

CHAPTER 30.35 – AFFORDABLE HOUSING

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30.35.010 – Purpose

This Chapter provides requirements, where applicable, for the development of affordable housing units in conjunction with other residential development projects. These provisions are intended to implement State policies statute requiring the production of very low, low, and moderate income housing, which is integrated, compatible with and complements adjacent uses, and is located near public and commercial services.

The requirements of this Chapter will assist in meeting the cumulative inclusionary production obligation in fixed 10-year periods. Units that are in excess of the minimum required obligation may be carried over to meet the inclusionary obligation in the following 10-year fixed period.

30.35.020 – Applicability

This Chapter shall apply to the new construction of all residential units in the San Fernando Redevelopment Corridor. It also applies to residential units that are substantially rehabilitated with Glendale Redevelopment Agency and/or Housing Authority assistance.

Specialized Terms.

The following specialized terms shall apply to the requirements of this chapter.

Adjusted for household size appropriate for the unit means for a household of one person in the case of a studio unit, two persons in the case of a one-bedroom unit, three persons in the case of a two-bedroom unit, four persons in the case of a three-bedroom unit, and five persons in the case of a four-bedroom unit.

Affordable housing trust fund shall have the meaning set forth in paragraph D of 30.35.060.

Affordable housing cost means the Total Housing Costs paid by a qualifying household, which shall not exceed a specified fraction of their gross income, Adjusted for Household Size Appropriate for the Unit, as follows:

RENTAL RATES

- A. **Rental Rates for Very Low Income Households** shall be calculated as follows: thirty (30) percent of fifty (50) percent of the Los Angeles County median income.
- B. **Rental Rates for Low Income Households** shall be calculated as follows: thirty (30) percent of eighty (80) percent of the Los Angeles County median income.

- C. **Rental Rates for Moderate Income Households** shall be calculated as follows: thirty (30) percent of one hundred and twenty (110) percent of the Los Angeles County median income.

FOR SALE UNITS

- A. **For Very Low Income Households**, the affordable housing cost shall be calculated as follows: thirty (30) percent of fifty (50) percent of the Los Angeles County median income.
- B. **For Low Income Households**, the affordable housing cost shall be calculated as follows: thirty (30) percent of seventy (70) percent of the Los Angeles County median income.
- C. **For Moderate Income Households**, the affordable housing cost shall be calculated as follows: thirty-five (35) percent of one hundred and ten (110) percent of the Los Angeles County median income.

Developer means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks City approvals for all or part of a Residential Development.

Implementation policies means the implementation policies adopted by the City Council to implement and enforce this Chapter.

Inclusionary housing plan means the plan referenced in paragraph A of 30.35.080 and further described in the Implementation Policies, which sets forth the manner in which the requirements of this Chapter will be implemented for a particular Residential Development.

Inclusionary units or affordable units means a dwelling unit that will be offered for rent or for sale to Very Low, Low and/or Moderate Income Households pursuant to this Chapter.

Low income households means households whose gross income does not exceed eighty (80%) percent of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

Moderate income households means households whose gross income does not exceed one-hundred and twenty (120%) percent of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

Residential development means the new construction or substantial rehabilitation of housing projects.

Substantial rehabilitation means a Glendale Redevelopment Agency and/or Housing Authority assisted project with a rehabilitation value equal to or greater than twenty-five (25%) percent of the after rehabilitation value of the dwelling, inclusive of the land value.

Total housing cost means the total monthly or annual recurring expenses required of a household to obtain shelter. For a rental unit, total housing costs include the monthly rent payment and utilities. For an ownership unit, total housing costs include the mortgage payment (principal and interest), utilities, homeowner's association dues, taxes, mortgage insurance, and any other related assessments.

Very low income households means households whose gross income is equal to fifty (50%) percent or less of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

30.35.030 – Affordable Units Required

- A. Non-agency Develop Housing.** When a new residential development project within the San Fernando Road Corridor Redevelopment Area is owned, constructed, and developed by either a public or private developer other than the Glendale Redevelopment Agency or the Housing Authority, 9% of the units must be rented or sold to low and moderate-income households at Affordable Housing Cost and 6% must be rented or sold to very low-income households at Affordable Housing Cost.
- B. Agency Developed Housing.** When a new residential development project within the San Fernando Road Corridor Redevelopment Project Area is owned, and constructed or substantially rehabilitated, and developed by the Glendale Redevelopment Agency or the Glendale Housing Authority, without the involvement of a private or non-profit developer, 15% of the units developed or substantially rehabilitated must be rented or sold to very low income households at Affordable Housing Cost and another 15% of the units must be rented or sold to low and moderate-income households at Affordable Housing Cost.
- C. Non-agency Developed Housing with Financial Assistance from an Agency.** The new construction and substantial rehabilitation of residential development projects developed by a third-party private or public developer other than the Glendale Redevelopment Agency or the Glendale Housing Authority, but with financial assistance from either or both the Glendale Redevelopment Agency or the Glendale Housing Authority, shall be subject to the same requirements as non-agency developed housing projects Section 30.35.030 (A) above.

30.35.040 – Affordability Period

- A. Owner-Occupied Units.** Owner-occupied affordable units shall be restricted to ownership by qualified, very low, low, and moderate-income households, as applicable, for a minimum of 45 years, as secured by recorded covenants.
- B. Renter-Occupied Units.** Renter-occupied affordable units may only be rented by qualified, very low, low, and moderate income households, as applicable, for a minimum of 55 years, as secured by recorded covenants.

30.35.050 – Calculating the Inclusionary Obligation

- A. Affordable Units within the Redevelopment Project Area and Included in the Original Residential Development Project.** If the required affordable units are to be provided as part of the project Residential Development and within the Redevelopment Project Area, the units shall be calculated at 15%, as set forth in Section 30.35.030 (A) above.
- B. Affordable Units outside the Redevelopment Area for Residential Development Projects within the Redevelopment Area.** If the original residential development project is to be located within the Redevelopment Project Area but the required affordable units are proposed to be provided outside the Redevelopment Area, the required number of affordable units will be twice the number of required units set forth in Sections 30.35.030 (A), or (B), or (C), whichever applicable.
- C. Affordable Units within the Redevelopment Area, separate from the Original Residential Project, and within the Redevelopment Area.** If the number of required affordable units is to be satisfied by the provision of affordable units within the Redevelopment Project Area, but in a separate project residential development from the original residential development, the separated affordable

units themselves will be subject to additional incremental affordable housing requirements. In such cases, a two-step calculation will be necessary to identify the total number of affordable units required. The following model may be followed to help with the calculations:

Project: The original residential project is to be located on site “A” and within the Redevelopment Project Area. The developer proposes to provide the required affordable units on site “B,” also within the Redevelopment Project Area.

1. The number of required affordable units for site “A” is calculated as set forth in 30.35.030 (A) above. The result will be “X” number of units to satisfy requirements for site “A.”
2. Site “B” will itself be subject to the inclusionary requirement. So using “X” as the new base number, following 30.35.030 (A), the number of affordable units required for site “B” (hereto referred to as number “Y”) will be calculated (e.g. 15% of “X”) and added to “X,” resulting in the total number to be built on site “B” (i.e. X + Y).

30.35.060 – In-Lieu Fee Alternative

Developers of residential development projects within the Redevelopment Project Area may choose to pay a fee, or provide a combination of fee and units, in-lieu of providing the units on-site.

- A. Amount of Fee.** The amount of the in-lieu fee shall be calculated in compliance with the City’s Fee Schedule.
- B. Timing of Payment.** The fee required by this section shall be paid to the satisfaction of the Finance Director before issuance of a building permit for the approved project.
- C. Basis for Fee Computation.** Fees paid to fulfill the requirements of this chapter shall be computed based on the number and size of the units to be constructed. Unit size shall be gross livable floor area, including private balconies, decks and patios.
- D. Affordable Housing Trust Fund.** Fees paid to fulfill the requirements of this chapter shall be placed in the city’s Affordable Housing Trust Fund. The funds shall be used exclusively for housing projects which target very low, low, and moderate income households.

