Agenda Item No. 1

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: October 25, 2021

TO: Planning Board

FROM: Fred Ramirez, Assistant Community Development Director
VIA: Scott Plambaeck, Deputy City Planner
BY: Shipra Rajesh, Associate Planner

SUBJECT: **Zone Text Amendment: Amending Sections of Title 10 of Burbank Municipal Code Pertaining to Definitions, Standards for Single Family Residential Zones, and Nonconforming Structures**
Project No. 21-0004984 (Item Continued from October 11, 2021 Regular Planning Board Meeting)

RECOMMENDATION

Staff recommends that the Planning Board:

Adopt A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BURBANK RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING TITLE 10, CHAPTER 1 (ZONING) OF THE BURBANK MUNICIPAL CODE TO UPDATE STANDARDS AND DEFINITIONS PERTAINING TO SINGLE FAMILY RESIDENTIAL ZONES AND CONTINUATION OF NONCONFORMING STRUCTURES. (Project No. 21-0004984) (EXHIBIT A)

EXECUTIVE SUMMARY

In 2017, the City made comprehensive updates to the Burbank Municipal Code (BMC) to limit the mass and bulk of new and remodeled single-family residential dwellings (City Council Ordinance No. 17-3,890). The update amended various development standards, including, but not limited to: standards pertaining to Floor Area Ratio (FAR), front setback calculation, fences, walls and retaining walls. Additionally, the update created design guidelines to establish neighborhood compatibility standards and created a discretionary review process for most new dwellings and large-scale additions.

The updated regulations on single-family dwellings in R-1 and R-1-H single family zones have been in effect for the past four-and-a-half years. While most of the regulations meet

the intent of reducing the overall mass and bulk of single-family dwellings, revisions to certain sections of the City zoning code are required to amend some of the single-family development standards to continue to enable better designs and allow for the preservation of the existing character of single-family residential neighborhoods, while removing redundant or conflicting information that has caused confusion for architects, designers, and planning staff. Furthermore, the current regulations have not resulted in streamlined review as was originally anticipated but instead increased review times and created uncertainty for residents and applicants of single-family residential projects.

Building on City staff experience and project applicant feedback over the last few years, the proposed Zone Text Amendment (ZTA) incorporates standards that will continue to facilitate designs that ensures compatibility with the scale and character of the City's existing single-family residential neighborhoods. More specifically, the ZTA proposes the following:

- Amend the development standards pertaining to fences, walls, retaining walls, building top of plate height, and driveways in order to provide greater design flexibility without compromising the code's intent to address the overall mass and bulk of a dwelling;
- Amend the project threshold requirements that are part of the Single Family Development Permit (SFDP) discretionary approval process to encourage appropriately-scaled one-story additions and new single-story dwellings that match the scale and character of the existing neighborhood;
- Include regulations relating to design and architectural compatibility for all by-right additions and new constructions that are exempt from SFDP discretionary approval process; and,
- Remove redundant information, typos, and other inconsistencies observed in the City's Zoning Ordinance as noted in Title 10 of BMC regarding the R-1/R-1-H development standards and the non-conforming regulations.

BACKGROUND

In the past four-and-a-half years, staff has observed both the benefits and constraints from implementing the current single-family development standards for all new single-family residential constructions and remodels within the City. The existing regulations for single-family development in R-1, R-1-H (Horse keeping), and R-1 Hillside zones, especially the design guidelines, has provided a way to achieve neighborhood compatibility. The design guidelines (also referred to as neighborhood compatibility review) is incorporated into the discretionary approval processes for: 1) Hillside Development Permits (HDPs): building permit for homes in the hillside as required by Burbank Municipal Code (BMC) Section 10-1-607(D), and for 2) Single Family Development Permits (SFDPs): building permit for new homes that exceed 0.35 Floor Area Ratio (FAR) and additions that are over 500 square feet and visible from the street, as required per BMC Section 10-1-607(C). The regulations specifying applicability of design guidelines through the SFDP discretional approval process assesses the construction of larger dwellings and additions to ensure compatibility with the existing character and scale of a neighborhood. However, the projects that currently fall under the

requirements of SFDP process and the associated design guidelines/neighborhood compatibility review process tend to disproportionately affect single-story additions and remodeling work that, at the end of the day, do not alter the mass and bulk of existing dwelling or negatively impact the existing character or scale of a neighborhood.

In addition, the current standards fail to extend a similar level of analysis to so called "smaller homes," which are less than 3,000 square feet in area and have FAR below 0.35, and are not subject to neighborhood compatibility review process and upper story modulations under the current regulations. This results in situations wherein construction of a new two-story house (that is 3,000 square feet or less in area and has an FAR less than 0.35), is not subject to requirements of design guidelines and does not need a discretionary approval, whereas a single-story addition exceeding 500 square feet that is visible from the street is required to comply with design guidelines and is subject to discretionary approval.

The current code's existing disparity in the application of design guidelines has led to following issues:

- Large number of projects proposing single-story or minor two-story additions, that do not adversely impact the scale, mass, and bulk of existing dwelling and are therefore compatible with the surrounding neighborhood, are subject to discretionary approval (SFDP) for compliance with design review process, that has resulted in processing timelines of 12 to 16 months.

- A number of new two-story homes are exempt from discretionary review approval (Less than 3,000 sq. ft. and FAR of less than 0.35) and the associated design review process, resulting in new dwellings with "boxy" architecture that are not compatible with the scale and character of existing single-family neighborhoods.

- Higher volume of projects that are subject to design review via SFDP discretionary approval, coupled with extended timelines associated with processing SFDP, causes unnecessary delays in processing minor additions and remolding work, which is inconsistent with the anticipated outcome of the 2017 updates that noted a proposed streamlined review of single-family residential projects.

- Current single-family regulations do not have design provisions for additions that are not subject to design guidelines review (additions not exceeding 500 square feet and additions exceeding 500 square feet that are not visible from front street), resulting in additions and remodels that are not required to match the design and architectural style of existing dwelling.

The ZTA proposes to amend a few single-family development standards to facilitate better design, streamline applicability of SFDP discretionary approval process to enable shorter planning review time, and remove redundant information that hinder consistent application of the code. The proposed updates will maintain those single-family development standards regulating development in R-1 and R-1-H zones that have worked well towards limiting mass and bulk of single-family dwellings while facilitating greater

consistency of design of the addition/remodel with the existing home that is compatible with the mass and scale of the surrounding neighborhood while also facilitating more streamlined review than the current 12-16 month average.

DISCUSSION

This Section provides an overview of the key changes that are being proposed to the regulations on single-family dwellings within R-1 and R-1-H single-family residential zones. Please refer to Exhibit C for a detailed description of all proposed amendments, including correction of minor errors.

1. Design guidelines/Neighborhood compatibility review process

Existing Code – Current regulations on R-1 and R-1-H zones include design guidelines to achieve neighborhood compatibility and maintain existing scale and character of residential neighborhoods. Design guidelines are implemented through the Single Family Development Permit (SFDP) discretionary approval process, which is applied in the following scenarios, (City Code Section 10-1-607):

- Construction of new single-family dwellings that exceeds 0.35 FAR and 3,000 square feet of gross floor area.
- Addition to existing single-family dwelling that exceeds 500 square feet in area and is visible from the street.
- Remodeling work that results in whole house demolition, which is a demolition of at least 50% of existing interior and exterior linear walls including openings.

Exemption from SFDP is permitted for one-story and two-story homes that are smaller than 3,000 square feet in area and have an FAR below 0.35. The intent behind applying SFDP is to ensure that new homes and additions within the City are built to a mass and scale that is compatible with the design and character of existing residential neighborhoods. Smaller homes that meet specific FAR and gross floor area standards are exempt from design review because these homes are not expected to cause a visual nuisance through excessive mass, and result in a scale of building that is compatible with the scale and character of existing neighborhoods. In other words, the current regulations attempted to incentivize smaller homes and discourage large dwellings considered to be out of proportion with the mass and scale of the existing homes in the same neighborhood. Additionally, at the time of adoption of the updated SFDP in 2017, it was assumed that a SFDP planning entitlement permit would be issued within 4 to 6 months after application submittal.

Resulting Issues –

- Instead of streamlining review times to 4 to 6 months, the average processing time of an SFDP is between 12 to 16 months. The review of SFDPs have resulted in multiple rounds of planning review because of inconsistent or vague language leading to protracted review and disagreements on interpretation between the applicant and City staff reviewing the project, and the required public noticing

period result in extended SFDP processing time. Long processing timelines coupled with higher than expected volume of SFDPs have led to the City receiving numerous complaints and concerns from applicants and property owners regarding the extended planning review time. Changes proposed to the SFDP triggers will help in addressing the timeline concerns for processing additions and remodels to single-family dwellings in R-1 and R-1-H zones, while preserving the intent and purpose of the code to regulate mass and scale of single-family residential projects to ensure compatibility with the mass, scale and character of the surrounding neighborhood.

- Under the current code "smaller homes" that are less than 3,000 square feet in area and below 0.35 FAR, are not subject to design guidelines and upper-story modulations, and do not trigger SFDP review and approval. However, these "smaller homes" often result in dwellings with boxy architecture that have no modulations and as a result, are not compatible with the existing residential neighborhood character and scale.
- Current code does not require design/architectural compatibility for additions and remodeling work in R-1 and R-1-H zones in a manner consistent with projects reviewed under the SFDP process. Lack of consistency in reviewing design/architectural compatibility has led to additions and remodels that do not match the roof form, exterior facades, design, and architectural style of existing house. In these instances, the addition and/or remodel has resulted in an overall design (inclusive of the mass and scale of the building) that is less compatible with the existing neighborhood.
- Under the current code a whole house demolition is defined as demolition of at least 50% of interior and exterior walls and openings of a dwelling. Per current code, any dwelling undergoing a whole house demolition, wherein at least 50% of its interior and exterior walls and openings are demolished, is subject to SFDP discretionary review process. As a result, a homeowner may demolish only a small portion of their exterior walls and much of their interior walls, such as rearranging their interior living area, that does not add to the mass or bulk of the structure and still be subject to SFDP discretionary approval. Requiring SFDP discretionary approval for projects that propose little or no change to the mass and bulk of a dwelling, adds to the planning review time causing unnecessary delays.

Proposed Zone Text Amendment –

- Require SFDP discretionary review for all new two-story single-family dwellings that exceed 0.35 FAR and 3000 SF gross floor area, while providing an exemption from SFDP discretionary approval for all new one-story dwellings no taller than a maximum top of the roof height of 19 feet and top of the plate height of 12 feet. Limitations on height for by-right single-story dwellings will ensure that such dwellings match the scale and character of existing residential neighborhoods within the City.
- Require an SFDP for construction of a second-story addition that exceeds 700 square foot in area and is visible from public right of way, in lieu of the current threshold of more than 500 square feet. Based on City staff reviews of single family projects and SFDP projects over the past four-and-a-half years, it is staff's

assessment that limiting the SFDP for second-story additions that exceed 700 square foot and are visible from public right of way, would exempt approximately 41% of the projects (that are currently subject to SFDP discretionary approval) from the SFDP process, resulting in shorter planning review time while still maintaining consistency with the purpose and intent of the single family regulations to ensure new development is consistent the scale and character of existing neighborhoods.

- Update definition of whole house demolition to include demolition of at least 50% of the total length of all the exterior walls and openings of a main house, in lieu of the current definition which includes 50% demolition of both exterior and interior walls and openings of a main house. This would result in greater flexibility for the property owners to redesign the interior of their dwelling to meet the wants and needs of their family, while still being mindful to the overall design compatibility of the house with the existing neighborhood.

- Require SFDP for remodels for a two-story dwelling, wherein more than 50% of exterior walls and openings are being demolished.
- Require SFDP for remodels or additions to any National, State, or City designated historic resource, while also complying with applicable local, state and federal regulations related to the preservation of designated historic resources.
- Require compliance with the City's design guidelines/neighborhood compatibility regulations for additions or remodeling work that are exempt from SFDP, resulting in a project that incorporates exterior design and roof form that matches the existing architectural style of the house.
- Require all new single-family homes and remodeling work, inclusive of whole house demolitions, that are exempt from SFDP discretionary approval to incorporate design elements that are consistent with the architectural style of the existing dwelling, and to comply with the requirements specified in the City's Neighborhood Compatibility Review – Design Guidelines Checklist (Exhibit D), including the upper-story modulation requirements.

2. Regulations on building top of the plate height and attic spaces

Existing Code – One of the updates to single family development standards that was adopted in 2017 lowered maximum allowed top of plate height of single-family residential dwellings in R-1 and R-1-H zones from 23 feet to 20 feet. However, the maximum allowed top of roof height for single family dwellings was maintained at 30 feet. Additionally, attic spaces that exceeded 4 feet in height and have structural flooring were considered to contribute to mass and bulk of a dwelling and were included in Floor Area Ratio (FAR) calculation.

Resulting Issues –

- 20 foot top of plate height limit reduces the overall mass of a dwelling. However, it does not guarantee reduction in overall bulk of a house, especially when a single-family dwelling is not subject to design guidelines through Single Family Development Permit (City Code Section 10-1-603(A)).

- Most of the existing single-family dwellings are built on raised foundations. Under the current code, maximum allowed 20 feet top of the plate height is measured from either natural grade or finished grade, whichever is lower. A 20 feet limit on top of the plate height of a house, coupled with the FAR limitations on higher attic space, does not provide flexibility to accommodate a desired 8 feet interior ceiling height along second story of a house. This issue has been raised on multiple occasion by architects and designers seeking to comply with the current code while still meeting the design and use needs of homeowners. Further, certain architectural styles such as Tudor or Colonial Revival (e.g., with steeply pitched, gable roofs) can be difficult to design to meet current top of plate requirement.
- Analyzing if an attic space incorporates structural flooring is difficult to determine during planning review and requires feedback from Building and Safety Division, which adds to the review time of a Project. Furthermore, the code does not preclude an individual from installing similar structural elements post construction, City Code Section 10-1-603(D)).

Proposed Zone Text Amendment –

- The proposed ZTA includes a change in the maximum allowed top of the plate height to increase from 20 feet to 22 feet. This change in allowable top plate height would not change the way height is currently measured, where top of the plate height is measured from natural grade before grading, cut or fill activity or from finished grade after grading, cut or fill activity, whichever is lower. A substantial number of existing single-family dwellings within the City are built on raised foundation. Allowing 22-foot top of plate height would offer more flexibility by making it easier to accommodate additions to houses that are built on a raised foundation, and for construction of new homes on raised foundations. This amendment will also address design concerns for additions and remodels due to change in building heights resulting from varying interior floor heights and/or varying grade heights on existing properties, that is further complicated by the current lower top of plate height. Moreover, increase in top of the plate height will facilitate opportunities to preserve existing architectural styles that are characterized with steep roof forms (e.g., Tudor or Colonial Revival architectural styles).
- The proposed ZTA also includes revision to the FAR calculation to include portions of attic space that have a floor surface and exceed 5 feet in height to facilitate greater flexibility in design for single-family dwellings without resulting in substantial increase in mass and bulk of the home. Additionally, the ZTA replaces "structural floor" with "floor surface" to provide more clarity in calculating FAR for attic space, making planning review simpler and processing times shorter.

3. Regulations on fences, walls, hedges, and retaining walls

Existing Code – Amendments to single family development standards adopted in 2017 updated regulations on fences, walls, hedges and retaining walls to prevent fortress-like walls along the front yard and street facing side yards. Under the current code,

walls and fences within the front and street facing side yard are restricted to 4 feet in height as measured from lowest abutting ground surface of the property upon which the fence, wall, or hedge is located, and walls/fences are required to have open design for at least 50% of the surface. The height of retaining walls within the front yard setback is restricted to 30 inches, and within 15 feet of a sidewalk, retaining wall height is measured from the sidewalk elevation. Additional restrictions include limitations on maximum cumulative height of retaining walls, and a requirement to seek approval of a Minor Fence Exception Permit for construction of any wall, fence, or hedge located outside the front yard setback for properties within the hillside area, and a Major Fence Exception Permit for those exceeding 6 feet in height. (Note: Hillside lots include a substantial number of single family residential zoned lots located north of N Kenneth Road as noted in Exhibit E.)

Resulting Issues –

- Inconsistent application of the current code due to conflicting information and lack of clarity in the existing zoning text. For instance, development standard for walls/fences along the street facing side yard within Table 10-1-603(A) specifies that solid walls/fences are limited to 4 feet in height. However, the standard provided under footnote # 9 of the same Table specifies that walls located in street facing side yard should incorporate 50% open design, contradicting with the information provided in the Table (City Code Section 10-1-603(A)).
- Current code does not specify a reference grade for measuring height of retaining walls that are not located within 15 feet of sidewalk, which leads to lack of clarity and confusion among applicant and staff, resulting in inconsistent application of the code (City Code Section 10-1-603(H)).
- The code does not contain provisions for addressing exceptions from retaining wall standards for properties that are located outside the designated hillside area of the City, City Code Section 10-1-603(H)). Non-hillside lots that are located north of Glenoaks Street often are characterized by slopy terrain. An exception from retaining walls standards will provide flexibility in accommodating unique slope conditions for such non-hillside lots.
- For hillside lots, outside the front yard setback area, a Minor Fence Exception permit is required for construction of fences and walls up to 8-foot in height and a Major Fence Exception is required for fences and walls that exceed 8-foot. Requiring a discretionary permit (Minor Fence Exception Permit) for all otherwise code compliant fences/walls/hedges that are located outside the front setback area of hillside lots prolongs the planning review process, (City Code Section 10-1-606(F)).

Proposed Zone Text Amendment –

- Specify a reference grade for measurement of height for block walls, fences, and hedges. Height of a wall/fence/hedge is proposed to be measured either from natural grade before grading, cut, or fill activity or finished grade after grading, cut, or fill activity, whichever is lower. This will create a clear reference point from which

to measure proposed wall, fence and/or hedge heights. Please note that no changes are proposed to the maximum allowed height of walls/fences/hedges.

- Clarify the reference grade for measuring height of a retaining wall to specify that the height is measured from the exposed portion of the retaining wall taken from the lowest abutting finished ground surface after any grading, cut, or fill activity. This amendment will facilitate consistency in measuring retaining wall height, irrespective of the extent of grading.
- Allow up to two gates along a fence or wall within the front yard setback area, instead of the maximum of one currently allowed. This update will allow for both a pedestrian gate and an additional gate to provide vehicular access. Proposed gates will still be required to comply with any applicable vehicle vision clearance setbacks and maximum structure heights.
- Allow up to two retaining walls within the front yard setback area of hillside lots and non-hillside lots. This will address current limitations that adversely affect lots with varying grade heights within the front setback area and allow for a more compatible final design of any future retaining wall. No changes have been proposed to the maximum allowed height and separation requirement for retaining walls.
- Allow for replacement of damaged legal non-conforming retaining walls at the previous height and location to provide flexibility for rebuilding legal retaining walls.
- In the non-hillside area of the City, a Minor/Major Fence Exception Permit will be required to get exemptions from the required fence, wall, hedges, and retaining wall standards. Currently, the code does not allow any exceptions for retaining wall standards in the non-hillside lots of the City.
- In the hillside area of the City, require a Minor/Major Fence Exception Permit to allow exceptions from the standards of walls, fences, and hedges. Such a permit will not be required if the walls, fences, and hedges comply with the requirements of Article 6 Division 1 of the BMC. This will allow property owners to build walls, fences and/or hedges of up to 6 feet in height outside the front setback area, without any discretionary approval.
- In the hillside area of the City, allow a Hillside Development Permit for exceptions from retaining wall standards.

4. Hillside Development Permit process

Existing Code – Under current code, grading in conjunction with a proposed pool or spa within designated hillside area of the City is subject to a discretionary permit through a Hillside Development Permit, (City Code Section 10-1-606).

Resulting Issue –

- Per current code, within the hillside area, both construction of new pools/spa and infilling of existing pools/spa are subject to Hillside Development Permit. Existing code does not provide provisions for by-right approval of pools/spa that are proposed on existing flat portions of a hillside lot, wherein the grading work is limited to installation of pool/spa, with no other alterations to the lot. Likewise, removal of an existing pool by infilling the pool area is also subject to the HDP.

Requiring an HDP in these scenarios imposes a long planning review process for a modest scope of work with little impact on surrounding properties.

Proposed Zone Text Amendment –

- Create an exemption from the HDP when the project proposes grading for construction of a pool and/or spa on a flat portion of a lot with a slope less than 5%. This update will shorten planning review time for pools that do not involve extensive grading or alter the natural terrain of a hillside lot.

5. Regulations pertaining to maximum permitted driveway width and front yard hardscaping

Existing Code – Existing regulations on driveways limit the maximum width of the portion of a driveway located within the front setback area to 12 feet when the garage is located to the rear of the main dwelling structure, (City Code Section 10-1-603(G)).

Resulting Issue –

- A 12-foot-wide driveway is too narrow to accommodate a need for additional uncovered off-street parking resulting from additions and remodels, as well as garage conversions to Accessory Dwelling Units (ADUs), and construction of new ADUs.

Proposed Zone Text Amendment –

- Allow a 20 feet driveway width within the front yard setback area of lots, only when the garage is located to the rear of the main dwelling. For front-facing attached garages, driveways can be as wide as the width of the garage door. This update does not alter the primary use of a driveway, that is to provide shortest and most direct route to a garage or other required parking area. Additionally, the 45% hardscaping limit within the front yard setback would still apply.

6. Regulations on non-conforming residential structures

Existing Code – Section 10-1-1810 of BMC specifies that demolition of any portion of a non-conforming wall to create new openings (i.e., doors or windows), to an extent less than 50% of its replacement cost, requires the entire wall to conform to the current development standards such as setbacks. Additionally, the code prevents portions of a legal non-conforming dwelling damaged due to termites or dry rot from being replaced back to its original height and location.

Resulting Issue –

- Currently, the code does not provide flexibility to property owners for installing new windows and doors along non-conforming walls, when the wall sits at a non-conforming side, rear, or front setback. Approval of a Minor Setback Exception Permit is required to create a window/door along non-conforming walls. It should be noted that demolishing non-conforming portions of a structure for creating an

opening (e.g., a door or a window), does not increase the existing non-conformity of the structure.

- Damages from termite and dry rot are often encountered during construction, and most of the times property owners are unaware of such damages. Currently, restoration and reconstruction of portions of residential structure that have been destroyed due to termites and dry rot, are required to comply with existing development standards, including setbacks and height standards, that delays construction work and places financial burden on property owners.

Proposed Zone Text Amendment –

- For residential properties, allow new openings (windows and doors) along a non-conforming exterior wall when limited to 50% of the total linear length of the wall, subject to approval from the Building Official or his/her designee.
- Damages to residential structures due to termites or dry rot that are limited to 50 percent or less of its replacement cost, will be allowed to get rebuilt to its previous form. A confirmation from the Building Official or his/her designee will be required to determine the damages from termites and dry rot. Allowing portions of the structures that have been damaged due to termites and dry rot to get rebuilt to its previous form will enable property owners to obtain planning approval in a timely manner.

It should be noted that the ZTA does not propose any changes to existing development standards pertaining to setbacks, second story modulations, top of the roof height, maximum allowed FAR and lot coverage, height of fences/walls and retaining walls, and required separation between retaining walls. The noted updates are intended to facilitate shorter planning review time and less SFDP applications while maintaining the quality of design for new constructions in R-1 and R-1-H single family zones.

ENVIRONMENTAL ASSESSMENT

The proposed ZTA has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed amendments to Title 10 Chapter 1 of BMC amend development standards regulating new constructions, remodels, and additions to single-family residential dwellings. Additionally, the ZTA as noted in the draft Ordinance (Exhibit A) proposes updates to remove redundant information related to certain development standards for single-family dwellings.

The Project would not allow any new uses and would not change the amount of physical development that is currently allowed pursuant to the City zoning regulations. As a result, the proposed ZTA and associated draft Ordinance will not have a significant adverse impact on the environment. Based on City staff's assessment, the draft Ordinance (EXHIBIT A) has been determined to be exempt from CEQA review pursuant to State CEQA Guidelines, Article 18: Statutory Exemptions, Section 15061(B)(3). This section of CEQA establishes a statutory exemption for "The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no

possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

FISCAL IMPACT

The proposed ZTA will exempt more single-family projects from undergoing a SFDP discretionary approval. The fee generated from SFDP will continue to provide a revenue stream that supports the City and department in accomplishing all of the work associated with approval of SFDP projects. The decrease in revenue resulting from reduction in number of projects undergoing SFDP discretionary approval is not anticipated to have a negative fiscal impact on City's budget because more projects will be ready for permit issuance resulting in more building permit fees and post construction, more property tax resulting from reassessed property at a higher valuation. In addition, the ZTA will result in a decrease in the staff time that is devoted towards processing SFDP discretionary projects freeing up existing staff resources to undertake additional pending work that will also facilitate more project intake and additional City fees from application and permits.

CONCLUSION

The changes outlined in the proposed ZTA are intended to resolve concerns related to some of the single-family regulations that have been observed over the past few years. The proposed ZTA will: a) preserve existing neighborhood character in R-1 and R-1-H single-family residential zones by extending design related standards to all additions, remodels, and construction of single-family dwellings; b) remove inconsistencies from the existing regulations governing construction of single-family dwellings; and c) enable efficient customer service by shortening planning review time for small scale remodels and additions to single-family dwelling.

EXHIBITS

EXHIBIT A	Draft Resolution including Ordinance
EXHIBIT B	Draft Ordinance
EXHIBIT C	Detailed summary of changes to existing R-1 and R-1-H standards
EXHIBIT D	Neighborhood Compatibility Review – Design Guidelines Checklist
EXHIBIT E	Designated Hillside Area with the City

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BURBANK RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING TITLE 10, CHAPTER 1 (ZONING) OF BURBANK MUNICIPAL CODE TO UPDATE STANDARDS AND DEFINITIONS PERTAINING TO SINGLE FAMILY RESIDENTIAL ZONES AND CONTINUATION OF NONCONFORMING STRUCTURES.

(Zone Text Amendment; Project No. 21-0004984)

THE PLANNING BOARD OF THE CITY OF BURBANK FINDS:

A. The Planning Board of the City of Burbank at its meeting of October 25, 2021, held a public hearing that was continued from October 11, 2021 on Project No. 21-0004984 (Zone Text Amendment to update standards and definitions pertaining to single family residential zones) to amend the zoning text regulating single family residential development in R-1 and R-1-H single family residential zones and continuation of nonconforming structures, to enable shorter timeline for planning reviews, remove redundant information, and facilitate better design for single-family dwellings.

B. Said hearing was properly noticed in accordance with the provisions of Burbank Municipal Code Section 10-1-1994.

C. The Planning Board considered the report and recommendations of the City Planner and the evidence presented at such hearing.

D. In accordance with the California Environmental Quality Act, the City Planner-proposed Zone Text Amendment and associated Ordinance has been determined to be exempt from environmental review pursuant to "common sense exemption" per Section 15061(b)(3) of the CEQA Guidelines, wherein the project in question has no potential for causing a significant effect on the environment.

E. In accordance with California Government Code Section 65860, the proposed Zone Text Amendment and associated Ordinance has been determined to be consistent with the General Plan of the City of Burbank and the provisions of Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code, and are compatible with the objectives, policies, general land uses and programs specified therein.

F. The Planning Board has reviewed the City Planner's environmental assessment and concurs with the assessment that the project qualifies for "common sense exemption" pursuant to Section 15061(b)(3) of the CEQA Guidelines.

G. The documents and other materials that constitute the record of proceedings, upon which the decision to recommend approval of the proposed Zone Text Amendment (No. 21-0004984) and associated environmental assessment that the project qualifies for a statutory exemption under

CEQA, is located in the Planning Division of the City of Burbank and the custodian of the record is the City Planner.

THE PLANNING BOARD OF THE CITY OF BURBANK RESOLVES:

1. **TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF PROJECT.** Project No. 21-0004984, Zone Text Amendment to update Title 10, Chapter 1 (Zoning), would result in amendments to the zoning text regulating single family residential development in R-1 and R-1-H single family residential zones and continuation of nonconforming structures to enable shorter timeline for planning reviews, remove redundant information, and facilitate better design for single-family dwellings.

   This recommendation is based upon the Planning Board's ability to make the following finding per California Government Code Section 65860:

   FINDING FOR ZONE TEXT AMENDMENT:

   The Zone Text Amendment to update the zoning text for single family residential development standards in R-1 and R-1-H zones and continuation of nonconforming structures to remove redundant information, facilitate better design for single-family dwellings, and enable shorter timeline for planning reviews is consistent with the General Plan of the City of Burbank and the provisions of Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code, and are compatible with the objectives, policies, general land uses and programs specified therein.

   The Zone Text Amendment to update the zoning text for single family residential development standards in R-1 and R-1-H zones to remove redundant information, facilitate better design for single-family dwellings, enable shorter timeline for planning reviews is consistent with the objectives, policies, general land uses, and programs specified in the General Plan of the City of Burbank. The proposed amendments will modify specific development standards for single-family dwellings in R-1 and R-1-H single family zones consistent with the City's Burbank2035 General Plan Land Use and Housing Element. Amendments proposed to specific development standards regulating construction in single family residential zones, such as maximum allowed top of the plate height, and permitting wider driveway while maintaining the minimum required landscaping in the front yard, are intended to provide flexibility in design keeping in mind the evolving nature of community within the City, consistent with *Land Use Element Goal 3, Policy 3.11 of Burbank2035 General Plan.*

   Currently, per Section 10-1-607 of BMC, design guidelines are applicable to only those projects that require Single Family Development Permit (SFDP) discretionary approval. The proposed amendments incorporate regulations on design and architectural compatibility for all new construction, additions, and remodels to single-family dwellings, ensuring better design and architectural compatibility consistent with *Housing Element Goal 1, Policy 1.1* and *Land Use Element Goal 3, Policy 3.5 of Burbank2035 General Plan.* Moreover, by proposing amendments to the applicability of SFDP discretionary planning approval, the ZTA will encourage construction of single-story homes and

remodels that are smaller in scale, mass, and bulk, consistent with *Land Use Element Goal 3, Policy 3.9* and *Land Use Element Goal 8, Policy 8.2 of Burbank2035 General Plan.* Furthermore, the proposed extension of SFDP discretionary approval for additions and remodeling work relating to National, State, and City designated historic resources, maintains consistency with *Land Use Element Goal 3, Policy 3.10 of Burbank2035 General Plan.*

The ZTA proposes to remove discretionary approval requirement for single-story additions and remodels that do not result in development that has an overall bulk and mass that would adversely impact the existing scale and character of a residential neighborhood within R-1 and R-1-H single-family residential zones and remove redundancy and inconsistencies from the zoning text regulating development standards for single family dwellings in R-1 and R-1-H zones, consistent with *Housing Element Goal 4, Policy 4.2 of Burbank2035 General Plan.*

The ZTA is consistent with Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code. Proposed text amendments do not alter the maximum allowed density in single-family residential zones and are consistent with the purpose of R-1 and R-1-H single-family residential zones. Current regulations on single-family residential zones lack design related standards for additions, remodels and new constructions that are exempt from Single Family Development Review discretionary approval. The proposed amendments include standards relating to design and architectural compatibility for all new constructions and additions to single-family dwellings, consistent with the purpose of Neighborhood Compatibility Review, as specified in Section 10-1-601 of BMC.

2. The Secretary of the Planning Board shall forward a signed copy of this Resolution with the Planning Board's report and decision to the City Council in accordance with Burbank Municipal Code Section 10-1-1993.

