



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION



Technical Assistance
for Local Planning
HOUSING

DISCLAIMER: This guide is intended solely as a high-level summary of Senate Bill (SB) 79 (2025). It is not legal advice regarding any jurisdiction’s specific policies or any proposed project. Local staff should consult with their city attorney or county counsel when determining how to implement this new piece of legislation.

Senate Bill 79 (2025) Summary

Last updated: July 17, 2026.

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Introduction

On October 10, 2025, Governor Gavin Newsom signed Senate Bill (SB) 79 (2025) into law. The law is codified in Government Code Sections 65912.155 through 65912.162.¹

SB 79 makes qualified transit-oriented housing developments an allowed use on sites zoned for residential, mixed-use, or commercial development that are located near specified transit stops in counties with more than 15 passenger rail stations. In the Bay Area, eligible counties include San Francisco, Alameda, San Mateo and Santa Clara. SB 79 also sets statewide standards for height, density, and residential floor area ratios (FAR) for such housing developments, which vary based on how close a project is to the stop and how the stop is classified. This document summarizes the key provisions of SB 79 that are most relevant to local governments.

Key takeaways include:

- **SB 79 makes housing meeting specified standards an allowed use on residential, mixed-use, or commercial sites located within one-quarter or one-half mile (depending on city size) of a qualifying transit-oriented development (TOD) stop, and makes such housing eligible for state-set standards for building height, density and FAR.** These standards vary based on how close the project is to the stop (200 feet versus one-quarter mile versus one-half mile) and the level of transit service (Tier 1 versus Tier 2).

¹ All statutory citations in this document refer to the California Government Code unless otherwise specified.

- **SB 79 generally goes into effect on July 1, 2026, and in the Bay Area is currently only applicable in the counties of Alameda, San Francisco, San Mateo and Santa Clara.**
- **SB 79 does not include a ministerial review process or amend the California Environmental Quality Act (CEQA) itself, although qualifying SB 79 projects may use the ministerial review process under SB 35/SB 423, if otherwise eligible.** SB 79 projects that are ineligible for streamlined approval are to be reviewed under the jurisdiction’s standard review process and the Housing Accountability Act (HAA).
- **SB 79 allows for some local flexibility.** Cities and counties may exempt certain areas from the law, exclude certain sites from the law until the 7th Housing Element Cycle, or adopt their own local TOD alternative plan that provides the same overall housing capacity. Any such local measures must be reviewed and approved by the Department of Housing and Community Development (HCD).

How to use this document:

- Green indicates an **“action item.”**
- Yellow indicates information that **“impacts your job.”**
- Blue indicates information that is **“good to know.”**
- Key terms are defined in the **Key Definitions section**.

Wherever colors are used, the text is labeled for accessibility.

When and Where SB 79 Applies

The following provisions describe when and where SB 79 applies.

- **Effective Date.** SB 79 applies beginning on **July 1, 2026**, except for unincorporated areas, where it will not apply until the 7th Regional Housing Needs Allocation (RHNA) cycle. (Section 65912.157(n)). Cities may adopt an ordinance exempting certain sites until one year after adoption of the 7th Cycle Housing Element. (Section 65912.161(b).)
- **Urban Transit Counties.** SB 79 applies only in an “urban transit county,” which is defined as a county with more than 15 passenger rail stations. Although “passenger rail station” is not a defined term, legislative analysis suggests that eight California counties currently qualify as an urban transit county, including **the Bay Area counties of San Francisco, San Mateo, Santa Clara, and Alameda**, as well as the counties of Sacramento, Los Angeles, San Diego, and Orange. (Section 65912.156(q)).
- **Transit-Oriented Development (TOD) Zone.** SB 79’s requirements apply only to housing development located within a TOD zone, defined as the area within one-half mile of a TOD stop. A TOD stop means a transit-oriented development stop served by heavy rail, commuter rail, light rail, or bus rapid transit

(all defined in Key Definitions section), as well as certain planned stops that meet specified criteria (see the definition of TOD Stop in the Key Definitions section for further information). (Section 65912.156(p)). [MTC has developed a map of TOD stops and zones by tier in accordance with guidance from HCD.](#) This document will be updated to reflect future developments. **Action item:** Bookmark and visit [the Regional Housing Technical Assistance Program’s SB 79 webpage](#) and [MTC’s SB 79 webpage](#) to check for updates.

