

AMENDED IN SENATE JANUARY 8, 2026

AMENDED IN SENATE JANUARY 5, 2026

AMENDED IN SENATE APRIL 9, 2025

AMENDED IN SENATE APRIL 1, 2025

SENATE BILL

No. 677

Introduced by Senator Wiener

February 21, 2025

An act to amend ~~Sections 65912.156, 65912.157, and 65912.158~~
Section 65912.156 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

SB 677, as amended, Wiener. Housing development: transit-oriented development.

Existing law requires that a housing development project, as defined, within a specified distance of a transit-oriented development (TOD) stop, as defined, be an allowed use as a transit-oriented housing development on any site zoned for residential, mixed, or commercial development, if the development complies with certain applicable requirements, as provided. Among these requirements, existing law establishes requirements concerning height limits, density, and residential floor area ratio in accordance with a development's proximity to specified tiers of TOD stops, as provided, and requires a development to meet specified labor standards that require that a specified affidavit be signed under penalty of perjury, under specified circumstances. Existing law specifies that a development proposed pursuant to these provisions is eligible for streamlined, ministerial approval, as provided. Existing law defines, among other terms, the term "high-frequency commuter rail" for purposes of these provisions

to mean 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. Existing law also defines the term “Tier 2 transit-oriented development stop” for these purposes to mean a TOD stop within an urban transit county, as defined, excluding a Tier 1 transit-oriented development stop, as defined, served by light rail transit, by high-frequency commuter rail, or by bus service meeting specified standards.

This bill would revise the definition of “high-frequency commuter rail” to instead mean a public commuter or intercity rail station with a total of at least 48 passenger trains on average per weekday across all 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. By increasing the duties of local officials, and by expanding the crime of perjury, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

~~Existing law requires that a housing development project, as defined, within a specified distance of a transit-oriented development (TOD) stop, as defined, be an allowed use as a transit-oriented housing development on any site zoned for residential, mixed, or commercial development, if the development complies with certain applicable requirements, as provided. Among these requirements, existing law establishes requirements concerning height limits, density, and residential floor area ratio in accordance with a development’s proximity to specified tiers of TOD stops, as provided; prohibits a proposed development under these provisions from being located on sites where the development would require demolition of housing, or that was previously used for housing, that is subject to rent or price controls, as provided; and requires a development to meet specified labor standards that require that a specified affidavit be signed under penalty of perjury, under specified circumstances. Existing law specifies that a development proposed pursuant to these provisions is eligible for streamlined,~~

~~ministerial approval, as provided. Existing law defines, among other terms, the term “transit-oriented development stop” for purposes of these provisions to mean a major transit stop, as defined by specified law, and to additionally include stops on a route for which a preferred alternative has been selected or are identified in a regional transportation improvement program, that is served by specified types of transit services, exclusive of certain new transit routes or extensions not identified in the applicable regional transportation plan on or before January 1, 2026, as specified. Existing law also defines the term “Tier 2 transit-oriented development stop” for these purposes to mean a TOD stop within an urban transit county, as defined, excluding a Tier 1 transit-oriented development stop, as defined, served by light rail transit, by high-frequency commuter rail, or by bus service meeting specified standards.~~

~~This bill would revise the definition of “transit-oriented development stop” to instead mean a major transit stop, as defined, that is served by the above-described types of transit services, exclusive of any newly planned transit route or extension that was not identified in the applicable regional transportation plan on or before January 1, 2026, as specified. The bill would also revise the definitions of “transit-oriented development stop” and “Tier 2 transit-oriented development stop” to include stops served by high-frequency ferry service, as defined. The bill would delete the definition of “rail transit” and, instead, define the term “rail transit station” for purposes of these provisions, as specified. The bill would additionally prohibit a transit-oriented housing development under these provisions from being located on an existing parcel of land or site governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act. By increasing the duties of local officials, and by expanding the crime of perjury, this bill would impose a state-mandated local program.~~

~~Existing law authorizes a transit agency’s board of directors to adopt agency TOD zoning standards for district-owned real property located in a TOD zone, as defined, which establishes minimum zoning requirements for an agency TOD project for, among other things, residential floor area ratio, as provided.~~

~~This bill would remove the specification that the TOD zoning standards for floor area ratio be for residential floor area ratio only, thereby requiring that the ordinance establish floor area ratio standards generally for district-owned real property within the TOD zone.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for specified reasons:~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65912.156 of the Government Code is
2 amended to read:

3 65912.156. For purposes of this chapter, the following
4 definitions apply:

5 (a) “Adjacent” means within 200 feet of any pedestrian access
6 point to a transit-oriented development stop.

7 (b) “Commuter rail” means a public-rail transit *rail* service not
8 meeting the standards for heavy rail or light rail, excluding
9 California High-Speed Rail and Amtrak Long Distance Service.

10 (c) “Department” means the Department of Housing and
11 Community Development.

12 (d) “Heavy rail transit” means a public electric railway line with
13 the capacity for a heavy volume of traffic using high-speed and
14 rapid acceleration passenger rail cars operating singly or in multicar
15 trains on fixed rails, separate rights-of-way from which all other
16 vehicular and foot traffic are excluded, and high platform loading.
17 “Heavy rail transit” does not include California High-Speed Rail.

18 (e) “High-frequency commuter rail” means a *public* commuter
19 or *intercity* rail service operating station with a total of at least 48
20 passenger trains on average per-day weekday across-both all
21 directions, not including temporary service changes of less than
22 one month or unplanned disruptions, and not meeting the standard
23 for very high frequency commuter rail, at any point in the past
24 three years.

25 (f) “High-resource area” means an area designated as highest
26 resource or high resource on the most recently adopted version of
27 the opportunity area maps published by the California Tax Credit
28 Allocation Committee and the department.

29 (g) “Housing development project” has the same meaning as
30 defined in Section 65589.5, but does not include a project of which

1 any portion is designated for use as a hotel, motel, bed and
2 breakfast inn, or other transient lodging. For the purposes of this
3 subdivision, the term “other transient lodging” does not include
4 either of the following:

5 (1) A residential hotel, as defined in Section 50519 of the Health
6 and Safety Code.

7 (2) After the issuance of a certificate of occupancy, a resident’s
8 use or marketing of a unit as short-term lodging, as defined in
9 Section 17568.8 of the Business and Professions Code, in a manner
10 consistent with local law.

11 (h) “Light rail transit” includes streetcar, trolley, and tramway
12 service. “Light rail transit” does not include airport people movers.

13 (i) “Net habitable square footage” means the finished and heated
14 floor area fully enclosed by the inside surface of walls, windows,
15 doors, and partitions, and having a headroom of at least six and
16 one-half feet, including working, living, eating, cooking, sleeping,
17 stair, hall, service, and storage areas, but excluding garages,
18 carports, parking spaces, cellars, half-stories, and unfinished attics
19 and basements.

20 (j) “Low-resource area” means an area designated as low
21 resource on the most recently adopted version of the opportunity
22 area maps published by the California Tax Credit Allocation
23 Committee and the department.

24 (k) “Rail transit” has the same meaning as defined in Section
25 99602 of the Public Utilities Code.

26 (l) “Residential floor area ratio” means the ratio of net habitable
27 square footage dedicated to residential use to the area of the lot.

28 (m) “Transit-oriented development zone” means the area within
29 one-half mile of a transit-oriented development stop.

30 (n) “Tier 1 transit-oriented development stop” means a
31 transit-oriented development stop within an urban transit county
32 served by heavy rail transit or very high frequency commuter rail.

33 (o) “Tier 2 transit-oriented development stop” means a
34 transit-oriented development stop within an urban transit county,
35 excluding a Tier 1 transit-oriented development stop, served by
36 light rail transit, by high-frequency commuter rail, or by bus service
37 meeting the standards of paragraph (1) of subdivision (a) of Section
38 21060.2 of the Public Resources Code.

39 (p) “Transit-oriented development stop” means a major transit
40 stop, as defined by Section 21064.3 of the Public Resources Code,

1 and also including stops on a route for which a preferred alternative
2 has been selected or which are identified in a regional
3 transportation improvement program, that is served by heavy rail
4 transit, very high frequency commuter rail, high frequency
5 commuter rail, light rail transit, or bus service within an urban
6 transit county meeting the standards of paragraph (1) of subdivision
7 (a) of Section 21060.2 of the Public Resources Code. When a new
8 transit route or extension is planned that was not identified in the
9 applicable regional transportation plan on or before January 1,
10 2026, those stops shall not be eligible as transit-oriented
11 development stops unless they would be eligible as Tier 1
12 transit-oriented development stops. If a county becomes an urban
13 transit county subsequent to July 1, 2026, then bus service in that
14 county shall remain ineligible for designation of a transit-oriented
15 development stop.

16 (q) “Urban transit county” means a county with more than 15
17 passenger rail stations.

18 (r) “Very high frequency commuter rail” means a commuter
19 rail service with a total of at least 72 trains per day across both
20 directions, not including temporary service changes of less than
21 one month or unplanned disruptions, at any point in the past three
22 years.

23 *SEC. 2. No reimbursement is required by this act pursuant to*
24 *Section 6 of Article XIII B of the California Constitution because*
25 *a local agency or school district has the authority to levy service*
26 *charges, fees, or assessments sufficient to pay for the program or*
27 *level of service mandated by this act or because costs that may be*
28 *incurred by a local agency or school district will be incurred*
29 *because this act creates a new crime or infraction, eliminates a*
30 *crime or infraction, or changes the penalty for a crime or*
31 *infraction, within the meaning of Section 17556 of the Government*
32 *Code, or changes the definition of a crime within the meaning of*
33 *Section 6 of Article XIII B of the California Constitution.*

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, January 5, 2026. (JR11)**

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