CITY OF LONG BEACH

Memorandum

Date: September 5, 2025

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager

Subject: **SB 79 Housing Development: Transit-Oriented Development**

The California State Legislature (Legislature) is currently considering legislation introduced by Senator Scott Wiener that would allow for increased density and heights of multi-family housing near public transportation. The Legislation, Senate Bill (SB) 79, would impose significant state-wide zoning standards, and grant new authority to transportation agencies, overriding many local zoning plans and housing plans. The City is reviewing the legislation and identifying potential impacts it may have on City staff and operations, housing development, and transportation coordination.

Bill Summary

This bill would require a housing development within a specified distance of a transit-oriented development (TOD) stop, be an allowed use as a transit-oriented housing development on any site zoned for residential, mixed, or commercial development, if the development complies with applicable requirements. A TOD stop means a major transit stop, as defined by Section 21155 of the Public Resources Code, served by heavy rail transit, very high frequency commuter rail, high frequency commuter rail, light rail transit, bus service meeting the standards of paragraph (1) of subdivision (a) of Section 21060.2 of the Public Resources Code, frequent commuter rail service, or ferry service, or otherwise so designated by the local government.

Among these requirements, the bill would establish new regulations concerning height limits, density, and floor area ratio in accordance with a development's proximity to specified tiers of TOD stops. The bill would provide that, for the purposes of the Housing Accountability Act, a proposed development consistent with the applicable standards of these provisions shall be deemed consistent, compliant, and in conformity with prescribed requirements, as specified. The bill would provide that a local government that denies a project meeting the requirements of these provisions located in a high-resource area, as defined, would be presumed in violation of the Housing Accountability Act and immediately liable for penalties.

The bill would specify that a development proposed pursuant to these provisions is eligible for streamlined, ministerial approval pursuant to specified law, except for certain specified exceptions.

Additionally, the bill would authorize a transit agency's board of directors to adopt transit-oriented development zoning standards for district-owned real property located in a transit-oriented development zone, which establishes minimum zoning requirements for an agency TOD project, as specified.

TOD Specified Tiers for Development

- "Transit-oriented development zone" refers to the area within a one-half mile of a TOD stop.

- "Tier 1 transit-oriented development stop" means a transit-oriented development stop within an urban transit county served by heavy rail transit or very high frequency commuter rail.

- "Tier 2 transit-oriented development stop" means a transit-oriented development stop within an urban transit county, excluding a Tier 1 transit-oriented development stop, served by light rail transit, by high-frequency commuter rail, or by bus service meeting the standards of paragraph (1) of subdivision (a) of Section 21060.2 of the Public Resources Code.

- "Tier 3 transit-oriented development stop" means a transit-oriented development stop within an urban transit county, excluding a Tier 1 or Tier 2 transit-oriented development stop, served by frequent commuter rail service or by ferry service; or any transit-oriented development stop not within an urban transit county; county, except a transit-oriented development stop served solely by bus transit; or any major transit stop otherwise so designated by the applicable authority local government.

TOD Stops and Tiers Explained:

Transit-oriented Development Stops Explained

Transit Type	Photo	Examples
Heavy Rail Transit		BART, LA Metro B Line
Very High Frequency Commuter Rail		Caltrain
High Frequency Commuter Rail		Metrolink
Frequent Commuter Rail		SMART, Altamont Corridor Express, COASTER
Light Rail Transit		SacRT Light Rail, San Diego Trolley, LA Metro A/E Lines
Ferry Service		SF Bay Ferry
Bus Rapid Transit		LA Metro G Line, San Francisco Muni Rapid 38R

The Tiers Explained

Tier	SB 79 Imposes	Transit Types	Examples
Tier 1 within 0.25 miles	Up to 75ft high / density of 120 dwelling units per acre or more	Heavy Rail Transit / Very High Frequency Rail Transit	BART, LA Metro, CalTrain
Tier 1 within 0.5 miles	Up to 65ft high / density of 100 dwelling units per acre or more		
Tier 2 within 0.25 miles	Up to 65ft high / density of 100 dwelling units per acre or more	Street Level Light Rail / Bus Rapid Transit / High Frequency Commuter Rail	SacRT, San Jose VTA, Metrolink
Tier 2 within 0.5 miles	Up to 55ft high / density of 80 dwelling units per acre or more		
Tier 3 within 0.25 miles	Up to 55ft high / density of 80 dwelling units per acre or more	Frequent Commuter Rail / Ferry	SMART, SF Bay Ferry
Tier 3 within 0.5 miles	Up to 45ft high / density of 60 dwelling units per acre or more		

Local TOD Alternative Plans

The latest amendments to SB 79 would allow local jurisdictions to create a local alternative pathway, exempting certain lots from SB 79 requirements if the lots have already been upzoned to allow at least half of the density that SB 79 would require, or within a station area, at least one third of the lots have been upzoned and collectively achieve three quarters of the density required by SB 79. This exemption would only apply for the remainder of the sixth Regional Housing Needs Allocation (RNHA) Cycle. Additional amendments were made to create alternative transit-oriented development plans.

Impact on the City of Long Beach

As defined by SB 79, Los Angeles County would be considered an "urban transit county" as a county with more than 15 passenger rail stations. LA Metro A Line stops in Long Beach are Tier 2 TOD stops, allowing for a minimum height limit of 55 feet, and a density of at least 80 dwelling units per acre within a half mile.

A larger portion of the City would fall into Tier 3 TOD stop, which includes the area within a half mile of a major transit stop, as previously defined by AB 2097 (Friedman) and AB 2553 (Friedman) as the intersection of two or more bus routes with service intervals of 20 minutes or less during peak commute hours. Housing development projects within Tier 3 would have a minimum height limit of 55 feet, and density of 80 dwelling units per acre within a half mile of the TOD stop. Any qualifying development within the TOD tiers would be eligible for ministerial and streamlined approval by the City.

In most cases, but not all, such locations in Long Beach are already contemplated for substantial development under the City's Land Use Element and as implemented through the Zoning Code. Neither LB Transit nor LA Metro hold substantial real estate in Long Beach, although small development may be possible near rail stations on existing parking lots. LB Transit's land holdings include headquarters and bus service yards that are necessary for daily operations and therefore not available for development.

While the impact of SB 79 would be limited in Long Beach, it may have more substantial impacts, positive and negative, in other locations around the state. See Attachment for Parking Exempt Area Map near Major Transit Stops.

Support and Opposition

The legislation has been amended throughout the legislative process to address concerns around affordability, local control, and housing element compliance. Cities of various sizes have opposed the legislation because of the state-wide, top-down approach to zoning that dilutes local control and limits opportunities for public engagement and review. The legislation would also allow transit agencies to approve their own standards for residential and commercial developments on land owned by the transit agency, without approval from the local government. Additionally, cities have raised concerns around the

unintended consequences of higher density developments, such as increased pressure on infrastructure, utility shortages, and parking impacts. CalCities, the Gateway Cities Council of Governments, and the cities of Los Angeles, Lakewood, Bellflower, Santa Ana, and Whittier among others, oppose the legislation.

Supporters of the legislation are concerned about the state-wide housing shortage and believe prioritizing transit-oriented development will also increase the use of public transportation, helping cities reduce traffic and meet air quality goals. Additionally, the legislation would force cities who have not meaningfully worked towards Regional Housing Needs Allocation (RHNA) meeting goals, to approve housing developments that may not currently be permitted. The cities of San Diego, Santa Monica, Culver City, and West Hollywood, among others, support the legislation.

City Concerns and Opportunities

The City of Long Beach has been recognized by the State of California as a Pro Housing City and is committed to policies and practices that remove barriers to housing production. This legislation imposes several substantial changes that abandon the City's preferred process of updating zones and housing codes through significant public engagement and refinement. The City has already been successful in incentivizing housing production near public transit and shares the author’s goal of increasing ridership and use of public transportation. The 2025 Legislative Agenda includes many items relating to transit-oriented development, including:

- Support policies, legislation and grants to increase transit ridership through education and funding for transit-oriented development projects.

- Support policies, legislation and funding to couple planning efforts with greenhouse gas emission reduction, green building, and transit-oriented development strategies.

- Support policies, legislation and funding to promote and provide funding for housing, active transportation and mobility projects oriented around transit developments.

The 2025 Legislative Agenda also prioritizes preserving local control and opposing policies and legislation that preempt the City’s current authority and delegates that authority to the State and federal governments. Specifically, the Legislative Agenda includes:

- Oppose policies and legislation that diminish the City’s local control over land use, planning, zoning and development decisions, and oppose legislation in conflict with the City’s adopted General Plan or other Council adopted land use policies.

The City has opposed previous iterations of this legislation introduced by Senator Wiener, including SB 827 in 2018 and SB 50 in 2019 based on specific Council direction on those

bills to preserve local control around zoning changes and land use. SB 79 is currently on the Assembly Floor and must pass out of the Assembly before the legislative session ends on September 12th. If the bill passes, it will go to the Governor for signature or veto. Additional modifications and amendments clarifying definitions and eligibility in fire hazard severity zones and historic districts are expected over the coming days. As the Legislature Agenda has conflicting direction on this Legislation, City staff have not taken a position on behalf of the City. The City will continue to closely monitor and evaluate the legislation and identify concerns for the author and legislative advocates in Sacramento about any additional specific direction from the City Council.

If you have any questions, please contact Sarah Patterson, Manager of Strategic Partnerships and Government Affairs at sarah.patterson@longbeach.gov.

ATTACHMENT

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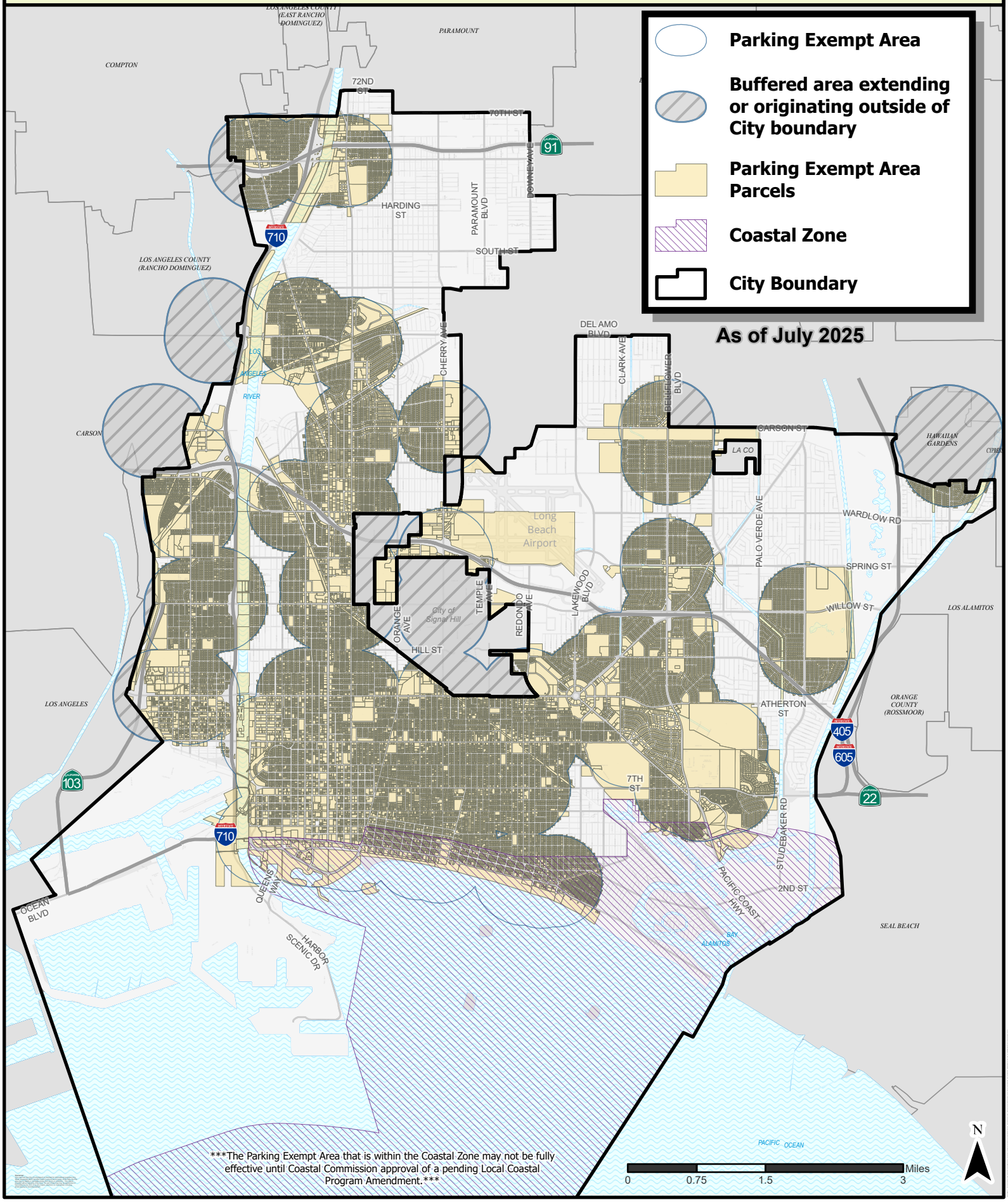
KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER
MONIQUE DE LA GARZA, CITY CLERK
DEPARTMENT HEADS

PARKING EXEMPT AREA MAP



The Parking Exempt Area that is within the Coastal Zone may not be fully effective until Coastal Commission approval of a pending Local Coastal Program Amendment.

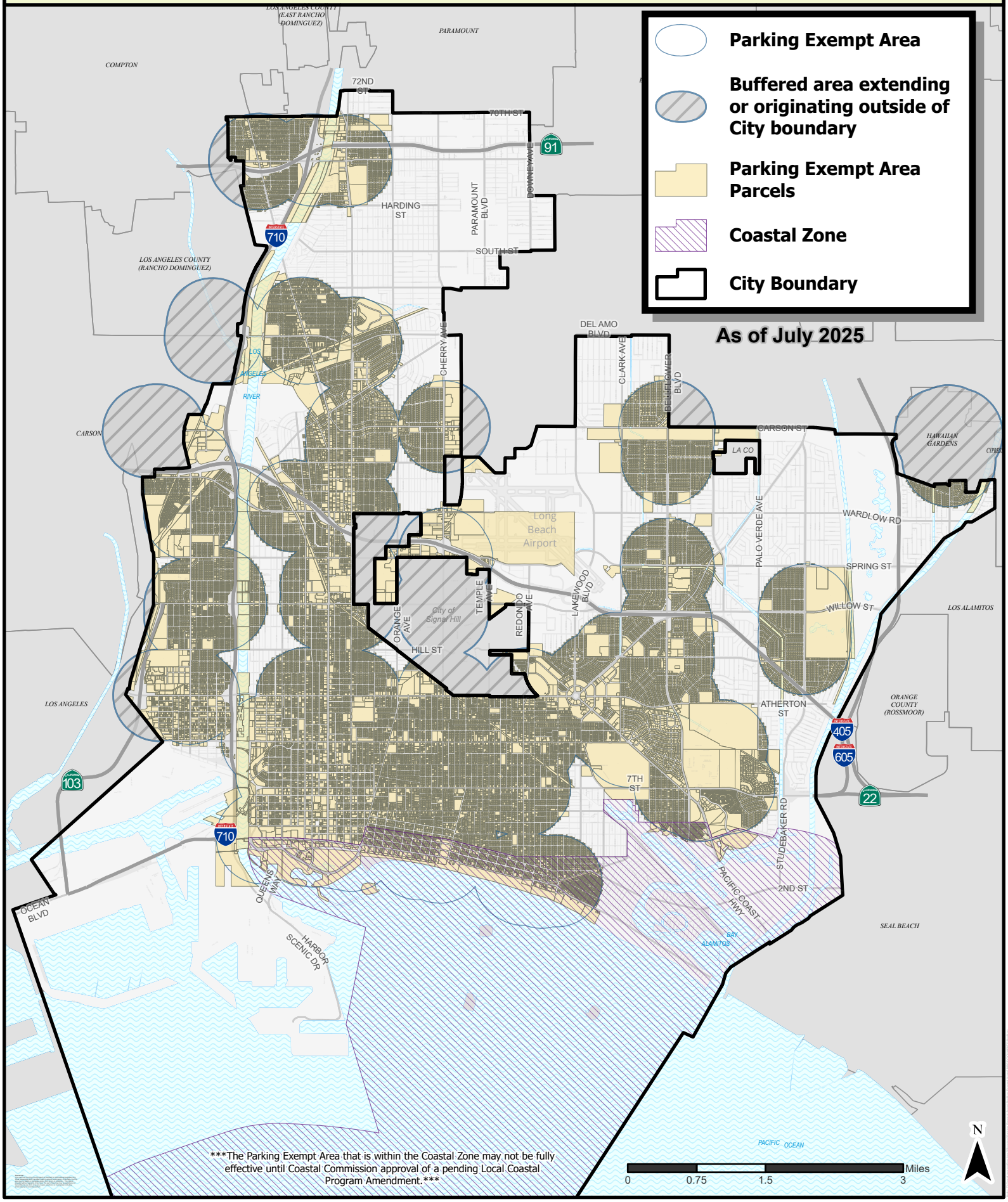
Section 21.41.180 of the Zoning Regulations adopts the Parking Exempt Area Map to implement the exemptions from parking minimums set forth in Section 21.41.175 of the Zoning Regulations, pursuant to Cal. Gov't Code §65863.2 (aka AB 2097), and authorizes the Zoning Administrator to direct the production and updates to this map.

LONG BEACH COMMUNITY DEVELOPMENT

Source: California Department of Transportation
Caltrans Methodology Link: https://docs.calitp.org/data-analyses/high_quality_transit_areas/

Adoption Date: 1/31/2025

PARKING EXEMPT AREA MAP



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