

1 [Planning Code - Transit-Oriented Residential Development]

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3 **Ordinance 1) temporarily excluding certain sites from the provisions of California**
4 **Senate Bill No. 79 (SB 79) that require local jurisdictions to allow residential uses at**
5 **various densities, heights, and floor area ratios on sites within one-half mile of a**
6 **transit-oriented development stop; 2) permanently excluding from those provisions of**
7 **SB 79 sites located in industrial employment hubs, including certain sites zoned M**
8 **(Industrial), SALI (Service/Arts/Light Industrial), PDR (Production, Distribution, Repair),**
9 **WMUOG (WSoma Mixed Use-~~Office~~General), and P (Public), and sites with a walking**
10 **path of more than one mile to the closest transit development stop; 3) amending the**
11 **Planning Code to permit additional density and height for residential projects on**
12 **certain parcels within one-half mile of a transit-oriented development stop; 4) adopting**
13 **an Alternative Plan to SB 79, including making findings that the Alternative Plan**
14 **provides equivalent development capacity; 5) making findings that these exemptions**
15 **and the City's residential capacity meet the requirements of SB 79; and 6) directing the**
16 **Clerk of the Board of Supervisors to transmit a copy of this ordinance to the California**
17 **Department of Housing and Community Development; and affirming the Planning**
18 **Department's determination under the California Environmental Quality Act; making**
19 **findings of consistency with the General Plan and the eight priority policies of Planning**
20 **Code, Section 101.1; and making public necessity, convenience, and welfare findings**
21 **under Planning Code, Section 302.**

22 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
23 **Additions to Codes** are in *single-underline italics Times New Roman font*.
24 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
25 **Board amendment additions** are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental and Land Use Findings.

(a) On March 12, 2026, pursuant to California Government Code Section 65912.160(c)(2), the Planning Department determined that this ordinance is not a project for purposes of the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 260397 and is incorporated herein by reference. The Board affirms this determination.

(b) On March 19, 2026, the Planning Commission, in Resolution No. 21901, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 260397, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code amendments will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 21901 and the Board adopts such reasons as its own. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 260397 and is incorporated herein by reference.

(d) In Planning Commission Resolution No. 21901, the Planning Commission also adopted findings regarding the City’s implementation of and compliance with Senate Bill (“SB”) 79, found in California Government Code Sections 65912.155 through 65912.162. The findings relate to parcels excluded from SB 79, and the City’s alternative plan. The Board adopts these findings as its own, and incorporates the findings by reference.

1 Section 2. Additional Findings.

2 (a) On October 10, 2025, the Legislature enacted SB 79. SB 79 takes effect on
3 July 1, 2026, and will require local governments to permit residential development on sites
4 within one-half mile of defined transit-oriented development stops, up to specified density
5 limits, floor area ratios, and height limits. The applicable standards vary according to the type
6 of transit stop and the site's distance from the stop.

7 (b) A local government may declare that certain parcels in the ½ mile radius of a
8 transit-oriented development stop (a "transit-oriented development zone") are permanently
9 exempt from SB 79 if those sites meet specified criteria in California Government Code
10 Section 65912.160(e). Section 3 of this ordinance exempts certain parcels from SB 79
11 pursuant to California Government Code Section 65912.160, and makes findings in support of
12 the exemptions.

13 (c) A local government may also declare that certain parcels in transit-oriented
14 development zones are temporarily exempt from SB 79, if those sites meet specified criteria in
15 California Government Code Section 65912.161(b). The temporary exemption expires one
16 year following the adoption of the next revision of the jurisdiction's housing element in its
17 general plan. Section 4 of this ordinance temporarily exempts certain parcels from SB 79
18 pursuant to California Government Code Section 65912.161, and makes findings in support of
19 the temporary exemptions.

20 (d) On December 12, 2025, the City enacted Ordinance Nos. 243-25, 244-25,
21 and 245-25, also known as the "Family Zoning Plan." The Family Zoning Plan, through
22 amendments to the Planning Code and Zoning Maps, created increased capacity for multi-
23 family housing primarily in San Francisco's well-resourced and relatively less populated
24 neighborhoods.

1 (e) Based on a preliminary analysis, the Planning Department estimates that SB 79
2 applies to more than 75% of the assessor's parcels in the City, covering approximately 65% of
3 the City on a land area basis. There is significant overlap between the transit-oriented
4 development zones specified in SB 79 and the areas subject to the Family Zoning Plan.
5 While the Family Zoning Plan significantly expanded the Residential Capacity for many sites
6 that would be subject to SB 79, existing zoning in many places both inside and outside of the
7 Family Zoning Plan area already substantially exceeds the zoning standards of SB 79.

8 (f) A local government may adopt a transit-oriented development alternative plan
9 ("Alternative Plan") consistent with California Government Code Section 65912.161(a). The
10 City's existing zoning is sufficient to meet most of the criteria for an Alternative Plan. But the
11 zoning for some parcels in transit-oriented development zones does not meet the minimum
12 density requirement, which requires that every parcel whose zoning permits housing in an
13 Alternative Plan allow at least 50% of the permitted SB 79 density, as measured in permitted
14 residential density per acre. This individual parcel density allowance is one of the
15 requirements for an Alternative Plan. Section 5 of this ordinance adopts modest zoning
16 changes on these parcels to satisfy the minimum SB 79 requirements.

17 (g) If a local government adopts an Alternative Plan, the state-mandated zoning
18 provisions of SB 79, in California Government Code Section 65912.157, will not apply in that
19 jurisdiction until its next Housing Element cycle. Section 6 of this ordinance adopts the City's
20 Alternative Plan to SB 79 pursuant to California Government Code Sections 65912.160
21 and 65912.161.

22 (h) At least 14 days prior to the adoption of an ordinance pursuant to SB 79, local
23 governments must submit a draft ordinance to the Department of Housing and Community
24 Development ("HCD"). On February 10, 2026, the Planning Department transmitted a draft of
25 this ordinance to HCD for review, in accordance with California Government Code

1 Section 65912.160. A copy of this correspondence is on file with the Clerk of the Board in File
2 No. 260397. The Planning Department is consulting HCD regarding the ordinance. At a
3 meeting of the Land Use and Transportation Committee on April 13, 2026, the original
4 ordinance in File No. 260132 was duplicated creating this File 260397 to address
5 amendments that HCD recommends, if any, after the original file is enacted.

6 (i) Following enactment of this ordinance, the City must submit a copy of the ordinance
7 to HCD within 60 days.

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9 Section 3. Sites Permanently Exempt From SB 79.

10 Consistent with California Government Code Section 65912.160(e), a local government
11 may declare that parcels in transit-oriented zones are permanently exempt from the state-
12 mandated zoning provisions in Government Code Section 65912.157, if the local government
13 makes findings supported by substantial evidence that: (1) there exists no walking path of less
14 than one mile between that parcel and the transit-oriented development stop; or (2) the parcel
15 is part of an industrial employment hub, as defined in Government Code Section
16 65912.160(e). The Planning Commission, in Resolution No. 21901, found that the parcels
17 listed in “Table of Permanent Exclusions,” on file with the Clerk of the Board of Supervisors in
18 Board File No. 260397, are exempt from SB 79 because they satisfy one or both of these
19 criteria. The Board affirms these findings, adopts them as its own, and permanently exempts
20 the listed parcels from SB 79.

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22 Section 4. Sites Temporarily Exempt From SB 79.

23 Consistent with California Government Code Section 65912.161(b), a local government
24 may declare that parcels in transit-oriented zones are temporarily exempt from the state-
25 mandated zoning provisions in Government Code Section 65912.157. The exemption expires

1 one year following the adoption of the jurisdiction’s seventh housing element revisions.
2 Parcels eligible for this temporary exemption include parcels in an area designated as low
3 resource on the most recently adopted version of the opportunity area maps published by the
4 California Tax Credit Allocation Committee, within a jurisdiction that cumulatively allows for at
5 least 50% of the Residential Capacity required by SB 79. The Planning Commission, in
6 Resolution No. 21901, found that the parcels listed in “Table of Temporary Exemptions-Low
7 Resource Parcels,” on file with the Clerk of the Board of Supervisors in Board File
8 No. 260397, meet one or more of these criteria and are exempt from SB 79. On
9 April 13, 2026, the Planning Department substituted the table with a new table containing
10 additional parcels eligible for the low-income exemption. These parcels are also exempt
11 pursuant to Government Code Section 65912.161(b). The Board affirms these findings,
12 adopts them as its own, and exempts the listed parcels from SB 79.

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14 Section 5. Article 2 of the Planning Code is hereby amended by adding Section 207.11
15 to read as follows:

16 **SEC. 207.11. TRANSIT-ORIENTED DEVELOPMENT – DENSITY AND HEIGHT**

17 **EXCEPTION.**

18 *(a) Purpose. This Section 207.11 implements the transit-oriented development policies in*
19 *Senate Bill No. 79 (2025) (“SB79”), codified in California Government Code Sections 65912.155 et*
20 *seq. That bill requires jurisdictions in certain urban transit counties to permit housing at specified*
21 *densities and heights for development located near defined transit-oriented development stops, unless*
22 *the jurisdiction makes findings that the sites are exempt, or adopts a transit-oriented development*
23 *alternative plan (“Alternative Plan”). The density and height exception in this Section 207.11*
24 *facilitates the City’s adoption of its Alternative Plan. In the ordinance enacting this Section 207.11, on*
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1 file in Board of Supervisors File No. 260397, the Board adopted the Alternative Plan, and made
2 findings that certain parcels listed in that Board File are exempt from SB 79.

3 (b) **Applicability.** This Section 207.11 applies to residential development projects on parcels
4 meeting all of the following conditions:

5 (1) Is partially or fully located within one-half mile of a “transit-oriented development
6 stop,” as defined in California Government Code Section 65912.156.

7 (2) Is located in a zoning district that principally permits residential Uses.

8 (3) Either limits residential density by Numeric Density, or has a height limit of less
9 than 40 feet.

10 (4) Is located outside of the R-4 height and bulk district.

11 (5) Is not seeking a density bonus pursuant to Section 206.6.

12 (6) Is not a parcel permanently or temporarily exempted from SB79 pursuant to the
13 ordinance enacting this Section 207.11, on file with the Clerk of the Board in File No. 260397.

14 (7) Is not a parcel with a Historic Building that is individually designated as a
15 landmark under Article 10 of this Code, listed as a contributor to an historic district listed in
16 Article 10, or listed as a Significant or Contributory Building under Article 11 with a Category I, II, III,
17 or IV rating.

18 (8) The permitted density prior to applying the density and height exception in
19 subsection (c) does not meet the minimum density required by California Government Code
20 Section 65912.157.

21 (c) **Density and Height Exception.** For a parcel meeting the criteria in subsection (b), the
22 density and height exception in this subsection (c) shall apply.

23 (1) **Additional Density.** The applicable residential density limit for any housing
24 development project located on a site meeting the criteria in subsection (b) shall be up to 50% of the
25 density permitted on that parcel pursuant to the requirements in California Government Code

1 Section 65912.157. For any parcel that is partially located in the Coastal Zone, the density exception
2 shall apply to the entire parcel, however residential development shall be limited to the portions of the
3 parcel located outside of the Coastal Zone.

4 (2) **Additional Height.** For any housing development project located on a site meeting
5 the criteria in subsection (b) and with a height limit of less than 40 feet, the applicable height limit
6 shall be 40 feet.

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8 Section 6. Adoption of Alternative Plan; Directing Planning Department to Post Online
9 Maps.

10 (a) Pursuant to California Government Code Sections 65912.160 and 65912.161, local
11 governments may adopt an Alternative Plan, which prevents the state-mandated zoning
12 provisions of SB 79, in Government Code Section 65912.157, from taking effect in the City.
13 The Alternative Plan must generally allow citywide, at least the same total net zoned
14 residential capacity, as permitted under SB 79, across all transit-oriented development zones.
15 Within any individual transit-oriented development zone, the Alternative Plan must allow no
16 less than 50% of the net zoned residential capacity permitted under SB 79 in that transit-
17 oriented development zone. For sites that permit more residential capacity than required by
18 SB 79, an individual site's maximum capacity counted toward the Alternative Plan cannot
19 exceed 200% of the residential capacity required by SB 79. An individual site's permitted
20 residential capacity may not be reduced to less than 50% of the site's residential capacity
21 under SB 79, unless the site meets the criteria specified in California Government Code
22 Section 65912.161(a)(2).

23 (b) The Planning Commission, in Resolution No. 21901 found that the Residential
24 Capacity for parcels listed in "Table Demonstrating Housing Capacity for Alternative Plan," on
25 file with the Clerk of the Board of Supervisors in Board File No. 260397, satisfy the

1 requirements of SB 79. Consistent with the requirements of California Government Code
2 Section 65912.161(a), the aforementioned table lists the sites included in the Alternative Plan
3 and includes data sufficient to demonstrate each individual site’s compliance with the
4 residential capacity requirements for an Alternative Plan, each transit-oriented development
5 zone’s compliance with the residential capacity requirements for an Alternative Plan, and the
6 overall residential capacity requirements across all station areas. The residential capacity
7 compliance findings include the capacity created by the Planning Code amendments in
8 Section 5 of this ordinance. The Board finds that the existing zoned capacity for these sites,
9 as modified by the amendments in Section 5 of this ordinance, satisfies the requirements for
10 an Alternative Plan.

11 (c) The Board of Supervisors directs the Planning Department to update online maps
12 to reflect all exemptions from SB 79 per this ordinance in accordance with California
13 Government Code Section 65912.161(b)(2).

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15 Section 7. Transmittal to HCD.

16 The Board directs the Planning Department to transmit a final copy of this ordinance to
17 HCD no later than 60 days after enactment.

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19 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
23 additions, and Board amendment deletions in accordance with the “Note” that appears under
24 the official title of the ordinance.

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1 Section 9. Effective Date. This ordinance shall become effective at 12:00 a.m. on the
2 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
3 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
4 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

5 APPROVED AS TO FORM:
6 DAVID CHIU, City Attorney

7 By: /s/ Austin Yang
8 AUSTIN M. YANG
9 Deputy City Attorney

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