Housing Element Technical Assistance

Annual Progress Reports

Housing Acceleration Program – Technical Assistance
January 31, 2024

Agenda

- **Welcome and Introductions**

- **Housing Element Annual Progress Reports**

- **Discussion and Questions**

- **Tracking Progress Towards RHNA**

- **Discussion and Questions**

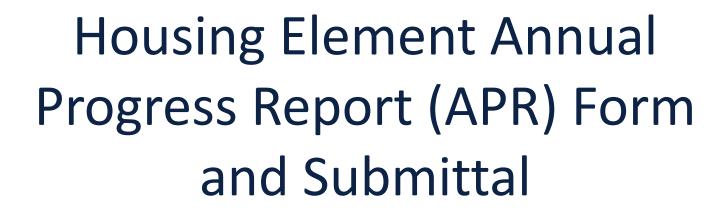- **Conclusion and Wrap Up**

HCD Presentation

Housing Element Annual Progress Reports

Housing Element Annual Progress Report (APR) Form and Submittal

California Department of Housing and Community Development
Housing Policy Development

January 31, 2024

Learning Objectives

- Background and Context

- Major Changes

- APR Benefits

- Overview of Tables

- Helpful Features of the Form

- How to Submit APRs

Overview and Legal Context

- Government Code Section 65400 requires each jurisdiction to prepare an APR on its status and progress in implementing its housing element.

- The form remains largely the same as last year. However, there are several new reporting requirements:
    - Importantly, Table A requires information on whether each housing development application is subject to either ministerial or discretionary review.
    - In addition, the local jurisdiction tracking ID is now required for all projects.

- Last year, SB 9 projects were reported on their own table (Table I). This year, those projects are reported with all other projects on Table A and A2. Table I is no longer on the form.

- Housing developments utilizing streamlining provisions established by SB 6 or AB 2011 must also be reported on Table A and Table A2.

- The APR requires local governments to report any adopted tenant preference policies. You may report this information in Table K.

- For HCD: complete APR forms can be uploaded directly into our database or emailed to apr@hcd.ca.gov

- For OPR: complete APR forms must be emailed to opr.apr@opr.ca.gov

- The 2023 APR is due April 1, 2024.

APR Benefits

- Several funding programs require up-to-date submission of APRs, including Caltrans Sustainable Communities Grant and PLHA funds

- APRs are a vehicle for reporting housing element implementation and progress in meeting Regional Housing Need Allocation (RHNA) to the public and decision makers

- Data from APRs is used to make HCD's SB35 determination

Previewing the Tables

All tables will report on activity that happens in the 2023 Calendar year

- Table A - Housing Development Applications Submitted

- Table A2 - Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

- Table B - Regional Housing Needs Allocation Progress – Permitted Units Issued By Affordability

- Table C – Sites Identified or Rezoned to Accommodate Shortfall Housing Need

- Table D - Program Implementation Status

- Table E – Commercial Development Bonus

- Table F – Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites

- Table F2 – Units Converted to Moderate Income

- Table G – Locally Owned Sites

- Table H – Locally Owned Surplus Land Inventory

- Table J – Student Housing and Density Bonuses
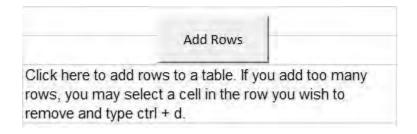
- Table K – Tenant Preference Policy

Start Here Tab

Please fill out all information

General Information	
Jurisidiction Name	
Reporting Calendar Year	2023
Contact Information	
First Name	
Last Name	
Title	
Email	
Phone	
Mailing Address	
Street Address	
City	
Zipcode	

Cells highlighted in yellow are required

Start Here Tab, continued

2023 Changes: There is a new function to add rows to any of the tables on the APR form. You may add up to 5000 rows at a time.

Add Rows

Click here to add rows to a table. If you add too many rows, you may select a cell in the row you wish to remove and type ctrl + d.

Start Here Tab - Importer

Import Last Year's Data

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

Overview of Table A

- **Table A – Housing Development Applications Submitted**
  - Includes data on housing units and developments for which an application was deemed complete during the reporting year

Streamlining	Density Bonus Law Applications		Application Status	Project Type	Notes
9	10		11	12	13
Please select streamlining provision/s the application was submitted pursuant to.	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions reqested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Is the project considered a ministerial project or discretionary project?	Notes*

NONE
SB 9 (2021) - Duplex in SF Z
SB 9 (2021) - Residential Lo
AB 2011 (2022)
SB 6 (2022)
SB 35 (2017)

Select appropriate streamlinig provisions as applicable. Select NONE if none of the available options were used. You may select more than one.

