

BURBANK MUNICIPAL CODE SECTION / ADOPTED PLAN	CONSISTENCY ANALYSIS BY PLANNING AT NOI STAGE	FORMAL SB 35 APPLICATION - APPLICANT NOTES/REVISIONS	COMPLIANCE DETERMIANTION
10-1-502: USES IN ALL ZONES (EXCEPT RESIDENTIAL ZONES)	<p>The project is in the M-1 and located within the Rancho Commercial land use designation. Pursuant to Burbank Municipal Code (BMC) Section 10-1- 801.5 (General Plan Consistency), in the M-1 Zone, residential uses are allowed with a maximum density of up to 20 unit/acre subject to “discretionary approval”. The applicant is proposing 21 units on a one-acre lot.</p>	<p>The project proposes 23 units on a one-acre lot and is consistent with this section.</p>	
10-1-630: ADDITIONAL REQUIREMENTS FOR THE RANCHO AREA			
A. APPLICABILITY	<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>Project is located in the Rancho Area as defined by BMC Section 10-1-630.2 and further defined in Diagram 10-1-630(A).</p>	<p>Project site is located in the Rancho. Project is consistent with the objective development standards in the code for 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"> <li>1. Strong horizontal elements such as long roof lines and verandas</li> <li>2. Wide eave overhangs</li> <li>3. Adobe or vertical board-and-batten wall surfaces</li> <li>4. Deeply inset window and door openings</li> <li>5. Heavy timber elements, such as post and beam support for porches or verandas</li> <li>6. Multi-paned windows</li> <li>7. Utilization of the following materials or similar materials approved by the Community Development Director: <ol style="list-style-type: none"> <li>a. Exterior woods, including rough cut timber and large section timber</li> <li>b. Slump</li> <li>a. Block or other adobe-like masonry</li> <li>c. Clay roof tile</li> </ol> </li> </ol> <p>Project must comply with these standards</p>	<p>As depicted on the elevations, the project includes the following architectural elements:</p> <ul style="list-style-type: none"> <li>• Strong horizontal elements (long roof line)</li> <li>• Adobe (stucco) wall surface</li> <li>• Door recess alcoves behind archways</li> <li>• Recessed windows</li> <li>• Faux wood corbels</li> <li>• Multi-paneled windows</li> <li>• Concrete “s” tiles</li> </ul>	
<p>C. VEGETATION</p>	<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> <ol style="list-style-type: none"> <li>1. California pepper</li> <li>2. Olive</li> <li>3. Live oak</li> <li>4. California holly</li> <li>5. Eucalyptus</li> <li>6. Cactus and succulents</li> </ol> <p>Project must comply with these standards</p>	<p>The project will comply with this section. The requirement has been noted on the Plans, and the tree species list will be finalized during the Construction Document process.</p>	

Article 6. RESIDENTIAL USES AND STANDARDS			
DIVISION 5. AFFORDABLE HOUSING INCENTIVES			
10-1-635 CALCULATION OF DENSITY BONUS AND NUMBER OF INCENTIVES AND CONCESSIONS	<p>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:</p> <ol style="list-style-type: none"> <li>1. Ten percent of the total units of the Housing Development as Affordable Units affordable to low-income households; or</li> <li>2. Five percent of the total units of the Housing Development as Affordable Units affordable to very low-income households; or</li> <li>3. A Senior Citizen Housing Development; or</li> <li>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.</li> </ol> <p>The Project is located on a 43,560 square foot site. The M-1 Zone permits 20 dwelling units/acre in density. The site is, therefore, permitted to have 20 dwelling units. The Project is proposing to set aside 10% of the unit total for low-income housing. Under California State Density Bonus Law, the site is eligible for a 20% Density Bonus. The Project can propose up to 24 units with 2 of the units reserved for low-income residents. The Project proposes 21 units with 2 units reserved for low income. Therefore, the Project satisfied criteria A.1. and meets this standard.</p>	<p>The project is located on a ~1 acre site in the M-1 Zone which permits 20 units/acre. The project sets aside 2 units (10%) as Affordable Units for low-income households (criteria A.1.) and includes a request for a 15 percent density bonus, resulting in a total proposed density of 23 units which will be subdivided as for-sale units.</p>	

	<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.</p> <p>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.</p> <p>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.</p> <p>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> <p>The Project proposes 10% of the units to be affordable to low-income households. Section 402 (a)(3)(A) of the Government Code Section 65913.4 states that “If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the AMI, that local affordable housing requirement applies.” BMC Section 10-1-646 requires a minimum of 15 percent of newly constructed dwelling units in Residential Developments to 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.</p> <p>The Project shall note how it complies with the Inclusionary Housing Ordinance for similar for-sale units or provide the code section that allows an exemption from this requirement.</p>	<p>The City’s Inclusionary Housing Ordinance (BMC Section 10-1-646) requires a minimum of 15 percent of newly constructed dwelling units in Residential Developments to 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. The Inclusionary Housing Ordinance states that for-sale projects must include 15 percent of the “total” Residential Development units to be sold to “Low and/or Moderate Income Households.” This section also provides an option to use “Inclusionary Credits” for a credit of two (2) Moderate Income owner units for everyone one (1) Low Income owner unit.</p> <p>The Project has a “total” of 20 units, which would require 15 percent or 3 units as Low or Moderate Income. As the Project provides two (2) Low Income Owner units, it receives a credit for up to four (4) Moderate Income units and therefore satisfies the requirements of the City’s Inclusionary Housing Ordinance.</p> <p>The Project complies with this objective standard.</p>	
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	<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>BMC Section 10-1-635 (B) allows a 20 percent density bonus for a housing development providing at least 10% of its units to low-income households. M-1 Zone permitted density for the Rancho Commercial Land Use Designation = 20 dwelling units/acre (BMC Section 10-1-801.5)  Lot Size = 1 acre (43,560 square feet)  Because the lot size is one acre, the Project is permitted a maximum of 20 units on the site (<i>This is the base density on the site</i>).</p> <p>20 units x 10% (affordability requirement) = 2 units.</p> <p>Therefore, the Project must provide at least 2 low income units to meet the density bonus requirement. The Project proposes 2 affordable units and therefore, the Project meets this standard. However, as noted in the previous section, the City's inclusionary housing ordinance applies to this project and at least 15 percent of the total units must be provided to low-income or moderate-income households.</p> <p>The Project does not meet the requirements of the inclusionary housing ordinance. Provide supporting information that notes how the proposed project meets the requirements of SB35 and the City's Inclusionary Housing Ordinance.</p>	<p>The Project site is in the M-1 (Limited Industrial) Zone and within the Rancho Commercial General Plan Land Use Designation which permits a base density of 20 dwelling units per acre. The Project site is one acre, which results in a base density of 20 units. The Project includes a request for a 15 percent density bonus, resulting in a total proposed density of 23 units which will be subdivided as for-sale units. To receive the 15 percent density bonus, the Project must set aside 10 percent of the base density, or 2 units, as Low Income. The Project sets aside 2 units as Low Income which satisfies both the density bonus requirements of the State Density Bonus Law (Government Code Section 65915) and BMC 10-1-635.A, as well as the SB 35 requirement to provide 10% of the "total units" for Low Income households, or those households making below 80 percent of the area median income.</p> <p>By providing 2 Low Income units, the Project also complies with the Inclusionary Housing Ordinance, as stated in the item above. The Project complies with this objective standard.</p>	
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	<p>D. The developer may request a lesser Density Bonus than the project is entitled to, but no reduction will be 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>BMC Section 10-1-635 (B) allows a 20 percent density bonus for a housing development providing at least 10% of its units to low-income households.</p> <p>M-1 Zone permitted density for the Rancho Commercial Land Use Designation = <b>20 dwelling units/acre (BMC Section 10-1-801.5)</b></p> <p>Lot Size = 1 acre (43,560 square feet)</p> <p>Because the lot size is one acre, the Project is permitted a maximum of 20 units on the site (<i>This is the base density on the site</i>).</p> <p>20 units x 20% Density Bonus = 24 units.</p> <p>By providing 10% of the units to low-income households, the Project is entitled to a 20 percent density bonus and the Project is therefore eligible for a maximum density of 24 units. The Project is proposing 21 units. Therefore, the Project meets this standard.</p>	<p>The project is proposing 23 units. Therefore, the project meets this standard.</p>	
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	<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"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p>Project is entitled to one incentive or concession.</p>	<p>The Project will include a request for one incentive, as permitted for a project which provides at least 10 percent of the total units for Low Income Households. BMC 10-1-640(A)(1) permits applicants to seek “A reduction of site Development Standards or a modification of zoning code requirements... which result in identifiable, financially sufficient, and actual cost reductions.” BMC 10-1-640(A)(1)(e) refers specifically to “Increased maximum building height and/or stories” as an incentive that may be proposed. In accordance with the BMC, the applicant will utilize one incentive to request a 7-foot, 9-inch increase in height above the 35 foot height limit within 50-150 feet of the R-1-H zone.</p> <p>This incentive will allow for more efficient construction and site design which will result in cost reductions for the Project and provide for affordable housing costs for the sale of the two (2) Low Income units.</p>	
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	<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 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>The Project proposes no more than one density bonus, and it does not exceed a 35% increase at a proposed density of 20 dwelling units per acre.</p>	<p>The project proposes no more than one density bonus, and it does not exceed a 35% increase at a proposed density of 20 dwelling units per acre.</p>	
	<p>A. 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>The proposed Project does not require any zone change or modification to the existing general plan land use designation for the Project site to build the proposed residential development in conformance with local and state SB 35 regulations. Therefore, this standard does not apply.</p>	<p>N/A</p>	
<p>10-1-636: LAND DONATION</p>	<p>The proposed Project does include a land donation as part of the proposed residential project, consistent with local and state SB 35 regulations. Therefore, this standard does not apply. Therefore, this standard does not apply.</p>	<p>N/A</p>	



