

May 21, 2025

ITEM TITLE: DISCUSS SENATE BILL 79 AND CONSIDER AUTHORIZING THE MAYOR TO SEND A LETTER OF OPPOSITION ON BEHALF OF THE CITY OF IMPERIAL BEACH. (0460-20)

ORIGINATING DEPARTMENT:

City Manager

EXECUTIVE SUMMARY:

On January 15, 2025, Senate Bill (SB) 79 (Attachment 1) was introduced to the California State Senate. According to the League of California Cities (Cal Cities), if adopted, SB 79 would override state-certified local housing elements and transfer land-use authority to transit agencies without ensuring housing development, including affordable housing. SB 79 mandates ministerial approval of high-density residential projects up to seven stories near certain major transit stops, regardless of local zoning codes. The bill would limit the role of local development standards and would allow transit agencies to make independent land-use decisions on property they own or lease, without consideration for local planning, community needs, or environmental impacts.

RECOMMENDATION:

Discuss Senate Bill 79 and consider authorizing the Mayor to send a letter of opposition for SB 79 on behalf of the City of Imperial Beach to the appropriate legislators.

OPTIONS:

- Authorize sending a letter of opposition for SB 79; or
- Do not authorize sending a letter of opposition for SB 79; or
- Request more information at a future meeting.

BACKGROUND/ANALYSIS:

The League of California Cities (Cal Cities), of which the City of Imperial Beach is a member, has requested that cities send opposition letters for Senate Bill 79 (SB 79) (Wiener) to appropriate legislators (Attachment 2). Per Cal Cities, SB 79 requires cities to ministerially approve higher-density residential projects — up to 7 stories — near certain public transit stops, regardless of zoning codes. SB 79 limits the use of local development standards and allows transit agencies full land-use authority over residential and commercial development on property owned or leased by the transit agency, without any requirement that developers build housing, let alone affordable housing.

Cal Cities further states that SB 79 overrides the state's own mandated local housing elements by forcing cities 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. SB 79 provides transit agencies:

- Unlimited land use authority on property they own or have a permanent easement, regardless of the distance from a transit stop.
- Power to determine all aspects of residential and commercial development including height, density, and design, without any regard to local zoning or planning.
- Ability to develop 100% commercial projects, even at transit stops, and not provide a single new home.

Cal Cities and the cities of Oceanside, San Marcos, Solana Beach, and Vista have already signed letters of opposition, which are attached to this report (Attachment 3-7).

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

No fiscal impact.

ATTACHMENTS:

- ATT 1 – SB 79 Text – April 23, 2025
- ATT 2 – SB 79 City Sample Letter to Oppose
- ATT 3 – SB 79 Oceanside Opposition Letter
- ATT 4 – SB 79 San Marcos Opposition Letter
- ATT 5 – SB 79 Solana Beach Opposition Letter
- ATT 6 – SB 79 Vista Opposition Letter
- ATT 7 – SB 79 Cal Cities Opposition Letter