

ASSEMBLY THIRD READING

AB 2415 (Hoover)

As Amended April 23, 2026

Majority vote

SUMMARY

Revises SB 79 (Wiener), Chapter 512, Statutes of 2025, to add additional historic preservation protections for cities that meet certain characteristics.

Major Provisions

- 1) Allows a local government, through a transit-oriented development (TOD) local alternative plan, to reduce the site capacity in a TOD zone in total units or residential floor area by more than 50% if the following conditions are met:
 - a) The local jurisdiction adopting the plan is a city;
 - b) The city has a population of less than 150,000;
 - c) A majority of the TOD zone is part of a local historic district that was designated before January 1, 2000; and
 - d) The city has more than one TOD zone.

COMMENTS

Planning for Housing: Historically, housing planning and land use decisions in California have been delegated to local governments, which exercise primary authority over land use, zoning, permitting, and development approvals through their police power. While the state has long required each jurisdiction to adopt a housing element identifying how it will accommodate its share of regional housing need, these requirements historically lacked meaningful enforcement mechanisms. In addition, earlier iterations of Housing Element Law and the Regional Housing Needs Allocation (RHNA) process required significantly less upzoning and did not compel jurisdictions to adopt zoning that could realistically accommodate assigned housing needs. As a result, jurisdictions could comply on paper while maintaining restrictive zoning and development standards that limited actual housing production. Local discretionary approval processes further allowed projects to be delayed, reduced in scale, or denied based on subjective criteria, contributing to significant constraints on housing supply, particularly in high-opportunity areas.

According to a 2024 analysis by the Othering & Belonging Institute at UC Berkeley, a staggering 95.8% of all residential land in California is zoned exclusively for single-family housing, severely constraining opportunities for infill development near transit. Even when lower-density unincorporated areas are excluded, over 82% of residentially zoned land in the state prohibits multifamily housing. The state has taken some strides to facilitate additional housing typologies in exclusionary zoning districts, namely through State Accessory Dwelling Unit (ADU) Law and SB 9 (Atkins), Chapter 161, Statutes of 2021, effectively making single-family zoned parcels eligible to accommodate up to four dwelling units. However, much of California's residential land remains off-limits for denser development, regardless of how well-situated the land may be when it comes to access to jobs, transportation, and other opportunities.

SB 79: In recent years, the state has taken a series of actions to address local constraints on housing production by both expanding allowable residential density and shifting project approvals from discretionary review to more predictable, ministerial processes governed by objective standards. SB 79 was one of these most recent attempts to encourage additional residential density in climate-smart locations. SB 79 establishes a statewide framework to increase residential density near major transit stops by making qualifying housing development an allowable use on sites zoned for residential, mixed-use, or commercial development within specified distances of transit. The bill sets minimum statewide standards for height, density, and residential floor area ratio based on a project's proximity to high-quality transit, and limits the ability of local governments to impose standards that would physically preclude achieving those thresholds. Projects must include at least five units and comply with specified affordability, labor, and antidisplacement requirements, including prohibitions on demolishing rent-restricted housing and requirements to provide deed-restricted affordable units for developments containing more than 10 units.

SB 79 applies to cities with a population of at least 35,000 that have qualifying high-quality transit stops, and requires that, beginning July 1, 2026, housing development projects be an allowable use on qualifying sites within one-half mile of a (TOD) stop (or one-quarter mile in smaller jurisdictions). The bill establishes a series of implementation deadlines, including requiring the Department of Housing and Community Development (HCD) to issue guidance by July 1, 2026 on how SB 79 capacity is counted toward a jurisdiction's housing element sites inventory, and requiring MPOs to prepare maps of TOD stops and zones to guide implementation. Local governments may adopt implementing ordinances or local TOD alternative plans, subject to HCD review, prior to July 1, 2026, to tailor development standards, so long as the plan maintains equivalent overall residential capacity. SB 79 also provides that, beginning January 1, 2027, denial of a qualifying project in a high-resource area is presumed to violate the HAA, subject to specified exceptions.

Within this framework, SB 79 provides local governments with the ability to craft local alternative plans and implement ordinances. This includes providing local governments with limited local flexibility to reduce development intensity on certain sites. A local TOD alternative plan may reduce the allowable density on an individual site by up to 50% below SB 79's baseline standards, and may further reduce or exempt sites designated as historic resources on a local register, provided that such exemptions do not cumulatively exceed 10% of the total eligible area within a TOD zone. In addition, SB 79 allows local governments, through an implementing ordinance, to fully exempt sites designated as historic resources on a local register as of January 1, 2025 from SB 79 until one year prior to the start of the seventh housing element cycle.

Historic Preservation, Districts, and Landmarks in California: Historic preservation in California operates across local, state, and federal levels, with each level maintaining its own designation processes and regulatory frameworks. Historic resources may include individual landmarks, such as buildings or structures associated with significant events, persons, or architectural styles, as well as historic districts, which are geographically defined areas containing a concentration of historically or culturally significant properties. These resources may be listed on local registers, the California Register of Historical Resources, or the National Register of Historic Places. In California, properties listed on the state or national register are generally treated as "historical resources" for purposes of environmental review, with any proposed development on those sites requiring analysis under the California Environmental Quality Act (CEQA). Notably, listing on the California Register or National Register may occur

through state or federal nomination processes that do not require local government approval, meaning properties may receive historic designation even where a local jurisdiction has not chosen to designate or protect them.

The regulatory implications of historic designation vary depending on the level and type of designation. Local governments typically establish and regulate historic districts and landmarks through local ordinances, which may impose restrictions on demolition, alterations, or new construction to preserve the character of designated areas. Within historic districts, individual properties may be classified as "contributing" or "non-contributing" resources, with contributing properties retaining their historic integrity and contributing to the district's overall historical, architectural, or cultural significance, typically because they were constructed during the district's period of significance and reflect its defining characteristics. Non-contributing properties, meanwhile, are geographically located in the district but do not maintain those character-defining features. Unlike local historic designations, which are typically implemented through local land use controls, protections for state and federal designations primarily operate through environmental review processes, most notably under CEQA in California.

State housing laws vary in how they treat historic resources when establishing streamlined or ministerial approval pathways. Some laws, such as SB 9 (Atkins), Chapter 162, Statutes of 2021, initially took a more categorical approach by excluding parcels located within historic districts or containing designated historic resources from its requirements; however, subsequent amendments under AB 1061 (Quirk-Silva), Chapter 505, Statutes of 2025, narrowed these exclusions by eliminating the blanket district-wide prohibition and instead focusing on protections for individually designated resources and contributing structures. Other state streamlining and upzoning laws continue to exclude sites containing historic resources more broadly.

SB 79, by contrast, takes a more limited and locally driven approach to historic preservation. Rather than broadly exempting historic resources, SB 79 allows local governments to reduce development intensity on individual sites by up to 50%, or fully exempt sites, only if those properties are designated as historic resources on a local register, and only through adoption of an implementing ordinance or a locally adopted transit-oriented development (TOD) alternative plan subject to review by HCD. Even within that framework, SB 79 places constraints on the use of these exemptions, including a 10% cap on the total amount of land within a TOD zone that may be excluded from SB 79 in a local alternative plan around any given major transit stop. In addition, SB 79 allows local governments to temporarily exempt locally designated historic resources, as of January 1, 2025, from its provisions until one year after the next housing element cycle begins. As a result, SB 79's historic preservation framework primarily relies on local designation to determine where protections apply, rather than uniformly recognizing historic resources listed on the California Register or National Register. Under SB 79, only individually listed local resources, and not historic districts, are afforded these protections.

This Bill: This bill amends SB 79 by modifying the requirements applicable to local TOD alternative plans. Under existing law, a local TOD alternative plan may not reduce the residential development capacity of any individual TOD zone, measured in total units or residential floor area, by more than 50%. This bill creates a limited exception to that requirement by allowing a local government that is a city to reduce the residential capacity in up to one TOD zone by more than 50%, if specified conditions are met. Specifically, the exception applies only in cities with a population of less than 150,000, where a majority of the station area is located within a local

historic district designated prior to January 1, 2000, and where the jurisdiction contains more than one TOD zone.

This targeted exception would allow certain jurisdictions with older, locally designated historic districts to further limit development intensity in transit-rich areas, beyond what is currently permitted under SB 79. The requirement that the historic district be designated prior to January 1, 2000 may help prevent jurisdictions from newly designating historic districts solely to avoid SB 79's upzoning requirements, and instead focuses the exemption on long-established historic areas. Proponents may argue that this flexibility is necessary to preserve historically significant neighborhoods and avoid conflicts between state upzoning requirements and long-standing local preservation goals.

According to the Author

"As Californians continue to face a housing crisis, it is the role of the legislature to increase affordability and availability. However, these ambitions cannot come at the expense of our history, culture, and community. Policies, such as those found in SB 79 of 2025, help increase housing development near public transit. Unfortunately, not all transit zones can accommodate such development without sacrificing the existing environment. This is the case for the Folsom Historic District. While many preservation efforts focus on landmark buildings or famous figures, Folsom understood the value of safeguarding an entire everyday small-town environment—the walkable grid, mixed uses, and incremental development patterns. Historic Folsom's commercial core and residential neighborhoods are thriving—economically, culturally, and civically. AB 2415 helps preserve historic districts, like the one in Folsom, while still advancing the state's housing goals."

Arguments in Support

The City of Folsom writes in support: "AB 2415 recognizes that historic districts serve unique public purposes that cannot be replicated once lost. By allowing the transfer of high-density housing obligations from our historic district to other transit-oriented development locations within the city through the development of an alternative plan, the bill provides a flexible, commonsense tool that supports both statewide housing objectives and the preservation of irreplaceable cultural resources."

Arguments in Opposition

South Pasadena Residents for Responsible Growth writes in opposition: "This bill is written so that the city of Pasadena could exempt one of the most useful train stations from SB 79. The city of Pasadena has not been a good actor in trying to solve the housing crisis. When SB 9 was enacted they tried to claim a significant portion of the city was exempted because of their "Landmark Districts." Rob Bonta put Pasadena on notice for violating state housing laws for this action."

FISCAL COMMENTS

Unknown. This bill has been keyed non-fiscal by the Legislative Counsel.

VOTES

ASM HOUSING AND COMMUNITY DEVELOPMENT: 12-0-0

YES: Haney, Patterson, Ávila Farías, Caloza, Garcia, Kalra, Lee, Quirk-Silva, Ta, Tangipa, Wicks, Wilson

ASM LOCAL GOVERNMENT: 10-0-0

YES: Carrillo, Ta, Johnson, Pacheco, Ramos, Ransom, Blanca Rubio, Caloza, Ward, Wilson

UPDATED

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