10-1-637: CHILD CARE FACILITIES	The proposed Project does include a childcare facility as part of the proposed residential project, consistent with local and state SB 35 regulations. Therefore, this standard does not apply. Therefore, this standard does not apply.	N/A	
10-1-638: CONDOMINIUM CONVERSIONS	The proposed Project does include a condominium conversion as it is new construction of a residential project, consistent with local and state SB 35 regulations. Therefore, this standard does not apply.	N/A	
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. The Project must comply with this standard.	The Affordable Units within the project will be constructed concurrently with Market Rate Units. The Project complies with this standard.	

	<p>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, 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 <a href="#">10-1-651(C)</a>. The Director is authorized to execute the necessary agreement which shall be prepared by the City Attorney</p> <p><a href="#">The Project must comply with this standard.</a></p>	<p>The project will comply with this standard.</p>	
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	<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 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. The Project proposes for-sale units to low-income households. However, the Project does not meet the requirements of the Inclusionary Housing Ordinance (10-1-646) which requires units to be sold to low and/or moderate-income households. The Project has not specified the provision of low and/or moderate-income households in order to meet the inclusionary housing requirement. More information is required.</p>	<p>Through the provision of 2 Low Income Owner units, the Project complies with the Inclusionary Housing Ordinance.</p> <p>The Project will comply with this standard for the sale of the Affordable Units, in accordance with the Conditions of Approval.</p> <p>Please refer to the above response to item 10-1-635 B and the Cover Letter for additional information pertaining to the project's consistency with this section.</p>	
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	<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 Development Standards, except those which may be modified as provided by this Division.</p> <p>The Project proposes two units for low-income households. The submitted plans do not make a distinction between the low-income units and the market rate units. The Project meets this standard.</p>	<p>Please see sheet A-1.0 (Site Plan) for the location of the low-income units proposed within the project.</p>	
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	<p>E. 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> <p>a. Zero to one (1) bedrooms: one (1) onsite parking space.</p> <p>a. Two (2) to three (3) bedrooms: two (2) onsite parking spaces.</p> <p>b. Four (4) and more bedrooms: two and one-half (2 1/2) parking spaces.</p> <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>Section 300 (e)(1) states that “Automobile parking standards shall not be imposed on a development that meets any of the following criteria:</p> <p>(A) The development is located where any part of the parcel or parcels on which the development is located is within one-half mile of any part of the parcel or parcels of public transit, as defined by Section 102(t) of these Guidelines.</p> <p>(B) The development is located within a district designated as architecturally or historically significant under local, state, or federal standards.</p> <p>(C) When on-street parking permits are required, but not made available to the occupants of the development.</p> <p>(D) When there is a car share vehicle, (i.e., a designated location to pick up or drop off a car share vehicle as defined by Section 102(d),) within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.</p> <p>The Project does not meet any of the above criteria and therefore is subject to the applicable parking standards set forth in Article 14 of the BMC Zoning ordinance. Article 14 is reviewed separately in this document. The Project proposes two and three</p>	<p>The project complies with the parking requirements outlined in CA Gov. Code Section 65913.4(d)(2), which states that the local government may not impose parking requirements for streamlined developments that exceed one parking space per unit.</p> <p>The project provides a total of 46 parking spaces at 2.0 spaces/du, therefore the project complies with this standard and CA Gov. Code Section 65913.4(d)(2).</p>	
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	<p>bedrooms for all of the dwelling units and proposes two on-site parking spaces for each dwelling unit. Therefore, this standard is met.</p>		
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	<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>The project must comply with this standard.</p>	<p>The project will comply with this section.</p>	
<p>10-1-640; DEVELOPMENT STANDARDS MODIFIED AS INCENTIVE OR CONCESSION A-D</p>	<p>If incentives or concessions are requested at time of formal application submission, the standards included in this section will apply.</p>	<p>The Project will include a request for one incentive, as permitted for a project which provides at least 10 percent of the total units for Low Income Households.</p> <p>BMC 10-1-640(A)(1) permits applicants to seek “A reduction of site Development Standards or a modification of zoning code requirements... which result in identifiable, financially sufficient, and actual cost reductions.” BMC 10-1-640(A)(1)(e) refers specifically to “Increased maximum building height and/or stories” as an incentive that may be proposed.</p> <p>In accordance with the BMC, the applicant will utilize one incentive to request a 7-foot, 9-inch increase in height above the 35 foot height limit within 50-150 feet of the R-1-H zone.</p> <p>The design of the two buildings on the west side of the Project include stair housing plates (also known as “dormers”) which exceed the 35-foot height limit by approximately 7 feet, 9 inches within 50-150 feet of the R-1-H zone.</p>	

