



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 new housing-related legislation. It is not legal advice regarding any jurisdiction's specific policies or any proposed housing development project. Local staff should consult with their city attorney or county counsel before taking any actions suggested herein.

2025 New Housing Legislation Checklist for Staff

This checklist contains potential action steps for the most common requirements based on new California housing laws passed in 2025. There are other requirements that are not listed here, so be sure to review the laws in more detail. This checklist is meant to be used in conjunction with the [2025 New State Housing Laws Summary and Webinar](#).

How to use this document:

Step 1: Review the steps below.

Step 2: For more detailed information look at the [2025 New State Housing Laws Summary and Webinar](#).

Step 3: Review the text of the legislation.

Step 4: Consult with your city attorney or county counsel.

Table of Contents

Overview	3
Transit-Oriented Development (SB 79)	4
CEQA Reform (AB 130, SB 131, and SB 158)	5
Housing Elements (SB 786)	6
Housing Accountability Act (SB 838)	7
Permit Streamlining Act (AB 130, SB 489)	7
Postentitlement Permits (AB 253, AB 920)	8
Density Bonuses (AB 87, SB 92)	9
Modifications to SB 9 (AB 1061)	10
Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) (AB 462, AB 1154, SB 9, SB 543)	10
Campus Development Zone and AB 2011 Revisions (AB 893)	12
Annual Progress Reports (APR) (AB 253)	12
Appendix A: Summary of Effective Dates	14
Appendix B: Action Items by Category	16

Overview

The Legislature passed a large number of housing bills in 2025, most of which update or refine existing laws. One notable exception is SB 79, the “Abundant and Affordable Homes Near Transit Act,” which establishes an entirely new, statutory framework for transit-oriented housing development. Collectively, this body of 2025 housing legislation requires cities and counties to take a range of practical implementation steps, including the following:

1. Prepare for SB 79 to the extent that it applies in the jurisdiction.
2. Prepare for AB 130’s new CEQA exemption for qualifying urban infill housing development projects.
3. Ensure compliance with AB 130’s reduced timeline for a decision on ministerial projects.
4. Ensure compliance with Housing Element implementation deadlines to avoid penalties.
5. Ensure that application forms contain required information and are posted on the jurisdiction’s website. For larger jurisdictions, provide a centralized application portal.
6. Establish a procedure for notifying building permit applicants for projects with 10 or fewer units whether the plan check will take more than 30 business days. Be prepared to work with private plan checkers at the applicant’s option if more than 30 business days will be needed to complete the plan check.
7. Determine if the local density bonus ordinance needs to be updated.
8. Update the local SB 9 ordinance.
9. Update the local ADU and JADU ordinance, and, if required, the application materials and handouts.
10. Map Campus Development Zones and, if a local AB 2011 implementing ordinance has been adopted, update the local ordinance.
11. Prepare for new APR reporting requirements.

Transit-Oriented Development (SB 79)

Effective Date

- July 1, 2026, except in unincorporated areas where it applies beginning in the 7th Regional Housing Needs Allocation (RHNA) cycle.

Overview

- Makes qualified housing developments an allowed use on sites zoned for residential, mixed-use, or commercial development that are located near specified transit stops in counties with more than 15 passenger rail stations. In the Bay Area, eligible counties include San Francisco, Alameda, San Mateo and Santa Clara. (Government Code Section 65912.156.)
- Sets statewide standards for height, density, and residential floor area ratios (FAR) for such housing developments, which vary based on how close a project is to the stop and how the stop is classified. (Government Code Section 65912.157.)

Action Items

Internal Coordination and Communication

- ☐ Update City Council/Board of Supervisors, Planning Commission, and other relevant agencies about SB 79.

Ordinance Updates

- ☐ Conduct an analysis within each transit-oriented development (TOD) zone, by tier, to identify where local standards are more restrictive or preclude SB 79's minimum height, density, or residential FAR standards. Consider drafting zoning code amendments to resolve any conflicts, keeping in mind that SB 79 will supersede any conflicting local zoning and does not require local code amendments for implementation.
- ☐ Consider whether to adopt a local TOD alternative plan, an ordinance to exempt certain areas from SB 79 eligibility, or an ordinance to exclude certain sites from SB 79 eligibility until one year after the adoption of the 7th Cycle Housing Element.

