



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

Lili Bosse, Mayor

August 11, 2022

The Honorable Robert Rivas,
Assemblymember, 30th District
1021 O Street, Suite 5110
Sacramento, CA 95814

Re: **AB 2234 (R. Rivas) Planning and zoning: housing: post entitlement phase permits.**
City of Beverly Hills - OPPOSE

Dear Assemblymember Rivas,

The City of Beverly Hills stands in respectful **OPPOSITION** to AB 2234, your measure which would impose new timetable and process mandates on local governments regarding the review, approval, denial, or modification of permit applications for projects that are in the post entitlement phase of development. The bill would also impose statutory deadlines for local jurisdictions to provide online or electronic mail-based administrative procedures for these permits (including appeals).

Cities and counties enact zoning ordinances to implement their general plans, which establish planned uses for communities covered by the plan. These ordinances set the foundation for the type of housing that can be built in local communities. In addition, before building new housing, developers must obtain one or more permits from local planning departments and also obtain approval from local planning commissions, city councils, or county board of supervisors.

This bill would override local control and impose a prescriptive new “shot clock” and process requirements, which dictate the time and manner for reviewing and providing notice throughout the local administrative these permits during a very specific phase of development. AB 2234 would have the effect of abridging long-held land use discretion from local governments.

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.

In addition to imposing a prescriptive shot clock, AB 2234 would impose costly new mandates with no state funding to help local jurisdictions defray the cost of establishing and maintaining these new processes. The bill includes a finding that the mandates imposed by this measure are not deemed reimbursable because local jurisdictions have the authority to impose fees to recover their costs. This creates a scenario where local officials would be forced to look at increasing fees to comply with this measure – at a time when concerns have been raised about the need to reduce or control the growth of development impact fees by the state legislature.

Recent amendments to AB 2234 set separate deadlines for compliance with the bill depending on population thresholds within the local jurisdiction and the population of the county where the jurisdiction is located. Recent amendments also create opportunities for local jurisdictions to delay their shift to online permitting if the jurisdiction can make certain findings. While we appreciate the author's amendments, they still do not address the concerns of our City, especially given the establishment of a shot clock and a state imposed unfunded mandate.

For these reasons, the City of Beverly Hills must **OPPOSE AB 2234**.

Sincerely,

A handwritten signature in cursive script that reads "Lili Bosse".

Lili Bosse,
Mayor, City of Beverly Hills

cc: Chair and Members, Assembly Committee on Appropriations
The Honorable Ben Allen, Senator, 26th District
The Honorable Richard Bloom, Assemblymember, 50th District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange