

MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE CITY OF GLENDALE

This Memorandum of Understanding is made and entered into as of October 3, 2025 ("Effective Date") by and between the City of Glendale, a municipal corporation, and the California Department of Housing and Community Development, a public agency of the state of California ("HCD"). In this MOU, the City and HCD are sometimes referred to individually as a "Party" and collectively as the "Parties." For the avoidance of doubt, this MOU is effective on the Effective Date.

I. Recitals

Whereas, on June 19, 2024, HCD issued a Notice of Violation ("NOV"), stating that, pursuant to Government Code section 66316, the City's Accessory Dwelling Unit ("ADU") and Junior Accessory Dwelling Unit ("JADU") ordinance ("ADU ordinance") was null and void and demanded that the City amend its ADU ordinance to address HCD's findings of noncompliance.

Whereas, on December 3, 2024, the City adopted Ordinance No. 6034 and Ordinance No. 6035 (General Plan Amendment) amending certain provisions of its ADU ordinance, along with Resolution No. 24-189 determining that certain other portions of its ADU ordinance comply with State ADU Law. While the City resolved most of the issues raised by HCD, its amended effective ordinances retained three challenged provisions summarized here and set forth in detail in HCD's NOV and subsequent correspondence and City's Resolution No. 24-189: (1) the City prohibits detached ADUs when a property contains an "accessory living quarters"; (2) the City prohibits the pairing of units allowed under Government Code section 66323 subdivisions (a)(1) and (a)(2) on single-family lots, and the pairing of units allowed under subdivisions (a)(3) and (a)(4) on multifamily lots; and (3) the City prohibits construction of an ADU above a detached garage.

Whereas, on August 7, 2025, HCD met with the City to reiterate its finding that the City remains out of compliance with State ADU Law, and subsequently provided in writing a Follow-Up on August 15, 2025.

Whereas, on September 15, 2025, the City responded that, while it maintains it is not in violation of State ADU Law, it will bring forth amendments to the challenged provisions to address HCD's findings, further noting that the preparation, noticing, public hearings, and Council consideration of these amendments may take until the end of the first quarter of 2026.

Whereas, in exchange for HCD forbearing from enforcing its NOV, the City agrees to the terms of this MOU.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the signatory Parties to this MOU agree to the following responsibilities, terms and conditions.

II. Parties and Purpose

- A. This MOU is executed between HCD and the City, collectively referred to as Parties.

- B. The Parties agree that the purpose of this MOU is to avoid litigation or other enforcement action by HCD, and otherwise resolve the issues outlined in the Follow-Up NOV.

III. City's Obligations

The Parties agree that the City will take the following actions to address HCD's findings.

A. Adoption of Amendments Addressing HCD's Findings in the Follow Up NOV.

1. Prior to and no later than January 15, 2026, the City shall submit a draft amended ADU ordinance ("Draft ADU ordinance") to HCD. Within 15 business days of such submittal, HCD shall provide written findings to the City.
2. Prior to and no later than March 31, 2026, the City shall agendize at a City Council meeting introduction of an ordinance to amend its ADU ordinance, currently provided in Glendale Municipal Code section 30.34.080, and shall agendize at the next regularly scheduled City Council meeting a vote on adoption of the ordinance, to explicitly permit and not otherwise penalize the following types of ADUs as long as they are otherwise in compliance with State ADU Law:
 - a. ADUs above detached garages;
 - b. Detached ADUs on a property containing an accessory living quarters;
 - c. Unit mixes on a single-family lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(1), are paired with an ADU permitted under Government Code section 66323, subdivision (a)(2).
 - d. Unit mixes on a multifamily lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(3), are paired with a unit or units permitted under Government Code section 66323, subdivision (a)(4).
3. If the Glendale City Council adopts an amended ADU ordinance, HCD reserves the right to review the amended ADU ordinance to determine its compliance with State ADU Law. HCD shall conduct its review of an amended ADU ordinance within 30 days of adoption. If HCD finds that the amended ADU ordinance is noncompliant with State ADU Law, it will be null and void. If HCD finds that the amended ADU ordinance complies with all of HCD's findings to the Draft ADU ordinance, HCD will deem it to be compliant with State ADU Law.
4. Pursuant to the Glendale City Charter, the amended ordinance, if adopted, will take effect within 30 days of adoption.

