

Assembly Bill (AB) 2234 Post-Entitlement Phase Permit ADU/JADU Waiver & Concurrent Review Request

I, _____, understand that AB2234 Post-Entitlement Phase Permit legislation (codified in Government Code Sections 65589.5, 65913.3, and 65913.3.5) is effective January 1, 2024, and is applicable to my post-entitlement permit request because it includes construction of at least one new dwelling unit.

I understand that AB2234 establishes processing requirements for one or more new residential units that generally includes required comprehensive document/item submittal lists, a completeness review, and processing turnaround times, and is intended to occur after Design Review/Entitlement has been approved (i.e., post-entitlement).

I also understand that the new Accessory Dwelling Unit/Junior Accessory Dwelling Unit (ADU/JADU) post-entitlement permit I am requesting requires Design Review/Entitlement, which is a separate process from permit review (i.e., post-entitlement) in the Fremont Municipal Code (FMC), and, with implementation of AB2234 must occur before the permit is submitted.

I understand that the AB2234 comprehensive list of all required submittal documents/items for the ADU/JADU post-entitlement permit that I am requesting is posted on the City's website and no additional documents/items may be required that are not posted on the City's website.

I understand that AB2234 requires that the City review my ADU/JADU post-entitlement permit submittal to determine if all required documents/items have been submitted, including notifying me if the submittal has been determined complete or incomplete.

I understand that a determination of incompleteness must identify which required documents/items are missing and how to rectify the incompleteness determination.

I understand that my project will not be routed for plan review until all required documents are submitted and a determination of completeness has been made.

I understand that Fremont's cycle review turnaround times are the same for permits that are and are not subject to AB2234 and conform with the requirements of AB2234.

I further understand that the AB2234 completeness review must be provided within 15 business days of the post-entitlement permit submittal, but Fremont staff aims to complete it within five business days.

Further, I understand that Government Code Section 65913.2(i) allows me to waive AB2234, and, by doing so, I can request concurrent review of the Design Review/Entitlement and the permit (i.e., post-entitlement), which also means the comprehensive list of submittal requirements will *not* be

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required upon initial submittal, *no* completeness review will occur, and my project will be routed for plan review when *only the minimum* required documentation (as posted [here](#)) is provided.

I understand that if I waive AB2234 that additional documents/items may be required after my initial permit submittal and will be identified in the Cycle 1 or subsequent cycle review comments.


I understand that the outcome of the concurrent Design Review/Entitlement approval may require changes to my Building Permit Review construction drawings, and, depending on the nature of the changes, subsequent Building Permit Review cycles and payment of additional Building Permit Review fees may be required.

I understand that the City cannot guarantee approval of my concurrent Design Review/Entitlement project and that there is the possibility that the Design Review/Entitlement request could, in some instances, be denied and/or appealed.

I understand that Building Permit Review fees are non-refundable and that separate fees are charged for Design Review/Entitlement, as published in the Master Fee Schedule.

Finally, understanding all of the above, I request to waive the AB2234 requirements for the post-entitlement permit for the residential project located at _____, which includes construction of ____ residential units including _____, and that the Design Review/Entitlement and permit (post-entitlement) reviews will occur concurrently.

I acknowledge that I have read, understand, and accept all of the above:



Applicant Signature

03/22/24

Date