



City of Millbrae

SB 79 SUPPLEMENTAL APPLICATION

SB 79 Transit-Oriented Housing Development Eligibility Checklist

(Government Code Sec. 65912.157)

Senate Bill (SB) 79 (2025) makes qualified transit-oriented housing developments an allowed use on sites zoned for residential, mixed-use, or commercial development that are located near specified transit stops in counties with more than 15 passenger rail stations. SB 79 also sets statewide standards for height, density, and residential floor area ratios (FAR) for such housing developments which vary based on how close a project is to the stop and how the stop is classified.

Applicants intending to invoke SB 79 must fill out this checklist completely and provide the required documentation for each eligibility criterion.

1. PROJECT INFORMATION

Project Address:	
Assessor's Parcel Number(s) (APN)	
Applicant Name:	
Applicant Phone Number:	
Applicant Email Address:	
Zoning District(s):	
Total Site Area (sq ft or acres):	
Number of Residential Units Proposed for Demolition:	
Number of Residential Units Demolished on the Project Site within the Past Five Years:	
Number of Residential Units Demolished on the Project Site within the Past Seven Years:	

2. PROPOSED DEVELOPMENT METRICS

	Without density bonus	With density bonus (if applicable)
Proposed Total Units		
Proposed Density (du/ac)		
Proposed Maximum Height (ft)		
Proposed Residential Floor Area Ratio (FAR)		

3. LOCATION

3.1 Zoning District

The project is located on a site where local zoning principally or conditionally permits residential, residential mixed use, or commercial development. [Gov. Code Sec. 65912.157(a)].

Zoning information can be found on the City's [Zoning Map](#).

Select one answer below:

- ☐ Yes.
- ☐ No. (Stop. SB 79 does not apply.)

3.2 TOD Stop Tier and Zone

Using the [Metropolitan Transportation Commission's Map of Transit-Oriented Development Stops and Zones](#), indicate the TOD zone in which the project is located and the distance of the project from the pedestrian access point.

Select one answer below:

- ☐ Tier 1 — 200 ft
- ☐ Tier 1 — Quarter Mile
- ☐ None of the above. (Stop. SB 79 does not apply.)

4. PROJECT DENSITY AND DEVELOPMENT STANDARDS

4.1 Housing Development Project

The project is a “housing development project” as defined in Government Code Section 65589.5(h)(2). [Gov. Code Sec. 65912.156(g)]

Select one answer below.

☐ Yes.

☐ No. (Stop. SB 79 does not apply.)

4.2 Mixed-Use Projects

Complete the table below if the project includes any nonresidential uses. [Gov. Code Sec. 65589.5(h)(2)]

Proposed net new residential units:	
Total new and/or converted floor area (all uses) (sq. ft.):	
New and/or converted residential floor area (sq. ft.):	
Percentage of new and/or converted floor area to be designated for residential use (%):	
Total existing nonresidential floor area on site (sq. ft.):	
Nonresidential floor area to be demolished (sq. ft.):	
Nonresidential floor area to be converted to residential use (sq. ft.):	
Percentage of existing nonresidential use to be demolished (%):	

4.3 Unit Count

Project includes at least five dwelling units. [Gov. Code Sec. 65912.157(a)(1)]

Select one answer below:

- ☐ Yes.
- ☐ No. (Stop. SB 79 does not apply.)

4.4 Proposed Density

Project meets the greater of (1) 30 dwelling units per acre or (2) the minimum density required under local zoning, if applicable. [Gov. Code Sec. 65912.157(a)(1)]

Select all that apply:

- ☐ Yes, project is at least 30 dwelling units per acre.
- ☐ Yes, project meets the minimum density required under local zoning.

If selected, complete the following:

Zoning designation (including any overlays): Enter zoning designation
(including any overlays)

Minimum density: Enter minimum density du/ac

Provide all relevant density calculations.

- ☐ No. (Stop. SB 79 does not apply.)

4.5 Average Unit Size

The average unit size is 1,750 net habitable square feet or less. [Gov. Code Sec. 65912.157(a)(2)]

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

Select one answer below:

- ☐ Yes.
- ☐ No (Stop. SB 79 does not apply.)

4.6 Average Unit Size Calculation

Complete the table below:

1.	Total Number of Residential Units	
2.	Total gross residential floor area (sq. ft.) (including common space dedicated for residential use and unfinished interior space)	
3.	Total gross residential common and non-habitable floor area (sq. ft.) (e.g., lobby, interior shared hallways, mail room, fitness, community space, garages, etc.	
4.	Total net residential floor area (sq. ft.) (Row 2 minus Row 3). Must include areas that Gov. Code Sec. 65912.156(i) includes in the definition of net habitable square footage.	
5.	Average unit size (sq. ft.) (Row 4 ÷ Row 1). Must not exceed 1,750 sq. ft.	

5. AFFORDABILITY REQUIREMENTS

5.1 Affordable Housing Requirements

Specify how the project meets SB 79's affordability requirements. [Gov. Code Sec. 65912.157(i)]

Select all that apply:

- ☐ The project has 10 or fewer units and therefore is not subject to SB 79's affordability requirements.
- ☐ At least 7% of the total units will be dedicated to Extremely Low Income (ELI) households.
- ☐ At least 10% of the total units will be dedicated to Very Low Income (VLI) households.
- ☐ At least 13% of the total units will be dedicated to Low Income (LI) households.

(continues on next page)

- ☐ The project complies with local inclusionary ordinance that mandates a higher percentage of affordable units or a deeper level of affordability than described above.

If selected, complete the following:

Required percentage of affordable units: Enter required percentage of affordable units

Required level of affordability: Enter ELI, VLI, LI as applicable

Relevant code section: Enter relevant code section

- ☐ None of the above. (Stop. SB 79 does not apply.)

5.2 Term of Affordability

The units that are dedicated to ELI, VLI, and LI households will remain affordable for 55 years if they are rental units and 45 years if they are for-sale units. [Gov. Code Sec. 65912.157(i)]

Select one answer below:

- ☐ Yes
- ☐ No (Stop. SB 79 does not apply.)
- ☐ Not applicable. The project has 10 or fewer units and therefore is not subject to SB 79's affordability requirements.

5.3 Affordable Price

All units dedicated to ELI, VLI, and LI households will have an affordable cost (as defined in Health & Safety Code Sec. 50052.5) or an affordable rent (as defined in Health & Safety Code Sec. 50053). [Gov. Code Sec. 65912.157(i)]

Select one answer below:

- ☐ Yes
- ☐ No (Stop. SB 79 does not apply.)
- ☐ Not applicable. The project has 10 or fewer units and therefore is not subject to SB 79's affordability requirements.

6. DEMOLITION & ANTIDISPLACEMENT

6.1 Demolition of existing rent- or price-controlled units

Site currently contains more than two units subject to rent or price control that have been occupied within the past seven years and that would be demolished by this project. [Gov. Code Sec. 65912.157(h)]

Select all that apply:

- ☐ Yes – local rent or price control. (Stop. SB 79 does not apply.)
- ☐ Yes – AB 1482 / Tenant Protection Act.
- ☐ No.

6.2 Prior demolition of rent- or price-controlled units

Within the past seven years, more than two rent- or price-controlled units were demolished on this site. [Gov. Code Sec. 65912.157(h)]

Select one answer below:

- ☐ Yes. (Stop. SB 79 does not apply.)
- ☐ No.

6.3 Housing Crisis Act (SB 330) Requirements

Project will comply with the replacement housing requirements in Gov. Code Sec. 66300.6. [Gov. Code Sec. 65912.157(f)]

Select one answer below:

- ☐ Yes. The project will comply with all replacement housing requirements under Gov. Code Sec. 66300.6, including unit-for-unit replacement by bedroom count, replacement of protected units, and provision of relocation benefits to displaced occupants.
- ☐ No. (Stop. SB 79 does not apply.)

6.4 Local Requirements

Project will comply with applicable local demolition or anti-displacement standards [Gov. Code Sec. 65912.157(g)]

Select one answer below:

☐ Yes.

☐ No. (Stop. SB 79 does not apply.)

Documentation Required (if applicable): If the project proposes to demolish any existing residential units, or is located on a site where residential units were demolished within the past five years, provide a table that includes the following for each unit, if reasonably available.

- Current occupancy status (if applicable) and date last occupied
- Date unit was demolished (if applicable)
- Number of bedrooms in the unit
- Income level of current or most recent occupant household (e.g., VLI, LI, above low income)
- Whether the unit is or was subject to rent or price control within the past five years (indicating if unit is subject to State or local rent/price control)
- Whether the unit is or was subject to an affordability covenant or restriction (restricting rents to low- or very low-income levels) within the past five years
- Whether the unit was withdrawn from rent per the Ellis Act within the past 10 years

7. AIRPORT AND FIRE SAFETY STANDARDS

7.1 Airport Compatibility

Project is consistent with height, noise, and safety standards of applicable airport land use compatibility plan or Department of Defense Air Installation Compatible Use Zones. [Gov. Code Sec. 65912.157(j)]

To determine whether the project site is located within an Airport Influence Area, consult the [MTC Airport Influence Areas Map](#).

Select one answer below:

- ☐ Yes.
- ☐ No. (Stop. SB 79 does not apply.)
- ☐ Not applicable. No airport land use compatibility plan or Air Installation Compatible Use Zone applies to this site.

7.2 Fire Safety

Project complies with objective statewide fire safety standards established pursuant to the California Building Code, the California Fire Code, the California Wildland-Urban Interface Code, the Health and Safety Code, the Public Resources Code, or the Government Code Sections 51175-51189. [Gov. Code Sec. 65912.157(j)]

To determine whether the project site is located in a Fire Hazard Severity Zone or State Responsibility Area, consult the [California Department of Forestry and Fire Protection Fire Hazard Severity Zone Map](#). Compliance with applicable fire safety standards will be verified through the building permit and plan check process.

Select one answer below:

- ☐ Yes.
- ☐ No. (Stop. SB 79 does not apply.)

Documentation Required (if applicable): Provide any adopted airport land use compatibility plan or Department of Defense Air Installation Compatible Use Zones applicable to the project site.

8. LABOR STANDARDS

The project will comply with the labor standards under Gov. Code Sec. 65913.4(a)(8)(A)-(D) & (F)-(G) for all buildings that exceed 85 feet in height. [Gov. Code Sec. 65912.157(k)]

Select one answer below:

- ☐ Yes.
- ☐ No. (Stop. SB 79 does not apply.)
- ☐ Not applicable, as no building is proposed to exceed 85 feet in height.