

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

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 17 (AFFORDABLE HOUSING ORDINANCE) AND ARTICLE 19 (DENSITY BONUS ORDINANCE) OF THE HAYWARD MUNICIPAL CODE RELATED TO AN UPDATE OF THE DENSITY BONUS ORDINANCE

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

Section 1. Provisions. The City Council incorporates by reference the findings contained in Resolution No. 22-304 approving the Zoning Text Amendments to the Hayward Municipal Code.

Section 2. Chapter 10, Article 17 (Affordable Housing Ordinance) of the Hayward Municipal Code is hereby amended.

SEC. 10-17.700. DEVELOPMENT INCENTIVES. This section is revised.

Section 3. Chapter 10, Article 19 (Density Bonus Ordinance) of the Hayward Municipal Code is hereby repealed and revised.

SEC. 10-19.100. TITLE. This Article shall be known and may be cited as the Density Bonus Ordinance of the City of Hayward.

SEC. 10-19.105. PURPOSE.

SEC. 10-19.110. DEFINITIONS.

SEC. 10-19.120. APPLICATION.

SEC. 10-19.125. DENSITY BONUS CALCULATION.

SEC. 10-19.130. STATE TARGETED AND CITY SPECIAL-TARGETED HOUSING UNITS.

SEC. 10-19.140. LAND DONATION.

SEC. 10-19.150. CHILD CARE FACILITIES.

SEC. 10-19.160. CONDOMINIUM CONVERSIONS.

SEC. 10-19.170. COMMERCIAL DEVELOPMENT BONUS.

SEC. 10-19.180. DESIGN, DISTRIBUTION AND TIMING OF AFFORDABLE HOUSING UNITS.

SEC. 10-19.190. REQUESTS FOR INCENTIVES OR CONCESSIONS.

SEC. 10-19.200. GRANTING OF INCENTIVES OR CONCESSIONS.

SEC. 10-19.210. COMPLIANCE.

SEC. 10-19.220. DENSITY BONUS APPLICATION.

SEC. 10-19.230. AFFORDABLE HOUSING PLAN.

SEC. 10-19.240. AFFORDABLE HOUSING AGREEMENT.

SEC. 10-19.250. AFFORDABLE HOUSING AGREEMENTS FOR OWNERSHIP UNITS.

SEC. 10-19.260. AFFORDABLE HOUSING AGREEMENTS FOR RENTAL UNITS.

SEC. 10-19.270. ADMINISTRATIVE FEE.

SEC. 10-19.280. VIOLATION OF AFFORDABLE HOUSING COST REQUIREMENTS.

Section 4. California Environmental Quality Act. The City Council independently finds and determines that the Addendum to the Program EIR for the Hayward 2040 General Plan concludes that no new or unanticipated levels of development are anticipated that were not previously identified in the General Plan and General Plan EIR, and no new or unanticipated traffic, employment density, or construction impacts are expected to be generated as a result of adoption of the updated regulations. Therefore, the proposed Amendments substantially conform to the Goals and Policies set forth in the General Plan, and that were analyzed in the related Program EIR. No further environmental review is necessary in accordance with Section 15164 of the CEQA Guidelines because none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred.

Section 5. Severance. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 6. Effective Date. In accordance with the provisions of Section 620 of the City Charter, the Ordinance shall become effective 30 days following adoption.

Introduced at a meeting of the City Council of the City of Hayward, held the 6th day of December, 2022, by Council Member Lamnin.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on January 17, 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: January 13, 2023
Miriam Lens, City Clerk
City of Hayward