



Council Agenda Report

To: Mayor Grisanti and Honorable Members of the City Council

Prepared by: Joyce Parker-Bozylinski, Contract Planner

Reviewed by: Richard Mollica, Planning Director

Approved by: Steve McClary, City Manager

Date prepared: June 16, 2022 Meeting Date: June 27, 2022

Subject: Annual Progress Report Regarding the Implementation of the City's Housing Element

RECOMMENDED ACTION: Approve the 2021 Housing Element Annual Progress Report (Attachment 1).

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was included as item 4.g in the Adopted Work Plan for Fiscal Year 2021-2022.

DISCUSSION: California Government Code Section 65400(b) mandates that each city and county planning agency prepare an annual report to the California Department of Housing and Community Development (HCD) and Office of Planning and Research (OPR) regarding the implementation of the Housing Element and how the city or county is meeting its regional housing needs. The deadline for submittal of the report is April 1 of each year for the prior calendar year. The reports must also be reviewed by the local governing body, which can be done before or after submission to the State. Due to staff turnover, the April 1st deadline was not met. Staff submitted the Annual Progress Report (APR) to HCD and OPR on May 30th. An updated version of the report can be re-submitted to the State at any time if any revisions are directed by the City Council. If the APR is approved by the City Council, staff will provide notification to HCD and OPR of the Council's approval of the report.

The APR describes the City's progress toward implementation of the Housing Element programs within the reporting period of 2021. Progress toward achieving the mandated

Regional Housing Needs Assessment (RHNA) allocation is a key component of the APR. The RHNA establishes exactly how many new homes—and at what affordability levels—a jurisdiction is required to plan for within an eight-year planning cycle to address regional and State housing needs. Through the RHNA allocation, each jurisdiction is assigned its “fair share” of housing production at specified affordability levels. The attached APR document shows how much net new housing development, and at which affordability levels, has occurred during the reporting year. The housing units are tracked by calculating the number of development applications submitted, project entitlements approved, building permits issued, and building permits that received final Certificate of Occupancy approval. The APR also includes status updates on the City’s progress in meeting the objectives for each of the numerous programs noted in the Housing Element.

Housing Element Background

All jurisdictions in California update their housing elements every eight years according to a State-established planning cycle. On February 12, 2014, the California Department of Housing and Community Development (HCD) certified the City’s Housing Element as meeting the requirements of State law for the planning period of 2013-2021 (5th cycle). The City’s RHNA for this period was 1 very low income and 1 low income unit. This APR is the eighth and last progress report for the 5th housing cycle.

On January 10, 2022, the City Council adopted Resolution No. 22-67 adopting the Revised Draft Housing Element (6th Cycle) for planning period 2021-2029, which was submitted to the HCD on January 20, 2022. Malibu has been allocated 79 units total¹, and is able to accommodate that allocation without zone changes or code amendments. Subsequently, the HCD issued a letter finding that the Revised Draft 2021-2029 Housing Element Update addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law. Future City public hearings to address the HCD’s comment letter have not been scheduled.

Reporting Requirements

Staff has drafted the 2021 Housing Element APR, which is provided as Attachment 1. The report includes summaries of the following²:

- All applications for housing units deemed complete in 2021 (Table A);
- The numbers of new housing units³ with planning approvals, with building permits, and with Certificates of Occupancy issued in 2021 (Table A2);
- Progress toward the City’s assigned RHNA for the Sixth Cycle (Table B);

¹ Of the 79 units assigned to Malibu by SCAG, 28 must qualify as Very-Low Income, 19 as Low Income, 17 as Moderate Income, and 15 as Above-Moderate Income.

² Tables C, E, F, G, H were not applicable to the City for 2021.

³ Housing units built to replace those lost in the 2018 Woolsey Fire or those built to replace homes that are demolished by choice are not reported. Only net new units are included in the report.

- Progress in implementing the programs contained in Section 7.5 of the Housing Element (Table D); and
- LEAP Reporting.

ATTACHMENT:

1. 2021 Housing Element Annual Progress Report



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

HOUSING ELEMENT ANNUAL PROGRESS REPORT (APR) INSTRUCTIONS

INTRODUCTION

Note: Some instructions and definitions can be found in the column headers of the tables. (Cells with red marks) Government Code section 65400 requires that each city, county, or city and county, including charter cities, prepare an annual progress report (APR) on the status of the housing element of its general plan and progress in its implementation, using forms and definitions adopted by the Department of Housing and Community Development (HCD). The following form is to be used for satisfying the reporting requirements of Government Code section 65400, subdivision (a)(2).

These forms and instructions, originally adopted March 27, 2010, have been updated to incorporate new Housing Element APR requirements pursuant to Chapter 374, Statutes of 2017 (Assembly Bill 879); Chapter 366, Statutes of 2017 (Senate Bill 35), Chapter 664, Statutes of 2019 (Assembly Bill 1486), Chapter 159, Statutes of 2019 (Assembly Bill 101), Chapter 661, Statutes of 2020 (Assembly Bill 1255), Chapter 15, and Statutes of 2020

How to submit the Housing Element Annual Progress Report (APR)

The APR must be submitted to the Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year using the forms and tables specified by HCD. The APR provides information for the previous calendar year and must be submitted separately to both HCD and OPR (Gov. Code, § 65400.). There are two methods available for submitting APRs:

1. Online Annual Progress Reporting System - This allows jurisdictions to upload directly into HCD's database, limiting the risk of errors. To use the online system, email APR@hcd.ca.gov, and request 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 - Jurisdictions complete the Excel APR forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. When using the email method, send the electronic version as an Excel workbook attachment. Do not send a scanned copy of the tables. In addition to submitting Housing Element APRs, jurisdictions must also submit General Plan Annual Progress Reports to both HCD and OPR. Please email these documents to APR@hcd.ca.gov and opr.apr@opr.ca.gov.

[NOTE: When submitting successor entity reporting data as required pursuant to California Health and Safety Code 34176.1, the data must be identified as an addendum to the APR and emailed to \[APR@hcd.ca.gov\]\(mailto:APR@hcd.ca.gov\) concurrently with the APR submittal. When using the online system, this report should be sent separately to the APR email box to satisfy the Government Code section 65400 reporting requirement.](#)

