



ASSEMBLY BILL 2011 & SENATE BILL 6 ELIGIBILITY CHECKLIST

Development Service Department • 777 B Street Hayward, CA 94541

<https://www.hayward-ca.gov/services/permits/ab-2011-and-sb-6>

Eligibility Worksheet – Below are eligibility requirements and objective development standards for the approval of projects through Assembly Bill (AB) 2011 and Senate Bill (SB) 6. Please indicate whether the proposed project meets these standards by circling “YES” or “NO” 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.

For all AB 2011 & SB 6 Project: Does the proposed project meet the following eligibility requirements?	Compliance (Circle One)
<p>1. <u>Zoning</u>. The project shall be within a zoning district where office, retail or parking are principally permitted uses. Within the City of Hayward, the following zoning districts are eligible for the provisions of SB 6 and AB 2011:</p> <ul style="list-style-type: none"> • Neighborhood Commercial (CN) • Regional Commercial (CR) • Commercial Office (CO) • Central Business (CB) • General Commercial (CG) • Limited Access Commercial (CL) • Urban Center (UC) • Central City- Plaza (CC-P) • Central City – Commercial (CC-C) • Mission Boulevard – Neighborhood Node (MB-NN) • Mission Boulevard – Corridor Center (MB-CC) • Mission Boulevard – Corridor Neighborhood (MB-CN) • Urban Neighborhood (UN) • Downtown – Main Street (DT-MS) • Neighborhood Commercial Residential (CN-R) <p>Is the project site located within a zoning district where office, retail, or parking is principally permitted use? Online GIS WebMap: https://webmap.hayward-ca.gov/</p>	<p>Yes No</p>
<p>2. <u>Industrial Uses</u>. The project site shall not have or adjoin a site where more than 1/3 of the square footage is dedicated to industrial uses. Parcels only separated by a street shall be considered to be adjoined. Does the project site have or abut a site where more than 1/3 of the square footage is dedicated to industrial uses?</p>	<p>Yes No</p>
<p>3. <u>Prevailing Wage and Labor Requirements</u>. The project shall provide prevailing wages to all construction workers and comply with all other applicable labor requirements outlined in Gov. Code Section 65852.24 (b)(8-9) and 65912.130. Does the applicant acknowledge these requirements?</p>	<p>Yes No</p>
<p>4. <u>Noticing and Relocation Assistance for Commercial Tenants</u>. The applicant shall provide notice and relocation assistance to all eligible commercial tenants on the project site as outlined in Gov. Code Section 65852.24 (c)(4) and 65912.123 (i)(4). Does the applicant acknowledge this requirement?</p>	<p>Yes No</p>

For AB 2011 Projects Only: Does the proposed project meet the following eligibility requirements?	Compliance (Circle One)
<p>5. <u>Abutting Commercial Corridor</u>: The project site shall abut a commercial corridor and have a minimum of 50 feet of frontage along commercial corridor. A commercial corridor is a public street that is not a freeway and has between 70 and 150 feet of right of way. Does the project site abut a commercial corridor and have at least 50 feet of frontage along that commercial corridor?</p>	<p>Yes No</p>
<p>6. <u>Housing Development</u>: The proposed project shall include a minimum of 5 dwelling units which may be attached or detached. Does the project include at least 5 dwelling units?</p>	<p>Yes No</p>
<p>7. <u>Urban Uses Surrounding</u>: At least 75 percent of the project site shall adjoin sites with 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 with urban uses?</p>	<p>Yes No</p>
<p>8. <u>Existing Residential Units</u>: Sites with 1 to 4 existing dwelling units are ineligible for the provisions of AB 2011. Does the project site have 1 to 4 existing dwelling units?</p>	<p>Yes No</p>

