



City of Burbank  
Planning Division  
**DEMOLITION OF RESIDENTIAL UNITS**  
Replacement Housing Worksheet

150 North Third Street  
Burbank, California 91502  
www.burbankca.gov  
T: 818-238-5250  
F: 818-238-5150  
E: planning@burbankca.gov

As required for compliance with the Housing Crisis Act of 2019 concurrent with the application (planning entitlement and/or building permit) for a development project that involves the demolition of any residential unit(s), the property owner shall complete the application below.

**Project Information.** *Must completed by Applicant and Owner with project submittal.*

**Project Address / APN(s):** \_\_\_\_\_

**Project Description:** (example – “Construct two-story, 8-unit multifamily project with attached individual two-parking garages on a 12,000 SF lot. The project involves the demolition of a three-unit multifamily residence constructed in 1955.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Lot Size:** \_\_\_\_\_ ([LA County Assessor](#))

**Existing number of units:** \_\_\_\_\_

Are you proposing to demolish any residential units or were there any residential units that were demolished at the project site within the last 5 years?

**YES**     **NO**    If **NO**, stop here. You do not need to fill out this application. Otherwise, continue.

If you are proposing a **Housing Development Project**, continue to **Worksheet A**

A *Housing Development Project* is a ministerial or discretionary project that includes one of the following:

- A residential project of one or more units;
- A mixed-use project with two-thirds of the floor area designated for residential use; or
- A transitional or supportive housing project.

If you are proposing a **Non-Housing Development Project**, continue to **Worksheet B**

A *Non-Housing Development Project* is any ministerial or discretionary project that is not a *Housing Development Project*, which requires the demolition of a *Protected Unit*, or is proposed on a site which had a Protected Unit at any point within the last 5 years.

**Property Owner’s Affidavit**

I, \_\_\_\_\_ hereby certify that I am the property owner of the above-described property. I hereby declare under the penalty of perjury, that the facts, statements and information presented in this document are true and correct to the best of my knowledge and belief. I acknowledge and agree that the City of Burbank is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Signature \_\_\_\_\_ Date \_\_\_\_\_ E-mail \_\_\_\_\_ Phone Number \_\_\_\_\_



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**Worksheet A. Housing Development Project**

Residential Units proposed for demolition: \_\_\_\_\_ Residential Units proposed for construction: \_\_\_\_\_

- Are you proposing a reduction in the total number of units which currently exist on the project site?  
 YES    NO   If **YES**, a demolition permit cannot be issued. If **NO**, please continue.
- Are you proposing a single residential unit on a site that contains, or within the last 5 years, only contained a single Protected Unit?\* (See Attachment 1 for definition of *Protected Units*).  
 YES    NO   If **YES**, stop here and sign the Property Owner’s Affidavit below and place your initial on Attachment 4 (You will still be required to provide protections to all occupants and relocation assistance to existing occupants of *Protected Units*). Otherwise, please continue.
- Are you proposing to demolish any *Protected Units* or were any *Protected Units* demolished in the last five years?\*  
 YES    NO   If **NO**, stop here and sign the Property Owner’s Affidavit below.  
 If **YES**, how many *Protected Units* are you proposing to demolish? \_\_\_\_\_.  
 How many *Protected Units* were demolished since January 1, 2020? \_\_\_\_\_.  
 What is the greatest number of units that existed on the site within the last 5 years? \_\_\_\_\_.

While a reduction in the number units is not allowed, the Housing Development Project must also **replace** any existing occupied or vacant *Protected Units*, and any *Protected Units* that were demolished at the site at any point on or after January 1, 2020 with at least as many *Protected Units*. If any *Protected Units* are being demolished or were demolished in the last 5 years, then the Housing Development Project must include as many residential units as the greatest number of residential units that existed on the site in the last 5 years.

- Are you proposing to build the replacement *Protected Units* onsite?  
 YES    NO   If **YES**, provide additional information on Attachment 3. If **NO**, the project may not proceed.

