



Expanded Staff Report

Review and discussion of housing affordability strategies and resources in Hayward and Alameda County

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Introduction

Housing affordability is a critical issue throughout the Bay Area region, including Hayward. Over the past several decades, the population of the metropolitan Bay Area in particular has continued to increase, while the options and opportunities for developing new housing units to meet this burgeoning demand have become more limited and challenging.

There are many individuals and families in Hayward who want to own a home and who can qualify for a mortgage and afford the monthly payments, but who struggle to buy their first home through traditional channels because they are unable to save enough for a down payment while also paying rent for their current housing. With the current cost of living and rental housing in the Bay Area, even median-income families with good income and good credit can find it incredibly difficult to amass the savings needed to cover a 10% or 20% down payment on a home in a market like Hayward where the median home price can trend as high as \$500,000 or more. This forces more households to remain in the rental market, driving up demand and pricing for rental housing.

There are also many individuals and families in our community who are paying a too-large percentage of their income on their housing payments (mortgage or rent). This can cause housing insecurity: the circumstance in which just one unforeseen event – an illness, a job loss, or an income decrease from a job change – could result in missed payments and eviction. In these circumstances, people must make difficult economic sacrifices or trade-offs just to stay housed, such as “doubling up” in crowded or unsafe housing arrangements, borrowing money at disadvantageous rates, or even missing payments and defaulting. People in these circumstances regularly find themselves faced with tough economic choices: paying the water bill or buying gas to get to work; replacing a broken appliance or buying children’s school clothes; buying food or paying the rent.

A Note About Homelessness

Even more difficult than the above circumstances is when – far too frequently yet impossible to prevent entirely for everyone all the time – people lose their housing and become homeless. As discussed in other recent Council reports, homelessness occurs for a myriad of reasons. Sometimes it is temporary, such as when an individual loses their home and is unable to immediately secure alternative arrangements due to a change in housing cost, income loss, personal or family illness, domestic violence, or other reasons. While these circumstances are often temporary and many who are affected by them often rapidly transition back into

housing, not all do. Even a brief episode of homelessness can be extraordinarily traumatic, and can sometimes trigger more long-term or recurring homelessness. Compounding factors such as substance addiction, health or mental illness issues, or post-traumatic disorders can further erode a homeless person's ability to find, secure, and sustain permanent housing.

Addressing the extraordinarily complex and difficult issues of homelessness and housing affordability is a multilayered and many-faceted endeavor with no simple answers or magic solution. In addition to emergency shelters and other critically important intervention services to address the immediate crisis of homelessness, it is essential to also develop and implement long term housing-related strategies to prevent homelessness, preserve housing affordability, and help homeless individuals move back to permanent housing.

The availability of more affordable housing helps prevent homelessness by helping at-risk residents stay housed. Any discussion of affordable housing must recognize the need to also address the related issue of homelessness. However, the issue of homelessness is extraordinarily complicated and requires its own specific set of strategies which are beyond the scope of this report. Staff will prepare a separate report on the homelessness issue for Council, with specific strategies and policy recommendations, within the next six months. That report will include policy considerations related to land-use and planning, alternative housing products like 'tiny homes' and micro-units, development of emergency shelters, transitional or crisis housing, and other related strategies. That report also will focus on the results of the 2017 EveryOne Home Point-In-Time homeless count being undertaken in Alameda County and Hayward on January 31, 2017. The EveryOne Home count is the major biennial census and survey of the homeless population in our region, and in 2017, it is expected to produce more specific, detailed data about Hayward's homeless population than ever before.

The Purpose of This Housing Affordability Report

This report is focused specifically on housing affordability. It will review strategies that the City of Hayward, Alameda County, and the State of California use to help make housing more affordable. The report provides in-depth reviews of the major strategies the City employs to address housing affordability, and ends with specific recommendations for the City Council to consider. An Executive Summary with a summary of the recommendations can be found in Attachment I. Supporting documents with many more details and data can be found in Attachments III through XII.

The City of Hayward has multiple programs related to the development and preservation of quality housing opportunities in the City. Although the issues affecting affordable housing and homelessness are intertwined, the focus of this report is to provide Council with an overview of the City of Hayward's affordable housing strategies and policies, arranged by four major

strategy areas, which include: (1) Anti-displacement; (2) Regulation and land use policies; (3) Housing preservation and rehabilitation; and (4) Acquisition and construction of affordable housing.

Housing affordability – Major strategy areas

The City of Hayward’s affordable housing strategies and programs may be grouped in four major strategy areas:

1. **ANTI-DISPLACEMENT.** Strategies and programs to prevent displacement of current residents from their homes, especially the most vulnerable sectors of the community. This includes fair housing activities such as tenant/landlord mediation and anti-discrimination programs, and local regulations such as the rent stabilization ordinance administered by the City Attorney’s office.
2. **REGULATION AND LAND USE POLICIES.** Local regulatory or planning strategies aimed at expediting or incentivizing the construction and preservation of housing such as the density bonus and accessory dwelling units. In Hayward, the Development Services Department primarily administers this strategy area.
3. **HOUSING PRESERVATION AND REHABILITATION.** Programs to help preserve and upgrade the existing stock of housing to help lower income homeowners stay in their homes, such as the Brace and Bolt Program, the Housing Rehabilitation Program, and the Rental Inspection Program. The Community Services Division of the Library and Community Services Department primarily administers this strategy area.
4. **ACQUISITION AND CONSTRUCTION OF AFFORDABLE HOUSING.** Programs aimed at creating new long-term deed-restricted affordable housing units, including the acquisition, new construction, preservation, and rehabilitation of both homeownership and rental housing, both permanent and transitional. The Housing Division of the Library and Community Services Department primarily administers this strategy area.

Strategy Area No. 1: Anti-displacement strategies

This section contains an overview of strategies and programs to prevent displacement of current residents from their homes, especially the most vulnerable sectors of the community.

This includes fair housing activities such as tenant/landlord mediation and anti-discrimination programs, and local regulations such as the rent stabilization ordinance administered by the City Attorney's office.

a. RENT CONTROL/STABILIZATION PROGRAMS

The City enacted rent stabilization programs for mobile home parks and conventional residential units in 1979. (This report does not examine mobile home park rent stabilization programs.) When first enacted, there were approximately 20,000 residential units covered by the program. The program established an annual five percent ceiling on rent increases but allowed landlords to make modest capital improvements to units in order to remove them from the program. Over time, as a result of such units being removed from the program, along with changes in state law (e.g., the 'Costa-Hawkins Act' in 1995), and vacancy de-control, there are approximately 1,000 units covered by the program.

Rent stabilization and rent control programs, while valid public policy in California since 1976, vary among cities and counties throughout the state. Some cities, such as San Francisco, have more restrictive forms of rent control, while other cities have less restrictive forms of rent control. Whether voter-enacted or enacted by a legislative body, rent control policies and programs are complex economic platforms that generate much debate as to the efficacy of balancing the interests of landlords, who are constitutionally entitled to a 'fair rate of return' on their investments, and tenants who need and desire safe and affordable housing in their communities and neighborhoods of choice.

The City's rent stabilization program is administered by the City Attorney's Office (CAO), the most important function of which is to respond to public inquiries about the City's program requirements. Over the last twelve months, the CAO's records reflect an average of 100 inquiries per month of walk-ins, telephone calls, e-mail, and online Access Hayward requests, a substantial increase over prior years. Most of the inquiries are by tenants concerned about rent increases, landlord inspections, and code compliance disputes. Inquiries from landlords include questions about the applicability of the five percent ceiling in the City's regulations. A more subtle, but frequent, question is whether landlords can 'bank' increases – a term which refers to a landlord's ability to hold on to increases during a period in which there are no or less-than-maximum increases and then apply those banked increases at a later point – which might have the effect of a 10-20 percent increase at one time.

Residential units not covered by any form of rent control are subject to the demands of the market. Hayward staff in attendance at community meetings or in other forums hear of increases of 25 percent per year or higher, or multiple increases over the course of one year.

In many cases, unsophisticated tenants do not have written rental agreements and do not know their rights and responsibilities in the tenant-landlord relationship. Many tenants express fear of retaliatory evictions if they do ask their landlords for agreements or other documents establishing base rents and the entitlement of rent increases.

Bay Area cities whose legislative bodies or voters considered rent control or rent stabilization policies for the first time in 2016, or updates to existing programs, generally engaged in studies unique to those cities and conducted hearings or focused sessions to understand the needs of renters and landlords. Similar guidance would be necessary in Hayward, if there is consideration for strengthening the existing regulations.

Following are some notable features about Hayward's rent stabilization program:

- It prohibits retaliatory evictions in a wide variety of situations where tenants have asserted their rights to request inspections, to ask for copies of rental agreements or seek documentation in support of rent increases or pass-through utility costs, among other things;
- It establishes distinct reasons for which tenants can be evicted -- known as 'good cause for eviction' regulations -- which can be asserted (and typically are asserted) as defenses in unlawful detainer (eviction) cases;
- It creates a process by which rent increases for covered units can be mediated or arbitrated by neutral fact-finders -- the City Attorney's Office is the neutral administrator of this program;
- It allows landlords to de-control and remove covered units from the regulations by making modest capital improvements such as weather-proofing windows or upgraded doors. As of 2016, an investment of approximately \$2,500 in such improvements by a landlord could allow removal of a unit from rent regulations. The City Attorney's Office uses a CPI factor to adjust this factor each year; however, such adjustments were not made for approximately twenty years, during which time many covered units were de-controlled and removed from the program.

b. SLEEPING IN CARS/VEHICLES

Inquiries have been made regarding the City's attitude towards people who sleep in their vehicles, particularly at night and on public property including streets and municipal lots. The City does not currently have regulations or provisions in the municipal code which prohibit sleeping in cars or vehicles on streets or municipal lots or similar public places. Such conduct

by itself is not illegal, although there could be other conduct that might warrant law enforcement contact. For example, sleeping in a vehicle with the engine running is a health hazard or sleeping in a vehicle with children could indicate parent/guardian neglect.

