
THIRD READING

Bill No: SB 722

Author: Wahab (D) and Wiener (D), et al.

Amended: 1/15/26

Vote: 27 - Urgency

SENATE JUDICIARY COMMITTEE: 3-3, 4/29/25

AYES: Ashby, Durazo, Wahab

NOES: Umberg, Niello, Valladares

NO VOTE RECORDED: Allen, Arreguín, Caballero, Laird, Stern, Weber
Pierson, Wiener

SENATE HOUSING COMMITTEE: 10-0, 1/6/26

AYES: Wahab, Seyarto, Arreguín, Cabaldon, Caballero, Cortese, Durazo,
Grayson, Ochoa Bogh, Padilla

NO VOTE RECORDED: Reyes

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 1/14/26

AYES: Durazo, Choi, Arreguín, Cabaldon, Laird, Seyarto, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Transit-oriented housing development: excluded parcels and sites

SOURCE: Golden State Manufactured-home Owners League, INC.

DIGEST: This urgency bill establishes the Mobile Home Park Protection Act, which exempts existing parcels or sites from SB 79 (Wiener, Chapter 512, Statutes of 2025) if those parcels or sites are subject to the Mobilehome Residency Law, Mobilehome Parks Act, the Recreational Vehicle Park Occupancy Law, and the Special Occupancy Parks Act.

ANALYSIS:

Existing law:

Pursuant to SB 79 (Wiener, Chapter 512, Statutes of 2025):

1) Establishes the following definitions:

- a) “Adjacent” means within 200 feet of any pedestrian access point to a transit-oriented development (TOD) stop. A parcel that meets any of the eligibility criteria under this bill and is adjacent to a Tier 1 TOD Stop or Tier 2 TOD Stop, as defined below, shall be eligible for an adjacency intensifier to increase the height limit by an additional 20 feet, the maximum density standard by an additional 40 dwelling units per acre, and the floor area ratio (FAR) by 1 prior to the application of density bonus law.
- b) “Bus service” means “bus rapid transit” or public mass transit service provided by a public agency or by a public-private partnership that includes all of the following features: i) Full-time dedicated bus lanes or operation in a separate right-of-way dedicated for public transportation with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods; ii) Transit signal priority; iii) All-door boarding; iv) Fare collection system that promotes efficiency; and v) Defined stations.
- c) “Heavy rail transit” means a public electric railway line with the capacity for a heavy volume of traffic using high-speed and rapid acceleration passenger rail cars operating singly or in multicar trains on fixed rails, separately rights-of-way from which all other vehicular and foot traffic are excluded, and high platform loading. “Heavy rail transit” does not include high speed rail.
- d) “High-frequency commuter rail” means a commuter rail service operating a total of at least 48 trains per day across both directions, not including temporary service changes of less than one month or unplanned disruptions and not meeting the standard for very high frequency commuter rail, at any point in the past three years.
- e) “Light rail transit” includes streetcar, trolley, and tramway service. “Light rail transit” does not include airport people movers.
- f) “Rail transit” means a rail mass transportation operation usually within an urban area, generally characterized by more frequent service over shorter distances than normally provided by commuter rail service or intercity rail

service and operating on a rail line without any or with very limited rail freight service.

- g) “Residential FAR” means the ratio of net habitable square footage dedicated to residential use to the area of the lot. A local government may not impose any other local development standard or combination of standards that would physically preclude the residential FAR established.
- h) “Tier 1 TOD stop” means a transit-oriented development stop with an urban transit county, served by heavy rail transit or very high frequency commuter rail.
- i) “Tier 2 TOD stop” excludes a Tier 1 TOD stop and means a transit-oriented development stop with an urban transit county served by light rail transit, by high-frequency commuter rail, or by bus service, as specified. “Urban transit county” means a county with more than 15 passenger rail stations.
- j) “TOD stop” means a major transit stop or a stop on a route for which a preferred alternative has been selected or which are identified in a regional transportation improvement program, served by heavy rail transit, very high frequency commuter rail, high frequency commuter rail, light rail transit, or specified bus service within an urban county. When a new transit route is planned that was not identified in the applicable regional transportation plan on or before January 1, 2026, these stops shall not be eligible as a TOD stop unless they would be eligible as Tier 1 TOD stops. If a county becomes an urban transit county subsequent to July 1, 2026, then bus service in that county shall remain ineligible for designation of a transit-oriented development stop.
- k) “Very high frequency commuter rail” means a commuter rail service with a total of at least 72 trains per day across both directions, not including temporary service changes of less than one month or unplanned disruptions, at any point in the past three years.

SB 79 Development Standards

- 2) Provides that a housing development within a specified distance of a transit stop in a residential, mixed-use, or commercial zone shall be entitled to specified development standards pursuant to the table below. TOD housing development projects shall also meet the following requirements:

- a) The average total area of floor space for the proposed units in the transit-oriented housing development project shall not exceed 1,750 net habitable square feet, and
- b) The housing development project shall include at least five dwelling units and meet the greater of the following:
 - i. A minimum density of at least 30 dwelling units per acre; or
 - ii. The minimum density required under the local zoning, if applicable.

TOD Stop Type	Dist. from Stop (TOD Zone)	Development Standards for Project
Tier 1: Major transit stop, heavy rail transit, or very high frequency commuter rail in urban transit county	1/4 mile from stop	<ul style="list-style-type: none"> • Max Height: 75 ft or 95 ft if adjacent to stop • Max Density: 30 - 120 units per acre (u/a) plus any density bonus or 160 u/a if adjacent to stop • FAR: 3.5 or 4.5 if adjacent to stop • Specified Concessions
	1/4 - 1/2 mile from stop in city with population at least 35,000	<ul style="list-style-type: none"> • Max Height: 65 ft • Max Density: 30 - 100 u/a plus any density bonus • FAR: 3 • Specified Concessions
Tier 2: Not Tier 1 major transit stops served by light rail transit, high-frequency commuter rail, or bus rapid transit in an urban transit county	1/4 mile from stop	<ul style="list-style-type: none"> • Max Height: 65 ft or 85 ft if adjacent to stop • Max Density: 30 - 100 u/a plus any density bonus or 140 u/a if adjacent to stop • FAR: 3 or 4 if adjacent to stop
	1/4 - 1/2 mile from stop in a city with a population at least 35,000	<ul style="list-style-type: none"> • Max Height: 55 ft • Max Density: 30 - 80 u/a plus any density bonus • FAR: 2.5 • Specified Concessions

- 3) Provides that for projects with more than 10 units, the project shall comply with one of the following requirements:
 - a) Any of the following:
 - i) At least 7% are dedicated to extremely low-income (ELI) households.
 - ii) At least 10% of the total units are dedicated to very low-income (VLI) households.

- iii) At least 13% of the total units are dedicated to low-income households.
- b) If a local inclusionary housing requirement mandates a higher percentage or deeper level of affordability, then the local inclusionary housing standard shall apply.
- c) All units dedicated to ELI, VLI, or low-income households shall have an affordable cost or rent, as defined, and ensure the continued affordability of those units for 45 years for ownership or 55 years for rental units.

4) Prohibits a transit housing development from being located on either of the following:

- a) A site containing more than two units where the development would require the demolition of housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power that has been occupied by tenants within the last seven years.
- b) A site that was previously used for more than two units of housing that was demolished within seven years before the development proponent submits an application under this section any of the units were subject to any form of rent or price control.

5) Requires a TOD project to meet specified labor standards, including the provision of prevailing wages if the project is not entirely a public work, as specified, and projects over 85 feet shall employ a skilled and trained workforce, as specified.

6) Provides that projects that demolish units shall comply with specified provisions of the Housing Crisis Act (HCA), including specified relocation assistance and replacement unit requirements for protected units, as defined. A development shall also comply with any applicable local demolition and anti-displacement standards established through a local ordinance.

TOD Development Ordinances

- 7) Requires the Department of Housing and Community Development (HCD) to oversee compliance with SB 79 development standards. Requires HCD to promulgate standards for how to account for capacity in a city or county's land suitable for development identified in its housing element by July 1, 2026.
- 8) Authorizes a local government to enact an ordinance to make its zoning consistent with the provisions of this chapter, subject to review by HCD, as

specified. The adoption of the ordinance shall not be subject to the California Environmental Quality Act. Provides that the ordinance may include objective standards, conditions, and policies, applying to TOD housing developments, that are demonstrated by a preponderance of the evidence to not physically preclude, alone or in concert, the applicable SB 79 development standards provided for in (2) above.

- 9) Provides that if a local government adopts an ordinance, it shall submit a copy to HCD within 14 days of adoption. HCD shall review and make a finding of compliance within 90 days, plus an additional 30 days if needed. If HCD does not meet that timeline, the ordinance shall be deemed compliant with SB 79 development standards. If HCD finds that the local government does not comply with SB 79 development standards, HCD shall provide the local government 60 days to respond.
- 10) Requires Metropolitan Planning Organizations (MPOs) to create a map of TOD stops and zones established by SB 79.

Local TOD Alternative Plans

- 11) Provides that a local “TOD alternative plan,” defined as an amendment to the housing element or a program to implement the housing element—such as the adoption of a specific plan, adoption of a zoning overlay, or enactment of an ordinance; that brings the local agency into compliance with this bill —may be adopted provided it incorporates all of the following:
 - a) The plan shall provide at least the same total zoned capacity in terms of both total units and FAR, as specified.
 - b) The plan shall not reduce the maximum allowed density for any individual site on which the plan allows residential use by more than 50%, except for sites meeting any of the following criteria:
 - i) Sites within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, or within the state responsibility area, as defined.
 - ii) Sites that are vulnerable to one foot of sea level rise, as specified.
 - iii) Sites with a historic resource designation on a local register, so long as sites excluded from the density requirements of (12)(a) do not cumulatively exceed 10% of the eligible area of any TOD zone.
 - iv) Sites within $\frac{1}{2}$ mile of a Tier 2 TOD stop shall not have a density below 30 units per acre with an FAR of 1.0 and should be considered

for attached entry level owner occupied housing development opportunities.

- c) The plan shall not reduce the capacity in any TOD zone in total units or FAR by more than 50%.
- d) The site's maximum capacity counted toward the plan shall not exceed 200% of the maximum density established by SB 79.

12) Delays implementation of SB 79 development standards until July 1, 2026, unless a local government adopts an ordinance or local TOD alternative plan deemed compliant by HCD before July 1, 2026. Delays implementation to unincorporated areas of a county until the 7th regional housing needs allocation cycle.

This urgency bill exempts existing parcels or sites from SB 79 (Wiener, Chapter 512, Statutes of 2025) if those parcels or sites are subject to the Mobilehome Residency Law, Mobilehome Parks Act, the Recreational Vehicle Park Occupancy Law, and the Special Occupancy Parks Act.

Comments

Author's statement. "SB 79 is unintentionally putting at risk vital naturally occurring affordable housing at a time when the preservation of every housing unit is key to battling the ongoing housing crisis. Half of the ten largest mobile home parks in California are in my district. Three of those are in Sunnyvale, including the largest mobile home park in the state with 900 spaces. All three will be vulnerable to SB 79 redevelopment without these amendments that Senator Wiener and I agreed to. Thousands of people in just my district — women, seniors, veterans, and families — could lose their homes because of an oversight. That doesn't even include the mobile home parks across the state that are vulnerable because they are within a quarter or half mile of a train, light rail, or bus-rapid-transit stop. These are our constituents, neighbors, family, and friends. And the damage this mistake can make, if not fixed, will irreparably harm these people and our communities. We have a duty to make sure the laws we pass lift people up, not push them out, and we must act with urgency to prevent the actual harm this oversight will create."

Exempted sites. SB 79 does not apply to either of the following: (1) a site in which more than two units in the development would require the demolition of housing that is subject to any form of rent or price control that was occupied by tenants within the last seven years, and (2) a site that was previously used for more than 2

units of housing that was demolished within the last seven years and those units were subject to price or rent control. Land use bills that encourage streamlining and denser housing developments have frequently exempted sites that contain units that have been occupied by tenants – and in particular low-income tenants – as a means to ensure those units are not speculated or destroyed and replaced with market rate units. For example, AB 2011 (Wicks, Chapter 647, Statutes of 2022) created a ministerial, streamlined approval process for 100% affordable housing projects in commercial zones and for mixed-income housing projects along commercial corridors, as specified. That bill exempted developments that would require the demolition of the following types of housing:

- Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
- Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
- Housing that has been occupied by tenants within the past 10 years, excluding any manager's units.
- The site was previously used for permanent housing that was occupied by tenants, excluding any manager's units, that was demolished within 10 years before the development proponent submits an application under this article.
- Parcels or sites if those parcels or sites are subject to the Mobilehome Residency Law, Mobilehome Parks Act, the Recreational Vehicle Park Occupancy Law, and the Special Occupancy Parks Act.

Due to specific concerns about impacts to mobilehome parks in the author's district, this bill would exempt sites that are subject to the Mobilehome Residency Law, Mobilehome Parks Act, the Recreational Vehicle Park Occupancy Law, and the Special Occupancy Parks Act. The language and intent of the bill represent an agreement between the author of this bill and the author of SB 79. That agreement was made at the end of the last legislative session and the members agreed to pursue a legislative fix in the 2026 legislative session.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 1/21/26)

Golden State Manufactured-home Owners League, INC. (Source)
City of Sunnyvale
Policylink

Public Advocates
Western Center on Law & Poverty, INC.

OPPOSITION: (Verified 1/21/2026)

None received

Prepared by: Alison Hughes / HOUSING / (916) 651-4124
1/21/26 16:05:27

***** **END** *****