programs that make purchasing a home a realistic option for lower income households.

GOAL 2.0 **Assist in the provision of housing that meet the needs of all socioeconomic segments of the community.**

Policy 2.1 Encourage the development of ownership housing and assist tenants to become homeowners to reach a 70 percent owner-occupancy rate, within the parameters of federal and state housing laws.

Policy 2.2 Use density bonuses and other incentives to facilitate the development of new housing for extremely low, very low, and low income households.

Policy 2.3 Avoid the loss of assisted housing units and the resulting displacement of low income residents by providing funds to non-profit developers to be used for the acquisition of subsidized housing developments at risk of converting to market rate.

Policy 2.4 Address the housing needs of special populations and extremely low income households through emergency shelters, transitional housing, supportive housing, and single-room occupancy units.

Policy 2.5 Promote 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 energy use, and other resources, and minimizes its impact on the surrounding environment. *(This policy will be implemented through existing ordinances and guidelines such as the Green Building Ordinance, the recently adopted Environmentally Friendly Landscape Guidelines (with an implementing ordinance expected to be adopted in the spring of 2010), the Water Efficient Landscape Ordinance, and the Alameda County Clean Water Program.)*

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.

Timeframe and Objectives:

- Annually monitor status of the 679 affordable housing units that are at risk of converting to market rate between 2009 and 2019.
- 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.

Responsible Agencies: Office of the City Manager (Housing); Housing Authority of the County of Alameda

Funding Sources: Redevelopment Housing Set-Aside; HOME; Inclusionary Housing In-Lieu Fees; Section 8 Rental Assistance; and other HUD and State Housing Preservation funds

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.

Timeframe and Objectives:

- Include information about foreclosure prevention resources in the housing programs 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.

Responsible Agencies: Office of the City Manager (Housing); Department of Library and Neighborhood Services; ECHO

Funding Sources: CDBG; HOME; Neighborhood Stabilization Program (NSP) funds

Program 9: Purchase, Rehabilitation, and Sale of Foreclosed Properties

Given the high rate of foreclosures in Hayward, the City is in the process of developing 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.

Timeframe and Objectives:

- Establish program in 2009.
- Work with nonprofit housing developers such as Habitat for Humanity and Eden Housing to implement program.
- Subject to funding availability, acquire and rehabilitate between five and ten foreclosed properties annually.

Responsible Agencies: Office of the City Manager (Housing and Redevelopment); Nonprofit Housing Developers

Funding Sources: Neighborhood Stabilization Program (NSP) funds; Redevelopment Housing Set-Aside

Program 10: First Time Homebuyer Program

The First Time Homebuyer Program provides assistance to first-time low and moderate income homebuyers by offering loans up to $20,000 for downpayment assistance and closing costs. The loan is a 30-year fully amortized loan with an interest rate based on the Federal Home Bank. The City also requires participants to attend a City-approved First-Time Homebuyers Seminar in order to receive funds.

In response to the current market conditions, City staff is proposing changes to the First-Time Homebuyer Program. Proposed changes include:

- Fix the interest rate to 3.5 percent, as opposed to tying the interest rate to the 11th District Cost of Funds Index;
- Allow a five-year loan payment deferral period; and
- Increase the loan amount.

Timeframe and Objectives:

- Continue to provide loans to potential low and moderate income homeowners.
- Restructure the program features in 2009 to take advantage of current market conditions and expand assistance to increased number of households.
- Provide 15 to 20 loans annually.

Responsible Agency: Office of the City Manager (Housing and Redevelopment)

Funding Sources: Redevelopment Housing Set-Aside; Inclusionary Housing In-Lieu fees

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.

Timeframe and Objectives:

- Continue to participate in the MCC program.
- Assist the County in promoting the program to eligible homebuyers.

Responsible Agency: County of Alameda Housing and Community Development Department; Office of the City Manager (Housing)

Funding Sources: MCC Allocation

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). 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.

Timeframe and Objectives:

- Continue to support Project Independence.
- Work with ABODE Services to provide a continuum of supportive services for emancipated youth.

Responsible Agency: ABODE Services; Office of the City Manager (Housing)

Funding Sources: HOME

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.

Timeframe and Objectives:

- Assist in the development of transit-oriented housing units affordable to lower income and special needs households through gap financing.

- Provide developers with technical support in the application for State, federal, and other funding programs.

Responsible Agency: Office of the City Manager (Housing and Redevelopment)
Funding Sources: Redevelopment Housing Set-Aside; Proposition 1C funds

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:

- Ten percent of total units for lower income households
- Five percent of total units for very low income households
- A senior citizen housing development or a mobile home park
- Ten 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 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.

Timeframe and Objectives:

- 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.

Responsible Agency: Development Services Department and Office of the City Manager (Housing and Redevelopment)
Funding Source: None required

Program 15: Green Building Ordinance

Green building refers to a whole systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition and renovation. Green building practices recognize the relationship between natural and built environments and seek to minimize the use of energy, water, and other natural resources and provide a healthy, productive indoor environment. Under the Green Building Ordinance, new structures and additions or remodels of over 500 square feet are required to be Green Point Rated in order to receive a Certificate of Occupancy.

Timeframe and Objectives:

- 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 the end of 2009.
- Develop possible incentives for voluntary compliance with the Green Building Ordinance for exempt projects by the end of 2009.

Responsible Agency: Development Services Department
Funding Source: None required

~~**Program 16: Section 8 Housing Choice Voucher Program**~~

~~Housing Authority of the County of Alameda administers the Section 8 Housing Choice Voucher Program that extends rental subsidies to extremely low and very low income households that spend more than 30 percent of their gross income on housing. Rental assistance not only addresses housing affordability, but also overcrowding by allowing families that may be currently "doubling up" in living arrangements to afford their own housing. In FY 2008-09, approximately 2,400 Hayward households were receiving vouchers from the program.~~

~~***Timeframe and Objectives:***~~

- ~~Refer eligible households to the program through direct referrals and the City website.~~

~~***Responsible Agency:*** Housing Authority of the County of Alameda~~
~~***Funding Source:*** Section 8 Allocations~~

C. Provide Adequate Sites

A major element in 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. 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 3.0 **Provide suitable sites for housing development which can accommodate a range of housing by type, size, location, price, and tenure.**

Policy 3.1 Implement land use policies that allow for a range of residential densities and products, including low-density single-family uses, moderate-density town homes, and higher-density apartments, condominiums, and units in mixed-use developments.

Policy 3.2 Encourage transit-oriented developments that take advantage of the City's convenient access to the BART station.

Policy 3.3 Encourage development of residential uses in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

Policy 3.4 Encourage compatible residential development in areas with recyclable or underutilized land.

Policy 3.5 Allow flexibility within the City's standards and regulations to encourage a variety of housing types.

Policy 3.6 Enforce the City's Inclusionary Housing Ordinance to ensure that a certain percentage of new residential developments units will be made affordable to low and moderate income households.

Program 17: Provision of Adequate Sites

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 2,404 units: 709 very low income units; 483 low income units; 520 moderate income units; and 692 above moderate income units. The City will ensure adequate sites are available to accommodate this remaining RHNA. The City is in the process of developing a new conceptual land use plan for the 238 Bypass Land Use Study Area. The City will ensure that the selected land use plan for this area help meet the City's RHNA.

Timeframe and Objectives:

- Maintain a residential sites inventory that can accommodate the City's remaining RHNA of 2,404 units. Update the inventory annually to monitor the consumption of residential and mixed use properties and continued ability to fulfill the RHNA.
- Pursue adoption of the 238 Bypass Conceptual Land Use Plan in 2009 and ensure that the alternative selected help fulfill the City's RHNA and obligations associated with the previously pursued Route 238 Bypass.
- Assist in land consolidation by providing sites information to interested developers and provide gap financing assistance to nonprofit housing developers.

Responsible Agency: Development Services Department; Office of the City Manger (Housing and Redevelopment)

Funding Sources: Redevelopment Housing Set-Aside; Inclusionary Housing In-Lieu Fees; HOME funds

D. Remove Governmental 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 4.0 **Mitigate any potential governmental constraints to housing production and affordability.**

Policy 4.1 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.

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:

Affordable Rental Units:

- 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;

Affordable Ownership Units:

- 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;

Timeframe and Objectives:

- Continue to enforce the Inclusionary Housing Ordinance.
- Monitor market conditions and development trends and as necessary and appropriate, modify the Inclusionary Housing Ordinance to facilitate affordable housing development. Potential modifications to be considered by July 2010 include allowing the payment of an in-lieu fee by right and an analysis of the in-lieu fee amount.

Responsible Agency: Office of the City Manager (Housing)
Funding Source: None required

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. The City will consider deferring the payment of certain fees until the close of escrow.

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.

Timeframe and Objectives:

- In 2009, consider allowing payment of certain development impact fees to be deferred to close of escrow. Potential fees to consider being deferred include the park dedication in-lieu fee and the supplemental building and construction improvement tax.
- Re-evaluate the park dedication in-lieu fee ordinance including the fee amount and whether or not affordable housing projects should be exempt.
- Hold public meetings in 2009 with builders and developers to obtain input on improving the Precise Development Plan process.
- 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.

Responsible Agency: Development Services Department
Funding Source: General Fund

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.

Timeframe and Objectives: The Zoning Ordinance will be amended, within one year of the adoption of the 2009-2014 Housing Element, to address the following:

- *Emergency Shelters*: 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:

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

The City will ensure that standards established work to facilitate the development of emergency shelters.

- *Transitional Housing*: Amend the Zoning Ordinance to differentiate transitional housing in the form of group quarters versus multiple-family rental housing developments. Transitional housing facilities that operate as multi-family rental housing developments will be permitted by right where multi-family housing is permitted. Transitional housing facilities that operate as group quarters will be permitted as group homes/residential care facilities.

- *Supportive Housing*: Amend the Zoning Ordinance to differentiate supportive housing in the form of group quarters versus multiple-family rental housing developments. Supportive housing facilities that operate as multi-family rental housing developments will be permitted by right where multi-family housing is permitted. Supportive housing facilities that operate as group quarters will be permitted as group homes/residential care facilities.

- *Group Homes/Residential Care Facilities*: 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.

- *Single Room Occupancy (SRO)*: Amend the Zoning Ordinance to permit SROs in the General Commercial (CG) zoning district.

Responsible Agency: Development Services Department
Funding Source: None required

Program 21: Child Care Services and Facilities

The City will amend the Zoning Ordinance and/or General Plan to address child care needs associated with new residential development. Specifically, the City will consider the following:

- For residential projects over 100 units, require developers to 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.

- 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.

Timeframe and Objectives:

- Develop new requirements, incentives, and policies to facilitate the provision of adequate child care facilities and services associated with new residential development in 2010.

Responsible Agency: Development Services Department
Funding Source: None required

E. Promote Housing Opportunities for All Persons

The City recognizes the importance of extending equal housing opportunities for all persons, regardless of 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 5.0 **Promote equal access to housing by educating City residents about fair housing and lending laws.**

Policy 5.1: Support services and programs that eliminate housing discrimination.

Policy 5.2: Promote housing along with supportive services for households with special needs, including seniors, persons with disabilities, single-parents, and the homeless.

Program 22: Fair Housing Services

The City of Hayward contracts with ECHO to provide fair housing and tenant/landlord services.

- **Fair Housing Counseling and Education:** 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.

- **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.

Timeframe and Objectives:

- Promote the dissemination of information to alert homeowners about predatory lending practices.
- Work with Bay East Association of Realtors to ensure that residential real estate agents and brokers adhere to fair housing laws and regulations.
- 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.
- 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.

Responsible Agency: Department of Library and Neighborhood Services
Funding Source: CDBG

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.

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.

Timeframe and Objectives:

- Develop an ordinance that promotes the use of Universal Design Principles in new construction and/or rehabilitation of housing by the end of 2010.

Responsible Agency: Development Services Department
Funding Source: None required

F. Summary of Quantified Objectives

Table 5-44 summarizes the City's objectives in housing production, preservation, and assistance based on the level of funding anticipated.

Table 5-44: Five-Year Quantified Objectives

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction (RHNA)	359	409	483	569	1,573	3,393
Rehabilitation	150	150	150			450
Preservation (At-Risk Units)	339	340				679
Assistance						
Section 8	1,200	1,200				2,400
Homebuyer Assistance			35	40		75
Foreclosed Properties			15	10		25

Appendix A: Housing Needs Survey

City of Hayward
2009-2014 Housing Element
Housing Needs Survey

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 510-583-4244.

HAYWARD

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

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, howeowner 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

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

3.44 Homeownership assistance

3.98 Homeless population

2.97 Home improvement assistance

3.13 Disabled population

2.46 Elderly population

4 Low-Income population

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? They 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 event 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 leaches 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 under age 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. 1. 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 that 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 to 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 it's 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-ridden 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.

Appendix B: Stakeholders Interviews

Summary of Stakeholders Interviews

Housing for the Disabled

- Need to adopt a Universal Design ordinance. (City already has a Green Building Ordinance, which offers incentives for Universal Design.)
- Housing for persons with mental disabilities.
- Many disabled adults are living with their elderly parents. Once the parents pass away, these disabled persons may have difficulty finding housing in Hayward.
- Housing for persons with disabilities should be located near public transportation.
- The City of Berkeley's inclusionary housing program sets aside a portion as housing for the disabled.

Housing for the Elderly

- Need for senior housing should be emphasized.

Housing for the Homeless

- Focus on homeless needs.
- SRO and transitional housing must be well managed.

Housing for Other Special Needs Groups

- Foster children and those transitioning into adult housing may be a special need group.
- Need a plan to ensure that housing for extremely low income category gets built. City has a large group people relying on SSI.
- Services for occupants of special needs housing.

Child Care in Housing

- HE needs to address child care and provision of child care when new housing is proposed. Transportation to child care and to work.
- Community Resources indicated that is a developer is willing to provide a child care facility in a housing development, Community Resources will work with developer to identify a qualified group to operate the child care facility. Design of child care facility should consider tenant improvements, staffing, and layout (by child care professionals). Typically, a child care center for 50-75 children is financially feasible.

Housing Market

- Housing market expected to be flat for the next few years.
- Notices of Default increased 63 percent in Alameda County.
- City policy targets 70 percent ownership housing. This can be difficult to achieve given market conditions.

- Problems with policies that have cost impacts may be difficult to mitigate in this market.

New Construction of Housing

- Integrate the 238 land use study
- Should provide sustainable mixed use zoning in S. Hayward BART Plan.
- Incorporate climate change and global warming issues into the Housing Element.
- Distribution of affordable housing and housing for disabled throughout City.
- Need a tool that better communicates total fees to developers. (City of Hayward waives park fees for affordable housing.)
- We need an evaluation of the performance of our current inclusionary housing ordinance:
  - How many units have been created and how many have been lost?
  - How are the restrictions being monitored?
  - How are prices of affordable units compared to market-rate units?
  - Revisit the ordinance to see if it is working for moderate income households.
  - Database to show where affordable units are.
- Live-work units and mixed use.
- We need to market the City as a nice place to live.
- Work with the school district.

Homeownership Opportunities

- Restructure the first-time homebuyer program.
- Pursue opportunities for purchasing foreclosed homes.
- Offer Housing Scholarship programs.
- Offer opportunities for teachers and safety personnel.

Rental Housing

- Rental housing is the most feasible option for affordable housing in this market.
- Renters are suffering when their landlords foreclose.
- City has many old and poorly maintained apartments. A focus of the Housing Element is to rehabilitate or rebuild these old apartments.

Funding

- Need o increase the funding level in Housing Trust Fund and should target the use of Trust Fund for lower income housing.
- Explore commercial linkage fee.
- Eden Housing uses primarily tax credits for affordable housing construction. This funding source is significantly impacted by the market and therefore Eden Housing's ability to build. Currently, a developer can get $1.07 in funding per $1 in tax credit. This ratio is projected to go down to $0.75 per $1 in credit.
- Developer also needs to demonstrate an occupancy rate of 95 percent over a three-month (previously 30-day) stabilization period before it can take out a construction loan. This

extended stabilization period means it is becoming more difficult to get a construction loan.

Other Comments

- We should hold these meetings more often to get housing people to talk to each other.

Appendix C: Community Workshops

Summary of Community Workshops

December 15, 2008

[redacted]

Do we have sufficient Housing choices in Hayward?

The City of Hayward is preparing an update to the Housing Element of the General Plan. The update is required by State law and will include an evaluation of the kinds of housing that are needed in Hayward. The Element will also address affordable housing.

[redacted]

We want to hear from you!

Attend a Community Meeting on Monday, December 15, 2008 from 7:00 p.m. to 9:00 p.m. in Room 2A at City Hall.

Please complete the on-line Housing Survey.

[redacted]

For more information, please contact Erik Pearson, Senior Planner at (510) 583-4210 or by e-mail at [redacted]

Housing Growth and Market Conditions

- Concern related to Hayward's projected growth and how our police and fire services can keep up.
- Monitoring of garage conversions. Staff responded that given these are illegal units, they are difficult to monitor. One attendee noted that garage conversions are often apparent by the number of cars parked outside. He mentioned a house in his neighborhood with 11 cars. He suggested that our population may be higher than we think. He also noted that street sweeping is a challenge due to number of cars on street.
- Hayward is great. It has the airport, the BART stations, bus services and CSUEB. The City should market Hayward as a desirable place to live in.

Affordable Housing

- How affordable housing projects are funded?
- Homebuying opportunities with foreclosed homes. (Staff responded mentioning the work session scheduled for January 20, 2009)
- A question was asked regarding the people who have participated in the City's downpayment assistance program are going through foreclosure. The commenter suggested the City monitor this to track the success of track the success of this City-funded program.
- One attendee wanted to see the same level of success in meeting the RHNA for the low and very low categories as we had in the moderate and above moderate categories in the last cycle.
- City staff commented that City has been successful in rehabilitating older apartment buildings. One attendee commented that the City should publicize the funding/programs available to assist with housing rehabilitation. A suggestion was made to provide program information to nonprofits and churches.
- Home Owners Association (HOA) fees are unregulated and can get too high. Some can end up exceeding mortgage payment. The City needs small homes with no or low HOA fees.
- Cooperative housing was suggested as an alternative housing choice.
- The City needs to review the downpayment assistance program. Staff noted that recommended changes would be presented to the Council on January 20.

Housing for Persons with Disabilities

- Representatives of CRIL asked that we include policies encouraging universal design in the Housing Element.

Housing for Seniors

- There are few housing choices for active seniors.
- Senior housing should not always be one bedroom units. They should include space for art or hobbies.

Housing for the Homeless

- One attendee asked about the City's plan in address the homeless.
- One attendee mentioned that the former International House at CSUEB is sitting empty and that it can house 400 people.

