



August 12, 2025

The Honorable Buffy Wicks  
Chair, Assembly Appropriations Committee  
1021 O St, Suite 8220  
Sacramento, CA 95814

**RE: SB 79 (Wiener) Transit-oriented Development**  
**Notice of Opposition** (As of 7/17/25)

Dear Chair Wicks,

The League of California Cities writes to express our **strong opposition** to SB 79 (Wiener) despite the 11 rounds of amendments on the bill so far, which would disregard state-certified housing elements and bestow land use authority to transit agencies without any requirement to align development standards with local general plan and zoning requirements.

SB 79 doubles down on the recent trend of the state overriding its own mandated local housing elements. This latest overreaching effort forces cities in urban transit counties defined as "a county with more than 15 rail stations" to approve transit-oriented development projects near specified transit stops — up to seven stories high and a density of 120 homes per acre — without regard to the community's needs, environmental review, or public input. Similarly, cities in non-urban transit counties near specific transit stops would need to approve development projects by right, up to five stories high, with a density of 80 homes per acre.

Most alarmingly, SB 79 defies cities' general plans and provides transit agencies land use authority on property they own or have a permanent easement on or before January 1, 2026, within a half mile of a transit stop. Transit agencies would have the power to determine nearly all aspects of the development including height, density, and design, without any regard to local zoning or planning.

Cal Cities appreciates the author's desire to include an alternative transit-oriented development plan; however, as currently drafted, the local government has the option to do this through an additional analysis in the local government's housing element or through the adoption of an ordinance with approval from the Department of Housing and Community Development (HCD). In the [AB 650 Senate Appropriations Analysis](#), HCD has determined that it will cost \$11.1 million annually and 52 new staff positions to provide more clarity in the housing element review process. SB 79 would add additional requirements for state review, increasing workloads, and making it more likely that local governments will not get their housing elements or ordinances approved promptly.



Finally, the local flexibility provided in the measure is minimal at best. The bill does not provide exemptions for cities that have adopted plans to promote taller, denser residential development near transit in consultation with the community but fall short of the bill's rigid minimum requirements. The alternative plan would still be required to meet or exceed the required development near transit as determined by HCD across all transit-oriented development zones within the jurisdiction without accounting for infrastructure constraints, environmental hazards, or community design goals unique to each jurisdiction. For example, a community may want to distribute density around the jurisdiction due to its infrastructure capacity. However, they must still meet the minimum requirements of the bill, regardless of whether they make sense for the community or the design of the jurisdiction. In short, the flexibility is about how to meet the state's requirements – not whether those requirements make sense for the community.

Cal Cities appreciates and respects the author's desire to pursue a housing production proposal. However, as currently drafted, SB 79 will not spur much-needed housing construction in a manner that supports local flexibility, decision-making, and community input. State-driven ministerial or by-right housing approval processes fail to recognize the extensive public engagement associated with developing and adopting zoning ordinances and housing elements.

California will never produce the number of homes needed with an increasingly state-driven, by-right housing approval process. What we really need is a sustainable state investment that matches the scale of this decades-in-the-making crisis. For these reasons, Cal Cities opposes SB 79. Please do not hesitate to contact me to discuss this in greater detail at (916) 658-8255.

Sincerely,

A handwritten signature in blue ink that reads "Brady Guertin".

Brady Guertin, Legislative Advocate

CC: The Honorable Scott Wiener  
Members, Assembly Appropriations Committee