



Hayward Density Bonus User Guide

This User Guide outlines the development allowances provided under [Government Code Section 65915](#), commonly referred to as State Density Bonus Law (SDBL), and the [City of Hayward Density Bonus Ordinance \(DBO\), Chapter 10, Article 19 of the Municipal Code](#). The user guide is not intended to be a complete description or a substitute for the laws themselves.

The SDBL was adopted in 1979 to address California's affordable housing needs. As originally enacted, the SDBL sought to increase the production of affordable housing by requiring local agencies to grant a density increase over the otherwise maximum eligible density. The law has been strengthened over time as early versions were not deemed to be sufficiently incentivizing. Thus, it was amended (1) to require progressively more "concessions or incentives" and "waivers" in addition to a density bonus and (2) to make it easier to get concessions, incentives, and waivers. As discussed below, the City of Hayward adds further incentives to affordable housing production by allowing an additional density bonus, incentives and concessions, beyond those allowed under the SDBL for certain housing types defined in the Municipal Code.



ELIGIBILITY

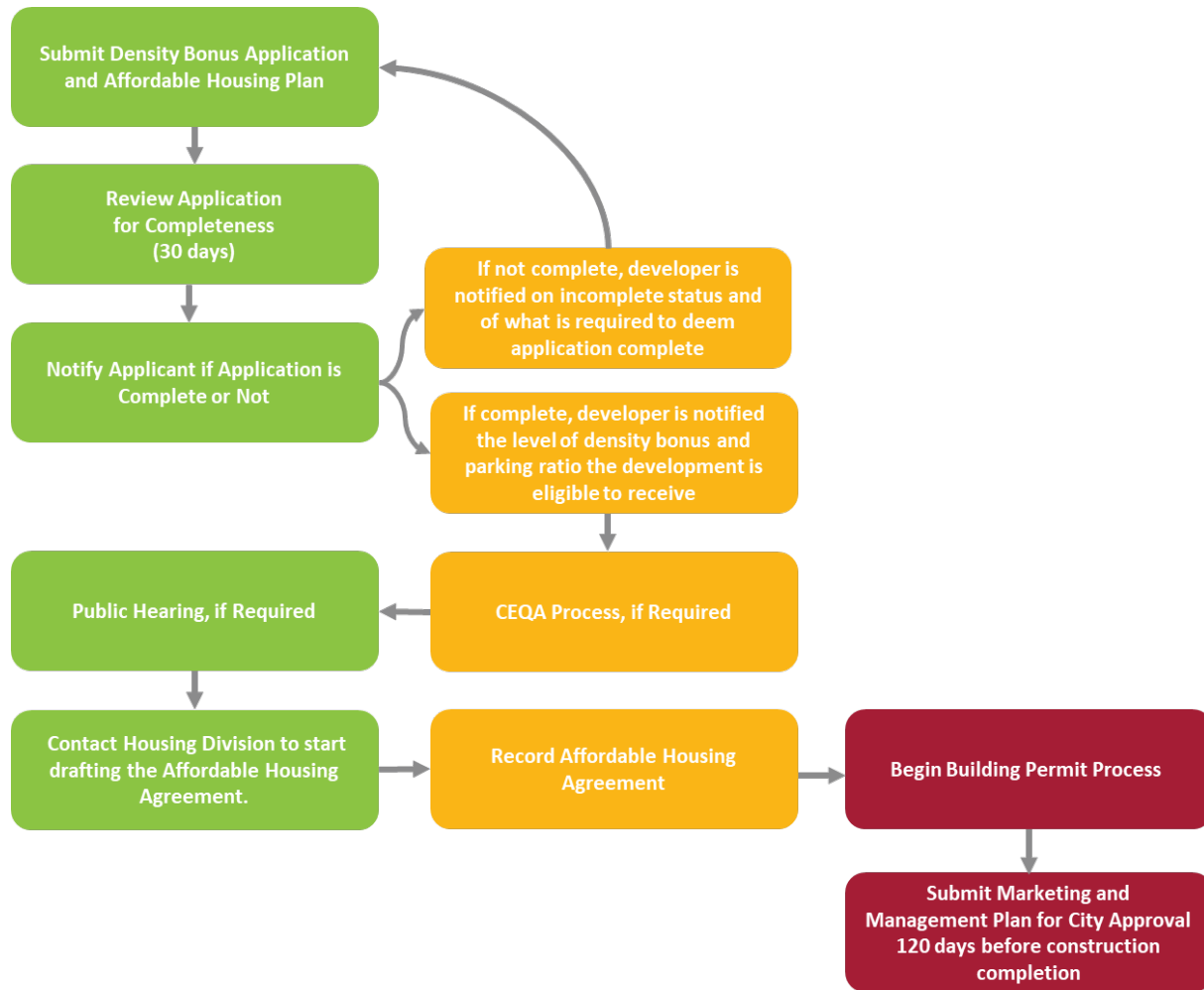
Any housing development that proposes **five or more units** and incorporates at least one of the following is eligible for a density bonus:

