



SENATE BILL 35 ELIGIBILITY CHECKLIST

Development Service Department • 777 B Street Hayward, CA 94541

<https://www.hayward-ca.gov/services/permits/senate-bill-35-sb-35>

Eligibility Worksheet – Below are eligibility requirements and objective development standards for approval of projects through Senate Bill 35 (SB 35). Please indicate whether the proposed project meets these standards by filling in the blanks and circling “YES”, “NO” or “N/A” for each section. In order to be eligible for approval of the application, the proposed project must meet all applicable eligibility requirements and objective development standards below.

Does the proposed project meet the following eligibility requirements?	Compliance (Circle One)
1. <u>SB 330 Preliminary Application</u> : Prior to submitting an SB 35 application, the applicant must submit and complete the SB 330 preliminary application indicating their intent to submit a SB 35 application and completing the Tribal Notification Process. Has the applicant submitted a SB 330 preliminary application?	Yes No
2. <u>Number of Dwelling Units</u> : The proposed project shall include a minimum of 2 dwelling units. Does the project include at least 2 dwelling units?	Yes No
3. <u>Residential Square Footage</u> : A minimum of 2/3 of the project square footage shall be dedicated to residential uses. Is a minimum of 2/3 of the total project square footage dedicated to residential uses?	Yes No
4. <u>Urban Uses Surrounding</u> : At least 75 percent of the project site shall adjoin sites within urban uses. Urban uses are any current or former residential, commercial, public institutional, transit or transportation passenger facilities, or retail uses. Parcels separated only by a street are considered adjoined. Does at least 75 percent of the project site adjoin sites within urban uses?	Yes No
5. <u>Zoning and General Plan Land Use Designation</u> : The project site shall be zoned for residential or mixed-use development or have a land use designation within the Hayward 2040 General Plan that allows residential or mixed-use development. Does the zoning or land use designation allow residential or mixed-use development?	Yes No
6. <u>Objective Standards</u> : The project shall comply with all objective standards set by the zoning district and general plan land use designation including but not limited to density, notwithstanding an application for a Density Bonus. Does the project comply with all objective standards?	Yes No
7. <u>Parking</u> : A minimum of one off-street parking space per unit shall be provided unless the project site meets one of the following criteria: <ul style="list-style-type: none"> • It is located within a ½ mile of public transit. • It is located within an architecturally or historically significant historic district. • It is within one block of a car share vehicle with a fixed position. • There is an on-street parking permit program which is not offered to the occupants of the project. Does the project meet the applicable parking requirement?	Yes No
8. <u>Affordable Housing</u> : A minimum of 50% of units shall be dedicated to low-income households. Does the project meet the affordable housing requirement?	Yes No
9. <u>Prohibited Site Locations</u> . The project site cannot contain or be located in any of following areas. Is the site located in any of the following areas or/and does it include any of the following? By circling “Yes” or “No”, the applicant is confirming that they have verified this information and will provide documentation (maps, links, studies or other information) with this application. <ol style="list-style-type: none"> a. Prime Farmland or Farmland of Statewide Importance (See https://maps.conservation.ca.gov/agriculture) b. Wetlands defined under federal law (See https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper) c. Lands under a conservation easement d. Lands identified for conservation in an adopted natural community conversation plan, habitat conservation plan or other adopted natural resource protection plans. e. Habitat for protected species (See https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77 for federal protected species habitat) 	Yes No Yes No Yes No Yes No Yes No

<p>10. Restricted Site Locations: The project site shall not contain or be located in any of the following areas unless certain requirements are met. If the site contains or is located in any of the following, does it meet the applicable requirements? By circling "Yes", the applicant is confirming they have verified this information and will provide documentation (maps, links, studies) with the application. Circle "N/A" if the project site does not contain or is located in any of the following.</p> <p>a. High or very high severity zone: If the project site is located within a high or very high fire severity zone, it shall be excluded from the specific hazard zone by the City of Hayward or comply with adopted fire hazard mitigation measures for the site. (See https://egis.fire.ca.gov/FHSZ/.)</p> <p>b. Hazardous waste site: If the project site is a hazardous waste site, it shall be cleared by the State Department of Public Health, State Waste Resource Control Board or Department of Toxic Substances for residential uses. (See https://geotracker.waterboards.ca.gov/ or https://www.envirostor.dtsc.ca.gov/public/.)</p> <p>c. Earthquake fault zone: If the project site is located within an earthquake fault zone, the development shall comply with all applicable seismic protection building code standards. (See Figure 9-1 Hayward Fault in the Hayward 2040 General Plan Background Report.)</p> <p>d. FEMA special flood hazard area subject to a 100-year flood: If the project site is within a special flood hazard area, the development shall satisfy all applicable federal qualifying criteria. (See https://msc.fema.gov/portal/home.)</p> <p>e. FEMA regulatory floodway: If the project site is within a regulatory floodway, the development shall receive a no-rise certificate from FEMA. (See https://msc.fema.gov/portal/home.)</p>	<p>Yes No N/A</p> <p>Yes No N/A</p> <p>Yes No N/A</p> <p>Yes No N/A</p> <p>Yes No N/A</p>
<p>11. Mobile Home Regulations: The project site shall not be governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act or the Special Occupancy Parks Act. Is the project site governed by any of the laws listed above?</p>	<p>Yes No</p>
<p>12. Prevailing Wage and Labor Requirements: The project shall comply with the prevailing wage and labor requirements outlined in Gov. Code Section 65913.4 (8) unless the project includes 10 or fewer units or is a public work project. Will the project comply with the prevailing wage and labor requirements? Circle "N/A" if the project includes 10 or fewer units or is a public work project.</p>	<p>Yes No N/A</p>
<p>13. Demolition: A project site is ineligible if it requires demolition of following structures:</p> <ul style="list-style-type: none"> • Housing subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to moderate, low or very low-income households. • Housing subject to any form of rent or price control • Housing occupied by tenant in the last 10 years (excludes manager's unit) • Historic Structure(s) placed on a national, state or local register. <p>Does the project require the demolition of any of the structures above?</p>	<p>Yes No</p>
<p>14. Previous Demolition: A project site is ineligible if it contained demolished housing units that were occupied by tenants within the last 10 years. Has any housing unit occupied by tenants been demolished within the last 10 years?</p>	<p>Yes No</p>
<p>15. Subdivision: If the project has a subdivision, the project shall include one of the following:</p> <ul style="list-style-type: none"> • The project will be funded or financed by means of a low-income housing tax credit and will be required to pay prevailing wage. • The project will be subject to the prevailing wage and labor requirements outlined in Question 12. <p>If the project has a subdivision, will it include one of the following items above? Circle "N/A" if the project does not include a subdivision.</p>	<p>Yes No N/A</p>