

Email Message to Assemblymember Richard Bloom

Re AB 1279 (Bloom) - Questions

From: Chris Spitz
Tue 2/11/2020 5:31 PM
To: Bloom, Richard
Cc:

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Dear Assemblymember Bloom:

Thank you for your kind remarks honoring past PPCC Chair George Wolfberg at our December Awards event. As you probably know, George sadly passed away on February 5. We are still mourning this tremendous loss.

As you may recall, PPCC and Brentwood CC strongly opposed SB 50 and in particular the bill's lack of a *clear, unconditional exemption* for residential parcels within the VHFHSZ. See: [Joint PPCC-BCC Letter to Asm Bloom](#); [PPCC Letter to Senate Rules Cmtee](#).

I'm writing now to inquire about your housing bill **AB 1279** (pending in the Senate Housing, Environmental Quality and Governance & Finance Committees).

Do the bill's provisions apply to Pacific Palisades and Brentwood?

Last year, PPCC asked your office whether AB 1279 would apply to Pacific Palisades. I was led to believe by a then-new legislative deputy -- no longer with your office -- that the entirety of the Palisades would be exempt; upon closer reading now, that does not appear to be the case.

While PPCC acknowledges the need for discussion about how best to address the state's affordable housing crisis -- and we haven't yet taken a specific position on AB 1279 -- we are opposed to proposed state measures that would eliminate or substantially erode local land use control. AB 1279 provides for state-mandated increased density (up-zoning) in single-family residential zones located in "high resource" areas or "areas of opportunity" that are not at high risk of gentrification & displacement (to be designated by the state's Housing Dept.; designation subject to appeal).

I note that the bill is unclear as to what locations would actually be deemed "high resource" or "opportunity" areas. Assuming that "high income, low levels of poverty and high-quality schools" are qualifying factors (definitions that, according to my brief research, other jurisdictions sometimes apply in connection with housing issues), it appears that Pacific Palisades and Brentwood would be considered "high resource" and/or "opportunity" areas and accordingly may be subject to AB 1279's up-zoning mandates.

Can you please clarify whether the bill's provisions were intended to apply and would apply to communities such as Pacific Palisades and Brentwood?

Assuming AB 1279 does apply to our communities, in the interest of public safety would you be willing to amend the bill's current VHFHSZ exception to provide for a clear, *unconditional* exemption?

AB 1279 contains an exemption for parcels in the coastal zone, but that exemption applies only to a portion of the Palisades. We have many homes located outside of the coastal zone that are also located in fire-prone hillside areas; in fact *all of the Palisades* is located in the VHFHSZ (as is most of Brentwood).

Both of our communities are also within the "wildland-urban interface" (WUI) -- an area of great concern to firefighters in terms of the threat of wildfires, mandatory evacuations and the risk to public safety in our WUI communities. In connection with SB 50, the Legislative Director of the California Fire Chiefs Association (Chief Michael McGlaughlin) has expressed the Cal Chiefs' concern that that bill "would have only exacerbated our WUI issues and would not have fixed the core issues." See: [Cal Chiefs Message](#).

AB 1279 provides for an unclear "exception to the exception" for areas within the VHFHSZ (as did SB 50, albeit only via an obscure reference to a similar unclear provision in other land use legislation).

Per this provision, if a proposed higher density project in the VHFHSZ (e.g., a 4-plex on a single-family zoned parcel) meets unspecified/undefined "fire hazard mitigation" standards, the project will *not* be exempt from the bill's provisions and will be allowed by right -- thus increasing density on the street at least four-fold (or more, if additional similarly dense projects are proposed & allowed by right on the same street or in the surrounding neighborhood). The potentially devastating impact on emergency evacuations -- both for residents attempting to flee and for first responders attempting to gain access on crowded, narrow hillside streets -- is obvious.

Whether a developer commits to constructing the buildings with fire retardant materials, or to include automatic sprinklers, or to place landscaping away from the structures (assuming these are the type of fire mitigation standards contemplated by the bill's "exception to the exception"), **those measures will not abate the inevitable increased density in our single-family zones** -- which will in turn clearly pose a severe threat to public safety in wildfire evacuations.

This is a critical matter of public safety. We respectfully request that you reconsider the current language and agree to remove the vague "exception to the exception" for parcels within the VHFHSZ, in order to make clear that all VHFHSZ parcels, without exception, are exempt from state-mandated increased density/up-zoning.

Thank you advance for your attention to this important issue.

Best regards,

Christina Spitz
Secretary and past Chair, PPCC

cc: Senators Ben Allen & Henry Stern and key staff members
David Card, PPCC Chair
Michelle Bisnoff, BCC Chair