- 10% of units for foster youth housing,
- 10% of units for disabled veterans housing,
- 10% of units for projects for unhoused people,
- 20% of units restricted for low-income full time college students,
- Senior citizen housing developments,
- Mobile home parks age restricted to senior citizens (55 and older per Public Law 104-76)
- At least 10% of housing units in for-sale development restricted for moderate income households
- At least 10% rental units restricted to low-income households
- At least 5% of rental units restricted to very low-income households
- The property owner must be willing to record affordable housing restriction to the title of the property.

Please refer to [Government Code Section 65915](#) (as it may be modified from time to time) for additional details on eligibility requirements.

CITY OF HAYWARD DENSITY BONUS FLOW CHART

Figure 1 City of Hayward Density Bonus Flow Chart



DENSITY BONUS

The amount allowed for the density bonus is set on a sliding scale based on the percent of affordable units provided and the income level except for Senior, Foster Youth, Veterans, Homeless and College Students which is a flat rate as shown in Table 1. Please note that the last two columns of the table for Foster Youth, Disabled Veterans, Homeless and for College Students are also special targeted groups that may receive an additional density increase as shown in Table 2 if all requirements are met.

Table 1 City of Hayward Density Bonus Allowance¹

Affordable Unit Percentage ²	Very Low Income	Low Income	Moderate Income ³	Land Donation	Senior ⁴	Foster Youth Disabled Vets Homeless ⁵	College Students ⁶
5%	20%	—	—	—	20%	—	—
6%	22.5%	—	—	—	20%	—	—
7%	25%	—	—	—	20%	—	—
8%	27.5%	—	—	—	20%	—	—
9%	30%	—	—	—	20%	—	—
10%	32.5%	20%	5%	15%	20%	25%	—
11%	35%	21.5%	6%	16%	20%	25%	—
12%	38.75%	23%	7%	17%	20%	25%	—
13%	42.5%	24.5%	8%	18%	20%	25%	—
14%	46.25%	26%	9%	19%	20%	25%	—
15%	55%	27.5%	10%	20%	20%	25%	—
16%	55%	29%	11%	21%	20%	25%	—
17%	55%	30.5%	12%	22%	20%	25%	—
18%	55%	32%	13%	23%	20%	25%	—
19%	55%	33.5%	14%	24%	20%	25%	—
20%	55%	35%	15%	25%	20%	25%	40%
21%	55%	38.75%	16%	26%	20%	25%	40%
22%	55%	42.5%	17%	27%	20%	25%	40%
23%	55%	55%	18%	28%	20%	25%	40%
24%	55%	55%	19%	29%	20%	25%	40%
25%	55%	55%	20%	30%	20%	25%	40%
26%	55%	55%	21%	31%	20%	25%	40%
27%	55%	55%	22%	32%	20%	25%	40%
28%	55%	55%	23%	33%	20%	25%	40%
29%	55%	55%	24%	34%	20%	25%	40%
30%	55%	55%	25%	35%	20%	25%	40%
31%	55%	55%	26%	35%	20%	25%	40%
31%	55%	55%	27%	35%	20%	25%	40%
33%	55%	55%	28%	35%	20%	25%	40%
34%	55%	55%	29%	35%	20%	25%	40%
35%	55%	55%	30%	35%	20%	25%	40%
36%	55%	55%	31%	35%	20%	25%	40%
37%	55%	55%	32%	35%	20%	25%	40%
38%	55%	55%	33%	35%	20%	25%	40%
39%	55%	55%	34%	35%	20%	25%	40%
40%	55%	55%	35%	35%	20%	25%	40%
41%	55%	55%	38.75%	35%	20%	25%	40%
42%	55%	55%	42.5%	35%	20%	25%	40%
43%	55%	55%	46.25%	35%	20%	25%	40%
44%	55%	55%	55%	35%	20%	25%	40%
100% ⁷	80%	80%	80%	35%	20%	25%	40%

