

SB 79 Discussion Key Takeaways

March 9, 2026

The discussion was very well-attended with 75 participants from San Mateo County and Santa Clara County. It is clear this topic is top-of-mind for many jurisdiction staff members.

Below, please find a summary of the city-specific presentations, challenges, and opportunities.

City of Mountain View

- Has 5 TOD stops; views SB 79 compliance as similar in scope to a General Plan update.
- Warned City Council this is a significant ask requiring de-prioritization of other projects.
- Directed to exclude historic sites only; not seeking broader exclusions. Exclusions will only apply until one year after the 7th Housing Element Cycle.
- Considering a TOD Local Alternative Plan (starting 2027) to shift density away from the historic downtown core.
- Exploring Historic District designation for 3 blocks. If this is successful, it could bring SB 79 density requirements to zero in those areas.
- Deferring other ongoing work if the TOD Local Alternative Plan is pursued.

City of San Carlos

- Biggest concern is their five blocks of downtown core. Just completed a 3-year effort for the Downtown Specific Plan and Streetscape Master Plan., as well as resting buildout for their 2045 General Plan. All of these would need to be redone for SB 79.
- Due to population size, San Carlos only needs to comply with ¼-mile radius to TOD. Much of the existing zoning within ¼-mile radius doesn't have the ½ the maximum density required per SB 79 plans.
- Plan to immediately adopt ordinance to exclude all sites that can be excluded.
- Intend to adopt TOC Local Alternative Plan with next Housing Element. SF-zoned sites near the TOD stop will likely require upzoning.
- Timeline

- Worked with City Manager and each City Council member 1-by-1 to get buy in.
- Going to City Council on 3/23.
- Submitting ordinance to HCD the next day.
- Goal is to have ordinance go into effect on 5/13.
- Next step for TOD Local Alternative Plan: capacity analysis to identify where density can be shuffled around.

City of Burlingame

- Conducted background research, looking to Beverly Hills and Mountain View.
- Has two Tier 1 stations.
- No max density downtown, and FARs are way under SB 79 standards.
- Calculated that 16,826 units must be accommodated across all zones.
 - Made two zoning overlays to concentrate the densest development standards within 200 ft of station.
 - Trying to not put any new densities within ¼ to ½ mile TOD zone.
- Timeline
 - Going to City Council on 3/16.

City of Atherton

- Predominantly SF zoned jurisdiction with very minimal commercial zoning. Got the Housing Element certification this year.
- Privately owned sizes – cap @ 10du/ac.
- 10 sites within ¼-mile of Tier 1 TOD stop.
 - City Council wanted to establish standards for those SB 79 properties.
 - Extending as much as could from MF sites (10-20 du/ac) to 120 du/ac sites
- Feedback from HCD 3/9:
 - No existing standards for parking.
 - HCD was open to developing such standards for these SB 79 sites.
 - Town provided modeling to demonstrate that such standards wouldn't block development.
 - Town just adopted inclusionary housing ordinance that requires 20%
 - HCD Acknowledged that 7, 10, 13% requirements in SB 79 need to be met as part of that 20%.

Challenges & Areas of Opportunity

- SB 79 compliance a significant task similar in scope to a General Plan update.

- Can necessitate deprioritizing current projects.
- 67% of jurisdiction staff present not sure if their jurisdiction will be proceeding with an alternative implementation of SB79's requirements (excluding, exempting, Alt Plan).
- Areas of confusion:
 - If jurisdictions will be unable to prohibit height waivers via SDBL if they opt for a TOD Local Alternative Plan
 - If jurisdictions can get credit for existing units within the subareas or if they need to accommodate density on top of existing units.
- Group would appreciate having a follow-up meeting (perhaps after HCD issues guidance memo). 21 Elements plans to schedule this.
- Group would like everyone to share HCD feedback with each other. 21 Elements plans to coordinate this.
- 21 Elements will build out our SB 79 resources on our website.