PASSED AND ADOPTED this ___ day of_____, 2021.

CITY PLANNING BOARD

_____
Chairperson

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF BURBANK

I, Fred Ramirez, Secretary of the Planning Board of the City of Burbank, certify that this Resolution was adopted by the City Planning Board at its meeting held on the ___ day of _____, 2021, by the following vote:

AYES:

NOS:

ABSENT:

ABSTAINED:

_____
Fred Ramirez, Secretary

Attachment 1

Draft Ordinance

[Attached]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING TITLE 10, CHAPTER 1 (ZONING) OF BURBANK MUNICIPAL CODE TO UPDATE DEFINITIONS AND STANDARDS PERTAINING TO SINGLE FAMILY RESIDENTIAL ZONES AND CONTINUATION OF NONCONFORMING STRUCTURES.

(Zone Text Amendment; Project No. 21-0004984)

City Attorney's Synopsis

This Ordinance amends the Burbank Municipal Code, Title 10, Chapter 1, by updating the zoning text regulating single family residential development in R-1 and R-1-H single family residential zones and continuation of nonconforming structures.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. The City of Burbank ("City") is amending regulations on single-family development in R-1 and R-1-H single family residential zones and nonconforming structures to remove inconsistencies and redundant information, incorporate needed definitions, and provide greater clarity in the thresholds that trigger a Single Family Development Permit as well as implementing more objective standards and design criteria that collectively facilitate better design for new single-family dwellings as well as the additions to, and remodel of existing homes; the proposed zone text amendment will also enable a more streamlined review these types of projects.

B. The City Council adopted Ordinance No. 17-3,890 on January 24, 2017 updating development standards for single-family developments in R-1 and R-1-H zones in order to regulate mass and bulk of new single-family residential dwellings as well as additions and remodels of homes that had the potential to adversely impact the neighborhood character of single-family residential zones.

C. Since the implementation of updated standards regulating development of single-family dwellings in R-1 and R-1-H zones in 2017, City staff has received numerous concerns regarding regulatory constraints that the new regulations have created for small-scale additions and remodels. All proposals for remodels and additions are reviewed pursuant to the single family residential development standards, but the triggers related to permitted square footage of these projects versus the triggers for requiring a single family development permit have extended planning processing time for these type of developments in R-1 and R-1-H single family residential zones without significantly improving the overall design of a project.

D. The City acknowledges the need to address concerns regarding extended planning processing time for additions, remodels, and constructions in R-1 and R-1-H single family residential zones.

E. The proposed ordinance incorporates text that facilitates objective and consistent application of zoning text and removes regulatory constraints for small scale single-family developments and one-story single family homes that maintain an overall design, inclusive of overall mass and scale, that is consistent with the scale and character of the City's existing single-family residential neighborhoods.

F. The proposed Ordinance and resulting zone text amendment will benefit the community by cleaning redundant and inconsistent language in the development standards, providing new definitions as required, enabling a more objective application of zoning code, facilitating an overall design for additions, remodels, and construction of new single-family dwellings that is consistent with the scale and character of the existing neighborhoods, while also streamlining City review of these projects.

G. The City Council hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (Public Resources Code Section 21000 et seq,) ("CEQA") pursuant to Section 15061 (b)(3) of the CEQA Guidelines in which the project (i.e., zone text amendment to the single family residential zone development standards) has no potential for causing a significant effect on the environment as the proposed update to the single family residential development standards will not land uses that are no more intense than the buildout scenario analyzed in the Burbank2035 General Plan.

THE COUNCIL OF THE CITY OF BURBANK DOES ORDAIN AS FOLLOWS:

1. Chapter 1 of Title 10 of the Burbank Municipal Code is amended as follows (addition in red and deletion in ~~strikethrough~~):

1) Article 2 Section 10-1-203: Definitions, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended to update the definitions for "Retaining Wall", and "Demolition, Whole House":

10-1-203: DEFINITIONS:

RETAINING WALL: Means a structure that retains (holds back) for more than six inches of any material (usually earth), above the footing ~~measured from top of the horizontal footing~~ and prevents it from sliding or eroding away. For purposes of measuring the height of a retaining wall, the exposed portion of the retaining wall shall be measured from the lowest abutting finished ground surface, after any grading, cut, or fill activity. The portion of the retaining wall that is not underground shall be considered exposed. Portion of the wall not retaining dirt shall not be considered a retaining wall.

DEMOLITION, WHOLE HOUSE: Means the demolition of at least 50% of the total length of all the exterior walls of a main house, including garages and other enclosed accessory structures that are attached to the main house. Applicant shall calculate the linear length of all exterior ~~and interior~~ walls. The calculated length should not exclude openings because part of the opening is a structural header, and the walls must remain as structural elements in the new plan.

2) Article 6, Division 1, Section 10-1-603: Property Development Standards, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

10-1-603: PROPERTY DEVELOPMENT STANDARDS:

A. STANDARDS TABLE. All land uses and structures, and alterations to existing land uses and structures, in the R-1 and R-1-H zones must be designed, constructed, and established consistent with the requirements in Table 10-1-603(A) and all other applicable provisions of this Division and this Code. Numbers in parentheses within the table refer to notes and additional requirements listed at the end of the table. For items marked with an (H), the hillside development standards apply if the property is located within the

hillside area, as defined in Section 10-1-606(A). Where the last column in the table includes a section number, the referenced section includes additional requirements related to the development standard. All properties located within the R-1-H Zone must further comply with the requirements set forth in Section 10-1-605, and all properties located within the hillside area, as defined in Section 10-1-606(A), must further comply with the requirements set forth in Section 10-1-606.

TABLE 10-1-603(A): DEVELOPMENT STANDARDS

IN THE R-1 AND R-1-H ZONES

Development Standards	***R-1 and R-1-H***	***Additional or Related Standards***
Dimensions Related to Density		
Minimum lot area	6,000 square feet	
Minimum lot width	50 feet	
Minimum lot depth	100 feet	
Minimum lot area per primary dwelling unit	6,000 square feet	
Minimum lot area per additional dwelling unit above first 6,000 square feet subject to CUP approval	5,750 square feet	
Minimum dwelling unit size	850 square feet	
Minimum dwelling unit width [(1)]	20 feet	
Maximum height: [(2)]		
To top plate	~~20~~ 22 feet	10-1-603(C)
To top of pitched roof and architectural features	30 feet [(3)] [(4)]	10-1-603(C)
To top of flat roof, parapet, and architectural features	23 feet	10-1-603(C)
To top plate for accessory structures	10 feet	10-1-603(C)

TABLE 10-1-603(A): DEVELOPMENT STANDARDS

IN THE R-1 AND R-1-H ZONES

Development Standards	***R-1 and R-1-H***	***Additional or Related Standards***
To top of roof and architectural features for accessory structures	14 feet [5]	10-1-603(C)
Maximum number of stories	2; 3 stories if the third story is enclosed within a pitched roof (maximum height requirements apply).	
Maximum floor area ratio [H]	0.4 for lot area up to 7,500 square ft. plus 0.3 for lot area over 7,500 square ft. and 0.2 for lot area over 15,000 square ft. [6]	10-1-603(D)
Upper-story Stepbacks; Building Plane Modulation	Required ~~when project is subject to Neighborhood Compatibility Review~~ for all new dwellings and second story additions.	10-1-603(E); ~~10-1-609~~
Maximum lot coverage	50% [7]	10-1-603(F)
Minimum yard setbacks [H]		
Front	Average front yard setback on the blockface.	10-1-603(G)
Rear	15 feet	10-1-603(G)
Interior side	At least 10% of lot width, but no less than 3 feet and no more than 10 feet [8]	10-1-603(G)
Street-facing side	For the first story, no less than 10% of lot width or 5 feet and no more than 10 feet [8]. For the second story, 20% of lot width, but no less than 6 feet and no more than 20 feet.	10-1-603(G)
Maximum fence, wall, and hedge heights [H]		
Within the front yard setback area	4 feet [9] [11] 6 feet (hedges only)	10-1-603(H)

TABLE 10-1-603(A): DEVELOPMENT STANDARDS IN THE R-1 AND R-1-H ZONES		
Development Standards	***R-1 and R-1-H***	***Additional or Related Standards***
Within the street-facing side yard setback area	6 feet (to rear of house) if 50% open; 4 feet if solid (11) 8 feet (to rear of lot) (11)	10-1-603(H)
Outside of the front yard or street-facing side yard setback area	8 feet 12 feet (hedges only)	10-1-603(H)
Required trees for New Single Family Homes or Homes Requiring Single Family Development Permits	2 trees somewhere on the property, preferably one in the front yard. (Can be existing trees)	10-1-603(L)
Minimum number of off-street parking spaces (H)		
When main dwelling has a gross floor area of 3,400 square feet or less	2 (10)	10-1-603(I)
When main dwelling has a gross floor area of more than 3,400 square feet	3 (10)	10-1-603(I)

Notes/Additional Requirements:

(H) For items marked with an (H), the hillside development standards apply if the property is located within the hillside area as defined in Section 10-1-606(A).

1. The minimum dwelling unit width does not apply when a narrower dwelling width is necessary to maintain the minimum required side yard setbacks.

2. Unless otherwise permitted by state or federal law, the maximum 30-foot height limit also applies to freestanding structures other than buildings, including but not limited to antennas, satellite dishes, and flagpoles.

3. To achieve this height, the minimum roof slope shall be 30 degrees above a horizontal plane.

4. Accessory structures include enclosed and non-enclosed structures that are detached from the main dwelling unit, including but not limited to detached garages, gazebos, workshops, storage sheds and

buildings, pool houses, stables, corrals, and tack rooms. Accessory dwelling units, whether attached to the main dwelling unit or detached, and additional dwelling units authorized by conditional use permit, are not considered accessory structures.

5. On lots larger than 10,000 square feet, the maximum accessory structure height shall be 23 feet.

6. The maximum floor area ratio is 0.4 with neighborhood compatibility review. Without neighborhood compatibility review, the by-right FAR is .35, and Section 10-1-603(D) establishes additional regulations for the floor area ratio. In the hillside area as defined in Section 10-1-606(A), the floor area ratio may be reduced through conditions placed upon a Hillside Development Permit per Section 10-1-606(C).

7. The 50% maximum lot coverage may be exceeded with approval of a Single Family Development Permit when the lot is smaller than 6,000 square feet.

8. On lots that have an irregular shape or a varying width, the average lot width, as determined by the Community Development Director, is used to calculate the side yard setbacks. The Director also may reduce the interior side setback adjacent to an alley for blank walls with no ground floor windows for habitable rooms. The City of Burbank Neighborhood Compatibility Review and Single Family Design Guidelines provide additional guidance for the interior side yard setback and street facing side setbacks on lots over 50 feet wide.

9. In the front yard ~~and street facing side yards,~~ any portion of the fence exceeding two (2) feet in height must utilize an open design except as noted above. Open design means that for each one-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views through the fence or wall. Exceptions to this standard shall be allowed for retaining walls in hillside areas through the Hillside Development Permit process.

10. The first two required parking spaces must not be tandem spaces. The third parking space may be a tandem space.

11. The height of the retaining wall adjacent to the sidewalk or the public right of way in front of the house must be measured along the sidewalk or the right of way, not the finished grade of the property.

B. CONFORMANCE TO APPROVED PLANS REQUIRED.

1. All plans submitted with a building permit shall incorporate all of the project elements reviewed as part of the determination of neighborhood compatibility if applicable, when issuing the Single Family Development Permit or Hillside Development Permit. All construction shall comply with approved plans that are part of the building permit following neighborhood compatibility review and issuance of the respective Development Permit, unless minor modifications or changes are approved by the Community Development Director.

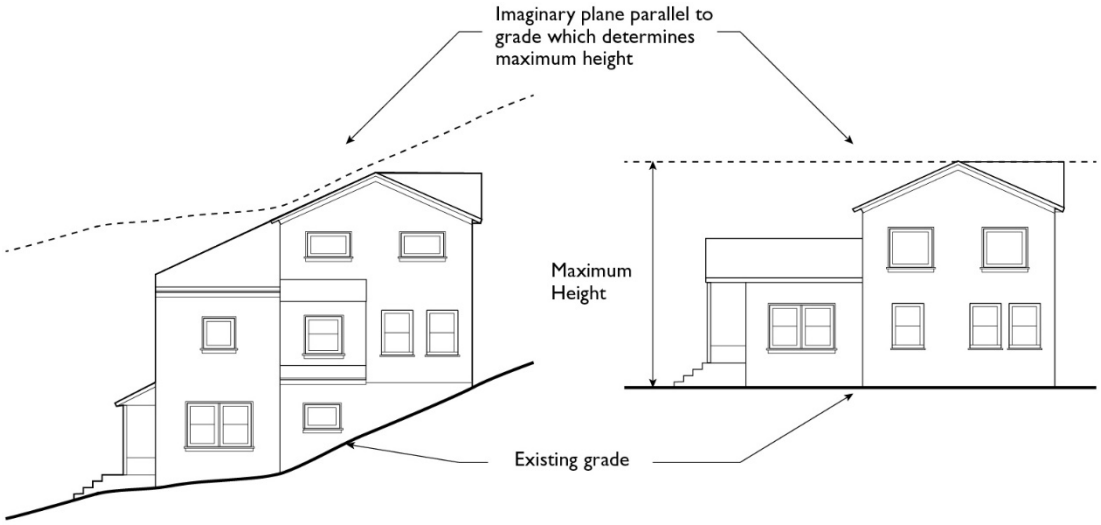
2. When the owner or the contractor encounters conditions in the field that may require a modification to an approved Single Family or Hillside Development Permit, it shall be the responsibility of the owner or the contractor to cease work. Information regarding the field conditions then must be provided to the Planning and Inspection staff. The Community Development Director or his designee must approve all proposed field modifications. Should modifications to a remodel result in a whole house demolition, then all standards relating to a new house shall apply and compliance with the respective Development Permit shall be required.

C. HEIGHT.

1. For purposes of these standards, height shall be measured as the vertical distance from grade to an imaginary plane located the allowed number of feet (as listed in Table 10-1-603(A)) above and parallel to the grade. The measurement is taken at each point along the face of the structure at no less than one foot intervals, and the reference grade shall be established as the existing ground surface of the lot, prior to any grading, cut, or fill activity or the finished ground surface of the lot, after any grading, cut, or fill activity, whichever is lower.

Diagram 10-1-603(C) illustrates the imaginary plane on a sloped lot and flat lot when measured from the existing grade to the top of the roof. A separate imaginary plane also parallel to the grade determines the maximum top plate height. With approval of a Conditional Use Permit, height may be measured from the average grade in lieu of being measured as described above. In this instance, average grade shall be the average of the highest and lowest finished ground surface elevations at the perimeter of the structure, whether or not the finished ground surface is higher than the existing ground surface.

DIAGRAM 10-1-603(C): HEIGHT MEASUREMENT



2. No building feature, except parapets above a height of 20 feet, or 10 feet on an accessory structure, shall exceed a roof pitch of 12 vertical inches for every 12 horizontal inches, where pitched. This standard is not intended to require hipped roofs.

3. Parapets and architectural features shall not exceed 30 inches in height above the intersection of the roof surface and the wall. A flat roof surface must be no higher than ~~21~~ 23 feet above grade, or 11 feet above grade when on an accessory structure.

4. Chimneys shall not extend more than 15 feet above the highest point of the roof or exceed a maximum height of 30 feet, or 17 feet on an accessory structure. Unless otherwise permitted by State or federal law, air conditioning units and other roof-mounted equipment shall not exceed 30 feet in height, or 17 feet on an accessory structure. All such equipment shall be screened so as to limit visibility from the right-of-way.

5. When a deck or platform is provided on top of a structure, the assumed top plate height of the structure is six (6) feet, eight (8) inches above the deck surface, unless a deck covering or the top plate of an enclosed space on the same level exceeds that height.

