



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Cover Memo

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DATE: March 26, 2024

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT

Streamlined Affordable Housing Overlay District: Introduction of an Ordinance and Adoption of a Resolution for City-Initiated Zoning Text and Map Amendments to Chapter 1, Article 10 (Planning, Zoning and Subdivisions) of the Hayward Municipal Code to Establish an Affordable Housing Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Minimum Affordability Criteria and to Rezone Three Properties Subject to the Overlay District as Required by the 6th Cycle Housing Element

RECOMMENDATION

That the Council introduces the attached Ordinance (Attachment III) and adopts the attached Resolution (Attachment II) containing findings approving Zoning Text and Map Amendments to Chapter 10 (Planning, Zoning and Subdivisions), of the Hayward Municipal Code establishing a new Streamlined Affordable Housing Overlay District and rezoning three properties to be subject to the new Overlay District.

SUMMARY

On February 7, 2023, the City Council adopted Resolution No. 23-033 incorporating the 6th Cycle Housing Element into the Hayward 2040 General Plan. The State Department of Housing and Urban Development certified Hayward's Housing Element on July 27, 2023. Pursuant to State Law, the certified Housing Element includes sections on Housing Resources, which contains a list of pending and approved housing developments and specific sites with appropriate zoning that could be developed or redeveloped into high density housing; and a Housing Plan, composed of Goals, Policies and Programs, intended to help the City achieve housing goals set under the Regional Housing Needs Allocation (RHNA).

Housing Element Program H-11 in the Housing Plan requires the City to establish a by-right design review approval process for housing development on parcels that were used in previous Housing Element Sites Inventories, and that were identified as potentially accommodating high density residential development affordable to low-income households. Three properties meet these criteria: 548 Claire Street (APN 431-0040-029-00); 28824 Mission Boulevard (APN 078C-0461-006-04); and a vacant property located at Fletcher Lane (APN 445 -0001-004-13). The proposed Streamlined Affordable Housing Overlay District would not apply to any other properties in Hayward at this time.

To utilize the proposed Streamlined Affordable Housing Overlay approval process, new residential development on these sites must include 20% of the housing units for lower income households, meet minimum environmental clearance criteria, and meet objective zoning, subdivision and design standards. The proposed Overlay will not change the existing Zoning District or General Plan land use designation for the properties and will not result in any changes in allowable densities, uses, or other development standards applicable under those designations. Because this will be a ministerial planning process and meet minimum environmental clearance criteria, development of these parcels will not be considered “projects” as defined in Section 21100 of the Public Resources Code (California Environmental Quality Act “CEQA”), and therefore not subject to CEQA.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Ordinance
Attachment III, Exhibit A	Streamlined Affordable Housing Overlay District
Attachment III, Exhibit B	Area Maps for Zoning Map Amendment
Attachment IV	Hayward General Plan Addendum