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

February 27th, 2021

Hon. Nury Martinez, President, Los Angeles City Council, and Chair, Rules, Elections and Intergovernmental Relations Committee (REIRC)

Hon. Joe Buscaino, Vice-Chair, REIRC

Hon. Mark Ridley-Thomas, Member, REIRC

Hon. Paul Koretz, Councilmember, CD 5

Re: CF 21-0002-S21 (Koretz); assigned to Council REIRC – SUPPORT Resolution to Oppose SB 10

Dear REIRC Chair Martinez, Vice-Chair Buscaino and Member Ridley-Thomas; and Councilmember Koretz:

The Westside Regional Alliance of Councils (WRAC) is an alliance of fourteen Neighborhood and Community Councils on the Westside of Angeles, located in CDs 5 and 11 and portions of CDs 4 and 10.

Many Westside Neighborhood and Community Councils have expressed concerns about Senate Bill 10 (Wiener). Therefore, WRAC has passed, by a majority of voting Councils in our alliance, a motion to **oppose Senate Bill 10 and support City Council File 21-0002-S21** (resolution to oppose SB 10). The full text of the WRAC motion is attached below.

The language of the motion has been approved by the following WRAC member Councils: Brentwood Community Council, Neighborhood Council Westchester/Playa, Pacific Palisades Community Council, West LA-Sawtelle Neighborhood Council and Westwood Neighborhood Council. Modified versions that maintain the spirit of the above motion have been passed by Bel Air-Beverly Crest Neighborhood Council, Mar Vista Community Council and Westside Neighborhood Council.

No member Councils have opposed this measure or submitted a minority letter to accompany this position.

We have just learned that the Senate Housing Committee will be hearing SB 10 on March 18, 2021, and that position letters must be submitted by March 12. WRAC therefore respectfully requests that the REIRC set a special meeting at the earliest opportunity in order to hear this



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matter and pass the resolution in CF 21-0002-S21 for consideration by the full Council in sufficient time before the Senate Committee's submission deadline.

Please contact me with any questions regarding the above motion.

Sincerely,

Matt Wersinger, Chair
Westside Regional Alliance of Councils
C 310.721.2980

cc:

Hon. Eric Garcetti, Mayor, City of Los Angeles
Hon. Mike Bonin, Councilmember, CD 11
Hon. Nithya Raman, Councilmember, CD 4

Attachment

Motion: Oppose Senate Bill 10; support resolution in CF 21-0002-S21

Whereas, Senate Bill 10 violates the California Constitution (Art. II, Sec. 10(c)) and principles of democracy and true local control by allowing local governments (i.e., a majority of the current or future City Council) to upzone single family residential properties and speed approval processes for increased density/multi-unit housing, without stakeholder involvement and by overriding community-driven local restrictions on adopting zoning ordinances, *including restrictions enacted by voter initiatives*;

Whereas, Senate Bill 10 violates the California Coastal Act (Public Resources Code §§30000 et seq.) by failing to exempt parcels within the Coastal zone and by allowing by-right/expedited



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approval of development projects with up to 10 dwelling units on properties that are upzoned under the bill, including projects within the Coastal zone which require discretionary review under the Coastal Act;

Whereas, Senate Bill 10 violates the California Environmental Quality Act (Public Resources Code §§ 21065 and 21080) and shortcuts required CEQA review by declaring preemptively that an ordinance by a local government (i.e., a majority of the current or future City Council) to upzone a single family residential property pursuant to the bill is not a “project” under CEQA, without consideration of whether the ordinance in a given case is “capable of causing a direct or reasonably foreseeable indirect change in the environment” (*Union of Medical Marijuana Patients, Inc. v. City of San Diego (California Coastal Commission, Real Party in Interest)*, (2019) 7 Cal.5th 1171);

Whereas, Senate Bill 10 potentially compromises public safety and may put the lives and property of thousands of California residents in single family residential areas that are also in the Very High Fire Hazard Severity Zone (VHFHSZ) at risk from increased density by failing to provide for an unconditional exemption from upzoning under the bill for properties in the VHFHSZ;

Whereas, Senate Bill 10 prevents public scrutiny and bypasses democratic process by providing that state agencies alone, without local community input, would identify and maintain a controlling map of so-called “jobs-rich” areas throughout the state for purposes of upzoning single family residential properties under the bill;

Whereas, Senate Bill 10 circumvents controlling caselaw by, in effect, allowing for “spot zoning” by local governments (i.e., a majority of the current or future City Council) without consideration of whether upzoning a single family residential property would be of substantial benefit to the public in a given case (*Foothills Communities Coalition v. County of Orange* (2014) 222 Cal.App.4th 1302);

Whereas, Senate Bill 10 fails to address the state’s affordable housing crisis or to further the purported goal of “ensuring an adequate supply of affordable housing” by not requiring *any* particular amount or level of affordable (low to moderate income/workforce) housing in development projects to be built on properties that are upzoned under the bill;

Whereas, Councilmember Paul Koretz has introduced a resolution in Los Angeles City Council, CF 21-0002-S21, calling for the City of Los Angeles to oppose Senate Bill 10;



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Therefore, the Westside Regional Alliance of Councils (WRAC) opposes Senate Bill 10 (Wiener) and supports the resolution in CF 21-0002-S21 (Koretz), calling for the City of Los Angeles City to oppose Senate Bill 10.