30.35.070 – Off-Site Construction of Inclusionary Units. In addition to all requirements of this chapter, off-site development of required inclusionary housing, at one or more approved sites, shall be subject to the following findings:

- A. The number of units to be provided off-site would be consistent with the requirements of this chapter;
- B. All off-site inclusionary units will contain on average the same number of bedrooms as the non-inclusionary units in the project, and be comparable with the non-inclusionary units in terms of appearance, finished quality, materials, and location within the building;
- C. All inclusionary off-site units would be constructed before or concurrently with the main project and final approval of the project shall be contingent upon completion and final approval of the inclusionary units;
- D. Off-site inclusionary units shall be allowed only in those areas which are designated in the General Plan for the densities proposed by the developer and comply with zoning regulations and standards.;

30.35.080 – Implementation of Inclusionary Unit Provisions

A. Procedures. In accordance with the standards and procedures set forth in the Implementation Policies, for any proposed new construction or substantially rehabilitated residential development, the developer shall:

1. Submit an Inclusionary Housing Plan for approval by the Director of Community Development, setting forth in detail the manner in which the provisions of this Chapter will be implemented.
2. Execute and cause to be recorded an Inclusionary Housing Agreement [unless developer is complying with this Chapter pursuant to section 30.35.060 (in lieu fee)]. The Agreement shall at a minimum include:
 - a. Whether an in-lieu fee is required;
 - b. The number of inclusionary units to be provided;
 - c. The number of units at each applicable sales price or rent level; and
 - d. A list of any other incentives or conditions approved for the project.

The Implementation Policies shall give further detail to the submission and review timelines for the Inclusionary Housing Plan and Inclusionary Housing Agreement.

B. Approval. Prior to issuance of any discretionary Approval, including but not limited to, planning permits, building permits, and zoning use certificates, for all or any portion of a Residential Development subject to this Chapter, the developer shall meet all applicable requirements as follows:

1. The developer shall submit an Inclusionary Housing Plan for review and approval by the Director of Community Development;
2. Whenever required, the developer shall submit original documentation that the Inclusionary Housing Agreement has been properly recorded;
3. The developer shall submit conclusive evidence that the approved Inclusionary Housing Plan has been fully implemented as approved by the Director of Community Development; and
4. If an in lieu fee is required, the developer shall submit evidence that the fee is recorded to the satisfaction of the Finance Director and in compliance with the fees adopted by the City Council.

C. Construction Schedule. All inclusionary units in a residential development project shall be constructed concurrently with or before the construction of the non-inclusionary units.

1. **Unit size, type, and location.** All inclusionary units:
 - a. Shall be reasonably dispersed throughout the project;
 - b. Shall contain on average the same number of bedrooms as the non-inclusionary units in the project; and

- c. Shall be comparable with the non-inclusionary units in terms of appearance, finished quality, and materials, as approved by the review authority.
2. **Phasing.** In the event a phased project is approved by the City, required affordable units shall be provided proportionally within each phase.
3. **Occupants.** New inclusionary units shall be occupied in the following manner:
 - a. If residential rental units are being demolished and the existing tenants meet the very low, low, or moderate income requirements as required by the Inclusionary Housing Agreement for that Residential Project, the tenants shall be given the right-of-first refusal to occupy the inclusionary units;
 - b. If there are no qualified tenants, or if the qualified tenants choose not to exercise the right-of-first-refusal, or if no demolition of residential rental units occurs, then the units shall be offered to qualified tenants displaced by the activity of the City of Glendale, Glendale Redevelopment Agency or Glendale Housing Authority;
 - c. If inclusionary units remain available after offering units as described in a and b, the availability of inclusionary units shall be published in newspapers circulated widely in the City of Glendale, including newspapers that reach minority communities. The contents of such publication are explained in the Implementation Policies.
 - d. Whenever an inclusionary unit becomes available, the Director of Community Development shall be notified immediately in writing prior to acting on publication requirements described in 3c above.