Project Eligibility under SB 79

All SB 79 projects must be located within a TOD zone (within one-half mile of a TOD stop) and comply with the following additional requirements.

- **Housing development project.** The project must be a “housing development project” (defined in Key Definitions section) under the HAA. No portion of the project may be designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. (Section 65912.156(g)).
- **Five or more housing units.** The project must include five or more housing units. (Section 65912.157(a)(1)).
- **Location.** The project must be located on a site that is zoned for residential, mixed-use, or commercial development (Section 65912.157(a)).
- **Minimum Density.** The project must meet the greater of (1) a density of at least 30 dwelling units per acre or (2) the minimum density required under local zoning, if applicable. (Section 65912.157(a)(1)).
- **Average Unit Size.** The average floor space of the proposed dwelling units may not exceed 1,750 “net habitable square feet” (defined in Key Definitions section). (Section 65912.157(a)(2)).
- **Affordable Housing.** The project, if it includes at least 11 units, must include housing for lower income households by dedicating at least 7% of total units to extremely low income households, 10% of total units to very low income households, or 13% of total units to lower income households. (Section 65912.157(i)(1)).² If a local inclusionary housing requirement mandates a higher percentage of

² All such affordable units must have an affordable housing cost or affordable housing rent, per Health & Safety Code Sections 50052.5 and 50053, respectively. In addition, the local agency must ensure the continued affordability of the units for a period of 55 years for rental units and 45 years for ownership units. (Section 65912.157(i)(1)(C)).

affordable units or a deeper level of affordability, then that local inclusionary requirement mandate applies instead. (Section 65912.157(i)(2)).

- **Safety.** The project must be consistent with the height, noise, and safety standards of any adopted, applicable airport compatibility plan or Department of Defense Air Installation Compatible Use Zones, as well as with objective statewide fire safety standards established by the California Building Code, Fire Code, Wildland-Urban Interface Code, Health & Safety Code, Public Resources Code, and Government Code Sections 51175 – 51189. (Section 65912.157(j)).
- **Demolition and Anti-Displacement Protections.** Projects may not be located on a site containing more than two units where the development requires the demolition of housing that is subject to rent or price control and that has been occupied by tenants within the past seven years. Projects also may not be located on a site where more than two units of housing that were subject to price or rent control were demolished within the past seven years. (Section 65912.157(h)). Projects must comply with the replacement housing requirements in SB 330 (Section 66300.6)³ as well as any local requirements or processes that implement these replacement housing requirements and any demolition and anti-displacement standards established through local ordinance. (Section 65912.157(f)-(h)).
- **Labor Standards.** Projects must meet prevailing wage and skilled and trained workforce requirements for any building over 85 feet in height. (Section 65912.157(k)).

Action item: Develop an SB 79 application form listing the requirements for SB 79 projects and how applicants can demonstrate eligibility. The Regional Housing Technical Assistance Program has developed [a template application form](#) to assist in this effort.

SB 79 Development Standards

SB 79 not only provides that eligible transit-oriented housing development “shall be an allowed use” on sites zoned for residential, mixed-use, and commercial development near qualifying TOD stops. It also establishes development standards for such eligible transit-oriented housing development near qualifying TOD stops, which vary by distance from the stop and how that stop is categorized.

Local agencies may not apply lower height, density, or residential FAR limits than those set by SB 79 unless they adopt a local transit-oriented development alternative plan that maintains the same residential capacity or adopt certain other local ordinances (discussed in the Local Government Options to Modify section below).

