

## HCD Findings on Adopted Glendale Housing Element

Topic	Finding	Status
AFFH	<u>Enforcement</u> : While the element was revised to add Table 68 to demonstrate compliance with fair housing laws, the element <b>must</b> still quantify and evaluate the characteristics of recent fair housing complaints.	<ul style="list-style-type: none"> <li>Added Fair Housing statistics under Fair Housing Enforcement and Outreach Capacity subsection (p. 157-159). Added City inquiries data and info from the City Attorney. Quantified and evaluated the characteristics of fair housing complaints and related to the programs in the Housing Plan.</li> </ul>
	<u>Racial/Ethnic Areas of Concentration of Poverty (R/ECAP) and Affluence (RCAA)</u> : While the element was revised to state that there is a census tract with high segregation and poverty as well as a concentrated area of affluence, the element <b>must</b> analyze these areas in relationship to surrounding neighborhoods for patterns and trends to formulate appropriate goals and actions.	<ul style="list-style-type: none"> <li>Added to analysis and regional analysis for Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) and Racially Concentrated Areas of Affluence (RCAA) under Assessment of Fair Housing subsection (p. 171-172)</li> </ul>
	<u>Access to Opportunity</u> : While the element was revised to add opportunity indicators for Glendale and the MSA as well as opportunity resource levels by census tract, this information <b>must</b> be analyzed to identify any emerging fair housing issues, pattern, and trends, and formulate appropriate actions and strategies to address those trends. The element briefly states that the lowest education score is in an area with largely multifamily developments, but the element <b>must</b> analyze the discrepancy between the identified area and the rest of the City. While the element also states that worse environmental scores are closer to the freeways, the element <b>must</b> analyze the impact on the identified areas and relate it to the rest of the affirmatively furthering fair housing (AFFH) analysis. In addition, the regional analysis for education and environment should be expanded beyond one summary sentence. The element should provide an analysis to the statement that there is “somewhat of a correlation” between economic scores and overall resources. In addition, there are a wide range of economic scores in the City, the element <b>must</b> analyze the data provided. Lastly, the regional analysis on access to transportation should be added.	<ul style="list-style-type: none"> <li>Added to local and regional analysis under Disparities in Access to Opportunity, TCAC/HCD Opportunity Area Maps subheading (p. 211-213)</li> <li>Added to regional analysis on access to transportation under Transportation/Transit Routes subheading (p. 214)</li> <li>Added to Findings subsection to discuss actions/strategies to address fair housing issues, patterns, and trends (p. 215)</li> <li>Added to sites analysis on areas closer to freeways with lower environmental scores (6c. Sites Inventory, Access to Opportunity subsection, p. 241)</li> </ul>
	<u>Disproportionate Housing Needs Including Displacement</u> : While additional information was added for disproportionate housing needs, analysis is needed. The element should describe and analyze the characteristics of the two census tracts with high levels of	<ul style="list-style-type: none"> <li>Added analysis to Discussion of Disproportionate Housing Needs subsection to address overcrowding, substandard housing, and homelessness (p.218-220)</li> </ul>

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	<p>overcrowding and relate them to the rest of the City. In addition, the element <b>must</b> describe whether there are concentrations of substandard housing in need of rehabilitation in the City and also include a regional analysis. The element <b>must</b> describe available information on protected classes in relation to persons experiencing homelessness. While the element stated there are areas vulnerable to displacement, it <b>must</b> include an analysis of the finding, tie it to other AFFH factors, and provide a regional analysis. The element <b>must</b> address displacement due to fire risk. Lastly, all identified lower income sites are in sensitive communities and many are in areas in early/ongoing gentrification, or low-income susceptible to displacement. The element <b>must</b> analyze the effect of identifying all lower income sites in those areas.</p> <p>In addition, HCD has received a public comment that the City is not currently enforcing the Just Cause and Retaliatory Evictions ordinance. The City <b>must</b> analyze the fair housing implications related to the enforcement of the adopted ordinance.</p>	<ul style="list-style-type: none"> <li>• Added to areas vulnerable to displacement in Displacement Risk subsection (p. 233-235)</li> <li>• Added discussion and analysis of sites in sensitive communities/areas susceptible to displacement (see 6c. Sites Inventory, Displacement Risk subsection, p. 242-244)</li> <li>• Added regional analysis of displacement (p. 234)</li> </ul>
	<p><u>Sites Inventory</u>: While the element provided additional information related to sites being located near high quality transit and away from high fire risk, the element <b>must</b> still demonstrate how the sites inventory is distributed throughout the City in a manner that affirmatively furthers fair housing. For example, the access to opportunity summary states that sites to accommodate the City's regional housing needs allocation (RHNA) are distributed between low and moderate resource areas but none are located within the high resource areas within the City. The element <b>must</b> describe how identifying sites in low and moderate resource areas exacerbate conditions and identify programs to mitigate this. The analysis states that there are no patterns of segregation/integration currently within the City, but the maps and analysis show areas of higher and lower diversity as well as having an RCAA where no sites are identified for lower-income. The element <b>must</b> describe how the distribution of sites improves or exacerbates identified conditions and support conclusions with analysis.</p>	<ul style="list-style-type: none"> <li>• The sites inventory has been updated based on public comment and to better distribute sites and provide meaningful improvement based on the analysis of AFFH data. Section 6C., Sites Inventory, has been updated to reflect the new sites inventory (p. 236 to 244, and all AFFH-related figures).</li> <li>• Added Table 79 to provide a breakdown of RHNA capacity by census tract. Incorporated this table into the Sites Inventory discussion (p. 236-244)</li> </ul>

