



Changes to General Plan Reporting Due to AB 1743 and AB 2094

AB 2094 & AB 1743

AB 2094 and AB 1743 amend Government Code section 65400 requirements pertaining to the annual progress report (“APR”), which provide, among other things, that a city or county report on its progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing. Existing law provides that, by April 1 of each year, a local agency must report certain information to its legislative body, the Office of Planning and Research, and to the Department of Housing and Community Development (“HCD”).

AB 1743

In addition to existing requirements, AB 1743 require local planning agencies to include in their APR whether each housing development application received in the prior year is subject to ministerial or discretionary approval process.

AB 2094

AB 2094 requires local planning agencies to include in their APR its progress towards meeting its share of regional housing needs for the extremely low-income households (“ELI”).

The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households.

As part of the APR the local agency must (1) distinguish between rental housing units and for-sale units that satisfy each income category; and (2) include a unique site identifier that includes the APN for each entitlement, building permit, and certificate of occupancy that is issued. There are also additional requirements for County and City of Napa.

Additionally, AB 2094:

- Requires reporting associated with **Affordable Housing and High Roads Jobs Act of 2022 (AB 2011)**, including: (1)

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location of the project; (2) status of the project; (3) total number of units of the project; (4) number of units in the project that are rental housing; (5) number of units in the project that are for-sale housing; and (6) household income category of the units.

- **HCD Review.** Allows HCD to review and request corrections to a local agency's APR within 90 days of receipt and local agencies are required to make the corrections within 30 days. If HCD rejects the report for failure to substantially comply, HCD must provide the entity with reasons that the report is inconsistent in writing.
- **Density bonus.** Requires data from *all* projects approved to receive a density bonus from the local agency. Existing law required data from only "a sample of projects."