³ See ABAG’s Regional Housing Technical Assistance’s [Guide to California State Replacement Housing Requirements](#) for further information.

In addition, projects that achieve specified densities are eligible for additional concessions under State Density Bonus Law (SDBL).

These standards are summarized below and are codified in Government Code Section 65912.157(a)(3)–(6) and (e).

Development Standards Available to Transit-Oriented Housing Projects Under SB 79

The table below provides a breakdown of the allowed height, dwelling units per acre, and residential Floor Area Ratio (FAR) for eligible housing development projects specified by SB79 based on distance to a Tier 1 or Tier 2 TOD stop. **Local agencies may not require height, density, or residential FAR limits below these standards, unless they implement one or more of the options included in the Local Government Options to Modify section below.** Local agencies may still enforce local standards that do not, alone or in concert, prevent a project from achieving the applicable SB 79 development standards, unless one or more options to modify SB 79 has been implemented.

Key terms that determine whether a transit stop qualifies as Tier 1 or Tier 2 stop are included in Key Definitions section below. For example, BART and Caltrain stations are Tier 1 stops, and SF Muni Metro, V.T.A. light rail, and A.C. Transit Tempo stations are Tier 2 stops. Distance to a TOD stop must be measured in a straight line from the nearest edge of the parcel containing the project to a pedestrian access point for the TOD stop. (Section 65912.157(b).) “Pedestrian access point” is not a defined term in the statute; HCD has provided guidance on its meaning in its [SB 79 Advisory Clarifications on Definitions for Metropolitan Planning Organizations \(March 20, 2026\)](#).

Table 1. Development Standards Available to TOD Housing Projects under SB 79

Location	Permitted Development: Tier 1 Stop (served by heavy rail transit or very high frequency commuter rail)	Permitted Development: Tier 2 Stop (excluding Tier 1 stops, served by light rail transit, high-frequency commuter rail, or bus rapid transit)
Adjacent to TOD stop (within 200 feet of a pedestrian access point ⁴ to stop).	- Height: 95 feet - Density: 160 du/ac⁵ - Residential FAR: 4.5	- Height: 85 feet - Density: 140 du/ac - Residential FAR: 4.0
Within ¼-mile of TOD stop.	- Height: 75 feet - Density: 120 du/ac - Residential FAR: 3.5	- Height: 65 feet - Density: 100 du/ac - Residential FAR: 3.0
Between ¼ and ½ mile of TOD stop in a city with at least 35,000 residents.	- Height: 65 feet - Density: 100 du/ac - Residential FAR: 3.0	- Height: 55 feet - Density: 80 du/ac - Residential FAR: 2.5

Note that the FAR limits here apply only to residential FAR, defined to include only “net habitable square footage dedicated to residential use.” (Section 65912.156(l).) “Net habitable square footage” is included in the Key Definitions section below.

Action items: Conduct a zoning gap-analysis inside each TOD zone, by tier, to identify where local standards fall below SB 79 minimums (height, density, residential FAR) or preclude them, such as by maximum lot coverage standards. Consider drafting zoning code amendments to resolve any conflicts, which must be reviewed by HCD in accordance with Section 65912.160. Note that these standards do not need to apply to certain sites until one year after adoption of the 7th Cycle Housing Element if a city adopts an ordinance excluding them, and other areas may be excluded entirely (see Local Government Options to Modify section below).

⁴ Note that although “pedestrian access point” is not a defined term in the statute, HCD has provided guidance on its meaning in its [SB 79 Advisory Clarifications on Definitions for Metropolitan Planning Organizations \(March 20, 2026\)](#).

⁵ Du/ac refers to dwelling units per acre.

Good to know: Jurisdictions are **not** required to amend their zoning ordinances to implement SB 79, resolve inconsistencies with SB 79, or implement an option to modify SB 79's requirements. If a jurisdiction takes no action, SB 79's standards apply directly and supersede any conflicting local zoning.