6. Top of the roof height of front porches shall be limited to 12 feet as measured from the existing ground surface of the lot, prior to any grading, cut, or fill activity or the finished ground surface of the lot, after any grading, cut, or fill activity, whichever is lower.

~~6.~~ 7. While modest changes in grade (not to exceed 6 inches in non-Hillside areas, and 12 inches in the Hillside) may result when excavation and foundation work are carried out, the placement of fill dirt in the front and rear yards is not allowed in order to change the overall grade of the property and increase the allowable height. Applicants for building permits requiring any grading beyond 6 inches in non-Hillside areas, and 12 inches in the Hillside shall be required to submit a stamped and signed pre-demolition topographic survey, a grading plan as part of the construction documents indicating existing and proposed topography, and, upon completion, a final certification from the surveyor verifying the as-built condition. Any changes to the existing grade must be shown on the construction drawings and approved by the City Building Official in advance of building permit issuance. Subsequent changes to the grade shall not be approved as part of field inspection and, instead, require resubmittal of plan documents to the Community Development Department for review, and, if applicable, determination of neighborhood compatibility of the proposed change in grade to the existing grade.

D. FLOOR AREA RATIO.

1. The floor area ratio (FAR) is calculated using the total gross floor area of all enclosed structures on the property, including the main dwelling structure, accessory structures, ~~second~~ accessory dwelling units, enclosed patios, even when open on one or more sides, and sheds; except the following are excluded from the FAR calculation,

~~(1)~~(a) attached garages and carports or portions thereof up to 400 square feet if in front of the house or within the front half of the lot and 500 square feet if either attached or detached in the rear half of the lot; and 600 square feet if access to the garage is taken from the alley; in case of multiple garages, the one with lesser area shall be exempt from FAR, the exemption shall not exceed 600 square feet;

~~(2)~~(b) front covered porches with up to 250 square feet if open on two sides and located on the ground floor, ~~and~~

~~(3)~~(c) stables, corrals, and tack rooms attached thereto ~~are not included~~;

(d) detached accessory structures open on all sides;

(e) attached covered patios, understory of balconies and overhangs that are not supported by posts;

(f) parking area of any size when located in basement, which is exempt from FAR as specified in sub-section 10-1-603 D. 4;

(g) up to two, non-habitable accessory structures under 120 square feet each. Structures above the quantity of two shall be included in FAR; and

(h) trellises and similar structures that have roofs that are at least 50 percent open to the sky with uniformly distributed openings.

2. Floor Area shall be calculated for each story and includes the horizontal area within exterior finish face walls. The total gross floor area shall be the sum of the floor area for each story.

3. Any portion of a structure, including the area above a staircase, over 12 feet in interior height, shall count as floor area as if a second story were within the space. This means that any space with a ceiling or top plate exceeding the maximum allowed one story height shall be considered as constituting two stories for the purpose of calculating floor area and thus the ground floor area is counted twice. For purposes of measuring height in this section, it is measured from grade, not from finished floor.

4. Basements with usable floor area that meet the minimum habitable room dimensions (area, height and width) as defined by the Building Code shall be counted toward the floor area ratio unless both of the following criteria are satisfied:

a. The finished floor level of the first story is no more than 24 inches above the adjoining ground surface for at least 50 percent of the perimeter of the basement; and

b. The basement space is located directly beneath an enclosed space that is included in the floor area ratio calculation.

5. The following requirements apply to basements whether or not exempted from floor area ratio per Subsection (4) above.

a. The gross floor area of the basement must be included in the total house square footage for the purposes of determining the number of required off-street parking spaces; and

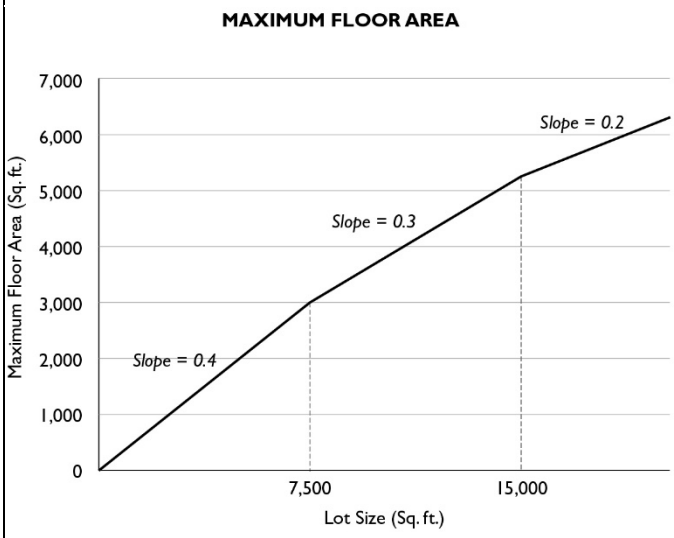
b. When built as part of an accessory structure, the gross floor area of the basement must be counted toward the square footage and size limitation of the accessory structure.

6. Portion of f~~F~~loor area within attics ~~that have a structural floor~~ with a floor surface and a ceiling height of five feet or greater ~~than four feet~~ shall count~~s~~ toward the Floor Area Ratio.

7. The floor area for required parking provided underground shall not be counted when calculating the floor area ratio.

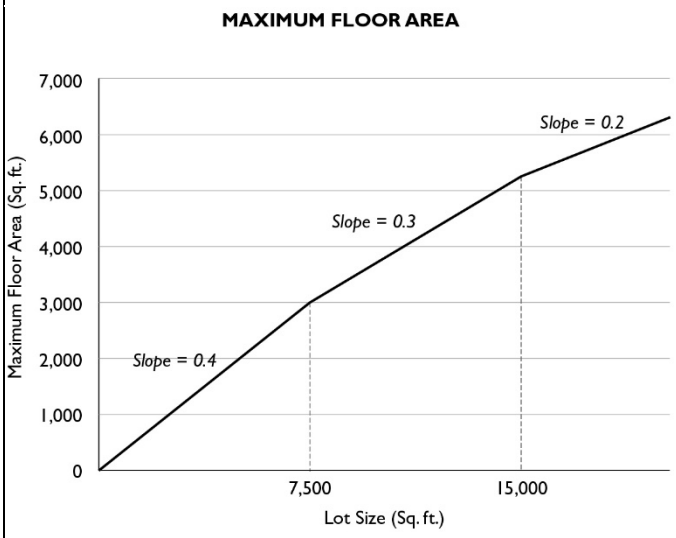
8. Maximum Residential Floor Area. The maximum residential floor area (FAR) by lot size is shown in Table 10-1-603(D). For lot sizes between the sizes shown, the maximum floor area shall be determined by the relevant proportional increase.

TABLE 10-1-603(D): MAXIMUM GROSS FLOOR AREA AND FLOOR AREA RATIO (FAR) BY LOT SIZE



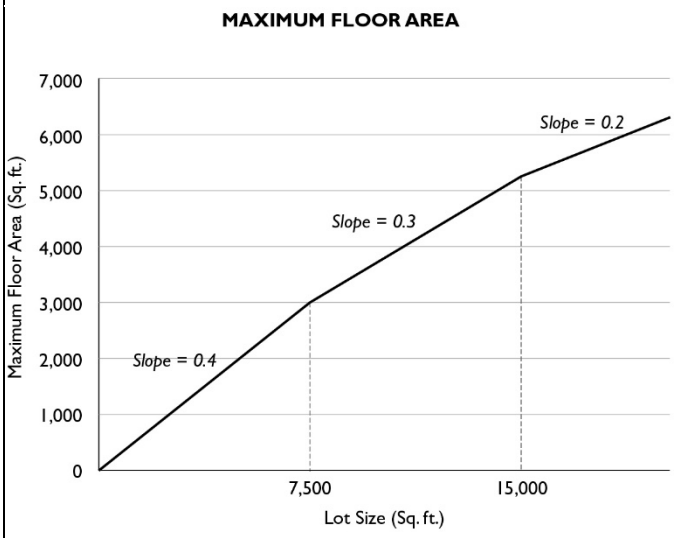
Lot Size (Sq. Ft.)	***Maximum Gross Floor Area (Sq. Ft.)***	***Maximum FAR***
3,500	1,400	
4,000	1,600	
4,500	1,800	
5,000	2,000	
5,500	2,200	0.4
6,000	2,400	
6,500	2,600	
7,000	2,800	
7,500	3,000	
8,000	3,150	
8,500	3,300	0.4 for up to 7,500; 0.3 for lot area over 7,500
9,000	3,450	
9,500	3,600	

TABLE 10-1-603(D): MAXIMUM GROSS FLOOR AREA AND FLOOR AREA RATIO (FAR) BY LOT SIZE



Lot Size (Sq. Ft.)	***Maximum Gross Floor Area (Sq. Ft.)***	***Maximum FAR***
10,000	3,750	
10,500	3,900	
11,000	4,050	
11,500	4,200	
12,000	4,350	
12,500	4,500	
13,000	4,650	
13,500	4,800	
14,000	4,950	
14,500	5,100	
15,000	5,250	
15,500	5,350	0.4 for up to 7,500; 0.3 for lot area over 7,500 but less than 15,000; and 0.2 for lot area over 15,000
16,000	5,450	

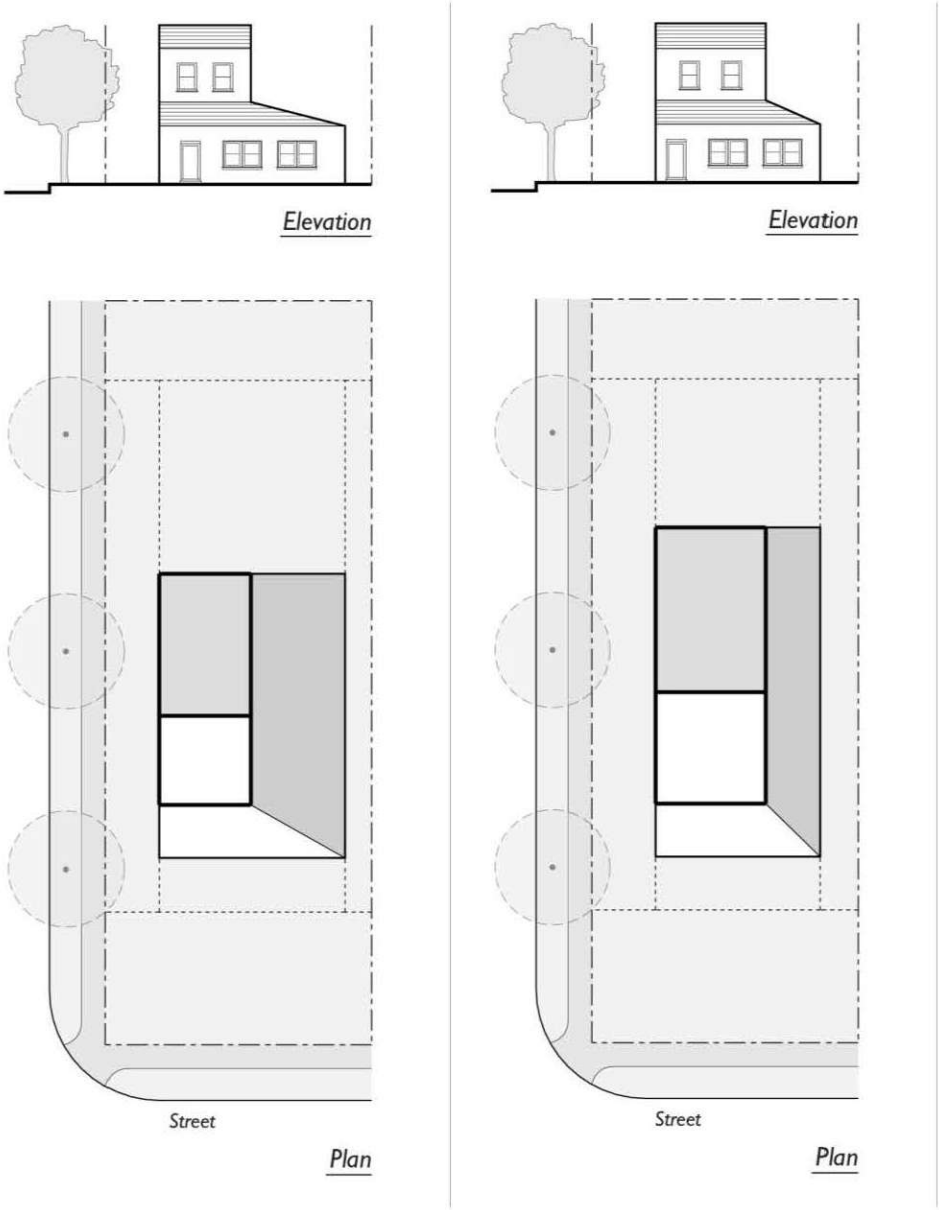
TABLE 10-1-603(D): MAXIMUM GROSS FLOOR AREA AND FLOOR AREA RATIO (FAR) BY LOT SIZE



Lot Size (Sq. Ft.)	***Maximum Gross Floor Area (Sq. Ft.)***	***Maximum FAR***
16,500	5,550	
17,000	5,650	
17,500	5,750	
18,000	5,850	
18,500	5,950	
19,000	6,050	
19,500	6,150	
20,000 or more	As determined by same FAR formula	

DIAGRAM 10-1-603(D): FAR COMPARISON

FAR = 0.35 FAR = 0.40



9. Calculating FAR on Flag Lots. That portion of the pole or stem portion of a flag lot that is in a shared driveway shall not be used in calculating the maximum allowable floor area within a given FAR allowance. However, land area in the pole portion with a minimum width of 15 feet, and not part of the shared driveway, and under control of a single owner shall be included in calculating the maximum allowable floor area within a given FAR allowance. Such pole area can only be counted for one lot.

10. Reduced FAR on Sloped Lots in the Hillside. The maximum FAR of 0.4 shall be reduced to 0.35 on all hillside lots with slopes in the 15-29.99 percent range, as determined by the City, and to 0.30 for all hillside lots with slopes of 30 percent or more, as determined by the City. The applicant shall provide a topographic map of the site showing topographic features by means of contour lines, with slope calculated by the formula:

S = (I x L x 100)/A, where:

S = Average ground slope in percent, calculated for the entire lot

I = Contour interval in feet. The contour interval shall be 10 feet or less.

L = The combined length in feet of all contour lines on the lot

A = Gross area for the lot in square feet

11. Floor Area Ratio Exception

a. A floor area ratio exception of up to ten (10) percent greater than the maximum square footage allowed for the lot may be granted by the Planning Board for an addition to an existing house that has already reached an FAR of .399. The exception requires a public hearing which must be in compliance with Article 19, Zoning Procedures, and requires notification of property owners within 300 feet.

An Example is listed below:

If a property is 6,000 square feet, the maximum square footage allowed for the lot is 2,400 square feet as determined by Table 10-1-603(D). If a Floor Area Ratio Exception is approved by the Planning Board, the applicant would be able to increase their square footage by 10%, resulting in an increase of 240 square feet. This will result in the maximum square footage allowed for the lot to equal 2,640 square feet.

1. Eligibility. Only non-Hillside houses on lots of 7,000 square feet or smaller are candidates for an FAR exception.

2. Findings for approval. A floor area exception shall not be approved unless the Planning Board makes the Findings below:

i. The addition is on the first story, of quality design, and consistent with the architectural character of the existing home;

ii. The addition does not propose a setback encroachment nor any exception from any other development standards; and

iii. The additional floor area is only intended to increase the habitability or function of the structure.

The Planning Board hearing shall be noticed in accordance with the requirements of the Single Family Development Permit, and the decision may be appealed to Council.