Appendix D: Residential Sites Inventory

Mt. Eden

Map ID	APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
Underutilized									
400	441-0087-003-02	Medium Density Residential	8.7-17.4	0.26	RM	0.36	4	3	SF home
401	441-0087-018-00	Medium Density Residential	8.7-17.4	1.00	RM	0.47	17	13	SF home
404	441-0095-003-00	Medium Density Residential	8.7-17.4	0.29	RM	0.47	5	3	SF home
405	441-0095-004-00	Medium Density Residential	8.7-17.4	0.41	RM	0.18	7	5	SF home
406	441-0095-005-00	Medium Density Residential	8.7-17.4	0.52	RM	0.37	9	6	SF home
407	441-0095-008-00	Medium Density Residential	8.7-17.4	0.96	RM	0.48	16	12	SF home
408	441-0095-010-00	Medium Density Residential	8.7-17.4	0.99	RM	0.47	17	12	SF home
410	441-0095-012-01	Medium Density Residential	8.7-17.4	0.27	RM	0.42	4	3	SF home
415	441-0095-020-02	Medium Density Residential	8.7-17.4	0.48	RM	0.28	8	6	SF home
416	441-0095-021-02	Medium Density Residential	8.7-17.4	0.49	RM	0.26	8	6	SF home
418	441-0095-023-02	Medium Density Residential	8.7-17.4	0.98	RM	0.07	17	12	SF home
Subtotal				***6.66***			***112***	***81***	
Vacant									
396	441-0080-016-00	Medium Density Residential	8.7-17.4	0.41	RM	n/a	7	5	n/a
403	441-0095-001-00	Medium Density Residential	8.7-17.4	0.98	RM	n/a	16	12	n/a
409	441-0095-011-02	Medium Density Residential	8.7-17.4	0.76	RM	n/a	13	9	n/a
411	441-0095-013-02	Medium Density Residential	8.7-17.4	0.98	RM	n/a	17	12	n/a
412	441-0095-014-02	Medium Density Residential	8.7-17.4	0.48	RM	n/a	8	6	n/a
413	441-0095-015-02	Medium Density Residential	8.7-17.4	0.50	RM	n/a	8	6	n/a
414	441-0095-016-02	Medium Density Residential	8.7-17.4	0.50	RM	n/a	8	6	n/a
417	441-0095-022-02	Medium Density Residential	8.7-17.4	1.00	RM	n/a	17	13	n/a
419	441-0095-024-02	Medium Density Residential	8.7-17.4	1.00	RM	n/a	17	13	n/a
Subtotal				***6.61***			***111***	***82***	
390	441-0055-015-00	Rezone RS	4.3-8.7	1.91	RS	n/a	16	12	n/a
392	441-0077-006-00	Rezone RSB4	4.3-8.7	0.77	PD	n/a	6	5	n/a
393	441-0077-008-00	Rezone RSB4	4.3-8.7	0.55	RSB4	n/a	4	3	n/a
398	441-0083-008-02	Single Family Residential	4.3-8.7	2.11	RS	n/a	18	13	n/a
Subtotal				***5.34***			***44***	***33***	***n/a***
420	441-0099-013-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
421	441-0099-014-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
422	441-0099-015-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
423	441-0099-016-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
424	441-0099-017-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
425	441-0099-018-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
426	441-0099-019-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
427	441-0099-020-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
428	441-0099-021-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
429	441-0099-022-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
430	441-0099-023-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
431	441-0099-024-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
432	441-0099-025-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
433	441-0099-026-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
434	441-0099-027-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
435	441-0099-028-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
436	441-0099-029-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
437	441-0099-030-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
438	441-0099-031-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
439	441-0099-032-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
440	441-0099-033-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
441	441-0099-034-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
442	441-0099-035-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
443	441-0099-036-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
444	441-0099-037-00	Medium Density Residential	8.7-17.4	0.09	RM	n/a	1	1	n/a
445	441-0099-038-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
446	441-0099-039-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
447	441-0099-040-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a

Mt. Eden

Map ID	APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
448	441-0099-041-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
449	441-0099-042-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
450	441-0099-043-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
451	441-0099-044-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
452	441-0099-045-00	Medium Density Residential	8.7-17.4	0.06	RM	n/a	1	1	n/a
453	441-0099-046-00	Medium Density Residential	8.7-17.4	0.06	RM	n/a	1	1	n/a
454	441-0099-047-00	Medium Density Residential	8.7-17.4	0.06	RM	n/a	1	1	n/a
455	441-0099-048-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
456	441-0099-049-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
457	441-0099-050-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
458	441-0099-051-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
459	441-0099-052-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
460	441-0099-053-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
461	441-0099-054-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
462	441-0099-055-00	Medium Density Residential	8.7-17.4	0.09	RM	n/a	1	1	n/a
463	441-0099-056-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
464	441-0099-057-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
465	441-0099-058-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
466	441-0099-059-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
467	441-0099-060-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
468	441-0099-061-00	Medium Density Residential	8.7-17.4	0.06	RM	n/a	1	1	n/a
469	441-0099-062-00	Medium Density Residential	8.7-17.4	0.06	RM	n/a	1	1	n/a
470	441-0099-063-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
471	441-0099-064-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
472	441-0099-065-00	Medium Density Residential	8.7-17.4	0.10	RM	n/a	1	1	n/a
473	441-0099-066-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
474	441-0099-067-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
475	441-0099-068-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
476	441-0099-069-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
477	441-0099-070-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
478	441-0099-071-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
479	441-0099-072-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
480	441-0099-073-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
481	441-0099-074-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
482	441-0099-075-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
483	441-0099-076-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
484	441-0099-077-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
485	441-0099-078-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
486	441-0099-079-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
487	441-0099-080-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
488	441-0099-081-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
489	441-0099-082-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
490	441-0099-083-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
491	441-0099-084-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
492	441-0099-085-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
493	441-0099-086-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
494	441-0099-087-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
495	441-0099-088-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
496	441-0099-089-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
497	441-0099-090-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
498	441-0099-091-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
499	441-0099-092-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
500	441-0099-093-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
501	441-0099-094-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
502	441-0099-095-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
503	441-0099-096-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
504	441-0099-097-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a

Mt. Eden

Map ID	APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
505	441-0099-098-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
506	441-0099-099-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
507	441-0099-100-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
508	441-0099-101-00	Medium Density Residential	8.7-17.4	0.09	RM	n/a	1	1	n/a
509	441-0099-102-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
510	441-0099-103-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
511	441-0099-104-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
512	441-0099-105-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
513	441-0099-106-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
514	441-0099-107-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
515	441-0099-108-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
516	441-0099-109-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
517	441-0099-110-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
518	441-0099-111-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
519	441-0099-112-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
520	441-0099-113-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
521	441-0099-114-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
522	441-0099-115-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
523	441-0099-116-00	Medium Density Residential	8.7-17.4	0.04	RM	n/a	1	1	n/a
524	441-0099-117-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
525	441-0100-014-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
526	441-0100-015-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
527	441-0100-016-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
528	441-0100-017-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
529	441-0100-018-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
530	441-0100-019-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
531	441-0100-020-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
532	441-0100-021-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
533	441-0100-022-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
534	441-0100-023-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
535	441-0100-024-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
536	441-0100-025-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
537	441-0100-026-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
538	441-0100-027-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
539	441-0100-028-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
540	441-0100-029-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
541	441-0100-030-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
542	441-0100-031-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
543	441-0100-032-00	Medium Density Residential	8.7-17.4	0.06	RM	n/a	1	1	n/a
544	441-0100-033-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
545	441-0100-034-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
546	441-0100-035-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
547	441-0100-036-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
548	441-0100-037-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
549	441-0100-038-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
550	441-0100-039-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
551	441-0100-040-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
552	441-0100-041-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
553	441-0100-042-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
554	441-0100-043-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
555	441-0100-044-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
556	441-0100-045-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
557	441-0100-046-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
558	441-0100-047-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
559	441-0100-048-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
560	441-0100-049-00	Medium Density Residential	8.7-17.4	0.07	RM	n/a	1	1	n/a
561	441-0100-050-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a

Mt. Eden

Map ID	APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
562	441-0100-051-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
563	441-0100-052-00	Medium Density Residential	8.7-17.4	0.05	RM	n/a	1	1	n/a
564	441-0100-053-00	Medium Density Residential	8.7-17.4	0.08	RM	n/a	1	1	n/a
565	441-0101-002-00	Single Family Residential	4.3-8.7	0.11	PD	n/a	1	1	n/a
566	441-0101-003-00	Single Family Residential	4.3-8.7	0.09	PD	n/a	1	1	n/a
567	441-0101-004-00	Single Family Residential	4.3-8.7	0.09	PD	n/a	1	1	n/a
568	441-0101-005-00	Single Family Residential	4.3-8.7	0.09	PD	n/a	1	1	n/a
569	441-0101-006-00	Single Family Residential	4.3-8.7	0.09	PD	n/a	1	1	n/a
570	441-0101-007-00	Single Family Residential	4.3-8.7	0.10	PD	n/a	1	1	n/a
571	441-0101-008-00	Single Family Residential	4.3-8.7	0.11	PD	n/a	1	1	n/a
572	441-0101-009-00	Single Family Residential	4.3-8.7	0.16	PD	n/a	1	1	n/a
573	441-0101-010-00	Single Family Residential	4.3-8.7	0.12	PD	n/a	1	1	n/a
574	441-0101-011-00	Single Family Residential	4.3-8.7	0.10	PD	n/a	1	1	n/a
575	441-0101-012-00	Single Family Residential	4.3-8.7	0.09	PD	n/a	1	1	n/a
Subtotal				***10.11***			***156***	***156***	
Total				**28.71**			**423**	**352**	

Hayward BART

Map ID	APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
Underutilized									
612	452-0068-016-01	Commercial/High Density Residential	17.4-34.8	0.29	CN-R	0.12	9	7	Parking lot
626	452-0084-089-00	Commercial/High Density Residential	17.4-34.8	0.16	CN-R	0.32	5	4	1 story store
627	452-0084-090-00	Commercial/High Density Residential	17.4-34.8	0.17	CN-R	0.13	6	4	1-5 story office building
630	452-0084-099-02	Commercial/High Density Residential	17.4-34.8	0.17	CN-R	0.43	5	4	SF home
Subtotal				***0.79***			***27***	***20***	
1	078C-0432-006-06	High Density Residential	17.4-34.8	0.38	RH	0.41	13	9	Fourplex or triplex w/SFR
2	078C-0433-002-08	High Density Residential	17.4-34.8	0.14	RH	0.38	5	3	SF home
4	078C-0433-006-02	High Density Residential	17.4-34.8	0.21	RH	0.15	7	5	Double or duplex w/ SFR
5	078C-0434-003-02	High Density Residential	17.4-34.8	0.16	RH	0.33	5	4	SF home
9	078C-0436-005-02	High Density Residential	17.4-34.8	0.19	RH	0.44	6	4	SF home
10	078C-0436-006-02	High Density Residential	17.4-34.8	0.18	RH	0.20	6	4	SF home
13	078C-0437-001-02	High Density Residential	17.4-34.8	0.18	RH	0.39	6	4	SF home
43+6014	078C-0438-003-02	High Density Residential	17.4-34.8	0.35	RH	0.34	12	9	SF home
27	078C-0455-001-04	High Density Residential	17.4-34.8	4.66	RH	0.23	162	121	Other recreational activity
29	078C-0455-001-04	High Density Residential	17.4-34.8	4.66	RH	0.23	162	121	Other recreational activity
31	078C-0455-001-05	High Density Residential	17.4-34.8	0.15	RH	0.43	5	4	SF home
33	078C-0455-001-08	High Density Residential	17.4-34.8	4.15	RH	0.41	144	108	Misc. improved commercial
35	078C-0455-001-08	High Density Residential	17.4-34.8	4.15	RH	0.41	144	108	Misc. improved commercial
63	078C-0644-009-00	High Density Residential	17.4-34.8	0.17	RH	0.40	5	4	Residential Imps on Comm.
66	078C-0645-014-00	High Density Residential	17.4-34.8	0.15	RH	0.37	5	3	SF home
609	452-0020-008-00	High Density Residential	17.4-34.8	0.68	RH	0.28	23	17	Misc. improved commercial
613	452-0068-018-00	High Density Residential	17.4-34.8	0.23	RH	0.23	7	5	SF home
614	452-0068-019-00	High Density Residential	17.4-34.8	0.45	RH	0.23	15	11	Misc. improved commercial
615	452-0068-024-05	High Density Residential	17.4-34.8	0.36	RH	0.41	12	9	Restaurant
616	452-0068-024-06	High Density Residential	17.4-34.8	0.59	RH	0.21	20	15	Misc. improved commercial
Subtotal				***22.19***			***772***	***607***	
34	078C-0455-001-08	Limited Medium Density Residential	8.7-12.0	4.15	RH	0.41	49	43	Misc. improved commercial
Subtotal				***4.15***			***49***	***43***	
Vacant									
618	452-0080-045-01	Commercial/High Density Residential	17.4-34.8	0.28	RH	n/a	9	7	n/a
47	078C-0626-006-01	Commercial/High Density Residential	17.4-34.8	0.49	CN-R	n/a	16	12	n/a
48	078C-0626-007-03	Commercial/High Density Residential	17.4-34.8	0.60	CN-R	n/a	21	15	n/a
49	078C-0626-009-01	Commercial/High Density Residential	17.4-34.8	0.81	CN-R	n/a	28	21	n/a
625	452-0084-088-00	Commercial/High Density Residential	17.4-34.8	0.08	CN-R	n/a	2	2	n/a
628	452-0084-096-00	Commercial/High Density Residential	17.4-34.8	0.18	CN-R	n/a	6	4	n/a

Hayward BART

Map ID	APN	General Plan	Density (units/ acre)	Acres	Zoning	ILR	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
629	452-0084-098-00	Commercial/High Density Residential	17.4-34.8	0.09	CN-R	n/a	3	2	n/a
Subtotal				***2.53***			***85***	***63***	
3	078C-0433-003-06	High Density Residential	17.4-34.8	0.44	RH	n/a	15	11	n/a
12	078C-0436-010-04	High Density Residential	17.4-34.8	0.44	RH	n/a	15	11	n/a
26	078C-0455-001-03	High Density Residential	17.4-34.8	0.32	RH	n/a	11	8	n/a
38	078C-0455-005-01	High Density Residential	17.4-34.8	2.45	RH	n/a	85	63	n/a
40	078C-0455-005-01	High Density Residential	17.4-34.8	2.45	RH	n/a	85	63	n/a
44	078C-0626-002-03	High Density Residential	17.4-34.8	0.18	RH	n/a	6	4	n/a
54	078C-0638-005-01	High Density Residential	17.4-34.8	0.22	RH	n/a	7	5	n/a
65	078C-0644-011-00	High Density Residential	17.4-34.8	0.15	RH	n/a	5	4	n/a
608	452-0020-006-10	High Density Residential	17.4-34.8	0.26	RH	n/a	8	6	n/a
617	452-0080-042-00	High Density Residential	17.4-34.8	0.23	RH	n/a	8	6	n/a
619	452-0080-045-01	High Density Residential	17.4-34.8	0.28	RH	n/a	9	7	n/a
Subtotal				***7.43***			***254***	***188***	
39	078C-0455-005-01	Limited Medium Density Residential	8.7-12.0	2.45	RH	n/a	29	25	n/a
Subtotal				***2.45***			***29***	***25***	
17	078C-0438-011-02	Mission Boulevard Residential	34.8-55.0	1.34	MBR	n/a	73	60	n/a
20	078C-0438-015-02	Mission Boulevard Residential	34.8-55.0	0.53	MBR	n/a	29	23	n/a
Subtotal				***1.87***			***102***	***83***	
22	078C-0441-001-16	Station Area Residential	75.0-100.0	0.68	SAR	n/a	67	59	n/a
23	078C-0441-001-17	Station Area Residential	75.0-100.0	2.20	SAR	n/a	220	192	n/a
Subtotal				***2.88***			***287***	***251***	
Total				**44.29**			**1,605**	**1,280**	

Route 238

Map ID	APN	General Plan	Density (units/acre)	Acres	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
162	415-0010-018-01	Commercial/High Density Residential	17.4-34.8	1.68	58	43	Exempt Public Agency
163	415-0010-033-05	Commercial/High Density Residential	17.4-34.8	2.66	92	69	Exempt Public Agency
189	415-0170-001-00	Commercial/High Density Residential	17.4-34.8	0.44	15	11	Exempt Public Agency
222	415-0180-075-00	Commercial/High Density Residential	17.4-34.8	0.81	28	21	Exempt Public Agency
225	415-0180-081-01	Commercial/High Density Residential	17.4-34.8	0.96	33	25	Exempt Public Agency
226	415-0180-082-01	Commercial/High Density Residential	17.4-34.8	0.93	32	24	Exempt Public Agency
227	415-0180-083-01	Commercial/High Density Residential	17.4-34.8	0.62	21	16	Exempt Public Agency
228	415-0180-084-01	Commercial/High Density Residential	17.4-34.8	0.44	15	11	Exempt Public Agency
252	415-0230-078-00	Commercial/High Density Residential	17.4-34.8	0.78	27	20	Exempt Public Agency
887	445-0210-001-01	Commercial/High Density Residential	17.4-34.8	0.41	14	10	Exempt Public Agency
Subtotal				***9.74***	***335***	***250***	
14	078C-0435-002-01	High Density Residential	17.4-34.8	0.81	28	21	Exempt Public Agency
16	078C-0435-006-00	High Density Residential	17.4-34.8	0.99	34	25	Exempt Public Agency
17	078C-0436-001-07	High Density Residential	17.4-34.8	0.72	25	18	Exempt Public Agency
22	078C-0436-010-03	High Density Residential	17.4-34.8	0.76	26	19	Exempt Public Agency
83	078C-0438-019-01	High Density Residential	17.4-34.8	5.85	203	152	Exempt Public Agency
104	078C-0455-001-07	High Density Residential	17.4-34.8	0.39	13	10	Exempt Public Agency
108	078C-0455-003-00	High Density Residential	17.4-34.8	0.47	16	12	Exempt Public Agency
109	078C-0455-004-00	High Density Residential	17.4-34.8	0.94	32	24	Exempt Public Agency
113	078C-0455-005-02	High Density Residential	17.4-34.8	0.58	20	15	Exempt Public Agency
131	078C-0626-003-16	High Density Residential	17.4-34.8	1.51	52	39	Exempt Public Agency
161	083-0460-006-03	High Density Residential	17.4-34.8	3.37	117	88	Exempt Public Agency
250	415-0230-075-00	High Density Residential	17.4-34.8	0.50	17	12	Exempt Public Agency
265	427-0026-040-00	High Density Residential	17.4-34.8	0.60	20	15	Exempt Public Agency
267	427-0026-042-00	High Density Residential	17.4-34.8	0.68	23	17	Exempt Public Agency
268	427-0026-043-00	High Density Residential	17.4-34.8	0.85	29	22	Exempt Public Agency
279	427-0036-055-01	High Density Residential	17.4-34.8	0.83	28	21	Exempt Public Agency
Subtotal				***19.85***	***683***	***510***	
1		Limited Medium Density Residential	8.7-12.0	6.18	74	55	
122	078C-0626-001-07	Limited Medium Density Residential	8.7-12.0	14.52	174	130	Exempt Public Agency
130	078C-0626-003-09	Limited Medium Density Residential	8.7-12.0	9.67	115	86	Exempt Public Agency
143	078C-0641-010-01	Limited Medium Density Residential	8.7-12.0	1.20	14	10	Exempt Public Agency
155	078C-0648-001-01	Limited Medium Density Residential	8.7-12.0	1.49	17	13	Exempt Public Agency
158	078C-0800-002-02	Limited Medium Density Residential	8.7-12.0	9.07	108	81	Exempt Public Agency
Subtotal				***42.11***	***502***	***375***	
156	078C-0800-002-02	Low Density Residential	4.3-8.7	4.39	38	28	Exempt Public Agency
157	078C-0800-002-02	Low Density Residential	4.3-8.7	14.40	125	93	Exempt Public Agency
215	415-0180-068-01	Low Density Residential	4.3-8.7	1.68	14	10	Exempt Public Agency
216	415-0180-069-01	Low Density Residential	4.3-8.7	3.03	26	19	Exempt Public Agency
229	415-0190-064-00	Low Density Residential	4.3-8.7	8.15	70	53	Exempt Public Agency
275	427-0036-033-01	Low Density Residential	4.3-8.7	2.09	18	13	Exempt Public Agency
875	445-0060-047-01	Low Density Residential	4.3-8.7	1.83	15	11	Exempt Public Agency
876	445-0120-022-01	Low Density Residential	4.3-8.7	3.12	27	20	Exempt Public Agency
877	445-0120-035-01	Low Density Residential	4.3-8.7	3.49	30	22	Exempt Public Agency
879	445-0160-038-01	Low Density Residential	4.3-8.7	3.41	29	22	Exempt Public Agency
880	445-0170-017-01	Low Density Residential	4.3-8.7	3.68	31	23	Exempt Public Agency
883	445-0170-034-01	Low Density Residential	4.3-8.7	2.61	22	17	Exempt Public Agency
Subtotal				***51.87***	***445***	***331***	
159	078C-0800-002-02	Medium Density Residential	8.8-17.4	4.68	81	61	Exempt Public Agency
230	415-0210-050-01	Medium Density Residential	8.8-17.4	1.68	29	21	Exempt Public Agency
231	415-0210-053-02	Medium Density Residential	8.8-17.4	1.31	22	17	Exempt Public Agency
868	443-0065-007-08	Medium Density Residential	8.8-17.4	6.07	105	79	Exempt Public Agency
869	445-0040-011-03	Medium Density Residential	8.8-17.4	1.46	25	19	Exempt Public Agency
870	445-0050-001-07	Medium Density Residential	8.8-17.4	10.29	179	134	Exempt Public Agency
885	445-0180-001-00	Medium Density Residential	8.8-17.4	25.90	450	337	Exempt Public Agency
886	445-0200-012-01	Medium Density Residential	8.8-17.4	3.23	56	42	Exempt Public Agency

