DATE: October 6, 2026

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution Declaring a Shelter Crisis in the City of Hayward until January 1, 2036 unless Repealed Earlier, and Authorizing for the City Manager to Take Emergency Actions to Allow for the Continued Use of Tiny Homes on Wheels for Sleeping and Living Purposes at a Restorative Pathways Facility Located Along Huntwood Avenue within the Harder/Tennyson Neighborhood

RECOMMENDATION

That the City Council takes emergency action by adopting a Resolution (Attachment II) declaring a shelter crisis until January 1, 2036, and suspending zoning requirements outlined in Hayward Municipal Code Section 10-1.2735(p), to allow for the continued use of tiny homes on wheels at a Restorative Pathways Facility located on Huntwood Avenue in the Harder/Tennyson Neighborhood.

SUMMARY

The City of Hayward is experiencing a homeless shelter emergency. According to the 2026 Point-in-Time Count, there are 404 homeless individuals in Hayward, which is 5% of the total homeless population within Alameda County.

Restorative Pathways provides emergency shelter and transitional housing for individuals and families experiencing homelessness because they are fleeing interpersonal violence in their primary residence. They currently operate a facility within Hayward on Huntwood Avenue within the Harder/Tennyson neighborhood. To meet social distancing requirements during COVID and to provide support to additional families in need, Restorative Pathways installed Recreational Vehicles at the facility in 2021. However, in accordance with Hayward Municipal Code Section 10-1.2735 (p), utilizing vehicles, including tiny homes on wheels, for sleeping and living purposes is prohibited within all zoning districts. As such, on January 30, 2024, the Council passed Resolution No. 24-25, which temporarily suspended certain local planning and zoning requirements for certain private property, including the Restorative Pathways facility, through December 31, 2026. Due to the ongoing homeless crisis and a lack of funding to convert the units to permanent tiny homes on foundations, Restorative Pathways needs to utilize the existing tiny homes on wheels for ongoing operations or up to eight families who occupy the

units will be displaced. As such, staff are recommending City Council pass an emergency resolution to allow for the continued use of the existing tiny homes on wheels for sleeping and living purposes at the subject property.

FISCAL IMPACT

By Council adopting the Resolution extending the shelter crisis declaration and waiving its police powers, there will be no fiscal impact on the City.

BACKGROUND

Restorative Pathways[1], formally known as Ruby's Place, was founded in 1971 in Hayward, and had the nation's first shelter for survivors of interpersonal violence. Within their facilities, Restorative Pathways provide shelter and transitional housing, case management, therapy, and children services for individuals and families experiencing homelessness because they are fleeing interpersonal violence in their primary residence. Their case management services include but are not limited to employment assistance, educational counseling, permanent housing assistance, and legal services.

On August 13, 1984, the City of Hayward adopted a Resolution approving a Conditional Use Permit (CUP) to allow Restorative Pathways to operate a facility on Huntwood Avenue in the Harder/Tennyson Neighborhood. They have continuously operated at that location since their CUP approval. To ensure the safety of the individuals served by this facility, exact location of the facility is not being disclosed.

During the COVID-19 crisis, existing shelters in Hayward sought support from the City to provide adequate separation between clients and to expand shelter capacity due to increased need. In 2021, the City of Hayward provided funding to Restorative Pathways to purchase and place Recreational Vehicles on a site adjacent to their previously approved facility. Expanding their facility to an adjacent site allowed for safer separation and increased capacity; however, it also exceeded the allowance of their 1984 CUP and conflicted with Hayward Municipal Code (HMC) Section 10-1.2735 (p)[2],which prohibits the use of vehicles for sleeping and living purposes within all zoning districts.

To avoid displacement of individuals residing at the Restorative Pathways facility and other shelters, the City Council unanimously passed Emergency Resolution No. 24-025[3] on January 30, 2024, to temporarily suspend certain local planning and zoning requirements through December 31, 2026. Based on this Emergency Resolution, Restorative Pathways has continued to operate at the subject site without an approved Conditional Use Permit and are permitted to do so until December 31, 2026.

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[1] Restorative Pathways: https://restorativepathways.org/
[2] Hayward Municipal Code Section 10-1.2735: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.2700GERE_S10-1.2735SPSTCOCOINTEACUS
[3] Emergency Resolution No. 24-025: https://portal.laserfiche.com/Portal/DocView.aspx?id=408473&repo=r-b6d2994c

On August 23, 2026, Restorative Pathways submitted CUP No. UP-26-0011 to legitimize their expanded operation beyond December 31, 2026. The application calls for continued use of the tiny homes on wheels because the organization does not have the funding to make the units permanent by placing them on foundations however conditions of approval will require that the units be made permanent by a certain timeframe aligned with this Emergency Resolution, if adopted. The application is currently incomplete but is anticipated to go to the Planning Commission for approval by end of the year.

DISCUSSION

While Restorative Pathways has applied for a CUP to bring their site and current operations into compliance, they do not have the funding to place the tiny homes onto permanent foundations in compliance with applicable zoning standards. The placement of Recreational Vehicles to allow for social distancing and to address an increased need for shelter, originally in response to COVID-19 pandemic, has resulted in unrelated positive impacts on service delivery and the individuals served. The current tiny homes on wheels provide individuals and families who are fleeing interpersonal violence with independent spaces to feel safe, heal and stabilize their lives. These spaces are atypical in shelters which typically rely on the congregate living model for service delivery. Due to their success with establishing these independent spaces, Restorative Pathways would like to continue utilizing the vehicles to serve their clients while they raise capital to design, permit and construct permanent facilities.

Restorative Pathways has been a trusted operator and partner within the City for over 55 years, and their subject facility has operated in harmony with the surrounding properties. Recognizing the beneficial services Restorative Pathways provides, staff evaluated several options to allow the continued use of the tiny homes on wheels. These included zoning text amendments, rezoning the site and/or general plan amendments. Ultimately, staff determined an Emergency Resolution was the best interim solution as it was temporary, would ensure no lapse in approvals for Restorative Pathways, and provide the organization time to fundraise to make the units permanent. Furthermore, this path would not result in additional development of this type throughout the City.

As such, staff is recommending City Council pass the Emergency Resolution in Attachment II to allow for the continued use of tiny homes on wheels at the subject property until January 1, 2036. This will provide Restorative Pathways with ample time to identify and implement a permanent solution while still being able to provide much-needed services within the City of Hayward.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of *Preserve, Protect & Produce Housing* but is not specifically related to a project identified within the Strategic Roadmap.

ECONOMIC IMPACT

There is no expected material economic impact related to this action.

PUBLIC CONTACT

On September 25, 2026, a notice was sent to residents and homeowners within a 300-foot radius of the project site and a legal ad was published in *The Daily Review* informing the community of this agenda item. To date, we have not received any public comments in response to these notices.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) since this resolution will only allow for continued use of tiny homes on wheels at the subject site for a limited amount of time. Furthermore, this project is statutorily exempt under Section 15268 of the CEQA Guidelines as the project is a ministerial project since the placement of the tiny homes on wheels solely involves issuance of encroachment and building permits.

NEXT STEPS

If approved, Restoration Pathways will continue utilizing the existing tiny homes on wheels. Furthermore, Restorative Pathways will continue working on obtaining their Conditional Use Permit approval from the Hayward Planning Commission and apply for any necessary permits to ensure compliance with all applicable health and safety standards.

Prepared and Recommended by: Sara Buizer, AICP, Development Services Director

Approved by:

Jennifer Ott, City Manager