A recent decision of the 9th Circuit, U.S. Court of Appeals, suggests local jurisdictions would have a difficult time enacting a prohibition on sleeping in vehicles on public property. In *Desertrain v. City of Los Angeles*, 754 F.3d 1147 (2014), the following ordinance was held unconstitutional:

CITY OF LOS ANGELES – ORDINANCE – “USE OF STREETS AND PUBLIC PARKING LOTS FOR HABITATION”

‘No person shall use a vehicle parked or standing upon any City street, or upon any parking lot owned by the City of Los Angeles and under the control of the City of Los Angeles or under control of the Los Angeles County Department of Beaches and Harbors, as living quarters either overnight, day-by-day, or otherwise.’

The court’s fact-specific opinion held that the ordinance (1) failed to provide adequate notice of the conduct it criminalizes (i.e., it opens the door to discriminatory enforcement against the homeless and the poor); and (2) violated the Due Process Clause of the Fourteenth Amendment because it was unconstitutionally vague.

On the other hand, Hayward’s regulations do prohibit sleeping in cars or vehicles on private property. Article 7 of the Hayward Municipal Code, which deals specifically with the conduct of sleeping in vehicles, is found in section 5-7.20, which provides:

CITY OF HAYWARD – ORDINANCE – “PUBLIC NUISANCE”

‘It shall be unlawful for any responsible party owning, leasing, renting, occupying , or having charge or possession of any property in the City to maintain or to allow to be maintained such property in a condition detrimental to public health, safety, or general welfare or in a condition which violates any code or ordinances adopted by the City...The existence of any of the following conditions on the property is hereby declared to be detrimental to public health, safety, or general welfare and thus constitutes a public nuisance, including but not limited to:
(...)

‘(s) Sleeping in or living in any vehicle.’

The City typically enforces this prohibition upon receipt of a complaint, usually involving someone living in a tent, camper, trailer or recreational vehicles (RV) with no utility hook-ups or power or improper hook-ups and generators. The City does not have a policy allowing

private property owners to host people who sleep or live in their vehicles with the provision of code-compliant sanitation and food preparation facilities.

This information regarding sleeping or living in vehicles on the street or on private property is provided without recommending changes in these policies. Any proposed change would require specific analysis of the benefits and detriments of retaining or changing the policy and consultation with the affected communities.

c. FAIR HOUSING POLICIES

The State's Fair Employment and Housing Act prohibits housing discrimination in a number of different areas, including race, religion, sexual orientation, marital status, and so on, including national origin. State and local community-based organizations can receive or process any such complaints. A main concern in Hayward is situations in which there is an absence of documentation in the tenant-landlord relationship (under-the-table rentals), in addition to any alleged discriminatory conduct on the part of landlords as directed towards tenants – particularly based on national origin.

d. OTHER ANTI-DISPLACEMENT STRATEGIES

As an over-arching policy, the adoption and implementation of policies designed to prohibit or lessen the impact of displacement of long-term residents and families, including 'gentrification' due to development and high housing costs, requires thoughtful and forward-thinking strategies. The City's Housing Element is one such strategy, but there are also strategies designed to support tenants in communities where there are a large percentage of renters. Examples of strategies used in some communities include:

1. *Tenant-based assistance* – locally-funded monetary assistance to help with one-time emergencies or as ongoing subsidies;
2. *Home-sharing programs* – locally-administered program that encourage homeowners with extra rooms to 'share' with pre-screened tenants/students; and
3. *Other anti-displacement strategies* – locally-operated programs that could potentially prevent/discourage eviction or economic displacement of residents/families due to market pressures.

e. RECOMMENDATIONS

Additional in-depth study of the existing Residential Rent Stabilization Ordinance would be needed to identify how the ordinance could be revised to potentially strengthen tenant protections and/or expand existing protections to more rental units, while also balancing the interests of landlords who are constitutionally entitled to a ‘fair rate of return’ on their investments. Should Council so direct, staff will commission such a study for Council’s further consideration at a later date.

Strategy Area No. 2: Land use policies and regulations

This section discusses land use policies and related regulations that promote housing development and affordability in Hayward.

The City Council plays a key role in land use policy and regulations related to affordable housing by adopting policy and regulations, providing policy direction to staff, and making decisions on development projects. Council, staff, and the Hayward community have in recent years put a tremendous amount of effort and discussion in these areas through the development and adoption of major housing-related strategies, including the General Plan and Housing Element, the Affordable Housing Ordinance, the Density Bonus, and others.

The Development Services Department plays a key role in recommending and implementing the City’s land use policy and regulations. Other departments that are involved in processing planning and building permit applications are also key, such as the Fire Department, Public Works Department, Library and Community Services Department, and the Utilities and Environmental Services Department.

Existing Policies and Strategies

What follows is a review of the major housing policies, regulations and strategies currently in place in the City of Hayward.

a. HOUSING ELEMENT OF THE HAYWARD 2040 GENERAL PLAN

The City's major housing policy document, which includes the topic of affordable housing, is the Housing Element¹ of the City's General Plan. The Housing Element was developed through years of public input and Council discussion, and was formally adopted by Council in December of 2014. The Housing Element includes six goals and a wide range of supporting policies and implementation strategies to promote the construction, rehabilitation, and preservation of housing, including affordable housing.

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

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

To make adequate provision for the housing needs of all economic segments of the community, the Housing Element establishes six major goals:

1. Conserve and improve the condition of the existing affordable housing stock;
2. Assist in the development of housing affordable to low and moderate income households;
3. Identify adequate sites to encourage the development of a variety of types of housing for all income levels;
4. Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing;
5. Promote equal housing opportunities for all persons; and

¹ See Attachment III.

6. Provide for the special housing needs of seniors, persons with disabilities, large families with children, single female-headed households, and persons who are homeless.

Additional details about each of the six major Housing Element goals are provided below.

1. Conserve and improve the condition of the existing affordable housing stock. Conserving and improving the housing stock helps maintain investment in the community and keeps existing housing affordable. Because the majority of the housing stock is more than 30 years old, significant rehabilitation needs are anticipated. A number of factors can cause residential units to become unsafe or unhealthy to live in. Preventing these problems from occurring and addressing them when they do occur protects the safety and welfare of residents and assists in meeting housing needs throughout Hayward. The City will focus its efforts on rehabilitation, code enforcement, rental housing inspection, and preserving existing affordable units to take a proactive approach to conserving the current housing stock. An important part of preserving the existing affordable housing stock is ensuring that subsidized affordable housing units maintain their affordability and do not convert to market rate. Policies in this section of the Housing Element focus on improving the existing housing stock and assisting in the preservation of affordable housing.
2. Assist in the provision of housing that meet the needs of all socioeconomic segments of the community. Providing affordable housing is essential for a healthy community. In addition to a diverse mix of housing types, it is necessary to make available housing for residents of all income levels. Seeking funding from varied sources increases the opportunities for the development of affordable housing units. The City works with both non-profit and for-profit developers in the production of affordable for-sale and rental housing. Recognizing that homeownership plays a significant role in establishing strong neighborhoods and a sense of community pride, the City also supports programs that make purchasing a home a realistic option for lower-income households.
3. Provide suitable sites for housing development that can accommodate a range of housing by type, size, location, price, and tenure. A major part of meeting the housing needs of all segments of the community is the provision of adequate sites to facilitate the development of all types, sizes, and prices of housing. Persons and households of different ages, types, incomes, and lifestyles have a variety of housing needs and preferences that evolve over time and in response to changing life circumstances. Providing an adequate supply and diversity of housing accommodates changing

housing needs of residents. The Hayward General Plan, Zoning Ordinance, and various design/concept plans establish where and what types of housing may locate in the city. To provide adequate housing and maximize use of limited land resources, new development should be constructed at appropriate densities that maximize the intended use of the land.

4. Mitigate any potential constraints to housing production and affordability. 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.
5. Promote equal access to housing by educating City residents about fair housing and lending laws. The City recognizes the importance of extending equal housing opportunities for all persons, regardless of race, religion, sex, family status, marital status, ancestry, national origin, color, age, physical or mental disability, sexual orientation, source of income, or any other arbitrary factor.
6. Provide housing choices that serve the needs of “special needs” populations, including seniors, homeless, female-headed households, large families, and persons with disabilities, including developmental disabilities. The City of Hayward is a diverse community with people of all backgrounds, lifestyles, family types, and income levels. Many residents also have special housing needs. State law requires the housing element to address the needs of specific “special needs” groups, including seniors, persons with disabilities, large families with children, female-headed households, and people who are homeless. Meeting the needs of these residents requires a broad range of strategies for housing and other services. This section also addresses student and faculty housing. Hayward is home to Chabot College, California State University, East Bay, and various professional and vocational schools. Policies in this section support the production of student and faculty housing in Hayward, to enhance Hayward’s reputation as a great college town. Several policies in the Community Health and Quality of Life Element also support aging in place for senior residents and people with disabilities.

