



American Planning Association
California Chapter



2026 Legislative Update

October 4, 2026



American Planning Association
California Chapter

Panelists APA California Legislative Team



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Managing Principal, Stefan/George Associates
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American Planning Association
California Chapter

Panelists Special Guest



Chelsey Norton, AICP

Director of Urban Planning, Ascent
APA California Sacramento Valley Section
Legislative Representative

PART 1

APA California Legislative Program What Shaped 2026

2026 Legislation

Housing

Infrastructure and Fees

General Plan Updates

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PART 2 – After Lunch

2026 Legislation

Climate/Hazard Mitigation

Coordinated Planning

CEQA

Statewide Ballot Initiatives

Agency Updates

Federal Housing Legislation

APA California Policy & Legislative Program Overview

APA California Policy and Legislative Program

Policy and Legislative Program Roles

Vice President for Policy and Legislation

Reuben Duarte, elected

Technical Advisor for Policy and Legislation

Tom Pace, appointed

Technical Advisor for Policy and Legislation

Eric Phillips, appointed

National Policy and Legislation Representative

Kelly Snider, appointed

Section Legislative Representatives (SLRs)

8 members, elected

Chapter Lobbyist

Lauren De Valencia, staff

APA California Legislative Activities

Legislative Review and
Tracking

Coordination with SLRs

Advocacy
Legislative Positions
and Letters

Technical Expertise

Legislative & Policy
Partnerships

Member Resources

2025-26 APA California Platform

Housing

Equity, Inclusion,
and Social Justice

Climate Resilience
and Hazard
Mitigation

Infrastructure,
Services, and Fees

CEQA

Healthy
Communities

Coordinated
Planning

We will be updating our Platform for the 2027-2028 legislative cycle

What Shaped the 2026 Legislative Session

**AFFORDABILITY / UNCERTAINTY / IMPLEMENTATION /
CHANGES ON THE HORIZON**

2026–27 State Budget: The Big Picture

\$351.7 Billion State Budget

- Jan + May Revise very different than the final budget - Leg vs Gov
- Balanced with reserves maintained - cautious on spending
- As usual — budget negotiations continued through end of session
 - Cap-and-Invest/Prop 4 funding
 - Wildfire liability reform

2026–27 State Budget: Housing + CEQA

Housing + Homelessness

- Affordable housing tax credits + Multifamily Housing Program funding
- Homeless Housing, Assistance and Prevention (HHAP) funding
- Restrictions on local development impact fees for projects receiving state affordable housing funding (AB 179).

CEQA / State Clearinghouse

- LCI authorized to establish a new fee for electronic CEQA document submissions

SB 193/AB 113 Climate and Planning Investments

Climate Investments

- Proposition 4 Climate Bond — continued funding for climate resilience, water, wildfire, extreme heat + other local programs
- Cap-and-Invest/GGRF — significant ongoing investments in housing, transportation, air quality + climate programs

New Planning Grant Opportunity

- New grants for local governments to update General Plans, zoning + other planning documents for alignment with Community Emission Reduction Program plan (CERPs)
- Optional funding — not a new planning mandate

Keep in Mind

2026 Legislative Session Ended August 31

The Governor had until **September 30** to act on all bills that passed at the end of session

Two-Year Sessions + Two-Year Bills

The Legislature convenes in two-year sessions - bills can carry over in second year

Bills Held Under Submission

Bills are held in the Appropriations Committees and cannot move forward

By the Numbers

- **1800** + bills introduced, **300** + directly related to planning
- **1100** + sent to the Governor
- **80** covered during today's session - **APA worked on many!**

2026 Legislation

Housing - Density Bonus

SIGNED BY THE GOVERNOR:

This and that

AB 939 (Schultz) Housing development: density bonuses: affordability of for-sale units.

AB 2181 (Zbur) Housing development: density bonuses: rent.

AB 2480 (Avila-Farias) Housing development: density bonus: student housing developments.

SB 1383 (Arreguin) Housing development: density bonus: incentives or concessions: labor standards.

AB 2433 (Alvarez)

Density Bonus Streamlining and Expansion

SIGNED BY THE GOVERNOR: AB 2433 is intended to **streamline density bonus process** and **qualify broader range of projects** for benefits.

It does this by:

- Replacing requirement for applicant to “seek” benefits with direction that local agency shall apply benefits to all qualifying applications
- Offering two additional incentives/concessions to for-sale projects
- Reinforcing that approving a density bonus and granting incentives, concessions and waivers are ministerial actions; no discretionary approvals or CEQA review required
- Creating the option for FAR bonus in lieu of a density bonus
- Adding guidance regarding multi-phase project part of a single development application
- Allowing 100% affordable projects to “stack” density bonus under Sec. 65915, subd. (v)

Housing - Accessory Dwelling Units (ADUs)

SIGNED BY THE GOVERNOR: Legislation is intended to reduce the cost of ADUs and speed up housing delivery

SB 1117 (Cervantes) Accessory dwelling units and junior accessory dwelling units.

- Eliminates impact fees on first 750 square feet of up to two ADUs
- Applicant pays proportional fee for area above 750 square feet

SB 1196 (McNerney) Small energization projects: electrical service connections.

- Directs PUC to set timeline by 9/30/27 for electrical corporations to process projects requiring new meters but not distribution or service line extensions
- Primarily benefits ADUs and JADUs; batteries and EV chargers may also benefit

Housing - Accessory Dwelling Units (ADUs)

SIGNED BY THE GOVERNOR: Legislation to allow additional detached ADUs

AB 956 (Quirk-Silva) Accessory dwelling units: ministerial approval: single family dwellings

- Expands Section 66323(a) to allow two detached ADUs up to 800 square feet each with 4-foot side and rear yard setbacks at standard heights per lot with an existing or proposed single-family dwelling
- Allowance is in addition to interior ADU, **BUT** Junior ADU approval is not mandatory when two detached ADUs are added, which maintains 4-unit-per-lot cap (and no density bonus)

Housing - Annual Progress Reports (APRs)

SIGNED BY THE GOVERNOR:

SB 1116 (Caballero) Minor amendments to Starter Home Revitalization Act of 2021

- New APR reporting requirement for small lot subdivisions beginning in 2028 (start tracking January 1, 2027)

VETOED BY THE GOVERNOR:

AB 1567 (Ta) RHNA credit of up to 15% for elderly congregate care units (as long as the COG factored them into the RHNA methodology)

HELD UNDER SUBMISSION:

AB 2351 (Bonta) APR reporting of emergency shelter beds

SB 866 (Blakespear) APR reporting of homelessness resources, programs, coordination

Housing Elements

SIGNED BY THE GOVERNOR:

AB 1573 (Bryan) Definition change

- Adds survivors of domestic violence and trafficking to definition of target population

AB 2296 (Papan) Changes to RHNA timeline

- RHNA methodology 30 months before housing element deadline (was 24 months)
- Draft RHNA at least 24 months before housing element deadline (was 18 months)
- Housing Element deadline based on estimated adoption of RTP (not actual adoption)
- Affects housing elements due after 2029

Housing Elements

SIGNED BY THE GOVERNOR:

SB 457 (Becker) Housing Element Sites Inventory

- Realistic capacity calculations
 - HCD to provide formulas and tools for estimating realistic site capacity
 - Formulas will use historical development data
 - Use is optional: using the formulas will provide greater certainty during HCD review (and in court)
- Rehabilitated affordable units
 - Clarifies what qualifies as “in-kind services” for counting rehabilitated affordable units in the sites inventory

Housing Elements

HELD UNDER SUBMISSION:

Implementation Funding Support

AB 2002 (Solache) Regional Early Action Planning Fund.

- Would have established a permanent REAP Fund beginning with the Seventh RHNA Cycle

AB 906 (Gonzalez) Housing Element and New AFFH Requirements

HELD UNDER SUBMISSION: Legislation to strengthen AFFH requirements was held this year, but is expected to return next session

AB 906 (Gonzalez) Planning and zoning: housing element: affirmatively furthering fair housing, would have required:

- Rezoning program for RHNA shortfall and AFFH sites
- More robust public engagement with members of protected classes
- Published AFFH analysis before first Housing Element draft
- Proof of deed restrictions to count ADUs as affordable units for RHNA
- RHNA sites to be distributed with lower income units allocated to relatively higher-income areas

AB 2741 (Muratsuchi) Zoning Overlays

FAILED TO PASS: Legislation would have given jurisdictions more time to amend their housing elements in response to recent Court of Appeal actions.

