

# RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, the City of Los Angeles recognizes the importance of addressing the availability of affordable housing in a fair, equitable, and community-focused manner; and

WHEREAS, existing law under SB 375 (Steinberg, 2005) encourages coordination of housing and transportation policy, with greater land use intensity and more housing near transit. Additionally, under AB 2097 (Friedman, 2022) and AB 2011 (Wicks, 2022), existing law preempts certain local land use restrictions that limit housing near transit and allows greater densities near transit; and

WHEREAS, SB 79 establishes new state zoning standards around train stations and major bus stops (bus rapid transit stops) that allow for multi-family homes up to seven stories near immediately surrounding major transit stops, with lower height standards extending up to half a mile away from such stops; and

WHEREAS, while the intent of SB 79 may be to address issues around the supply of housing, the bill's provisions further undermines local governance, circumvents local decision-making processes, and imposes unintended burdens on communities; and

WHEREAS, the City of Los Angeles has a strong interest in maintaining, what little remains, of local control over land use and zoning laws to best serve the needs of its residents, ensure community input, and protect the unique character of its neighborhoods while still complying with state housing needs.

NOW, THEREFORE, BE IT RESOLVED, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-26 State Legislative Program OPPOSITION for SB 79 (Wiener) unless amended to exempt municipalities with a state-approved and compliant Housing Element.

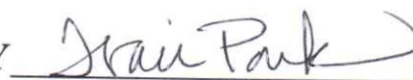
PRESENTED BY



JOHN S. LEE

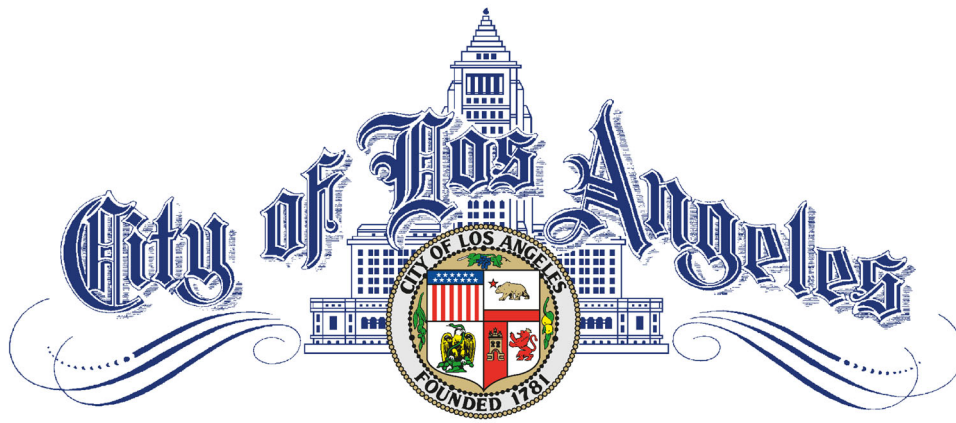
Councilmember, 12<sup>th</sup> District

SECONDED BY



  
MAR 28 2025

ORIGINAL



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

May 23, 2025

**Via E-mail**

The Honorable Senator Anna Caballero  
Chair, Senate Appropriations Committee  
California State Senate  
1021 O Street, Room 7620  
Sacramento, CA 95814

**RE: SB 79 (Wiener) – OPPOSE Unless Amended**

Dear Honorable Chair Caballero,

For numerous reasons set forth below, I respectfully oppose SB 79 (Wiener). SB 79's mandates apply to all cities, including charter cities like Los Angeles, and explicitly state that no State reimbursement will be provided under Government Code Section 17556. This letter is limited to the assessment of mandated costs for which the State is responsible in the event SB 79 were to become law.<sup>1</sup>

**A. Billions of Dollars in Additional Costs to Communities**

SB 79 establishes new state zoning standards within a half-mile radius of every train station and bus rapid transit stop, overriding local zoning to permit by right multi-family homes of up to six stories. While the intent of SB 79 is to further address issues around the supply of housing, the bill's provisions impermissibly impose billions of dollars of costs on Los Angeles and other local jurisdictions, undermine local governance, circumvent local decision-making processes, and impose unintended burdens on communities.

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<sup>1</sup> Our office reserves all rights with regard to other objections including unconstitutionality of SB 79.

