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June 17, 2025

The Honorable Scott Wiener
California State Senate
1021 O Street, Suite 8620
Sacramento, CA 95814

**RE: SB 79 (Wiener): Housing development: transit-oriented development:
California Environmental Quality Act: public transit agency land - OPPOSE**

Dear Senator Wiener,

Larry Klein
Mayor

Linda Sell
Vice Mayor

Alysa Cisneros
Councilmember

Richard Mehlinger
Councilmember

Murali Srinivasan
Councilmember

Charlsie Chang
Councilmember

Eileen Le
Councilmember

On behalf of the City of Sunnyvale, we are sending you this letter to explain our opposition to SB 79. The City remains committed to meeting state and regional housing targets. Since the major amendment of the Housing Accountability Act in 2017, **over 4,800 net new housing units (and counting) have been built within Sunnyvale.** While the City of Sunnyvale is committed to meeting our City's housing goals, SB 79 would override the City's certified Housing Element and we are concerned with the potential of being forced to modify it in a lengthy parcel-by-parcel process. City staff are working on implementing numerous Housing Element programs in addition to recent state laws that require extensive policy and permit process revisions. SB 79 would add to an already strained workload without financial support from the state.

As you know, this bill would require Sunnyvale and other local jurisdictions to approve housing development projects on any site zoned for residential, mixed-use, or commercial development within a half mile of major rail transit stop and would supersede local regulations on height, density, and floor area ratio. There are a mix of different zoning districts and plan areas within a half mile of Sunnyvale's major rail transit stops, including single-family neighborhoods and other sensitive land use types. The heights and densities allowed under SB 79's one-size-fits-all approach would force existing residents to accept housing development projects that are out of scale and incompatible with their neighborhoods, invalidating their past efforts to participate in the planning process. Furthermore, the provisions of the bill conflict with airport land use restrictions on heights, densities, and land use types in the vicinity of Moffett Federal Airfield.

Of equal concern are the potential effects on our City's historic downtown and wider retail offerings. SB79 does not protect locally based historic districts and encourages residential development on commercially zoned land. Sunnyvale's Historic Murphy Avenue lies Downtown at the heart of our City, surrounded by streets filled with local restaurants, unique retail stores, and a pedestrian corridor. It hosts farmers' markets, festivals, and street fairs. Preservation of our downtown and other retail and commercial uses is of utmost importance to the City, as these uses are necessary to provide convenient services to residents and local businesses. Invalidating our recent efforts to incentivize retention and provision of retail in developments would result in residents traveling further to access neighborhood-serving retail, such as grocery stores. This will only increase both reliance on automobiles and vehicle miles traveled.

The largest barrier to building housing is not only Sunnyvale, but throughout our state, is cost. Unfortunately, city governments are limited in what they can do to decrease cost. Streamlined processes and setting aside more land for housing are two major parts of what cities *can* control. What we truly need is a sustainable state investment that matches the scale of this decades-in-the-making crisis.

This bill also specifies penalties for noncompliance and strict oversight by the California Department of Housing and Community Development. The litany of state-imposed housing bills since at least 2017 have not resulted in significant increases to statewide housing supply and have vastly complicated the housing development project planning process for local governments, the development community, and the public. Moreover, this bill and others are not accompanied with technical and financial assistance from the state, leaving the burden of implementation to local jurisdictions, who also unfairly bear the brunt of opposing community feedback.

The City of Sunnyvale appreciates and respects your 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. Sunnyvale policy supports integrating local priorities in land use actions (LAP 1.1(14)) and local control of transportation, housing, and land use issues affecting Sunnyvale (LAP 7 C(2)). For these reasons, the City of Sunnyvale respectfully opposes SB 79. We appreciate your consideration of our position. Please do not hesitate to contact me, Trudi Ryan, Director of Community Development at 408-

730-7435 or tryan@sunnyvale.ca.gov or George Schroeder, Principal Planner, at gschroeder@sunnyvale.ca.gov or 408-730-7443, if you have any questions.

Sincerely,



Larry Klein
Mayor

cc: Senator Dr. Aisha Wahab
Assembly Member Patrick Ahrens
Sunnyvale City Council
Tim Kirby, City Manager
Sarah Johnson-Rios, Assistant City Manager
Trudi Ryan, Director of Community Development
George Schroeder, Principal Planner