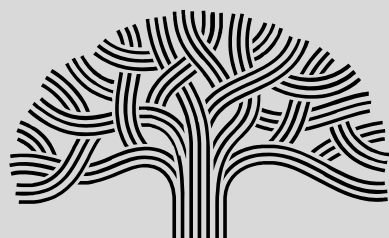


Amendments to Planning Code Chapter 17.86

**Presentation to the City Planning
Commission**

September 2, 2026

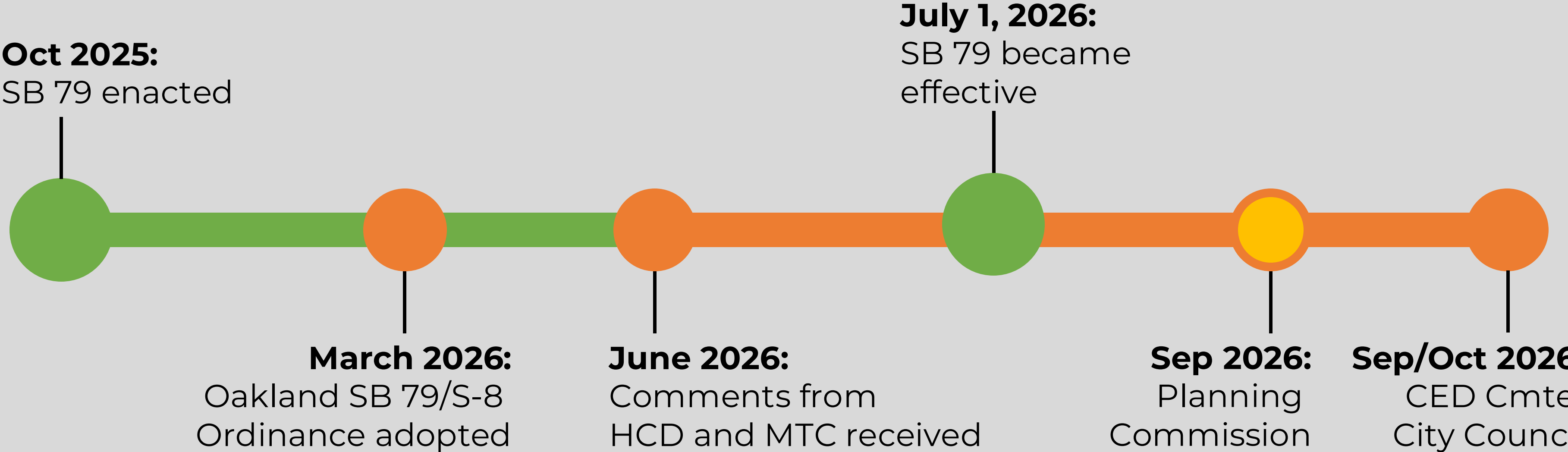
Planning and Building Department



**CITY OF
OAKLAND**



Timeline and Background



SB 79 Density Standards

SB 79 Range	Height Limit	Max Density	Floor Area Ratio
Tier 1 - Adjacent (200')	95 feet	160 du/ac	4.5
Tier 1 - Quarter mile	75 feet	120 du/ac	3.5
Tier 1 – Half Mile	65 feet	100 du/ac	3
Tier 2 - Adjacent (200')	85 feet	140 du/ac	4
Tier 2 - Quarter mile	65 feet	100 du/ac	3
Tier 2 – Half Mile	55 feet	80 du/ac	2.5

S-8 Combining Zone Regulations

Exclusion 1:

Parcels where
Oakland's zoning
already allows
**at least 50% of the
residential capacity
of SB 79**

Exclusion 2:

Qualifying low-
resource areas when
existing zoning
already provides
**at least 40% of
residential capacity
of SB 79**

Exclusion 3:

Parcels that are
**Local Register
Historic Resources**

Feedback from MTC

Metropolitan Transportation Commission (MTC) sent comments on the Oakland's adopted SB 79/S-8 Eligibility Map on June 10, 2026:

- MTC sent their SB 79 map that indicated the ½ mile buffers for the Transit Oriented Development (TOD) Zones, which were slightly different than Oakland's TOD Zone maps
- Requested to add four new transit stops (AC Transit TEMPO Uptown Transit Center stops)

Feedback from State HCD

CA Department of Housing and Community Development (State HCD) sent comments on the Oakland's adopted SB 79/S-8 Eligibility Map on June 12, 2026:

- State HCD has informed that if a parcel's zoning allows any residential or commercial uses along with another use, then it is considered a mixed-use zone and is subject to SB 79 standards.
- Because Oakland's Open Space and Industrial Zones allow commercial uses, the State HCD considers them eligible for SB 79.
- Oakland's SB 79/S-8 Eligibility map to align with the MTC's regional SB 79 map.
- Clarification of clerical error (one of TOD zones were indicated as removed from exclusion on the map, but was not indicated correctly in the adopted ordinance)

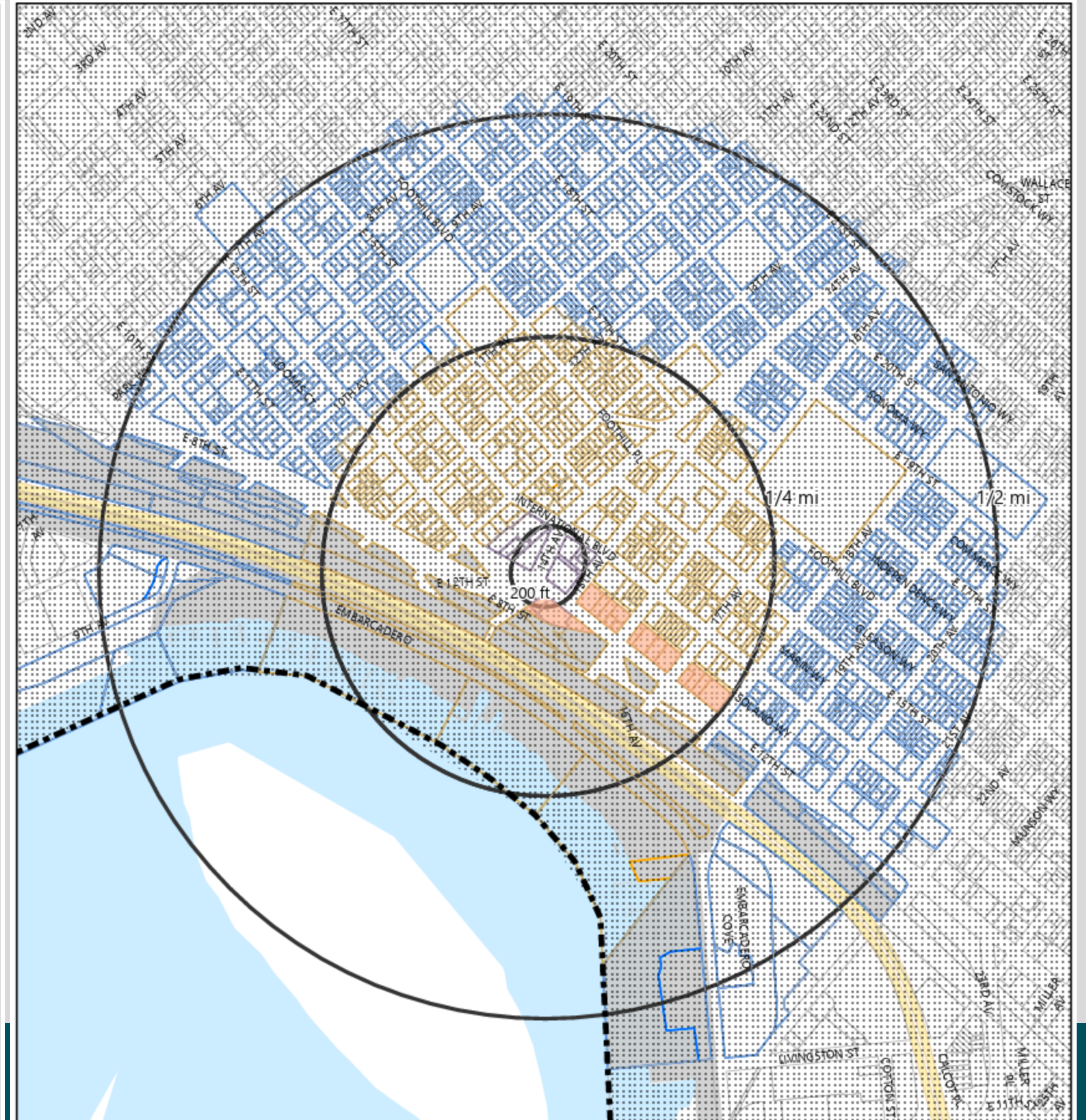
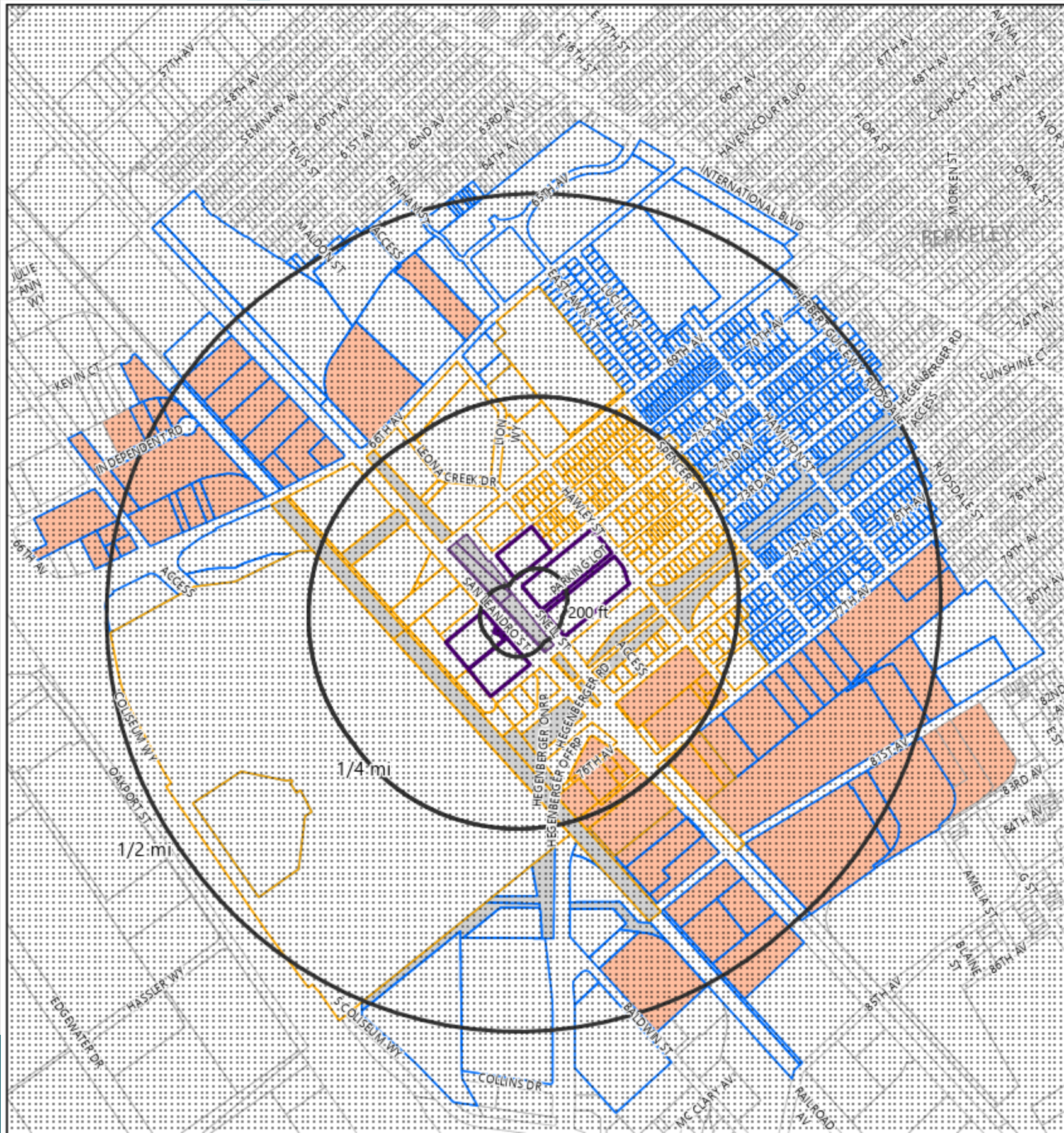
Proposed Amendments

- Removed AC Transit TEMPO 20th Avenue Stop, Map 28 (Planning Code Section 17.86.060B)
- Removed Open Space and Industrial Zones from the ineligible list (Planning Code Section 17.86.050)
- Added as one of ineligible sites: Parcels over which the City of Oakland Planning Bureau does not have zoning authority (Planning Code Section 17.86.050)

Proposed Amendments (cont'd)

- Zoning Map Update to redesignate Open Space parcels from ineligible to “Excluded” if they fall within an adopted exclusion, or “Covered” if not
- Zoning Map Update for Industrial parcels within an adopted 40% density TOD Zone exclusion to redesignate as “Excluded” from ineligible
- Added Industrially Zoned Parcels that were not within an excluded TOD Zone (surrounding Coliseum BART and 14th Avenue Stop) to be excluded (Planning Code Section 17.86.060B)

Proposed Amendments (cont'd)



Proposed Amendments (cont'd)

- Adjusted the TOD zones and parcels within to align with the regional SB 79 map (negligible changes to the overall SB 79/S-8 Eligibility Map)
- Added four new stops in the Planning Code Sections 17.86.030 (Tier 1 and Tier 2 Transit Oriented Development Stops) and 17.86.060 (Exclusions)
- Created Maps 49 to 52 showing these new four stops, and confirming that residential capacity meets at least 40% of the SB 79 requirements (Attachment F)

Tentative Dates of Council Meetings

- **September 22, 2026** – Community Economic Development (CED) Meeting
- **October 6, 2026** – City Council (First Reading)
- **October 20, 2026** – City Council (Second Reading)

Staff Recommendation

Staff requests that the Planning Commission:

Recommend that the City Council Conduct A Public Hearing And, Upon Conclusion, Adopt An Ordinance:

- 1)** Amending Oakland Municipal Code Title 17 (The Planning Code) Chapter 17.86 S-8 Abundant and Affordable Homes Near Transit (Senate Bill 79) Combining Zone Regulations To Address Comments Received from California Department of Housing and Community Development;
- 2)** Amending The Planning Code Chapter 17.86 To Exclude Additional Industrial Zoned Parcels Previously Designated as Ineligible for SB 79 Within The Areas That Were Not Previously Excluded;

Staff Recommendation (cont'd)

Staff requests that the Planning Commission:

Recommend that the City Council Conduct A Public Hearing And, Upon Conclusion,
Adopt An Ordinance:

- 3)** Making Related Oakland Zoning Map Amendments to Update Parcels Designated Within The S-8 Combining Zone And To Update Identification Of Whether Such Designated Parcels Are Excluded From The Senate Bill 79 Property Development Standards; And
- 4)** Making Appropriate California Environmental Quality Act Findings.