E. UPPER-STORY STEPBACKS.

Building Modulation Required. To reduce second story building mass and avoid shadow and privacy impacts on adjacent property, new construction and exterior alterations and additions must provide front and side setbacks according to the following standards:

1. Front, second story.

a. If the front yard setback proposed for the finished wall of the first floor is greater than 35 feet, no additional setback is required for the second story.

b. If the front yard setback proposed for the finished wall of the first floor is 35 feet or less, the story setback is determined by a 60-degree inclined daylight plane extending from the intersection of the side property line and the existing grade at a point 12 feet above finished grade. See Diagram 10.1.603E(1)(A) below. Alternatively, if the front yard setback proposed for the finished wall of the first floor is between 30 and 35 feet, the second story may be setback an even five feet across the front.

c. If the front yard setback proposed for the finished wall of the first floor is between 25 and 30 feet, the second story must be set back 10 feet.

d. Alternatively, if the front yard setback proposed for the finished wall of the first floor is 30 feet or greater, the second story shall be setback at least five (5) feet for 15 percent of the front elevation, and the total floor area of the second story shall not exceed 85 percent of the first story floor area. This option can be integrated with side modulation options to achieve the 85 percent floor area reduction. See Diagram 10.1.603E(1)(B) below.

e. Exceptions to these setbacks may be granted through neighborhood compatibility review if a project design follows the average front yard setback on the block and otherwise complies with the City's Single Family Design Guidelines.

Findings for Exceptions. A setback exception shall only be approved when the Community Development Director or his/her designee makes the Findings below:

1. The granting of the exception is desirable for the preservation of an existing architectural style or neighborhood character which would not otherwise be accomplished through the strict application of the provisions of this chapter; and

2. It can be demonstrated that the design of the proposed addition is of superior design quality; compatible with existing neighborhood character; effective in minimizing the perceived size of the dwelling; not overly intrusive to the privacy and sunlight access of neighboring dwellings; and is in substantial compliance with the design guidelines for single-family homes; and

3. No other design exceptions are requested.

DIAGRAM 10-1-603(E)(1)(A): FRONT YARD BUILDING MODULATION ALTERNATIVE A

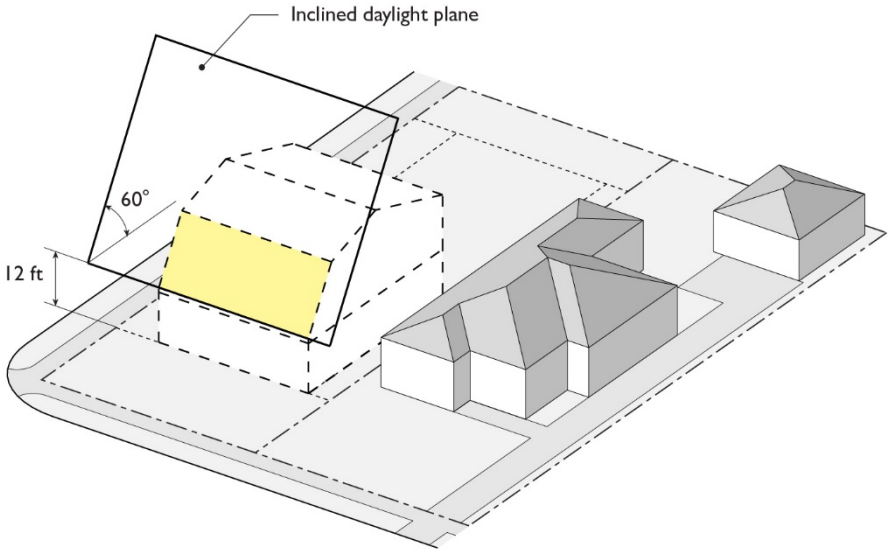
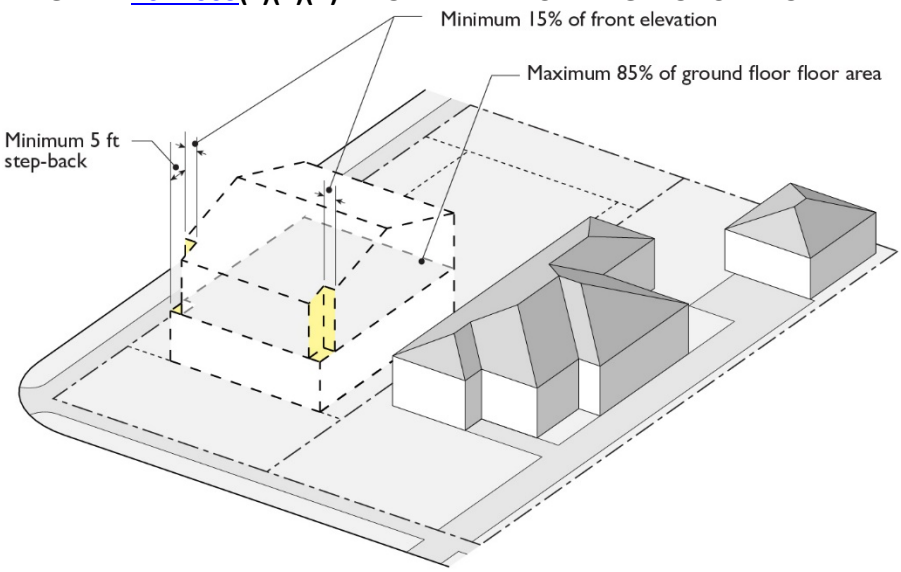


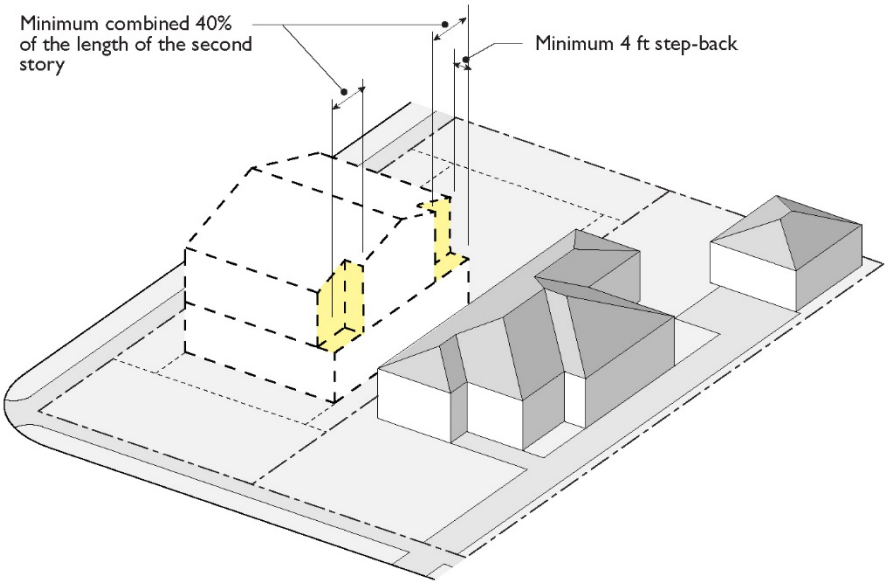
DIAGRAM 10-1-603(E)(1)(B): FRONT YARD BUILDING MODULATION ALTERNATIVE B



2. Side, second story. The side yard setback for the second story must conform to one of the following ~~four~~ three standards.

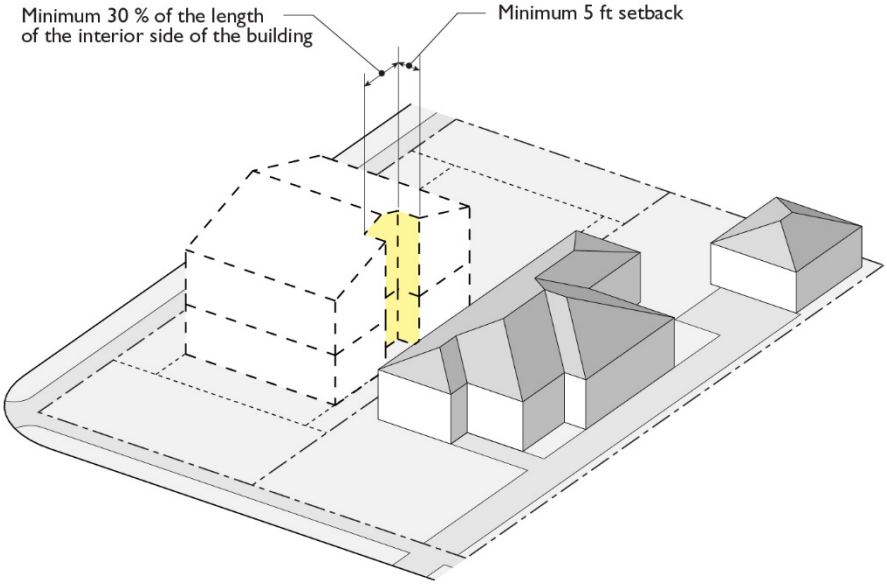
a. Standard E-2a: At least 40 percent of the length of the second story is set back 4 feet from the first floor building face. See Diagram 10-1-603(E)(2)(A) below.

DIAGRAM 10-1-603(E)(2)(A): SIDE YARD BUILDING MODULATION ALTERNATIVE A



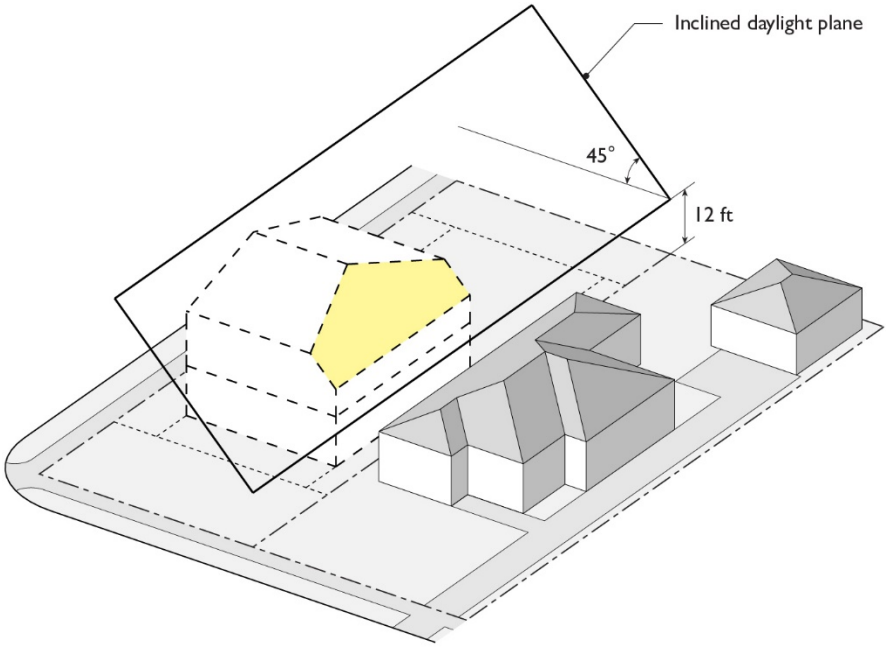
b. Standards E-2b: At least 30 percent of the interior side of a building is offset a minimum of 5 feet in depth from the primary wall. See Diagram 10.1.603(E)(2)(B) below.

DIAGRAM 10-1-603(E)(2)(B): SIDE YARD BUILDING MODULATION ALTERNATIVE B



c. Standard E-(2)(C): The second story setback is determined by a 45-degree inclined daylight plane extending from the intersection of the side property line and the existing grade at a point 12 feet above finished grade. See Diagram 10.1.603(E)(2)(C) below.

DIAGRAM 10-1-603(E)(2)(C): SIDE YARD BUILDING MODULATION ALTERNATIVE C



3. Street Side Yard Modulation Additional Requirement. An additional two (2) feet of yard setback shall be required for any portion of the second story side façade of the house greater than 60 feet in length and 14 feet in height.

F. LOT COVERAGE.

Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages,

carports, porte-cocheres, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. See Diagram 10.1.603(F) below. The following structures are excluded from this calculation:

1. Unenclosed and unroofed decks, uncovered patio slabs, porches, landings, balconies, and stairways less than 18 inches in height at surface of deck (and less than six feet including railings);

2. Eaves and roof overhangs projecting up to two feet from a wall;

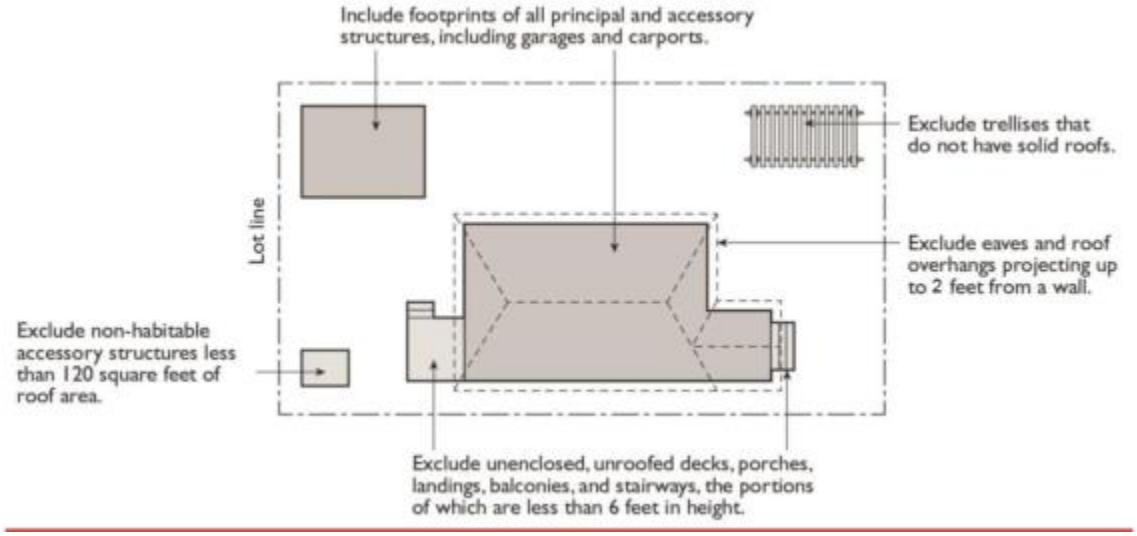
3. Trellises and similar structures that have roofs that are at least 50 percent open to the sky with uniformly distributed openings;

4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks;

5. ~~One~~ Two small, non-habitable accessory structures under 120 square feet. Structures above quantity of ~~one~~ two are to be included in lot coverage; and

6. R-1-H Zone Only. Stables, corrals, and tack rooms attached thereto.

DIAGRAM 10-1-603(F): DETERMINING LOT COVERAGE



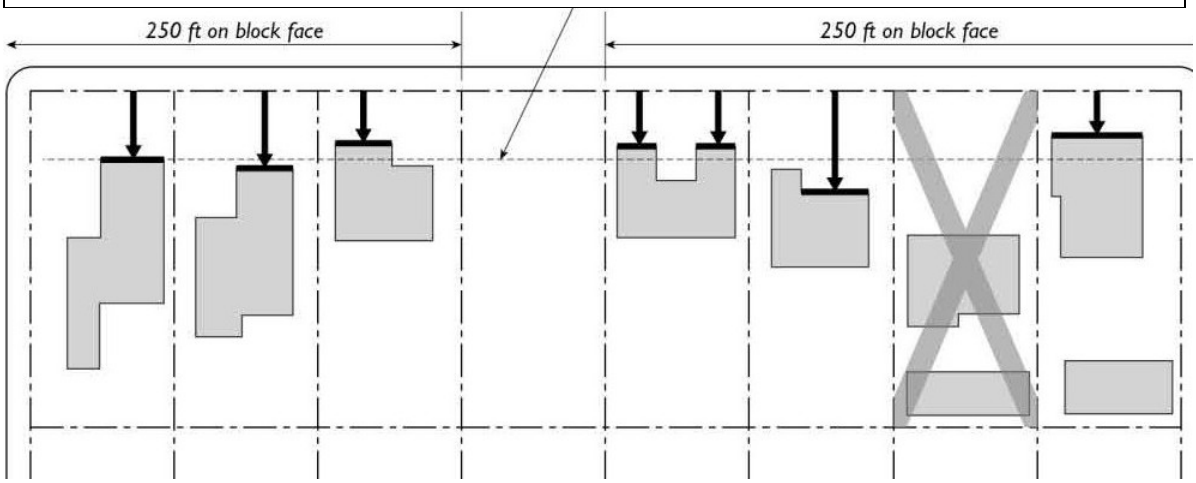
G. YARDS.

1. The minimum required setbacks for all yards are specified in Table 10-1-603(A). However, for front yard setbacks, an average front setback for adjoining and nearby lots shall be used. The average front yard setback shall be determined from lots on the same block that are within 250 feet on either side of the subject property. In calculating the average setbacks, measurements that vary from the average by more than 150 percent shall not be used to calculate the average.[1]

a. In calculating the average front yard setback for houses with more than one plane, the plane closest to the street shall be used to determine the setback provided that plane constitutes at least 40 percent of the width of the house. See Diagram 10.1.603(G) below.

DIAGRAM 10-1-603(G): FRONT YARD AVERAGING

Average setback includes garages and encroachments of that constitute more than 40% of the front facade.



2. Encroachments are permitted into the required setback areas by various structural components and objects to the maximum distance specified in Table 10-1-603(G). Encroachment distances are measured from the minimum required setback line and not from the actual setback of the structure. All setbacks and encroachments are measured perpendicular to the property line.

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS

Structure/Object	*Setback Type*	*Maximum Encroachment*
Structural walls and posts supporting an overhead structure (except accessory structures) and any structural components or objects not specifically listed in this table	Front	none permitted
	Rear	none permitted
	Interior Side	none permitted
	Street-Facing Side	none permitted
Accessory structures [(1)]	Front	none permitted
	Rear	up to within 3 feet of property line but not beyond setback plane [(2)(3)]
	Interior Side	up to within 3 feet of property line but not beyond setback plane [(2)(3)(4)]

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS

Structure/Object	*Setback Type*	*Maximum Encroachment*
	Street-Facing Side	none permitted
Eaves, canopies, porches including their eaves, or balcony covers, cornices, sills, etc.	Front Rear	2.5 feet; 4 feet in the front yard for front porches with a 5-foot minimum clear horizontal dimension. The maximum height to the top of ~~ceiling~~ roof ~~in~~ for the front porch structure shall be no more than 12 feet. See Diagram 10-1-603(G)(2)(A)
	Interior Side	up to within 2.5 feet of property line [(6)]
	Street-Facing Side	2.5 feet [(6)]
Garden window boxes and non-structural bay windows	Front	2.5 feet
	Rear	2.5 feet
	Interior Side	2 feet but no less than 3 feet from the property line
	Street-Facing Side	2.5 feet
Uncovered patios or porches at ground level. For a built-up slab-on-grade deck on a sloped lot, four inches above the lowest adjacent grade are permitted.	Front	4 feet [(5)]
	Rear	up to property line
	Interior Side	up to property line

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS

Structure/Object	*Setback Type*	*Maximum Encroachment*
	Street-Facing Side	up to property line [5]
Uncovered porches, patios, decks, and platforms above ground level and supported from the ground (whether freestanding or attached to a structure)	Front	4 feet
	Rear	none permitted
	Interior Side	permitted with limitations [6]
	Street-Facing Side	none permitted
Uncovered porches, patios, decks, platforms, and balconies above ground level, attached to a structure, and not supported from the ground	Front	4 feet
	Rear	5 feet
	Interior Side	permitted with limitations [6]
	Street-Facing Side	up to within 10 feet of property line
Stairways, ramps, and landings leading up to grade level from basement or other below-grade space	Front	5 feet
	Rear	5 feet
	Interior Side	none permitted
	Street-Facing Side	none permitted
Stairways, ramps, and landings leading from one grade level to	Front	up to property line
	Rear	up to property line

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS

Structure/Object	*Setback Type*	*Maximum Encroachment*
another grade level or from grade level up to the first floor level	Interior Side	up to property line
	Street-Facing Side	up to property line
Stairways, ramps, and landings above floor level of first story [(6)(7)]	Front	2.5 feet
	Rear	none permitted
	Interior Side	none permitted
	Street-Facing Side	none permitted
Above-ground and in-ground swimming pools and spas (as measured to water line)	Front	none permitted
	Rear	10 feet
	Interior Side	up to within 5 feet of property line
	Street-Facing Side	none permitted
Pool equipment, air conditioning equipment, water heaters [(8)], barbecues, play equipment, and similar accessory appliances and equipment	Front	none permitted
	Rear	12 feet
	Interior Side	up to within 3 feet of property line
	Street-Facing Side	none permitted

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS

Structure/Object	*Setback Type*	*Maximum Encroachment*
Chimneys	Front	none permitted
	Rear	2 feet
	Interior Side	2 feet. Encroachment shall be a minimum of 3 feet from the property line
	Street-Facing Side	2 feet
Porte~~s~~-cochere	Front	none permitted
	Rear	none permitted
	Interior Side	up to 3 feet from the property line with a minimum 5-foot setback from the primary front building plane [(9)]
	Street-Facing Side	none permitted

Notes/Additional Requirements:

1. Accessory structures include enclosed and non-enclosed structures that are detached from the main dwelling unit, including but not limited to detached garages, gazebos, workshops, storage sheds and buildings, pool houses, stables, corrals, and tack rooms. Second dwelling units, whether attached to the main dwelling unit or detached, and additional dwelling units authorized by a Conditional Use Permit, are not considered accessory structures subject to the encroachment provisions in this table.

2. Accessory structures are permitted to encroach within the standard side and rear setbacks to the minimum three (3) foot setbacks only when located in the rear one-third of the lot. See 10-1-603(G)(4) for information about accessory structure setback planes.

3. The three (3)-foot side and rear setbacks are not required for accessory structures along any side or rear property line that abuts an alley. However, the setback plane described in 10-1-603(G)(4) still applies.

4. On lots less than 26 feet wide, accessory structures are permitted to encroach within the three (3)-foot side and rear setbacks to a distance necessary to provide a garage or carport that meets the minimum size specified in Section 10-1-603(I).

5. Uncovered patios and porches in the front and street-facing side yards are subject to the hardscape limitations in 10-1-603(G)(5).

6. Porches, patios, decks, platforms, and balconies must be set back a minimum of 10 feet from interior side property lines. This requirement applies whether the porch, patio, deck, platform, or balcony is freestanding, attached to the main dwelling structure, or attached to an accessory structure.

7. Stairways, ramps, and landings attached to an accessory structure may encroach to the same minimum setbacks as the accessory structure itself.

8. Water heater and equipment closets that are built-in to a structure or enclosed by structural walls or are within a cabinet are subject to the standard setback requirement for structural walls.

9. ~~Portes-cochere~~ Porte-cochère attached to the interior side of a building may encroach into the interior side yard setback area up to the maximum specified for a maximum length of 20 feet as measured parallel to the property line. The maximum height to the top of a porte-cochere shall be no more than 14 feet in height; the maximum length of a porte-cochere shall be no more than 20 feet. (See Diagram 10-1-603(G)(2)(B).~~)~~

DIAGRAM 10-1-603(G)(2)(A): PERMITTED ENCROACHMENT FOR PORCHES

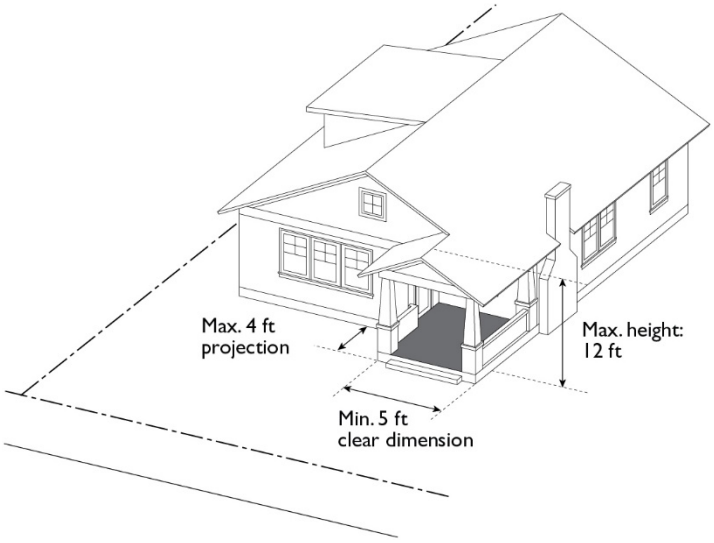
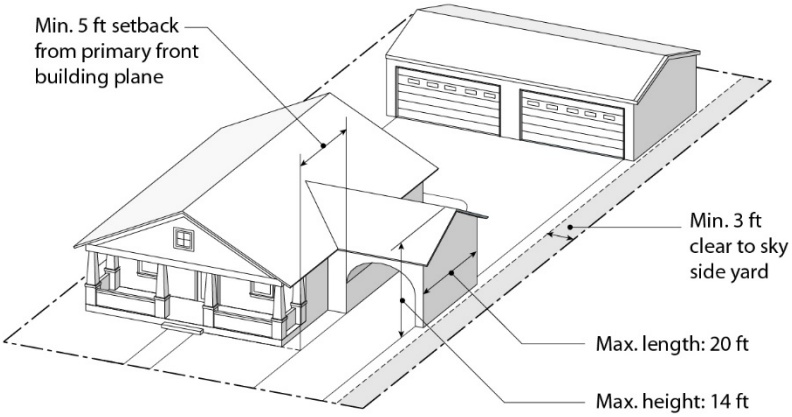


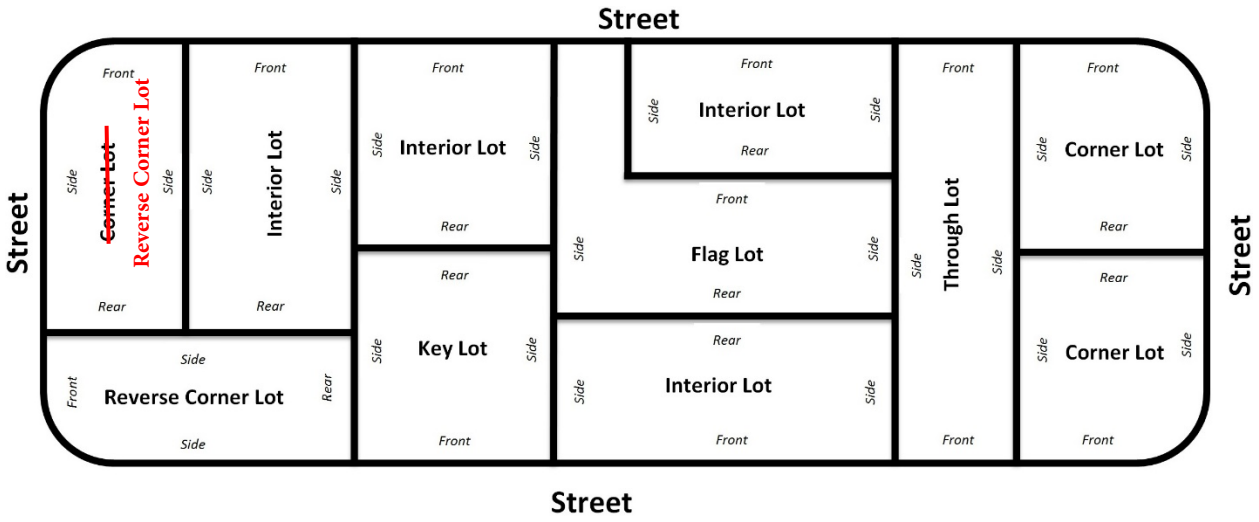
DIAGRAM 10-1-603(G)(2)(B): PERMITTED ENCROACHMENT FOR PORTE~~S~~-COCHERE



3. Reverse Corner Lots. Where a reversed corner lot abuts a key lot (See Diagram 10-1-603(G)(3) below) and the key lot is located in a residential zone, the minimum required street-facing side yard setback and permitted encroachments for all structures and objects in the rear 30 feet of the reversed corner lot is

equal to the required setback and permitted encroachments for structures and objects in the front yard of the key lot.

Diagram 10-1-603(G)(3): LOTS

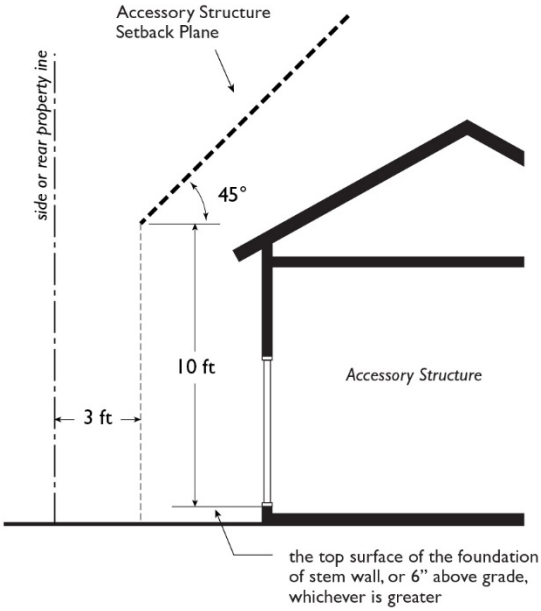


4. Accessory Structures. In addition to the minimum setbacks prescribed in Table 10-1-603(G), the top plate of the first or second story of an accessory structure may not extend above the prescribed setback planes. Only roof and related architectural features are permitted to extend above the setback planes. Setback planes are illustrated in Diagram 10-1-603(G)(4) and are defined as follows:

a. Setback planes extend inward from each side and rear property line at an angle of 45 degrees from the horizontal.

b. The base of each setback plane is a point located three (3) horizontal feet inward from the property line and 10 vertical feet above the top surface of the six (6) inch foundation stem wall of the accessory structure, or an equivalent vertical distance if the stem wall is a height other than six (6) inches. This applies whether the structure is built on slab or on a raised foundation.

DIAGRAM 10-1-603(G)(4): ACCESSORY STRUCTURE SETBACK PLANES



5. Additional Requirements. The following requirements apply to all front yards and street-facing side yards:

a. No more than 45 percent of the required front yard or street-facing side yard setback area shall be hardscaped. For the purposes of this provision, hardscape means cement concrete, asphalt, brick, pavers, and similar impervious or semi-pervious paved surfaces. An additional five (5) percent allowance for decorative brick sections or decorative paving within a landscaped area may be provided if needed for access or to complete a landscape design. If artificial turf is proposed for installation in the front yard, it shall be limited to half of the landscaped square footage.

b. The allowed hardscaping is limited to a driveway leading directly from a public street or alley to a garage or other required parking area, pedestrian pathways, and encroachments specifically permitted in Table 10-1-603(G). Within the required front yard setback area, driveways must be no wider than ~~12~~ 20 feet when the garage is located to the rear of the main dwelling structure, provided the percentage of hardscaping is limited to 45% . The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width. Circular drives are permitted on lots 100 feet or more in width provided the City's landscaping standards are met for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403.

c. No hardscaping is permitted next to a driveway so as to provide a continuous hardscaped surface ~~greater than the allowed driveway width unless the hardscaping is providing direct pedestrian access to the main dwelling~~. When a pedestrian pathway is provided, a landscape buffer shall be installed to separate the pedestrian pathway from the driveway. Pedestrian pathway shall be differentiated from the driveway by incorporating different surface material. Final design of driveway, pedestrian pathway, and percentage of landscaping in the front yard is subject to approval by Community Development Director or his/her designee.

d. No vehicle shall be parked in a required front yard or street-facing side yard except on a driveway and subject to the limitations of Section 10-1-1405.

e. All areas within the required front yard and street-facing side yard setback that are not hardscaped must be landscaped. Such landscaping must be properly maintained. All newly installed landscaping must comply with State of California requirements for the use of water efficient landscaping and irrigation equipment, as adopted in Article 5, Chapter 3, Subsection 9-3-500 of the Municipal Code.

