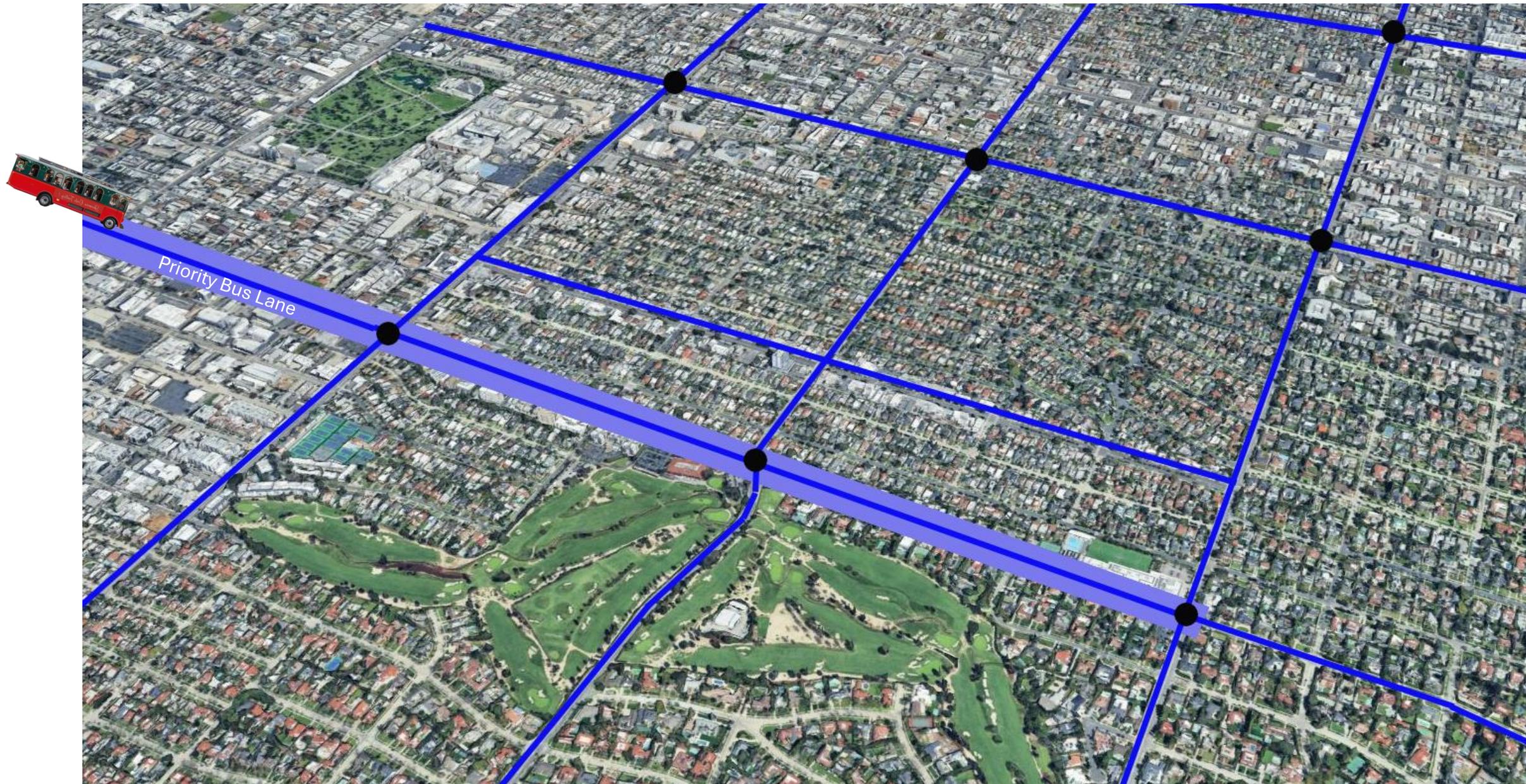


What is Senate Bill 79 (SB 79)



SB 79 – Allows 55 – 65-foot-high by-right apartment buildings anywhere within a half mile radius (including single-family neighborhoods) of qualifying bus stops, commuter rail and heavy rail stops. A qualifying bus stop services a bus route that at some part of its route passes through a “priority bus lane” or has a 15-minute headway. SB 79 does not require any affordable housing units.



A. Height can be 55 to 65 feet within the ½ mile radius in Tier 2



(3) For a residential development within one-quarter mile of a Tier 2 transit-oriented development stop, all of the following apply:

(A) A development may be built up to 65 feet high, or up to the local height limit, whichever is greater.

(B) A local government shall not impose any maximum density standard of less than 100 dwelling units per acre. The development proponent may seek a further increased density in accordance with applicable density bonus law.

(C) A local government shall not enforce any other local development standard or combination of standards that would prevent achieving a residential floor area ratio of up to 3.

(D) A development that otherwise meets the eligibility requirements of Section 65915, including, but not limited to, affordability requirements, shall be eligible for two additional concessions pursuant to Section 65915.

(4) For a residential development further than one-quarter mile but within one-half mile of a Tier 2 transit-oriented development stop, all of the following apply:

(A) A development may be built up to 55 feet high, or up to the local height limit, whichever is greater.

(B) A local government shall not impose any maximum density standard of less than 80 dwelling units per acre. The development proponent may seek a further increased density in accordance with applicable density bonus law.

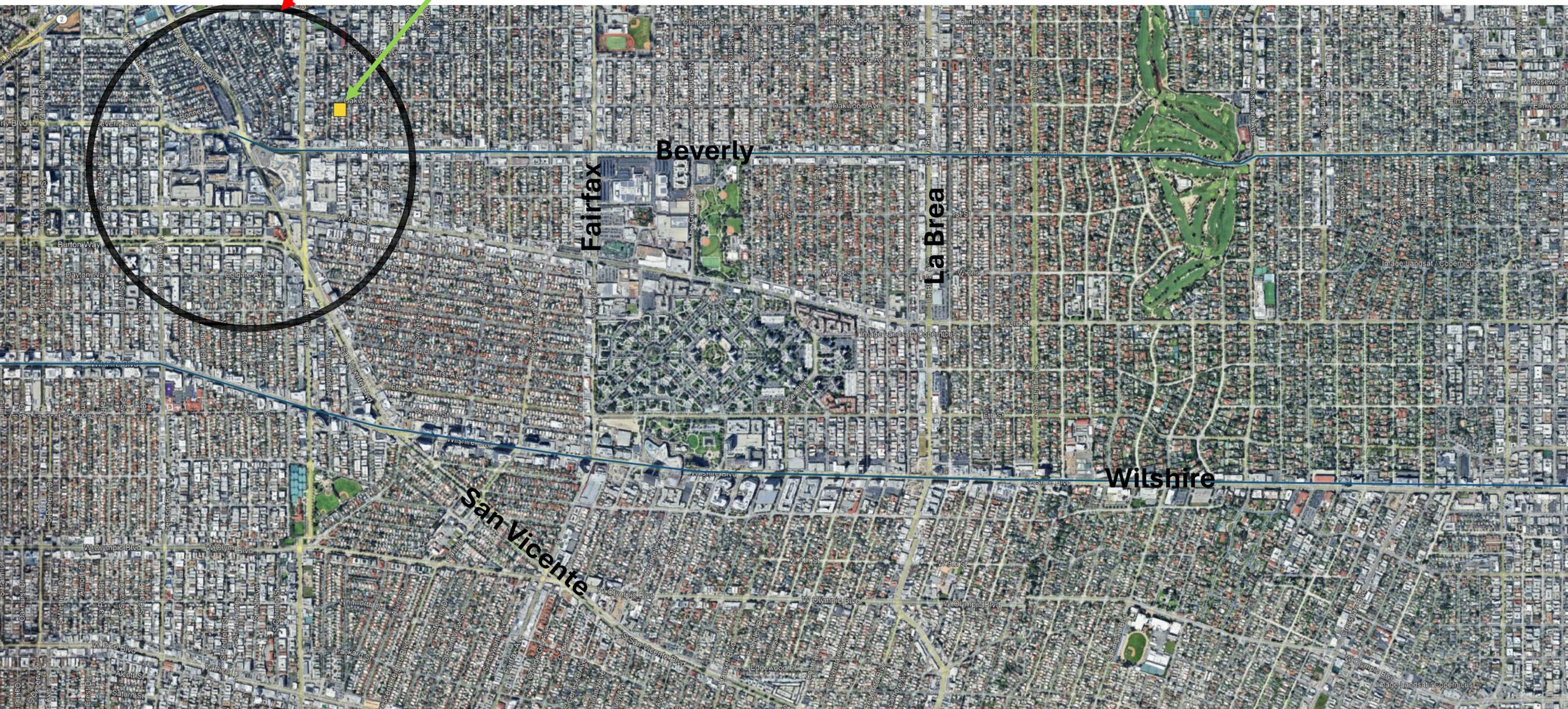
(C) A local government shall not enforce any other local development standard or combination of standards that would prevent achieving a residential floor area ratio of up to 2.5.

