The Honorable Scott Wiener  
Chair, Senate Housing  
1021 O. St, Suite 1200  
Sacramento, CA 95814  

Re: SB 4 (Wiener) – Planning and zoning: housing development: higher education institutions and religious institutions  
City of Beverly Hills – OPPOSE  

Dear Chair Wiener:  

On behalf of the City of Beverly Hills, I write to you in respectful OPPOSITION to your SB 4, which seeks to establish a “use by right” process for development of housing on land owned by a religious institution or nonprofit college. SB 4 would have the effect of overriding carefully crafted, locally informed plans, leaving local officials accountable to local impacts for development activity that would be out of their hands. Long after Legislators have moved on to different topics, local officials will be living with the consequences of this state override of local planning and zoning for these types of properties.  

This one-size fits all approach fails to account for the wide variation in community characteristics across local jurisdictions. The City of Beverly Hills has long supported the preservation of local control, as localities are best suited to aptly address the needs of their local constituents. The city has put forth a great amount of time and effort to ensure the City’s growth is well-planned and takes the City’s future housing needs into account. For the State to address the housing affordability crisis, local governments must be allowed to lead the way and be given the ability to determine how best to address the crisis in their communities.  

SB 4 would disregard a city’s general plan and housing element as it allows a religious institution or a nonprofit college to build housing on land they own even if the height and density conflicts with locally adopted planning and zoning standards. Land use regulation is a constitutionally granted local government function of cities and counties. Authorizing a religious institution or a nonprofit college to regulate density, height and parking requirements within the constraints of SB 4 transfers this essential local government function to a nonelected, private entity that is not accountable to voters.  

Additionally, our City is concerned that SB 4 would eliminate opportunities for public review of housing development projects. This goes against the principles of transparency and public engagement. Public hearings allow members of the community to inform their representatives of their support or concerns about project impacts. Our City believes that neighborhood concerns about traffic, parking, and other development impacts should be heard; however, SB 4 would streamline
the process for review of these projects and undercut the ability of our community to provide their feedback to a developer.

For these reasons, the City of Beverly Hills must respectfully OPPOSE SB 4.

Thank you for your consideration.

Sincerely,

Lili Bosse
Mayor, City of Beverly Hills

Cc: Senators and Consultants, Senate Housing and Governance and Finance Committees
    The Honorable Ben Allen, Senator 24th District
    The Honorable Rick Zbur, Assemblymember, 51st District
    Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange