



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: April 15, 2026
TO: Planning Commissioners
FROM: Seth Litchney, Deputy Director, City Planning Department
SUBJECT: April 16, 2026 Planning Commission Hearing Agenda Item 6 – Updated Senate Bill 79 (SB 79) Memo to City Council and Revised Proposed Ordinance

The City Planning Department has submitted the attached memorandum to the City Council with updated information on SB 79 implementation. The memorandum provides information on additional SB 79 qualifying transit stops added to the City's maps and analysis based on the recently released California Department of Housing and Community Development SB 79 guidance. The additional qualifying transit stops were included in the Report to the Planning Commission for agenda item 6 and its attachments.

Additionally, in the Report to the Planning Commission for this item, Attachment 1 – SB 79 Draft Ordinance has been amended. Please refer to the revised Attachment 1 for the item.

Attachments:

Updated Senate Bill 79 Overview and Compliance Options
Memorandum
Revised Attachment 1 – SB 79 Draft Ordinance

cc: Heidi Vonblum, Director, City Planning Department
Marlon Pangilinan, Program Coordinator, City Planning Department
Grant Ruroede, Senior Planner, City Planning Department Shannon
Eckmeyer, Deputy City Attorney




THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: April 15, 2026

TO: Honorable Council President Joe LaCava and Members of the City Council

FROM: Heidi Vonblum, City Planning Department Director
via Casey Smith, Chief Housing and Community Development Officer 

SUBJECT: Updated Senate Bill 79 Overview and Compliance Options

This memorandum provides an update to information provided via [memorandum on February 13, 2026 regarding Senate Bill 79 \(SB 79\) requirements and compliance options](#). Specifically, this memorandum provides updated information based on recently-issued guidance from the California Department of Housing and Community Development (HCD) in its [SB 79 Advisory Clarifications on Definitions for Metropolitan Planning Organizations](#) (HCD Advisory), which was issued on March 20, 2026. This guidance includes HCD's interpretations of key terms referenced in SB 79, including interpretations for identification of qualifying transit-oriented development (TOD) stops under SB 79.

As summarized in the February 13, 2026 memorandum, the City Planning Department, in coordination with SANDAG, had previously determined that SB 79 applied only to the City's trolley stations as no bus stops in the City have services that currently meet the definition of bus rapid transit in [California Public Resources Code Section 21060.2](#). However, the HCD Advisory provides that "[a] qualifying bus service TOD stop is a location where the bus stop is adjacent to a full-time dedicated transit lane and the average bus service intervals across the combined morning and afternoon peak periods is 15 minutes or less."

For San Diego, this means that under HCD's interpretation, four additional rapid bus stops qualify as TOD stops under SB 79 in addition to the previously-identified trolley stations. These four additional stops include the bus stops at Park Boulevard and Howard Avenue, Park Boulevard and University Avenue, the transit plaza at Interstate 15 and El Cajon Boulevard, and the transit plaza at Interstate 15 and University Avenue. Updated maps are attached to this memorandum showing these additional TOD stops. These maps are the same as the maps attached to the February 13, 2026 memorandum with the addition of the four additional bus stops.

Pursuant to SB 79, SANDAG still must determine SB 79's application to transit stops in the region, and the City is still required to implement SB 79 based on SANDAG's identified transit stops. SANDAG has not released its SB 79 map, meaning that this information continues to be subject to change.

However, based on the most recent information adding in the four additional bus rapid stops, this memorandum provides updated information and analysis applicable to San Diego. First, Table 2, SB 79 Required Zoning Capacity in City of San Diego TOD Zones is updated as follows:

Table 2
SB 79 Required Zoning Capacity in City of San Diego TOD Zones

	Estimated Home Capacity
SB 79 Required Home Capacity	861,000
Existing Base Zone Home Capacity	494,000
Additional SB 79 Home Capacity Required	367,000

It continues to be important to note that SB 79 allows the City to account for its local density bonus programs in determining total additional home capacity required. The City’s [Affordable Housing Regulations](#), [ADU Home Density Bonus](#) regulations, and [Complete Communities Housing Solutions](#) Regulations allow for density that exceeds the base zone and could also be counted toward the City’s requirement to identify additional home capacity, which the City Planning Department will continue to analyze and apply where allowed, meaning that the additional capacity required could be less than the 367,000 identified above.

Table 3, Overview of SB 79 Local Conditions is also updated as follows:

Table 3
Overview of SB 79 Local Conditions

	Acres in TOD Zones	Percent of TOD Zones	Approximate Total SB 79 Required Home Capacity
Very High Fire Hazard Severity Zones (Attachment 2) ¹	4,980	32%	424,000
Areas Outside of 1 Mile Walk (Attachment 3)	989	6%	77,000
Low Resource Opportunity Areas (Attachment 4)	4,050	26%	343,000
Sites with Historic Resource Designation on Local Register (Attachment 5)	165	1%	14,400
Sites Vulnerable to 1 Foot Sea Level Rise (Attachment 6)	150	1%	15,000
Sites that are not in Low Resource Opportunity Areas, Very High Fire Hazard Severity Zones, historic sites, or subject to 1 foot sea level rise (Attachment 7)	2,592	16%	241,000
Moderate, High, Highest Resource Opportunity Areas that contain Very High Fire Hazard Severity Zones, designated historic sites, or areas subject to 1 foot of sea level rise	3,720	24%	313,000

¹ Pursuant to Senate Bill 99 (SB 99), the City Planning Department is required to separately map residential development located in hazard areas – including fire hazard severity zones – that lack at least two emergency evacuation routes, such as dead end streets and cul-de-sacs.

April 15, 2026

The City Planning Department continues to welcome feedback from the City Council and is available for questions, discussion and feedback throughout the process.

Sincerely,



Heidi Vonblum
City Planning Director

HV/sl

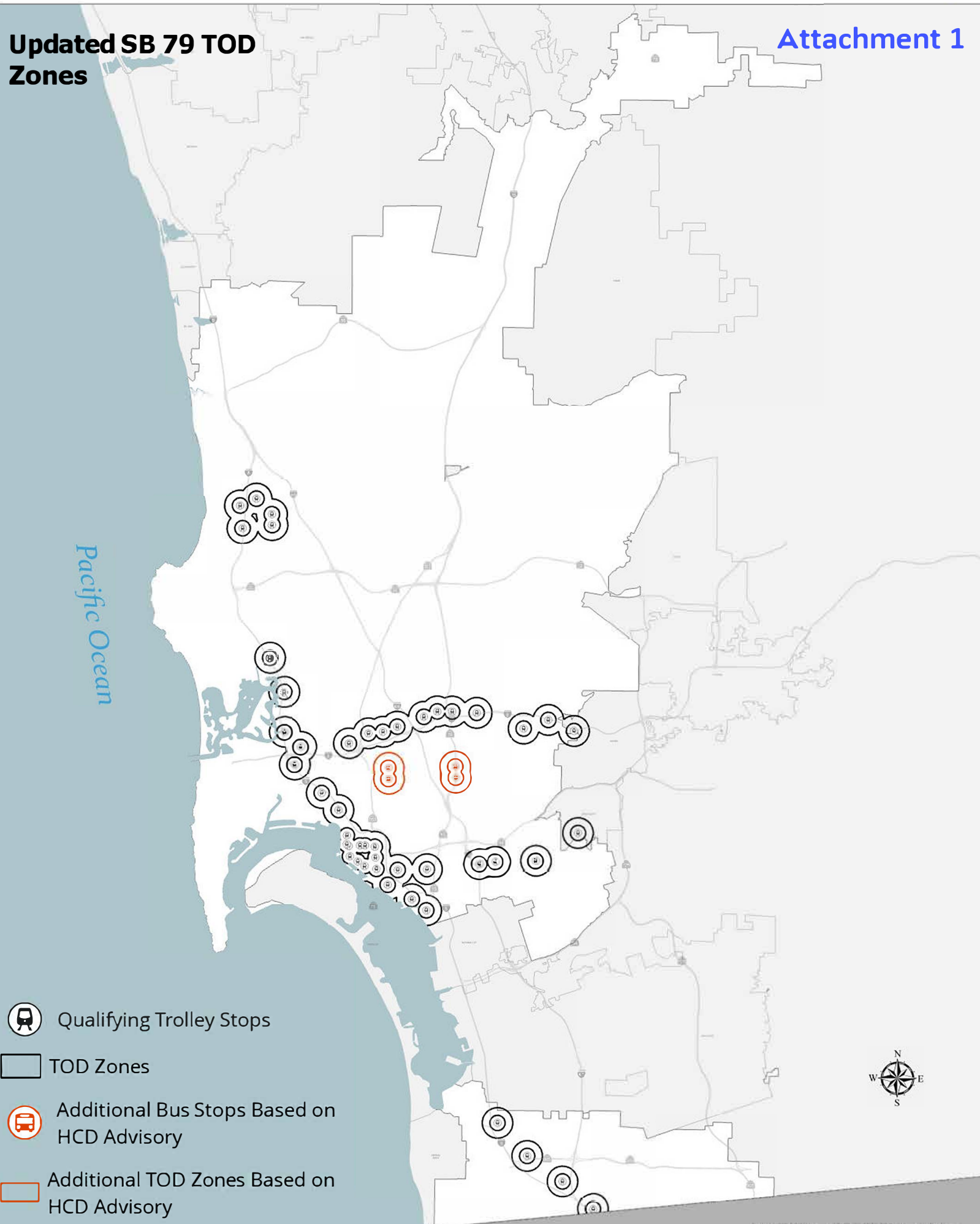
Attachments:





1. Updated SB 79 TOD Zones
2. Updated SB 79 TOD Zones within Very High Fire Hazard Severity Zones
3. Updated SB 79 TOD Zones Outside of One Mile Walking Distance
4. Updated SB 79 TOD Zones in Low Resource Areas
5. Updated SB 79 TOD Zones with Designated Historic Sites
6. Updated SB 79 TOD Zones on Sites Subject to 1 Foot Sea Level Rise
7. Updated SB 79 TOD Zones Required to Implement July 1, 2026
8. Updated SB 79 Areas Eligible to Implement After July 1, 2026

cc: Honorable Mayor Todd Gloria
Honorable City Attorney Heather Ferbert
Honorable Council President and Members of the City Council
Paola Avila, Chief of Staff, Office of the Mayor
Nick Serrano, Deputy Chief of Staff, Office of the Mayor
Charles Modica, Independent Budget Analyst
Casey Smith, Chief Housing & Community Development Officer, Office of the Mayor
Matt Yagyagan, Director of Policy, Office of the Mayor
Chris Ackerman-Avila, Senior Policy Advisor, Office of the Mayor
Elyse Lowe, Director, Development Services Department
Corrine Neuffer, Chief Deputy City Attorney
Tait Galloway, Deputy Director, City Planning Department
Kelley Stanco, Deputy Director, City Planning Department
Seth Litchney, Deputy Director, City Planning Department