(D) A development that otherwise meets the eligibility requirements of Section 65915, including, but not limited to, affordability requirements, shall be eligible for one additional concession pursuant to Section 65915.

B. SB 79 Mandates 80 to 100 housing units per acre (503 acres in the circle)

This is a half mile radius from a qualifying bus stop

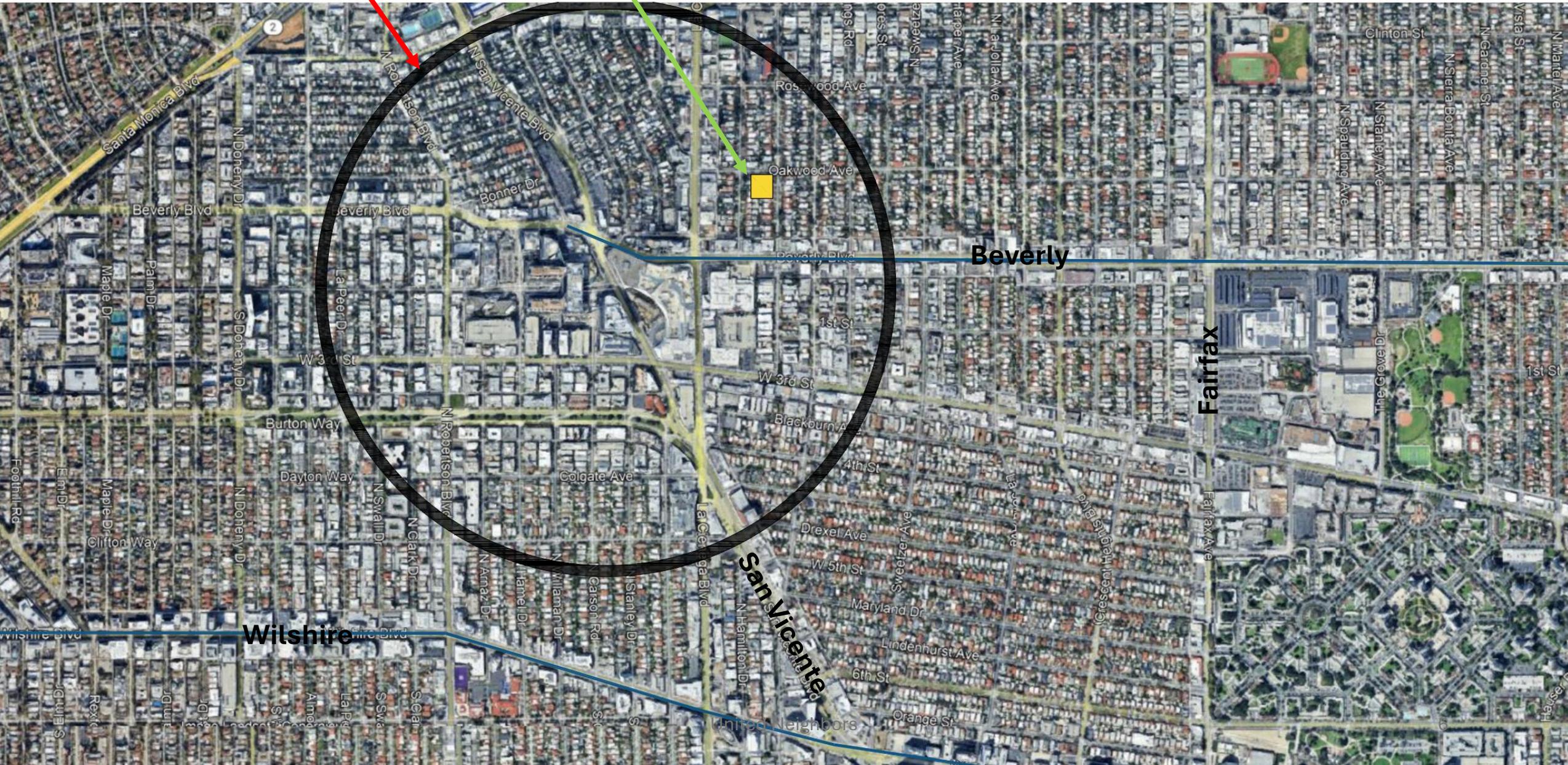
This is an acre



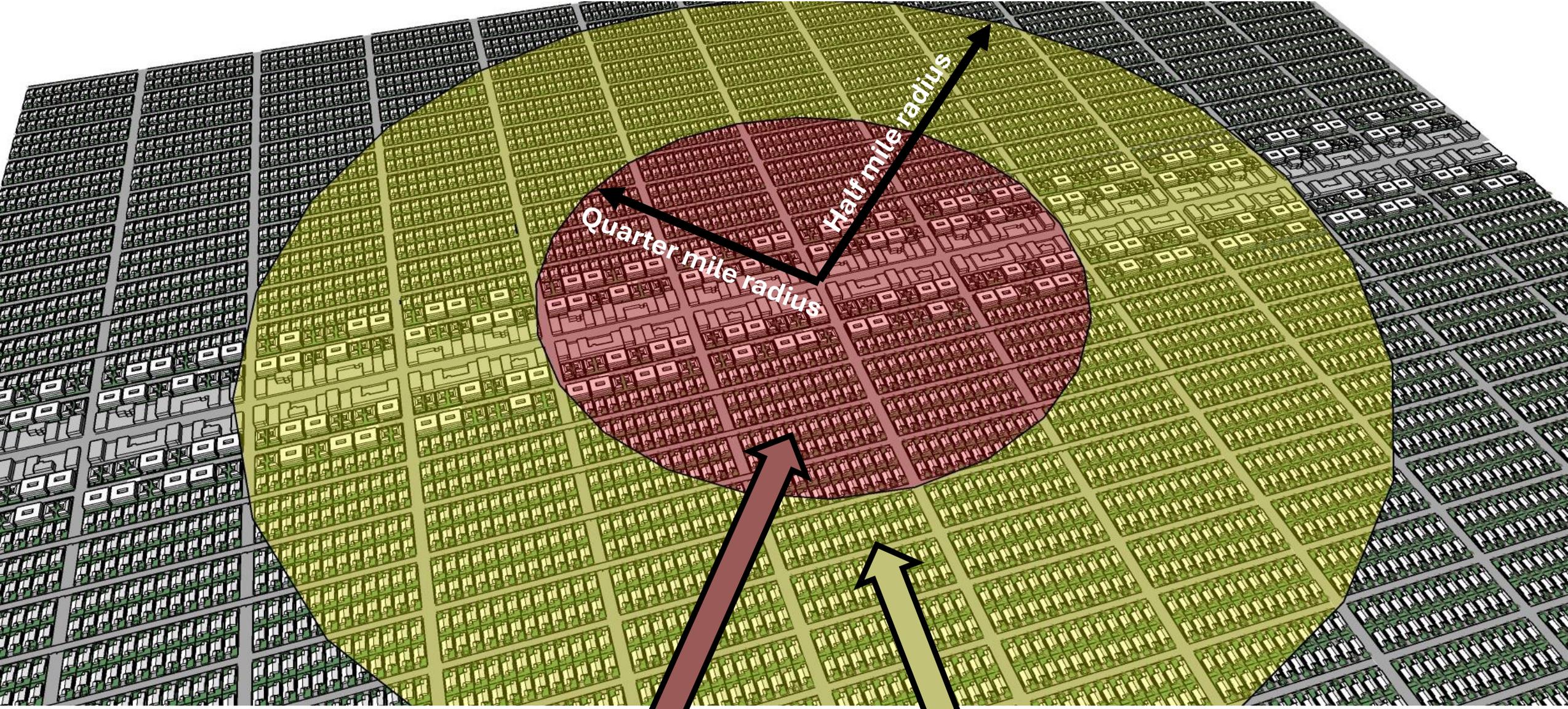
B. SB 79 Mandates 80 to 100 housing units per acre (503 acres in the circle)

This is a half mile radius from a qualifying bus stop

This is an acre



Half Mile & Quarter Mile Radii from Qualified Bus Stops – Tier 2



Area of Quarter Mile Radius = 126 Acres
At 100 units per acre = 12,600 Housing units

Net Area of Half Mile Radius = 377 Acres
At 80 units per acre = 30,160 Housing units

Total Units within the SB 79 Half mile radius = 42,760 Housing Units



Loss of light, air and landscape

United Neighbors

The bill's author stated a local municipality may reduce SB 79 criteria by 50%

Read the bill:

(D) If the local government does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local government and may notify the Attorney General that the local government is in violation of this section.

65912.161. *(a) A local government may enact a local transit-oriented development alternative plan as an amendment to the housing element and land use element of its general plan, subject to review by the department.*

(1) (A) A local transit-oriented development alternative plan shall maintain at least the same total increase in feasible zoned capacity, in terms of both total units and residential floor area, as provided for in this chapter across all transit-oriented development zones within the jurisdiction.

(i) The plan shall not reduce the capacity in any station area, in total units or residential floor area, by more than 50 percent.

(ii) The plan shall not reduce the allowed density for any individual site allowing residential use by more than 50 percent below that permitted under this chapter.

(iii) A site's maximum feasible capacity counted toward the plan shall be not more than 200 percent of the maximum density established under this chapter.

**Local ordinance must maintain SB 79 density and floor area.
Can shift where density goes but if you reduce a site by 50%
other sites can increase by as much as 200%**

The bill's author stated a local municipality may reduce SB 79 criteria by 50%

Read the bill:

(D) If the local government does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local government and may notify the Attorney General that the ordinance does not comply with this section.

65912.

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(iii) A site's maximum feasible capacity counted toward the plan shall be not more than 200 percent of the maximum density established under this chapter.

To win support from senators asking for more local control, Wiener amended his bill to allow a municipality to write an alternate plan to their Housing Element. Allowing any site to be reduced by 50 percent if other sites increase by no more than 200 percent. With the added requirement that the same number of units and floor area as the original bill are maintained.

Local ordinance must maintain SB 79 density and floor area.

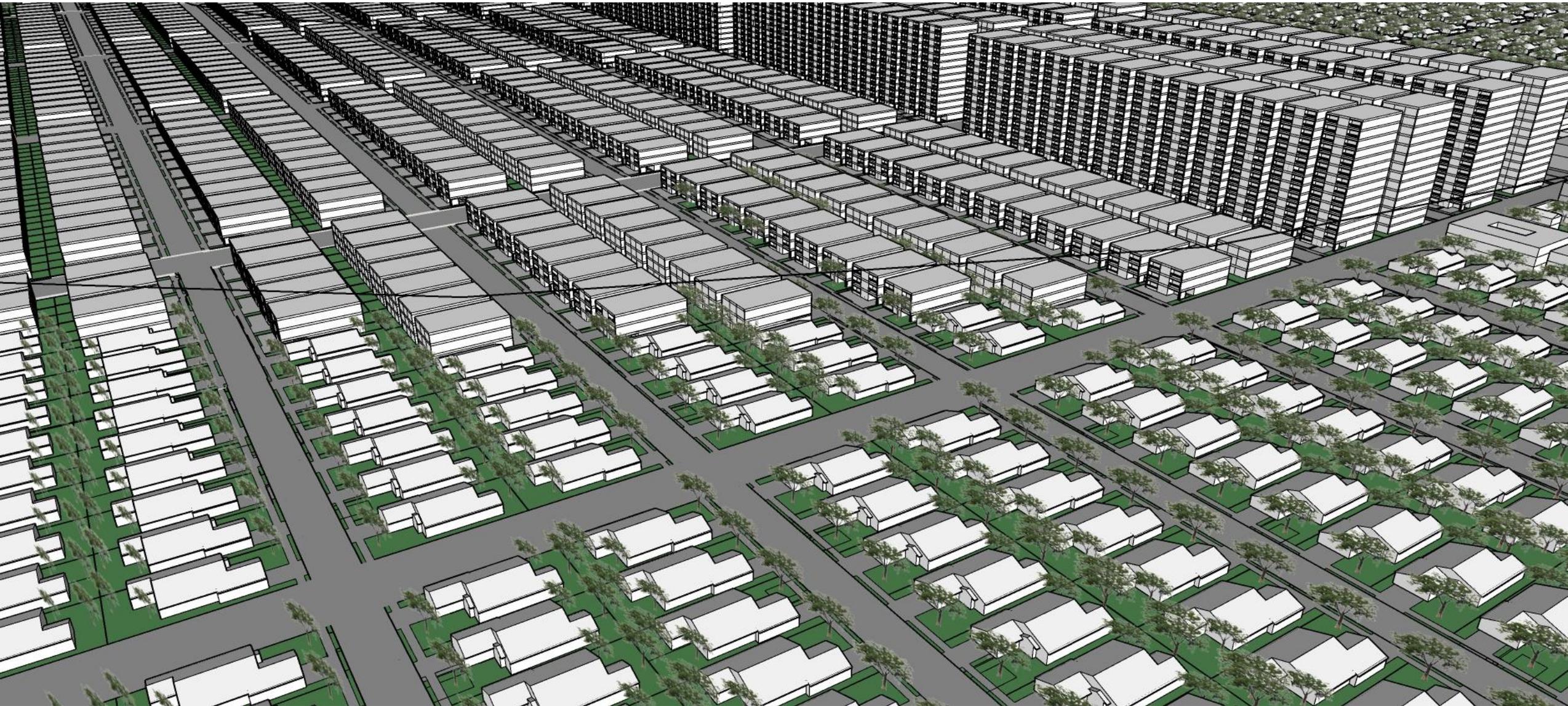
Can shift where density goes but if you reduce a site by 50%

other sites can increase by as much as 200%

When one area reduces SB 79 criteria by 50% another area must increase (max. 200%)



Reduction in single-family still leaves those sites multi-family.



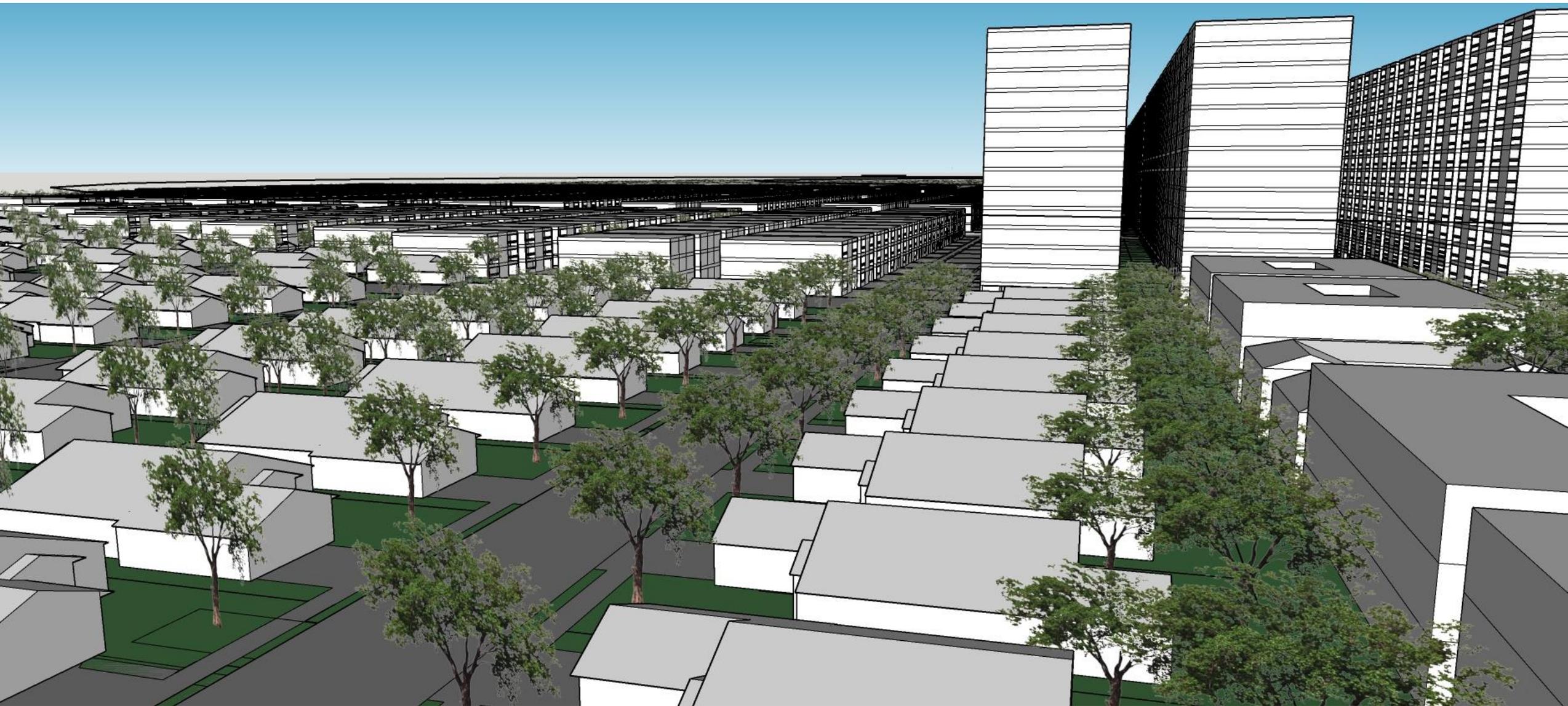
But increases density elsewhere

When this area goes down...



When this area goes down...

this area goes up



The total SB 79 increase in density and floor area ratio must be maintained.

Half mile radii from SB 79 qualifying bus stops

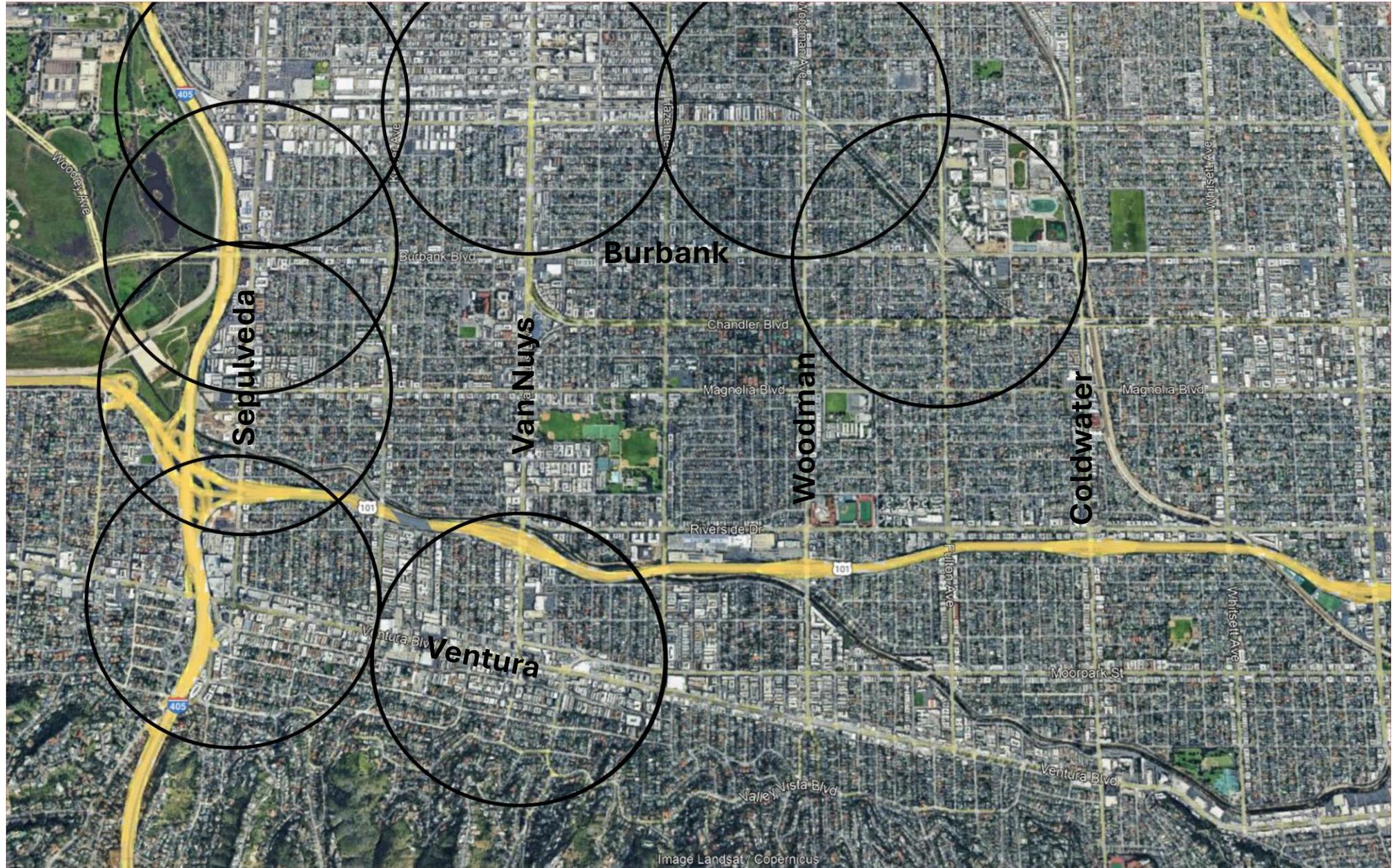
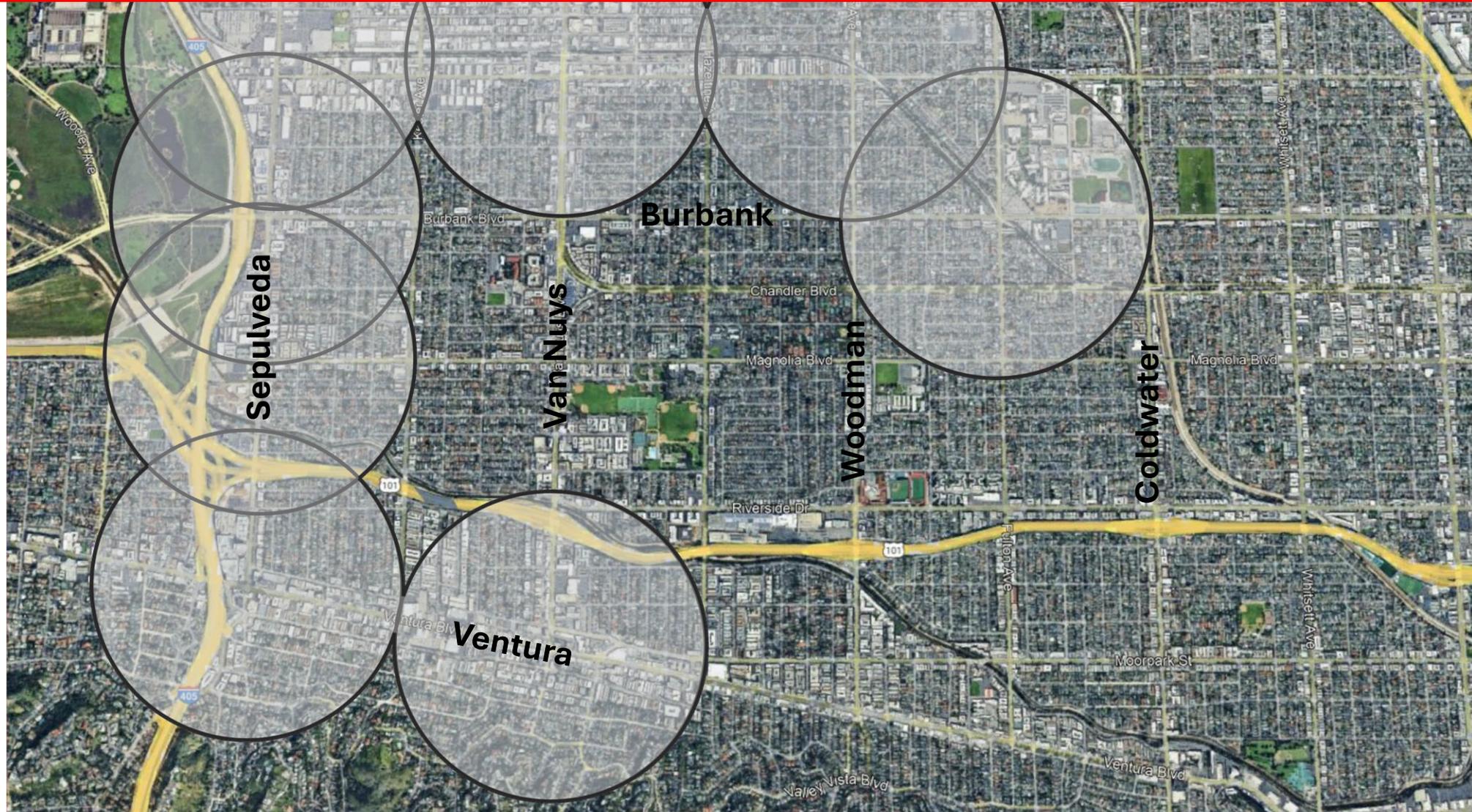


Image Landsat / Copernicus

These circles equal 3,418 acres x 80 units per acre = 273,440 housing units

The Housing Element required a total of 255,000 Housing Units in the entire city



Oppose SB 79 unless amended to exempt municipalities with a state-approved and compliant Housing Element.