Ministerial
Discretionary

12

Overview of Table A2

- **Table A2 - Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**
  - Includes data on net new housing units and developments that have received any one of the following:
    - An entitlement
    - A building permit or
    - A certificate of occupancy or other form of readiness

Overview of Table A2, continued

Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions	
14	15	16	17
Please select the streamlining provision the project was APPROVED pursuant to. (may select multiple)	Infill Units? Y/N[+]	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)
	▼		
	Select appropriate streamlinig provisions as applicable. Select NONE if none of the available options were used. You may select more than one.		

2023 Changes:

Section 14 was modified to specify streamlining provisions. Please use the dropdown selection to pick the appropriate value. Use the value of "NONE" if none of the programs apply.

Overview of Tables B & C

- **Table B - Regional Housing Needs Allocation & Extremely Low-Income Need Progress – Permitted Units Issued By Affordability**

  – Provides a summary of prior permitting activity reported to HCD in the current planning cycle, including permitting activity for the calendar year being reported. Now includes a column showing units permitted since the start of the RHNA projection period

- **Table C - Sites Identified or Rezoned to Accommodate Shortfall**

  – Only applies if the jurisdiction identified an unaccommodated need of sites from the previous planning period, has shortfall of sites as identified in the housing element; or is identifying additional sites required by no net loss law

Overview of Table D and Table E

- **Table D - Program Implementation Status**
  - Report the status/progress of housing element programs.
  - Use the importer to copy program name and objective. Update the status as appropriate.
  - Include all programs that are listed in the housing element.

  - **Table E – Commercial Density Bonus Approved**

    - Not for residential density bonus developments.

    - For commercial property granted a density bonus as a result of partnering with a residential developer.

Overview of Tables F & F2

- **Table F - Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites**
  - Report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved

- **Table F2 – Units Converted to Moderate Income** - Units reported on this table must meet requirements specified in Government Code 65400.2

Overviews of Table G and H

- **Table G –** This Table applies if jurisdiction included a locally owned site in the housing element sites inventory and has disposed of the property

- **Table H** – Report **all** locally owned land that is either designated surplus or is in excess of foreseeable needs. Requires parcel ID information and current uses on the property

Table H

Local governments are now required to complete an inventory of all locally owned surplus, exempt surplus, or excess land

Jurisdiction	0				Note: "+" indicates an optional field
Reporting Period	2021	(Jan. 1 - Dec. 31)			contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Table H

Locally Owned Surplus Sites

Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes
Summary Row: Start Data Entry Below						

Overviews of Table J

- **Table J – Student Housing that Received Density Bonus -** Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915

Overview of Table K

Jurisdiction	0		ANNUAL ELEMENT PROGRESS REPORT	
Reporting Period	2023	(Jan. 1 - Dec. 31)		
Planning Period				
			Table K	
			Tenant Preference Policy	
Local governments are required to inform HCD about any local tenant preference ordinance the local government maintains when the jurisdiction submits their annual progress report on housing approvals and production, per Government Code 7061 (SB 649, 2022, Cortese). Effective January 1, 2023, local governments adopting a tenant preference are required to create a webpage on their internet website containing authorizing local ordinance and supporting materials, no more than 90 days after the ordinance becomes operational.				
Does the Jurisdiction have a local tenant preference policy?				
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage on their internet website containing authorizing local ordinance and supporting materials.	Yes/No Select yes or no.			
Notes				

Table K allows the jurisdiction to clarify local tenant preference policies. There are fields to indicate links and notes.

LEAP Reporting

- If you are the recipient of a LEAP grant, you are required to report on the status of the grant in the APR

ANNUAL ELEMENT PROGRESS REPORT					
LEAP Reporting					
(CCR Title 25 §6202)					
Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.					
Total Award Amount					
Task	**$ Amount Awarded**	**$ Cumulative Reimbursement Requested**	**Task Status**	**Other Funding**	**Notes**

Summary Tables

- This does not need to be filled out, but is auto calculated for your information
- Summarized projects approved using streamlined ministerial approval process (SB 35 Streamlining) and number of applications submitted.

Jurisdiction	0	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Housing Element Planning Period		

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		0

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	0	0	0
2 to 4 units per structure	0	0	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	0	0	0
Mobile/Manufactured Home	0	0	0
Total	0	0	0

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	0	0
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	0
Number of Proposed Units in All Applications Received:	0
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions - Applications	
Number of SB 35 Streamlining Applications	0
Number of SB 35 Streamlining Applications Approved	0

Start Here	Finish Here	Summary	Table A	Table A2

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 35 (2017)	0	0

Ministerial and Discretionary Applications	# of Applications	Units
Ministerial	0	0
Discretionary	0	0

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	0
Sites Rezoned to Accommodate the RHNA	0

Conditional Formatting in Form

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement							
		1			2	3				4				
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	
Summary Row: Start Data Entry Below							0	0	0	0	0	0	0	
	555													

- Required fields become highlighted yellow once any cell in that row gets completed
- Cells that are highlighted green are only required if that section applies to the project
- Additional fields become highlighted yellow depending on what is being entered in the row

Finish Here Tab

Format A2 for easy printing

Optional: Save before running. This copies data on Table A2, and creates another workbook with the table split across 4 tabs, each of which can fit onto a single page for easier printing. Running this macro will remove the comments on the column headers, which contain the instructions. Do not save the APR file after running in order to preserve comments once it is reopened.

