

2. Historic Preservation Program

In 2012 the City established a Historic Preservation program to maintain and preserve its unique heritage and neighborhoods. The program was established to preserve specific properties that demonstrate the unique cultural, architectural and historic sense of Beverly Hills, and is not intended to be applied to entire neighborhoods or large portions of the City. Examples of listed properties follow below.

The program outlines procedures and criteria for landmark and historic district designation, and establishes penalties for unauthorized demolition or alteration of historic resources. The Ordinance only allows the City Council and Cultural Heritage Commission to nominate properties as potential landmarks and historic districts. In order to form a historic district, 70% or more of the properties within the potential district boundaries must qualify as contributors and 50% of the property owners must support the district's formation.

Since the inception of the Historic Preservation Program, the City has established a Cultural Heritage Commission and compiled a Master Architect List of notable individuals who have designed buildings in the City. The City has also designated several buildings as local landmarks, including:

- Beverly Hills Hotel
- Virginia Robinson Estate and Garden
- Beverly Hills Women's Club
- Greystone Mansion
- Beverly Hills Post Office
- Anderton Court
- Karasik House
- The Witch's House
- Waverly Mansion
- Hilton Office Building
- Locke House
- Fox Wilshire - Saban Theatre
- Beverly Hills City Hall

The City is currently completing a comprehensive historic survey of all properties, including multi-family properties. Once the historic survey has been completed the City will have a list of all potentially historic properties. The next step will be to determine which of these properties might merit placement on an inventory and further

consideration as a landmark. The City is also in the process of establishing a Mills Act Program to provide property tax incentives for preservation.

Because the historic preservation program was recently established, and a comprehensive survey of all properties in the City has not yet been completed, it is difficult to assess exactly how it will impact housing development potential. However, as previously stated, the purpose of the program is to protect historic and cultural resources that are especially unique and contribute to the cultural, historic and architectural sense of the City. For this reason, the City does not believe that the program will be a constraint to housing development. The City will continue to monitor the program as it develops and has included Imp. 9.4 in the Element.

3. Development Review Process

All residential development is reviewed by City staff for zoning, building, and fire code compliance prior to issuance of construction permits.

Single-Family Housing Review Process

New single family homes that overpower the general local neighborhood scale "lot to house size" ratio ("mansionization") are a concern to the community. To address this issue, all single-family residential development located in the "Central Area of the City" (basically all areas below Sunset Blvd.) must be first reviewed and approved by the Director of the Community Development Department, or the Design Review Commission, based on whether the project complies with the City's published design guidelines.

Director Review (Track 1)

A proposed residential development is reviewed to determine whether it substantially adheres to ~~an~~the architectural style as outlined in the Single-family Design Review Catalogue. If the required review determines that the proposed development adheres to the architectural style within the catalogue, and meets all of the applicable development standards, the development may be granted a design review entitlement by the Director of Community Development without further design review.

Commission Review of Single Family Projects (Track 2)

Projects that do not comply with a style in the City's guidelines are reviewed by the Design Review Commission. The Design Review Commission reviews proposed single-family residential development and its impact on the streetscape by controlling the mansionization of the City's residential neighborhoods, which would degrade and depreciate the character, image, beauty, and reputation of the

City's residential neighborhoods with adverse consequences for the quality of life of all residents. Design Review Commission decisions involve a noticed public hearing, and decisions are appealable to the Planning Commission and ultimately to the City Council.

Design Guidelines

The City provides guidelines to the public on what would constitute acceptable design. This City's design guidelines, titled the "Residential Design Style Catalog", are available for reviewing and download on the City's website. The catalogue includes the following housing design styles:

- American Colonial
- Rural European Revival
- Spanish Colonial
- Contemporary
- Period Revival

Other design styles can be considered if the design is architecturally true to textbook definitions.

Review Process

The City has a dedicated staff person who works with applicants on single-family related design. The City provides an application packet that includes a process flowchart and instructions for submitting a complete set of plans. Decisions made by City staff or the Design Review Commission are rarely appealed.

1. The first step in the process is for City staff to determine if the proposed project can be reviewed by the ~~director~~Director, or if it warrants review by the Design Review Commission.
2. Once a determination is made, the applicant is informed in writing and they are invited to submit either a "Track 1", or a "Track 2" application. Track 1 applications are reviewed by City staff and ultimately, the director. Track 2 applications are reviewed by the Design Review Commission.
3. Staff-level project reviews are typically processed within 30 days.
4. Commission reviewed projects are typically processed within 60 days.
5. The Design Commission review includes a public hearing. The Commission considers the following findings in their review:
 - a. The proposed development's design exhibits an internally compatible design scheme;
 - b. The proposed development's design appropriately minimizes the appearance of scale and mass and enhances the garden like quality of the city and

- appropriately maximizes the use of required open space within the proposed architectural style;
- c. The proposed development will enhance the appearance of the neighborhood;
 - d. The proposed development is designed to balance the reasonable expectation of development for the owner with the reasonable expectation of privacy of neighbors; and
 - e. The proposed development respects prevailing site design patterns, carefully analyzing the characteristics of the surrounding group of homes, and integrates appropriate features that will ensure harmony between old and new.

Multi-Family Housing Review Process

Development Plan Review Entitlement Required

All multi-family residential projects are subject to the City's Development Plan Review (DPR) process. Projects with five or more units are reviewed by the Planning Commission; projects with four or fewer units are reviewed at the staff-level. Development Plan Review involves evaluating the proposed development for General Plan consistency and compatibility to the area in which the development is proposed to be located. The review focuses on site plan, building layout, and building amenities. Use of multi-family properties are considered to be for multi-family residential purposes and therefore, use is not part of the review.

Other Entitlements that May Be Required

In addition to the Development Plan Review requirements, if a building does not meet all of the basic R-4 Zone standards, the applicant may apply for an R-4 permit. If the deviation from the basic standards meets specific criteria, an R-4 Permit allows for the reduction in development standards for setbacks, building height, articulation of the building façade, building length, depth of garages that encroach into the front yard setback and the amount of paving in the front yard. An R-4 permit is also required to allow residential units to be constructed above existing detached garages. The Planning Commission typically reviews the R-4 permit at the same time as the development plan and the tentative map.

Incentives for Development of Assisted Living or Independent Living for the Elderly or Disabled Housing

The City's municipal code allows for the development of senior and disabled housing anywhere housing is allowed in the City. In the City's multi-family districts, senior and disabled housing can be constructed at a unit density greater than would be allowed for other types of housing (up to 165 units/ acre), provided that the

project obtains a conditional use permit and units are deed-restricted as affordable. In select areas of the City's multi-family districts, congregate care facilities for the elderly and persons with disabilities can also be constructed at unit densities greater than would otherwise be allowed (up to 165 units/ acre) with a conditional use permit. Furthermore, the City's Code provides for significant reductions in parking and minimum unit sizes for senior and disabled housing.

Commission Review of Multi-Family Projects

Most multi-family residential and some single-family residential development require review by the Planning Commission. The Community Development Department offers a "one-step" process where the formal Planning Commission review application will be made through the City's Permit Center and routed to all applicable departments such as Fire and Engineering. A concept meeting is held with the applicant within 30 days from acceptance of a complete application. If there are no revisions to the plans, a hearing is scheduled before the Planning Commission.

Planning Commission Review

The Planning Commission reviews development plans for all multi-family projects with more than four units, second unit permits, condominium conversions, and all requests for modifications to the City's development standards. The Planning Commission review process involves a public hearing, findings, resolution, and covenant. Typically, projects move through the process, from initial submittal to approval in 90 days (30 days to determine if the application is complete, 60 days to process).

The findings used by the Planning Commission in the Development Plan Review process are:

- A. The proposed plan is consistent with the general plan and any specific plans adopted for the area.
- B. The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area.

For those proposed plans to be located in the C-5 zone that are reviewed by the planning commission, the commission shall consider the factors set forth in section 10-3-2021 of this chapter as part of the commission's determination regarding whether a project will promote harmonious development of the area.

- C. The nature, configuration, location, density, height and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property.

- D. The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.
- E. The proposed plan will not be detrimental to the public health, safety or general welfare.

The Planning Commission reviews the tract map and site plan, and confirms that the project conforms to the general plan and zoning code. This includes a review of vehicle flow and pedestrian access. In areas served by alleys, the Planning Commission encourages new projects to orient vehicle access off the alley to limit the number of vehicles crossing the sidewalk. The Planning Commission also encourages new projects to be designed with a main entrance facing the street to continue the existing pedestrian-orientation of buildings to the sidewalk.

