



CITY OF DIXON
600 EAST A ST.
DIXON, CA 95620-3697
PHONE (707) 678-7000
Building Info Building@cityofdixonca.gov

Third Party Plan Review AB 253

AB 253 overview and justification

- Local building plan-checking functions are subject to extensive swings in workload, which can result in significant delays in processing residential building permits.
- Prolonged delays in building plan-checking functions at the local level can negatively impact the state's housing production pipeline, and ultimately state and local economies.
- The state faces a housing crisis of availability and affordability of housing, in large part due to severe shortage of housing.
- It is the intent of the Legislature to establish a set of options for local jurisdictions to augment, not replace, existing building plan-checking functions and prevent excessive delays in this critical administrative process.

Section 17960.3 is added to the Health and Safety Code, to read:

(a) This section shall only apply to both of the following:

(1) A new residential construction of a building that contains at least 1 unit, but no more than 10 units, and has no floors used for human occupancy located more than 40 feet above ground level.

(2) A residential addition to, or remodel of, an existing building that contains 1 to 10 dwelling units and has no floors used for human occupancy located more than 40 feet above ground level.

(b) (1) Upon receipt of a completed application for a residential building permit, the building department of every city or county shall provide the applicant with an estimated timeframe in which checking plans and specifications submitted as a part of the application will be completed. If the estimated timeframe exceeds 30 days, the applicant may contract with or employ at the applicant's own expense a private professional provider to check the plans and specifications to comply with the other requirements imposed pursuant to this part or by local ordinances adopted pursuant to this part.

(2) If within 30 days of receiving a completed application the building department has not completed checking plans and specifications submitted as a part of the application the applicant may contract with or employ at the applicant's own expense a private professional

provider to check the plans and specifications to comply with other requirements imposed pursuant to this part or by local ordinances adopted pursuant to this part.

(c) If a private professional provider performs the plan-checking function, all of the following shall apply:

(1) The private professional provider shall prepare an affidavit, under penalty of perjury, stating both of the following:

(A) If the plans and specifications comply with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part.

(B) The private professional provider performed the plan-checking function.

(2) The applicant shall submit to the building department a report of the plan-checking function. The report shall include all of the following:

(A) The affidavit described in paragraph (1).

(B) If the plan and specifications do not comply with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part, the requirements for the plans and specifications to comply with the other requirements imposed pursuant to this part or the local ordinances adopted pursuant to this part.

(C) Additional information required by the building department.

(3) Within 14 days of receiving the report pursuant to paragraph (2), the building department shall consider the report and based on the report shall do either of the following:

(A) Issue the residential building permit if the plans and specifications comply with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part.

(B) Notify the applicant in writing that the plans and specifications do not comply with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part, if the plans and specifications do not comply with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part. The notice shall specify the requirements for the plans and specifications to comply with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part.

(4) If the building department does not issue the residential building permit or notify the applicant within 14 days pursuant to paragraph (3), the plans and specifications shall be deemed compliant with the other requirements imposed pursuant to this part or local ordinances adopted pursuant to this part, and the residential building permit shall be deemed approved.

(d) If the department notifies the applicant pursuant to subparagraph (B) of paragraph (3) of subdivision (c), the applicant may do either of the following:

(1) Resubmit corrected plans and specifications to the building department to check the corrected plans and specifications.

(2) Contract with or employ at the applicant's own expense a private professional provider to check the corrected plans and specifications. The check of the corrected plans and specifications shall be subject to the timelines and requirements of subdivision (c).

(e) For the purposes of this section:

(1) "Applicant" means a person who submits an application.

(2) "Application" means an application for a residential building permit.

(3) "Private professional provider" means a professional engineer licensed pursuant to the Professional Engineers Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code) or an architect licensed pursuant to the Architects Practice Act (Chapter 3 (commencing with Section 5500) of Division 3 of the Business and Professions Code) who does not have a financial interest in the residential building permit or preparing the plans and specifications.