



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION



Technical Assistance
for Local Planning
HOUSING

DISCLAIMER: This document is intended solely as a technical overview of Assembly Bill 1332 (AB 1332) Preapproved Plans (enacted in 2023). It is not intended to serve as legal advice regarding any jurisdiction's specific policies or any proposed project. Local staff should consult with their city attorney or county counsel before taking any action to implement these changes.

AB 1332 Pre-Approved Accessory Dwelling Units

Overview of Requirements

AB 1332 (Government Code 65852.27) went into effect on January 1, 2025, and requires every jurisdiction in California to give architects, designers or other potential applicants the option to have Accessory Dwelling Unit (ADU) plans reviewed, pre-approved for use and listed online. Pre-approved plans may be used on any site where an ADU would be permitted assuming the site-specific standards are met. Pre-approval of plans expires at the end of the three-year state building code cycle. It is important to note that AB 1332 does not require jurisdictions to own plans nor make drawings available for free. Rather, jurisdictions must have a process to review plans for pre-approval when requested by an applicant.

Note: With proper approval from plan owners, when applicable, jurisdictions *may* also choose to include plans that they have 1) produced themselves or purchased, 2) previously approved and 3) pre-approved by other jurisdictions within the state, but this is not required.

Question: What if no one submits plans for pre-approval in my jurisdiction?

Answer: You are done. Jurisdictions are in compliance as long as they develop a program to accept applications for pre-approval and post pre-approved plans online. If you do not receive any applications for pre-approval, you do not have to post any plans.

Question: Who may apply for pre-approval? Are only architects or designers allowed to submit plans?

Answer: It is no different than any application for an ADU. Anyone may submit a plan for pre-approval, as long as they own the copyright. Most often it will be an architect or designer, but jurisdictions cannot restrict who submits plans.

Review Phases

Traditionally, ADU building permits are a one-step process. An applicant turns in the required materials and the local agency reviews and approves or denies the permit. Under AB 1332, it becomes a two-step process.

Pre-Approval Phase (Site-Agnostic)

The first step is the pre-approval of an ADU plan. In this phase the “site-agnostic applicant” turns in materials for any parts of the ADU plan that can be reviewed without a specific address. Throughout this document the term “plan owner” is synonymous with “site-agnostic applicant,” and the terms “site-agnostic,” “pre-approved,” and “pre-reviewed” are used interchangeably.

Reusing the Pre-Approved Plan (Site-Specific)

Later, when a "site-specific applicant" wants to use the pre-approved plan at a specific address, that applicant will supply the site-specific details needed to finish the review. There is no statutory guidance about what should be reviewed in the site-agnostic application versus the site-specific application. In fact, the exact list may vary from jurisdiction to jurisdiction. For example, some jurisdictions may decide to review a standard foundation with the pre-approval application, or they may decide that the foundation will be reviewed as part of the site-specific application.

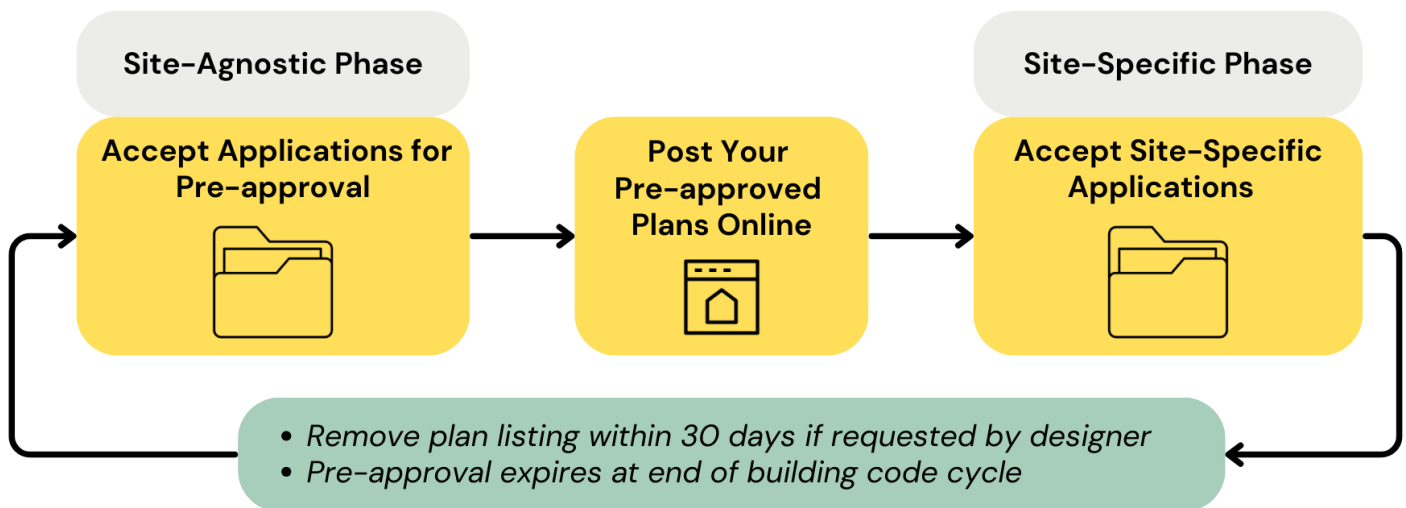
What is a site-agnostic plan?	What is a site-specific plan?
A “site-agnostic plan” is an ADU plan that includes any details that can be reviewed and pre-approved without a site. This includes everything that would be pre-reviewed or pre-approved by the jurisdiction. Generally, a site-agnostic plan would include plumbing, electrical, structural, mechanical or any other details that are not dependent on the site.	A “site-specific plan” is an ADU plan that is submitted for a building permit. It includes materials that show the site-specific details along with the pre-approved (aka site-agnostic) aspects of the plan. The site-specific plan should have all the details that vary based on location. These could include site plan, utilities, zoning, Title 24 and anything else that the jurisdiction deems site-specific.

Question:	What standards and rules apply to pre-approved plans?
Answer:	All state and local development and zoning rules apply just like they would for a traditional ADU. If a plan does not meet standards, it can be denied with a comprehensive set of comments regarding why the application was defective or deficient and a description of how the application can be remedied by the applicant.

Process Overview: Pre-Approval and Reusing Plans

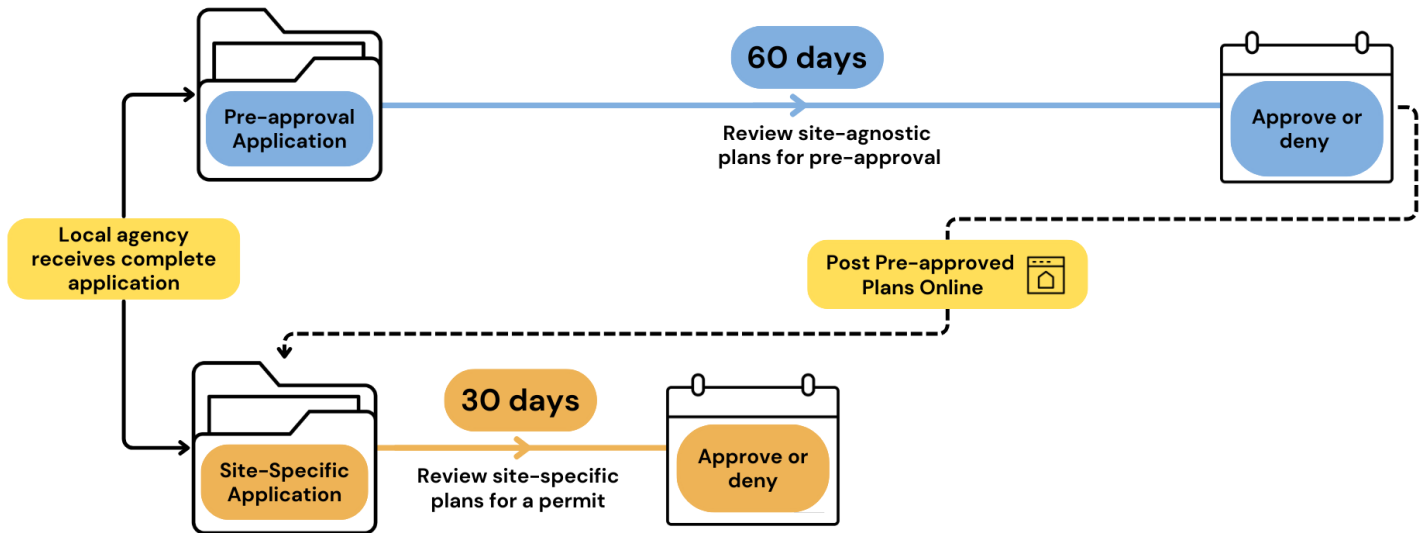
- A. A site-agnostic applicant submits a complete application for pre-approval of an ADU plan with no site (site-agnostic).
- B. Staff reviews the application within 60 days of receipt for site-agnostic details and asks for corrections as needed.

- C. If the proposed plan meets all the relevant rules and standards, it is now pre-approved and must be listed online. This includes basic plan information and contact information for the plan owner. Full construction drawings do not need to be posted. Staff must remove the plan listing within 30 days if requested by the plan owner.
- D. Site-specific applicants connect with plan owners to purchase or use pre-approved plans.
- E. Site-specific applicant submits a site-specific ADU building permit application using the pre-approved plan.
- F. If the pre-approved application is for a detached ADU and site-specific application plans are identical to the pre-approved plan, the building department must approve or deny the building permit application within 30 days. In all other cases, the building department must approve or deny the building permit application within 60 days.
- G. Pre-approval expires at the end of the three-year building code cycle.



Review Timelines

Jurisdictions have 60 days from the submission of a complete application to review applications for pre-approval. If the plan meets all the standards established in Government Code Sections 66314-66332 and applicable local development and design standards, then it must be pre-approved. When jurisdictions receive applications to use a pre-approved plan for a detached ADU or plans previously approved for a detached ADU application (but not submitted as part of the pre-approval program), staff have 30 days to approve or deny the building permit, as long as the site-agnostic details are identical to the original plan. Otherwise, staff have 60 days to approve or deny the building permit. The clock starts when the complete application is submitted, which includes when all applicable fees have been paid.



Question: Do the review timelines apply to outside agencies (utilities, fire, etc.)? How can we meet the required review timelines for site-specific applicants using detached pre-approved plans if outside agencies take longer than 30 days?

Answer: Yes, outside agencies are subject to the same review timelines. Jurisdictions only have control over their own internal departments. However, complete permit applications submitted to the appropriate permitting agency will be deemed approved if not approved or denied within 30 days of receipt of a completed application. Early adopters of similar programs have addressed this by being very clear about this potential issue in guidance materials.

Pre-Approved Program Implementation Steps

To ensure your jurisdiction has a process in place to meet requirements, the following steps are recommended:

☐ **Step 1: Prepare your permitting system for pre-approved plan applications (site-agnostic).**

Some permitting software allows applications to be entered with no address. If your jurisdiction's software does not, decide on a simple address to be used for all pre-approved plan applications, like 123 ADU Plan Street.

Note: Remember to remove the fictitious address (e.g. 123 ADU Plans Street) when you do annual reporting.

☐ **Step 2: Decide what will be included in each phase of your review.**

Review standard permit application materials, talk among departments, and determine the application requirements for pre-approved plans (site-agnostic, no site, no address). Develop a list of any additional information that will be needed for the site-specific building permit applications. The [Template ADU Plan Pre-Approval Application Checklist](#) and [Template ADU Site-Specific Application Checklist](#) may be helpful as you decide what elements to review in which phase.

Review Considerations: You may want to follow a similar process as for HUD-certified prefabricated/manufactured ADUs to help you decide what elements to review in each phase of the process. Think about if there is anything that can be routed to outside agencies for review in the site-agnostic phase.

Review Phase	Steps, Timeline, Elements to Review
Phase 1: Pre-Approval (Site-agnostic)	1. A site-agnostic applicant submits application for pre-approval. 2. Staff reviews in 60 days (site-agnostic review). 3. Staff approves the plan and lists basic plan information and contact information for the plan owner online (not required to post the plan sets or drawings online). Elements to review in this phase may include: ● Statewide ADU standards ● Local objective standards that do not vary by site ● Building code ● Structural ● Foundation (may be reviewed in either phase at jurisdiction discretion) ● Utilities (Interior): Mechanical, plumbing, electrical.

Review Phase	Steps, Timeline, Elements to Review
	Note: Pre-approval of plans expires at end of the building code cycle.
Phase 2: Reusing Pre-approved or Identical Plans (Site-Specific)	1. A site-specific applicant selects a pre-approved plan and contacts the plan owner directly to use the plan. 2. The applicant then completes site-specific tasks and submits the permit application, usually with the help of the plan owner or another professional. 3. Staff approves or denies the site-specific application for detached ADUs in 30 days if the site-agnostic plan details have not been changed or customized. This includes detached ADU plans identical to ones that have previously been permitted but may not officially be a part of the preapproved ADU program. The 30-day review timeline is only for detached ADUs. For all other ADUs, staff approves or denies in 60 days. 4. Building permits are issued. Elements to review in this phase may include: • Site Plan • Site-specific development and design standards • Geotechnical/Soils • Environmental hazards, historic evaluation, fire separation, etc. • Foundation (may be reviewed in either phase) • Utility Plans (connections): Mechanical, plumbing, electrical, T24 (more likely in this phase) • Demolition Plan (if applicable).

Question: How can you pre-approve foundations when there are different soil conditions and therefore different foundation requirements? Should foundations be pre-approved or should they be reviewed in the site-specific phase?

Answer: The law doesn't say what parts of the plan must be reviewed in which phase. It is up to the jurisdiction to decide what to review for the site-agnostic application versus site-specific application. When considering under which phase to review the foundation, there are some options to consider.

- (1) You could pre-approve a standard foundation for certain soil types or in certain areas of your jurisdiction. Sites that cannot use the pre-approved foundation would not qualify for the 30-day review period and would have to apply for a standard ADU permit.

(2) You could review the foundation with the site-specific application. This would mean that for a site-specific, pre-approved detached ADU application, the building department would have to review and approve or deny the proposed foundations, regardless of soil type or site constraints, within the 30-day review period.

Question: In what phase should we review hillside, hazard or other site conditions or constraints?

Answer: Review site conditions and constraints during the site-specific phase of the process.

☐ **Step 3: Create and/or adjust application forms and instructions for applicants.**

Using your final application requirements, update your application checklists, forms and your jurisdiction website. Consider developing simple one-page summary guidance to ensure both staff and those submitting applications are clear on requirements. The additional MTC-ABAG AB 1332 resources may be useful as you develop these materials.

- **Site-Agnostic Applicants (Part 1 – pre-approval/site-agnostic):** Review the [Template ADU Plan Pre-Approval Application Checklist](#).
- **Site-Specific Applicants (Part 2 – site-specific):** Review the [Template ADU Site-Specific Application Checklist](#) (at a minimum, jurisdictions could update ADU permit application forms to indicate if the applicant is using a pre-approved plan and note which items or materials are required).
- [Public Website Language](#) (coming soon)

☐ **Step 4 (Optional): Add pre-approval opt-in on typical ADU applications.**

Add the option for ADU applicants to go through pre-approval at the same time as permitting for a standard ADU building permit application. Make it clear that this means the applicant is willing to have their plan posted online and used repeatedly. Clarify which elements of the plan would be pre-approved.

☐ **Step 5: Determine how to charge fees for pre-approval and whether to add a service charge or additional fee for the pre-approval process.**

Pre-approval Review Fees: The plan review and permit fees should be based on the costs associated with the pre-approval process. Jurisdictions may charge the same permitting fees for pre-approval as they would charge for the same-sized ADU going through the standard ADU building permit process.

Additional Fees: Section 2 of AB 1332 (2023) allows for an additional fee to be added for administering the pre-approval program: *“No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution 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 act, within the meaning of Section 17556 of the Government Code.”*

Question: What fees may be charged for reusing plans for site-specific applications?

Answer: The law does not say what fees to charge for site-specific applications. Jurisdictions should identify their estimated costs for processing these applications and charge accordingly.

☐ **Step 6: Identify how to track pre-approvals.**

Decide how to track pre-approved plan applications within your existing systems, including which ones are in-process and accepted, review timelines, approval date, building code cycle, pre-approved plan permit numbers, etc. This will help with site-specific applications, usage tracking and pre-approval expiration at the end of the code cycle.

☐ **Step 7: Develop a review process for site-specific applications using pre-approved plans.**

For detached ADU applicants that want to qualify for the 30-day review period, staff will need to compare the site-specific application to the pre-approved plan to ensure relevant details are identical. Some jurisdictions may have Planning staff conduct an initial comparison and, if it passes, have Building staff complete a more thorough review.

Question: How should we handle revisions to the pre-approved plans when the site-specific detached ADU applicant wants to qualify for the 30-day review period?

Answer: It is up to jurisdictions whether they will allow minor changes to the pre-approved plan during the site-specific review. If significant changes are requested or required due to site constraints, the application no longer qualifies for the 30-day review timeframe. Jurisdictions may prohibit any revisions to the pre-approved plan during the site-specific review application process if they prefer. Homeowners may use existing post-entitlements processes (i.e. field changes) if they want to make modifications after the permit is issued, as they would with any building permit.

☐ **Step 8: Determine what to do if someone wants to “re-use” a previously permitted plan for a detached ADU.**

The law states that detached ADUs are eligible for the expedited 30-day review if the plan is identical to an ADU that has already been permitted locally within the current building code cycle – even if it has not gone through your pre-approval process. Make sure to account for this when designing your review process.

☐ **Step 9 (Optional): Prepare your existing pre-approved plans to add to your list.**

If your jurisdiction owns plans and/or already has pre-approved plans, list them online. Make sure to update them when the state building code cycle renews.

Jurisdiction-Owned ADU Plans: If your jurisdiction owns plans that a site-specific applicant can use for free, make sure to recommend that the applicants use an architect/designer/contractor to prepare the site-specific application materials to ensure a complete application.

☐ **Step 10 (Optional): Decide if you want to add or review other jurisdictions' pre-approved plans for your program.**

The law states that jurisdictions may add other agencies' pre-approved plans to their pre-approved program. You could identify other jurisdictions or agencies whose pre-approval applies in your jurisdiction. If you will be listing a plan that was pre-approved in another jurisdiction, you should coordinate with the plan owner to make sure they are willing to have their plan be pre-approved in your jurisdiction and to obtain plan sets if you will be conducting your own internal pre-approval review.

Question: Do we have to add HCD-certified prefabricated/manufactured ADU plans to our program?

Answer: Jurisdictions may choose whether to list HCD-certified ADUs in their pre-approved program.

☐ **Step 11: Finalize the pre-approval process.**

Finalize your internal workflow, document the full process and train permit counter and department staff.

☐ **Step 12: Determine how you will list pre-approved plans online and how to handle building code cycle updates.**

Coordinate with the relevant web team/IT department or choose another tool for listing your pre-approved plans online. Listings must include plan owner contact information so site-specific applicants can move forward with using a plan. Develop a process for how listings are added online after a plan is pre-approved and add the necessary questions to the pre-approval application, so you have all the relevant information to post online. Posting a plan is not considered an endorsement per Government Code 65852.27. (a)(4)(A)(ii).

Removing Plans: Jurisdictions are required to take listings down within 30 days if a plan owner requests it. Make sure to set up a process to take removal requests and take down plan listings.

Building Code Cycle Updates: Pre-approval of plans expires at the end of the three-year state building code cycle. Decide if you will automatically remove plans or if you will keep the listings up until they can be updated and reviewed for the current building code cycle. If you are keeping plans online past their code cycle expiration, consider adding a disclaimer to your program webpage to inform potential site-specific applicants that updates may be necessary.

Question: What plan information must be posted online?

Answer: At a minimum, a jurisdiction must post the plan name and contact information for the plan owner. Only non-copyrighted plan information can be posted unless permission is received by the plan owner. Consider posting a floor plan or rendering to make the plan listings more useful to potential homeowners who may be more likely to use a pre-approved plan if they have more information up front.