



Westside  
Regional  
Alliance of  
Councils

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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

March 3, 2021

Hon. Toni Atkins, Senate President pro Tempore  
Hon. Scott Wiener, Senator and Chair, Senate Housing Committee  
Hon. Mike McGuire, Senator and Chair, Senate Governance and Finance Committee  
Hon. Members of the Senate Housing and Governance and Finance Committees

*Submitted via the CA Legislature submission letter portal*

**Re: Senate Bill 10 (Wiener); assigned to Senate HOUUC & GFC – OPPOSE Bill**

Dear President pro Tempore Atkins, Committee Chairs Wiener and McGuire, and Committee Members:

The Westside Regional Alliance of Councils (WRAC) is a regional alliance that considers and advises on the interests of the entire Westside of Los Angeles, with member Neighborhood and Community Councils representing communities from Westchester to Pacific Palisades along the coast, and from Venice on the west to Brentwood and other communities east of the 405 freeway in Los Angeles. Created in 2009, WRAC today represents 14 Councils and 500,000 residents.

Westside Neighborhood and Community Councils have expressed many concerns about Senate Bill 10, including the opinion that the bill violates the California Constitution and local control by allowing city councils to override voter initiatives; compromises public safety by failing to include an unconditional exemption for properties in the Very High Fire Hazard Severity Zone; and fails to address the state's affordable housing crisis by not requiring any amount of affordable housing.

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 in Los Angeles City Council 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



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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.

WRAC respectfully urges a “No” vote on Senate Bill 10 and/or that the Committees decline to move the Bill forward.

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. Ben Allen, Senator (SD 26)  
Hon. Richard Bloom, Assemblymember (AD 50)  
Hon. Autumn Burke, Assemblymember (AD 62)  
Hon. Sydney Kamlager, Assemblymember (AD 54)

### 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*;



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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 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.