
THIRD READING

Bill No: AB 1621
Author: Wilson (D), et al.
Amended: 6/3/26 in Senate
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 6-0, 6/10/26

AYES: Durazo, Choi, Arreguín, Ashby, Laird, Seyarto

NO VOTE RECORDED: Cervantes

SENATE HOUSING COMMITTEE: 9-0, 6/30/26

AYES: Arreguín, Seyarto, Cabaldon, Caballero, Cortese, Durazo, Grayson, Ochoa
Bogh, Padilla

NO VOTE RECORDED: Gonzalez

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 67-0, 4/27/26 - See last page for vote

SUBJECT: Planning and Zoning Law: postentitlement phase permits: Housing
Accountability Act

SOURCE: California Building Industry Association

DIGEST: This bill makes numerous changes to the postentitlement permit review process.

ANALYSIS:

Existing law:

1) Defines a “postentitlement phase permit” as follows:

- a) All nondiscretionary permits required by a local agency after the entitlement process to begin construction of a development that is intended to be at least

two-thirds residential, excluding specified planning permits, entitlements, and other permits. These permits include, but are not limited to, all of the following:

- i) Building permits, and all inter-departmental review required for the issuance of a building permit;
 - ii) Permits for minor or standard off-site improvements;
 - iii) Permits for demolition; and,
 - iv) Permits for minor or standard excavation and grading.
- b) Allows a local agency to identify by ordinance a threshold for determining whether a permit constitutes a “minor” or “standard” permit if supported by written findings; and,
- c) Excludes a permit required and issued by the California Coastal Commission (Commission), a special district, or a utility that is not owned and operated by a local agency, or any other entity that is not a city or county.
- 2) Requires a state or 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) Requires a state or 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 agency received the application, as follows:
- a) If the agency determines an application is incomplete, the agency must provide the applicant with a list of incomplete items and a description of how the application can be made complete, but the 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 agency. Upon receipt of a corrected application, the agency must notify the applicant whether the additional application has remedied all incomplete items within 15 business days; and,
 - c) If the agency does not meet the timelines required for determining an application complete, the application is deemed to be complete.

- 4) Specifies a process for approving postentitlement permits, as follows:
 - a) Requires state and 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 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 agency requires review of the application by an outside entity, as specified;
 - d) If an agency finds that a complete application is noncompliant, the 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 state and local agencies to establish an appeals process. If an applicant appeals, the 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.
- 5) Provides that failure to meet the time limits specified above constitutes a violation of the Housing Accountability Act (HAA).
- 6) Allows extension of any of the time limits specified above upon mutual agreement by the state or local agency and the applicant. However, an agency cannot require as a condition of submitting the application that the applicant waive the time limits, 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) Prohibits a state or local agency from requiring or requesting more than two plan check and specification reviews in connection with a complete building permit application.
- 3) Allows an agency to deny an application that is not compliant with the permit standards after two submittals.
- 4) Allows an applicant to request additional submittals of applications that are not compliant with permit standards.
- 5) Specifies that the limitation on submittals is only applicable to building permits and no other postentitlement phase permits.
- 6) 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.
- 7) Prohibits a state or local 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 either 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; or
 - b) The deviation is necessary to address a specific, adverse impact on public health or safety.
- 8) 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.
- 9) 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.
- 10) Clarifies the definition of “postentitlement phase permit” to include plan checking and building inspections associated with a building permit.

Background

Post-entitlement permitting. In 2022, the Legislature enacted a framework establishing timelines and procedures for approving all local “post-entitlement phase permits,” including building permits, needed to construct housing that had already received approval from a planning department (AB 2234, R. Rivas, Chapter 651, Statutes of 2022). AB 2234 requires local agencies—defined to mean only cities and counties—to process post-entitlement permits in an expedited manner.

AB 301 (Schiavo, Chapter 488, Statutes of 2025) extended AB 2234’s provisions, except for the requirement to process post-entitlement permits online, to state agency permits for housing projects, except certain water pollution permits and permits issued by the Coastal Commission. It also deemed approved state postentitlement permits if state agencies fail to meet the timeline to approve or deny the permit.

According to the latest data in the Department of Housing and Community Development’s (HCD’s) Annual Progress Report Dashboard, for housing projects completed by the end of December 2024, the timelines for projects to receive a building permit after getting planning approval span, on average:

- 91 days for single-family homes; and
- 293 days for buildings of 5 or more units.

Homebuilders want the Legislature to expedite the post-entitlement permit process.

