

EXHIBIT B

OBJECTIVE STANDARD CONSISTENCY TABLE

CITY COMMENTS ON SB 35 NOI APPLICATION AND CONCEPTUAL DESIGN

910 S. MARIPOSA (PROJECT NO. 23-0006714)

PLANNING DIVISION - CONSISTENCY WITH OBJECTIVE DEVELOPMENT STANDARDS

BURBANK MUNICIPAL CODE SECTION / ADOPTED PLAN	CONSISTENCY ANALYSIS	COMPLIANCE DETERMINATION
Article 5. Use Table and General Use Regulations		
10-1-502: USES IN ALL ZONES (EXCEPT RESIDENTIAL ZONES)		Consistent. Per Table of Non-Residential Uses, Multifamily Residential-only (inclusive of a condominium, housing development project) is a Permitted Use under State preemption law (CA Govt. Code Section 65913.4)
Article 6. Residential Uses and Standards		
Division 3.5 Multifamily Residential-Only Development in Nonresidential Zones		
10-1-621: PURPOSE	The purpose of this Division is to establish regulations for multifamily residential-only developments in nonresidential zones (all zones except for R-1, R-1-H, R-2, R-3, R-4, or MDR-3, and MDR-4). Nonresidential zones in the City typically have a visual character and land uses dictated by commercial development standards. Specialized development standards are needed to ensure that any residential development that occurs in these zones is appropriately designed to safeguard the health, safety and general welfare of potential residents and adjacent residential uses.	Consistent. The proposed Project is on a property that is within the M-1 (Limited Industrial) zone which is a nonresidential zone. The regulations for multifamily residential-only developments

		in nonresidential zones are applicable to this Project.
10-1-622: APPLICABILITY		
A. This Division applies to the following projects:	<ol style="list-style-type: none"> 1. Residential-only projects consisting of Multifamily Residential-Only uses in nonresidential zones when allowed pursuant to BMC Section 10-1-502. 2. Residential-only projects consisting of Multifamily Residential-Only uses in nonresidential zones when mandated subject to streamlined ministerial review pursuant to State law that preempts local requirements. 	Consistent. As noted in BMC Section 10-1-622 (A)(1), the proposed Project is Residential-only project consisting of Multifamily Residential-Only Uses in the M-1 Zone, a residential zone per BMC Section 10-1-502.
B. Residential additions to existing residential uses:	<ol style="list-style-type: none"> 1. If one or more dwelling units are added to an existing single-family dwelling and the single-family structure is retained, all units on the lot, including the previously existing single-family dwelling, shall comply with the applicable requirements of this Division. 2. If one or more dwelling units are added to a property with an existing nonresidential use and the nonresidential use is retained, this Division shall not apply and instead, the project will be subject to Article 9, Division 4 (Mixed-Use Development in Nonresidential Zones). 	Not Applicable.
C. To the extent that any provision in this Division conflicts with State laws that preempt local development standards for an applicable project, State law will control over the conflicting provision. In such event, the remainder of this Division that is		Consistent. Project seeks to address any conflicts with applicable objective development standards through its submittal as an SB 35 Application that includes a Density Bonus request with incentives/concessions and waivers to address noted deviations from applicable city standards and was submitted concurrently under the

<p>not in conflict with State law will apply to the project.</p>		<p>provision of SB 330 (CA Govt. Code Section 65941.1)</p>
<p>10-1-623: APPLICATION REQUIREMENTS</p>	<p>Application submittal requirements shall be established by the Director, and will include, at a minimum:</p>	
<p>A. General Application Form with owner signature and architectural plans pursuant to Standard Plan Details, as issued by the Director. Applications seeking review through the Streamlined Ministerial Approval Process shall submit the application materials as listed in Section 10-1-19302(D).</p>		<p>Not Consistent. Applicant submitted an application subject to the City’s Streamlined Ministerial Approval Process (BMC Section 10-1-19302) on October 4, 2024. The City received a signed application form with owner signature and architectural plans pursuant to Standard Plan Details as issued by the Director.</p> <p>The west elevation shown on Sheet 16 of the plan submittal does not depict the full frontage of the lot from property line to property line inclusive of the 7-foot-tall CMU wall depicted on Sheet L-3.</p>
<p>B. Identification of any applicable State laws, including any State law that is invoked for a streamlined ministerial review process. Include a detailed narrative description of how the project satisfies all State law criteria for any applicable streamlined ministerial review process.</p>		<p>Consistent. Applicant submitted a Cover Letter indicating the Project submission pursuant to Senate Bill 35 (CA Gov’t Code 65913.4) and is requesting density bonus pursuant to CA State Density Bonus Law (CA Gov’t Code 65915)</p>

<p>C. A consistency table that identifies all the applicable local development standards and describes how the project complies with these standards.</p>		<p>Consistent. A consistency table/matrix was submitted by the Project Applicant and has been independently verified by City Planning staff.</p>
<p>D. For sites in nonresidential zones, as well as sites identified by the Burbank Fire Department (the Fire Marshal) as having a history of hazardous materials use or storage, the applicant shall conduct a Phase I Environmental Assessment (as defined in California Health and Safety Code Section 25319.1) and submit a Phase I Environmental Site Assessment (ESA) report in compliance with industry standards established by the American Society for Testing and Materials, as well as any further studies recommended in the Phase I report. Furthermore:</p>	<ol style="list-style-type: none"> 1. If a recognized environmental condition is found, the applicant shall undertake a preliminary endangerment assessment (as defined in California Health and Safety Code Section 25319.5), prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. 2. If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with current state and federal requirements. 3. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist on the site, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current state and federal requirements. 4. The applicant shall be responsible for any cost related to third party review of a Phase I ESA report and any subsequent environmental documents submitted in compliance with this Section. 	<p>Consistent. The Project Applicant has submitted the required Phase I, Environmental Assessment. The Phase I was prepared by a 3rd Party consultant and the Findings note that there is no history of hazardous materials use or storage at the Project site and no further studies are required.</p>
<p>10-1-624: PROPERTY DEVELOPMENT STANDARDS</p>		
<p>A. STANDARDS TABLE.</p> <p>All multifamily dwelling structures in the nonresidential zones shall be designed,</p>	<p>See Table 10-1-624(A) in Burbank Municipal Code</p>	<p>Not Consistent. See analysis below.</p>

<p>constructed, and established in compliance with the requirements in Table 10-1-624(A) and all other applicable provisions of this Division and this Code, unless otherwise preempted by State law. Where the last column in the table includes a Section number, the referenced Section includes additional requirements related to the development standard. In the case of a discrepancy between the table or elsewhere in this Division, the requirements specified elsewhere in this Division supersede the conflicting standards.</p>		
<p>B. Floor Area Ratio</p>	<p>All multifamily residential-only housing development projects (regardless of zoning designation) are not subject to maximum Floor Area Ratio (FAR) calculations. If there are two or more structures on the lot, at least one residential and one nonresidential, the entire property is subject to the Mixed-Use standards in Article 9, Division 4.</p>	<p>Consistent. Project is a Multifamily residential-only housing development project and is not subject to FAR calculations.</p>
<p>C. Lot Coverage</p>	<ol style="list-style-type: none"> 1. Lot coverage is calculated using the footprint of all covered structures with a height of six (6) feet, eight inches or more feet on the property except as exempted below, as measured from the exterior walls or the outside edge of supporting posts. 2. Cantilevered upper stories and balconies of up to five (5) feet are not included in the calculation of lot coverage. If the cantilevered portion is greater than five (5) feet or if the overhanging portion is supported from the ground, the entire cantilevered portion shall be included in the calculation of lot coverage. 	<p>Consistent. Project meets the standard. The Project's lot coverage is 45 % and per BMC Section 10-1-624(A), the maximum lot coverage allowed is 80%.</p>

	<p>3. The following structures are not included in the calculation of lot coverage:</p> <p>a. Non-enclosed porches, patios, porte-cocheres, and similar non-enclosed covered spaces and structures. A space is considered non-enclosed if it is completely open on at least two (2) sides from the ground or floor level to a height of six (6) feet, eight inches above the ground or floor level.</p> <p>b. Fully subterranean parking garages where the top of the roof deck is located at or below the average grade.</p>							
D. Height	<p>1. The maximum height of a building or structure shall be determined by its distance from the closest lot line of any property zoned for residential uses as follows, unless otherwise preempted by State law:</p> <table border="1" data-bbox="577 883 1220 1354"> <thead> <tr> <th data-bbox="577 883 791 1089">Distance from Single Family Residential Zoned Lot</th> <th data-bbox="791 883 1005 1089">Distance From Multiple-Family Residential Zoned Lot</th> <th data-bbox="1005 883 1220 1089">Maximum Height</th> </tr> </thead> <tbody> <tr> <td data-bbox="577 1089 791 1354">0-149 feet</td> <td data-bbox="791 1089 1005 1354"></td> <td data-bbox="1005 1089 1220 1354">40 feet. A request for greater maximum height may be reviewed through the Conditional</td> </tr> </tbody> </table>	Distance from Single Family Residential Zoned Lot	Distance From Multiple-Family Residential Zoned Lot	Maximum Height	0-149 feet		40 feet. A request for greater maximum height may be reviewed through the Conditional	<p>Consistent. The Project is approximately 75 feet from the closest R-1-H lot line across Mariposa Street. Therefore the maximum height permitted pursuant to BMC 10-1-624(D) is 40 feet. The proposed maximum height for the project is 63.7 feet and is permitted pursuant to the Project Applicant's request of a waiver from the height requirements in BMC Section 10-1-624, Subsection D (Height) items 1 through 10), pursuant to State Density Bonus Law (CA Govt. Code Section 65915).</p>
Distance from Single Family Residential Zoned Lot	Distance From Multiple-Family Residential Zoned Lot	Maximum Height						
0-149 feet		40 feet. A request for greater maximum height may be reviewed through the Conditional						

		Use Permit process.
150 – 299 feet	0-299 feet	60 feet. A request for greater maximum height may be reviewed through the Conditional Use Permit process.
300 feet or greater	300 feet or greater	80 feet. A request for greater maximum height may be reviewed through the Conditional Use Permit process.

2. Roof and architectural features, including, but not limited to ornamental towers, spires, steeples, belfries and cupolas and roof appurtenances such as rooftop equipment, skylights, fire and parapet walls, chimneys, ventilating fans, antennas, tanks, flagpoles, penthouses or roof structures for housing elevator lofts, stairways, air conditioning or similar equipment, and other appurtenances usually required to be placed above a building to operate and maintain it, may exceed the maximum height, up to 15 additional feet, if a 45-degree angle as depicted in

Diagram No. 1 is maintained. This 45-degree angle shall be drawn inwards from the intersection of setback required in Table A of Section [10-1-624](#) and maximum height allowed.

3. A height buffer is required from any single-family zoned lot. When adjacent or adjoining a single-family zoned lot, no architectural or roof features may project into an imaginary 45-degree plane for a distance of 25 feet from a point 20 vertical feet from grade at the intersection of the nearest property line of the adjacent or adjoining single-family zoned lot, unless otherwise preempted by State law...Encroachments into the height buffer area are allowed for rooftop structures including: open patios, building mounted shade structures, arbors or trellis structures that are not supported from below, parapet walls, opaque balcony railings, and landscaping.

4. A height buffer is required from any multiple-family zoned lot. When adjacent or adjoining a multiple-family zoned lot, no architectural or roof features may project into an imaginary 45-degree plane for a distance of 25 feet from a point 35 vertical feet from grade at the intersection of the nearest property line of the adjacent or adjoining multiple family zoned lot, unless otherwise preempted by State law. Encroachments into the height buffer area are allowed for rooftop structures including: open patios, building mounted shade structures, arbors or trellis structures that are not supported from below, parapet walls, opaque balcony railings, and landscaping.

5. A Conditional Use Permit is required for building or structure height greater than the maximum heights allowed in Subsections D(1) and D(2).

6. Height is measured from the average grade of the lot. Grade is determined as defined in Section [10-1-203](#). The building or structure height is the vertical distance measured from Grade to the ceiling of the highest room permitted for human occupancy.

