

June 24, 2026

The Honorable Chair and Members  
California State Assembly  
Local Government Committee



**Re: SB 1361 (Durazo) — OPPOSE**

Dear Chair and Committee Members,

Cities already met a demanding statutory obligation — housing elements that HCD reviewed and certified, plans that already account for housing near transit. SB 79 has not yet taken effect — its real-world consequences entirely unobserved — and its only off-ramp, the “alternative plan,” is practically unusable. SB 1361 now stacks further conditions on top, shielding SB 79 from local response before it has even become operational.

Layering another mandate on a law that has already overruled the costly, certified housing-element process is the heart of our objection. That “alternative plan” is largely unachievable within the deadline, and even when used it cannot lower overall density — only rearrange it — so it offers no path to increased local control (even back to its original housing element standards).

SB 79 allows multifamily housing near transit even in neighborhoods now zoned for single-family homes, overriding the local zoning set in certified housing elements that already balanced density throughout the locality. SB 1361 exists to keep that override moving.

The promise of affordability is thin. SB 79 requires below-market units only in projects of more than ten units, at modest set-asides of roughly 7 to 13 percent. The incentive structure rewards smaller, market-rate projects built for a higher-income market over larger developments that must income-qualify residents — this is just added density without the needed affordable housing proponents promise. And in high-cost regions, even the income limits that do apply reach well into six figures.

The fiscal burden falls on cities as unfunded mandates. New density brings costs for water, sewer, roads, and emergency services that development impact fees do not cover, and both SB 79 and SB 1361 avoid providing that revenue.

SB 1361 would penalize localities for defending their own fiscal solvency.

**Transit planning requires transparency, local partnership, and an honest accounting of impacts — not new conditions on a law that has not yet operated. We urge a NO vote on SB 1361. At minimum, it should not advance until SB 79 has taken effect and its impacts can be evaluated, and neither SB 79 nor SB 1361’s enforcement of it should override the decisions of jurisdictions with certified housing elements.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Kalish', with a stylized flourish at the end.

**Amy Kalish**  
President & Co-Founder  
WAKE UP CALIFORNIA  
[wakeca.org](http://wakeca.org)