

Date of Hearing: April 9, 2025

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 1206 (Harabedian) – As Amended March 27, 2025

SUBJECT: Single-family and multifamily housing units: preapproved plans

SUMMARY: Requires each local agency to develop a program for the preapproval of single-family and multifamily residential housing plans for public use. Specifically, **this bill:**

- 1) Requires a local agency to develop a program for the preapproval of single-family and multifamily housing plans by July 1, 2026, which shall comply with all of the following:
 - a) Requires a local agency to accept single-family and multifamily residential housing plan submissions for preapproval.
 - b) Requires a local agency to approve or deny the application for preapproval pursuant to the standards established in applicable state and local housing regulations.
 - c) Allows a local agency to charge the applicant the same permitting fees that the local agency would charge an applicant seeking approval for the same-sized single-family or multifamily residential housing unit in reviewing and approving a preapproved housing plan submission.
 - d) Requires a local agency to post the single-family and multifamily residential housing plans that are preapproved on the local agency's internet website. Provides that the posting of a preapproved housing plan shall not be considered an endorsement of the applicant or approval of the applicant's application for a single-family or multifamily residential housing unit by the local agency.
 - i) Requires a local agency to post the contact information of the applicant of a preapproved housing plan, as provided by the applicant. Provides that the local agency shall not be responsible for the accuracy of the contact information.
 - ii) Requires a local agency to remove a preapproved housing plan from their internet within 30 days of receiving a request for removal from the applicant.
 - e) Allows a local agency to admit plans that have been developed and preapproved by the local agency for single-family and multi-family residential housing plans into the program.
 - f) Provides that nothing in this bill shall prevent a local agency from voluntarily accepting or admitting additional plans at higher densities in additional zoning districts into the preapproved housing plan program, at the local agency's discretion.
- 2) Requires a local agency to approve or deny an application for a single-family or multifamily residential housing unit ministerially without discretionary review, except that the local agency shall either approve or deny the application within 30 days from the date the local agency receives a completed application, if the lot for which the application is proposed meet the soil conditions, topography, flood zone, zoning regulations, and design review standards

for which the preapproved plan was designed and the application utilizes either of the following:

- a) A plan for a single-family or multifamily residential housing unit that has been preapproved by the local agency within the current triennial California Building Standards Code rulemaking cycle.
 - b) A plan that is identical to a plan used in an application for a single- or multifamily residential housing unit approved by the local agency within the current triennial California Building Standards Code (CBSC) rulemaking cycle.
- 3) Defines the following terms:
- a) “Local agency” means a city, county, or city and county.
 - b) “Multifamily residential housing unit” means a building containing 2-10 residential units.
 - c) “Single-family residential housing unit” has the same meaning as defined in applicable housing regulations.
- 4) Finds and declares that the lack of housing is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.
- 5) Provides that no reimbursement is required by this bill because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this bill.

EXISTING LAW:

- 1) Requires each local agency to develop a program for the preapproval of Accessory Dwelling Units (ADUs) by January 1, 2025, as follows:
 - a) Establishes that the local agency must:
 - i) Accept ADU plans for preapproval from any applicant without restriction; and
 - ii) Approve or deny the application for preapproval pursuant to applicable state and local housing regulations.
 - b) Allows the local agency to charge the applicant permitting fees for the review of the plans submitted for preapproval, as long as the fees are the same as those that would be charged to review the plans if a standard ADU application were filed;
 - c) Requires the local agency to post the preapproved ADU plans on the agency’s website, with the contact information of the party that submitted the plans included. The posting of the plans shall not be considered an endorsement of the applicant, or an approval of the applicant’s application. The local agency is required to remove preapproved plans within 30 days, at the applicant’s request; and

- d) Allows the local agency to admit ADU plans developed and approved by the local agency independently of this program into the preapproved ADU program. [Government Code (GOV) § 65852.27]
- 2) Requires a local agency to approve or deny an application for an ADU ministerially and without discretionary review within 30 days, if the applicant uses either of the following:
 - a) ADU plans preapproved pursuant to the program established in 1), as long as they were approved by the local agency within the current triennial CBSC rulemaking cycle.
 - b) ADU plans that are identical to a plan that was preapproved pursuant to 1), as long as they were approved by the local agency within the current CBSC rulemaking cycle. (GOV § 65852.27)
- 3) Finds and declares that the lack of housing is matter of statewide concerns and is not a municipal affair. Therefore, the program described in 1) and 2) above applies to all cities, including charter cities. (GOV § 65852.7)

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Bill Summary.** This bill requires each local agency to develop a program for the preapproval of single-family and multifamily residential housing plans for public use and requires that these plans be posted on the public agency’s website. If an applicant uses a preapproved plan for a single-family or multifamily project, the bill requires local agencies to ministerially approve or deny a completed application within 30 days if the lot meets the soil conditions, topography, flood zone, zoning regulations, and design review standards for which the preapproved plan was designed for.

This bill is author sponsored.

- 2) **Author’s Statement.** According to the author, “Home is more than just walls and a roof—it is the foundation of stability, security, and opportunity. Yet, for too many families, particularly those in low-income communities and communities of color, the dream of safe and affordable housing remains out of reach. The devastation of the Los Angeles wildfires only deepened these inequities, displacing thousands and further straining an already dire housing crisis.

AB 1206 streamlines the approval process for single-family and multifamily housing by requiring local agencies to establish pre-approved housing plan programs by January 1, 2026. By doing so, homeowners will have access to a set list of housing models they can choose from to quickly and efficiently rebuild. This bill provides a standardized path for housing development, cutting through red tape so that rebuilding efforts and new construction can move forward without costly and burdensome delays. By making the rebuilding process more accessible and efficient, AB 1206 ensures that communities can recover faster and that families can once again find stability in a place to call home.”

- 3) **Permitting Power.** Planning for and approving new development is mainly a local responsibility. The California Constitution allows cities and counties to “make and enforce

within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power, commonly called the police power, that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public – including land use authority. Cities and counties enforce this land use authority through zoning regulations, as well as through an “entitlement process” for obtaining discretionary as well as ministerial approvals.

The scale of the proposed development, as well as the existing environmental setting determine the degree of local review that occurs. For larger developments, the local entitlement process commonly requires multiple discretionary decisions regarding the subdivision of land, environmental review pursuant to CEQA, and project review by the local agency’s legislative body (city council or county board) or by a planning commission delegated by the legislative body.

- 4) **Building Codes.** The California Building Standards Code contains building standards and regulations as adopted by the BSC. These standards include, among other requirements, structural standards for building safety (the Building Code), fire safety standards (the Fire Code), energy efficiency standards (the Energy Code), and standards for green buildings (CalGreen).

The BSC updates the Building Standards Code on a three-year cycle. Once adopted at the state level, cities and counties in California then enact an ordinance to adopt the codes. New construction and improvements to existing buildings must comply with the current building codes, and improvements to an existing building may trigger additional code upgrades for other parts of the building.

Existing law requires the building department of every city or county to enforce the provisions of the State Housing Law, the California Building Standards Code, and the other specified rules and regulations promulgated pursuant to the State Housing Law.

- 5) **The Permit Streamlining Act.** The PSA requires public agencies to act fairly and promptly on applications for development proposals. 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.
- 6) **Preapproved Plans.** In an attempt to increase standardization and predictability in housing approvals, there has been increased interest at the state and local level in preapproved plans for housing development.

Building on the success of prior ADU laws, AB 1332 (Juan Carrillo), Chapter 759, Statutes of 2023, established a preapproved plan program for ADUs which this bill draws heavily from. Under AB 1332, local governments were required to develop a program for the preapproval of ADU plans by January 1, 2025. Under this program, anyone can submit plans for preapproval, and the local government must review them based on existing state ADU and building code standards. The local agency is allowed to charge the same permitting fees as they would for a regular ADU application to review submittals for ADUs requesting

preapproval. Once approved, these plans must be posted on the local government's website, along with the applicant's contact information (though the agency isn't responsible for its accuracy). Applicants can also request their ADU plans be removed if they no longer wish to participate in the program. Local governments are also allowed to include their own preapproved ADU plans or ones approved by other local governments in California in the preapproved plan program, since the same ADU standards apply statewide. If a local government receives an application for a detached ADU using a preapproved or previously approved plan from the current building code cycle, the local government must approve or deny the permit application within 30 days, without discretionary review. Because this program just went into effect on January 1, 2025, it is still too early to tell how successful or impactful it will be in terms of increasing ADU production.

- 7) **Previous Legislation.** AB 1332 (Juan Carrillo) Chapter 759, Statutes of 2023 required local governments to create a program for the pre-approval of accessory dwelling units (ADUs).
- 8) **Arguments in Support.** The California Apartment Association (CAA) writes in support, "The key to moving California out of its housing crisis will be to efficiently construct new housing while ensuring the health and safety of existing communities. One way to streamline new housing approvals is for local governments to have a program where developers can know ahead of time what plans that the jurisdiction will approve for a particular build. That is why preapproved housing plans are important. In 2023 a similar bill, AB 1332 (Carrillo, Juan), which required local governments to create a program for the preapproval of plans for ADUs was signed into law by the Governor. The goal of AB 1206 is to streamline the approval of single-family and multifamily housing approvals in a similar fashion as the successful ADU law."
- 9) **Arguments in Opposition.** The League of California Cities with a position of oppose unless amended writes, "AB 1332 (2023) required all local agencies to develop a preapproval program for ADUs by January 2025. AB 1206 would extend these requirements to single-family and multi-family homes without providing funding or time to implement the new requirements. The complexity of larger-scale single-family and multi-family housing projects makes it challenging at the local level to approve or deny plans for preapproval, as larger, more dense buildings and projects have site-specific factors that must be addressed on a project-by-project basis. For example, some cities have terrain that varies significantly across the same jurisdiction, from coastal canyons, bluffs, or hillsides to very high fire hazard severity zones that require different local regulations and requirements that a standardized plan cannot account for locally. With a short timeline to review preapproved plans if requested for use by an applicant, local agencies will struggle with accounting for necessary public health and safety measures that must be taken to promote safe residential development."
- 10) **Double Referral.** This bill is double-referred to the Assembly Housing and Community Development Committee, where it passed on a 11-0 vote on March 26, 2025.

REGISTERED SUPPORT / OPPOSITION:

Support

Abundant Housing LA
California Apartment Association
California Yimby
Circulate San Diego
Habitat for Humanity California
Spur
The Two Hundred

Opposition

League of California Cities (unless amended)

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