Ensure all dates are valid

Optional: This macro identifies dates entered that occurred outside of the reporting year. RHNA credit is only given for building permits issued during the reporting year.

Link to the online system: https://apr.hcd.ca.gov/APR/login.do

Conditional Formatting Off

Conditional Formatting On

Toggles formatting that turns cells green/yellow/red based on data validation rules.

Submittal Instructions

Please save your file as Jurisdictionname2023 (no spaces). Example: the city of San Luis Obispo would save their file as SanLuisObispo2023

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. **Online Annual Progress Reporting System - Please see the link to the online system to the left.** This allows you to upload the completed APR form into directly into HCD's database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.*

2. **Email** - If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.

How to Submit APRs

- Online Annual Progress Reporting System is available to submit 2023 APRs and is located at https://apr.hcd.ca.gov/APR/login.do

- APRs can also be emailed to APR@hcd.ca.gov
    - Send the electronic version as an Excel workbook attachment. Do not send a scanned copy of the tables.

- No longer accepting APRs by mail

APR Enforcement – New Provisions

- AB 2653 gives HCD authority to refer violations of <u>Government Code 65400</u> to the Attorney General

- HCD now has authority to request corrections to the APR and reject an APR should corrections not be made

Reminders

The 2023 APR is due 4/1/2024

Questions or comments can be submitted to APR@hcd.ca.gov

SB35 Determination will be published in June 2024

More information about APRs is on our website at: https://www.hcd.ca.gov/community-development/annual-progress-reports.shtml

Stay in the Know

Sign up for HCD announcements at www.hcd.ca.gov/contact-us/email-signup

Contact Us

HCD does not manage properties or place individuals in affordable housing. For assistance, please contact a person in your local community ⟀ who helps people who are experiencing or at risk of homelessness.

For inquiries and questions

Registration and Titling:
(800) 952-8356
(800) 735-2929 (TTY)
ContactRT@hcd.ca.gov

Mobilehome Assistance Center (Complaints):
(800) 952-8356
MHAssistance@hcd.ca.gov

⬛ Request an HCD Speaker ⟀

✉ Email Sign-Up

Related Links

Affordable Rental Housing Directory

Public Records Requests

Media Inquiries

Pay Fees — Submit a Payment ⟀

Discussion and Questions

Track RHNA Capacity and No Net Loss of Sites

- Government Code Section 65863

- Must maintain the Housing Element sites inventory for all income levels throughout the 8-year planning period

- If a development is approved on a housing element site with either **fewer units** or a **different income category** (i.e., market rate housing on a lower income housing element site), the agency must either:

  - Make written "no net loss" finding that other housing element sites are adequate to meet the RHNA for lower- or moderate-income housing; or

  - Identify and make available within 180 days other sites zoned at a density suitable for lower- or moderate-income housing

Required Findings per Government Code Sect. 65863

- Must include written findings if there is loss of density or units
- Per Government Code Section 65863, reduction of density (or approval of fewer units) is OK if:
  - Reduction is consistent with the General Plan and Housing Element; and
  - Remaining sites in Element are adequate to accommodate RHNA at all income levels.
  - OR other sites NOT in Housing Element can make up difference.
  - **Must quantify unmet need and remaining capacity by income level.**

No Net Loss (Government Code Sect. 65863)

Responsibility is on the Local Jurisdiction, not the Developer

- Developer has no responsibility for developing a site at the inventoried income level

- Jurisdiction may not deny a housing development because it would require identifying additional sites.

- It is the jurisdiction's responsibility to identify and rezone a replacement site within 180 days (including any required CEQA)

What's Next?

- Regional Trainings
  - **February 2024** – APR and No Net Loss Office Hours every Wednesday 12-1 p.m.
    - HCD will participate in office hours <u>Feb 7</u> and <u>Feb 21</u>
  - **March 2024** – ADU Workshop
  - **April 2024** – Land Value Capture Workshop

- Other Announcments
  - **February to June 2024** – Housing Policy Leadership Academy and Housing Policy Bootcamp
  - Upcoming Housing Policy Forums

Feedback Survey

www.surveymonkey.com/r/SANDAG_HAPTA_Feedback

Connect with SANDAG's HAP-TA Team

➤ **Project website:**
sandag.org/projects-and-programs/regional-initiatives/housing-and-land-use/housing-acceleration-program

✉ **Local Staffing Assistance Requests**
Email: SANDAG_HAPTA@AscentEnvironmental.com

✉ **Contact SANDAG**
Email: carrie.simmons@sandag.org
Phone: (619) 837-6503

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