Each of the six major Housing Element goals are supported by multiple supporting policies and strategies that were carefully designed and determined through a years-long community wide public input process that culminated in Council approval of the Housing Element in

December 2014. The full text of the Housing Element document is included with this report as Attachment III.

Regulations

There are several regulations that help implement the goals and policies of the General Plan and Housing Element. Primarily, they are the Zoning Ordinance, the Form-Based Codes, and the Affordable Housing Ordinance, which are briefly described below.

b. ZONING ORDINANCE AND FORM-BASED CODES

The development regulations call out basic development standards, such as density, height, setbacks, parking, etc. The lowest densities allowed in the City are in the upper portions of the hillside around the Stonebrae development and further east, which are zoned Agriculture, with a minimum 160-acre lot size. The highest densities allowed are in the Downtown and range from 65 units per acre for much of the Downtown, up to 108 units per acre at the 11-story City Center site (will likely be revised with the Downtown Specific Plan); and near the South Hayward BART station, where the [Form-Based Code](#) allows up to 100 units per acre at the BART station and on properties directly across Dixon Street from it, and up to 65 units per acre generally within ¼ mile of the BART station. Properties with higher densities could accommodate micro units, or smaller units, but regulations, including those with incentives, would need to be developed that would limit unit sizes and number of bedrooms in such units.

c. AFFORDABLE HOUSING ORDINANCE (AHO)

The stated purposes of the AHO are to:

1. Enhance the public welfare by ensuring that future Residential Development Projects contribute to the attainment of the affordable housing goals set forth in the 2015-2023 Housing Element of the General Plan of the City of Hayward.
2. Require that future Residential Development Projects mitigate their impact on the need for affordable housing in Hayward by contributing to the production of residences in Hayward that are affordable to extremely low, very low, low-and moderate-income households.
3. Increase the production of residences in Hayward that are affordable to extremely low, very low, low, and moderate-income households.

4. Ensure that residences affordable to extremely low, very low, low- and moderate-income households are distributed throughout the City's various neighborhoods.
5. Support the housing objectives contained in State law.

Any development project consisting of 20 or more units is subject to the City's Affordable Housing Ordinance requirements. Those standards indicate such developers shall either:

1. Pay an Affordable Housing Impact Fee equal to \$4.61²/sq. ft. of habitable space for detached ownership units, or \$3.24³/sq. ft. of habitable space for attached ownership units, and \$3.63⁴/sq. ft. of habitable space for rental units; or
2. Include at least 10% of the project's total number of detached units or 7.5% of projects total attached units as on-site affordable ownership or rental housing units; or
3. Construct ownership affordable units off-site if approved by the Decision-Making Body and certain findings are made, such as a determination that the off-site construction will further affordable housing opportunities in the City to a greater extent than construction of the required on-site affordable units; or
4. Provide an alternative that would mitigate the affordable housing impact of a proposed project if the Decision-Making Body finds that such an alternative would provide a greater benefit to the City than the other options explicitly required.

A policy issue worth considering, as has been encouraged by some of the Planning Commissioners, is whether the AHO should be revised to require affordable units to be built within a development project, or that developers could pay an in-lieu fee only with Council approval, versus paying a fee without such special approval as currently allowed. That is similar to the situation that existed some years ago. The downside to doing so may be that such requirement could discourage residential development, or reduce funds in the City's affordable housing funds to provide opportunities for flexibility in use of funds for other affordable housing projects.

² \$5.06/sq. ft. of habitable space if paid at time certificate of occupancy is issued, versus at time of permit issuance.

³ \$4.28/sq. ft. of habitable space if paid at time certificate of occupancy is issued, versus at time of permit issuance.

⁴ \$3.99/sq. ft. of habitable space if paid at time certificate of occupancy is issued, versus at time of permit issuance.

d. STATE POLICIES AND STRATEGIES

Recent changes to State law impact housing development in Hayward. In response to the growing housing affordability crisis throughout California, the Legislature and Governor have recently adopted and signed into law several new provisions that impact how housing, especially affordable housing, is developed in Hayward.

SB-1069: Accessory Dwelling Units (ADU's)

Senate Bill SB-1069, the Accessory Dwelling Unit Act, was signed into law on September 27, 2016 by Governor Jerry Brown⁵, and became effective on January 1, 2017. The law restricts the local governments' authority to impose requirements on second units, commonly known as "in-law units" or "granny flats." The bill, which renames these accessory dwelling units (ADUs), requires that these units be approved ministerially (basically without review by the Planning Commission or City Council) under certain conditions.

Parking - SB 1069 reduces parking requirements to one space per bedroom or unit. SB 1069 also prohibits parking requirements if the ADU meets any of the following:

- Is within a half mile from public transit.
- Is within an architecturally and historically significant historic district.
- Is part of an existing primary residence or an existing accessory structure.
- Is in an area where on-street parking permits are required, but not offered to the occupant of the ADU.
- Is located within one block of a car share area.

Fees - SB 1069 provides that ADUs shall not be considered new residential uses for the purpose of calculating utility connection fees or capacity charges, including water and sewer service. The bill prohibits a local agency from requiring an ADU applicant to install a new or separate utility connection or impose a related connection fee or capacity charge for ADUs that are contained within an existing residence or accessory structure. For attached and detached ADUs, this fee or charge must be proportionate to the burden of the unit on the water or sewer system and may not exceed the reasonable cost of providing the service.

⁵ See Attachment VI.

Fire Requirements - SB 1069 provides that fire sprinklers shall not be required in an accessory unit if they are not required in the primary residence.

ADUs within Existing Space - Local governments must ministerially approve an application to create within a single family residential zone one ADU per single family lot if the unit is:

- contained within an existing residence or accessory structure.
- has independent exterior access from the existing residence.
- has side and rear setbacks that are sufficient for fire safety.

The City's ADU ordinance – [Chapter 10-1.245\(n\)](#) of the Hayward Municipal Code⁶ – is currently out of compliance with respect to these new elements of the State ADU law, and is null and void. Staff is preparing an analysis of options for Council consideration to update and revise the City's ADU ordinance in light of the new State law.

Density Bonus

The City's Density Bonus Ordinance⁷, Article 19 of Chapter 10 of our Municipal Code, is also out of compliance with State Density Bonus Law (DBL), based on several revisions over the last few years, including four bills signed into law last year, which include:

- AB 2442 expands the categories of specialized housing that could qualify a development for a density bonus.
- AB 2501 attempts to clarify and streamline the procedure at the local level, while restating the DBL's objective of producing more housing units.
- AB 2556 answers some of the implementation questions left open by **AB 2222** as it relates to the required replacement of affordable units previously onsite.
- AB 1934 provides certain development bonuses for commercial developers that partner with affordable housing developers in conjunction with their commercial projects

Staff is also recommending that our local ordinance be revised to be compliant with State law.

⁶https://www.municode.com/library/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZ_OSU_ART1Z0OR_S10-1.200SIMIREDIRS_S10-1.245MIDEPEST

⁷https://www.municode.com/library/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZ_OSU_ART19DEBOOR

AB-2584: Housing Accountability Act

Assembly Bill AB-2584, the [Housing Accountability Act](#)⁸, was signed into law on September 21, 2016 by Governor Jerry Brown. Among other things, it prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households or an emergency shelter or conditioning approval in a manner that renders the project infeasible unless the local agency makes specified written findings, based upon substantial evidence in the record. Generally, the most relevant finding would be that the development project or emergency shelter is inconsistent with both the zoning ordinance and general plan land use designation.

The State laws outlined above are clear indicators of the State's intent and willingness to override local control of housing development decisions to make it easier and less costly for new housing units to be created throughout the State.

e. RECOMMENDATIONS

Staff recommends updating and revising the City's ordinance regarding Accessory Dwelling Units in light of the State law SB-1069 which took effect on January 1, 2017, and which rendered null and void certain provisions of the City's current ordinance related to parking restrictions and water and sewer connection fee requirements for attached second units. Should Council so direct, staff will prepare a revised ordinance for Council's consideration, to be compliant with State law, but also retain as much local control as possible.

Also, as stated previously, there have been recent changes to State law regarding Density Bonus, which has resulted in the City's local ordinance being non-compliant. Staff would also recommend that the City's Density Bonus Ordinance also be revised to be compliant with State law and allow it to remain compliant with future State law revisions, while retaining local control as much as possible.

Strategy Area No. 3. Housing preservation and rehabilitation

⁸ See Attachment V.

Preserving and rehabilitating the existing housing stock in Hayward’s aging neighborhoods is a relatively inexpensive and effective strategy to support housing affordability for current residents, especially low-income seniors and people with disabilities who are at greater risk of being displaced from their homes due to deferred maintenance and deterioration issues in older homes.

Existing Policies and Strategies

a. HOUSING REHABILITATION PROGRAM

The Housing Rehabilitation Program (HRP) works with homeowners to make home modifications that are a cost-effective strategy to helping vulnerable homeowners remain in the Hayward community for as long as possible, to accommodate their increasing physical limitations and minimize impacts to an overburdened emergency services system. The condition or supportiveness of a home not only impacts the homeowner but caregivers and service agents who provide assistance. There are three main barriers to safety and independence in the home: access in and out of the property; falls and trip hazards; and environments that don’t support activities of daily living (bathing, dressing, toileting, etc.).