State Density Bonus Law (SDBL) (Section 65915)

Projects developed under SB 79 are eligible for the full range of benefits provided under SDBL (Section 65915). This includes eligibility for density bonuses, incentives or concessions, waivers or reductions of development standards, and modified parking ratios, using the density permitted under SB 79 as the project's base density. One major caveat is that local governments are not required to grant additional height increases through SDBL beyond those already authorized under SB 79, except as specifically provided in Section 65915(d)(2)(D) for 100% affordable projects.

Projects that meet both certain density thresholds under SB 79 and the affordability requirements of the SDBL are eligible for up to three additional concessions. These thresholds and benefits vary by the project's proximity to a TOD stop, the tier of the stop, and the depth of affordability provided, as outlined in the table below.

Table 2. Additional SDBL Concessions Available to SB 79 Projects

Tier and Distance from TOD Stop	Minimum Density to Qualify for Additional Concessions	Additional Concessions Available
Tier 1 and within ¼ mile of stop.	90 du/ac	• Three additional concessions for projects providing housing for extremely low income households. • Two for projects providing housing for very low income households. • One for projects providing housing for low-income households.
Tier 1 and between ¼ and ½ mile of stop in a city with at least 35,000 residents.	75 du/ac	Same as above.
Tier 2 and within ¼ mile of stop.	75 du/ac	Same as above.
Tier 2 and between ¼ and ½ mile of stop in a city with at least 35,000 residents.	60 du/ac	Same as above.

Local Government Options to Modify

SB 79 gives jurisdictions three main ways to adjust implementation of SB 79. For any of these options, HCD review is required per Section 65912.160, as discussed in the Review and Enforcement section below.

Action Item: Jurisdictions pursuing any of these options should coordinate early with HCD on timing, data, and documentation requirements. Given HCD's permitted review times, if jurisdictions intend to adopt a plan or ordinances that will be in effect when SB 79 becomes effective on July 1, 2026, they should aim to submit adopted ordinances to HCD by March 2026.

Exempting Certain Areas

A jurisdiction may adopt an ordinance, subject to HCD review under Section 65912.160 (as discussed in the Review and Enforcement section below), to exempt limited areas within one-half mile of a TOD stop from SB 79 eligibility. These exemptions are limited to (1) sites that lack a pedestrian access path of less than one mile to the TOD stop, or (2) in jurisdictions with at least 15 TOD stops, areas that are designated in the

jurisdiction's general plan on or before January 1, 2025 as industrial employment hubs of at least 250 acres. (Section 65912.160(e)).

Excluding Certain Sites Until One Year After Adoption of the 7th Cycle Housing Element

Jurisdictions may adopt an ordinance, subject to HCD review under Section 65912.160 (as discussed in the Review and Enforcement section below), specifying sites to exclude from SB 79's TOD development standards until one year after adoption of the jurisdiction's 7th Cycle Housing Element. To qualify for an exclusion, a site must fall into one or more of the following categories. (Section 65912.161(b)(1)).

- The site's zoning already permits density and residential FAR that is at least 50% of the SB 79 development standard.
- The site is in a TOD zone where at least 33% of sites have a permitted density and residential FAR of at least 50% of the SB 79 development standard and where the TOD zone cumulatively allows for at least 75% of SB 79's aggregate density requirement.
- The site is in a TOD zone that is primarily comprised of a low-resource area (see definition of low-resource area in the Key Definitions section) and that cumulatively allows for at least 40% of SB 79's aggregate density requirement.
- The site is in a low-resource area (see definition of low-resource area in the Key Definitions section) within a jurisdiction that, across all TOD zones, cumulatively allows for at least 50% of the total SB 79 capacity for units and residential FAR.
- The site is covered by an adopted local TOD alternative plan.
- The site is in a very high fire hazard severity zone or state responsibility area, is vulnerable to one foot of sea level rise, or contains a historic resource designated as of January 1, 2025, on a local historic register.

Local governments adopting such an ordinance must clearly identify excluded sites or TOD zones on the jurisdiction's public zoning map. (Section 65912.161(b)(2)).

Adopting a Local TOD Alternative Plan

A local government may satisfy SB 79 by adopting a local TOD alternative plan instead of applying the state standards directly. (Section 65912.161(a)). The plan must generally maintain equivalent total housing capacity across all TOD zones within the jurisdiction (see the definition of TOD Zone in the Key Definitions section) and receive HCD approval. The capacity of any site cannot be reduced more than 50%, with the exception of sites within a very high fire hazard zone, sites vulnerable to one foot of sea level rise, and sites with a historic

resource on a local register, and the capacity of any one TOD zone cannot be reduced more than 50%. The capacity of any site cannot be increased by more than 200% from the maximum densities in SB 79. In the 7th Cycle, a Local TOD Alternative Plan may be included in the Housing Element itself or adopted separately by ordinance. To become effective, an alternative plan must be reviewed and approved by HCD, as discussed in the Review and Enforcement section below. Once approved, the local plan replaces SB 79's development standards within the area included in the alternative plan.

Review and Enforcement

The following provisions govern the process for project review, as well as the enforcement and oversight of local compliance with SB 79.

- SB 79 and Project Streamlining Options.** SB 79 does **not** create a ministerial approval process or exempt projects from CEQA review. However, qualifying projects may choose to use the streamlined ministerial approval process under SB 35/SB 423 if they meet that law's other requirements. Under SB 79, all sites eligible for SB 79 standards are potentially eligible for SB 35/SB 423 streamlining regardless of whether the jurisdiction is otherwise subject to SB 35/SB 423 based on its Housing Element or RHNA progress. In addition, projects need only meet the minimum affordability standard established under SB 35/SB 423, which requires at least 10% very-low-income units for rental projects or 10% low-income units for ownership projects (although they must also meet the affordability standards in SB 79).
- Impacts your job—Effect of SB 79 Compliance on Local Review.** Projects that comply with the TOD development standards of SB 79; any applicable local objective general plan and zoning standards (to the extent those standards do not prevent achieving SB 79's TOD development standards); and any approved incentives, concessions, or waivers granted under SDBL are deemed consistent and in conformity with all applicable local plans, policies, and standards for purposes of the HAA (Section 65589.5). (Section 65912.157(l)). If a housing development complies with all objective standards existing at the time the project is deemed complete, under the HAA, it cannot be denied, have its density reduced, or have an infeasible condition imposed unless the local government makes a finding supported by the preponderance of the evidence that the project would cause a "specific, adverse impact" that cannot be mitigated. (Section 65589.5(j)(1).) Beginning January 1, 2027, denials of projects that meet SB 79's requirements and that are located in high-resource areas are rebuttably presumed to be unlawful and are subject to penalties of \$10,000 per unit. (Section 65912.157(m)).
- Impacts your job—HCD review of local ordinances.** Local governments may – but are not required to – enact a local ordinance to make their zoning code consistent with SB 79's development standards or to

implement one or more of the local options to modify SB 79's standards.⁶ Local governments adopting an ordinance to implement or modify SB 79 standards must submit a draft to HCD at least 14 days before adoption and a final version within 60 days after enactment. HCD then has up to 90 days (with one optional 30-day extension) to determine whether the ordinance substantially complies with SB 79. If HCD finds noncompliance, the local government must consider HCD's findings and either amend the ordinance or, if it chooses to adopt the ordinance without changes, include findings in its adopting resolution explaining why it believes the ordinance complies with SB 79. If the local government does not take either step, HCD may notify the Attorney General. (Section 65912.160(d)). However, other provisions in SB 79 appear to require that alternative plans and other implementing ordinances be approved or found compliant by HCD to become effective. (Sections 65912.157(n) & 65912.161(d)). Ordinances adopted to make zoning consistent with SB 79 are not considered a project under the California Environmental Quality Act. (Section 65912.160(c)).

Transit Agency TOD Zoning Standards

SB 79 grants transit agencies new authority to adopt TOD zoning standards for land they own within one-half mile of qualifying transit stops. (Section 65912.158). These TOD zoning standards will establish minimum local zoning requirements—such as height, density, FAR, and allowed uses—that apply to agency-owned parcels.

Although this authority rests with the transit agency's board of directors, local governments have opportunities to participate and influence the process.

- **Notice and consultation requirements.** Before adopting or amending TOD zoning standards, the transit agency must hold a public hearing and consult directly with affected local governments and relevant infrastructure agencies. This consultation must include a review of the local jurisdiction's housing needs, recently approved or proposed TOD projects, and any barriers to development. (Section 65912.158(c)(1)).
- **Public review period.** Agencies must provide at least 30 days' public notice before the board meeting where TOD standards are considered and must make draft standards available to the public during that time. (Section 65912.158(c)(2)–(3)).
- **Updating and applying local zoning.** Where local zoning is inconsistent with the agency's TOD zoning standards for a station, the local jurisdiction may adopt a local zoning ordinance that conforms to the agency's TOD zoning standards. (Section 65912.158(e)). The transit agency is required to make a

⁶ Note that SB 79's standards are effective and applicable in instances in which a local government does not enact a local ordinance.

finding as to whether the local zoning ordinance conforms to the agency's TOD zoning standards. (Section 65912.158(f)(2)). If, after two years of the date the agency's TOD zoning standards are adopted, the local zoning still does not conform, the agency's TOD zoning standards automatically take effect for the affected agency-owned parcels, except for height limits that exceed the standards in Section 65912.157, which are described in the above section on SB 79 Development Standards. (Section 65912.158(f)). Jurisdictions may continue to apply objective, written development standards so long as they are consistent with the agency's adopted TOD zoning standards; where inconsistencies arise, the agency's standards govern. (Section 65912.158(h)).

- **Good to know:** AB 2923, effective January 1, 2019, granted the San Francisco Bay Area Rapid Transit District (BART) authority to set minimum TOD zoning standards for BART-owned parcels within one-half mile of its stations. (Public Utilities Code Sections 29010.1 *et seq.*) SB 79 is silent on its interaction with these provisions. AB 2923 remains in effect until it expires on January 1, 2029, unless it is extended by the Legislature.

Key Definitions

For further clarification of key definitions, review HCD's [SB 79 Advisory Clarifications on Definitions for Metropolitan Planning Organizations](#) (published March 26, 2026).

Bus Rapid Transit (bus service meeting the standards of Public Resources Code Section 21060.2(a)(1))

Per Public Resources Code Section 21060.2(a)(1), "bus rapid transit" means a public mass transit service provided by a public agency or by a public-private partnership that includes full-time dedicated bus lanes or operation in a separate right-of-way dedicated for public transportation with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.⁷

Heavy Rail Transit

"Heavy rail transit" means a public electric railway line with the capacity for a heavy volume of traffic using high-speed and rapid acceleration passenger rail cars operating singly or in multicar trains on fixed rails, separate rights-of-way from which all other vehicular and foot traffic are excluded, and high platform loading. "Heavy rail transit" does not include California High-Speed Rail. (Section 65912.156(d)).

⁷ Note that Public Resources Code Section 21060.2(a) includes additional features of bus rapid transit, but those features are not relevant for SB 79 purposes.

High-Frequency Commuter Rail

“High-frequency commuter rail” means a commuter rail service operating a total of at least 48 trains per day across both directions, not including temporary service changes of less than one month or unplanned disruptions, and not meeting the standard for very high frequency commuter rail, at any point in the past three years. (Section 65912.156(e)).

Housing Development Project

“Housing development project” means a use consisting of any of the following:

- (A) Residential units only.
- (B) Mixed-use developments consisting of residential and nonresidential uses that meet any of the following conditions:
 - (i) At least two-thirds of the new or converted square footage is designated for residential use.
 - (ii) At least 50% of the new or converted square footage is designated for residential use and the project meets both of the following:
 - (I) The project includes at least 500 net new residential units.
 - (II) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.
 - (iii) At least 50% of the net new or converted square footage is designated for residential use and the project meets all of the following:
 - (I) The project includes at least 500 net new residential units.
 - (II) The project involves the demolition or conversion of at least 100,000 square feet of nonresidential use.
 - (III) The project demolishes at least 50% of the existing nonresidential uses on the site.
 - (IV) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.
- (C) Transitional housing or supportive housing.

(D) Farmworker housing, as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code.

(Section 65589.5(h)(2)).

Note that for SB 79 purposes, a “housing development project” does not include a project where any portion is designated for use as transient lodging, except that a residential hotel, as defined in Health & Safety Code Section 50519, and use of the lodging as short-term rental after issuance of a certificate of occupancy may be permitted. (Section 65912.156(g).)

Light Rail Transit

“Light rail transit” includes streetcar, trolley, and tramway service. “Light rail transit” does not include airport people movers. (Section 65912.156(h)).

Low-Resource Area

“Low-resource area” means an area designated as low resource on the most recently adopted version of the opportunity area maps published by the California Tax Credit Allocation Committee and HCD.

Net Habitable Square Footage

“Net habitable square footage” means the finished and heated floor area fully enclosed by the inside surface of walls, windows, doors, and partitions, and having a headroom of at least six and one-half feet, including working, living, eating, cooking, sleeping, stair, hall, service, and storage areas, but excluding garages, carports, parking spaces, cellars, half-stories, and unfinished attics and basements. (Section 65912.156(i)).

Tier 1 TOD Stop

“Tier 1 TOD stop” means a TOD stop within an urban transit county that is served by heavy rail transit or very high-frequency commuter rail. (Section 65912.156(n)).

Tier 2 TOD Stop

“Tier 2 TOD stop” means a TOD stop within an urban transit county (excluding a Tier 1 TOD stop) served by light rail transit, by high-frequency commuter rail, or by bus rapid transit (as defined in Public Resources Code Section 21060.2(a)(1)).⁸ (Section 65912.156(o)).

⁸ For information on what Public Resources Code Section 21060.2(a)(1) provides, review the definition of Bus Rapid Transit above.

TOD Stop

“Transit-oriented development stop” (TOD stop) means a major transit stop, as defined by Section 21064.3 of the Public Resources Code, and also including stops on a route for which a preferred alternative has been selected or which are identified in a regional transportation improvement program, that is served by heavy rail transit, very high frequency commuter rail, high frequency commuter rail, light rail transit, or bus service within an urban transit county meeting the standards of paragraph (1) of subdivision (a) of Section 21060.2 of the Public Resources Code.⁹ When a new transit route or extension is planned that was not identified in the applicable regional transportation plan on or before January 1, 2026, those stops shall not be eligible as transit-oriented development stops unless they would be eligible as Tier 1 transit-oriented development stops. If a county becomes an urban transit county subsequent to July 1, 2026, then bus service in that county shall remain ineligible for designation of a transit-oriented development stop. (Section 65912.156(p)).

TOD Zone

“Transit-oriented development zone” means the area within one-half mile of a TOD stop. (Section 65912.156(m)).

Urban Transit County

“Urban transit county” means a county with more than 15 passenger rail stations. (Section 65912.156(q)).

Very High Frequency Commuter Rail

“Very high frequency commuter rail” means a commuter rail service with a total of at least 72 trains per day across both directions, not including temporary service changes of less than one month or unplanned disruptions, at any point in the past three years. (Section 65912.156(r)).

⁹ For information on what Public Resources Code Section 21060.2(a)(1) provides, review the definition of Bus Rapid Transit above.