		This incentive will allow for more efficient construction and site design which will result in cost reductions for the Project and provide for affordable housing costs for the sale of the two (2) Low Income units.	
10-1-641: APPLICATION REQUIREMENTS AND REVIEW	The Project must comply with the standards included in this section.	The project will comply with this section.	
10-1-642: DENSITY BONUS HOUSING AGREEMENT	The Project must comply with the standards included in this section.	The project will comply with this section.	
10-1-644: PURPOSE OF INCLUSIONARY ORDINANCE	The Project is subject to the Inclusionary Ordinance (BMC Sections 10-1-644 through 10-1-167).	The project is consistent with this section.	
10-1-651: STANDARDS FOR INCLUSIONARY UNITS	The Project it is required to provide at least 15% of the units to low-income households under the City's Inclusionary Housing Ordinance. Future submittals must comply with the standards set forth in this section.	The project complies with this standard. Please refer to the above response to item 10-1-635 B and the Cover Letter for additional information regarding the project's consistency with this section.	



<p>10-1-801.5: GENERAL PLAN CONSISTENCY</p>	<p>The project is in the M-1 Zone and located within the Rancho Commercial land use designation. Per 10-1-801.5 (General Plan Consistency), in the M-1 Zone, residential uses are allowed with a maximum density of up to 20 unit/acre subject to “discretionary approval”. The applicant is proposing 21 units on a one-acre lot.</p> <p>The Applicant is also requesting density bonus for this Project. The Applicant would be required to comply with the State Density Bonus law and Burbank Municipal Code (BMC).</p> <p>In accordance with BMC Section 10-1-203, the lot area is defined as the following:  AREA OF LOT: Means the total horizontal area included within the lot lines. For purposes of calculating density, “area of lot” shall exclude any land previously dedicated for a public street easement or right-of-way, or alley easement or right-of-way.</p> <p>For this Project, this definition of lot area is used for calculating maximum allowable density under the City’s General Plan, floor area ratio and calculations of any density bonus and/or required inclusionary housing units.</p> <p>Applicant to clarify the correct lot area based on the above definition used for the density bonus calculation.</p>	<p>The area of the lot is 43,690 sq ft or approximately 1 acre. The applicable baseline density is 20 units/acre. The project’s base density is 20 units and the project is eligible for a 20% density bonus, to permit a total of 24 units. The project proposes 23 units and complies with this standard.</p>	
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10-1-802: USES IN THE M-1 ZONE	The applicant has applied for a SB 35 NOI Application. One of the eligibility requirements for a SB 35 project is that the project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development. The project site is in the M-1 (Limited Industrial) Zone and has a General Plan land use designation of Rancho Commercial. Both the Zoning code as noted in 10-1-801.5 and the Burbank2035 General Plan Rancho Commercial land use designation allow residential uses with a maximum density of 20 units/acre subject to “discretionary approval”. Therefore, the Project’s proposed residential use is permitted.	The site has a General Plan designation of Rancho Commercial, which permits residential uses at a density of 20 units per acre. SB 35 permits projects to utilize general plan designations which permit residential or a mix of residential and nonresidential uses, even if the zoning does not permit residential uses. As the project is eligible to use SB35, it utilizes the residential use permissions and density of the Rancho Commercial designation. The project complies with this standard.	
10-1-805: LOCATION AND OPERATION OF USES	This BMC section applies to industrial uses that are permitted in the M-1 Zone and does not apply to the residential use that is proposed with this application.	<b>N/A</b>	
<b>10-1-806: PROPERTY DEVELOPMENT STANDARDS</b>			

<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (A) STRUCTURE HEIGHT</p>	<p>The maximum height of a structure shall be determined by its distance from the closest lot line of any property zoned for residential use. At 50 – less than 150 feet, the maximum height is 35 feet. At 150 – less than 300 feet, the maximum height is 50 feet.</p> <p>The Project includes residential buildings that are located within 150 of R-1-H residentially zoned properties located across Mariposa Street to the west. The Project proposes a maximum height of 34’10” for its triplex structures, 35’ for its fourplex and fiveplex structures. Therefore, the Project complies with the applicable maximum allowable height of 35 feet that is applicable to similarly zoned properties that are located within 150 feet of other residential zoned properties.</p>	<p>The project proposes a maximum structure height of 35’ to top of building for all of its triplex, fourplex, and fiveplex structures, even for those structures located more than 150 feet away from the nearest residentially zoned properties.</p> <p>The distance from the project to the R-1H across Mariposa Street is greater than 50 feet.</p> <p>The design of the two buildings on the west side of the Project include stair housing plates (also known as “dormers”) which exceed the 35-foot height limit by approximately 7 feet, 9 inches within 50-150 feet of the R-1-H zone.</p> <p>In accordance with the BMC and State Density Bonus Law, the applicant will utilize one incentive to request a 7-foot, 9-inch increase in height above the 35 foot height limit within 50-150 feet of the R-1-H zone. This additional height will accommodate the stair housing plates.</p>
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<p>(B) OPEN SPACE (B)(1) Distance Requirements</p>	<p>Each lot which abuts or is adjacent to an R-1, R-1-H, or R-1 lot shall provide open space not less than 20 feet wide along the area that abuts the residential property. The Project site's western boundary is adjacent to the R-1-H zone. The Project proposes a 37 foot wide dedicated area comprised of a horse trail, pedestrian walkway, and landscaping. This is in addition to the existing 20 foot wide public right-of-way (Mariposa Street) that abuts the subject property.</p>	<p>The project site's western boundary is separated by more than 20 feet of open space from the adjacent R-1H lot.  A 30 foot wide public right-of-way, the proposed 37 foot wide dedicated area, and an average 9.5 foot wide front yard setback together separate the project site from the adjacent R-1H lot.</p>	
<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (B)(2) Determination of Open Space</p>	<p>This open space shall be measured from the lot line of the residential property to the structure. Public rights-of-way may be included within the calculation of such area, except as otherwise provided in this section. Mariposa Avenue is a 20 foot-wide right-of-way that abuts the R-1-H lot. The Project is also proposing to dedicate a 37 foot wide section adjacent to the existing public right-of-way.</p>	<p>The 30 foot right-of-way, the proposed 37 foot dedication, and the project's front yard setback area are all included in the open space calculation between the project site and the R-1H zone.</p>	
<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (B)(3) Landscaping Requirement</p>	<p>When the industrial property abuts or is any residential property, a five-foot strip of the open space which lies adjacent the residential property shall be landscaped, unless a public right-of-way is utilized in the calculation of the open space. This landscaping is intended to provide screening between the different zones. The Project proposes a 7' wide landscaped area adjacent to the dedicated area.</p>	<p>A public right-of-way is utilized in the calculation of the open space, therefore this landscaping requirement does not apply. Nevertheless, the project provides an average 9.5' wide landscaped area contained within the front yard setback area, in addition to a 7 foot wide planting strip within the new parkway.</p>	
<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (B) Open Space (B)(4) Parking Allowed in Open Space</p>	<p>Parking is allowed in the open space as long as Subsection (3) is satisfied. The Project does not propose any parking within the open space area.</p>	<p>The project does not propose any parking within the open space area.</p>	

