



Prohousing Designation Program

Frequently Asked Questions

Process/Program Questions

Q: Can local jurisdictions apply for this program now? Is there a deadline for applications?

A: Yes, applications are accepted on an over-the-counter (OTC) and rolling basis. There is no deadline for applications.

Q: What is the minimum point threshold for official designation of a jurisdiction as Prohousing?

A: Jurisdictions need a minimum of 30 points across the four categories.

Q: If a local jurisdiction receives 30 points, how long before the designation is awarded?

A: HCD will review applications within 60 days and upon approval promptly process awards with a targeted timeframe of 30 days.

Q: Does HCD automatically award the designation if the city achieves 30 or more points or is this a competitive process?

A: The Prohousing Designation is not a competitive program, any jurisdiction that receives the necessary points and HCD approval will receive the designation.

Q: Will there be a separate forum to receive technical assistance?

A: Questions about the regulations may be submitted to prohousingpolicies@hcd.ca.gov. We will also be hosting webinars in multiple regions, please check the [HCD website](#) for events. HCD is available to provide technical assistance on a one-on-one basis.

Q: Who will be evaluating the Prohousing Designation applications?

A: The Department of Housing and Community Development (HCD) will be evaluating applications.

Q: Is there an appeal process in the event an application is denied? What is it?

A: No. However, jurisdictions may either modify applications or reapply on an ongoing basis.

Q: Will pro-housing applications be made public prior to approval/denial by HCD?

A: No, however the department will post when applications are received, as well as the status of those applications. Interested parties and jurisdictions may sign up for notifications on application status at the [HCD website](#).

Q: Will the public be able to submit comments on pending pro-housing applications?

A: Yes – public comments may be submitted to ProhousingPolicies@hcd.ca.gov. Sign up to receive a weekly listing of Prohousing Designation applications received by HCD by clicking this link [HCD Email Signup](#) and selecting the box labeled “Housing Planning and Policy”.

Q: Which funding programs are currently planned to prioritize or support prohousing designation as program criteria?

A: Prohousing communities are already prioritized for funding by the Transit and Intercity Rail Capital Program (TIRCP). Prohousing will also be included as criteria in Affordable Housing and Sustainable Communities (AHSC), Infill Infrastructure Grant (IIG), and Transformative Climate Communities (TCC) programs. The Department will continue to evaluate other funding programs and work with agencies to incorporate Prohousing regulations.

Q: Does HCD plan to include other funding programs that would offer advantages to prohousing designated cities? What is the timing for implementation?

A: Program implementation is still in its early stages and HCD is currently working with our inter-agency partners to identify additional funding opportunities tied to Prohousing. Competitive funding programs (for transportation infrastructure, housing, or other amenities) will award additional points or other preferences to Prohousing communities. As determinations are made, alerts will be made through our website and eblasts. The Department will continue to evaluate other funding programs and work with agencies to incorporate Prohousing regulations.

Q: An application is approved with the applicant will implement one or more policies within the two-year allowable time frame. What are the ramifications if the policies are NOT implemented?

A: HCD may review and revoke a Prohousing Designation if the jurisdiction fails to implement a necessary policy within the timeframe. More information can be found in sec. 6607 of the [Prohousing Regulations](#).

Criteria Questions

Q: Can you clarify how Housing Element compliance will be established, as it relates to the Program? Does the Housing Element have to be compliance before status can be awarded?

A: Yes, applicants must have a compliant Housing Element before being designated.

Q: For “rezoning sufficient sites to accommodate 150% of RHNA, does this only apply to rezoning programs, or will points be awarded to jurisdictions that have identified sufficient sites that are already zoned? Does the 150% apply only to the overall RHNA, or to each income category of the RHNA?

A: Points will be awarded to jurisdictions that have identified sufficient sites either by rezoning or existing zoning. Either way, the jurisdiction should have sufficient sites for 150% of their RHNA allocation. Rezoning or existing zoning may exceed the total RHNA or by income category.

Q: There are 8 categories in the Enhancements, with 9 total points. Is 9 points the maximum an application can receive, or can the four different categories receive separate enhancement points in the same enhancement point category?

A: Applicants may only use one enhancement factor per prohousing policy. They may reuse an enhancement factor for multiple prohousing policies.

Q: To qualify for enhancement based on “Location Efficient Communities” or “High/Highest” resource areas, does the policy need to focus on those areas or simply include those areas within their scope?

A: Prohousing policies, jurisdiction wide, that also apply to high resource areas or LEC may receive enhancement factor points.

Q: Regarding: “Please utilize one row of the Scoring Sheet for each Prohousing Policy”, if I have three policies for one category (three rows) and the category is for one total point, then how would we score each policy (1/3rd of one point?), or would each policy get one point each (three total points)?

A: Each category requires only one prohousing policy for full credit, fractional points will not be awarded.

Q: Will the Program be incorporated into TCAC applications?

A: Program implementation is still in its early stages, and HCD is currently working with our inter-agency partners to identify additional funding opportunities tied to Prohousing. As determinations are made, alerts will be made through our website and eblasts. The Department will continue to evaluate other funding programs and work with agencies to incorporate Prohousing regulations.

Q: Can you explain Category 1D: increase to density bonus programs by at least 10%. Does this category refer to the entirety of Government Code 65915. There are many criteria for calculating density bonuses. How would a jurisdiction qualify to get points in this category?

A: The 10% refers to the amount of density bonus and the amount of affordability required to remain eligible under density bonus law.

Q: Can partial points be awarded in categories. For example, could an applicant requesting three points in Category 1A receive two points or 1.5 points?

A: No partial points are awarded.

Q: Do the threshold requirements (particularly compliance with "applicable state housing law") include compliance with the Permit Streamlining Act (65920 etc.)?

A: No.

Q: Do the threshold requirements (particularly compliance with "applicable state housing law") include compliance with the CEQA regulations, including at least CEQA regs. 15102, 15107, and 15108?

A: No.

Q: What, if anything, is a City supposed to do to ensure the school district is compliant with the imposition of school facility fees per Government Code Sec. 65995?

A: The cities and counties can document this by 1) providing HCD with any school facility related policies it has adopted, including whether in the general plan or a specific plan and 2) attesting to HCD that the jurisdiction does not directly or indirectly attempt to require or persuade developers to contribute school facility mitigation (either to the city/county or the school district directly) that exceeds the maximum allowed by SB 50.

The responsibility cities have is to avoid an attempt to leverage the development approval process to try and force developers to provide more school facilities mitigation. As part of this, local governments must defer to the Legislature's determination regarding what are adequate school facilities as they relate to new housing development. If the school district is telling the city that what the state determined is adequate, is not adequate and that the district's local standards will not be satisfied by SB 50's school mitigation limits, then the local government must defer to the State.

Q: Are we correct that we cannot apply for the Prohousing Designation Program until we have codified objective development standards for compliance with the Housing Accountability Act and the State density bonus regulations?

A: As part of threshold review, HCD will review whether applicants have an ordinance to implement State Density Bonus law as required by statute (Gov. Code section 65915). The Housing Accountability Act does not explicitly require the adoption of objective standards for implementation of the Act. Provisions, generally, are related to the application of objective standards. In its threshold review, HCD will review for compliance or lack of compliance with the application of the Housing Accountability Act – not the adoption of codified objective standards.