\* Please provide a summary of tenant information\*\* for all existing units and units that existed after January 1, 2020 and schedule a meeting with a planner to discuss replacement requirements. The worksheet for the summary of units is attached to this form as Attachment 2. The responsibility of acquiring all required information is that of the applicant or property owner.

\*\*If you do not know or do not provide the information about the units, you may be subject to affordable unit requirements based on a proportion of lower-income renter households in the City in accordance with Government Code section 65915(c)(3)(B). If you believe that you may currently have, or previously had *Protected Units* on your property, or may have previously had *Protected Units* in the period since January 1, 2020, you may consider the option of hiring a third-party relocation consultant to assist with this task.

**Property Owner’s Affidavit**

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Signature \_\_\_\_\_ Date \_\_\_\_\_ E-mail \_\_\_\_\_ Phone Number \_\_\_\_\_



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### Worksheet B. Non-housing Development Project

Total Residential Units proposed for demolition: \_\_\_\_\_

1. Are you proposing to demolish any *Protected Units*\*? (See [Attachment 1](#) for definition of *Protected Units*).

YES  NO If YES, number of *Protected Units* proposed for demolition: \_\_\_\_\_  
Whether you answered YES or NO, please continue.

2. Were there any *Protected Units* demolished at this property in the last five years?

YES\*  NO If YES, how many *Protected Units* were demolished since January 1, 2020? \_\_\_\_\_.  
If NO, stop here and sign the Property Owner's Affidavit below. Otherwise, please continue.

The Non-housing Development Project must **replace** any existing occupied or vacant *Protected Units*, and any *Protected Units* that were demolished at the site at any point on or after January 1, 2020 with at least as many *Protected Units*, unless the project meets one of the exemptions below:

- The proposed project is an *Industrial Use* (See [Attachment 1](#) for definition of *Industrial Use*)
- The proposed project is entirely within a zone that does not allow residential uses, as listed in the Burbank Municipal Code Section [10-1-203](#).
- The zoning applicable to the project site that does not allow residential uses was adopted prior to January 1, 2022.
- The *Protected Units* that are or were on the project site are or were nonconforming uses.

3. Does the project meet any of the four exemptions above?

YES  NO If YES, stop here and sign the Property Owner's Affidavit below. Otherwise, continue.

If the project is not exempt from the requirement to replace *Protected Units* which exist or existed on the site, the replacement units must be built onsite or elsewhere in the City of Burbank.

- The project proponent may contract with another entity to develop the required replacement units.
- The replacement units must be completed prior to, or concurrently, with the proposed project.

4. Are you proposing to concurrently build the replacement *Protected Units* onsite or elsewhere in the City?

YES  NO If YES, please provide additional information on Attachment 3. If NO, the project may not proceed.

\* Please provide a summary of tenant information\*\* for all existing units and units that existed after January 1, 2020 and schedule a meeting with a planner to discuss replacement requirements. The worksheet for the summary of units is attached to this form as [Attachment 2](#). The responsibility of acquiring all required information is that of the applicant or property owner.

\*\*If you do not know or do not provide the information about the units, you may be subject to affordable unit requirements based on a proportion of lower-income renter households in the City in accordance with Government Code section 65915(c)(3)(B). If you believe that you may currently have, or previously had *Protected Units* on your property, or may have previously had *Protected Units* in the period since January 1, 2020, you may consider the option of hiring a third-party relocation consultant to assist with this task.

### Property Owner's Affidavit

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Signature \_\_\_\_\_ Date \_\_\_\_\_ E-mail \_\_\_\_\_ Phone number \_\_\_\_\_



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**ATTACHMENT 1**  
**Definitions**

**Residential Unit (or Unit)** is any occupied or vacant dwelling unit, inclusive of Accessory Dwelling Units (ADUs), and any demolished dwelling unit.

**Protected Units** include the following:

- Currently, or within the last 5 years, any rental units rented by *Lower Income Households*. (See current income limits under “*Lower Income Households*”).
- Currently, or within the last 5 years, any rental units subject to a recorded covenant, ordinance, or law restricting rents to levels affordable to *Lower Income Households*.
- Within the past 10 years, any units withdrawn from rent or lease in accordance with Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 within the past 10 years (per the “Ellis Act”).