Comments

- 1) *Purpose of the bill.* According to the author, “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 progress, 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) *Be the change you want to see in the world.* Housing projects may experience numerous delays as they proceed from submitting an application for approval of the project to final completion of construction. HCD identifies average timeframes for different types of housing projects to move through each stage in the process. This data can indicate where housing projects may face the greatest slowdowns. According to HCD’s data for housing approvals through December 2024, average times for these stages are:

	Submitted to Entitled	Entitled to Building Permit	Building Permit to Completed
Single-family detached	112 days	92 days	251 days
5+ attached units	250 days	293 days	473 days

These data indicate that the lengthiest portion of the project by a wide margin is the construction phase, after cities and counties have issued a building permit. Local agencies have less influence on how quickly a project gets built once they’ve issued the building permit. Other factors, such as delayed delivery of materials, limited availability of labor, unexpected site conditions, and financing challenges, have significant effects on how quickly a home gets built after it has been permitted. AB 1621 makes changes to local agencies’ building permit review and construction inspection processes with the hope of shortening these timelines. It limits when the shot clock stops for review by an outside entity and directs cities, counties, and state agencies to process appeals of adverse decisions more quickly, which may accelerate building permit

approvals. It also prevents local officials from requiring arbitrary deviations from approved permits during the construction process. But because the pace of construction is largely out of the hands of local governments after the building permit is issued, AB 1621's focus on local government processes may not address the most significant sources of delay.

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

According to the Senate Appropriations Committee:

- The Department of Housing and Community Development (HCD) notes that this bill's expansion of the scope of violations of the Housing Accountability Act (HAA) would result in an increase in requests for enforcement action and instances in which the department is required to notify the Attorney General of violations. HCD estimates that any increased enforcement workload can be addressed by existing staff and would be absorbable. (General Fund)
- Unknown local mandated costs for local agencies to revise processes and procedures regarding the review and approval of post-entitlement permit applications, and to act on appeals of permit denials on an expedited timeline. These costs are not state-reimbursable because local agencies have the general authority to charge various permit, planning, and developer fees to offset any increased costs associated with the higher level of service required by this bill. (local funds)
- Unknown court cost pressures for new workload to adjudicate additional cases filed by permit applicants seeking a writ of mandate to compel a local agency to approve an application when it fails to provide an appeal, denies an administrative appeal, or fails to decide on the appeal within specified timeframes. There could also be court impacts to the extent more cases are filed against local agencies for failure to comply with provisions that provide post-entitlement phase permit streamlining processes, which would be a violation of the HAA under this bill. The number of cases that would be filed statewide as a result of the bill are unknown. Staff notes that it generally costs about \$10,500 to operate a courtroom for one eight-hour day. Although courts are not funded on the basis of workload, increased staff time and resources may create a need for additional support from the General Fund to support court operations. The 2026-27 Budget appropriated \$70 million from the General Fund to backfill the current fund imbalance in

the Trial Court Trust Fund and help pay for court operations. (Trial Court Trust Fund, General Fund)

SUPPORT: (Verified 8/14/26)

California Building Industry Association (source)
Abundant Housing Los Angeles
Bay Area Council
Building Owners and Managers Association of California
California Apartment Association
California Association of Realtors
California Business Properties Association
California Business Roundtable
California Chamber of Commerce
California Council for Affordable Housing
California Housing Consortium
California Self Storage Association
California Yimby
Circulate Planning & Policy
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
Naiop California
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
South Pasadena Residents for Responsible Growth
Southern California Leadership Council
Spur
Student Homes Coalition
Supportive Housing Alliance
Ventura County Yimby
Yes! in Redwood City
Yimby Action
Yimby Los Angeles
Yimby Monterey Peninsula
Yimby Slo
Zillow Group

OPPOSITION: (Verified 8/14/26)

California Contract Cities Association
California State Association of Counties
City of Belmont
City of Buena Park
City of Camarillo
City of Carlsbad
City of Citrus Heights
City of Corona
City of Fairfield
City of La Mirada
City of Long Beach
City of Milpitas
City of Morgan Hill
City of Norwalk
City of Rancho Cucamonga
City of Riverside
City of San Diego
City of Santa Clarita
City of Sunnyvale
City of Thousand Oaks
County of Santa Clara
Equitable Land Use Alliance

League of California Cities
Marin County Council of Mayors and Council Members
Orange County Sanitation District
Rural County Representatives of California
Save Lafayette

ASSEMBLY FLOOR: 67-0, 4/27/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Solache, Soria, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bains, Boerner, Bonta, Bryan, Ellis, Flora, Gabriel, Macedo, Muratsuchi, Petrie-Norris, Celeste Rodriguez, Sharp-Collins, Stefani

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
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