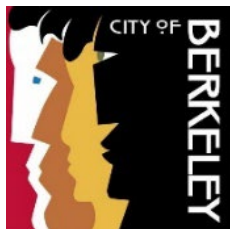




Item 10A | Presentation, Planning Commission
April 15, 2026

SB 79 & AB 893:

Transit-Oriented Development & Campus Development Zone Development Standards Overlays



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Purpose

- Summarize what SB 79 and AB 893 change for Berkeley.
- Show where transit-oriented development zones and campus development zones apply.
- Compare the new state standards to current Berkeley zoning.
- Frame the policy choices: temporary exclusions, a Local TOD Alternative Plan, and parcel exemptions.



Overview of the Laws

SB 79

- Effective July 1, 2026
- Applies within one-half mile of Berkeley's BART stations and the Berkeley overlap area around Rockridge BART.
- Projects must:
 - Include at least five units
 - Meet the applicable density threshold

AB 893

- Effective January 1, 2026
- Creates a campus development zone within one-half mile of UC Berkeley and Berkeley City College.
- Projects use the AB 2011 ministerial framework if they are in zones where office, retail, or parking are principally permitted uses.

Berkeley has three Tier 1 BART stops — Ashby, Downtown Berkeley, and North Berkeley — plus a small Berkeley area within one-half mile of Rockridge BART. The report identifies no Tier 2 stops in Berkeley.



SB 79 Around Berkeley BART Stations

Tier 1 TOD Development Standards

Area	Height	Density	FAR
Adjacent (within 200')	95 ft	160 du/ac	4.5
Within 1/4 mile	75 ft	120 du/ac	3.5
Within 1/2 mile	65 ft	100 du/ac	3.0

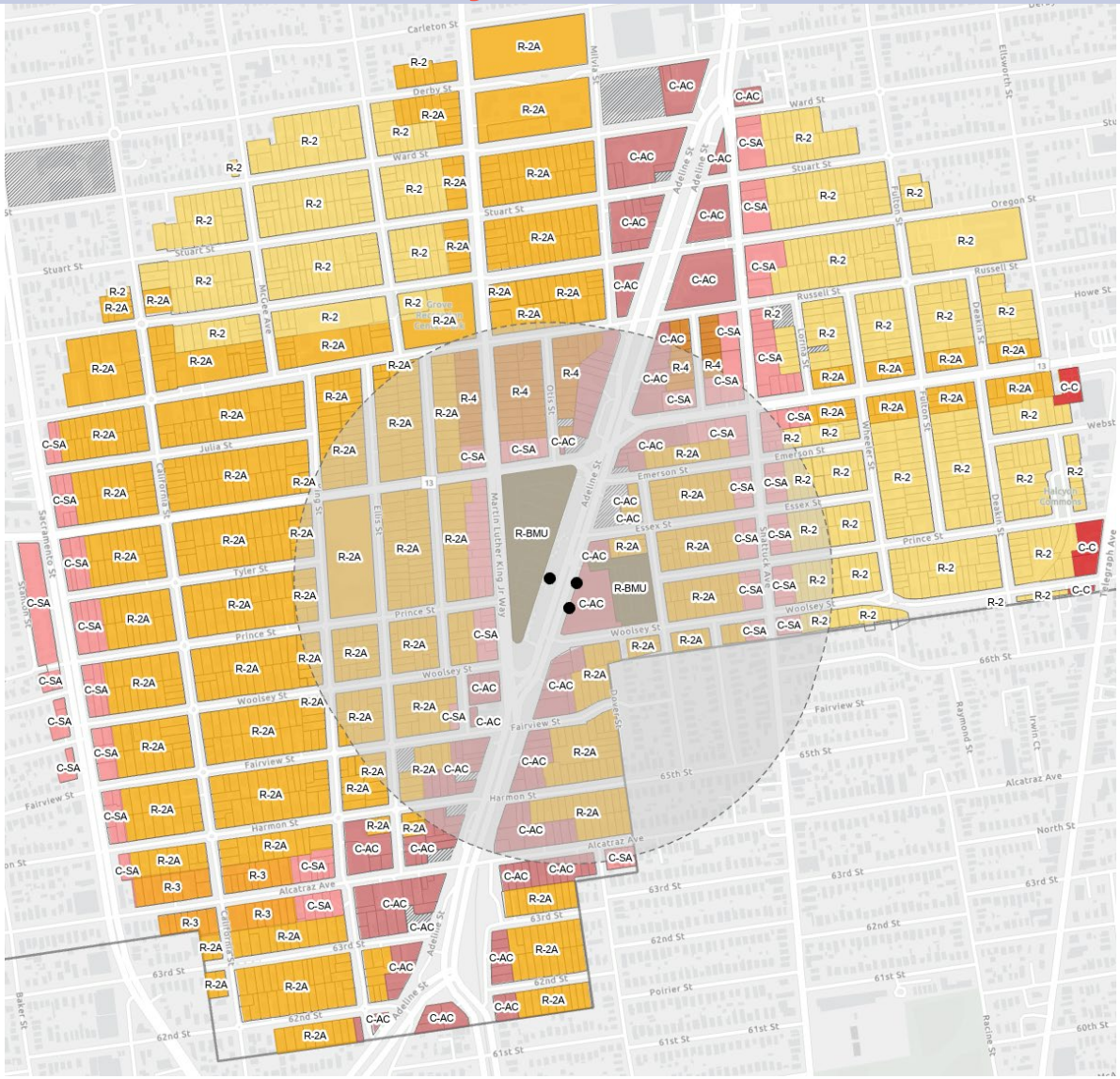
- Average unit size must be 1,750 net habitable sq ft or less.

