



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Councilmember Mulcahy

SUBJECT: SEE BELOW

DATE: January 26, 2026

Approved:

Date: January 26, 2026

SUBJECT: Senate Bill 79, Statewide Standards for Transit-Oriented Development Report and Implementation

RECOMMENDATIONS:

1. Approve staff recommendations (a), (b), and (c), with recommendations (b) and (c) outlined in the Memorandum from Mayor Mahan and Councilmembers Campos, Tordillos, and Cohen, dated January 23, 2026.
2. Instead of directing staff to pursue a delayed-effectuation ordinance for CEQA historical resources listed in the San José Historic Resources Inventory as part of SB 79 implementation, direct staff to return to Council on February 24, 2026, with additional analysis of SB 79's potential impacts on designated historic resources and a range of policy options for Council consideration.

SUMMARY:

I would like to thank City staff for their diligent work in analyzing SB 79 and its potential impacts on the City of San José. Through our discussions, it has become clear that this legislation is highly complex and that the full implications for our neighborhoods, particularly those with designated historic resources, remain uncertain.

I also wish to acknowledge Mayor Mahan and Councilmembers Campos, Tordillos, and Cohen for their thoughtful and timely proposals and contributions to this analysis. I support efforts to increase density in the downtown core and to further evaluate appropriate growth areas in future analyses. At the same time, I believe the City should assess the potential impacts of SB 79 on historic resources. While I understand there may not be Council support for a full exemption of historic resources from SB 79, I believe time should be dedicated to understanding these impacts and to presenting policy options for Council consideration.

Given the complexity of SB 79, its interaction with CEQA and the City's Historic Preservation Ordinance, and the range of potential policy paths available, I believe Council would benefit from further analysis and a broader set of policy options. This would allow Council to fully understand the implications of various approaches before determining whether, and how, to modify SB 79 implementation as it relates to historic resources.