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DEFINITIONS

1. "Above moderate income" means households earning more than 120 percent of area median income.
2. "Annual Progress Report (APR)" means the housing element annual progress report required by Government Code section 65400 and due to HCD by April 1 of each year reporting on the prior calendar year's activities.
3. "Application submitted" means an application submittal that has been determined complete by the jurisdiction.
4. "Area Median Income (AMI)" means the median household income based on household size of a geographic area of the state, as annually updated by the California Department of Housing and Community Development (HCD), pursuant to Health and Safety Code section 50093.
5. "Certificate of occupancy date" is the date(s) the certificate(s) of occupancy, or other evidence of readiness for occupancy (e.g., final inspection, notice of completion), was/were issued.
6. "Committed Assistance" is when a local government has entered into a legally enforceable agreement within a specific timeframe spanning from the beginning of the RHNA projection and may be executed throughout the planning period. Committed Assistance includes obligating funds or other in-kind services for affordable units available for occupancy within two years of the agreement.
7. "Completed Entitlement" means a housing development or project which has received all the required land use approvals or entitlements necessary for the issuance of a building permit. This means that there is no
8. "Density Bonus" as defined in Government Code section 65915.
9. "Extremely low-income" means a household earning less than 30 percent of area median income pursuant to Health and Safety Code, section 50105.
10. "Infill housing unit" is defined as being a unit located within an urbanized area or within an urban cluster on a site that has been previously developed for urban uses, or a vacant site where the properties adjoining at least two sides of the project site are, or previously have been, developed for urban uses. For the purposes of this definition, an urbanized area or an urban cluster is as defined by the United States Census
11. "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.
12. "Lower-income or Low-Income" means a household earning less than 80 percent of area median income pursuant to Health and Safety Code, section 50079.5.
13. "Moderate income" means households whose income does not exceed 120 percent of area median income pursuant to Health and Safety Code, section 50093.
14. "Permitted units" mean units for which building permits for new housing construction have been issued by the local government during the reporting calendar year. For this purpose, "new housing unit" means housing units as defined by the Department of Finance for inclusion in the Department of Finance's annual "E-5 City/County Population and Housing Estimates" report, which is the same as the Census definition of a housing

Note: Accessory dwelling units (ADU) and junior accessory dwelling units (JADU) pursuant to Government Code sections 65852.2 and 65852.22 meet the definition above.

15. "Production report" or "Annual Progress Report (APR)" means the information reported pursuant to subparagraph (D) of paragraph (2) of subdivision (a) of Section 65400 of Government Code.

16. "Project" or "Development" refers to a housing related activity where new construction of a unit(s) is proposed or has had a building permit and/or certificate of occupancy issued during the reporting calendar year. This may include single family, mixed use, multifamily, accessory dwelling unit, or any other developments where housing units, as defined by the U.S. Census Bureau and the California Department of Finance, are a component of the project.

17. "Realistic Capacity" means an estimate of the number of units that can be accommodated on each site in the inventory. The estimate must include adjustments to reflect land use controls and site improvement requirements but may rely on established minimum density standards.

18. "Reporting period" means the prior calendar year's activities for the housing element annual progress report required by Government Code section 65400 and due to HCD by April 1 of each year and utilized to create the determination for which locality is subject to the Streamlined Ministerial Approval (SB35 Streamlining)

19. "RHNA" means the local government's share of the regional housing need allocation pursuant to Government Code section 65584 et seq.

20. Unit Category: type of units that are classified under the following categories:

- **Single Family-Detached Unit (SFD)**- a one-unit structure with open space on all four sides. The unit often possesses an attached garage.
- **Single Family-Attached Unit (SFA)**- a one-unit structure attached to another unit by a common wall, commonly referred to as a townhouse, half-plex, or row house. The shared wall or walls extend from the foundation to the roof with adjoining units to form a property line. Each unit has individual heating and plumbing
- **2-, 3-, and 4-Plex Units per Structure (2-4)**- a structure containing two, three, or four units and not classified as single-unit attached structure.
- **5 or More Units per Structure (5+)**- a structure containing five or more housing units.
- **Accessory Dwelling Unit (ADU)** - means a unit that is attached, detached or located within the living area of the existing dwelling or residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel on which the single-family dwelling is situated pursuant to Government Code section 65852.2. An ADU also includes the following: an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code or a manufactured home, as defined in Section 18007 of the Health and Safety Code.
- **Mobile Home Unit/Manufactured Home** – a one-unit structure that was originally constructed to be towed on its own chassis. *Please note: Spaces in a mobile home park can be counted towards RHNA, if the spaces counted are new hook-ups/spaces rather than new mobile home park residents moving onto existing lots.*

21. "Very low-income" means households earning less than 50 percent of area median income pursuant to Health and Safety Code, section 50105.

AUTHORITY CITED: Government Code section 65400.

FORM INSTRUCTIONS

GENERAL INFORMATION

Fields in gray auto-populate. No data entry is needed.

Some of the cells are locked to ensure data can be automatically uploaded to the online system.

Tables A and A2 of the worksheet are currently configured to accept up to 1,000 lines of data. Insert rows if

Projects are now tracked at all stages of development, from initial application to final certificate of occupancy.

All dates must be entered as month/date/year (e.g., 6/1/2018).

The form works best with macros enabled in Excel.

Begin with the “Start Here” tab, as previous years’ information will pre-populate in Table B after the jurisdiction’s name is entered.

START HERE

Enter general contact and report information in the “Start Here” tab.

It is important to start with this worksheet because the answers entered will affect how information is displayed (e.g. permit numbers from prior years are pre-populated when jurisdiction’s name is entered).

Information to enter includes:

- City or County name
- Reporting calendar year (e.g., 2019). *Please note: The reporting year will always be from January 1 – December 31 of the previous year.*
- Contact person
- Title
- Email
- Phone
- Mailing address

This sheet includes instructions regarding submitting the Housing Element APR to HCD and OPR.

TABLE A

Housing Development Applications Submitted

Only include data on housing units and developments for which an application was deemed complete between January 1st and December 31st of the reporting year identified on the “Start Here” tab. In table A, an “application” is a formal submittal of a project for approval. This application is either an application for a discretionary entitlement, or where only a ministerial process is required (e.g., zoned by right).

1. Project Identifier: Include the Current Assessor Parcel Number (APN) and street address. The Prior APN, Project Name and Local Jurisdiction Tracking ID are optional.

- Prior APN – Enter an APN previously associated with the parcel, if applicable (optional field).
- Current APN – Enter the current available APN. If necessary, enter additional APNs in the notes section field number 10.
- Street Address – Enter the number and name of street.
- Project Name – Enter the project name, if available (optional field).
- Local Jurisdiction Tracking ID – This may be the permit number or other identifier (optional field).

2. Unit Types: Each development should be categorized by one of the following codes. Refer to “Unit Category” in the Definitions section for additional descriptions. Use the drop-down menu to select one of the following

- SFA (single-family attached unit)
- SFD (single-family detached unit)
- 2-4 (two- to four-unit structures)
- 5+ (five or more unit structure, multifamily)

- ADU (accessory dwelling unit)
- MH (mobile home/manufactured home)

3. Tenure: Identify whether the units within the development project are either proposed or planned at initial occupancy for either renters or owners. Use the drop-down menu to select one of the following options:

- Renter occupant (R) or
- Owner occupant (O)

4. Date Application Submitted: Enter the date the housing development application was submitted. If the application was incomplete at the time of submittal, enter the date the application was determined complete by the local government (refer to “application submitted” under definitions). Enter date as month/day/year (e.g., 6/1/2020).

5. Proposed Units Affordability by Household Incomes: For each development, list the number of units proposed in the application by affordability level and whether the units are deed restricted or non-deed restricted. Refer to the Definitions section for additional descriptions:

Very low-income households: 0-50% AMI

Low-income households: 50-80% AMI

Moderate-income households: 80-120% AMI

Above-moderate households: above 120%

[To verify income levels, refer to the income limit charts on HCD’s website at http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml](http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml) (see section for Official State Income

6. Total Proposed Units by Project: This field auto-populates with the total number of units proposed, as entered in #5 (total of deed restricted & non-deed restricted units for Very Low-, Low-, Moderate- and Above Moderate- income households).

7. Total Approved Units by Project: Enter the number of units that the jurisdiction approved for this project application.

8. Total Disapproved Units by Project. If the project is denied or total number of units is reduced, please enter the number of units denied or reduced. This value should equal Total Proposed Units by Project minus “Total Approved Units by Project.”

9. Was “Application Submitted” pursuant to Government Code section 65913.4, subdivision (b) (Streamlined Ministerial Approval Process (SB 35 Streamlining))? Use the drop-down menu to select one of the following options:

- No
- Yes – But no action taken
- Yes – Approved
- Yes – Denied

10. Was a Density Bonus application received for this project? Answer yes or no.

11. Was the Density Bonus application approved for this project? Answer yes or no.

12. Please indicate the status of the application. Use the drop-down to select one of the following options:

- Approved
- Pending
- Disapproved

13. Notes: Use this field to enter any applicable notes about the project or development. Completion of this field is optional.

TABLE A2

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

Fields 1 through 15 Housing Development Information

This table requires information for very low, low, moderate and above moderate income housing affordability categories and for mixed-income projects. Include data on net new housing units and developments that have received any one of the following:

- An entitlement
- A building permit
- A certificate of occupancy or other form of readiness that was issued during the reporting year.

Please note: Only building permits are used for the purposes of determining progress towards RHNA (fields 7, 8 and 9 of this table, described below).

New housing units : For the APR, “new housing unit” means housing units as defined by the Department of Finance for inclusion in the Department of Finance’s annual “E-5 City/County Population and Housing Estimates” report, which is the same as the census definition of a housing unit.

Development activity spanning multiple years : It is highly likely that the same project will be reported in multiple years of APRs. For example, a project should be listed in three separate APRs if it is entitled in one year, receives the building permit next year, and the certificate of occupancy in the year following.

In scenarios where development activity spans multiple years, the jurisdiction should only report activity that occurred within the reporting year. For example, if a project received building permits in 2018, but received entitlements in 2017, the 2018 APR should only report the building permit information (fields 7, 8 and 9), and not include entitlement information (fields 4, 5 and 6).

Separate living quarters : A house, an apartment, a mobile home, a group of rooms, or a single room occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have direct access from outside the building or through a common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupants whenever possible.

Please note: Group quarters facilities, such dormitories, student housing, bunkhouses, and barracks cannot be counted as housing units.

Net new units: If a building is being demolished to build the new units, the APR should report net new units. For example, if 10 units are being demolished on a site to build a 100-unit building, the APR should report 100 new units and 10 units in the demolished/destroyed column. In the case of new construction where fewer units are being built than were there previously, do not report negative permits.

To assist in reporting demolished/destroyed units, refer to section number 20 below (Table A2, column 20).

All new unit information is to be listed in the following fields:

Fields 1 through 3 – Project Identifier and Unit Types

1. Project Identifier: Include the Current Assessor Parcel Number (APN) and street address. The prior APN, project name or local jurisdiction tracking ID are optional.

- Prior APN – Enter an APN previously associated with the parcel, if applicable (optional field).
- Current APN – Enter the current available APN. This field allows a maximum of 40 characters. If necessary enter additional APNs in the notes section field number 21.
- Street Address – Enter the number and name of street.
- Project Name – Enter the project name, if available (optional field).
- Local Jurisdiction Tracking ID – This may be the permit number or other identifier (optional field).

2. Unit Category Codes: Each development should be categorized by one of the following codes: Refer to “Unit Category” in the Definitions section for additional descriptions. Use the drop-down menu to select one of the following options:

- SFA (single-family attached unit)
- SFD (single-family detached unit)
- 2-4 (two- to four-unit structures)
- 5+ (five or more unit structure, multifamily)
- ADU (accessory dwelling unit)
- MH (mobile home/manufactured home)

3. Tenure: Identify whether the units within the development project are either proposed or planned at initial occupancy for either renters or owners. Use the drop-down menu to select one of the following options:

- Renter occupant (R) or
- Owner occupant (O)

Fields 4 through 6 – Completed Entitlement

4. Affordability by Household Income – Completed Entitlement: For each development, list the number of units that have been issued a completed entitlement during the reporting year by affordability level and whether the units are deed restricted or non-deed restricted. Refer to the Definitions section for additional descriptions:

- Very low-income households: 0-50% AMI
- Low-income households: 50-80% AMI
- Moderate-income households: 80-120% AMI
- Above-moderate households: above 120%

[To verify income levels, refer to the income limit charts on HCDs website at http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml](http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml) (see section for Official State Income

5. Entitlement Date Approved: Enter the date within the reporting year that all required land use approvals or entitlements were issued by the jurisdiction; leave blank if entitlement was approved outside the reporting year. Enter date as month/day/year (e.g., 6/1/2018). Refer to definition of “Completed Entitlement.”

6. # of Units Issued Entitlements: This is an auto-populated field. This field reflects the total number of units that were entitled for very-low, low, moderate, and above moderate income, as entered in field 4 on this table.

Fields 7 through 9 – Building Permit

7. Affordability by Household Income – Building Permits: For each development, list the number of units that have been issued a building permit during the reporting year by affordability level and whether the units are deed restricted or non-deed restricted. Refer to the Definitions section for additional descriptions:

- Very low-income households: 0-50% AMI
- Low-income households: 50-80% AMI
- Moderate-income households: 80-120% AMI
- Above-moderate households: above 120%

[To verify income levels, refer to the income limit charts on HCDs website at http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml](http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml) (see section for Official State Income

8. Building Permits Date Issued: Enter the date within the reporting year that the building permit was issued by the jurisdiction; leave blank if building permit was issued outside the reporting year. Enter date as month/day/year (e.g., 6/1/2018). Refer to definition of “Permitted Units.”

9. # of Units Issued Building Permits: This is an auto-populated field. This field will sum units that were permitted for very-low, low, moderate, and above moderate income, as entered in field 7 on this table.

Fields 10 through 12 – Certificates of Occupancy

10. Affordability by Household Income – Certificates of Occupancy: For each development, list the number of units that issued certificates of occupancy or other form of readiness (e.g., final inspection, notice of completion) during the reporting year by affordability level and whether the units are deed restricted or non-deed restricted. Refer to the Definitions section for additional descriptions:

- Very low-income households: 0-50% AMI
- Low-income households: 50-80% AMI
- Moderate-income households: 80-120% AMI
- Above-moderate households: above 120%

[To verify income levels, refer to the income limit charts on HCDs website at http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml](http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml) (see section for Official State Income

11. Certificates of Occupancy (or other forms of Readiness) Date Issued: Enter the date the certificate of occupancy or other form of readiness (e.g., final inspection, notice of completion) was issued for the project. For most jurisdictions, this is the final step before residents can occupy the unit. Leave blank if certificate of occupancy was not issued in the reporting year. Enter date as month/day/year (e.g., 6/1/2018).

12. # of Units Issued Certificates of Occupancy or other forms of Readiness: This is an auto-populated field. This field will sum units that were issued a certificate of occupancy for very-low, low, moderate, and above moderate income, as entered in field 10 on this table.

13. How many of the Units were Extremely-Low Income Units (Optional): To gain a greater understanding of the level of building activity to meet the needs of extremely low-income households in the state, HCD asks that you estimate, to the extent possible, the number of units affordable to extremely-low income households. This number will be a subset of the number of units affordable to very low-income households, as indicated in fields 4, 7 and 10 above. *Please note: The number entered in the very low section will not be reduced by the number entered here. Although completion of this field is optional, your input would be greatly appreciated.*

14. Was Project approved using Government Code section 65913.4, subdivision (b) (Streamlined Ministerial Approval Process (SB 35 Streamlining))? Use the drop-down menu to select one of the following options:

- “Y” if jurisdiction approved the project application pursuant to the streamlined ministerial approval process (SB 35 Streamlining).
- “N” for all other situations.

15. Are these infill units? To gain a greater understanding of the level of infill housing activity in the state, HCD asks that you clarify if the housing units reported are infill by selecting “Yes” or “No.” Although completion of this field is optional, your input would be greatly appreciated. See Definitions section for “infill housing units”

Fields 16 through 18: Please note, if any units are reported as very-low, low, or moderate income in fields 4, 7 or 10 then information in fields 16, 17 and/or 18 must be completed to demonstrate affordability. In the absence of justification that the unit is affordable to a very- low, low, and moderate income household, the unit must be counted as above-moderate income.

Fields 16 and 17 Housing with Financial Assistance and/or Deed Restrictions

For all housing units developed or approved with public financial assistance and/or have recorded affordability deed restriction or covenants, identify funding sources and/or mechanisms that enable units to be affordable.

16. Assistance Programs Used for Each Development: Enter information here if units received financial assistance from the city or county and/or other subsidy sources, have affordability restrictions or covenants, and/or recapture of public funds upon resale.

Use the drop-down menu to select the acronym of the applicable funding program(s), as listed below. To select more than one funding source click once then select the cell again and click another source.

- Acq/Rehab: CalHFA Acquisition/Rehab Loan Program
- AHP: Affordable Housing Program - Fed Home Loan
- AHSC: Affordable Housing and Sustainable Communities
- CalHOME: CalHOME

- CDBG: Community Development Block Grant
- CDLAC: CDLAC Bonds (CA Debt Limit Allocation Committee)
- CESH: CA Emergency Solutions & Housing
- ESG: Emergency Solutions Grant
- GSAF: Golden State Acquisition Fund
- HEAP: Homeless Emergency Aid Program
- HHAP: Homeless Housing, Assistance and Prevention Program
- HKEY: Homekey
- HOME: Housing Investment Partnership Program
- HOPWA: Housing Opportunities for Persons with AIDS
- IIG: Infill Infrastructure Grant
- LHTF: Local Housing Trust Funds
- LIHTC: CTCAC/Low Income Housing Tax Credits
- MHP: Multifamily Housing Program - HCD
- MHSA: Mental Health Services Act Funding
- MPRROP: Mobilehome Park Rehab & Resident Ownership Program
- MRB: Mortgage Revenue Bonds
- MyHOME: MyHome Down Payment Assistance
- NHTF: National Housing Trust Fund
- NPLH: No Place Like Home
- PBS8: Section 8 Project-Based Rental Assistance
- PDLP: Predevelopment Loan Program
- RAD: Rental Assistance Demonstration Program
- RDA: Redevelopment Agency or Successor Agency Funds
- Sec 202: HUD Section 202 Housing for the Elderly
- Sec 811: Section 811 Project Rental Assistance
- SERNA: Joe Serna Jr Farmworker Housing Program
- SHMHP: Supportive Housing MHP
- SNHP: Special Needs Housing Program - CalHFA
- TOD: Transit Oriented Development Program
- USDA: USDA Rural Development Housing Programs
- VHHP: Veterans Housing and Homeless Prevention Program
- Other: Describe in Notes

17. Deed Restriction Type: Enter information here if units in the project are considered affordable to very-low, low, and/or moderate income households due to a local program or policy, such as an inclusionary housing ordinance, regulatory agreement, or a density bonus. This field should not be used to enter the number of deed restricted units. Identify the mechanism used to restrict occupancy based on affordability to produce “deed restricted” units. Use the drop-down menu to select one of the following options

- “INC” if the units were approved pursuant to a local inclusionary housing ordinance.
- “DB” if the units were approved using a density bonus.
- “Other” for any other mechanism. Describe the source in notes section number 21.

18. Housing without Financial Assistance or Deed Restrictions: Enter information here if the units are affordable to very-low, low and moderate income households without financial assistance and/or deed restrictions. In these cases, affordability must be demonstrated by proposed sales price or rents.

- Sales prices and rents must meet the definition of affordable as defined in Health and Safety Code Section 50052.5 for owner-occupied units or Health and Safety Code section 50053 for renter-occupied units.

- Describe how the newly constructed rental or ownership housing units were determined to be affordable to very- low, low, and moderate income households without either public subsidies or restrictive covenants. This may be based on various methods considering sales prices or rents relative to the income levels of households such as through a survey of comparable units in the area that show the unit would be affordable to very-low, low, or moderate income households.

- The jurisdiction can consider comparable rental prices or new sales prices (actual or anticipated). The jurisdiction should consider costs for renters (i.e., 30% of household income for rent and utilities) or owners (e.g., 30% of household income for principal, interest, taxes, insurance and utilities, pursuant to Title 25 CCR

- In the absence of justification that the unit is affordable to a very- low, low, and moderate income household, the unit must be counted as above-moderate income.

19. Term of Affordability or Deed Restriction: If units have committed financial assistance and/or are deed restricted, enter the duration of the affordability or deed restriction. If units are affordable in perpetuity, enter 1,000. If multiple funding sources or deed restrictions on the development have different terms of affordability, please enter the longest term of affordability. Although completion of this field is optional, your input would be greatly appreciated.

20. Demolished/Destroyed Units: This section is to report if the project and associated APN, has a permit, entitlement or certificate of occupancy in the reporting year, and the APN previously had demolished or destroyed units.

- Enter the “Number of Demolished or Destroyed Units” in the reporting calendar year.

- From the drop down menu select “demolished” if the units were torn down. Select “Destroyed” if the units were lost due to fire or other natural disaster.

- From the drop down menu “Demolished/Destroyed Units Owner or Renter” select “R” for renter or “O” for owner.

Fields 21 through 24 Density Bonus Detail: The following fields must be completed for at least a sample of density bonus projects reported by the jurisdiction and should only be completed if “DB” is one of the selections in section 17.

21. Density bonus: This section and the sections to follow are for reporting if the project received a density bonus, including concessions, incentives, waivers, or other modifications. The first field asks for the percentage of density bonus that was applied to the project.

- If the planning area's maximum allowable density is calculated based on the allowable number of units, express your response as a percentage $(\text{New total number of units} - \text{Old total number of units}) / (\text{Old total number of units})$; NOTE THAT WE ARE NOT PROPOSING TO EXPRESS THE DENSITY AS UNITS PER ACRE.

- Alternatively, if the planning area's maximum allowable density is form- or volume-based, express your response as a percentage $(\text{New maximum allowable residential gross floor area} - \text{Old maximum allowable residential gross floor area}) / (\text{Old maximum allowable residential gross floor area})$

22. Percentage of deed-restricted units: Enter the percentage of deed-restricted units in the project expressed as $(\text{percentage of deed-restricted units}) / (\text{total number of units})$ NOTE THAT THIS CALCULATION MIGHT ALSO BE PROBLEMATIC IF THERE ARE DEED-RESTRICTED UNITS MANDATED BY ANOTHER SUBSIDY PROGRAM

23. Number of incentives and other modifications: Enter the total number of other incentives, concessions, waivers, or other modifications given to the project (exclude parking waivers or parking reductions). List the specific incentives, concessions, waivers, or other modifications given to the project using the drop-down menu.

- On-Site Improvements
- Off-Site Improvements
- Development Standards Modification
- Other

24. Reductions or waivers of parking standards:

- Did the project receive a reduction or waiver of parking standards? Answer Yes or No.

25. Notes: Use this field to enter any applicable notes about the project or development.

TABLE B

Regional Housing Needs Allocation Progress – Permitted Units Issued By Affordability

Table B is a summary of prior permitting activity in the current planning cycle, including permitting activity for the calendar year being reported. Please note, the last year of the 5th cycle will only contain units with permit dates that occurred before the end of the cycle. The first year of the 6th cycle will only contain units with permits that occurred on or after the beginning of the cycle. To assist jurisdictions in completing this form, HCD has pre-filled permit data as reported to HCD on prior APRs. Past unit information will auto-populate when the jurisdiction's name in the general information section of the "Start Here" tab is entered. Current year permitted units will auto-populate from data reported in table A2. If permit activity for current year is inaccurate, jurisdictions should make adjustments on field number 7, Affordability by Household Income – Building Permits [Please contact HCD at APR@hcd.ca.gov if data from previous years does not populate or if different than the information supplied in Table B. Any changes made by localities to previous years' data in Table B will not update prior APR records maintained by HCD.](mailto:APR@hcd.ca.gov)

Table B reports the number of units for which permits were issued to demonstrate progress in meeting the jurisdiction's share of regional housing need for the planning period.

- 1. Regional Housing Needs Allocation by Income Level:** Lists the jurisdiction's assigned RHNA for the planning cycle by income group. This field will be auto-populated once the jurisdiction's name is entered in the "Start Here" tab.
- 2. Year:** Lists the building permit data for each year of the RHNA planning cycle beginning in the first year and ending with the data from the current reporting year which can be found in Table A2.
- 3. Total Units to Date (all years):** Totals the number of units permitted in each income category.
- 4. Total Remaining RHNA by Income Level:** This field uses the information from the "Total Units to Date" category and deducts the units by income category from the jurisdiction's assigned RHNA number. Note: The total units remaining to meet the RHNA allocation is in the bottom right hand corner.

TABLE C

Sites Identified or Rezoned to Accommodate Shortfall Housing Need

Please note: This table should only be filled out when a city or county identified an Unaccommodated Need of sites from the previous planning period Government Code section 65584.09, has Shortfall of Sites as identified in the housing element Government Code section 65583, subdivision (c)(1); or is identifying additional sites required by No Net Loss law pursuant to Government Code section 65863. The data in this inventory serves as an addendum to the housing element sites inventory. This table should not include rezoning for a specific project.

- 1. Project Identifier:** Include the Assessor Parcel Number (APN) and street address. The project name and local jurisdiction tracking ID are optional.
- 2. Date of Rezone:** If rezone was required, identify the date the rezone occurred. Enter date as month/day/year (e.g., 6/1/2018).
- 3. RHNA Shortfall by Household Income Category:** For each development or site, list the number of units that are affordable to the following income levels (refer to Definitions section for more detail):
 - Very low-income households: 0-50% AMI
 - Low-income households: 50-80% AMI

Note: rezoning is not required to accommodate moderate or above moderate RHNA shortfall.

- 4. Rezone Type:** From the dropdown list, select one of the following for each project:

- **No Net Loss** (Government Code section 65863): When a jurisdiction permits or causes its housing element sites inventory site capacity to be insufficient to meet its remaining unmet RHNA for lower and moderate-income households. In general, a jurisdiction must demonstrate sufficient capacity on existing sites or make available adequate sites within 180 days of there being insufficient sites to meet the remaining RHNA.
 - **Unaccommodated Need** (Government Code section 65584.09): When a jurisdiction failed to identify or make adequate sites available in the prior planning period to accommodate its RHNA by income category. Note: When this condition occurred, the housing element in the current planning period in most cases will have a program to make available adequate sites to address the unmet RHNA by income category in the first year of the planning period.
 - **Shortfall of Sites** (Government Code section 65583, subdivision (c)(1)): When a jurisdiction does not identify adequate sites to accommodate its RHNA by income category in the current planning period. Note: When this condition occurred, the housing element for the current planning period must have included a program to make available adequate sites to address the unmet RHNA by income category. For jurisdictions on an eight year planning period, the rezones must be complete within the first three years of the planning period.
- 5. Parcel Size (Acres):** Enter the size of the parcel in acres.

6. General Plan Designation: Enter the new General Plan Land Use designation. If no change was made, enter the current designation.

7. Zoning: Enter the new zoning designation for the parcel. If no change was made, enter the current zoning designation.

8. Density Allowed: Enter the minimum and maximum density allowed on each parcel. This is the density allowed after any zoning amendments are made. If no maximum density enter N/A.

9. Realistic Capacity: Enter the estimated realistic unit capacity for each parcel. Refer to Definitions for more information about “Realistic Capacity.”

10. Vacant/Non-vacant: From the drop-down list, select if the parcel is vacant or non-vacant. If the parcel is non-vacant, then enter the description of existing uses in Field 11.

11. Description of Existing Uses: Include a description of existing uses. Description must be specific (i.e. SFR, MF, surplus school site, operating business, vacant commercial building, parking lot). Classifications of uses (i.e. “commercial”, “retail”, “office”, or “residential”) are not sufficient.

TABLE D

Program Implementation Status pursuant to Government Code section 65583

Report the status/progress of housing element program and policy implementation for **all** programs described in the housing element:

- 1. Name of Program:** List the name of the program as described in the element.
- 2. Objective:** List the program objective (for example, “Update the accessory dwelling unit ordinance”).
- 3. Timeframe in Housing Element:** Enter the date the objective is scheduled to be accomplished.
- 4. Status of Program Implementation:** List the action or status of program implementation.

For your information, the following list includes the statutory requirements for housing element programs:

- Adequate sites (Gov. Code, § 65583, subd. (c)(1)). *Please note: Where a jurisdiction has included a rezone program pursuant to Government Code section 65583.2, subdivision (h) to address a shortfall of capacity to accommodate its RHNA, Table C must include specific information demonstrating progress in implementation including total acres, brief description of sites, date of rezone, and compliance with by-right approval and density requirements.*
- Assist in the development of low- and moderate-income housing (Gov. Code, § 65583, subd. (c)(2)).

- Remove or mitigate constraints (Gov. Code, § 65583, subd. (c)(3)).
 - Conserve and improve existing affordable housing (Gov. Code, § 65583, subd. (c)(4)).
- Promote and affirmatively further fair housing opportunities (Gov. Code, § 65583, subd. (c)(5)).
- Preserve units at-risk of conversion from low-income use (Gov. Code, § 65583, subd. (c)(6)).

Please note: Jurisdictions may add additional rows in Table D to include all Housing Element programs, or to provide clarification or information relevant to demonstrating progress towards meeting RHNA objectives.

TABLE E

Commercial Development Bonus Approved pursuant to Government Code section 65915.7

Government Code section 65915.7 states:

“(a) When an applicant for approval of a commercial development has entered into an agreement for partnered housing described in subdivision (c) to contribute affordable housing through a joint project or two separate projects encompassing affordable housing, the city, county, or city and county shall grant to the commercial developer a development bonus as prescribed in subdivision (b). Housing shall be constructed on the site of the commercial development or on a site that...” meets several criteria.

If the jurisdiction has approved any commercial development bonuses during the reporting year, enter the following information:

- 1. Project Identifier:** Include the parcel’s APN number and street address. The project name and local jurisdiction tracking ID are optional.
- 2. Units Constructed as Part of the Agreement:** For each development, list the number of units that are affordable to the following income levels (refer to definitions for more detail):
 - Very low-income households: 0-50% AMI
 - Low-income households: 50-80% AMI
 - Moderate-income households: 80-120% AMI
 - Above-moderate households: above 120%
- 3. Description of Commercial Development Bonus:** Include a description of the commercial development bonus approved by the jurisdiction.
- 4. Commercial Development Bonus Date Approved:** Enter the date that the jurisdiction approved the commercial development bonus. Enter date as month/day/year (e.g., 6/1/2018).

TABLE F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1, subdivision (c)

Please note this table is optional: *The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.*

Units that Do Not Count Toward RHNA: The jurisdiction may list for informational purposes only, units that do not count toward RHNA but were substantially rehabilitated, acquired or preserved.

[Units that Count Toward RHNA: To enter units in this table as progress toward RHNA, please contact HCD at APR@hcd.ca.gov. HCD will provide a password to unlock the grey fields.](mailto:APR@hcd.ca.gov)

In order to count units reported in this table as progress towards RHNA, the jurisdiction will need to provide information that demonstrate the units meet the standards set forth in Government Code section 65583.1, subdivision (c). These program requirements are summarized on the Alternative Adequate Sites Checklist. If HCD finds that the units meet the standards set forth in Government Code section 65583.1, subdivision (c) these units may credit up to 25 percent of the jurisdiction's adequate sites requirement per income category.

Table G

Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of, pursuant to Government Code section 65400.1

Chapter 664, Statutes of 2019 (AB 1486) added to the Government code section 65400.1, which requires jurisdictions to include in this APR a listing of sites owned by the locality that were included in the housing element sites inventory and were sold, leased, or otherwise disposed of during the reporting year.

The listing of sites must include the entity to whom the site was transferred, and the intended use of the site.

Table H

Locally Owned or Controlled Lands Declared Surplus Pursuant to Government Code section 54221, or Identified as Excess Pursuant to Government Code section 50569

Chapter 661, Statutes of 2019 (AB 1255) amended Government Code section 54230 to require cities and counties to create an inventory of surplus lands defined in subdivision (b) of Section 54221, and all lands in excess of its foreseeable needs, if any, identified pursuant to Section 50569, located in all urbanized areas and urban clusters, as designated by the United States Census Bureau, within the jurisdiction of the county or city that the county or city or any of its departments, agencies, or authorities owns or controls. Please note:

Jurisdictions are only required to report on property located in an urban area or urbanized cluster. For a map of urban areas and urban clusters, please see HCD website here:

<https://cahcd.maps.arcgis.com/apps/webappviewer/index.html?id=5a63b04d7c494a6ebb2aa38a2c3576f5>

Cities and counties must make a description of each parcel described in paragraph (1) of Government Code section 54230 and the present use of the parcel a matter of public record and shall report this information to the Department of Housing and Community Development no later than April 1 of each year, beginning April 1, 2021, in a form prescribed by the department, as part of its annual progress report submitted pursuant to paragraph (2) of subdivision (a) of Section 65400.

“Surplus land” means land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use. Land shall be declared either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures. A local agency, on an annual basis, may declare multiple parcels as “surplus land” or “exempt surplus land.”

“Surplus land” includes land held in the Community Redevelopment Property Trust Fund pursuant to Section 34191.4 of the Health and Safety Code and land that has been designated in the long-range property management plan approved by the Department of Finance pursuant to Section 34191.5 of the Health and Safety Code, either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.

Parcel Description must include the following:

1. APN: Enter the parcel number of the identified property.

2. Street Address/Intersection: Enter the street address of the property. If no street address is available, enter the

- 3. Existing Use:** Select the existing use of the property. Use the drop-down menu to select one of the following options:
- Residential
 - Commercial
 - Industrial
 - Public Facilities
 - Vacant
 - Air Rights
 - Other
- 4. Number of Units:** If the existing use is residential, enter the number of units on the property.
- 5. Surplus Designation:** Please identify if the property has been designated surplus or exempt surplus pursuant to Government Code section 54221, or excess pursuant to Government Code section 50569.
- 6. Parcel Size (in acres):** Enter the parcel size in acres.
- 7. Notes (Optional):** Please include any applicable notes providing additional property description. This could include description of any characteristics of the property.

Local Early Action Planning (LEAP) Grant Reporting

Pursuant to Health and Safety Code section 50515.04, recipients of Local Early Action Planning (LEAP) grants shall annually report by April 1 of the year following receipt of those funds on the status of proposed uses in the application. The report shall address the housing impact within the jurisdiction, including a summary of building permits, certificates of occupancy or other completed entitlements. Data sources may include the LEAP application (e.g., Attachment 1: Project Timeline and Budget), re-imbursement requests, other portions of the annual progress reports and other summary records of program activities.

- 1. Total Award Amount:** Utilizing the LEAP application and award letter, fill in the total award amount for all proposed LEAP activities.
- 2. Task:** Utilizing Attachment 1: Project Timeline and Budget from the LEAP application, fill in all project level tasks. Do not fill in sub-tasks. For example, an application might include a project level task to prepare and adopt a downtown specific plan. In this case, simply fill in downtown specific plan and do not fill in sub-tasks such as outreach, traffic studies, drafting and adoption.
- 3. \$ Amount Awarded:** Utilizing Attachment 1: Project Timeline and Budget from the LEAP application, fill in the total amount awarded for each project level task.
- 4. \$ Cumulative Reimbursement Requested:** Utilizing reimbursement requests sent to the Department, add up all requested amounts for each project level task. Note, this is reimbursement “requested” and not reimbursement “received”. At the time of reporting, some reimbursement requests may be in process. The table does not need to address reimbursements in process.
- 5. Task Status:** Provide a brief description of the status of project level tasks. This description should address recently completed, upcoming milestones, anticipated completion dates and any schedule slippage. In addition, task status may express progress as a percentage of completion (e.g., 50% complete).
- 6. Other Funding:** Note any other funding sources by amount being utilized to complete each project level task. If no other funding sources are being utilized, enter N/A. Examples of other funding includes SB 2 planning grants program, SB 1 sustainability planning grants program and local general funds.

