

RE: La Canada Flintridge 6th Cycle Adopted Housing Element Review

Coy, Melinda@HCD <Melinda.Coy@hcd.ca.gov>

Mon 4/24/2023 3:29 PM

To: Susan Koleda <skoleda@lcf.ca.gov>

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To avoid confusion, the second letter is the corrected clean version. There was a spacing issue in the first version. Please let me know if you have any questions

Melinda

From: Lanza, Tristan@HCD <Tristan.Lanza@hcd.ca.gov>

Sent: Monday, April 24, 2023 3:27 PM

To: skoleda@lcf.ca.gov

Cc: Coy, Melinda@HCD <Melinda.Coy@hcd.ca.gov>; McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>

Subject: La Canada Flintridge 6th Cycle Adopted Housing Element Review

Good afternoon,

Attached is the department's review of the adopted housing element. Please let me know if you have any questions.

Best,



Tristan Lanza

Housing Policy Analyst, Housing and Policy Division

Housing and Community Development

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
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April 24, 2023

Susan Koleda, Director
Community Development Department
City of La Canada Flintridge
One City Center Drive
La Canada Flintridge, CA 91011

Dear Susan Koleda:

RE: La Canada Flintridge's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of La Canada Flintridge's (City) housing element adopted February 21, 2023 and received for review on February 23, 2023. HCD also considered additional correspondence received on April 4, 2023. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Garret Weyand, Joshua Abrams, Garen Mkrtchian, and Californians for Homeownership pursuant to Government Code section 65585, subdivision (c).

The adopted housing element meets most of the statutory requirements of State Housing Element Law (Gov. Code, Article 10.6) described in HCD's December 6, 2022, letter, review. However, the housing element cannot be found in substantial compliance until the City has completed Program 1 (Adequate Residential Sites to Accommodate the Regional Housing Needs Allocation (RHNA), Program 4 (Downtown Village Specific Plan), Program 5 (Religious Institution Housing Overlay), and Program 6 (By Right Approval for Projects with 20 percent Affordable Units). Pursuant to Government Code section 65588, subdivision (e)(4)(C)(iii), a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c), paragraph (1), subparagraph (A) and Government Code section 65583.2, subdivision (c) are completed. Once the City completes these programs, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City's housing element compliance.

HCD notes in Resolution No 23-08, Section 5 the City states “The City further certifies that the City’s Housing Element was in substantial compliance with State Housing Element law as of the October 4, 2022 Housing Element adopted by the City Council, and will continue to be compliant with State Housing Element Law with the Housing Element adopted by this Resolution”. This is not correct. In HCD’s December 6, 2022, review letter regarding the review of the October 4, 2022 element, HCD required critical revisions to substantially comply with State Housing Element Law, including additional analysis to demonstrate the adequacy of the sites and policy and programmatic changes. These changes were included in the element that was adopted February 21, 2023. As referenced in HCD’s March 22, 2023, letter, HCD reminds the City that a local jurisdiction is “in compliance” as of the date of HCD’s letter finding the adopted element in substantial compliance. A local jurisdiction cannot “backdate” compliance to the date of adoption of a housing element. Moreover, as stated above, the October 4, 2022 adopted element did not substantially comply with State Housing Element Law.

Please note, HCD’s review of adequate sites did not consider the additional capacity that could be made available related to Panda Express, Big Lots, Parents and Children’s Nursery School, and Joanne’s Fabrics as these sites were identified in the element as “buffer” sites that could provide future capacity and not needed to address the current RHNA. In addition to Programs 1, 4, and 6, referenced above, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 3 (Governmental Constraints to Housing) which commits to a) a comprehensive update to the zoning code to mitigate constraints to housing reducing parking standards, reducing setbacks, reducing open space requirements, and modifying building height requirements; (b) adoption of objective design standards; (c) allowing multifamily uses in the MU zone through a ministerial permit; (d) allow residential as an allowable use in the MU zone, among other commitments.
- Program 7 (Lot Consolidation) which commits an administrative process of lot consolidation and fee waivers for lower-income housing projects.
- Program 8 (Accessory Dwelling Units (ADU)) which commits to facilitating the development of ADUs and monitor their approval to ensure the City remains on track to meet construction goals.
- Program 11 (Sewer Connection Grant Program) which commits to assist lower income households with the cost of connecting single-family homes to the City’s sewer systems)
- Program 15 (Special Needs Housing) which commits to a variety of zoning code updates including, among other commitments, developing a clear procedure for processing reasonable accommodation requests and removing the current associated fee.
- Program 22 (Removal of Racial Covenants) which commits to the development of detailed instructions for removing legacy race-based restriction from residential property titles.

- Program 23 (Affirmatively Furthering Fair Housing) which implements a variety of activities outlined in Table HE-50.
- Program 24 (Mitigation for Housing in Proximity to Freeways) which commits to standards for new housing that will minimize health risks associated with pollutants from freeways.

Finally, among other factors, the City is entirely the highest resource category in access to opportunity, wholly a concentrated area of affluence and predominantly consists of households with the highest median income, a stark contrast to the rest of the region. These conditions and circumstances warrant significant and robust actions (not limited to the RHNA) to promote housing mobility and increasing housing choices and affordability throughout and beyond the City, including in lower-density neighborhoods. While the element includes various programs to promote housing mobility, these actions are marginally sufficient. As part of implementation, HCD encourages the City to aggressively pursue numeric targets and geographic targets throughout the City, including lower density neighborhoods, and ensure all community development decisions (including those on housing) are free from discrimination and affirmatively further fair housing (AFFH) in accordance with Government Code section 8899.50, subdivision (b). In addition, the City must report on progress in implementation and should annually evaluate the effectiveness of programs in promoting inclusion throughout the City. Based on this evaluation, the City should consider appropriate and additional actions (e.g., missing middle housing types and targeted funding or other strategies to encourage affordability) to further promote housing choices and affordability in all areas of the City, including lower-density neighborhoods.

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585(i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City meets housing element requirements for these and other funding sources.

Susan Koleda, Director
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For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

We are committed to assisting the City of La Canada Flintridge in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Tristan Lanza, of our staff, at tristan.lanza@hcd.ca.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Coy", with a long horizontal stroke extending to the right.

Melinda Coy
Proactive Housing Accountability Chief