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	<p><u>Goals, Priorities, Metrics, and Milestones:</u> While the element added metrics to Program 2A (Multifamily Acquisition/Rehabilitation Loan Program) and 3A (Density Bonus Program), the metrics and actions identified were not transformative, meaningful, or specific enough to make an impact on identified fair housing issues. The element <b>must</b> be revised to add or modify goals and actions beyond the status quo based on the outcomes of the analysis described above. Goals and actions <b>must</b> specifically respond to the analysis and prioritize contributing factors to fair housing issues. Actions <b>must</b> have metrics and milestones as appropriate and address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. The programs identified in the Contributing Factors table (Background Report page 239) should include metrics and milestones</p>	<ul style="list-style-type: none"> <li>• Modified Program 2A (Housing Plan p. 22) and 3A (Housing Plan p. 32-33)</li> <li>• Modified AFFH Programs. Added metrics and milestones to Programs identified in Table 80 in Background Report (refer to Housing Plan programs; also see p. 261-264 of Background Report)</li> </ul>
Site Inventory	<p><u>Progress in Meeting the RHNA:</u> While the element was revised to state that all units identified as accommodating the lower-income RHNA will be deed restricted, the element <b>must</b> clarify whether projects in Table 62 are being counted as progress toward the RHNA or as part of the sites inventory</p>	<ul style="list-style-type: none"> <li>• Re-titled and clarified Table 62 (now Table 65, see p.128); also see Progress Towards the RHNA subsection (beginning on p. 108).</li> </ul>
	<p><u>Parcel Listing:</u> The element <b>must</b> reconcile the capacity available to meet the lower and moderate income need as demonstrated in the provided sites inventory with the capacity shown on Table 67 (Background Report page 125) to clearly demonstrate the sufficient capacity to accommodate the RHNA for moderate and lower-income households.</p>	<ul style="list-style-type: none"> <li>• Reconciled capacity for lower &amp; moderate income sites - updated RHNA Site Inventory table (now Table 71, p. 137).</li> </ul>
	<p><u>Adequate Sites Alternatives:</u> While the element was revised to remove counting most projects with existing toward meeting the moderate income RHNA were removed. However, the element still includes 125 units from projects related to the passage of AB 787, Statutes of 2021. Please be aware, pursuant to Government Code section 65400.2, subdivision (c) units <b>must</b> qualify to be reported in the annual progress report (APR) in order credit toward the RHNA. Pursuant to Government Code section 65400.2, subdivision (d) jurisdictions can only report on units converted on or after January 1,</p>	<ul style="list-style-type: none"> <li>• Revised sites inventory – also refer to Progress Towards the RHNA subsection (beginning on p. 108).</li> </ul>