Application Intake

- ☐ Develop an SB 79 application form listing the requirements for SB 79 projects and how applicants can demonstrate eligibility. Or use the Regional Housing Technical Assistance (RHTA) Program's template application (coming soon).

Implementation Notes

- Bookmark and visit the [RHTA Program's SB 79 webpage](#) to check for updates to the SB 79 summary.
- If intending to adopt a plan or ordinance, provide the draft ordinance to the Department of Housing and Community Development (HCD) for review at least 14 days before adoption and the final ordinance within 60 days after enactment. If intending to adopt a plan or ordinance that will be in effect when SB 79 becomes effective on July 1, 2026, aim to submit adopted ordinances to HCD by March 2026.

Resources

- [SB 79 Summary](#)
- Template SB 79 eligibility checklist (coming soon to the RHTA Program's SB 79 webpage)

CEQA Reform (AB 130, SB 131, and SB 158)

Effective Dates

- **AB 130, SB 131:** July 1, 2025
- **SB 158:** October 11, 2025

Overview

- **AB 130:** Creates a full CEQA exemption for qualifying urban infill housing development projects, including all related permits and required public improvements. (Public Resources Code Section 21080.66.)
- **SB 131:** Provides that CEQA does not apply to a rezoning that implements the schedule of actions contained in an approved Housing Element. (Public Resources Code Section 21080.085.) Limits CEQA review for projects that would qualify for certain CEQA exemptions but for a single condition. (Public Resources Code Section 21080.1.) Adds other new CEQA exemptions, as referenced in the [\[Updated\] High-Level Summary of Key Provisions in AB 130 \(2025\) and SB 131 \(2025\)](#).
- **SB 158:** Amends several sections enacted by AB 130 and SB 131, most notably by updating the deadline to approve or deny a project that's eligible for AB 130's urban infill housing development CEQA exemption.

Action Items

Application Intake

- ☐ Prepare an application form listing the requirements for AB 130's CEQA exemption for urban infill housing development projects and requiring that applicants provide substantial evidence that the

project is eligible for the exemption. Or use the RHTA Program's template application (see Resources section below).

Application Review and Decision

- ☐ Prepare to meet the tight timelines to review projects, including tribal consultations, qualifying for AB 130's CEQA exemption for urban infill housing development projects.
- ☐ Prepare standard conditions of approval for projects that qualify for AB 130's CEQA exemption for urban infill housing development projects. Or use the RHTA Program's template conditions of approval (see Resources section below).

Implementation Notes

- Projects qualifying for AB 130's CEQA exemption must be approved or disapproved by the lead agency within the later of the following dates: (1) 30 days from the conclusion of the tribal consultation, or (2) the deadline for conducting a consistency review (unless a one-time extension of up to 90 days is granted by mutual agreement of the applicant and the local government).

Resources

- [\[Updated\] High-Level Summary of Key Provisions in AB 130 \(2025\) and SB 131 \(2025\)](#)
- [Webinar slides: AB 130 and SB 131 Overview](#)
- [AB 130 and SB 131 Webinar Recording](#)
- [AB 130 Template Eligibility Checklist](#)
- [AB 130 Template Required Conditions of Approval](#)
- [AB 130 Template Tribal Consultation Notification Letter to Tribes](#)
- [AB 130 Template Letter to Tribes Requesting Consultation](#)
- [AB 130 Template Letter to Applicant Regarding Tribal Consultation](#)
- [AB 130 Template Documentation of Tribal Consultation](#)
- AB 130 Tribal Consultation Memo (coming soon to [this webpage](#))

Housing Elements (SB 786)

Effective Date

- January 1, 2026

Overview

- **SB 786:** Clarifies the penalties that courts must impose on cities and counties whose Housing Elements have been found to be out of compliance with State law or that do not update their standards and processes by the deadlines listed in their Housing Elements.