Updated SB 79 TOD Zones

Attachment 1



-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory








Updated SB 79 TOD Zones within Very High Fire Hazard Severity Zones

Attachment 2

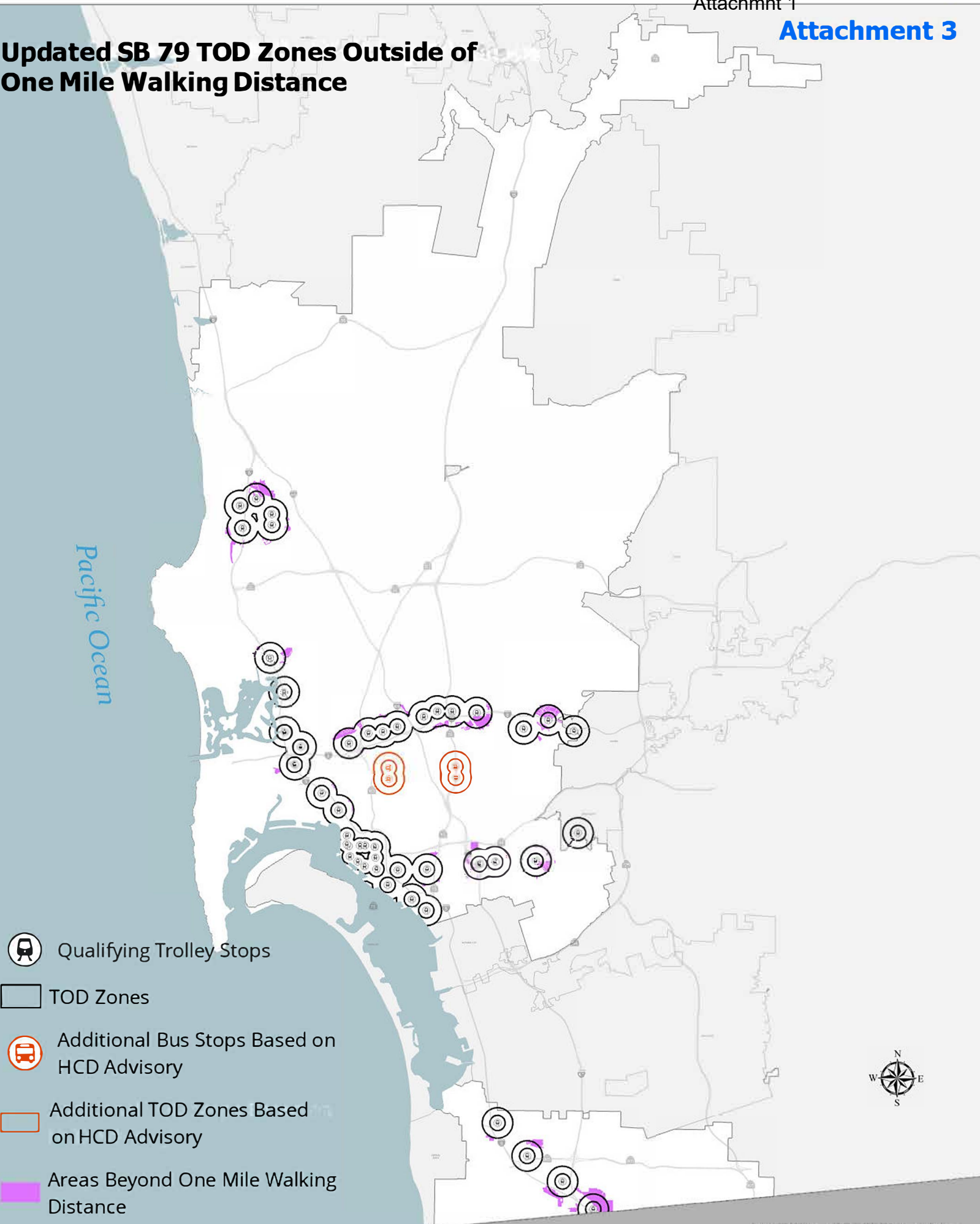
Attachnt 1






Pacific Ocean

-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  Areas within Very High Fire Hazard Severity Zones



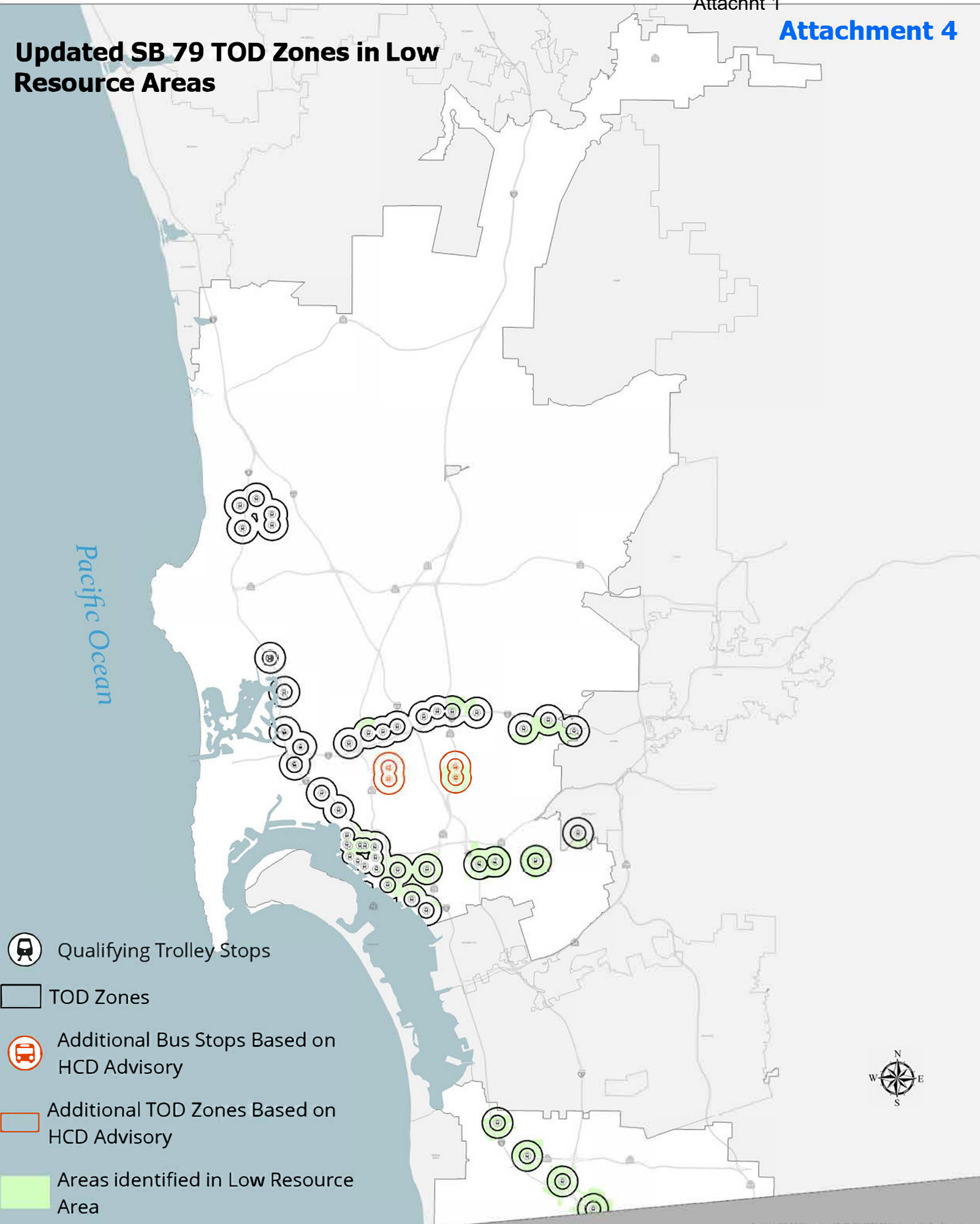
Updated SB 79 TOD Zones Outside of One Mile Walking Distance








-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  Areas Beyond One Mile Walking Distance



Updated SB 79 TOD Zones in Low Resource Areas








-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  Areas identified in Low Resource Area



Updated SB 79 TOD Zones with Designated Historic Sites






Pacific Ocean

-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  Areas with historically-designated resources



Updated SB 79 TOD Zones on Sites Subject to 1 Foot Sea Level Rise






Pacific Ocean

-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  Areas affected by approximately one foot of sea level rise in the future



Updated SB 79 TOD Zones Required to Implement July 1, 2026






Pacific Ocean

-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  Areas that will take effect under SB 79 on July 1, 2026



Updated SB 79 Areas Eligible to Implement After July 1, 2026

Pacific Ocean

-  Qualifying Trolley Stops
-  TOD Zones
-  Additional Bus Stops Based on HCD Advisory
-  Additional TOD Zones Based on HCD Advisory
-  SB 79 Areas Eligible to Implement After July 1, 2026



ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO PHASING THE IMPLEMENTATION OF SENATE
BILL 79 INCLUDING EXEMPTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. Senate Bill 79 (2025-2026 Reg. Sess.) (S.B. 79), amends Division 1 of Title 7 of the California Government Code (Government Code) by adding Chapter 4.1.5 (commencing with section 65912.155) to the Government Code and was signed by the Governor of California in October 2025.

B. SB 79 includes section 65912.155 to the Government Code in which the Legislature declared that California faces a housing shortage in areas with access to robust public transit and that building more homes near transit access reduces traffic congestion and housing and transportation costs for California families, and promotes environmental sustainability and economic growth.

