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**TO:** CITY OF CUPERTINO  
LEGISLATIVE REVIEW COMMITTEE

**FROM:** ANTHONY, JASON, AND PAUL GONSALVES

**SUBJECT:** CONSIDER ADOPTING A POSITION ON AB 1751 (QUIRK-SILVA)  
MISSING MIDDLE TOWNHOME OWNERSHIP ACT

**DATE:** APRIL 6, 2026

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**Bill Information:**

The official text of AB 1751 can be found [here](#)<sup>1</sup>.

**Summary:**

AB 1751 establishes a new statewide, by-right approval pathway for townhome developments that significantly limits local discretion over land use decisions. The bill allows developers to submit qualifying townhome projects for ministerial approval if they meet objective standards, thereby eliminating discretionary review. It applies a streamlined approval framework similar to SB 35 and removes the need for public hearings, community input, and local policy balancing. Because these projects are considered ministerial, they are generally exempt from CEQA environmental review.

From a city perspective, the bill raises substantial concerns. It removes local land use authority and eliminates opportunities for public engagement, reducing transparency in the development process. The legislation imposes a one-size-fits-all zoning approach that may not reflect local conditions and could place additional strain on infrastructure without guaranteeing affordability outcomes.

**Support:**

Since AB 1751 has not yet been set for hearing, an official list of supporters is not yet available.

<sup>1</sup>[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB1751](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1751)

**Opposition:**

Since AB 1751 has not yet been set for hearing, an official list of opponents is not yet available.

**Status:**

AB 1751 has been referred to the Assembly Housing and Community Development Committee.

**Legislative Platform:**

This bill falls under various areas in the 2026 Legislative Platform, but primarily in the Housing & Community Development section Page 7, Item #10, "Oppose legislation that provides for by-right up-zoning."

**Recommended Action:**

Adopt an oppose position on AB 1751 and authorize the Mayor to send letters to the state legislature.