Affordability Requirements:

- At least 7% of units dedicated to Extremely Low-Income households
- At least 10% of units dedicated to Very Low-Income households
- At least 13% of units dedicated to Low-Income households



Ashby BART Area





Maximum Height Standards

Zoning District	Existing Maximum Height	Adjacent	1/4 Mile	1/2 Mile
R-BMU	80 ft	95 ft		
C-AC	35 ft		75 ft	
R-2	35 ft			
R-2A	35 ft			65 ft
R-4	48 ft			
C-SA	35 ft			
R-3	35 ft			
C-C	35 ft			



Maximum Density Standards

Zoning District	Existing Maximum Du/ac	Adjacent	1/4 Mile	1/2 Mile
R-BMU	No max			
C-AC	123–300 du/acre	160 du/acre		
R-2	70 du/acre		120 du/acre	
R-2A	70 du/acre			100 du/acre
R-4	No max			
C-SA	No max			
R-3	No max			
C-C	No max			

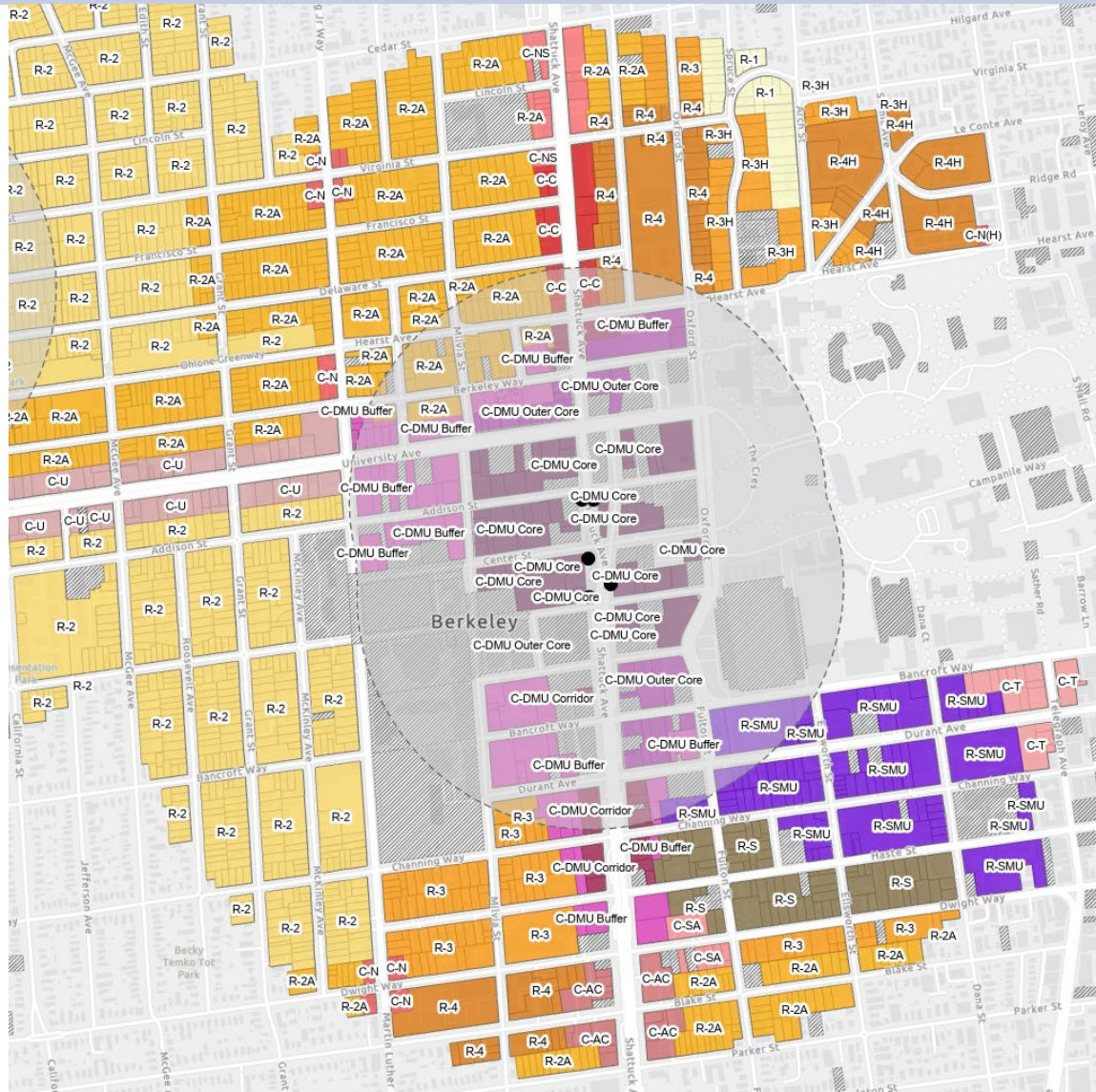


Maximum FAR Standards

Zoning District	Existing Maximum FAR	Adjacent	1/4 Mile	1/2 Mile
R-BMU	4.2	4.5		
C-AC	2.5			
R-2	No max			
R-2A	No max		3.5	
R-4	No max			
C-SA — Mixed-Use Projects	4.0			
