
April 14, 2026

Chair Kelly Moden
San Diego Planning Commission
City of San Diego
7650 Mission Valley Road
San Diego, CA 92108

SUBJECT: Circulate Planning & Policy Comments on the City of San Diego's Proposed Implementation of SB 79

Dear Chair Moden:

On behalf of Circulate Planning & Policy, whose mission is to create excellent mobility choices and vibrant, healthy neighborhoods, I am writing to comment on the City of San Diego's proposed implementation of SB 79.

1. The City should seek to maximize the impact of this policy.

In 2025, Governor Newsom signed SB 79 into law. The City of San Diego was a notable supporter of this legislation—the largest city to do so. The law streamlines the approval of multi-family housing near transit by setting statewide zoning standards around qualifying transit stops. Under the law, cities can adopt implementing ordinances, and have some discretion to exempt or delay implementation of the policy in specific areas. However, just because the City *can* minimize implementation, that does not mean it *should*. If the City of San Diego wants to continue to be considered a leading pro-housing city, it ought to implement this law to its fullest extent.

2. Transit Oriented Development Alternative Plan

SB 79 allows local jurisdictions to reallocate certain eligible portions of the law's mandated upzone to other areas of the City by implementing a "Transit-Oriented Development Alternative Plan".

Transit-oriented development is the most surefire way for the City to make progress towards its housing, mobility, and climate goals. Deciding to defer this capacity into the future and allocate it in less transit-connected areas of the City sets us back. Early draft maps indicate that the city is attempting to maximize the flexibility it has to deviate from the transit-oriented development nature of this law. I urge you to change course.

3. Transit-Oriented Development is an economic equity policy.

The City is proposing to delay the implementation of SB 79 in low resource areas until 2031 on the grounds that concentration of new housing in low resource areas could lead to “outcomes inconsistent with the City’s goals and requirements to affirmatively further fair housing”.¹

Transit-oriented development creates more vibrant, walkable, and connected communities. Living near transit makes it easier and cheaper for people to go to work, recreate, and visit family. Mixed use development allows small businesses near transit to expand their customer base citywide. Deciding to deny low resource areas these benefits is in itself an economic equity injustice.

Creating affordable housing opportunities in high resource areas is also an essential economic equity policy. However, these two policies are not mutually exclusive and should not be treated as such. We can create new opportunities in high-resource areas while also making sure that land use regulations support growth in historically low resource areas.

4. The City’s preliminary Transit-Oriented Development Stop maps are not consistent with SB 79.

The City of San Diego’s proposed maps detailing where SB 79 may apply only considers trolley stops. This initial analysis omits eligible bus stops. SB 79 establishes zoning standards based on two qualifying transit stop tiers: tier one and tier two. Based on statute, bus stops serviced by buses that enjoy a separate right of way and 15-minute service intervals qualify under tier two.² This interpretation was reaffirmed in the California Department of Housing and Community Development’s (HCD’s) implementation guidance.³ The YIMBY Democrats of San Diego recently issued a concurring analysis to the San Diego Association of Governments (SANDAG).⁴

Excluding these qualifying stops from City maps runs counter to state law and shortchanges San Diegans. Please remedy this as the City works with SANDAG to craft and implement the map of qualifying TOD stops

5. Very High Fire Severity zones must be designated by state fire maps.

SB 79 allows cities to defer implementation under a transit-oriented development alternative plan for sites with high fire risk. For a site to qualify, it must be deemed a very

¹City of San Diego, Senate Bill 79 Overview and Compliance Options Memorandum (February 13, 2026), page 5, available at <https://www.sandiego.gov/sites/default/files/2026-03/sb79-overview-compliance-memo.pdf>.

² Gov. Code, § 65912.156, subd. (o); Public Resources Code, § 21060.2, subd. (a)(1)

³ California Department of Housing and Community Development, SB 79 Advisory Clarifications on Definitions for Metropolitan Planning Organizations (March 20, 2026), available at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/sb-79-mpo-advisory.pdf>.

⁴ YIMBY Democrats of San Diego, Qualifying Bus Stops in San Diego Are Tier T 2 Transit-Oriented Development Stops Under Senate Bill 79 (April 8, 2026).

high fire hazard severity zone by the State or is within a state responsibility area.⁵ The City's memo to the City Council appears to indicate that the sites proposed to be deferred due to risk of fire hazard are based on the local responsibility area maps adopted by the City Council in August of 2025.⁶ This should be remedied in the City's final maps.

The implementation of SB 79 is an opportunity for the City of San Diego to maintain its status as a leading pro-housing city. Elements of its current proposed implementation plan run counter to this objective.

Sincerely,



Aria Grossman
Policy Manager
Circulate Planning & Policy

⁵ Gov. Code, § 65912.161(a)(2)(A)

⁶ City of San Diego, Senate Bill 79 Overview and Compliance Options Memorandum (February 13, 2026), page 8, available at <https://www.sandiego.gov/sites/default/files/2026-03/sb79-overview-compliance-memo.pdf>.