



- 2) Requires a local agency, defined to include a city or county, to compile one or more lists of information that will be required from any applicant for a postentitlement phase permit.
- 3) Allows the local agency to revise the lists specified in (2), however, any revised list cannot apply to any permit pending review.
- 4) Requires a local agency to also post an example of a complete, approved application and an example of a complete set of postentitlement phase permits for at least five types of housing development projects in the jurisdiction, as specified. Requires the lists and example permits to be posted on the city's or county's website by January 1, 2024.
- 5) Requires a local agency to determine whether an application for a postentitlement phase permit is complete and provide written notice of this determination to the applicant within 15 business days after the local agency received the application, as follows:
  - a) If the local agency determines an application is incomplete, the local agency must provide the applicant with a list of incomplete items and a description of how the application can be made complete, but the local agency can't request new information that wasn't on the original list of required information;
  - b) After receiving a notice that the application is incomplete, an applicant may cure and address the items that are deemed to be incomplete by the local agency. Upon receipt of a corrected application, the local agency must notify the applicant whether the additional application has remedied all incomplete items within 15 business days; and,
  - c) If a local agency does not meet the timelines required for determining an application complete, and the application or resubmitted application states that it is for a postentitlement phase permit.
- 6) Specifies a process for approving postentitlement permits, as follows:
  - a) Requires local agencies to review and either return in writing a full set of comments to the applicant with a comprehensive request for revisions or return the approved permit application, and electronically notify the applicant of its determination within:
    - i) Thirty business days of the application being deemed complete for housing development projects with 25 units or fewer; or,
    - ii) Sixty business days of the application being deemed complete for housing development projects with 26 units or more.

- b) Provides that these time limits do not apply if the local agency makes written findings within the applicable time limit that the proposed postentitlement phase permit might have a specific, adverse impact, as defined, on public health or safety and that additional time is necessary to process the application;
  - c) Tolls the time limits for approval if the local agency requires review of the application by an outside entity, as specified;
  - d) If a local agency finds that a complete application is noncompliant, the local agency must provide the applicant with a list of items that are noncompliant and a description of how the application can be remedied by the applicant within the applicable time limit, as provided, and must allow the applicant to correct the application; and,
  - e) Requires local agencies to establish an appeals process. If an applicant appeals, the local agency must make a final determination within:
    - i) 60 business days of the appeal for a project of 25 units or fewer; or,
    - ii) 90 business days of the appeal for a project of 26 units or more.
- 7) Provides that failure to meet the time limits specified above constitutes a violation of the Housing Accountability Act (HAA).
- 8) Allows extension of any of the time limits specified above upon mutual agreement by the local government and the applicant. However, a local agency cannot require as a condition of submitting the application that the applicant waive the time limits in this bill, with an exception for environmental review associated with the project.

**This bill:**

- 1) Amends the penalty provisions of the HAA to specify that failure to comply with the requirements of postentitlement phase permit law, except for the requirement to post specified information, constitutes a violation of the HAA.
- 2) Amends postentitlement phase permit law in the following ways:
  - a) Establishes the following parameters regarding a local agency or state agency review of a complete building permit application:
    - i) Provides that a local agency or a state agency shall not require or request more than two plan check and specification reviews in connection with a complete building permit application.

- ii) Specifies that a local agency or state agency may deny an application that is not compliant after two submittals, and an applicant may request additional submittals of applications that are not compliant with permit standards.
  - iii) Specifies that the limitation on submittals is only applicable to building permits and no other postentitlement phase permits.
- 3) Limits provisions that toll review timelines for postentitlement phase permits to federally or statutorily required reviews conducted by a public agency that is independent of the state or local agency, rather than any review conducted by an outside entity.
- 4) Prohibits a local agency or state agency from requesting or requiring any action or inaction as a result of a building inspection that would represent a deviation from a previously approved plan or similar approval for the project, unless the requirement or request is accompanied by written findings based on substantial evidence in the record that both of the following apply:
  - a) A reasonable person could not interpret the previously approved plan or similar approval as being compliant with the applicable standards; and,
  - b) The deviation is necessary to address a specific, adverse impact on public health or safety.
- 5) Reduces the amount of time within which a local agency or state agency must provide a final written determination after receipt of an applicant's written appeal, specifically:
  - a) Within 30 business days (instead of 60) of the appeal for a project of 25 units or fewer; or,
  - b) Within 45 business days (instead of 90) of the appeal for a project of 26 units or more.
- 6) Provides that if an applicant's appeal of a postentitlement phase permit decision is denied, or if a decision on the applicant's appeal is not decided within the required timelines, the applicant may seek a writ of mandate to compel approval of the application.
- 7) Expands the definition of "postentitlement phase permit" to include plan checking and building inspections associated with a building permit.

## Background

*The Permit Streamlining Act (PSA).* The PSA requires public agencies (both state and local agencies) to act fairly and promptly on applications for development proposals, including housing developments. Under the PSA, public agencies have 30 days to determine whether applications for development projects are complete and request additional information; failure to act results in an application being “deemed complete.” The PSA applies to the discretionary approval phase of a development review process; this is the phase where the agency, in its discretion, decides whether it approves of the concept outlined in the development proposal.

*Postentitlement permits.* A development proposal that is approved and entitled is still required to obtain approval for a range of non-discretionary permits. This includes building permits and other permits related to the physical construction of the development proposal. The timelines established in the PSA do not apply to these non-discretionary permits. The postentitlement phase of the review process typically involves the review of permits that are objective in nature. Generally, once an agency invests the time and effort to approve and entitle a development proposal, there is an incentive for the agency to process the postentitlement permits in a timely fashion.

In order to expedite this stage of the development approval process, AB 2234 (Robert Rivas, Chapter 651, Statutes of 2022), required local agencies (but not public agencies) to process post entitlement phase permits within 30 days for small housing development projects and 60 days for large housing development projects.

AB 301 (Schiavo, Chapter 488, Statutes of 2025), made the postentitlement phase permit review requirements that apply to local agencies apply to state agencies.

## Comments

- 1) *Author’s statement.* “While California has taken many steps to address the housing crisis, there is still much work to be done. AB 1621 aims to build on AB 2234 by closing gaps in existing law regarding the timelines for local agencies to review applications and act on post-entitlement permits and applications. The post-entitlement process has become a significant cog in the housing process, delaying construction and advancement across the state. AB 1621 aims to ensure that our housing projects are approved and built on time, avoiding delays during the plan check process that often derail housing development. This legislation ensures that the standards we put on our local agencies are truly binding by empowering developers to seek legal action when

these agency “shot clocks” are violated. AB 1621 moves to continue the streamlining of housing production in California, removing unnecessary plan checks and assuring that our local agencies abide by established deadlines.”

- 2) *Timelines for postentitlement permits.* Existing law requires local agencies and state agencies to process non-discretionary postentitlement phase permits in an expedited manner. First, the agency must determine whether an application is complete, and notify the applicant within 15 days after receiving the application. If the agency determines an application is incomplete, the local agency must provide the applicant with a list of incomplete items and a description of how the application can be made complete. After receiving a notice that the application was incomplete, an applicant may cure and address the items that are deemed to be incomplete by the agency. Upon receipt of a corrected application, the agency must notify the applicant within 15 business days whether the additional application has remedied all incomplete items. If an agency does not meet the timelines required for determining whether an application is complete, then the application or resubmitted application is deemed complete.

Agencies must then review the complete application within 30 days for projects with 25 units or less, and 60 days for projects 26 units or more, to determine if the application is compliant with the postentitlement permit requirements. Local agencies can extend the timeline if they make a finding that issuing the permit within the applicable time limit might have a specific, adverse impact on public health or safety. The review timelines are tolled during the pendency of a review conducted by an outside entity. Finally, agencies must also establish an appeals process. If an applicant appeals, the local agency must make a final determination within specified timelines.

This bill limits the number of times an agency can require a plan check and specification in connection with a building permit application to two; however, this bill still allows an agency to deny a noncompliant application after two reviews. This bill additionally narrows tolling to circumstances where the primary agency’s review is contingent upon another agency completing a federally or statutorily mandated review of the application.