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	<p>2022. Therefore, the units identified in the element do not meet the timing requirements. Additional sites may be required to meet the RHNA for moderate-income units as a result.</p>	
	<p><u>Realistic Capacity:</u> While the element was revised to state that the listed projects to support realistic capacity assumptions included limited numbers of affordable units, the element should include the affordability of the project examples to support assumptions in the Downtown Specific Plan. While the element was revised to describe adjustment factors for sites with zoning that allows 100 percent nonresidential uses, e.g. commercial and mixed use zones, the element <b>must</b> include project examples with affordability levels to support the development trends that were described</p>	<ul style="list-style-type: none"> <li>• See revisions to Section 5C., Residential Sites Inventory (p. 111-137)</li> </ul>
	<p><u>Suitability of Nonvacant Sites:</u> While the element included a general statement that various factors were considered for potential intensification on nonvacant sites, the City should support the assumptions with recent project examples that demonstrate redevelopment potential on the identified sites. The description of the Downtown Specific Plan was revised to list factors, but the factors <b>must</b> be related to the sites identified in the sites inventory. The sites identified <b>must</b> provide more detail that allows the trends to be related to the identified sites, reflect the values of each of the factors in the inventory, discuss existing uses and impediments to redevelopment, and other factors.</p> <p>In addition, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, the element <b>must</b> demonstrate that the existing use is not an impediment to additional residential development in the planning period (Gov. Code, § 65583.2, subd. (g)(2).). While the element was revised to provide a generalization of the sites, it does not meet the substantial evidence requirement. The element could also include additional criteria to support likelihood of residential development such as condition of structure, whether the use is operating, marginal or discontinued, the presence of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential</p>	<ul style="list-style-type: none"> <li>• See revisions to Section 5C., Residential Sites Inventory (p. 111-137)</li> </ul>

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	development, proximity to transit, and other conditions that would support residential development and any specific incentives to encourage or facilitate development on these sites. Please note, any future re-adoption of the housing element <b>must</b> include the appropriate finding as part of the adoption resolution.	
	<u>Small Sites:</u> The revised element now includes numerous small sites accommodating lower-income housing that are City owned. Sites smaller than a half-acre in size are deemed inadequate to accommodate housing for lower-income housing unless it is demonstrated that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower-income housing units as projected for the site or unless the housing element describes other evidence to HCD that the site is adequate to accommodate lower income housing (Gov. Code, § 65583.2, subd. (c)(2)(A).). For example, a site with a proposed and approved housing development that contains units affordable to lower-income households would be an appropriate site to accommodate housing for lower-income households. (Gov. Code, § 65583.2, subd. (c)(2)(C).). In addition, the housing element <b>must</b> include a description of whether there are any plans to sell the property during the planning period and how the jurisdiction will comply with the Surplus Land Act Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.	<ul style="list-style-type: none"> <li>• See revisions to City-Owned Sites/Small Sites subsection and Table 64 (p. 123-124)</li> </ul>
	<u>City-Owned Sites:</u> The sites inventory identifies sites that are City-owned. The element <b>must</b> include an analysis to demonstrate their suitability and availability in the planning period. Specifically, the analysis should address general plan designations, zoning, allowable densities, support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development. If zoning does not currently allow residential uses at appropriate densities, then the element <b>must</b> include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i).	<ul style="list-style-type: none"> <li>• See revisions to City-Owned Sites/Small Sites subsection and Table 64 (p. 123-124)</li> </ul>
	<u>Accessory Dwelling Units (ADU):</u> While program 1F (Accessory Dwelling Units) was revised to monitor ADU production every two	<ul style="list-style-type: none"> <li>• Revised ADU assumptions (see Accessory Dwelling Unit subsection, p. 129) and Program 1F (Housing Plan p. 17-18)</li> </ul>

