



# City of Hollister

## Community Development Department

### Building Division

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#### DEVELOPMENT ALERT

#### AB 130 10-YEAR MODEL PLAN CODE LOCK FOR APPROVED MODEL PLANS

##### **Key Changes to Residential Codes and Permit Timelines**

This notice serves to inform all residential developers and builders of the critical changes enacted by California Assembly Bill 130 (AB 130), signed into law on June 30, 2025. These changes fundamentally alter the regulatory landscape for long-term residential projects and impact local permit expiration rules.

##### **Regulatory Certainty: The 10-Year Model plans Code Lock**

AB 130 establishes a groundbreaking provision for residential development, providing unprecedented stability against evolving building codes:

- Scope of the "Code Lock": For an approved model plan design, the specific edition of the State and Local Building Codes in effect at the time of the initial permit application is locked in for that specific design.
- Duration: Pursuant to Health and Safety Code Section 18938.5, this lock provides up to 10 years of immunity (or until the project is completed) from subsequent code updates for all future dwellings built using the identical model plans within the same jurisdiction. This protection applies to any future building permit application for that approved model plan design, unless the design is substantially changed or 10 years have passed since the initial model plan permit was approved.
- The Start Date: The 10-year clock commences on the date the initial model plan design is approved by the jurisdiction. However, the building standards that apply to all future builds under that model plan are those that were in effect on the date the initial application was submitted. The project must remain in compliance with local progress requirements to maintain this vesting.

##### **Limitations and Conditions for Loss of the 10-Year Lock**

The lock-in benefit is only valid if a subsequent permit application meets specific criteria. Conversely, the code lock is lost, and resubmittal under the current code is required, under the following conditions:

- Significant Design Change: The developer makes a substantive alteration or revision to the model plan blueprints. While "significant" is subject to interpretation, this generally includes changes to:
  - The structural system (e.g., shear walls, lateral design).
  - The overall footprint, height, or square footage.
  - The configuration of life safety components (e.g., stairwells, fire-resistive assemblies).
- Deviation from Approved Plans: If a new permit application deviates from the **exact** approved model plan design blueprint, even if the change is minor, the building official may require resubmittal under the current code to ensure full compliance with updated standards.
- Exceeding the 10-Year Term: Once the 10-year period from the initial approval date has expired, all subsequent permit applications for that model plan design must be processed and approved under the code edition that is currently in effect.

## **Residential Code Moratorium (2025 – 2031)**

AB 130 imposes a significant freeze on new residential code development:

- State Freeze: State agencies are generally prohibited from adopting new residential building standards between October 1, 2025, and June 1, 2031. This essentially skips the 2028 residential code cycle.
- Local Freeze: Local jurisdictions, including ours, are also generally prohibited from adopting new, more restrictive local amendments (reach codes) to residential standards during this same period, with limited exceptions (e.g., for certain health, safety, and alignment with existing general plans).

1. **Note:** The 2025 California Building Standards Code, adopted prior to the enactment of AB 130, remains scheduled to take effect on January 1, 2026. Projects not covered by a 10-year Model plan lock must comply with the 2025 Code for applications submitted on or after that date.

## **Permit Expiration Rules and Maintenance**

Please be advised that the following state and local requirements govern the validity of all issued permits:

- Initial Expiration (Work Commencement): An issued permit shall expire if the work authorized by the permit has not commenced within 12 months (one year) from the date of issuance.
- Work Continuation Expiration: Once work has commenced, a permit will expire if the work is suspended or abandoned for a period exceeding 12 months.
- Maintaining Activity: To keep your permit active, you must obtain an approved, valid inspection at least once every 12 months (1 year). Each approved inspection generally resets the continuation clock.



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Gabe Martinez, CBO  
Building Official