


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE, AS RECOMMENDED BY THE PLANNING COMMISSION:

(1) AMENDING TITLE 17 OF THE OAKLAND MUNICIPAL CODE (THE PLANNING CODE) TO ADD CHAPTER 17.86 S-8 ABUNDANT AND AFFORDABLE HOMES NEAR TRANSIT (SENATE BILL 79) COMBINING ZONE REGULATIONS IDENTIFYING SITES ELIGIBLE AND INELIGIBLE OR EXCLUDED FROM THE SENATE BILL 79 PROPERTY DEVELOPMENT STANDARDS;

(2) MAKING RELATED OAKLAND ZONING MAP AMENDMENTS TO DESIGNATE PARCELS WITHIN THE S-8 COMBINING ZONE AND TO IDENTIFY WHETHER SUCH DESIGNATED PARCELS ARE ELIGIBLE FOR OR EXCLUDED FROM THE SENATE BILL 79 PROPERTY DEVELOPMENT STANDARDS; AND

(3) MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

WHEREAS, on October 10, 2025, the California Governor signed Senate Bill 79, also referred to as the Abundant and Affordable Homes Near Transit Act, which added Chapter 4.1.5 to Division 1 of Title 7 of the California Government Code; and

WHEREAS, according to the author's statement included in the legislative history for Senate Bill 79, the law tackles the root causes of California's affordability crisis by allowing more homes to be built near major public transportation stops by upzoning land for multi-family homes up to seventy-five feet within a half mile of specified major transit stations and bus rapid transit stops; and

WHEREAS, In the Fall of 2021, the City of Oakland commenced a two-phased process to update the Oakland General Plan;

WHEREAS, on January 31, 2023, the Oakland City Council adopted Resolution No. 89565 C.M.S., adopting the 2023-2031 Housing Element as a general plan amendment to the Oakland General Plan; and

WHEREAS, on October 3, 2023, the Oakland City Council adopted Ordinance No. 13763 C.M.S., amending the Oakland Planning Code to implement various zoning reforms, including actions to reduce setbacks and add more residential density across several residential zoning designations, as part of Phase 1 of the City of Oakland General Plan Update; and

WHEREAS, on July 16, 2024, the Oakland City Council adopted Resolution No. 90377 C.M.S., adopting the Downtown Oakland Specific Plan and creating opportunities for housing throughout Downtown Oakland; and

WHEREAS, the Downtown Oakland Specific Plan and the 2023-2031 Housing Element build upon prior City of Oakland Specific Plans to create more density around transit stations, including the Central Estuary Plan, Broadway Valdez District Specific Plan; the Coliseum Area Specific Plan; the Lake Merritt Station Area Plan, and the West Oakland Specific Plan; and

WHEREAS, the City of Oakland is currently in the middle of Phase 2 of the General Plan Update, of which updates to the Land Use and Transportation Element is a critical part;

WHEREAS, according to the California Department of Housing and Community Development and the California Tax Credit Allocation Committees Opportunity Map resources, the flatlands of the City of Oakland, including the International Boulevard corridor, are predominantly designated as low-resource areas; and

WHEREAS, in 1998 the Oakland City Council amended the Oakland Historic Preservation Element to create the Local Register of Historical Resources, which under Policy 3.8 of the City of Oakland Historic Preservation Element is defined to include all Oakland Landmarks, S-7 and S-20 Preservation District combining zone properties, Potentially Designated Historic Properties that have an existing survey rating of “A” or “B” or are located within Areas of Primary Importance, Heritage Properties, and Preservation Study List Properties, as those terms are defined in the City of Oakland Historic Preservation Element, which together constitute roughly three percent of properties in the City; and

WHEREAS, there are nine BART stations and 39 bus stops along the AC Transit Tempo line, running from International Boulevard to Downtown, that qualify as major transit stops impacted by Senate Bill 79; and

WHEREAS, Senate Bill 79 allows for local jurisdictions to adopt transit-oriented development alternative plans as part of an amendment to the housing element or a program to implement the housing element upon showing that the plan provides at least the same total zoned capacity as Senate Bill 79 and meets other requirements to not overconcentrate density standards;

WHEREAS, Senate Bill 79 also includes provisions allowing localities to exclude, up until one year following the adoption of the seventh revision of the housing element, some sites otherwise eligible for upzoning if specified exclusion criteria are made, including but not limited to (1) sites with existing zoning that permits density and residential floor area at no less than fifty percent of the development standards specified in Senate Bill 79, (2) sites within a transit-oriented development zone that is primarily comprised of a low-resource area which includes sites with densities that cumulatively allow for at least forty percent of the aggregate density for the transit-oriented development zone as specified in Senate Bill 79; and (3) sites with a historic resources designated as of January 1, 2025 of a local register; and

WHEREAS, California Government Code Section 65912.160 provides that if a local government adopts an ordinance to comply with Senate Bill 79, the local government shall submit a draft ordinance to the California Department of Housing and Community Development at least fourteen (14) days prior to adoption of the ordinance in order to receive any feedback the department may have on the proposal;

WHEREAS, City of Oakland Planning Bureau staff have prepared a proposal to utilize certain Senate Bill 79 exclusions until the City incorporates a transit-oriented development alternative plan into the General Plan Update Phase 2 program, have presented and received recommendations from the Planning Commission on the proposal, and have sent the proposal to the California Department of Housing and Community Development more than fourteen (14) days prior to City Council's final action on this ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council finds and determines the foregoing recitals to be true and correct and an integral part of the City Council's decision and hereby adopts such recitals as findings.

SECTION 2. Administrative record. The adoption of the exclusions identified in this Ordinance is supported by substantial evidence in the record, including all City Council agenda reports, all Planning Commission staff reports, and all attachments thereto;

SECTION 3. Amendment of the Oakland Planning Code. The Oakland Planning Code (Title 17 of the Oakland Municipal Code) is hereby amended pursuant to ***Exhibit A*** attached hereto and incorporated by reference herein. Additions to the Oakland Planning Code are shown as underline and deletions are shown as ~~striketrough~~.

SECTION 4. Amendment of the Oakland Zoning Maps. The Oakland Zoning Maps are hereby amended as indicated in ***Exhibit B*** (S-8 eligibility and exclusion under Gov. Code Sec. 65912.161(b)(1)(B)(ii)), ***Exhibit C*** (S-8 exclusion under Gov. Code Sec. 65912.161(b)(1)(A)), ***and Exhibit D*** (S-8 exclusion under Gov. Code Sec. 65912.161(b)(1)(F)) attached hereto and incorporated by reference herein. The City Administrator or their designee is hereby authorized to revise the City's Geospatial Information Systems map to be consistent with the maps included in this Ordinance.

SECTION 5. California Environmental Quality Act. The proposed Zoning Map and Planning Code amendments are statutory exempt from the California Environmental Quality Act under California Government Code Section 65912.160(c)(2).

SECTION 6. Filing of Notice of Exemption. The Environmental Review Officer shall file a Notice of Exemption/Notice of Determination with the appropriate agencies.

SECTION 7. Submittal to California Department of Housing and Community Development. The City Administrator or their designee shall transmit this Ordinance with Exhibits and supporting documentation to the California Department of Housing and Community Development as soon as practicable but no later than sixty (60) days after adoption pursuant to Government Code Section 65912.160(d).

SECTION 8. No Conflict with Federal or State Law. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any Federal or State law.

SECTION 9. Necessary to Serve Public Interest. This Ordinance serves the public interest and is necessary to protect the health, safety, and/or general welfare of the residents of Oakland and is enacted pursuant to the City of Oakland's general police powers, Section 106 of the Charter of the City of Oakland, and Article XI, Section 5 and 7 of the California Constitution.

SECTION 10. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 11. Preparation of Local Alternative Plan. The City Council hereby directs the City Administrator to present a local transit-oriented development alternative plan, as defined in California Government Code Section 65912.161, to the City Council within one year of adoption of a comprehensive amendment to the Land Use and Transportation Element of the City of Oakland General Plan.

SECTION 12. Effective Date. This ordinance shall become effective July 1, 2026; however, if enacted after July 1, 2026, it shall become effective immediately upon final adoption if it receives six or more affirmative votes, or upon the seventh day after final adoption if it received fewer than six affirmative votes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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NOTICE AND DIGEST

AN ORDINANCE, AS RECOMMENDED BY THE PLANNING COMMISSION:

(1) AMENDING TITLE 17 OF THE OAKLAND MUNICIPAL CODE (THE PLANNING CODE) TO ADD CHAPTER 17.86 S-8 ABUNDANT AND AFFORDABLE HOMES NEAR TRANSIT (SENATE BILL 79) COMBINING ZONE REGULATIONS IDENTIFYING SITES ELIGIBLE AND INELIGIBLE OR EXCLUDED FROM THE SENATE BILL 79 PROPERTY DEVELOPMENT STANDARDS;

(2) MAKING RELATED OAKLAND ZONING MAP AMENDMENTS TO DESIGNATE PARCELS WITHIN THE S-8 COMBINING ZONE AND TO IDENTIFY WHETHER SUCH DESIGNATED PARCELS ARE ELIGIBLE FOR OR EXCLUDED FROM THE SENATE BILL 79 PROPERTY DEVELOPMENT STANDARDS;

(3) MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

This Ordinance serves to locally implement the Abundant and Affordable Homes Near Transit Act (SB 79) by adding a new S-8 combining zone to the Oakland Planning Code. The combining zone serves to identify areas of the City that constitute transit-oriented development zones as defined under the state law, identify sites eligible for upzoning under the law, and designate sites as excluded pursuant to one or more of the exclusion provisions provided in the law under Government Code Section 65912.161(b). The Ordinance also enacts zoning maps consistent with the combining zone. The Ordinance is statutory exempt from the California Environmental Quality Act.

Exhibit A:

S-8 Abundant and Affordable Homes Near Transit (Senate Bill 79) Combining Zone

The Oakland Planning Code (Title 17 of the Oakland Municipal Code) is proposed to be amended as follows. Additions are shown in underline and deletions are shown in ~~strikethrough~~.

**Chapter 17.86 S-8 Abundant and Affordable Homes Near Transit (Senate Bill 79)
Combining Zone Regulations**

Sections:

17.86.010 - Title, purpose, and applicability.

17.86.020 - Definitions.

17.86.030 – Tier 1 and Tier 2 Transit Oriented Development Stops.

17.86.040 - Zones with which the S-8 Zone may be combined.

17.86.050 – Eligibility.

17.86.060 – Exclusions.

17.86.070 – Property Development Standards.

17.86.080 – Additional Requirements.

17.86.010 - Title, purpose, and applicability.

The provisions of this Chapter shall be known as the S-8 Abundant and Affordable Homes Near Transit (Senate Bill 79) Combining Zone Regulations. This S-8 Zone is intended to implement the provisions codified in California Government Code Title 7, Division 1, Chapter 4.1.5 (commencing with Section 65912.155), enacted by Senate Bill 79 (2025-2026), as may be amended.

The S-8 Zone includes all parcels of land that are within one-half mile of Tier 1 and Tier 2 Transit-Oriented Development Zones, regardless of their zoning designation. This Chapter further evaluates whether a parcel is eligible under the provisions of Senate Bill 79 as a site zoned for residential, mixed, or commercial development. Finally, this Chapter applies exclusions to certain sites that would otherwise be eligible for Senate Bill 79 but qualify for an identified exclusion as described in California Government Code Section 65912.161. The exclusions included in Section 17.86.060 are valid until January 31, 2032, or one year following the adoption of the seventh revision of the City of Oakland Housing Element, or adoption of a local transit-oriented development alternative plan, whichever occurs first.

These regulations shall apply in the S-8 Zone and are supplementary to the regulations applying in the base zones with which the S-8 Zone is combined. If a parcel is eligible for SB 79 and not excluded as described in this Chapter, then it may take advantage of SB 79's supplementary development standards (See Section 17.86.070). If a parcel is ineligible or is eligible but excluded, then it remains subject to the development standards of the underlying zone.

17.86.020 - Definitions.

The following definitions included in Government Code Section 65912.156 are incorporated herein by reference and shall be applied to this Chapter only (refer to Section 65912.156 for the definitions, as they may be amended):

- Housing Development Project;
- Low-Resource Area;
- Residential Floor Area Ratio;
- Tier 1 Transit-Oriented Development Stop;
- Tier 2 Transit-Oriented Development Stop;
- Transit-Oriented Development Zone;
- Transit-Oriented Development Stop;

Additional definitions provided in California Government Code Section 65912.156 are not directly incorporated in this Chapter but may be referenced as applicable to this Chapter only.

The following additional definitions, which do not appear in California Government Code Section 65912.156, also apply to this Chapter only:

Covered. Covered is a term used in California Government Code Section 65912.161 to refer to sites that are both eligible to utilize the standards specified under California Government Code Section 65912.157(a) and not excluded by the City utilizing the provisions in California Government Code Section 65912.161(b)(1).

Eligible Project. Eligible Project means a Housing Development Project proposed on an Eligible Site that additionally meets all requirements for the development under California Government Code Section 65912.157.

Eligible Site. Eligible Site means a site within the S-8 Zone (within one-half mile of a TOD Stop as identified under Section 17.86.030) that is zoned for residential, mixed, or commercial development, as further identified under Section 17.86.050.

Ineligible Site. Ineligible Site means a site within the S-8 zone (within one-half mile of a TOD Stop) that is not zoned for residential, mixed, or commercial development, as further identified under Section 17.86.050.

SB 79 or Senate Bill 79. Senate Bill 79 refers to the California legislation approved by the California Governor on October 10, 2025, that added Chapter 4.1.5 to Division 1 of Title 7 of the California Government Code. Senate Bill 79 is also referred to as the Abundant and Affordable Homes Near Transit Act.

TOD. TOD is an abbreviation of Transit-Oriented Development and is used in reference to Transit-Oriented Development Stops and Transit-Oriented Development Zones.

17.86.030 - Tier 1 and Tier 2 Transit Oriented Development Stops

The following Tier 1 TOD stops are located within the City of Oakland:

- Rockridge BART Station
- MacArthur BART Station
- 19th Street BART Station
- 12th Street BART Station
- West Oakland BART Station
- Lake Merritt BART Station
- Fruitvale BART Station
- Coliseum BART Station

The following Tier 1 TOD stop is located outside of the City of Oakland but within one-half mile of the city boundary such that certain Oakland parcels are within the TOD zone surrounding the stop:

- Ashby BART Station

The following Tier 2 TOD stops are located within the City of Oakland:

- AC Transit TEMPO Uptown Oakland Southbound Stop
- AC Transit TEMPO Uptown Oakland Northbound Stop
- AC Transit TEMPO 14th Street Northbound Stop
- AC Transit TEMPO 14th Street Southbound Stop
- AC Transit TEMPO City Center Northbound Stop
- AC Transit TEMPO City Center Southbound Stop
- AC Transit TEMPO Harrison Street Northbound Stop
- AC Transit TEMPO Harrison Street Southbound Stop

- AC Transit TEMPO Madison Street Northbound Stop
- AC Transit TEMPO Madison Street Southbound Stop
- AC Transit TEMPO 2nd Ave Northbound Stop
- AC Transit TEMPO 2nd Avenue Southbound Stop
- AC Transit TEMPO 5th Avenue Northbound Stop
- AC Transit TEMPO 5th Avenue Southbound Stop
- AC Transit TEMPO 10th Avenue Northbound Stop
- AC Transit TEMPO 10th Avenue Southbound Stop
- AC Transit TEMPO 14th Avenue Northbound Stop
- AC Transit TEMPO 14th Avenue Southbound Stop
- AC Transit TEMPO 20th Avenue Stop
- AC Transit TEMPO 24th Avenue Stop
- AC Transit TEMPO 28th Avenue Stop
- AC Transit TEMPO 31st Avenue Stop
- AC Transit TEMPO Fruitvale Stop
- AC Transit TEMPO 39th Avenue Stop
- AC Transit TEMPO High Street Stop
- AC Transit TEMPO 48th Avenue Stop
- AC Transit TEMPO 54th Avenue Stop
- AC Transit TEMPO Seminary Stop
- AC Transit TEMPO 63rd Avenue Stop
- AC Transit TEMPO 67th Avenue Stop
- AC Transit TEMPO 73rd Avenue Stop
- AC Transit TEMPO 77th Avenue Stop
- AC Transit TEMPO 82nd Avenue Stop
- AC Transit TEMPO 86th Avenue Stop
- AC Transit TEMPO 90th Avenue Stop
- AC Transit TEMPO 95th Avenue Stop
- AC Transit TEMPO 98th Avenue Stop
- AC Transit TEMPO 103rd Avenue Stop

The following Tier 2 TOD stop is located outside of the City of Oakland but within one-half mile of the city boundary such that certain Oakland parcels are within the TOD zone surrounding the stop:

- AC Transit TEMPO Durant Avenue Stop

17.86.040 - Zones with which the S-8 Zone may be combined; Mapping.

The S-8 Zone may be combined with any zone that is located within one-half mile of a Tier 1 or Tier 2 TOD stop.

The City shall indicate on its public zoning map all properties included within the S-8 Combining Zone. For each parcel in the S-8 Combining Zone, the City shall indicate whether the property is Ineligible as described in Section 17.86.050, Eligible but excluded as described in Section 17.86.060, or Eligible and not excluded, i.e. Covered. The exclusions shall be applied comprehensively; a site shall be mapped as excluded if it is designated as excluded under any of the exclusions described in paragraphs A, B, or C of Section 17.86.060. The ordinance adopting this Chapter shall be accompanied by maps identifying such parcels.

17.86.050 - Eligibility.

A site within the S-8 Zone is considered an Eligible Site that may utilize the development standards provided under this S-8 Combining Zone and the Abundant and Affordable Homes Near Transit Act only if the site is zoned for residential, mixed, or commercial development.

The following zones are not residential, mixed, or commercial zones and therefore a site with any such designation is an Ineligible Site and may not utilize the development standards provided in the Abundant and Affordable Homes Near Transit Act:

- OS Open Space Zoning Designations
- M-40 Industrial Zone Designations
- CIX, IG, and IO Industrial Zone Designations
- S-16 Interstate Corridor Commercial Zone Designations
- D-CE-5, D-CE-6 Central Estuary District Industrial Zone Designations
- D-GI Gateway District Industrial Zone Designations
- D-CO-5, D-CO-6 Coliseum Area Industrial Zone Designations
- D-DT-JLI Downtown District Jack London Industrial Zone Designations
- Undesignated areas serving as road, highway, train track, bicycle lane, and other right of way.
- Parcels lying underwater.

17.86.060 - Exclusions.

California Government Code Section 65912.161(b) provides that local governments may enact an ordinance excluding certain sites otherwise located in zones eligible for Senate Bill

79 standards if those sites meet enumerated criteria. In enacting this Section 17.86.060, the City of Oakland adopts the following exclusions:

A. Sites permitting density and residential floor area ratios at no less than 50 percent of the standards specified under California Government Code Section 65912.157. (Gov. Code Sec. 65912.161(b)(1)(A)) Sites with the following zoning designations are excluded based on the provision of maximum densities and residential floor area ratio exceeding fifty (50) percent of those standards provided in the Abundant and Affordable Homes Near Transit (Senate Bill 79):

- For sites within one-quarter mile of a Tier 1 TOD stop:
 - a. RU-3, RU-4, RU-5
 - b. CN (all height areas except the 35* height area)
 - c. CC (all height areas)
 - d. CR-2 (all height areas)
 - e. HBX-3, HBX-4
 - f. S-1
 - g. S-15, S-15W (all height areas)
 - h. D-OTN
 - i. D-BV-2, D-BV-3, and D-BV-4 (all height areas except the 45* height area)
 - j. D-CE-3, D-CE-4
 - k. D-LM (all height areas)
 - l. D-CO-1, D-CO-2
 - m. D-DT-P, D-DT-C, D-DT-CX, D-DT-R, D-DT-RX, and D-DT-CPW (all height areas except Height Area 1, Height Area 2, Height Area 5, and Height Area 12)
- For sites further than one-quarter mile but within one-half mile of a Tier 1 TOD stop, all zones listed in paragraph 1 above, and additionally:
 - a. RU-2
 - b. HBX-2
- For sites within one-quarter mile of a Tier 2 TOD stop, all zones listed in paragraphs 1 and 2 above.
- For sites further than one-quarter mile but within one-half mile of a Tier 2 TOD stop, all zones listed in paragraph 1 and 2 above, and additionally:
 - a. RU-1
 - b. HBX-1

c. Height Area 5 of D-DT-P, D-DT-C, D-DT-CX, D-DT-R, D-DT-RX, D-DT-CPW

- If a site located within one-half mile of a Tier 2 TOD stop is also within one-half mile of a Tier 1 TOD stop, then the site is excluded only if it has a zoning designation listed in paragraph 1 (if within one-quarter mile of the Tier 1 TOD stop) and paragraph 2 (if further than one-quarter mile but within one-half mile of a Tier 1 TOD stop) above.
- For sites that are split between two or more zoning designations, the site is excluded if all of the zoning designations applicable to the parcel qualify for exclusion as described in this subsection A.

B. Sites in a Transit-Oriented Development Zone around a Transit-Oriented Development Stop that is primarily comprised of a Low-Resource Area which includes sites with densities that cumulatively allow for at least 40 percent of the aggregate density for the Transit-Oriented Development Zone specified in the Abundant and Affordable Homes Near Transit (Senate Bill 79). (Gov. Code Sec. 65912.161(b)(1)(B)(ii)) The following TOD stops, and therefore all parcels located within one-half mile of those TOD stops, are primarily comprised of a low-resource area and include sites with densities cumulatively exceeding forty (40) percent of those specified in Section 65912.157(a). The TOD zones surrounding the following TOD stops are excluded from the standards provided in Senate Bill 79:

- 19th Street BART Station (Map 4)
- 12th Street BART Station (Map 5)
- West Oakland BART Station (Map 6)
- Lake Merritt BART Station (Map 7)
- Fruitvale BART Station (Map 8)
- Coliseum BART Station (Map 9)
- AC Transit TEMPO Uptown Oakland Southbound Stop (Map 10)
- AC Transit TEMPO Uptown Oakland Northbound Stop (Map 11)
- AC Transit TEMPO 14th Street Northbound Stop (Map 12)
- AC Transit TEMPO 14th Street Southbound Stop (Map 13)
- AC Transit TEMPO City Center Northbound Stop (Map 14)
- AC Transit TEMPO City Center Southbound Stop (Map 15)
- AC Transit TEMPO Harrison Street Northbound Stop (Map 16)
- AC Transit TEMPO Harrison Street Southbound Stop (Map 17)
- AC Transit TEMPO Madison Street Northbound Stop (Map 18)
- AC Transit TEMPO Madison Street Southbound Stop (Map 19)

- [AC Transit TEMPO 2nd Ave Northbound Stop \(Map 20\)](#)
- [AC Transit TEMPO 2nd Avenue Southbound Stop \(Map 21\)](#)
- [AC Transit TEMPO 5th Avenue Northbound Stop \(Map 22\)](#)
- [AC Transit TEMPO 5th Avenue Southbound Stop \(Map 23\)](#)
- [AC Transit TEMPO 10th Avenue Northbound Stop \(Map 24\)](#)
- [AC Transit TEMPO 10th Avenue Southbound Stop \(Map 25\)](#)
- [AC Transit TEMPO 14th Avenue Southbound Stop \(Map 26\)](#)
- [AC Transit TEMPO 14th Avenue Northbound Stop \(Map 27\)](#)
- [AC Transit TEMPO 20th Avenue Stop \(Map 28\)](#)
- [AC Transit TEMPO 24th Avenue Stop \(Map 29\)](#)
- [AC Transit TEMPO 28th Avenue Stop \(Map 30\)](#)
- [AC Transit TEMPO 31st Avenue Stop \(Map 31\)](#)
- [AC Transit TEMPO Fruitvale Stop \(Map 32\)](#)
- [AC Transit TEMPO 39th Avenue Stop \(Map 33\)](#)
- [AC Transit TEMPO High Street Stop \(Map 34\)](#)
- [AC Transit TEMPO 48th Avenue Stop \(Map 35\)](#)
- [AC Transit TEMPO 54th Avenue Stop \(Map 36\)](#)
- [AC Transit TEMPO Seminary Stop \(Map 37\)](#)
- [AC Transit TEMPO 63rd Avenue Stop \(Map 38\)](#)
- [AC Transit TEMPO 67th Avenue Stop \(Map 39\)](#)
- [AC Transit TEMPO 73rd Avenue Stop \(Map 40\)](#)
- [AC Transit TEMPO 77th Avenue Stop \(Map 41\)](#)
- [AC Transit TEMPO 82nd Avenue Stop \(Map 42\)](#)
- [AC Transit TEMPO 86th Avenue Stop \(Map 43\)](#)
- [AC Transit TEMPO 90th Avenue Stop \(Map 44\)](#)
- [AC Transit TEMPO 95th Avenue Stop \(Map 45\)](#)
- [AC Transit TEMPO 98th Avenue Stop \(Map 46\)](#)
- [AC Transit TEMPO 103rd Avenue Stop \(Map 47\)](#)
- [AC Transit TEMPO Durant Avenue Stop \(Map 48\)](#)

C. **Sites with a historic resource designated as of January 1, 2025, on a local register.**

(Gov. Code Sec. 65912.161(b)(1)(F)) All sites on the Local Register as mapped on City of Oakland Geospatial Information System Zoning Map as of January 1, 2025, are excluded. Policy 3.8 of the City of Oakland Historic Preservation Element, an element of the Oakland General Plan, defines the Local Register of Historic Resources. The Local Register is defined to include all Oakland Landmarks, S-7 and S-20

Preservation District combining zone properties, “Potentially Designated Historic Properties” that have an existing survey rating of “A” or “B” or are located within Areas of Primary Importance (APIs), Heritage Properties, and Preservation Study List Properties.

17.86.070 - Property Development Standards.

A housing development project proposed on an S-8 Zone covered site shall be an allowed use as a transit-oriented housing development. Such covered developments must comply with all applicable requirements described under California Government Code Section 65912.157, as may be amended, including but not limited to minimum density, replacement unit, demolition, anti-displacement, inclusionary housing, and labor standards.

The transit-oriented housing development shall be subject to the height limit, maximum density and residential floor area standards provided in California Government Code Section 65912.157, as may be amended.

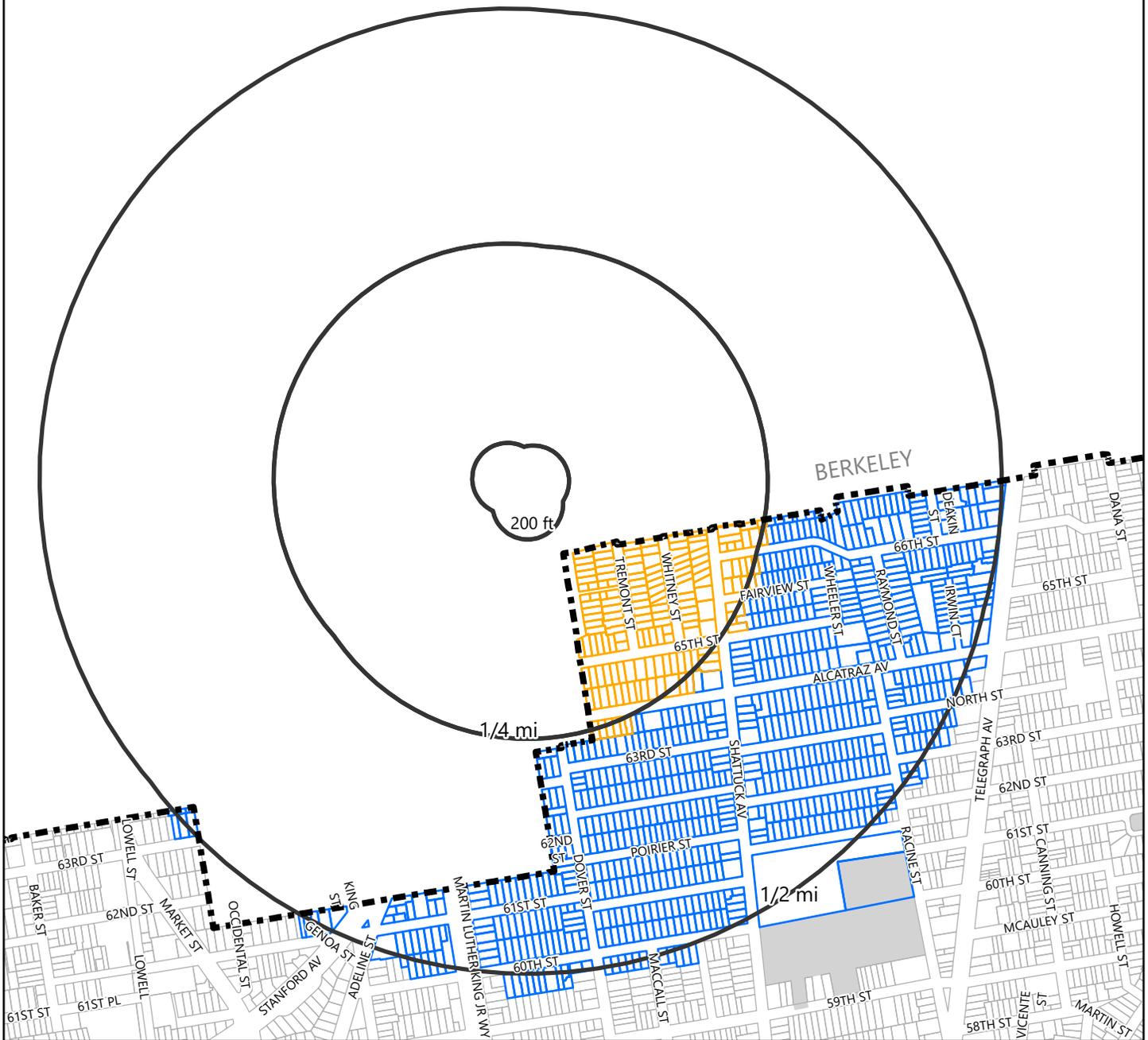
17.86.080 - Additional Requirements.

S-8 Zone transit-oriented housing developments utilizing increased height, density, and residential floor area standards provided by California Government Code Section 65912.157 remain subject to local requirements otherwise applicable to housing development projects, including but not limited to the following:

1. Development plans must be approved pursuant to all applicable design review procedures in Oakland Planning Code Chapter 17.136.
2. Developments proposing to remove protected trees shall comply with Oakland Municipal Code Chapter 12.36, Protected Trees.
3. Developments proposed on properties with creeks shall comply with Oakland Municipal Code Chapter 13.16, City of Oakland Creek Protection, Storm Water Management, and Discharge Control Ordinance.
4. Proposals requiring demolition of potentially designated historic properties not otherwise excluded shall comply with Planning Code Section 17.136.075.
5. Proposals requiring demolition of protected units not otherwise prohibited shall comply with Chapter 17.122, Replacement Housing Unit Regulations.
6. Developments proposing to utilize State Density Bonus Law shall comply with the procedures in Oakland Planning Code Chapter 17.107, Density Bonus and Incentive Procedure.

7. Developments shall be subject to City of Oakland Uniformly Applied Standard Conditions of Approval.
8. Developments shall comply with Oakland Municipal Code Chapter 15.68, Jobs/Housing Impact Fee; Chapter 15.72, Affordable Housing Impact Fees; Chapter 15.74, Transportation and Capital Improvements Impact Fees; and Chapter 15.78, Public Art Requirements For Private Development , as applicable.
9. Developments proposing subdivision of land shall comply with Oakland Municipal Code Title 16.

**TOD Stop does not meet exclusion criteria
under Gov. Code Sec. 65912.161(b)(1)(B)(ii) -
Low Resource Meeting 40% Density***



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial;
right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

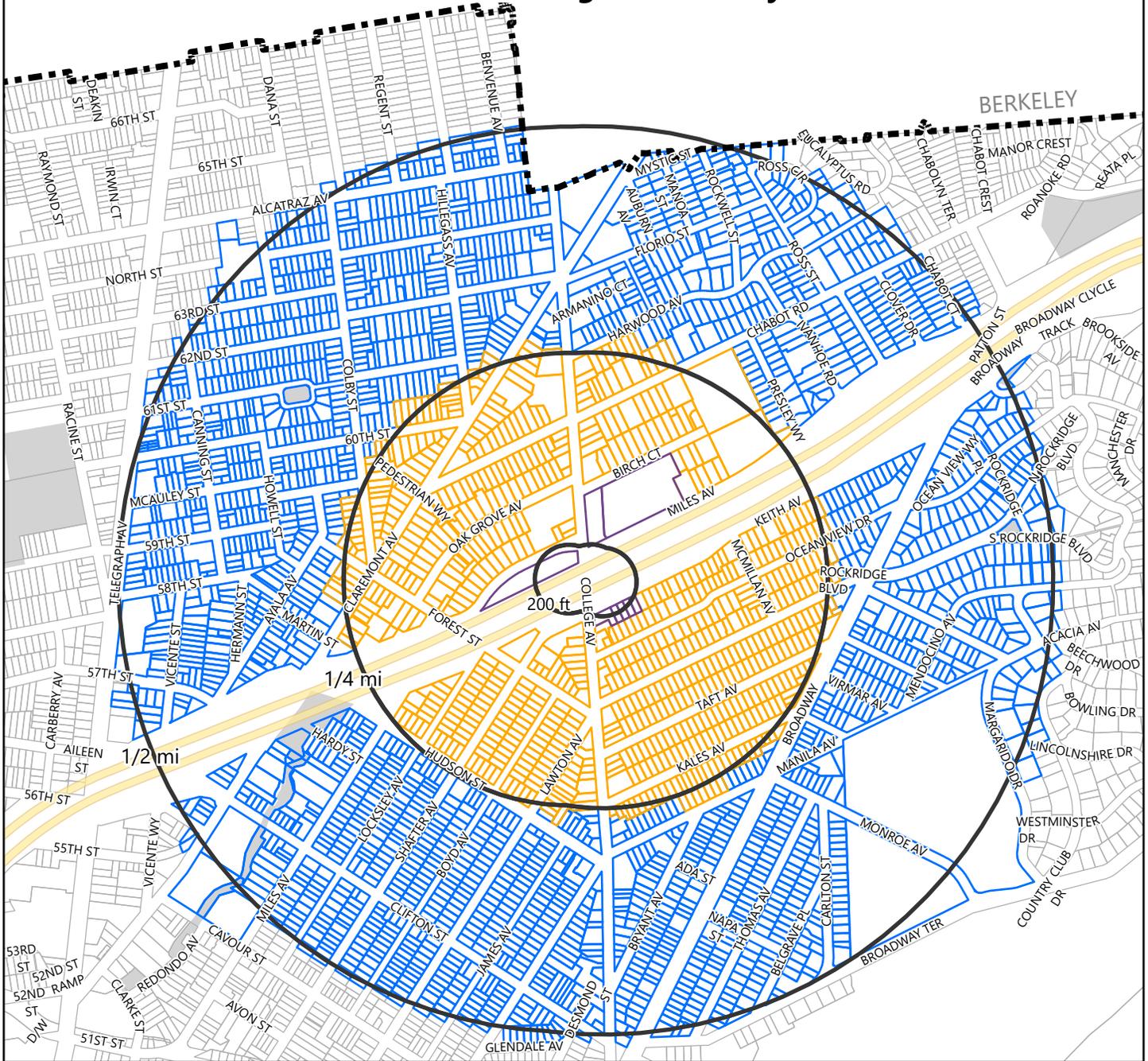
Feet



**MAP 1. Ashby BART
Tier 1 TOD Stop**



**TOD Stop does not meet exclusion criteria
under Gov. Code Sec. 65912.161(b)(1)(B)(ii) -
Low Resource Meeting 40% Density***



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

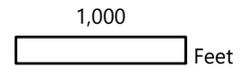
200 ft to 1/4 mi

1/4 mi to 1/2 mi

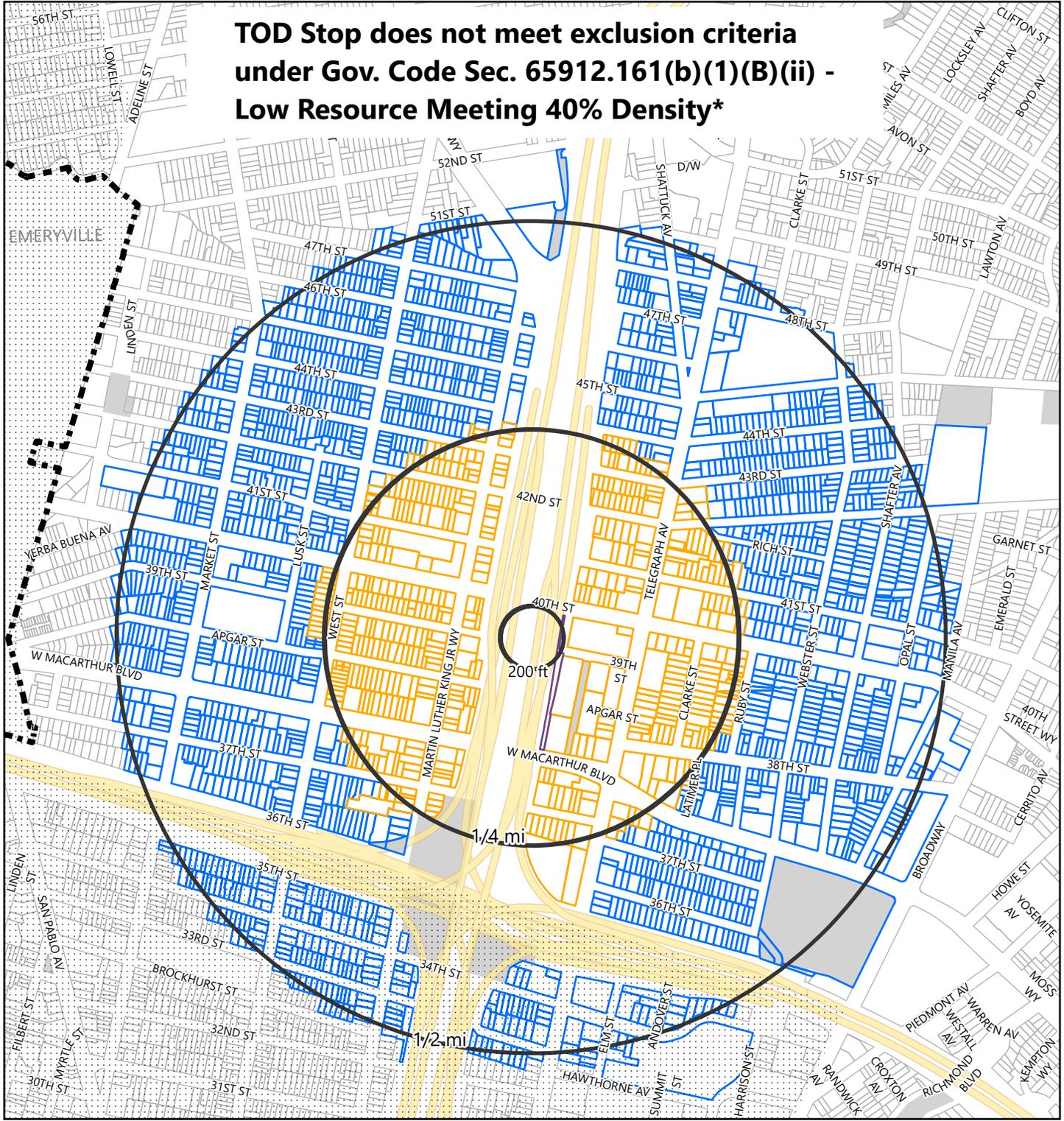
Ineligible - not zoned for residential, mixed-use or commercial;
right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



TOD Stop does not meet exclusion criteria under Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