7. On lots that extend across multiple height zones listed in Subsection D(1), the portion of a structure within the distance requirement (e.g. less than 150 feet) shall meet the height requirement for that section (e.g. 40 feet). Should a structure extend beyond one (1) or more of the distance requirements, the portions of that

	<p>structure within each distance requirement shall meet each applicable height requirement separately.</p> <p>8. Except when used as enclosure of rooftop open space areas, parapets may not exceed six (6) feet in height above the intersection of the roof surface and the wall.</p> <p>9. The ground floor of all buildings shall have a minimum height of 13 feet, as measured from the sidewalk elevation to the second story floor or roof if it is part of a one-story building.</p> <p>10. Fully subterranean garages and fully subterranean basement floors are not counted towards the building height. For the purpose of this subsection, fully subterranean means below the average grade. Above-grade garages as defined in Section 10-1-624(J) shall be counted towards building height.</p>	
<p>E. YARD SETBACKS AND ENCROACHMENTS.</p>	<p>1. The minimum required setbacks for all yards are specified in Table 10-1-624(A).</p> <p>2. Structures, except above-grade, semi-subterranean, and fully subterranean parking structures, on lots with less than 75 feet of lot frontage, have no required front or street side yard setbacks on those lot frontages of 75 feet or less.</p> <p>3. The required setback from the front or street-facing lot line for above-grade, semi-subterranean, and fully subterranean parking structures shall be at least five (5) feet or 20 percent of building height, whichever is greater, but no greater than ten (10) feet. In no event shall the setback be less than three (3) feet. This setback requirement may be averaged. For example, a parking structure with a height of 25 feet that is 50 feet wide, would have a minimum setback of 5 feet. This setback can be averaged by providing 3 feet for 50% and 7 feet for the remaining 50% of the structure length.</p> <p>a. Any portion of street-facing parking garage visible above grade shall constitute no more than 50% of each street-facing elevation of the primary structure. The remaining portion of the garage shall be set back a minimum of 15 feet from the property line. The area between</p>	<p>Not Consistent.</p> <p>The Applicant is proposing a maximum height of 63.7 feet, therefore the minimum front setback requirement is 12'9". The Project meets the setback requirement. See calculations below. The Project meets the 5 foot minimum requirement in the side and rear yards.</p> <p>1st floor avg front setback: $(39.86') + (34.23') + (38.19') + (8.19') + (2.7') + (7.08') + (38.79') + (47.15') / 8 = 26.5'$</p> <p>2nd, 3rd, and 4th floor avg front setback: $(39.88') + (34.25') + (33.56') + (8.19') + (9') + (38.77') + (47.19') / 7 = 30.12'$</p>

	<p>this portion and the property line may be utilized for other enclosed or open space as allowed by this Division.</p> <p>b. When abutting or adjacent to single-family zoned lots, above-grade parking structures shall be set back 20 feet from the residential property line. When abutting or adjacent to multiple family zoned lots, above-grade parking structures shall be set back ten (10) feet from the residential property line. Public rights-of-way may be used in this calculation. For setbacks for surface parking lots, see Article 14, Division 4 of this Chapter.</p> <p>4. Encroachments are permitted into the required setback areas by various structural components and objects to the maximum distance specified in Table 10-1-624(E). Encroachment distances are measured from the minimum required setback line inclusive of any applicable required buffers and not from the actual setback of the structure. All setbacks and encroachments are measured perpendicular to the property line.</p> <p>5. Bicycle parking is allowed within required yards specified in Table 10-1-624(A), provided that it is in conformance with all provisions of the Burbank Municipal Code and any other applicable objective design and development standards issued by the City.</p> <p>6. No structures or objects may be constructed or placed in required yard areas except as expressly permitted by this Section or as specifically included in the definition of Landscaping in Burbank Municipal Code Section 10-1-203.</p> <p>7. The following requirements apply to all required front yards and street-facing side yards:</p> <p>a. A minimum of 50 percent of front and exposed side yards shall be landscaped.</p> <p>b. Hardscape is limited to a driveway leading directly from a public street or alley to a garage or other required parking area using the shortest and most direct route feasible, pedestrian pathways, and</p>	<p>5th floor avg front setback: $(43.38') + (39.54') + (37.88') + (95.98') + (90.60) = 61.48'$</p> <p>(E)(4) of this standard permits encroachments into required setback areas by various structural components such as balconies. The Project proposes balconies on units 202, 302, and 402 that encroach into the permitted setback area in violation of BMC 10-1-624(E). The Project requests an incentive for balcony encroachment into the front yard as part of their allowance under CA Density Bonus Law (CA Govt. Code Section 65915). This incentive will allow the balconies to encroach into the front yard setback and are proposed to be 1'6" from the front property line.</p> <p>8 inverted U racks are provided within the semi-subterranean garage for a total of 16 bicycle parking spaces. No bike parking is proposed in any required yards.</p> <p>(E)(7)(a) of this standard requires 50% of all front and exposed side yards to be landscaped. The front setback area for this Project, as</p>
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	<p>encroachments specifically permitted in Table 10-1-624(E). For the purposes of this Subsection, hardscape means cement concrete, asphalt, brick, pavers, and similar impervious surfaces.</p> <p>c. The provision of outdoor amenities and decorative hardscape, such as outdoor seating areas with benches permanently affixed to the ground or hardscaped areas enriched with decorative materials which are under a tree canopy, shall be credited toward up to 50 percent of the required landscaping in all yards. Vehicular access areas may not be considered as decorative hardscape.</p> <p>d. To qualify as landscaped area, all areas not occupied by trees or drought-tolerant shrubs shall be planted with drought-tolerant ground cover with a minimum soil depth of 12 inches. All planters shall be a minimum of 18 inches deep and two (2) feet in their smallest inside dimension, unless a tree is required, in which case a four (4) foot planter depth shall be required and the planter shall have a minimum inside dimension of four (4) feet.</p> <p>e. In required front and exposed side yards, a minimum of one (1) tree shall be planted for every 40 linear feet of street frontage or fraction thereof. Turf is allowed in up to 50 percent of required landscaped areas. In shrub areas, a minimum of one five (5) gallon shrub is required for every ten (10) square feet of shrub area.</p> <p>f. A minimum of 50 percent of required trees shall be a minimum 36-inch box size, with the remainder a minimum 24-inch box size. The required 36-inch box trees shall be equally distributed in required front or street side yards.</p> <p>g. If trees are planted in planters, the planters shall have a minimum length and width of five (5) feet.</p> <p>h. No vehicle may be parked at grade in a required front yard or street-facing side yard.</p>	<p>calculated by Staff, is 1,837 square feet. Of this total, approximately 521.01 square feet (28%) is landscaped.</p> <p>(E)(7)(e) of this standard requires a minimum of one (1) tree to be planted for every 40 linear feet of street frontage or fraction thereof. The Project proposed a 144' long street frontage that would require a minimum of 3 trees to meet this standard. Sheet L-1 indicates two trees within the setback area.</p> <p>The Project complies with the remaining subsections.</p>
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	<p>8. Reversed corner lots. The following requirements apply to any reversed corner lot that abuts a key lot when the key lot is located in any residential zone:</p> <p>a. The minimum required street-facing side yard setback for the rear 30 feet of the reversed corner lot is equal to the minimum required front yard setback of the key lot.</p> <p>b. Encroachments into the street-facing side yard setback for the rear 30 feet of the reversed corner lot are equal to the encroachments permitted into the front yard of the key lot.</p>	
F. Buffer Area	<p>1. Notwithstanding the setback encroachments specified in Table 10-1-624(E), a 20-foot buffer area shall be provided in any side or rear yard that abuts or is adjacent to a single family zoned property and a 10-foot buffer shall be provided in any side or rear yard that abuts or is adjacent to a multiple family zoned property. The buffer area is measured from the property line of the single-family or multiple-family zoned property perpendicular to such property line, and includes public streets and alleys.</p> <p>a. The buffer distance establishes the minimum setback line for the yard or yards in which it is provided, unless the buffer setback line is closer to the multifamily property line than the otherwise required minimum setback. Except as provided in this Subsection, no encroachments by structures or objects are permitted into the buffer area beyond the allowable encroachments listed in Table 10-1-624(E) or as listed in Subsection 10-1-624(F)(2) below.</p> <p>b. The additional setback resulting from the buffer area required for this section shall not apply to the 15-foot additional height allowed for roof and architectural features and appurtenances within a 45-degree incline plane established in Subsection D. The setback plane for those</p>	<p>Not Applicable. This standard refers to side and rear yards only. The Project's side and rear yards do not abut/ are not adjacent to any single-family zoned property or multiple family zoned property.</p>

rooftop features is established by required setback in Subsection D(2) through D(4).

c. When the subject property abuts or is adjacent to a single-family or multiple-family zoned lot, a five (5) foot strip of the open space which lies adjacent to the residentially zoned lot shall be landscaped. This landscaping is intended to provide screening between the different zones.

2. The Buffer area may contain the following uses:

a. Where the buffer area abuts a public alley, the buffer area may be utilized as a driveway to provide vehicle access from the alley to an on-site garage or parking area using the shortest and most direct route feasible.

b. The buffer area may contain pedestrian pathways.

c. The buffer area may contain outdoor common area and outdoor amenities, and hardscaping associated with the provision of amenities in an open space area, located up to within 10 feet of the shared property line. For the purposes of this Subsection, hardscaping means cement concrete, asphalt, bricks, pavers, and similar impermeable surfaces.

d. The buffer area may contain ground-level private open space areas so long as such areas are enclosed with an opaque enclosure as required by this Chapter.

e. The buffer area may contain uncovered parking spaces up to within 10 feet of the shared property line with a residential zone.

f. The buffer area may contain portions of driveway for the purpose of accessing required onsite parking so long as any required landscaped open space is provided.

	<p>g. The buffer area may contain bicycle parking facilities subject to this Code and any other applicable City-issued objective design and development standards.</p> <p>3. With the exception of the allowable uses listed in 10-1-624(F)(2) above, the remaining portion of the buffer area located on the subject property shall be landscaped as provided in Section 10-1-624(N).</p>	
<p>G. Plane Breaks and Modulation</p>	<p>1. The following plane breaks shall be required for all street-facing elevations:</p> <p>a. A plane break shall be provided along each street-facing facade exceeding 50 feet in width. The plane break shall be of at least 10 percent of the facade width or 20 feet, whichever is greater. The break depth shall be at least 5 feet for each elevation of each story under 40 feet in height and shall be open to the sky. Break dimensions are measured perpendicular to the plane of the wall.</p> <p>b. At least 15% of the area of the first 40 feet of building height visible to the street, including features such as recessed balconies or building forms, shall be recessed by a minimum of 5 feet.</p> <p>2. For buildings above 40'-0" in height, any portion of primary wall above 40'-0" facing the street shall be recessed by an additional 5 feet from the required setback. Encroachments into this 5-foot offset are allowed as specified in Table 10-1-624(E).</p> <p>3. Plane breaks shall be provided on each structure on the lot.</p> <p>4. Balconies, entries, and porches or portions thereof that are recessed into the building facade may be utilized to satisfy the plane break requirements. Balconies, entries, and porches or portions thereof that project from the building facade may not be utilized to satisfy the break requirements.</p>	<p>Not Consistent.</p> <p>(G)(1)(a) requires each eligible plane break to be at least 10% of the façade width or 20 feet, whichever is greater. Floors 1-4 propose multiple plane breaks (4) along the front facade that are 16% of the façade width or below. There are multiple sections along each floor of the façade that do not meet the minimum break depth. This standard is not met. See staff calculations on Sheet 10 of submittal.</p>

<p>H. Fences, Walls, Hedges and Other Yard Features</p>	<p>1. Fences, walls, and hedges.</p> <p>a. Fences, walls, and hedges may not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury. Chain link fences are prohibited.</p> <p>b. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-624(A).</p> <p>c. The height of a fence or wall is measured from the highest abutting finished ground surface of the property upon which the fence, wall, or hedge is located. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair-step design, but each stair-step section, as measured from the horizontal midpoint, may not exceed the maximum height.</p> <p>d. Ornamentation on top of fences, walls, and hedges in the front yard may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge or up to a maximum height of five (5) feet, six (6) inches. All ornamentation features shall be spaced a minimum of four (4) feet apart, as measured on center. In all other yards, ornamentation may not exceed the maximum allowed height for fences, walls, and hedges.</p> <p>e. All fences, walls, and hedges shall comply with the corner cutoff provisions of Section 10-1-1303.</p> <p>f. Gates are subject to the same requirements as fences and walls.</p> <p>g. Guardrails and handrails may exceed the maximum wall and fence height up to the extent required by the Building Code. The guardrail shall be a fully transparent material or 50% open design.</p>	<p>Not Consistent.</p> <p>The Project is proposing one 3-foot-tall CMU wall along the front property line, two 5-foot-tall metal gates, an 8-foot-tall sight wall along the driveway, and a 7-foot-tall CMU wall within the front yard setback area. The 7-foot-tall wall (highlighted in red on Sheet L-3) and the 8-foot-tall sight wall (highlighted in green on Sheet 26) exceed the maximum permitted for solid walls (4 feet).</p> <p>Sheet 26 depicts an item that is highlighted in dark orange but is not identified in the legend. Staff cannot determine what the item is nor its dimensions. Please update plans in conformance with BMC Section 10-1-624(H)(1)(b)</p> <p>A decorative gate/fence is shown in front of the proposed driveway area on Sheet 16 of the plans however, Sheet L-3 titled “Schematic Walls & Fence Plan” does not reference this gate nor its dimensions. Staff is unable to confirm if the decorative gate/fence is proposed or if it meets this</p>
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	<p>h. Enforcement of nonconforming fences, walls, and hedges established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.</p> <p>2. Other yard features.</p> <p>a. Arbors, pergolas, and similar structures are limited to a maximum height of nine (9) feet, a maximum width of six (6) feet, and a maximum interior length of three (3) feet as measured from the highest abutting finished ground surface. Other yard features are limited to a maximum height of six (6) feet and a maximum width of six (6) feet.</p> <p>3. Retaining walls.</p> <p>a. Retaining walls located within front yard areas are limited to a maximum height of four (4) feet per wall.</p> <p>b. Additional retaining walls shall be setback a distance equivalent to the height of the retaining wall below as measured from the face of the retaining wall below.</p> <p>c. Fences or walls that are placed on top of a retaining wall within a front yard are limited to a maximum height of four (4) feet from the abutting finished ground surface and require an additional two (2)-foot setback from the face of the retaining wall below.</p> <p>d. Enforcement of nonconforming retaining walls established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.</p> <p>4. Exceptions. Exceptions from the requirements of this Subsection (H) (including the applicable requirements of Section 10-1-1303 referenced herein) may be granted by the Building Official when required by the Building Code for health or safety purposes or when required by State Law.</p>	<p>standard. Please update plans so that staff can in conformance with BMC Section 10-1-624(H)(1)(b).</p> <p>There are no retaining walls proposed with this application.</p>
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<p>I. Parking Areas and Driveways</p>	<ol style="list-style-type: none"> 1. All parking spaces provided in a multiple family dwelling project shall be full-size spaces no less than eight (8) feet, six (6) inches wide and no less than 18 feet deep. Parking spaces adjacent to walls and columns, and at the end of the access aisle are subject to any additional dimension requirements in the Burbank Municipal Code and any applicable City Standard Plans. 2. When individual garages or carports are used to provide parking for individual units, a clear space no less than nine (9) feet, six (6) inches wide and 19 feet deep shall be provided inside the individual garage or carport for each parking space. 3. All parking spaces shall be clear of any encroachments including but not limited to structural features, shelves, cabinets, appliances, and equipment. 4. Tandem parking spaces may be used only as designated parking for units providing more than one (1) parking space. Tandem Spaces shall be no less than eight (8) feet, six (6) inches wide and no less than 36 feet deep. 5. Unrestricted access shall be provided to all guest spaces when such spaces are provided. Such spaces may not be located within a gated or secured area or otherwise have their access restricted. 6. All parking spaces located within the rear half of the lot may be in a garage or carport, covered, or uncovered; all other parking spaces shall be in an attached, detached, or subterranean enclosed parking garage. 7. All parking spaces, driveways, backup areas, and access aisles shall be designed and constructed in compliance with Article 14 of this Chapter and any applicable City Standard Plans. 8. Onsite Driveways shall be improved with cement concrete, asphalt, brick, pavers, or a permanent surface approved by the Director. 9. Onsite driveways shall be no less than 10 feet wide and shall remain clear and unobstructed by any structural elements or vegetation. Driveways located at the 	<p>Consistent. The Project proposes 45 parking spaces and all parking spaces meet the minimum required dimension. The Project meets subsection 4 by providing 4 tandem parking spaces (8 total spaces) for 4 units and 37 parking spaces for the remaining 36 units.</p> <p>The proposed driveway is approximately 20 feet in width.</p> <p>The proposed design of the parking spaces, driveways, backup areas, and access aisles meet comply with BMC Title 10 Chapter 1 Article 14 as discussed further in the matrix.</p> <p>The Project proposes one curb cut and complies with BMC Section 10-1-642(I)(11)</p>
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	<p>street-facing elevation of a structure shall not exceed 18 feet in width and all other driveways shall not exceed 20 feet width. For projects with less than 200 feet of street frontage, a maximum of 1 two-lane driveway shall be permitted for each street frontage. For sites with more than 200 feet of street frontage, a maximum of 2 two-lane driveways shall be permitted for each street frontage.</p> <p>10. When a turning movement is required to back out of a parking space, including but not limited to a curved driveway or access from an alley, a minimum backup turning radius of 24 feet shall be provided for all parking spaces as measured from the exterior wall of the garage or carport.</p> <p>11. No more than one (1) curb cut may be provided on each street frontage for each 100 feet of lot frontage on that street, except that lots with less than 100 feet of frontage may provide one (1) curb cut. Curb cuts shall be separated by at least 20 feet of uncut curb.</p> <p>12. Unbundled Parking:</p> <p style="padding-left: 40px;">a. For any building with new residential units, automobile parking spaces shall be leased or sold separately from the rental or purchase fees, such that renters or buyers have the option of renting or buying the unit at a lower price than if the parking was included.</p> <p style="padding-left: 40px;">b. Renters or buyers have the right of first refusal to parking built for their unit. Any remaining spaces may be leased to other users on a month-to-month basis. New occupants shall have the opportunity to lease or purchase parking built for their unit.</p>	
J. Parking Garages	<p>1. Parking garage shall be understood to be the same as a parking structure for the purpose of this Division.</p> <p>2. To be considered a semi-subterranean garage, the top deck of a parking garage shall be no higher than five (5) feet above the natural abutting ground</p>	<p>Consistent. The parking garage is not visible from the front yard.</p>

