



COMMUNITY DEVELOPMENT

October 25, 2024

Frank Miller
Executive Director
Burbank Glendale Pasadena Airport Authority
2627 N. Hollywood Way
Burbank, CA 91505

Re: Director's Interpretation of Law Enforcement Facility under Development Agreement

Dear Mr. Miller

This letter of interpretation ("Interpretation") responds to your attached request, where the Authority requested the Community Development Department (CDD) Director's interpretation of allowable uses within the Airport Zone pursuant to the Development Agreement (DA) between the City and the Authority. The DA lists *Law Enforcement Facilities* as a permitted use within the Airport Zone pursuant to Section 4.6 (b)(3)(F) of the DA; however, no further definition of a Law Enforcement Facility is given. City Staff has received a request from the Authority to approve the construction of an indoor training and firing range solely for the use of Airport Law Enforcement Personnel and limited to training and recertification purposes, as a permitted Law Enforcement Facility within the Airport Zone.

Subsection 4.6(c) of the DA gives the CDD Director the authority to interpret permitted uses to include other compatible uses not listed in the DA through a "New Interpretation," which becomes effective after 30 days' notice to the City Council and public posting. If any member of the City Council requests consideration of the New Interpretation within the 30-day notice period, the New Interpretation will not be effective unless there is a final determination by the City Council affirming the CDD Director's interpretation. In the event a City Council member requests consideration of a proposed New Interpretation, staff must agendaize the matter for City Council discussion within 30 days of such request. (DA § 4.6(c)).

As the CDD Director, it is my New Interpretation that the permitted use of *Law Enforcement Facility* includes a law enforcement indoor training and firing range ("Facility"), subject to the following limitations and as described in this Interpretation:

- The Facility shall be used by Airport Law Enforcement Personnel only for the purpose of training and recertification. Law enforcement personnel from other agencies and/or jurisdictions shall not be allowed to provide and/or receive training at this Facility.

- The Facility may only be used to provide firearms training and recertification to Airport Law Enforcement Personnel. No special events are allowed on the premises, including but not limited to use of the Facility by any party other than Airport Law Enforcement Personnel.

Any use or operation of the Facility in a manner that deviates from this Interpretation shall not be permitted unless a revised interpretation is issued by the CDD Director in accordance with the process outlined in Subsection 4.6(c) of the DA.

I have provided this Interpretation to the City Council and will notify you if a request for consideration is submitted within the required 30-day period.

Sincerely,



Patrick Prescott
Community Development Director

Cc: Justin Hess, City Manager
Joseph McDougall, City Attorney
Lisa Kurihara, Senior Assistant City Attorney
Fred Ramirez, Assistant Community Development Director

Attachments:

1. Request for New Interpretation
2. Development Agreement