7. Notes: Enter any other relevant information related to progress and impacts such as reasons for delays, anticipated numerical outcomes, etc.

8. Summary of Entitlements, Building Permits and Certificates of Occupancy: These tables will auto-populate from Table A2.

Frequently Asked Questions

Can I leave a row blank?	Yes, you may leave blank rows in between rows that have information. However, you may not leave more than 10 rows blank.
How do I delete rows?	Click on a cell in the row(s) and type Ctrl-d . Note: Macros must be enabled 
Why are the rows not summing correctly?	The summary tab and sum rows only include activities that occurred during the reporting year , according to the year
Why are some cells highlighted yellow or green?	<p>Yellow Cells: Required cells for each row become highlighted yellow once any cell in the row contains a character. They are highlighted and required once any lower or moderate income units are entered into the form.</p> <p>Green Cells: Cells highlighted green are where you indicate the number of units by affordability. This is required for the applicable sections (completed entitlement, issued building permits, issued certificates of occupancy) of Table A. If a building permit was issued during the reporting year, but not an entitlement or certificate of occupancy during the reporting year, you would leave the cells in the building permit section only. You may leave the other sections blank even though they are highlighted green. Once a value is entered into this range, the range will no longer be highlighted green.</p>
Why are the date cells highlighted red?	<p>Cells can be highlighted red for two reasons:</p> <p>Date cells: Sometimes, dates that are copied and pasted into this form are formatted as text. When pasting dates into the form, select "destination formatting" option. If the date cells are still highlighted red, they contain text. These must be converted to dates that are formatted as text. In an adjacent column, enter the function =DATEVALUE and refer to the cell containing the text as text. This will result in a 5-digit number. Copy and paste these 5-digit numbers back into the APR form, then change the format to date (i.e., 3/4/2012).</p> <p>Text cells: Cells can also be highlighted red if the length of the text entered into the cell exceeds the character limit.</p>
Can the same project be included in both Table A and Table A2?	Yes. Table A tracks all applications for residential development that were received and deemed complete during the reporting year. Table A2 tracks all entitlements, building permits, and certificates of occupancy for residential development that were issued in the reporting year and received entitlements, building permits, and/or certificates of occupancy during the reporting year, that project is included in Table A2.
What if I have nothing to report?	At minimum, the "Start Here" tab and Table D must be completed. If you have nothing to report in any of the other tabs, enter N/A or something similar.
How do I correct or update the values in Table B?	Table B contains data HCD has received from prior APR submittals as of October 6, 2020. If the numbers do not match your data, you may update them.
Do I need to take the form to my Council or Board prior to submitting the APR?	Government Code section 65400 requires the planning agency to provide this report to the legislative body (i.e. local council or board) of each year. The statute does not specify in which order they be provided, and HCD does not require the report to be submitted to HCD.
Can I use this form for a prior year?	You can use this form for 2018 -2020. Make sure to change the reporting year in row 5 of the "Start Here" tab. Table A and Table B are not required for 2018-2019. For the years 2017 and prior, you must use the old version of the APR. Please contact HCD at apr@hcd.ca.gov to obtain the old version.
Does submitting the Housing Element APR fulfill the requirements of submitting a General Plan APR?	No. Government Code section 65400 requires jurisdictions to also submit a General Plan Annual Progress Report to the legislative body. For more information, contact HCD at opr.apr@hcd.ca.gov and APR@hcd.ca.gov

Please Start Here

General Information	
Jurisdiction Name	Malibu
Reporting Calendar Year	2021
Contact Information	
First Name	Patricia
Last Name	Salazar
Title	Senior Administrative Analyst
Email	Psalazar@malibucity.org
Phone	3104562489
Mailing Address	
Street Address	23825 Stuart Ranch Road
City	Malibu
Zipcode	91360

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.

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Optional: This runs a macro which checks to ensure all required fields are filled out. The macro will create two files saved in the same directory this APR file is saved in. One file will be a copy of the APR with highlighted cells which require information. The other file will be list of the problematic cells, along with a description of the nature of the error.

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.

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>

Submittal Instructions

Please save your file as Jurisdictionname2021 (no spaces). Example: the city of San Luis Obispo would save their file as SanLuisObispo2021

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.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 41 6000)

Note: "*" indicates an optional field
 Note: "N/A" indicates information is not applicable

Annual Building Activity Report Summary - All Elements, Entitled, Permits, and Completed Units																																								
Project Identifier		Unit Types		Affordability by Household Income - Completed Construction								Affordability by Household Income - Building Permits								Affordability by Household Income - Certificates of Occupancy								Streamlining		Housing with Financial Assistance and/or Rent Restrictions		Housing without Financial Assistance or Rent Restrictions		Type of Affordability or Rent Restrictions		Description of Program/Title		Density Bonus		Notes
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35						
Project Name	County APN	Street Address	Project Name	Market/Designation	Unit Category (C.A. 17011.1, C.A. 17011.2)	Units	Units with Financial Assistance	Units with Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions	Units with Financial Assistance and Rent Restrictions																	

Jurisdiction	Malibu	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	10/15/2013 - 10/15/2021

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
 Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	2										3	4	
		2013	2014	2015	2016	2017	2018	2019	2020	2021	Total Units to Date (all years)	Total Remaining RHNA by Income Level		
Very Low	Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	1
	Non-Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-
Low	Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	1
	Non-Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-
Moderate	Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-
	Non-Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-
Above Moderate		-	13	16	3	17	17	18	14	13	111	-	-	
Total RHNA	2													
Total Units		-	13	16	3	17	17	18	14	13	111	2		

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.
 Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.
 Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Malibu	
Reporting Year	2021	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation

Program 1.1 – Code Enforcement

Ensure compliance with the City's codes and regulations. Particularly, in the case of code violations in units that are occupied by lower-income persons or persons with special needs, direct property owners and renters to programs that are available to provide assistance. Offer amnesty and legalization for existing housing units where:

- 1) The unit is "livable" and meets basic health and safety requirements
- 2) The unit existed at the time of the City's incorporation; and
- 3) The unit is restricted for owner-occupancy or rental by low- or moderate-income persons at an affordable rate.

Reduce code violations and health & safety issues in existing housing	Throughout the planning period	Ongoing
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Program 1.2 – Rebuilding Assistance

Expedite permit processing and provide special assistance to homeowners seeking to repair or rebuild homes that have been lost or damaged in a fire, flood or other disaster, especially units that accommodate low- and moderate-income households, elderly, disabled, large families, single heads of households, farm workers, individuals in need of emergency shelter, and other individuals or household types with special needs, unless those units are located in areas that are physically unsuitable for development.

Facilitate rebuilding of lost or damaged homes

Throughout the planning period

In progress - MMC and LCP amendments have been adopted to expedite permit processing for those seeking to repair or rebuild homes that have been affected by the Woolsey Fire and/or related flooding and debris flow.

Program 1.3 – Housing Rehabilitation Assistance

Provide incentives to rehabilitate existing housing units, such as permit fee waivers for units that are deed-restricted for low- and moderate-income families.