<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS:  (C) Yards  (C)(1) Front Yard - Definition</p>	<p>Means a yard extending across the front of a lot for the full width of the lot extending from the front lot line or future street line to a required depth between the side lot lines. The depth of a front yard is a distance specified for the zone in which it is located and measured inward from the front lot line.</p>	<p>The project provides minimum setbacks:  Front Yard: Average of 9.5'  Rear Yard: at least 5'  Side Yards: 5'3"-7'6"</p> <p>The average front yard setback of the project must be at least 8.55 feet, which is 20 percent of the building height (42'9") inclusive of the height incentive request.</p>	
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<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (C) Yards (C)(2) Setbacks</p>	<p>a. All structures, including semi-subterranean garages, but excluding above-grade parking structures, shall be set back at least five (5) feet from the front lot line or 20 percent of the building height, whichever is greater; this setback requirement may be averaged. Such setback shall be required for that portion of a building that is within 20 feet above grade and shall be calculated for the length of the building frontage only. Any open space or surface parking lots not in front of a structure shall not be included in calculating average setbacks. Portions of buildings over 20 feet in height may extend over required front yard setbacks, except in areas where required trees are planted.</p> <p>The structures nearest to the property line are proposed to be set back 7 feet from the new property line (property line established by the dedicated area). The submitted plans do not show any portion of the building extending over the required front yard.</p> <p>b. Above-grade parking structures shall be set back from the front lot line at least five (5) feet or 20 percent of building height, whichever is greater, but in no event shall the setback be less than three (3) feet. This setback requirement may be averaged. When abutting or adjacent R-1, R-1-H or R-2 zones, above-grade parking structures must be setback 20 feet from the residential property line.</p> <p>The project does not propose any above-grade parking structures. This standard is not applicable.</p> <p>c. When abutting or adjacent R-3 or R-4 zones, above-grade parking structures must be setback ten (10) feet from the residential property line. Public rights-of-way may be used in this calculation.</p> <p>The Project does not abut and is not adjacent to any R-3 or R-4 zones. This standard is not applicable.</p> <p>d. For setbacks for surface parking lots, see Article 14, Division 4 of this Chapter.</p>	<p>a. The structures nearest to the property line are proposed to be set back at least an average of 8.55'.</p> <p>Building CT-400 at the NW portion of the site has an average Front yard setback of 9.5'.</p> <p>Building CT-500 at the SW portion of the site has an average front yard setback of 9.5'.</p> <p>Please refer to Sheet A-1 for average front yard setback calculations per BMC 10-1-628(G).</p> <p>b. The project does not include any parking structures, therefore this item does not apply.</p> <p>c. The project does not abut any R-3 or R-4 zones, therefore this item does not apply.</p>	
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10-1-806: PROPERTY DEVELOPMENT STANDARDS:

- (C) Yards
- (C)(3) Landscaping

- c. A minimum of 50 percent of front and exposed side yards shall be landscaped.  
*This standard will need to be met.*
- b. 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.  
*The submitted plans are in the conceptual stage and therefore outdoor amenities, where shown, may not be ultimately proposed. This standard will need to be met.*
- c. The planting of vines on masonry buildings is encouraged.
- d. To qualify as landscaped area, all areas not occupied by trees or shrubs must be planted with turf or other ground cover with a minimum soil depth of 12 inches. All planters must 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 three (3) foot planter depth shall be required and the planter must have a minimum inside dimension of four (4) feet.
- 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.
- d. 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.
- e. If trees are planted in planters, the planters must have a minimum length and width of five (5) feet.
- f. For additional landscaping requirements for above-grade parking structures and surface parking

Please see Sheet L-4 and L-6 for further details pertaining to the project's consistency with this section. The project will comply with this standard.

lots, see Article 14, Division 4 of this Chapter.”  
Standards d-h will have to be met.



<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (D) Masonry Wall</p>	<p>A six (6) foot high decorative masonry wall shall be erected along every property line forming a boundary with a residential zone, except that along the front setback area of such residential zone the wall shall be reduced to three (3) feet. <i>This standard will need to be met.</i></p>	<p>A three (3) foot masonry wall is provided along the front property line, and is depicted Sheet L-3 of landscape plans.</p>	
<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (A) Off-Street Parking</p>	<p>Yards may be used for off-street parking if consistent with this article. <i>The Project proposes garage parking for each dwelling unit for a total of 42 parking spaces. 3 of the remaining 5 spaces are located in the side and rear yards.</i></p>	<p>No yards used for off-street parking.</p>	
<p>10-1-806: PROPERTY DEVELOPMENT STANDARDS: (B) ADDITIONAL STANDARDS</p>	<p>The requirement is <i>“The standards contained in Articles 11 through 16 of this Chapter also apply to the Media District commercial and industrial zones. In the event of any conflict between the requirements contained in Articles 11 through 16 and the other requirements of this Section, the requirements of this Section rule.”</i> <i>Applicant to comply with applicable standards in Article 11 through 16 of Chapter 1: Zoning in the Burbank Municipal Code - Title 10: Zoning Regulations.</i></p>	<p>The project is consistent with this section.</p>	
<p>ARTICLE 11. GENERAL PROPERTY DEVELOPMENT REGULATIONS 10-1-1101: COMPLIANCE</p>	<p>The requirement is <i>“No lot or structure shall be created, erected, altered, or maintained contrary to the provisions of this chapter.”</i> <i>Applicant shall comply with this requirement.</i></p>	<p>The project is consistent with this section.</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>  The Project is located on a lot in the M-1 Zone, which allows residential uses with discretionary approval. Applicant shall comply with this requirement.</p>	<p>The project is consistent with this section.</p>	
<p>10-1-1103: LOT TO HAVE FRONTAGE</p>	<p>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>  Project site has a street frontage along South Mariposa Street of approximately 144 feet.</p>	<p>The project is consistent with this section.</p>	
<p>10-1-1104: FRONTAGE ON ALLEYS</p>	<p>The requirement is <i>“Alleys shall not be considered public streets for street frontage requirements of this chapter.”</i>  Not applicable to Project.</p>	<p>N/A</p>	
<p>10-1-1105: HAZARDOUS AREAS</p>	<p>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>  Standard shall be met if determined applicable by Public Works.</p>	<p>A six (6) foot high wall is already proposed along the perimeter of the project. Please see Sheet L-3 of the plans.</p>	

<p>10-1-1106: USES IN COMPLETELY ENCLOSED BUILDINGS</p>	<p>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></p> <p><a href="#">Not applicable to Project.</a></p>	<p>N/A</p>	
<p>10-1-1108: OPEN STORAGE AREAS MUST BE ENCLOSED</p>	<p>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.</p> <p><a href="#">The Project shall comply with this standard.</a></p>	<p>N/A</p>	

<p>10-1-1109: JUNK YARDS MUST BE FENCED</p>	<p>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>”  <a href="#">Not applicable to Project.</a></p>	<p>N/A</p>	
<p>10-1-1110: ACCESSORY BUILDINGS CONVERTED TO LIVING QUARTERS</p>	<p>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.”  <a href="#">Not applicable to Project.</a></p>	<p>N/A</p>	

