



March 24, 2025

Hon. Aisha Wahab, Chair
Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

Subject: Oppose SB 79 (Wiener) as Amended 3/5/2025

Dear Chair Wahab,

Livable California strongly opposes Senate Bill 79. This bill will do little good and has mostly damaging impacts.

This is yet another major statewide up-zoning bill. Up-zoning has not, despite eight years of passing similar bills, been successful in significantly increasing housing supply or housing affordability. Instead, this bill is another major give-away to market-rate developers. It gives them the choice of properties for market-rate profits without requiring any affordability.

Public transit stops, particularly bus stops, are not a sound basis for up-zoning. Projects built under SB 79 will likely last 50 to 100 years. The locations of bus stops are “shifting sands” that can change suddenly and unpredictably. This bill should be **amended** to include rail stations only, which have more permanence.

This bill takes land use power away from cities and grants it to transit agencies. Many transit agencies are currently in major financial crisis. This bill will tempt them to try to create transit funding through increased development. But that role is neither part of their mission nor their expertise. SB 79 would allow transit agencies to manipulate land use patterns by simply changing bus routes and/or schedules or marking a few road lane segments as “transit only.” Acquiring land and later declaring it surplus is another abuse that appears possible under SB 79.

It might appear that promoting building along transit routes would increase transit ridership. Yet the reverse may be more likely. Public transit is primarily necessary to serve lower income households. Upzoning, however, tends to increase land values. That, in turn, promotes building market rate housing. Such housing, in turn, promotes gentrification and displacement of the lower income residents who most use public transit. Overall, the prospect of SB 79 substantially increasing transit usage is nil. At the very least, the bill needs to be **amended** to require that each SB 79 project include a significant amount of permanently

affordable housing – preferably at least 25 % of the units, with at least 10% going to the lowest tier residents.

Another major concern is that SB 79 projects are approved ministerially. Major cities could lose land use control over much of their most valuable land. One might think this bill is just around transit stops, but mapping shows that because of the wide radius of SB 79 application around such transit stops, cities will lose control of whole neighborhoods and communities. That development will have increased associated infrastructure costs; costs that the cities, not the transit agencies, will need to cover.

SB 79 would also undermine city housing elements that have consumed hundreds of hours of work and coordination with the HCD.

Nor does SB 79 address the need for light industrial and commercial land uses that are essential to cities for economic development and job growth and should be exempt from SB 79. For that matter, historic sites and single family neighborhoods are also important to the cities and should be exempt. We encourage **amendments** to SB 79 for these exemptions.

SB 79 shows no respect for existing residential neighborhoods, which would be disrupted by uncontrolled insertion of high density market-rate buildings along community bus routes.

SB 79 is a major land grab by the state on behalf of market-rate housing developers and an affront to established local communities and their residents. The Committee needs to reject this bill.

Livable California is a statewide 501(c)(4) non-profit, representing over 10,000 stakeholders. We are committed to the development of affordable housing and fair treatment of cities.

Sincerely,

The Board of Directors of Livable California

A handwritten signature in black ink, appearing to read "Rick Hall", written in a cursive style.

Rick Hall, President

T Keith Gurnee, Member

Carey White, Member

Isaiah Madison, Member

Stuart Flashman, Esq., Member