5. Given that an amendment to its ADU ordinance will be a legislative act of the Glendale City Council exercising its police power to serve the health, safety and welfare of Glendale's residents, nothing in this MOU shall limit the discretion of the City Council in reviewing and considering an amended ADU ordinance, nor be construed to obligate the Council to limit its discretion in a particular manner. This agreement does not constitute, and shall not be construed to be, a contracting away of the City's police powers. The City makes no representation regarding the Council's ability or willingness to adopt the amended ADU ordinance, it being required by law to obtain public input at noticed public hearings before doing so. If the City Council fails to enact an amended ADU ordinance within the time prescribed by this MOU (set forth in Section III(A)(2) above) or enacts an amended ADU ordinance that does not comply with State ADU Law, HCD's remedies will be limited to enforcement as described in Section V of this Agreement.

B. Forbearance of Enforcing Challenged Provisions Pending Implementation of Amended ADU Ordinance

The City shall refrain from enforcing any of the challenged provisions in its current ADU ordinance until either the vote to adopt an amended ADU ordinance fails or the effective date of a subsequent amended ADU ordinance that satisfies the terms above in MOU subsection (III)(A)(1). In other words, from the Effective Date of this MOU until the occurrence of either of the two events described above, the City shall allow the following types of ADUs, as long as these ADUs otherwise comply with State ADU Law:

- a. ADUs above detached garages;
- b. Detached ADUs on a property containing an accessory living quarters;
- c. Unit mixes on a single-family lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(1), are paired with an ADU permitted under Government Code section 66323, subdivision (a)(2).
- d. Unit mixes on a multifamily lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(3), are paired with a unit or units permitted under Government Code section 66323, subdivision (a)(4).

C. Notice of the City's Obligations Under this MOU to Complainants and to the Public

1. HCD will provide notice of the City's obligations under MOU section (III) to any complainant who previously contacted, or subsequently contacts, HCD about the City's ADU ordinance.
2. The City shall provide public notice of its obligations under Section (III) of this MOU at the next scheduled Regular City Council Meeting and City Planning

Commission Meeting immediately following execution of this MOU. Such notice shall consist of the inclusion of text contained in the attached Exhibit A in the Meeting Packet for each meeting, and an oral announcement at each meeting that the City will not enforce the challenged provisions of its current ADU ordinance and will allow the types of ADUs described in Section (III)(B), subparagraphs (a) through (d).

IV. HCD's Obligations

A. Forbearance of Enforcement Action with Respect to the City's ADU Ordinance

Subject to the terms in MOU Section (V), HCD shall not pursue litigation or take any other enforcement action that may otherwise be permitted by State ADU Law against the City relating to the three challenged provisions referenced in this MOU's second recital.

B. Technical Assistance

HCD staff commit to providing technical assistance to the City as time and capacity permit to facilitate the adoption of an amended ADU ordinance described in this MOU and compliant with State ADU Law.

V. Remedies and Penalties for City's Failure to Meet its Obligations

Immediately upon the City's failure to comply with any of the terms and conditions of this MOU or State ADU Law related to the three challenged provisions referenced in this MOU's second recital, HCD shall notify the City of its violation(s) of this MOU and/or State ADU Law.

A. Opportunity to Cure

The City shall have 21 days from the date of HCD's notification to the City of its violation(s) under this MOU or State ADU Law related to the three challenged provisions referenced in this MOU's second recital, to cure the violation(s) and demonstrate to the sole satisfaction of, and in the sole discretion of HCD, such cure(s).

B. City Failure to Cure to the Satisfaction of HCD

In the event HCD determines, after the opportunity to cure has elapsed pursuant to paragraph A, that the City has failed to timely cure a violation of this MOU or State ADU Law related to the three challenged provisions referenced in this MOU's second recital, HCD may terminate this MOU and commence its enforcement action against the City.

VI. **Miscellaneous Provisions**

- A. Nothing in this MOU shall be construed as relieving the City of its obligation to comply with all local, state, and federal laws, regulations, and rules.
- B. The terms of this MOU shall be governed by the laws of the State of California.
- C. The Parties agree and represent that any person(s) signing this MOU is authorized by proper authorities to execute and bind the Parties to all terms and conditions set forth herein.
- D. All notices and submissions shall be provided as follows.

For the City:

City of Glendale
Community Development Department, Planning Division
633 E. Broadway, #103
Glendale, CA 91206
Attn: Community Development Director

Copy to:
Glendale City Attorney's Office
613 E. Broadway, #220
Glendale, CA 91206
Attn: City Attorney

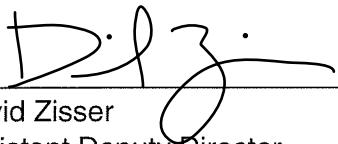
For HCD:

California Department of Housing and Community Development
Housing Policy Development Division
651 Bannon Street, Suite 400
Sacramento, CA 95811
Attn: Housing Accountability Unit

By their signatures, the Parties indicate their agreement and obligations to perform all terms and conditions of this MOU.