Notes:¹ All density bonus calculations resulting in fractional units shall be rounded up to the next whole number.² Affordable unit percentage is calculated excluding the units added by density bonus.³ Only applies to for-sale units, not to rental units.⁴ No affordable units are required. The bonus is limited to 20% of the number of senior units only if no units are affordable.⁵ The bonus is equal to 25% of the number of units designated for very low income foster youth, disabled veterans, and the homeless.⁶ The bonus is equal to 40% of the number of student housing units designated for low-income students⁷ Applies when 100% of the total units (other than manager's units) are restricted to very low, low, and moderate income (maximum 20% moderate). If the project is within one-half mile of a major transit stop, there is no maximum density per Government Code Section

CITY OF HAYWARD ADDITIONAL DENSITY FOR SPECIAL TARGETED POPULATIONS AND HOUSING UNIT TYPES

In accordance with Section 10-19.130 (State Targeted and City Special Targeted Housing Units), the City of Hayward provides an additional 5% density bonus above those provided in Table 1 for special targeted groups and housing units as follows:

- Rental projects that provide more than 20% of the rental units for large families (3+ bedrooms)
- Projects that incorporate Universal Design features in more than 20% of the units
- Senior housing projects as defined by Government Code Section 65915, as it may be modified from time to time
- College student housing projects as defined by Government Code Section 65915, as it may be modified from time to time
- Projects with units set-aside for foster youth, disabled veterans, or individuals experiencing homelessness as defined by Government Code Section 65915, as it may be modified from time to time.

STATE DENSITY BONUS LAW ADDITIONAL DENSITY ALLOWANCE

Pursuant to Government Code Section 65915(v)(1), an additional density bonus may be “stacked” on top of the Density Bonus allowances detailed in Table 1 for projects that would not restrict more than 50% of the total units for very low, low or moderate-income housing, if they meet any of the following requirements:

- (A) Ten percent of the total units of a housing development, including a shared housing building development, are deed restricted for rental or sale to lower income households, as defined in Section 50079.5 of the Health and Safety Code and provides 24 percent of the total units to lower income households.
- (B) Five percent of the total units of a housing development, including a shared housing building development, are deed restricted for rental or sale to very low income households, as defined in Section 50105 of the Health and Safety Code, and provides 15 percent of the total units to very low-income households.
- (C) Ten percent of the total dwelling units of a housing development are sold to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, and provides 44 percent of the total units to moderate-income households.

The following table provides the additional density bonuses permitted for projects that meet this subsection. The additional density bonus required under this subdivision shall be calculated using the number of units excluding any density bonus awarded by this section.

Table 2. Additional “Stacked” Density Allowance Per State Density Bonus Law

Affordable Unit Percentage	Very Low Income	Moderate Income
5%	20%	20%
6%	23.75%	22.5%
7%	27.5%	25%
8%	31.25%	27.5%
9%	35%	30%
10%	38.75%	32.5%
11%	--	35%
12%	--	38.75%
13%	--	42.5%
14%	--	46.25%
15%	--	50%

HOW DENSITY BONUS IS CALCULATED

Step One: Calculate the project's *base density*, which represents the Maximum Allowable Density for the project site without any discretionary permits. Base density is calculated by multiplying the gross acreage of the site by the number of allowable dwelling units.

- All calculations are rounded up for any fractional numeric value when determining the total number of units to be granted or required to meet affordability requirements. For example, if a fractional calculation results in any number between 14.01 and 14.99, the total number of units will be rounded up to 15.
- Regardless of the number of affordable units, no development project shall be entitled to a density bonus of more than what is authorized under State law or as allowed by the City's Density Bonus Ordinance.

$$\text{Gross Acreage} \times \text{Number of allowable dwelling units} = \text{Base Density}$$

- Per Government Code Section 65915(o)(6), "Maximum allowable residential density" or "base density" means the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the greatest number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:
 - Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open-space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.
 - Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.

Step Two: Calculate the number of density bonus units, which represents the percent of units allowed in addition to the base density units. See Table 1 above for City of Hayward Density Bonus Allowance.

The number of density bonus units are based upon the following factors:

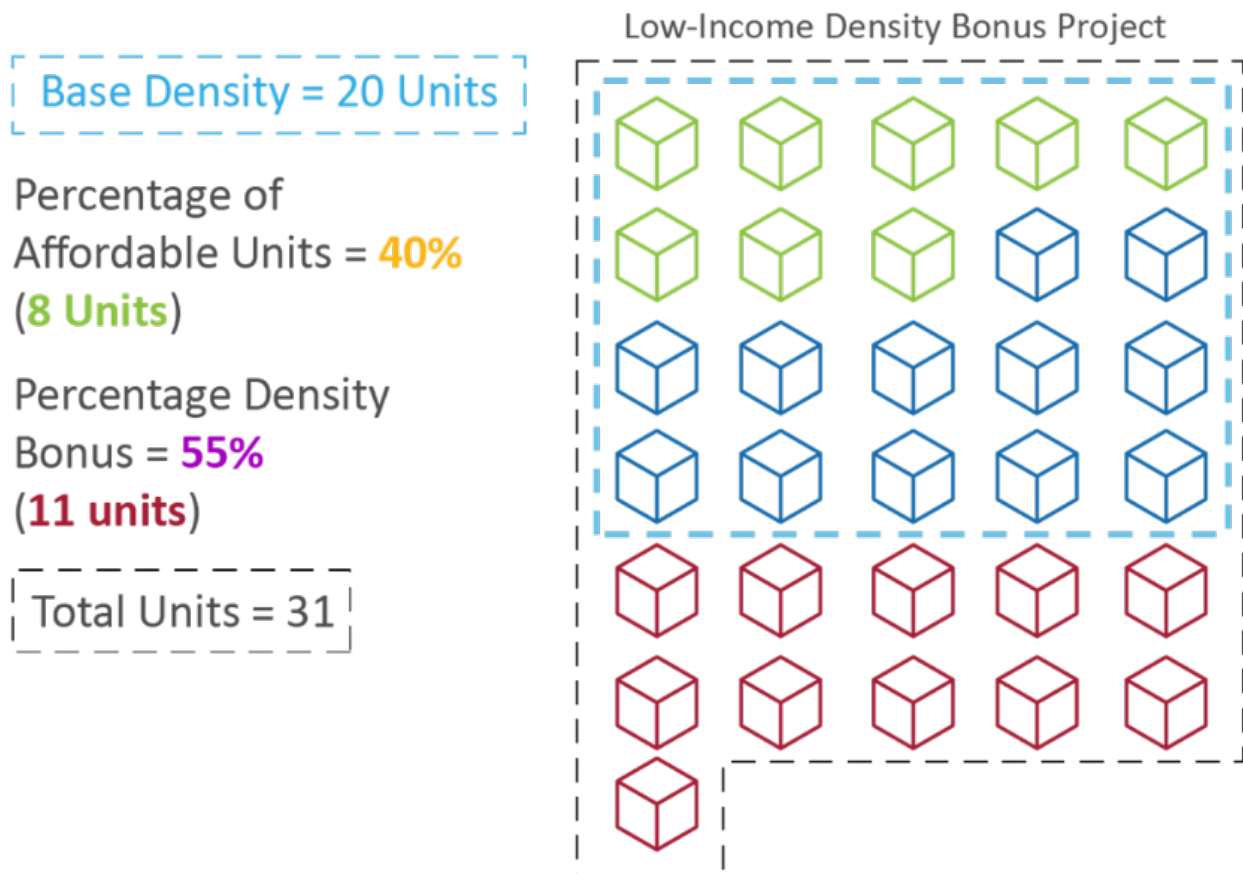
- The percentage of units in the project that will be set aside (reserved) as affordable,
- The household income category of those affordable units (i.e., very low, low, or moderate income),
- If the project meets the criteria for special targeted groups (senior housing, foster youth, disabled veterans, homeless, or college students) then the project receives an additional bonus. See Special Targeting Density Bonus Increase section above.