<p>9. <u>Proximity to a Freeway</u>: None of the dwelling units shall be located within 500 feet of a freeway. Within the City of Hayward, the following roads are considered freeways:</p> <ul style="list-style-type: none"> • State Route 92 West of Santa Clara • Interstate 880 • Interstate 580 • Interstate 238 <p>Are any of the dwelling units within 500 feet of a freeway?</p>	<p>Yes No</p>
<p>10. <u>Phase 1 Environmental Assessment</u>: The applicant shall complete a Phase I Environmental Assessment of the project site and mitigate any significant effects. Has a Phase 1 Environmental Assessment been completed for the project site?</p>	<p>Yes No</p>
<p>11. <u>Prohibited Site Locations</u>. The project site cannot contain or be located in any of following. 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 upon request.</p> <ul 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) 	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p>
<p>12. <u>Restricted Site Locations</u>: The project site shall not contain or be located in any of the following unless certain requirements are met. Is the project site outside the following areas or within the following areas and meets the applicable requirements? By circling " Yes", the applicant is confirming they have verified this information and will provide documents upon request.</p> <ul style="list-style-type: none"> 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/.) 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/.) 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.) 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.) 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>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p>
<p>For Mixed-Income Projects (Go to Question 21 if the project is 100% affordable)</p>	
<p>13. <u>Site Acreage</u>: The project site shall be no more than 20 acres. Is the project site 20 acres or less?</p>	<p>Yes No</p>
<p>14. <u>Demolition</u>: The project shall not require the 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 rent 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>15. <u>Previous Demolition</u>: The project site shall not have demolished permanent housing occupied by tenants within the last 10 years. Has any permanent housing occupied by tenants been demolished within the last 10 years?</p>	<p>Yes No</p>

<p>16. Density: The project shall meet the highest applicable minimum density specified below but shall not exceed the maximum density of the applicable zoning district. See Hayward Municipal Code Chapter 10 Article 19 Density Bonus Ordinance for additional density allowances.</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Site Size/Location</th> <th style="padding: 5px;">Minimum Density Required (DU/Acre)*</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Site <1 Acre</td> <td style="padding: 5px;">30</td> </tr> <tr> <td style="padding: 5px;">Site ≥ 1 Acre and located on a Commercial Corridor < 100 ft wide</td> <td style="padding: 5px;">40</td> </tr> <tr> <td style="padding: 5px;">Site ≥ 1 Acre and located on a Commercial Corridor ≥ 100 ft wide</td> <td style="padding: 5px;">60</td> </tr> <tr> <td style="padding: 5px;">Site is within ½ mile of major transit stop</td> <td style="padding: 5px;">80</td> </tr> </tbody> </table> <p style="font-size: small; margin-left: 20px;">*Unless underlying zoning district requires a higher minimum density</p> <p>Does the project meet or exceed the highest applicable density within the table?</p>	Site Size/Location	Minimum Density Required (DU/Acre)*	Site <1 Acre	30	Site ≥ 1 Acre and located on a Commercial Corridor < 100 ft wide	40	Site ≥ 1 Acre and located on a Commercial Corridor ≥ 100 ft wide	60	Site is within ½ mile of major transit stop	80	<p>Yes No</p>						
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<p>17. Objective Standards: The project shall meet all applicable objective standards for the closest zoning district that allows multifamily residential use at the applicable residential density specified in Question 12. Does the project site meet all applicable objective standards?</p>	<p>Yes No</p>																
<p>18. Affordable Housing: The project shall comply with the applicable affordable housing requirement below:</p> <ul style="list-style-type: none"> For Rental Projects: A minimum of 8% of units shall be dedicated to very low-income households and a minimum of 5% shall be dedicated to extremely low-income households OR a minimum of 15% of units shall be dedicated to low-income households. For Ownership Projects: A minimum of 30% of units shall be dedicated to moderate income households OR a minimum of 15% of units shall be dedicated to low-income households. <p>Does the project meet the applicable affordable housing requirement?</p>	<p>Yes No</p>																
<p>19. Parking: No vehicle parking is required, though bicycle parking, EV charging, and ADA parking requirements still apply. Does the project meet or exceed the applicable parking requirements?</p>	<p>Yes No</p>																
<p>20. Setbacks: The following setback standards apply:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Type of Property Line</th> <th style="padding: 5px;">Setback (Feet)</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="padding: 5px;"><i>Exterior Property Lines</i></td> </tr> <tr> <td style="padding: 5px;">Abutting a Commercial Corridor (see #3 above for definition)</td> <td style="padding: 5px;">0 min.; 10 max.¹ 25 min. (parking only)</td> </tr> <tr> <td style="padding: 5px;">Abutting a Side Street (defined as 25-70 feet in width)</td> <td style="padding: 5px;">0 min.; 10 max.²</td> </tr> <tr> <td colspan="2" style="padding: 5px;"><i>Interior Property Lines</i></td> </tr> <tr> <td style="padding: 5px;">Abutting a parcel that fronts a Commercial Corridor</td> <td style="padding: 5px;">0 min.³</td> </tr> <tr> <td style="padding: 5px;">Abutting a parcel with an existing residential use</td> <td style="padding: 5px;">10 min. (ground floor) 7x floor number (upper floors)</td> </tr> <tr> <td style="padding: 5px;">Abutting a parcel with a non-residential use</td> <td style="padding: 5px;">15 min.</td> </tr> </tbody> </table> <p style="font-size: small; margin-left: 20px;"> 1. Ground floor shall have a maximum setback of 10 feet for at least 80% of the frontage. 2. Maximum setback of 10 feet for at least 60% of the frontage. 3. If the abutting parcel that fronts a Commercial Corridor is developed with a residential use constructed prior to July 1, 2023, the setbacks for existing residential uses apply. </p> <p>Does the project meet the applicable setback requirements?</p>	Type of Property Line	Setback (Feet)	<i>Exterior Property Lines</i>		Abutting a Commercial Corridor (see #3 above for definition)	0 min.; 10 max. ¹ 25 min. (parking only)	Abutting a Side Street (defined as 25-70 feet in width)	0 min.; 10 max. ²	<i>Interior Property Lines</i>		Abutting a parcel that fronts a Commercial Corridor	0 min. ³	Abutting a parcel with an existing residential use	10 min. (ground floor) 7x floor number (upper floors)	Abutting a parcel with a non-residential use	15 min.	<p>Yes No</p>
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<p>For 100% Affordable Projects (Go to Question 13 if the project is mixed-income)</p>																	