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	years and identify replacement sites if needed, the assumptions of ADU's were not revised based on the findings in HCD's December 31, 2021 letter. Please see the prior letter regarding revisions to ADU assumptions.	
	<p><u>Sites with Zoning for a Variety of Housing Types:</u></p> <ul style="list-style-type: none"> <li>• Emergency Shelters: While the element was revised to state that the City's zoning code does not identify additional requirements or development standards, the element <b>must</b> clarify whether the sites identified as suitable for an emergency shelter are vacant or not vacant and analyze the availability and appropriateness of those sites. Transitional and Supportive Housing: While the element includes revisions to transitional and supportive housing in program 9B, the program <b>must</b> be revised to cite the correct government code (Gov. Code, § 65583, subd. (a)(5)).</li> <li>• Manufactured Housing: While the element was revised to state mobile homes are allowed in residential zones, the element removed the sentence that mobile home parks are not permitted in the City. The element <b>must</b> describe where mobile home parks are allowed or add a program as appropriate.</li> <li>• ADUs: The element was not revised to address compliance with ADU law or whether ADUs are allowed in the Town Center Specific Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Clarified status of sites identified for emergency shelters and analyzed availability of these sites (p. 70)</li> <li>• Transitional and Supportive Housing: revised to cite government code (Gov. Code, § 65583, subd. (a)(5)) (p. 71)</li> <li>• Clarified that the City Zoning Code does not provide an alternative definition of mobile or manufactured homes and defers to State law. City complies with Mobilehome Parks Act (see Mobile Homes and Manufactured Housing, p. 68)</li> <li>• Table 45 was modified to show that ADUs are permitted in the Town Center Specific Plan (see p. 66). The Zoning Code subsection, Accessory Dwelling Unit (ADU) housing type discusses compliance with ADU law (see p. 67-68)</li> </ul>
Constraints	Land-Use Controls: While the element was revised to clarify that 100 percent residential is allowed by-right in the SFMU zone and with an AUP in the IMU-R zone, it did not clarify whether 100 percent residential or commercial is allowed in the Downtown Specific Plan. While the element was revised to state the 50 percent maximum lot coverage requirements for multifamily developments are not a constraint to development, it does not provide support for that conclusion. As part of the analysis the element could describe the feedback from the development community to support this conclusion or add a program as appropriate. In addition, the element states that developers ask for height increases for multifamily developments on lots less than 90 feet in width through density bonus. This demonstrates that the height restriction is a constraint if	<ul style="list-style-type: none"> <li>• Page 60 clarifies that 100% residential uses are permitted in all districts except the Civic Centers District (under heading Glendale Downtown Specific Plan, p. 60). Added Frontage Requirements and commercial use clarification, and probability of sites developing at 100% commercial (p. 60; also refer to Section 5C, beginning on p. 111)</li> <li>• Added support for conclusion that 50% maximum lot coverage and two-story height limit in multifamily zones not a constraint, as developments are able to meet maximum densities with adequate unit sizes (p. 77-78)</li> <li>• Modified Program 9B to update development standards for mixed-use/multifamily projects and develop objective</li> </ul>

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	density bonus is not applied and a program should be added to revise the height restriction.	design standards for all multifamily and mixed-use projects (see Housing Plan)
	<u>Fees and Exaction:</u> While the element was revised to include additional fees, the element <b>must</b> include fees associated with development agreements. In addition, the revisions removed may residential development impact fees but it is not clear why they were removed. Lastly, the element <b>must</b> describe why the parks and library mitigation fees only apply to multifamily units.	<ul style="list-style-type: none"> <li>• Development agreement fee listed in Table 53 (p. 98-99). Added text below the table to describe development agreements &amp; associated fees (p. 99)</li> <li>• To address the second sentence: the development impact fees that were removed (street, parkway, water) were initially obtained from contractor estimates in LA County, but were ultimately removed as they do not apply to Glendale.</li> <li>• Clarified that parks and library mitigation fees apply to both single- and multifamily unit (p. 98 and in footnote of Table 54, p. 100).</li> </ul>
	<u>Local Processing and Permit Procedures:</u> While the element was revised to state the review timelines for single family and multifamily are the same, it <b>must</b> specify the length of time for review in the Downtown Specific Plan's three stages of review. In addition, it <b>must</b> also list the typical total review time for single family and multifamily developments. While the City added a general statement that they determined the conditional use findings for multifamily developments in the MU-R zones are not a constraint, the element <b>must</b> provide information to support the conclusion or add a program as appropriate. Lastly, the element was revised to state that while the findings for the administrative use permit appear as a constraint for multifamily developments, the findings were intentionally adopted. The administrative use permit for multifamily developments in the IMU-R zone is a constraint and a program should be added or revised accordingly	<ul style="list-style-type: none"> <li>• Specified length of time for review in DSP (p. 82)</li> <li>• Added typical total review time for SF and MF developments (p. 81). This is further described within the same section (Permit Processing and Approval Procedures) and in the Timelines section immediately following.</li> <li>• Added text to explain reason for AUP in IMU-R zone (see Permit Processing and Approval Procedures subheading, p. 83, and Administrative Use Permit subheading, p. 93-94)</li> <li>• Modified Program 9B to update development standards and permit procedures for mixed-use/multifamily projects and to develop objective design standards for all multifamily and mixed-use projects (see Housing Plan)</li> <li>• Added text to support conclusion that CUP findings for multifamily developments in the IMU-R zones are not a constraint (See Conditional Use Permit (CUP) subheading, p. 92)</li> <li>• Clarified residential development in commercial zones and CUP/AUP requirement in these zones (See Provisions for a Variety of Housing Types, p. 63)</li> </ul>
	<u>On/Off-Site Improvements:</u> While the element was revised to provide a general statement that on/off site improvements are identified in	<ul style="list-style-type: none"> <li>• Added subdivision level improvement requirements (p. 78)</li> </ul>