- 3) *HAA.* In 1982, in response to the housing crisis, which was viewed as threatening the economic, environmental, and social quality of life in California, the Legislature enacted the Housing Accountability Act (HAA), commonly referred to as the Anti-NIMBY Law. The purpose of the HAA is to help ensure that a city does not reject or make infeasible housing development projects that contribute to meeting the housing need determined pursuant to the

Housing Element Law without a thorough analysis of the economic, social, and environmental effects of the action and without complying with the HAA. The HAA restricts a city's ability to disapprove, or require density reductions in, certain types of residential projects. The HAA does not preclude a locality from imposing developer fees necessary to provide public services or requiring a housing development project to comply with objective standards, conditions, and policies appropriate to the locality's share of the regional housing needs assessment.

If a locality denies approval or imposes conditions that have a substantial adverse effect on the viability or affordability of a housing development for very low-, low-, or moderate-income households, and the denial or imposition of conditions is subject to a court challenge, the burden is on the local government to show that its decision is consistent with specified written findings.

If a court finds that a locality violated the HAA, a court must issue an order or judgment compelling compliance with the HAA within 60 days, including but not limited to, an order that the locality take action on the housing development project or shelter. The plaintiff shall be entitled to attorney's fees unless the court find that awarding fees would not further the purposes of the HAA. If a locality fails to comply within 60 days, the court shall impose fines, a minimum of \$10,000 per housing unit in the housing development project, which shall be deposited in a local housing trust fund. The court may also approve the housing development project. If the court finds the locality acted in bad faith, in addition to other remedies, the court shall multiply the fine by a factor of five.

This bill provides that local agency's failure to comply with the review timelines for postentitlement permits constitutes a violation of the HAA

### **Related/Prior Legislation**

**AB 301 (Schiavo, Chapter 488, Statutes of 2025)** — expands postentitlement phase permit processing requirements to state agencies.

**AB 2234 (Rivas, Chapter 651, Statutes of 2022)** — established timeframes for the review of postentitlement permits conducted by local governments.

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: Yes

**POSITIONS:** (Communicated to the committee before noon on Wednesday, June 24<sup>th</sup>, 2026.)

**SUPPORT:**

California Building Industry Association (Sponsor)  
Abundant Housing Los Angeles  
Bay Area Council  
Boma California  
Building Owners and Managers Association of California  
Cal Chamber  
California Apartment Association  
California Association of Realtors  
California Building Industry Association  
California Business Properties Association  
California Business Roundtable  
California Chamber of Commerce  
California Chamber of Commerce  
California Council for Affordable Housing  
California Council for Affordable Housing  
California Housing Consortium  
California Yimby  
Circulate Planning & Policy  
Circulate Planning & Policy  
Commercial Real Estate Development Association, Naiop of California  
Construction Employers' Association  
East Bay Yimby  
Eden Housing  
Fieldstead and Company, INC.  
Grow the Richmond  
Habitat for Humanity California  
Housing Action Coalition  
Housing California  
Inner City Law Center  
Leadingage California  
Lieutenant Governor Eleni Kounalakis  
Los Angeles Area Chamber of Commerce  
Mountain View Yimby  
Napa-solano for Everyone  
Northern Neighbors Sf  
Orange County Business Council  
Peninsula for Everyone  
San Diego Housing Commission  
San Diego Housing Federation

San Francisco Yimby  
San Jose Yimby  
San Mateo Forward  
Santa Cruz Yimby  
Santa Rosa Yimby  
South Bay Yimby  
Southern California Association of Non-profit Housing (SCANPH)  
Southern California Leadership Council  
SPUR  
Student Homes Coalition  
Supportive Housing Alliance  
The California Housing Partnership  
Ventura County Yimby  
Yes! in Redwood City  
Yimby Action  
Yimby Los Angeles  
Yimby Monterey Peninsula  
Yimby Slo

**OPPOSITION:**

California Contract Cities Association  
California State Association of Counties (CSAC)  
City of Belmont  
City of Buena Park  
City of Camarillo  
City of Citrus Heights  
City of Corona  
City of Fairfield  
City of LA Mirada  
City of Morgan Hill  
City of Norwalk  
City of Rancho Cucamonga  
City of Santa Clarita  
City of Thousand Oaks  
County of Santa Clara  
League of California Cities  
Mayor Todd Gloria, City of San Diego  
Orange County Sanitation District  
Rural County Representatives of California (RCRC)