

HAYWARD CITY COUNCIL

RESOLUTION NO. 25-\_\_\_\_\_

Introduced by City Council Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD MAKING FINDINGS IN SUPPORT OF AMENDMENTS TO THE HAYWARD MUNICIPAL CODE TO ADD ARTICLE 9 OF CHAPTER 9 (BUILDING REGULATIONS) TO ESTABLISH UNIVERSAL RESIDENTIAL DESIGN AND VISITABILITY STANDARDS FOR THE CITY OF HAYWARD; FINDING THAT THE ACTION IS EXEMPT FROM CEQA REVIEW PURSUANT TO SECTION 15061(b)(3) OF THE CEQA GUIDELINES

WHEREAS, since 1990, Hayward's population has grown by 44 percent and the City has become increasingly diverse. From 2000 to 2019, older adults aged 65+ increased by 35 percent in Hayward and currently make up approximately 27% of all homeowners. Adults aged 35-64 also grew by 27 percent, marking a steady increase of median age of 31.9 in 2000, to 35.5 in 2019; and

WHEREAS, according to a survey by Healthy Alameda County between 2019-2023, approximately 23.5% of veterans in Hayward, including 10.2% of the entire population of Hayward, identifies as being a person with a disability; and

WHEREAS, incorporating Universal Design principles establish a proactive approach towards creating inclusive and accessible environments and products that provide equitable access for everyone, regardless of age or ability; and

WHEREAS, providing 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 is a goal of the City's recently certified Housing Element and the *Hayward 2040 General Plan*; and

WHEREAS, the certified Housing Element includes several goals and policies, including Policy 5.8, which requires the City develop Universal Design guidelines that promote accessibility for everyone regardless of age or physical ability; and

WHEREAS, the City Council's Strategic Roadmap includes a priority to Preserve, Protect, and Produce Housing for All, including the adoption of Universal Design Guidelines for Accessible Housing (HB8); and

WHEREAS, on September 19, 2024, the Housing Policy and Resource Committee held a work session to discuss several proposed policies for the creation of a new Universal Residential Design Ordinance, including adding a visitability requirement, for new single-family, duplex and triplex development in the City of Hayward; and

WHEREAS, between July 2024 and April 2025, City staff held targeted outreach meetings with various community stakeholders, including the Building Industry Association of Northern California and Community Resources for Independent Living, to obtain feedback on proposed the proposed policies tied to the creation of a Universal Design Ordinance in the City; and

WHEREAS, on April 17, 2025, City staff met with staff from the California Department of Housing and Community Development (HCD) to review and provide feedback on the proposed Universal Design Ordinance; and

WHEREAS, on May 9, 2025, a Notice of Public Hearing was published in the manner required by law and the hearing was duly held by the City Council on May 20, 2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council hereby finds and determines that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, commonly referred to as the “general rule” exemption. This exemption applies to activities where it can be seen with certainty that there is no possibility the action may have a significant effect on the environment. In this case, it is clear that the proposed amendments will not result in any physical changes or impact on the environment. Therefore, the project is not subject to CEQA.

#### FINDINGS FOR TEXT AMENDMENTS TO CHAPTER 9 OF THE HAYWARD MUNICIPAL CODE RELATED TO THE UNIVERSAL DESIGN ORDINANCE (REFERRED TO AS THE "AMENDMENTS")

**1. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward;**

The proposed Amendment promotes the general welfare of the community by addressing the housing needs of individuals with mobility challenges. Whether due to disability, aging, or other functional limitations, many residents require accessible features in their homes to support continued independent living.

According to the Centers for Disease Control and Prevention (CDC), approximately 28.7% of U.S. adults aged 18 and older reported having some form of disability in 2022—equating to over 70 million people. These disabilities include impairments

related to mobility, cognition, hearing, vision, and self-care. Notably, 12.2% of adults reported serious difficulty walking or climbing stairs, with 43.9% of adults aged 65 and older reporting at least one disability, many of whom face significant limitations across multiple functional domains.

Research further shows that over the typical lifespan of a newly constructed housing unit, between 25% and 60% of those units will be occupied by a person with a disability. Additionally, 53% to 91% of those units will host a visitor with a disability at some point during the home's use.

