

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL
OF THE CITY OF HAYWARD

AN ORDINANCE OF THE CITY OF HAYWARD AMENDING CHAPTER 10, ARTICLE 17,
OF THE HAYWARD MUNICIPAL CODE REGARDING AFFORDABLE HOUSING
REQUIREMENTS FOR NEW HOUSING DEVELOPMENTS

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN
AS FOLLOWS:

Section 1. Chapter 10, Article 17, of the Hayward Municipal Code is hereby amended to read as
follows:

ARTICLE 17 - AFFORDABLE HOUSING ORDINANCE

SEC. 10-17.100 GENERAL PROVISIONS.

SEC. 10-17.105 TITLE.

SEC. 10-17.110 PURPOSE.

SEC. 10-17.115 FINDINGS.

SEC. 10-17.120 DEFINITIONS.

SEC. 10-17.200 RESIDENTIAL DEVELOPMENT PROJECTS

SEC. 10-17.205 UNIT THRESHOLD AND BASIC REQUIREMENTS.

SEC. 10-17.210 ON-SITE UNITS IN OWNERSHIP RESIDENTIAL PROJECTS.

SEC. 10-17.215 ON-SITE UNITS IN RENTAL RESIDENTIAL PROJECTS.

SEC. 10-17.220 DESIGN, DISTRIBUTION AND TIMING OF AFFORDABLE UNITS.

SEC. 10-17.225 OFF-SITE CONSTRUCTION.

SEC. 10-17.230 ADDITIONAL ALTERNATIVES.

SEC. 10-17.300 RESERVED

SEC. 10-17.400 AFFORDABLE HOUSING IN-LIEU FEE

SEC. 10-17.405 ADOPTION OF AFFORDABLE HOUSING IN-LIEU FEE.

SEC. 10-17.410 PAYMENT OF AFFORDABLE HOUSING IN-LIEU FEE.

SEC. 10-17.415 USE OF AFFORDABLE HOUSING IN-LIEU FEE.

SEC. 10-17.500 IMPLEMENTATION OF AFFORDABLE HOUSING PLAN

SEC. 10-17.505 GENERAL.

SEC. 10-17.510 AFFORDABLE HOUSING PLAN.

SEC. 10-17.515 AFFORDABLE HOUSING AGREEMENT.

SEC. 10-17.520 TERM OF AGREEMENT.

SEC. 10-17.525 RECORDING OF AGREEMENT.

SEC. 10-17.600 EXEMPTIONS

SEC. 10-17.700 DEVELOPMENT INCENTIVES

SEC. 10-17.800 ADMINISTRATION OF AFFORDABLE UNITS

SEC. 10-17.805 SELECTION CRITERIA.

SEC. 10-17.810 CONFLICT OF INTEREST.

SEC. 10-17.815 OCCUPANCY.

SEC. 10-17.820 RESALE OF FOR-SALE AFFORDABLE UNITS.

SEC. 10-17.825 OPTION TO PURCHASE - FOR-SALE AFFORDABLE UNITS.

SEC. 10-17.830 RENTAL AFFORDABLE UNITS.

SEC. 10-17.835 MARKETING PLAN.

SEC. 10-17.840 COMPLIANCE REPORTS.

SEC. 10-17.845 SUBSEQUENT RENTAL TO INCOME-ELIGIBLE TENANT.

SEC. 10-17.850 CHANGES IN TENANT INCOME.

SEC. 10-17.900 ADJUSTMENTS AND WAIVERS

SEC. 10-17.905 APPLICATION FOR ADJUSTMENTS AND WAIVERS.

SEC. 10-17.910 CONSIDERATIONS.

SEC. 10-17.915 ACTION ON ADJUSTMENT OR WAIVER.

SEC. 10-17.1000 AFFORDABLE HOUSING TRUST FUND

SEC. 10-17.1005 TRUST FUND.

SEC. 10-17.1010 PURPOSE, LIMITATIONS AND ADMINISTRATION.

SEC. 10-17.1100 ENFORCEMENT

SEC. 10-17.1105 MISDEMEANOR.

SEC. 10-17.1110 CITY ACTIONS.

Section 2. Severance.

If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Hayward by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 3. Effective Date.

This ordinance shall become effective thirty (30) days after adoption by the City Council.

Introduced at a regular meeting of the City Council of the City of Hayward, held the 28th day of March, 2023, by Mayor Salinas.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on the 11th day of April, 2023, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. The full text of this Ordinance is available for examination by the public by contacting the City Clerk's office at cityclerk@hayward-ca.gov or (510) 583-4400.

Dated: April 7, 2023
Miriam Lens, City Clerk
City of Hayward