For reasons further explained below, SB 79 clearly imposes billions of dollars from our local taxpayers for infrastructure expansion and remediation (e.g., water/sewer/stormwater systems, trash collection, road upgrades and signals, and power grid upgrades; first responder and mobility costs; environmental oversight costs; traffic, parking and livability impacts; and administrative and legal compliance costs) without constitutionally required reimbursement from the State.

While a complete analysis and projection of expenses would take many months to prepare, even a cursory analysis of the primary infrastructure and direct services required to support just three (3) new high-density developments in each of the City of LA's 99 Neighborhood Council Districts would require the following:

#### A. Infrastructure Expansion

Component	Projected Unit Cost	Multiplier	Projected Subtotal
Water/sewer/stormwater	\$3,500/unit	30,000 units	\$105 million
Water pipe installation	\$1.25 million per development	300 developments	\$375 million
Sewer/stormwater installation	\$230K per development	300 developments	\$70 million
Road Upgrades /signals	\$1.2 million per mile	100 miles	\$120 million
Power grid	\$750K per development	300 developments	\$225 million
Solid waste pickup/management	\$60K annually per development	300 developments	\$18 million
Solid waste transfer station	\$20 million per station	2 stations	\$40 million
Materials recovery facility	\$15 million per facility	2 facilities	\$30 million
Organics processing facility	\$18 million per facility	1 facility	\$18 million
<b>Projected Subtotal</b>			<b>\$1.001B</b>

#### B. First Responder Costs

Service Area	Assumptions	Estimate
Fire stations	15 stations @ \$20 million each	\$300 million
Fire staffing	Annual cost for 15 stations	\$170 million
Fire equipment	15 stations @ \$8 million each	\$120 million
Police Staffing	\$900 per resident annually	\$27 million
Recruitment/training	\$800K/year for 5 years	\$4 million
<b>Subtotal</b>		<b>\$621M</b>

<b>Totals for A &amp; B</b>	<b>\$1.622B<sup>2</sup></b>
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<sup>2</sup> These costs do not include the necessary administrative personnel costs and legal costs associated with planning and development staff, legal defense costs, and added judgment and settlement payouts all of which are hard to estimate but have been steadily escalating over the past several years.

The charter City of Los Angeles is spread out across more than 450 square miles and its existing water, sewer, stormwater, solid waste, and power grid infrastructure is planned and laid out under zoning where the existing infrastructure in low-density zones (1-4 units) is vastly different than the existing infrastructure needs and demands of higher-density zones (5+ units).

Higher density developments will lead to significantly greater volumes of waste, recyclables and organics, and will intensify the City's obligation to meet the regulatory requirements under SB 1383 (organics diversion), SB 54 (packaging and plastics reduction), and SB 238 (local government reporting and compliance) – all of which require a significant increase in resources. With the City's only operating landfill scheduled to close, long-haul waste transport will become a major logistical and financial burden. High-density urban development also overwhelms existing collection routes and infrastructure – especially in areas with limited space for bin placement and restricted access for collection vehicles. Mid-rise and high-rise developments require more complex collection systems that come with their own compliance challenges. Finally, Greenhouse Gas (GHG) Impact Studies will be required to assess the environmental impacts of increased waste generation and transportation, especially considering the shift to long-hauling.

Higher density developments also put extreme pressure on existing electrical systems, leading to challenges like overloaded transformers and over-burdened energy storage systems. In order to meet the demands of high-density projects, cities must update their power grid infrastructure to meet increased demand and support for electrification, including considering a mandate that developments with four or more units be served by underground infrastructure. This upgrade is to accommodate growing electric loads from electric vehicles and heating/cooling systems, and ensuring safety (including **fire** safety) and reliability in the power supply. According to the Los Angeles Department of Water and Power (LADWP), only 4% of LA's transmission lines are underground, while 54% of LA's distribution lines are underground. The LADWP has sounded the alarm on the need for undergrounding projects, particularly after many recent wildfires and especially in higher density areas. To meet enhanced standards for safety and reliability, high-density projects should be served by underground power infrastructure. For lower-voltage distribution lines that deliver electricity to homes and businesses, undergrounding costs 3 to 10 times as much as overhead installation. High-voltage transmission lines, which carry electricity over longer distances, can cost 10 to 14 times more than overhead lines in urban areas like Los Angeles. Even if overhead lines are maintained, the current distribution and transmission infrastructure in any low density zone would have to be replaced to meet the power needs of higher density developments, including upgrading individual transformers for each development.

Beyond the billions of dollars in out-of-pocket direct costs from SB 79, there are significant additional indirect costs associated with the bill that LA's taxpayers will have to cover and that must be paid or reimbursed by the State. The indirect costs cannot

reasonably be estimated without specific development plans but they include stormwater runoff and flood mitigation; urban heat island effects, emergency services equipment, displacement mitigation and homeless services, liability and legal risks, and civic engagement and public records requests.<sup>3</sup>

Article XIII, Section 35(a)(3) of the California Constitution expressly states that “public safety is the first responsibility of local government,” thereby obligating cities and counties to ensure that law enforcement, fire protection, and emergency services are not undermined by state-mandated programs. Our city recently experienced the tragedy of the Palisades Fire which highlighted the need for properly funded and staffed first responders. The current uncertainty regarding future levels of federal funding for local government increases the fiscal risks posed by unfunded state mandates. Cities facing declining or unpredictable federal support will be even less able to absorb new unfunded obligations imposed by the State. SB 79 could not be more poorly timed for Los Angeles.

## **B. Government Code Section 17556**

Government Code Section 17556 permits the State to pass general laws without reimbursement only if cities can increase local charges to cover the increase in costs. However, California constitutional provisions, including Proposition 13, Proposition 218, and Proposition 26, limit the ability of cities to impose or raise taxes, assessments, and fees without voter approval, thereby severely restricting cities’ ability to recover the cost of state-mandated programs.

The California Courts have also ruled that a city cannot impose developer fees to fund general infrastructure improvements needed because of pre-existing deficiencies. In *Bixel Associates v. City of Los Angeles*, 216 Cal.App.3d 1210 (1989), the California Court of Appeal for the Second Appellate District held that developer fees must be limited to direct impacts from the new project. Attempting to use fees for broader fixes converts them into unlawful special taxes. Because State mandates like SB 79 require new density without enabling cities to recover the actual infrastructure costs, the mandates create unfunded obligations in the billions of dollars.

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<sup>3</sup> While school-related costs are not on the City’s budget, the same taxpayers foot the bill, and our school districts throughout California will also face significant unreimbursed costs under SB 79 for facilities, new classroom capacity, additional staffing, and transportation and special needs services. Using data related to California’s average student/teacher ratio of 22:1, to serve an additional 15,000 students (based on the average high-density population of 30,000 new residents in the new 300 high-density projects), approximately 650 new classrooms would be needed. At an average cost of roughly \$500K per classroom (with some estimates as much as \$1.5M per classroom in the larger cities), that adds **\$325M**. Additional annual staffing costs at one teacher per classroom adds another **\$52M** per year. Existing facility upgrades would cost **\$60M**, and annual bus and special need transportation services for the new population of 30,000 would be **\$12M**.

Honorable Senator Caballero  
May 23, 2025  
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For these reasons, I respectfully oppose SB 79 as drafted and proposed. I am available at your convenience to provide further detail and discuss the costs for which the State must reimburse the City of Los Angeles in the event that SB 79 were to become law.

Sincerely,



Hydee Feldstein Soto  
Los Angeles City Attorney

cc: Senate Appropriations Vice Chair Kelly Seyarto  
Senator Christopher Cabaldon  
Senator Megan Dahle  
Senator Tim Grayson  
Senator Laura Richardson  
Senator Aisha Wahab

Los Angeles Mayor Karen Bass  
Los Angeles City Council  
Los Angeles Controller Kenneth Mejia  
Los Angeles City Administrative Officer Matt Szabo





Westside  
Regional  
Alliance of  
Councils

westsidecouncils.com

Bel Air-Beverly Crest Neighborhood Council  
Brentwood Community Council  
Del Rey Neighborhood Council  
Mar Vista Community Council  
Neighborhood Council of Westchester-Playa  
North Westwood Neighborhood Council  
Pacific Palisades Community Council

Palms Neighborhood Council  
South Robertson Neighborhoods Council  
Venice Neighborhood Council  
West LA-Sawtelle Neighborhood Council  
Westside Neighborhood Council  
Westwood Community Council  
Westwood Neighborhood Council

June 25, 2025

California State Assembly Housing & Community Development Committee (HCDC): Hon. Matt Haney, Chair;  
Hon. Joe Patterson, Vice-Chair; and all Members of the Assembly HCDC  
Hon. Jacqui Irwin, Assemblymember, AD 42  
Hon. Rick Chavez Zbur, Assemblymember, AD 51  
Hon. Tina McKinnor, Assemblymember, AD 61  
Hon. Isacc Bryan, Assemblymember, AD 55