C-SA — All Other Projects	No max			3.0
R-3 — Outside Southside Plan Area	No max			
R-3 — Within Southside Plan Area	3.0			
C-C	No max			



Downtown BART Area





Maximum Height Standards

Zoning District	Existing Maximum Height Limit	Adjacent	1/4 Mile	1/2 Mile
C-DMU Core, Outer Core, Corridor	75 ft	95 ft		
C-DMU Buffer	60 ft	[Shaded Area]		
R-2A	35 ft			
R-3	35 ft		75 ft	
R-4	35 ft			
R-5H	65 ft			
R-SMU	85 ft			65 ft
C-C	40 ft			
R-1	35 ft			
R-1H	35 ft			
R-3H	35 ft			
R-4H	35 ft			
R-S	55 ft			
C-NS	35 ft			
C-T	85 ft			
C-N(H)	35 ft			



Maximum Density Standards

Zoning District	Existing Maximum Density	Adjacent	1/4 Mile	1/2 Mile
C-DMU Core, Outer Core, Corridor	No max	160 du/acre		
C-DMU Buffer	70 du/acre			
R-2A	70 du/acre			
R-3	No max		120 du/acre	
R-4	No max			
R-5H	No max			
R-SMU	No max			
C-C	No max			100 du/acre
R-1	70 du/acre			
R-1H	1 unit			
R-3H	No max			
R-4H	No max			
R-S	No max			
C-NS	No max			
C-T	No max			
C-N(H)	No max			