HRP offers loans or grants for home rehabilitation projects to eligible low-income Hayward homeowners who are senior (62+) or severely disabled. Potential HRP clients either self-refer or are referred by safety personnel, code enforcement, or nonprofit service providers. Alameda County operates a similar program, the Healthy Homes Department (HHD), which administers housing rehabilitation projects for residents of unincorporated Alameda County.

Operating in Hayward since 1986, the Housing Rehabilitation Program (HRP) is a federally funded portion of Hayward’s Community Development Block Grant (CDBG) program. The program has helped over 600 low-income Hayward homeowners to achieve safe and healthy housing and prevent displacement from their homes. The program embraces partnerships and most recently has coordinated efforts with Habitat for Humanity, Rebuilding Together East Bay, and the California Earthquake Authority.

HRP provides financial assistance for a wide variety of projects and repairs that improve accessibility and mobility in the home, correct code violations, or fix major systems failures such as leaky roofs, broken furnaces or faulty plumbing. Assistance is available only to low-income senior and/or disabled Hayward homeowners for projects on their owner-occupied homes. Funds are provided through zero interest deferred loans, or as smaller grants to HUD defined very low-income (50% below the area median income) homeowners without

sufficient equity. City staff manage all rehabilitation projects including environmental review, procurement of contractors, contracting and direct-pay administration.

b. MINOR HOME REPAIR PARTNERSHIPS

The HRP collaborates with two nationally recognized nonprofits to provide needed services to eligible homeowners. Service is provided through annual contracts and performance is monitored monthly to assure outcomes are achieved. Habitat for Humanity offers up to \$20,000 of repairs to qualified mobile homeowners who reside in one of the City's nine mobile home parks. Habitat for Humanity East Bay manages the project from start to finish; for this particular program, only licensed contractors complete the work. Rebuilding Together East Bay completes minor handyman type repairs to single family homes through its Safe at Home Program. Minor home repairs such as installing grab bars and handheld shower heads are completed utilizing skilled and unskilled volunteers led by Rebuilding Together licensed staff.

c. BRACE AND BOLT SEISMIC RETROFIT PROGRAM

The City of Hayward Brace and Bolt Retrofit Program offers free earthquake retrofits to qualified low-income senior and/or disabled residents who own and live in their homes. Repairs are completed by FEMA trained contractors. Brace and Bolt projects are sometimes combined with Housing Rehabilitation Program projects to conduct additional repairs that meet City and HUD criteria. The City additionally offers the [California Earthquake Authority's Brace & Bolt program](#)⁹ for all Hayward homeowners.

For the City of Hayward low-income program, applicants must provide verifiable documentation of eligibility as senior (age 62 and older), certified severely disabled, or HUD qualified low income. Low-income applicants must provide at least two forms of income verification (tax return, SSI/SDI payments, etc.) for all household occupants over the age of 18 years old.

The program offers one-time assistance with a deferred zero-interest loan. Loan repayment is deferred until transfer of title, sale of property or death of borrower, whichever comes first. The loan can be repaid in full at any time. Homeowner must maintain at least twenty percent equity in the home after repairs are complete, and must occupy the property for a minimum of five years after the repairs are complete. Repairs are limited to owner-occupied, single family properties.

⁹ URL: <https://www.hayward-ca.gov/ebb>

The potential for widespread housing displacement in the aftermath of a major seismic event is significant. The Brace and Bolt program is designed to incentivize and support homeowners to undertake retrofit projects that improve their homes' survivability, and thus prevent homeowners from being displaced from housing in the event of a major earthquake.

d. OTHER HOUSING PRESERVATION POLICIES AND STRATEGIES

According to the 2016 Alameda County Plan for Older Adults, by 2040, the senior population is expected to increase regionally to 513,607 which represents an increase of 108%. Other studies of adults at risk of homelessness points to the increasing impact of high housing costs on cost-burdened citizens, particularly seniors on fixed incomes. Low-income households often delay payments for utilities, medication, and food in order to prioritize housing expenses. Hayward's housing challenges are shared by the surrounding community and throughout the state. Lack of supply and rising costs compound inequality and create additional burdens for already vulnerable residents.

The passage of County Measure A1 and subsequent set aside of approximately \$155 million for the creation of affordable housing programs and innovative projects provides a unique opportunity to consider alternative housing products through the HRP. In addition, HUD and the California Housing and Community Development Department (HCD) are relaxing key regulations and encouraging flexibility in land use and housing policies. Within this context, the HRP is exploring the potential of augmenting available rental housing for marginally housed people through accessory dwelling units (ADU's).

There is growing awareness and acceptance of ADU's as an inexpensive and rapid way to increase the affordable housing supply and address illegal units already in existence. ADU's can be classified into three categories: interior; attached; and detached. For the purposes of the HRP, only interior units located within the existing housing space are under review. A case study commissioned by HUD explored how the adoption of ordinances with reduced regulatory restrictions to encourage ADU development can be advantageous for communities as an option to mitigate increases in costs of living. The HRP would restrict approval of ADU's to eligible properties occupied by elderly or low-income owners and further restrict rental access to low-or moderate income applicants such as college students, those entering the workforce, or other cost burdened low-income residents.

The HRP would continue to study the impacts of allowing ADU development in Hayward in coordination with Development Services, the City Attorney's Office, Code Enforcement and the Hayward Housing Authority.

e. RECOMMENDATIONS

Staff recommends exploring the possibility of creating a new Housing Rehabilitation ADU Program that would incentivize and assist homeowners to undertake construction and conversion projects that create new accessory dwelling units in their single-family homes. Should Council so direct, staff will prepare an analysis of program options and potential resources, such as County Measure A1 funds, to support the program.

Strategy Area No. 4: Construction and acquisition of permanent affordable housing

This section discusses the fourth component of the housing affordability strategy, which includes the acquisition, rehabilitation, acquisition-rehab, preservation, and new construction of long-term, deed-restricted affordable units for families, seniors and households with special needs. Rental and homeownership assistance that promotes permanent housing opportunities for households that without such assistance would not be able to afford a home is also part of this strategy.

Often, the creation of new permanent homes subject to long-term affordability restrictions requires local financial investment due to the local contribution requirement of the other major sources of funding for affordable housing. This requirement, which is to gage the support for a specific program or project is also essential for the local project proposals to compete for the bulk of funding provided by those funders. This includes the US Department of Housing and Urban Development (HUD) and the State Department of Housing and Community Development (HCD). Therefore, to the extent that the design and implementation of local projects and programs need to be consistent with the guidelines of the major funders, the guidelines of such funders inform Hayward's affordable housing development policies. Such programs include the HOME Investment Partnership (HOME), the State Low-Income Housing Tax Credit (LIHTC), the Tax-Exempt Multifamily Housing Revenue Bond, and the Community Development Block Grant (CDBG) programs.

At the local level, the major policy-informing documents are the City's Housing Element, the Affordable Housing Ordinance (the AHO), the 2015-2019 Consolidated Plan (and related annual plans and reports) and the Analysis of Impediments to Fair Housing Choice. These last two documents come from the Alameda County HOME Consortium to which the City is a part. All these documents have been approved and/or certified by the City Council within the last two years.

This section describes the policies and related implementation projects and programs aimed at advancing strategy area #4 included in the main local policy-informing policy document: The Housing Element. Programs intended to increase the creation of permanent affordable housing or the resources for its creation currently being explored by other jurisdictions are discussed in this section as well.

Roles

The City of Hayward Housing Authority (the Authority), as Housing Successor to the former Redevelopment Agency (the former RDA), is the local agency responsible for administering funding, projects, and programs aimed at promoting affordable housing opportunities for Hayward residents. Among the powers, duties, and functions of the Authority are to acquire, construct, finance, operate, rehabilitate, refinance, or develop permanent housing affordable to very low-, low-, and moderate-income households. Currently, the City/Authority has one employee, the Housing Development Specialist, dedicated to carrying out these activities and the continued obligations of the former RDA. The staff holding the position accomplishes these functions with the help a team of experts in the field of affordable housing development that usually includes a financial advisor and legal and bond counsel. Other duties of the position include:

- Monitoring the City-wide portfolio of City/Authority-restricted affordable housing units
- Managing and enforcing the former RDA housing assets (loans and affordability covenants)
- Administering the City's Affordable Housing Ordinance
- Serving as the City representative in the Alameda County HOME Consortium and administering the HOME Program funding and activities
- Identifying and pursuing (often in partnership with housing developers) new sources of funding for affordable housing
- Serving as the liaison between the City and the developers and/or providers of affordable housing, and the tenants of the City's affordable housing developments
- Assisting in the formulation and implementation of affordable housing policies
- Responding to audits and preparation of ongoing compliance and performance reports required by the different funding agencies/entities.

The Authority is organizationally housed in the Library and Community Services Department, which also implements and manages social and housing-related services, including services to homeless families and individuals, housing rehabilitation programs for seniors and people with disabilities, and related programs.

Existing Policies and Strategies

f. HOUSING ELEMENT (HE) POLICIES AND IMPLEMENTING PROGRAMS.