21. <u>Density</u> : The project shall meet a minimum density of 30 dwelling units (DU) per acre but shall not exceed the maximum density of the applicable zoning district unless greater density is allowed by the Density Bonus law. Does the project meet the minimum density of 30 DU per acre?	Yes No
22. <u>Objective Standards</u> : The project shall comply with all objective standards set by the current zoning district if a density of 30 dwelling units per acre is allowed OR the objective standards of the closest zoning district that permits residential density at 30 dwelling units per acre. Does the project site meet all applicable objective standards?	Yes No
23. <u>Affordable Housing</u> : All units (excluding manager's unit) shall be dedicated to low-income households. Does the project meet the affordable housing requirement?	Yes No

For SB 6 Projects Only: Does the proposed project meet the following eligibility requirements?	Compliance (Circle One)
24. <u>Density</u> : The project shall meet a minimum density of 30 dwelling units (DU) per acre but shall not exceed the maximum density of the applicable zoning district.. See Hayward Municipal Code Chapter 10, Article 19 Density Bonus Ordinance for additional density allowances. Does the project meet the minimum density of 30 DU per acre?	Yes No
25. <u>Objective Standards</u> : The project shall meet all objective standards for the existing zoning district if that district allows for residential development of at least 30 DU per acre. If the zoning district does not allow residential development at that density, the project shall meet all the objective standards of the closest zoning district that allows residential development of at least 30 DU per acre. Does the project site meet all applicable objective standards?	Yes No
26. <u>Site Acreage</u> : The project site shall be 20 acres or less. Is the project site 20 acres or less?	Yes No
27. <u>Housing Development</u> : The proposed project shall either be an entirely residential project or be a mixed-use project where at least 50 percent of the total project square footage is dedicated to residential uses. Does the project include only residential units or dedicated at least 50 percent of the total project square footage to residential uses?	Yes No
28. <u>Affordable Housing Ordinance Compliance</u> . The development project must comply with Hayward Municipal Code Chapter 10, Article 17 "Affordable Housing" Ordinance. Does the applicant acknowledge these requirements? Affordable Housing Ordinance: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAMUCO_CH10PLZOSU_ART17AFHOOR	Yes No