



## CITY OF LAGUNA NIGUEL

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## CITY COUNCIL

Mayor Ray Gennawey  
Mayor Pro Tem Gene Johns  
Council Member Kelly Jennings  
Council Member Stephanie Oddo  
Council Member Stephanie Winstead

May 1, 2025

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

**SUBJECT: SB 79 (Wiener) Transit-Oriented Development**  
**Notice of Opposition** *(As Amended April 23, 2025)*

Dear Senator Wiener,

The City of Laguna Niguel writes to express our strong opposition to your SB 79 (Wiener), which would disregard state-certified housing elements and bestow land use authority to transit agencies without any requirement that developers build housing, let alone affordable housing.

SB 79 doubles down on the recent trend of the state overriding its own mandated local housing elements. This latest overreaching effort forces 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.


Most alarmingly, SB 79 defies cities' general plans and provides transit agencies unlimited land use authority on property they own or have a permanent easement, regardless of the distance from a transit stop. Transit agencies would have the power to determine all aspects of the development, including height, density, and design, without regard to local zoning or planning.

This broad new authority applies to both residential and commercial development. Transit agencies could develop 100% commercial projects — even at transit stops — and not provide a single new home while simultaneously making the argument that more housing must be constructed around transit stops.

As currently drafted, SB 79 will not spur much-needed housing construction in a manner that supports local flexibility, decision-making, and community input. State-driven ministerial or by-right housing approval processes fail to recognize the extensive public engagement associated with developing and adopting zoning ordinances and housing elements. For these reasons, the City of Laguna Niguel strongly opposes SB 79.

Should you have any questions about our position, please contact Kevin O'Connor, Management Assistant, at [koconnor@cityoflagunaniguel.org](mailto:koconnor@cityoflagunaniguel.org).

Sincerely,



Ray Gennawey  
Mayor