Hon. Karen Bass, Mayor, City of Los Angeles  
Los Angeles City Rules, Elections and Intergovernmental Relations Committee (REIRC): Hon. Marqueece-Harris  
Dawson, Chair; Hon. Nithya Raman, Vice-Chair, and all Members of the REIRC  
Hon. John S. Lee, LA City Councilmember, CD 12  
Hon. Traci Park, LA City Councilwoman, CD 11  
Hon. Katy Yaroslavsky, LA City Councilwoman, CD 5  
Hon. Heather Hutt, LA City Councilwoman, CD 10

*Via email to all addressees and submission to the respective State and City filing portals*

**Re: OPPOSE SB 79 (Wiener) – hearing in Assembly HCDC 7/2/25**  
**SUPPORT CF 25-0002-S19 – hearing in REIRC pending**

Dear State and City officials:

As many of you know, the Westside Regional Alliance of Councils (WRAC) is a cooperative coalition, founded in 2009, of all fourteen neighborhood and community councils in CDs 5 and 11 and parts of CDs 10 and 4 in Los Angeles – from Westchester/Playa del Rey to Pacific Palisades, and from Venice to South Robertson. Our Alliance collectively represents over 500,000 Angelenos.

For many years, while recognizing the need for positive solutions to the state's affordable housing crisis,<sup>1</sup> WRAC has consistently taken positions opposing statewide legislation that failed to put forth positive solutions and instead provided for streamlined approval of housing development, eliminated local control and/or failed to include an unconditional exemption for parcels in the Very High Fire Hazard Severity Zone (VHFHSZ).<sup>2</sup>

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<sup>1</sup> See our letter of 8/20/21: <https://westsidecouncils.com/wp-content/uploads/2021/08/WRAC-Letter-CF21-0002-S142.pdf>

<sup>2</sup> All or large portions of three of WRAC's member councils – Pacific Palisades Community Council, Brentwood Community Council and Bel Air-Beverly Crest Neighborhood Council – are located in the VHFHSZ, and have had long experience with wildfires and problems with emergency evacuation due to clogged routes of ingress and egress in hillside areas. Pacific Palisades was of course devastated by the massive Palisades Fire on January 7, 2025; widespread news reports showed the horrific conditions when residents fleeing the fire were forced to abandon cars and make their way out of the area on foot, with flames raging behind them. Forcing more density (more people, more cars) on a streamlined basis (no review of infrastructure capability or public safety impacts), without an unconditional exemption for areas in the VHFHSZ, puts residents and first responders at extreme public safety risk.

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Westside Regional Alliance of Councils

State Assembly HCDC and Members; City Officials

June 25, 2025

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As a result, a supermajority (9) of WRAC member councils have passed the following motion or modified versions in keeping with its spirit, which is now an adopted position of WRAC.

*“The Westside Regional Alliance of Councils (WRAC) opposes SB 79 (Wiener), which further erodes local control over land use and zoning decisions, requires streamlined approval of very high multifamily buildings near certain bus stops and rail lines in single-family neighborhoods even when municipalities such as Los Angeles already have a state-approved and compliant Housing Element, and compromises public safety by failing to include an unconditional exemption for the Very High Fire Hazard Severity Zone.*

*“WRAC further supports the resolution in City Council by Councilmember John S. Lee, second by Councilwoman Traci Park (CF 25-0002-S19), for the City Council to add to its State Legislative Program for 2025-26 opposition to SB 79 unless amended to exempt municipalities with a state-approved and compliant Housing Element.”*

The above motion has been passed by the following WRAC member councils: Bel Air-Beverly Crest NC; Brentwood CC; NC Westchester-Playa del Rey; Pacific Palisades CC;\* South Robertson NC;\* Venice NC;\* Westside NC;\* Westwood CC; Westwood NC (\*modified versions).<sup>3</sup>

In the interest of public safety, we urge the members of the CA State Assembly HDHC to vote NO on the bill when it is considered in committee on July 2. We further urge Assemblymembers representing WRAC member councils (Hon. Jacqui Irwin, Hon. Rick Chavez Zbur, Hon. Tina McKinnor, Hon. Isaac Bryan) to vote NO on SB 79 should the bill come to them for a vote.

We also urge the Los Angeles City Council REIRC to take up and approve the resolution for the City to oppose SB 79 – unless amended to exempt municipalities (such as Los Angeles) with a state-approved and compliant Housing Element – proposed by Councilmembers Lee and Park, at the earliest opportunity.

Thank you for your consideration and anticipated prompt attention to this important matter.

Sincerely,

*Robin Greenberg and Chris Spitz*

Robin Greenberg, Chair, and Chris Spitz, Vice-Chair  
Westside Regional Alliance of Councils

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<sup>3</sup> One WRAC Member Council, North Westwood NC, has filed a statement opposing Cf 25-0002-S19 and supporting SB 79 with the Los Angeles City Council. As of this writing, no other WRAC Member Councils have advised that they have taken a position opposed or effectively opposed to the above WRAC motion. We further note that to date, 13 individual Los Angeles neighborhood councils have filed statements supporting CF 25-0002-S19 and/or opposing SB 79.





523 West Sixth Street, Suite 826  
Los Angeles, CA 90014

213 623 2489 OFFICE  
213 623 3909 FAX  
[laconservancy.org](http://laconservancy.org)

April 18, 2025

**Submitted electronically**

Senator María Elena Durazo  
1021 O Street, Suite 7530  
Sacramento, CA 95814  
[senator.durazo@sen.ca.gov](mailto:senator.durazo@sen.ca.gov)

**Re: OPPOSE SB 79 (Wiener) – Abundant & Affordable Housing  
Near Transit Act**

Dear Senator Durazo,

The Los Angeles Conservancy writes to express our strong opposition to 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. This bill undermines the very planning tools designed to support housing production and protect community resources.

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 in height and 120 homes per acre**—without regard to community needs and existing planning policies, environmental review, or public input. Most alarmingly, it allows transit agencies unlimited land use authority on property they own or control, regardless of distance from a transit stop. Agencies would control all aspects of development—including height, density, and design—without regard to local zoning or adopted community plans.

This sweeping preemption not only marginalizes local governments and communities but directly threatens California's historic and cultural resources. Older and historic neighborhoods—often home to underrecognized communities—face increased development pressure,



risking tenant displacement and erasure of cultural identity. Communities like Boyle Heights, Chinatown, Highland Park and Little Tokyo are facing some of the most intense development pressures statewide. SB 79 would remove all remaining guardrails that these communities helped create.

The Conservancy has been actively engaged in multiple planning efforts in your district including:

- The Downtown Community Plan Update, implemented 2025
- The Hollywood Community Plan, implemented 2025
- The Citywide Housing Incentive Program (CHIP) ordinance, implemented 2025
- The Boyle Heights Community Plan, adopted by LA City Council in 2024, to be implemented in 2025
- The Citywide Adaptive Reuse Ordinance (ARO), adopted by LA City Council in 2024, to be implemented in 2025
- LA County's Metro Area Plan, implemented 2024

Collectively, these planning efforts plan for hundreds of thousands of new housing units and tens of thousands of jobs throughout Senate District 26. In most cases, the most intense development is focused in areas adjacent to transit. Unlike SB 79, each of these plans went through robust community engagement processes, where diverse community voices were present. Planners had to balance the need for housing with community concerns about gentrification and displacement and the critical need for affordable housing, all while providing space for industrial and commercial growth that support good paying jobs to the local workforce. Planners designed protections for historic resources and legacy businesses and provided incentives to enhance community character.

We understand and share the goal of addressing California's housing shortage. However, as currently drafted, SB 79 will not deliver the housing needed in a manner that supports local flexibility, community engagement, and preservation of historic places. California will not meet its housing goals through a purely state-driven, by-right model. SB 79 seriously undermines the local community planning processes and the needs of the constituents who participated in that process.

Thank you for the opportunity to comment.

### **About the Los Angeles Conservancy:**

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 member households throughout the Los Angeles area. Established in



1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Sincerely,



Andrew Salimian  
Director of Advocacy

cc: Mayor Karen Bass  
Eunisses Hernandez, Council District 1  
Adrin Nazarian, Council District 2  
Bob Blumenfield, Council District 3  
Nithya Raman, Council District 4  
Katy Yaroslavsky, Council District 5  
Imelda Padilla, Council District 6  
Monica Rodriguez, Council District 7  
Marqueece Harris-Dawson, Council District 8  
Curren D. Price Jr., Council District 9  
Heather Hutt, Council District 10  
Traci Park, Council District 11  
John Lee, Council District 12  
Hugo Soto-Martínez, Council District 13  
Ysabel Jurado, Council District 14  
Tim McOsker, Council District 15