surface at any point as measured at a five (5)-foot horizontal distance out from the exterior wall surface.

3. Parking garages that exceed the height requirement for a semi-subterranean garage as described above are considered above-grade garages.

4. Portions of above-grade garages and semi-subterranean parking garages that extend above the ground surface on a front or street-facing side yard elevation shall be completely screened by a permanently irrigated landscaped berm or climbing vine wall or a decorated perforated metal screen. Any such feature is subject to the height limitations set forth in Table 10-1-624(A).

5. All garage openings on a front or street-facing side yard elevation shall provide access to a common parking area for multiple units or shall provide access to a common driveway that serves individual parking garages. Such openings may not serve a separate parking garage for an individual unit.

6. All vehicle gates to a parking garage on a street-facing elevation and parallel to the street shall be located at least 18'-0" from the property line to allow for single-vehicle queuing.

7. Garage doors shall not, when open or being opened, project beyond any lot line.

8. All subterranean, semi-subterranean, and above-ground garage openings may not exceed 20 feet in width, unless otherwise required by the Fire Department. On street-facing elevation of a structure, garage openings shall not exceed 18 feet in width, unless otherwise required by the Fire Department. All garage openings on a front or street-facing side yard elevation shall be separated by at least 20 feet.

9. Setback requirements for all types of parking garages are contained in Section [10-1-624\(E\)\(3\)](#).

<p>K. Private Open Space</p>	<ol style="list-style-type: none"> 1. Private open space areas shall be located outside the interior living space of a structure. 2. Private open space areas shall satisfy the minimum dimensions specified in Table 10-1-624(A). 3. Each individual private open space area shall be enclosed by an enclosure at least 42 inches tall. Such enclosure shall be opaque if located above the ground level and located on the building elevation directly facing a residentially zoned property. 4. Private open space shall abut the unit that it serves and allow for direct access from the unit without having to enter a common area. 5. Private open space areas shall have a slope no greater than five percent but may be located on multiple levels. 6. If located on multiple levels, each level of private open space shall individually satisfy the minimum dimensions required by Table 10-1-624(A). 7. Front and street-facing side yards may be utilized for private open space. Balconies used for private open space may encroach as permitted in Table 10-1-624(E). Interior side and rear yards may be utilized for private open space so long as the open space is provided at grade and minimum dimensions are satisfied. 8. Rooftop areas, including the top of above-grade garages, may be utilized to satisfy required private open space requirements. Such areas shall be located no closer than 25 feet to a lot zoned for residential use or a lot with existing residential development. When a rooftop area is utilized for open space, such open space shall be screened by an opaque parapet wall at least six (6) feet tall on the side facing a lot zoned for residential use or a lot with existing residential development. Such parapet shall be set back at least five (5) feet from the exterior face of the building on each elevation, or as required by the height buffer established by this Section. 	<p>Not Consistent.</p> <p>Table 10-1-624(A) of the BMC indicates that private open space areas shall have a minimum of 70 square feet per unit. Unit 109 is proposing a private open space area of 67.5 square feet.</p> <p>(K)(9) states that the sum of all roof decks on a single building shall not exceed a maximum of 50 percent of the roof area. Staff calculated the total area of the roof to be approximately 13,182.82 square feet and the total area of roof decks to be 7,031.2 square feet. Staff concludes that the sum of all roof decks on the building is approximately 53% and exceeds the maximum requirement.</p> <p>(K)(12) states that a minimum 10% of ground level private open space areas shall be landscaped. The plan submittal does not indicate the required landscaping on any of the ground floor private open space areas.</p>
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	<p>9. The sum of all roof decks on a single building shall not exceed a maximum coverage of 50 percent of the roof area.</p> <p>10. Private open space areas shall be dedicated areas separate from vehicle access and parking areas and may not contain parking spaces or backup aisles, driveways, vehicle or bicycle parking areas, or other vehicle access features. Hardscaping is limited to pedestrian pathways and recreation areas.</p> <p>11. Private open space areas may not contain stairways or ramps except as necessary to provide access to the open space area or among different levels of the open space area.</p> <p>12. When provided on the ground level, private open space areas shall be landscaped as provided in Section 10-1-624(N).</p>	
<p>L. Common Areas and Amenities</p>	<p>1. The following requirements apply to all amenities and common areas:</p> <p>a. At-grade interior side and rear yard areas, inclusive of required buffer areas, may be utilized for common area requirements so long as all minimum dimensions are satisfied.</p> <p>b. All portions of all common areas shall be accessible to all tenants and useable for recreational purposes.</p> <p>c. Rooftop amenities, including amenities located at the top of above-grade garages, may be utilized to satisfy common area requirements. Rooftop amenity areas shall be located no closer than 25 feet to a lot zoned for residential use or a lot with existing residential development. Rooftop open space shall be screened by an opaque parapet wall at least six (6) feet tall on the side facing a lot zoned for residential use or a lot with existing residential development. Such parapet shall be set back at least five (5) feet from the exterior face of the building on each elevation, or as required by the height buffer established by this Section.</p>	<p>Not Consistent.</p> <p>Minimum common area per unit is 100 square feet. The Project proposes 40 units, therefore a minimum of 4,000 square feet is required. The Project proposes 16,358 square feet of common open space.</p> <p>Rooftop open space shall be screened by an opaque parapet wall at least six (6) feet tall on the side facing a lot zoned for residential use or a lot with existing residential development. Such parapet shall be set back at least five (5) feet from the exterior face of the building on each elevation, or as required by the height</p>

	<p>c. All amenities shall be permanently installed as part of the project, unless otherwise approved by the Director.</p> <p>d. Outdoor common areas shall be at least 80 percent open to the sky with no overhanging structural elements, including balconies or canopies. Any portions of common areas located on the roof shall be at least 50% open to sky.</p> <p>e. Within outdoor common areas, all hardscape shall be brick, tile, or another permanent decorative material.</p> <p>f. Outdoor common areas shall be dedicated areas separate from vehicle access and parking areas and may not contain parking spaces or backup aisles, driveways, vehicle or bicycle parking areas, or other vehicle access features. Hardscaping is limited to pedestrian pathways and recreation areas.</p> <p>2. On-site amenities shall be provided as follows. Any of the amenity items listed below may be substituted with a comparable amenity subject to approval by the Director.</p> <p>a. For projects with 20 or fewer units, two (2) different items from the following: gazebo, spa, cooking/eating area with built-in barbeque, fountain, reflection pool, water garden, or permanently affixed outdoor seating.</p> <p>b. For projects with 21 to 99 units, two (2) different items from Subsection (a) and one (1) additional item from the following: children’s indoor or outdoor play area or sandlot, dog park, lap pool, handball court, volleyball area, basketball court, activity room, sauna, or putting green.</p> <p>c. For projects with 100 or more units, two (2) different items from Subsection (a), one (1) item from Subsection (b), and one (1) additional item from the following: in-ground or above-ground swimming pool including rooftop pools, tennis court, permanently</p>	<p>buffer established by this Section. Sheet 16 contains the only viewpoints that allow staff to measure the height of the parapet wall from the provided 5th floor elevation. The measured height is under 5 feet. Staff is unable to determine compliance with this section from any other sheet provided.</p> <p><u>(L)(2)(b) contains standards related to on-site amenities. The Project proposes a pool, cooking/eating area and an entertainment room.</u></p>
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	<p>equipped gym or exercise room with a minimum area of 300 square feet, personal dog grooming area with a minimum area of 200 square feet, a library with a minimum area of 500 square feet, a conference room with a minimum area of 400 square feet, or a community room with a kitchenette with a minimum area of 400 square feet, indoor or outdoor edible garden or greenhouse with a minimum area of 500 square feet.</p>	
<p>M. Pedestrian Circulation</p>	<ol style="list-style-type: none"> 1. Pedestrian circulation paths shall be provided to connect the following on-site and off-site locations and features: <ol style="list-style-type: none"> a. Common building/project entries and individual unit entries b. Parking garages and surface parking areas c. Bicycle parking areas d. Common areas including play areas, recreation areas, and sitting areas e. Trash collection areas f. Public sidewalks g. Transit stops 2. Pedestrian paths shall have a minimum width of 60 inches and shall be improved with a decorative paved surface, brick, pavers, or similar material approved by the Director. 3. If a pedestrian path is included on one (1) or more sides of a vehicle driveway, access aisle, or parking area, such path shall be differentiated from the vehicle circulation area by a change in color, material, and/or texture. 	<p>Consistent. The Project proposes a 5' (60 inch) wide pedestrian path that extends from the public sidewalk at the front of the property along the site's southern boundary to the common open space areas located at the rear and interior of the lot. The material for the pedestrian pathway is proposed to be natural colored concrete with light top-cast finish and saw-cut joints</p>