1. $\text{Number of Affordable Units} \div \text{Base Density} = \text{Percentage of Affordable Units}$
2. Check Table 1 and Table 2 for corresponding **Percentage Density Bonus** based on the **Percentage of Affordable Units** and the income level/type of household
3. $\text{Base Density} \times \text{Percentage Density Bonus} = \text{Number of Density Bonus Units}$

OR

1. $\text{Number of Density Bonus Units} \div \text{Base Density} = \text{Percentage Density Bonus}$
2. Check Table 1 and Table 2 for corresponding **Percentage of Affordable Units** based on the **Percentage Density Bonus** and the income level/type of household
3. $\text{Base Density} \times \text{Percent of Affordable Units} = \text{Number of Affordable Unit}$

Figure 2 Density Bonus Example



THEORETICAL EXAMPLES

The following are theoretical examples of how different density calculations are applied.

EXAMPLE 1- Rental Housing with Low Income Units

A property is 0.91 acres in size, with a zoning designation of RH (17.4 to 34.8 dwelling units per acre). This results in a base density of 32 units for this site ($0.91 \times 34.8 = 31.668$) which rounds up to 32 units.

A developer would like to build an additional 8 market rate units. To do so they will provide a certain number of low-income units. In order to calculate how many low-income units, they will have to provide, they divide the number of density bonus units by the base density ($8 \div 32 = 0.25$). They then must check the table to see the corresponding percentage of affordable units based on 25% low-income units. Table 1 City of Hayward Density Bonus Allowance indicates that the development would have to have at least 13% affordable units ($32 \times 0.13 = 4.16$). State law requires that all density calculations resulting in a fractional number be rounded up to the next whole number. This means that the development must provide 5 low-income units to receive a density bonus of 8 market rate units. The development would have a total of 40 units, 35 of which would be market rate units.

EXAMPLE 2- Ownership Housing with Moderate Income Units and Special Targeting

A property is 0.82 acres in size, with a zoning designation of RH (17.4 to 34.8 dwelling units per acre). This results in a maximum base density of 28.536 units for this site ($0.82 \times 34.8 = 28.536$), which rounds up to 29 units.

The applicant proposes a development with for-sale housing with moderate income units and 20% of the units will provide universal design features as described in DBO Section 10-19.110 (bb).

To qualify for a density bonus increase based on the City's special targeting density increase, at least 44% of the units will have to be restricted to moderate income residents. If the development has a base density of 29 units, then development would have to restrict 13 units to moderate income residents ($29 \times 44\% = 12.76$ which rounds up to 13 units). Table 2 State and City of Hayward Special Targeting Density Bonus Increase indicates that the development would receive a density bonus of 60% ($29 \times 0.60 = 17.4$) which rounds up to 18 density bonus units. The development would have a total of 47 units, 34 of which would be market rate units.

EXAMPLE 3- Senior Housing Units

A property is 1.24 acres in size, located in the Mission Boulevard Specific Plan Area and is zoned MB-CN (17.5 to 35 dwelling units per acre). This results in a maximum base density of 36.24 units for this site ($1.24 \times 35 = 36.24$), which rounds up to 37 units.

The applicant proposes a senior housing development without affordable housing. State law does not require senior housing development to provide affordable housing to receive a density bonus.

If the development has a base density of 37 units, the DBO allows senior housing developments to receive a density bonus of 20% ($37 \times 20\% = 7.4$ which rounds up to 7 units). The development would have a total of 44 units.

INCENTIVES AND CONCESSIONS

Incentives and concessions, as defined under State Density Bonus Law, allow a developer to deviate from development standards or regulations when the deviation will provide “identifiable and actual cost reductions” to provide for affordable housing costs and rents.

Projects that include certain percentages of affordable units qualify for various incentives or concessions from development standards such as reduction in EV charging requirements or reducing parking requirements beyond those allowed under Density Bonus Law. The number of incentives or concessions that may be requested and granted shall be based upon the amount and level of affordable housing provided on site pursuant to Hayward Municipal Code Sections 10-19.190 and 10-19.200, and as reflected in Table 3 below. A development must meet the affordability requirements in one of the columns in the Table below to receive the No. of Incentives/Concessions provided in each row.

Percentages between these ranges are rounded down. For instance, in Example 1 above, the development reserved 13% of the units for low-income so it would receive one incentive or concession.

Table 2 City of Hayward Density Bonus Incentives and Concessions

No. of Incentives/ Concessions	Percentage of Very-Low Income (VLI) Units OR	Percentage of Low Income (LI) Units OR	Percentage of Moderate- Income (MI) Units
1	5%	10%	10%*
2**	10%	17%	20%*
3**	15%	24%	30%*
4**	16%	N/A	45%***
5	100% (LI/VLI) or 100% (MI 20% /LI 80%)		

*Applies to common interest development, as defined in Section 4100 of the Civil Code

** One additional incentive or concession is permitted for projects that provide State Targeted and City Special-Targeted Housing Units as defined in HMC Section 10-19.130

*** When units are for sale.

As part of the request for incentives or concessions, the City requires applicants provide reasonable documentation to show that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents. The City must grant a requested incentive or concession unless makes written finding, based on substantial evidence any of the following:

- The concession or incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs or rents.
- Granting the concession or incentive would have a specific adverse impact on public health or safety or on property listed on the California historical register, which cannot be mitigated, or would be contrary to state or federal law.

WAIVERS

Waivers are another form of assistance under SDBL, separate from concessions and incentives. A waiver is a reduction in development standards and other regulations when those requirements potentially make the construction of the project physically infeasible, if not approved.

Under SDBL, the City is not permitted to apply any development standard which physically precludes the construction of the project at its permitted density and with the granted concessions or incentives.

Development standards which have been waived or reduced utilizing this allowance typically include setbacks, lot coverage, open space requirements, and height limits. The developer must provide a written description of all applicable development standards and proposed waivers required to develop the project with affordable units. There is no limit on the number of development standard waivers that may be requested or granted. *The waiver of a development standard does not count as an incentive or concession.*

The City is not required to waive development standards or provide any concessions that would cause a specific adverse impact on public health or safety and cannot be mitigated, would have an adverse impact on property listed on the California historical register, or would violate state or federal law.

Unlimited Density Bonus and Additional Height for 100% Affordable Development Projects. If a 100% affordable project is located within a half mile of a major transit stop¹, the local government may not impose any maximum density limits at all, and the project is further entitled to receive a maximum height increase of up to three additional stories or 33 feet. However, if the project receives a waiver from maximum controls on density, it is not eligible for the waiver or reduction of any development standards which would otherwise be available.

PARKING ALLOWANCES

Parking ratios for density bonus projects (including parking for persons with disabilities) is governed by Government Code Section 65915. The parking ratios for density bonus projects under Government Code Section 65915(p)(1) are as follows:

Table 3 Parking Ratios

Unit Type	Required Parking
Studio	1 space
One Bedroom	1 space
Two Bedrooms	1.5 spaces
Three Bedrooms	1.5 spaces
Four or more Bedrooms	2.5 spaces

SDBL further limits parking requirements for specified projects as reflected below.

- 0.5 spaces per unit for projects with at least 11% very low income, 20% lower income, or 40% moderate income, when located within ½ mile of accessible major transit stop in accordance with Public Resource Code Section 21064.3.
- No parking spaces are required for projects meeting the following:
 - 100% affordable to lower income residents, within ½ mile of a major transit stop.
 - 100% senior or special needs rental project affordable to lower income, either with paratransit service or within ½ mile of an accessible bus route that operates at least eight times per day
 - Rental supportive housing development that is 100% affordable to lower income households.

If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide onsite parking through tandem parking or uncovered parking, but not through on street parking. Deviating from parking standards by providing tandem or uncovered parking does not require

¹ Per [Public Resources Code Section 21064.3](#), a Major Transit Stop is defined as a site containing an existing rail or bus rapid transit station, a ferry terminal served by rail or bus transit, or the intersection of two or more major bus routes with service intervals of 20 minutes or less during peak commute hours.

approval of a waiver or concession. However, an applicant may request further reductions in parking space requirements through application of an incentive/concession. Applications for parking reduction requests that are less than those allowed under Government Code Section 65915(p), as may be modified from time to time, shall include a transportation demand management (TDM) plan to reduce parking demand (i.e., transit passes, bike or car share, shuttle, etc.).

INCOME LIMITS, AFFORDABLE RENTS AND AFFORDABLE SALES PRICES

The income limits are published annually by the California Department of Housing and Community Development for Alameda County and available on the City's website along with corresponding affordable rents.

Affordable rental and sales prices are project specific and subject to change based on changes in interest rates, homeowners' association dues, and types of utilities.

Contact Housing Division staff at Housing@hayward-ca.org for more information.



AFFORDABILITY DURATION

SDBL and the City's [Affordable Housing Ordinance](#), specifically Section 10-17, establish how long an affordable unit must remain affordable.

- Affordable *rental* units must be restricted at the targeted income level group for at least 55 years.
- Affordable *for-sale* units must be restricted for lower income housing for at least 55 years for owner-occupied housing units and will be sold or resold only to persons of the target income level group.

Any unit that satisfies the requirement of both the Density Bonus and the City's Affordable Housing Ordinance shall be restricted in perpetuity. The affordable housing required to be provided to receive the benefits of the Density Bonus will be memorialized by an Affordable Housing Agreement between the City and the Applicant. The Affordable Housing Agreement must be recorded to title prior to issuance of building permits.

COMPLIANCE WITH THE AFFORDABLE HOUSING ORDINANCE

Affordable units created from application of the density bonus can also be used to comply with the Affordable Housing Ordinance. In the event the requirements are different, the stricter of the two requirements will apply.

DENSITY BONUS APPLICATIONS

All Density Bonus Applications shall be supplemental to an entitlement application such as Site Plan Review and/or Tentative Map. HMC Section 10-19.220 contains all of the requirements for a Density Bonus Application. Applications shall be submitted electronically through [Energov](#), the City's online permit application submittal system and shall contain all of the application submittal requirements detailed on the applicable permit page and in the Hayward Municipal Code.

FOR MORE INFORMATION

To schedule an appointment or to learn more about this process, please contact the Planning Division at 510-583-4216 or via email at planning.division@hayward-ca.gov.

NOTE: State density bonus law is regularly updated and revised by the state legislature and the City may not be able to timely update this bulletin to reflect the most current provisions. Please refer to current state law (Gov. Code [Section 65915 et seq.](#)).



Hayward Density Bonus Checklist

The information listed in this checklist is required to be completed for all development applications requesting a Density Bonus pursuant to Government Code Sections 65915 – 65918 (State Density Bonus Law) and Chapter 10, Article 19 (Density Bonus Ordinance) and Article 17 (Affordable Housing Ordinance) of the Hayward Municipal Code. Please prepare the required materials/information described in this checklist and submit with the Development Permit application.

☐ **PROJECT LOCATION**

Include the street address, lot area, and APN(s) of the subject property

☐ **PROPERTY DESCRIPTION**

- Include property information such as any existing uses on-site, site characteristics (i.e., slopes, habitat, drainage), typical neighborhood setting, Hayward 2040 General Plan designation, zoning designation, and maximum density allowed by zoning.
- If the project site currently contains dwelling units, provide a description of all dwelling units over the last five years, and identify any units which were rented over that period. If dwelling units on the site are currently rented, provide income levels and household size of all residents. If any dwelling units on the site were previously rented sometime over the past five-year period but are currently not rented, provide the income levels, household size of residents occupying dwelling units, and dates of when the unit was last occupied.
- Include a description of any recorded covenant, ordinance, or law applicable to the site that restricts rents to levels affordable to very low or lower income households in the five-year period preceding the date of submittal of the application.
- If a density bonus is requested for a land donation, please provide the location of the land to be dedicated, proof of site control, and reasonable documentation that each of the requirements included in Government Code Section 65915 (g) can be met.

☐ **PROJECT DESCRIPTION**

Describe the proposed project and provide the following information.

- Total number of units and/or lots proposed (maximum base density and density bonus units)
- Proposed number of units for special targeted groups (See Density Bonus User Guide)
- Type of housing proposed and any anticipated construction phasing
- Type of tenure proposed (rented or for-sale)
- Site map showing the number, location, and income level of the proposed affordable units within each floor plan of the building(s)
- Project access and any proposed amenities, open space and/or childcare facilities

☐ **TENTATIVE MAP AND/OR PRELIMINARY SITE PLAN**

Ensure that the plan is drawn to scale, showing the number and location of all proposed lots/units, designating the location of proposed affordable units and density bonus units.

☐ **DENSITY CALCULATIONS**

Indicate the number of units and number of affordable units. Include the following information.

- Show all density calculations including proposed density with and without the density bonus
- Income levels of the affordable units
- Number of “Concessions/Incentives” requested
- Number of “Waivers” requested

☐ **CONCESSION(S)/INCENTIVE(S), IF REQUESTED**

In the event an application proposes concessions or incentives for a development project pursuant to State Density Bonus Law and Sections 10-19.190 and 10-19.200 of the Density Bonus Ordinance, the following minimum information for each incentive requested, shown on a site plan if appropriate, shall be provided:

- The City's required development standard and the Applicant's requested development standard concession or regulatory incentive.
- Except where mixed-use zoning is proposed as a concession or incentive, reasonable documentation to show that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.

☐ **WAIVERS(S), IF REQUESTED**

In the event an application proposes waivers of development standards for a residential development project pursuant to State Density Bonus Law, the density bonus report shall include the following minimum information for each waiver requested, shown on a site plan if appropriate:

- The City's required development standard and requested development standard waiver.
- Reasonable documentation that the development standards for which a waiver is requested will have the effect of physically precluding the construction of a development at the permitted densities or with the concessions or incentives permitted by State Density Bonus Law, as may be amended from time to time.

☐ **REQUESTED PARKING REDUCTION**

Except for projects subject to Government Code Section 65863.2, in the event an application proposes a parking reduction for a residential development project pursuant to Government Code Section 65915 (p), as it may be modified from time to time, a table showing parking required by the zoning regulations, parking proposed under Government Code Section 65915 (p), as may be modified from time to time, and reasonable documentation that the project is eligible for the requested parking reduction. Applications for parking reduction requests that are less than those allowed under Government Code Section 65915(p), as may be modified from time to time, shall also include a transportation demand management (TDM) plan that demonstrates a reduction in parking demand.

☐ **AFFORDABLE HOUSING PLAN**

Unless the Applicant proposes to pay affordable housing in-lieu fees consistent with Section 10-17.400—10-17.415 of the Hayward Municipal Code (HMC), an Applicant shall submit an Affordable Housing Plan (AHP) as part of the earliest application for a development project. In addition to the information above the AHP requires the applicant to provide:

- For phased Residential Development Projects, a phasing plan that provides for the timely development of the number of Affordable Housing Units proportionate to each proposed phase of development as required by Article 10-17. Please note that the phasing plan is different from a construction phasing plan.
- If off-site units, rental units, or other alternatives are proposed the information necessary to support the findings required for approval of such alternatives.
- A written statement demonstrating compliance with the requirements of Section 10-17.220 for on-site Affordable Units
- A preliminary marketing plan that describes how the Applicant intends to inform the public, and those within the appropriate income groups, of the availability of Affordable Housing Units

- Any other information reasonably requested by the Development Services Director or designee to assist with evaluation of the AHP under the standards of Article 17 – Affordable Housing Ordinance

☐ **CHILD CARE FACILITY (IF APPLICABLE)**

If a density bonus or incentive is requested for a childcare facility in a development project, reasonable documentation that all the requirements included in Government Code Section 65915 (h), as it may be amended from time to time, can be met.

- The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable.
- Of the children who attend the childcare facility, the children of very low-income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income

☐ **CONDOMINIUM CONVERSION (IF APPLICABLE)**

If a density bonus or incentive is requested for a condominium conversion, reasonable documentation that all the requirements included in Government Code Section 65915.5 can be met.

☐ **COMMERCIAL DEVELOPMENT BONUS (IF APPLICABLE)**

If a commercial development bonus is requested for a commercial development, the application shall include the proposed partnered housing agreement and the proposed commercial development bonus, as defined in Section 10-19.170 of the Density Bonus Ordinance, and reasonable documentation that each of the standards included in Section 10-19.170 has been met.

☐ **FEE**

An administrative fee shall be charged to the Applicant for City review of all materials submitted in conjunction with a density bonus application as part of a planning entitlement. The amount of the fee/deposit required is described in the City of Hayward Master Fee schedule.

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