Consistent with the overall goal of the HE of ensuring adequate provision for the housing needs of all economic segments of the community, the HE identifies six major goals. The implementing programs for the HE goals directly related to the strategy described in this section are part of HE goals 1, 2, and 6, as follows:

1. *Preservation of at-risk housing (HE Program #4)*
This program implements HE policy H-1.4 (*Preserve At-Risk Units*) which establishes that the City shall avoid the loss of assisted housing units and the resulting displacement of low-income residents by providing funds, as available, to non-profit developers to be used for the acquisition of subsidized housing developments at risk of converting to market rate.
2. *Mortgage Credit Certificate Program (HE Program #6)*
The MCC program allows low- and moderate-income first-time homebuyers to deduct 15% of their annual mortgage interest payments on their federal income tax returns, effectively lowering the dollar amount of their monthly mortgage payments. The MCC is one of the programs that implements HE policy H-2.1 (*Homeownership Housing*). This policy provides that the City shall encourage the development of ownership housing and assist tenants to become homeowners to reach a [local] 60 percent ownership occupancy rate, within the parameters of federal and state housing laws.
3. *Tenant-Based Rental Assistance (HE Program #7)*
Through this program, funded with HOME funds, the City implements policy H-6.1 of the HE (*Address Special Housing Needs*). This policy reads that the City shall address the housing needs of special populations and extremely low-income households through emergency shelters, transitional housing, supportive housing, and single-room occupancy.

4. *Affordable Housing Development (HE Program #8)*

This program implements most of the policies included in HE Goal H-6 which establishes that the City will “[provide] housing choices that serve the “special needs” populations, including seniors, homeless, female-headed households, large families, and persons with disabilities, including developmental disabilities.” Consistent with HE Goal H-6, HE Policy H-6.1 provides that the City shall address the housing needs of special populations and extremely low-income households through supportive housing, and single-room occupancy units. HE Policy H-6.2 specifically, refers to the promotion of permanent supportive housing for households with special needs; H-6.7 provides that the City shall facilitate and encourage the development of a range of housing types for seniors; and H-6.8 provides that the City shall facilitate and encourage the development of larger rental and ownership units for families with children.

5. *Affordable Housing Ordinance*

This program is one of the main tools used by the City to implement several housing policies including HE Policies H-2.1 to H-2.4 which are formulated with the goal of assisting in the provision of housing that meets the needs of all socioeconomic segments of the community in mind (HE Goal H-2). For example, in addition to promoting homeownership opportunities for moderate-income individuals (Policy H-2.1), the AHO provides that the developer may request development incentives (Policy H-2.2) in return for providing some affordable housing units – consistent with density bonus law. Additionally, the AHO is a tool that promotes inclusionary housing (Policy H-2.3) by encouraging “... a mix of affordability levels in residential projects and encourage the dispersal of such units to achieve greater integration of affordable housing throughout the community.” (Policy H-2.4)

6. *Boomerang Funds (HE Program #18)*

The HE established that the City shall consider options for allocating a portion of unrestricted City General Funds received as part of a one-time distribution of liquidated Low-Moderate Income Housing Trust (Low-Mod) Funds of the former RDA (aka “Boomerang Funds”) for the development of affordable housing. To the extent that funds from a Boomerang program are used for its intended purpose (*Affordable Housing Development*), such program would implement several HE policies. However, the City has not implemented this program.

7. *Housing Choice Vouchers (HE Program #20)*

The HE establishes that the City shall continue to participate in the Housing Choice Voucher (Section 8) Program, administered by the Alameda County, with a goal of

providing rental assistance to lower-income residents and that the City shall work with the Alameda County to maintain, or, if possible, increase the current number of vouchers for Hayward residents. Although the document lists H-2.4 as the only policy this program implements, the program also helps implement several other HE policies, including the provision of housing opportunities for large families and extremely low-income households.

8. *Student Housing*

The HE includes two policies related to student and faculty housing. H-6.9 states that the City shall engage and work with the two higher education institutions of the City to “...provide housing accommodations for students, faculty and employees that reflect the housing needs and preferences of their respective institutions.” H-6.10 states that the City shall support the development of student and faculty housing within the City’s Priority Development Areas (excluding the Cannery Transit Neighborhood). Currently, there isn’t a related implementing HE program. Therefore, the development of student housing can be further explored.

g. RESOURCES AND FISCAL IMPACTS

The following are the current sources of funding available for the implementation Strategy # 4, particularly for the creation of new permanent affordable housing in Hayward and the provision of rental and homeownership assistance that promotes permanent housing opportunities:

Affordable Housing Ordinance Trust Fund

On January 27, 2015, Council approved an Affordable Housing Ordinance (AHO)¹⁰ which, like the former Inclusionary Housing Ordinance (IHO), applies to both for-sale and rental residential developments consisting of twenty or more units.¹¹ At the same time, Council also approved a resolution establishing the AHO Impact Fees which, unlike the IHO in-lieu fees, are to be based on the square footage of the proposed projects’ livable spaces.

Pursuant to the AHO, developers of for-sale residential developments may comply with the AHO requirements in various ways, including: paying the AHO Impact Fees; including on-site

¹⁰ This report may be found at: [CITY OF HAYWARD - Meeting of City Council on 1/27/2015](#) – See item # 11

¹¹ A copy of the Affordable Housing Ordinance is available online at: http://www.hayward-ca.gov/sites/default/files/documents/CH10A17_eff033115.pdf

for-sale affordable units; or proposing other alternatives that would mitigate the affordable housing impact of the proposed residential development project.

All new rental projects with twenty or more units are required to pay the AHO Impact Fees, calculated in the same manner as the fees for for-sale developments. No affordable units are required to be included in any rental residential project that does not receive City assistance as described in § 10-17.310 of the AHO. However, as an alternative to paying AHO Impact Fees or providing for-sale units on for-sale residential projects, an applicant may propose to provide 7.5% of attached dwelling units and 10% of detached dwelling units as affordable rental units.¹²

Since Council's adoption of an Ordinance Providing Interim Relief from Certain Inclusionary Housing Provisions (the "Relief Ordinance") at the end of 2010¹³ which allowed developers to pay the fees by right, all residential developers subject to the affordable requirements have chosen to pay in-lieu and AHO impact fees. To date, the balance of the fees is approximately \$3.3 million. These funds have been received for the most part during the last eighteen months and have been deposited in the City's AHO Trust Fund (Fund #285). The use of the fees for a specific project is subject to Council approval but must be used to create new long-term permanent affordable homes that benefit very low-, low-, and moderate-income workers subject to long-term restrictions.

Housing Authority Fund

As part of the elimination of Redevelopment Agency, in 2011, the City Council elected for the City not to retain the housing assets and functions previously performed by the former RDA. Instead, Council designated the Hayward Housing Authority to serve as the successor housing agency effective February 1, 2012. In doing so, the Authority accepted all rights, powers, duties, obligations, and housing assets, with specified exceptions, of the former RDA. This designation of the until-then-dormant Authority as "Hayward's Housing Successor Agency" to the former RDA permitted the City to: a) retain the former RDA housing assets, b) receive all repayments on loans made by the former RDA to affordable housing projects throughout the City; and c) to receive repayments of amounts borrowed from the former RDA's Low and Moderate-Income (Low-Mod) Housing Fund.

¹² *If this option is chosen, 50% of those units must be made available at affordable rents to low-income households and 50% at affordable rents to very low-income households for a minimum of 55 years.*

¹³ *Inclusionary Housing Interim Relief Ordinance.*

In FY 2010 and FY 2011, the City's former RDA borrowed moneys from the Low-Mod funding balances totaling approximately \$3.9 million to make the State-mandated SERAF¹⁴ payments. The State has now repaid all the SERAF loans and, in absence of the former RDA, they were remitted directly to the Authority.

Payments of outstanding loans from affordable housing projects and from participants of the original First-Time Homebuyers' Down Payment Assistance Program (FTHB DAP) are also being repaid to the Authority.

As of the date of this report, the Authority has an uncommitted project-related fund balance of approximately \$4.5 million mostly from recent loan repayments, including FTHB DAP and the SERAF loans. Consistent with laws governing the use of Low-Mod funding, a 10% allowance has been set aside to pay for the operations of the Authority.

HOME Investment Partnerships Fund

Since 1991, the City of Hayward has been part of the Alameda County HOME Consortium (Consortium), which includes unincorporated Alameda County and the cities of Alameda, Fremont, Livermore, Pleasanton, San Leandro, and Union City. Hayward's participation in the Consortium has assured the City an allocation of federal HOME Investment Partnership (HOME) funds since FY 1992.

The City's participation in the Consortium not only ensures an annual allocation of HOME funds but also alleviates the administrative burden of the funds. As the representative of the Consortium, the County of Alameda Department of Housing and Community Development acts as the lead member for administrative and federal reporting purposes and coordinates the production of the Consolidated Annual Performance and Evaluation Report (CAPER) required by HUD. Several other reporting activities are also carried out in a joint effort by the participating jurisdictions.

HOME funds must be used for HOME-eligible housing-assistance activities, including acquiring, rehabilitating, and constructing high-quality, sustainable *permanent* housing affordable to low-income households (those earning incomes at or below 80% of the area median income (AMI))¹⁵ adjusted for household size, as well as providing homebuyer and tenant-based rental assistance.

¹⁴ AB 26 x4-mandated Supplemental Educational Revenue Augmentation Fund (SERAF) payments required of redevelopment agencies to fund school districts and the county office of education.

¹⁵ As of the date of this report, the 80% figure in Alameda County for a family of four is \$71,600.

In previous years, HOME funds were used to help finance the construction of the Glenn Berry and Sara Conner Court Apartments, the rehabilitation of Huntwood Commons and Tennyson Gardens Apartments, the acquisition and rehabilitation of Leidig Court Apartments, and the acquisition of Cypress Glen Apartments.