<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (C) ROOF DESIGN</p>	<p>The requirement is “<i>All parapets shall have returns equal to the height of the parapet. Parapets used for fire separation purposes should be visually integrated into the building. All mansards shall be continuous on all sides of a building visible from neighboring properties and public rights-of-way, including those elevations facing a street, alley, yard, setback or open space. All mansards on all other elevations which are not exposed or visible to neighboring properties and public rights-of-way, shall have a return at least equal to the height of the mansard. All roof mounted equipment shall be screened from view through the use of architectural screening systems which are visually integrated into building design with respect to color, material and form.</i>”</p> <p>The submitted architecture plans show gable rooves proposed on all structures. Neither a parapet wall or mansard roof are proposed at this stage.</p> <p>No mechanical equipment is proposed on the rooves of the structures.</p>	<p>The project is consistent with this section.</p>	
<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (D) WINDOW TREATMENT</p>	<p>The requirement is “Those buildings on lots with 75 feet or less of street frontage which are built to the street property line shall have a minimum 25 percent of the building facade on the ground floor devoted to window treatment.”</p> <p>Not applicable to the Project.</p>	<p>N/A</p>	

<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (C) BUILDING MATERIALS</p>	<p>The requirement is <i>“All facades visible to the public and surrounding neighbors must be designed, treated and finished in a manner compatible with the other visible sides of the building.”</i> The proposed elevation plans show building facades visible to the street having similar façade design using similar exterior materials (stucco, “s” tiles)</p>	<p>The project is consistent with this section. The building facades visible to the street have similar façade design and use similar exterior materials (stucco, “s” tiles).</p>	
<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (E)VARIATION ON PLANE</p>	<p>The requirement is <i>“All building elevations fronting public streets or residentially zoned lots shall contain elements designed for the purpose of providing visual variation including expressed floor or surface breaks, balconies, projections, recesses, awnings and horizontal setbacks.”</i> The proposed plans do not indicate any buildings fronting onto South Mariposa Street. The building frontages are oriented to the south of the site. The western façade of the buildings face South Mariposa Street. The proposed elevation plans show fenestration along the western facades, however, visual variation in the form of surface breaks, balconies, projections, recesses, or awnings are not shown with this submission. The Project shall include visual variation to remain consistent with this objective standard.</p>	<p>The project is consistent with this section.  The western façades of 2 buildings face South Mariposa Street. The submitted elevations plans show elements designed for the purpose of providing visual variation such as expressed floor or surface breaks, balconies, projections, recesses, awnings and horizontal setbacks.</p>	
<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (F)ENTRIES</p>	<p>The requirement is <i>“Pedestrian entrances on exposed elevations shall be recessed and architecturally highlighted.”</i> There are pedestrian entrances on the exposed elevations facing the street. The entrances are to be recessed.</p>	<p>The project is consistent with this section. There are pedestrian entrances on the exposed elevations facing the street and those entrances are recessed.</p>	

<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (F) APPENDAGES, AWNINGS AND MARQUEES</p>	<p><i>The requirement is “All appendages, awnings and marquees shall be flame resistant or erected with non-combustible materials and meet Uniform Fire Code requirements, and shall not protrude far enough to obstruct a ladder placed at ground level at a 70 degree angle to the building openings above the appendage, awnings or marquees.”</i>  Applicant to show on elevation plans that this requirement will be met.</p>	<p>The project is consistent with this section.</p>	
<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (A) EXTERIOR STAIRWAYS</p>	<p><i>The requirement is “Enclosures or landscape barriers must be provided wherever there is less than seven (7) feet vertical clearance below stairs. Front entry stair rails should be integrated into the overall building and site design. Thin section wrought iron and stair rails that have minimal form, mass or color reference to the design elements within the facades are discouraged. Open risers are prohibited.”</i>  Project shall comply with this requirement. If there are exterior stairs, sections of these stair areas shall be provided showing compliance.</p>	<p>Not Applicable. The project does not propose any exterior stairs.</p>	

<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (H) LOCATION AND SCREENING OF TRASH BINS</p>	<p>The requirement is <i>“Trash bins shall not be located in any required front or street side yard, but may be permitted within the required interior side and rear yards. Trash enclosures shall be recessed or within the structure, or enclosed by a six (6)foot high masonry wall on three (3) sides and have a solid permanent metal gate(s). Doors and gates of trash enclosures cannot swing out into any public right-of-way. If the lot abuts an alley, the trash bin must be directly accessible from the alley.”</i></p> <p>Project plans do not show trash bins or trash enclosures on site. The Project shall comply with this requirement.</p>	<p>The project proposes and locates trash bins within the garage area of each individual unit. None of the garage doors within the project swing out into any public right-of-way. The project site does not abut an alley.</p>	
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<p>10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (J) FENCES AND WALLS (1) HEIGHT</p>	<p>The requirement is <i>“Except as otherwise provided for property located at an intersection, the height of walls, fences and hedges may not exceed:</i></p> <p><i>b. Three (3) feet above the finished grade of the lot within any required front yard and within the required side yard on the street side of a corner or reverse corner lot; provided, however, that where a parking lot abuts or is across the street from a residential zone, a six (6) foot high masonry wall may be constructed within the required front yard and within the required side yard on the street side of a corner or reverse corner lot to the extent specified in Article 14, Division 4 of this Chapter or in a Conditional Use Permit granted by the Board or the Council.</i></p> <p><i>a. Eight (8) feet above the finished grade of the lot within any yard area behind the required front yard or required side yard on the street side of a corner or reverse corner lot except cutoff area.</i></p> <p><i>Where topographic features or other conditions create an unnecessary hardship the Building Director may permit these height limits to be exceeded, provided the modification will not have a detrimental effect upon adjacent properties or conflict with architectural characteristics of the surrounding neighborhoods.”</i></p> <p>Applicant to comply with the fence/wall requirements. Site plan shall call out the proposed wall/fence location, height from natural grade, and material.</p>	<p>Please see sheet L-3 for proposed wall heights. The project complies with this standard.</p>	
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10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (J) FENCES AND WALLS (2)	The requirement is <i>“All fences and walls must comply with the corner cutoff provisions of Section 10-1-1303.”</i> Project to comply with corner cut-off regulations.	Please see sheet L-3 for corner cut-off dimensions. The project complies with this standard.	
10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS (J) FENCES AND WALLS (3)	The requirement is <i>“The requirements of this Subsection do not apply to security fencing maintained by a governmental entity.”</i> Not applicable to Project.	N/A	
10-1-1114: ART IN PUBLIC PLACES	The Project shall comply with this standard	The project will comply with this standard as required during plan check.	
10-1-1115: ARCADE DEVELOPMENT REGULATIONS	Not applicable to Project.	N/A	
10-1-1116: ALCOHOLIC BEVERAGES - ON-PREMISES AND OFF-PREMISES; CONDITIONAL USE PERMIT REQUIRED	Not applicable to Project	N/A	
10-1-1117: BILLIARD PARLOR DEVELOPMENT STANDARDS	Not applicable to Project.	N/A	
10-1-1118: WIRELESS TELECOMMUNICATIONS FACILITIES. REGULATIONS AND DEVELOPMENT STANDARDS	Not applicable to Project.	N/A	
10-1-1120: ADULT BUSINESSES: REGULATIONS AND DEVELOPMENT STANDARDS	Not applicable to Project.	N/A	
10-1-1121: SHOPPING CART CONTAINMENT	Not applicable to Project.	N/A	
10-1-1122: EMERGENCY SHELTER DEVELOPMENT STANDARDS	Not applicable to Project.	N/A	
10-1-1123: TEMPORARY AID CENTER DEVELOPMENT STANDARDS	Not applicable to Project.	N/A	

ARTICLE 11.5. RESIDENTIALLY ADJACENT USES 10-1-1150: RESIDENTIALLY ADJACENT PROPERTY AND USES: PURPOSE AND APPLICABILITY	Project does not require compliance with this article. The property is a residential use and does not propose any commercial or industrial uses.	N/A	
10-1-1151: RESIDENTIALLY ADJACENT USES - CONDITIONAL USE PERMIT REQUIRED FOR NEW LATE NIGHT BUSINESS AND NEW OUTDOOR SPEAKERS	Not applicable to Project.	N/A	
10-1-1152: RESIDENTIALLY ADJACENT USES - ADMINISTRATIVE USE PERMIT REQUIRED FOR NEW LATE NIGHT OPERATIONS	Not applicable to Project.	N/A	
10-1-1153: RESIDENTIALLY ADJACENT USES - DEVELOPMENT STANDARDS FOR NEW CONSTRUCTION	The Project shall comply with this standard	The project is consistent with this section.	
10-1-1154: RESIDENTIALLY ADJACENT USES - OPERATIONAL REQUIREMENTS FOR ALL BUSINESSES	Not applicable to Project.	N/A	
ARTICLE 12. GENERAL YARD AND SPACE STANDARDS 10-1-1201: YARDS OPEN AND UNOBSTRUCTED	The requirement is <i>“Every yard shall be open, unoccupied, and unobstructed vertically except for projections and encroachments authorized by this Code.”</i> Project to comply with this requirement. See analysis for M-1 Zone setback requirements.	The project is consistent with this section.	

10-1-1203: YARDS CANNOT SERVE OTHER BUILDINGS OR LOTS	The requirement is <i>“No yard or open space area shall be used to meet the requirements of this chapter for more than one (1) structure, nor shall a yard or open space on one (1) lot be used to meet yard or open space requirements on any other lot unless the two (2) lots are owned by the same person and are developed as a single parcel.”</i> The project proposes multiple structures on one lot. Project would be required to comply with this requirement.	The project is consistent with this section.	
10-1-1204: REQUIREMENTS ON THROUGH LOTS	The requirement is “Front yards as required for the zone in which the lot is located shall be maintained at each end of a through lot.” Not applicable to Project.	N/A	
10-1-1205: UNDEDICATED STREETS	The requirement is <i>“All land within the undedicated portion of a partially dedicated or future street shall remain open and unobstructed. Such land shall not be counted in meeting any yard and open space requirements of this chapter.”</i> Not applicable to Project	N/A	
10-1-1206: ACCESS TO UTILITY POLES	Whenever a utility pole is situated on a lot, required yard areas shall be maintained to provide unobstructed access to the pole. Project to comply with utility requirements from City’s public utility requirement.	The project will comply with this section.	

<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (G) DEFINITION AND APPLICABILITY</p>	<p>The requirement is <i>“The requirements of this Section apply to all non-residential zones only. For the purposes of this Section, “REQUIRED YARD” means the minimum yard depth as specified in this Chapter for the zone in which the lot is located. The encroachments specified herein are measured from the required setback line, not from the exterior wall of the structure.”</i> Project site is zoned M-1. Project is required to meet this regulation.</p>	<p>The project is consistent with this section.</p>	
<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (H) FIRE ESCAPES</p>	<p>The requirement is <i>“Fire escapes may project into any required yard not more than four (4) feet but shall not reduce the clear width of the yard to less than three (3) feet.”</i> Project elevation plans or site plan do not call out fire escapes. Project would have to comply with the City’s Fire Department requirements.</p>	<p>The project does not contain any fire escapes. The project will comply with City Fire Department requirements.</p>	
<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (I) EAVES, CORNICES, CANOPIES, ETC.</p>	<p><i>“Eaves, cornices, canopies, belt courses, sills and other similar architectural features may project into any required front yard not more than four (4) feet, and may extend into a required side or rear yard not more than two (2) inches for each one (1) foot of the width of such required side or rear yard; provided, however, that where the required side yard is in excess of three (3) feet, eaves may project to within 30 inches of the side lot line. On corner lots and reverse corner lots, eaves may not project more than three (3) feet into the required side yard abutting the side street.”</i> The submitted plans must detail eaves, cornices, canopies and any other encroachments into the permitted front yard</p>	<p>The project plans comply with this section.</p>	

<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (E) UNCOVERED PORCHES, PATIOS AND PLATFORMS</p>	<p>Eaves, cornices, canopies, belt courses, sills and other similar architectural features may project into any required front yard not more than four (4) feet, and may extend into a required side or rear yard not more than two (2) inches for each one (1) foot of the width of such required side or rear yard; provided, however, that where the required side yard is in excess of three (3) feet, eaves may project to within 30 inches of the side lot line. On corner lots and reverse corner lots, eaves may not project more than three (3) feet into the required side yard abutting the side street.</p> <p>The setback is seven (7) feet and the Project does not propose any eaves, cornices, or architectural elements projecting into the front yard by more than four feet.</p>	<p>The average front yard setback is 9.5' and the project does not propose any eaves, cornices, or architectural elements projecting into the front yard by more than four feet.</p>	
<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (J) STAIRWAYS, HANDICAP RAMPS AND BALCONIES</p>	<p>The requirement is <i>“Open, unenclosed stairways, handicap ramps or balconies not covered by a roof or canopy may project into a required front yard not more than four (4) feet. On corner lots and reverse corner lots, open, unenclosed stairways, handicap ramps or balconies not covered by a roof or canopy may project into the required side yard abutting the side street not more than three (3) feet.”</i></p> <p>According to Project plans, stairways are located inside proposed building. Balconies are covered and designed to be part of proposed building. These standards would be required for uncovered balconies, and unenclosed stairways and ramps.</p>	<p>The project does not contain any uncovered balconies and/or unenclosed stairways and ramps that project into a required yard.</p>	
<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (K) PORTE-COCHERE</p>	<p>The requirement is <i>“Porte-Cocheres may extend into a side yard but are limited to 25 feet in length along the side lot line.”</i></p> <p>The Project does not propose a porte-cochere.</p>	<p>The project does not propose a porte-cochere.</p>	

<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (G) UTILITY POLES</p>	<p>The requirement is <i>“Utility poles servicing the property may extend into the side yard two (2) feet from the lot line.”</i> Utility poles are not proposed for the Project, any required under ground utilities would be subject to the review and approval of the City’s Burbank Water and Power department.</p>	<p>The project will comply with this section.</p>	
<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (L) GARAGE DOORS</p>	<p>The requirement is <i>“Garage doors shall not, when open or being opened, project beyond any lot line”</i> According to the Project plans, the garage doors do not project beyond any lot line.</p>	<p>The project does not propose any garage doors which would project beyond any lot line.</p>	
<p>10-1-1211: MISCELLANEOUS ENCROACHMENTS (A) ACCESSORY APPLIANCES</p>	<p>The requirement is <i>“When approved by the City Planner, accessory appliances such as swimming pool equipment, water heaters, air conditioning equipment and the like may be located in any side or rear yard provided they do not prevent passage through such side or rear yard and are covered or concealed in such a manner as to not be objectionable when viewed from adjoining property.”</i> Any proposed mechanical equipment shall be shown on the site plan. The Project shall comply with this requirement. It is encouraged that mechanical equipment be enclosed by screening and whenever possible avoid installing rooftop mechanical equipment.</p>	<p>The project is consistent with this section.</p>	

10-1-1211: MISCELLANEOUS  
ENCROACHMENTS  
(J) CHIMNEYS

The requirement is "*Chimneys may extend into a required side yard to a distance of not less than 30 inches from the side lot line, provided, however, that on corner lots and reverse corner lots, chimneys may not project more than two (2) feet into the required side yard abutting the side street.*" According to the Project plans, there are no proposed chimneys.

The project does not propose any chimneys.



ARTICLE 13. GENERAL HEIGHT STANDARDS  
DIVISION 1. HEIGHTS FOR BUILDINGS, WALLS AND FENCES  
10-1-1301: EXCEPTIONS TO BUILDING HEIGHT LIMITS

The requirement is *“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.”*  
[Refer to the Project’s building height analysis in accordance with the M-1 Zone.](#)

The project is consistent with this section.

<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><i>A. STREETS.</i>  <i>At intersecting streets, ten (10) feet from the intersection at the corner of a front or side property line.</i></p> <p><i>B. ALLEYS.</i>  <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><i>C. DRIVEWAYS.</i>  <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>Provide the corner cut-off dimensions and associated areas on the site plan at the locations of proposed driveways and street intersections.</p>	<p>Please refer to the project plans for corner-cut off dimensions.  The project is consistent with this section.</p>	
<p>DIVISION 2. HEIGHTS  SURROUNDING BOB HOPE AIRPORT  10-1-1305 through 10-1-1309</p>	<p>The Project site is located in Zone 5 according to the City’s FAA Filing Requirement Map, which requires FAA Notice for all structures with height at 200 feet or greater.</p> <p>The Project’s proposed building heights do not exceed 35 feet.</p>	<p>Most of the project’s structure heights do not exceed the height limits allowed by code.  The design of the two buildings on the western side of the site include stair housing plates (also known as “dormers”) which exceed the 35-foot height limit by approximately 7 feet, 9 inches.</p>	

		The project complies with this standard.	
ARTICLE 14. GENERAL OFF-STREET PARKING STANDARDS DIVISION 1. GENERAL PROVISIONS 10-1-1401: PARKING SPACE DIMENSIONS	<i>Residential Use: 8'-6" minimum width</i> <i>Retail and Services Commercial: 9'-0" minimum width</i> <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> <b>PARKING BAY WIDTHS FOR TWO-WAY TRAFFIC AND DOUBLE LOADED AISLES</b> <i>Minimum Stall Length = 18'-0"</i> <i>8'-6" width (90 degree angled parking): 63' - 4"</i> <i>9'-0" width (90-degree angled parking): 61' - 4"</i> Project plans should show the dimensions of the garage and open parking spaces.	All parking spaces have a minimum dimension of 8'6" in width and 18' in depth, such measurements are depicted on the project plans.	
10-1-1403: INGRESS AND EGRESS; BACKING INTO HIGHWAY	Proposed Project would not require vehicles to back out into major or secondary highways.	The proposed off-street parking backs into internal drives and no backing is necessary onto any public right-of-way.	
10-1-1404: TANDEM PARKING	The Project does not propose tandem parking	N/A	
10-1-1405: PARKING OR STORING AIRPLANES, BOATS, VEHICLES, ETC. WITHIN CERTAIN YARDS IN RESIDENTIAL ZONES	Project site is zoned M-1. Not applicable to the Project.	N/A	
10-1-1405.5: BICYCLE PARKING SPACES	The Site plan does not show any bicycle parking spaces. Site plan should show bicycle parking spaces if bicycle parking is proposed.	Please see sheet L-1 for location of bicycle parking.	

10-1-1406: SITE PLAN	<p>The requirement is “<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>”</p> <p>The project shall comply with this standard.</p>	The project is consistent with this section.	
10-1-1407: USE OF VACANT LOTS IN RESIDENTIAL AND COMMERCIAL ZONES FOR PARKING VEHICLES	Not applicable to the Project.	N/A	
10-1-1407.01: USE OF PARKING AREAS FOR STORAGE	<p>The requirement is “<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>”</p> <p>Not applicable to the Project.</p>	N/A	
10-1-1407.1: CENTRAL BUSINESS DISTRICT DOWNTOWN PARKING AREA	Not applicable to the Project.	N/A	
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> ”	Pursuant to SB35, CA Gov Code 65913.4(d)(2), the project is eligible for 1 parking space per unit. The project provides a total of 46 spaces at 2 spaces/du.	
10-1-1409: WAIVER WITHIN A PARKING DISTRICT	Not applicable to Project.	N/A	

10-1-1410: WAIVER AS TO EXISTING USES	Not applicable to Project.	N/A	
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> ” Only one use, residential, is proposed on the site.	Only one use, residential, is proposed on the site.	
10-1-1413: MEASUREMENT OF DISTANCES	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> ” Each residential unit is proposed to have a parking garage.	Each residential unit is proposed to have a parking garage.	
10-1-1414: OFF-SITE PARKING AGREEMENT FOR NON-SHARED AND EXCLUSIVE PARKING 10-1-1415: SHARED PARKING AGREEMENT - ON OR OFF-SITE	Project is not proposing off-site parking.	The project does not propose off-site parking.	
10-1-1416: APPLICABILITY OF PARKING AREA REQUIREMENTS	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 nonresidential zone.</i> ” Project would have to comply with this Section.	The project is consistent with this section.	
10-1-1417: PARKING LOT DESIGN STANDARDS	The Project does not propose a parking lot. Parking is proposed within garages and individual parking spaces reserved for guests.	The project does not propose a parking lot. Parking is proposed within garages and individual parking spaces reserved for guests.	

10-1-1417.1: SETBACKS AND WALLS	Project does not propose subterranean-level parking spaces.	The project does not propose subterranean-level parking spaces.	
10-1-1417.2: PARKING LOTS ABUTTING AND ADJACENT TO RESIDENTIAL ZONES	Not applicable	N/A	
10-1-1418: LANDSCAPING	Not applicable	N/A	
10-1-1419: PARKING STRUCTURES	Not applicable	N/A	
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>4. 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>1. All lighting shall be arranged to prevent glare or direct illumination on adjoining properties and streets.”</i></p> <p>A photometric plan can be provided</p>	<p>Please see sheet L-5 (Lighting Plan) for schematic design. Photometric plan will be provided during the CD phase. The project will comply with this standard.</p>	
10-1-1421: MAINTENANCE	Applicant to make sure the parking area is in good condition for the life of the development.	The project will comply with this section.	
10-1-1422: PREREQUISITES TO IMPROVEMENT AND USE	Applicant to make sure applicable city permits are obtained for parking area improvements.	The project will comply with this section.	