**Industrial Use** includes these uses explicitly listed under the “Industrial and Manufacturing” Subcategory of the Burbank Municipal Code [Section 10-1-502](#), or categorized as such by an interpretation of the Community Development Director.

**Affordable Rent** has the same meaning as defined in [Section 50053](#) of the Health and Safety Code.

**Affordable Housing Cost** has the same meaning as defined in [Section 50052.5](#) of the Health and Safety Code.

**Lower Income Households**, as defined by [Section 50079.5](#) of the Health and Safety Code\* include the following income categories:

| Household Size | Extremely Low Income (< or = 30% HAMFI**) | Very Low Income (>30%, <50% HAMFI**) | Low Income (>50%, <80% HAMFI**) |
|----------------|---|--------------------------------------|---------------------------------|
| 1              | \$26,500                                  | \$44,150                             | \$70,650                        |
| 2              | \$30,300                                  | \$50,450                             | \$80,750                        |
| 3              | \$34,100                                  | \$56,750                             | \$90,850                        |
| 4              | \$37,850                                  | \$63,050                             | \$100,900                       |
| 5              | \$40,900                                  | \$68,100                             | \$109,000                       |
| 6              | \$43,950                                  | \$73,150                             | \$117,050                       |
| 7              | \$46,950                                  | \$78,200                             | \$125,150                       |
| 8              | \$50,560                                  | \$83,250                             | \$133,200                       |

2023 HUD Income Limits - Los Angeles County (<https://www.huduser.gov/portal/datasets/il.html>)

\* The income limits are subject to change. It is the responsibility of the applicant to verify the current fiscal year limits as published by HUD.

\*\* HAMFI = HUD Area Median Family Income for Los Angeles County





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Date: \_\_\_\_\_

**ATTACHMENT 3**  
**Affordability of Replacement Units**

***If income levels are available for the site:***

If the applicant is proposing to demolish *Protected Units* and the income of current or past occupants is available and provided on the Tenant Income Verification Worksheet (Attachment 2), those units must be replaced with units that have rents affordable at the same or lesser income category.

***If all income levels are not available for the site that has at least one occupied dwelling unit at the time of application:***

Pursuant to **Government Code Section 65915(c)(3)(B)(i)**, if incomes of current or past occupants of existing or demolished units are **not known**, assume a proportion of units are *Protected Units* in accordance with the proportion of lower-income renter households relative to all renter households in the City.

*For example, when replacing a 10-unit apartment building that has been in existence for the last 5 years and all incomes are unknown, assume 60.5% (or 6.1 units) were occupied by lower income households based on the proportions below. The unit numbers shall be rounded up to the nearest whole number. Therefore, you must replace 7 units at any income category of Lower Income Households.*

***If all income levels are not available for the site in which all dwelling units are vacant and/or demolished:***

Pursuant to **California Government Code Section 65915(c)(3)(B)(ii)**, if all incomes of past occupants of vacant and/or residential units demolished in the last five years are **not known**, assume a proportion of units are *protected* in accordance with the proportion of low-income and very-low renter households relative to all renter households in the City.

*For example, when replacing a 10-unit apartment building that has been in existence for the last 5 years, assume 1.4 units were occupied by very low income households, and 2.1 units were occupied by low-income households based on the proportions below. The unit numbers shall be rounded to the nearest whole number. Therefore, you must replace 2 units at the very low income category and 3 units at low income category.*

**City of Burbank - Proportion of Renter Households by Income Level\*:**

| Household Income Level                  | Renter Households | % of Total Renter Households |
|---|-------------------|------------------------------|
| Extremely Low Income (< or = 30% HAMFI) | 6,135             | 25.88%                       |
| Very Low Income (>30%, <50% HAMFI)      | 3,205             | 13.52%                       |
| Low Income (>50%, <80% HAMFI)           | 5,005             | 21.11%                       |
| Moderate Income and above (>80% HAMFI)  | 9,360             | 39.48%                       |

Above Data based on **2016-2020** CHAS Database (<https://www.huduser.gov/portal/datasets/cp.html>)  
 CHAS = Comprehensive Housing Affordability Strategy  
 HAMFI = HUD Area Median Family Income for Los Angeles County

*\*The proportions above are subject to change. It is the responsibility of the applicant to verify the current proportions as published by HUD.*



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**For the project located at \_\_\_\_\_,**

The number of *protected* units proposed for demolition and that were demolished since 01/01/2020 is \_\_\_\_\_.