Most recently, HOME funded-projects include Weinreb Place, aka Hayward Senior Housing II apartment complex, and the South Hayward BART affordable housing project, now renamed Alta Mira Apartments. Long-term affordability covenants have been recorded on all these properties to ensure they benefit local income-eligible households for generations to come. Since 2009, funds have also been set aside to pay for rental subsidies for participants of Project Independence, a program that provides supportive services and rental subsidies to emancipated youth (youth from 18 to 24 who have aged out of the foster care system). Since the implementation of the Project, the City's contributions of HOME funding have helped house over two hundred fifty (250) Hayward emancipated youth who would have otherwise become homeless. At any point in time, the Hayward Project supports an average of twelve at-risk former foster youth, some of whom are parents themselves with custody of their children.

Despite its significant reduction by the federal government, HOME funding continues to be critical to further the City's goal of providing quality affordable housing and preventing homelessness to the extent that it must be used to acquire, rehabilitate, and construct long-term deed-restricted affordable housing and to provide rental subsidies to at-risk households. Hayward's available uncommitted balance from its federal FY 2016-17 (October 1st, 2016 to September 30, 2017) HOME allocation is \$183,057. The average annual Hayward allocation of HOME funding for projects and programs during the previous three years was \$250,000. It is uncertain what the allocation will be with the new federal government administration.

In sum, the following are the current balances of the City of Hayward funding sources for permanent affordable housing development in Hayward:

Table A: Current Balances of City of Hayward (COH) Affordable Housing Funds

Housing Authority	\$ 4,493,973
Inclusionary/Affordable Housing Ordinance Trust Fund	\$ 3,311,863
HOME Investment Partnership Funds	\$ 183,058
Total Available COH Funding for Affordable Projects	\$ 7,988,893

The above table summarizes only the City of Hayward funding sources; however, a new funding source for affordable housing was approved by the Alameda County voters during the last elections: the Alameda County General Obligation Bond for Affordable Housing.

Alameda County Affordable Housing General Obligation Bond (Measure A1)

On November 8, 2016, Alameda County voters approved a \$580 million County-Wide General Obligation (GO) Bond issuance to generate revenues for affordable housing-related programs and projects in jurisdictions throughout Alameda County. This is a major, significant new resource. The GO Bond will dramatically improve Hayward’s ability to build new affordable homes, especially rental housing in the near term.

The GO Bond includes a base allocation of **\$20.3** million to the City of Hayward for affordable rental housing development in Hayward. It also includes a competitive **\$49.8** million regional funding pool for affordable rental housing development in the mid-County region of which Hayward is a part. The primary focus of the GO Bond’s direct jurisdictional allocations is to create new permanent affordable rental housing units. However, although the size has not yet been determined, the bond programmatic proposal allows the option for jurisdictions to set aside a portion of their allocation for rental housing for the creation of crisis/transitional housing. An additional **\$35** million will be placed in a County-wide pool for innovation projects and opportunities including anti-displacement-related rental housing development projects.

The GO Bond also includes \$120 million for new County-wide affordable home ownership programs such as a down payment assistance program, an owner-occupied home preservation program, and a homeownership development program. The latter program would permit funding for sweat-equity affordable ownership programs such as the Habitat for Humanity program.

Council held a work session on October 18, 2016 in which the details of the GO Bond were discussed in detail.¹⁶

h. OTHER POLICIES AND STRATEGIES TO INCREASE RESOURCES AND AFFORDABLE HOUSING OPPORTUNITIES

Due to the widespread affordable housing crisis, jurisdictions and professionals in the affordable housing field throughout the County have been exploring mechanisms to expand the resources for the creation of affordable housing and different policies and programs to develop or increase the supply of new affordable housing. Although most of these policies and programs are of regulatory and land use/zoning nature, some deal with the expansion and/or

¹⁶ This report may be found at: [CITY OF HAYWARD - Meeting of City Council on 10/18/2016](#) – See item #11

utilization of existing affordable housing resources to build more affordable housing in light of both the crisis and the declining availability of Federal and state funding.

The following are some of the best practices discussed in reports or research literature that deal with the expansion of resources for affordable housing or for its actual construction:

Small Site Acquisition and Management

One of the alternatives being explored by jurisdictions and nonprofit organizations to solve the affordable housing crisis is the acquisition and rehabilitation of small sites/buildings (buildings with twenty units or less). One of the advantages of this approach is that it helps low and moderate-income residents already living in those small buildings stay in their homes. San Francisco, for example, has developed a small site acquisition program and set aside funds specifically for such a program.¹⁷

There are several limitations for the implementation of small-site acquisition program, however. According to a study recently published by the Oakland Housing Cabinet¹⁸, nonprofit organizations have found that managing and maintaining small buildings is more difficult as they don't have the economies of scale of larger buildings. Also, according to San Francisco staff¹⁹ for a small-acquisition program/model to work, it needs: a) a new approach to property and asset management; b) a nimbler acquisition process and a willing seller because competing with private investors in hot market leaves nonprofits little choice of properties; c) tenant education and engagement to ensure full compliance and eligibility for public subsidies; and d) most importantly, a high average local subsidy per unit because this is not a model that qualifies for Low Income Housing Tax Credits (LIHTCs), for example, and because it requires 100% acquisition financing up front to ensure fast acquisition and permanent affordability.

*Ground Leases of Publicly-Owned Land*²⁰

¹⁷ Rick Lewis and Traci Parent, Presentation at the *Innovative Approaches to Solve the Housing Crisis Symposium* held on August 8, 2016 and organized by the Federal Reserve Bank of San Francisco.

¹⁸ *Oakland At Home: Recommendations for Implementing A Roadmap Toward Equity from the Oakland Housing Cabinet. City of Oakland and Enterprise. 2016 – Accessed at: <https://www.enterprisecommunity.org/resources/oakland-home-recommendations-implementing-roadmap-toward-equity-oakland-housing-cabinet>*

¹⁹ Rick Lewis and Traci Parent, *Ibid.*

²⁰ *This and the following two program models (Mechanisms to Restrict the Use of Publicly-Owned Land After Sale and Community Land Trusts) are for the most part extracts of pages 7 – 10 from: Gentrification Response: A survey of Strategies to Maintain Neighborhood Economic Diversity. NYU Furman Center. October 2016 – Accessed at http://furmancenter.org/files/NYUFurmanCenter_GentrificationResponse_26OCT2016.pdf.*

To the extent that it is available, land at no or reduced cost can be a crucial leveraging subsidy for housing development that cities can provide due to the fact that the price of land accounts for a substantial amount of the cost of building new housing in high demand areas. City-owned land need not be vacant to be useful; government-owned buildings may be redeveloped into affordable units or have affordable units added on top of them. When land is used this way, cities can structure the assistance in a number of ways to promote the long-term affordability of the housing on the site. For example, cities can utilize *ground leases*.

With a ground lease, cities maintain ownership of the land while renting it out on a long-term basis (often 75 to 99 years) to a developer. The lease with the developer can establish the terms of the affordability requirements. The benefit of leasing the land, rather than selling it, is that the land remains within the City's control once the lease is over. The disadvantages of ground leases, however, are that they result in less revenue for cities than a sale and that, by retaining ownership, the City, as landlord, retains some legal obligations to the property. To further the affordability of the units, ground leases may need to be paired with other housing subsidies.

Mechanisms to Restrict Use of Publicly-Owned Land After Sale

When a city transfers its land to private ownership for the creation of affordable housing, it can ensure the long-term affordability of units on that property through either: a) a restrictive covenant (a deed restriction limiting land uses that “run with the land”) or b) a restrictive declaration, which is an agreement between a government actor and a private party that is recorded against the property and runs with the land, binding future owners – just as a restrictive covenant does.

Restrictive covenants are the legal instruments the City has used to memorialize and enforce the long-term affordability and occupancy requirements of all properties it has invested any type of local resource in, including former RDA-owned property.

Community Land Trusts (CLTs)

A CLT for affordable housing is non-profit entity that owns land (*transferred to it by a government entity*) that it stewards to ensure the long-term affordability of the properties on the land. The benefits of CLTs are that, by removing the cost of land, a CLT allows the units on the land to be sold or rented for more affordable prices. The CLT then provides a long-term lease to the building owner to ensure the affordability of the housing. Also, transferring city-owned land into a CLT can help ensure its long-term affordability and insulate it from a city's changing political priorities over time. Finally, transfer of the land

into a CLT also passes responsibility for maintenance and enforcement from the City to the CLT. The drawback of this model is that, by relinquishing city-owned land to a CLT or any other entity, the city gives up control of the land to the trust – although a deed restriction can stipulate that should the CLT dissolve, the land reverts back to city ownership. Naturally, this model assumes that the city owns or has the resources to purchase land for transfer to the CLT.

Examples of existing CLTs in the Bay Area are: The Bay Area Community Land Trust (BACLt), the Housing Land Trust of Sonoma County (HLTSC), the Northern California Land Trust (NCLT), San Francisco Community Land Trust (SFCLT), the Community Land Trust of West Marin (CLAM), Oakland CLT (OAKCLT), and PAHALI (East Palo Alto).