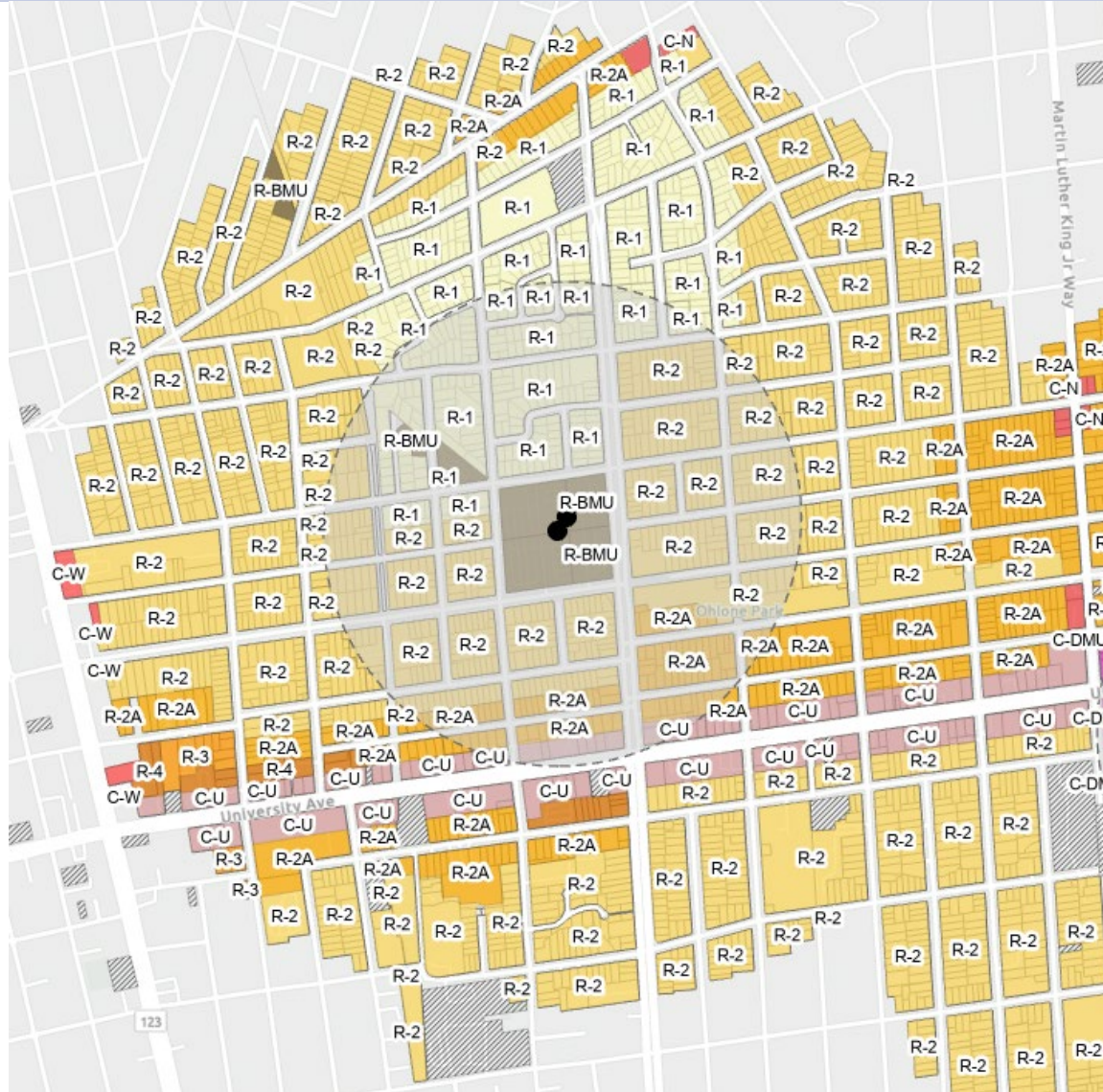


Maximum FAR Standards

Zoning District	Existing Maximum FAR	Adjacent	1/4 Mile	1/2 Mile
C-DMU Core, Outer Core, Corridor		4.5		
C-DMU Buffer		[Redacted]		
R-2A				
R-3			3.5	
R-4				
R-5H				
R-SMU	No max			
C-C				3.0
R-1				
R-1H				
R-3H				
R-4H				
R-S				
C-NS				
C-T				
C-N(H)				



North Berkeley BART Area





Maximum Height Standards

Zoning District	Existing Maximum Height	Adjacent	Within 1/4 Mile	Within 1/2 Mile
R-BMU	80 ft	95 ft		
R-1	35 ft			
R-2	35 ft		75 ft	
R-2A	35 ft			
C-U	48 ft			65 ft
R-3	35 ft			
R-4	35 ft			
C-N	35 ft			
C-W	50 ft			



Maximum Density Standards

Zoning District	Existing Maximum du/ac	Adjacent	Within 1/4 Mile	Within 1/2 Mile
R-BMU	No max	160		
R-1	70		120	
R-2	70			
R-2A	70			
C-U	No max		100	
R-3	No max			
R-4	No max			
C-N	No max			
C-W	No max			

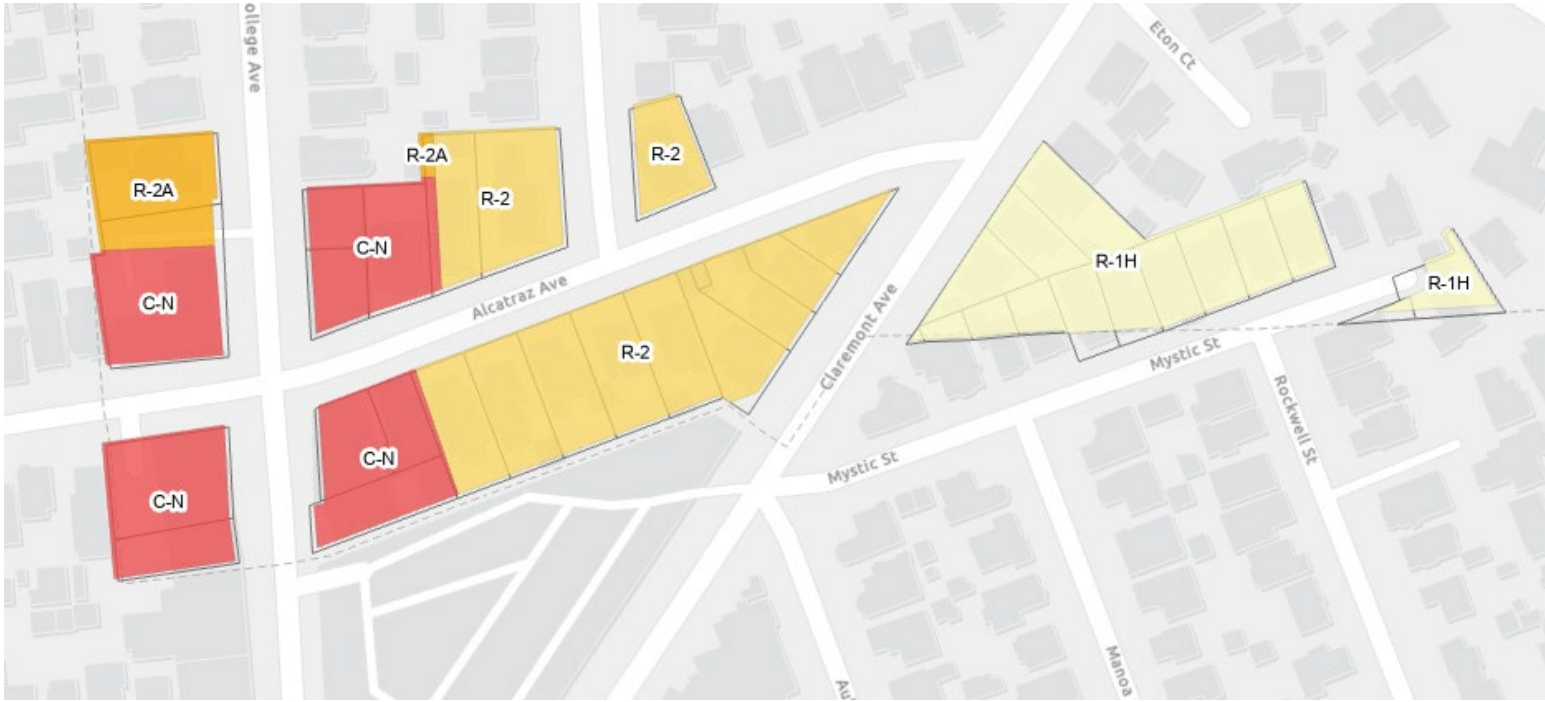


Maximum FAR Standards

Zoning District	Existing Maximum FAR	Adjacent	Within 1/4 Mile	Within 1/2 Mile	
R-BMU	4.2	4.5		—	
R-1	No max				
R-2	No max				
R-2A	No max				
C-U — Mixed-Use Projects	2.2			3.5	
C-U — All Other Projects	No max				
R-3 — Within Southside Plan Area	3.0				3.0
R-3 — Outside Southside Plan Area	No max				
R-4	No max				
C-N	3.0				
C-W	3.0				



Rockridge BART Area





Maximum Height and Density Standards

Zoning District	Existing Maximum Height Limit	SB 79 Standards (1/2 mile)
R-1H		
R-2	35 ft	65 ft
R-2A		
C-N		

Zoning District	Existing Maximum Du/ac	SB 79 Standards (1/2 mile)
R-1H	1 unit	
R-2	70 du/acre	100 du/acre
R-2A	70 du/acre	
C-N	No max	

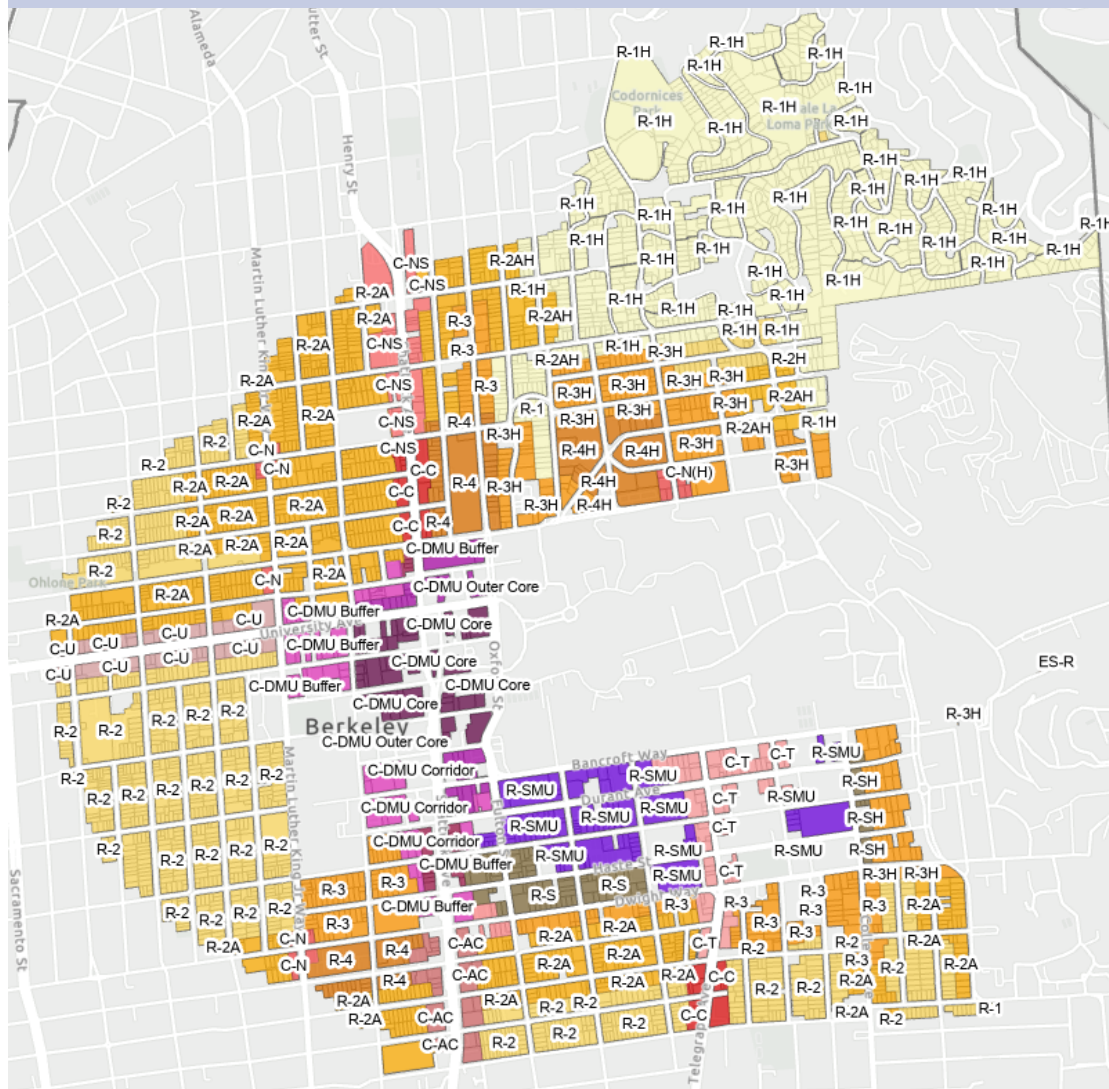


Maximum FAR Standards

Zoning District	Existing Maximum FAR	SB 79 Standards (1/2 mile)
R-1H	No max	
R-2	No max	
R-2A	No max	
C-N — Mixed-Use Projects	3.0	3.0
C-N — All Other Projects	No max	



AB 893 Campus Development Zone



Standards and eligibility

- Within one-half mile of the main campuses of UC Berkeley and Berkeley City College.
- Office, retail, or parking are principally permitted uses.
- Cannot be used on parcels with four or fewer dwelling units, on local/state/national historic resources, or where protected housing demolition would be required.
- AB 893 standard: 65 feet and 80 dwelling units per acre, unless local rules are already higher.



AB 893 Affordability Requirements

- Rental projects: either 5% ELI + 8% VLI or 15% lower-income
- Owner-occupied projects: either 30% moderate-income or 15% lower-income
- Affordable units may serve eligible students, faculty, or staff
- Local affordability requirements apply if they are higher or deeper
- Affordable units must be comparable to market-rate units



Where SB 79 and AB 893 Intersect

- Some parcels fall within both an SB 79 TOD zone and an AB 893 campus development zone.
- In the overlap areas, projects could use SB 79 development standards together with a ministerial process such as AB 2011 or SB 35.
- Staff anticipates that Berkeley may see more projects using SB 79 than the additional AB 893 pathway because of AB 893's specific affordability requirements.
- AB 893 parcel exemptions would require adopting an ordinance and follow the AB 2011 replacement process and require replacement capacity and no net loss findings that affirmatively further fair housing.



Interim Exclusions & Local TOD Alternative Plan – SB 79 only

Identified in the staff report

- Zones that already permit density and residential FAR at no less than 50% of SB 79.
- Sites with a historic resource on a local register designated before January 2, 2025.

Temporary exclusion ordinance

- The City can temporarily exclude qualifying parcels from SB 79 through an ordinance.
- Date for the temporary exclusion window is approximately 2032.
- Meanwhile staff should be preparing a Local TOD Alternative Plan

Local TOD alternative plan

- Must maintain equivalent total housing capacity across Berkeley TOD zones and receive HCD approval.
- No site or TOD zone may generally be reduced by more than 50%; no site may be increased by more than 200% of SB 79 density.



Staff Recommendation

- Review the staff report, receive the presentation, consider public comments, and provide feedback on policy issues regarding SB 79 and AB 893 and potential implementation pathways.



Thank you!

Questions and discussion

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