August 6, 2020

The Honorable Scott Wiener
California State Senate, 11th District
State Capitol, Room 5100
Sacramento, CA 95814

Re: SB 902 (Wiener) Planning and zoning: housing development: density
City of Beverly Hills – Oppose Unless Amended

Dear Senator Wiener,

On behalf of the City of Beverly Hills, I write to you with a position of OPPOSE UNLESS AMENDED to your SB 902. This bill would permit a local government to pass an ordinance allowing the utilization of a streamlined approval process for rezoning parcels of land to allow for increased density; however, our City is advocating for you to include a clause in SB 902 to ensure the ordinance does not have the ability to overturn voter approved initiatives.

While this measure seeks to address California’s housing crisis by providing local governments with an additional tool to increase housing production in their jurisdictions, it fails to ensure local governments are not able to overturn the democratic will of their residents. The permissive approach taken in SB 902 is a welcome change from the more common prescriptive approaches taken by the state. This allows local governments to utilize the streamlined approval procedures when they determine that such an approach to increase their housing stock is a proper fit for their community.

The City of Beverly Hills respectfully requests consideration be given to amending SB 902 to ensure a jurisdiction’s local governing body is not able to utilize the ordinance process to overturn any voter approved initiatives in regards to allowing for a streamlined rezoning process. Such initiatives are one of the most direct means that voters have of expressing their will for their communities and allowing an elected body to capriciously overturn these initiatives would be an affront to the democratic process.
As drafted, SB 902 would provide additional flexibility for local governments to increase density but would also allow those local governments to overturn the will of the voters. For these reasons, the City of Beverly Hills must respectfully OPPOSE your SB 902 UNLESS AMENDED to address the concerns previously mentioned.

Sincerely,

Lester J. Friedman
Mayor, City of Beverly Hills

cc: Members and Consultants, Assembly Local Government Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange