



STAFF REPORT

AGENDA NO: 11b

MEETING DATE: March 16, 2026

To: Honorable Mayor and City Council

Date: March 16, 2026

From: Neda Zayer, Community Development Director – (650) 558-7253

Subject: Consideration of California Senate Bill 79 (SB 79), the Abundant and Affordable Homes Near Transit Act

RECOMMENDATION

Staff recommends that the City Council receive the staff presentation on SB 79, discuss the legislation, and provide direction as to whether a transit-oriented development (TOD) alternative plan should be pursued.

BACKGROUND

On October 10, 2025, Governor Newsom signed Senate Bill 79 (SB 79) into law; the bill becomes effective on July 1, 2026. The statute is codified in California Government Code Sections 65912.155 through 65912.162 and supersedes locally adopted standards for density, floor area ratio (FAR), and height for housing projects proposed on qualifying sites located within a quarter mile (Tier 1) of a transit-oriented development (TOD) stop.

The City of Burlingame has two qualifying transit stops:

- Millbrae Multi-Modal station
- Downtown Burlingame Caltrain station

Cities and counties may choose to exempt certain areas from the law, temporarily exclude specific sites until the 7th Housing Element Cycle, or adopt a locally developed transit-oriented development (TOD) alternative plan that provides equivalent overall housing capacity. Any such local actions must be submitted to and approved by the California Department of Housing and Community Development prior to the July 1, 2026, effective date of the law. Below are the general requirements for developing a TOD alternative plan.

TOD Alternative Plan Requirements

The following general requirements must be met in the development of a TOD Alternative Plan:

1. The plan must maintain at least the same total net zoned capacity in terms of both total units and residential floor area as provided for in SB 79 across all TOD zones within the jurisdiction.
 - Net zoned capacity in units shall be measured by subtracting the current number of units in the area from the number allowed by the applicable development standards.
 - Net zoned capacity in floor area shall be measured by subtracting the current developed floor area in the area from the amount allowed by the applicable development standards.
2. The plan cannot reduce the maximum allowed density for any individual site by more than 50% below that permitted under SB 79.
3. The plan cannot reduce the capacity in any TOD zone in total units or residential FAR by more than 50%.
4. A site's maximum capacity counted toward the plan cannot exceed 200% of the maximum density established under SB 79.
5. Any site excluded from the minimum density requirements due to the presence of a historic resource designated on a local register will not be counted toward the plan's capacity.
6. Calculations regarding capacity, density, and FAR shall include capacity, density, or FAR available under voluntary local housing incentive programs.

At the March 16 City Council meeting, staff will provide a presentation outlining the development standards established under Senate Bill 79 and will present a potential alternative plan for the City Council's discussion and consideration.

FISCAL IMPACT

There is no fiscal impact associated with this item.

Exhibits:

- Association of Bay Area Governments (ABAG) Technical Assistance on SB 79
- Zoning Gap Analysis