Shared Housing

The approach described here does not deal with roommate-kind-of arrangements described in previous sections; rather, this model refers to the acquisition and rehabilitation or new construction of housing that can accommodate, often, persons with special needs paired with supportive services, case management and service coordination along with property management in a communal setting. An example of this approach is currently implemented by the Housing Consortium of the East Bay (HCEB), a non-profit organization located in Oakland, CA. HCEB partners with for- or non-profit developers to secure set-aside units in larger rental communities or to develop shared housing for low-income individuals with special needs, such as developmental disabilities, throughout Alameda and Contra Costa counties. Currently, HCEB has properties in twelve cities in both counties serving a total of 300 tenants – 95% of them earning 20% of AMI or less.²¹

i. PROGRAMS TO EXPAND AFFORDABLE HOUSING RESOURCES

As explained in the staff report for the public hearing held on September 27, 2016 regarding the update of the AHO Impact Fees²², cities are exploring different financing programs to generate revenue to address the housing affordability crisis. The following are some of those programs:

Commercial (Linkage) Fees

A financing program considered or adopted by some area jurisdictions are the non-residential (commercial) fees, also called Housing Linkage Fees (the “Linkage Fees”).

²¹ More information about this organization and its mission may be found at: <http://hceb.org/>

²² This report may be found at: <https://hayward.legistar.com/LegislationDetail.aspx?ID=2843826&GUID=CC715F0D-9DF3-4E6E-A31C-8C925E53819A&Options=&Search=>

Linkage Fees are a form of impact fee assessed on new commercial developments based on the need for workforce housing generated by new and expanding businesses. Revenues generated by the Linkage Fees are then used to help fund the development of affordable housing.

As explained in the September 27, 2016 report, to take advantage of a relatively affordable, regional effort of several Alameda and Santa Clara County jurisdictions, the City recently commissioned a non-residential nexus study that was prepared by Keyser Marston Associates Inc. (KMA). Due to the high incomes that working families need to afford housing in the area, the study found that the maximum supportable non-residential fees are very high for all the commercial prototypes analyzed. However, the City's Economic Development (ED) staff who evaluated the results of the study, concluded that the adoption of additional development fees at this time may not be advisable because market demand for most commercial development in Hayward is not yet strong enough and that, given the uncertainty as to what nearby jurisdictions who also participated in the study would adopt, the City decided to wait and see what those jurisdictions adopt (if anything) so as not to be placed at a comparative disadvantage.

Council seemed to have agreed with ED staff's recommendation by expressing a unanimous rejection of the idea to develop a Linkage Fee program. Nevertheless, this financing mechanism is an alternative that Council can always revisit as, as KMA study suggested, the key for a linkage program to work is that the fee level needs to be based on market strength, local policy, and sustainability with the general goal of not altering development decisions or drive activity to other jurisdictions. In other words, a program could be designed to generate some funding for affordable housing and yet not discourage commercial development.

*Property Tax Incentives*²³

As the value of real estate in a neighborhood increases, property taxes rise as well. The burden that this creates for property owners presents an opportunity for cities to use property tax relief to prevent displacement of vulnerable homeowners. When targeted towards rental properties, the tax benefit can be used to create affordable housing opportunities. When used for creating affordable housing opportunities, the property tax benefit can have rules that require owners to maintain a certain portion of their units at affordable rents for some period of time or that the units benefitting from the tax break enter into a rent stabilization program that slows their rent growth. The limitations of this mechanism are that a bottom-line-minded owner will only be interested in trading off a tax

²³ This is also a reference from: *Gentrification Response, Ibid, pages 10-11.*

break in exchange for affordability if the tax break is sufficient to make it worthwhile to forgo raising the rents to market. Also, cities have to forgo substantial tax revenue to entice owners into keeping units affordable for any significant length of time.

Enhanced Infrastructure Finance District (EIFD) Focused on Affordable Housing

The above-cited Oakland Cabinet study, has recommended that Oakland explores the establishment of an EIFD focused on affordable housing. The EIFD is a funding tool that allows a portion of future property taxes from new buildings to be reserved to pay for infrastructure, community facilities and affordable housing. The tax increment generated by EIFDs cannot be used for service or operating expenses. The limitation of EIFDs are that, unlike former Redevelopment, EIFD tax increment can only be used to pledge the taxes of taxing agencies that agree and they cannot include school districts. Additionally, while no voter approval is required to establish an EIFD, a vote of 55% for those in the district is required to issue bonds against future tax increments. This is the primary purpose of an EIFD.

General Fund Allocation including former RDA “Boomerang Funds”

As mentioned previously, the Policy Document of the HE established that the City shall consider options for allocating a portion of unrestricted City General Funds received as part of a one-time distribution of liquidated Low-Mod Funds of the former RDA (aka “Boomerang Funds”) for the development of affordable housing. According to an analysis from the County Auditor’s Office, since the elimination of Redevelopment (FY 2012) to the end of FY 2016, the City has received a total of **\$6.21 million** in residual payments. The City, however, has not implemented a Boomerang Fund program given the ongoing deficit in the General Fund and the need to continue ongoing critical services to the community, like police, fire, and maintenance.

Other Revenue-Generating Programs

The City may consider exploring other revenue-generating programs currently implemented by other cities such, including the use of hotel taxes generated by Airbnb/VRBO units to fund housing policy enforcement or the use of unrestricted proceeds from the sale of public land not used for housing for affordable housing. Staff has not embarked on extensive research on these options and does not recommend doing so at this point given limited staff resources.

j. NEXT STEPS

Projects Approved and Projects in the Pipeline

On November 15, 2016, staff presented to Council a report on the proposed uses of the balances of the three local affordable housing funding sources described above (Authority, HOME, and AHO Impact Fund).²⁴ The November 15 work session report to Council was prepared prior to the approval of the GO Bond by the voters. For that reason, the report assumed that the local balances would be the only resources available to fund the financing gap of the affordable housing projects described in the report. This included the ten-unit, Sequoia Grove homeownership project by Habitat for Humanity/East Bay Silicon Valley (Habitat), the acquisition and substantial rehabilitation of the sixty-two-unit Faith Manor apartment complex in connection with the rehabilitation of the existing ninety-six-unit affordable complex, Tennyson Gardens, and the potential development of twenty affordable ownership homes at a City-owned property, also by Habitat.

The current GO Bond programmatic proposal requires that jurisdictions provide a financial contribution (a match) toward local rental projects that receive a funding allocation from the GO bond. For this reason, depending on readiness, staff still plans to bring forward the projects described in the report for the November 15, 2016 meeting, for consideration by Council. However, the local financial investment recommended would be considered to the extent it leverages both the direct allocation and the competitive regional pool of the GO Bond/Measure A1 funding.

Measure A1 Funding NOFA/RFP

In addition to bringing forward the above project proposals, staff plans to issue a Notice of Funding Availability (NOFA) and/or a Request for Proposals (RFP) to solicit project proposals for affordable housing development that advance Council priorities and the City's HE policies as related to permanent affordable rental housing development. Particularly, the NOFA/RFP would solicit proposals that "...focus on rental housing affordable to lower-income households with special needs (e.g., seniors, extremely low-income households, and persons with disabilities, including developmental disabilities), especially projects that promote the City's goals relating to transit-oriented development and jobs/housing balance" or, to the extent funding from GO Bond (aka Measure A1) funding for transitional housing is available, on projects for development of "...emergency shelters, and transitional and supportive housing programs for the homeless and those who are at risk of becoming homeless."

The NOFA is a great tool to solicit proposals that implement the City's HE policies and Council priorities and to target the funds, say, in a specific policy or geographic area. The City of Oakland, for example, is considering to "revamp" its NOFA process to give priority to proposals that pursue Affordable Housing and Sustainable Communities program (AHSC)

²⁴ URL: <https://hayward.legistar.com/LegislationDetail.aspx?ID=2882099&GUID=BF927A7E-9217-487E-BA85-BA3AD286226F&Options=&Search=>

funding.²⁵ The AHSC program is a component of the Greenhouse Gas Reduction Fund (GGRF) that supports the preservation and creation of affordable housing and transportation infrastructure. AHSC funds prioritize projects that enhance community connectivity such as pedestrian and bicycle networks and improved access to BART and AC transit stations. The prioritization of proposals that leverage AHSC funding, also leads to a priority for transit-oriented developments, as, in addition to access, the program favors connectivity.

The NOFA process can include a point system whereby new construction vs. acquisition-rehab or a specific RHNA income level is targeted. Also, to the extent permitted by fair housing law and the major funders, priority can be given to proposals for the creation of units that serve a specific population such as the ones already identified in the HE, including seniors, large families, students, persons with disabilities, and homeless, at-risk of becoming homeless, or formerly homeless families and individuals.

The purpose of the NOFA would be to be able to access Measure A1 funding when those funds are available. Staff anticipates the first issuance to take place in the early fall of 2017. Thus, the City NOFA or RFP could be issued before or soon after the first GO Bond issuance. Both the issuance of the NOFA and the approval of funding for the higher-ranking proposals would have to be vetted by the City Council at a future meeting date. The Council would have the ability to review the funding priorities identified in the NOFA prior to its release and staff anticipates providing a more robust analysis and discussion of the costs/benefits of new construction vs. acquisition/rehab in that report to Council.

Amending the Affordable Housing Ordinance.