Route 238

Map ID	APN	General Plan	Density (units/acre)	Acres	Maximum Capacity (units)	Realistic Capacity (units)	Existing Use
Subtotal				***54.62***	***947***	***710***	
77	078C-0438-010-00	Mission Boulevard Residential	34.8-55	0.85	46	38	Exempt Public Agency
78	078C-0438-011-01	Mission Boulevard Residential	34.8-55	1.26	69	56	Exempt Public Agency
80	078C-0438-013-06	Mission Boulevard Residential	34.8-55	0.84	46	37	Exempt Public Agency
81	078C-0438-014-00	Mission Boulevard Residential	34.8-55	0.62	34	27	Exempt Public Agency
Subtotal				***3.57***	***195***	***158***	
160	078C-0800-002-02	Suburban Density Residential	1.0-4.3	40.13	172	129	Exempt Public Agency
Subtotal				***40.13***	***172***	***129***	
Total				**221.88**	**3,279**	**2,463**	

Appendix E: Review of Past Accomplishments

Program		1999-2006 Objectives	Accomplishments
1. EXPAND THE HOUSING SUPPLY			
Policy 1.0: Encourage the provision of an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs of those who live or wish to live in the City.			
Strategy 1.1: Maintain an adequate supply of land designated and zoned for residential use at appropriate densities to meet housing needs consistent with the objective of maintaining a balance of land use.			
1.1.1	Jobs-Housing Balance	Ensure that there is a sufficient capacity to accommodate the dwelling units needed to maintain a jobs/housing balance by evaluating the remaining housing potential in relation to the project housing need based on population and employment forecasts. The Planning Division will monitor the demand for housing and the availability of vacant and underutilized land. If there is an insufficient amount of vacant and underutilized residentially-zoned land to support the Regional Housing Needs Determination, then the City Council will consider rezoning residential, commercial, or industrially-zoned land to appropriate residential densities.	Based on market demand, the City Council has rezoned commercially and industrially zoned land to residential districts for the following projects: • Orchard & Traynor - 80 units in 2007 • Walker Landing – 78 units in 2006 • Eden Shores 261 units 2005 ***Continued Appropriateness:*** A program is included in the 2009-2014 Housing Element to address adequate sites for the City's RHNA.
1.1.2	Increase housing potential	Identify opportunities for increased housing potential (land and/or densities) citywide in order to accommodate the citywide need for new dwelling units. The Planning Division and the Redevelopment Agency will develop Area Plans that assess the feasibility of residential development. As plans are adopted land will be rezoned as appropriate.	The South Hayward BART Concept Design Plan was adopted in 2006 and is a sub-area plan for the Redevelopment Area. This Plan allows for between 1,845 and 3,225 new housing units. Three previously unincorporated islands in the Mt. Eden neighborhood were annexed in 2007. This annexation area has the potential for 475 new units. ***Continued Appropriateness:*** A program is included in the 2009-2014 Housing Element to address adequate sites for the City's RHNA.
Strategy 1.2: Promote development of infill housing units within existing residential neighborhoods in a variety of housing types.			
1.2.1	Infill Housing	Identify potential sites on the City's map of vacant and underutilized properties. The map will be updated as potential infill sites are identified as part of the process of developing plans for Redevelopment sub-areas. Display the Vacant and Underutilized Parcel Map in the City's Permit Center for review by any developer interested in residential infill projects. At least 90 units in the Cannery Area Design Plan area will be restricted to occupancy by very low (36 units) and low-mod households (54 units). Re-issue the RFP for housing development in 2004 in	The Vacant and Underutilized Parcel Map has been available on the City's website, which is accessible in the City's Permit Center and on the City's website. 60 affordable apartments for very low-income seniors have been constructed at C Street and Grand Avenue to satisfy the inclusionary requirements of the approved tracts in the Cannery Area. In connection with the market-rate developer's inclusionary requirements for the Cannery Area, the construction of 25 to 28 more very low-income units for seniors is being considered for the corner of B & Grand. In addition, approximately $2 million is to be deposited by the developer in a Housing

Program		1999-2006 Objectives	Accomplishments
		coordination with the Hayward Unified School District to build a new elementary school.	Trust. These funds will be used for the creation of additional off-site housing affordable to low and very-low income households. As part of the Cannery Area redevelopment efforts, the Redevelopment Agency built the new Burbank School which opened in August 2008. In partial payment from the Hayward Unified School District, in July 2008 the Agency acquired a portion of the old school site. In order to sell the site to a developer for residential development, the Agency issued an RFP on May 2007, to solicit development proposals. The proposal with more variety in unit size, and strongest financial offering for the land was chosen and the developer for the site was recommended to the Agency Board who authorized staff to enter in an Exclusive Negotiating Agreement (ENA) with the developer on October 2007. Due to slowing in the housing sector, the terms of the ENA were not approved until July 2008, at which time it was executed. Staff has continued to negotiate with the developer the terms of a Disposition and Development Agreement (DDA); however, negotiations have slowed down as the national housing sector, the economy, and financial markets falter. In the interim, the Agency submitted an application to change the zoning and amend the General Plan on the site to allow for a residential development. This application was approved by the City Council in November 2008. As submitted, the development application calls for the construction of 60 detached 2 and 3 story homes for the site. Based on this, the proposal might provide nine moderate-income deed-restricted affordable units. ***Continued Appropriateness:*** The sites inventory in the Housing Element describes in detail the various areas with significant residential development potential. A program is included in the 2009-2014 Housing Element to address adequate sites for the City's RHNA.
1.2.2	Condominium Construction and Parking Standards	Planning and Building Inspection staff will apply condominium construction and parking standards to new rental housing development in order to ensure that the design of rental housing is equivalent to that of for-sale units.	This has been implemented through review of development proposals. ***Continued Appropriateness:*** This is an ongoing development review responsibility of the City. No specific housing program is included in the 2009-2014 Housing Element.

Program		1999-2006 Objectives	Accomplishments
Strategy 1.3: Encourage medium and high density residential and mixed-use development along major arterials and near major activity or transit centers.			
1.3.1	Medium and High Density Residential along Arterials and near Activity or Transit centers	Designate areas along major arterials and near major activity or transit centers for medium and high density residential development. Amend commercial zones to allow residential development above commercial uses along major arterials. In addition, encourage planned development zoning that include mixed commercial and residential uses.	By 2000, commercial zones were amended to allow for residential development above commercial uses along major arterials. On an on-going basis, Planning Division staff inform developers looking for building sites about the zoning and development potential along major arterials and encourage planned development (PD) that implements smart growth principles Staff continues to recommend pre-application meetings for residential developers. In 2003, the City's zoning and land use maps have been available on the City's website. Since 2002, multicolored citywide zoning and land use maps have been displayed in the Permit Center for all interested parties to review. Visitors to the Permit Center and callers requesting zoning information and potential development sites are encouraged to access land use and zoning maps on-line through the City's Geographic Information System (GIS). ***Continued Appropriateness:*** The sites inventory in the Housing Element describes in detail the various areas with significant residential development potential. A program is included in the 2009-2014 Housing Element to address adequate sites for the City's RHNA.
		Whenever inquiries are made about areas for potential development or whether a development concept is appropriate for a given area, Planning staff will inform those inquiring about the potential for development along major arterials.	
		In addition, staff will inform residential developers of the opportunity to have pre-application meetings with City development process staff to discuss concepts including planned development.	
		By the end of FY 2003, place the zoning and land use maps on the City's website so that they are available to all interested parties.	
		As soon as the zoning and land use maps are on the City's web site, information regarding same will be put on the government access cable television channel and callers with zoning inquiries will be encouraged to use the website.	
1.3.2	Flexible Requirements for TOD's	As appropriate, allow reductions in parking requirements for housing developments in close proximity to major transit routes (BART and express bus lines) or major activity centers.	Parking regulations have continued to allow residential developments in the Downtown area to have fewer parking spaces per unit than elsewhere in Hayward (1.5 per unit vs. up to 2.25 per unit) to encourage transit-oriented development. With the adoption of the South Hayward BART Concept Plan, two new zoning districts with *maximum* parking standards were created: Mission Boulevard Residential (MBR) allows a maximum of 1.3 parking spaces per studio or one-bedroom unit and a maximum of 1.5 spaces for units with two or more bedrooms; and Station Area Residential (SAR) allows a maximum of 1.0 parking spaces per studio or one-bedroom unit and a maximum of 1.3 spaces for units with two or more bedrooms.
		Continue to allow residential development in the Downtown to have fewer parking spaces per unit (1.5 per unit vs. up to 2.25 per unit) than elsewhere in Hayward to encourage transit-oriented development.	
		Consider changes in the City's off-street parking regulations for housing developments within ½ mile of the South Hayward BART Station to encourage transit-oriented development.	

Program		1999-2006 Objectives	Accomplishments
			Continued Appropriateness: Through the various Specific and Area Plans, the City has incorporated flexibility in development standards to encourage housing development in targeted areas. The various incentives have been outlined in the Housing Constraints section of this Housing Element. These are ongoing planning efforts and not a specific housing program.
Strategy 1.4: Explore ways to allow expansion of existing dwellings while maintaining the integrity of neighborhoods.			
1.4.1	Reduce Overcrowding	Consider reducing rear setback requirements in existing single family neighborhoods to allow owners to build additional bedrooms and bathrooms to their homes to reduce overcrowding.	Zoning Ordinance amendments are scheduled to be presented to the Planning Commission and City Council in 2009. ***Continued Appropriateness:*** The City's housing rehabilitation programs continue to allow room addition as an eligible activity to address overcrowding issues.
		If a change in the Zoning Ordinance allows expansion of existing dwellings, that information will be listed on the City's TV Channel's scrolling bulletin board. Bedroom and bathroom additions will then become eligible activity under the City's property rehabilitation programs serving lower income households.	
Strategy 1.5: Encourage developers to create residential units that accommodate varied household sizes and income levels.			
1.5.1	Mix of Housing Types	Include a mix of housing types in all new area design plans.	The South Hayward BART/Mission Boulevard Concept Design Plan, adopted in 2006, encourages a mix of high density multi-family development ranging from 17.4 to 100 units per acre. During FY 05 the City used $350,000 in CDBG, $4.5 million in HOME funds, and $1.75 million in Redevelopment Agency 20% set-aside (low-mod) funds to leverage tax credits allocated by the State for the construction of Sara Conner Ct., a 57-unit affordable development for families completed in the summer of 2006. In 2003, the Redevelopment Agency entered into a Disposition and Development Agreement (DDA) with the Olson Company for the development of Site 4, a block bounded by C and D, and Watkins and Atherton Streets in downtown Hayward. Prior to the disposition, the Agency expended a total of approximately $4.8 million in land assembly, relocation of pre-existing tenants, clearance of and environmental remediation on the site. The Olson Company then built 46 condominiums. Twenty-two of them were sold at affordable prices to moderate-income families, and deed restricted to ensure their affordability for 45 years.
		New projects financed by the City Housing Authority will contain units affordable to households at various income levels, including households at or below 50% of area median income.	
		If the City adopts and Inclusionary Ordinance, then new residential development will provide for the range of income groups specified for various development types.	

Program		1999-2006 Objectives	Accomplishments
			In 2004, the City adopted an Inclusionary Housing Ordinance in order to help increase the supply of housing that is affordable to low and moderate-income households. The Ordinance requires that fifteen percent (15%) 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. The ordinance provides that developers may comply with the requirements of the Ordinance through alternative means such as providing units off-site, pay an in-lieu fee or a combination of both as long as the chosen alternatives will further affordable housing opportunities in the City to a greater extent than construction of the required units within the proposed development. Based on the above Ordinance provision and in order to comply with their inclusionary requirements, developers have provided significant assistance to Eden Housing, Inc. (Eden) to facilitate the construction of off-site affordable housing developments. On one, Eden Housing, Inc. (Eden) received cash and land from three market-rate developers for the construction of Saklan Family Housing, a 78-unit complex affordable to very low and extremely low-income families. The assistance from the developers included the environmental cleanup of the site, where a pickle plant used to be located. The City issued tax-exempt multifamily revenue bonds in the amount of $13.68 million, which along with low-income tax credits, were the primary financing for the development. Saklan Housing, which was renamed Walker Landing apartments, was completed in the early spring of 2008. Eden also received assistance from a market-rate developer for the construction of C & Grand Senior Housing, a 60-unit development affordable to very low-income seniors. The assistance consisted of cash and environmental clean up of the site which was acquired by Eden for one dollar ($1) from the market-rate developer. The City's Redevelopment Agency also provided a $507,000 low-mod funds loan to cover for costs associated with foundation upgrades on the site. C & Grand (Hayward) Senior Housing was completed and fully occupied in the spring of 2008.

Program		1999-2006 Objectives	Accomplishments
			To this date, the City has entered into Inclusionary Housing Agreements with two market-rate developers, which have already sold almost 20 resale-restricted homes at affordable prices to moderate-income households. As a result, and if market conditions allow, a total of 48 units will be available at affordable prices to moderate-income families when the two developments are completed. Also, in connection with the inclusionary obligations of the Cannery Area developer, the construction of 25 to 28 additional very low-income apartments for seniors is being considered for the corner of B & Grand, a site that will be donated by the market-rate developer. Additionally, approximately $2 million will be deposited in a Housing Trust for the creation of additional off-site housing affordable to low and very-low income households in connection with the developers' inclusionary requirements. The City has continued to process applications for residential developments from market-rate developers and to enforce the Inclusionary requirements. Therefore, it is expected that the Ordinance will continue to facilitate the creation of affordable housing units. Three major development proposals triggering inclusionary requirements are currently being considered. As part of the Cannery Area redevelopment efforts, the Redevelopment Agency built the new Burbank School which opened in August 2008. In partial payment from the Hayward Unified School District, in July 2008 the Agency acquired a portion of the old school site. In order to sell the site to a developer for residential development, the Agency issued an RFP on May 2007, to solicit development proposals. The proposal with more variety in unit size, and strongest financial offering for the land was chosen and the developer for the site was recommended to the Agency Board who authorized staff to enter in an Exclusive Negotiating Agreement (ENA) with the developer on October 2007. Due to slowing in the housing sector, the terms of the ENA were not approved until July 2008, at which time it was executed. Staff has continued to negotiate with the developer the terms of a Disposition and Development Agreement (DDA); however, negotiations have slowed down as the national housing sector, the economy, and

Program		1999-2006 Objectives	Accomplishments
			financial markets falter. In the interim, the Agency submitted an application to change the zoning and amend the General Plan on the site to allow for a residential development. This application was approved by the City Council in November 2008. As submitted, the development application calls for the construction of 60 detached 2 and 3 story homes for the site. Based on this, the proposal might provide 9 moderate-income deed-restricted affordable units. In January 2008, the Agency Board authorized the Executive Director to enter into an Exclusive Negotiating Agreement (ENA) a developer to evaluate the feasibility of various development options for the City Center Campus site, which encompasses a 11-story, former City Hall office building, a City-owned Centennial Hall and a parking structure. In May 2008, the ENA was finalized and in early June 2008, the developer submitted an application to remodel the 11-story office building, construct a six-story hotel and a modern conference center on the City-owned Centennial Hall, and develop 162 rental apartments above a City-owned parking structure. During the summer of 2008, the developer closed escrow, took possession of the 11-story office building, and conducted various engineering, geological, and environmental studies to determine the requirements and feasibility of redeveloping the Site. City staff has had preliminary conversations with (CSUEB) about the possibility of their involvement in this project - some portion of the proposed housing may be set aside for California State University East Bay CSUEB faculty. In order to meet the inclusionary requirements, 15% of the apartments (about 25 based on the initial proposal) will have long-term affordability restrictions. Another significant development proposal was submitted at the end of 2008 to redevelop the South Hayward BART parking areas with a mixed-use retail, condominium and apartment development encompassing approximately 64,700 square feet of retail and approximately 770 market-rate housing units. In order to comply with the City's Inclusionary Housing Ordinance and Agency's overall affordable housing production requirement, the developer has partnered with Eden to develop 125 rental

Program		1999-2006 Objectives	Accomplishments
			apartments affordable to low-income households. To ensure competitiveness of the proposal for funding from State programs, approximately 30% of the affordable units are proposed to be 3 bedrooms. The precise unit mix and affordability levels has not been determined yet. However, Eden anticipates that rents will range between 30% and 60% of AMI and estimates that it will require at least a $4.5 million of local gap financing to match the primary source of financing which has not yet been identified. To further enhance the competitiveness of the project for Prop 1C funds, the market-rate developer and Eden are studying the feasibility of adding 81 affordable housing units for seniors to the development proposal. ***Continued Appropriateness:*** The 2009-2014 Housing Element includes programs to promote a variety of housing types through zoning provisions/land use controls (e.g. emergency shelters, transitional housing, supportive housing, and single-room occupancy housing). The 2009-2014 Housing Element also includes a program to explore the use of Universal Design Principles in order to expand housing opportunities for persons with disabilities.
2. CONSERVE THE HOUSING STOCK			
Policy 2.0: Ensure the safety and habitability of the City's housing units and the quality of its residential areas.			
Strategy 2.1: Maintain and upgrade residential areas through abatement of nuisances and provisions of needed public improvements.			
2.1.1	Community Preservation Ordinance	Continue to implement the City's Community Preservation (CP) Ordinance and revise it to make the Ordinance more comprehensive and easier to enforce. Continue to enforce the Building, Housing, Mechanical, Electrical, Plumbing and Fire Codes to ensure decent, safe and sanitary housing.	In 2003, an Administrative Citations Ordinance was adopted by the City. This ordinance makes violations of City Codes subject to an administrative citations process that is designed to speed and improve enforcement efforts. On February 3 and 17, 2009, the City Council is scheduled to review and adopt revisions to the Hayward Community Preservation and Improvement Ordinance, and to the Hayward Residential Rental Inspection Ordinance, designed to enhance the City's code enforcement policies and procedures. Additionally, effective July 1, 2008, as part of the City's re-organization, adoption of City Council Priorities, and launching of new City Initiatives, the City's new Library and Neighborhood Services Department has taken the lead in coordinating the new Neighborhood Partnership Program. This innovative community organizing effort effectively brings City Hall

Program		1999-2006 Objectives	Accomplishments
			into Hayward's neighborhoods. Over a series of meetings the Mayor, the City Manager's Office, the City Attorney's Office, and high ranking City officials from the City's service Departments meet with Hayward residents in their neighborhoods to learn about current community concerns. A neighborhood Action Plan is created based on the information provided by residents; each Action Plan specifies which City Official and Department will take direct responsibility for addressing the respective concerns raised. Where possible, residents are encouraged to partner with the City (and other local government and community organizations where applicable) to address the concerns that are raised. To this end, each neighborhood is encouraged to, and is provided technical support in, developing a neighborhood organization that will take on the primary responsibility for identifying and addressing local issues on an ongoing basis in partnership with the City. ***Continued Appropriateness:*** Code enforcement is included in the 2009-2014 Housing Element as a housing program.
Strategy 2.2: Maintain and upgrade the housing stock by encouraging the rehabilitation, maintenance and upkeep of residential properties. Maintain a supply of various types of rental housing for those who do not have the desire or the resources to purchase homes.			
2.2.1	Property Rehabilitation	Implement property rehabilitation programs that assist low-income households by facilitating minor home repairs, accessibility repairs, and substantial rehabilitation.	The City spends more than $800,000 each year in CDBG funds on property rehabilitation projects. In addition, the City has provided financing to and partnered with affordable housing developers to preserve and rehabilitate affordable and market-rate rental developments. The latter have been restricted to be occupied (wholly or in part) by low and very-low income households. The main source of funding has been tax-exempt mortgage revenue bonds. In all or most of the projects the City acted as issuer of the bonds but other sources of funding were also used (including low-mod and HOME funds) to provide a local gap. On October of 2005, the City issued bonds to finance the acquisition of Las Casitas by Citizens Housing Corporation. Citizens restricted the 61-unit development for occupancy by low-income households. Citizens have performed routine repairs and plans to perform an overall rehabilitation of the property in the future. On December of 2005, $15 million in revenue bonds were issued by the City to finance the rehabilitation of Josephine Lum Lodge, a 150-unit