<p>ARTICLE 15. GENERAL OFF-STREET LOADING STANDARDS 10-1-1501: LOADING SPACES REQUIRED 10-1-1502: LOADING SPACE DIMENSIONS</p>	<p>Not applicable to the Project.</p>	<p>N/A</p>	
<p>10-1-1503: LOCATION OF AND ACCESS TO LOADING SPACES</p>			
<p>ARTICLE 16. GENERAL VEHICULAR ACCESS STANDARDS 10-1-1601: ACCESS TO STREET</p>	<p>The requirement is <i>“Every lot shall be provided with permanent vehicular access to a street or an alley upon which it abuts.”</i>  The Project site would provide vehicular access from Mariposa Street.</p>	<p>The project site will provide vehicular access from Mariposa Street.</p>	

<p>10-1-1602: CURB CUTS</p>	<p>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></p> <p>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 curb cut is approximately 26 feet wide, which is permitted. Final design is subject to review and approval by the City’s Fire, Public Works, and Community Development Departments to ensure adequate ingress and egress of private vehicles and City emergency and public utility vehicles as necessary.</p>	<p>The Project is within a non-residential zone (M-1) and includes two-way circulation. The project includes one curb cut and is 26 feet wide, which is less than the 38-foot maximum. The proposed curb cut is in the middle of the property and the curb cut radius ends ~21 feet from the southerly property line and ~48 feet from the northerly property line. The nearest intersecting street is Valleyheart. Vehicular access to the site is located more than 30 feet away from Valleyheart Drive.</p>	
<p>10-1-1603: DRIVEWAY WIDTH</p>	<p>The requirement is <i>“Every driveway shall be at least 10 feet wide, and a maximum as approved by the Director.”</i></p> <p>Proposed Project meets this requirement.</p>	<p>The project is consistent with this section.</p>	



10-1-1604: DRIVEWAY SLOPES	<p>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></p> <p>Provide the driveway slope for any areas providing access to a garage.</p>	The project is consistent with this section. Refer to project plans for further details.	
10-1-1605: PROTECTIVE BARRIER IN NONRESIDENTIAL ZONES	<p>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 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></p> <p>Project must comply with this requirement.</p>	The project will have a three (3) foot high masonry wall along the frontage of the lot.	
10-1-1606: TURN AROUND AREAS	<p>The requirement is <i>“A 24 foot turning radius shall be provided for access to driveways and right-angle parking stalls.”</i></p> <p>The project plans must show a 24-foot turning radius for garage access areas and open parking spaces.</p>	The project provides a 24-foot minimum turning radius to driveways and right-angle stalls, as depicted on the Preliminary Grading and Drainage Plan.	
10-1-1607: APPROVAL BY PUBLIC WORKS DIRECTOR	<p>The requirement is <i>“All vehicular accessways to the street must be approved by the Public Works Director.”</i></p> <p>The Project would have to comply with this requirement.</p>	The project will comply with this section.	

10-1-1608: DRIVE-THROUGH RESTAURANTS 10-1-1609: RESIDENTIALLY ADJACENT DRIVE-THROUGH ESTABLISHMENTS	Not applicable to Project.	N/A	
Article 17. PROTECTION AGAINST NUISANCES 10-1-1701-1707	Project shall comply with the standards of this article.	The project will comply with this section.	
DIVISION 8. TRANSPORTATION DEMAND MANAGEMENT	Not applicable to the project	N/A	
Article 24. RANCHO MASTER PLAN ZONES			
Division 2 – 7 (NB – RBP Zones)	Not applicable to the project	N/A	
Division 9. Commercial Stables	The property has commercial stables that currently exist on the property. However, they are proposed to be demolished. This division is not applicable to the project. The project must comply with this standard.	N/A	
<b>TITLE 11 SUBDIVISION</b>			
ARTICLE 2 TENTATIVE MAP FILING	The Project is proposing for-sale units. A tentative tract map is required to be submitted. This standard is not met.	Please see the Subdivision application and TTM contained within SB-35 application package. The project is consistent with this section.	
ARTICLE 3 TENTATIVE MAP APPROVAL	The Project is proposing for-sale units. A tentative tract map is required to be submitted. This standard is not met.	Please see the Subdivision application and TTM contained within SB-35 application package. The project is consistent with this section.	
ARTICLE 3.2 TENTATIVE MAP APPROVAL FOR CONDOMINIUM MAPS AND FOR PARCEL MAPS	The Project is proposing for-sale units. A tentative tract map is required to be submitted. This standard is not met.	Please see the Subdivision application and TTM contained within SB-35 application package. The project is consistent with this section.	
ARTICLE 11 LOT DESIGN	The Project is proposing for-sale units. A tentative tract map is required to be submitted. This standard is not met.	Please see the Subdivision application and TTM contained within SB-35 application package. The project is consistent with this section.	

ARTICLE 12 DEDICATIONS GENERALLY	The Project is proposing for-sale units. A tentative tract map is required to be submitted. This standard is not met.	Please see the Subdivision application and TTM contained within SB-35 application package. The project is consistent with this section.	
ARTICLE 15 IMPROVEMENTS	The Project is proposing for-sale units. A tentative tract map is required to be submitted. This standard is not met.	Please see the Subdivision application and TTM contained within SB-35 application package. The project is consistent with this section.	
<b>BURBANK2035 GENERAL PLAN</b>			
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. The proposed project is consistent with the Rancho Commercial Land Use designation which allows for a variety of low-intensity multi-family residential and commercial uses at a density of 20 units/acre	The project is consistent with this section.	
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 Provide adequate open space and amenities in residential projects that encourage residents to gather and that supplement public open spaces.	The project is consistent with this section.	
Policy 2.5	Require the use of sustainable construction practices, building infrastructure, and materials in new construction and substantial remodels of existing buildings. This standard must apply.	The project is consistent with this section.	

Policy 4.6	Provide adequate open space and amenities in residential projects that encourage residents to gather and that supplement public open spaces. The project provides open space and amenities. The common open space and amenities provided is located along the northern property line between the two central triplex units. The applicant should include additional amenities with the project, using other common space areas located on site.	The project is consistent with this section.	
MOBILITY ELEMENT CHAPTER – TABLE M-2, SIDEWALK STANDARD, RANCHO COMMERCIAL	Standard Sidewalk Width – 15 feet (10 feet minimum) The Project plans shall show the public right-of-way information including the required public right-of-way width for the Project per City’s Public Works Department and Transportation Division’s comments.	Please see sheet L-3 for Right of Way and Equestrian trail dimensions, per comments received from the Public Works and Transportation Division during the NOI process.	
BURBANK GREENHOUSE GAS REDUCTION PLAN (GGRP) UPDATE (ADOPTED BY CITY COUNCIL ON MAY 3, 2022)	Project shall comply with the City’s updated GGRP.	The project will comply with this section.	