The Planning Commission was established more than 50 years ago and the Commission's review is based on site planning and potential traffic generation. Potential uncertainty in the City's review process related to meeting the finding of "... (promoting) harmonious development of the area" is addressed through a focused review of site plan orientation and traffic generation, and a reliance on past precedence. The findings used by the Planning Commission to evaluate applications for development plan review entitlements have been in place since the early 1990's and constitute a substantial body of cases to reference in determining the appropriateness of future applications.

In addition, the City has six professionals dedicated to working with project applicants on zoning entitlement submittals. One of those professionals is dedicated to staffing the City's public counter and is a resource made available to assist applicants with zoning conformity and entitlement submittal requirements in advance of submitting a project.

Recently the City has established a development review taskforce to review and assure that development applications progress efficiently through the City's review processes. Part of the taskforce's oversight with focus on assurances in the development review process and will result in an expansion of the City's current system. The City's current system includes the dedicated public counter zoning professional, along with the five dedicated entitlement processing professionals, informational materials, and application submittal requirements. The current system will be evaluated annually in conjunction with the Annual Housing Element Report to HCD and any uncertainty in the development review process will be identified and procedures will be modified as needed to increase certainty (Imp. 12.4 Monitor the Development Review Process). This ensures that an applicant will be able to use the City's available informational resources, meet with public

counter staff and entitlement case management staff, submit an application with all necessary supporting materials, and with certainty be assured their project will proceed through the review process in an efficient manner.

As an additional streamlining effort the City will study the feasibility of ~~be~~ implementing ~~is~~ priority review of projects that include affordable housing units.

~~Program 12.4 ensures that an applicant will be able to, use the City's available informational resources, meet with public counter staff and entitlement case management staff, submit an application with all necessary supporting materials, and with certainty be assured their project will proceed through the review process in an efficient manner.~~

Architectural Commission Review

The Architectural Commission reviews the architectural qualities of all multi-family projects, and all commercial or mixed-use projects. The Architectural Commission's review focuses only on the outside of the building and the building's landscaping and includes a review of architectural features, final finishes and colors.

Typically, a project is scheduled for review by the Architectural Commission as soon as it is approved by the Planning Commission. From start to finish, the Architectural Commission's review takes a maximum of 60 days. The Commission's review includes a public hearing and approval is provided in a letter to the applicant.

The findings used by the Architectural Commission in the Architectural Review process are:

- A. The plan for the proposed building or structure is in conformity with good taste and good design and, in general, contributes to the image of Beverly Hills as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
- B. The plan for the proposed building or structure indicates the manner in which the structure is reasonably protected against external and internal noise, vibrations, and other factors which may tend to make the environment less desirable;
- C. The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value;
- D. The proposed building or structure is in harmony with the proposed developments on land in the general area, with the general plan for Beverly Hills, and with any precise plans adopted pursuant to the general plan; and

- E. The proposed development is in conformity with the standards of this code and other applicable laws insofar as the location and appearance of the buildings and structures are involved.

The Architectural Commission was established more than 50 years ago and over the course of its existence a methodology to objectively reviewing applications has been developed based on precedent. The process includes the following:

The City has a planner and urban designer dedicated to working with project applicants on architectural submittals and the City takes measures to assure that applicants are informed of submittal requirements at the time the application is initially submitted to the City. The City keeps a collection of sample review materials, such as material boards and renderings. The City also awards projects annually which possess exemplary architecture and those awarded projects are photographed and made available to the public on the City's website. By reviewing the City's examples of exemplary architecture and submittal samples, and meeting with the City's dedicated planner a project applicant can be assured their project will proceed through the review process in an efficient manner.

Expedited Plan Check

At this time, the Planning Division does not provide an expedited review process for multi-family projects; however, plans are underway to establish an expedited review process for planning permits, provided that needed funds for staffing are available. The Building and Safety Division does provide an expedited plan check option which can reduce plan check times from six ~~weeks~~ to three weeks.

4. Environmental Review Process

Residential projects developed consistent with the General Plan and Zoning Code in most cases are categorically exempt from environmental review. Only when the new project would demolish a building determined to be of historic significance would additional environmental review be performed (additional environmental review would also be required in some instances for projects that disrupt natural habitats; however, Beverly Hills is located in a dense urbanized area and there is very little to no natural habitat remaining the city which would warrant additional review).