Program		1999-2006 Objectives	Accomplishments
			apartment complex affordable to very-low income seniors. The rehabilitation of this development was completed in the summer of 2007. On July, 2004 and on May, 2005, the City issued mortgage revenue bonds in the amount $10.655 million and $13.915 million, respectively to finance the rehabilitation and preserve the affordability of Lord Tennyson Apartments, a 252-unit apartment complex affordable to low and very-low income families. Lord Tennyson apartments became a good example of how a property can undergo a major renovation and maintain its affordability. In 2007, Lord Tennyson was one of the overall winners in the Affordable Housing Finance Readers' Choice Awards. The rehabilitation of this development took about 18 months. On October, 2007 the City issued $8.4 million in mortgage revenue bonds for the acquisition by Pacific Associates of The Majestic, an 81-unit market-rate multifamily complex. The bonds financed the rehabilitation of the property which included a seismic retrofit due to a soft story condition. With the rehabilitation work which (completed at the end of 2008) and the bond financing, the long-term affordability of the property for low and very-low income families was guaranteed. Other financing used for the acquisition and rehabilitation of The Majestic were low-income tax credits and a $750,000 Redevelopment Agency low-mod funds loan to pay some of the costs associated with the seismic retrofit. In the summer of 2007, the Redevelopment Agency approved the allocation $250,000 in low-mod funds for Villa Springs, a 66-unit affordable housing development for families. The low-mod funds provided as a 55-year soft loan were used for the replacement of the roof and other minor but urgent repairs that could not wait for the approval of State financing (including bonds, tax credits, and other financing) for the substantial rehabilitation the property. The rehabilitation is expected to be completed during the first part of 2009. In the fall of 2006 the City provided $840,000 in HOME funds for the rehabilitation of Huntwood Commons Apartments, a 40-unit apartment complex affordable to low and very low-income families. The federal HOME funds were leveraged by a $45,000 grant from the Cowell Foundation and a $175,500 soft loan from the City. The latter funds were from a Proposition 46 program that rewarded jurisdictions for the creation

Program		1999-2006 Objectives	Accomplishments
			of new affordable housing homes. City funds paid for new roofs and gutters, lighting improvements, correction and repair of the property's irrigation systems, purchase and installation of a new children's playground, repair and roofing of trash enclosures, and other interior and exterior improvements. In the summer of 2001, the City issued $6.45 million in mortgage revenue bonds to finance the rehabilitation of Tennyson Gardens, a 96-unit apartment complex affordable to low and very-low income families. The City also provided a $800,000 HOME loan to leverage the bond loan. ***Continued Appropriateness:*** The City recognizes the importance of improving its existing housing stock. Rehabilitation programs are included in the 2009-2014 Housing Element.
Strategy 2.3: Continue to implement the Residential Rental Inspection Program and explore whether changes are needed to maintain a quality housing stock.			
2.3.1	Habitability of Rental Units	Continue to inspect residential buildings and require correction of deficiencies. Revise the Residential Inspection Ordinance to improve habitability and compliance. Inspect individual units as complaints are received. Conduct "spot checks" for approximately 10% of the housing units in non-focus areas every 3.5 years.	The Residential Rental Inspection program was revised in 2003 to focus on the areas that have the highest percentage of rental housing. The turn-around time was shortened from 5-7 years to 3.5 years for these areas. Complaints are addressed as they are received. ***Continued Appropriateness:*** The City continues to offer the Rental Inspection program. This program is included in the 2009-2014 Housing Element.
3. SUPPORT OWNER-OCCUPIED HOUSING			
Policy 3.0: Encourage the development of ownership housing and assist tenants to become homeowners in order to reach a 70% owner-occupancy rate, within the parameters of federal and state housing law.			
Strategy 3.1: Provide down payment and closing cost assistance loans in order to encourage homeowners opportunities. Conduct first-time homebuyer workshops to prepare people for homeownership. Engage in periodic outreach to Hayward renters to inform them about the availability of homeownership workshops and other forms of assistance.			
3.1.1	First Time Homebuyer Program	Continue to operate the City's first time homebuyer program. Change loan amounts and terms in accordance with changes in the housing market to better assist eligible homebuyers. Conduct at least 18 first time homebuyer workshops each year, including four in Spanish. Coordinate 12 Hayward Lender's Round Table,	The City continued to operate the First-Time Homebuyer Program, providing a maximum of 25 loans during the first part of the planning period and a total of approximately $370,000 in low-mod funds for down payment assistance for first-time homebuyers. Also, during this period, a full-time homeownership coordinator administered the Program and the City conducted homebuyer and industry professional seminars. During the peak of the housing boom when low housing inventories, high

Program		1999-2006 Objectives	Accomplishments
		networking with local real estate professionals, title companies and lenders. Make presentations to community groups about the Hayward First-Time Homebuyers Program. Counsel potential homebuyers about credit and other issues.	prices, and 100% mortgage financing were common, only an average of five loans per year were issued. Due to the decrease in program activity, the homeownership coordinator position was eliminated and rather than conducting homebuyer and industry professionals seminars itself, the City partnered with several area organizations to provide homebuyer seminars and credit counseling services, and participated in real estate and lending industry professionals workshops organized by the Bay East Realtors Association. More recently, with the national housing and mortgage crisis and the virtual disappearance of one hundred percent financing, the demand for City loans has increased again. During FY 08, the Agency took in 14 applications and completed 11 loans, most of them to homebuyers who bought Inclusionary Housing Program (below-market rate, BMR) homes. Staff expects to make 20 to 25 First-Time Homebuyer loans in FY 09 and funding for the Program was increased from $340,000 to $500,000 in anticipation to a likely increase of the loan amounts which staff will recommend to Council in February of 2009. Due to the increase in program activity, in the fall of 2008 the City hired Bay Area Homebuyer Agency (BAHBA) to provide first time homebuyer services, including: • Develop a Program Policies and Procedures Manual for both the first-time homebuyer and the BMR programs • Conduct seminars to educate homebuyers about the Hayward programs and the home-buying process • Market Hayward's homebuyer programs and maintain a database of potential homebuyers • Conduct outreach workshops for real estate, lending, and mortgage industry professionals about Hayward homebuyer programs • Provide homebuyer and credit counseling services to prospective first-time homebuyers in Hayward • Screen, pre-qualify, and underwrite homebuyer program participants • Process refinance requests of first mortgage loans from program participants • Process re-sales of BMR homes, and screen and qualify

Program		1999-2006 Objectives	Accomplishments
			prospective buyers of resale BMR homes. ***Continued Appropriateness:*** This program is included in the 2009-2014 Housing Element. The City will be restructuring the First-Time Homebuyer Program to enhance its effectiveness.
Strategy 3.2: Develop monitoring programs to assess the potential cumulative effects of these homeownership programs.			
3.2.1	Homeownership Monitoring	Continue to monitor the cumulative effects of homeownership program on the overall housing stock in Hayward.	Advance Planning staff monitors these impacts as part of the General Plan annual review. ***Continued Appropriateness:*** City staff continues to monitor market trends in order to effectively implement various City housing programs. A new program relating to foreclosures is included in the 2009-2014 Housing Element in response to the current market conditions.
4. DEVELOP AFFORDABLE HOUSING			
Policy 4.0: Ensure that the City's housing stock contains an adequate number of decent and affordable units for households of all income levels.			
Strategy 4.1: Generate housing affordable to low and moderate-income households through participation in federal and state housing subsidy and mortgage bond programs and in county or non-governmental programs.			
4.1.1	Generate New Affordable Housing	Continue to utilize the Tax-Exempt Multifamily Mortgage Revenue Bond program, Low Income Tax Credits and all other sources of federal, state and local financing to create affordable housing. Assist residential developers by providing them with information, materials and financing needed to compete successfully for state and federal funds. Assist developers by applying for financing when applicable.	In the FY 2003 budget, the City provided CDBG pre-development funds to Eden Housing Inc. (EHI) to develop a 50-75 unit affordable housing project for lower income families. See 1.5.1 ***Continued Appropriateness:*** A program is included in the 2009-2014 Housing Element to provide incentives for affordable housing development.
4.1.2	Rent Subsidies	Continue to contract with the Alameda County Housing Authority to operate the Section 8 program in Hayward.	The Housing Authority of the County of Alameda administers the Section 8 Housing Choice Voucher program. ***Continued Appropriateness:*** This program continues to be a significant housing resource for very low and extremely low income households. This program is included in the 2009-2014 Housing Element.
Strategy 4.2: Periodically review the City's development process system to reduce delays or impediments to the development of new housing or the acquisition and/or rehabilitation of existing housing.			
4.2.1	Improve Development Process	Regularly evaluate the City's development proves to improve its efficiency and effectiveness.	The City Manager, Fire Department, Public Works and the Planning and Building Divisions of the Community and Economic Development Department met quarterly to evaluate the City's development process to improve its efficiency and effectiveness. Permit processing times were tracked for consistency and timeliness.

Program		1999-2006 Objectives	Accomplishments
			Also, in 2008, the City hired a consultant to review and provide recommendations for improvement of the Building Division's permit processing. ***Continued Appropriateness:*** The City continues to improve its development process. However, this is not included in the 2009-2014 Housing Element as a separate housing program.
Strategy 4.3: Consider an inclusionary zoning ordinance as a means of increasing the supply of affordable housing and reducing geographic concentration.			
4.3.1	Inclusionary Zoning Ordinance	Prepare an inclusionary zoning ordinance that requires new residential development to provide a minimum number of moderate, low and very low-income units.	In 2004, the City adopted an Inclusionary Housing Ordinance in order to help increase the supply of housing that is affordable to low and moderate-income households. The Ordinance requires that fifteen percent (15%) 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. ***Continued Appropriateness:*** The City continues to implement the Inclusionary Housing Ordinance. This program is included in the 2009-2014 Housing Element. An objective of this program is to modify requirements to respond to the current market conditions.
Strategy 4.4: Review any proposed disposition of surplus public land within the City limits to determine its suitability as a site for low-income housing.			
4.4.1	Increase Sites Available for Low Income Housing	Continue to review any proposed disposition of surplus public land within the City limits. Where consistent with adopted land use plans and standards, make proposals for assisted the highest priority.	These objectives are accomplished on a regular basis. ***Continued Appropriateness:*** A program is included in the 2009-2014 Housing Element to address adequate sites for the City's Regional Housing Needs Assessment, including sites feasible for lower income housing.
		Review the City's surplus property list on a quarterly basis to identify sites.	
		Identify site for affordable housing as sites are entered on the list.	
		Review notices of surplus property of other agencies to identify available sites.	
Strategy 4.5: Use Redevelopment Agency resources to generate affordable housing within the Redevelopment Project Area and throughout the City, consistent with State law.			
4.5.1	Housing Fund Leveraging	Leverage additional funds for the development of housing for very low, low and moderate-income residents.	See 1.5.1 and 2.2.1 ***Continued Appropriateness:*** This is not considered a separate housing program in the 2009-2014 Housing Element.
4.5.2	Low/Mod	Spend Low/Mod Fund monies to assist moderate, low	See 1.5.1 and 2.2.1

Program		1999-2006 Objectives	Accomplishments
	Funds	and very low income households in the same ratio as units for those households were allocated through the Regional Housing Needs Allocation.	Between 2005-2009, $417,000 in Low/Mod funds were used to support home ownership opportunities for 50 households in the City. An additional $3,472,000 in Low/Mod funds were spent on the development of affordable housing, including the Sara Conner, C & Grand Villa Springs, and The Majestic projects. ***Continued Appropriateness:*** Redevelopment Low/Mod Fund is a funding source, not considered a separate housing program in the 2009-2014 Housing Element.
		Monitor the Low/Mod Fund to ensure that expenditures from this fund during a ten year period to serve the proportion of very low, low and moderate-income households as Hayward's allocation under the Regional Housing Needs Determination.	
		The first priority for the use of Low/Mod Fund monies is in the Redevelopment Area, particularly for "Gap financing" of affordable housing on Site 4 and in the Cannery Area.	
		Review expenditures from the Low and Moderate-Income Housing Fund annually to determine the percentage of funds spent on each income group and plan adjustments as necessary.	
5. SUPPORT "SPECIAL NEEDS" HOUSING			
POLICY 5.0: Ensure that special needs households have a variety of housing units from which to choose and that the emergency housing needs of Hayward households are met.			
Strategy 5.1: Analyze the special housing needs of the elderly, the disabled, female headed households, large families and homeless persons and families as required by State law.			
5.1.1	Special Needs Residents	Work with developers of affordable housing to ensure that the special needs of the identified groups are met.	Neighborhood and Economic Development staff analyzed the 2000 Census data and identified special housing needs. It was determined that the development of housing that supports special needs residents is most effectively undertaken as a region-wide activity. Thus, the City of Hayward, in partnership with the other local jurisdictions in Alameda County and the Alameda County Continuum of Care Council (now defunct), established the County-wide Homeless and Special Needs Housing Plan (aka, the Plan). In addition to the County of Alameda and the cities in the county, agencies that participated in the development of the Plan included CRIL and the homeless shelters located in Hayward. In the fall of 2006, the Hayward City Council endorsed the Plan. The Plan included recommendations for reorienting and expanding housing-related services for vulnerable special needs populations. Generally, the recommendations reflected a desire to link affordable housing with support services to maintain housing (e.g., mental health services, case management, addiction recovery services, childcare, etc.).
		Review 2000 Census data to determine the types of special needs of Hayward residents.	
		In FY 2003, discuss this data with CRIL, homeless shelters and other agencies that serve special needs households to determine whether their programs meet the identified needs and whether any program changes are needed.	

Program		1999-2006 Objectives	Accomplishments
			Continued Appropriateness: Several programs are included in the 2009-2014 Housing Element to address housing for persons with special needs.
Strategy 5.2: Promote emergency housing programs that prevent or relieve homelessness.			
5.2.1	Support Special Needs Housing	Utilize available resources to support emergency shelters, transitional housing and support services which directly benefit homeless households. Provide information to local nonprofit organizations that serve homeless, informing them about the availability of and process for obtaining grants from CDBG and Social Services funds, annually. Monitor programs to ensure that those in need are being served appropriately.	In FY 2003, the Neighborhood and Economic Development Division participated in the Alameda County homeless count. The City utilizes its CDBG and General Fund monies to fund services in three homeless shelters, one transitional housing development, one full-time housing case manager, two food programs for the homeless, one program providing court support for survivors of domestic violence, and one information and referral telephone line for homeless and low income households. Beginning in FY 07-08, the City provided funding for a transitional housing program that serves young adults who are "aging out" of foster care. ***Continued Appropriateness:*** Several programs are included in the 2009-2014 Housing Element to address housing for persons with special needs.
5.2.2	Prevent Homelessness	Assist programs that assist households to retain their housing.	The City funds and provides technical assistance to the following homelessness prevention programs: • ECHO's fair housing counseling, rental assistance, and landlord tenant programs; • CRIL's housing counseling for people with disabilities; and • Eden's I&R's CHAIN Line (for affordable housing information). In addition to the services mentioned above, the City provides funding to the Alameda County Community Food Bank, to bring protein and calorie rich foods to each of the homeless shelters located in Hayward. Additionally, funding is provided to the South Hayward Food Pantry, which provides emergency supplies of food to low-income families. ***Continued Appropriateness:*** Preservation of at-risk housing, foreclosure prevention, and provision of rental assistance and affordable housing all help prevent homelessness. These programs are included in the 2009-2014 Housing Element.
5.2.3	Zoning for Homeless Shelters	Monitor and evaluate the impact of Hayward's zoning requirements for homeless shelters and, if necessary, revise the process to facilitate shelter development. Review the impact of Hayward's zoning and development process for homeless shelters to identify any impediments to shelter development. If the	The City's Zoning Ordinance currently allows homeless shelters in the General Commercial (CG) zoning district with the approval of a Conditional use Permit. No homeless shelters have been proposed since the adoption of the last Housing Element.

Program		1999-2006 Objectives	Accomplishments
		requirements are creating impediments to shelter development, staff will propose changes to the Zoning Ordinance.	***Continued Appropriateness:*** Per current State law, the City will amend the Zoning Ordinance to allow homeless shelters without a use permit in at least one zoning district. This program is included in the 2009-2014 Housing Element.
		Participate in the review of homeless shelter projects to ensure that the project developer is proposing a sound program, has met with community residents to obtain support and understands the planning and building process.	
Strategy 5.3: Promote the development of permanent affordable housing units for those defined as special needs households.			
5.3.1	Enforce Uniform Building and Housing Codes	Plan Check staff will review plans to ensure that Title 24 requirements are met.	On-going ***Continued Appropriateness:*** This is not considered a separate housing program in the 2009-2014 Housing Element.
		Rental Housing Inspectors inspect rental units on a continuous basis for code violations and require repairs as needed.	On-going ***Continued Appropriateness:*** This program is included in the 2009-2014 Housing Element.
5.3.2	Assistance to Disabled Residents	Assist persons with disabilities to locate suitable units.	The City funds CRIL's housing counseling staff on an annual basis to assist people with disabilities to locate suitable units. The City also funds Eden I&R's CHAIN Line which provides information to tenants and case managers about low rent apartments that may be available and lobbies landlords to accept tenants with disabilities. The City provides funding to ECHO's Fair Housing Counseling program, which provides education and support to tenants and landlords, so that reasonable accommodations may be achieved, and discriminations minimized. The City administers a Paratransit program (transportation for people whose disabilities prevent them from using conventional public transportation). The basic service is a door-to-door program, taking clients to medical appointments, grocery stores, pharmacies, and other locations that maintain clients' ability to live independently. Early in the current fiscal year, a shuttle service was launched, providing weekday group trips to community centers, the library, entertainment venues, etc. ***Continued Appropriateness:*** Several programs intended to assist persons with disabilities are included in the 2009-2014 Housing Element.

Program		1999-2006 Objectives	Accomplishments
5.3.3	Encourage Development of Large Multi-Family Units	Encourage developers to build three bedroom units in multifamily rental projects and four and five bedrooms in single family residential projects. Require developers of affordable rental projects to build developers where at least 40% of the units are three bedrooms.	While it has not been a City requirement to provide affordable units of three or more bedrooms, many State and federal housing programs place such a requirement on the funding application. As a result, several housing developments in the City offer larger units suitable for family living. ***Continued Appropriateness:*** This is not considered a housing program in the 2009-2014 Housing Element.
5.3.4	Accessibility Repairs and Improvements	Fund residential accessibility repairs and improvements for tenants and homeowners with disabilities. Continue to operate residential rehabilitation programs on an annual basis. Assist at least five properties with accessibility repairs annually.	Then City administers two housing rehabilitation programs ($925,000 per year), both of which provide accessibility modifications and improvements for people who have disabilities, or seniors who have developed mobility impairments due to age. Examples of rehabilitation activities include the installation of grab bars, ramps, retrofitted bathroom facilities, etc. Each year approximately 70 grants are made, and up to 20 below-market-rate, deferred loans are made through the programs. In addition to the above activities, the City has made accessibility improvements to neighborhood facilities that provide support to people who have disabilities, including the Hayward Senior Center, and two homeless shelters, and a major rehabilitation of CRIL, the independent living center for the Hayward area. ***Continued Appropriateness:*** The City continues to offer assistance for accessibility improvements through its housing rehabilitation programs. These programs are included in the 2009-2014 Housing Element.
6. PROMOTE FAIR HOUSING			
Policy 6.0: Promote equal access to housing by educating city residents about fair housing and lending laws.			
Strategy 6.1: Promote the dissemination of information to alert homeowners about predatory lending practices.			
6.1.1	Predatory Lending	Encourage non-profit organizations that provide fair housing services and senior citizens to disseminate information about predatory lending practices.	The City's Homeownership Coordinator (and now Bay Area Home-Buyer Agency (BAHBA) under contract with the City) discusses predatory lending practices with participants in the First Time Homebuyer Workshops. BAHBA partners with non-profit organizations such as Operation HOPE to provide budgeting, credit and predatory counseling to prospective Hayward first-time homebuyers. The City's Homeownership Consultant holds two meetings each year with realtors and lenders in the Hayward Lender's Roundtable to ensure that none of the participants engage in predatory lending activities.

Program		1999-2006 Objectives	Accomplishments
			Continued Appropriateness: Two programs are included in the 2009-2014 Housing Element to address foreclosure issues.
Strategy 6.2: Work with Bay East Association of Realtors and others to ensure that residential real estate agents and brokers adhere to fair housing laws and regulations. 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.			
6.2.1	Housing Discrimination Prevention	Continue to fund fair housing activities.	The City funds ECHO (a HUD-approved counseling organization) to provide fair housing services, investigate complaints, identify housing discrimination practices and develop effective techniques to eliminate housing discrimination. The City also funds ECHO to conduct an annual fair housing audit of at least 20 rental properties in Hayward.
Strategy 6.3: Review the Residential Rent Stabilization Ordinance and other City Ordinances to identify changes, as appropriate.			
6.3.1	Update Rental Housing Policies	Review City ordinances pertaining to rental housing and recommend changes as appropriate. Continue to conduct a rental housing work group with tenant, landlord, nonprofit housing developer representatives and City staff to make recommendations on ordinance changes.	In FY 2003, the City Council adopted an updated Residential Rent Stabilization Ordinance. In 2004, the City Council adopted Ordinance 04-05, which amended the Mobilehome Space Rent Stabilization Ordinance by adding a "Meet and Confer" requirement for resolving disputes. In 2005, the City Council adopted Ordinance 05-12, which amended the Mobilehome Space Rent Stabilization by adding a non-eviction provision and removed the trust provision so that mobilehome residents no longer have to pay any space rent increase until a hearing officer has made a decision regarding the validity of the proposed increase. In 2008, the City Council adopted Ordinance 08-12, which amended the Mobilehome Space Rent Stabilization Ordinance by removing the "Alternate Dispute Resolution" procedure from the Ordinance and leaving the "Meet and Confer" as the sole process for resolving space rent disputes. ***Continued Appropriateness:*** The City continues to implement the Rent Stabilization Ordinance for mobilehome parks. No specific action is anticipated in the 2009-2014 Housing Element.
Strategy 6.4: 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. Promote training of tenants in the requirements of Federal, State and local laws so that they are aware of their rights and obligations.			
6.4.1	Fair Housing	Educate owners, managers and tenants about fair	The City provides annual funding (approximately $43,000 in 2007) to

Program		1999-2006 Objectives	Accomplishments
	Education	housing. Contract with non-profit organizations that provide fair housing services to promote and conduct education programs, produce educational materials in at least four of the languages spoken by Hayward residents and conduct counseling sessions with Hayward residents on fair housing issues.	ECHO Housing, an area non-profit organization, to conduct fair housing activities including an annual audit, tests, investigation of complaints and fair housing seminars ***Continued Appropriateness:*** The City continues to offer fair housing services. This program is included in the 2009-2014 Housing Element.
6.4.2.	Multifamily Management Assistance Program (MMAP)	Participate with the Rental Housing Owners Association (RHO) in the implementation of the MMAP for property managers in Hayward.	This program is not a primary City responsibility and was not accomplished during the planning period. ***Continued Appropriateness:*** This program is not included in the 2009-2014 Housing Element.
7.0 PRESERVE ASSISTED HOUSING			
Policy 7.0: Avoid the loss of assisted housing units and the resulting displacement of low income residents by providing funds to non-profit developers to be used for the acquisition of at-risk subsidized housing developments at-risk of converting to market rate.			
Strategy 7.1: Monitor at-risk projects/units.			
7.1.1	At-Risk Project Inventory	Identify and maintain an updated inventory of at-risk projects.	The City has updated its inventory and has identified the expiration dates of the affordability restrictions associated with each affordable housing property in Hayward. ***Continued Appropriateness:*** This program is included in the 2009-2014 Housing Element.
7.1.2	Preserve Affordable Units	Ensure that residential developments with affordability restrictions that have been preserved through government action are well-managed, maintained and operated in accordance with local, state and federal regulations. Monitor rent-restricted residential developments that have been acquired by non-profit or for-profit entities to ensure that commitments to tenants have been kept and properties are well managed.	The City has ensured that developments are well-managed in accordance with all local, state and federal regulations, such as the monitoring of HOME-assisted units, which requires program compliance reviews and physical inspections to ensure the units meet federal housing quality standards (HQS). In September of 2008, the City hired a Community Programs Specialist, in the Redevelopment Division. Among the responsibilities of the person in the position are the monitoring of the all the City-funded affordable housing developments, including developments that have received HOME, RDA, and tax-exempt bond loans or grants. The Specialist duties include the verification of income for qualifying new tenants and their annual recertification, as well as on-site inspections of properties to ensure that program guidelines are being followed and maintenance and HQS standards are observed. ***Continued Appropriateness:*** Monitoring of deed restrictions on

Program		1999-2006 Objectives	Accomplishments
			affordable housing units is included in the 2009-2014 Housing Element.
Strategy 7.2: Whenever feasible, assist non-profit housing developers with the acquisition of rent-restricted residential developments are at-risk of conversion to market-rate rents.			
7.2.1	Preserve Restricted Units	Encourage the sale or transfer of rent-restricted residential developments to non-profit organizations who will agree to maintain the affordability restrictions for the life of the project.	The City has encouraged, to the extent possible, the preservation of affordability restrictions, however, there are two properties with where the owners have opted to not continue the restrictions. One was converted to market-rate rental units and the other to market-rate condominiums. ***Continued Appropriateness:*** This program is integrated with the overall program to preserve at-risk housing.
		Monitor and respond to any Notice of Intent or Plan of Action that may be filed with the US Department of Housing and Urban Development for existing rent-restricted developments and recommend possible action to preserve and extend affordability restrictions; actively participate in the plan of action process.	
		When feasible, finance the acquisition of existing rent-restricted developments through the issuance of mortgage revenue bonds.	
Strategy 7.3: Participate in federal, state or county initiatives to address the preservation of rent-restricted developments at-risk of converting to market rate.			
7.3.1.	Pursue alternative funding	Participate in federal, state or local initiatives and programs designed to preserve affordable housing.	At the end of 2005, City Council approved a $200,000 HOME loan to Eden Housing, Inc. to acquire the 99.99% ownership interest in the tax credit partnership which is required to be formed by the limited partner (the tax credit investor) owns 99.99% of the interest in the property, and the general partner who owns merely a .01% interest. By acquiring 99.99% of the partnership, Eden became both the general partner and the limited partner, therefore becoming the sole owner of the Property. Eden's exercising of the Option to Purchase the property ensured that the property continued to be owned by a non-profit public benefit corporation qualified to own and operate affordable housing. The Option to Purchase Agreement whereby Eden could purchase the property for $400,000 in 2006 or 2007 from the limited partner was about to expire. The other part of the purchase amount was provided by Eden and a non-profit organization. Eden plans to rehabilitate the property upon new tax credit syndication. ***Continued Appropriateness:*** This program is integrated with the overall program to preserve at-risk housing.
		Assess the feasibility of initiatives and programs for preserving at-risk rent-restricted housing as they are proposed.	
Strategy 7.4: Extend the duration of rent-restrictions for existing affordable residential developments.			
7.4.1	Work with	Encourage owners of existing rent-restricted	No project was converted to market-rate housing due to expiration of deed

Program		1999-2006 Objectives	Accomplishments
	Property Owners	residential developments to preserve and extend duration of rent restrictions.	restrictions. ***Continued Appropriateness:*** This program is integrated with the overall program to preserve at-risk housing.
Strategy 7.5: Work with Alameda County Housing Authority to obtain Section 8 Vouchers for tenants who are displaced from rent-restricted residential developments that are at-risk of converting to market rate.			
7.5.1	Section 8 Voucher Program	Working in conjunction with Alameda County Public Housing Authority, establish procedures to provide Section 8 Vouchers to tenants displaced from projects converting to market rate rents and to residents of projects that are being preserved for long-term affordability.	No project was converted to market-rate housing due to expiration of Section 8 contracts. ***Continued Appropriateness:*** This program is integrated with the overall program to preserve at-risk housing.

Appendix F: Comments on Draft Element

Seventh Step Foundation, Inc.

ADMINISTRATION OFFICE
475 Medford Avenue
Hayward, CA 94541

(510) 278-0230
FAX: (510) 278-4525
Email: Seventhstep@comcast.net

March 24, 2009

Erik Pearson, AICP
Senior Planner
City of Hayward
777 B Street
Hayward, CA 94541
Erik.pearson@hayward-ca.gov

RE: 2009 - 2014 Housing Element DRAFT

Dear Mr. Pearson,

Seventh Step Foundation, Inc. seeks to reduce the cycle of substance abuse, homelessness, unemployment and criminal lifestyle for adult parolees of the California Department of Corrections and Rehabilitation (CDCR). We have provided residential treatment, sober living and case management services to parolees of CDCR since 1972. We operate a 32-bed adult licensed residential substance abuse/rehabilitation facility at 475 Medford Avenue, Hayward, CA, (Freedom House). We are under contract with CDCR and with Centerpoint and also operate two clean and sober living facilities (8 beds total) for parolees who are still in need of aftercare. 42% of our parolees were Hayward residents prior to incarceration. Our goal is for these parolees to return to Hayward, drug and alcohol free with life skills to enable them to be contributing members of Hayward. We strive to help them avoid returning to the drug/alcohol and criminal lifestyle which will return them to prison.

When we receive parolees into our program, they are homeless and have committed crimes, have gone to prison, have low self-esteem, and have aggressive behavior. They have no savings, do not receive social security, disability, or any unemployment benefits and they have poor employment prospects. Many are emotionally dysfunctional and have developed alcohol or drug addiction problems.

When they graduate from Seventh Step Foundation, Inc., they have been clean and sober for at least (6) months. They all have made substantial improvements in their self-esteem, and have established attainable goals. They have adequate housing, are gainfully employed and have savings. Most importantly, they are on their way to becoming responsible and productive citizens in our communities.

We provide food and shelter, clothing, individual case management, 40 hours per week of drug and alcohol prevention, self esteem building, goal setting, job prep and search and help our parolees find affordable safe and permanent housing upon exit. We also arrange to have our parolees receive proper dental, medical, emotional and mental care.

In our review of the 2009 - 2014 Housing Element DRAFT, we are pleased the City of Hayward recognizes the urgency of need for Transitional Housing serving Homeless Parolees and Adults with Chronic Substance Abuse.

The need for SPACES for programs such as ours is critical. We have been looking for a suitable location for several years but face considerable obstacles. **We would like to emphasize that locales selected must be near public transportation, yet NOT in proximity of bars, outdoor restaurant facilities and the like.**

As of March 16, 2009, California's daily parole population was 155,714 individuals. **1394 individuals are currently on active parole status from the City of Hayward.** These figures represent the highest rate of

return to custody of any prison system in the United States. Estimates of the percentage of parolees who have drug and alcohol problems range from 80-90%.

It is an important step for the City of Hayward to acknowledge the need for transitional housing with support services (such as we provide) in the form of group quarters.

Thank you for your consideration of the important concerns that affect the health, safety and welfare of the residents of Hayward.

Sincerely,

Ron Doyle
Executive Director

RD:mm

SAN FRANCISCO
BAYKEEPER.

March 24, 2009

Mr. Erik J. Pearson
Senior Planner, City of Hayward
777 B Street
Hayward, CA 94541
Submitted via electronic mail: erik.pearson@hayward-ca.gov

RE: Consideration of Low Impact Development in Housing Element and General Pan

Dear Mr. Pearson:

I am writing to you on behalf of San Francisco Baykeeper to encourage the City of Hayward ("Hayward") to incorporate low impact development strategies into its Draft Housing Element. San Francisco Baykeeper ("Baykeeper") is a non-profit organization that has worked to promote new strategies and policies to protect the water quality of the San Francisco Bay for twenty years and has more than 3,000 members throughout the Bay Area.

Stormwater is the largest source of pollution to the San Francisco Bay and its tributaries, including the creeks and storm drainage channels that pass through Hayward, like Sulphur Creek. Stormwater pollution has proven to be very difficult to mitigate with conventional approaches. The problem of stormwater runoff increases with the amount of impervious surface and bears a direct relationship to changes in land use in urban and suburban areas.

Baykeeper believes that a key strategy to reducing stormwater runoff is an alternative stormwater management approach called low impact development ("LID"). LID practices mimic the movement of rainwater under natural conditions where water moves slowly over permeable land surface and is able to percolate through the soil and return to surface and groundwater after it has been naturally cleaned by soil filtration. Naturalized systems such as green roofs, street-side swales, raingardens, permeable pavement and other stormwater management devices can be used to naturally retain, treat and filter stormwater before it enters creeks, or before reuse for irrigation purposes.

The success of LID techniques in controlling stormwater runoff has led to increasing recognition and use by California municipalities. For example, the San Francisco Public Utilities Commission is encouraging the capture, storage, and use of water that flows off rooftops by distributing rainwater cisterns to reduce the flow of polluting runoff in the rainy season.[1] LID is

[1] For more information about the San Francisco Public Utilities Commission's Rainwater Harvesting Program visit http://sfwater.org/mto_main.cfm/MC_ID/14/MSC_ID/361/MTO_ID/559.

also increasingly required by local codes, ordinances, and stormwater regulations. Several California counties and municipalities have designated LID as a preferred approach to managing stormwater in their permits including the Los Angeles Municipal Permit, Orange County Stormwater Permit, Ventura Stormwater Permit, and the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.[2] The Central Coast Regional Water Quality Board is requiring municipalities, under their Municipal General Storm Water Permit, to incorporate LID techniques into new and redevelopment ordinances and design standards, unless they are able to demonstrate that the cost of low impact development practices would be prohibitive and exceed any resulting water quality benefits.[3] In a few months, the California Regional Water Quality Control Board for the San Francisco Bay Region will be issuing a new NPDES Permit for Municipal Regional Permit for Stormwater. This permit covers Phase 1 communities, which includes the City of Hayward. The new Municipal Regional Permit requires General Plans to incorporate LID, stating that "at a minimum each Permittee shall … revise, as necessary, General Plans to integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies."[4]

Baykeeper would like to see Hayward planners go beyond the requirements of the Municipal Regional Permit and make additional changes to the General Plan beyond the required update to the Housing Element. We understand that Hayward anticipates undertaking a review of the other elements of its General Plan in the upcoming year. However, since Hayward is only considering revisions to the Housing Element of its General Plan, our specific suggestions at this time, are intended to help the City integrate LID into this element.

A. Hayward Should Consider Integrating LID into its Housing Element

Baykeeper recommends that the City of Hayward craft a sustainable housing policy, similar to that developed by the City of Sacramento. In the City of Sacramento's General Plan, they chose to incorporate a policy to "develop and rehabilitate housing and neighborhoods to be environmentally sustainable."[5] The corresponding policy is to "promote sustainable housing practices that incorporate a 'whole system' approach to siting, designing, and constructing

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[2] View the Los Angeles Municipal Stormwater Permit visit http://www.swrcb.ca.gov/rwqcb4/water_issues/programs/stormwater/municipal/. View the Orange County Stormwater Permit at http://www.swrcb.ca.gov/sandiego/water_issues/programs/stormwater/oc_stormwater.shtml. View the Ventura Stormwater Permit at http://www.swrcb.ca.gov/rwqcb4/water_issues/programs/stormwater/municipal/ventura_ms4/venturams4_draft_tentative_permit.shtml. View the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit http://www.swrcb.ca.gov/rwqcb2/water_issues/programs/stormwater/mrp.shtml

[3] See State Board website at http://www.swrcb.ca.gov/centralcoast/water_issues/programs/stormwater/low_impact.shtml

[5] H-1.1.1 The City shall promote sustainable housing practices that incorporate a "whole system" approach to siting, designing and constructing housing that is integrated into the building site, consume less energy, water, and other resources, and are healthier, safer, more comfortable, and durable. (http://www.sacgp.org/documents/City_of_Sac_Housing_Element_8-14-08.pdf)

[5] H-1.1.1 The City shall promote sustainable housing practices that incorporate a "whole system" approach to siting, designing and constructing housing that is integrated into the building site, consume less energy, water, and other resources, and are healthier, safer, more comfortable, and durable. (http://www.sacgp.org/documents/City_of_Sac_Housing_Element_8-14-08.pdf)

housing that is integrated into the building site, consumes less water and improves water quality, reduces energy use, and other resources, and minimizes its impact on the surrounding environment." Hayward should consider employing a similar sustainable housing policy and could outline LID strategies to achieve improvements in water quality. The following provisions of Hayward's draft Housing Element could be amended to incorporate a low impact development approach:

1. Smart Growth. The Housing element introduces the concept of "smart growth" and states Hayward's commitment to ensuring implementation of smart growth principles.[6] Smart growth has attendant water quality and stormwater principles, although these are often viewed as ancillary, rather than primary goals. Hayward could revise the Smart Growth section of the Housing Element to make 'restoring and protecting local waterbodies' a basic principle and encourage LID practices to meet this goal. See EPA's guidelines on smart growth: http://www.epa.gov/smartgrowth/pdf/sg_stormwater_BMP.pdf

2. Housing Design Guidelines. The General Plan could state a commitment to review housing design guidelines so that they reduce stormwater pollution through the implementation of LID.

3. Green Building Requirements. This section references the City of Hayward's recently adopted a Green Building Ordinance that establishes green building requirements for private developments. This section could recommend that the Ordinance be amended to incorporate LID strategies and other stormwater best management practices as green building strategies.

4. Zoning Overlays. This section could state an intent to incorporate LID concepts into the envisioning of Special Design Districts, especially the Cannery District, which appears to be the District in which significant development is anticipated.

5. Parking Requirements. Parking lots generate huge quantities of stormwater but are also prime areas for implementing LID stormwater design concepts. This section could encourage parking lots which direct stormwater to areas where it can infiltrate by incorporating bioswales or permeable pavement into parking lot design and retrofit.

6. Environmental Constraints. This section could acknowledge that creating new impervious surfaces leads to increased stormwater pollution.

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[6] (5-36-5-37) Hayward General Plan Draft Housing Element

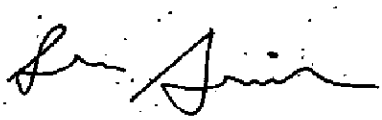
B. Hayward Should Consider Integrating LID Into Additional Applicable General Plan Sections in Future Planning Processes

To effectively protect our Bay and creeks from stormwater pollution, LID must be a fundamental concept adopted by the City throughout all their critical planning documents, including their General Plan. As the primary guide for land use decisions, General Plans are an ideal starting point for integration of LID into a city's planning efforts. In addition to the Housing Element, there are other elements of Hayward's General Plan that could readily incorporate goals and policies for LID during future revisions, including but not limited to the Conservation and Environmental Protection Section, and the Land Use Section. The City of Hayward's General Plan's section on 'Conservation and Environmental Protection' already reflects a progressive attitude toward sustainable development and strong environmental ethic. LID strategies could be easily incorporated into the Conservation and Environmental Protection Policies and Strategies in the Hydrology and Water Quality, and Flood Hazards Sections.

LID best management practices should be considered wherever appropriate, not only for new developments, but also by retrofitting existing developments. For example, as Hayward transforms their Industrial Corridor from manufacturing and distribution to research and development oriented businesses, they can also transform the way these areas look and function. Replacing wrecking yards, warehouses and trucking terminals with office buildings and business parks offers a great opportunity for the City of Hayward to encourage the replacement of impervious areas with rain gardens, bioswales, and pervious surfaces, which will both reduce stormwater runoff and create a more attractive business area.

We hope that LID strategies correlate well with the goals and vision of your General Plan's Housing Element and have provided just a few other examples of how the City of Hayward could incorporate LID into future planning processes. To this end, we have attached a short Appendix of resources, information, and guidelines on LID strategies and techniques. Baykeeper looks forward to providing you with whatever assistance you may need to reduce stormwater pollution to your local creeks and improve our region's water quality.