C. Government Code section 65912.156 adds the definition of Transit Oriented Development (TOD) stops as a major transit stop, as defined by section 21064.3 of the California Public Resources Code (Public Resource Code), that is served by rail transit or bus service within an urban transit county (TOD Stops).

D. Government Code sections 65912.157(a) and 65912.159(a) require that a housing development project meeting certain requirements be an allowed use on any site zoned for residential, mixed, or commercial development within one-half mile of a TOD Stop and be eligible for streamlined, ministerial approval.

E. Based on the definitions in Government Code section 65912.156, it is anticipated that the only TOD Stops in the City of San Diego (City) are San Diego Trolley stops, which meet the definition of Tier 2 TOD Stops.

F. Government Code section 65912.160(f) requires metropolitan planning organization create a map of TOD Stops within its region. As of the drafting of this Ordinance, the San Diego Association of Governments (SANDAG) has not prepared this map. The City will apply SB 79 to all TOD Stops identified in the SANDAG map upon its release.

G. Section 65912.157(a)(5) of the Government Code prohibits local governments from imposing any height limit less than 65 feet, a maximum density of less than 100 homes per acre, or a floor area ratio of less than three for a housing development project within one-quarter of a mile of a Tier 2 TOD Stop.

H. Section 65912.157(a)(6) of the Government Code prohibits local governments from imposing any height limit less than 55 feet, a maximum density of less than 80 homes per acre, or a floor area ratio of less than 2.5 for a housing development project further than one-quarter mile but within one-half mile of a Tier 2 TOD Stop.

I. Government Code section 65912.157(n) applies an S.B. 79 effective date to the City on July 1, 2026, at which time the City would be required to ministerially approve development allowed under the bill, unless otherwise specified.

J. Government Code section 65912.160(e)(1) allows the designation of areas within one-half mile of a TOD Stop as exempt from S.B. 79 if the City makes findings supported by substantial evidence that there exists no walking path of less than one mile from a site to a TOD Stop.

K. In the City, exempting these areas from S.B. 79 implementation ensures that new development approved under the bill would have adequate walking access to a TOD Stop that takes into consideration the canyons, highways, and other barriers that could impede access.

L. The City Planning Department has identified areas where there exists no walking path of less than one mile from a site to a TOD Stop and excluded areas that do not have walking paths along sidewalks to ensure pedestrians have a safe, publicly available route to a TOD Stop.

M. Allowing S.B. 79 development in areas beyond a one-mile walking distance could result in operational inefficiencies in planning for and servicing new growth in the City, which is why exempting these areas is necessary. The City has mapped these areas by walking distances, excluding areas that do not have a sidewalk.

N. Government Code section 65912.161(b)(1)(B)(iii) allows for the phased implementation of sites located within an area designated as Low Resource Opportunity Areas identified on the most recently adopted maps published by the California Tax Credit Allocation Committee (CTCAC) to prior to one year following adoption of the seventh revision of the Housing Element, provided that the City cumulatively allows for at least 50 percent of the total unit and floor area capacity for housing development allowed around all TOD Stops.

O. The City Planning Department has determined that the City's existing base zones with sites that qualify for development under S.B. 79, already allow for approximately 60 percent of the S.B. 79 required home capacity, exceeding the 50 percent requirement

P. Phased implementation of S.B. 79 in Low Resource Areas will allow the City to implement the requirements of the bill in Highest, High, and Moderate Resource Areas first, which ensures that more market rate and affordable homes are can be permitted in these areas prior to S.B. 79 implementation in Low Resource Areas.

Q. Government Code section 65912.161(b)(1)(F) allows for the phased implementation of S.B. 79 on any site with a historic resource designated as of January 1, 2025, until prior to one year following adoption of the seventh revision of the City's General Plan Housing Element (Housing Element).

R. Phased implementation of S.B. 79 on sites with designated historic resources will allow for the City to ensure the developments allowed under the bill is consistent with its historical resources regulations, which are currently being considered for amendments.

S. Government Code section 65912.161(b)(1)(D) allows for the phased implementation of any site within a Very High Fire Hazard Severity Zone, as determined by the Department of Forestry and Fire Protection pursuant to section 51178 of the Public Resource Code, until prior to one year following adoption of the seventh revision of the Housing Element.

T. Phased implementation of S.B. 79 outside of Very High Fire Hazard Severity Zone allows the City to identify areas that may not be appropriate for development allowed under the bill, such as areas that have only one evacuation route, ensuring public safety is taken into account, consistent with Senate Bill 99 (2019-2020 Reg. Sess.) requirements.

U. Government Code section 65912.161(b)(1)(E) allows for the phased implementation of any site identified as vulnerable to one foot of sea level rise, until prior to one year following adoption of the seventh revision of the Housing Element.

V. The City has identified areas vulnerable to sea level rise, and phased implementation of S.B. 79 outside of these areas allows the City to determine whether the development allowed under the bill would be consistent with its Climate Resilient SD Plan.

W. According to the California Department of Housing and Community Development, the City's seventh revision of the Housing Element will be due on June 15, 2031.

X. Government Code section 65912.161 allows the City to implement S.B. 79 through the adoption of a TOD Alternative Plan that shifts the housing capacity required under the bill from one site to another site as long as the plan maintains at least the same total housing capacity as provided for in bill across all areas that qualify for development under S.B. 79 within the jurisdiction and the housing capacity one-half mile around each TOD Stop meets at least 50 percent of the housing capacity required by the bill.

Y. The City Planning Department will prepare a TOD Alternative Plan that will tailor S.B. 79 implementation to address the areas described above, along with other relevant issues, such as development scale and climate resiliency.

Z. Government Code section 65912.160 establishes that the California Department of Housing and Community Development (Department) shall oversee the City's proposed implementation ordinance and provides the Department with 90 to 120 days to review the ordinance and determine whether it is consistent with S.B. 79.

AA. Since SB 79 will take effect on July 1, 2026, a TOD Alternative Plan would not be adopted with a completed review from the Department prior to the bill taking effect on July 1, 2026.

BB. Because implementing S.B. 79 in Low Resource Areas, Very High Fire Severity Zones, on sites with designated historic resources, and on sites in area subject to one foot of sea level rise through a TOD Alternative Plan ensures the issues mentioned above are comprehensively addressed, the City desires for S.B. 79 not take effect in these areas on July 1, 2026, as allowed under state law.

CC. The Office of the City Attorney has drafted this Ordinance based on the information provided by City staff with the understanding that this information is complete, true, and accurate.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The Council adopts this Ordinance to implement Government Code sections 65912.160(e)(1), 65912.161(b)(1)(B)(iii), 65912.161(b)(1)(D), 65912.161(b)(1)(E), and 65912.161(b)(1)(F) related to the phased implementation of S.B. 79.

Section 2. The Council finds all areas identified by the City as having more than one mile walking path to a TOD Stop are exempt from the requirements of S.B. 79, as shown on the map attached to this Ordinance as Attachment 1.

Section 3. All areas identified as being Low Resource in the latest version of the opportunity area maps prepared by CTCAC will implement S.B. 79 no later than one year following adoption of the seventh revision of the Housing Element.

Section 4. All areas identified as being within a Very High Fire Severity Zone as shown on map attached to this Ordinance as Attachment 2, prepared by the City and approved by the Department of Forestry and Fire Protection will implement S.B. 79 upon the adoption of a TOD Alternative Plan that has been deemed compliant by the Department or no later than one year following adoption of the seventh revision of the Housing Element, whichever occurs first.

Section 5. All sites with a historic resource designated as of January 1, 2025, on a local register shown on map attached to this Ordinance as Attachment 3, will implement S.B. 79 upon the adoption of a TOD Alternative Plan that has been deemed compliant by the Department or no later than one year following adoption of the seventh revision of the Housing Element, whichever occurs first.

Section 6. All sites identified as vulnerable to one foot of sea level rise, as determined by the City coastal hazards vulnerability assessment shown on map attached to this Ordinance as Attachment 4, will implement S.B. 79 upon the adoption of a TOD Alternative Plan that has been deemed compliant by the Department or no later than one year following adoption of the seventh revision of the Housing Element, whichever occurs first.

Section 7. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 8. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.