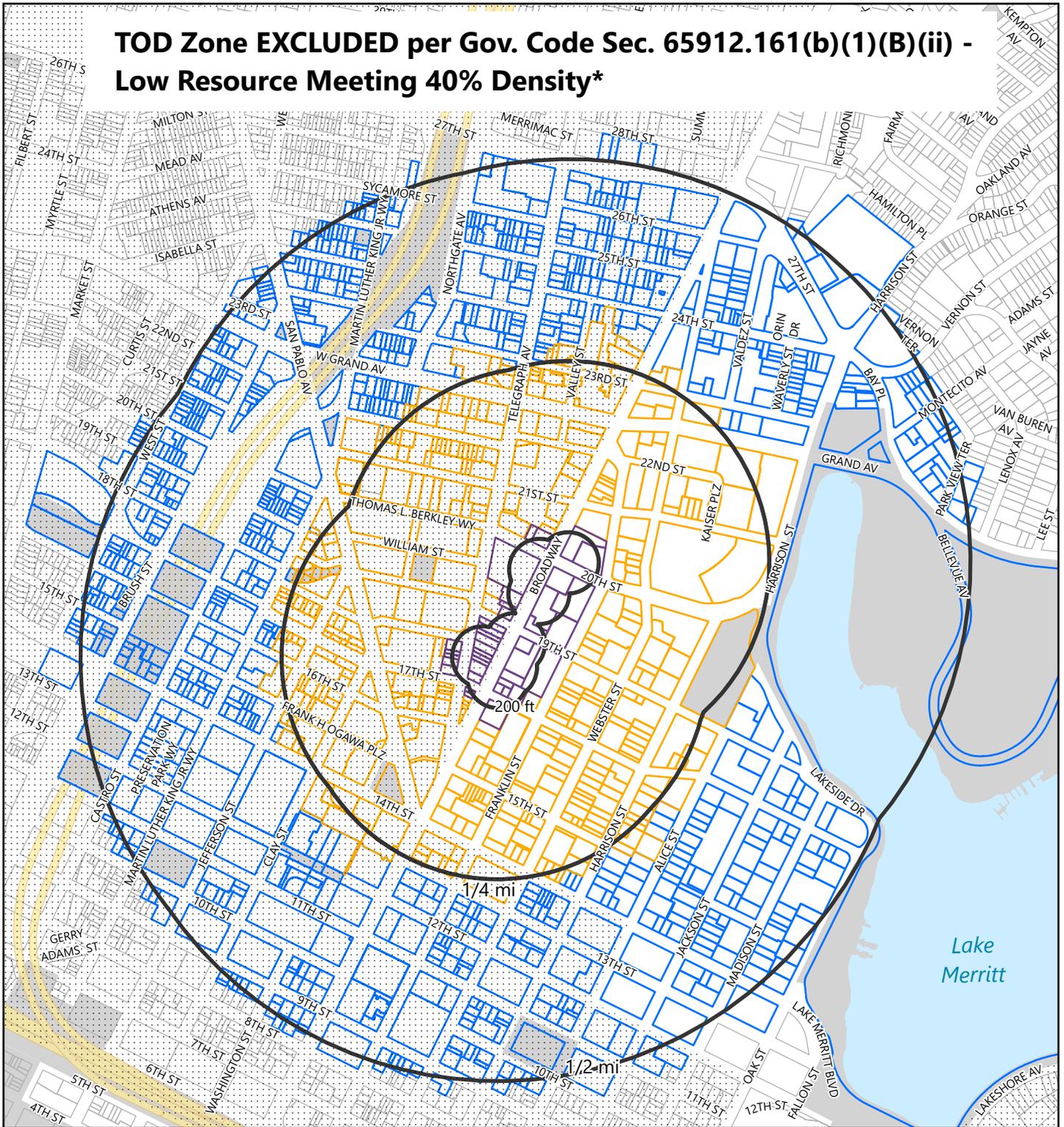
- Parcel distance from transit stop entrance
 - within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 3. MacArthur BART Tier 1 TOD Stop

TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

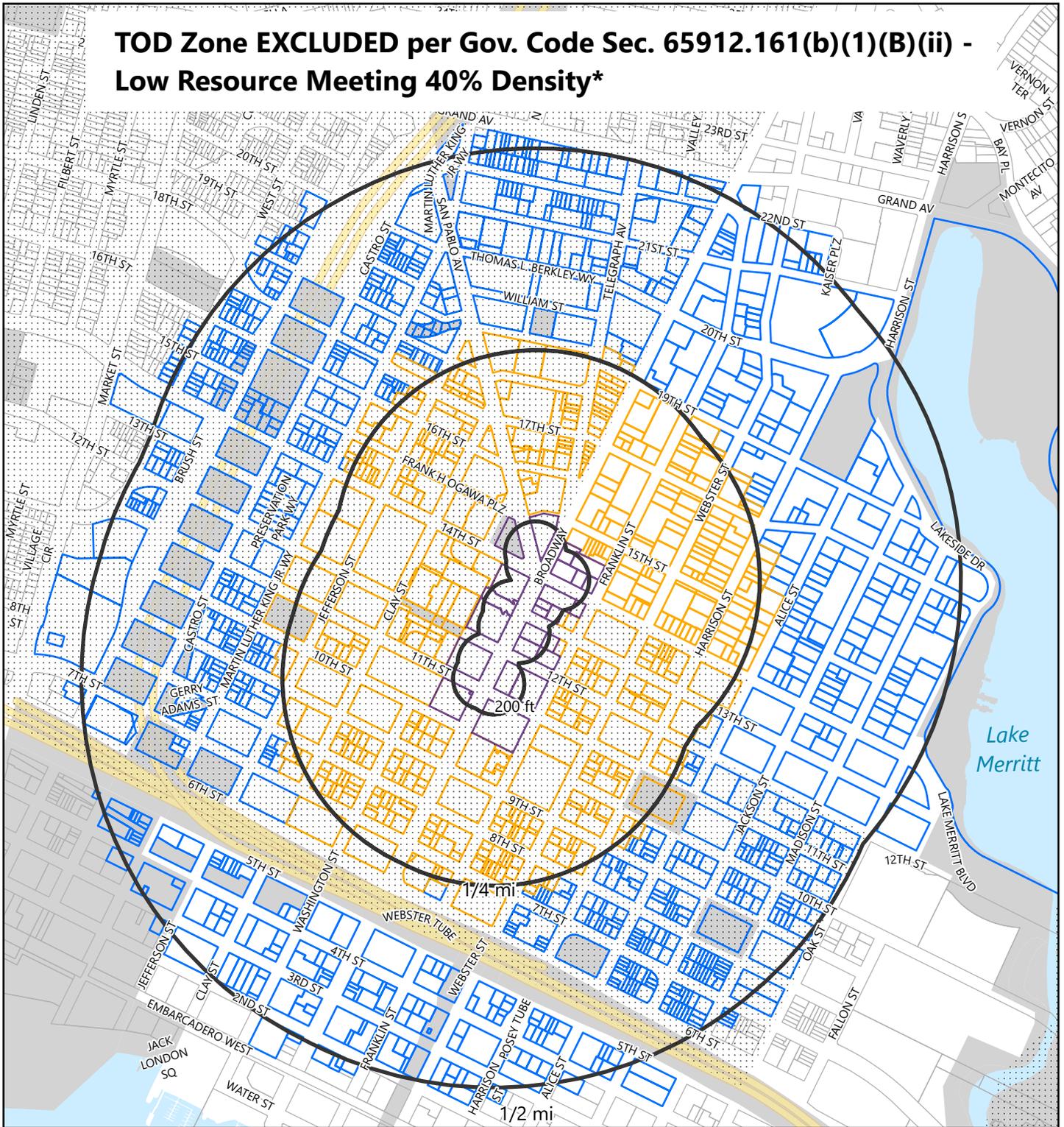
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 4. 19th St BART Tier 1 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

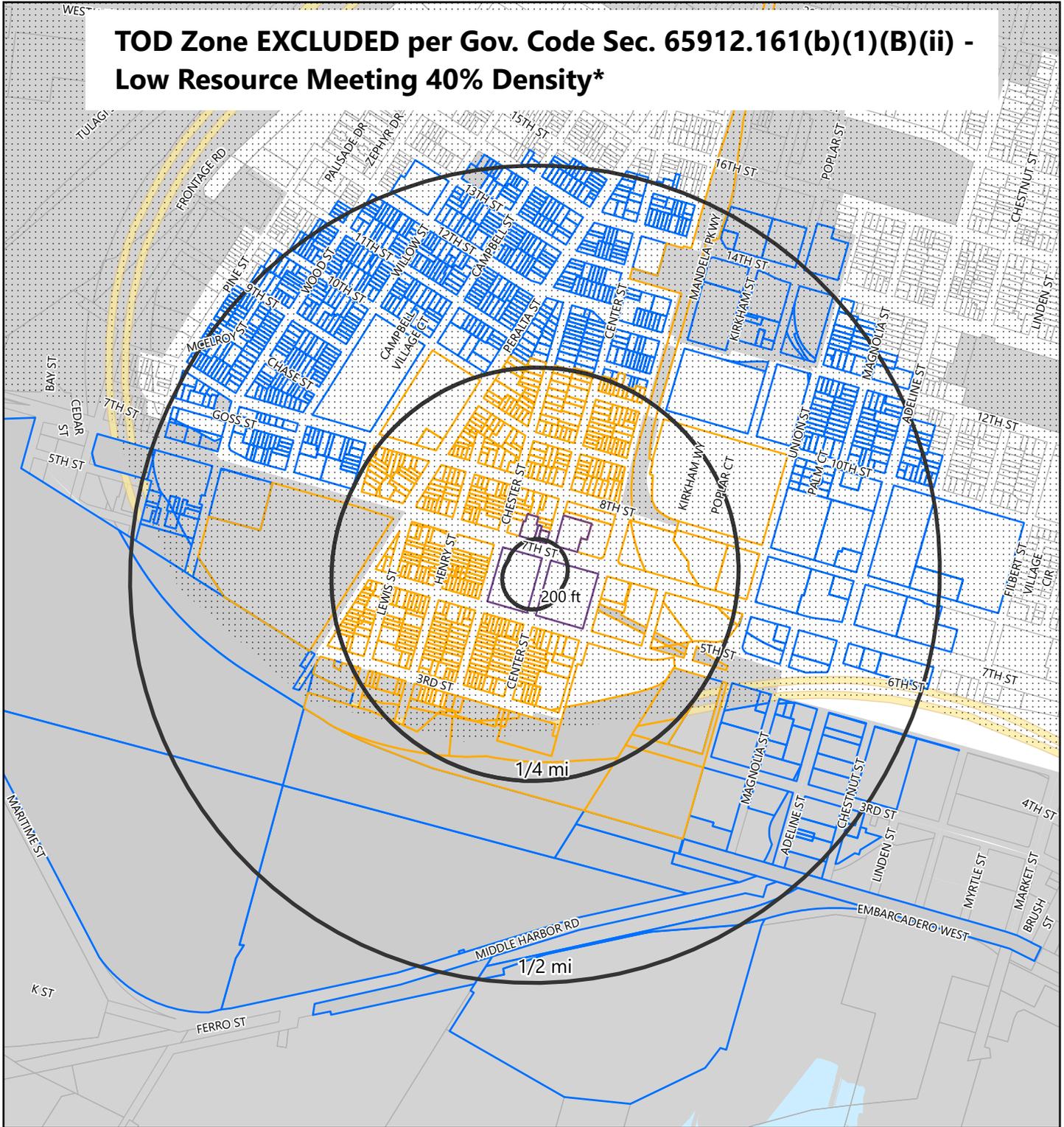
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 5. 12th St BART Tier 1 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
- 200 ft to 1/4 mi
- 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

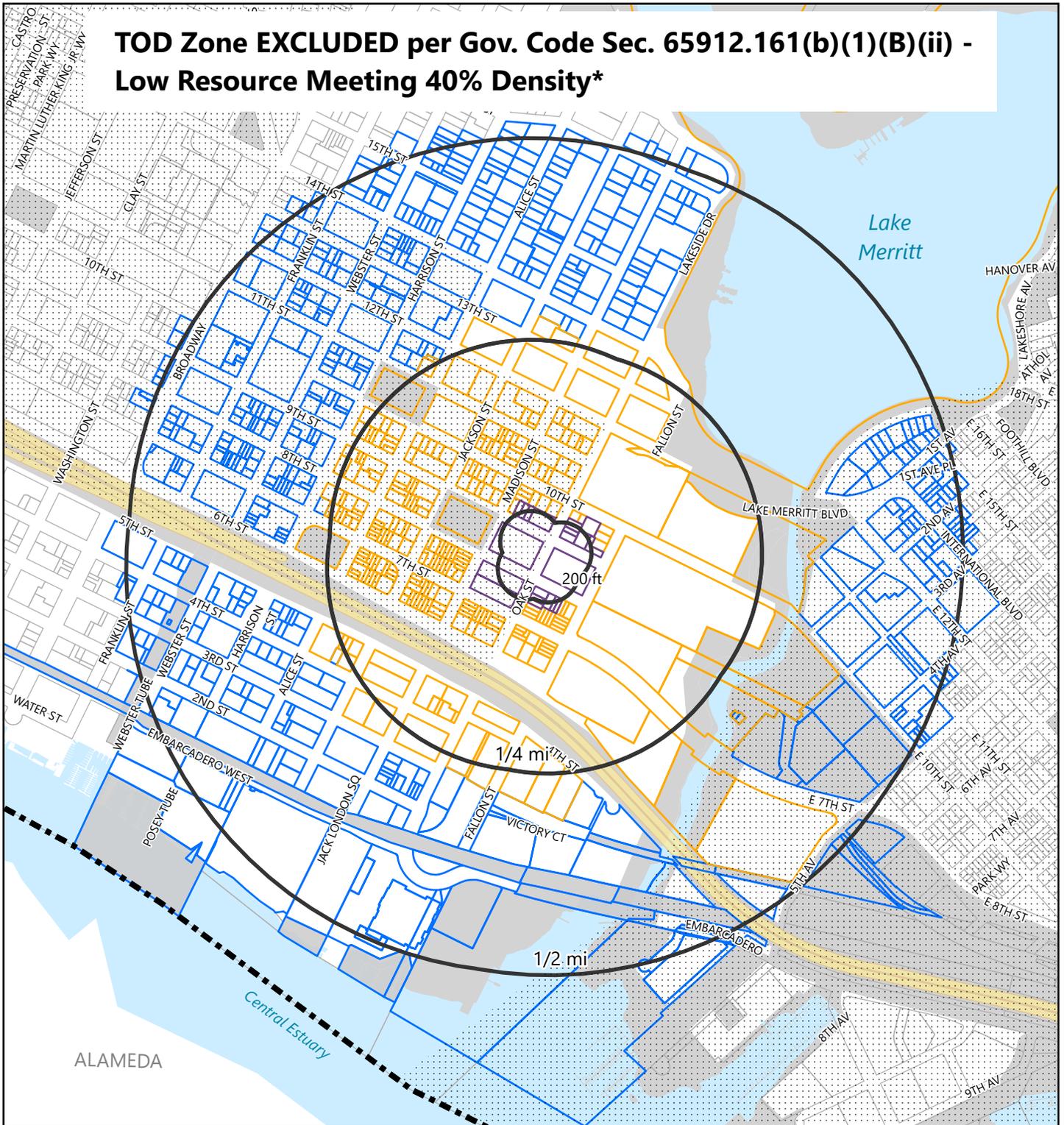
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 6. West Oakland BART Tier 1 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

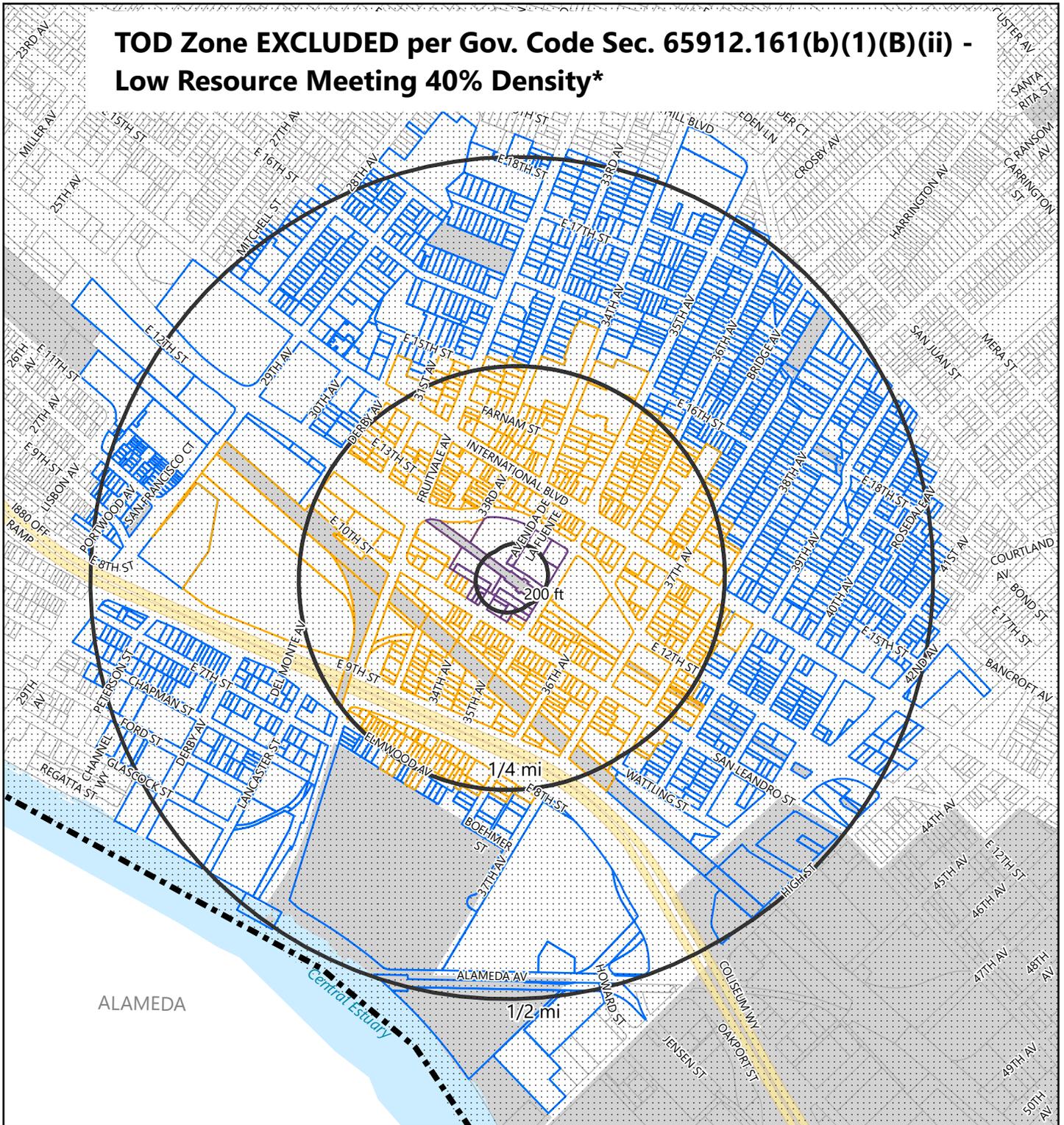
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 7. Lake Merritt BART Tier 1 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

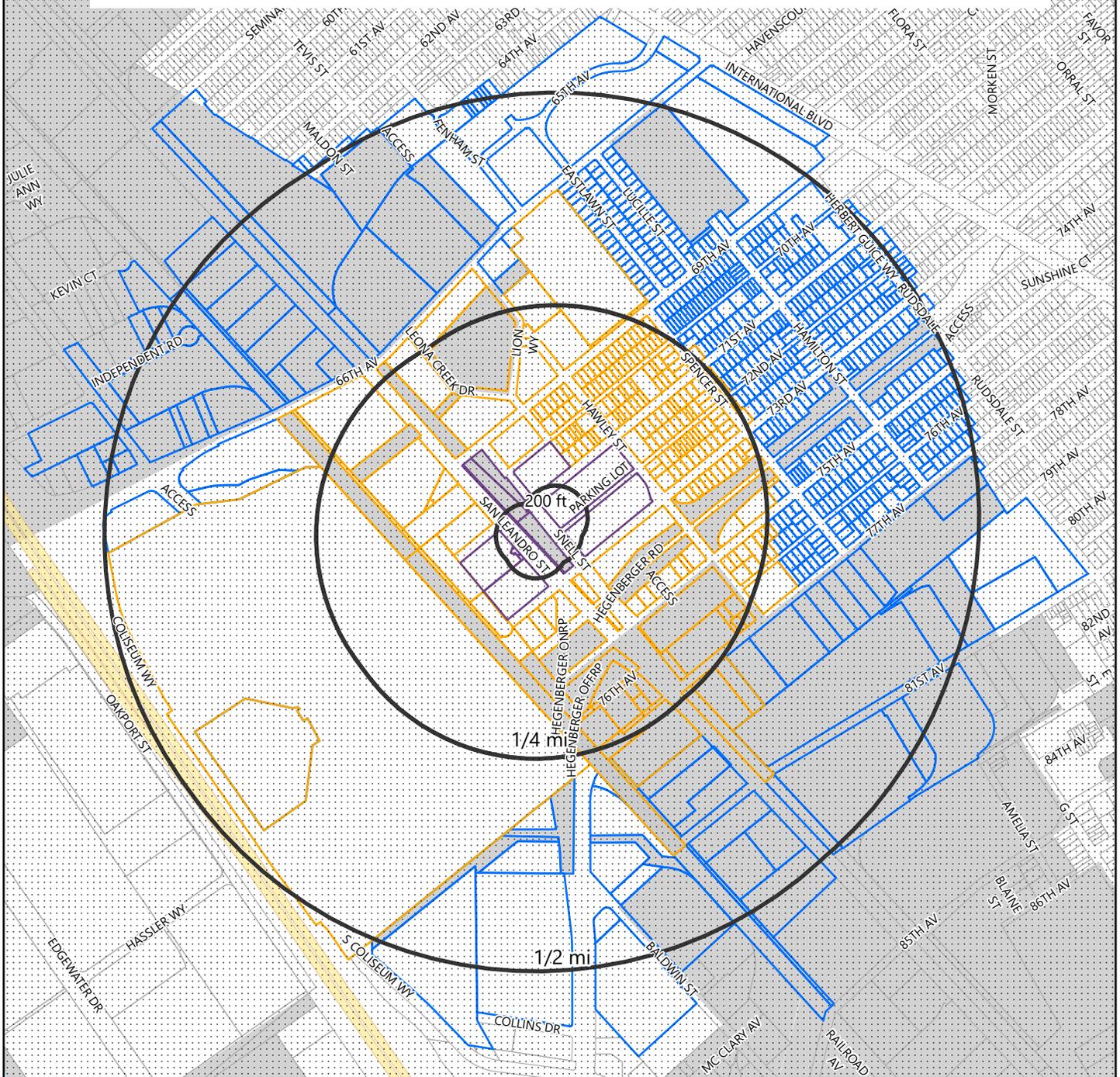
Feet



MAP 8. Fruitvale BART Tier 1 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

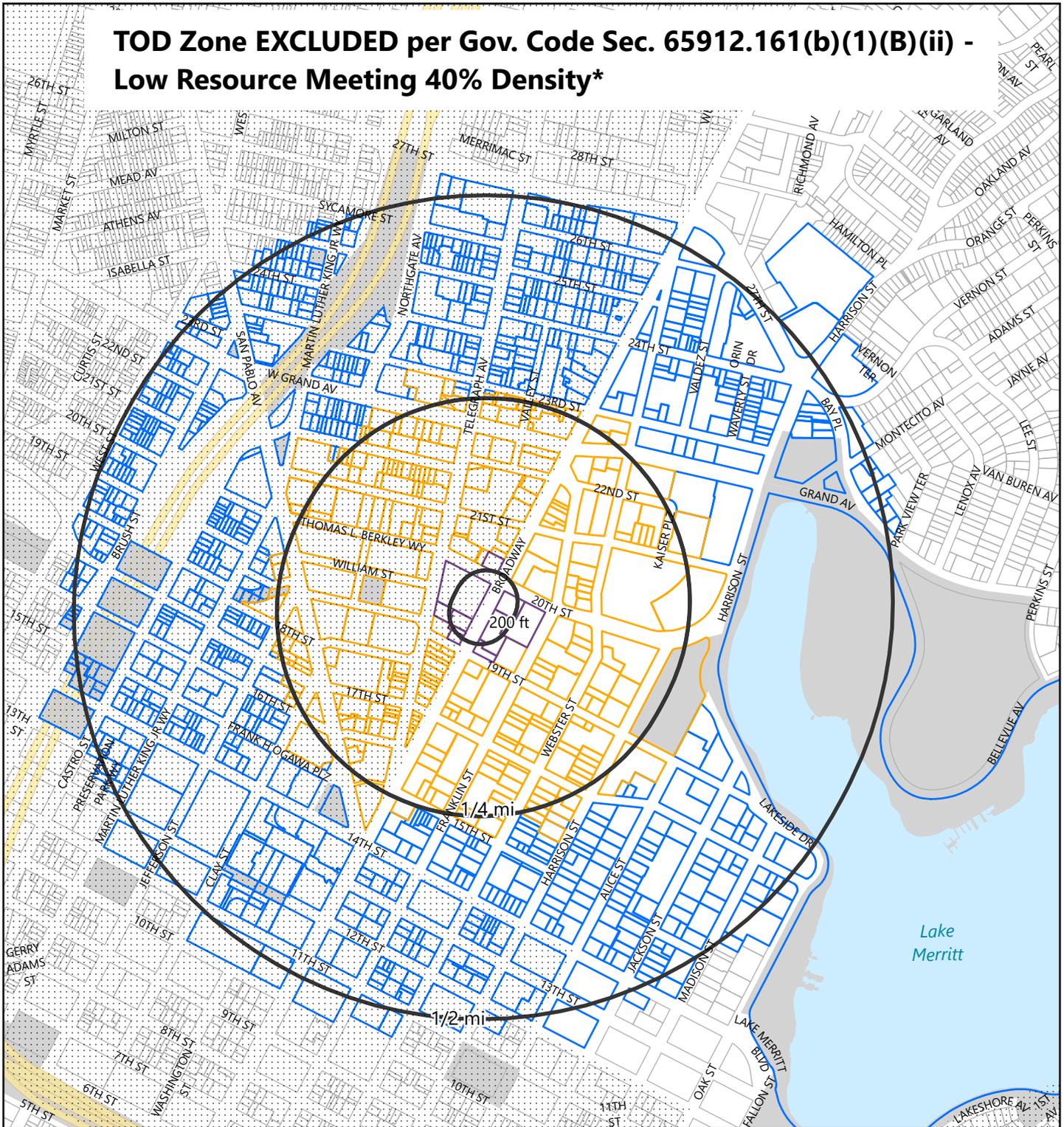
- Parcel distance from transit stop entrance
 - within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 9. Coliseum BART Tier 1 TOD Stop

TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

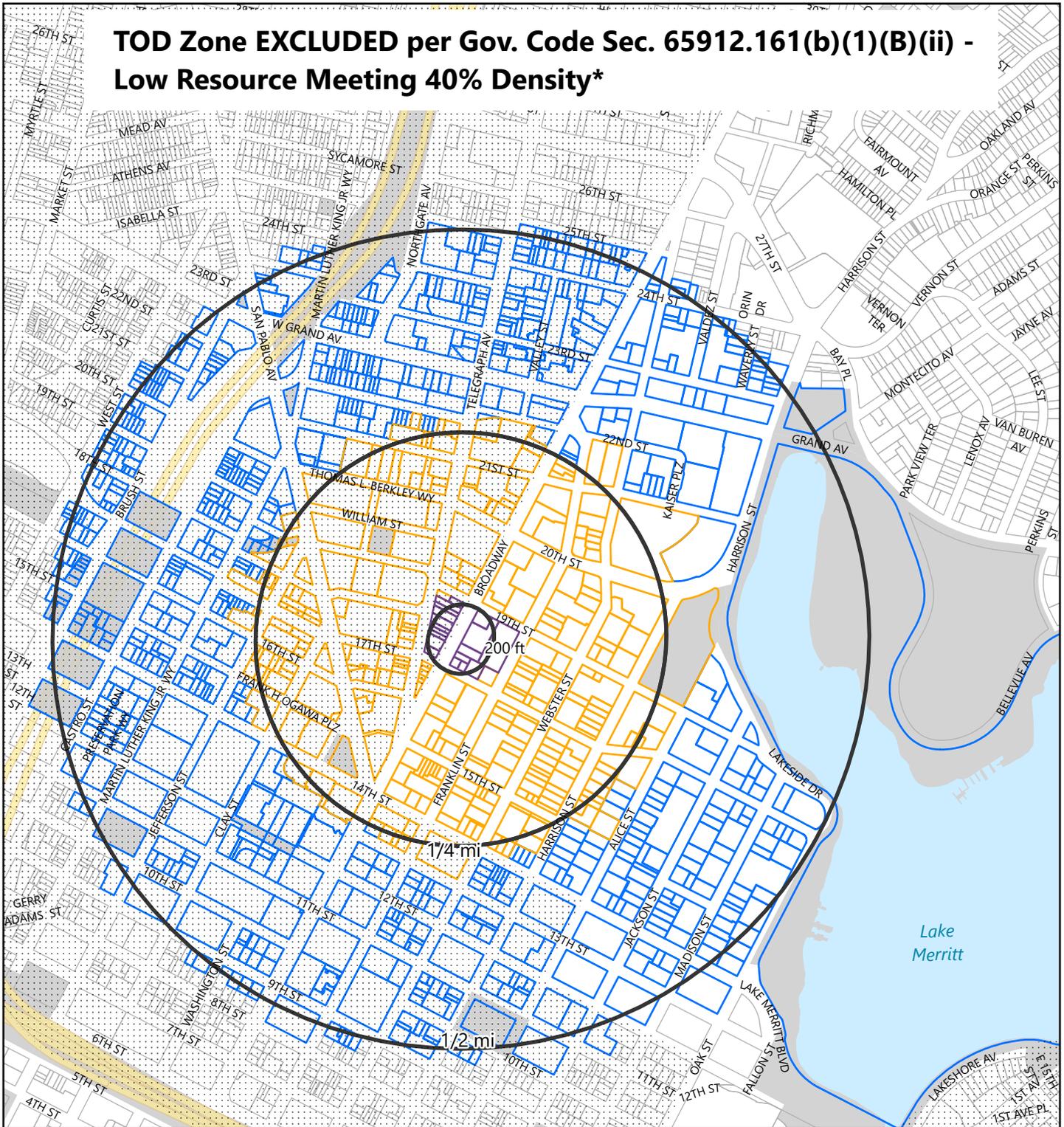
Feet



MAP 10 Uptown Oakland SB Tier 2 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

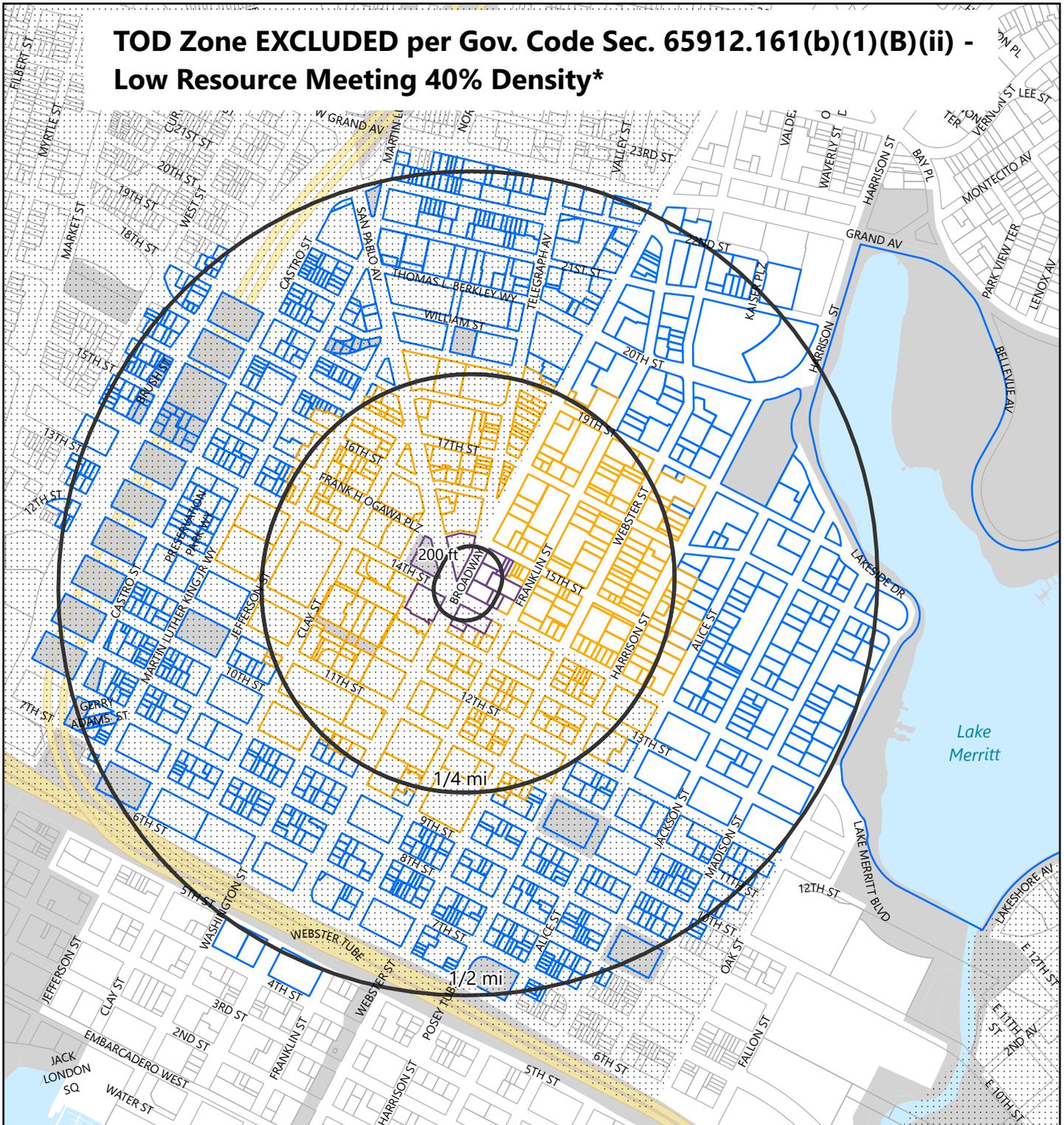
Feet



MAP 11. Uptown Oakland NB Tier 2 TOD Stop



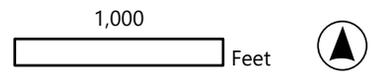
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

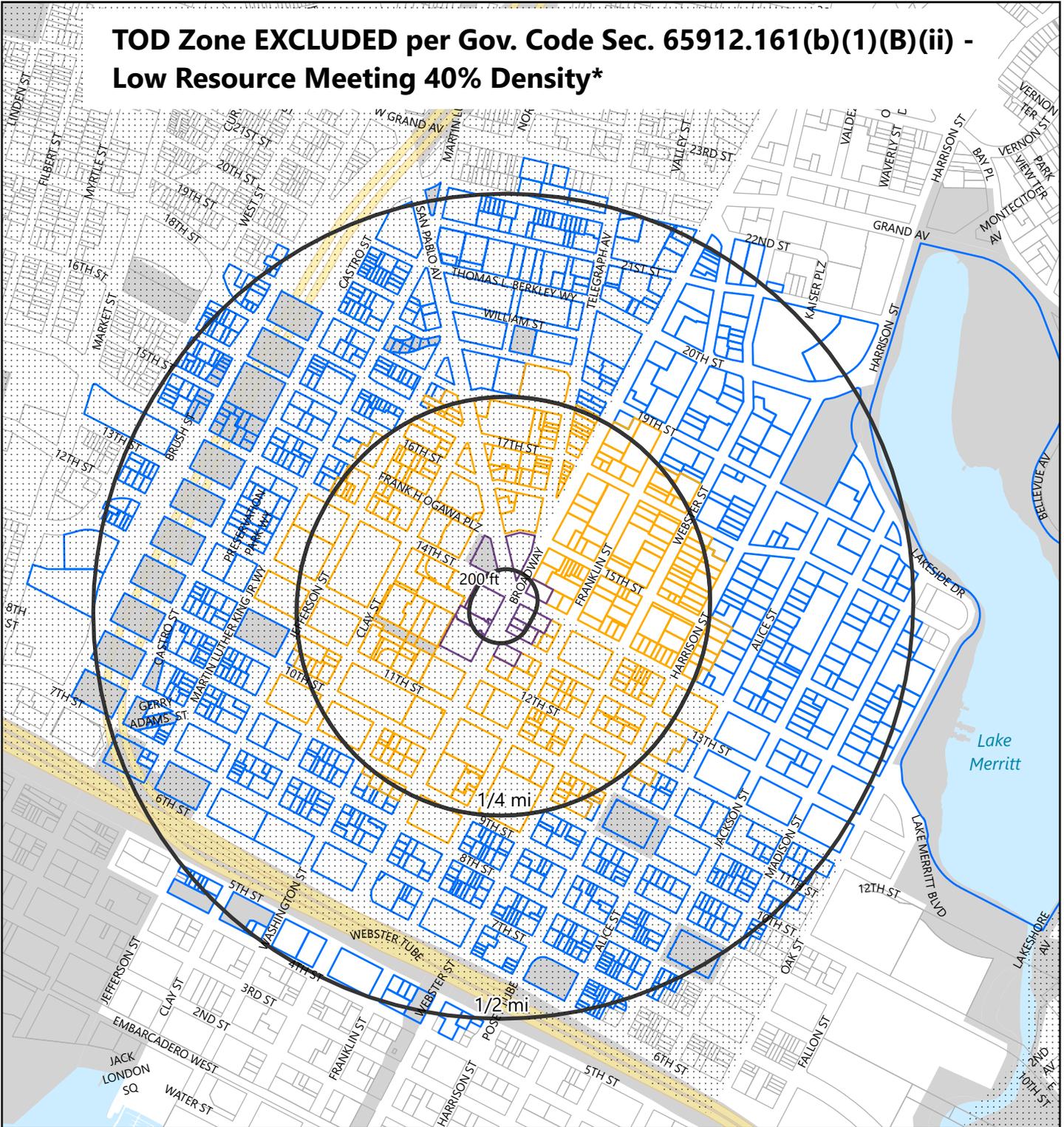
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 12. 14th St NB Tier 2 TOD Stop



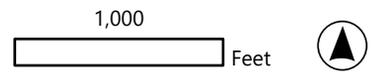
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



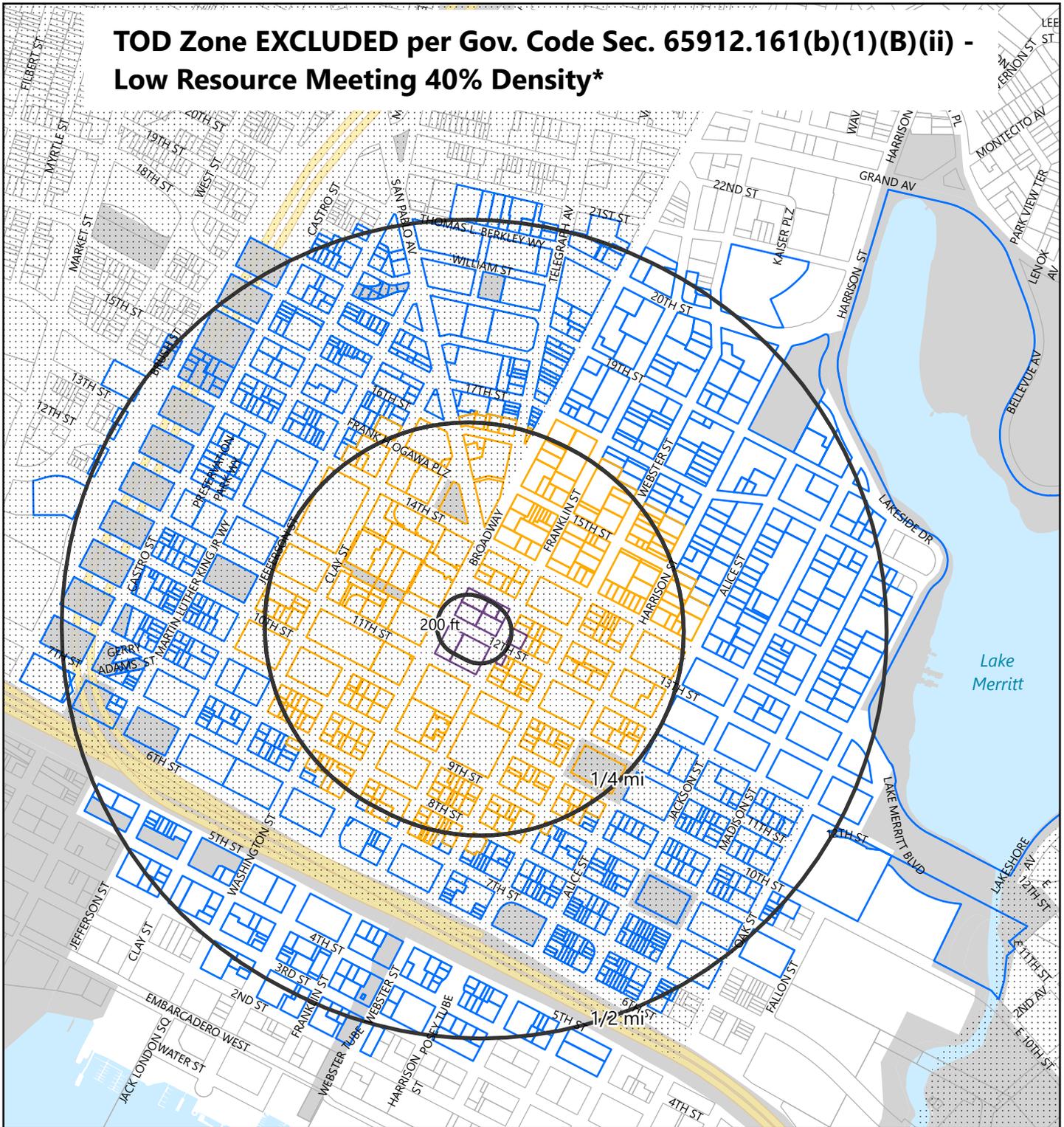
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



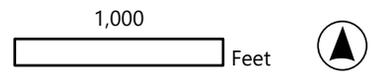
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

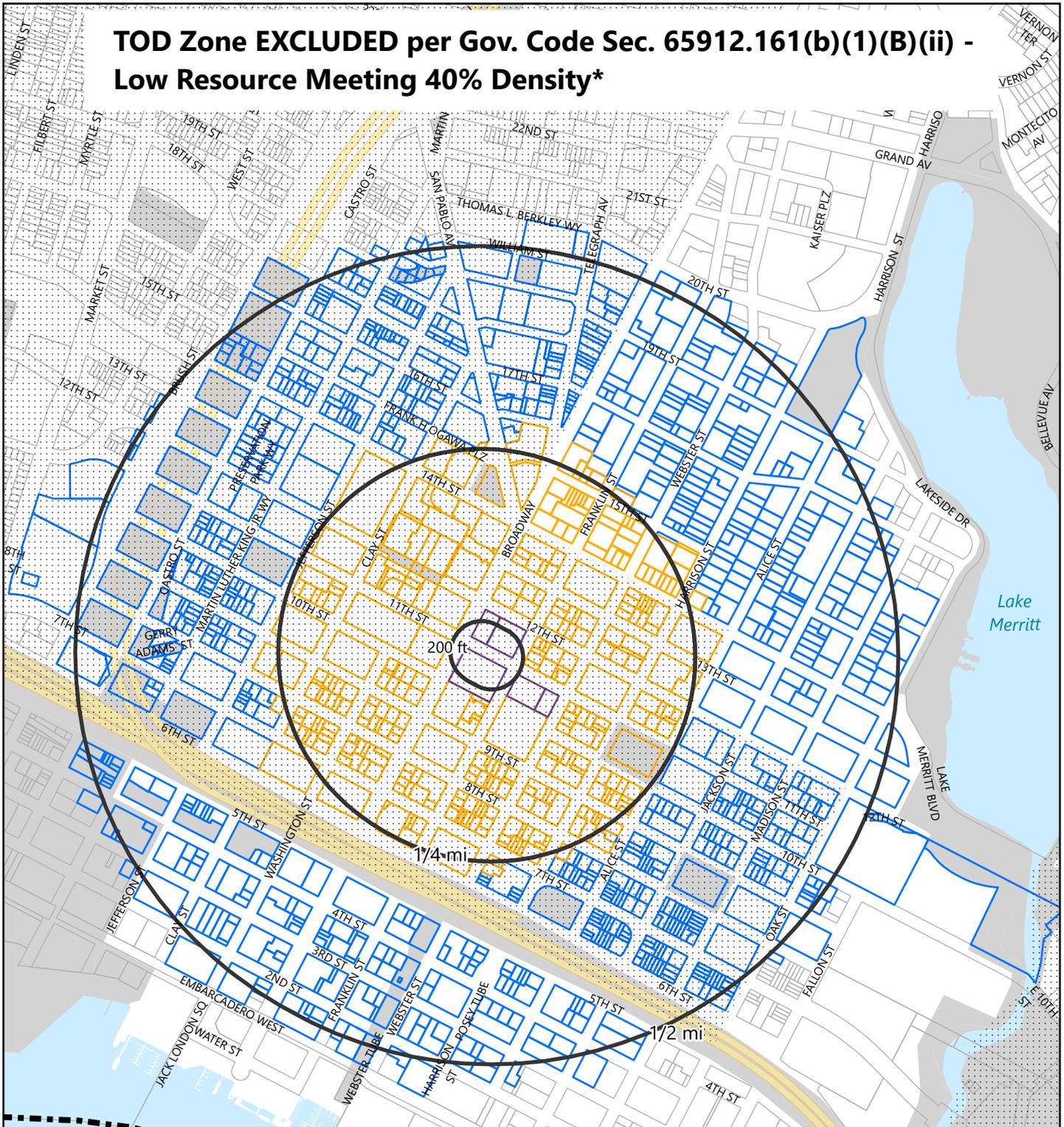
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



**MAP 14. City Center NB
Tier 2 TOD Stop**



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

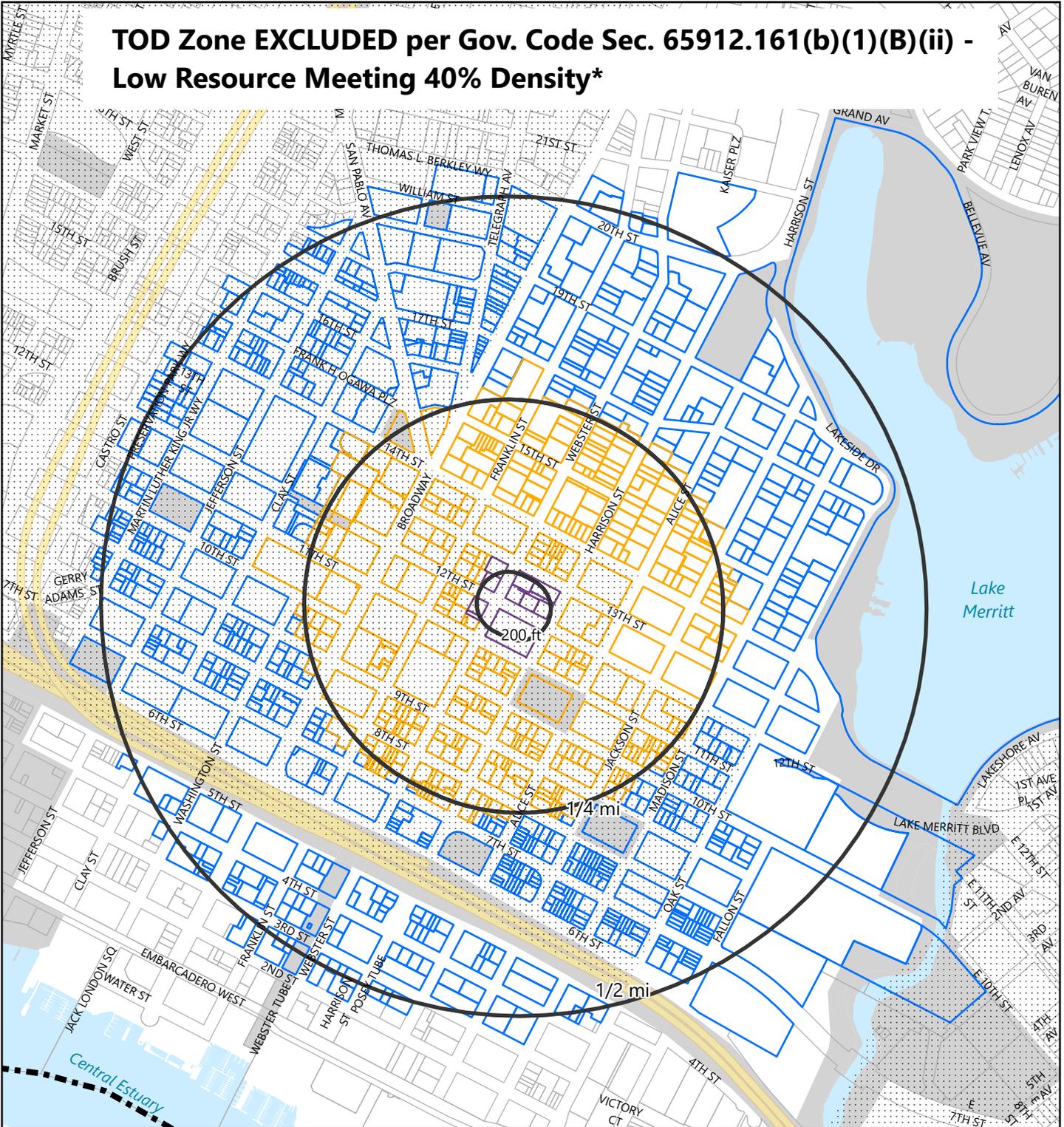
Feet



MAP 15. City Center SB Tier 2 TOD Stop



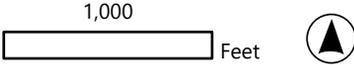
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

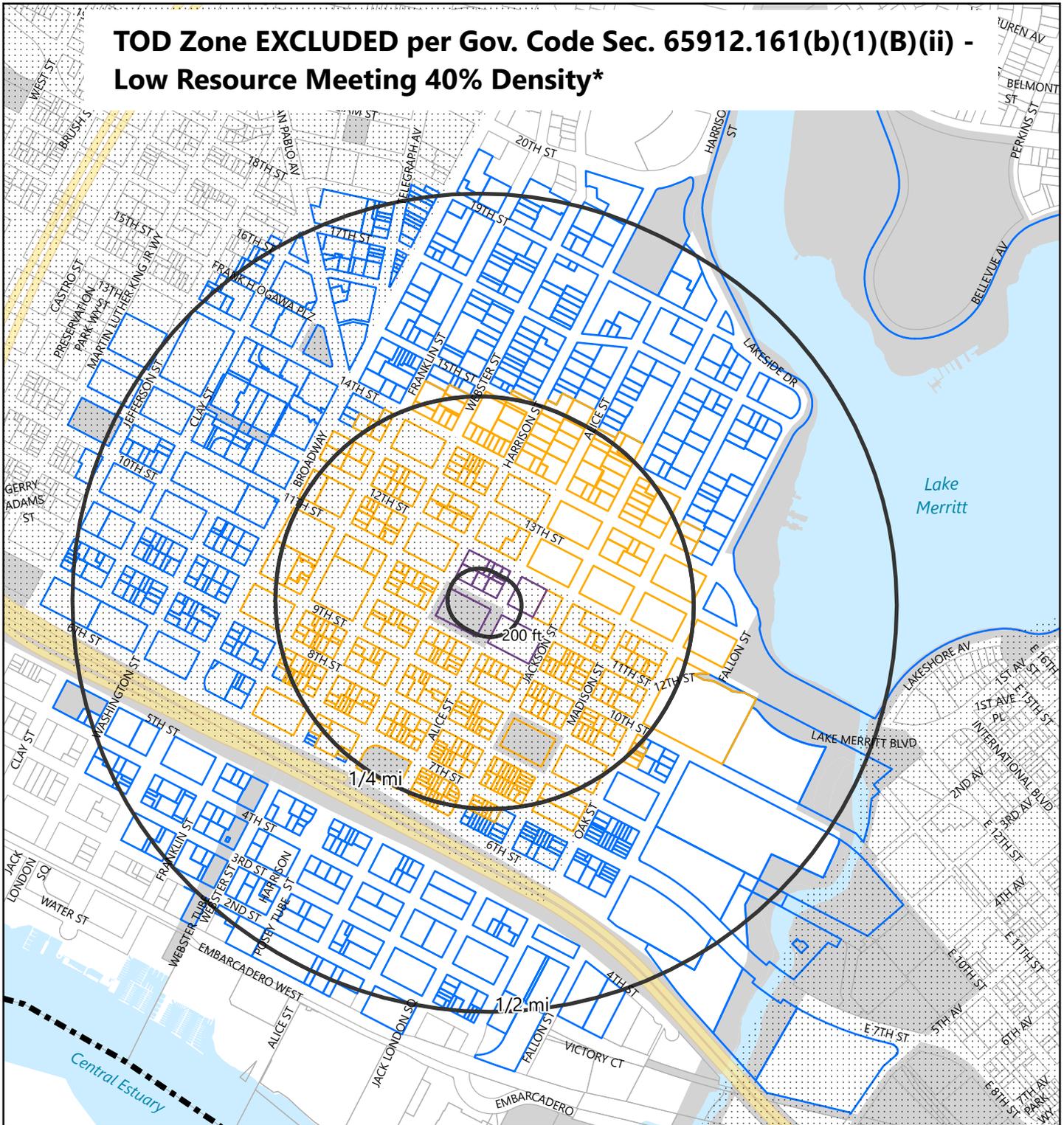
- Parcel distance from transit stop entrance
 - within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 16. Harrison St NB Tier 2 TOD Stop

TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

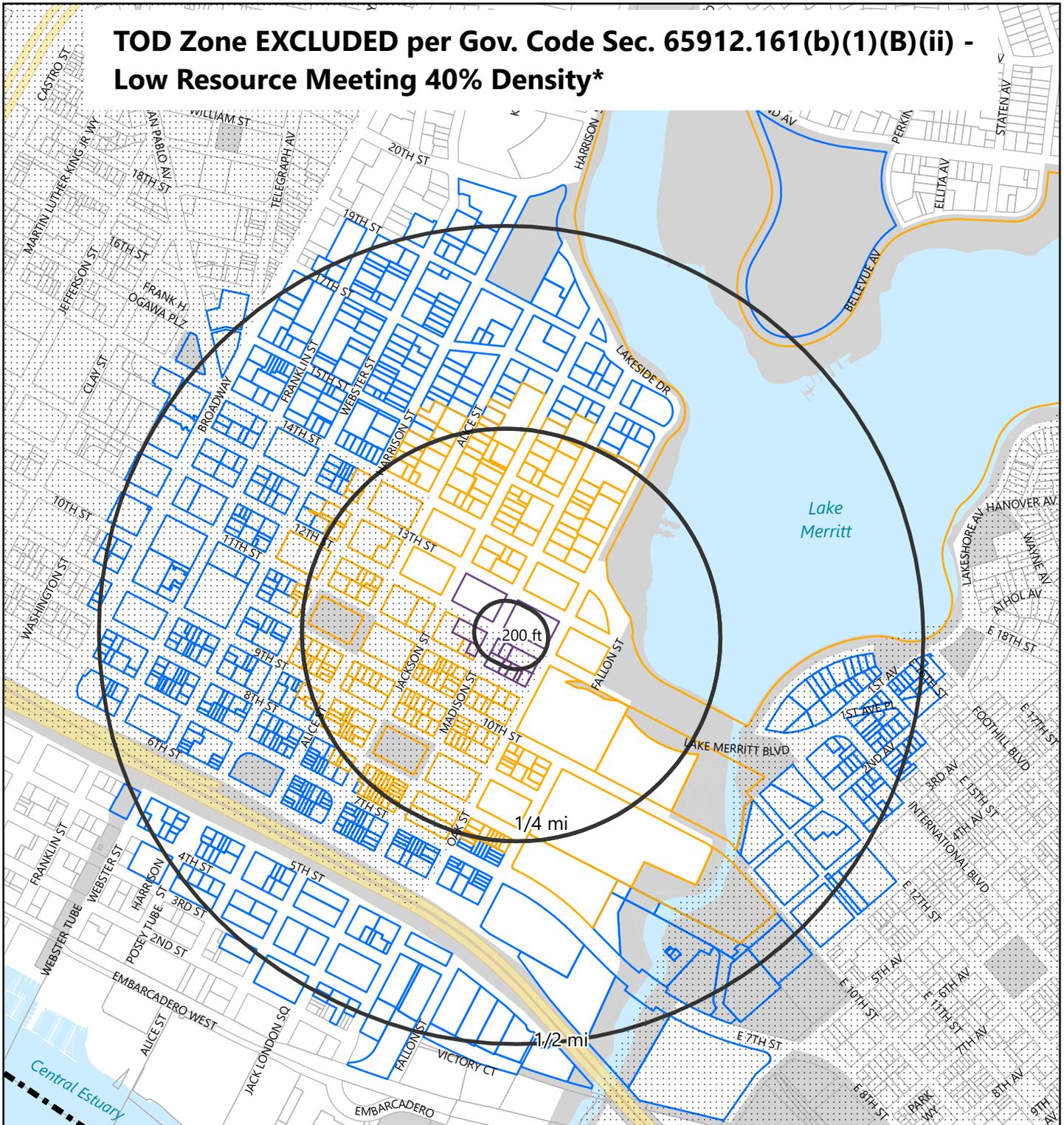
Feet



MAP 17. Harrison St SB Tier 2 TOD Stop



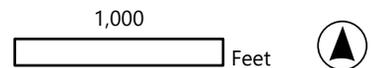
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

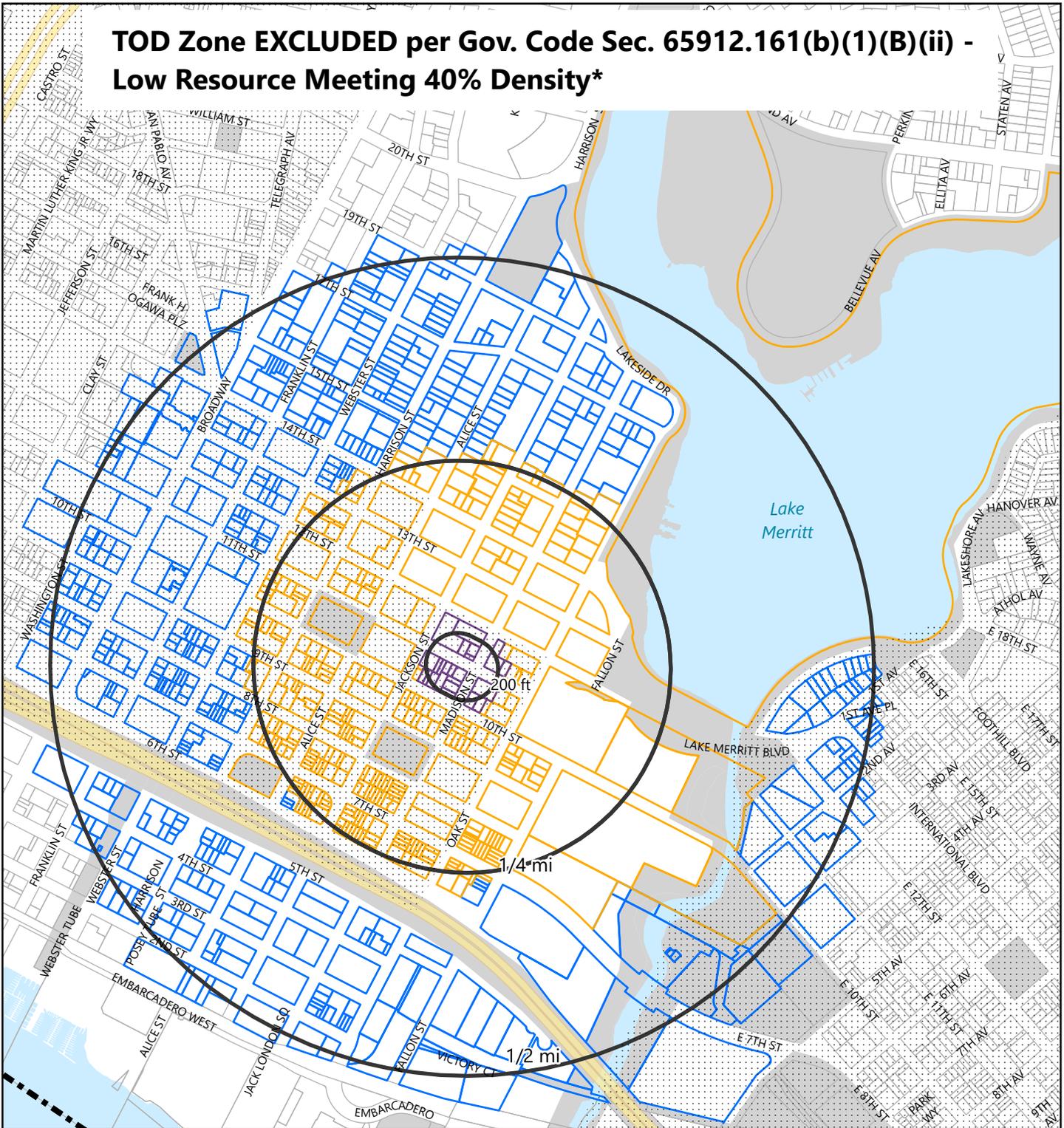
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 18. Madison St NB Tier 2 TOD Stop



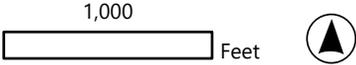
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

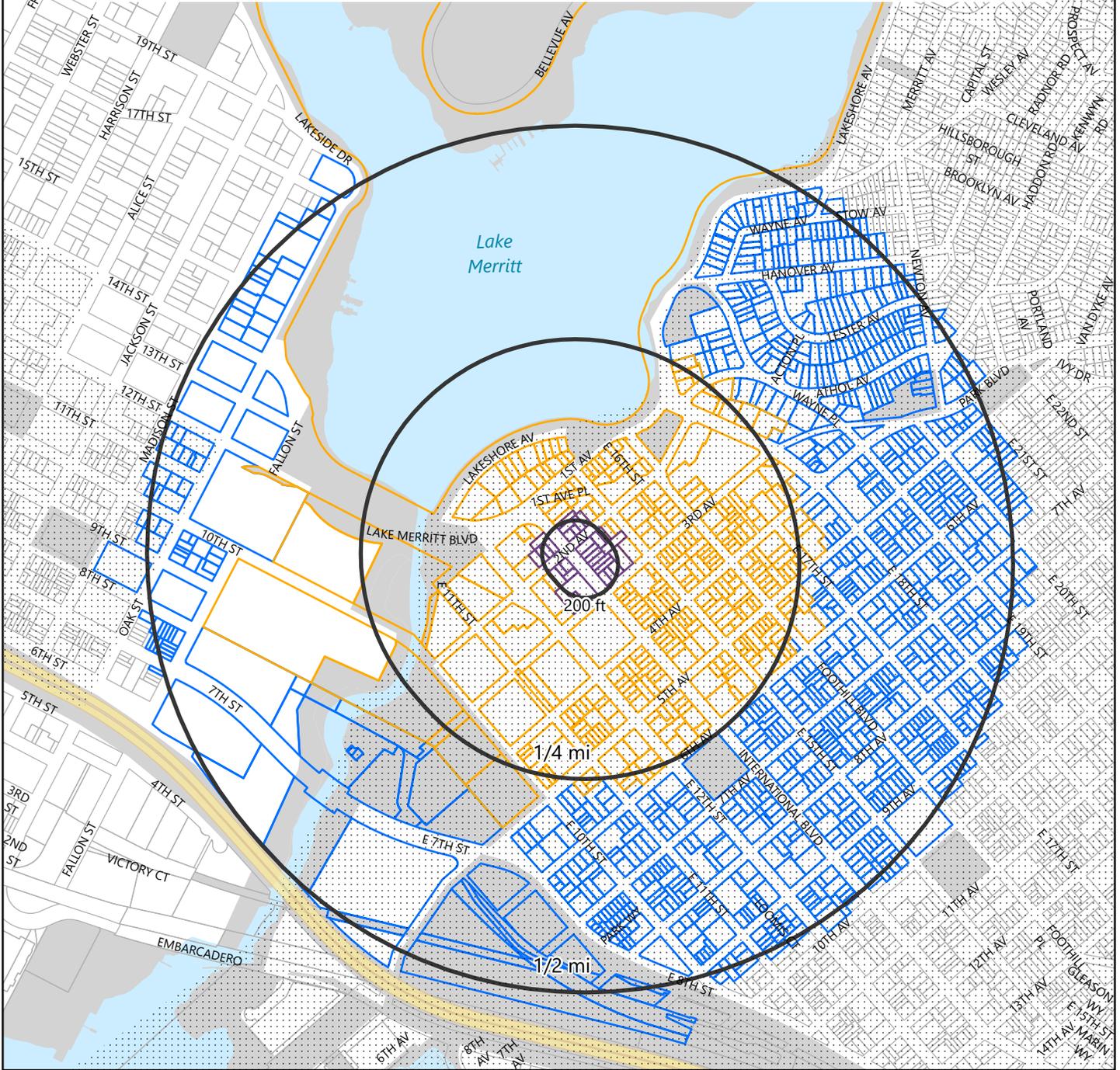
- Parcel distance from transit stop entrance
- within 200 ft
- 200 ft to 1/4 mi
- 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 19. Madison St SB Tier 2 TOD Stop

TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

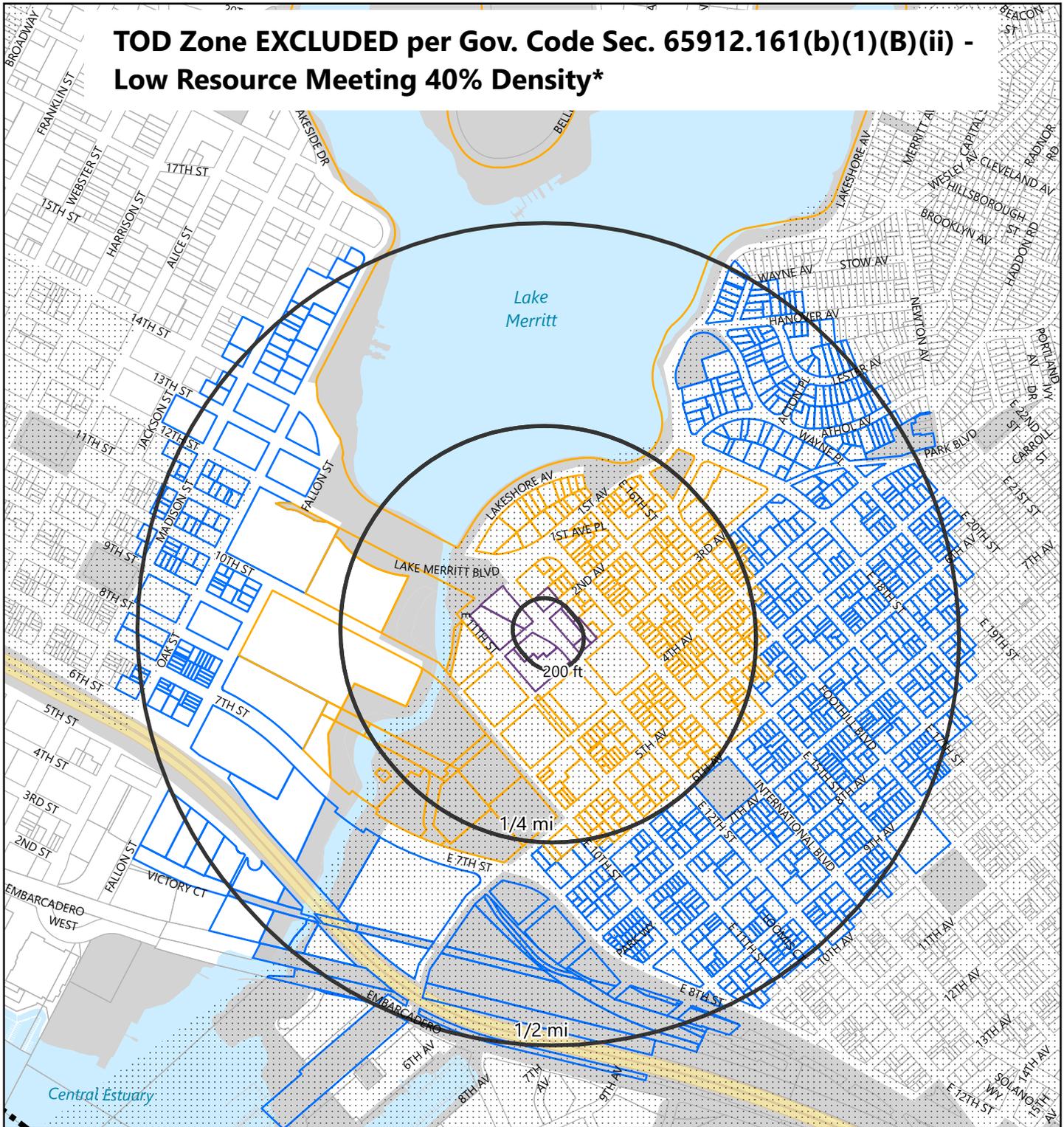
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

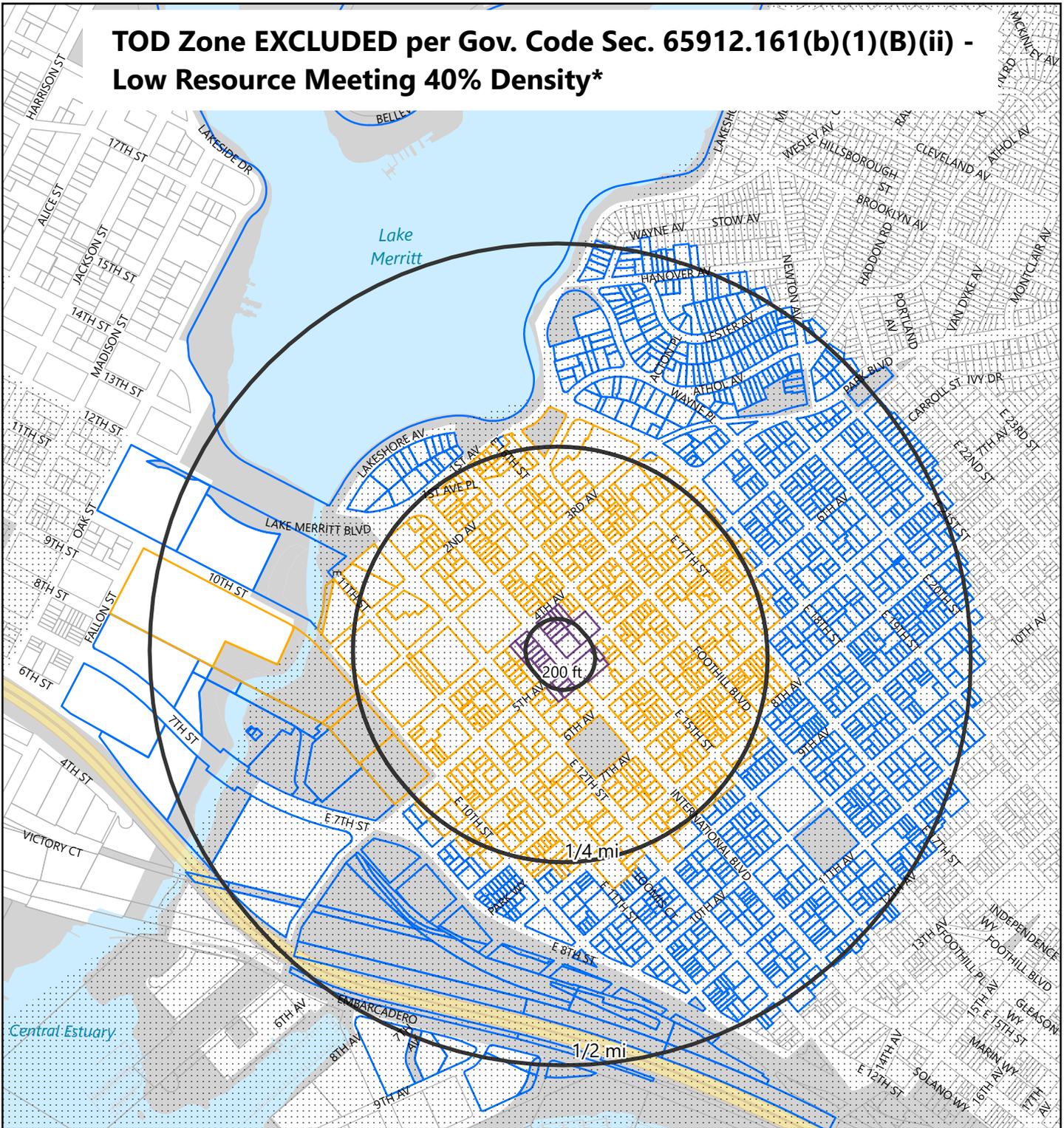
Feet



MAP 21. 2nd Ave SB Tier 2 TOD Stop



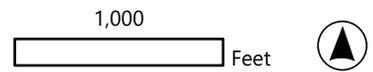
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

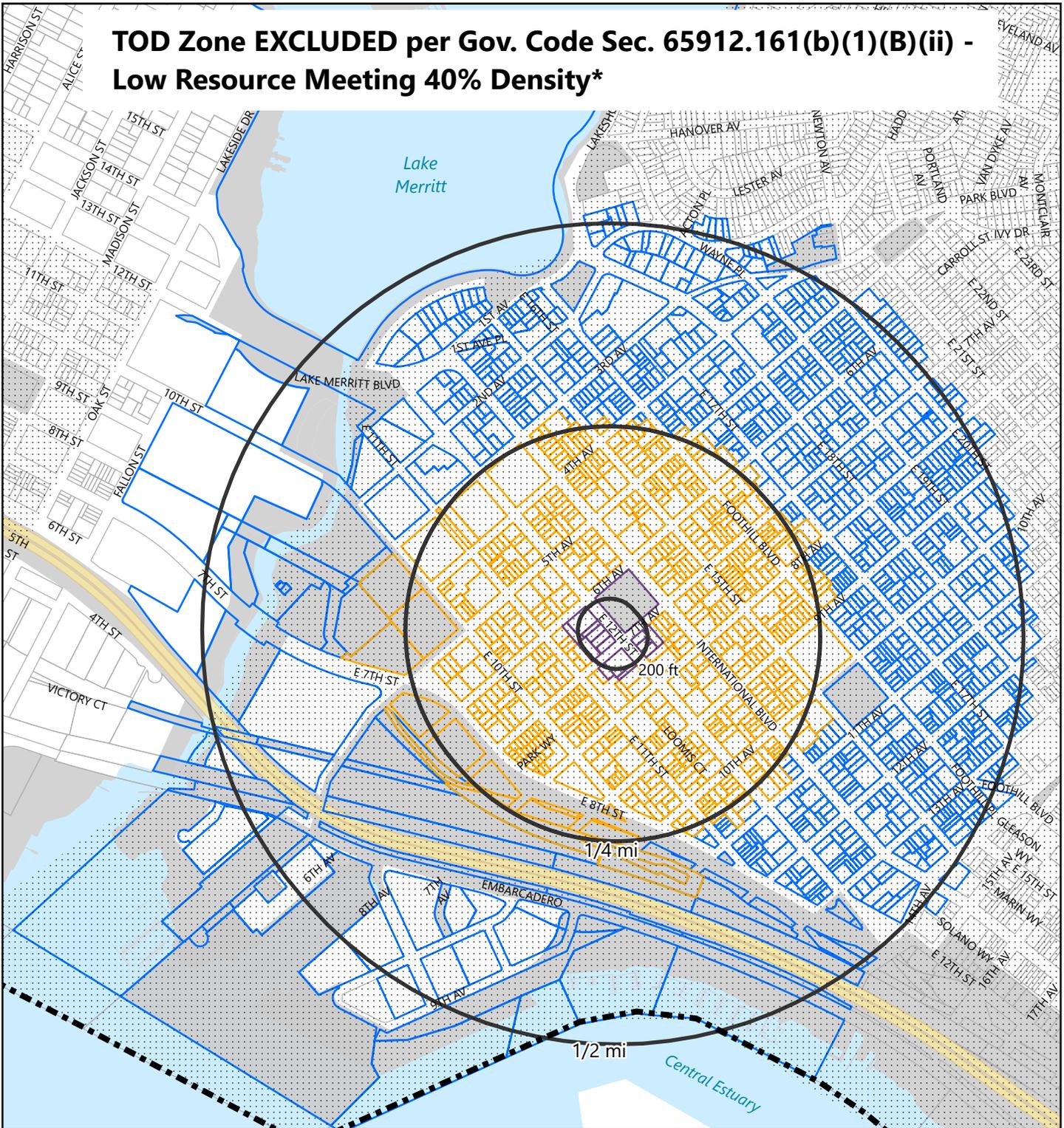
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 22. 5th Ave NB Tier 2 TOD Stop



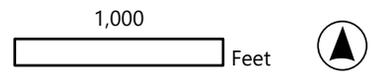
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

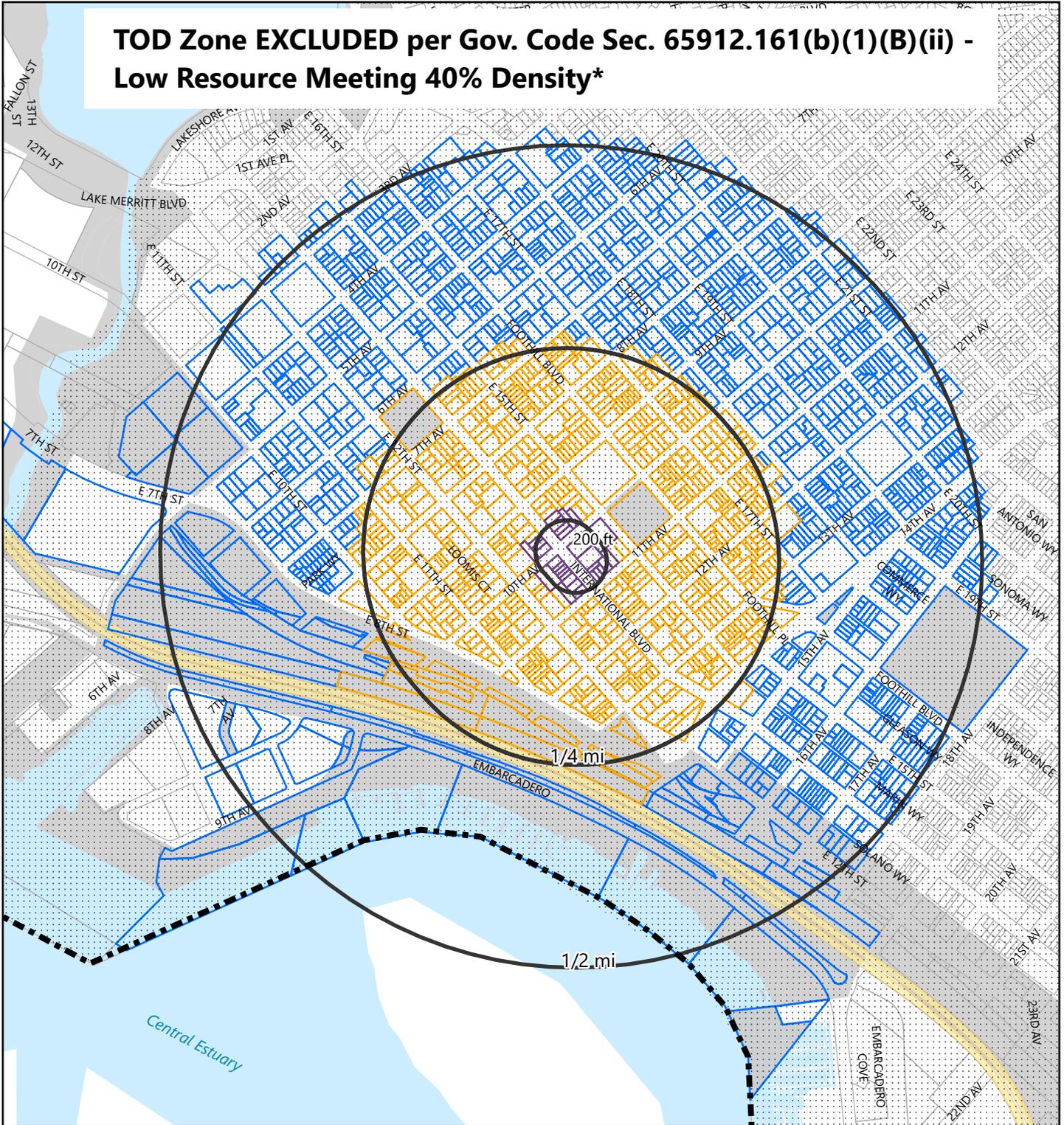
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 23. 5th Ave SB Tier 2 TOD Stop



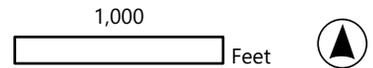
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

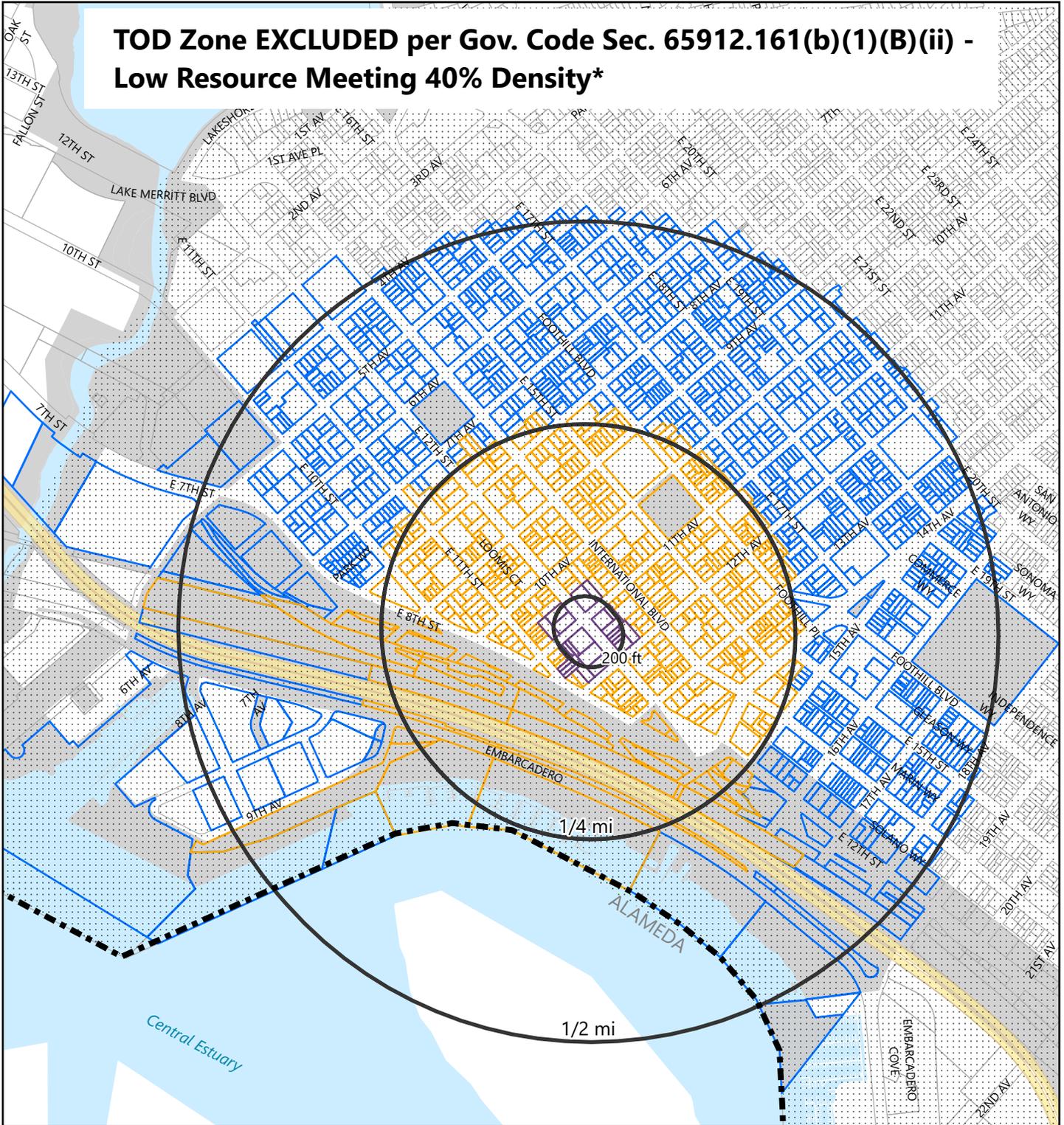
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 24. 10th Ave NB Tier 2 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

Low Resource

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

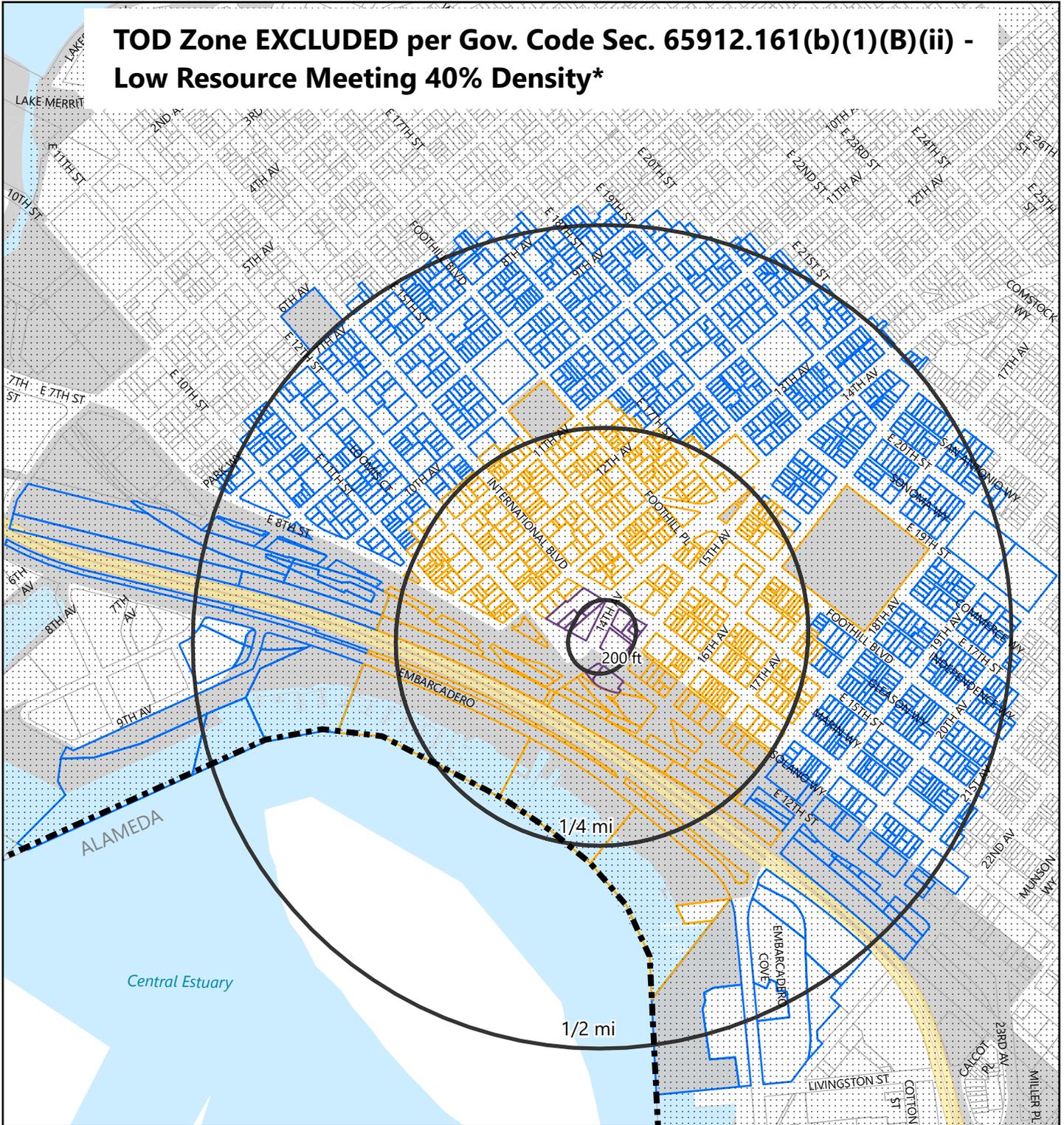
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



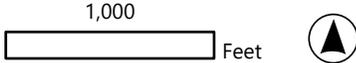
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

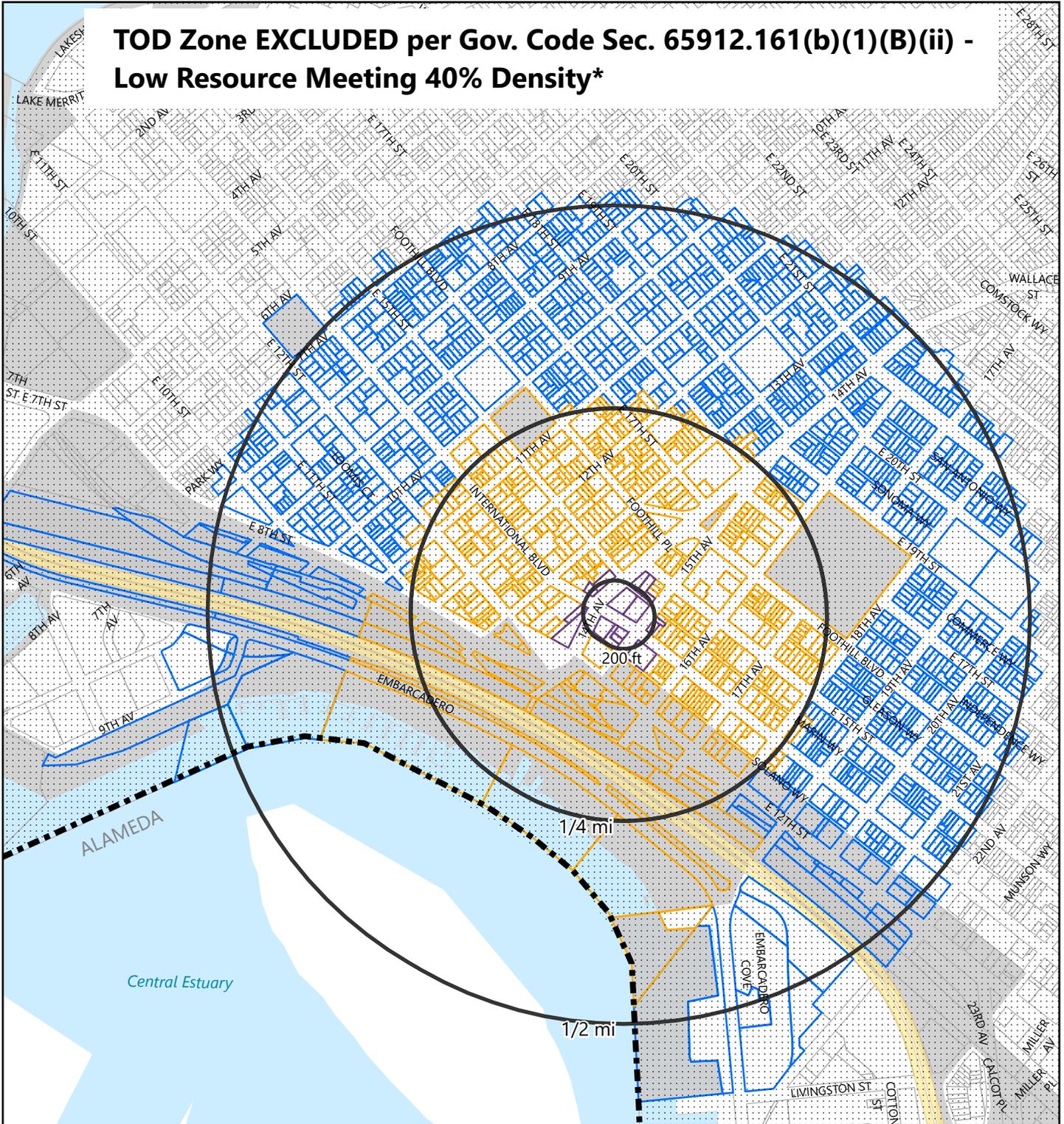
- Parcel distance from transit stop entrance
 - within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 26. 14th Ave SB Tier 2 TOD Stop

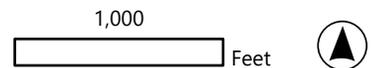
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

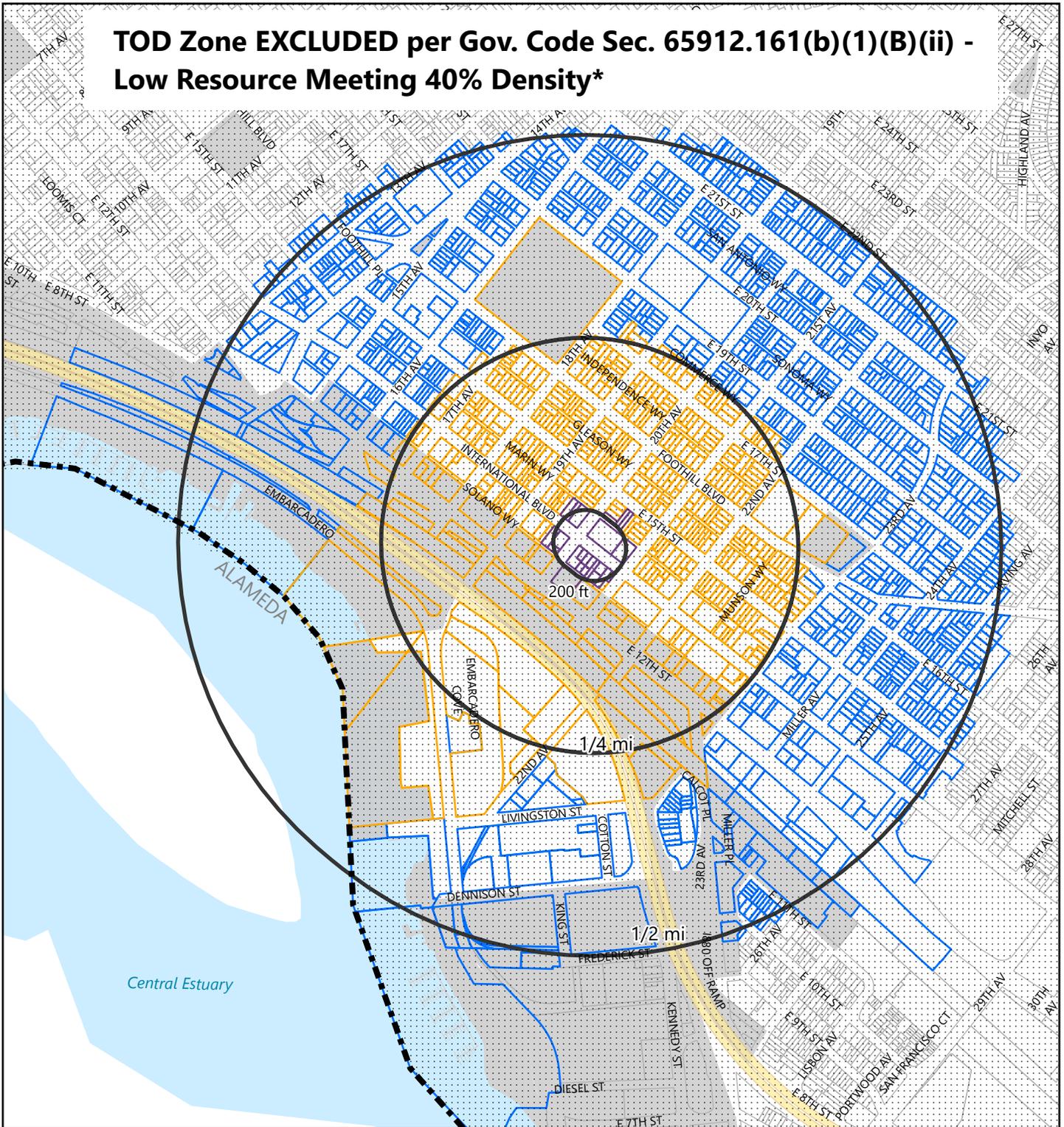
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 27. 14th Ave NB Tier 2 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

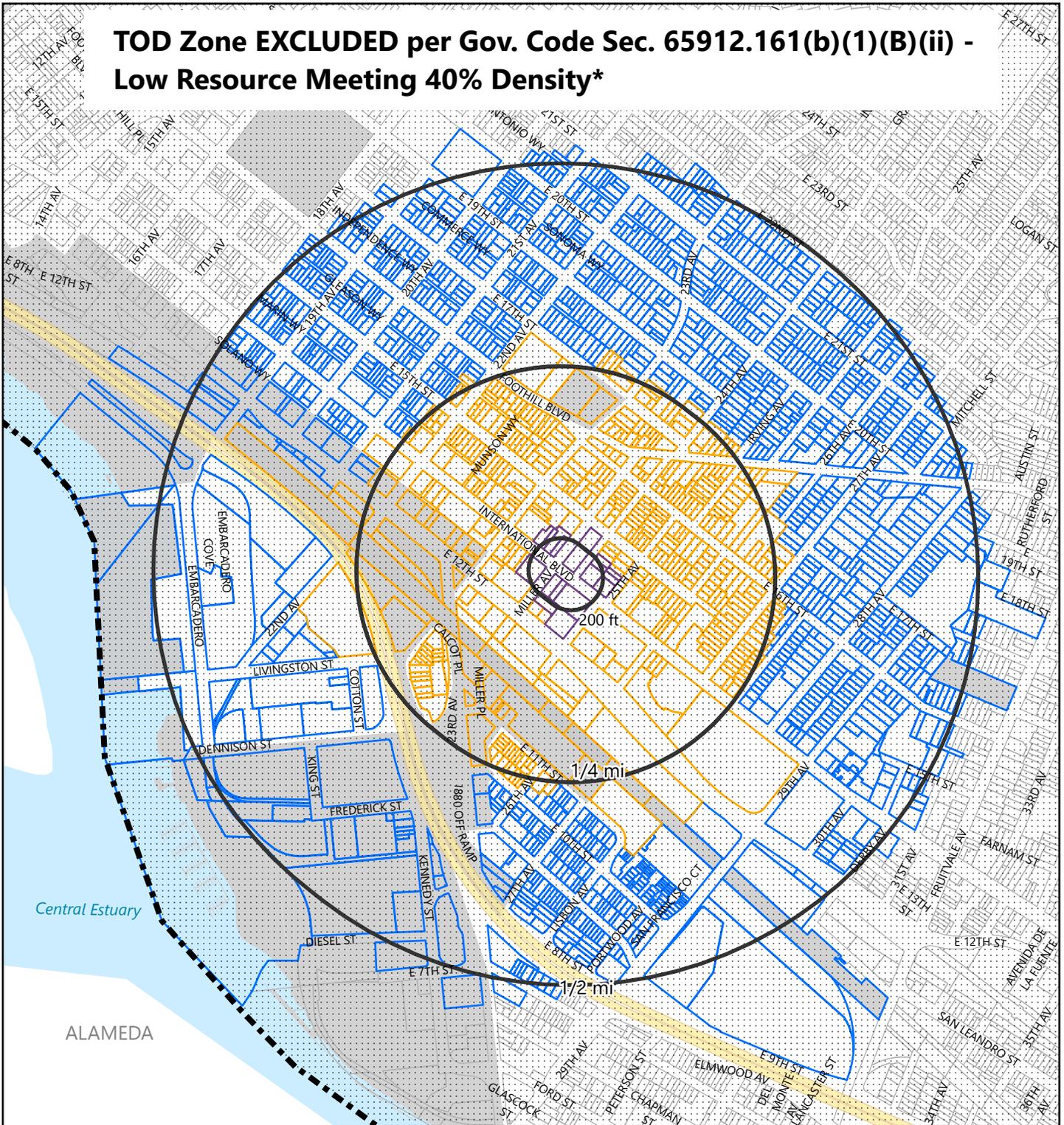
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

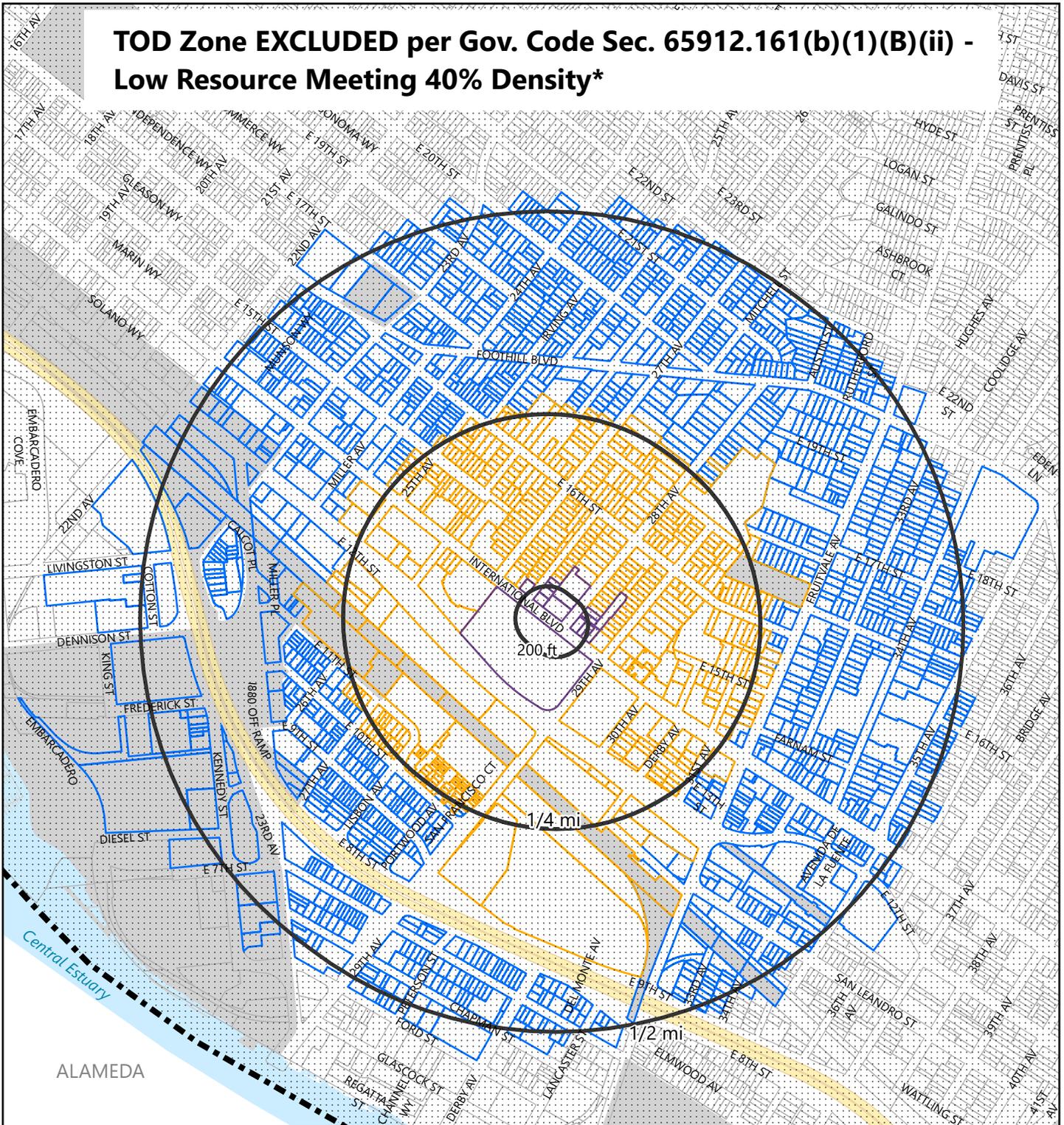
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

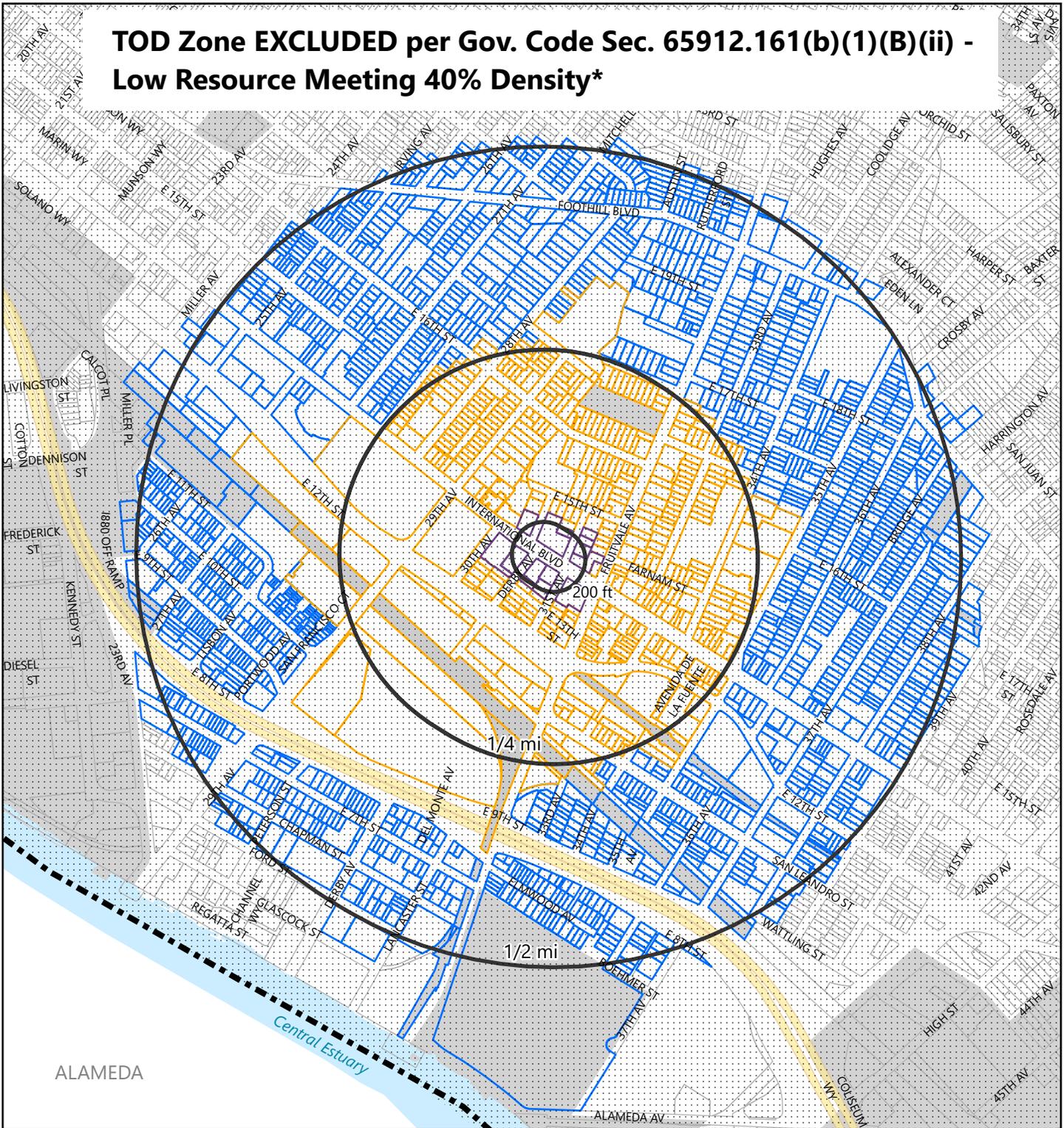
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

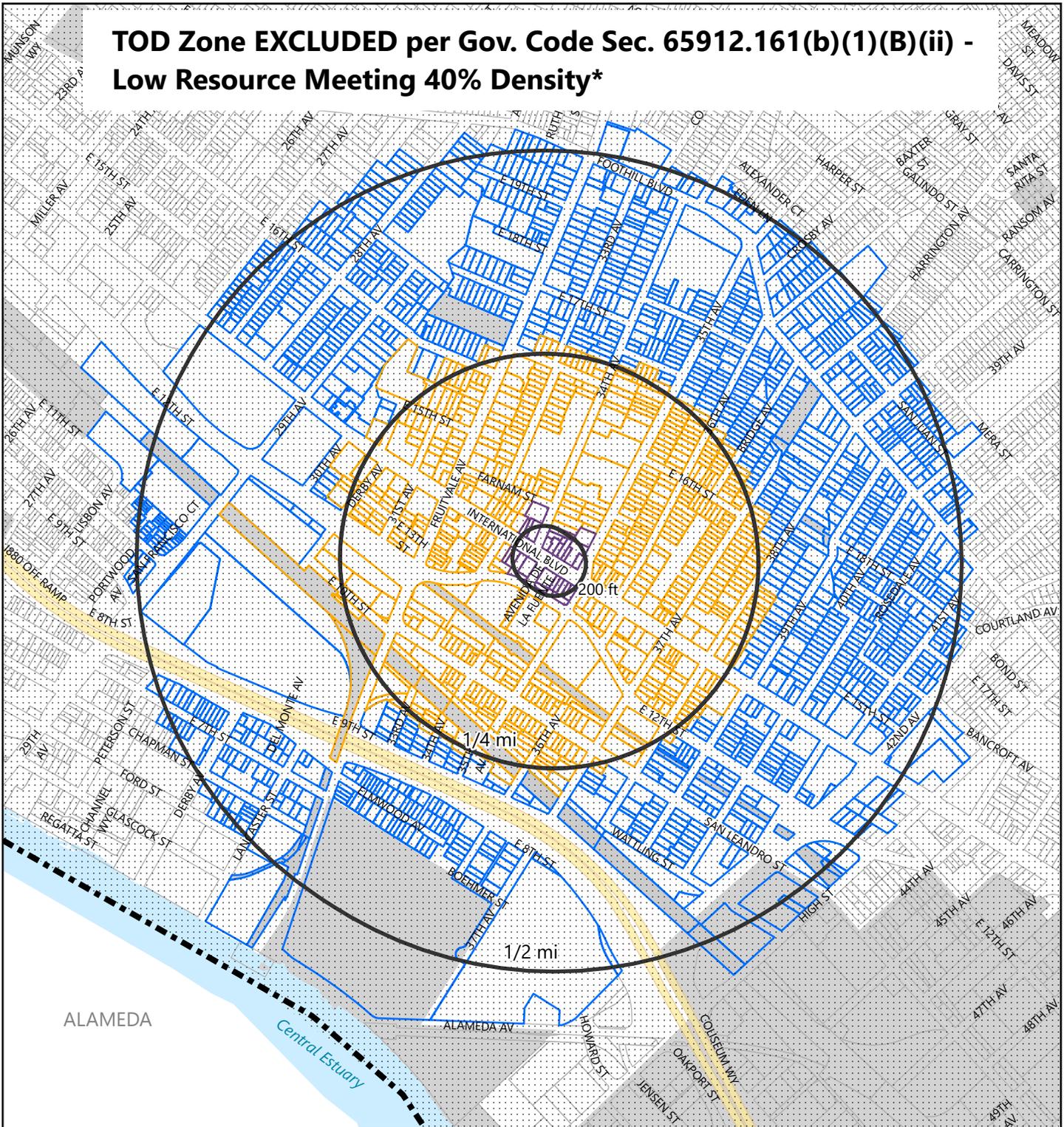
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



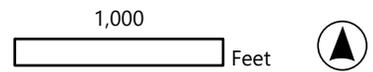
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



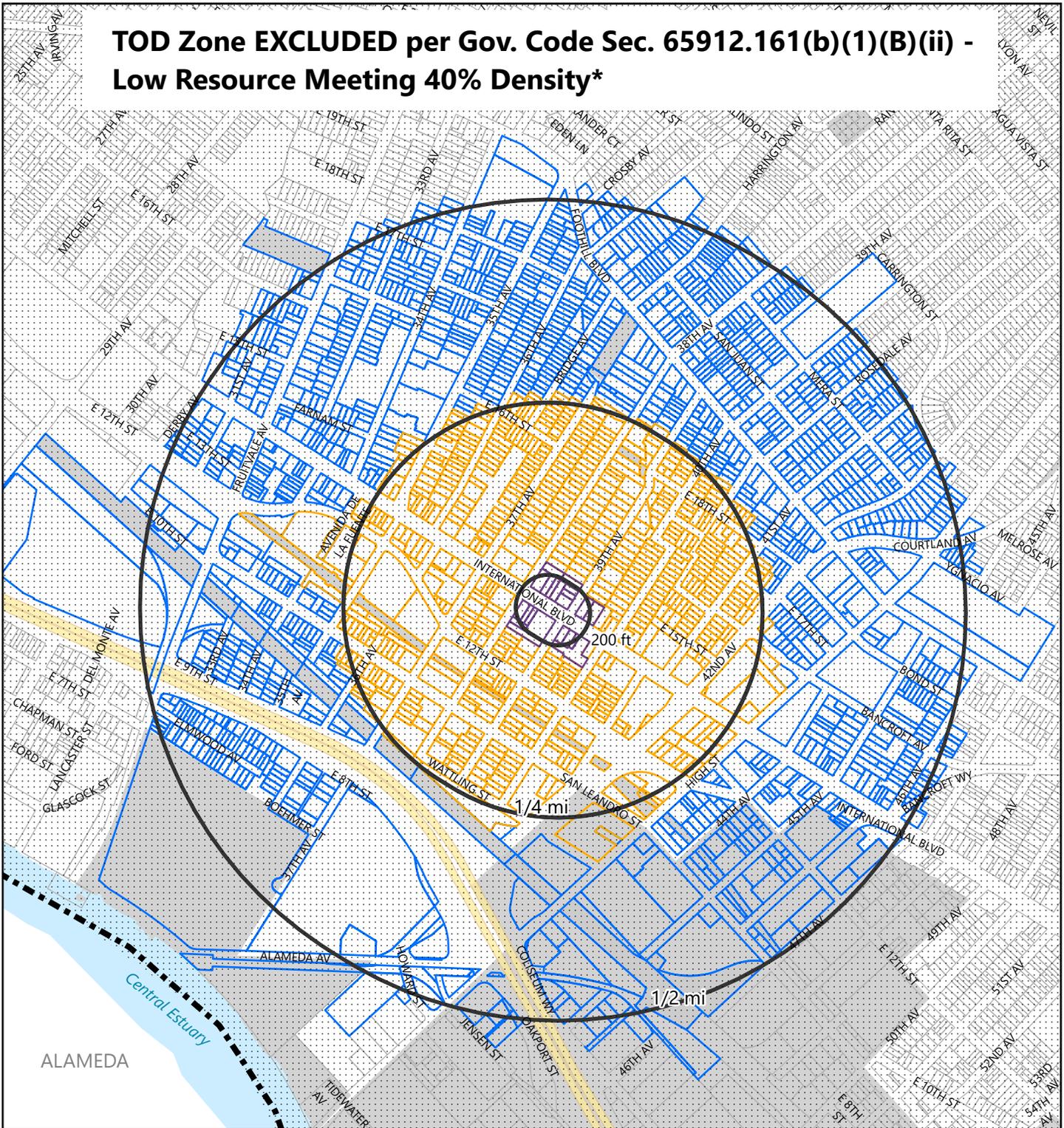
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



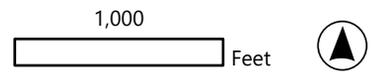
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

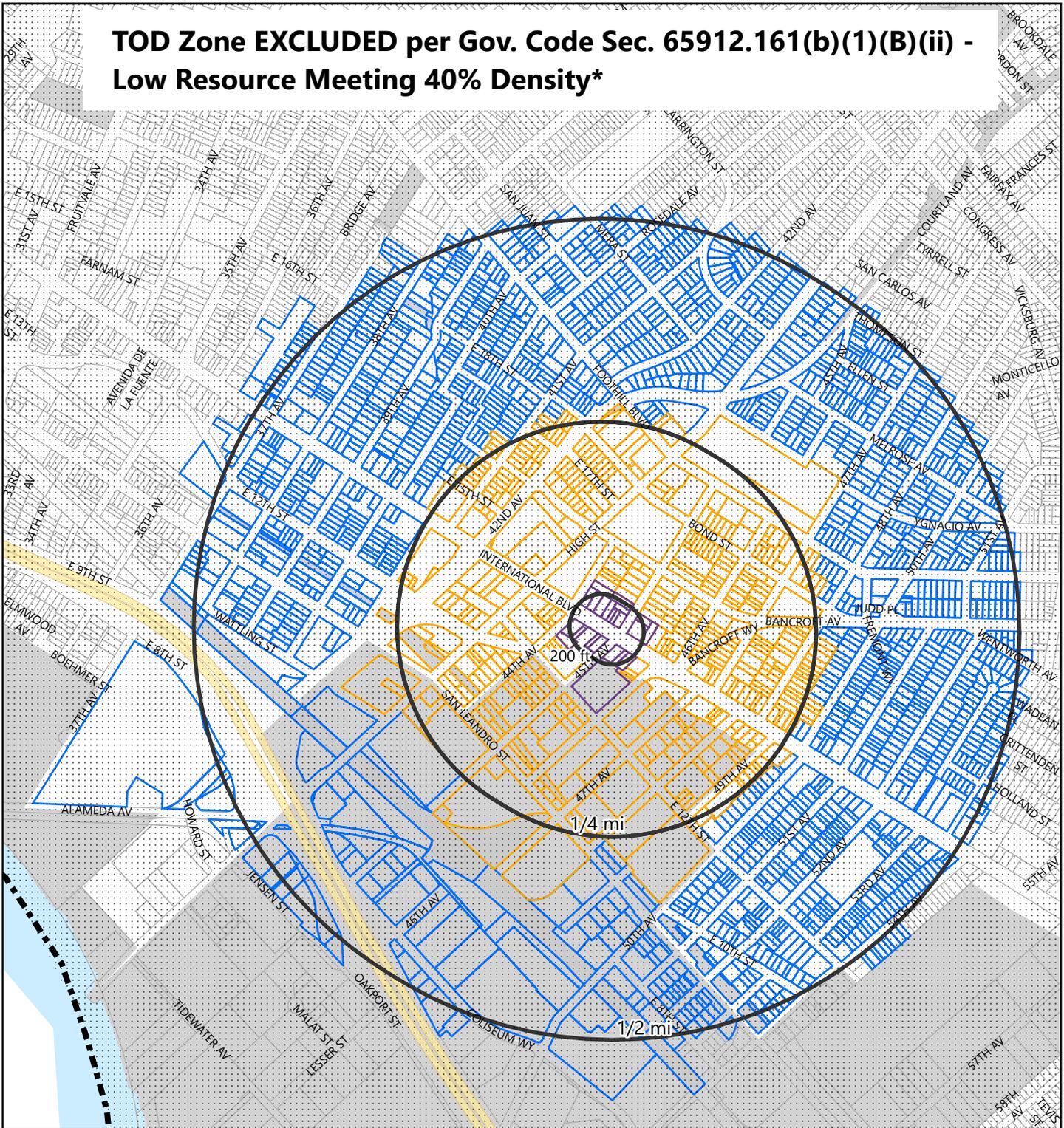
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 33. 39th Ave Tier 2 TOD Stop



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

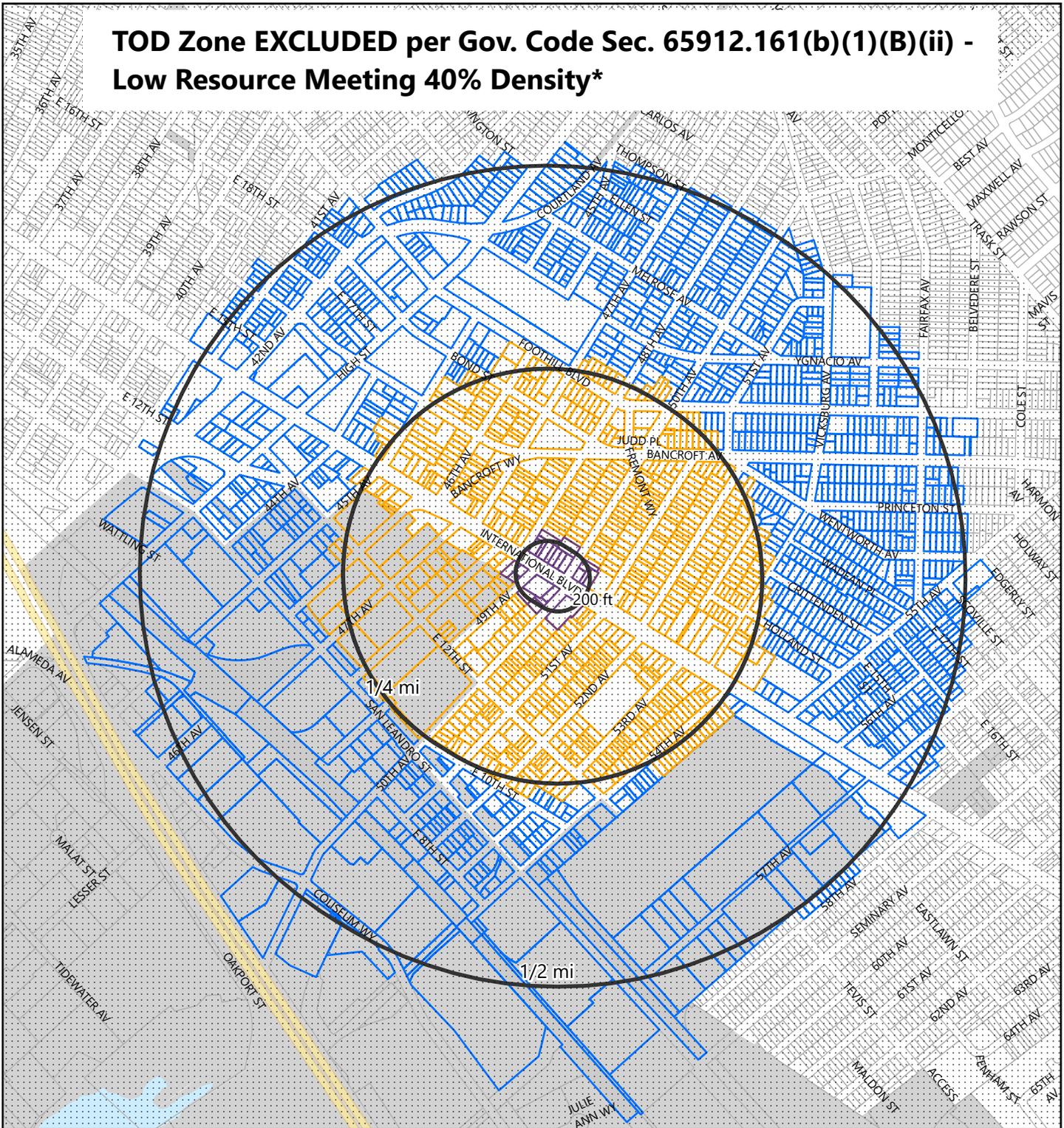
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



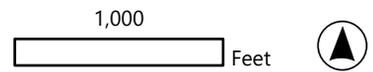
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



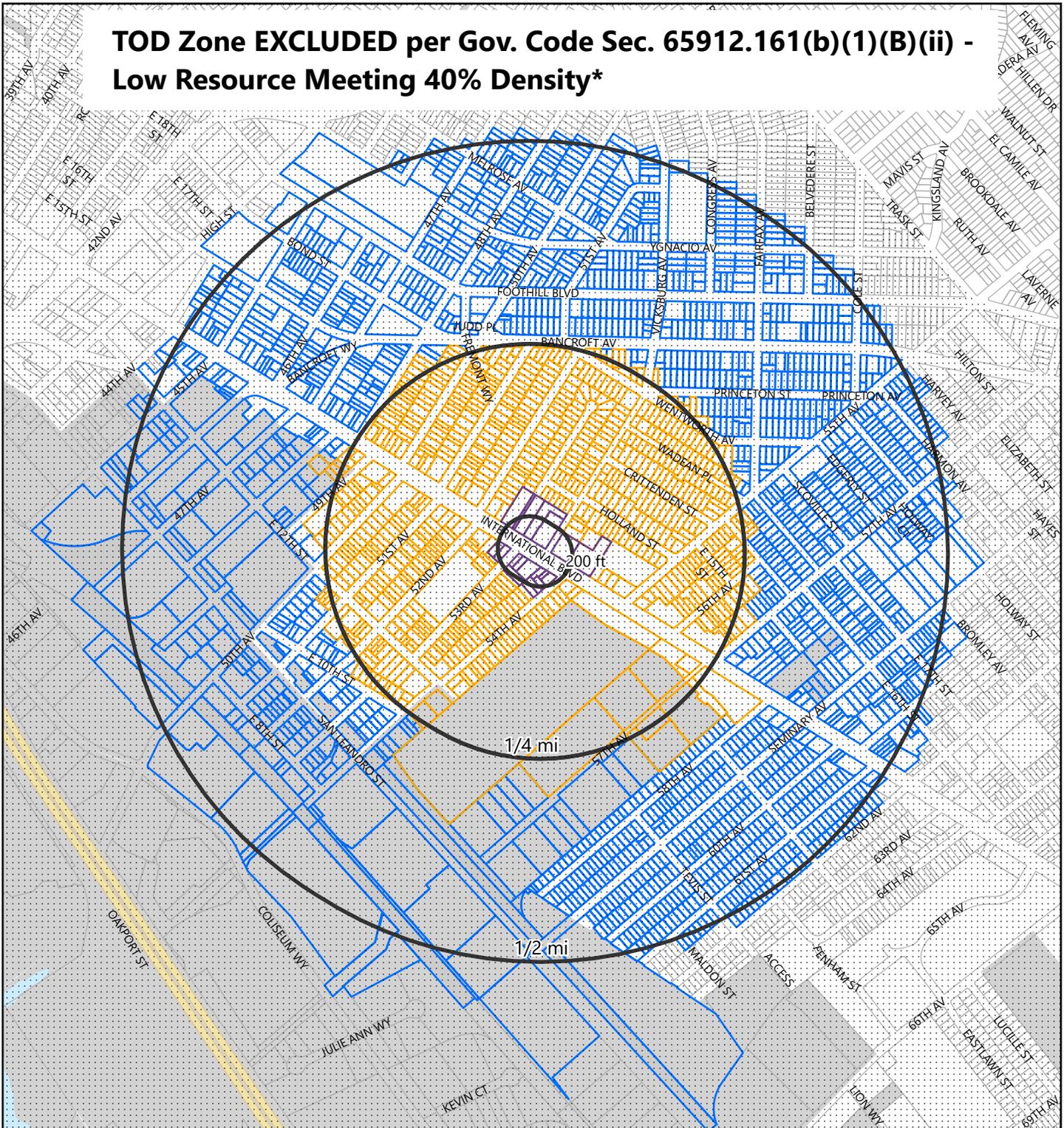
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

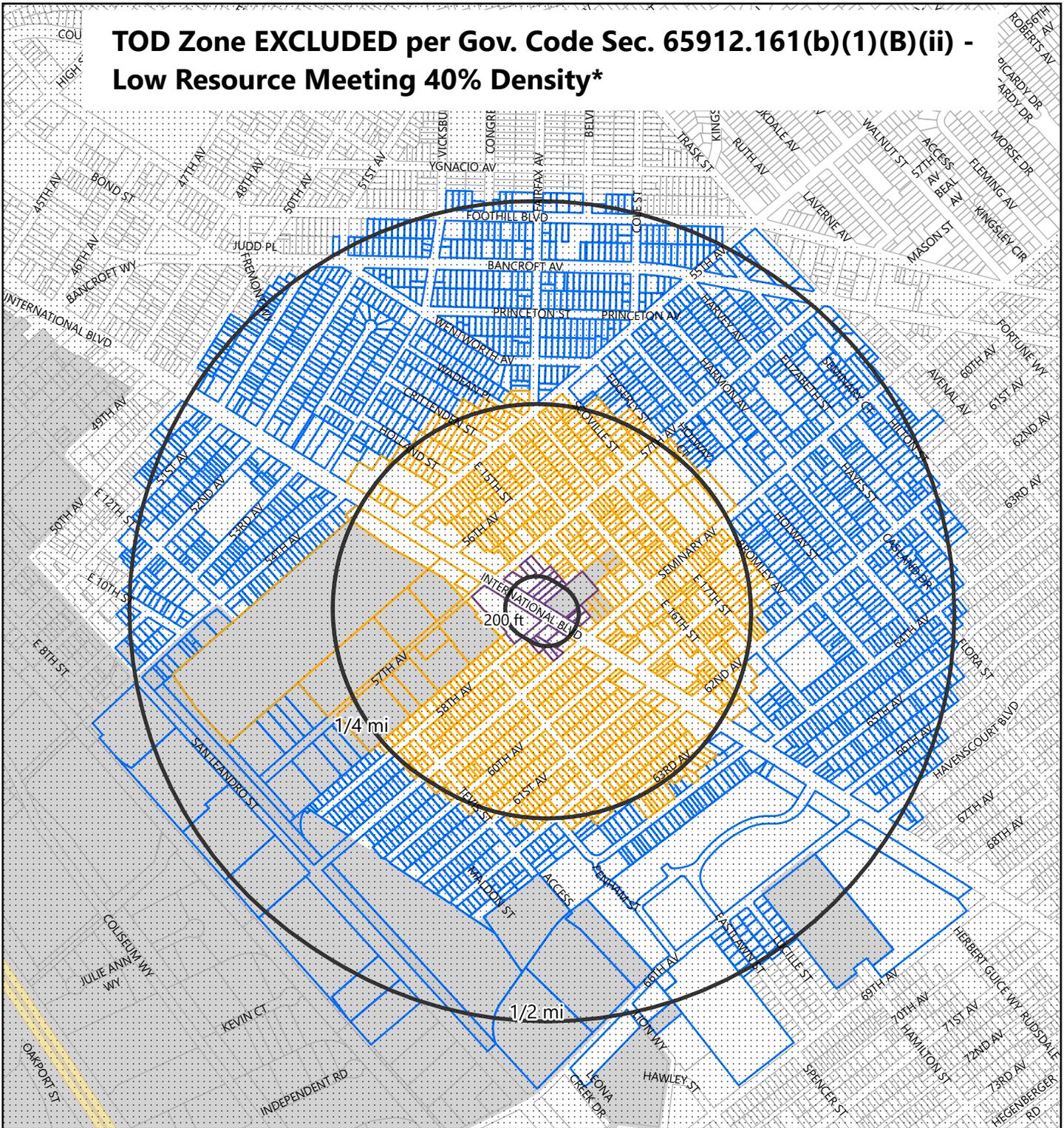
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



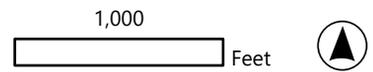
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

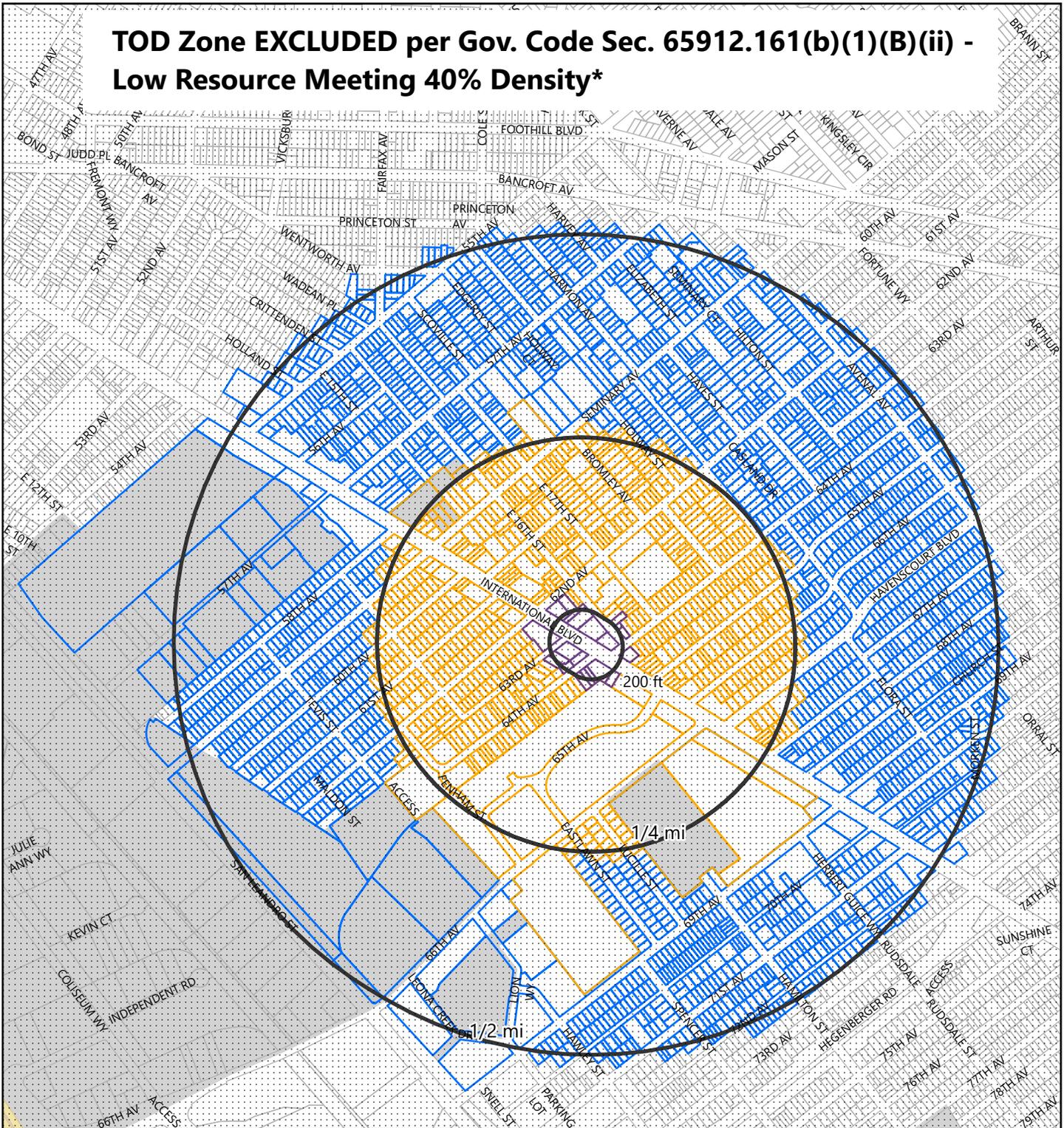
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 37. Seminary Tier 2 TOD Stop



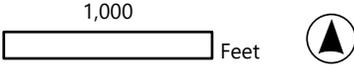
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



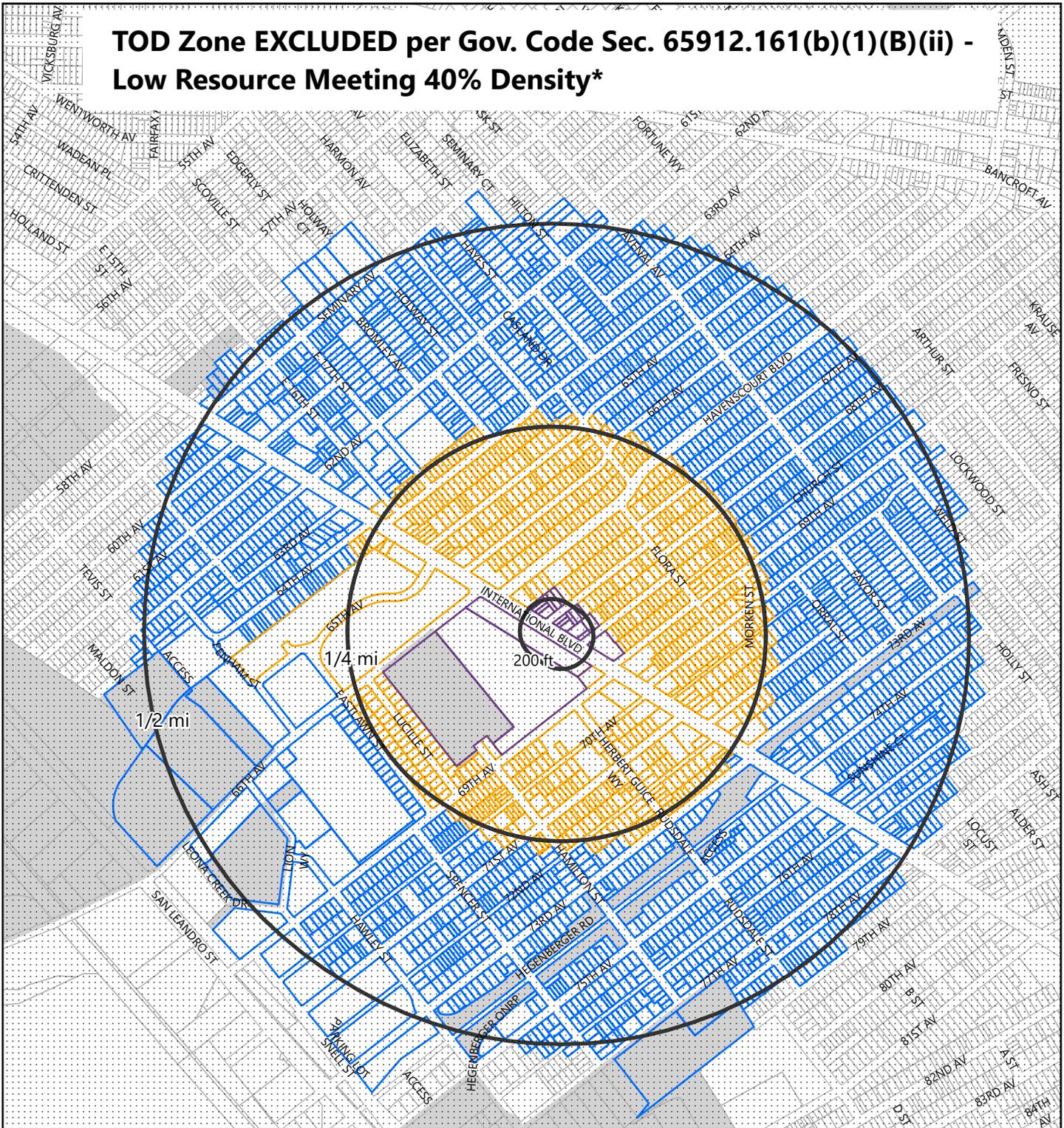
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
- 200 ft to 1/4 mi
- 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

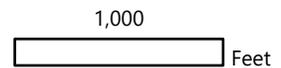
200 ft to 1/4 mi

1/4 mi to 1/2 mi

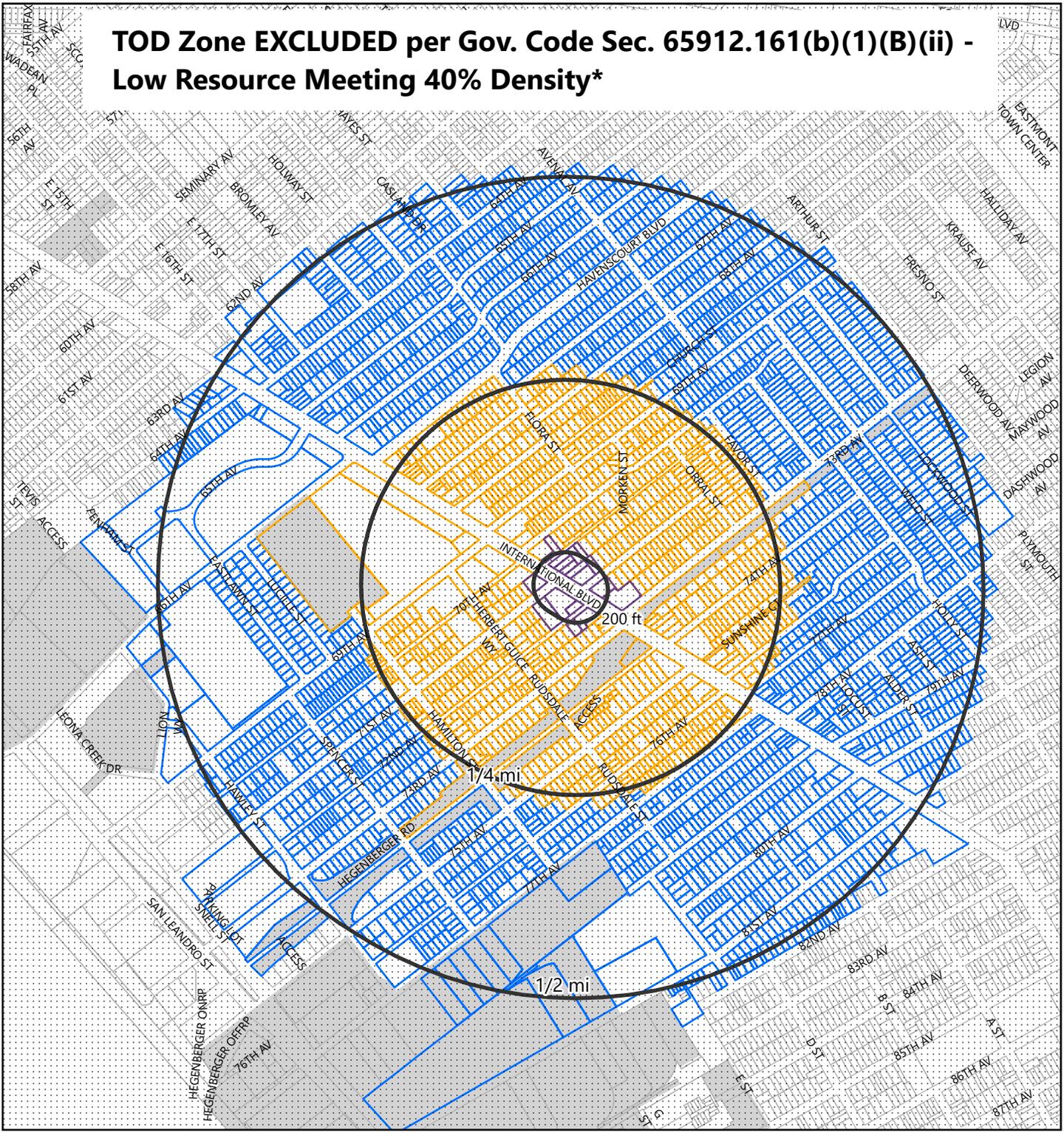
Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



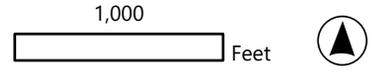
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

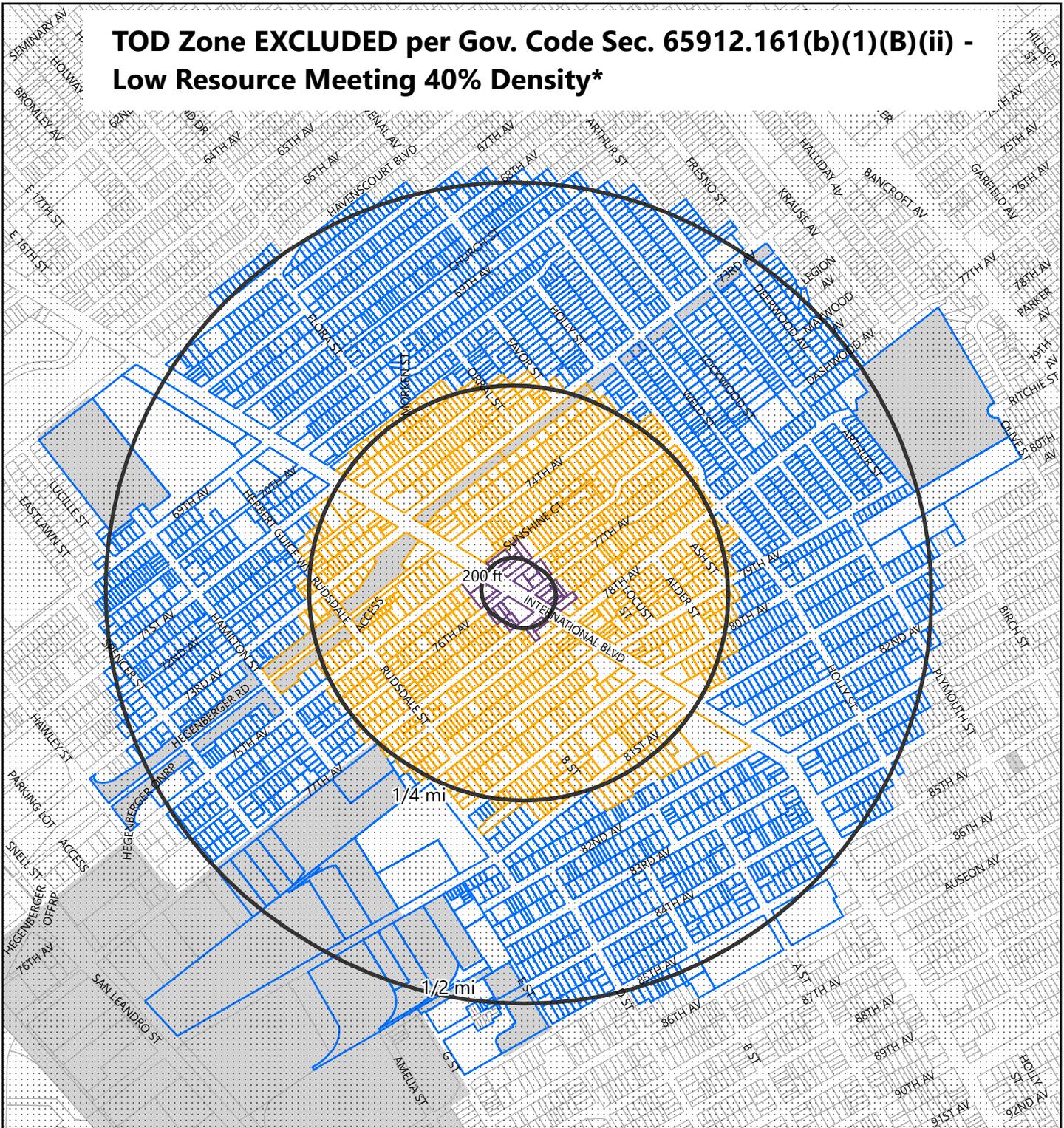
- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 40. 73rd Ave Tier 2 TOD Stop

TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

Parcel distance from transit stop entrance

within 200 ft

200 ft to 1/4 mi

1/4 mi to 1/2 mi

Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water

Low Resource

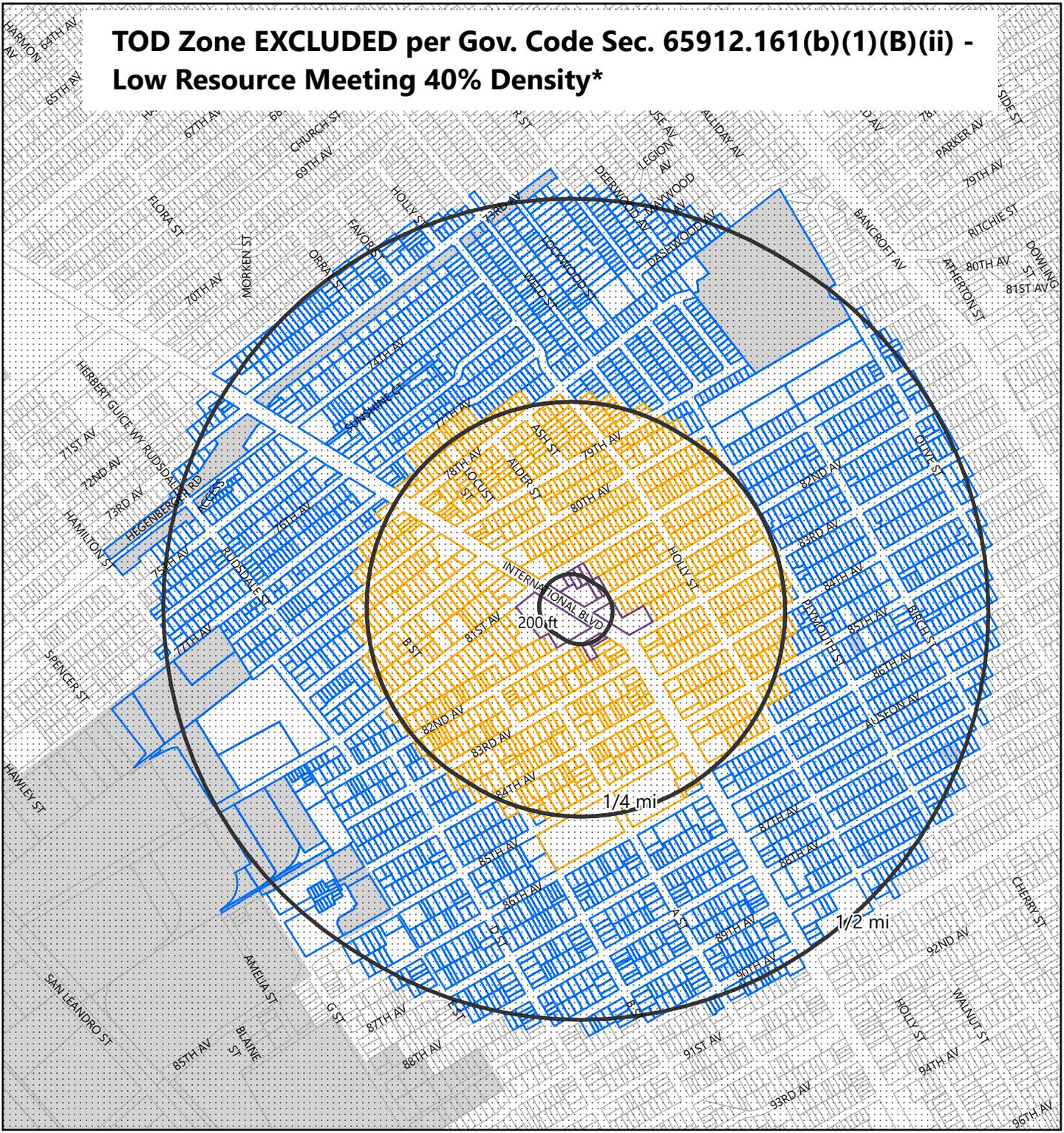
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.

1,000

Feet



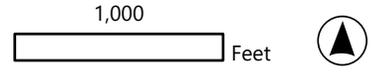
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



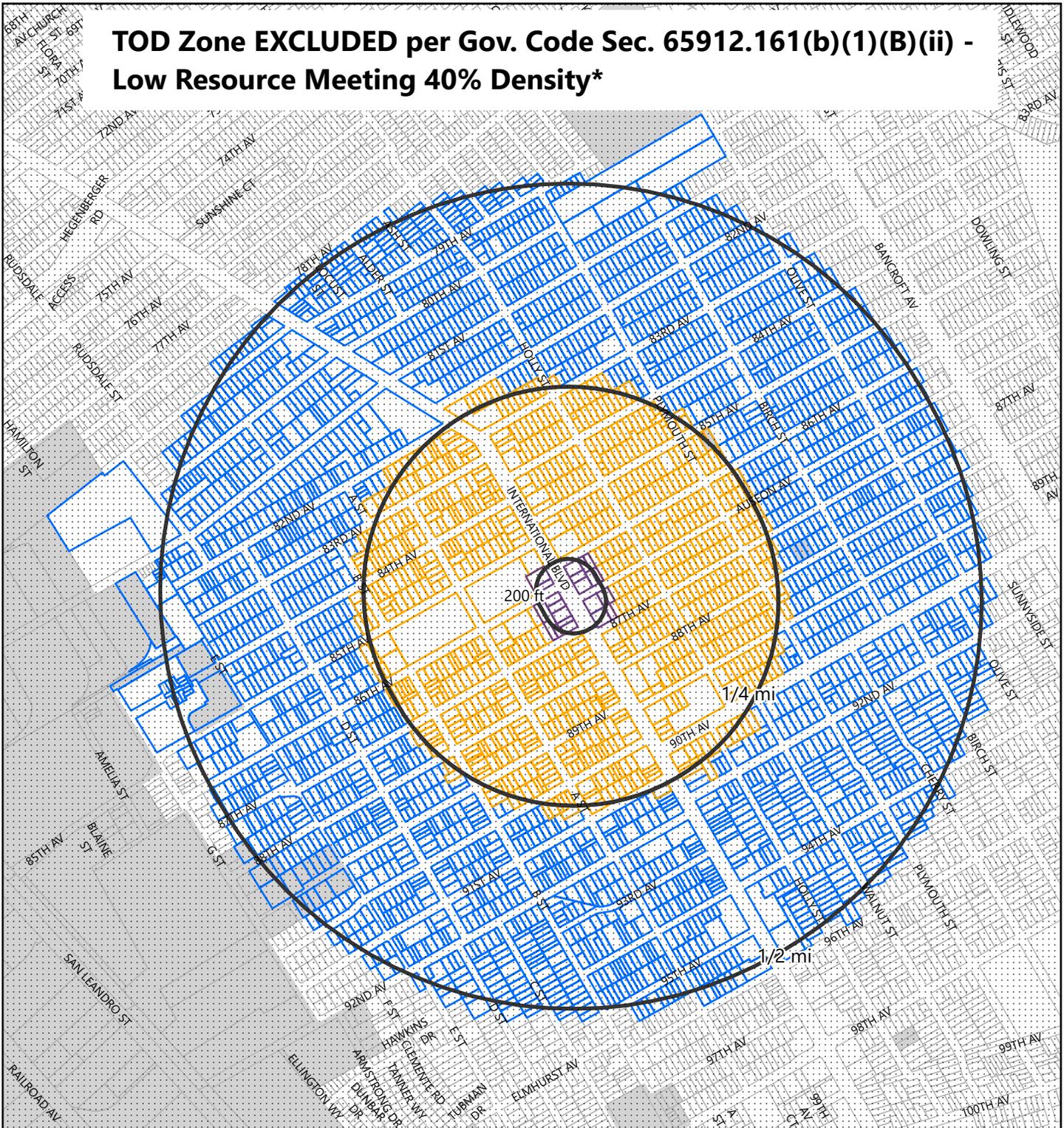
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



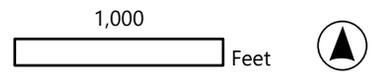
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



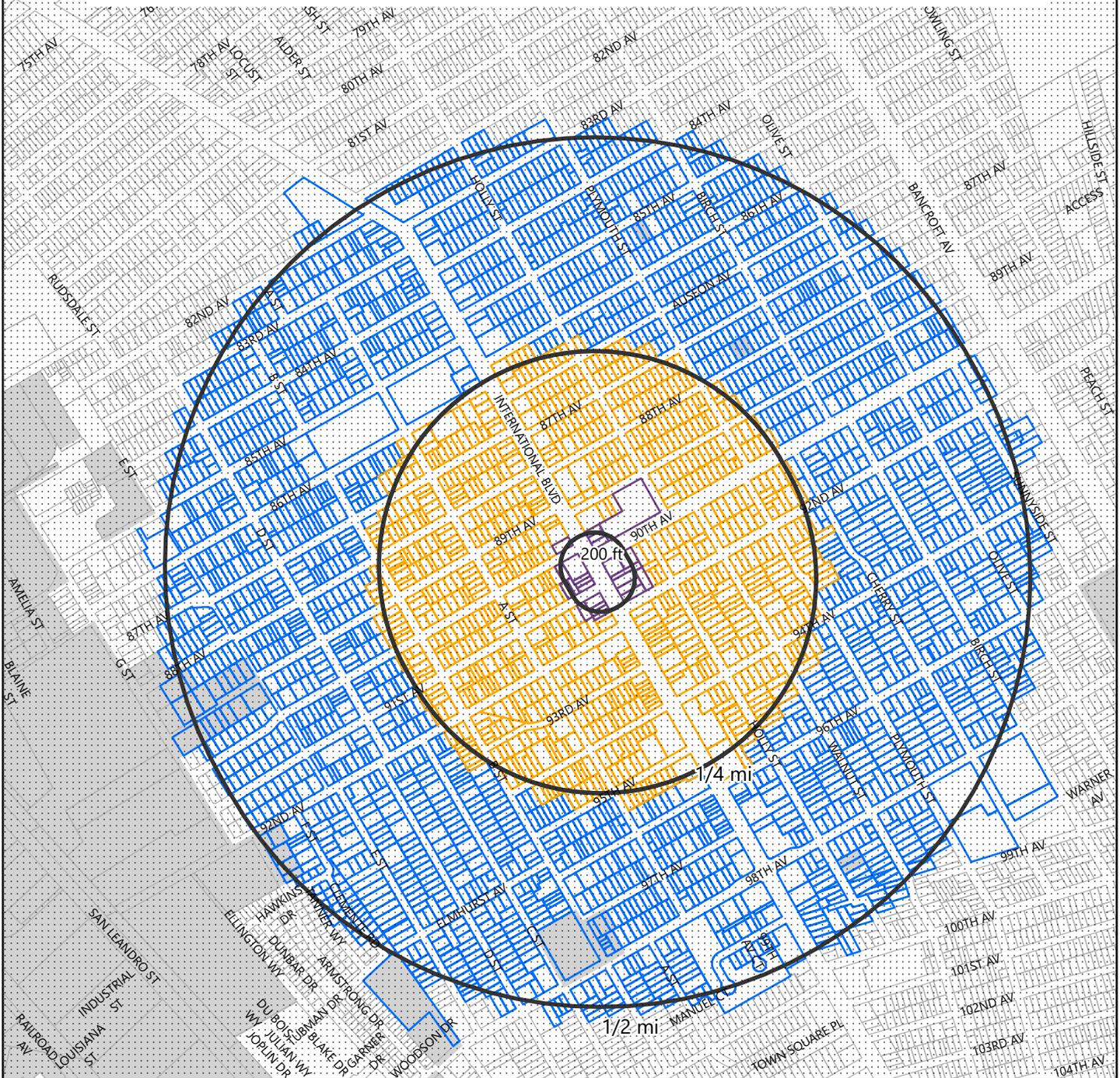
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



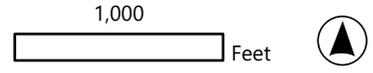
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



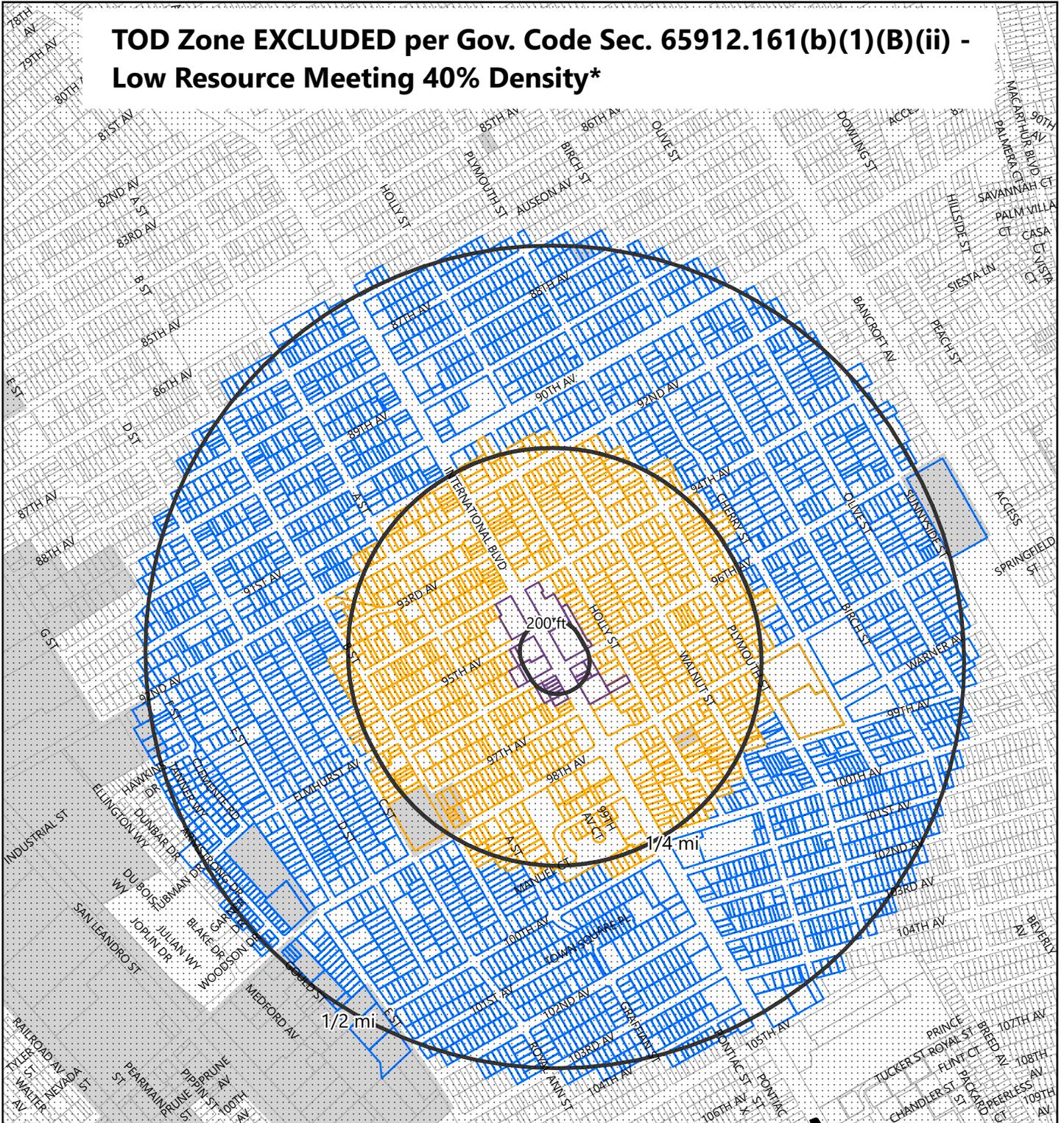
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



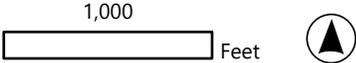
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

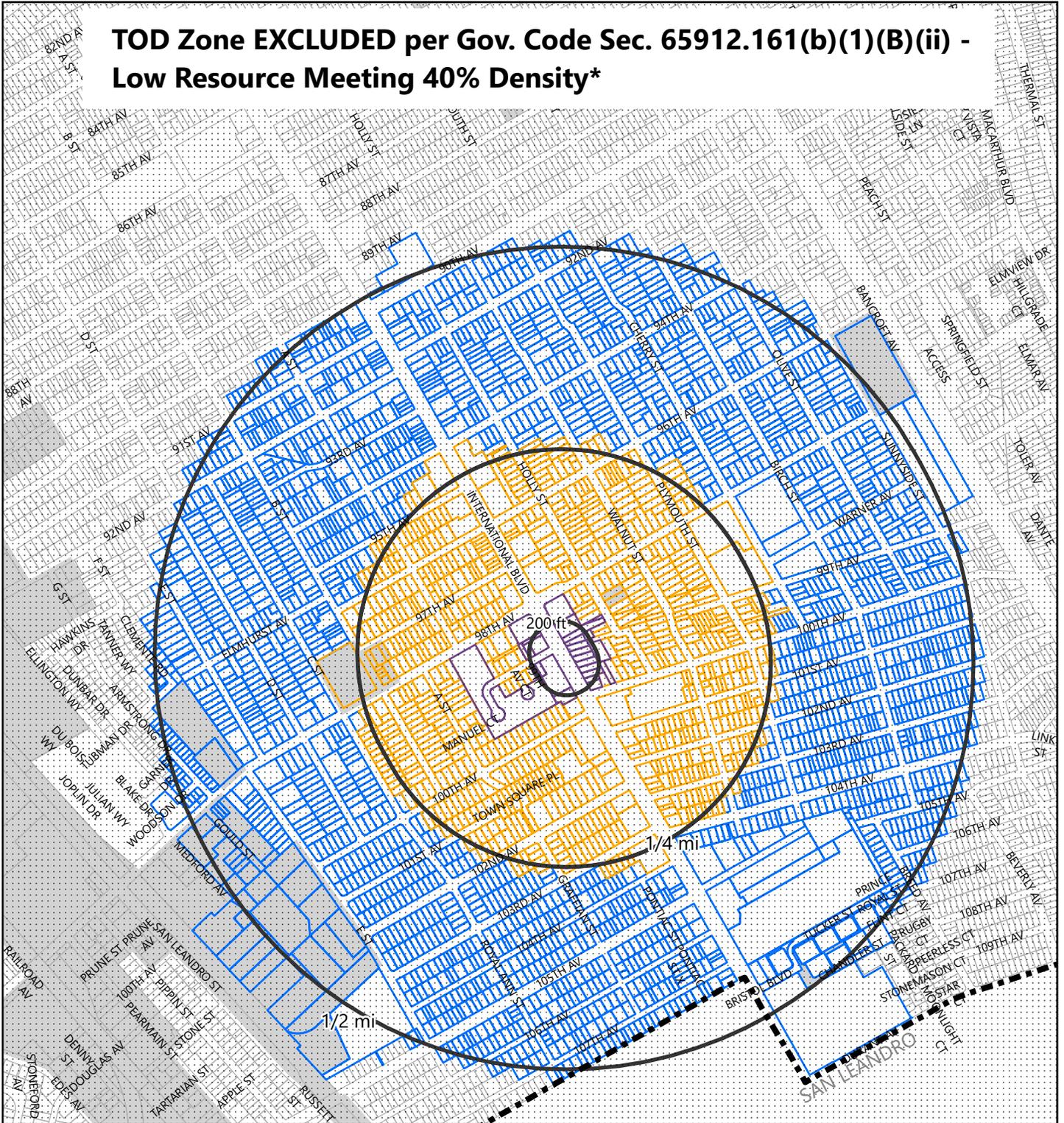
- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
 - Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 45. 95th Ave Tier 2 TOD Stop

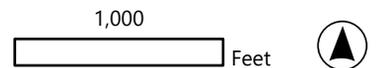
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



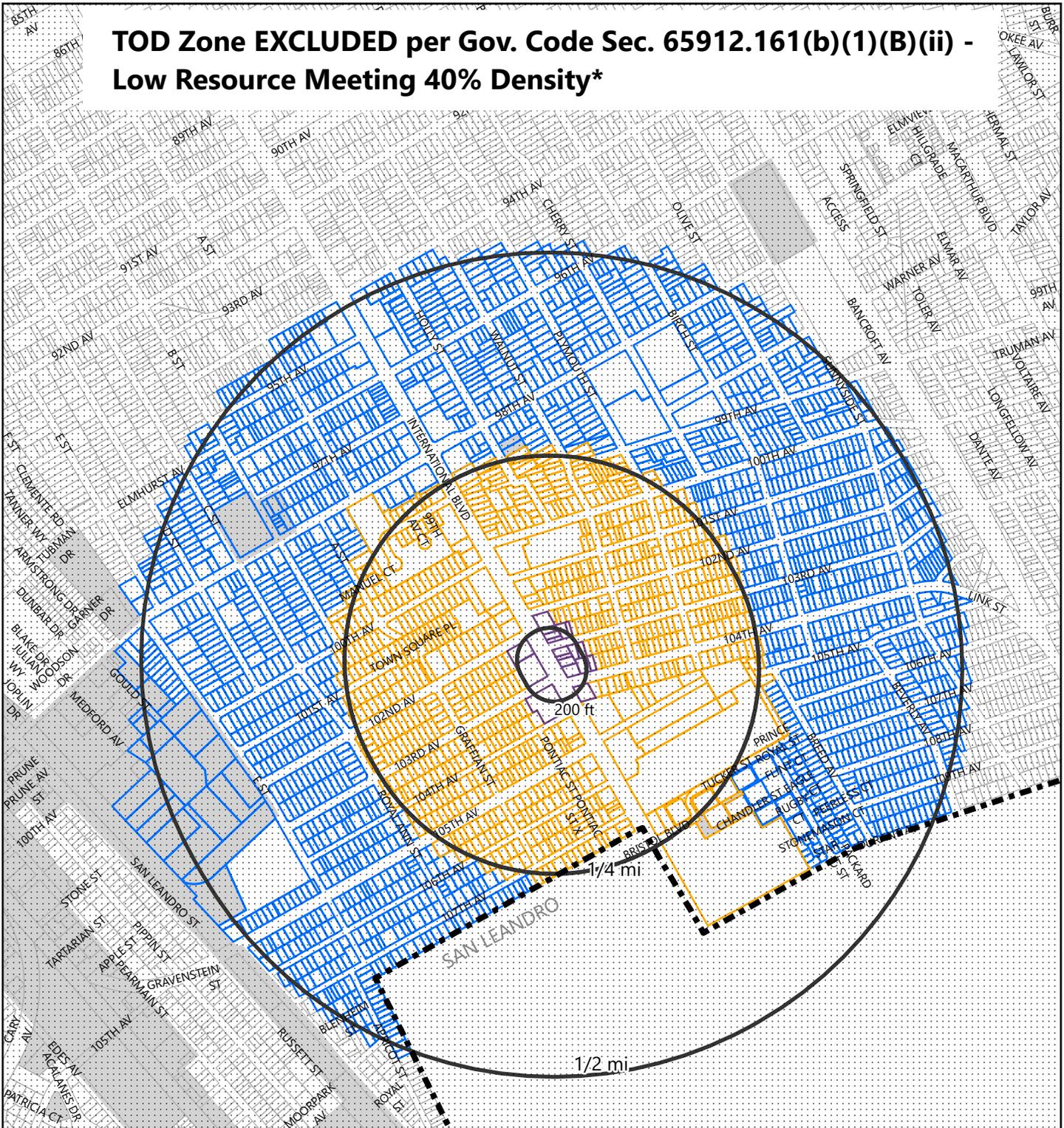
SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
 - within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
- Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



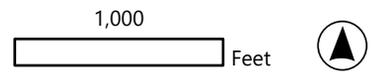
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

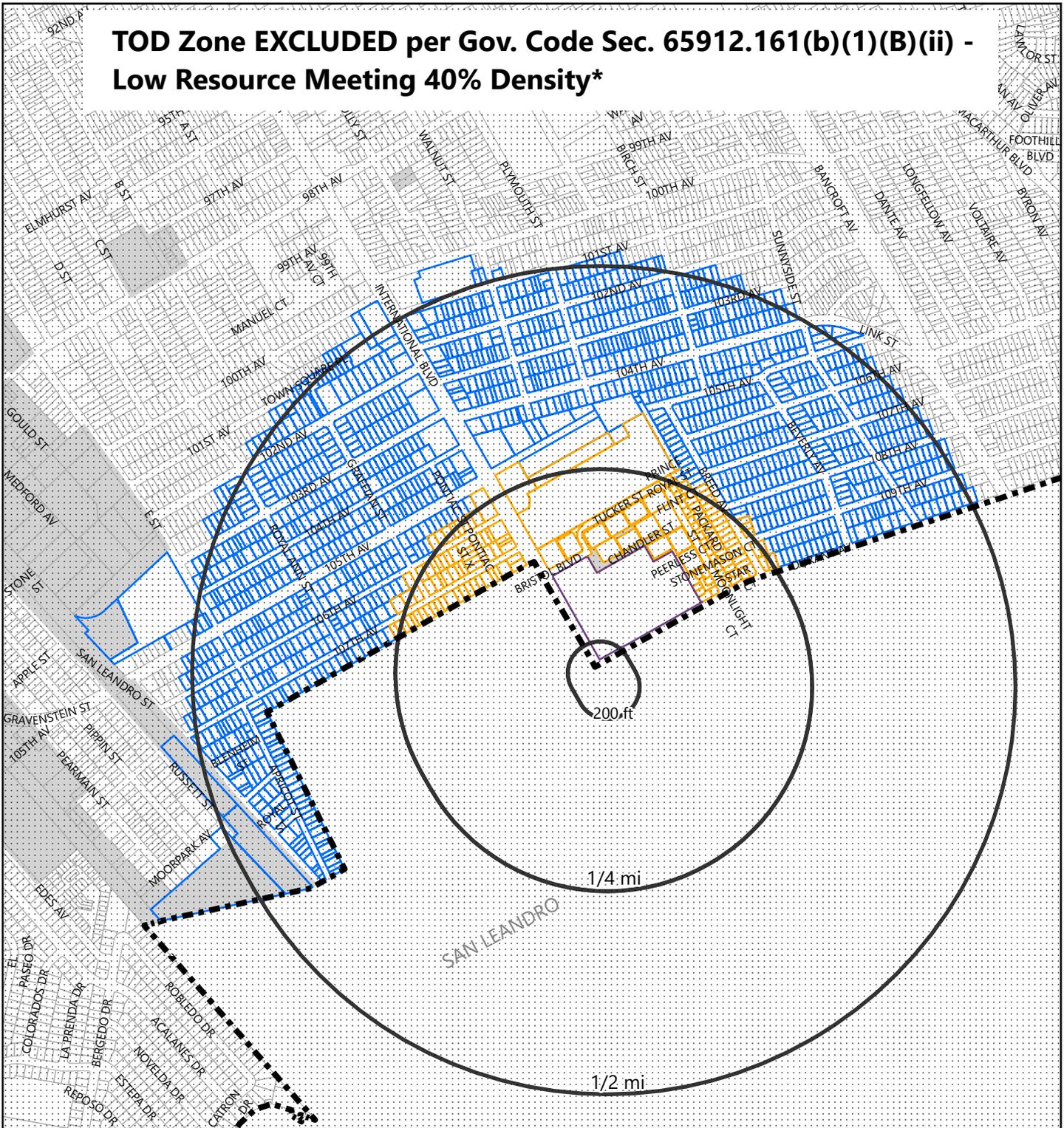
* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



MAP 47. 103rd Ave Tier 2 TOD Stop



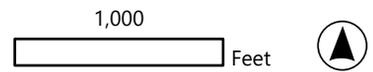
TOD Zone EXCLUDED per Gov. Code Sec. 65912.161(b)(1)(B)(ii) - Low Resource Meeting 40% Density*



SB 79 Eligibility & Exclusion Analysis

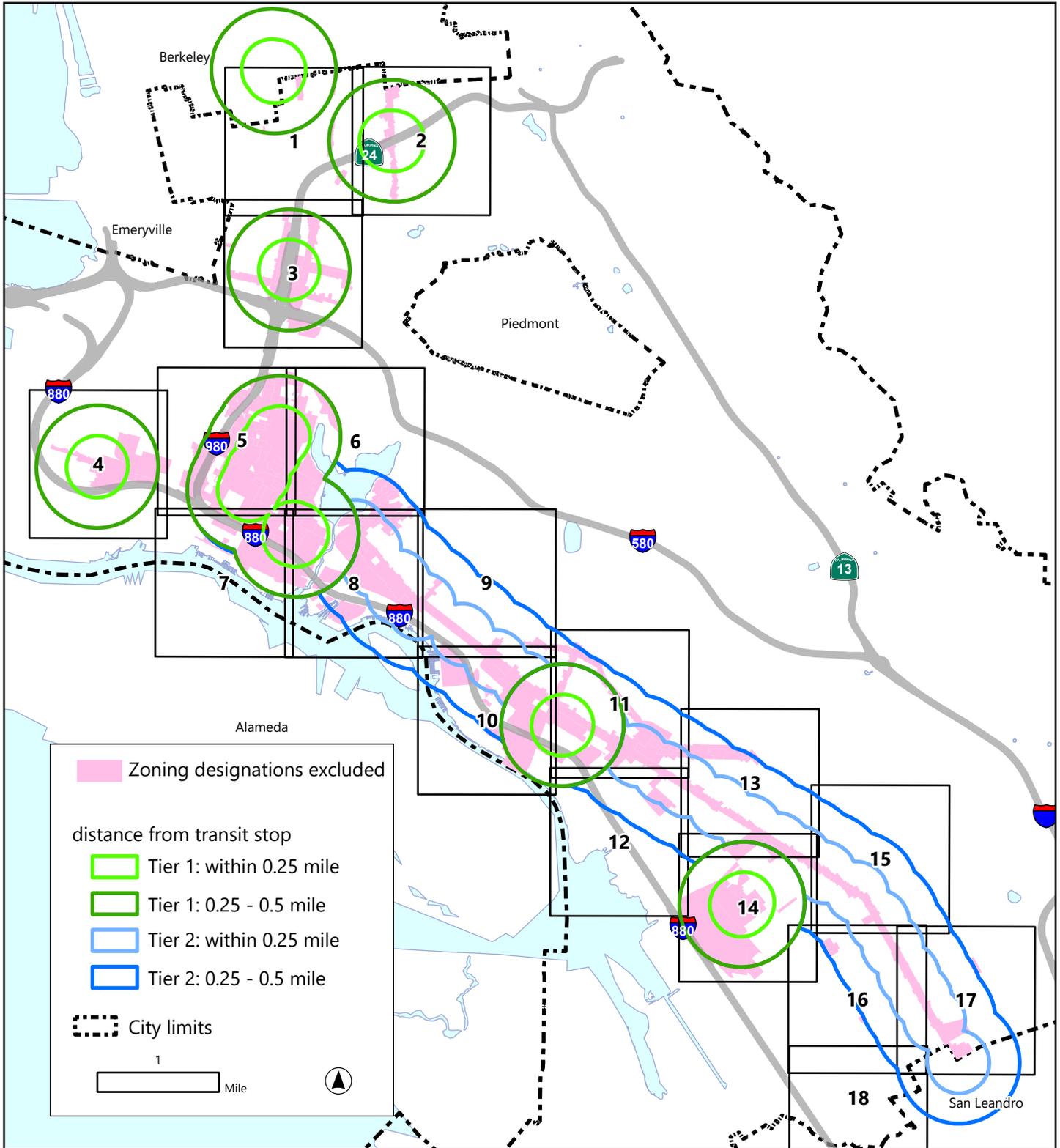
- Parcel distance from transit stop entrance
- within 200 ft
 - 200 ft to 1/4 mi
 - 1/4 mi to 1/2 mi
 - Ineligible - not zoned for residential, mixed-use or commercial; right of way; or water
- Low Resource

* Parcels located within overlapping TOD zones are excluded from SB 79 if any of the TOD zones are excluded. Parcels may also be excluded based on additional SB 79 exclusion criteria.



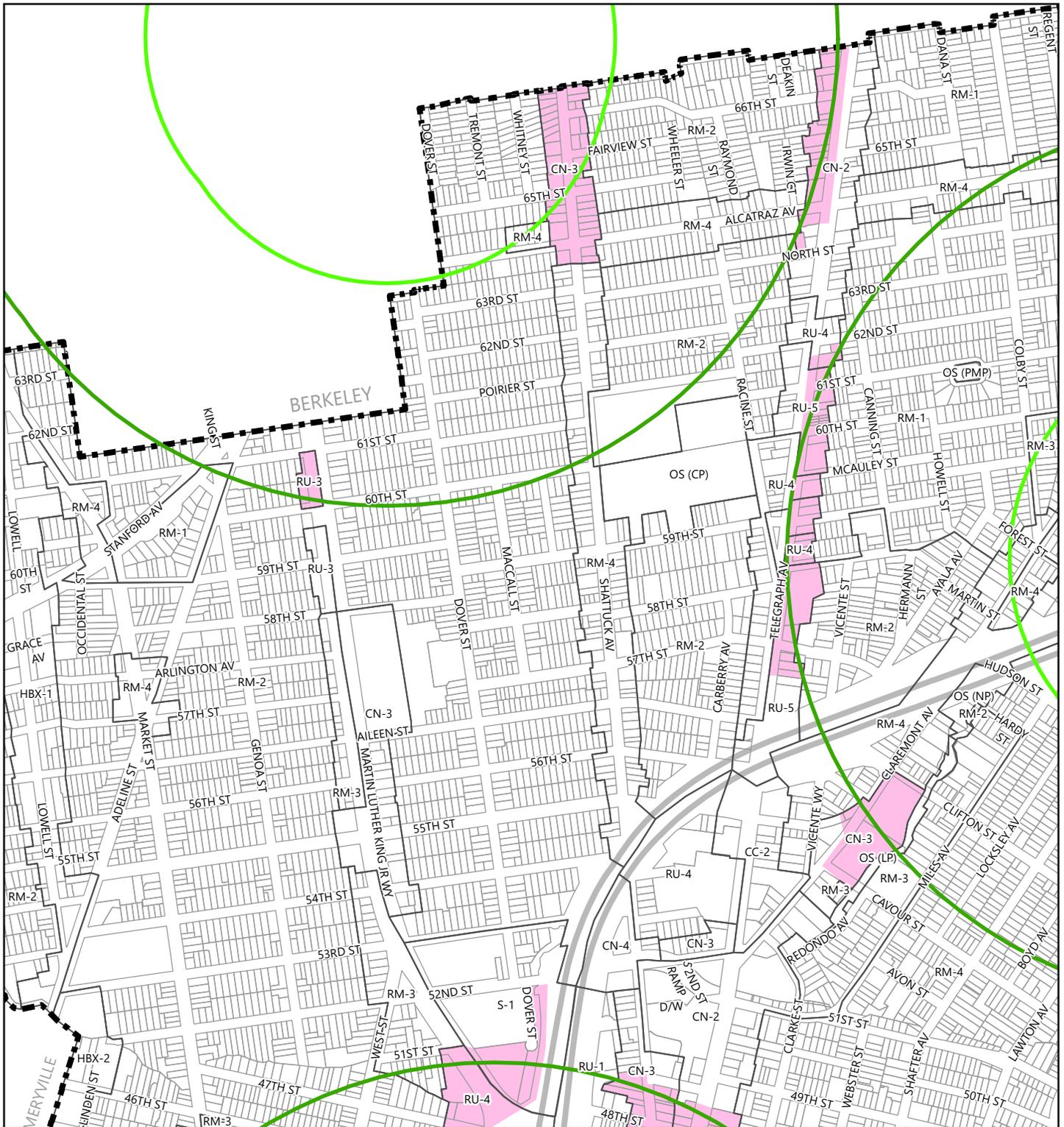
MAP 48. Durant Ave Tier 2 TOD Stop



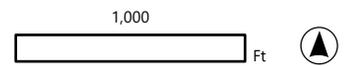


**SB 79 Site Exclusion Analysis -
Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
(50 percent density and residential FAR)**





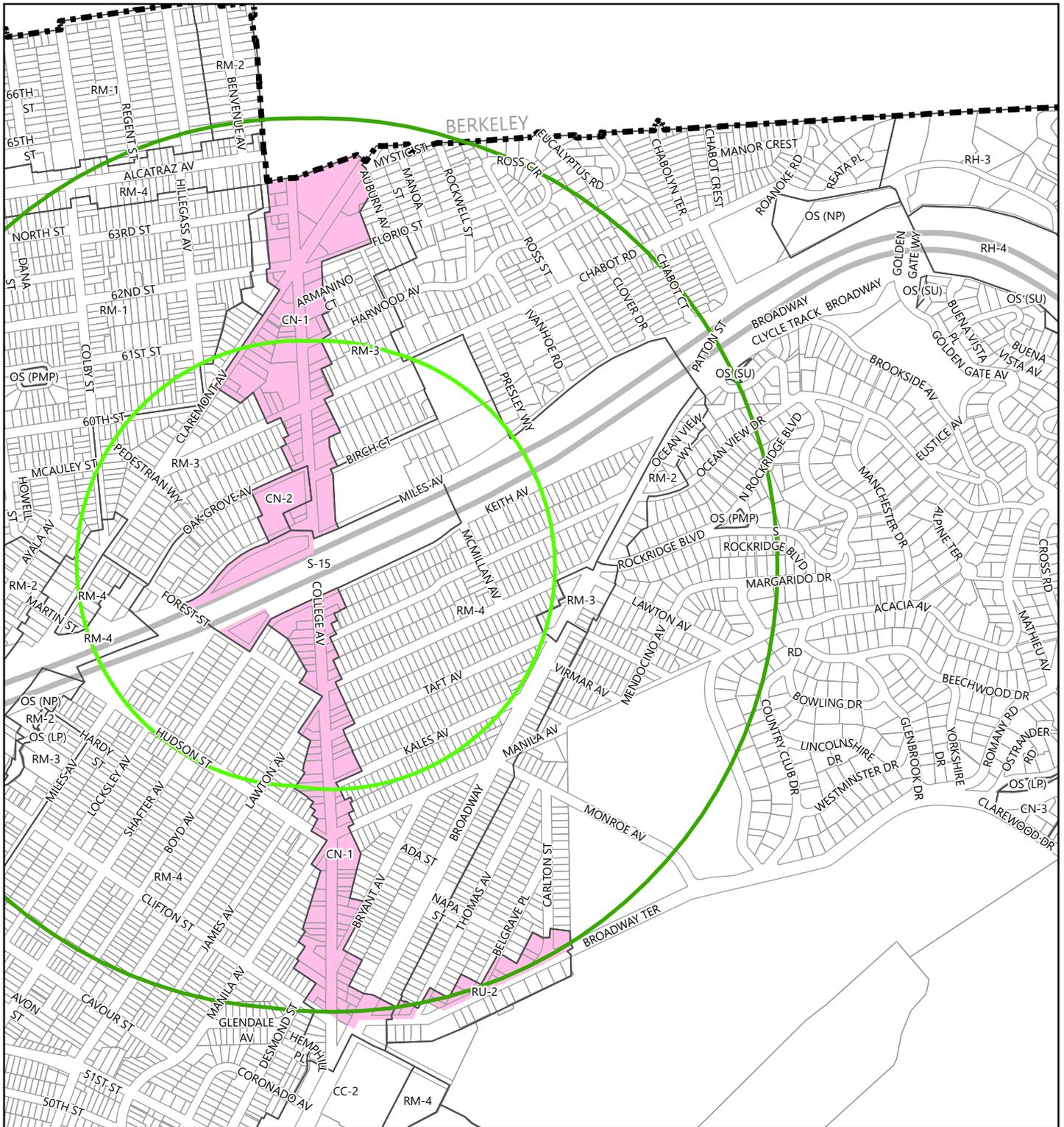
**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**



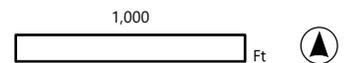
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

Planning & Building Department
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Map 1. Ashby BART

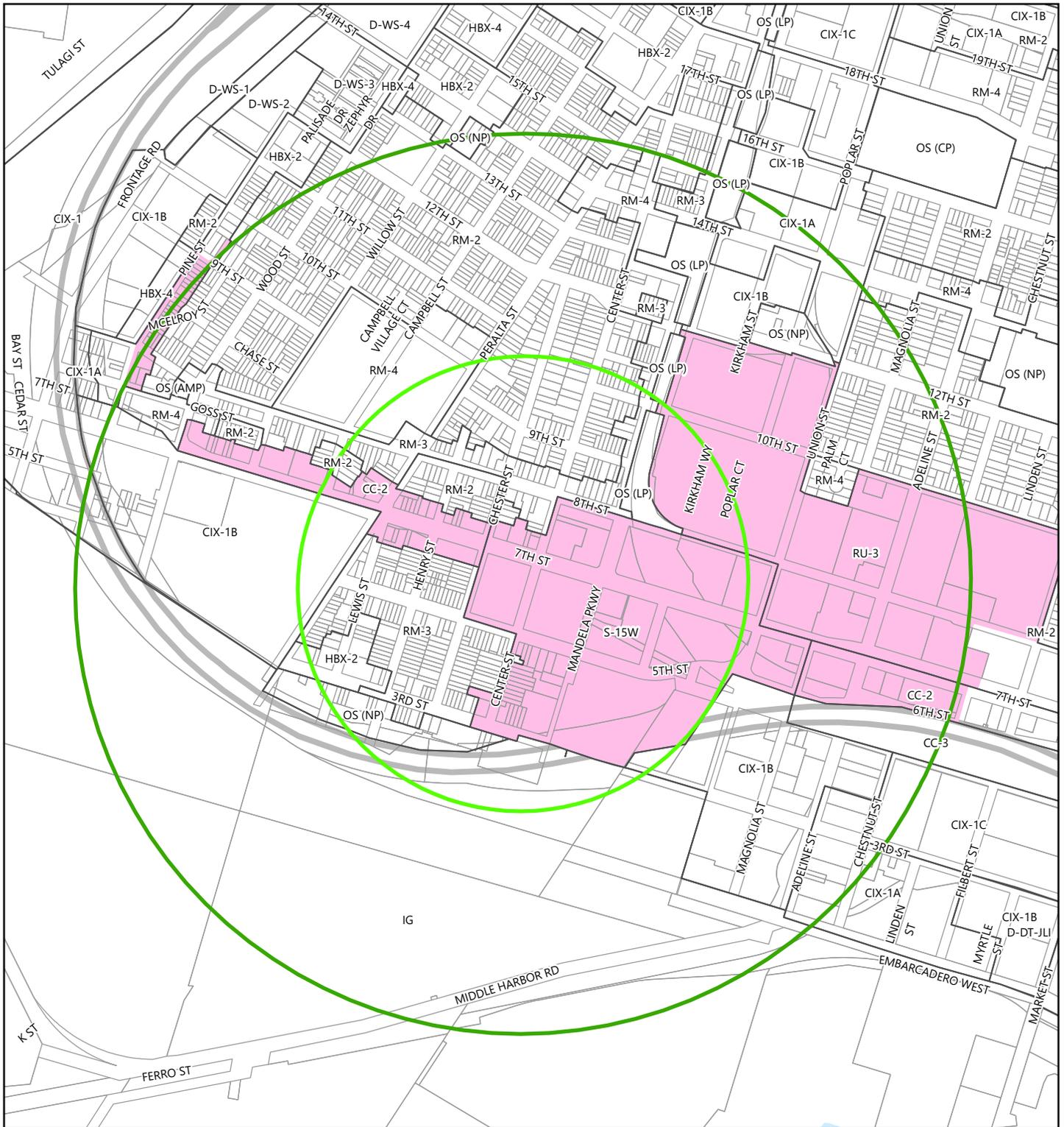


**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**

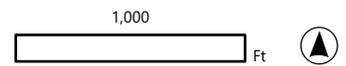


- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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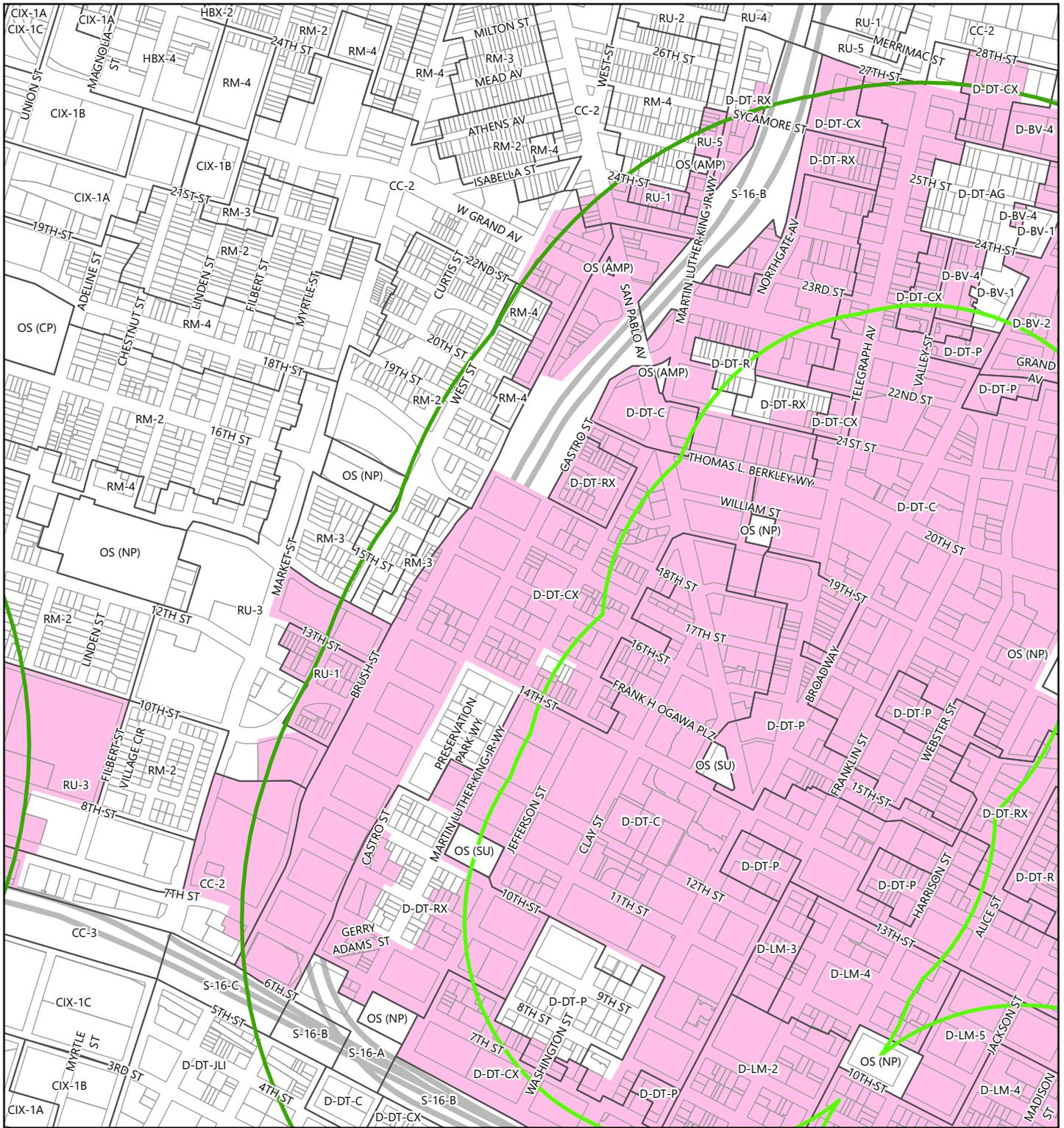
**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**



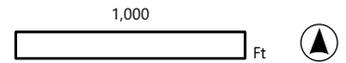
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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Map 4. West Oakland BART



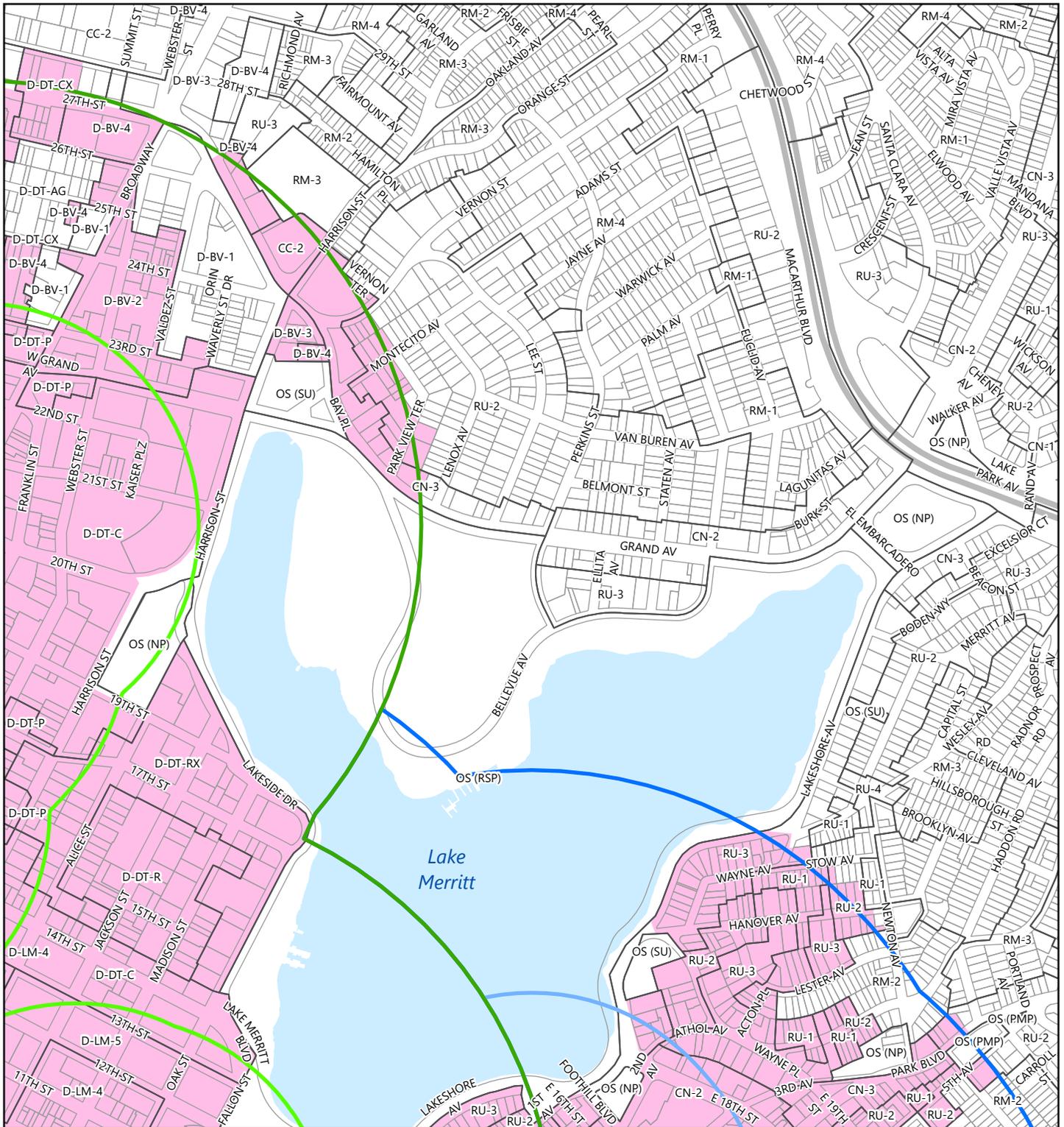
**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**



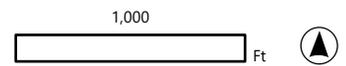
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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Map 5. 12th St & 19th St BART



**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**



TOD Zones

- Tier 1: within 1/4 mi
- Tier 1: 1/4 to 1/2 mi
- Tier 2: 1/4 to 1/2 mi
- Tier 2: within 1/4 mi

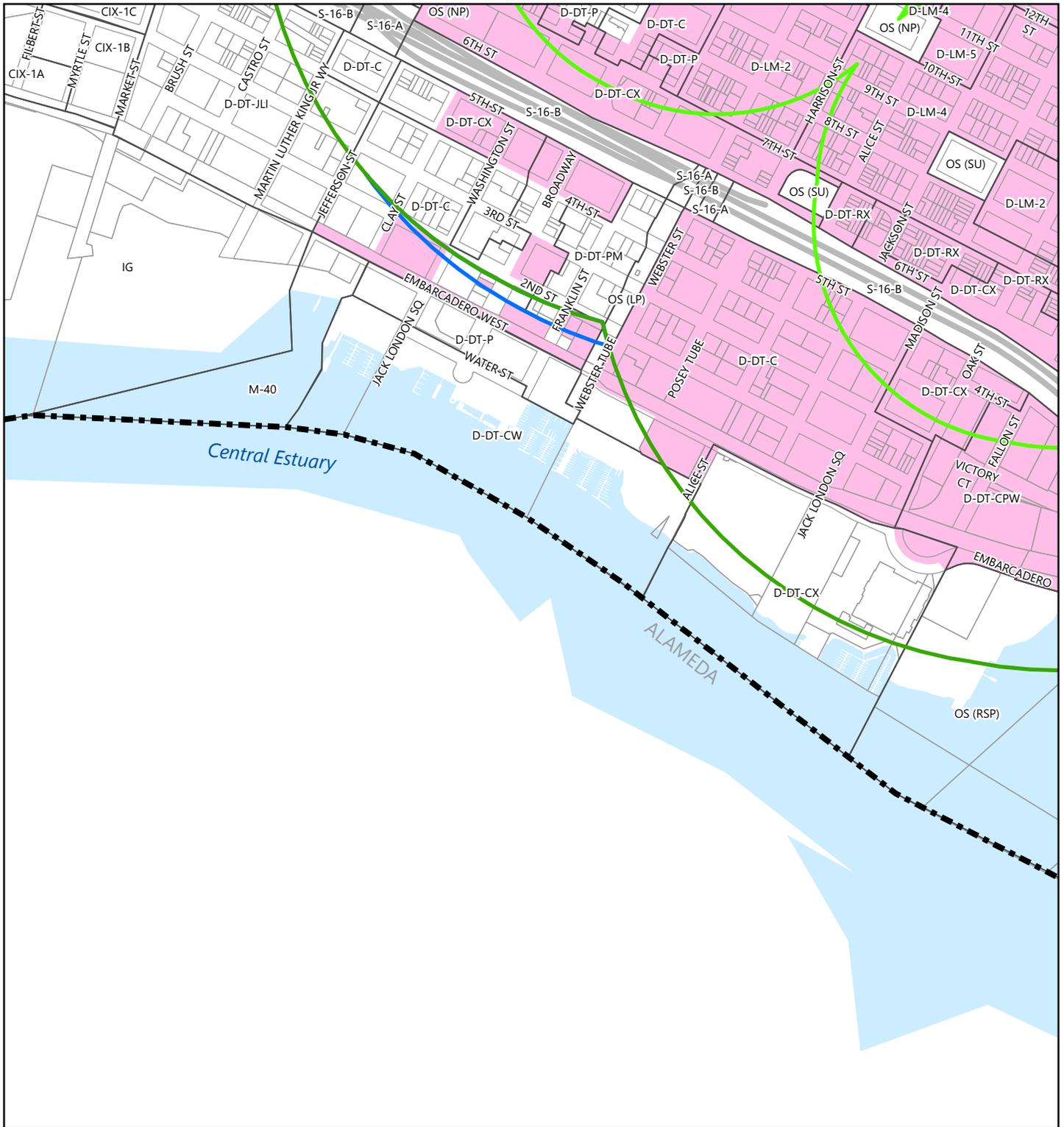
- Zoning designations excluded
- Base zones
- City limits

Planning & Building Department

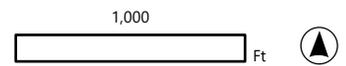
February 4, 2026



Map 6. Lake Merritt BART



**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**



TOD Zones

- Tier 1: within 1/4 mi
- Tier 1: 1/4 to 1/2 mi
- Tier 2: 1/4 to 1/2 mi
- Tier 2: within 1/4 mi

Zoning designations excluded

Base zones

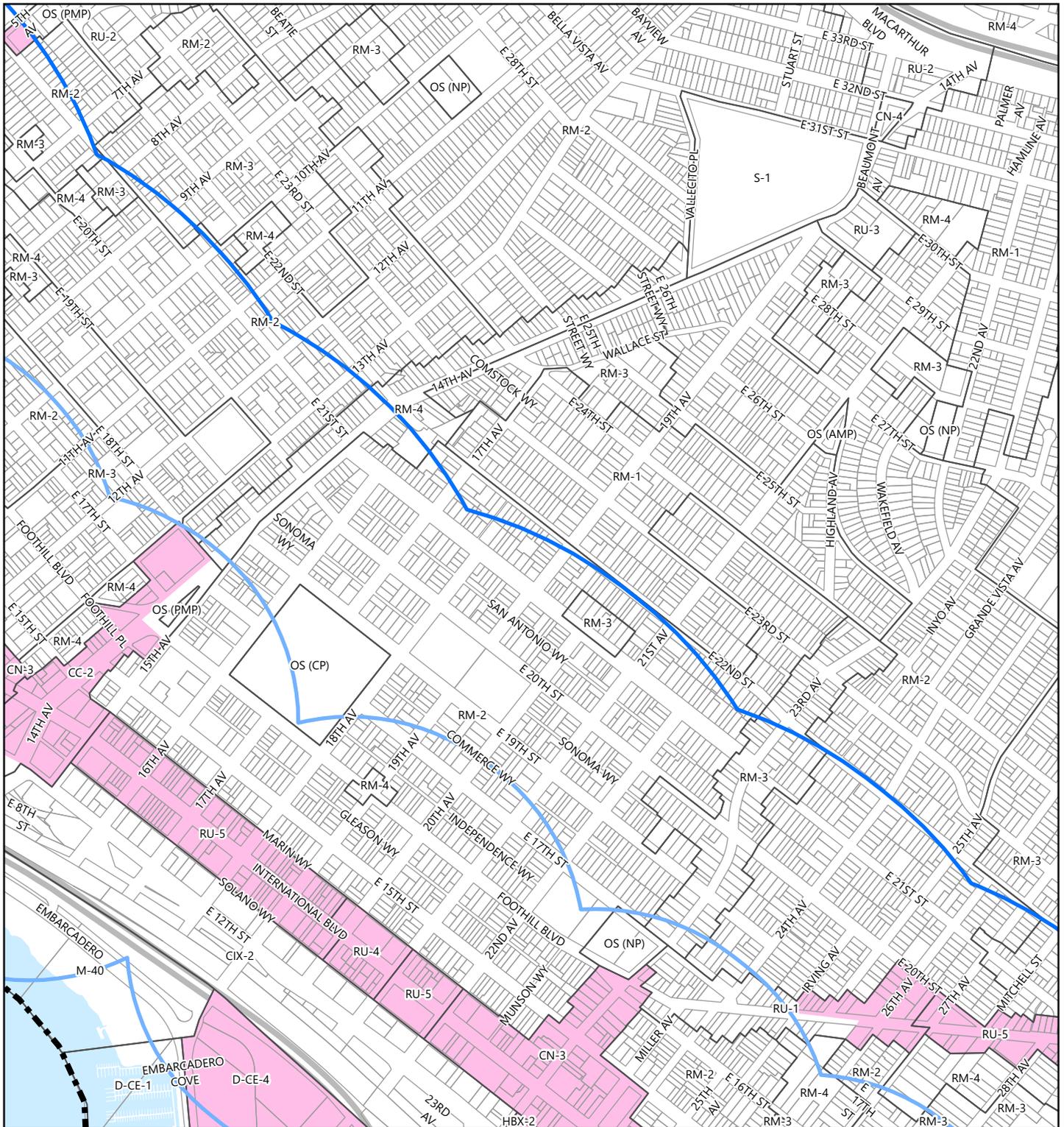
City limits

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February 4, 2026



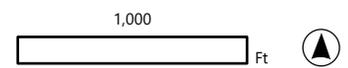
Map 7. Jack London Sq



**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**

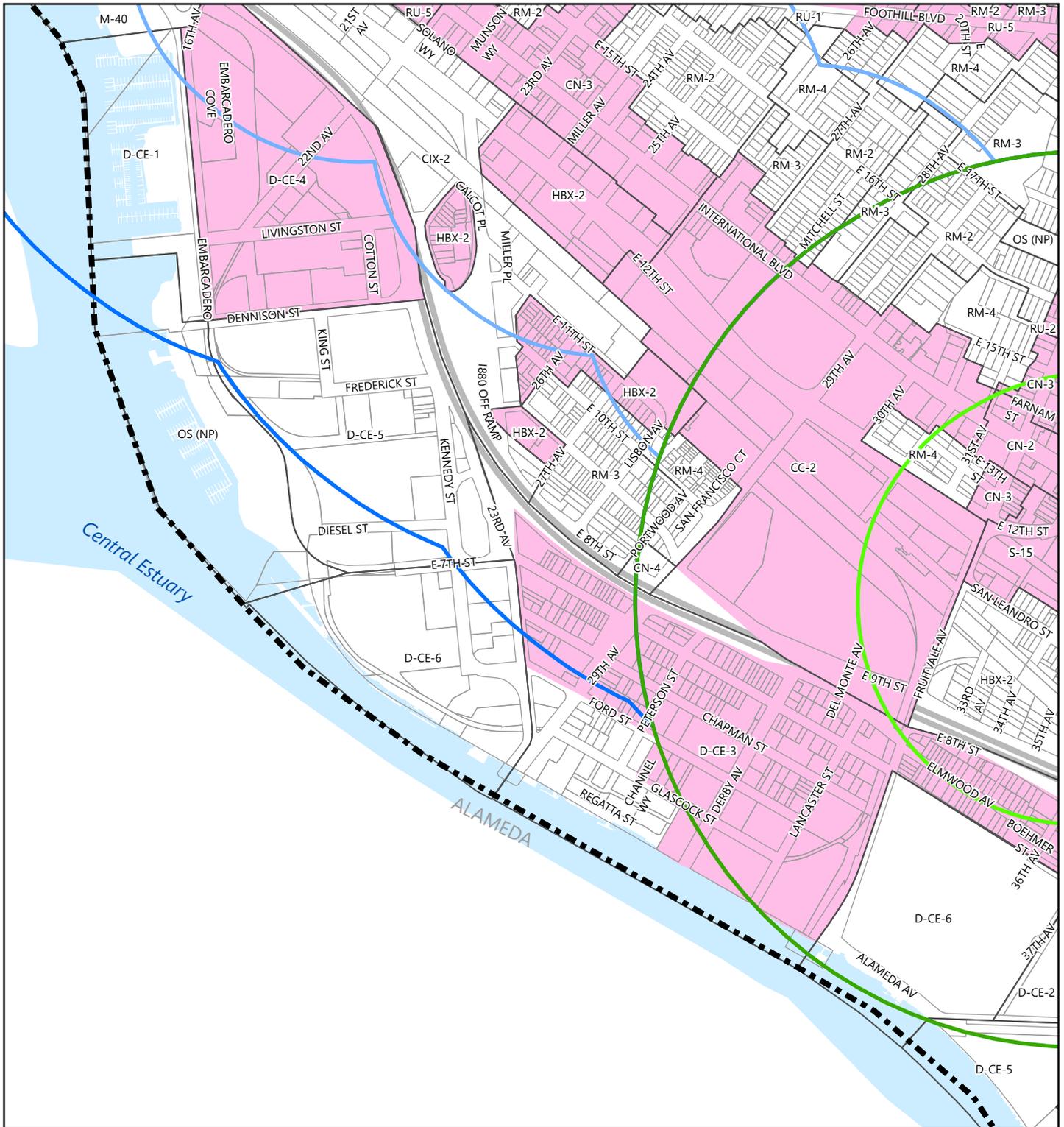
- TOD Zones**
- Tier 1: within 1/4 mi
 - Tier 1: 1/4 to 1/2 mi
 - Tier 2: 1/4 to 1/2 mi
 - Tier 2: within 1/4 mi

- Zoning designations excluded
- Base zones
- City limits

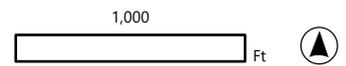


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Map 9. 7th Ave to 28th Ave



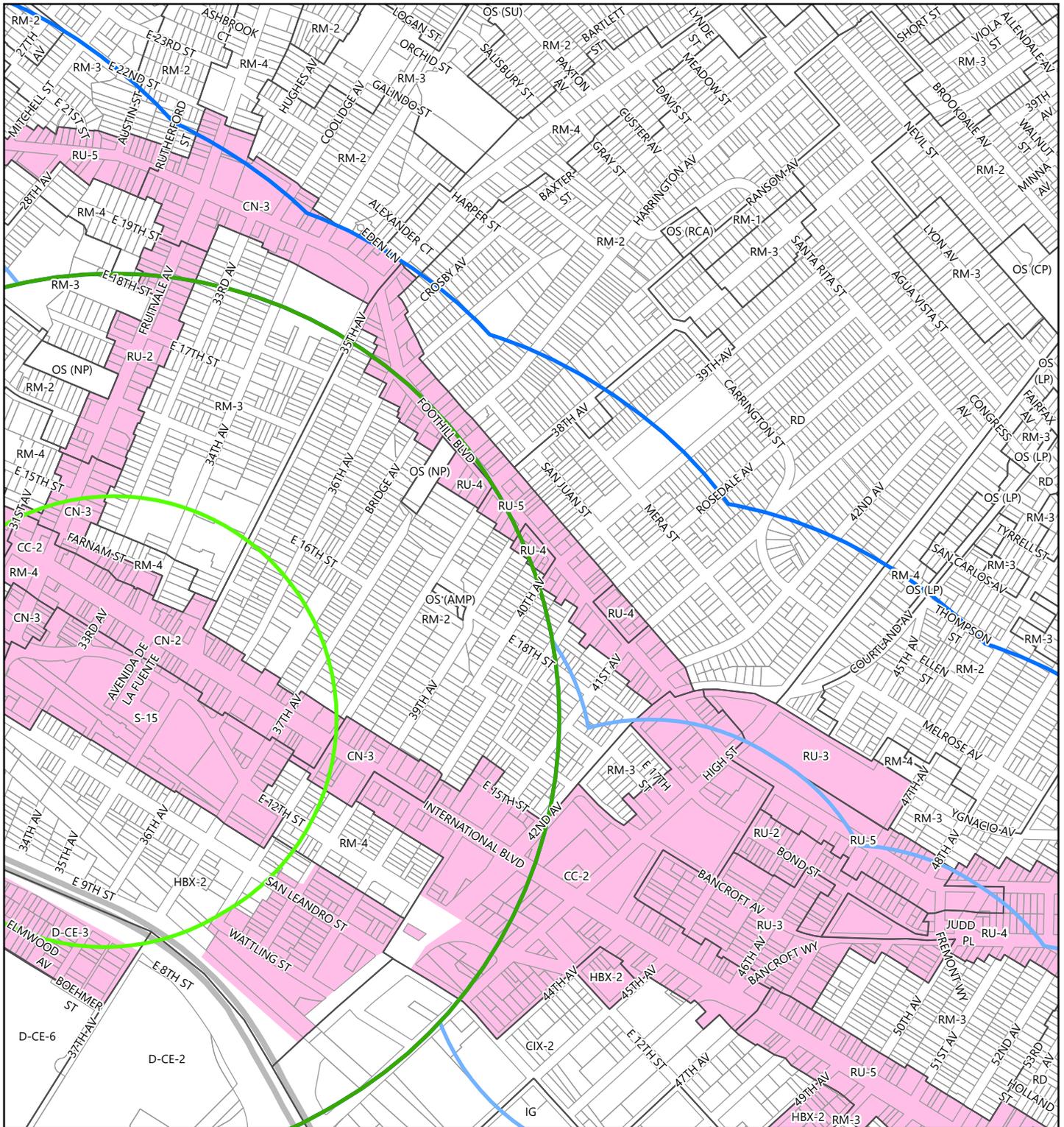
**SB 79 Site Exclusion Analysis -
 Sites Excluded Based on Zoning Under Gov. Code § 65912.161(b)(1)(A)
 (50 percent density and residential FAR)**



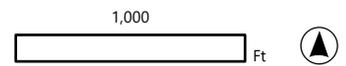
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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Map 10. West Side of Fruitvale BART



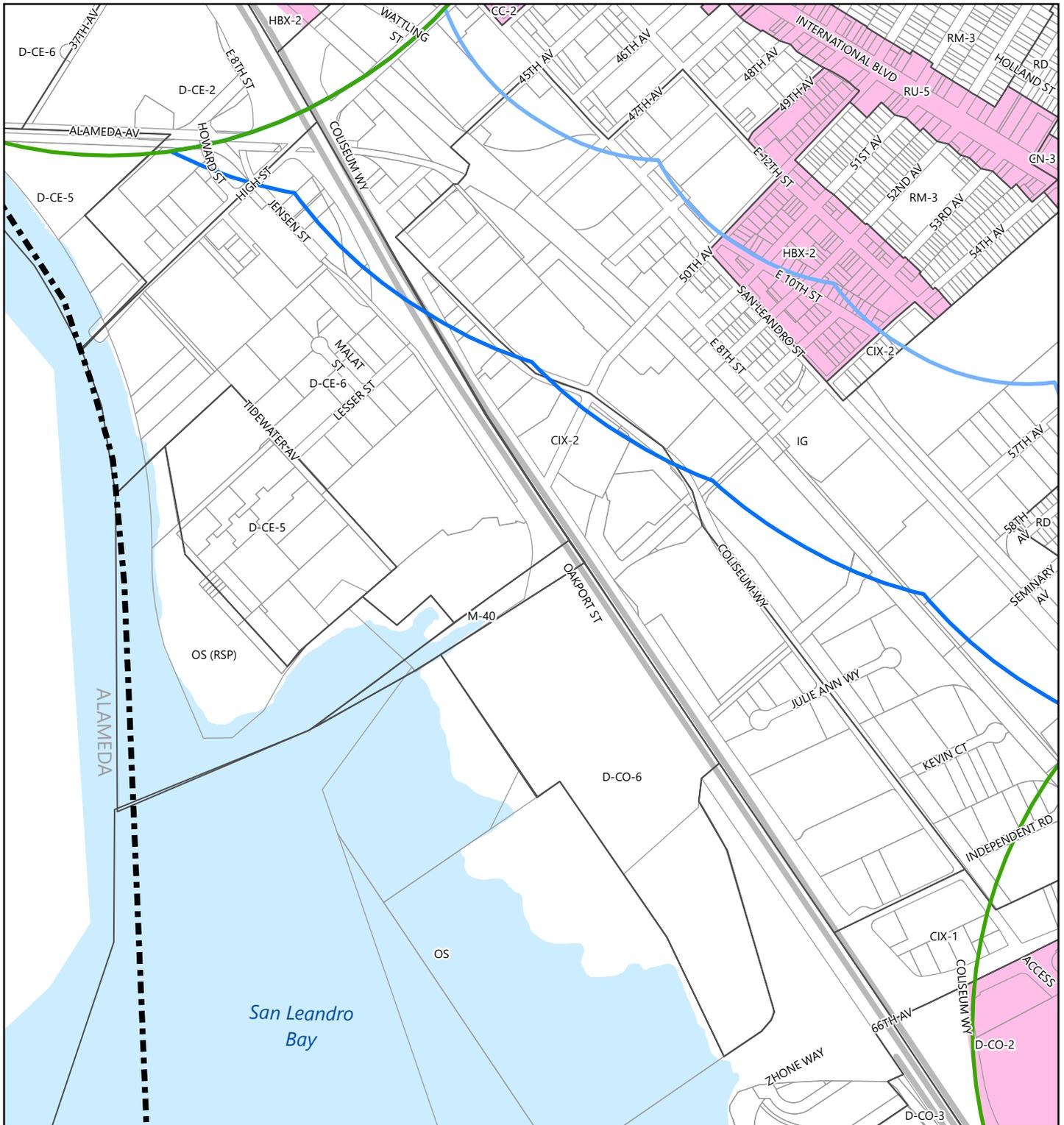
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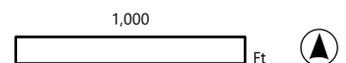
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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Map 11. East Side of Fruitvale BART



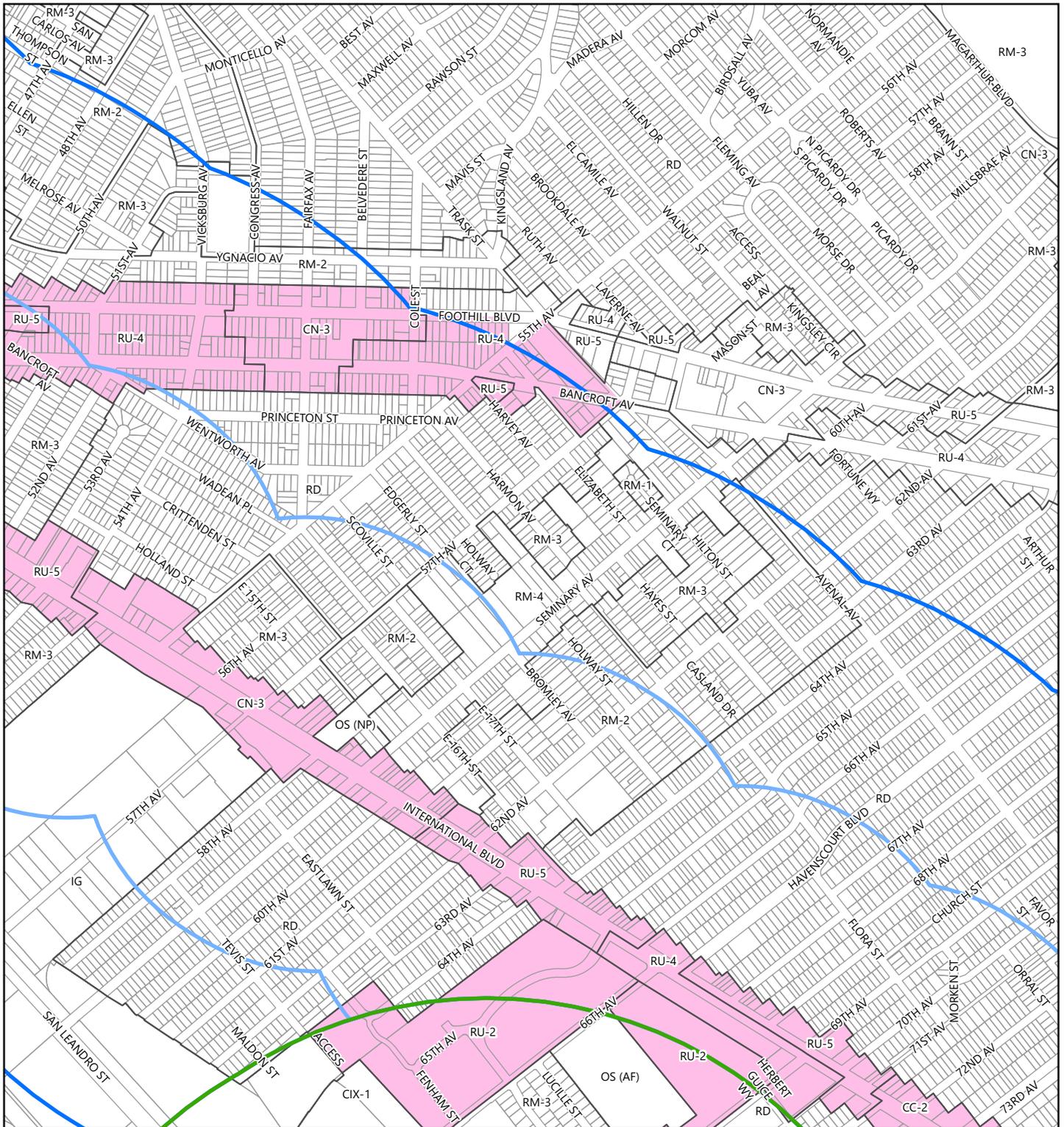
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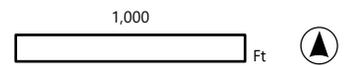
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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Map 12. Fruitvale to Coliseum BART



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 (50 percent density and residential FAR)**



TOD Zones

- Tier 1: within 1/4 mi
- Tier 1: 1/4 to 1/2 mi
- Tier 2: 1/4 to 1/2 mi
- Tier 2: within 1/4 mi

Zoning designations excluded

Base zones

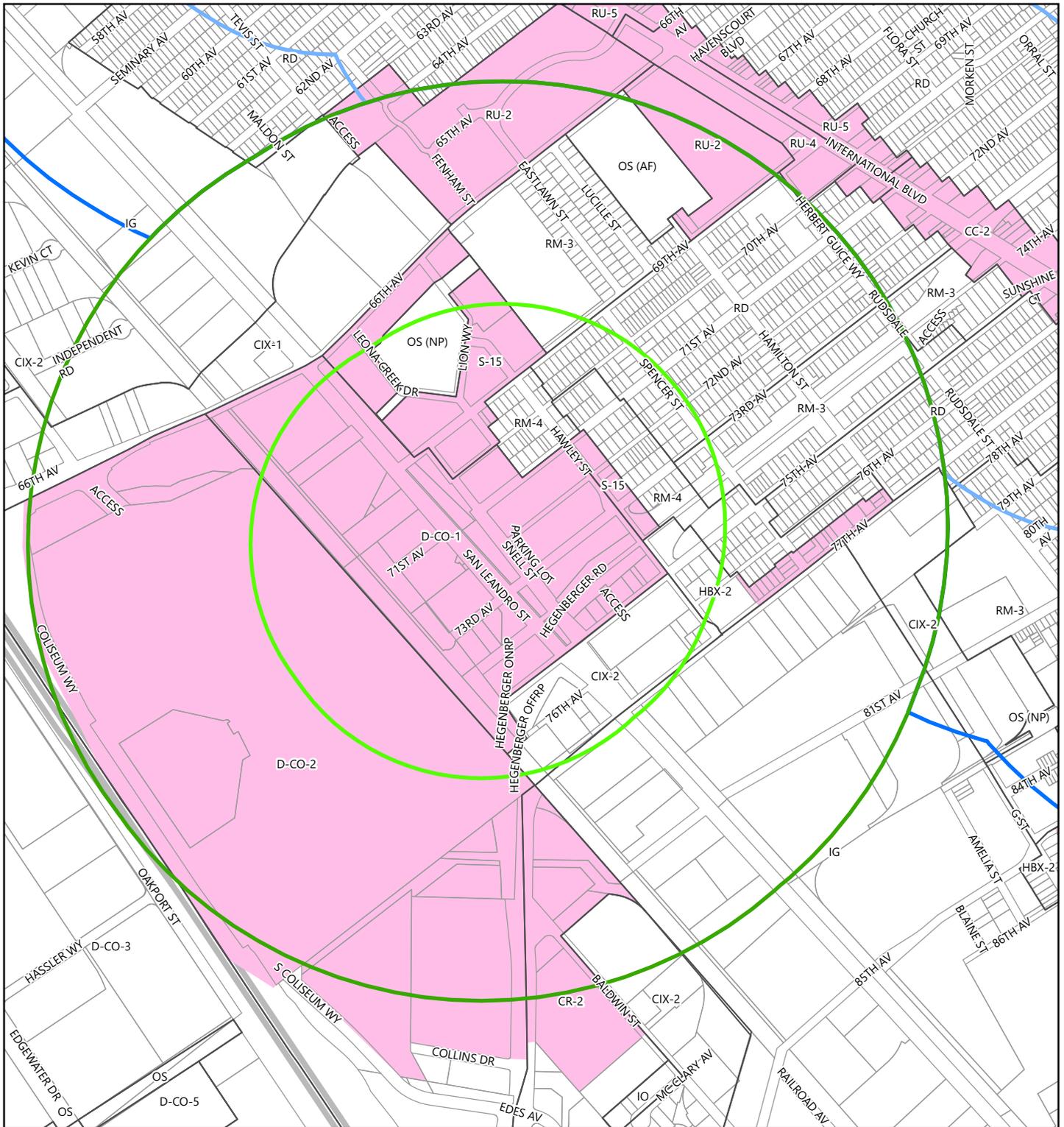
City limits

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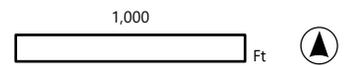
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Map 13. North of Coliseum BART



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 (50 percent density and residential FAR)**



TOD Zones

- Tier 1: within 1/4 mi
- Tier 1: 1/4 to 1/2 mi
- Tier 2: 1/4 to 1/2 mi
- Tier 2: within 1/4 mi

Zoning designations excluded

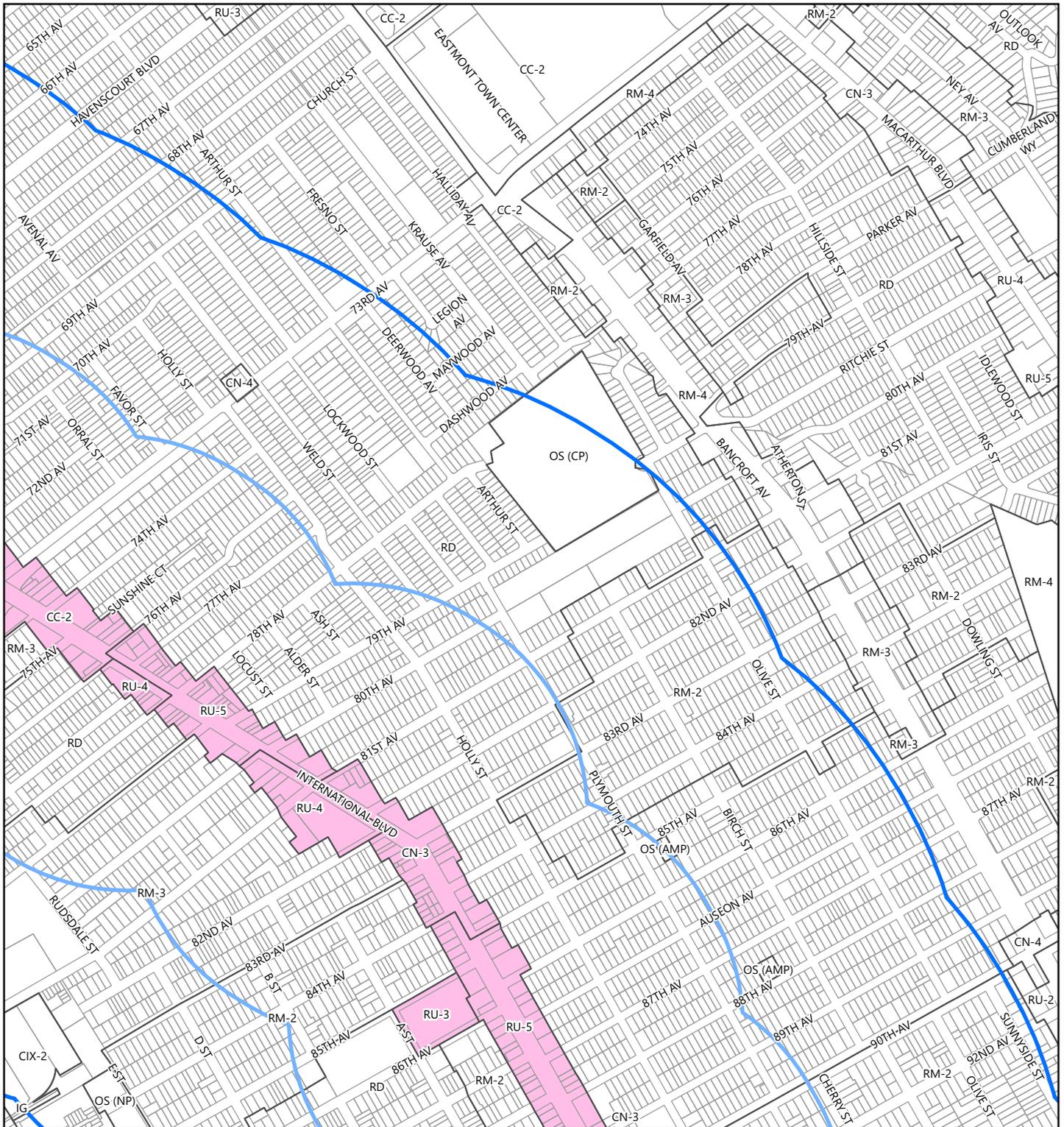
Base zones

City limits

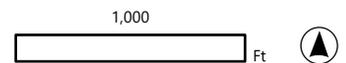
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 (50 percent density and residential FAR)**



TOD Zones

- Tier 1: within 1/4 mi
- Tier 1: 1/4 to 1/2 mi
- Tier 2: 1/4 to 1/2 mi
- Tier 2: within 1/4 mi

- Zoning designations excluded
- Base zones
- City limits

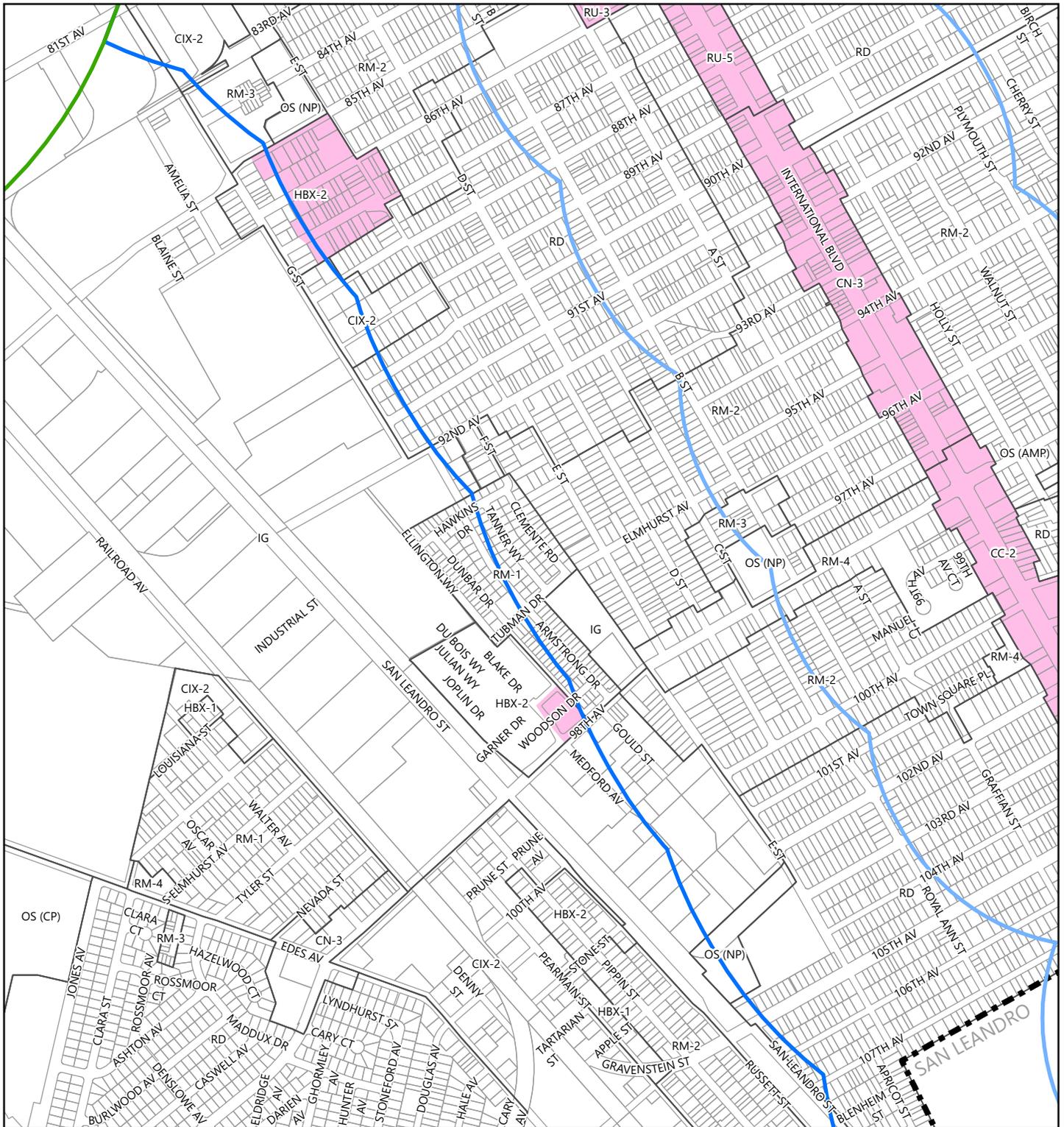
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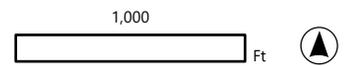


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Map 15. 65th Ave to 92nd Ave



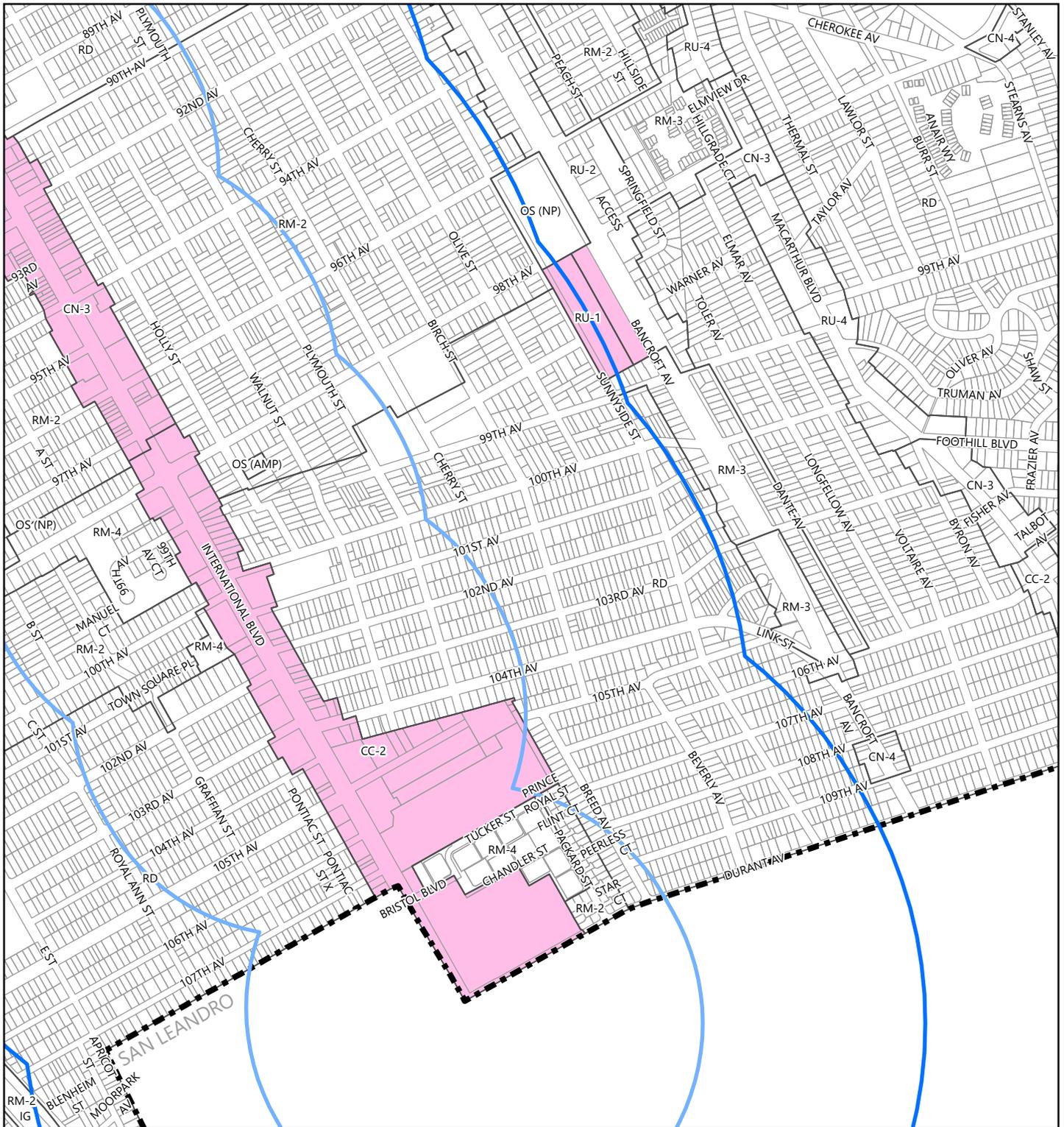
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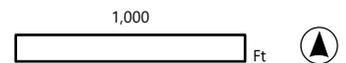
- | | |
|-----------------------|------------------------------|
| TOD Zones | Zoning designations excluded |
| Tier 1: within 1/4 mi | Base zones |
| Tier 1: 1/4 to 1/2 mi | City limits |
| Tier 2: 1/4 to 1/2 mi | |
| Tier 2: within 1/4 mi | |

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Map 16. 81st Ave to City Limit (Bay Side)



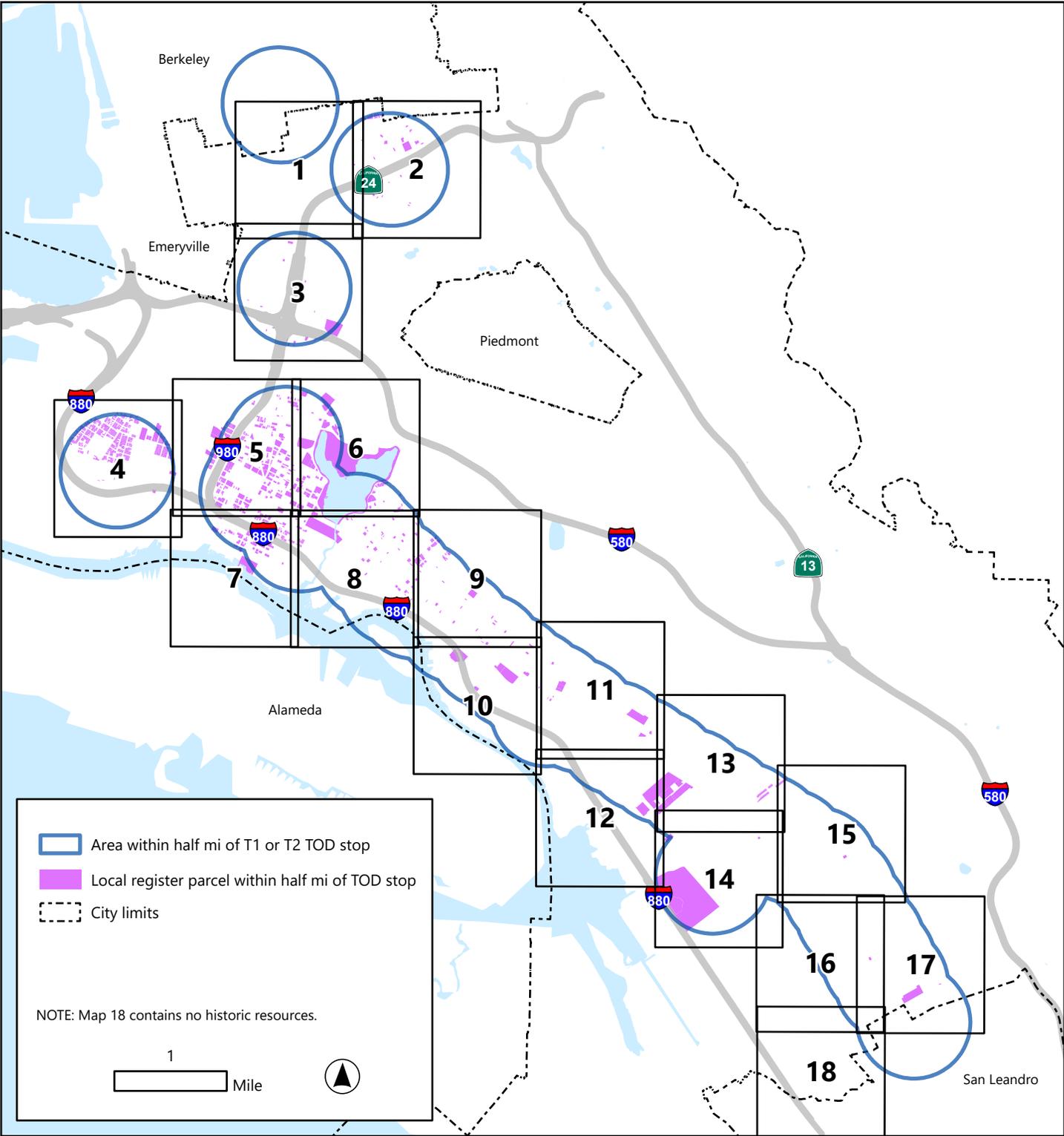
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- | | |
|--|--|
| TOD Zones |  Zoning designations excluded |
|  Tier 1: within 1/4 mi |  Base zones |
|  Tier 1: 1/4 to 1/2 mi |  City limits |
|  Tier 2: 1/4 to 1/2 mi | |
|  Tier 2: within 1/4 mi | |

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Map 17. 89th Ave to City Limit (Hills Side)



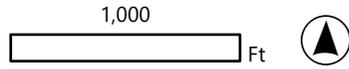
**SB 79 Site Exclusion Analysis of Historic Resources -
 Sites Excluded Under Gov. Code § 65912.161(b)(1)(F) (local register of historic resources)**





**SB 79 Site Exclusion Analysis of Historic Resources -
 Sites Excluded Under Gov. Code § 65912.161(b)(1)(F) (local register of historic resources)**

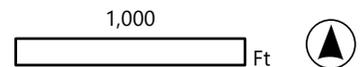
-  Half mile radius from TOD stop entrance
-  Local Register parcel within half mi of TOD stop entrance
-  City Limits





**SB 79 Site Exclusion Analysis of Historic Resources -
 Sites Excluded Under Gov. Code § 65912.161(b)(1)(F) (local register of historic resources)**

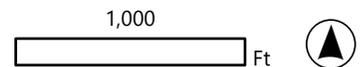
-  Half mile radius from TOD stop entrance
-  Local Register parcel within half mi of TOD stop entrance
-  City Limits

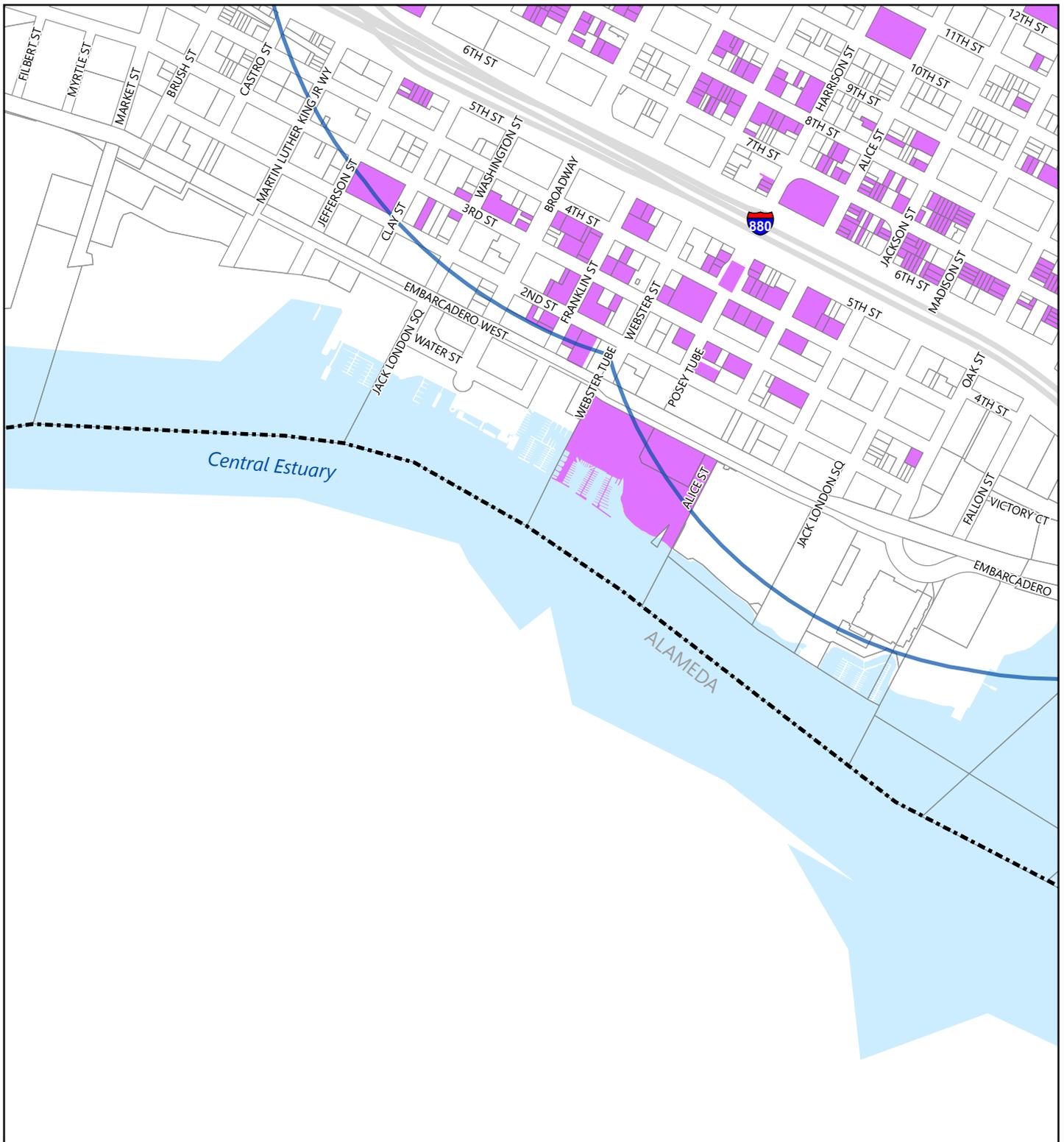




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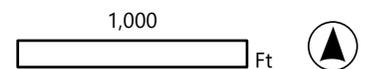
- Half mile radius from TOD stop entrance
- Local Register parcel within half mi of TOD stop entrance
- City Limits

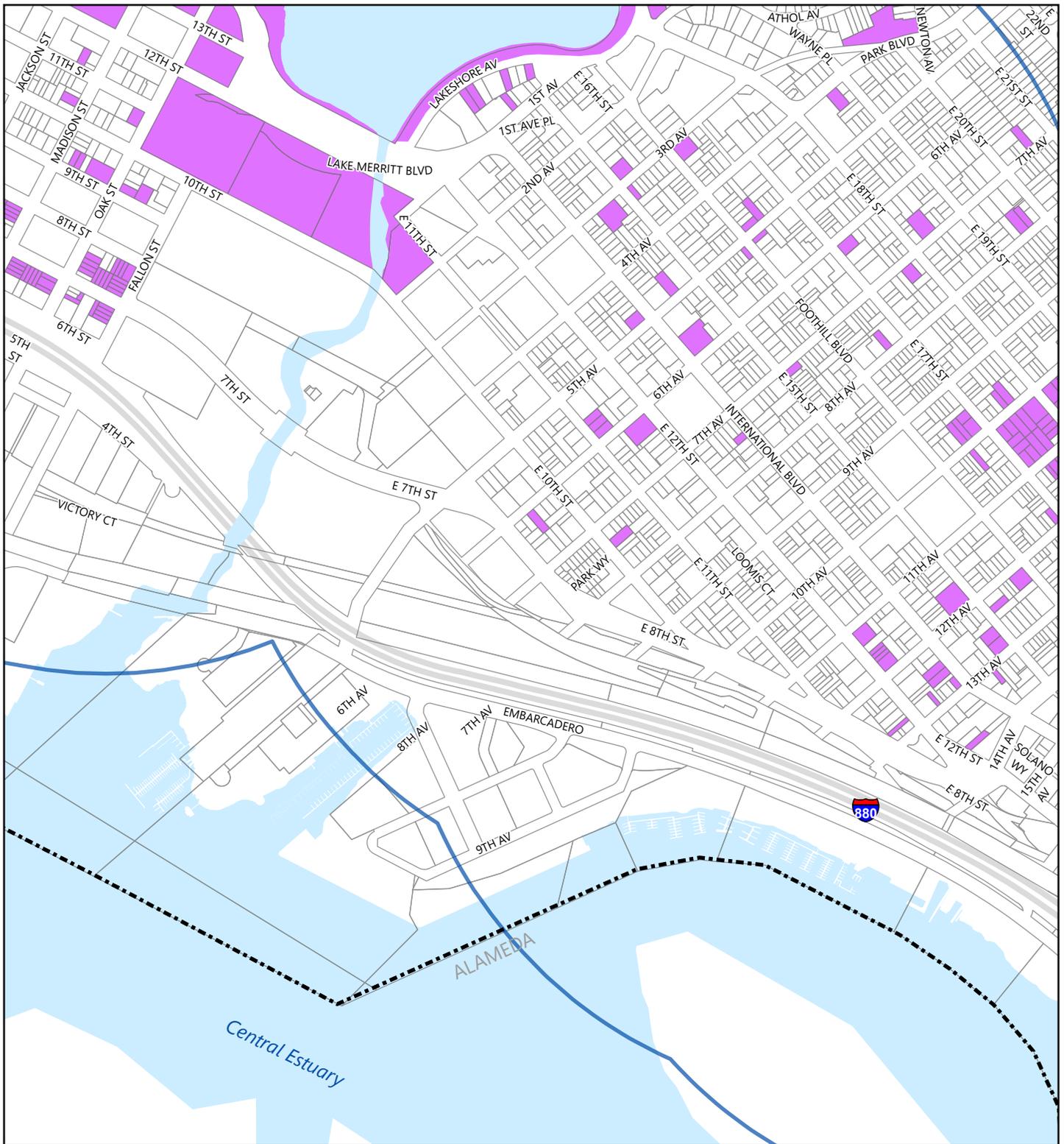




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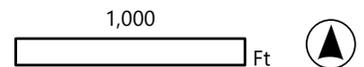
-  Half mile radius from TOD stop entrance
-  Local Register parcel within half mi of TOD stop entrance
-  City Limits

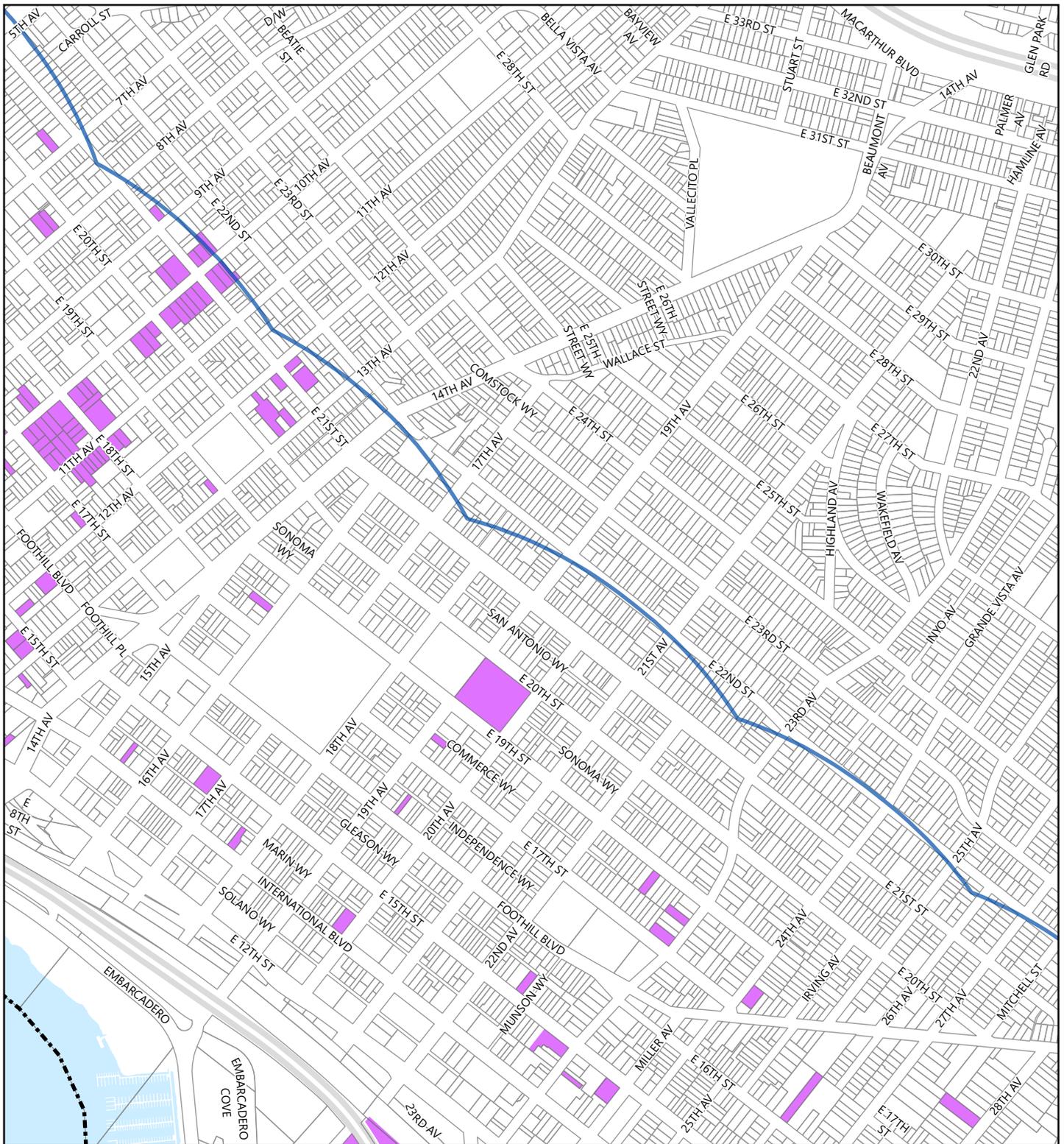




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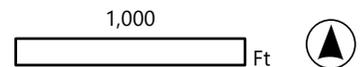
-  Half mile radius from TOD stop entrance
-  Local Register parcel within half mi of TOD stop entrance
-  City Limits

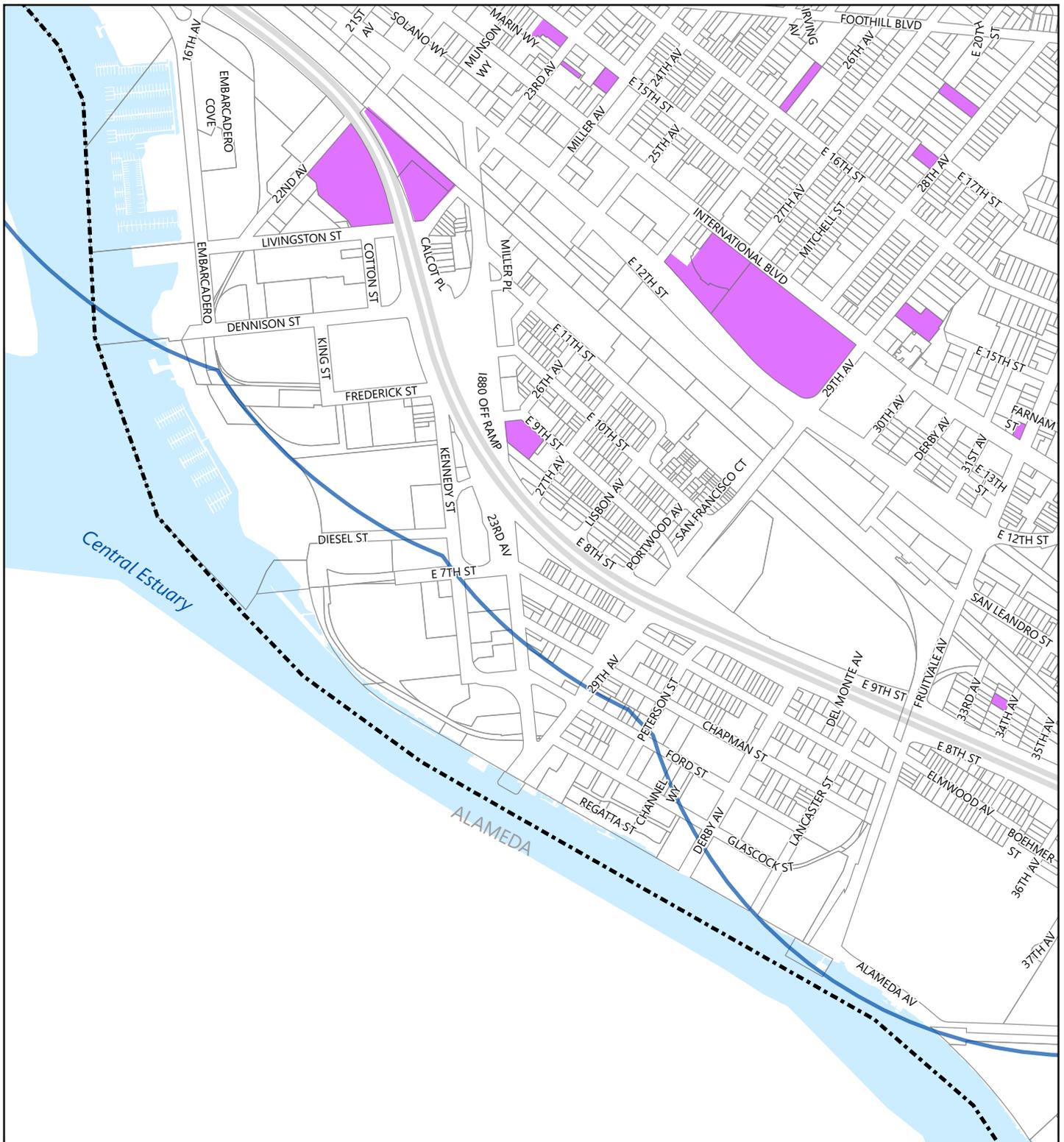




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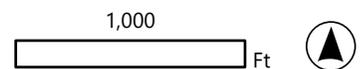
-  Half mile radius from TOD stop entrance
-  Local Register parcel within half mi of TOD stop entrance
-  City Limits

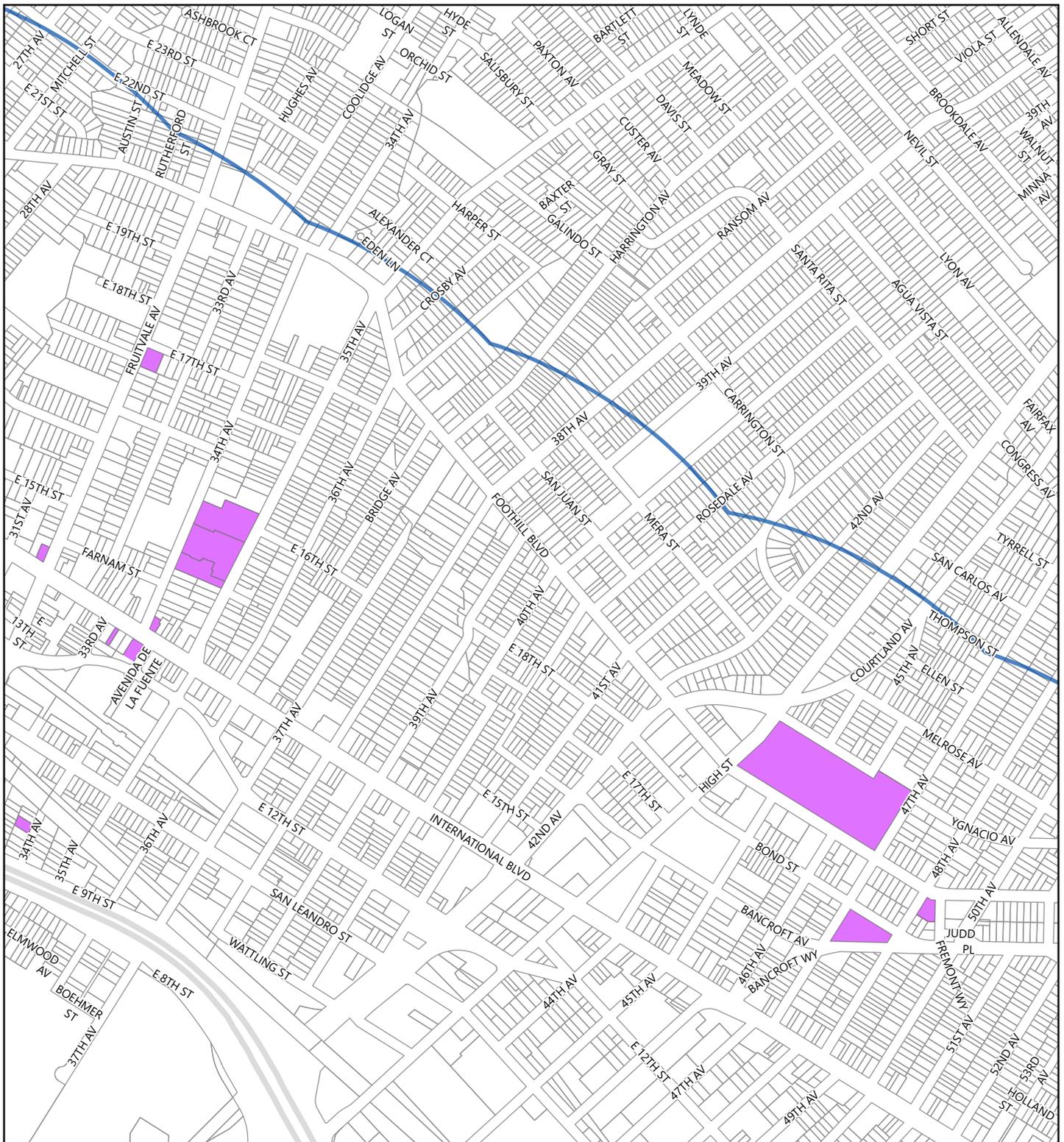




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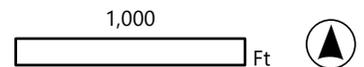
- Half mile radius from TOD stop entrance
- Local Register parcel within half mi of TOD stop entrance
- City Limits

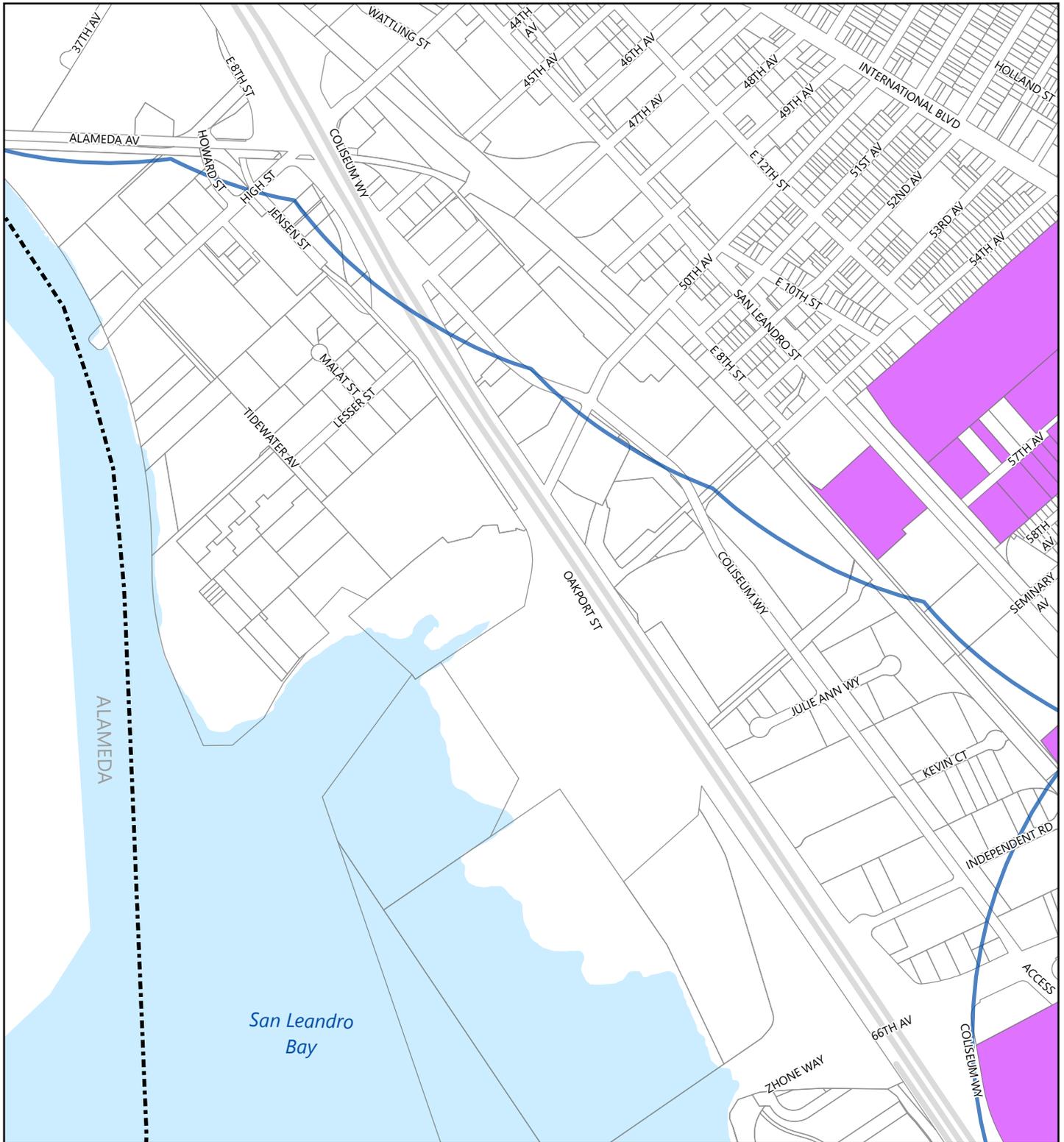




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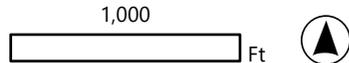
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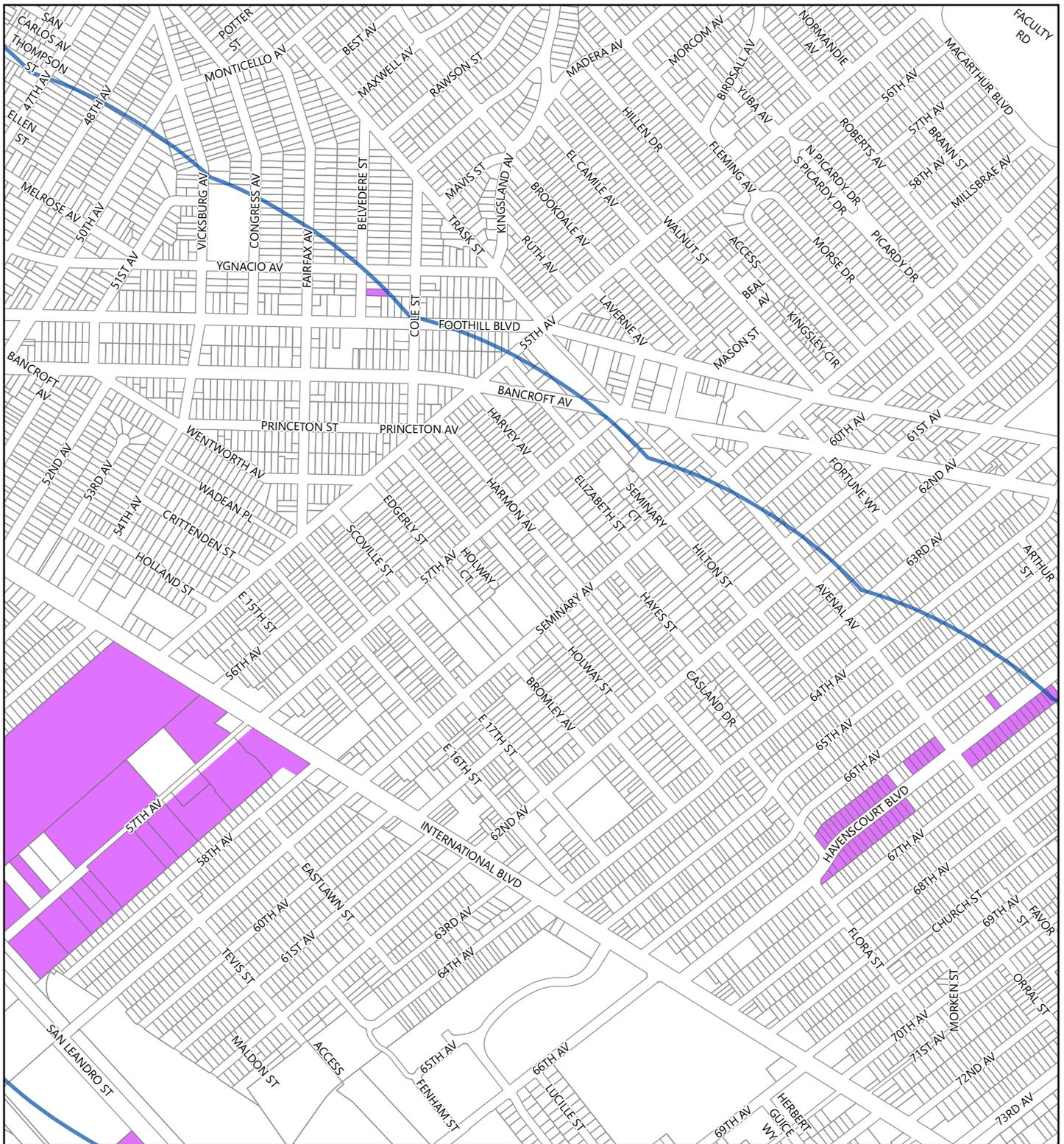




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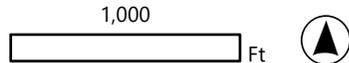
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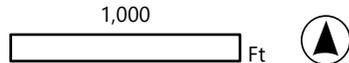
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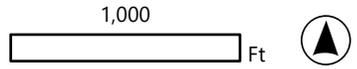
-  Half mile radius from TOD stop entrance
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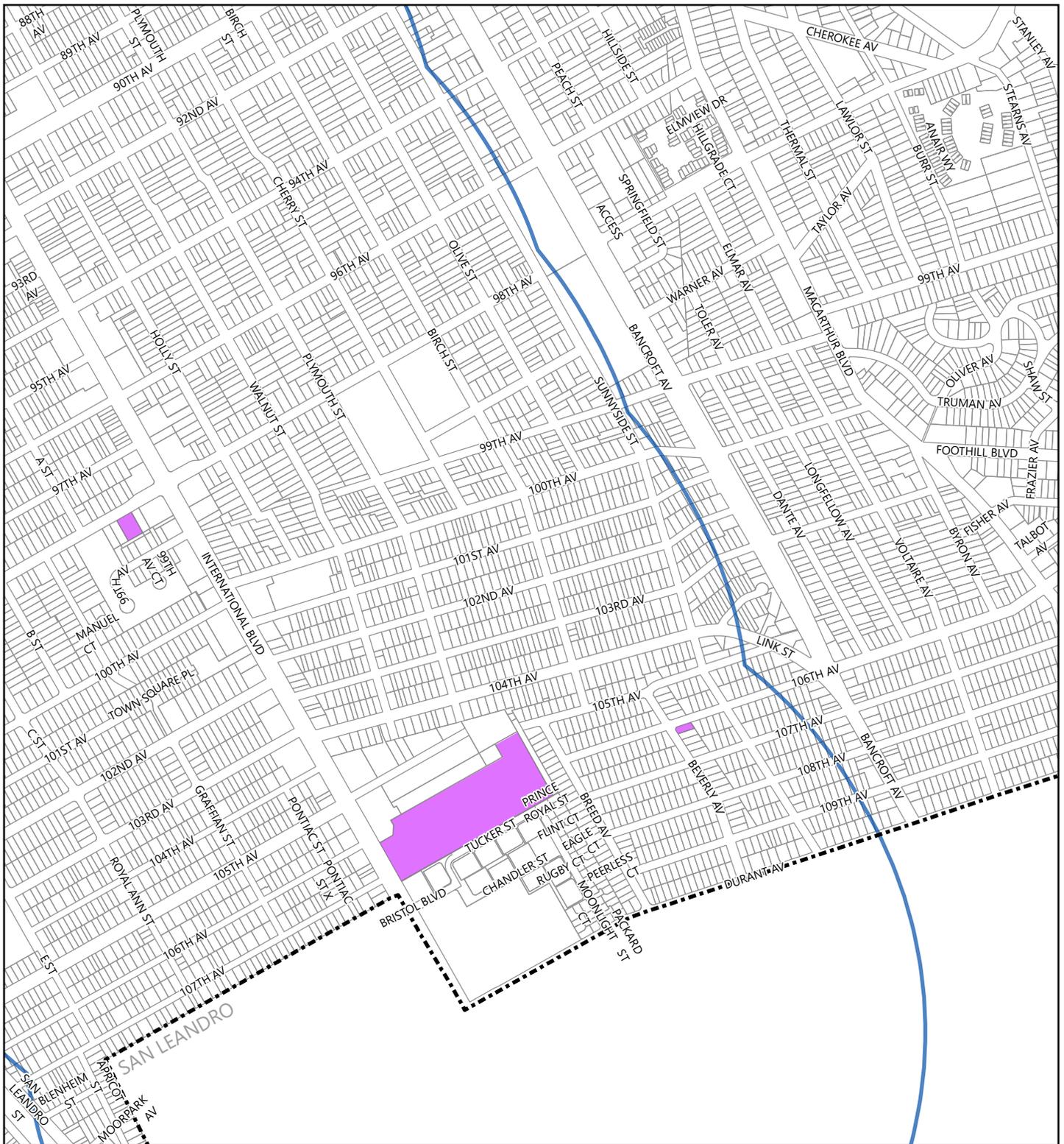




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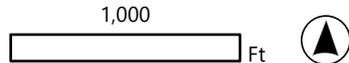
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- Local Register parcel within half mi of TOD stop entrance
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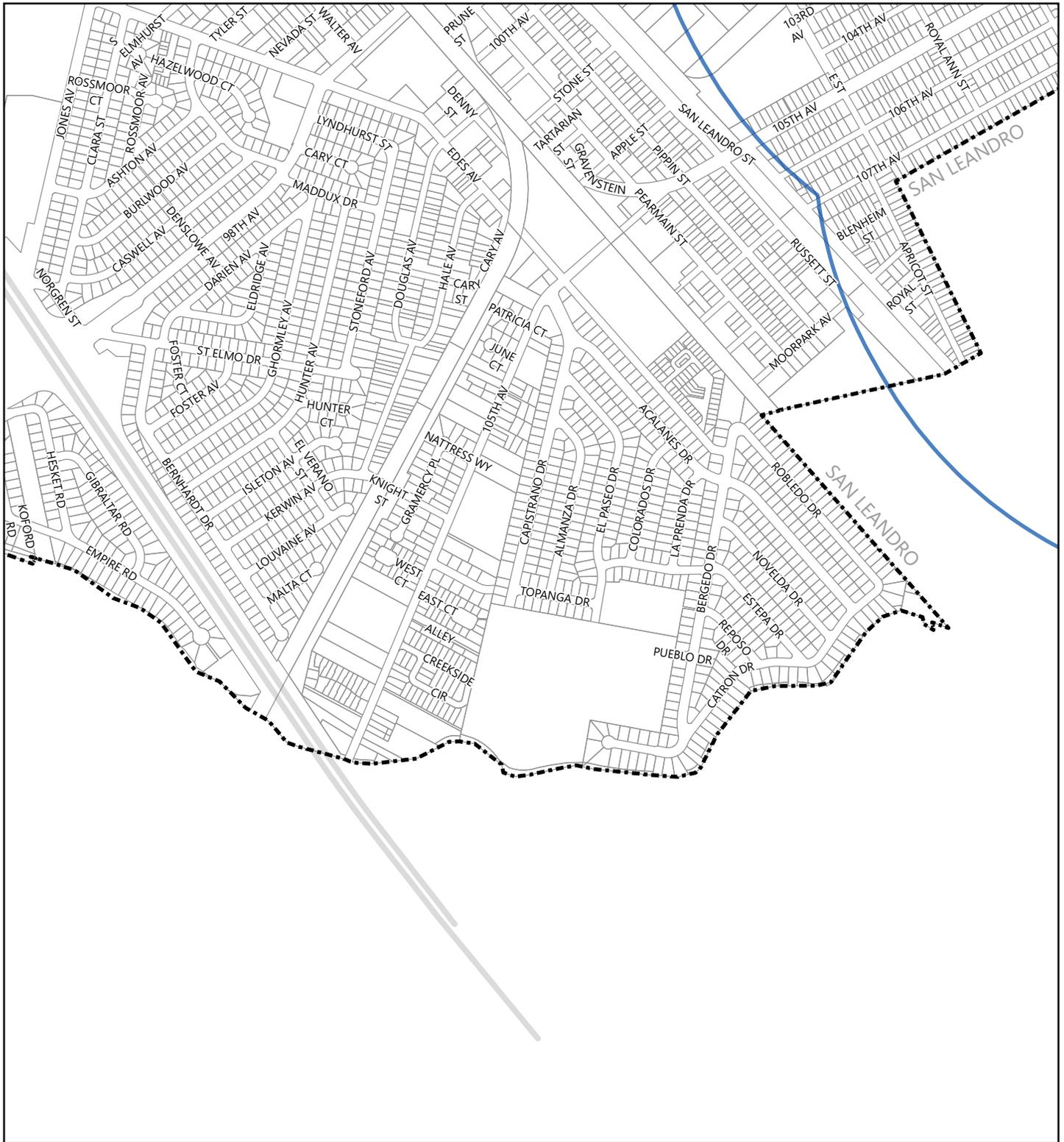




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