



FIVE HEARING RULE

Government Code § 65905.5

INTRODUCTION

As part of the Housing Crisis Act (HCA) of 2019, this statute mandates that a local government may not hold more than five hearings after an application is deemed complete to consider a proposed housing development project if the project complies with all applicable, objective general plan and zoning standards.

“Hearings” cover a variety of meeting types including appeals, continuances, workshops, or other similar meetings conducted by the city or county with respect to the housing development project. Hearings required to be conducted by law, ordinance, or regulation—including by the recommending or decision-making bodies (e.g., design review committee)—count towards the total. However, the five hearing rule does not apply to hearings to review legislative approvals required for a proposed housing development, such as a general plan or zoning amendment or specific plan adoption or amendment.

The Housing Law Fact Sheets provide an overview of existing laws which the California Department of Housing and Community Development (HCD) has statutory authority to enforce. The fact sheet does not constitute legal advice but is intended to be a resource for local agencies and decision-makers within California, including members of City Councils, Boards of Supervisors, and Planning Commissions.

KEY PROVISIONS

Applicability

This section applies to an application for a proposed housing development as defined in the Housing Accountability Act (Gov. Code, § 65589.5) that has submitted an application that meets all of the requirements in the relevant list compiled according to the Permit Streamlining Act (Gov. Code, § 65940) that was available at the time the application was deemed complete.

Maximum Five Hearings

Jurisdictions are limited to five hearings on an application for a housing development project if the project complies with the applicable objective general plan and zoning standards that were in effect at the time the application was deemed complete under the Permit Streamlining Act.

- ▶ **Decision-Maker Action.** Jurisdictions must take action to approve or disapprove the application during at least one of the five hearings.
- ▶ **Continuance.** Continued hearings count as one of the five hearings.

RECENT HCD TECHNICAL ASSISTANCE LETTERS

[City of Oceanside](#),
May 14, 2025

Community meetings count towards the five hearing limit when they are required to be conducted by law, ordinance, or regulation.

[City of Encinitas](#),
February 5, 2025

A hearing includes any public hearing, including design review, a meeting to consider an appeal, and continued hearings.

RECENT LEGISLATION

Five Hearings Maximum

[SB 330](#), Skinner
(2022); added Gov.
Code, § 65905.5.

Limits jurisdictions to five hearings after an application is deemed complete under the Permit Streamlining Act.