Council has also asked staff to prepare a Nexus Study to possibly update and amend the AHO to require developers of **for-sale housing** to provide affordable units on site²⁶. This Study would also evaluate the economic impacts of this revised policy. Developers currently have several options for compliance, including the payment of AHO Impact Fees. For-sale housing developers may also comply with the AHO by including on-site for sale affordable units, by constructing for-sale off-site affordable units, if approved by Council, or by providing rental affordable units if consistent with the Costa Hawkins Act. Developers may also propose additional alternatives that would mitigate the affordable housing impact of a proposed project, if approved by Council. While this analysis is ongoing, Council requested that an item

²⁵ *Oakland At Home, Ibid, Page 37.*

²⁶ *To be consistent with the Palmer decision and the Costa Hawkins Act, the City cannot require developers of rental housing to provide affordable units unless they receive funding or regulatory assistance of some type and enter into an agreement with the City.*

be brought forward in the near term to increase the AHO fees so that they come closer to the maximum identified in the original Nexus Study.

As explained in the November 15, 2016 work session cited above, the developers' decision to provide the affordable units, to pay the Fees, or to propose any other alternative is a financial decision. Currently, the low level of Hayward's fees incentivizes residential developers to pay the fees rather than providing the units.

If Council desires to revisit the AHO requirements for for-sale developments so developers must provide the required units rather than pay the fees, the AHO would have to be amended. For this to happen, an economic feasibility study would likely need to be undertaken to make sure that the program requirements help the City meet the City's affordable housing goals without rendering market rate residential projects infeasible (or only marginally feasible), thus discouraging residential development in the City. Accordingly, it is important to note that this was the reason that Council adopted a low level of AHO Impact Fees early in 2015: to ensure that the new fees did not discourage local residential development. Council was particularly sensitive to the concerns from market-rate residential developers, voiced at the meetings leading to the adoption of the AHO, that new or higher rates would render their projects infeasible. The Building Industry Association (BIA), particularly, suggested that it would certainly not support any increases above and beyond the fees considered by Council at that moment (the fees at the Relief Ordinance fee levels).

Therefore, the adoption of both the AHO and the associated impact fees reflect the desire by Council to balance the desire to enact an ordinance that could potentially result in the creation of more affordable housing and the concerns of the market-rate residential development community that new and higher fees would be detrimental to their projects and therefore limit the development of new housing in the City. However, if further directed by Council to pursue this discussion, staff could bring forward an item for the approval of a professional services contract with a consultant to update the Nexus Study to possibly amend the AHO. In the meantime, staff will return in the near term with the increase to the AHO fees based on the current Nexus Study.

First-Time Homebuyer Down Payment Assistance Program

On March 22, 2016, Council considered a resolution authorizing the use of \$1.5 million in available Hayward Housing Authority fund balance to implement a First Time Homebuyer Down Payment Assistance Pilot Program. At that time, Council opted to defer action on the program until after a more robust discussion of housing resources at a later time. The proposed program, if Council in its role as the Housing Authority Board had taken action to authorize it at that time, would have been implemented at the beginning of FY 2017, and

would have provided approximately 42 loans during the two-year pilot period.

The FTHB program, if ultimately re-established by Council, would provide several benefits to Hayward residents:

- 1) The Program is a primary implementation strategy for achieving the City's policy and the Housing Element's goal of increasing the homeownership rate in Hayward.
- 2) The Program fosters the City's economic diversity and social integration as it allows moderate-income households to stay in Hayward and work here, or to afford living in different areas of Hayward where they would not be able to afford otherwise.
- 3) The Program will help increase home sales in Hayward which contributes to the local economic recovery through attracting consumers of goods and services to own homes in Hayward and increasing the local transfer and property tax base.

For the reasons outlined above, staff recommends temporarily restoring the First Time Home Buyers Down Payment Assistance Program for moderate-income households. Should Council so direct, staff will prepare and bring forward to Council, in its role as the Housing Authority Board, a proposal to implement the Program at the beginning of FY 2018.

Recommendations

Staff recommends the following next steps for action and potential implementation within the next three to six months:

1. RESIDENTIAL RENT STABILIZATION ORDINANCE – ADDITIONAL STUDY

Additional study of the existing Residential Rent Stabilization Ordinance is needed to identify how the ordinance could be revised to potentially strengthen tenant protections and/or expand existing protections to more rental units, while also balancing the interests of landlords who are constitutionally entitled to a 'fair rate of return' on their investments. Should Council so direct, staff will commission such a study for Council's further consideration at a later date.

2. UPDATE AND REVISE THE CITY'S ORDINANCE REGARDING ACCESSORY DWELLING UNITS.

State law SB-1069 regarding accessory dwelling units took effect on January 1, 2017, and rendered null and void certain provisions of the City’s current ordinance related to parking restrictions and water and sewer connection fee requirements for second units. Should Council so direct, staff will prepare for Council’s consideration a revision ordinance to bring the municipal code into compliance with State law while preserving local control over housing decisions to the greatest extent possible.

3. *EXPLORE OPTIONS TO DEVELOP A NEW HOUSING REHABILITATION ADU PROGRAM*

A new Housing Rehabilitation ADU Program could potentially incentivize and assist homeowners to undertake construction and conversion projects that create new accessory dwelling units in existing single-family homes. Should Council so direct, staff will prepare an analysis of program options and potential resources, such as County Measure A1 funds, to support the program.

4. *ISSUE NOFA/RFP FOR AFFORDABLE RENTAL HOUSING DEVELOPMENT PROJECTS*

Staff recommends the City issue a Notice of Funding Availability (NOFA) and/or a Request for Proposals (RFP) to solicit project proposals for affordable housing development that advance Council priorities and the Housing Element policies related to permanent affordable rental housing development. Staff further recommends that the NOFA/RFP emphasize proposals that “...focus on rental housing affordable to lower-income households with special needs (e.g., seniors, extremely low-income households, and persons with disabilities, including developmental disabilities), especially projects that promote the City’s goals relating to transit-oriented development and jobs/housing balance” or, to the extent funding from GO Bond (aka Measure A1) funding for transitional housing is available, on projects for development of “...emergency shelters, and transitional and supportive housing programs for the homeless and those who are at risk of becoming homeless.”

5. *EVALUATE AFFORDABLE HOUSING ORDINANCE AND ASSOCIATED IMPACT FEES*

Staff recommends returning in the near term to Council with a proposed increase to the AHO fees that would bring these fees in alignment with the findings and recommendations in the current Nexus Study. If also directed by Council, staff could bring forward an item for the approval of a professional services contract with a consultant to update the Nexus Study to possibly amend the AHO so as to require developers of for-sale housing to provide affordable units on site. This Study would also evaluate the economic impacts of this revised policy. Developers currently have several options for compliance, including the payment of AHO Impact Fees. For-sale housing developers may also comply with the AHO by including on-site for sale affordable units, by constructing for-sale off-site affordable units, if approved by

Council, or by providing rental affordable units if consistent with the Costa Hawkins Act. Developers may also propose additional alternatives that would mitigate the affordable housing impact of a proposed project, if approved by Council.

6. REACTIVATE THE FIRST TIME HOMEBUYER DOWN PAYMENT ASSISTANCE PROGRAM

Staff recommends the reactivation of a dormant yet critically important housing program: the First Time Homebuyer Down Payment Assistance Pilot Program. On March 22, 2016, staff recommended temporarily restoring the First Time Home Buyers Down Payment Assistance Program for moderate-income households starting at the beginning of FY 2017. At that time, Council deferred action on that recommendation pending a more robust discussion of housing affordability strategies and resources. Should Council so direct, staff will prepare and bring forward to Council, in its role as the Housing Authority Board, a proposal to implement the Program at the beginning of FY 2018.

Attachments

<i>Attachment III</i>	<i>City of Hayward - Housing Element</i>
<i>Attachment IV</i>	<i>State of California - Senate Bill (SB) 1069: Accessory Dwelling Units</i>
<i>Attachment V</i>	<i>State of California - Assembly Bill 2584: Housing Accountability Act</i>
<i>Attachment VI</i>	<i>County of Alameda - Affordable Housing General Obligation Bond (Measure A1) Program Summary</i>
<i>Attachment VII</i>	<i>City of Hayward - FAQ: Affordable Housing Ordinance Guidelines</i>
<i>Attachment VIII</i>	<i>City of Hayward - FAQ: Residential Rent Stabilization Ordinance</i>
<i>Attachment IX</i>	<i>City of Hayward - Affordable Housing Ordinance</i>
<i>Attachment X</i>	<i>City of Hayward - Resolution Increasing Affordable Housing Impact Fees</i>
<i>Attachment XI</i>	<i>City of Hayward - Residential Rent Stabilization Ordinance</i>
<i>Attachment XII</i>	<i>City of Hayward - Resolution Amending Residential Rent Stabilization Ordinance</i>
<i>Attachment XIII</i>	<i>Resumen Ejecutivo en Español – (Executive Summary Spanish Translation)</i>

Reference Links / Additional Reading

- California Housing and Community Development Department, *California's Housing Future: Challenges and Opportunities*, January 2017 Public Draft. <http://www.hcd.ca.gov/policy->

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- United States Interagency Council on Homelessness. *People Experiencing Chronic Homelessness*. 2015. <https://www.usich.gov/goals/chronic>
- Alameda County HOME Consortium 2015-2019 Consolidated Plan: http://www.acgov.org/cda/hcd/documents/FY_2014_CAPER_Client_File_1up.pdf
- 2014 Final Report of the Residential Nexus Analysis and Financial Feasibility Analysis: <https://hayward.legistar.com/MeetingDetail.aspx?ID=454159&GUID=6980F6E4-B56F-4638-AFA1-548E73417972&Search> - See Attachment IV to agenda item #11.