Typical timeframes for the environmental review is as follows:

Table B-10 Environmental Review – Processing Times	
Type of Review	Processing Time
Categorical Exemption	2 months
Negative Declaration/ Mitigated Negative Declaration	4 months
Environmental Impact Report	12 months

SOURCE: City of Beverly Hills, July 2010

5. Building Codes and Enforcement

Building Codes regulate the physical construction of dwellings and include plumbing, electrical, and mechanical divisions. The purpose of the Building Code and its enforcement is to protect the public from unsafe conditions associated with construction. The City of Beverly Hills enforces the California Building Code standards (Title 24) for existing units, new construction, and residential rehabilitation. State law affords local government some flexibility when adopting the uniform codes; the building codes can be amended based on geographical, topographical, or climate considerations. Further, state housing law provides that local building departments can authorize the use of materials and construction methods other than those specified in the uniform code if the proposed design is found to be satisfactory and the materials or methods are at least equivalent to that prescribed by the building codes.

The Beverly Hills City Council finds that certain changes and modifications are necessary in the adoption of the California Building Code because specific local conditions in the city involve climatic conditions which present severe fire hazards to buildings, structures and occupants because of the semiarid climate; the city's location which is partially in a hillside and mountainous area and partially on an alluvial plain; topographical conditions which create a hazard because of steep hillsides and the proximity of hills and canyons; and because of soil conditions in some areas which require testing prior to construction. Modifications to the Building Code are designed to meet the requirements of local needs, and can be summarized as follows:

- Re-adoption of current amendments to the State Building Code requiring additional seismic standards
- Amendments to the State's 2010 Green Building Standards Code (CALGreen) and the State's 2010 California Residential Code establishing a tiered set of requirements for new development

The City doesn't believe these amendments to the State building codes will affect the cost and supply of housing in the City for the following reasons:

- Past development activity (both entitlement and construction) has demonstrated sufficient interest and ability within the building industry to continue development of housing units at amounts desired by the State through the RHNA process.
- The City offers unit size and parking reductions, and unit density incentives for the development of senior and congregate housing projects. It is expected these incentives should counter-balance additional project costs associated with meeting the City's added requirements. Additionally, the City ~~intends to carry~~ is in the process of carrying out the following programs, ~~to further incentivizing~~ incentivize the production of affordable housing:
 - 10.1 Density Bonus - modify the City's existing program to include specific waivers and incentives
 - 10.3 Housing Trust Fund - set aside money to be used in the development of affordable housing
 - 10.7 Partnerships with Affordable Housing Developers - increase the power of the City's investment in affordable housing by partnering with NGO's able to compete for other funding sources, such as affordable housing grants
 - 11.2 Senior Housing Development - further incentivize the development of affordable senior housing
 - 12.2 Adjust Development Standards - modify the City's multi-family development standards to incentivize a broader range of housing options
 - 12.3 Reduced Fees for Affordable Housing - provide additional incentives for affordable housing in the form of fee reductions

6. Fees

The City of Beverly Hills requires all new residential projects to go through a zoning review for entitlements, and a plan review for building permits. The Community Development Department oversees both review processes in coordination with the City's Public Works Department (Engineering, and Public Services).

Entitlement Processing Fees

The following charts identify the fees associated with the entitlement ~~part~~ of a new housing project. Tables B-11 and B-12 include fees associated with multiple family projects. Table B-13 includes fees associated with single family projects. All fee information was provided by the Community Development Department in May 2013.

Table B-12 **UPDATED Multi-Family Residential Projects Requiring Additional Discretionary Review**

Entitlement (Potential Entitlements and Fees in Addition to the Base Entitlements and Fees for projects not complying with the General Plan and Zoning Code)	Cost
Multiple Application Fee (for projects with multiple applications for a single commission, the highest cost is applied and then all additional applications are set at this rate if actual cost would be higher) – the Multiple Application Fee does not apply to applications that are before separate commissions.	\$2,540.20
Character Contributing Structural Review (07-R-12338) (To request an Apartment to Condominium Conversion without upgrading the existing building to all current zoning, and building and safety code requirements. Evaluates an existing multi-family residential building’s structure and identifies necessary upgrades for safety/ seismic safety.)	\$7,517.70
Density Bonus Permit (10-3.1524)	\$6,194.50
R-4 Permit –	
Commission Level (w/o another application)	\$6,194.50
Staff Level (w/o another application)	\$3,883.90
With Another Application	\$2,218.50
Variance (10-3.2804) (Reduction in parking, or set-backs based on irregularity of the site)	\$11,223.80
General Plan Amendment (Cal. Gov. Code) (plus full costs of processing the application)	\$12,309.90
Zone Change (10-3.3904) (plus full costs of processing the application)	\$16,990.30
Environmental Assessment (Negative Declaration)	\$5,080.30
Environmental Impact Report ^a	\$10,160.60
a. Plus a deposit for staff time to be determined by staff with charges at the fully allocated hourly rates for the project for contract planner/engineer plus any outside costs. This fee would include any mitigation monitoring programs that are required.	

Single-Family Housing Projects - Fees

Table B-13 **UPDATED Planning Fees for Single-Family Residential Projects**

Project Type/ Fees	Cost
New Single-Family Residence Projects using an architectural type listed in the City’s architectural design guidelines	
Staff Level Plan Review (Development, Design, Landscape) (10-3.4612)	\$ 1,915.60
Environmental Review	\$278.40
Total Fees	\$2,194.00
New Single-Family Residence Projects <u>not</u> using an architectural type listed in the City’s architectural design guidelines	
Commission Level Plan Review (Development, Design, Landscape) (10-3.4612)	\$4,968.20
Environmental Review	\$278.40
Total Fees	\$5,246.60
Non-Compliant Single-Family Residential Projects (Potential Fees in Addition to the Base Fees for projects not complying with the General Plan and Zoning Code)	
R-1 Permits (Single Family Review, Central R-1, Hillside, Trousdale)	\$8,465.60
Note: The following fees also apply	
<ul style="list-style-type: none"> • a 5.5% technology fee and 10% document maintenance fee on all development permits, plan checks, and planning applications • a General Plan Maintenance fee of 0.00151 per each \$1 of all development 	

Development Plan Review/ Building Permits – Multi-Family and Single-Family Housing Projects - Fees

Development review and building permit fees are summarized in the following table. The City’s fee structure is based on total valuation and the same fees are applied to multi-family and single-family projects.

Table B-14 <u>UDPATED</u> Development Fees for Multi-Family and Single-Family Residential Projects	
Plan Check Review (Zoning Review)	\$706.20
Final Parcel/ Tract Map Review (Vesting and Non-Vesting)	
Zoning Review	\$430.20
Engineering Review	\$5,950.00
Building Permit (Percent of total project valuation)	
\$0 - \$500	\$59.50
Each additional \$100 over the first \$500, up to \$1,000	\$9.60
Each additional \$1,000 over the first \$1,000, up to \$20,000	\$39.20
Each additional \$1,000 over the first \$20,000 up to \$50,000	\$22.90
Each additional \$1,000 over the first \$50,000 up to \$100,000	\$16.80
Each additional \$1,000 over the first \$100,000 up to \$500,000	\$15.40
Each additional \$1,000 over the first \$500,000	\$13.10
Building Permit Plan Check (Percent of total permit)	80%
Shoring Permit (Percent of project valuation)	
0 < \$1 Million	4.5%
\$1 Million < \$5 Million	4.0%
\$5 Million < \$10 Million	2.1%
\$10 Million +	4.5%
Grading Permit	
0 < \$1 Million	2.5%
\$1 Million < \$5 Million	2.0%
\$5 Million < \$10 Million	2.0%
\$10 Million +	4.0%
Mechanical Permit	
Issuance of permit	\$52.20
Plus 8.33% of Building Permit Fee	
Mechanical Permit Plan Check (Percent of permit valuation)	%100
Plumbing Permit	
Issuance of permit	\$52.20
Plus 8.33% of Building Permit Fee	
Plumbing Permit Plan Check (Percent of permit valuation)	%100
Electrical Permit	
Issuance of permit	\$52.20
Plus 8.33% of Building Permit Fee	
Electrical Permit Plan Check (Percent of permit valuation)	%100
Water Connections (not including replacement of sewer lateral)	\$717.39

Table B-14 **UDPATED** Development Fees for Multi-Family and Single-Family Residential Projects

Off Site Improvements	
Replacement of Sewer Lateral	\$1,840.00
Sidewalk Replacement Use Permit	\$405.00
Curb and Gutter Permit	\$203.00
Curb Drain Use Permit	\$807.00
Paving Replacement Inspection	\$3.00/sq ft
Construction Barricade Permit	\$981.00
Utility Permit (plus \$1.50 per square foot)	\$155.30
Hauling/ Street Use (Heavy Haul Permit)	\$90.00

Note: The following fees also apply:

- 1.2% AB717 Training and Education Fee for all building, mechanical, electrical and plumbing permits
- SB 1608 Accessibility Expert Fee of 4% on plan check and 3% on permit fees for new Multi-Family projects
- 5.5% technology fee and 10% document maintenance fee on all development permits, plan checks, and planning applications
- General Plan Maintenance fee of 0.00151 per each \$1 of all development

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Impact Fees and Exactions

Cities use exactions and impact fees to assure that a desired standard for public services and facilities is maintained. The City of Beverly Hills charges impact fees and exactions on all new residential development in the city to offset increased use of public infrastructure, public spaces, and services from future residents.

The effect that exactions and impact fees have on the cost of housing is proportional to the amenities and services provided by the exactions and impact fees. Exactions and impact fees do increase the cost of housing; however when implemented well the increased cost results in higher property values and greater public desirability for the housing. The public’s desire results from the quality of the housing product, and from the public services and amenities available to the residents.

For housing sold at market rate, exaction and impact fees are a cost that is factored into the overall cost of the project. A market rate housing developer covers the increase in costs due to exactions and impact fees by building a higher quality product which in turn can be sold at a higher price. A person is more willing to pay the higher price for the housing because it is higher quality, and because of the services and amenities provided by the exactions and impact fees. Therefore, the cost of maintaining the City’s standards for public amenities and services is shared in part by the future residents.

Table B-15 **UPDATED Exactions & Impact Fees – Fiscal Year 2012-2013**

Type of Fee	Fee
Dwelling Unit Tax	\$1,041.30/unit + \$206.80/bedroom
Condo Conversion Fee	\$7,104.40/unit
School Fee—Residential	\$3.20/sq ft
Parks and Recreation Construction Tax (QUIMBY)	\$7.10/sq ft

SOURCE: City of Beverly Hills, May 2013

Exactions and impact fees can present a challenge in the development of affordable housing, since these costs cannot easily be passed on to the, would be, future resident as is the case with market rate housing. The City currently exempts dwelling units for very low, low and moderate income households from the dwelling unit tax and parks and recreation construction tax. The City is currently completing a fee study to evaluate the economic benefit of providing additional waivers or reductions of certain fees for projects containing affordable units. Housing Element Program 12.3 calls for the City to conduct a fee study, and evaluate the economic benefit of providing additional waivers or reductions of certain fees for projects containing affordable units.

Total Fees and Exactions for a Typical Multi-Family Project

The City adopted its most recent schedule of taxes, fees and charges in September 2012, and has not processed a typical multi-family project since the new fees were established. In order to illustrate the total fees and exactions for a typical multi-family project, Table XX illustrates the approximate fees that would be charged to a three lot, on a previous 22 unit condominium project under the current fee schedule, with a valuation of \$9.2 million under the new schedule of taxes, fees and charges. Total fees for a typical multi-family project are given in the following table. The City feels this project is a typical multi-family project based on the number of units and the lot size. This project involved three properties and produced 22 new condominium units. The total fees that would be charged by the City amounted to \$822K would amount to approximately \$948,369, equating to which is \$37,40043,107 per unit. Units in this building are being sold for \$3the building that was used for this exercise are currently being sold for approximately \$3.2 million dollars, Million dollars and indicating se the City’s fees amount to a nominal approximately %1.3% 1.2% of the a-unit’s sales price. In summary, given the modest percentage that fees represent of unit sales prices, combined with the fact affordable units are exempt from the dwelling unit tax and parks & recreation (QUIMBY) construction tax, it can be concluded that the

City's permit fees do not impose an undue constraint on the production of new housing. In order to incentivize the production of affordable units, the City is conducting a fee study to assess the economic benefits of providing additional waivers for affordable projects.

Table B-16 <u>UDPATED</u> Total Fees for a Typical Multi-Family Project	
Project Description – 447 North Doheny Drive. 3 lot development (447, 449, 451). 0.48 acres total. 22 condominium units.	
	Total Project Fees
	Fees Per Unit
	\$948,369*
	\$43,107
Description	Cost
Tentative Parcel/ Tract Map Review (Vesting and Non-Vesting)	\$14,232.10
Development Plan Review (10-3.2570)	
Commission-level (Planning Commission)	\$12,388.90
Architecture/ Landscape Plan Review (10-3.3016)	
Commission-level (Architectural Commission)	\$4,764.20
Environmental Review	\$278.40
Public Noticing (On-site Signage)	\$150.30
Covenant Processing (upon entitlement)	\$450.10
Plan Check Review (Zoning Review)	\$706.20
Final Parcel/ Tract Map Review (Vesting and Non-Vesting)	
Zoning Review	\$430.20
Engineering Review	\$5,950.00
Building Permit and Plan Check	\$220,586.90
Shoring Permit	\$9,000.00
Grading Permit	\$3,500.00
Mechanical Permit and Plan Check	\$20,521.08
Plumbing Permit and Plan Check	\$20,521.08
Electrical Permit and Plan Check	\$20,521.08
Energy Permit and Energy Plan Review	\$36,764.55
Water Connections (not including replacement of sewer lateral)	\$717.39
Off Site Improvements	
Replacement of Sewer Lateral	\$1,840.00
Sidewalk Replacement Use Permit	\$405.00
Curb and Gutter Permit	\$1,439.00
Curb Drain Use Permit	\$807.00
Paving Replacement Inspection (\$3.00/square foot x 2,000 sq ft)	\$6,000
Construction Barricade Permit	\$981.00
Utility Permit	\$155.30
Hauling/ Street Use (Heavy Haul Permit)	\$90.00
School Fees (\$3.20 sq ft x 36,479 square feet)	\$116,732.80
Unit Tax (\$1,041.30 x 22 units)	\$22,902.00
Bedroom Tax (\$206.80 x 42 bedrooms)	\$8,685.6
Parks and Recreation (QUIMBY) Fee (\$7.10 sqft x 50,948 square feet))	\$361,730.80
General Plan/Long Range Maintenance Fee	\$13,892.00

*includes document maintenance, technology, AB717, and SB1608 fees

On and Off-Site Improvements

Site improvements encompass the range of water, sewer, circulation, and other infrastructure needed to support development. In Beverly Hills site improvements include water and sewer and storm drain laterals, streets, curbs, gutters, parkway, street trees, sidewalks and alleyways. The City uses a standard street width of 46-foot curb-to-curb within a 70-foot right-of-way for local residential (multi-family) streets and secondary arterial streets, and a standard street width of 36-foot curb-to-curb within a 60-foot right-of-way for local residential (single-family) streets. All residential streets are improved with 6-foot parkways and 6-foot sidewalks on both sides of the street.

To ensure that adequate improvements are in place, Beverly Hills requires pro-rata payments for off-site extension of the water, sewer and storm drain systems, and pro-rata payments for transportation improvements. In larger projects, the City requires developers to construct internal streets, sidewalks, curbs, gutters, and affected portions of off-site arterials. However, development in Beverly Hills typically occurs on small infill parcels where infrastructure is already in place.

While on and off-site improvements add to the cost of development and thus impact affordability, it is standard for jurisdictions to require development to “pay its own way.” Beverly Hills site improvement requirements are deemed necessary to maintain the quality of life desired by residents, and are consistent with General Plan goals to ensure that public services and facilities are in place at the time of need, thus avoiding the overloading of existing urban service systems.

7. Provisions for a Variety of Housing

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of a variety of housing types for all economic segments of the population. This includes single-family homes, multi-family homes, mobile homes, second units, emergency shelters, and transitional housing among others. [This section provides a discussion on zoning and development standards for various types of housing, and includes an in-depth discussion of the newly established “Special Needs Housing Overlay Zone”.](#)

Zoning

The Beverly Hills Zoning Code designates permitted (P), use permit (UP), ~~regulatory permit (RP)~~ or conditional uses (CUP) for all developable use types in the City in relation to the City’s zoning designations. Tables B-17 and B-18 (City of Beverly Hills Residential

Allowable Residential Development Land Use Regulations) summarizes housing types permitted within the City's single- and multi-family zoning districts.

Residential uses are not permitted in commercial zones pursuant to the current zoning code, although the City assesses the potential for mixed residential/ commercial uses in commercial areas on a case by case basis and has approved four projects since 2006 (9900 Wilshire, 9876 Wilshire, 9200 Wilshire, and 8600 Wilshire). Mixed use projects involving the construction of a new building require General Plan amendments and Zone Changes for approval. The conversion (adaptive reuse) of an existing office building on Wilshire Boulevard (Commercial Zone) to residential use with ground floor retail use was approved without a General Plan amendment (8601 Wilshire).

The City has a multi-family residential-commercial parking (RMCP) zone to provide a transition between residential and commercial zone districts. The RMPC zone allows for R-4 residential, commercial and parking uses, and is currently applied to a six acre area located on North Crescent Drive between Wilshire Boulevard and north of Brighton Way. The area is developed with the City's affordable senior project, and a mix of local serving commercial uses, offices, assisted living elderly units, a newly developed market rate apartment development, and public parking.

Special Needs Housing Overlay Zone

In order to encourage a variety of housing, and comply with state law, the City adopted ordinance O-12-2633 in 2012. This ordinance established a Special Needs Housing Overlay Zone to encourage the construction of housing for persons with special needs in certain areas of the City and locate such housing close to appropriate amenities and services appropriate for the intended residents. The special needs housing overlay zone allows increased residential density, small housing units, and reduced parking requirements. Emergency Shelters are permitted by-right in the Special Needs Housing Overlay zone, and SROs, and multi-family congregate housing for elderly or disabled are permitted in the overlay zone as if authorized by with a conditional use permit (CUP). Congregate housing for the elderly or disabled can receive development incentives of increased density and decreased parking in this overlay zone in order to make them more financially viable.

The Multi-Family Congregate Housing for Elderly and Disabled Persons Overlay Special Needs Housing Overlay Zone applies to R-4 zones on sites which meet the following criteria:

- Site is located in area with 4 or 5 story height limits

- Site is located adjacent to commercial zoned areas, and is separated by an alley from commercial uses
- Site is located on a street greater than 30 feet in width

Multi-Family Congregate Housing overlay zone is provided at the end of this document. A total of 37.8 acres on 172 parcels within the R-4 zone meets these criteria for congregate special needs housing. Of these parcels, the City sees 136 or 23.1 acres as having a potential for the development of congregate housing special needs housing. Two senior living homes (i.e., nursing homes), with a total of 269 residential units, already exist in the congregate housing overlay area. A map of the Special Needs Housing Overlay Zone is provided at the end of this Appendix.

This ordinance also added the following definitions to defined the following terms and incorporated them into the mMunicipal eCode:

- Bona Fide Housekeeping Unit: Shall Have the same meaning as Single Housekeeping Unit
- Community Care Facility, Large: Any State licensed facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster agency services for seven or more adults, children, or adults and children, as defined in California Health and Safety Code Section 1502.
- Community Care Facility, Small: Any State licensed facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster agency services for six or fewer adults, children, or adults and children, as defined in California Health and Safety Code Section 1502.
- Emergency Shelter: A facility that provides immediate and short-term housing with minimal support services for homeless persons or families on a first-come, first-served basis, and that is limited to occupancy of no more than six months.
- Family: Two or more persons living together as a single housekeeping unit in a single dwelling unit. Family also means the persons living together in a licensed residential facility, as that term is defined in California Health & Safety Code Section 1502(a)(1) serving six or fewer persons, excluding the licensee, the members of the licensee's family, and persons employed as facility staff who reside at the facility.
- Single-Family Residence: Shall have the same meaning as One-family or Single-family Residence or Dwelling.

- Single Housekeeping Unit: The functional equivalent of a traditional family, whose members are a non-transient interactive group of two or more persons, where such persons jointly occupy a single dwelling unit, jointly use common areas, and share household activities and responsibilities (e.g., meals, chores, and expenses).
- Single Room Occupancy Housing (SRO): A residential facility where individual secure rooms are rented to a one or two person household. Rooms are generally 150 to 375 square feet in size and include a sink, closet and toilet, with shower and kitchen facilities typically shared. SRO units are rented on a weekly or monthly basis.
- Supportive Housing: Permanent affordable housing with no limit on length of stay, that is occupied by the target population as identified in state law, and that is linked to onsite or offsite services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (See Health & Safety Code Section 50675.14)
- Target Population: Persons with disabilities, homeless families, and homeless youth. (See Health & Safety Code Section 50675.14(b) (3).)
- Transitional Housing: Temporary rental housing intended for occupancy by homeless individuals or families transitioning to permanent housing that is operated under program requirements calling for the termination of assistance and recirculation of the dwelling unit to another eligible program recipient at a predetermined future time, which shall be no less than six months. Transitional housing often includes a supportive services component, such as job skills training or rehabilitation counseling to allow individuals to gain the necessary life skills to support independent living.

Further, the ordinance established development standards for emergency shelters and single room occupancy housing. The remainder of this section discusses the improvements made to the zoning code, and the impact that these changes may have to the provision of housing for the elderly and disabled as well as those at risk of homelessness. in more detail.

In order to increase the readability of the zoning code, the allowable uses for residential land table has been divided into two tables: one for single family and one for multi-family zones, Table B-17 and Table B-18, respectively.