Action Items

Housing Element Review

- ☐ Review the Housing Element to identify any deadlines to amend local ordinances, development standards, conditions, or policies tied to quantified development standards, or to establish timelines or processing changes for permitting decisions.
- ☐ Initiate updates to ordinances, standards, or procedures where Housing Element deadlines are approaching or have passed.

Housing Accountability Act (SB 838)

Effective Date

- January 1, 2026

Overview

- **SB 838:** Revises the definition of "housing development project" defined in Government Code Section 65589.5(h)(2) to exclude hotels and other transient lodging.

Action Items

Application Review

- ☐ Ensure that the projects do not include transient lodging if they are being processed as housing development projects.

Implementation Notes

- A local agency may separately approve the portion of a housing development project that includes a hotel, motel, bed and breakfast inn, or other transient lodging. But this portion is not considered a housing development project and will not be eligible for the benefits conferred by state law.

Permit Streamlining Act (AB 130, SB 489)

Effective Dates

- **AB 130:** July 1, 2025
- **SB 489:** January 1, 2026

Overview

- **AB 130:** Reduces the time to make a decision on ministerial projects to 60 days from receipt of a complete application, except for AB 2011 projects. This provision effectively replaces the longer

timelines in other sections providing ministerial review, such as in Government Code Sections 65913.4 (SB 35) and 65913.16 (SB 4). (Government Code Section 65950(a)(6).)

- **SB 489:** Requires application forms to have specific information and be posted on the jurisdiction's website. (Government Code Section 65940.)

Action Items

Application Information

- ☐ Ensure the following information is posted on jurisdiction's website for each type of approval related to housing development projects: the name of the specific type of approval, the information required from the applicant, and the criteria used to determine application completeness.

Application Review and Decision

- ☐ Prepare to approve or disapprove most ministerial project applications within 60 days of receiving a complete application.

Postentitlement Permits (AB 253, AB 920)

Effective Dates

- **AB 253:** October 13, 2025
- **AB 920:** January 1, 2028 (unless the jurisdiction meets the criteria for an extension)

Overview

- **AB 253** allows developers to use a private plan checker for small residential projects (10 or fewer units). (Health & Safety Code Sections 17951, 17960.1, 17960.3.)
- **AB 920** requires large jurisdictions (more than 150,000 people) to provide a centralized application portal on its website through which applicants can submit all information and materials necessary for the review of a housing development project. (Government Code Section 65940.3.)

Action Items

Application Intake

- ☐ Make a centralized application portal available on the jurisdiction's website by January 1, 2028, if the jurisdiction has a population over 150,000 and does not already have such a portal. Or take the required steps to obtain an extension.

Application Review

- ☐ Notify applicants for residential projects of 10 units or less, with no floor more than 40 feet above ground level, whether plan check is expected to exceed 30 business days; if the applicant elects to use a private plan checker, review the plan checker's report within 10 business days.
- ☐ Prepare indemnification language for applicants and an affidavit for private plan checkers to sign.
- ☐ Post building permit fees for these projects on agency website.

Density Bonuses (AB 87, SB 92)

Effective Date

- January 1, 2026

Overview

- **AB 87:** Prohibits a concession that would result in a development with a commercial floor area ratio (FAR) greater than two and one-half times the commercial FAR allowed in the base zoning for the site. (Government Code Section 65915.)
- **SB 92:** Provides that concessions or waivers do not have to be granted if they would require the approval of or waiver or reduction of development standards applicable to most transient lodging. (Government Code Section 65915.)

Action Item

Ordinance Updates

- ☐ Review local density bonus ordinance and determine if an update is necessary.

Resource

- [Density Bonus Model Ordinance & Program Guidelines](#)

Modifications to SB 9 (AB 1061)

Effective Date

- January 1, 2026

Overview

- Limits restrictions on the use of SB 9 to sites that are either individually eligible as an historic resource or that contain contributing structures within historic districts. Non-contributing sites within historic districts are now eligible to use SB 9. (Government Code Sections 65852.21 and 66411.7.)

