

George Chavez
City Manager



March 30, 2021

Honorable Henry Stern,
California State Senate, 27th District
State Capitol, Room 5080
Sacramento, CA 95814

Re: SB 765 (Stern) Accessory Dwelling Units; setbacks
City of Beverly Hills **SUPPORT**

Dear Senator Stern,

The City of Beverly Hills is pleased to **SUPPORT SB 765**, your measure to set guidelines for local governments to determine side and rear setbacks for accessory dwelling units (ADUs). Current law requires that ADUs be located four feet away from the side and rear property lines, no matter the size the parcel. This means that the setbacks are currently the same whether a small 3,000 square foot urban lot or a 20-acre lot in rural lots. As a result, many ADUs can be placed significantly closer to a neighbor's home on an adjacent property than it is to the home on the property where it's located, butting up against a fence line or not optimally located in consideration of scale and proper planning.

Prior to this law being enacted in 2021, local governments established their own setbacks, depending on location, environs, often varying from community to community or street to street depending on what was appropriate. **SB 765** will restore their authority to do proper planning to achieve an optimal, safe, and aesthetically balanced ADU location. Under **SB 765**, if a local jurisdiction's setback requirements make the building of an ADU infeasible, the applicant can submit a request for an alternate setback requirement.

SB 765 gives local jurisdictions the option to return to any setback regulations they had established prior to the state law mandating the 4-foot setback that took effect in 2021. For local jurisdictions that did not have a setback regulation in place, they will be bound by the 4-foot setback rule in current state law.

Working with residents of our communities, cities must look at the potential impacts on the community that result from these units, such as, impaired neighborhood character, spillover

effects on nearby homes and businesses due to inadequate parking, and loss of privacy for existing homeowners.

For these reasons, the City of Beverly Hills is pleased to **SUPPORT SB 765**. Thank you for authoring this important measure.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Chavez', with a stylized flourish at the end.

George Chavez
City Manager

cc: Members and Consultants, Senate Committee on Housing
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Beverly Hills City Council
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange