
THIRD READING

Bill No: AB 301
Author: Schiavo (D) and Rivas (D), et al.
Amended: 7/17/25 in Senate
Vote: 27 - Urgency

SENATE HOUSING COMMITTEE: 8-0, 6/17/25

AYES: Wahab, Seyarto, Arreguín, Caballero, Cortese, Durazo, Grayson, Ochoa
Bogh

NO VOTE RECORDED: Cabaldon, Gonzalez, Padilla

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 76-0, 4/1/25 - See last page for vote

SUBJECT: Planning and zoning: housing development projects: postentitlement
phase permits: state agencies

SOURCE: Author

DIGEST: This bill establishes specific timeframes for state agencies involved in
postentitlement reviews and approvals for housing developments.

Senate Floor Amendments of 7/17/2025 exclude permits related to drinking water
that are issued under federally delegated authority, and waste discharge permits
from the state agency permits subject to the bill.

ANALYSIS:

Existing Law:

1) Defines “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 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 needed information;
 - b) 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 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.
- 3) Specifies a process for approving postentitlement permits, as follows:
- a) Requires local agencies to complete review, 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 complete for housing development projects with 25 units or fewer; or,
 - ii) Sixty business days of the application being 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.

This bill:

- 1) Extends the requirements that local agencies must comply with regarding the review and approval of postentitlement phase permits for a housing development project to state agencies, as specified.
- 2) Declares that this bill is urgency measure necessary for the immediate preservation of the public peace, health, or safety, as specified, and therefore it is necessary that the bill take effect immediately.

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.

Comments

Author's Statement. “AB 301 is an exciting step forward in ensuring that state agencies move with the same urgency as local governments to address the housing shortage. By applying firm review deadlines to all state-level approvals, this bill would cut unnecessary delays and help get housing projects off the ground faster. With streamlined processes and increased predictability, California can take a big step toward meeting its housing needs, making homes more accessible and affordable for residents across the state.”

Timelines for postentitlement permits. AB 2234 (Rivas, Chapter 651, Statutes of 2022) requires cities and counties to process non-discretionary permits in an expedited manner. First, the city or county must determine whether an application is complete, and notify the applicant within 15 days after receiving the application. 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. After receiving a notice the application was 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 within 15 business days whether the additional application has remedied all incomplete items. If a local agency does not meet the timelines required for determining whether an application is complete, and the application or resubmitted application is deemed complete.

Cities and counties must then complete a review of the application within 30 days for projects with 25 units or less, and 60 days for projects 26 units or more, to determine if the complete application is compliant with the postentitlement permit

requirements. Local agencies can extend the timeline if they make a finding the permit might have a specific, adverse impact on public health or safety, within the applicable time limit. Finally, local agencies must also establish an appeals process. If an applicant appeals, the local agency must make a final determination within specified timelines.

This bill will extend the requirements that local agencies must comply with when they receive and review a postentitlement phase permit application to state agencies involved in governmental reviews or approvals associated with a housing development project.

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

SUPPORT: (Verified 8/18/2025)

AARP

Abundant Housing LA

Associated General Contractors, California Chapters

Bay Area Council

California Apartment Association

California Building Industry Association

California Council for Affordable Housing

California Housing Partnership

California Yimby

Circulate San Diego

City of Alameda

County of Los Angeles Board of Supervisors

Fieldstead and Company, INC.

Habitat for Humanity California

Housing Action Coalition

Housing California

Long Beach Area Chamber of Commerce

Midpen Housing Corporation

Monterey Bay Economic Partnership

San Diego Housing Commission

Spur

Supportive Housing Alliance

OPPOSITION: (Verified 8/18/2025)

None received

ASSEMBLY FLOOR: 76-0, 4/1/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, DeMaio, Dixon, Elhawary, Ellis, Essayli, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Alvarez, Boerner, Davies, Wicks

Prepared by: Hank Brady / HOUSING / (916) 651-4124
8/22/25 15:59:34

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