Sincerely,



Sara Aminzadeh, Public Affairs Associate
San Francisco Baykeeper

Erik Pearson

From: Dektar, Ellen GSA - Child Care Department [ellen.dektar@acgov.org]
Sent: Monday, March 09, 2009 12:04 PM
To: Erik Pearson
Subject: Housing Element and Child Care - Ellen Dektar
Attachments: Hayward Housing Element Language.doc

Hi Erik,

I think we met briefly a few months ago and I'm not sure whether I ever shared this proposed language for the housing element with you regarding child care. I did see your reference in the draft element to the recommendation that child care be included, but I may have missed where it is. In the event you can still address child care to some extent I think it would be helpful and I've attached some model language and would be happy to talk it through with you or follow any other direction you have.

Thanks,

Ellen
Ellen Dektar

Coordinator

Alameda County Local Investment in Child Care (LINCC) Project

Alameda County Child Care Planning Council

1401 Lakeside Drive, 11th Floor

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(510) 208-9579 (fax)

www.lincc-childcare.com

http://www.acgov.org/childcare/linking.shtml

Proposed Hayward Housing Element Language
December 12, 2008

1) **Statement of interrelatedness of child care and housing, and importance of child care to the community:**

As stated in the Community Facilities and Amenities element of the General Plan, child care is a vital resource for Hayward residents, employers, and the economy, there is a shortage of quality licensed child care, and creative solutions and partnerships are needed. Hayward will strive to provide housing in balanced residential environments that combine access to employment opportunities, transportation, child care and other community services. Both family child care and child care centers are desirable and key components of a strong child care system.

2) **Intent to proactively plan for child care in conjunction with housing:**

For residential projects over 100 units require developers to estimate expected children and consult with child care intermediary such as Resource and Referral agency 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.

3) **Include and coordinate incentives for child care in affordable and market rate housing Developments**

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.

Child Care Report for the City of Hayward
Data Compiled by 4C's of Alameda County
January 2009

Child Care Provider Data:

Capacity:

Ages	# of spaces in centers	# of spaces in large homes*	# of spaces in small homes**	Totals
0-2 years	280	226	309	815
2-5 years	1911	608	576	3095
6+ years	942	183	249	1374
Totals	3133	1017	1134	5284

In Hayward, there are currently 3,133 spaces for children in 60 licensed and license-exempt child care centers. There are 1,017 spaces in 74 licensed large family child care homes and 1,134 spaces in 151 licensed small family child care homes.

Schedule:

Of licensed and license-exempt child care centers, 35% accept children full-time and part-time; 10% accept children full-time only; 55% accept children part-time only. No centers provide weekend or overnight care, but one center provides evening care.

Of licensed family child care homes, 97% accept children full-time and part-time; 3% accept children full-time only; 0% accept children part-time only. Of licensed family child care homes, 34% provide evening care; 16% provide overnight care; and 21% provide weekend care.

Child Care Cost (weekly cost for 30 hours/week or more):

Centers:

Ages	Average	Minimum	Maximum
0-2	$226.00	$156.00	$309.00
2-5	$163.00	$123.00	$225.00
6+	$142.00	$ 92.00	$225.00

Homes:

Ages	Average	Minimum	Maximum
0-2	$183.00	$100.00	$330.00
2-5	$165.00	$100.00	$250.00
6+	$144.00	$85.00	$281.00

Languages:

Of licensed and license-exempt child care centers, 100% have staff who speaks English; 43% Spanish; 13% Chinese; 7% Farsi or Hindi/Punjabi; 5% Tagalog; 3% Vietnamese; 2% Sign language; and no Portuguese and Korean. In licensed family child care homes, 94% of providers speak English; 40% Spanish; 5% Tagalog; 4% Hindi/Punjabi; 2% Farsi; and 1% Chinese or Portuguese or Vietnamese or Korean or Sign Language.

New providers:

In the year 2008, 1 child care center and 32 family child care homes opened in Hayward.

Program Closures:

During the year 2008, 1 child care center and 41 family child care homes located in Hayward closed their businesses.

Accreditation:

One center in Hayward is NAEYC accredited and one home is NAFCC accredited.

Staffing Shortages:

Large family child care providers have difficulties finding qualified assistants.

* Large family child care homes may care for up to 14 children.
** Small family child care homes may care for up to eight children.

Community Child Care Coordinating Council (4C's) of Alameda County
22351 City Center Drive • Suite 200 • Hayward, CA 94541 • (510) 582-2182

Child Care Report for the City of Hayward
Data Compiled by 4C's of Alameda County
January 2009

Family Data:

Child Care Need:

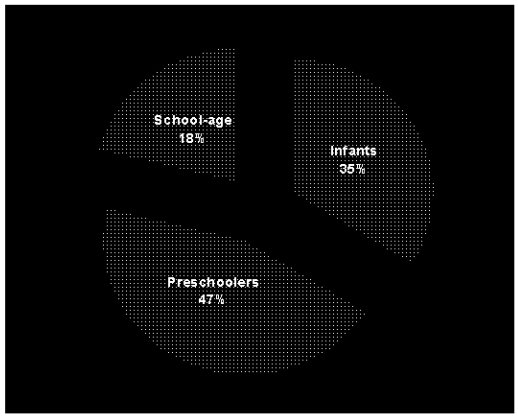
According to census data, there are an estimated 18,707 children in Hayward, ages 0-13, who live in households where all parents present are in the labor force.

Child care requests:

In the year 2008, 4C's received 832 requests for child care referrals from Hayward residents. The number of children needing care totaled 1,113.

Types of requests by ages:

Of the child care referral requests received from Hayward residents, 35% were for infants (children less than two years old); 47% were for preschoolers (ages two to five); and 18% were for school-age children (ages six or older).



Types of requests by schedule:

80% of requests were for full-time (30 hours/week or more) and 24% were for part-time care. 24% of children needed care before or after school; 6% needed care on evenings; 8% needed care on weekends; and 1% needed overnight care.

Reasons for needing child care:

Of the many reasons parents ask for child care referrals, most (79%) cited employment as the main reason, other reasons included: parent in school or training (20%); no provider (12%); child's needs (5%); relocation (5%); parent seeking employment (4%); alternate care (3%); special needs (2%); parent needs (2%); end leave of absence (2%); dissatisfied (1%); and CPS/ respite, end leave absence, job schedule change (less than 1%).

Types of languages requested:

95% of callers requested care by English-speaking providers; 12% by Spanish-speaking providers; and less than 1% by providers speaking Tagalong, Chinese, Hindi/Punjabi, Farsi and Portuguese.

Difficulties with child care search:

Parents in Hayward who called the 4C's referral service more than once to request referrals during the year cited difficulties with their child care search as the reason for calling back. Some of the challenges to finding child care noted by Hayward parents are:

- no vacancies at the child care center or home of choice
- not able to afford the cost of child care
- poor quality of some child care programs
- waiting lists for after school programs

Updated: January 2009

Community Child Care Coordinating Council (4C's) of Alameda County
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HOME
BUILDERS
ASSOCIATION

OF NORTHERN CALIFORNIA

April 13, 2009

Via E-Mail
David.rizk@hayward-ca.gov

David Rizk
Director of Development Services
City of Hayward

Re: Housing Element Comments

Dear David:

Thank you and the other City of Hayward staff members for taking the time to meet with me and Charles McKeag on Monday, April 6, 2009, to discuss the City's update to its housing element, and in particular the draft element's housing constraints analysis. I have memorialized, and in some instances expanded upon, the comments and suggestions Charles and I made at the meeting.

1. **Market Constraints:**

   a. **Land Costs:** The land cost discussion on page 5-31 states that high land costs are "the overriding factor affecting the affordability of residential development" in Hayward. This may have been true between 2002 and 2006 as house prices skyrocketed to historically high levels. However, in the past 18 months, land prices have eroded dramatically in direct response to the crash in home prices. The Cannery Area is a good example of the significant disparity between "boom-era" land prices and current prices. Between 2004 and 2006, entitled land in the Cannery Area (without improvements) traded for approximately $40 per square foot. In contrast, our most recent appraisal (conducted in January 2009) set the residual value for the same land at just under $12 per square foot -- *with improvements in the ground.* This significant reduction in land value means different things for different projects depending on where they are in the development process. For projects on parcels acquired at boom-era prices, like the Cannery, this means that the cost to develop each home likely exceeds the sales price each home will generate. As such, these projects will remain at a standstill unless and until (a) development and/or regulatory costs can be reduced to support current prices or (b) prices appreciate to a level that makes development financially feasible. For projects that are earlier in the development process, and for which land acquisition deals have not been finalized, this means that land will be a

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much smaller component of overall development cost than it was during the boom cycle. Indeed, at current prices, the land component of a townhouse project like the Cannery would equate to approximately $40,000 per unit – which is only slightly higher than the cost associated with development impact fees and other regulatory costs imposed by the City. We would also add that high land costs are not exclusively a "market" constraint. As the draft element itself acknowledges on p. 5-39, city zoning policies have a direct impact on the price of land for residential development.

b. **Construction Costs:** The construction cost discussion on page 5-31 states that construction costs for multi-family attached units are "slightly lower" than for single-family homes because "developers can usually benefit from economies of scale with discounts for materials and diffusion of equipment mobilization costs." In our experience this statement is inaccurate. It is widely acknowledged and understood throughout the homebuilding industry that multi-family attached units are *more costly to build than single-family homes.* A typical "tuck-under" townhouse product will generally cost between 25% and 30% more to build (on a per square foot basis) than a comparable two-story single-family product. This cost disparity is even more pronounced with higher density products like condos. For example, a typical podium condominium product with three floors of living space over a single level parking structure will generally cost 45% to 50% more to build per square foot. To the extent there are any economies of scale to be realized by building at higher densities they are to be found in greater land use efficiency, not materials acquisition or equipment mobilization.

2. **Governmental Constraints:**

a. **General Comment:** Unlike the constraints discussed elsewhere in the Draft Housing Element, the section on Governmental Constraints does not identify any local policies as having a constraining effect on the production of housing. Instead, the Draft suggests that government policies and regulations "can" impact pricing and availability of housing and "may" constrain the "maintenance, development and improvement of housing." In light of the significant costs associated with regulatory compliance, it seems somewhat disingenuous to suggest that government policies present mere "potential" constraints. To the extent a particular policy or regulation imposes a calculable cost or creates a delay in the development of new housing, it should be identified as a constraint, thus triggering the legal requirement to eliminate or mitigate the effects of the constraint to the extent legally feasible.

b. **Green Building Ordinance:** The discussion about the City's Green Building Ordinance (page 5-43) fails to analyze the additional costs

builders and developer will face when they seek to comply with the new, mandatory program. Compliance is not free. Developers will incur additional costs in the site planning, design and construction of new homes, as well as in the certification process. Developers also face the prospect of delay as the new program is implemented and inspection protocols are established. While the development community and HBANC largely supported adoption of the City's program, we believe the program should have been voluntary – unless coupled with regulatory incentives designed to offset the cost of compliance. When the City instead presented a mandatory program, the development community was given assurances that the City would come forward with a package of economic incentives. To date, that has not happened. Developers will incur additional costs to satisfy the City's new Green Building Ordinance. What remains to be seen is whether the City will honor its pledge to help offset those costs by offering a series of meaningful incentives. The Housing Element should provide a clear commitment, coupled with a completion date of no later than the end of 2009, for adoption of a comprehensive set of incentives.

Inclusionary Housing Ordinance: There is almost universal agreement within the homebuilding industry today that the local governmental policy that acts as the largest constraint on the development of new housing is inclusionary zoning. While the draft element at p.5-86 discusses the City's inclusionary zoning ordinance, it does not do so in the governmental constraints analysis. Inclusionary zoning and its significant economic and administrative burdens should be discussed at length in the constraints section. We would note that HCD has clearly identified inclusionary zoning as a local policy that must be identified as a potential constraint, and where a constraining impact found, elimination or mitigation of the constraint is required (see attached HCD guidance letter). We believe that Hayward's inclusionary zoning ordinance is clearly a constraint and therefore a program in the element included that commits the City to eliminating or mitigating the constraining effect. The "cost equivalent" of compliance with the City's IH ordinance is between $15,000 and $20,000 per market rate unit, depending on which means of compliance the City ultimately allows the developer to pursue. In addition, in the current market environment, it is extremely difficult if not impossible to find qualified buyers for existing inclusionary units. This too now acts as a significant constraint by freezing precious investment capital for builders. As a result, inclusionary is the single most costly regulatory requirement imposed on the construction of new housing. Ideally, the program would commit the City to suspend the inclusionary zoning ordinance for 24 months both as to existing BMR units that are built but not yet sold and to existing projects that have not yet satisfied the BMR requirement. As an alternative, the BMR % requirement should be reduced and builders allowed to comply with the ordinance by paying a

reasonable fee "by right," such that the builder does not need City approval in order to choose to pay the fee. Another alternative for already built but not yet sold BMR units would be to allow sale at the market price if the unit has not sold within 60 days of being available for purchase, with the builder and city sharing in the price differential between the market sales price and the previous BMR price. Again, the program in the element should commit the City to complete this action no later than the end of 2009.

c. **Development Review Process:** The discussion of the development review process (pp. 5-51 – 5-55) does not include any meaningful analysis of the time and expense involved in the "post-entitlement" review required for all significant development projects in the City. Post-entitlement review includes the Precise Plan process and the standard Final Map/Subdivision Improvement Plan process. The Precise Plan review is, in essence, a more detailed version of the process an applicant is required to undergo in connection with approval of a Tentative Map and PD application. The primary difference is that the Precise Plan process is not governed by the same statutory time deadlines as the Tentative Map/PD process. During the Precise Plan process, an applicant provides to the Planning Department detailed plans and specifications for all building architecture, landscaping, major utilities, streets, sidewalks, parks, and other improvements. Depending on available City resources and the complexity of the project, the Precise Plan process can take many months to complete. In most cases, the Planning Department does not allow an applicant to submit Subdivision Improvement Plans to the Public Works department for review until the Precise Plan has been formally approved. This can add months to the already lengthy process of bringing a project forward from City Council approval to site improvement. In most cases, the combination of Precise Plan and Subdivision Improvement Plan review takes twice as long to complete as the initial entitlement process (which includes Tentative Map/PD review, CEQA clearance, and any other requested land use changes). Given the significant cost and delay associated with the "post-entitlement" process in Hayward, many developers have elected to stop doing business in the City. We believe the current process is a constraint that can and should be mitigated through a dramatic overhaul. Another important related issue is that of local entitlement extensions. This issue has rapidly risen in importance and the pending expiration of local permits has become a constraint in many jurisdictions. We suggest that the City research this issue to determine whether there are projects in Hayward facing potential expiration of local permits. If there are, we recommend the element contain a program committing the City to adopting an across the board extension of entitlements of at least 24 months, similar to the action taken by the City of Oakland (attached).

d. **Development & Planning Fees:** The discussion of development and planning fees on page 5-56 understates the significance of City fees as a component of the overall cost of development.

i. **Single-Family Example:** The City calculates the fee load for a 1,500 square foot home using a sales price of $517,000 and concludes that its $39,389 in fees is relatively minor at 7.6% of the purchase price. The problem with the City's calculation is that it fails to acknowledge that the median sales of new and resale homes in Hayward has plummeted to just under $300,000 in recent months, which means that the fee load on the same 1,500 square foot home is much greater than the 7.6% cited in the City's discussion. In fact, recent sales figures for the Cross Creek project in the Cannery Area confirm that new 1,500 square foot single-family townhouses are selling for less than $340,000. At these prices, the fee load (excluding school fees) is approximately 11.6% of the sales price – which means it is an even greater component of the actual cost. As prices continue to drop, it will become ever more difficult for developers to shoulder the current fee burden, especially when it is coupled with other regulatory costs like Inclusionary Housing and Green Building.

ii. **Multi-Family Example:** The City's calculates the fee load for a 50 unit multi-family attached project at $616,894 – which equates to $12,337 per unit. This calculation does not reflect the true cost of development impact fees for multi-family attached units in Hayward. Between park fees ($9,653/unit), sewer fees ($5,472/unit), water fees ($4,610/unit), and building taxes ($450/unit), the *basic* fee load for a multi-family unit is over $20,000. This figure does not include the fees and charges associated with plan processing, design review, land use changes, and other entitlement costs, which can often add another $3,000 to $5,000 per unit. Using a more accurate calculation of $23,000 per unit, the actual fee load is approximately 7.6% of the total cost of a multi-family unit, not 4.1% as the City suggests.

iii. **Park Fee Level:** The City states on page 5-56 that it would be financially infeasible to waive fees for development. However, we believe the City can and should look more closely at the existing park fee, which (at nearly $12,000 per unit) is the largest single impact fee the City charges. Unlike fees for impacts to capital facilities like water, sewer, and streets, fees for parks are charged in-lieu of developers dedicating land for public use. As such, the fee should reflect prevailing land prices at the time the fee is charged. The current park fee in Hayward was set during a historic

boom in land and home prices. Now that land prices have come down dramatically, the fee should be reduced to reflect the lower cost of acquiring land for park and recreation purposes.

iv. **Other Fees & Taxes on New Housing:** The draft element states that it is "infeasible" to "eliminate" fees and taxes on new housing. However, we do not believe that eliminating a fee or fees entirely is the only option that should be discussed. Reduction in other fees and the City's construction excise tax should be identified as potential policies for stimulating new housing. For example the City of Fremont has reduced development fees 10% across the board, and 25% in several key development areas, to reduce constraints and stimulate new housing construction (Fremont's stimulus plan is attached). We believe Hayward should undertake a similar effort.

v. **Fee and Tax Deferral:** HCD has clearly identified fee deferral as an effective mechanism for mitigating the constraining impact of development fees (see attached excerpt from HCD Housing Element Guidelines). We understand that the City has had discussions about the issue of fee deferral, but to date there has been no formal proposal or commitment to do. We believe the housing element should, per HCD's Guidelines, contain a program committing the City to defer collection of development fees and the construction excise tax until at least certificate of occupancy, and to close of escrow if feasible. We will be happy to work with the City to develop a program in which payment at close of escrow works for both the building community and the City. We have also attached an updated matrix of jurisdictions that have adopted fee deferral/reduction measures.

Thank you again for the opportunity to meet with you and to comment on these important issues. We look forward to working with you as the City's element progresses.

Yours very truly,

Paul Campos
Sr. V.P. & General Counsel

Attachments

Cc: Charles McKeag (w/attachments)

_._ **LOCAL BUSINESS STIMULUS PACKAGE**

Approve the Local Business Stimulus Package in Order to Assist New and Existing Businesses During These Difficult Economic Times

Contact Person:

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Executive Summary: Staff is recommending a number of measures as part of a Local Business Stimulus Package designed to help existing Fremont businesses and provide incentives to continue to attract new businesses to Fremont during these difficult economic times. Several proposals are temporary in nature and are being recommended to provide an economic stimulus through December 31, 2010, at which time the worst of the current economic conditions will hopefully be over. If the economy is still in a downward mode, at that time the City Council could then choose to continue these measures to a later date. Other measures outlined in this report are part of longer-term economic development strategies and are being included as they can start to assist businesses immediately.

The measures in the Local Business Stimulus Package include the following:

- Reduce Development Impact Fees citywide by 10% until December 31, 2010 by collecting 90% of the fee during this time;
- Direct staff to create a package of specific Central Business District (CBD) incentive measures including, but not limited to, reducing Development Impact Fees by 25% within the CBD area until December 31, 2010 by collecting 75% of the fee during this time;
- Direct staff to explore changing the current practice of collecting Development Impact Fees at time of building permit issuance to collecting fees prior to final inspection or granting of Certificate of Occupancy.
- Exempt clean technology firms from the Business License Tax until December 31, 2010;
- Increase the local business purchasing preference from 2.5% to 5% until December 31, 2010;
- Authorize the City to participate in the Statewide Community Infrastructure Program in order to offer developers an alternative financing program to pay Development Impact Fees; and
- Direct staff to explore the possibility of creating a Foreign Trade Zone in Fremont.

This report also provides information on a number of other ongoing Economic Development, Redevelopment Agency, and Planning Division activities that will be retooled and/or introduced in the upcoming year as part of the City's concerted effort to provide additional assistance for local businesses. These activities include the City's "Shop Fremont" campaign; business workshops offered through the Alameda County Small Business Development Center; the Redevelopment Agency's Commercial Rehabilitation Program; partnering with local educational

institutions and employment agencies to promote job training and employment resources; providing additional promotion of Employment Training Panel funds and Industrial Development Bonds for qualifying businesses; and updating the Sign Ordinance to allow more leeway and flexibility for businesses to market and promote themselves.

BACKGROUND: Fremont is not immune to the world-wide economic downturn. Many local businesses are facing severe financial challenges. As a City, we cannot rely solely on the federal government stimulus package to address our needs and help our local businesses. We also cannot rely on the State government for assistance given their current budget crisis. It is incumbent upon the City to act independently to show our local businesses we value them and want to assist them during these difficult economic times. In addition, for our long-term economic health, it is imperative that Fremont continue to be a leader in Silicon Valley by attracting new businesses, jobs, and investment into our community. While Fremont has been known as a supportive environment for businesses, we must continue to update and expand our efforts to retain and grow our existing businesses and attract new firms. It is hoped the measures outlined in this report will promote entrepreneurship and help Fremont businesses maintain their economic viability, keep their employees employed, and continue their operations within Fremont.

Discussion: Following is more specific information about each component of the proposed Local Business Stimulus Package.

Development Impact Fees - In order to assist new and expanding businesses, staff recommends the City Council consider a measure (draft resolution) that would reduce all Development Impact Fees by 10% citywide until December 31, 2010 by collecting 90% of the fee during this time. The recent downturn in the economic and financial markets has made it difficult, if not impossible, for developers to obtain financing to cover the initial costs of development. The inability of developers, property owners, and/or tenants to move forward on their projects has begun to have a severe impact on the City's and the Community Development Cost Center's revenue as building permit and entitlement fees have declined along with sales tax. Temporarily reducing the collection of Development Impact Fees by 10% may provide just enough financial incentive for developers, property owners, and/or tenants to afford to move forward with their projects and continue investing in Fremont. Assuming all projects currently under review or on hold for building permit fees respond to this stimulus package and therefore proceed during this time period, the citywide 10% reduction in collected impact fees would result in a potential loss of $10.7 million for capital projects. This reduction would most likely result in a delay in constructing projects or require the City to fill the funding gap either through construction cost savings or outside funding opportunities.

In an effort to focus more directly on and incentivize growth within the Central Business District (CBD), staff is also recommending returning to the City Council shortly with a package of specific CBD incentive measures including temporarily reducing the collection of Development Impact Fees by 25% within the CBD area. Other possible measures may include increasing allowable office, retail and housing development densities, modifying parking standards, and pre-approved design guidelines and/or form-based zoning.

Development Impact Fees /Time of Collection - Developers currently pay Development Impact Fees, which can be a significant cost, at the time of building permit issuance. This has often been a challenge for a developer to pay these fees as their cash flow often does not start accruing for some time. In this economic climate, the timing of when Development Impact Fees are paid can be even more difficult as evidenced by the number of building permits which are ready but have yet to be issued by the Community Development Department. The time spent by developers recovering the costs of fees can be costly as the developer has to first cover, and then pass along, the "carrying costs" to potential buyers.

Staff recommends exploring changing the current practice of collecting Development Impact Fees at time of building permit issuance to collecting the fees prior to final inspection or issuance of a Certificate of Occupancy. As part of this evaluation staff will also consider the City's need to efficiently and effectively collect the appropriate fees at the proper time.

Business License Tax /Clean Technology Firms - Clean technology firms include a broad range of industries that are developing products, services and processes using renewable materials and energy sources (such as wind power, solar power, and biofuels) that are more energy efficient. These industries represent a rapidly growing segment of the economy and tend to generate significant employment and revenues for their host community. For these reasons, many cities have developed programs to attract these firms to locate within their community. While staff actively attempts to recruit these firms, there has previously been no ability to offer any financial incentives. Typically, these firms are start-ups with significant capital expenditures

and a relatively long horizon before profitability which means that up-front costs are very important in selecting a site. The measure being recommended is to temporarily exempt these firms from application of the business license tax as an incentive to locate in Fremont. While the amount of the business tax revenues generated by these firms is relatively minor (last year, businesses classified as clean tech paid less than $20,000), they can generate significant revenue due to the sales tax for their equipment purchases, as well as property and use taxes. In addition to these direct impacts, the development of such an industry cluster provides more employment opportunities and has benefits for related businesses (such as suppliers) and helps promote investment in Fremont's business parks which lowers vacancy rates and maintains property values. Staff recommends that Council direct staff to return with an ordinance to temporarily exempt clean technology businesses from application of the business license tax.

Local Business Purchasing Preference - The City Council will recall that just over one year ago the local business preference for City purchases of personal property (goods, supplies and equipment) between $25,000 and $200,000 was increased from one percent (1%) to two and one-half percent (2.5%). That is, bids from businesses located in Fremont are calculated at two and one-half percent (2.5%) below the actual bid for the purpose of comparing bids between local and non-local vendors on all purchases for taxable goods, supplies and equipment not involving public works projects or otherwise precluded by state and federal law. The 2.5% local business preference is not a material amount yet is viewed as symbolic of the City's support for local businesses, desire to attract new business, and its commitment to circulate tax dollars within the local economy.

In order to provide an added stimulus for our local economy, staff recommends the 2.5% local business preference be increased to five percent (5%) on a temporary basis until December 31, 2010. This new amount would hopefully be at a level high enough to assist a local business in obtaining a City bid contract. Purchases less than $25,000, which do not go through this formal bidding process, would continue to go through the existing informal competitive bid process. For these purchases, staff recommends the Purchasing Procedure Administrative Regulation be amended to require (rather than encourage) staff to solicit a bid from a minimum of one local vendor, when feasible. Taken together, the City will be assisting local companies and supporting business growth. By contracting locally, the City is also promoting environmentally sustainable practices because purchasing locally avoids environmental impacts such as the transportation and fuel costs associated with shipping goods from out of town. To date, no Fremont business has been able to take advantage of the 2.5% preference. It is anticipated that perhaps 2-3 businesses annually will be able to utilize the higher 5% local preference level. Therefore, the financial impact to the General Fund is likely to be modest.

Statewide Community Infrastructure Program - The Statewide Community Infrastructure Program (SCIP) is a financing program that enables developers to pay most impact fees with tax-exempt bond issuance proceeds through the California Communities Development Authority, a joint powers authority of the League of California Cities and the California State Association of Counties. This program is designed to assist developers that may lack the capital necessary to cover all impact fee expenses until the business itself is operating.

Most local agencies, including Fremont, require developers to pay impact fees prior to obtaining a building permit. SCIP is designed to either prepay these fees on the developer's behalf or reimburse the developer after the fee is paid. The program can be used to enable developers to pay for, or be reimbursed for, all eligible impact fees or for a single impact fee. This prepayment/reimbursement then attaches as a lien on the subject property (similar to Local Improvement District special assessments). SCIP has also been designed to minimize local agency staff involvement as SCIP utilizes its own team to administer and finance the program. In addition, because the impact fee costs are paid through the SCIP program, it can essentially serve as an alternate to the City creating and administering an impact fee deferral program. Utilizing the SCIP program also eliminates the risk of nonpayment by the developer because the costs become liens on the subject property and are covered by the SCIP program. To participate, a local agency need only be a member of California Communities (Fremont is a member) and pass a resolution approving the program. Therefore, staff recommends that it draft a Resolution approving the City of Fremont's participation in the Statewide Community Infrastructure Program (SCIP).

Foreign Trade Zone - Foreign Trade Zones are sites in or near a United States Customs port of entry where foreign and domestic goods can be brought in without formal customs entry or incurring customs duties or excise taxes and tariffs. Foreign Trade Zones are aimed at assisting the manufacturing industry. For example, there are certain tariffs which actually penalize companies for making their product in the United States. This occurs when a component item or raw material carries a higher duty rate than the finished product. As a result, the importer of the finished product pays a lower duty rate than a manufacturer of the same product in the U.S. This

gives the importer an unintended advantage over the domestic manufacturer and a Foreign Trade Zone helps to level the playing field. The New United Motors Manufacturing, Inc. (NUMMI) plant is in a Foreign Trade Zone, having been "annexed" to a previously existing San Jose Foreign Trade Zone some years ago.

Staff is beginning to receive inquiries from potential businesses about whether a trade zone exists in our community. Therefore, staff believes it is worthwhile to begin looking into the application process for designating a Foreign Trade Zone in Fremont and is asking for City Council direction in this regard.

Staff Initiatives and Activities: In addition, there are a number of ongoing economic development programs and activities that provide additional services and support for local businesses. Although these do not require Council action, they are mentioned here as they are an integral part of the variety of programs and services the City currently offers to help local businesses and are being expanded, improved and/or updated in order to provide valuable services and stimulate entrepreneurship for local businesses during these difficult economic times. These include the following:

"Shop Fremont" Campaign/Additional Marketing Efforts - For the past several years Economic Development staff has worked to raise the community's awareness of the connection between sales tax dollars and funding City services through its annual "Shop Fremont!" campaign. What began as a series of newspaper and newsletter advertisements has now become an award-winning marketing campaign using innovative tools for community outreach including

campy promotional videos on cable television and the City's internet website, an on-line discount coupon program for Fremont businesses, and distributing thousands of "Shop Fremont" shopping bags during the holiday shopping season.

These programs will be expanded to year-round efforts and will include additional marketing and promotional campaigns. These new campaigns will include promoting "Shop Fremont" in new and innovative ways along with old standards such as street banners and updated marketing materials. Staff is also in the process of updating the City's business property database website (www.focusonfremont.com) into a new website called www.ThinkFremont.com that will be launched shortly. All new marketing materials will be geared toward the new "Think Fremont" tag line and branding.

Business Workshops - In partnership with the Small Business Administration (SBA), the Alameda County Small Business Development Center (SBDC), and the Fremont Chamber of Commerce, Economic Development staff has created an award-winning program of free monthly workshops. These classes, which cover a range of topics to promote entrepreneurship and small business growth, have been well attended and received. It is staff's plan to continue to offer these workshops and introduce new timely topics to reflect relevant new issues (such as changes in the capital markets) as well as look towards ways to expand the program including offering new workshop locations and new delivery methods such as creating pod casts or online educational content. In addition to providing education to small businesses, this partnership also provides free one-on-one consulting services to Fremont businesses.

Commercial Rehabilitation Program - The Fremont Redevelopment Agency has updated its Commercial Rehabilitation Program to benefit the Centerville, Irvington, and Niles Redevelopment Project Areas. Changes have been made to the program to attract more businesses, such as increased grant limits based on project construction costs, and to simplify the application process. This newly revamped program will be promoted in each of the redevelopment areas, as well as to prospective tenants. One aspect of the revised program may be the creation of a smaller, incentive grant-based program limited to signage improvements.

Workforce Development - One of Fremont's major competitive advantages has been our highly educated and skilled workforce. Workers with skills in the biotechnology and semiconductor fields have made Fremont known as a premier place in which to locate a business. Continued and expanded partnerships with local educational programs are critical to ensure that the region is prepared with a qualified workforce. Staff will work to expand partnerships with Ohlone College, the Regional Occupational Program, and local universities, such as Cal State East Bay, to ensure that workforce training programs are coordinated with the labor market.

In spite of our qualified workforce, Fremont's employment base has been adversely affected by the downturn in the economy. The unemployment rate has increased and layoffs have recently occurred in the manufacturing, technology and retail sectors. In order to ensure that residents have access to local employment development resources, staff will work with the California Employment Development Department and the Alameda County Workforce Investment Board to bring resources, such as a joint job fair, to Southern Alameda County residents.

Employment Training Panel Funds /Industrial Development Bonds - Employment Training Panel (ETP) funds and Industrial Development Bonds (IDB) are statewide programs that provide assistance to manufacturing firms. Fremont firms have previously received notable sums of ETP training funds which are used to keep our local workforce competitive. IDB funds are used to help purchase facilities and equipment for manufacturing firms and allow lower cost financing for these capital expenses. Staff will continue to work to ensure that Fremont firms are aware of these resources, as well as assist interested firms in working through the respective application process.

Sign Ordinance Revisions - Over the past several years the Fremont Chamber of Commerce has developed a list of changes to the City's existing Sign Ordinance. Many of these changes stem from concerns expressed by the business community over restrictions on the ability of businesses to market and promote themselves via signs, A-frames, banners, and balloons. Staffs from the Planning Division and the City Attorney's Office have also been interested in making changes to conform the Ordinance to federal and State regulations.

Last year the City retained the services of an attorney specializing in sign ordinances. To date, the attorney has worked with staff to develop a draft ordinance. It is anticipated that after internal review this spring, staff will again meet with the Chamber of Commerce and other business organizations, realtor associations and other interested parties to review the draft ordinance. Planning staff currently anticipates Planning Commission and City Council review and approval in the fall of this year. Economic Development staff is hopeful the revised Sign

Ordinance will include additional flexibility and leeway for businesses to market and promote themselves.

RECOMMENDATIONS:

Approve the Local Business Stimulus Package in order to assist new and existing businesses during these difficult economic times, including:

1. Direct staff to draft a Resolution to collect Development Impact Fees citywide at 90% of their full amount until December 31, 2010.
2. Direct staff to return to the City Council with a package of specific CBD incentive measures including, but not limited to, collecting Development Impact Fees at 75% of their full amount within the CBD area until December 31, 2010.
3. Direct staff to explore changing its current practice of collecting Development Impact Fees at time of building permit issuance to collecting fees at final inspection or issuance of a Certificate of Occupancy.
4. Direct staff to draft an Ordinance temporarily exempting clean technology firms from application of the Business License Tax until December 31, 2010.
5. Direct staff to draft an Ordinance to temporarily increase the local business preference for purchases from two and one-half percent (2.5%) to five percent (5%) for purchases between $25,000 and $200,000 until December 31, 2010.
6. Direct staff to draft a Resolution approving the City of Fremont's participation in the Statewide Community Infrastructure Program (SCIP).
7. Direct staff to explore the possibility of creating a Foreign Trade Zone in Fremont.

8. Review and comment on the following ongoing, expanded and/or updated Economic Development, Redevelopment Agency, and Planning Division activities: the "Shop Fremont" campaign, business workshops offered through the East Bay Small Business Development Center, the Commercial Rehabilitation Program offered through the Redevelopment Agency, partnering with regional employment and educational institutions to promote employment and job training programs, promoting Employment Training Panel and Industrial Development Bonds, and updating the Sign Ordinance.

Division Head	Department Head
City Attorney's Office	City Manager's Office
Finance	
Dept. Name?_____	Dept. Name?_____

__:__
CC-___

STATE OF CALIFORNIA -BUSINESS, TRANSPORTATION, AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR
1800 Third Street, Room, 450
Sacramento, CA 95811
(916) 445-4775
Fax (916) 324-5107
www.hcd.ca.gov

December 13, 2007

Ms. Kristine E. Thalman
Chief Executive Officer
Building Industry Association of Orange County
17744 Sky Park Circle, Suite 170
Irvine, CA 92614

Dear Ms. Thalman:

Thank you for your recent inquiry regarding inclusionary zoning ordinances. The Department is pleased to provide information on the requirements of State law and Department policy. In particular, you requested clarification on whether State housing element or other law requires the adoption of local inclusionary ordinances. In short, neither State law nor Department policy requires the adoption of any local inclusionary ordinance in order to secure approval of a jurisdiction's housing element. State law does require incentives for voluntary inclusionary development (State density bonus law), pronounces housing element law neutral relative to enactment of mandatory local inclusionary provisions, and circumscribes the responsibilities of local governments which do enact inclusionary policies. The relevant sections of the Government Code are described below.

Government Code Section 65915-17, State density bonus law, requires local governments to make incentives available to residential developers that voluntarily propose to reserve specified portions of a proposed development for occupancy by low- or moderate-income households, and indicates that local governments are not to undermine implementation of this provision. Every local government is required to adopt an ordinance establishing how it will implement State density bonus law, including setting forth the incentives the local government will provide.

State housing element law requires jurisdictions to plan for their existing and projected housing needs, identify adequate sites to accommodate their share of the regional housing need, and, among other things, analyze local policies, regulations or requirements that have the potential to constrain the development, maintenance or improvement of housing for all income level. The law also requires programs to "assist in the development of adequate housing to meet the needs of low- and moderate-income households".

Many local governments adopt mandatory inclusionary programs as one component of a comprehensive affordable housing strategy and have demonstrated success in increasing the supply of housing affordable to low- and moderate-income households. However, some inclusionary programs may have the potential to negatively impact the overall development of housing. As a result, local governments must analyze mandatory inclusionary policies as potential governmental constraints on housing production when adopting or updating their housing elements, in the same way that other land-use regulations must be evaluated as potential constraints.

For example, local governments must analyze whether inclusionary programs result in cost shifting where the cost of subsidizing the affordable units is underwritten by the purchasers of market-rate units in the form of higher prices. Such increases can be a barrier to some potential homebuyers who already struggle to qualify for a mortgage, and earn too much to qualify for government assistance. Local governments must also analyze their inclusionary policies to evaluate whether sufficient regulatory and financial incentives are offered to facilitate compliance with the requirements.

In addition, it is important to note that the adoption of mandatory inclusionary zoning programs do not address housing element adequate sites requirements to accommodate the regional housing need for lower-income households. Inclusionary programs are not a substitute for designating sufficient sites with appropriate zoning, densities and development standards as required by Government Code Section 65583(c)(1).

Finally, Government Code Section 65589.8 specifies that nothing in housing element law shall be construed to expand or contract the authority of a local government to adopt an ordinance, charter amendment, or policy requiring that any housing development contain a fixed percentage of affordable housing units. It further states that a local government which adopts such a requirement shall permit a developer to satisfy all or a portion of that requirement by constructing rental housing at affordable monthly rents, as determined by the local government.

California has been for many years in the midst of a severe housing crisis; there are simply not enough homes for the number of residents who need them. Continued undersupply of housing threatens the State's economic recovery, its environment, and the quality of life for all residents. Effectively addressing this crisis demands the involvement and cooperation of all levels of government and the private sector. Both the public and private sector must reexamine existing policies, programs and develop new strategies to ensure they operate most effectively and provide an adequate housing supply for all Californians. The Department is committed to working with its public and private sector partners in this effort for the benefit of California's growing population.

I hope this responds to your inquiry. If you need additional information, please call me at (916) 445-4775 or Cathy Creswell, Deputy Director, Division of Housing Policy Development, at (916) 323-3177.

Sincerely,

Lynn L. Jacobs
Director

FILED
OFFICE OF THE CITY CLERK
OAKLAND

08 NOV 24 PM 3:03

Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 81723 C.M.S.

Introduced by: Council Member De La Fuente
Amended by Council November 18, 2008

A RESOLUTION EXTENDING ~~FOR ONE YEAR~~UNTIL DECEMBER 31, 2011 THE EXPIRATION DATE OF PERMITS ISSUED UNDER THE AUTHORTY OF TITLE 17 OF THE OAKLAND MUNICIPAL CODE (PLANNING CODE) AND CREEK PROTECTION PERMITS ISSUED UNDER THE AUTHORITY OF CHAPTER 13.16 OF THE OAKLAND MUNICIPAL CODE THAT EXPIRE PRIOR TO JANUARY 1, 2011~~0~~ UPON REQUEST AND PAYMENT OF ADMINISTRATIVE FEE

WHEREAS, Senate Bill 1185, approved by the Governor on July 15, 2008, provided one year extension to approvals of tentative maps, which allows cities to preserve development application that are set to expire and that cannot be processed presently due to prevailing adverse economic conditions in the construction industry; and

WHEREAS, the extraordinary economic downtown, housing market decline, and difficulty of obtaining loans has resulted in construction projects being stalled, despite having completed the planning approvals process which often entails substantial costs and time; and

WHEREAS, the City Council wishes to encourage investment and revitalization activities in our neighborhoods, and encourage the improvement of vacant land and deteriorated buildings; and

WHEREAS, extending the validity of planning approvals granted by the City would help retain investment in Oakland at no cost to the City; now, therefore, be it

RESOLVED: That the expiration date of permits issued under the authority of the Oakland Municipal Code Title 17 (Planning Code) and Creek Protection Permits issued under the authority of the Oakland Municipal Code Section 13.16 expiring before January 1, 2010~~1~~ is hereby extended ~~one year~~ through December 31, 2011 upon request and payment of the administrative extension fee in the Master Fee Schedule (Ordinance 12880 CMS); and be it

FURTHER RESOLVED: This~~additional one year exception~~ extension shall not apply to properties that have been issued an administrative citation under Oakland Municipal Code Chapter 1.12 ("blighted property"). ~~or to properties where an administrative citation is issued between the adoption date of this Resolution and January 1, 2010~~ Furthermore, in the event that a property included in a permit that has been extended pursuant to this resolution receives an administrative citation under Oakland Municipal Code Chapter 1.12 ("blighted property") that is not corrected, the City may terminate said extension; and be it

FURTHER RESOLVED: The appeal section contained in Oakland Municipal Code Chapter 17.132 applies to the administrative determination and interpretations made pursuant to this Resolution; and be it

FURTHER RESOLVED: That the City Council may grant further extensions to planning approvals if necessitated by economic circumstances.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 9 2008, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE – 8
NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:

LATONDA SIMMONS
CITY CLERK AND CLERK
OF THE COUNCIL OF
THE CITY OF OAKLAND

DEVELOPMENT OF HOUSING FOR LOW- AND MODERATE-INCOME HOUSEHOLDS

Government Code Section 65583(c)(2)

Question 51:

What is the local government's role in assisting in the development of adequate housing for low- and moderate-income households?