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	the circulation element, the element <b>must</b> identify subdivision level improvement requirements.	
	<u>Constraints on Housing for Persons with Disabilities:</u> Residential care facilities for seven or more residents require a conditional use permit in some residential zones and are not allowed in others. While the element was revised to state that these requirements are not a constraint, the element <b>must</b> be revised to add or modify programs as appropriate to ensure zoning permits group homes objectively with approval certainty for residential care facilities for seven or more residents.	-Added to Program 9B to revise zoning code to ensure zoning permits group homes objectively with approval certainty for residential care facilities for seven or more residents (see Housing Plan) -Added text re: Program 9B in Background Report (p. 73)
Programs	As noted in Finding A2, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows: <u>Replacement Housing Requirements:</u> While the element includes a replacement housing program, the program should include a specific implementation date.	Revised Program 1D to include implementation date (see Housing Plan p.15)
	As noted in Finding A3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.  Program 1D (Replacement Housing): The program <b>must</b> be revised to provide a specific implementation date.  Program 3A (Density Bonus Program): While the program description was updated to state the ordinance will be updated, the timeframe of the program still states “ongoing” and <b>must</b> be revised.  Program 8B (Permit Streamlining): The element was revised to review permit approval times but the program did not commit to an action to reduce permit approval times by a specified date.	<ul style="list-style-type: none"> <li>• Revised Housing Plan Programs: <ul style="list-style-type: none"> <li>• 1D</li> <li>• 3A</li> <li>• 8B</li> <li>• 9B</li> <li>• 9C</li> </ul> </li> <li>• Added to Program 9B to prepare new objective design standards</li> </ul>



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	<p>While Program 9B (Zoning and Code Amendments–Housing Constraints) includes an action to revise the guest parking standards in the PRD zone, it does not address the requirement of more than one parking space for efficiency and 1-bedroom units as described in the previous letter. In addition, the action to revise the reasonable accommodation procedure <b>must</b> be revised to review the procedure for constraints in addition to finding five and revise as needed.</p> <p>While Program 9C (General Plan Consistency) was added and mentions the general plan update, it <b>must</b> include specific timing of when the General Plan and updated zoning code will be adopted. In addition, the program should be revised to address the misalignment between the General Plan High Density designation which allows for 35-60 dwelling units and acre and the corresponding zone allowing for up to 34 dwelling units an acre.</p> <p><u>Design Review:</u> The element was revised to state that the City recognizes the need for higher levels of approval certainty for design review and will prepare new objective design standards. The element <b>must</b> be revised to include a program to implement this commitment.</p>	
	<p>As mentioned in Finding A1, programs throughout the element should be revised to address enhancing housing mobility strategies; encouraging development of new affordable housing in high resource areas; improving place-based strategies to encourage community conservation and revitalization, including preservation of existing affordable housing; and protecting existing residents from displacement. The element <b>must</b> be revised to include metrics and milestones in the programs to provide benchmarks and ensure housing outcomes</p>	<p>Revised Housing Plan programs; see Housing Plan.</p>
	<p>While Program 1F (Accessory Dwelling Units) was revised, it states the City will conduct one survey in 2023 on affordability levels. Affordability of ADUs produced should be monitored every two years and identify additional sites if ADU projections are not meeting the assumptions.</p>	<p>Revised Program 1F</p>

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Quantified objectives	While the quantified objectives were revised to add a note that the quantified objectives for preservation will be based on preserving units at risk based on the current affordability level, the element <b>must</b> be revised to breakout the objective for conservation/preservation for extremely low-, very low-, and low-income households.	Revised Table HP-2, Quantified Objectives 2021-2029 (Housing Plan p. 79)
Public Participation	While the element was revised to add a summary of comments were received and incorporated in the element, it still does not demonstrate the efforts to circulate the housing element among low- and moderate-income households and organizations that represent them.	<ul style="list-style-type: none"><li>Added to Appendix B, Public Engagement Summary Report (Appendix B, p. 3-12)</li></ul>