6. The City Planner and Traffic Engineer may approve exceptions to the requirements of this Subsection to allow for a turnaround area or circular driveway for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403. See the Burbank 2035 Plan for an illustration of the major and secondary arterial streets.

7. No structures or objects may be constructed or placed in required yard areas except as permitted by this Section or as included in the definition of Landscaping in Section 10-1-203, and subject to the limitations of Section 10-1-603(H).

H. FENCES, WALLS, HEDGES AND OTHER YARD FEATURES.

1. Fences, Walls, and Hedges.

a. Fences, walls, and hedges shall not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury.

b. New chain link fences are prohibited in front yards and street facing side yards after February 23, 2017.

c. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-603(A).

d. ~~Only one fence with a gate is allowed in the front yard setback, and it must be 50 percent open. It may be combined with a retaining wall. The maximum height of the fence in the front yard setback is four (4) feet. If a fence is added above a retaining wall, the masonry or solid portion of the wall is limited to two (2) feet in height.~~ Fence in the front yard setback area can have up to two gates, and the gates must be 50 percent open and comply with the height requirements specified in Table 10-1-603(A).

e. Only one wall/fence, inclusive of any openings for access, is allowed in the front yard setback~~, including the front edge of the property~~.

f. Fence in the front yard setback area may be combined with a retaining wall. The maximum height of a fence in combination with a retaining wall in the front yard setback area shall not exceed 4 feet, as measured from abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower, and the fence must be 50 percent open.

~~f~~ g. The height of a fence, wall, or hedge is measured from the ~~lowest abutting ground surface~~ abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower ~~of the property upon which the fence, wall, or hedge is located~~.

~~g~~ h. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair step-design, but each stair-step section, as measured from the horizontal midpoint, shall not exceed the maximum height.

~~h~~ i. Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge

is eight (8) feet. On a reverse corner lot, fences, walls, and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard.

~~i~~ j. The only decorative element allowed on top of fences, walls, and hedges in front and street side yards is lighting, which may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge or up to a maximum height limit of five (5) feet, six (6) inches. In all other yards, lighting and ornamentation shall not exceed the maximum allowed height for fences, walls, and hedges. Pilasters shall be located at least eight (8) feet from each other, as measured from the center of the pilaster. The maximum width of each pilaster shall be 18 inches. The area of the pilasters is exempt from the 50% open design calculation.

~~j~~ k. All fences, walls, and hedges must comply with the corner cutoff provisions of Section 10-1-1303.

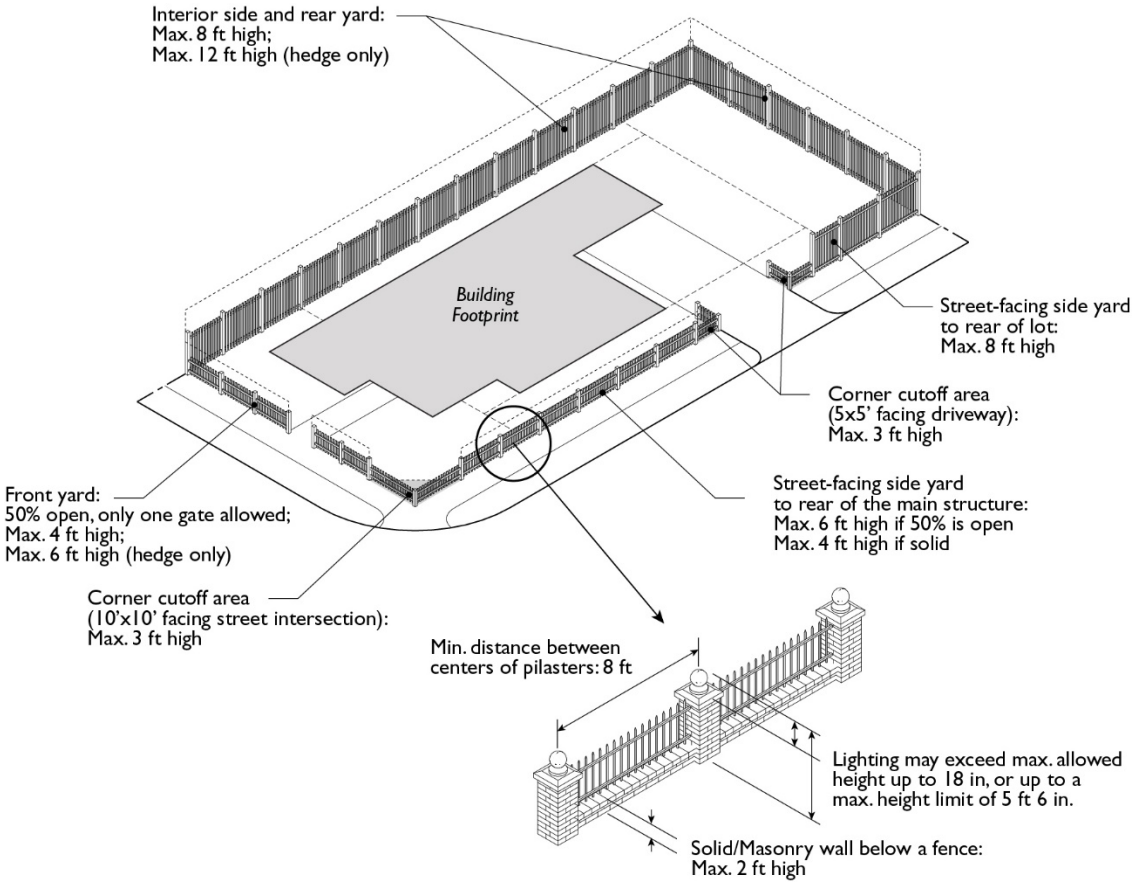
~~k~~ l. Gates are subject to the same requirements as fences and walls.

~~l~~ m. All walls in the front yard setback or street facing side yard must be finished with plaster, stucco, or brick or other similar materials. Materials must be consistent for all walls.

~~m~~ n. Enforcement of nonconforming fences and walls established prior to October 17, 2008 may be subject to abeyance pursuant to Section 10-1-19202.

~~n~~ o. If a wall or fence was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall or fence shall not be subject to these standards.

DIAGRAM 10-1-603(H)(1): FENCES AND WALLS



2. Other Yard Features.

a. Other yard features, including but not limited to natural features such as rocks; structural features such as arbors, pergolas, fountains, reflecting pools, art works, screens, light poles, benches, and other items included within the definition of Landscaping per Section 10-1-203 are limited to a maximum of two (2) features per street frontage within front and street-facing side yards. Such features must comply with the corner cutoff provisions of Section 10-1-1303.

b. Arbors, pergolas, and similar structures are limited to a maximum height of nine (9) feet, a maximum width of six (6) feet, and an interior length of three (3) feet, as measured from the highest abutting ground surface prior to grading. Other yard features are limited to a maximum height of six (6) feet and a maximum width of six (6) feet.

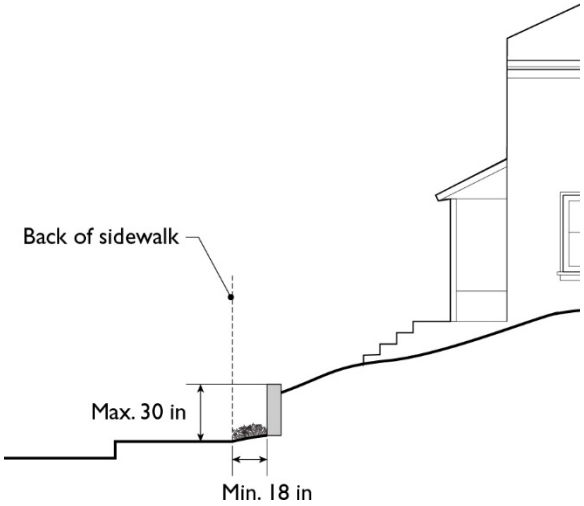
c. Enforcement of nonconforming yard features established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.

3. Retaining Walls.

a. Retaining walls located within front yard setback areas are limited to a maximum height of 30 inches in height, and must be setback 18 inches from the sidewalk with a planting buffer strip provided between the wall and the sidewalk. ~~Only one retaining wall is allowed in the front yard setback, including a wall at the front edge of the property.~~ Only two (2) retaining walls are allowed in the front yard setback.

b. Exposed retaining wall height shall be measured from lowest abutting finished ground surface, after any grading, cut, or fill activity. Within 15 feet of a sidewalk, retaining wall height shall be measured from the sidewalk elevation. For streets with no sidewalk, retaining wall height shall be measured from the public right-of-way elevation.

DIAGRAM 10-1-603(H)(3)(A): RETAINING WALL HEIGHT WITH PLANTED BUFFER

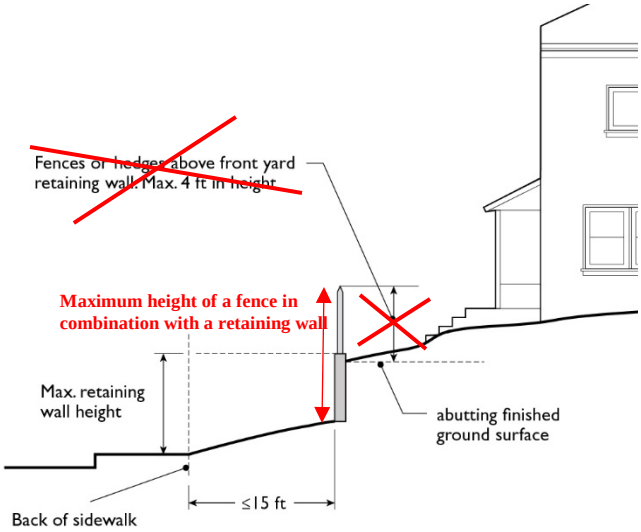


~~b.~~ c. Other exposed retaining walls, located outside the front yard setback area, shall not exceed four (4) feet in height as measured from lowest abutting finished ground surface, after any grading, cut, or fill activity. ~~and the cumulative height of all retaining walls on a lot (existing, new, replacement or any combination) shall not exceed eight (8) feet.~~

~~c. Retaining wall height shall be measured from the street side, not to the inside of the wall and facing the house. Within 15 feet of a sidewalk, retaining wall height shall be measured from the sidewalk elevation.~~

d. ~~Fences or hedges that are placed above a retaining wall within a front yard are limited to a maximum height of four (4) feet from the abutting ground surface prior to grading.~~ Walls shall not be placed above retaining walls within the front yard setback and street facing side yard setback.

DIAGRAM 10-1-603(H)(3)(D): RETAINING WALL HEIGHT WITHIN FRONT YARD



e. Additional retaining walls must be setback a distance equivalent to twice the height of the exposed retaining wall below as measured from ~~the face of the retaining wall below~~ lowest abutting finished ground surface, after any grading, cut, or fill activity.

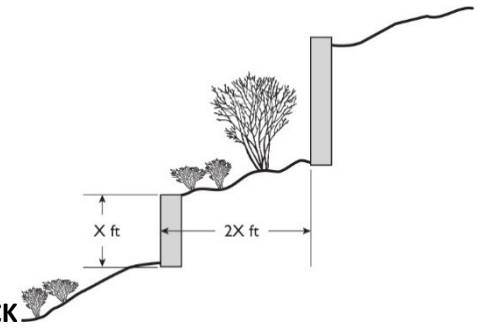


DIAGRAM 10-1-603(H)(3)(E): RETAINING WALL SETBACK

f. Nonconforming retaining walls established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.

g. If a retaining wall was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall shall not be subject to these standards.

h. Damaged legal non-conforming retaining walls that require strengthening or restoring to a safe condition, as determined by any City official charged with protecting the public health or safety, can be replaced to previous height and location upon order of such official.

4. Exceptions. Exceptions from the requirements of this Subsection (H) (including maximum height, separation, and number of walls, fences, hedges, gates, and retaining walls, and the applicable

requirements of Section 10-1-1303 referenced herein) may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement. ~~follows.~~ No exceptions shall be granted for development standards for retaining walls located within the front yard setback area.

~~a. Any exceptions from the requirements of this Subsection (H) to allow a fence, wall, hedge, or other yard feature with a height of six (6) feet or less as measured from the abutting ground surface prior to grading may be granted through approval of a Minor Fence Exception Permit per Section 10-1-19200.~~

~~b. Any exceptions from the requirements of this Subsection (H) to allow a fence, wall, hedge, or other yard feature with a height of greater than six (6) feet as measured from the abutting ground surface prior to grading may be granted through approval of a Major Fence Exception Permit per Section 10-1-19201.~~

~~c. Any exceptions from the requirements of this Subsection to allow additional fences or walls or such fences of walls with a height greater than otherwise permitted in the Hillside may be granted through approval of a Hillside Development Permit per Section 10-1-606.~~

~~d. No exception shall be granted for the maximum height or cumulative height of a retaining wall.~~

I. PARKING AND DRIVEWAYS.

1. All parking required by this Section must be provided in a carport, as defined in Section 10-1-203, or in an enclosed garage. No more than one (1) side of a garage may be used for a door to provide vehicle access to the garage.

2. A space no less than nine (9) feet, six (6) inches wide and 19 feet deep must be provided for each required vehicle parking space inside a carport or garage. All parking spaces must be clear of and unobstructed by any encroachments, including but not limited to structural features, shelves, cabinets, appliances, and equipment.

3. For existing dwellings where the parking area in a garage or carport does not meet the minimum requirements of this Section, the existing parking area shall not be reduced or encroached upon, as determined by the dimensions of the physical space provided.

4. Existing off-street parking must be maintained consistent with Subsection (3). ~~except~~ In the following situations~~, where the~~ parking otherwise required by this Section must be provided:

a. An addition to the existing main dwelling structure that results in a total gross floor area, as defined in Section 10-1-203 of BMC, of more than 3,400 square feet, exclusive of attached garages and detached accessory structures.

b. Whole house demolition of ~~The~~ existing dwelling structure ~~is voluntarily demolished to an extent more than 50 percent of its replacement cost~~, whether or not the garage or carport structure is demolished. This requirement shall apply for detached and attached garages.

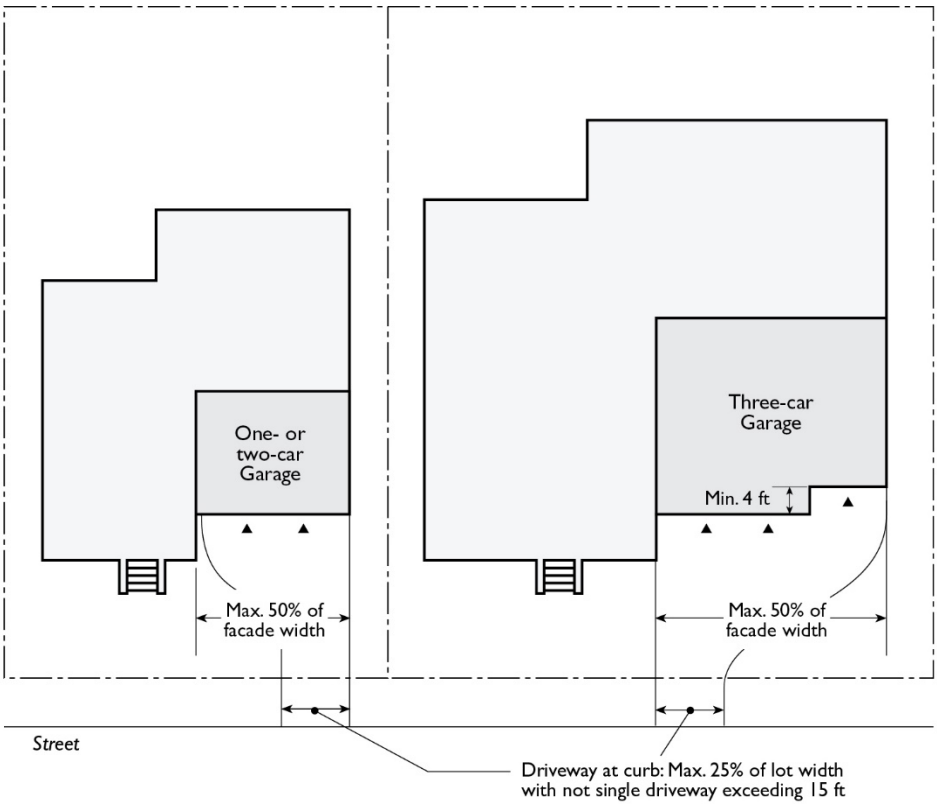
~~i. For purposes of establishing the replacement cost, the applicant must refer to the International Code Council per square foot valuation table. Any deviations from this calculation must be based on an actual cost breakdown provided by the contractor on letterhead and signed by the contractor.~~

c. The existing garage or carport is demolished or destroyed including but not limited to destruction by an act of God or by fire, removed, relocated, or rebuilt.

