

# 2022 Local Partnership Program Guidelines: Discussion Document

Local Partnership Program Workshop – February 25, 2022

## FORMUALIC PROGRAM

### ❖ Section 10A. Amendments

(proposed text is blue and bolded, deleted text is red and strikethrough)

The Commission will consider amendment requests to assist agencies in implementing their projects and maximize the overall benefits of the ~~Local Partnership~~ **Formulaic** Program.

~~Implementing agencies shall receive the approval of all the partners that nominated the project before submitting amendment requests to Caltrans.~~ Amendment requests ~~should~~ **must** be submitted in a timely manner and include documentation that supports the requested change and its impact on scope, cost, schedule and benefits (**outputs and outcomes**).

~~Amendment requests include, but are not limited to, the following: programming a new project; deprogramming formulaic funding from a programmed project; deleting a programmed project; and scope, cost, and schedule changes. The Commission will not consider deprogramming formulaic funding from an allocated component unless it is consistent with the policy outlined in Section 15A.~~

**Formulaic Program amendments are significant or minor updates, changes, or corrections to a programmed project including the information submitted in the project nomination package.**

**Schedule changes to a project will not be considered unless a time extension was approved as outlined in Section XA. Timely Use of Funds.**

If there is a cost increase to the project, the implementing agency must submit an updated **electronic** Project Programming Request ~~form~~ that identifies the cost increase and the fund source that will cover the cost increase. [~~Paragraph moved here from Allocation section.~~]

### **General Instructions for all Amendments:**

~~Caltrans shall coordinate all amendment requests and utilize the Project Programming Request form to help document the change.~~ Implementing agencies must notify Caltrans ~~in writing~~ of proposed amendments.

~~This written notification~~ **Amendment requests** must **be documented in writing and** include the following:

- 1.) ~~An~~ **Detailed** explanation of the proposed change.
- 2.) ~~The~~ Reason for the proposed change. **Provide documentation as applicable.**
- 3.) ~~The~~ **Impacts** to the project benefits (**outputs and outcomes**).

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- a. Provide a comparison between the proposed benefits (outputs and outcomes) and those submitted in the initial project nomination, noting an increase, decrease, or no change.
- 4.) A Revised **electronic** Project Programming Request ~~form~~ documenting the proposed changes and the amendment request. ~~must be included in the notification~~
- 5.) **Written approval of the proposed amendment from all partners that nominated the project.**

Caltrans will review the proposed amendments and present the **agency's proposal along proposed amendments** with Caltrans' written analysis and recommendation to Commission staff for Commission's approval. ~~Where a project will not be ready for allocation in the current fiscal year, the implementing agency should request an extension of the allocation deadline rather than an amendment (as outlined in Section 13A).~~

Amendment requests include, but are not limited to, the following:

### **Scope changes**

The Commission will consider changes to the approved scope submitted in the project nomination to assist agencies in implementing their projects and maximize the benefits. The Commission and Caltrans should be notified as soon as possible of a potential change in project scope.

- Scope changes occurring before an allocation approval and deemed by Commission staff to be minor changes will be presented to the Commission as part of the project allocation request. Minor changes are those with little or no impact to the project benefits or those that increase the project benefits.
- Scope changes deemed by Commission staff to be significant changes, and the project benefits are less, will be presented to the Commission with a Commission staff recommendation.
- The Commission will not consider scope changes after construction phase allocation.
- Scope changes to expand the scope due to savings at contract award must be submitted and approved by the Commission prior to contract award as outlined in Section 17A. Project Cost Savings.

### **Contract Separation**

If the project is divided into more than one independent contract after programming, the Commission will consider a program amendment. The Commission and Caltrans should be notified as soon as possible if the project is divided into independent contracts.

- Each project phase must remain programmed in the fiscal year in which it was originally programmed.

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- The amendment request must identify the scope, funding plan, and schedule for each contract. This includes contracts without Formulaic Program funding but delivering any portion of the project scope that was originally programmed.
- A separate electronic Project Programming Request form must be submitted for each contract.
- The benefits (outputs/outcomes) that will be achieved should be described for all contracts combined.
- An agency may only request to separate contracts for a programmed project once during the life of a project.
- Contract separation must be approved prior to the construction allocation.

### Reprogramming Formulaic Funding

The Commission will consider reprogramming Formulaic Program funds on a programmed project if the funds have not been allocated. Project cost savings will be reprogrammed consistent with the policy outlined in Section XA. Project Cost Savings.

- Requests to increase the amount of Formulaic Program funding on a programmed, unallocated project component must be submitted prior to allocation of the project component.
- Unused funds from an approved reprogramming action (i.e. partial funds are deprogrammed from a project) will be returned to the taxing authority's unprogrammed Formulaic Program funding balance.
- An allocation adjustment should be requested to reprogram allocated funds (reference Section XA. Allocations).
- Requests for programming a new project or adding supplemental funds to an existing project should reference Attachment 1 and Attachment 1A.

### Deleting Programmed Project(s)

The Commission will consider deleting a programmed project if the Formulaic Program funds have not been allocated.

- The Commission will not consider reprogramming a deleted project in the same programming cycle.
- Funds from a deleted project will be returned to the taxing authority's unprogrammed Formulaic Program funding balance.

