

# Agenda Report

June 8, 2026

**TO:** Honorable Mayor and City Council

**THROUGH:** Housing, Homelessness, and Planning Committee (May 7, 2026)

**FROM:** Planning & Community Development Department

**SUBJECT: ADOPTION OF AN UNCODIFIED DELAYED EFFECTUATION ORDINANCE RELATED TO THE ABUNDANT AND AFFORDABLE HOMES NEAR TRANSIT ACT (SENATE BILL 79)**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to Government Code §65912.160(c)(2), which explicitly states that an ordinance adopted to implement the provisions of SB 79 shall not be considered a project under Division 13 (commencing with §21000) of the Public Resources Code;
2. Adopt an Uncodified Delayed Effectuation Ordinance to delay implementation of SB 79 for the following sites:
  - a. Within all six Transit Oriented Development Zones (TOD Zones within ½-mile of Metro A Line stations):
    - i. Sites with historic resources designated as of January 1, 2025, in a local register.
  - b. Within the Memorial Park, Del Mar, and Lake TOD zones:
    - i. Sites with historic resources designated as of January 1, 2025 on the state register (this would include sites designated at the national level as they are protected together).
    - ii. Sites zoned Multi-Family Residential (RM-12, -16, -32, and -48) and Single-Family Residential (RS).
    - iii. Sites located within specific plan areas that have a density of 48 du/ac or less.
3. Adopt the Findings for the Zoning Code Amendment in Attachment A.

## **HOUSING, HOMELESSNESS, AND PLANNING COMMITTEE RECOMMENDATION:**

On May 7, 2026, staff presented background information and options to implement SB 79 to the Housing, Homelessness, and Planning Committee (HHPC). Staff outlined recommendations to implement Option 2 (explained later in this report), adopting an Uncodified Delayed Effectuation Ordinance temporarily exempting certain sites, as outlined in Recommendation No. 2 on page 1 of this report, from the provisions of SB 79.

The Committee was supportive of the staff recommendation of Option 2, including excluding RS zones where allowed by the bill. The Committee directed staff to provide the following variations of the option related to the RM zones:

- Not delaying implementation to any RM zones;
- Only delaying to RM-12 and RM-16 zones;
- Delaying to all RM zones.

The Committee also directed the City Attorney to see if an Interim Urgency Ordinance can be adopted, which would give the Council additional time (if needed) for review and ensure the Ordinance is effective before SB 79 becomes effective on July 1, 2026. The City Attorney subsequently confirmed that an Uncodified Interim Urgency Ordinance is not needed as the proposed ordinance is not a general penal ordinance and will be in effect prior to the effective date of the bill.

## **PLANNING COMMISSION RECOMMENDATION:**

On May 13, 2026, the Planning Commission considered the Uncodified Delayed Effectuation Ordinance to implement Option 2 temporarily exempting certain sites and the variations to the option related to the RM zones, as requested by the HHPC. The Planning Commission recommended, by a vote of 5-1 (with two absences and one recusal due to conflict of interest), that the City Council approve the Uncodified Delayed Effectuation Ordinance temporarily exempting certain sites, as outlined in Recommendation No. 2 on page 1 of this report, from the provisions of SB 79. The Planning Commission also asked staff to return with future discussions on preparing a TODAP and was generally supportive of a TODAP.

## **BACKGROUND:**

Senate Bill 79 (SB 79, Attachment B), introduced on January 15, 2025, by Senator Scott Wiener and signed by Governor Gavin Newsom on October 10, 2025, allows certain housing projects within close proximity (¼- to ½-mile) of different types of transit-oriented development (TOD) stops, subject to specific qualifying thresholds.

Staff has been working for the past several months to gather data and create maps that are needed to prepare a proposed ordinance. Staff recommends the Council adopt an Uncodified Delayed Effectuation Ordinance. If this Ordinance is approved tonight for first reading, it will return for second reading on June 15, 2026 and become effective

upon publication under the City's charter because the Ordinance is not a general penal ordinance. Staff estimates the ordinance would become effective on or around June 18, 2026.

Staff recommends adopting the Uncodified Delayed Effectuation Ordinance, as the measures would be in place prior to July 1, 2026. There is no deadline to adopt an ordinance, however the longer the delay the longer that SB 79 will be in effect without the proposed "pausing" on specific sites.

It is important to note that the alternative development standards allowed under SB 79 only apply to a qualifying project utilizing SB 79. Use of SB 79 "unlocks" the alternative standards related to density, floor area ratio (FAR), and height. Outside of SB 79 usage, all existing development standards, including density, FAR, and height, remain in effect.

### Other Legislation Related to SB 79

The following bills are currently being proposed to clarify and provide technical changes to SB 79:

- SB 677 (introduced on February 21, 2025 by Senator Scott Wiener and last amended on January 8, 2026) proposes clarifying language to SB 79 related to definitions for high-frequency commuter rail.
  - On December 30, 2025, the City submitted a letter to the Governor stating strong concerns related to lack of protection for historic resources and requested specific amendments to SB 677 (Attachment C).
- Assembly Bill (AB) 2576 (introduced by Assemblymember John Harabedian on February 20, 2026 and last amended on April 16, 2026) proposes excluding contributing sites within a historic district included on the State Historic Resources Inventory designated before January 1, 2025, and parcels individually listed on the State Historic Resources Inventory designated before January 1, 2025. If approved, this bill could increase the number of Pasadena parcels that could be excluded from SB 79.
  - On February 5, 2026, City staff and its lobbying firm met with staff from Assembly Member Harabedian's and Senator Wiener's offices to discuss the need to expand historic protections in the bill.

### Local Efforts

SB 79 is a complex bill that has led to many questions from local agencies related to implementation. This has been further complicated by proposed changes to the bill before it goes into effect. As a result, in October 2025, a tri-cities staff working group was established with the cities of Burbank and Glendale to share information and resources on SB 79. The working group has met several times since the end of last year and continues to meet regularly and discuss various efforts that each city is making towards their approaches to SB 79. Pasadena staff also met with the cities of Los

Angeles and South Pasadena to see what efforts were being made to comply with SB 79 and discuss their understanding of the bill. City of Los Angeles staff shared resources and clarification they had received from the California Department of Housing and Community Development (HCD).

## **ANALYSIS:**

### Eligibility Thresholds

Below is a summary of the eligibility requirements for an SB 79 project:

- The project must be within a ½-mile of a Tier 1 or Tier 2 TOD stop (TOD zone), which are defined as:
  - Tier 1: a TOD stop within an urban transit county (which includes Los Angeles County) served by heavy rail transit or very high frequency commuter rail.
    - Pasadena does not have any Tier 1 TOD stops.
  - Tier 2: a TOD stop (that is not a Tier 1 TOD stop) within an urban transit county served by light rail, high-frequency commuter rail, or certain bus rapid transit stations (e.g., has a full-time dedicated bus lane, defined stations, fare collection systems).
    - All six of Pasadena's Metro A Line stations are defined as Tier 2 TOD stops (Attachment D).
    - The North Hollywood to Pasadena Transit Corridor BRT stops proposed in Pasadena will not qualify as TOD stops.
- Project sites must be zoned for residential, mixed-use, or commercial development.
- Project shall include a minimum of five housing units.
- For mixed-use projects, a minimum of 66% of the total square footage must be for residential purposes.
- Project must have a minimum density of 30 dwelling units per acre (du/ac); and
- Average unit size for proposed units shall not exceed 1,750 habitable square feet.

### SB 79 Limitations

Below is a summary of limitations on SB 79 projects:

- Cannot be applied to projects where any portion is used as a hotel, motel, or similar uses;
- Cannot be applied to a site containing more than two units where the development would require demolition of existing rent-or-price control units that have been occupied by tenants within the past seven years. Additionally, it cannot be applied to a site that was previously used for more than two rent- or

price-controlled units of housing that were demolished within seven years before the applicant submits an SB 79 project application. This would apply to many properties in Pasadena's multifamily and mixed-use zoning districts (Attachment E);

- Requires projects comply with anti-displacement standards under the Housing Crisis Act of 2019 and any and all local implementation programs. Pasadena has local tenant protections that must be adhered to;
- Requires projects greater than 10 units to comply with SB 79's affordability requirements or local inclusionary requirements, whichever is stricter. For Pasadena, the local ordinance is stricter and would apply; and
- Imposes prevailing wage and other labor requirements on buildings over 85 feet in height.

Additionally, in Pasadena, SB 79 projects would still be subject to the following:

- Development standards of the City's Zoning Code and any applicable Specific Plan;
- City's Objective Design Standards (for projects with more than 48 du/ac) and applicable City of Gardens Design Guidelines (for projects up to 48 du/ac);
- The City's Design Review process;
- The City's applicable demolition and anti-displacement standards. This would include complying with Pasadena's Certificate of Appropriateness process and Tenant Protection Ordinance;
- California Environmental Quality Act (CEQA); and
- All requirements of the California Building Code, Fire Code, etc.

### General Development Standards

Table 1 summarizes the development standards that apply to Pasadena's six TOD stops. In limited instances, the City's Specific Plans allow densities and heights greater than what is allowed under SB 79. A map of each station and associated 1/4- or 1/2-mile radius for the application of development standards is provided as Attachment D.

**Table 1: Summary of SB 79 Development Standards**

Location	Tier 2 Development Standards per SB 79
Adjacent to a TOD stop (within 200 feet*)	<ul style="list-style-type: none"> <li>• Height: 85 feet</li> <li>• Density: 140 du/ac</li> <li>• Residential FAR: 4.0</li> </ul>
Within ¼-mile* of a TOD stop	<ul style="list-style-type: none"> <li>• Height: 65 feet</li> <li>• Density: 100 du/ac</li> <li>• Residential FAR: 3.0</li> </ul>
Between ¼- and ½-mile* of a TOD stop	<ul style="list-style-type: none"> <li>• Height: 55 feet</li> <li>• Density: 80 du/ac</li> <li>• Residential FAR: 2.5</li> </ul>

\* Distance measured from the pedestrian entrance(s) of a TOD stop.

Development Standards for Transit Agencies

A transit agency (such as Los Angeles County Metro) may propose an SB 79 project on land they own within ½-mile of a TOD station, subject to the following:

- The project site is adjacent to a TOD stop it operates (within 200 feet) or is within ½-mile of a TOD stop it operates and owned by the agency. Sites adjacent to a TOD stop could have been purchased before or after January 1, 2026, provided they were not acquired through eminent domain after July 1, 2025. All other sites within a ½-mile of the TOD stop must have been purchased prior to January 1, 2026.
- For mixed-use projects, a minimum of 50% of the total square footage must be for residential purposes and no portion may include a hotel or similar use.
- A transit agency’s board of directors may adopt zoning standards for the project site, consistent with SB 79’s Eligibility Thresholds and Affordability Requirements (unless noted above).
  - The standards shall include minimum and maximum requirements for density, height and FAR and a list of approved residential and nonresidential uses.
  - The minimum density shall not be less than 30 du/ac and the maximum shall not exceed 200% of what is permitted under SB 79.

Metro owns four parcels that are located within a ½-mile of Pasadena TOD stations; three parcels within the Sierra Madre Villa TOD zone and one within the Lake TOD zone (Attachment F).

State Density Bonus Law

SB 79 projects can also be combined with State Density Bonus Law, allowing even greater densities. Table 2 summarizes the minimum densities required to take advantage of additional concessions that apply to development within Pasadena’s TOD stops:

**Table 2: Densities Required for Additional SDBL Concessions**

Location	Minimum Density for Additional Concessions	Additional Concessions
Within ¼-mile* of TOD stop	75 du/ac	<ul style="list-style-type: none"> <li>• 3 additional concessions for projects with extremely low-income housing</li> <li>• 2 for projects with very low-income housing</li> <li>• 1 for projects with low-income housing</li> </ul>
Within ¼ and ½-mile* of TOD stop	60 du/ac	

\* Distance measured from the pedestrian entrance(s) of a TOD stop.

Local Implementation Options

SB 79 provides options to take no action and implement the bill as written, adopt an Delayed Effectuation Ordinance and “pause” certain sites that meet the eligibility criteria, or adopt an ordinance to implement a Transit Oriented Development Alternative Plan (TODAP). HCD may review draft ordinances and report written findings to the City. Any ordinance enacted must be submitted to HCD within 60 days of adoption. HCD has 90 days to review the ordinance for substantial compliance with SB 79. If HCD deems the ordinance non-compliant, the City has 60 days to respond before taking further action. If the City is found to be in non-compliance, by either refusing to amend the ordinance or make findings explaining how the ordinance complies, then HCD is required to notify the Attorney General that the City is in violation of SB 79. Each option may be implemented without CEQA review. Below is a summary of the various options:

*Option 1: No local action - Implementation of SB 79*

The City may implement SB 79 in its entirety on July 1, 2026, with no further action. Eligible projects would be subject to the Tier 2 development standards and any applicable local development standards (e.g., objective design standards). Additionally, projects would be allowed to apply for concessions through the State’s Density Bonus Law. Although not required, the City may adopt an ordinance codifying the SB 79 development standards. This option would avoid the need for immediate policy decisions; however this option would not pause any sites from eligibility under SB 79 including sites with a historic resource designated on a local register. The City can continue to apply the demolition protections that are adopted to sites on a local register.

*Option 2: Delayed Effectuation Ordinance – Delay Implementation of Eligible Sites*

SB 79 includes provisions that allow cities to temporarily exempt or “pause” individual sites within TOD zones meeting certain criteria identified in the bill, effectively "delaying implementation". Cities may delay effectuation on these sites, via an ordinance, up until one year following the adoption of the next Housing Element, which is expected to occur in 2030. With the additional one year, the delayed effectuation will be effective until approximately 2031.

As part of this option, the following may be temporarily exempt from SB 79:

- An individual site in any TOD zone, if:
  - The site's current zoning permits at least 50% of the total density and FAR granted by SB 79.
  - The site includes a historic resource designated as of January 1, 2025 on a local register.
    - Pasadena's TOD zones include historic sites on local registers that would qualify.
- Any individual site within a specific TOD zone, if:
  - At least 33% of sites in the TOD zone currently allow at least 50% of the density and FAR granted by SB 79 *and* all sites within the TOD zone cumulatively allow for at least 75% of the aggregate density allowed by SB 79.
    - The Del Mar, Memorial Park and Lake TOD zones qualify for the exemption. Under this option, the City could exempt additional individual sites (e.g., all historic sites at a local, state or national level), specific areas with the TOD zone, (e.g., lower density RM and RS areas), or the entire TOD zone.

### *Option 3: Transit-Oriented Development Alternative Plan (TODAP)*

A TODAP is a plan that may be adopted by the local agency via an ordinance, where it would shift densities around within the TOD areas but must still meet or exceed the total housing capacity and density required by SB 79. A TODAP may be adopted at any time and the adoption of a Delayed Effectuation Ordinance does not impact the ability to adopt a future TODAP. TODAPs may include the following:

- Shifting capacity (total units) within a TOD zone and from one TOD zone to another provided the capacity is reduced by no more than 50% in any individual TOD zone and the overall capacity for all TOD zones within each jurisdiction is maintained. For example, densities within the Allen TOD zone could be shifted to the Lake TOD zone or any combination of TOD zones thereof.
- Exempting sites with a historic resource designated as of January 1, 2025 on a local register, provided the sites do not cumulatively exceed 10% of the eligible area of any TOD zone.
- Ensuring that the minimum density of individual sites shall not be less than 30 du/ac. For example, a single-family (RS-6 density) site that is within a radius that qualifies for 80 du/acre under the bill could be reduced to 30 du/acre; however the remaining 50 du/acre must be "shifted" to another site within the TOD area or another TOD area in the City. In addition, the resulting shift cannot result in an increased density on the receiver site to greater than 200% of what is permitted under SB 79.

An extensive amount of research, data collection, and site-by-site analyses are required in order to prepare a TODAP that would be a good fit for the City. This includes

determining how and where to shift density and how to prioritize which 10% of historic resources to preserve. A TODAP results in the shifting of density from one area to another so this must be a well thought out and methodical approach and it may take a long period of time to develop a TODAP. SB 79 allows local agencies to adopt a TODAP at any point, including during the delayed effectuation period.

### **STAFF RECOMMENDATION:**

Although, SB 79 does not require cities to adopt an ordinance to exempt sites prior to July 1, 2026, staff recommends pursuing an Uncodified Delayed Effectuation Ordinance (Option 2) to proactively respond to SB 79. Staff recommends that the Ordinance temporarily exempt the following properties from SB 79:

- For all six TOD zones:
  - Sites with historic resources designated as of January 1, 2025, on a local register (Attachment G).
- For the Del Mar, Memorial Park and Lake TOD zones – All sites that meet the following:
  - Sites with historic resources designated as of January 1, 2025 on the state register (this would include sites designated at the national level as they are protected together). The majority of historic sites in the Central District are on the state register (Attachment H).
  - Sites zoned Single-Family Residential (RS) and Multi-Family Residential (RM-12, -16, -32, and -48) (Attachment I).
  - Sites located within specific plan areas that have a density of 48 du/ac or less (Attachment I).

Refer to Attachment J for a map that shows all the properties noted above, as well as other properties that would be ineligible for SB 79 project (e.g., price and rent controlled sites and excluded non-residential/PS and OS zoned sites).

Staff recommends exempting all sites with historic resources that were designated as of January 1, 2025, at the local and state level, to the maximum extent possible. This will “pause” SB 79 on sites with historic resources as staff continues to advocate for AB 2576, which currently proposes to protect historic resources designated on the state register under SB 79. However, should the bill not pass or be amended in a way that does not protect these resources, they can be paused for the maximum extent possible while future policy decisions are made by the City.

It should be noted that some designated state and national register districts (i.e., Old Pasadena) are also located in specific plans which contain the highest densities (87 du/ac). Delaying effectuation in these areas would pause SB 79 development in areas with significant concentrations of historic resources, but leaves other lower density areas as potential sites for SB 79. While SB 79 would be paused on these sites, development could still occur as permitted in the City’s specific plans and following existing development standards.

Staff also recommends exempting sites in RS (single-family) zones and lower density RM zones (RM-12, -16, -32 and -48) and sites in specific plan areas that have a density of 48 du/ac or less in the Del Mar, Memorial Park and Lake TOD zones. This would “pause” SB 79 projects in these lower density areas that in many instances serve as a buffer or transition to the lowest density areas, such as RM-12 or RS-6.

However, a project using SB 79 would be possible in lower density areas in the other TOD zones (Fillmore, Allen and Sierra Madre Villa) as these TOD zones do not qualify for exemptions beyond properties that are locally designated as an historic resource. It should also be noted that while the entire Del Mar, Memorial Park, and Lake TOD zones can be paused under a Delayed Effectuation Ordinance, this is not recommended by staff. This action would remove many areas of the city with 87 du/acre density where SB 79 projects are more appropriate and could result in more exposure to lower density areas.

Additionally, staff is currently compiling data, conducting analysis, and tracking legislation that would amend SB 79 for the possible preparation of a TODAP. If directed, the TODAP would be presented to the HHPC, Planning Commission, and the City Council at a later time.

#### **ENVIRONMENTAL DETERMINATION:**

SB 79 includes a provision explicitly stating that an ordinance adopted by a local agency to implement provisions of SB 79 shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

#### **CONCLUSION:**

Staff recommends that the City Council find that the proposed action is exempt from CEQA, make the findings for the ordinance, and adopt an Uncodified Delayed Effectuation Ordinance (Option 2) to delay implementation of SB 79 for the sites outlined in the staff recommendation section.

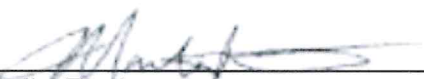
**FISCAL IMPACT:**

This action will not have a direct fiscal impact.

Respectfully submitted,

  
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Attachments (10):

- A. Findings for the Zoning Code Amendment
- B. Adopted SB 79 bill text
- C. December 30, 2025, letter to the Governor (SB 677)
- D. Map of Tier-2 TOD stops, and radii, in Pasadena
- E. Rent and price controlled properties
- F. Map of Metro-owned parcels
- G. Map of sites with historic resources on the local register, within all TOD zones
- H. Map of sites with historic resources on the state and national register, within the Del Mar, Memorial Park and Lake TOD zones
- I. Map of sites zoned Single-family Residential (RS) and Multi-Family Residential (RM), and sites located within specific plan areas that have a density of 48 du/ac or less, within the Del Mar, Memorial Park and Lake TOD zones
- J. Map of Proposed Delayed Effectuation sites (Option 2), including price and rent controlled sites and excluded non-residential/PS and OS zoned sites.