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June 30, 2026

The Honorable Sharon Quirk-Silva
California State Assembly
1021 O Street, Suite 4210
Sacramento, CA 95814

**RE: AB 1751 (Quirk-Silva) Missing Middle Townhome Ownership Act - OPPOSE
UNLESS AMENDED**

Dear Assemblymember Quirk-Silva,

Larry Klein
Mayor

Richard Mehlinger
Vice Mayor

Alysa Cisneros
Councilmember

Murali Srinivasan
Councilmember

Linda Sell
Councilmember

Charlsie Chang
Councilmember

Eileen Le
Councilmember

The City of Sunnyvale respectfully submits an oppose unless amended position to AB 1751, which would establish a new ministerial approval pathway for “townhome development projects” and significantly limit local discretion in reviewing these developments.

The City shares the Legislature’s goal of increasing housing production and expanding homeownership opportunities, particularly for “missing middle” housing types. Sunnyvale has long been committed to facilitating housing development and implementing state housing laws to help address California’s housing shortage. However, AB 1751 could result in unintended consequences that undermine these housing efforts and the City’s ability to ensure that new development meets community needs now and in the future.

AB 1751 allows projects that are three stories or fewer and meet at least 75 percent of the state’s minimum density standards outside of transit-oriented housing development areas, among other criteria. The City’s comprehensive planning efforts have led to defined growth areas that envision far greater densities than the bill allows. AB 1751 could negatively impact the City’s ability to meet its own housing goals as well as the state’s RHNA targets because it would incentivize housing development at lower intensities than is desired.

Of note is the El Camino Real Specific Plan which requires 85 percent of maximum zoning density. Sites within the El Camino Real Specific Plan are zoned for up to 54 dwelling units per acre (with a minimum density of almost 46 dwelling units per acre). Additionally, the City’s R-4 Zoning District is 36 dwelling units per acre, and R-5 is 42 dwelling units per acre). These are sites across the City where the allowed density under AB 1751 could constitute a downzoning and trigger “no net loss” provisions.

The City does not want to go backwards. One powerful tool showcasing the City's commitment to facilitating housing production is the most recent state-approved Housing Element. Below are key Housing Element policies that could be impacted by AB 1751:

GOAL H-1 PROVISION OF ADEQUATE HOUSING SITES - Provide adequate sites for the development of new housing through appropriate land use and zoning to address the diverse needs of Sunnyvale's residents and workforce.

Policy H-1.1 Adequate Housing Sites. Provide adequate sites for housing development that responds to diverse community needs in terms of density, tenure, unit size, accessibility, location, and cost.

Policy H-1.2 Infill Development Near Transit and Employment Centers. Facilitate new residential infill development near transit and employment and activity centers, such as El Camino Real corridor, Lawrence Station, Downtown Sunnyvale, the Village Centers, and Moffett Park, through incentives and streamlining development consistent with specific plans.

Policy H-1.3 Additional Affordable Housing Opportunities in High Resource Areas. Accommodate additional high density residential development (greater than 30 dwelling units/acre) in areas of high resource with access to transit, education, and employment, such as the Village Centers, to increase opportunities for new affordable housing in high resource areas.

Policy H-1.4 Minimum Density Requirement. Encourage a compact urban form by requiring new development to build to at least 75 percent of the maximum zoning density, unless otherwise stated in a specific plan or an exception is granted by the City Council.

In addition to these pressing housing concerns, AB 1751 mandates ministerial approval without discretionary review or a public hearing for qualifying townhome projects. This effectively eliminates the ability of cities to evaluate project-specific impacts such as infrastructure capacity and traffic circulation. While the bill allows denial in limited circumstances tied to public health and safety, this standard sets an extremely high legal threshold and does not provide sufficient flexibility for local agencies to address legitimate development concerns.

While AB 1751 is intended to promote housing production, its one-size-fits-all approach does not account for the unique characteristics and planning priorities of California's diverse communities. Local governments are best positioned to consider housing growth that meets the future needs of their community in balance with infrastructure capacity, public safety, environmental considerations, and community objectives. Further preemption of local authority risks producing outcomes that may not align with local

conditions or long-term planning goals. For Sunnyvale, it is especially concerning that AB 1751 could incentivize *less* housing than the City envisions and make it more difficult to meet its state-issued RHNA obligations.

The City believes these concerns could be substantially addressed if AB 1751 were amended to require projects to meet the higher of the applicable local minimum density or the minimum density established under the bill.

Although your office was not available to meet with the City prior to the July 1 committee hearing, your staff has committed to meeting with us after this Wednesday. The City looks forward to working collaboratively with your office following the hearing regarding its concerns that AB 1751 could incentivize lower-density housing than envisioned by locally adopted plans. The meeting will also provide an opportunity to better understand how the bill sponsor interprets the bill's "streamlining" provisions, including when they believe the bill would apply and how those provisions interact with local housing planning and RHNA requirements. The City remains committed to working constructively with your office and stakeholders to address these issues while advancing our shared goal of increasing housing production.

Unless AB 1751 is amended to address these concerns, including requiring projects to meet the higher of the applicable local minimum density or the minimum density established under the bill, the City of Sunnyvale respectfully opposes the measure. We look forward to continuing to work with your office on amendments that preserve local planning objectives while supporting increased housing production.

Please do not hesitate to contact me or Trudi Ryan, Community Development Director at tryan@sunnyvale.ca.gov if you have any questions.

Sincerely,



Larry Klein
Mayor

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