



CITY OF HAYWARD

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Cover Memo

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DATE: March 14, 2024

TO: Planning Commission

FROM: Leigha Schmidt, Principal Planner

SUBJECT

City-Initiated Zoning Text and Map Amendments to Chapter 1, Article 10 (Planning, Zoning and Subdivisions) of the Hayward Municipal Code to Implement a 6th Cycle Housing Element Program to Establish an Affordable Housing Overlay District and to Rezone Three Properties Subject to the Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Affordability and Other Criteria.

RECOMMENDATION

That the Planning Commission recommends that the City Council approve the proposed Zoning Map and Text Amendments to Chapter 10 (Planning, Zoning and Subdivisions), of the Hayward Municipal Code related to 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 adopting the 6th Cycle Housing Element. 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 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.

In order to utilize the proposed Streamlined Affordable Housing Overlay approval process, new 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. 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	Draft Findings
Attachment III	New Section 10-1.2650, Streamlined Affordable Housing Overlay District
Attachment IV	Area Maps
Attachment V	Addendum to the Hayward 2030 General Plan