

BOARD of SUPERVISORS



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MEMORANDUM

Date: February 18, 2026
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 260132
Planning Code - Transit-Oriented Residential Development

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan Planning Code, Section 101.1 Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

1 [Planning Code - Transit-Oriented Residential Development]

2

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 **WMUG (WSoMa Mixed Use-General), and P (Public), and sites with a walking path of**

10 **more than one mile to the closest transit development stop; 3) amending the Planning**

11 **Code to permit additional density and height for residential projects on certain parcels**

12 **within one-half mile of a transit-oriented development stop; 4) adopting an Alternative**

13 **Plan to SB 79, including making findings that the Alternative Plan provides equivalent**

14 **development capacity; 5) making findings that these exemptions and the City's**

15 **residential capacity meet the requirements of SB 79; and 6) directing the Clerk of the**

16 **Board of Supervisors to transmit a copy of this Ordinance to the California Department**

17 **of Housing and Community Development; affirming the Planning Department's**

18 **determination under the California Environmental Quality Act; making findings of**

19 **consistency with the General Plan, and the eight priority policies of Planning Code,**

20 **Section 101.1; and making public necessity, convenience, and welfare findings under**

21 **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.

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

2 Section 1. Environmental and Land Use Findings.

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

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

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

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

23
24 Section 2. Additional Findings.
25

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

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

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

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

24 (e) Based on a preliminary analysis, the Planning Department estimates that SB 79
25 applies to more than 75% of the assessor’s parcels in the City, covering approximately 65% of

1 the City on a land area basis. There is significant overlap between the transit-oriented
2 development zones specified in SB 79 and the areas subject to the Family Zoning Plan.
3 While the Family Zoning Plan significantly expanded the Residential Capacity for many sites
4 that would be subject to SB 79, existing zoning in many places both inside and outside of the
5 Family Zoning Plan area already substantially exceeds the zoning standards of SB 79.

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

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

20 (h) At least 14 days prior to the adoption of an ordinance pursuant to SB 79, local
21 governments must submit a draft ordinance to the Department of Housing and Community
22 Development (“HCD”). On February 10, 2026, the Planning Department transmitted a draft of
23 this ordinance to HCD for review, in accordance with California Government Code Section
24 65912.160. A copy of this correspondence is on file with the Clerk of the Board in File
25 No. 260132.

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

3
4 Section 3. Sites Permanently Exempt From SB 79.

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

16
17 Section 4. Sites Temporarily Exempt From SB 79.

18 Consistent with California Government Code Section 65912.161(b), a local government
19 may declare that parcels in transit-oriented zones are temporarily exempt from the state-
20 mandated zoning provisions in Government Code Section 65912.157. The exemption expires
21 one year following the adoption of the jurisdiction's seventh housing element revisions.
22 Parcels eligible for this temporary exemption include parcels in an area designated as low
23 resource on the most recently adopted version of the opportunity area maps published by the
24 California Tax Credit Allocation Committee, within a jurisdiction that cumulatively allows for at
25 least 50% of the Residential Capacity required by SB 79. The Planning Commission, in

1 Resolution No. _____, found that the parcels listed in “Table of Temporary Exemptions-Low
2 Resource Parcels,” on file with the Clerk of the Board of Supervisors in Board File No.
3 _____, meet one or more of these criteria and are exempt from SB 79. The Board affirms
4 these findings, adopts them as its own, and exempts the listed parcels from SB 79.

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

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

9 **EXCEPTION.**

10 *(a) Purpose. This Section 207.11 implements the transit-oriented development policies in*
11 *Senate Bill No. 79 (2025) (“SB79”), codified in California Government Code Sections 65912.155 et*
12 *seq. That bill requires jurisdictions in certain urban transit counties to permit housing at specified*
13 *densities and heights for development located near defined transit-oriented development stops, unless*
14 *the jurisdiction makes findings that the sites are exempt, or adopts a transit-oriented development*
15 *alternative plan (“Alternative Plan”). The density and height exception in this Section 207.11*
16 *facilitates the City’s adoption of its Alternative Plan. In the ordinance enacting this Section 207.11, on*
17 *file in Board of Supervisors File No. 260132, the Board adopted the Alternative Plan, and made*
18 *findings that certain parcels listed in that Board File are exempt from SB 79.*

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

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

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

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

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

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

3 (6) Is not a parcel permanently or temporarily exempted from SB79 pursuant to the
4 ordinance enacting this Section 207.11, on file with the Clerk of the Board in File No. 260132.

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

9 (8) The permitted density prior to applying the density and height exception in
10 subsection (c) does not meet the minimum density required by California Government Code Section
11 65912.157.

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

14 (1) **Additional Density.** The applicable residential density limit for any housing
15 development project located on a site meeting the criteria in subsection (b) shall be up to 50% of the
16 density permitted on that parcel pursuant to the requirements in California Government Code Section
17 65912.157. For any parcel that is partially located in the Coastal Zone, the density exception shall
18 apply to the entire parcel, however residential development shall be limited to the portions of the parcel
19 located outside of the Coastal Zone.

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

23
24 Section 6. Adoption of Alternative Plan; Directing Planning Department to Post Online
25 Maps.

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

14 (b) The Planning Commission, in Resolution No. _____, found that the Residential
15 Capacity for parcels listed in "Table Demonstrating Housing Capacity for Alternative Plan," on
16 file with the Clerk of the Board of Supervisors in Board File No. _____, satisfy the
17 requirements of SB 79. Consistent with the requirements of California Government Code
18 Section 65912.161(a), the aforementioned table lists the sites included in the Alternative Plan
19 and includes data sufficient to demonstrate each individual site's compliance with the
20 residential capacity requirements for an Alternative Plan, each transit-oriented development
21 zone's compliance with the residential capacity requirements for an Alternative Plan, and the
22 overall residential capacity requirements across all station areas. The residential capacity
23 compliance findings include the capacity created by the Planning Code amendments in
24 Section 5 of this ordinance. The Board finds that the existing zoned capacity for these sites,
25

1 as modified by the amendments in Section 5 of this ordinance, satisfies the requirements for
2 an Alternative Plan.

3 (c) The Board of Supervisors directs the Planning Department to update online maps
4 to reflect all exemptions from SB 79 per this ordinance in accordance with California
5 Government Code Section 65912.161(b)(2).
6

7 Section 7. Transmittal to HCD.

8 The Board directs the Planning Department to transmit a final copy of this ordinance to
9 HCD no later than 60 days after enactment.
10

11 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the "Note" that appears under
16 the official title of the ordinance.

17 Section 9. Effective Date. This ordinance shall become effective at 12:00 a.m. on the
18 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
19 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
20 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/ Austin Yang
24 AUSTIN M. YANG
25 Deputy City Attorney

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