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## **COMPETITIVE PROGRAM**

### **❖ Section 12B. Evaluation Criteria**

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#### **• Transportation, Land Use, and Housing Goals**

- Regional ~~and Local Transportation, Land Use, and Housing Goals~~ – The **project** nomination should explain how the project will advance transportation, land use, and housing goals within the region as identified in the region’s Regional Transportation Plan, Sustainable Communities Strategy (where applicable), **and** Regional Housing Needs Allocation. ~~and local Housing Element Implementation, as well as other local plans such as general plans and specific plans if applicable.~~ **This may also include demonstrating how the project will support or align with the region’s Regional Early Action Planning (REAP) grant investments or other regional planning or implementation efforts.**
- **Local** – The project nomination should explain how the project will advance local transportation, land use, and housing goals. This may include:
  1. **Demonstrating, at the time of project nomination, the local jurisdiction has submitted its Housing Element annual progress report to the State of California for the current and prior year; or**
  2. **Demonstrating the local jurisdiction applied to the Department of Housing and Community Development’s Prohousing Designation Program and meets Prohousing criteria that support efficient land use. The project nomination must include a commitment by the local jurisdiction to continue pursuing full Prohousing Designation after receiving Local Partnership Program funding. The Prohousing criteria is identified in the Local Partner Program Prohousing Designation Supplement developed in partnership with the California Department of Housing and Community Development, available online at: [URL link to Local Partnership Program Prohousing Designation Supplement form]<sup>1</sup>**

**If housing is not an issue for the local jurisdiction, provide a detailed explanation, including an accounting of the jurisdiction’s assigned local share of the Regional Housing Need Allocation and the jurisdiction’s progress toward meeting those needs documented in the jurisdiction’s Housing Element annual progress report for the current and prior years.**

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<sup>1</sup> See Attachment.

# Local Partnership Program Prohousing Designation Supplement

This supplement was developed by the California Department of Housing and Community Development (HCD) in partnership with the Transportation Commission, as a resource for applicants preparing project nominations for the Local Partnership Program (LPP). This supplement describes types of policies that serve as indicators of supporting efficient local land use patterns.

A project nomination for LPP funding can demonstrate that the project supports efficient land use by substantiating that the project serves a local government jurisdiction that has both:

- A. Applied to HCD for the Prohousing Designation under HCD's [Prohousing Designation Program](#), and
- B. Received written verification by HCD that the local government's application meets at least one of the Prohousing criteria described below. These criteria can include Prohousing Policies or Prohousing Enhancement Factors.

Local government jurisdictions seeking to participate in the Prohousing Designation Program, can reach HCD at [ProhousingPolicies@hcd.ca.gov](mailto:ProhousingPolicies@hcd.ca.gov). Adopting local policies meeting these criteria confer benefits to local communities under LPP as well as numerous other State funding programs.

## **Prohousing Policies:**

- Density bonus programs which exceed statutory requirements.
- Increasing allowable density in low-density, single-family residential areas beyond the requirements of state Accessory Dwelling Unit law (e.g., permitting more than one Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) per single-family lot).
- Reducing or eliminating parking requirements for residential development.
- Zoning to allow for residential or mixed uses in one or more non-residential zones.
- Modification of development standards and other applicable zoning provisions to promote greater development intensity.
- Establishment of geographic areas for promoting workforce housing or sustainability, such as Workforce Housing Opportunity Zones defined in Government Code section 65620 or housing sustainability districts defined in Government Code section 66200.
- Documented practice of streamlining housing development at the project level, such as by enabling a by-right approval process or by utilizing statutory and categorical exemptions as authorized by applicable law (such as Pub. Resources Code, §§ 21155.1, 21155.4, 21159.24, 21159.25; Gov. Code, § 65457; Cal Code Regs., tit. 14, §§ 15303, 15332; Pub. Resources Code, §§ 21094.5, 21099, 21155.2, 21159.28).
- Priority permit processing or reduced plan check times for Accessory Dwelling Units, multifamily housing, or homes affordable to lower- or moderate-income households.
- Adoption of policies to reduce barriers for property owners to create Accessory Dwelling Units.

- Measures that reduce costs for transportation-related infrastructure or programs that encourage active modes of transportation or other alternatives to automobiles. Qualifying policies include, but are not limited to, publicly funded programs to expand sidewalks or protect bike/micro-mobility lanes; creation of on-street parking for bikes; transit-related improvements; or establishment of carshare programs.
- Establishment of pre-approved or prototype plans for missing middle housing types (e.g., duplexes, triplexes, and fourplexes) in low-density, single-family residential areas.

**Prohousing Enhancement Factors:**

- Policies that represent one element of a unified, multi-faceted strategy to promote multiple planning objectives, such as efficient land use, access to public transportation, affordable housing, climate change solutions, and/or hazard mitigation.
- Policies that promote development consistent with the state planning priorities pursuant to Government Code section 65041.1.
- Policies that go beyond state law requirements in reducing displacement of lower income households and conserving existing housing stock that is affordable to lower income households.
- Rezoning and other policies that support high-density development in Location Efficient Communities.
- Other policies that involve meaningful actions towards affirmatively furthering fair housing pursuant to Government Code section 8899.50.