A strong preference among older adults to age in place underscores the need for accessible housing design. A 2000 AARP survey found that 90% of adults aged 65 and older wish to remain in their homes as long as possible. A 2018 AARP survey echoed this sentiment, with 77% of adults aged 50 and older expressing a desire to stay in their homes and communities as they age. Incorporating Universal Residential Design features—such as no-step entries, wider doorways, and accessible bathrooms—enables individuals to remain safely and independently in their homes for longer periods.

Universal Residential Design fosters accessibility and comfort for people of all ages and abilities. It also facilitates multigenerational living, allowing families to reside together regardless of physical ability or age. The proposed amendments to the Hayward Municipal Code (HMC) to establish Universal Design and Visitability requirements will help meet these needs and expand accessibility across new single-family, duplex, and triplex housing developments in the City.

**2. The proposed change is in conformance with all applicable, officially adopted policies and plans;**

The proposed Ordinance is consistent with the *Hayward 2040 General Plan*, including the City's certified 2023 Housing Element, and aligns with statewide efforts to improve housing accessibility. In 2002, the State enacted AB 2787, authorizing the Department of Housing and Community Development (HCD) to develop a Model Universal Design Ordinance. This model provided a framework for local jurisdictions to adopt ordinances that are in "substantial conformance" or are "substantially similar" to the State's guidelines for new for-sale residential construction incorporating universal design principles.

The City's proposed Ordinance reflects this direction by closely mirroring the State's Model Ordinance and aligning with the practices of other California jurisdictions. It also directly supports and implements numerous policies and goals of the *Hayward 2040 General Plan*, including:

- Housing Goal H-5: 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.

- Housing Policy 5.8 – Universal Design Standards: The City shall implement universal design standards or guidelines that promote accessibility for everyone regardless of age or physical ability.
- HQL-6 Goal: Create neighborhoods that enable residents to remain in their homes and live healthy, productive lives as they age.
- HQL Policy -6.1 – Aging in Place: The City shall promote community health, safety, and neighborhood cohesiveness by supporting housing and neighborhood amenities that allow residents to age in place.
- HQL Policy -6.3 – Range of Housing for Seniors: The City shall facilitate the development of a range of housing types, including affordable housing, multi-generational housing, independent living, and assisted living for Hayward seniors.
- HQL Policy -6.5 – Universal Design: The City shall promote the use of Universal Design Principles in new construction and rehabilitation of housing to improve accessibility for seniors.

As currently drafted, the Ordinance reflects best practices across California, complies with State guidance, and supports key objectives of the City's long-term vision for inclusive and accessible housing.

**3. Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and**

The proposed Amendments to the Hayward Municipal Code to incorporate Universal Design features are not anticipated to impact existing streets or public facilities. The proposed Ordinance does not involve any reclassification or rezoning of properties. As such, the City's current infrastructure, including roadways, utilities, and public services, remains adequate to support future residential development that integrates Universal Design principles. The adoption of these Amendments will enhance housing accessibility without creating additional demands on public infrastructure.

**4. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.**

No properties are proposed to be reclassified under the proposed Universal Design Ordinance. The Ordinance introduces Universal Residential Design standards that will provide widespread benefits to individuals, communities, and the broader society by facilitating the creation of homes that are accessible, safe, and functional for people of all ages and abilities. Specifically, the Ordinance is expected to:

- Increase accessibility for residents and visitors with disabilities;
- Promote aging in place by allowing older adults to remain safely in their homes;
- Minimize the need for costly future retrofits;
- Enhance quality of life and support independent living;
- Improve public safety through thoughtful design features;
- Increase the market appeal and resale value of new homes;

- Foster inclusivity and equity in housing design; and
- Encourage more thoughtful, future-ready home construction.

By proactively incorporating these features into the design phase, the City advances its goals of housing equity, sustainability, and livability for all residents.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby adopts the findings in support of the proposed Amendment to Chapter 9, Article 9, subject to the adoption of the companion Ordinance.

BE IT RESOLVED that this resolution shall become effective on the date that the companion Ordinance (Ordinance No. 25-\_\_) becomes effective.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2025.

ADOPTED BY THE FOLLOWING VOTE:

AYES:           CITY COUNCIL MEMBERS:  
                    MAYOR:

NOES:           CITY COUNCIL MEMBERS:

ABSTAIN:       CITY COUNCIL MEMBERS:

ABSENT:        CITY COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
                    City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward