

BEVERLY PRESS PARK LABREA NEWS

Serving the Park Labrea, Miracle Mile, Hancock Park, Beverly Hills and West Hollywood communities since 1946.

By [Tabor Brewster](#) / June 4, 2025

Beverly Hills continues discussion on builder's remedy permits



Builder's remedy projects, including a 19-story planned development at 125-129 S. Linden Drive, have caused controversy in Beverly Hills. (rendering courtesy of Ottinger Architects)

The Beverly Hills City Council on June 3 voted to continue a discussion on an ordinance that would restructure the permitting process for certain builder's remedy projects. The ordinance is aimed at encouraging developers to reduce the size and scale of projects in exchange for an expedited process and was recommended to the City Council by the Planning Commission on May 5.

The city will now create an ad hoc committee to further examine and restructure the ordinance, after many residents expressed concerns at the June 3 meeting.

The builder's remedy is a state provision that allows private developers to bypass local code regulations when a project contains at least 20% affordable housing. The provision takes effect when a municipality's housing element – a state-mandated outline of zoning for affordable housing within the city – is out of compliance.

The goal of the builder's remedy is to incentivize the creation of affordable housing to address California's ongoing housing crisis. The builder's remedy falls under the state's Housing Accountability Act, which was passed in 1982 and significantly expanded in 2017.

The city of Beverly Hills' housing element for the 2021-29 cycle was out of compliance for approximately three years between 2021-24. According to the city, it is currently processing 14 builder's remedy projects submitted during that time period.

The projects have caused concern for neighbors due to their size, density and height – which often far exceed most buildings in Beverly Hills. At least six lawsuits have been filed over builder's remedy projects after developers have alleged that the city illegally denied certain projects from moving forward.

The proposed ordinance was an attempt by the city to reach a compromise with developers – the ordinance indicated that the city was willing to ease the permitting process in exchange for smaller developments. The ordinance would have shifted the permitting process for builder's remedy projects that adhere to certain guidelines from a discretionary process to a ministerial process. A ministerial process does not require city officials – including commissioners and City Council members – to review the project, while a discretionary process includes public hearings and actions taken by city officials.

For example, if a developer reduced the height of their builder's remedy development to 85 feet or less and adhered to specifications listed in their preliminary application, among other restrictions, the development would qualify for a streamlined approval process that

does not include public hearings or approval from Planning Commissioners and City Council members.

However, many residents at the June 3 meeting spoke out against the ministerial process, particularly the fact that city staff would be allowing such developments to move forward without input from the public.

“I very much oppose this proposition for the ministerial process. I don’t feel it’s fair because it’s just an automatic pass through for staff. It’s not adhering to what should happen in terms of building new projects,” a South Hamilton Drive resident said.

“This ministerial approval, this presentation is being done by the same people that have put us here with builder’s remedy, by failing to comply with the state law and have a housing plan provided and approved in a specific time period. This is the perfect definition of insanity – doing the same things over and over again and expecting a different result,” resident Elden Fox said. “By removing the community, which means any input, any approval by members of the City Council, and having the architects of this disaster basically ministerially approve these projects is going to result ... in some type of initiative by the people of this city.”

In response to the community’s concerns, Mayor Sharona Nazarian suggested the city examine the ordinance further before a vote.

“It looks like this is a very unique and complicated topic that we have not dealt with in the past ... I’d like to make a suggestion to my colleagues that we further study this and create an ad hoc to further consider the ordinance and then come back to propose it,” Nazarian said.

The council members unanimously supported the creation of an ad hoc committee.