



PACIFIC PALISADES COMMUNITY COUNCIL

June 20, 2023

Hon. Buffy Wicks, Chair, and Members
Assembly Committee on Housing and Community Development (ACHCD)

Via the CA legislation submission portal

Re: SB 423 (Wiener) – streamlined housing approvals / assigned to the ACHCD: **OPPOSE** unless amended to maintain the Coastal Zone exemption and provide for an unconditional exemption for the Very High Fire Hazard Severity Zone (VHFHSZ)

Dear Committee Chair Wicks and Members of the ACHCD:

Background:

For fifty years, Pacific Palisades Community Council (PPCC) has been the voice of the community and the most-based organization in Pacific Palisades – a community of about 25,000 located in the wildland-urban interface between the coast and the Santa Monica mountains within the City of Los Angeles (City).

Large portions of Pacific Palisades are *located in the Coastal Zone*. Our community does not have a certified Local Coastal Program (LCP) and has long-relied on the protections afforded by the Coastal Act – including qualitative review of the environmental impact of proposed projects on the coastal resources of our highly scenic coastal area.

Pacific Palisades is also *entirely within the VHFHSZ*. We have extremely limited means of egress and ingress (only two main roadways lead in and out of the community) and thousands of our residents reside on narrow hillside streets as well as substandard “flat” streets, where evacuation is already challenged. See further explanation of our street conditions in <https://pacpalicc.org/wp-content/uploads/2020/10/PPCC-LetterCF-20-1213-Motion-re-VHFHZ.pdf>. We have decades-long experience with destructive wildfires and frightening evacuations, including the massive 1978 Mandeville Fire, the 2018 Woolsey Fire, the 2019 Getty and Palisades Fires and the 2021 Palisades Fire. These conditions result in serious risk to lives and public safety from crowded roadways during required emergency evacuations – which would be made even worse with additional density.

PPCC Position on SB 423:

At its public board meeting on June 8, 2023, after due consideration and discussion, the PPCC Board unanimously passed a motion to ***oppose SB 423 unless amended to 1) maintain the Coastal Zone exemption, and 2) provide for an unconditional exemption for the VHFHSZ.***

This position is consistent with the position of the California Coastal Commission, which also voted unanimously on June 7, 2023, the day before PPCC passed its similar motion, to ***oppose SB 423 unless amended to retain the exemption for the Coastal Zone in current Government Code Section 65913.4(a)(6)(A).***

In a letter to Sen. Wiener on June 9, 2023, requesting that he consider an amendment to exempt the Coastal Zone, Coastal Commission Chair Diane Brownsey reiterated the Commission’s longstanding support for more affordable housing in the Coastal Zone, but emphasized the critical importance of retaining *qualitative review under the Coastal Act to protect coastal access and the sensitive coastal environment:*

https://pacpalicc.org/wp-content/uploads/2023/06/SB-423-Wiener-CCC-OUA-Ltr_06.09.23.pdf.

PPCC strongly agrees with the Coastal Commission's position. We also recognize the need for reasonable solutions to the demand for affordable housing and have supported proposed housing bills, such as SB 15:

<https://pacpalicc.org/wp-content/uploads/2021/03/PPCC-Letter-Senate-Housing-SB-15.pdf>. We further recognize the critical need to retain review of projects under the Coastal Act, and have opposed housing bills that would eliminate such review, including AB 1287: <https://pacpalicc.org/wp-content/uploads/2023/04/PPCC-EC-letter-AB1287.pdf>.

We are also greatly concerned, as Chair Brownsey explained in her June 9th letter, that the bill's impacts "would be most significant in coastal jurisdictions that do not have a certified Local Coastal Program (LCP) . . . SB 423 would have the effect of exempting qualified housing projects in uncertified jurisdictions from the Coastal Act."

We agree with the Coastal Commission that support for affordable housing and retention of an exemption for the Coastal Zone are not mutually exclusive positions. There is simply no reason to "blow a hole" in the Coastal Act (as one Commissioner remarked at the June 7th hearing) by requiring project streamlining in the Coastal Zone – and every reason to preserve qualitative Coastal review by maintaining the exemption for the Coastal Zone.

In addition, as a matter of policy, PPCC has long opposed housing bills that do not include an unconditional exemption for the VHFHSZ: <https://pacpalicc.org/wp-content/uploads/2020/06/Fire-Hazard-Exemption-Policy.pdf>. As we explain in our Policy Statement, the current exemption under Government Code Sec. 65913.4(a)(6)(D) contains an "exception to the exception": projects that are constructed to be fire-resistant would still be streamlined, without any consideration whatsoever of the impact on public safety from added density (more housing units, more people, more cars, more clogged routes of ingress and egress) and the resulting strain on emergency evacuation during wildfires – *risking the lives and safety of residents and firefighters alike*. SB 423 should be amended to address this dangerous loophole.

Conclusion:

SB 423 would allow a qualifying multi-family project to be located anywhere in the Coastal Zone without any review as to the project's impact on important coastal policy concerns, such as public access, protection of environmentally sensitive areas, protection of highly scenic and visual coastal areas, minimization of the alteration of natural landforms, Environmental Justice, and protection of special coastal communities. Moreover, SB 423 contains only a *conditional* exemption for the VHFHSZ, with no consideration of the dangerous impact of added density on public safety during wildfires.

For all of these reasons, we respectfully urge your NO vote on SB 423 unless amended to retain the exemption for the Coastal Zone and to include an unconditional exemption for the VHFHSZ.

Thank you for your consideration.

Sincerely,

Maryam Zar
President
Pacific Palisades Community Council

cc (*via email*):

Hon. Ben Allen, Senator, SD 24
Hon. Jacqui Irwin, Assemblymember, AD 42
Hon. Traci Park, Councilwoman, CD 11