Answer:

Having assessed and identified the housing needs of low- and moderate-income households, localities can employ a significant number of diverse strategies to assist in developing adequate housing to meeting those needs. A combination of public and private resources is necessary to build affordable housing.

Localities can offer direct support for the development of affordable housing through various financing mechanisms including the issuance of municipal and mortgage revenue bonds and use of redevelopment powers. Direct assistance can also be provided through the utilization of appropriate federal and State financing and subsidy programs to create rental and ownership opportunities. Localities can create first time homebuyer, equity sharing, or self-help housing programs to provide affordable homeownership opportunities. Local governments can also assist developers in making applications for other public or private housing funds or low-income housing tax credits.

Working with local nonprofit housing developers, advocacy groups and tenants may make assisting in the development of affordable housing easier and more effective. Many jurisdictions support existing nonprofit housing developers or help establish new joint ventures and local housing sponsors. Local governments can establish a local housing authority or work with an established nonprofit development corporation or Community Based Housing Development Organization (CHDO) to develop, operate, and manage low- and moderate-income housing projects. Contacts for housing advocacy and technical assistance organizations are available through links on HCD's website.

Local governments can indirectly facilitate the development of more affordable housing through effective administration of land-use controls and by providing appropriate regulatory concessions and incentives.

Answer 51 (continued):

The following are examples of programs that have been successfully implemented by localities to comply with State law and address their housing needs:

- Adopt a density bonus ordinance in compliance with Government Code Section 65915 and develop an outreach program to ensure its successful implementation.
- Expand on the minimum requirements of State density bonus law by offering additional density bonuses and/or bonuses for housing meeting the special needs of the community (e.g., housing for large families).
- Use land banking to make surplus lands available as sites for affordable housing.
- Provide fast track or one-stop permit processing for low-income housing projects.
- Reduce, waive or subsidize development and impact fees for affordable housing projects.
- Reduce or waive certain development standards to promote affordable housing development. For example, reduce parking standards or covered parking requirements for senior or certain projects designed for lower-income households.
- Allow the purchase of air rights to increase building heights and/or intensify residential uses.

REMOVE OR MITIGATE GOVERNMENTAL CONSTRAINTS

Government Code Section 65583(c)(3)

Question 52:

When must a housing element include programs to address or remove governmental constraints?

Answer:

For each policy, requirement, or procedure identified as a governmental constraint, the element must include an appropriate program action to address and/or remove the constraint.

Question 53:

What are examples of programs localities have used to reduce or eliminate barriers to the maintenance, improvement, and development of housing?

Answer:

The following are strategies communities have found appropriate to remove regulatory barriers:

Land Use Controls

- Modify and/or reduce growth controls to ensure accommodation of projected housing needs.
- Reduce procedural requirements for growth control ordinances.
- Exempt affordable housing projects from growth control ordinances.
- Allow zero-lot line and cluster developments.
- Relax development standards, for example:
  - Front yard set backs of 20 feet or less
  - Minimum lot sizes of 6,000 square feet or less
  - Lot width of 60 feet or less

- Reduce parking requirements for projects serving low-income households, seniors, and for transit-oriented development.
- Provide flexible standards for second units to encourage their development.
- Increase height limits.
- Establish minimum densities.
- Eliminate amenity based "mid-point" density policies.

Codes and Enforcement Procedures

- Allow use of alternative building design and construction materials and methods.
- Issue building permits before subdivision approval so the developer can begin construction upon permit approval.
- Coordinate inspection/enforcement activities for existing housing with information, technical assistance, and the availability of rehabilitation program grants/loans.
- Allow rehabilitation using materials and methods as of date of original construction, unless a health or safety hazard would result (Health & Safety Code Section 17922(c)).
- Use State Housing Law (SHL) codes without additional local requirements. State law prohibits modification of SHL standards, except where local variations are necessary for reasons of climate, geology, or topography (Health and Safety Code Section 17958.5).

Answer 53 (continued):

On/Off Site Improvement Requirements

- Reduce street widths (e.g., 36 feet or less) and right of ways (e.g., 56 feet or less).
- Reduce the number and size of sidewalks (e.g., on one side of street only).
- Use roll curbs instead of formed curbs and gutters.
- Increase spacing between manholes.
- Allow multiple service laterals.
- Allow common trenching for utilities.
- Allow fire hydrant intervals of 500 feet or more.
- Where appropriate, reduce the size of water and sewer mains.
- Design residential streets to accommodate average traffic estimates.
- Use utility or sidewalk easements instead of right-of-ways.
- Place water supply systems and sanitary sewers in easements instead of right-of-ways.

Fees and Exactions

- Reduce or waive fees, exactions, and/or development standards for particular types of development (e.g., rental or assisted housing, second units, mixed-use and infill projects, housing affordable to low- and moderate-income households).
- Allow payment of fees upon certificate or occupancy, rather than prior to building permit issuance to reduce developer construction financing costs and overall development costs.

Processing and Permit Procedures

- Expedite permit processing (allow one-stop, consolidated, and concurrent permit processing).
- Hold pre-application development conferences.
- Prepare and present explanatory materials on the application and review processes to streamline permit processing.
- Utilize development agreements as authorized by Government Code Section 65864.
- Establish ministerial procedures for multifamily projects when land is zoned multifamily.
- Streamline design review process and prepare clear, objective guidelines.
- Increase use of ministerial processing.

Housing for Persons with Disabilities

- Develop formal procedures for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws and amend the locality's Municipal Code to provide for clear rules, policies, and procedures, for reasonable accommodation in order to promote equal access to housing. Policies and procedures should be ministerial and include but not limited to identifying who may request a reasonable accommodation (i.e., persons with disabilities, family-members, landlords, etc.), timeframes for decision making, and provision for relief from the various land-use, zoning, or building regulations that may constrain the housing for persons of disabilities.
- Regularly monitor the implementation of the jurisdiction's ordinances, codes, policies, and procedures to ensure that they comply with the "reasonable accommodation" for disabled provisions and all fair housing laws.

Answer 53 (continued):

- Reduce parking requirements for projects serving seniors and persons with disabilities households.
- Increase use of ministerial processing of State licensed group homes, regardless of the number of occupants in residential zones.
- Update the jurisdiction's definition of "family" and "single-family residence" to comply with all federal and state fair housing laws. The definition should not distinguish between related and unrelated persons and should not impose numerical limitations on the number of persons that may constitute a family.

CONSERVE AND IMPROVE EXISTING AFFORDABLE HOUSING STOCK

Government Code Section 65583(c)(4)

Question 54:

What strategies conserve (maintain affordability) and improve (structurally rehabilitate) the condition of the affordable housing stock?

Answer:

The existing affordable housing stock is a valuable resource that should be conserved and, as necessary, improved. Strategies used to conserve and improve the condition of the affordable housing stock include:

Conservation

- Require one-to-one replacement of any housing units demolished due to public or private action.
- Enact ordinances governing demolition of housing units and conversions of housing units to other uses (e.g., office or commercial). For example, Section 17980(b)(3) of the Health and Safety Code requires enforcement agencies to consider needs expressed in the housing element when deciding whether to require vacation or repair of property.
- Provide stable zoning to preserve affordable housing. For example, change the underlying zoning for a mobilehome park from commercial to mobilehome park.
- Enact occupancy ordinances requiring presale code inspections and compliance before title to a property is transferred to new owners.
- Maintain long-term affordability restrictions on assisted rental units.

Local Impact Fee Deferral Matrix

3-16-09

	Fees Deferred	Date Deferral Ordinance Became Effective	Date Deferral Ordinance Expires (if any)	Fee Payment Deferred Until	Bonding or Letter of Credit Requirements	Other Conditions (if any)
Fresno County						
County of Fresno	• Fire Facilities • Police Facilities • Parks Capital • Quimby Parkland • Traffic Signal • Major Street • Community Sanitation **Total deferred - $11,856**	2002	None	Upon Certificate of Occupancy	**NO**	
City of Clovis	• Fire Facilities • Police Facilities • Parks Capital • Traffic Signal • Major Street • Community Sanitation • Underground Utilities **Total deferred - $15,601**	1998	None	Upon close of escrow	**NO**	
Imperial County						
County of Imperial	• General Government; **SF $1,699, MF $977** • Sheriff; **SF $936, MF $727** • Parks and Recreation; **SF & MF $452** • Fire; **SF $1,273, MF $977** • Public Works; **SF $1,894, MF $1,453** **Total deferral: SF $6,254, MF $4,933**	Approved	12 months w/ possible 12 month extension	At application for Certificate of Occupancy/ Final Inspection	**NO**	
Madera County						
County of Madera	Street Impact Fees	2000	None	Upon Certificate of Occupancy	**NO**	

City of Madera	• Park Facilities • Street Impact • Traffic Signal	2001	None	Upon Certificate of Occupancy	**NO**	
Orange County						
City of Irvine	• System Development Charges • IBC Development Impact Fees • Park Fees • Street Slurry Seal Fees • Affordable Housing In-Lieu Fees **Total deferral - Up to $33,000 per unit**	Approved	7/23/2009	Upon issue of Certificate of Occupancy	**NO**	
City of Santa Ana	One year deferral up to $15,852	Approved	10/1/2009	Upon issue of Certificate of Occupancy	**NO**	
City of Mission Viejo	Permanent deferral of all DIF's	Approved	None	Upon issue of Certificate of Occupancy		
County of Orange	Impact Fees – does NOT include Police or Fire **Total deferral - Up to $40k per unit**	Approved	5/8/2009	Upon issue of Certificate of Occupancy	**NO**	
City of Orange	• Police facility fee • Park impact fees • Library impact fees • Fire protection facility impact fees • Transportation systems improvement program fees • Quimby park fees **Total deferral - Up to $13k per unit**	Approved	None	Upon issue of Certificate of Occupancy	**NO**	
City of Anaheim	• Parks • Electrical Service fee • Drainage fee • Signal impact fee • Traffic and Roads impact fee **Total deferral - Up to $10k per unit differed**	Approved	7/5/2010	Upon issue of Certificate of Occupancy	**NO**	
City of Tustin	TBD – Based on density	Approved	10/1/2009			
City of Huntington Beach	Total Deferral – up to $30,000	Approved	3/30/2010			
City of Costa Mesa	**TBD Deferral Program**	**Pending**				
City of Fullerton	**TBD Deferral Program**	**Pending**				
Anaheim Union High School District	**School Fees - $20,000**	**Approved**	12/31/2009	Upon issue of Certificate of Occupancy		

OC Sanitation District	Enabling Resolution for Deferral – Approx $5,000	Approved	7/31/09			
Riverside County						
County of Riverside	Impact Fees		None	At application for Certificate of Occupancy/ Final Inspection		
	Deposit Based Fees for Transportation/Plan Check	16-Jan-08	None	Deposit prior to inspection 2% instead of 3 of construction cost - $50,000 max. initial deposit		
	Deposit Based Fees for Transportation/Inspection Fees	16-Jan-08	None	Deposit prior to inspection 3% removed deposit for water and sewer construction costs - $75,000 max. initial deposit		
City of Banning	• Administrative program processing fee • Development impact fee • Fire protection facilities fee • General facility and equipment fee • General plan • Park land fee • Police facilities fee • Solid waste facility and equipment fee • Traffic control facility fee • Water capital facilities fee	5-Mar-08	12 months	Upon issue of Certificate of Occupancy		
City of Indio	Quimby Fees - **$2,193.75 per unit**	19-Dec-07	None	From Map Application to Building permit		
City of Moreno Valley	Impact Fees - **$13,745**	8-Jan-08	None	Upon issue of Certificate of Occupancy		
City of Palm Desert	Planning and Service Fee Increase	13-Dec-07	Six (6) months w/ possible extension	At submittal for service deposit based		

City of Beaumont	$5,217/DU reduction (32%) in Development Impact Fees and a deferral of DIF collection until "prior to final building inspection"	February 2009	July 2012			
San Bernardino County						
San Bernardino	**Total Deferral:** **Single Family Detached (SFD) – $15,506.60** **Single Family Attached (SFA) – $10,997.20** • Law enforcement facilities, vehicles and equipment; **SFD, $535; SFA, $474** • Fire suppression facilities, vehicles and equipment; **SFD, $663; SFA, $818** • Regional circulation system; **SFD, $2,435; SFA, $1,626** • Local circulation system; **SFD, $195; SFA, $130** • Quimby Act Parkland and open space acquisition and park improvement; AB 1600 parkland and open space acquisition and park improvement; **SFD, $6,688; SFA, $5,293** • Library facility and collection; **SFD, $534; SFA, $423** • Public meeting facilities; **SFD, $765.60; SFA, $605.60** • Aquatics facilities; **SFD, $273; SFA, $216** • Storm Drain Development; **SFD, $3,418; SFA, $1,411**	Pending	None	Upon issue of Certificate of Occupancy		
Victorville	• Roads, $4,470.05 • Fire, $328.81 • Police, $139.07 • Parks, $5,054.87 – **Temp. Adjustment, $0** • Facilities, $1,334.35 – **Temp. Adjustment, $0** **DIF Fees dropped from $11,300 to $4,900 per unit**		Six (6) months w/ possible extension	Upon issue of Certificate of Occupancy		
Tulare County						
County of Tulare	• Law Enforcement • Fire • General Facilities • Streets • Water • Sewer	Mid-1990s	None	Upon issue of Certificate of Occupancy/Final Inspection		

	• Storm Drainage • Parks & Recreation Impact Fees - **$6,963 – $9,155 per lot**					
Ventura County						
City of Ventura	Impact Fees – Determined on a case by case basis	Approved	Six months w/ possible six month extension	Upon issue of Certificate of Occupancy		
City of Santa Paula	Impact Fees	Approved		Upon issue of Certificate of Occupancy		
Placer County						
City of Roseville	**Total Deferral: $30,092.43** **Fees paid at Issuance of Building Permit** • Fire Service Construction Tax, $1,107.30 • Public Facilities Fee, $2,821.50 • Regional Sewer Fee, $5,815 • Local Sewer Fee, $305 • Water Connection Fee, $4,675 • Traffic Mitigation Fee, $4,411.13 **Development Agreement Fees** • Water meter retrofit program, $135 • Public Benefit Fee, $1,280 • General fund contribution, $1,060 • Traffic signal coordination fee, $100 • South Placer animal control shelter fee, $50 • Transit shuttle service tax, $52.50 **Other Fees** • Electric direction installation fee, $2,000 • Solid waste impact fee, $410	Approved	31-Dec-08	Close of Escrow $258 permit processing fee	**NO**	
City of Lincoln	Fees deferred: Sewer Water CAT Drainage Community Services Fee Traffic Mitigation Dollar amount depends on location in the city. Could be as high as $41,521.	Approved	Permanent	Certificate of Occupancy or up to 12 months following issuance of building permit, which ever occurs first.	**NO**	

Sacramento County						
City of Elk Grove	• Capital Facilities Fee • Affordable Housing Fee • Very Low-Income Housing Trust Fund Fee • Citywide Roadway Fee $18,595 for SF* $11,931 for MF* *Total deferral may depend on project or part of the city.	Approved	The Ordinance implementing the program will expire on June 30, 2010	Issuance of a Final Inspection; OR to the close of escrow OR to the maximum allowed deferral period (24 months) After this period, residential projects may apply for an extension (12 months at the discretion of the City Manager) during which interest will accrue.	**NO**	If deferred to close of escrow, the City must be the senior lien holder on the property.
Yolo County						
City of Woodland	20% discount on impact fees	Approved				
Yuba County						
Yuba County	• Countywide Capital Facilities Fee; • Levee Impact Fee; • PLSP/KASA Road Improvement Fee; • PLSPNASA Park Improvement Fee; • ELSP Road Improvement Fee; • ELSP Park Improvement Fee; • Olivehurst Fire Impact Fee; and • Linda Fire Impact Fee.	Pending	June 30, 2010	Final inspection.	**NO**	No deferral shall go beyond 18 months.
Santa Clara County						
City of San Jose	Park Fees	2007	Varies	Payment of In-Lieu fees may be deferred under a parkland agreement to final inspection for the first certificate of occupancy associated with the use of a residential unit(s)		

Contra Costa County						
City of San Ramon	Quimby Act park fees ***HBANC and city staff are in active discussions regarding additional fee deferral actions**	Approved		Deferred until building permit is pulled - Common Quimby Act practice is to collect park fees at final map approval		
City of Brentwood	Water, wastewater, roadway, community facilities, parks and trails and administration development impact fees			Deferred to COO/Final Inspection		
City of Concord	***HBANC and city staff are in active discussions regarding developing fee deferral proposal.**					
Tri Valley Transportation Council	***HBANC and city staff are in active discussions regarding developing fee deferral proposal.**					
Mt. Diablo Unified School District	School Facility Fees			Deferred to COO/Final Inspection		
East Contra Costa Habitat Conservation Plan / Natural Community Conservation Plan	The HCP/NCCP provides that the HCP/NCCP Mitigation Fees are to be automatically updated on March 15 of every year. For 2009, the Development Fees have gone down about 11%.	Approved	3/14/2010			
Alameda County						
City of Fremont	10% reduction in development impact fees citywide Creation of a package of specific Central Business District (CBD) incentives including, but not limited to, a reduction of Development Impact Fees by 25% within the CBD area until December 31, 2011. 75% of the fees will be collected during this time.	Approved	12/31/2010	City staff to explore collection of fees at final inspection or Certificate of Occupancy		
City of Livermore	***HBANC and city staff are in active discussions regarding developing fee deferral proposal.**					

Hayward Unified School District	School fees		Ongoing	Upon issue of Certificate of Occupancy		
City of Dublin	***HBANC and city staff are in active discussions regarding developing fee deferral proposal.**					
Sonoma County						
City of Petaluma	DIF's with the exception of the water connection fee which is due at time of setting meter. Affordable housing in lieu fees	Approved	None	Final Inspection or Certificate of Occupancy Paid at close of escrow	**NO**	
Napa County						
City of Napa	Affordable Housing in lieu fees			Upon issue of Certificate of Occupancy		
Stanislaus County						
City of Modesto	Capital facilities fee Removal of affordable housing requirements and set-asides for SFR Fee deferrals from most school districts as in the Modesto MSA due to a pre-existing agreement.			Upon issue of Certificate of Occupancy		
San Diego County						
County of San Diego	Residential and non residential Impact fees are deferred. Deferred fees include: transportation impact fee, Parkland dedication, Drainage and Sewer. Total: $18,000	Approved		Upon final inspection or Certificate of Occupancy		
City of San Diego	Affordable Housing in lieu fees reduction. For project of 10 or more units, $5.01/SF. For projects of	Approved	July 2008 to July 2009			

	less than 10 units, the fee will be $3.16/SF.					
City of Chula Vista	Deferral of development impact fees to Certificate of Occupancy for all development projects.	Approved		Upon Certificate of Occupancy		