<p>N. Landscaping</p>	<p>Landscaping shall be provided for every lot, yard, open space area, and parking area as provided in this Subsection. For the purposes of this Subsection, “landscape area” means an area covered with soil and planted with trees, shrubs, turf/lawn, or other vegetation, including permanent planters.</p> <ol style="list-style-type: none"> 1. A minimum percentage of the area of each lot shall be landscape area as specified in Table 10-1-624(A). All landscape area, including landscaping within common areas, but excluding required landscaping within required front and street-facing setbacks, may be used to satisfy this requirement. 2. When abutting or adjacent to a single-family zoned property, a minimum of 10% of each required rear and interior side yard area shall be landscape area. 3. All landscape areas shall provide minimum soil depths as follows: <ol style="list-style-type: none"> a. 12 inches for areas planted with drought-tolerant ground cover b. 18 inches for planters and areas planted with drought-tolerant shrubs and similar vegetation c. 4 feet for planters or areas planted with trees 4. Each planter and landscape area shall have no dimension or diameter less than three (3) feet. 5. All required common areas located outdoors shall be landscaped as follows: <ol style="list-style-type: none"> a. Outdoor common areas shall have a minimum of 10% of area covered by landscaping. If common areas are provided in more than one (1) area, each individual area shall provide the minimum percentage of landscape area. b. All landscape areas within outdoor common areas shall be accessible by pedestrians. 	<p>Not Consistent.</p> <p>The Project exceeds the 10% minimum requirement for landscaped area outside of the front and street facing setback areas.</p> <p>Sheet L-4 does not provide information on minimum soil depth as stated in subsection (N)(3)</p> <p>(N)(6) states that a minimum 10% of ground level private open space areas shall be landscaped. The plan submittal does not indicate the required landscaping on any of the ground floor private open space areas.</p> <p>(N)(7) is not applicable to this Project.</p> <p>(N)(8) – A total of six planters are shown on the site plan, however the plans do not indicate drainage from the planters.</p>
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	<p>c. Trees shall be provided in outdoor common areas at a rate of one (1) tree per 600 square feet of open space area, subject to rounding up to the nearest whole number. If outdoor common area is provided in more than one (1) area, the number of required trees shall be calculated using the collective total of outdoor common area. The required number of trees may be distributed among the outdoor common areas at the discretion of the applicant with Director approval.</p> <p>d. At least one half (1/2) of the required trees shall be at least 36-inch box size. All other trees shall be at least 24-inch box size.</p> <p>6. All required private open space areas shall be landscaped if located on the ground level. At least 10% shall be landscaped.</p> <p>7. All buffer areas required by Section 10-1-624(F) shall be landscaped as follows:</p> <p>a. All non-hardscaped areas within the buffer area shall be landscaped.</p> <p>b. At least one 36-inch box tree shall be provided every 15 linear feet along any lot line that abuts or is adjacent to a single-family zoned property.</p> <p>c. If the buffer area is used to satisfy an outdoor common area requirement, the landscaping and trees may also be counted toward satisfying the outdoor common area landscaping and tree requirements.</p> <p>8. All planters shall be constructed of permanent masonry or concrete construction. All planters shall provide drainage directly into a drainage system.</p> <p>9. All landscape areas shall include a permanent fully automatic irrigation system. Irrigation systems shall utilize water conservation design concepts including but not limited to low-flow sprinkler heads and bubblers, drip systems,</p>	
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	<p>zone separation, microclimate considerations, and moisture sensors. Irrigation systems may operate only between the hours of 9 p.m. and 6 a.m. A separate meter and service shall be installed for irrigation purposes only. When recycled water becomes available in the area directly adjoining the site, use of recycled water will be required for all irrigation needs. Pending recycled water availability, a backflow device will be required to protect the potable water system.</p> <p>10. Landscaping plans demonstrating compliance with the landscaping requirements shall be prepared by a registered landscape architect. Final species selection and placement of all trees and vegetation shall be approved by the Director.</p>	
<p>O. Building Orientation and Design</p>	<ol style="list-style-type: none"> 1. All structures shall be oriented to the street by providing entries, windows, architectural features, and/or balconies on front and street-facing side yard elevations. 2. Along any street-facing elevations, windowless expanses of walls shall not exceed 20 feet in linear length for each habitable story of the structure. 3. The area of blank building wall fronting a public street may not exceed a square area where the height and width are both 10 feet. 4. A break in a blank building wall shall be provided by any of the following: <ol style="list-style-type: none"> a. Doors, windows, or other building openings. b. Building projections or recesses, doorway and window trim, or other details that provide architectural articulation and design interest. c. Varying wall planes where the wall plane projects or is recessed at least six inches. d. A permanently attached trellis or functionally similar architectural feature for landscaping. 	<p>Not Consistent.</p> <p>(O)(1) – The Project’s west elevation depicts entries, windows, architectural features, and balconies.</p> <p>(O)(2) - The west elevation shown on Sheet 16 of the plan submittal does not depict the full frontage of the lot. Staff cannot determine compliance with this standard.</p> <p>(O)(3)- See above comment.</p> <p>(O)(4) – The front façade provides numerous plane breaks in the form of doors, windows, balconies, and a recessed main entryway.</p> <p>(O)(6) and (7) – The Project does not propose any shade</p>

	<p>e. A mural or public art attached to the building wall, if approved to fulfill Art in Public Places requirements pursuant to Section 10-1-1114.</p> <p>5. The following do not qualify as a break in blank wall:</p> <ul style="list-style-type: none"> a. Variation in exterior building wall color. b. Stand-alone planted vegetation or landscaping not attached to a building wall. c. Commercial, residential or directional signs. d. Mechanical appurtenances such as water heaters, vents, or utility meters. <p>6. Shade Structures.</p> <ul style="list-style-type: none"> a. Shade structures may project up to two-thirds of the sidewalk width, when approved through an encroachment permit. b. Shade structures shall allow a minimum of 10 feet of vertical clearance from sidewalk elevation. c. Shade structures shall not encroach into the Tree Protection Zone (See Section 7-4-101) of any public tree. <p>7. Arcades.</p> <ul style="list-style-type: none"> a. Arcades shall be located behind the minimum setback. b. Arcades shall be a minimum of 8 feet from back of column to building facade. 	<p>structures or arcades in the front yard area.</p>
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	<p>c. The distance between columns shall be equal to or greater than the arcade depth dimension, as measured from the column center.</p> <p>d. The facade within the arcade shall meet the ground floor transparency requirements referenced in subsection Q.</p> <p>e. Uses allowed within arcades include: pedestrian travel, seating/street furniture, outdoor dining, landscape planters, and/or bicycle parking.</p>	
<p>P. Materials and Colors</p>	<ol style="list-style-type: none"> 1. Excluding windows and doors, inclusive of window and door trim materials, a minimum of two (2) colors shall be used on the primary structure. 2. Excluding windows and doors, inclusive of window and door trim materials, a minimum of two (2) materials shall be used on the primary structure. 3. Excluding windows and doors, inclusive of window and door trim materials, no material or color shall compose more than 75 percent of street-facing building facade(s). 	<p>Not Consistent.</p> <p>(P)(1) – The Project proposes two main colors for the primary structure: white and brown</p> <p>(P)(2) – The plan submittal does not include a materials sheet so that staff can determine compliance with this standard.</p> <p>(P)(3) – This standard is met.</p>
<p>Q. Windows and Awnings</p>	<ol style="list-style-type: none"> 1. Windows shall be recessed by a minimum of 3 inches from the facade. 2. At least 25 percent of the ground floor area (height and width) of each street-facing facade shall be windows or entrance doors. Those buildings on lots with 75 feet or less of street frontage which are built to the street property line shall have a minimum 35 percent of the building facade on the ground floor devoted to window treatment. 3. Street-facing facades shall incorporate glass providing views into the lobby, common area, or amenity areas. The minimum transparency is as follows: <ol style="list-style-type: none"> a. Ground floor: 15% 	<p>Not Consistent.</p> <p>(Q)(1) – The site plan does not provide this level of detail and staff is unable to determine compliance with this standard.</p> <p>(Q)(2) – The west elevation shown on Sheet 16 of the plan submittal does not depict the full frontage of the lot and staff is unable to determine compliance with this standard.</p>

	<p>b. Overall Facade: 10%</p> <p>4. Ground floor transparency is measured as the percentage of building frontage that consists of transparent openings between a height of 2 feet and 10 feet above sidewalk elevation.</p> <p>5. The following requirements apply to all awnings, if used:</p> <p>a. Awnings may not extend downward to cover more than 25 percent of a window face.</p> <p>b. Vinyl, plastic, and ribbed metal awnings are prohibited.</p>	<p>(Q)(3) – The site plan does not provide this level of detail and staff is unable to determine compliance with this standard.</p> <p>(Q)(4) - The west elevation shown on Sheet 16 of the plan submittal does not depict the full frontage of the lot and staff is unable to determine compliance with this standard.</p> <p>(Q)(5) – This Project does not propose any awnings.</p>
<p>R. Roof Design and Massing</p>	<p>1. Roof mansards and parapets, when used, shall continue around all building elevations, whether or not they are visible from the street.</p>	<p>Consistent. The Project depicts a parapet roof that continues around the entire building.</p>
<p>S. Entries and Porches</p>	<p>1. The ground floor shall include a common lobby or entryway for the residential units to facilitate pedestrian access to the public realm.</p> <p>2. All entrances shall be recessed a minimum of 30 inches from the building face.</p> <p>3. No unit or project entry may open directly onto a parking area, driveway, or other vehicle circulation area. This requirement is not intended to prohibit secondary entries that provide access from a private garage that serves the individual unit.</p> <p>4. Walls along the side of a stoop, patio or entry to a residential dwelling unit greater than 30" in height shall be set back a minimum of 18 inches from the sidewalk line, separated by planted area.</p>	<p>Consistent.</p> <p>(S)(1) – The ground floor includes a common entryway that facilitates pedestrian access to the public right of way.</p> <p>(S)(2) – The building entrance is recessed approximately 6.47 feet from the building face.</p> <p>(S)(3) – The Project does not propose nay units that open into a vehicular circulation area.</p> <p>(S)(4) – The Project proposes a 4’ high wall and a 8’ high wall along the entry area and are set back more than 18 inches from</p>

		<p>the sidewalk line. A landscaped area is proposed in addition to a bridal path.</p> <p>Not Consistent.</p> <p>(T)(1) – Units 209, 309, and 409 are designed with two balconies each. Both balconies are used to satisfy the private open space requirement. However, the balconies located on the buildings northern façade provide a 3-foot depth which does not comply with this standard.</p> <p>(T)(2) – Applicant provided a note on elevation sheet to meet this standard.</p> <p>(T)(3) – The Project does not propose any exterior stairs with less than 7 feet clearance underneath.</p> <p>Consistent.</p>
T. Balconies and Stairways	<ol style="list-style-type: none"> 1. Balconies shall be a minimum of three (3) feet deep. When used to satisfy the private open space requirement, balconies shall be a minimum of five (5) feet deep. 2. Balconies on elevations that abut or are adjacent to residentially zoned properties or properties that contain a residential use shall be enclosed by a solid opaque wall no less than five (5) feet tall. 3. Exterior stairways: enclosures or landscape barriers shall be provided wherever there is less than seven (7) feet vertical clearance below stairs. 	<p>(U)(1) – The Project provides an on-site trash collection and recycling area in the proposed garage.</p> <p>(U)(2) – The Project meets the dimension requirements of this standard by providing a trash and recycling area that is 11.5’ by 21.75’ feet.</p>
U. Trash Collection Areas	<ol style="list-style-type: none"> 1. All multifamily dwelling projects shall provide a designated on-site trash and recycling collection area. 2. Projects with four (4) or more dwelling units shall provide a designated on-site trash and recycling collection area no smaller than seven (7) feet by eight (8) feet, unless an alternate size is approved by the Public Works Department. When located outside of a structure, the collection area shall be covered and enclosed on three (3) sides by a masonry wall no less than six (6) feet tall and have a solid permanent metal gate(s). Doors and gates of trash enclosures cannot swing out into any public right-of-way or required vehicle aisle or maneuvering area. 	

	<p>3. Trash bins and enclosures shall not be located in any required front or street side yard area.</p> <p>4. If the lot abuts an alley, the trash bin and/or trash enclosure shall be directly accessible from the alley.</p>	<p>(U)(3) and (4) are not applicable to the Project.</p>
V. Lighting	<p>1. Lighting shall be provided in all common areas including, but not limited to: parking garages, outdoor parking areas, common areas, pedestrian paths, stairways, and hallways.</p> <p>2. Outdoor lighting fixtures shall be shielded and positioned and directed so as not to shine or cause glare onto adjacent properties or public rights-of-way.</p> <p>3. Free-standing lighting fixtures shall be no taller than eight (8) feet as measured from the abutting ground surface or floor level.</p>	<p>Not Consistent.</p> <p>A lighting plan was not provided with this submittal and staff is unable to determine compliance with these standards.</p>
W. Other Features	<p>1. Venting/Exhaust: Residential Vents shall be directed to the roof. If physically impossible to be directed to the roof, vents shall be routed through the wall and screened with a decorative vent cap.</p>	<p>Not Consistent.</p> <p>The plan submittal does not provide this information and staff is unable to determine compliance with this standard.</p>
X. Signs	<p>1. Sign standards for multifamily residential-only developments in nonresidential zones are subject to the R-3/R-4 sign requirements in Section 10-1-1011.</p> <p>2. One additional wall-mounted sign per building frontage may be installed, not to exceed the combined area of 2 square feet for each linear foot of that building frontage. The sign shall not extend beyond any point above the parapet height or lower than thirteen (13) feet above adjacent sidewalk.</p>	<p>This standard does not apply to this Project.</p>

<p>10-1-630: ADDITIONAL REQUIREMENTS FOR THE RANCHO AREA</p>		
<p>A. APPLICABILITY</p>	<p>1. In addition to the development standards specified in Sections 10-1-628 and 10-1-629, the requirements of this Section apply to all projects in the Rancho Area.</p> <p>2. For the purposes of this Section, the Rancho Area is defined as depicted in Diagram 10-1-630(A) and described as the area bounded by Keystone Street, Alameda Avenue, Main Street, Valencia Avenue, Victory Boulevard, City boundary, Keystone Street extended, Riverside Drive, Bob Hope Drive, City boundary, California Street, Ventura Freeway, Bob Hope Drive, Riverside Drive, and Keystone Street.</p>	<p>Consistent. The Project meets the Standard as the site is located within the designated boundaries of the Rancho Area.</p>
<p>B. ARCHITECTURAL DESIGN</p>	<p>Architectural design and style for all structures must be oriented towards early California Rancho imagery, including but not limited to the following:</p> <ol style="list-style-type: none"> 1. Strong horizontal elements such as long roof lines and verandas 2. Wide eave overhangs 3. Adobe or vertical board-and-batten wall surfaces 4. Deeply inset window and door openings 5. Heavy timber elements, such as post and beam support for porches or verandas 6. Multi-paned windows 7. Utilization of the following materials or similar materials approved by the Community Development Director: 	<p>Consistent. The Project includes elements of Spanish Colonial architecture reminiscent of early California Rancho imagery. The proposed buildings feature notable architectural elements such as red clay roof tiles and stucco as the primary finish. Secondary elements such as recessed windows, arched windows and plane breaks provide visual variation across all building facades.</p>

	<ul style="list-style-type: none"> a. Exterior woods, including rough cut timber and large section timber b. Slump c. Block or other adobe-like masonry d. Clay roof tile 	
C. VEGETATION	<p>Landscaping must include the following types of trees and vegetation, or similar species complementary to the existing Rancho environment that are approved by the Community Development Director:</p> <ul style="list-style-type: none"> 1. California pepper 2. Olive 3. Live oak 4. California holly 5. Eucalyptus 6. Cactus and succulents 	<p>Consistent. Sheet L-4 of the plan submittal lists the types of trees and vegetation proposed with this Project.</p>
D. Rancho Review Board	<p>All Development Review applications for projects in the Rancho Area are subject to review for compliance with the requirements of this Section by the Rancho Review Board as established in Section 10-1-2453.</p>	<p>Not Applicable, because the project is ministerial pursuant to State law (CA Govt. Code Section 65913.4) and is exempt</p>

		from CEQA and the City’s Development Review process therefore, Rancho Review Board is not required.
Division 5. AFFORDABLE HOUSING INCENTIVES		
10-1-633: DEFINITIONS	Refer to Zoning Code for list of definition	
10-1-634: PURPOSE AND INTENT – DENSITY BONUS	In accordance with Chapter 4.3 Section 65915 et seq. of the California Government Code, this Division is intended to provide incentives for the production of housing for very low, low income, and senior households and for the production of for-sale housing for moderate income households residing in condominium and Planned Development projects. In enacting this Division, it is also the intent of the City of Burbank to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the City’s housing element.	Consistent. The Project Applicant has submitted an SB 35 Application that includes a Density Bonus request pursuant to applicable State law.
10-1-635: CALCULATION OF DENSITY BONUS AND NUMBER OF INCENTIVES AND CONCESSIONS		Consistent. The Project includes a Density Bonus Application with three incentives/ concession, and one waiver request and proposes a 100% Density Bonus Increase pursuant to CA Govt. Code Sections 65915.
A. The City shall grant a Density Bonus to a developer of a Housing Development of five (5) or more dwelling units who seeks a Density Bonus in accordance with this Division and agrees to construct at least one of the following	<ol style="list-style-type: none"> 1. Ten percent of the total units of the Housing Development as Affordable Units affordable to low income households; or 2. Five percent of the total units of the Housing Development as Affordable Units affordable to very low income households; or 3. A Senior Citizen Housing Development; or 4. Ten percent of the total units of a newly constructed Condominium Project or Planned Development as Affordable Units which are affordable to moderate income households. 	Consistent. The Project proposes 15% of the total units for very low income households and 15% of the total units for moderate income households.

<p>B. In determining the number of Density Bonus Units to be granted pursuant to Subsection (A) of this Section, the maximum residential density for the site shall be multiplied by 0.20 for Subsections (1), (2), and (3) and 0.05 for Subsection (4), unless a lesser number is selected by the developer. When calculating the number of permitted Density Bonus Units, any calculations resulting in fractional units shall be rounded to the next larger integer.</p>	<ol style="list-style-type: none"> 1. For each one percent increase above ten percent in the percentage of units affordable to low income households, the Density Bonus shall be increased by 1.5 percent up to a maximum of 35 percent. 2. For each one percent increase above five percent in the percentage of units affordable to very low income households, the Density Bonus shall be increased by 2.5 percent up to a maximum of 35 percent. 3. For each one percent increase above ten percent of the percentage of units affordable to moderate-income households, the Density Bonus shall be increased by one percent up to a maximum of 35 percent. <p>When calculating the number of permitted Density Bonus Units, any calculations resulting in fractional units shall be rounded to the next larger integer.</p>	<p>Consistent.</p> <p>The Project proposes 15% of the total units for very low income households. Pursuant to CA Gov't Code 65915(f)(2), the housing development is eligible for a 50% density bonus. The Project proposes an additional 15% of the total units for moderate-income households and pursuant to CA Gov't Code 65915(v), is eligible for an additional 50% density bonus. The Project is therefore eligible for a 100% density bonus from the base density of 20 units for this site resulting in a total of 40 units. CA Gov't Code 65915 supersedes this code section.</p>
<p>C. The Density Bonus Units shall not be included when determining the number of Affordable Units required to qualify for a Density Bonus. When calculating the required number of Affordable Units, any calculations resulting in fractional units shall be rounded to the next larger integer.</p>		<p>Consistent.</p> <p>The 100% density bonus was calculated using the 20 unit base density that is permitted for the 1.01 acre site.</p>
<p>D. The developer may request a lesser Density Bonus than the project is entitled to, but no reduction will be</p>		<p>Not Applicable. The Project Applicant is requesting the full density bonus (100%) pursuant</p>

<p>permitted in the number of required Affordable Units pursuant to Subsection (A) above. Regardless of the number of Affordable Units, no Housing Development may be entitled to a Density Bonus of more than 35 percent.</p>		<p>to CA Gov't Code 65915 which supersedes this standard.</p>
<p>E. Subject to the findings included in Section 10-1-641, when a developer seeks a Density Bonus, the City shall grant incentives or concessions listed in Section 10-1-641 as follows:</p>	<ol style="list-style-type: none"> 1. One (1) incentive or concession for projects that include at least ten percent of the total units for low income households, at least five percent for very low income households, or at least ten percent for persons and families of moderate income in a condominium or Planned Development. 2. Two (2) incentives or concessions for projects that include at least 20 percent of the total units for low income households, at least ten percent for very low income households, or at least 20 percent for persons and families of moderate income in a condominium or Planned Development. 3. Three (3) incentives or concessions for projects that include at least 30 percent of the total units for low income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a condominium or Planned Development. 	<p>Consistent. The Project includes a Density Bonus Application, The Project provides 15% of the total units for very low income households and an additional 15% of the total units for moderate-income households. CA State Density Bonus Law permits the Project to receive three incentives/ concession, and waivers.</p>
<p>F. A Housing Development may be entitled to more than one (1) Density Bonus, but in no event can the total Density Bonus for any Housing Development exceed 35 percent. For example, if a Developer provides ten percent of the Housing Units for Low Income Households and an additional five percent Very Low Income, Developer</p>		<p>Not Applicable. The Project Applicant is requesting the full density bonus (100%) pursuant to CA Gov't Code 65915 which supersedes this standard.</p>

<p>shall be entitled to two (2) Density Bonuses. Multiple Density Bonuses will only be allowed where the affordable units are separately and independently counted; however, in any event, the maximum Density Bonus for any Housing Development is 35 percent.</p>		
<p>G. In accordance with state law, neither the granting of a concession or incentive nor the granting of a Density Bonus shall be interpreted, in and of itself, to require a General Plan Amendment, zoning change, or other discretionary approval.</p>		<p>Consistent.</p> <p>The Project requests an incentive for deferral of development impact fees pursuant to BMC Section 10-1-640(A)(3), an incentive for balcony encroachment into the front yard pursuant to BMC Section 10-1-1211, and a waiver of development standards for height pursuant to BMC Section 10-1-806(A). The requested incentives and waiver do not require a General Plan Amendment, zoning change, or other discretionary approval.</p>
<p>H. If the Director makes any of the findings set forth in Government Code Section 65915 (d)(1), the written findings shall be provided to the developer, who may within 20 days of the postmarked findings, appeal the decision to the City</p>		<p>Consistent.</p> <p>The Project Applicant has submitted a letter to the City as part of the submittal requesting each incentive/waiver and provided justification for each waiver that satisfies CA Gov't Code Section 65915(d)(1)(A).</p>

Council by providing a written request to the Director.		
10-1-636: LAND DONATION		Not Applicable. The Project request does not include a proposal for land donation.
10-1-637: CHILD CARE FACILITIES		Not Applicable. The Project request does not include a proposal for child care facilities.
10-1-638: CONDOMINIUM CONVERSIONS		Not Applicable. The Project request does not include a proposal to convert existing condominiums.
10-1-639: AFFORDABILITY AND DEVELOPMENT STANDARDS		
A. Affordable Units shall be constructed concurrently with Market Rate Units or pursuant to a schedule included in the Density Bonus Housing Agreement.		
B. Affordable Units offered for rent to for low income and very low income households shall be made available for rent at an affordable rent and shall remain restricted and affordable to the designated income group for a minimum period of 30 years. A longer period of time may be specified if required by any construction or mortgage financing assistance program, mortgage insurance program,		Not Applicable. The Project is a for-sale project.

<p>or rental subsidy program applicable to the housing development. Affordable Units targeted to Low Income Households and/or Very Low Income Households will not meet the requirements for rental inclusionary units contained in Division 5 of this Article unless they remain restricted and affordable for 55 years pursuant to Section 10-1-651(C). The Director is authorized to execute the necessary agreement which shall be prepared by the City Attorney</p>		
<p>C. Affordable Units offered for sale to moderate income households in condominiums and Planned Developments shall be sold by the developer of the housing development at a price that does not exceed the Affordable Purchase Price. At the time of the sale of an Affordable Unit from the developer of the Housing Development to the initial purchaser, the purchaser shall execute a promissory note secured by a subordinate deed of trust in favor of the City. The promissory note shall require payment, upon resale of the unit, the difference between the market rate price of the Affordable Unit at time</p>		

<p>of the purchaser's purchase of the Affordable Unit and the Affordable purchase price, and a proportionate share of the appreciation. Upon a resale, the seller of the unit shall retain the market value at the time of sale of any capital improvements made by the seller, the down payment, and the seller's proportionate share of appreciation. The City's proportion of the share of appreciation shall be equal to the percentage by which the Affordable Purchase Price was less than the fair market value of the Affordable Unit at the time of the initial sale.</p>		
<p>D. Affordable Units shall be built on site, and shall be dispersed within the housing development. The number of bedrooms of the Affordable Units shall be equivalent to the bedroom mix of the non-Affordable Units of the housing development, except that the developer may include a higher proportion of Affordable Units with more bedrooms. The design and appearance of the Affordable Units shall be compatible with the design of the overall housing development. Housing developments shall comply with all applicable</p>		<p>Not Consistent.</p> <p>The Project Plan submittal includes 31 two-bedroom units and 9 three-bedroom units for a total of 40 units. The six affordable units are all designated two-bedroom units and therefore not equivalent to the bedroom mix of the non-affordable units.</p> <p>The designated affordable units shall comply with the applicable provisions of the BMC as it relates to bedroom mix and distribution through the project site. To be confirmed as part of Building Plan Check and noted</p>

<p>Development Standards, except those which may be modified as provided by this Division.</p>		<p>as part of the required Affordable Housing Agreement.</p>
<p>E.</p>	<p>1. Upon the request of the developer, the City shall permit a vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of Section 10-1-635 at the following ratios:</p> <ul style="list-style-type: none"> a. Zero to one (1) bedrooms: one (1) onsite parking space. b. Two (2) to three (3) bedrooms: two (2) onsite parking spaces. c. Four (4) and more bedrooms: two and one-half (2 1/2) parking spaces. <p>2. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this Section only, a housing development may provide “onsite parking” through tandem parking or uncovered parking, but not through on-street parking.</p>	<p>Consistent. This standard is superseded by CA Gov’t Code 65913.4(d)(2) which states that the local government shall not impose parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit. The Project proposes 45 spaces for 40 units.</p>
<p>F. The Director is authorized to execute the necessary agreement which shall be prepared by the City Attorney. The agreement shall set forth affordability restrictions and granted a concession and incentive once approved and appealed, if applicable.</p>		<p>Consistent. The plan submittal includes two incentive requests and a waiver request in exchange for providing six affordable units (15% very-low and 15% moderate income)</p>

<p>10-1-640: Development Standards Modified as Incentive or Concession</p>		
<p>A. Incentives or concessions that may be requested pursuant to Section 10-1-635 and Section 10-1-637 may include the following</p>	<ol style="list-style-type: none"> 1. A reduction of site Development Standards or a modification of zoning code requirements or architectural design requirements which exceed the minimum building standards provided in Part 2.5 (commencing with Section 18901. of Division 13 of the California Health and Safety Code and which result in identifiable, financially sufficient, and actual cost reductions, including, but not limited to: <ol style="list-style-type: none"> a. Reduced minimum lot sizes and/or dimensions. b. Reduced minimum lot setbacks. c. Reduced minimum outdoor and/or private outdoor living area. d. Increased maximum lot coverage. e. Increased maximum building height and/or stories. f. Reduced minimum building separation requirements. g. Reduced street standards, such as reduced minimum street widths. 2. Approval of mixed use zoning in conjunction with the Housing Development if non-residential land uses will reduce the cost of the Housing Development and if the City finds that the proposed non-residential uses are compatible with the Housing Development and with existing or Planned Development in the area where the proposed Housing Development will be located. 3. Deferred development impact fees (e.g., capital facilities, parkland in-lieu, park facilities, fire, or traffic impact fees). 4. Expedited processing of application. 	<p>Consistent. The Project requests an incentive for deferral of development impact fees pursuant to BMC Section 10-1-640(A)(3), an incentive for balcony encroachment into the front yard pursuant to BMC Section 10-1-1211. The request for an incentive for balcony encroachment into the front yard is a reduction of site development standards which exceed the minimum building standards.</p>

	<p>5. Incentives pursuant to an Inclusionary Housing Development Standard Ordinance in Title 10 including off-site construction of Affordable Units, provided that the necessary findings required under that Ordinance are made;</p> <p>6. Other regulatory incentives or concessions proposed by the Developer or the City which result in identifiable, financially sufficient, and actual cost reductions.</p>	
<p>B. Developers may seek a waiver or modification of Development Standards that will have the effect of precluding the construction of a Housing Development meeting the criteria of Section 10-1-635 at the densities or with the concessions or incentives permitted by this Division. The Developer shall show that the waiver or modification is necessary to make the Housing Development, with the Affordable Units, economically feasible.</p>		<p>Consistent. The Project Applicant requests a waiver of development standards for height pursuant to BMC Section 10-1-806(A). The Project Applicant included a letter providing justification for this request pursuant to CA Gov't Code Section 65915(d)(1)(A).</p>
<p>C. The Director shall establish implementing procedures or regulations to implement the provisions of this part, including application form requirements as well as the processing requests for certain concession and incentives (“Implementing</p>		<p>Consistent. The Project Applicant included a letter providing justification for the requested incentives and waivers.</p>