The number of proposed units is \_\_\_\_\_.

**The following number of affordable units are required:**

\_\_\_\_\_ units at the Low Income level

\_\_\_\_\_ units at the Very Low Income level

\_\_\_\_\_ units at the Extremely Low Income level

The applicant/owner shall work with City of Burbank Staff to complete and record with the County-Registrar Recorder an affordability agreement prior to the issuance of a Certificate of Occupancy for the proposed housing development project.

***Please place your Initial here \_\_\_\_\_ If you have read and understand the information on this page.***



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**ATTACHMENT 4**  
**Existing Occupant Protections and Benefits**

If the proposed Project is approved, the owner/developer shall provide the following protections and/or benefits to existing tenants as required for compliance with the Housing Crisis Act of 2019:

- 1) Any existing occupants will be allowed to occupy their units until six months before the start of construction/demolition activities. The project proponent shall provide existing occupants with written notice of the planned demolition, the date they must vacate, and their rights under State Law. Notice shall be provided at least six months in advance of the date that existing occupants must vacate.
- 2) Any existing occupants that are required to leave their units shall be allowed to return at their prior rental rate if the demolition does not proceed and the property is returned to the rental market.
- 3) The project proponent shall provide both of the following to the existing occupants of any protected units that are *Lower Income households*:
  - A. Relocation benefits that are equivalent to the relocation benefits required to be paid by public entities pursuant to California Government Code section 7260 et seq.
  - B. A right of first refusal for a comparable unit available in the new housing development, or in any requirement replacement units associated with a new development that is not a housing development, affordable to the household at an *Affordable Rent* or *Affordable Housing Cost*, unless the following is true:
    - i. The development project consists of a single residential unit located on a site where a single protected unit is being demolished.
    - ii. Units in a housing development in which 100 percent of the units, exclusive of the manager's unit(s) is being demolished.
      - Notwithstanding the above, # ii above shall apply to protected units occupied by an occupant who qualifies for residence in the new development and for whom providing a comparable unit would not be precluded due to unit size limitations or other requirements of one or more funding source of the housing development.

***Please place your Initial here \_\_\_\_ If you have read and understand the information on this page.***



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**Indemnification Agreement**

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TO ALL APPLICANTS: This must be submitted with your application.

**Indemnification Agreement:**

I, the Applicant, including my successors and assignees, hereby agree to defend, indemnify, and hold harmless the City of Burbank (the City) and its agents, officers, employees, agencies, boards, commissions, and City Council from any claim, action or proceeding brought against the City, its agents, officers, employees, agencies, boards, commissions, or City Council to attack, set aside, void or annul an approval of the subject application or related decision, including, but not limited to, the processing or adoption of any environmental documents or determinations under the California Environmental Quality Act or National Environmental Policy Act. The indemnification shall include damages awarded against the City, if any, cost of suit, attorney's fees, administrative expenses, and any other costs and expenses incurred in connection with such action, including, but not limited to, all such City costs and expenses incurred by enforcing this indemnification provision. In the event of a legal challenge, the provisions under BMC Section 10-1-19402 shall be applied.

Property Owner Signature  
(*must be original wet signature*):

Applicant Signature  
(*must be original wet signature*):

Date:

Date:

*Note: Pursuant to Burbank Municipal Code (BMC) 10-1-19401 this duty to defend, indemnify, and hold harmless the City and its agents, officials, employees, agencies, commissions, or City Council shall apply even if the applicant fails or refuses to enter into the indemnification agreement.*