- In October of 2025, *New Commune LLC v. City of Redondo Beach* held that a housing element that meets its RHNA through rezoning residential overlay zones on commercially-zoned property **does not comply** with state law.
- **AB 2741 (Muratsuchi)** was introduced in response; Stakeholders had competing visions:
 - Give jurisdictions a limited window of time to revised their housing elements, tolling builder's remedy and court challenges
 - Clarify Section 65583.2(h)(2) about when overlay zones may be appropriate
- Lack of action results in open questions!

Housing - Streamlining

SIGNED BY THE GOVERNOR:

Updates to existing laws

AB 2390 (Schiavo) Streamlined housing approvals: objective standards: minor changes to clarify review of, and modifications to, ministerial applications.

AB 2601 (Lee) Planning and zoning: housing development: streamlined approval and subdivisions. Requires concurrent processing of housing developments and parcel maps; allows condo conversions; exempts from certain DRE public report requirements.

New

AB 2074 (Haney) Streamlines downtown TOD housing developments in the 7 largest transit cities, mandates high density, high-rise zoning, and includes housing finance study.

VETOED BY THE GOVERNOR:

AB 1997 (Lee) Land use: housing development approvals: expedited timelines for certain discretionary projects and for ministerial housing projects. – NOTE: a feature removed, but which would come back, was a requirement to provide a “project development director” to expedite projects.

Housing - Streamlining

SIGNED BY THE GOVERNOR:

Townhomes

AB 1751 (Quirk-Silva) Missing Middle Townhome Ownership Act.

Small Lots

SB 1116 (Caballero) Planning and zoning: housing development projects: subdivisions.

Housing - Streamlining

Townhomes

AB 1751 (Quirk-Silva) Missing Middle Townhome Ownership Act. Streamlined ministerial approvals of “townhome” projects.

- Similar standards as SHRA of 2021, but doesn’t apply to sites eligible for SB 79 TODs
- Each unit must not be more than 3 stories and must share a common wall with other units on one or two sides or be separated from other units by no more than the minimum fire separation distance of the CBSC (this would appear to allow detached units with minimal side yards)
- No McMansions: average floorspace of units doesn’t exceed 1750 sqft
- Requires tribal consultation
- Maximum project size is 150 units
- If more than 10 units, specified inclusionary standards apply, or local inclusionary rules apply
- Local ordinances are optional and exempt from CEQA
- Must have at least 75% of the Mullin Density (in urban areas, 75% of 30 du/ac)
- Does not apply to City and County of San Francisco

Housing - Streamlining

Small Lots

SB 1116 (Caballero) Planning and zoning: housing development projects: subdivisions. Clarifications and minor amendments to Starter Home Revitalization Act of 2021.

- Amends Civil Code to prevent CCRs from precluding homes under the SHRA of 2021, except in common interest developments
- Includes new APR reporting requirements
- Clarifies maximum density, floor area requirements of SHRA
- Prohibits height limits from regulating the number of floors
- Limits front setbacks to 10 feet and prohibits side setbacks, except as required by building code
- Revises FAR to 1.25, regardless of the number of units
- Applies to applications received on or after January 1, 2027

SB 79 Clean Up

SIGNED BY THE GOVERNOR

SB 79 – Only minor clean up

AB 2576 (Harabedian) Transit-oriented development: exclusions: historic sites.

SB 722 (Wahab) Transit-oriented housing development: excludes mobilehome parks, et. al in order to protect mobilehome residents from displacement.

SB 1361 (Durazo) Transit-oriented housing developments: local governments: transit agencies and projects. Prevents local agencies from trying to avoid TODs by requesting transit service reduction or removal, opposing new transit projects, or withdrawing or withholding support for transit projects because they would trigger SB 79.

FAILED TO PASS:

SB 9 of 2021

AB 2005 (Ahrens) Housing developments: urban lot split: owner-occupancy.

Housing - Standardizing Applications

FAILED TO PASS:

AB 748 (Harabedian) Single-family and multifamily housing units: preapproved plans

- Would have required local agencies to create a pre-approval process for house plans and apartment plans.
- Would have allowed local builders to build homes or apartments with the same plans previously approved with ministerial planning approval and without requiring a “re-do” of the building plan review process.

AB 1294 (Haney) Planning and zoning: housing development: standardized development application

- Would have created a standardized planning application for use statewide
- Sticking point: would have limited information that could be collected at application, which appeared to conflict with existing law that prohibits asking for new info after application completeness.

Housing - Factory Built/Modular + Other Housing Types

2026 REPORT: *Potential Pathways to Scale Innovative Construction Methods in California* - Turner Center in conjunction with Assemblymember Wicks' Assembly Select Committee on Housing Construction Innovation

SIGNED BY THE GOVERNOR:

AB 1815 (Wicks) Factory-built housing: building standards and local requirements to facilitate factory-built housing.

AB 2058 (Harabedian) California Factory-Built Housing Law. Allows first user to opt for a “quality assurance agency” to inspect installation rather than the local enforcement agency.

VETOED BY THE GOVERNOR:

AB 2166 (Carrillo) Multifamily housing development: offsite housing factories: backstop financing for payment or performance bonds that facilitate factory-built housing.

FAILED TO PASS:

AB 11 (Lee) The Social Housing Act.

Housing - Post Entitlement Permits/Inspection

SIGNED BY THE GOVERNOR:

Inspections

AB 1621 (Wilson) Planning and Zoning Law: post-entitlement phase permits: Housing Accountability Act. Attempts to speed up building permit plan review process and avoid in-the-field inspection interpretations that deviate from the approved plans, except as provided.

AB 1738 (Carrillo) State Housing Law: local agencies must offer remote inspections for minor permits.

HELD UNDER SUBMISSION:

Building code

AB 2748 (Quirk-Silva) Building standards: affordable housing developments: would have changed an exemption from electric vehicle charging into a mandate to provide it.

Housing - Construction Defect Liability

FAILED TO PASS:

AB 1903 (Wicks) Construction defects.

- Condos represent potentially more affordable ownership product, but are not built in significant numbers due to strict construction defect liability laws that increase builder litigation risk for years after construction is complete.
- This bill was an attempt to balance the reasonable expectations of buyers for defect-free construction with the building industry's need for greater predictability of risk and to address the high insurance costs to builders of this product type.
- This topic remains an issue and may return in future legislative sessions.

Infrastructure, Services and Fees

SIGNED BY THE GOVERNOR:

Fees

AB 1820 (Schiavo) Electric vehicle charging stations: permit fees

SB 1036 (Grayson) Mitigation Fee Act.

SB 1283 (Ashby) Electric vehicle charging stations: installation: permits.

Infrastructure Impacts + Data Centers

AB 1577 (Bauer-Kahan) Data centers: reporting.

AB 2469 (Papan) Data centers: water use disclosures.

AB 2619 (Papan) Water resources: data centers.

SB 1168 (McNerney) Data centers: rate structures.

SB 1085 (Durazo) Water supply planning: housing developments.

General Plan Updates – AB 1457 (Bryan) Environmental Justice

SIGNED BY THE GOVERNOR:

AB 1457 (Bryan) New Environmental Justice (EJ) Element requirements

- *New deadline:* Every jurisdiction with a disadvantaged community must adopt an EJ element or policies by June 30, 2031
- *New community engagement mandates* for EJ elements adopted or updated after June 30, 2027:
 - At least two public workshops (in-person and online options) at accessible times and places
 - Two other methods (e.g., working with CBOs, advisory committee, surveys, interviews)
 - At least two notification methods in the three most common languages
 - Website with drafts and final EJ Element and meeting info (translated in three languages)
 - Review timelines:
 - Initial draft at least 90 days before adoption
 - At least 45 days for public comment
 - Revised draft at least 15 days before adoption
 - Summary of public input sent to City Council or Board before adoption (and in the element)

General Plan Updates - Misc

HELD UNDER SUBMISSION:

AB 1914 (Schiavo) General plan elements: childcare.

Would have required cities and counties to adopt a plan to address childcare needs of the jurisdiction, or update the general plan, no later than January 1, 2033.

SB 1182 (Allen) General plan: safety element: very high fire hazard severity zones:

Would have required cities and counties on or after January 1, 2028, to include the availability of insurance for existing and planned uses within very high fire hazard severity zones in the safety element.

Lunch!

Part 2 starts at 1:15

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Legislative Update Part 2

2026 Legislation

Climate/Hazard Mitigation

Coordinated Planning

CEQA

Statewide Ballot Initiatives

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Jeff O'Neal, AICP

Principal Planner, Provost & Pritchard
**APA California Central Section Legislative
Representative**

2026 Legislation (Continued)

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Climate Resilience and Hazard Mitigation

SIGNED BY THE GOVERNOR:

SB 894 (Allen) Wildfire resiliency: financial assistance.

- Creates the CA Wildfire Resilience Loan Program
- Funds hardening (roofs, enclosed eaves, fire-resistant vents, functional shutters, etc.)

AB 1964 (Bennett) State Fire Marshal: home hardening.

- State Fire Marshal to develop standards for home hardening (i.e., fire resilience) within Moderate, High, and Very High FHSZs
- By January 1, 2030, create a report estimating number of home meeting those standards

SB 904 (Seyarto) Recovery from a state of emergency.

- HCD generally to work with local agencies to reduce barriers and accommodate 30-day permit issuance
- HCD to identify state permitting requirements that may unduly impede recovery and identify further local agency barriers
- Generally allows electronic submittal of applications and related materials

Climate Resilience and Hazard Mitigation, cont.

SIGNED BY THE GOVERNOR:

AB 2051(Wicks) Public resources: coastal resources: Coastal Resilience Permitting Working Group.

- Working group will develop a Coastal Resilience Permitting Roadmap (July 2028)
- Intended to remove barriers to projects that “maintain, protect, restore, or enable coastal ecosystems, infrastructure, or communities to withstand and adapt to sea level rise and other natural hazards”

SB 1090 (Perez) Planning and zoning: housing development projects: urban lot splits: subdivisions: 2025 Eaton Wildfire: Altadena.

- Starting October 1, 2026 the ministerial approvals mandated by SB 1123 are suspended in ZIP Codes 91001 and 91003
- Valid until January 1, 2030

Climate Resilience and Hazard Mitigation, cont.

FAILED TO PASS:

AB 1971 (Bennett) Property tax: exclusion from reassessment: home hardening retrofitting improvements.

- Would have excluded hardening improvements of less than \$100,000 from the definition of “newly constructed” (Prop 13) for tax purposes

AB 2517 (Calderon) Fire safety: fire hazard severity zones.

- Provided timelines and public process standards for the State Fire Marshal to produce FHSZ designations and maps
- Local agencies would have been able to increase the level of severity applicable to a parcel if the parcel contained two or more zones

SB 492 (Becker) Wildfire Liability

FAILED TO PASS

- Proposed major changes to utility wildfire liability + Wildfire Fund
 - **Earlier proposal would have limited local-government recovery for damaged public infrastructure**
 - Final compromise removed those limits on local recovery
 - Broader wildfire preparedness provisions added in final negotiations
 - Didn't get taken up for a vote

Coordinated Planning

SIGNED BY THE GOVERNOR:

General Land Use

AB 1679 (M. Gonzalez) Local pop-up small business program.

- Local agencies required to allow certain commercial uses serving fewer than 50 people to operate for up to 120 days
- Can establish procedures for continued use (temporary or permanent)

AB 1801 (Lee) Public agencies: approval: detention facilities.

- Enhances public entities' procedural responsibilities when approving an agreement with a private entity for the purposes of civil immigration custody

AB 1976 (Wicks) Streets and highways: pedestrian and bicycle facilities.

- Prohibits local agencies from asking for community input on pedestrian and bicycle projects after those projects are at 90% design or from cancelling them after construction is directed to begin
- Reduces standard for number of signatures to install traffic-calming measures
- Exempts pedestrian mall construction or improvement from CEQA

Coordinated Planning, cont.

AB 2418 (M. Gonzalez) Local building permits: nonresidential private permitting review

- Reduces “excessive delay” from 50 days to 30 days and establishes 10-day limits for permit issuance and inspections
- Applicant allowed to contract for its own plan-checking

SB 1367 (Cervantes) Planning and zoning: detention facilities.

- Prohibits local agencies from approving either construction of new private detention facilities or use of an existing building as a private detention facility

FAILED TO PASS:

AB 1674 (Ahrens) Food Affordability Act.

- Would have made monies available to applicants to reduce food deserts

SB 1075 (Reyes) Air resources: toxic air contaminants: criteria air pollutants: community emissions reduction programs: local community emissions reduction plans.

- Would have required commercial/industrial projects of >5 acres to be considered against any applicable Community Emissions Reduction Program

Coordinated Planning- SB 1423 (Stern)

Land Use Data Tools

SIGNED BY THE GOVERNOR:

SB 1423 (Stern) Regional planning: standardized spatial planning datasets.

- Requires LCI to create and make available online a set of statewide standardized spatial planning datasets
- Hazards - SRAs & H/VHFHSZs, 100/500-year floodplains, areas subject to sea-level-rise inundation
- Natural resource sensitivity - Wetlands/riparian areas, important biological resource areas, conservation easements
- Agriculture - Prime/unique farmland, Williamson Act lands
- Require updates when new information becomes available
- Allows public agencies to use the data and requires LCI to provide technical assistance

Coordinated Planning - SB 1087 (Cabaldon) Regional Planning

SIGNED BY THE GOVERNOR:

SB 1087 (Cabaldon) Transportation planning: Amends SB 375 (Sustainable Communities and Climate Protection Act of 2008)

- Sets new greenhouse gas emissions reduction targets for 2035 and 2045
- Requires CTC to collaborate with ARB on target-setting
- Requires transportation funding to be consistent with Sustainable Communities Strategies
- Shifts Sustainable Communities Strategy cycle from four to eight years
- Revises GHG target-setting process to consider fair housing, affordability, resilience, economic vibrancy, and land conservation
- Aligns SCS planning with regional housing planning and HCD's demographic assumptions
- Increases public and technical practitioner participation in the target-setting process

Subdivision Map Act

SIGNED BY THE GOVERNOR:

SB 1014 (Grayson) Development projects: preliminary estimate of required improvements: onsite and offsite improvements

- Public agencies and utilities required to provide list of required on- and off-site improvements upon applicant request following submittal of a preliminary application or application
- Agencies/utilities may later require additional improvements if necessary for mitigation under CEQA

SB 1169 (Grayson) Subdivision Map Act: tentative maps: expiration dates

- Increases the initial life of an approved or conditionally-approved tentative map from 24 months to 48 months (local option for an *additional* 36 months, up from 24 months)
- *Applies retroactively to any map that has not expired as of December 31, 2026*

Subdivision Map Act

SIGNED BY THE GOVERNOR:

SB 677 (Wiener) Housing financing: joint powers agreements: bond approvals: subdivisions: tentative and final maps: appeals

- Eliminates third-party appeals of subdivision map approvals
 - Map must be for a “housing development project”
 - Site must be urban infill and meet environmental criteria
 - Applicants and public officials may still appeal
- Authorizes the State Treasurer to approve TEFRA bonds for affordable housing project to avoid delay or denial by local agencies

CEQA – SB 131 (2025) Clean Up

SIGNED BY THE GOVERNOR:

SB 299 (Cabaldon) California Environmental Quality Act: exemption: day care center: family daycare home: zoning.

- Exempts day care centers and family day cares on residential property from CEQA unless on natural/protected land or within 3,200 feet of oil/gas extraction or refining

SB 887 (Padilla) California Environmental Quality Act: environmental leadership development projects: data centers.

- Excludes data centers from the definition of “advanced manufacturing facility”
- Includes certain data centers within the definition of “environmental leadership development projects”

CEQA – SB 131 (2025) Clean Up, cont.

VETOED BY THE GOVERNOR:

SB 954 (Blakespear) California Environmental Quality Act: advanced manufacturing facilities: exemption.

- Would have narrowed the exemption for advanced manufacturing and made changes to topics addressed under SB 299

FAILED TO PASS:

AB 1553 (Connelly) California Environmental Quality Act.

- Placeholder for clean up but never moved

CEQA

SIGNED BY THE GOVERNOR:

This and That Exemptions

AB 2152 (Gonzalez) California Environmental Quality Act: essential local fire station projects: infrastructure project streamlining.

- Streamlines judicial review for fire station projects

AB 2234 (Papan) California Environmental Quality Act: geothermal exploratory projects: geothermal technology pilot projects: Geologic Energy Management Division.

- Expanded the definition of “geothermal exploration project” and established separation standards between types of geothermal projects

AB 2231 (Ahrens) California Environmental Quality Act: hospital projects.

- In response to H.R. 1, created CEQA exemption for hospital projects in the cities of Emeryville and Santa Clara subject to wage requirements

CEQA, cont.

This and That Exemptions

SB 958 (Weber Pierson) California Environmental Quality Act: environmental impacts: building height.

- Excludes impacts resulting from building height from being considered significant for certain infill projects

SB 1370 (Stern) Covered wildfire mitigation projects: consolidated and expedited review.

- Creates a new mechanism under which eligible wildfire management projects are exempt from CEQA and subject a consolidated State review process

SB 1375 (Cortese) California Environmental Quality Act: exemption: urban intermodal rail station project.

- Creates an exemption for qualifying intermodal rail station projects meeting air quality, public-ownership, tribal consultation, affordable housing, and other requirements

CEQA, cont.

SIGNED BY THE GOVERNOR:

AB 2059 (Wilson) California Environmental Quality Act: transportation impacts: vehicle miles traveled: mitigation.

- Creates a statutory presumption of less-than-significant VMT impacts for public transportation projects where at least 70% of the project is in a nonmetropolitan county
- Before 2031, Caltrans to develop VMT mitigation guidance specific to rural counties

FAILED TO PASS:

AB 2170 (Boerner) California Environmental Quality Act: overburdened communities: notices and hearings: translations.

- Would have precluded ministerial approval or exemption of industrial uses and would have required oral translation of all threshold languages at hearings

AB 2569 (Hart) California Environmental Quality Act: natural hazards and adverse environmental conditions.

- Would have required EIRs to discuss effects resulting from locating the project near or attracting people to natural hazards or adverse environmental conditions

CEQA - Tribal Consultation

VETOED BY THE GOVERNOR:

AB 1881 (Ramos) California Indian Freedom Act of 2026.

- Would have established enhanced protections for California tribal resources, institutions, and practices on State lands
 - Strict-scrutiny standard for State actions
 - Access to sacred sites
 - Requirement for State agencies to seek and document Tribal consent

FAILED TO PASS:

SB 1326 (Wahab) California Environmental Quality Act: tribal cultural resources: mitigation measures.

- Would have required justification for use of non-Tribal methods for identifying Tribal cultural resources and for any determination to not implement mitigation preferred by a California Tribe

End of Session Project Specific CEQA Streamlining

SB 344 — Midway Rising, San Diego - Signed

- Housing + arena redevelopment
- Deems project EIR sufficient upon City Council certification

California Forever / Solano — Industrial Proposal - Never Introduced

- Broader housing/new-city relief explored but did not gain support
- Would deem 2008 General Plan EIR sufficient for qualifying projects + related approvals + additional land-use changes + permitting deadlines

Continued push for streamlining —but no settled agreement on how expansive

Statewide Propositions

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Prop 1 - Veterans & Affordable Housing Bond

SIGNED BY THE GOVERNOR AND ON THE 2026 BALLOT

SB 417 (Cabaldon) The Affordable Housing Bond Act of 2026

- Authorizes issuance of bonds in the amount of \$11.25 billion
- \$10 billion is for affordable rental housing and home ownership programs, including the Multifamily Housing Program, CalHome, and the Joe Serna Jr. Farmworker Housing Grant Fund
 - Includes \$500 million for the Infill Infrastructure Grant Program
- \$1.25 billion for veterans housing

Building an Affordable California Care Act (Prop 45)

- CEQA streamlining of defined “essential” projects: Housing, Clean Energy, Water, Healthcare, Education, Public Safety, Broadband, Transportation Infrastructure
- Strict agency review timelines (365 EIR, 180 ND, 90 Exemptions)
- Limited judicial review (270)
- Limited public comment period
- One project alternative incl. No Project Alt.

PLEASE NOTE: APA California does **not** take positions on ballot measures.

Meanwhile at the Agencies

Office of the State Fire Marshal + Board of Forestry and Fire Protection

Fire Hazard Severity Zones

- Local implementation of updated maps released in 2025
- Implications for land use, development + wildfire standards

Zone 0

- Ember-resistant defensible space within 0–5 feet of structures
- Statewide regulations not yet finalized - OAL filing withdrawn; reportedly addressing technical edits before resubmission

Community Wildfire Mitigation Assistance

- Expanded CAL FIRE assistance program launched in January 2026
- Technical support for General Plan safety elements, subdivision review + wildfire planning

Governor's Office of Land Use and Climate Innovation

2026 Extreme Heat Action Plan

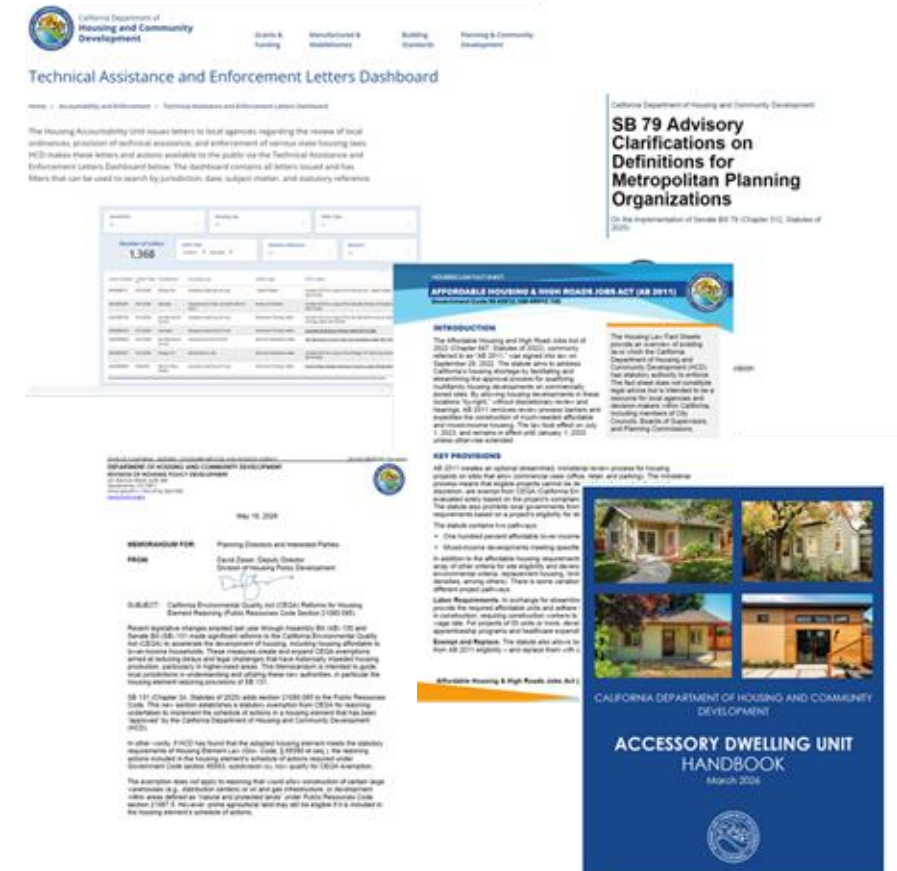
AB 130 VMT Mitigation Implementation

LCI's Comprehensive Planning Guidelines update

- General Plan Guidelines
- Specific Plan Guidelines
- Tribal Consultation Guidelines/Toolkit

California Department of Housing and Community Development

- Guidance on the CEQA reforms for housing-element rezoning
- Density Bonus Law sample ordinance
- SB 79 advisory/clarifications
- Updated ADU Handbook
- Affordable-housing preservation guidance
- 2026 housing-law fact sheets
- General enforcement actions



State Audit

California Department of Housing and Community Development

Released January 2026

Findings:

- HCD generally met review deadlines + provided consistent feedback
- But workload + increasing statutory complexity strained the process

Auditor recommends:

- More consistent individualized assistance
- Better timing of guidance on new laws
- Further stagger housing element deadlines
- **Consider transition periods for new legislative requirements**

Federal Housing Legislation

21st Century ROAD to Housing Act . Intended to increase housing production through regulatory reform, incentives, and modernizing Federal housing programs

- Guidance for local land use and zoning reform
- Guidance on single-stair apartment buildings
- Planning implementation grants
- Performance based incentives
- Targeted NEPA streamlining for qualifying Federal housing projects

So... What's Next??

- **New Governor + Administration**
- **New Legislators**
- **Same Challenges**
- **Federal Wildcard**





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