<p>Regulations”). The Regulations, and any substantive changes thereto, shall be subject to approval by the Council by resolution. The Implementing Regulations may provide more specific detail regarding the Incentives or Concessions that the City may grant pursuant to this Division. The Regulations shall provide a tiered approval process for the Incentives and Concessions based upon the level of review: administrative approval by the Director, approval by the Planning Commission, or approval by the City Council. The Regulations shall establish which Incentives or Concessions require which tier of approval. The City Clerk shall maintain a copy of the current Implementing Regulations.</p>		
<p>D. If the Director makes any of the findings set forth in Government Code Section 65915(d)(1) or (e), the written finding shall be provided to developer who may within 20 days of the postmarked findings, appeal the decision to the City Council by providing a written request to the Director.</p>		<p>Consistent. The findings made by the Director will be included in a letter to the Project Applicant.</p>

<p>10-1-641: Application Requirements and Review</p>		
<p>A. An application for a Density Bonus, incentive, concession, waiver, modification, or revised parking standard pursuant to this Division shall be submitted with the first application for approval of a Housing Development and processed concurrently with all other applications required for the Housing Development. To the extent feasible, a developer may submit its application for a Density Bonus and Incentives or Concessions with its Inclusionary Housing Plan in accordance with Division 14 of this Article in the event Division 14 is applicable to the Housing Development. The application shall be submitted on a form provided by the City Planner and shall include all information required on the Implementing Regulations. The Development Review (“DR”) Application shall be processed together with the concession and incentives and no DR shall be final until such concession and incentives have been final. Appeal of concession and incentives</p>		<p>Consistent. The Project Applicant included a letter with the Application that indicated the request for Density Bonus pursuant to CA Gov’t Code Section 65915. The letter also included a request for two incentives and one waiver.</p>

<p>shall comply with DR appeal procedures.</p>		
<p>B. An application for a Density Bonus, Incentive or Concession, waiver, modification, or revised parking standard pursuant to this Division shall be considered by and acted upon by the approval body with authority to approve the Housing Development. Any decision regarding a Density Bonus, Incentive or Concession, waiver, modification, or revised parking standard may be appealed to the Planning Commission and from the Planning Commission to the City Council.</p>		
<p>C. Before approving an application for a Density Bonus, Incentive or Concession, or other waiver, or modification, the approval body, whether the Director, Planning Commission, or Council, shall make the following findings:</p>	<ol style="list-style-type: none"> 1. If the Density Bonus is based all or in part on donation of land, the findings included in Section 10-1-636. 2. If the Density Bonus, incentive, or concession is based all or in part on the inclusion of a Child Care Facility, the findings included in Section 10-1-637. 3. If the incentive or concession includes mixed use development, the finding included in Section 10-1-640. 4. If a waiver or modification is requested, the developer has shown that the waiver or modification is necessary to make the Housing Development with the Affordable Units economically feasible. 	<p>Consistent. The Project Applicant submitted a letter that provides a justification for the requested incentives and waiver is necessary to make the Housing Development with the Affordable Units economically feasible.</p>

<p>D. If a request for an Incentive or Concession is otherwise consistent with this Division, the approval body may deny a concession or incentive if it makes a written finding, based upon substantial evidence, of either of the following</p>	<ol style="list-style-type: none"> 1. The concession or incentive is not required to provide for Affordable Rents or affordable ownership costs. 2. The concession or incentive would have a specific adverse impact upon public health or safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. For the purpose of this subsection, “specific adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete. 	<p>Not Applicable. Staff has found no evidence in support of (D)(1) or (D)(2)</p>
<p>E. If a request for a waiver or modification other than required Incentives or Concessions is otherwise consistent with this Division, the approval body may deny a concession or incentive only if it makes a written finding, based upon substantial evidence, of one of the following</p>	<ol style="list-style-type: none"> 1. The waiver or modification would have a specific adverse impact upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. For the purpose of this subsection, “specific adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete. 2. The additional waiver(s) or modification(s) would have an adverse impact on any real property that is listed in the California Register of Historical Resources. 3. The additional waiver(s) or modification(s) do not preclude the use of the Density Bonus and granted Incentives or Concessions. 	<p>Not Applicable. Staff has found no evidence in support of (E)(1) or (E)(2) or (E)(3)</p>
<p>F. If a Density Bonus or Incentive or Concession is based on the provision of child care facilities, the approval</p>		<p>Not Applicable. The Project does not propose a child care facility.</p>

<p>body may deny the bonus or concession if it finds, based on substantial evidence, that the City already has adequate child care facilities.</p>		
<p>10-1-642: Density Bonus Housing Agreement</p>		
<p>A. Developers requesting a Density Bonus shall agree to enter into a Density Bonus Housing Agreement with the City. A Density Bonus Housing Agreement shall be made a condition of the discretionary planning permits for all Housing Developments pursuant to this Division and shall be recorded as a restriction on any parcels on which the Affordable Units or Density Bonus Units will be constructed.</p>		
<p>B. The Density Bonus Housing Agreement shall be recorded prior to final or parcel map approval, or, where the Housing Development does not include a map, prior to issuance of a building permit for any structure in the Housing Development. The Density Bonus Housing Agreement shall run with the land and bind on all future owners and successors in interest.</p>		

<p>C. The Density Bonus Housing Agreement shall include but not be limited to the following:</p>	<ol style="list-style-type: none"> 1. The total number of units approved for the Housing Development, the number, location, and level of affordability of Affordable Units, and the number of Density Bonus Units. 2. Standards for determining Affordable Rent or Affordable Ownership Cost for the Affordable Units. 3. The location, unit size in square feet, and number of bedrooms of Affordable Units. 4. Provisions to ensure affordability in accordance with Sections 10-1-639 of this Division. 5. A schedule for completion and occupancy of Affordable Units in relation to construction of Market Rate Units. 6. A description of any incentives, concessions, waivers, or reductions being provided by the City. 7. A description of remedies for breach of the agreement by either party. The City may identify tenants or qualified purchasers as third party beneficiaries under the agreement. 8. Procedures for qualifying tenants and prospective purchasers of Affordable Units. 9. Other provisions to ensure implementation and compliance with this Article. 	
<p>D. In the case of for-sale Housing Developments, the Density Bonus Housing Agreement shall include the following conditions governing the sale and use of Affordable Units during the</p>	<ol style="list-style-type: none"> 1. Affordable Units shall be owner-occupied by eligible moderate income households. 2. The purchaser of each Affordable Unit shall execute an affordable housing agreement, inclusive of the promissory note and deed of trust described in Section 10-1-639 approved by the City and to be recorded against the parcel 	

applicable use restriction period:	including such provisions as the City may require to ensure continued compliance with this Division.	
E. In the case of rental Housing Developments, the Density Bonus Housing Agreement shall provide for the following:	<ol style="list-style-type: none"> 1. Procedures for establishing Affordable Rent, filling vacancies, and maintaining Affordable Units for eligible tenants; 2. Provisions requiring verification of household incomes. 3. Provisions requiring maintenance of records to demonstrate compliance with this subsection. 	Not Applicable. The Project is a for-sale housing development.
F. Density Bonus Housing Agreements for child care facilities and land dedication shall ensure continued compliance with all conditions included in Section 10-1-636 and 10-1-637 , respectively.		Not Applicable. The Project does not propose a child care facility BMC Section 10-1-637 nor does it propose land dedication/donation pursuant to BMC Section 10-1-636.
10-1-643: AUTOMATIC INCORPORATION BY REFERENCE OF FUTURE AMENDMENTS TO THE STATE DENSITY BONUS LAW	This Division implements Chapter 4.3, Density Bonuses and other incentives, Government Code Sections 65915-65918 . In the event these sections are amended, those amended provisions shall be incorporated into this Division. Should any inconsistencies exist between the amended state law and the provisions set forth herein, the amended state law shall prevail. Until the Code is formally amended to eliminate any such inconsistencies, the City Planner shall maintain an explanation of all such amendments. A copy of that document shall further be available at the City Clerk’s Office.	Consistent. The Project is applying for Density Bonus under California State Density Bonus Law which supersedes any inconsistent sections of the Burbank Municipal Code.
10-1-644 PURPOSE OF INCLUSIONARY ORDINANCE		
10-1-645 APPLICABILITY		

<p>10-1-646: INCLUSIONARY UNIT REQUIREMENT</p>		
<p>A. Calculation</p> <p>At least 15 percent of all newly constructed dwelling units in Residential Developments shall be developed, offered to and sold or rented to Very Low, Low and Moderate Income Households, at an Affordable Rent or Affordable Ownership Housing Cost, as follows:</p>	<p>1. For-sale projects - All Inclusionary Units 15 percent of the total Residential Development) shall be sold to Low and/or Moderate Income Households.</p> <p>2. Rental projects - A minimum of five percent of units in the total Residential Development shall be Very Low Income; the remaining ten percent of the units shall be Low Income.</p>	<p>Consistent.</p> <p>The Project is meeting the requirements of the City’s Inclusionary Housing Regulations by providing the proposed affordable units as follows: 15% very low income units and 15% moderate income units. The proposed number and level of affordability exceeds the minimum required 15% low income units in the City’s regulations.</p>
<p>ARTICLE 11. GENERAL PROPERTY DEVELOPMENT REGULATIONS</p>		<p>Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).</p>
<p>10-1-1101: COMPLIANCE</p>	<p>No lot or structure shall be created, erected, altered, or maintained contrary to the provisions of this chapter.</p>	<p>Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).</p>
<p>10-1-1102: ERECTION OF MORE THAN ONE STRUCTURE ON A RESIDENTIAL LOT</p>	<p>The requirement is <i>“Not more than one (1) main structure occupied or intended to be occupied for a permitted or permissible use may be erected on a single residential lot, unless yard and other requirements of this chapter are met for each structure as though it were on an individual lot.”</i></p>	<p>Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).</p>

10-1-1103: LOT TO HAVE FRONTAGE	The requirement is <i>“Every building shall be on a lot which has frontage of at least 20 feet on a public or private street.”</i>	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1104: FRONTAGE ON ALLEYS	The requirement is <i>“Alleys shall not be considered public streets for street frontage requirements of this chapter.”</i>	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1105: HAZARDOUS AREAS	The requirement is <i>“The Public Works Director may require a fence or wall not less than six (6) feet in height along the perimeter of any area which they consider dangerous because of conditions or physical hazards on the property, such as frequent inundation, erosion, excavation, or grade differential.”</i>	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1106: USES IN COMPLETELY ENCLOSED BUILDINGS	The requirement is <i>“When a use is required to be conducted in a completely enclosed building there shall be no openings on any side that faces residentially zoned property except as otherwise allowed by this section. Stationary windows not capable of being opened are not considered openings within the meaning of this section. Openings for the ingress or egress of persons or vehicles shall be permitted on a side that faces residentially zoned property upon the condition and requirement that said openings shall not be allowed to remain open except during the passage of persons or vehicles through such openings. As used in this section, the side of an enclosed building faces residentially zoned property if any point on the outer surface of the subject side of said enclosed building is within 150 feet of any point on the property line of said residentially zoned property as measured along any line within the horizontal scope of 45 degrees and 135 degrees from such point upon the surface of the subject side of said enclosed building.”</i>	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1108: OPEN STORAGE AREAS MUST BE ENCLOSED	Open storage areas in commercial and industrial zones shall have an opaque masonry wall surrounding the storage area at least six (6) feet in height and in good repair, except where the storage area is bounded by a building. The stored material shall be kept below the horizontal plane of the top of the wall. The provisions of this section shall not apply to the open display of merchandise for sale in connection with a use permitted in the zone.	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).

10-1-1109: JUNK YARDS MUST BE FENCED	The requirement is “ <i>Junk yards shall have an opaque masonry wall entirely surrounding the property, at least eight (8) feet in height and in good repair. The height of the junk, wrecked automobiles, airplanes, or other machinery shall be kept below the horizontal plane of the top of the wall.</i> ”	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1110: ACCESSORY BUILDINGS CONVERTED TO LIVING QUARTERS	The requirement is “No person shall erect, construct, place or maintain any roof or shade structure over a mobile home located within a mobile home park.”	Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1114: ART IN PUBLIC PLACES	Refer to Zoning Code BMC Sections 10-1-1114 (A-L)	<u>The Project may be exempt if the building valuation is \$1.5 million or less pursuant to 10-1-1114(K)(5),</u>
10-1-1115: ARCADE DEVELOPMENT REGULATIONS		Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1116: ALCOHOLIC BEVERAGES - ON-PREMISES AND OFF-PREMISES; CONDITIONAL USE PERMIT REQUIRED		Not Applicable pursuant to BMC Code Sections 10-1-622(A)(2) and 10-1-806(G)(2).
10-1-1117: BILLIARD PARLOR DEVELOPMENT STANDARDS		N/A
10-1-1118: WIRELESS TELECOMMUNICATIONS FACILITIES. REGULATIONS AND DEVELOPMENT STANDARDS		N/A
10-1-1120: ADULT BUSINESSES: REGULATIONS AND DEVELOPMENT STANDARDS		N/A

10-1-1121: SHOPPING CART CONTAINMENT		N/A
10-1-1122: EMERGENCY SHELTER DEVELOPMENT STANDARDS		N/A
10-1-1123: TEMPORARY AID CENTER DEVELOPMENT STANDARDS		N/A
ARTICLE 13. GENERAL HEIGHT STANDARDS DIVISION 1. HEIGHTS FOR BUILDINGS, WALLS AND FENCES		
10-1-1301: EXCEPTIONS TO BUILDING HEIGHT LIMITS	<i>“This Section applies to all zones except the R-1 and R-1-H zones. Height limits for the R-1 and R-1-H zones are specified in Section 10-1-603. Except as otherwise provided, skylights, fire and parapet walls, chimneys, ventilating fans, antennas (except personal wireless telecommunication facilities), tanks, flagpoles, penthouses or roof structures for housing elevators, lofts, stairways, air conditioning or similar equipment, and other appurtenances usually required to be placed above a building to operate and maintain it may be erected up to 15 feet above the height limits prescribed in this chapter, but no penthouse or roof structure shall be allowed for the purpose of providing additional floor area. A Conditional Use Permit is required if the appurtenance exceeds the height limit by more than 15 feet. Rooftop mechanical, storage and building circulation facilities are excluded from height limits, provided that these facilities do not occupy more than one-third (1/3) the area of the roof, are located in the interior of the roof area, and are screened so as to minimize pedestrian level view from public streets or from any neighboring residential uses. A Conditional Use Permit is required if the appurtenance is more than one-third (1/3) the area of the roof. Appurtenances do not include roof forms and architectural features which are not required to operate or maintain a building, such as ornamental towers, spires, steeples, belfries and cupolas.”</i>	Not Applicable. The Project is approximately 75 feet from the closest R-1-H lot line across Mariposa Street. Therefore the maximum height permitted pursuant to BMC 10-1-624(D) is 40 feet. The proposed maximum height for the project is 63.7 feet and is permitted pursuant to the Project Applicant’s request of a waiver from the height requirements in BMC Section 10-1-624, Subsection D (Height) items 1 through 10), pursuant to State Density Bonus Law (CA Govt. Code Section 65915).

<p>10-1-1303: CORNER CUTOFF</p>	<p>The requirement is “<i>No structure, object, or feature, including but not limited to fences, walls, and hedges, may be erected or maintained in any zone below a height of ten (10) feet and above a height of three (3) feet above the finished ground surface within a corner cutoff area. The corner cutoff area is defined by a horizontal plane making an angle of 45 degrees with the front, side, or rear property lines as the case may be, and passing through points as follows:</i></p> <p>A. <i>STREETS.</i></p> <p><i>At intersecting streets, ten (10) feet from the intersection at the corner of a front or side property line.</i></p> <p>B. <i>ALLEYS.</i></p> <p><i>At the intersection of an alley with a street or another alley, ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.</i></p> <p>C. <i>DRIVEWAYS.</i></p> <p><i>At the intersection of a driveway with a street or alley, five (5) feet from the edges of the driveway where it intersects the street or alley right-of-way.</i></p>	<p>Not Applicable</p>
<p>10-1-1304.5 NOTICE OF BUILDING HEIGHT</p>	<p>Whenever notice is required in accordance with this Chapter such that the height of a building is identified, the actual height shall be indicated by adding and identifying the following: 1) building height; 2) any additional height for roof and architectural features (if any); and 3) any additional height exception pursuant to Section 10-1-1301 (if any).</p>	<p>Not Applicable</p>
<p>DIVISION 2. HEIGHTS SURROUNDING BOB HOPE AIRPORT</p>		<p>Not Applicable</p>
<p>10-1-1305 through 10-1-1309</p>		<p>N/A</p>

<p>ARTICLE 14. GENERAL OFF-STREET PARKING STANDARDS</p> <p>DIVISION 1. GENERAL PROVISIONS</p>		
<p>10-1-1401: PARKING SPACE DIMENSIONS</p>	<p><i>Residential Use: 8'-6" minimum width</i> <i>Retail and Services Commercial: 9'-0" minimum width</i></p> <p><i>The minimum width of parking spaces adjacent to walls, columns, or other vertical obstructions shall be determined by standards established by the Public Works Director.</i></p> <p><i>PARKING BAY WIDTHS FOR TWO-WAY TRAFFIC AND DOUBLE LOADED AISLES</i></p> <p><i>Minimum Stall Length = 18'-0"</i></p> <p><i>8'-6" width (90 degree angled parking): 63' - 4"</i></p> <p><i>9'-0" width (90-degree angled parking): 61' - 4"</i></p>	<p>Consistent. The Project proposes 45 parking spaces and all parking spaces meet the minimum required dimension.</p>
<p>10-1-1403: INGRESS AND EGRESS; BACKING INTO HIGHWAY</p>	<p>Off-street parking shall be easily accessible from and to a street or other dedicated public right-of-way. The parking shall be so arranged that it shall not be necessary to back into a major or secondary highway to exit from the parking area.</p>	<p>Consistent. Off-street parking is proposed in an on-site parking garage. There are no major or secondary highways in the vicinity of the Project site.</p>
<p>10-1-1404: TANDEM PARKING</p>		
<p>10-1-1404(6) – Multifamily Residential</p>	<p>Tandem parking is permitted in multiple family residential zones only as permitted in Section 10-1-628(I).</p>	<p>Consistent. The Project proposes 45 parking spaces and all parking spaces meet the minimum required dimension. The Project meets subsection 4 by providing 4 tandem parking</p>

		spaces (8 total spaces) for 4 units and 37 parking spaces for the remaining 36 units.
10-1-1405: PARKING OR STORING AIRPLANES, BOATS, VEHICLES, ETC. WITHIN CERTAIN YARDS IN RESIDENTIAL ZONES	<p>No airplane, boat, house car, mobile home, motor vehicle, trailer, or part of such vehicle, shall be parked or stored in the front yard of any lot in a residential zone, or the side yard facing a street on a corner or reverse corner lot in a residential zone, except that:</p> <ol style="list-style-type: none"> 1. Passenger vehicles as defined in the State Vehicle Code, excluding house cars; 2. House cars not exceeding 22 feet in length; 3. Pickup trucks not used for commercial purposes; and 4. Motor trucks while on business calls; may be parked on permanently constructed driveways within such front or side yards, if currently licensed by the State Department of Motor Vehicles and capable of movement under their own power or temporarily disabled for not to exceed 72 hours while so disabled. This section shall not apply to vehicles parked on publicly owned or operated property. 	Not Applicable. The Project is not located in a residential zone.
10-1-1405.5: BICYCLE PARKING SPACES		
A. Definition	A BICYCLE PARKING SPACE shall be defined as the space for one (1) bicycle in a bicycle rack which is affixed to a permanent surface.	The Project proposes 16 bicycle spaces.
B. Installation and Maintenance Requirements	<p>Bicycle parking facilities shall be installed in a manner which allows adequate space for access when the facilities are occupied, and shall be located so as to minimize the blocking of any public sidewalks or right-of-way. An encroachment permit from the Public Works Department is required for any encroachment into the public right-of-way.</p> <p>Bicycle parking facilities shall be located on a hard paved surface and shall be painted with a protective coating to prevent rusting and shall be well maintained.</p>	Consistent. Sheet 9 depicts the bicycle parking facilities located within the proposed parking garage. There are no bicycle facilities proposed outside of the building.

C. Bicycle Parking for Arcades/Billiard/Parlors	For all arcades and billiard parlors, one (1) bicycle space shall be provided for each 150 square feet of adjusted gross floor area.	Not Applicable.
10-1-1406: SITE PLAN	<i>“A site plan containing a detailed parking arrangement accurately dimensioned, showing individual parking spaces, aisles and driveways indicating adequate ingress and egress, as well as location, size, shape, design, curb cuts, lighting, landscaping, and other features and appurtenances of the proposed parking, as provided in Article 19, Division 2 of this chapter, shall be submitted to the Building Director when application is made for a building permit requiring compliance with this article. The site plan shall be referred to the Building Director for approval.”</i>	Not Consistent. The Project provided a site plan containing a detailed parking arrangement accurately dimensioned, showing individual parking spaces, aisles and driveways indicating adequate ingress and egress, as well as location, size, shape, design, curb cuts, landscaping, and other features and appurtenances of the proposed parking. The site plan did not indicate lighting.
10-1-1407: USE OF VACANT LOTS IN RESIDENTIAL AND COMMERCIAL ZONES FOR PARKING VEHICLES		Not Applicable.
10-1-1407.01: USE OF PARKING AREAS FOR STORAGE	<i>“All required parking shall be used solely as customer and employee parking of motorized vehicles. No required parking shall be used for the temporary or permanent storage of any other motor vehicles, or any products or materials for production, repair, sale or lease.”</i>	Not Applicable.
10-1-1407.1: CENTRAL BUSINESS DISTRICT DOWNTOWN PARKING AREA	All required parking shall be used solely as customer and employee parking of motorized vehicles. No required parking shall be used for the temporary or permanent storage of any other motor vehicles, or any products or materials for production, repair, sale or lease.	Not Applicable.

DIVISION 2. PARKING REQUIREMENTS		
10-1-1408: SPACES REQUIRED	The requirement is <i>“Residential Uses: As provided for each residential zone in Article 6 of this chapter.</i>	Consistent. This section is superseded by CA Gov’t Code Section 65913.4(d)(2)
10-1-1409: WAIVER WITHIN A PARKING DISTRICT	<p>Except for buildings or parts of buildings designed, intended to be used, used or occupied for residential use, all or a portion of the required off-street parking may be waived by the Planning Commission when the property for which the parking is required is located within the boundaries of an assessment district for the acquisition of publicly owned automobile parking if either:</p> <ol style="list-style-type: none"> 1. The Planning Commission finds that there are sufficient publicly owned automobile parking spaces in the vicinity to justify the waiver without detriment to the public health, welfare and safety; or 2. The owner or occupant of the property on which the waiver is to be applied pays to the City an amount equal to the fair market value of the waived parking space, the area of which shall be determined by the number of required spaces times 300 square feet, and the cost of converting such space into a parking lot, as estimated by the Public Works Director. <p>Before granting a waiver, the Planning Commission shall report its proposed action to the Council for approval. If the Council disapproves, the waiver shall not be granted.</p>	Not Applicable.
10-1-1410: WAIVER AS TO EXISTING USES		Not Applicable
10-1-1411: MUST SERVE ONE USE; EXCEPTIONS	The requirement is <i>“Off-street parking for one use shall not be considered as providing required off-street parking for any other use, except as expressly authorized by this article.”</i>	Consistent. There is only one use proposed for this site.
10-1-1412: Location of Parking Areas		

<p>A. DWELLINGS.</p> <p>For single or multiple family dwellings, off-street parking shall be located on the same lot or building site as the building is required to serve.</p>		<p>Consistent. Required parking is provided in the proposed parking garage on site.</p>
<p>10-1-1413: MEASUREMENT OF DISTANCES</p>	<p>The requirement is <i>“The distance of off-street parking from the building it is required to serve shall be based upon the shortest walking distances from the nearest point of the off-street parking to the nearest point of the building or use served.”</i></p>	<p>Consistent. The parking garage is located underneath the multi-family residential building.</p>
<p>10-1-1414: OFF-SITE PARKING AGREEMENT FOR NON-SHARED AND EXCLUSIVE PARKING</p>		<p>Not Applicable.</p>
<p>10-1-1415: SHARED PARKING AGREEMENT – ON OR OFF-SITE</p>		<p>Not Applicable.</p>
<p>10-1-1416: APPLICABILITY OF PARKING AREA REQUIREMENTS</p>	<p>The requirement is <i>“The requirements of Sections 10-1-1417, 10-1-1421, and 10-1-1422 apply to all parking areas located in all zones. The requirements of Sections 10-1-1417.1 through 10-1-1420 inclusive apply to all parking areas located in 1) all non-residential zones and 2) in residential zones which provide parking for uses located in a non-residential zone.”</i></p>	
<p>DIVISION 4. IMPROVEMENT OF PARKING AREAS</p>		
<p>10-1-1417: PARKING LOT DESIGN STANDARDS</p>		

<p>A. All off-street parking areas and accessways shall be graded, paved, and marked as follows</p>	<ol style="list-style-type: none"> 1. All paved areas used for parking, loading, or vehicle circulation shall be designed consistent with accepted engineering principles for the largest type of anticipated vehicle loading in order to minimize future maintenance and safety hazards. 2. Surfaces shall be paved with concrete or suitable asphaltic surfacing to prevent the emanation of dust. 3. Surfaces shall be graded and drained in accordance with standards prescribed by the Public Works Director. 4. Parking spaces and access lanes shall be clearly marked including the use of directional arrows when necessary to guide internal movements. 	<p>Consistent.</p>
<p>B. The Public Works Director, Community Development Director, and/or the Planning Commission may place special requirements on an individual site to reduce or increase the number, width, and location of driveways in order to reduce traffic hazards, decrease paved area, or mitigate on-street parking problems. The Public Works Director, Community Development Director, and/or the Planning Commission may require that access, either primary or secondary, take advantage of existing public alleys.</p>		<p>Not Applicable.</p>
<p>C. Parking and directional signs shall be provided in accordance with the Burbank</p>		

Municipal Code or when required by the Public Works Director.		
D. Barriers shall be provided as follows:	<p>1. Safety barriers, protective bumpers, or curbing and directional markers shall be provided to ensure pedestrian and vehicular safety and efficient utilization and protection of landscaping, and to prevent encroachment onto adjoining public or private property.</p> <p>2. Concrete curbs at least six inches high shall be installed to serve as wheelstops for cars next to streets, sidewalks, buildings, or other structures, and as protective edging for planting areas.</p>	<p>Consistent.</p> <p><u>(D)(1) – Conditions of Approval will be added to ensure compliance with these standards.</u></p> <p>(D)(2) - Sheet 9 depicts wheel stops in each parking space.</p>
E. All open space areas designed for active or passive recreation purposes shall be physically separated from parking areas and driveways in a fashion necessary to protect the safety of all pedestrians.		<p>Consistent. The Parking area is completely enclosed underneath the building. The open space areas are located on the building podium and in the rear of the site.</p>
F. Visibility of pedestrians, bicyclists, and motorists shall be ensured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.		<p>Consistent. The parking garage is designed with accepted engineering principles. The parking garage includes 24' – 27.5' wide drive aisles to allow safe circulation within the parking area.</p> <p><u>Conditions of Approval will be added to ensure compliance with these standards.</u></p>
G. Internal circulation patterns and the location and traffic direction of all access drives shall be designed and maintained in accordance with accepted principles of traffic		<p>Consistent. The parking garage is designed with accepted engineering principles. The parking garage includes 24' – 27.5' wide drive aisles to allow</p>

<p>engineering and traffic safety. All vehicle movements involved in loading, parking, or turning around shall occur on-site.</p>		<p>safe circulation within the parking area.</p> <p><u>Conditions of Approval will be added to ensure compliance with these standards.</u></p>
<p>H. All parking lots shall be maintained as follows:</p>	<ol style="list-style-type: none"> 1. All paved areas shall be maintained in the manner required to eliminate safety hazards, standing water, weeds, inefficient drainage patterns, and deterioration of sub-base materials. Paved areas shall be impervious to water and shall be maintained in a sanitary condition free from refuse and debris. 2. All trees and landscape areas shall be maintained as per Section 10-1-1418:E. 3. All property owners shall perform such maintenance as required by the Community Development Director within 45 days following written notification of any pavement, landscaping, or irrigation maintenance deficiencies pursuant to this section and within seven days following written notification of unsanitary or unsafe conditions. 	<p>Consistent.</p>
<p>10-1-1417.1: SETBACKS AND WALLS</p>		
<p>A. Parking areas, trash enclosures, and utility cabinets or equipment shall be fully screened from public view through the use of berming, landscape materials, walls, buildings, lowering the elevation of parking areas below street grade, or a combination thereof. All walls to be used for screening purposes shall be of solid masonry construction and ornamental in texture, pattern, or shadow relief and shall be</p>		<p>Consistent. The parking areas, trash enclosures, and utility cabinets are completely screened from public view. The parking area and trash enclosure are located underneath the building and the transformer and switch pad area, located at the southwest corner of the site, is screened from view by a 7-foot-tall CMU wall.</p>

used in conjunction with foreground landscaping.		
B. Surface parking lots shall have four foot minimum front yard and street side yard landscaped setbacks. A three foot high masonry wall, or other such protective barrier as may be approved by the Community Development Director, shall be constructed along the street frontage of a parking lot, except at accessways, to insure against unchanneled motor vehicle ingress or egress. If a wall is used as a protective device, the required landscaping must be located between the wall and the street property line.		
C. All walls and landscaping materials shall comply with the corner cutoff requirements in Section 10-1-1303 .		
10-1-1417.2: PARKING LOTS ABUTTING AND ADJACENT TO RESIDENTIAL ZONES		N/A
10-1-1418: LANDSCAPING		
A. All interior areas not used for parking spaces or driving aisles in a parking lot shall be landscaped. The following areas are exempt from this section:	<ol style="list-style-type: none"> 1. Residential parking areas in R-1 and R-2 zones, 2. Parking structures, carports, and enclosed parking spaces, 3. Truck loading areas in front of overhead doors, 	The Project is exempt from this standard because all proposed parking is located within a parking structure.

	<p>4. Truck maneuvering and parking areas unconnected to, and exclusive of, any vehicle parking,</p> <p>5. Surfaced areas not to be used for vehicle parking, driving, or maneuvering, provided they are made inaccessible to vehicles by a barrier such as bollards of fencing.</p> <p>6. Vehicle display, sales, service, and storage areas.</p>	
<p>B. Landscaping and shading plans shall be prepared by a licensed landscape architect and shall be done to the satisfaction of the Director. The licensed landscape architect shall certify that the plans comply with the requirements of this Section as well as the provisions of AB 1881, the Model Water Efficient Landscaping Ordinance. The Director may prepare guidelines to assist applicants in drafting landscaping plans.</p>	<p>1. Minimum Landscape Areas. A minimum of ten percent of the open parking and driveway areas shall be landscaped, exclusive of required front and exposed side yard setbacks.</p> <p>a. All interior parking lot landscaping, exclusive of required front and exposed side yard setbacks, shall be located within a planter bounded by a concrete curb at least six inches high. No planter shall have a minimum dimension of less than six feet by six feet, or if no tree is located in the planter, four feet by four feet, excluding curbing. Each planter shall include a permanent automatic irrigation system appropriate for the type of landscaping installed. Each planting area shall be of adequate size for the landscaping provided.</p> <p>b. Trees, shrubs, and ground cover shall be provided at suitable intervals in order to break up the continuity of the parking area and shall be designed so as not to block the view of motorists and pedestrians. All shrubs and groundcover shall be a minimum five gallon size.</p> <p>c. Groundcover or shrubs may not exceed three feet in height above the parking lot surface.</p> <p>d. No one species shall comprise more than 75 percent of the planting within each of the following categories: trees, shrubs, and groundcover.</p>	<p>Not Applicable.</p>

	<p>e. Not more than 25% of the plant or planter or landscaped area may be covered with non-plant surfaces such as gravel, landscaping rock, artificial turf or concrete.</p> <p>f. All landscaped areas shall be designed so that plant materials are protected from vehicle damage or encroachment.</p>	
C. Tree Shading Requirements	<p>1. Trees shall be planted and maintained throughout the parking lot to ensure that, within 15 years after establishment of the parking lot, at least 50 percent of the parking lot will be shaded.</p> <p>a. The shade trees shall be a species that will provide a canopy-style effect.</p> <p>b. Shade trees shall be a minimum 36-inch box size at planting. If a minimum 36-inch box size is determined to be technologically infeasible or impractical, the 36-inch box size may be substituted with two, 24-inch box sized trees at the discretion of the Director.</p> <p>2. Upon completion of the installation of the shade trees, a licensed landscape architect shall certify that the shading complies with all requirements of this section. Certification shall be accomplished in a manner to be determined by the Director.</p> <p>3. Tree species appropriate for providing shade in parking lots shall be selected from “Street Trees Recommended for Southern California” as published by Street Tree Seminar, Inc. unless an applicant can demonstrate that it is technologically infeasible, impractical or inconsistent with the landscape design of the proposed parking lot to select such tree.</p>	Not Applicable.
D. Tree Shading Calculation	<p>1. Landscape and shading plans shall show the estimated tree canopies after 15 years of growth, the specific names, sizes and locations of trees to be planted, and</p>	Not Applicable.

	<p>the total area in square feet of the area shaded by tree canopies. In determining the area shaded, the following methodology shall be used:</p> <ol style="list-style-type: none"> a. Shading shall be calculated using the expected diameter of the tree canopy at 15 years. The Director may establish assumed expected canopy diameters. b. Shaded area on the pavement shall be measured assuming that the shaded area is only that area directly under the tree canopy or dripline. Diagram 10-1-1418(A) illustrates the manner in which shade is credited under various conditions. c. The shading plans shall include a shade calculation table identifying the quantity and type of trees used and the percentage of shade credited to each. Diagram 10-1-1418 (B) illustrates the format of the shade calculation table. d. Landscape planters under the canopy may be counted as shaded area, except in required setback areas. <p>2. The Director shall have the discretion to modify tree shading requirements under power lines and other obstructions which prohibit strict compliance with shading requirements, and to give shading credit for photovoltaic arrays, off-site trees and structures, canopies, and other structures, where appropriate.</p>	
E. Maintenance	<ol style="list-style-type: none"> 1. The maintenance obligations provided herein shall apply to all parking facilities, whether approved prior to or after the effective date of these requirements. 2. All trees and landscape areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. 3. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. 	Not Applicable.

	<p>4. Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to safety, drainage, or appearance.</p> <p>5. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning conducted as part of regular maintenance.</p> <p>6. Trees may not be trimmed or pruned to reduce the natural height, canopy size, or overall crown of the tree, except as necessary for health of the tree and public safety. All tree care shall comply with the current appropriate International Society of Arboriculture and American National Standards Institute standards.</p> <p>7. Any required tree or other plants that die or are improperly maintained shall be replaced with healthy specimens of similar species or size, provided that the replacement trees shall be a minimum of 36-inch box size and shall not be required to exceed 48-inch box size.</p> <p>8. Removal and replacement of trees that have caused damage to City sidewalks or other City infrastructure shall be reviewed and approved by the appropriate City Department.</p>	
10-1-1419: PARKING STRUCTURES		Consistent.
10-1-1420: LIGHTING	<p>The requirement is <i>“All off-street parking areas shall be provided with lighting as follows:</i></p> <p><i>1. Lights conforming to standards prescribed by the Public Works Director shall be installed in all nighttime parking lots used for public parking or for commercial purposes.</i></p> <p><i>2. All lighting shall be arranged to prevent glare or direct illumination on adjoining properties and streets.”</i></p>	Not Consistent. A lighting plan was not provided with this submittal and staff is unable to determine compliance with these standards.
10-1-1421: MAINTENANCE	All off-street parking areas shall be maintained in good condition.	<u>A Condition of approval will be added to ensure compliance with this standard.</u>

10-1-1422: PREREQUISITES TO IMPROVEMENT AND USE		
ARTICLE 16. GENERAL VEHICULAR ACCESS STANDARDS		
10-1-1601: ACCESS TO STREET	The requirement is <i>“Every lot shall be provided with permanent vehicular access to a street or an alley upon which it abuts.”</i>	Consistent. The Project proposed one vehicular access driveway along Mariposa Street.
10-1-1602: CURB CUTS	The requirement is <i>“No vehicular access way shall be located nearer than 30 feet to the ultimate curb lines of an intersecting street, nor be provided with a curb cut of more than 18 feet in residential zones and 30 feet in other zones. The Public Works Director may permit a curb cut of not more than 38 feet in nonresidential zones if the adjacent parking area is provided with an internal circulation pattern requiring two (2)-way vehicular movement in the driveway. Curb cuts on the same lot shall be separated by at least 20 feet of uncut curb. In residential zones, each lot is limited to one curb cut for each 100 feet of street frontage along any one street except that lots with less than 100 feet of street frontage may provide one curb cut. Minor deviations from the foregoing standards may be authorized by the Public Works Director to accommodate the safe ingress and egress of vehicles.”</i>	Consistent. Project plans indicate that the vehicular access way is located more than 30 feet away from Valleyheart Drive. The Project is located in the M-1 Zone and the proposed curb cut is 20’ wide.
10-1-1603: DRIVEWAY WIDTH	The requirement is <i>“Every driveway shall be at least 10 feet wide, and a maximum as approved by the Director.”</i>	Consistent. The proposed driveway is 20’ wide.
10-1-1604: DRIVEWAY SLOPES	The requirement is <i>“The slope of a driveway or driveway ramp shall not exceed a grade of 20 percent. A grade transition shall be provided at each end of a driveway or driveway ramp in accordance with standards prescribed by the Public Works Director.”</i>	Consistent. The plan submittal indicates the driveway slope is 20% which is the maximum permitted.
10-1-1605: PROTECTIVE BARRIER IN	The requirement is <i>“Where a vehicular access is provided to a street in a nonresidential zone, a barrier consisting of a three (3) foot high masonry wall, or</i>	Addressed by the Applicant

NONRESIDENTIAL ZONES	<i>such other protective barrier as may be approved by the Director, shall be constructed along the remaining street frontage of the lot to prevent unchanneled motor vehicle ingress or egress to the property. In commercial zones, the protective barrier shall also have the same aesthetic screening effect as a block wall, as approved by the Director.”</i>	
10-1-1606: TURN AROUND AREAS	The requirement is “ <i>A 24 foot turning radius shall be provided for access to driveways and right-angle parking stalls.</i> ”	Consistent. Sheet 6 depicts the 24-foot turning radius for safe access to right angle parking stalls and the driveway.
10-1-1607: APPROVAL BY PUBLIC WORKS DIRECTOR	The requirement is “ <i>All vehicular accessways to the street must be approved by the Public Works Director.</i> ”	
10-1-1608: DRIVE-THROUGH RESTAURANTS 10-1-1609: RESIDENTIALLY ADJACENT DRIVE-THROUGH ESTABLISHMENTS		Not Applicable
Article 17. PROTECTION AGAINST NUISANCES 10-1-1701-1707		<u>Conditions of Approval will be added to ensure compliance with these standards.</u>
BURBANK GENERAL PLAN 2035		
Policy 1.8	Ensure that development in Burbank is consistent with the land use designations presented in the Land Use Plan and shown on the Land Use Diagram, including individual policies applicable to each land use designation.	Consistent.

Policy 2.3	Require that new development pay its fair share for infrastructure improvements. Ensure that needed infrastructure and services are available prior to or at project completion.	The Project provides adequate open space and amenities in residential projects that encourage residents to gather and that supplement public open spaces. <u>Conditions of Approval will be added to ensure compliance with these standards.</u>
Policy 2.5	Require the use of sustainable construction practices, building infrastructure, and materials in new construction and substantial remodels of existing buildings.	<u>Conditions of Approval will be added to ensure compliance with these standards.</u>
Policy 4.6	Provide adequate open space and amenities in residential projects that encourage residents to gather and that supplement public open spaces.	Consistent. The project provides open space and amenities. The common open space and amenities provided is located in the interior and the rear of the site.
MOBILITY ELEMENT CHAPTER – TABLE M-2, SIDEWALK STANDARD, RANCHO COMMERCIAL	Standard Sidewalk Width – 15 feet (10 feet minimum)	
City of Burbank Complete Streets Objective Development Standards (CSODS)		
Section 3.2 Curb Ramps	Install pedestrian ramp at curb between driveway and southern property line across from SW corner of Mariposa and Valley Heart. This is referenced in City of Burbank CSODS section 3.2 adopted June 27, 2023. Curb at driveway shall be Type 2 per Burbank Standard Plan BS-103.	Consistent.

<p>Section 4.1.2 Types of Bicycle Racks</p>	<p>All bicycle racks shall be painted (powder coated) with a protective coating to prevent normal wear and tear. Bicycle racks that support the bicycle solely by the wheel or by one point on the bicycle frame are not permitted. All racks shall support the bicycle in a stable position and allow cyclists to secure their frame at two points</p>	
<p>Section 5.1 Horses Off-Street, On a Barrier Separated Bridle Path Standards</p>		
	<p>Points where equestrian path crosses the driveway and pedestrian access paths shall have a surface of concrete with stiffbroom finish</p>	
	<p>The equestrian path shall be separated from the Pedestrian Zone of the Sidewalk area by a 4-foot lodgepole fence</p>	
<p>BURBANK GREENHOUSE GAS REDUCTION PLAN (GGRP) UPDATE (ADOPTED BY CITY COUNCIL ON MAY 3, 2022)</p>		