Action Item

Ordinance Updates

- ☐ Update local SB 9 ordinance if necessary.

Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) (AB 462, AB 1154, SB 9, SB 543)

Effective Dates

- **AB 462:** October 10, 2025
- **AB 1154, SB 9, SB 543:** January 1, 2026

Overview

- **AB 462:** Establishes a 60-day deadline to approve or deny coastal development permits for ADUs. (Government Code Section 66329.)
- **AB 1154:** Limits owner-occupancy requirements to JADUs that share sanitation facilities with the primary single-family dwelling. Prohibits the use of JADUs for short-term rentals. (Government Code Section 66333.)
- **SB 9 / SB 543:** Provides that [J]ADU ordinances are null and void if a local agency does not submit a copy of its adopted [J]ADU ordinance to HCD within 60 days of adoption or does not respond to HCD's findings that the ordinance does not comply with State law within 30 days. (Government Code Sections 66317, 66333.5, and 66335.5.)
- **SB 543:** Amends the review period for application completeness, adds an appeal process, and revises how to measure the maximum square footage of ADUs and JADUs. (Government Code Sections 66311, 66313, 66317, 66320, 66321, 66323, and 66335.)

Action Items

Ordinance Updates

- ☐ Amend JADU ordinance to prohibit short term rentals of JADUs and to only require owner occupancy when the JADU shares sanitation facilities with the single-family dwelling unit.
- ☐ Amend ADU and JADU ordinances to measure square footage based on interior livable space.
- ☐ Submit any ADU and JADU ordinance amendments to HCD within 60 days of adoption.

Application Intake

- ☐ Update application materials and checklists to specify that ADU and JADU size measurements use interior livable space as the basis for measuring square footage.
- ☐ Review ADU or JADU applications for completeness within 15 business days of receipt and, if found incomplete, issue written notice providing a comprehensive list of missing items along with instructions for making the application complete.

Application Review and Decision

- ☐ Update timelines to reflect that coastal development permits for ADUs must be approved or denied within 60 days of receiving a completed application or the application will be deemed approved.

Appeals

- ☐ Adopt a written appeal process for incomplete or denied ADU or JADU applications that requires issuance of a written appeal determination within 60 business days of receiving the applicant's written appeal.

Implementation Notes

- "Livable space" means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

Resources

- [ADU State Laws Summary and Checklist](#) (update coming soon)
- Template ADU Ordinance (coming soon to the [RHTA Program's webpage on ADU Technical Assistance Guidance, Memos & State Law Resources](#))

Campus Development Zone and AB 2011 Revisions (AB 893)

Effective Date

- January 1, 2026

Overview

- **AB 893:** Amends AB 2011 – which streamlines approval of housing on commercial-zoned land – by extending eligibility for streamlined, ministerial review to any site located in a “campus development zone” within one-half mile of a UC, California State University, or community college main campus and by making several additional changes that apply to all AB 2011 projects. (Government Code Sections 65912.101, .141, .114, .121, .122-.124; 65912.103.5.)

Action Items

Ordinance Updates

- ☐ Update any previously adopted AB 2011 implementing ordinance.

Data Collection

- ☐ Map campus development zones.

Resources:

- [AB 2011 and SB 6 Summary of Key Details](#) (update coming soon)
- [Understanding AB 2011 and SB 6](#) (update coming soon)
- [How to Review AB 2011 Development Proposals](#) (update coming soon)
- [AB 2011 Affordable Project Application Checklist](#) (update coming soon)
- [AB 2011 Mixed Income Project Application Checklist](#) (update coming soon)

Annual Progress Reports (APR) (AB 253)

Effective Dates

- **AB 726:** April 2026 APR
- **AB 253, AB 670:** April 2027 APR

Overview

- **AB 253:** Requires local agencies to report in their APRs the number of residential building permits reviewed by the city or county, the number reviewed by a private professional provider, and the number of full-time equivalent staff directly involved in processing residential building permits. (Health & Safety Code Section 17960.3.)

- **AB 670:** Requires local agencies to report in their APRs whether housing projects are subject to replacement housing or relocation assistance requirements. Requires local agencies to provide data on housing demolitions, relocation assistance, and replacement housing by income level. (Government Code Section 65400.)
- **AB 726:** Permits local agencies to report rehabilitated deed-restricted affordable units in APRs if the units are at least 15 years old and received at least \$60,000 per unit in local agency funding. (Government Code Section 65913.4.)

Action Items

Data Collection

- ☐ Update APR preparation and data tracking procedures to reflect the expanded reporting requirements that apply beginning with the April 2027 APR.
- ☐ Coordinate with building departments to establish shared data collection protocols for residential building permits, including tracking permits reviewed by local government staff versus private professional providers and documenting full-time equivalent staffing levels involved in residential building permit processing.

Resource

- [Webinar: 2025 Annual Progress Reports Update with HCD](#) (February 2, 2026)
- [Webinar: Updates to the APR and an overview of HCD Connect](#) (May 7, 2025)

Appendix A: Summary of Effective Dates

Effective Date	Bill	Brief Description
July 1, 2025	AB 130	Creates a full CEQA exemption for qualifying urban infill housing development projects, including related permits and public improvements. Requires public agencies to approve or disapprove ministerial project applications within 60 days of receiving a complete application, except for projects processed under AB 2011.
July 1, 2025	SB 131	Exempts Housing Element–implementing rezonings from CEQA and limits CEQA review to the impacts of a single disqualifying condition for otherwise CEQA-exempt housing projects.
October 11, 2025	SB 158	Amends and clarifies provisions enacted by AB 130 and SB 131 related to CEQA exemptions and streamlining.
October 10, 2025	AB 462	Requires coastal development permit applications for ADUs to be approved or denied within 60 days of receiving a complete application.
October 13, 2025	AB 253	Allows use of private plan checkers for certain small residential projects.
January 1, 2026	SB 786	Clarifies mandatory court penalties for jurisdictions whose Housing Elements are out of compliance or whose implementation deadlines are missed.
January 1, 2026	SB 838	Revises the definition of “housing development project” to exclude hotels and other transient lodging.
January 1, 2026	SB 489	Requires application forms to have specific information and be posted on the jurisdiction’s website.
January 1, 2026	AB 87	Limits density bonus concessions related to commercial FAR.
January 1, 2026	SB 92	Clarifies that density bonus concessions and waivers are not required for transient lodging uses.
January 1, 2026	AB 1061	Revises historic resource provisions applicable to SB 9 projects.
January 1, 2026	AB 1154	Limits JADU owner-occupancy requirements and prohibits short-term rentals of JADUs.
January 1, 2026	SB 9	Requires submission of adopted ADU and JADU ordinances to HCD and establishes consequences for noncompliance.

Effective Date	Bill	Brief Description
January 1, 2026	SB 543	Revises ADU and JADU completeness timelines, appeal requirements, and square-footage measurement standards.
January 1, 2026	AB 893	Expands AB 2011 eligibility to housing projects located within designated campus development zones.
July 1, 2026	SB 79	Establishes statewide standards for qualifying transit-oriented housing developments near major transit stops in cities.
Start of 7th RHNA Cycle	SB 79	Establishes statewide standards for qualifying transit-oriented housing developments near major transit stops in unincorporated areas.
April 2026 (APR)	AB 726	Allows reporting of substantially rehabilitated deed-restricted affordable units in APRs.
April 2027 (APR)	AB 253	Requires APR reporting on residential permits reviewed by staff versus private providers and related staffing levels.
April 2027 (APR)	AB 670	Requires APR reporting on replacement housing and relocation assistance associated with housing demolitions.
January 1, 2028	AB 920	Requires large jurisdictions to provide a centralized online housing application portal, unless an extension applies.

Appendix B: Action Items by Category

Category	Action Item	Bill Number(s)
Internal Coordination and Communication	Update City Council/Board of Supervisors, Planning Commission, and other relevant agencies about SB 79.	SB 79
Ordinance Updates	Conduct an analysis within each transit-oriented development (TOD) zone, by tier, to identify where local standards are more restrictive or preclude SB 79's minimum height, density, or residential FAR standards, and consider drafting zoning code amendments to resolve any conflicts.	SB 79
Ordinance Updates	Consider whether to adopt a local TOD alternative plan, an ordinance to exempt certain areas from SB 79 eligibility, or an ordinance to exclude certain sites from SB 79 eligibility until one year after adoption of the 7th Cycle Housing Element.	SB 79
Ordinance Updates	Review local density bonus ordinance and determine if update is necessary.	AB 87, SB 92
Ordinance Updates	Update local SB 9 ordinance if necessary.	AB 1061
Ordinance Updates	Amend JADU ordinance to prohibit short-term rentals of JADUs and to require owner occupancy only when the JADU shares sanitation facilities with the single-family dwelling unit.	AB 1154
Ordinance Updates	Amend ADU and JADU ordinances to measure square footage based on interior livable space.	SB 543
Ordinance Updates	Submit adopted ADU and JADU ordinance amendments to HCD within 60 days of adoption.	SB 9, SB 543
Ordinance Updates	Update any previously adopted AB 2011 implementing ordinance.	AB 893
Housing Element Review	Review the Housing Element to identify deadlines to amend ordinances, development standards, conditions, or policies tied to quantified development standards or permitting timelines.	SB 786

Category	Action Item	Bill Number(s)
Housing Element Review	Initiate updates to ordinances, standards, or procedures where Housing Element deadlines have passed.	SB 786
Data Collection	Map campus development zones.	AB 893
Data Collection	Update APR preparation and data tracking procedures to reflect expanded reporting requirements beginning with the April 2027 APR.	AB 253, AB 670
Data Collection	Coordinate with building departments to establish shared data collection protocols for residential building permits, including tracking permits reviewed by staff versus private providers and documenting full-time equivalent staffing levels.	AB 253
Application Information	Ensure the following information is posted on the jurisdiction's website for each housing-related approval: the name of the approval, the information required from the applicant, and the criteria used to determine completeness.	SB 489
Application Intake	Develop an SB 79 application form listing the requirements for SB 79 projects and how applicants can demonstrate eligibility.	SB 79
Application Intake	Prepare an application form listing the requirements for AB 130's CEQA exemption for urban infill housing development projects and requiring applicants to provide substantial evidence of eligibility.	AB 130
Application Intake	Update application materials and checklists as needed to specify that ADU and JADU size measurements use interior livable space as the basis for measuring square footage.	SB 543
Application Intake	Review ADU or JADU applications for completeness within 15 business days of receipt and, if incomplete, issue written notice providing a comprehensive list of missing items and instructions for making the application complete.	SB 543
Application Intake	Make a centralized application portal available on the jurisdiction's website by January 1, 2028, if required, or take steps to obtain an extension.	AB 920

Category	Action Item	Bill Number(s)
Application Review and Decision	Prepare to meet statutory timelines to review projects qualifying for AB 130's CEQA exemption for urban infill housing development projects.	AB 130
Application Review and Decision	Prepare standard conditions of approval for projects qualifying for AB 130's CEQA exemption.	AB 130
Application Review and Decision	Ensure that projects processed as housing development projects do not include transient lodging.	SB 838
Application Review and Decision	Prepare to approve or disapprove most ministerial project applications within 60 days of receipt of a complete application, except for AB 2011 projects.	AB 130
Application Review and Decision	Notify applicants for residential projects of 10 units or less, with no floor more than 40 feet above ground level, whether plan check is expected to exceed 30 business days; if the applicant elects to use a private plan checker, review the plan checker's report within 10 business days.	AB 253
Application Review and Decision	Prepare indemnification language for applicants and affidavits for private plan checkers to sign.	AB 253
Appeals	Adopt a written appeal process for incomplete or denied ADU or JADU applications that requires issuance of a written appeal determination within 60 business days of receiving the applicant's written appeal.	SB 543