4 units

Throughout the planning period

Opportunities for this are reviewed on a case by case basis. No requests were made during the 2021 reporting period.

<p>Program 1.4 – Preserve Existing Mobile Home Parks Maintain the Mobile Home Park Rent Control Regulations Ordinance that regulates maximum allowable rents and limits rent increases. Pursuant to the provisions of Government Code §65863.7, require the submittal of a report detailing the impacts of any proposed mobile home park conversion to a nonresidential use concurrent with the filing of any discretionary permit on such property and impose reasonable mitigation measures upon the park owners.</p>	<p>No net loss of mobile home units</p>	<p>Throughout the planning period</p>	<p>Ongoing – no mobile home parks were proposed for conversion in 2021</p>
<p>Program 1.5 – Conserve Affordable Housing in the Coastal Zone In accordance with Government Code §65590, continue to require the replacement of low- or moderate-income units that have been removed from the coastal zone (either by demolition or conversion), whenever feasible.</p>	<p>LCP and MMC amendment</p>	<p>Throughout the planning period</p>	<p>Ongoing – no low- or moderate-income units were demolished or converted. LCP and MMC amendments for the Affordable Housing Overlay District were certified in 2019 Short-Term Rental Ordinances were passed to encourage homes to be used for permanent residential use.</p>

Program 2.1 – Regional Housing Needs

Identification

Work with the Southern California Association of Governments (SCAG) and the Las Virgenes-Malibu Subregional Council of Governments (COG) to encourage an appropriate fair share allocation of future regional housing needs based on population need, existing supply/demand, ability to accommodate growth given the physical/environmental constraints and the jobs-to-housing ratio.

Encourage fair and realistic RHNA allocations

Throughout the planning period

City staff continues to monitor SCAG programs related to housing needs.

Program 2.2 – Ensure Adequate Capacity to Accommodate Regional Housing Needs

The City's residential land inventory provides adequate capacity to accommodate the City's housing needs as identified in the 2013-2021 RHNA (see Appendix B).

The City will pursue a two-part strategy to provide sites for lower-income housing: 1) Opportunities and incentives for second units; and 2) Zoning regulations to facilitate affordable multi-family or mixed-use development in suitable locations.

A. Expand the Supply of Second Units. In order to maximize the availability of additional second units, the City will implement the following actions:

1. Promote the Development of Second Units
2. Amnesty Program for Second Units
3. Financial Assistance for

21 second units during 2013-2021

Throughout the planning period

City staff informally encouraged the development of second residential units over guest houses or studios.

No requests were made to legalize previously developed second units during this year.

The City is preparing an ADU ordinance that will streamline the process for creating new ADUs and promote their development. Building permits for seven new (not a rebuild or replacement) second unit were issued in 2021.

The City successfully applied for a LEAP grant to support the ADU ordinance and ADU processing.

D. Facilitate New Affordable Housing Development

In order to accommodate lower-income housing, the MMC and LCP regulations were amended in the previous planning period to establish an Affordable Housing Overlay allowing multi-family or mixed-use development by-right at a density of 20 units/acre for projects that include affordable housing. In order to qualify for the increased density incentive, all "bonus" units (i.e., additional units allowed above the base density of 6 units per acre) must be deed-restricted for low- and moderate-income households for a minimum of 30 years at a ratio of 50% low- and 50% moderate-income. As an alternative, very-low-income units may offset the requirement for moderate-income units on a one-for-one basis. Any developer utilizing these incentives shall be required to screen tenants or buyers

Provide suitable sites with appropriate zoning that could accommodate lower-income housing

The Local Coastal Program Amendment to allow for multi-family development in compliance with the adopted 2013-2021 Housing Element was certified by the California Coastal Commission on December 11, 2019.

Accomplished - The applicable LCP amendments have been certified.

Program 2.3 – Streamline Development Review and Assist Affordable Housing Developments
Streamline the development review and permit process for all residential development by providing a series of informational handouts describing how to apply for housing development and summarizing the basic development criteria for different zoning districts. When developers propose to include affordable units in a project, provide assistance through expedited processing, density bonus and other modified development standards, and administrative assistance with grant applications.

Minimize residential permit processing time and assist affordable housing developments

Throughout the planning period

Ongoing – Staff has created various pamphlets as well as forms to help guide applicants through the permitting process. No applications have been submitted for affordable housing projects. However, staff has worked with parties interested in affordable housing to determine the appropriate project standards and submittal processes.

Housing

Support fair housing efforts by contracting with the Los Angeles County Housing Authority, Westside Fair Housing Council, or other appropriate organizations, to create a program that provides fair housing services, including investigation of discrimination complaints, research on housing discrimination-related issues, public information about the rights and responsibilities of landowners and tenants, and landlord/tenant dispute resolution. Promote the program each year through the use of pamphlets, public bulletin boards on community television; educational flyers distributed to property owners, apartment managers and tenants; public service announcements on local radio stations and in local print media; and presentations at community groups.

Provide and publicize fair housing services through contracting with a public or non-profit service provider

Annual appropriation and semi-annual publications and announcements

Ongoing. Since 2016 the City has contracted with The People Concern to help transition individuals experiencing homelessness to permanent housing.

Program 3.2 – Provide

Financial Support and Referral Information to Persons in Need of Assistance

Malibu is a small jurisdiction without a redevelopment agency or housing department; furthermore, the City is not an entitlement jurisdiction for federal grants. Therefore, the City does not have any resources for direct financial housing assistance, other than a small Affordable Housing Trust Fund and Community Development Block Grant (CDBG) funds. The City will provide referral information to extremely-low-, very-low-, low-, and moderate-income persons and families, the elderly, and persons with disabilities regarding affordable and special needs housing, such as Section 8 Rental Assistance and the Mortgage Credit Certificate program. In addition, it will continue to seek CDBG and HOME funds.

Disseminate housing assistance information; provide direct funding in support of affordable housing when feasible

The City’s Housing Coordinator has the responsibility for monitoring all activities related to the implementation of the Housing Element, including preparation of annual progress reports, annual monitoring of sources of financial assistance such as Section 8 funds, state/federal grants, and mortgage credit certificates. The Housing Coordinator shall also be responsible for disseminating information to the community regarding these activities and resources. Depending on program availability and City eligibility, apply for state/federal funds on a bi-annual basis to assist with affordable housing development.

The City allocated \$20,000 of CDBG funds for the Malibu Community Labor Exchange for 2021. In addition, in the 2020-2021 fiscal year, the City included approximately \$340,000 directly addressing homelessness.

Jurisdiction	Malibu	
Reporting Period	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	10/15/2013 - 10/15/2021

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Note: "+" indicates an optional field
 Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Malibu	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	10/15/2013 - 10/15/2021

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		17
Total Units		17

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

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	10	11	1
2 to 4	0	0	0
5+	0	0	0
ADU	2	6	1
MH	0	0	0
Total	12	17	2

Housing Applications Summary	
Total Housing Applications Submitted:	16
Number of Proposed Units in All Applications Received:	16
Total Housing Units Approved:	13
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

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

Cells in grey contain auto-calculation formulas

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement 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		12
Total Units		12

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		17
Total Units		17

Certificate of Occupancy 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		2
Total Units		2