HCD:

CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT,
A public agency of the State of California

By:  Date: 10/3/25

David Zisser
Assistant Deputy Director
Local Government Relations & Accountability

CITY:

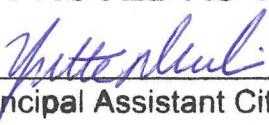
CITY OF GLENDALE,
a municipal corporation

By: 

City Manager or designee

Date: 10/1/25

APPROVED AS TO FORM


Principal Assistant City Attorney

Date: 10/1/2025

**EXHIBIT A TO MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT AND THE CITY OF GLENDALE**

On 10/3, 2025 ("Effective Date"), the City of Glendale (the "City") entered into a Memorandum of Understanding ("MOU") with the California Department of Housing and Community Development, a public agency of the state of California ("HCD"), in response to findings contained in a Notice of Violation ("NOV") with respect to certain challenged provisions of its ordinance governing the requirements and standards contained in the Glendale Municipal Code ("GMC") governing the construction of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) contained in GMC Section 30.34.080 ("ADU ordinance").

Though the City maintains it is not in violation of State ADU Law, for avoidance of litigation or enforcement action by HCD, the City agreed in the MOU to bring forth amendments to the challenged provisions to address HCD's NOV, by the first quarter of 2026.

In exchange for HCD forbearing from enforcing its NOV during the time the City is working to bring forth amendments to its ADU ordinance, the City agreed to the following:

1. Prior to and no later than January 15, 2026, the City shall submit a draft amended ADU ordinance to HCD. Within 15 business days of such submittal, HCD shall provide written findings to the City.
2. Prior to and no later than March 31, 2026, the City shall agendize at a City Council meeting introduction of an ordinance to amend its ADU ordinance, currently contained in Glendale Municipal Code section 30.34.080, and shall agendize at the next regularly scheduled City Council meeting a vote on adoption of the ordinance, to explicitly permit and not otherwise penalize the following types of ADUs as long as they are otherwise in compliance with State ADU Law:
 - a. ADUs above detached garages;
 - b. Detached ADUs on a property containing an accessory living quarters;
 - c. Unit mixes on a single-family lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(1), are paired with an ADU permitted under Government Code section 66323, subdivision (a)(2).
 - d. Unit mixes on a multifamily lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(3), are paired with a unit or units permitted under Government Code section 66323, subdivision (a)(4).
3. If the Glendale City Council adopts an amended ADU ordinance, HCD reserves the right to review the amended ADU ordinance to determine its compliance with State ADU Law. HCD shall conduct its review of an amended ADU ordinance within 30 days of adoption. If HCD finds that the amended ADU ordinance is noncompliant with State ADU Law, it will be null and void. If HCD finds that the amended ADU ordinance complies with all of HCD's findings to the Draft ADU ordinance, HCD will deem it to be compliant with State ADU Law.

4. Pursuant to the Glendale City Charter, the amended ordinance, if adopted, will take effect within 30 days of adoption.

5. Given that an amendment to its ADU ordinance will be a legislative act of the Glendale City Council exercising its police power to serve the health, safety and welfare of Glendale's residents, nothing in the MOU shall limit the discretion of the City Council in reviewing and considering an amended ADU ordinance, nor be construed to obligate the Council to limit its discretion in a particular manner. The MOU does not constitute, and shall not be construed to be, a contracting away of the City's police powers. The City makes no representation regarding the Council's ability or willingness to adopt the amended ADU ordinance, it being required by law to obtain public input at noticed public hearings before doing so. If the City Council fails to enact an amended ADU ordinance within the time prescribed by the MOU (set forth in Paragraph 2 above) or enacts an amended ADU ordinance that does not comply with State ADU Law, following a 21-day cure period, HCD may terminate the MOU and commence enforcement action against the City.

6. Forbearance of Enforcing Challenged Provisions Pending Implementation of Amended ADU Ordinance:

The City shall refrain from enforcing any of the challenged provisions in its current ADU ordinance until either the vote to adopt an amended ADU ordinance fails or the effective date of a subsequent amended ADU ordinance that satisfies the requirements of the MOU, summarized in Paragraph 2 above. In other words, from the Effective Date of the MOU until the occurrence of either of the two events described above, the City shall allow the following types of ADUs, as long as these ADUs otherwise comply with State ADU Law:

- a. ADUs above detached garages;
- b. Detached ADUs on a property containing an accessory living quarters;
- c. Unit mixes on a single-family lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(1), are paired with an ADU permitted under Government Code section 66323, subdivision (a)(2).
- d. Unit mixes on a multifamily lot wherein a unit or units permitted under Government Code section 66323, subdivision (a)(3), are paired with a unit or units permitted under Government Code section 66323, subdivision (a)(4).