



Senate Bill 79

Temporary Exemption Ordinance

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Overview

- SB 79 background
- Implementation options
- City Council recommended action
- Next steps

Background

- SB 79 (Abundant and Affordable Homes Near Transit Act)
 - Becomes effective on July 1, 2026
 - Overrides local development standards
 - Higher density, intensity (square footage), and height
 - Establishes multifamily development as a permitted use on sites zoned for residential, commercial, and mixed-uses
 - Applies to sites near qualifying transit stops
 - Upzoning is based on a tiered approach
 - Menlo Park Caltrain station is a Tier 1 Transit Oriented Development (TOD) stop



SB 79 development potential

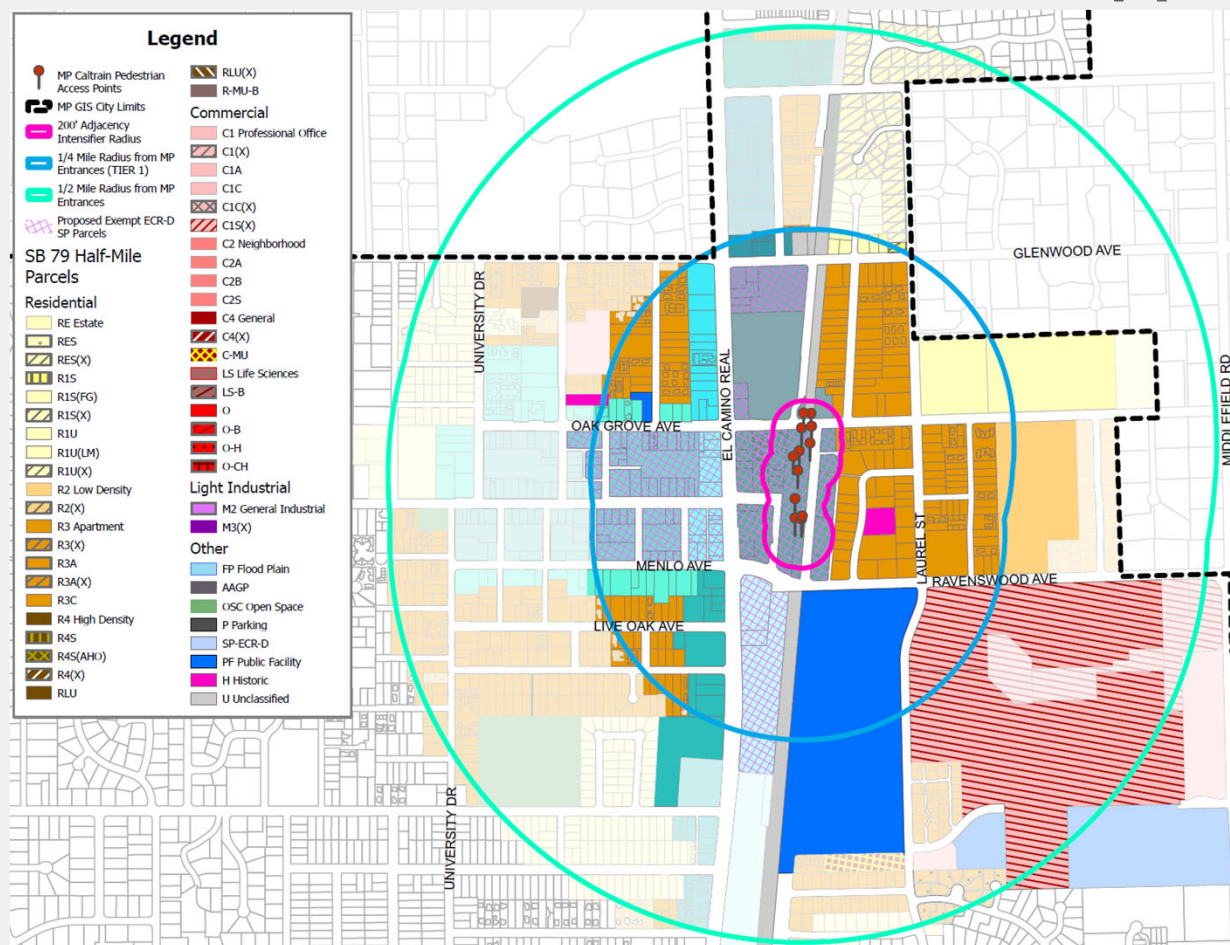
Table 1: SB 79 Tier 1 allowances

Location	Max height	Allowable max density	FAR
Adjacent (within 200 feet)	95 feet	160 du/ac	4.5
Within 0.25 mile	75 feet	120 du/ac	3.5
Within 0.5 mile	65 feet	100 du/ac	3

- Additional incentives and concessions beyond state density bonus law
 - Cities not required to grant height limit increases unless 100% lower income project



Menlo Park Caltrain and SB 79 Applicability



- Tier 1 TOD stop
- Menlo Park population less than 35,000
 - 0.25-mile radius applies



SB 79 project eligibility

- Eligibility requirements
 - Housing development project
 - Minimum five units
 - Minimum density: 30 du/ac or minimum set by zoning, whichever is greater
 - Max average unit size of 1,750 sf
 - No hotel use
 - Meet minimum affordability requirements
 - Local inclusionary ordinance applies if requires more affordable units or deeper affordability
 - Demolition of rent-controlled units heavily restricted





Approaches to implementation

- Adopt an exemption ordinance (staff recommendation)
- Rezone all TOD eligible sites to allow 50% of SB 79 default density and FAR
- Prepare a TOD Alternative Plan
- No action



Proposed SB 79 exemption ordinance

- Maintain current development standards in Menlo Park's downtown and El Camino Real corridor
 - Allow city time to consider other options (e.g., TOD Alternative Plan)
- Exempt applicable sites in Downtown/El Camino Real Specific Plan subdistricts:
 - D (Downtown)
 - SA-W (Station Area West)
 - SA-E (Station Area East)
 - ECR-SE (El Camino Real South-East)
 - ECR-NE-R (El Camino Real North-East Residential Emphasis)
 - Except for sites within 200 feet of a station entrance



Staff Recommendation

- Introduce and waive the reading of an ordinance to amend the Menlo Park Zoning Map and Zoning Ordinance to temporarily exclude eligible sites within the El Camino Real/Downtown Specific Plan that are within one-quarter mile of the Menlo Park Caltrain Station from SB 79
 - Planning Commission recommended the City Council not adopt the temporary exemption ordinance





Conclusion and next steps

- If ordinance is introduced
 - Second reading and adoption scheduled for May 19
 - Staff to submit ordinance to HCD for review
- If ordinance is adopted on May 19
 - Ordinance becomes effective June 18, 2026
 - Prior to SB 79's effective date (July 1, 2026)





Thank you