5. Garages located at the front of the main dwelling with a door parallel to the street must be located no closer to the front property line than 10 feet back from the ground floor front facade. An exception to the garage setback shall be granted by the Community Development Director or his/her designee when the existing block face is already characterized by front facing garages with doors parallel to the front property line and not setback the required 10 feet for at least 40 percent of the houses on the block face.

6. Garages located at the front of the main dwelling must occupy no more than 50 percent of the width of the dwelling. A three car wide garage is allowed on lots that have a minimum width of 70 feet, but must be offset from the plane of the first two parking spaces by a minimum depth of four (4) feet. This standard applies whether the door is parallel or angled to the street. The Community Development Director or his/her designee shall approve minor exceptions to this requirement for irregular lots and narrow lots where there is less than fifty (50) feet of frontage.

DIAGRAM 10-1-603(I): MAXIMUM GARAGE WIDTHS AND OFFSETS REQUIRED



7. ~~Where a garage is located under a single family home, the width of the curb cut for the driveway shall not exceed 15 feet.~~ The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width.

8. Driveways must lead directly from a public street or alley to a garage or other required parking area using the shortest and most direct route feasible. The City Planner and Traffic Engineer may approve exceptions to this requirement to allow for a turnaround area or circular driveway for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403.

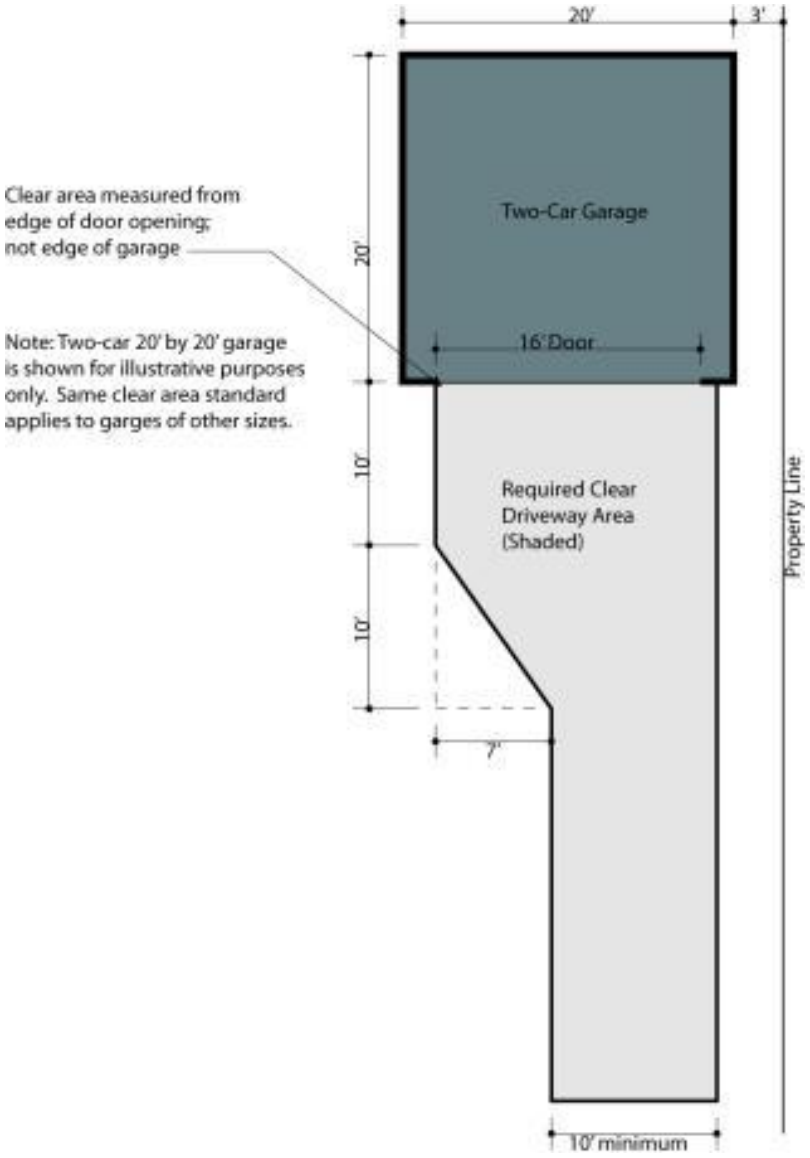
9. Driveways must be no less than 10 feet wide and must be improved with cement concrete, asphalt, brick, pavers, or another similar permanent surface approved by the Traffic Engineer. Driveways must remain clear and unobstructed by any structural elements or vegetation.

10. When a turning movement is required to back out of a parking space, including but not limited to a curved driveway or access from an alley, a minimum backup turning radius of 24 feet must be provided for all parking spaces as measured from the exterior wall of the garage or carport.

11. Parking space access and minimum backup clearances must be provided as shown in Diagram 10-1-603(I)(1) for all required parking spaces whether in a garage or carport or uncovered (in the case of parking for a second dwelling unit). The shaded clear driveway area shown in the diagram must be maintained as a driveway. The clear area must be improved with a permanent surface and must remain clear and unobstructed by any structural elements or vegetation.

12. The elevation of the floor of a garage or carport must be equal to or higher than the top of the curb at the front property line, unless the existing grade slopes downhill away from the street and the driveway follows the existing grade. The existing grade may not be altered for the purpose of lowering the elevation of a garage or carport floor below the top of the curb. Exceptions to this requirement may be granted through approval of a Conditional Use Permit.

DIAGRAM 10-1-603(I)(1): BACKUP CLEARANCE



J. INTERNAL CIRCULATION.

All rooms attached to the main dwelling unit structure must provide interior access so as to maintain internal circulation among all rooms of the main dwelling. All stories, including usable basements and attics when applicable, must have interior stairway access and may not be accessible solely by an exterior stairway. Second dwelling units and water heater or equipment closets are exempt from this requirement.

K. MOBILE HOMES AND MANUFACTURED HOMES.

In addition to the other standards of this Section, the following requirements apply to all mobile homes and manufactured homes:

1. Homes must be manufactured after June 15, 1976, and must be manufactured to the specifications of the National Manufactured Housing Construction and Safety Standards Act of 1974.

2. Homes must be installed on a permanent foundation system approved by the Building Official.

3. Exterior siding must be provided as necessary to screen an otherwise non-enclosed under floor area. Such siding must extend to within six (6) inches of the ground surface on all sides of the home and must be made of a non-reflective material that simulates wood, stucco, or masonry.

4. Roofing materials must not consist of continuously rolled metal roofing or any reflective roofing material.

L. TREES.

When applying for a Hillside Development Permit or a Single Family Development Permit, two trees are required to be planted preferably in the front yard and rear yard if there are none on the property. Required trees shall be a minimum 15-gallon in size. Anywhere that individual tree is planted in a space surrounded by pavement, the planting area shall have a minimum interior dimension of five square feet. This requirement may be modified if an alternative landscape plan is approved by the Community Development Director or his/her designee. Additional trees, including side yard trees, may be required as a condition of permit approval on lots greater than 10,000 square feet. [Amended by Ord. No. 18-3,901, eff. 4/13/18; 17-3,890; 3774; Added by Ord. No. 3774, eff. 12/08/09; Formerly numbered Section 31-28; 3750; 3748; 3690, 3688, 3669, 3622, 3535, 3399, 3259, 3255, 3058, 2922, 2912, 2725, 2640, 2616, 2387, 2356, 2183.]

M. DESIGN STANDARDS

1. The exterior design of all new additions and remodels that are exempt from SFDP shall match the architectural style of the main dwelling in terms of building forms, materials, colors, exterior finishes, roof forms and style of doors and windows.

2. Remodeling or additions in conjunction with a whole house demolition that are exempt from SFDP, as specified in Section 10-1-607(C), shall comply with 360-degree consistent architectural design by utilizing character defining features at all exterior elevations and comply with requirements of Neighborhood Compatibility Review - Design Guidelines Checklist.

3. All new single family constructions that are exempt from SFDP, as specified in Section 10-1-607(C), shall comply with 360-degree consistent architectural design by utilizing character defining features at all exterior

elevations and comply with requirements of Neighborhood Compatibility Review - Design Guidelines Checklist.

3) Article 6, Division 1, Section 10-1-606: Development Standards For The Hillside Area, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

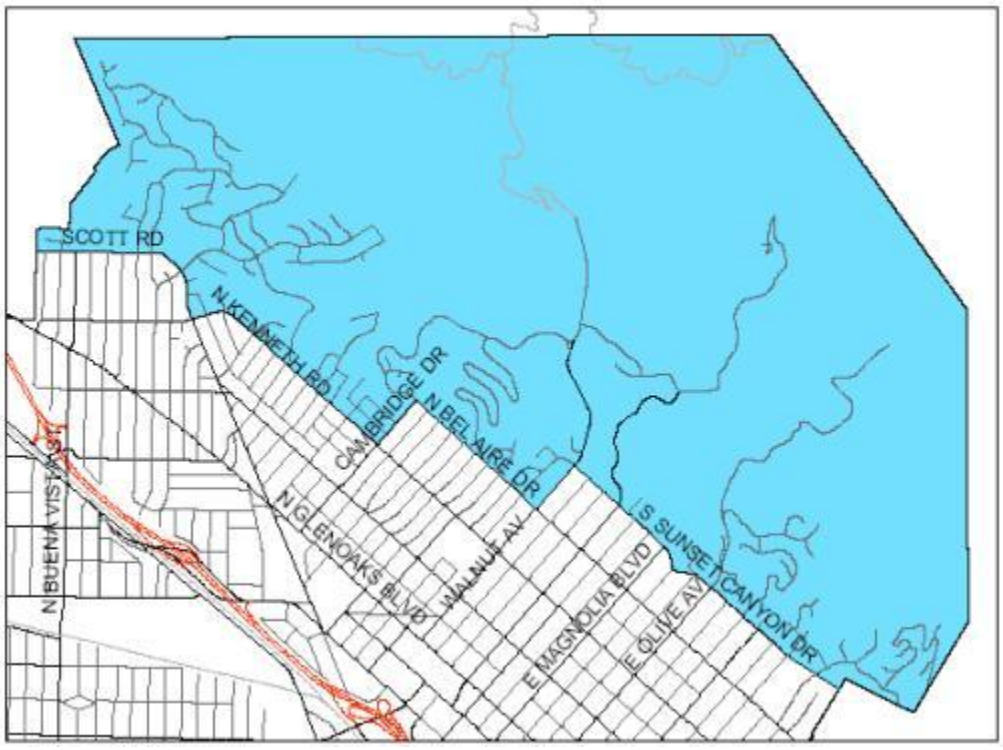
10-1-606: DEVELOPMENT STANDARDS FOR THE HILLSIDE AREA:

A. APPLICABILITY.

1. The requirements of this Section apply to all R-1 zoned properties located within the hillside area, as that area is defined in Subsection (2). The requirements of this Section supersede any conflicting standards of the R-1 Zone. All non-conflicting R-1 standards apply to R-1 zoned properties within the hillside area.

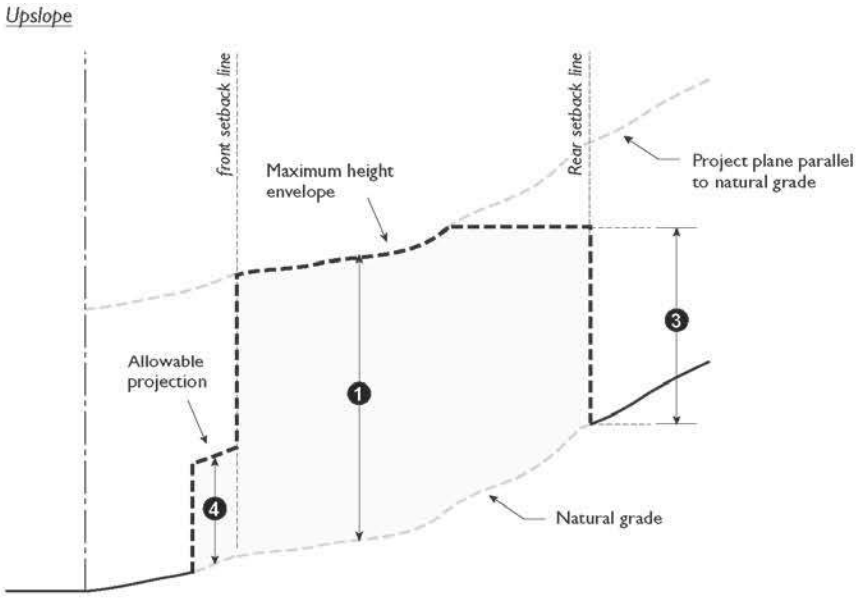
2. The hillside area is defined by the area bounded by the City boundaries with Glendale and Los Angeles and by the following streets as illustrated in Diagram 10-1-606(A): City boundary, Sunset Canyon Drive, Walnut Avenue, Bel Aire Drive, Cambridge Drive, Kenneth Road, Scott Road, City boundary.

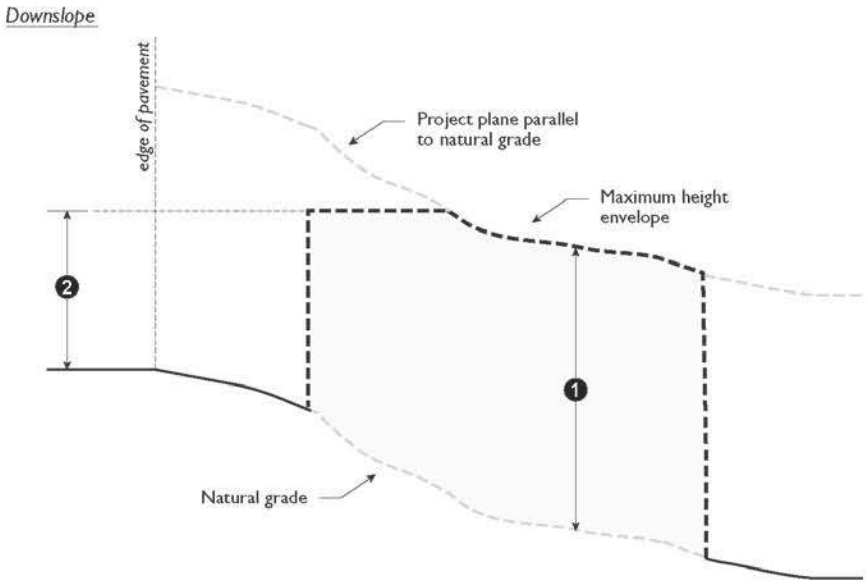
DIAGRAM 10-1-606(A): HILLSIDE AREA (SHADED)



B. HEIGHT FOR THE HILLSIDE AREA. Table 10-1-606(B) prescribes height standards associated with different sloped lots. The numbers in the right hand column refer to the diagram of upslope and downslope conditions. The building height shall be measured from finished or existing grade, whichever is lower.

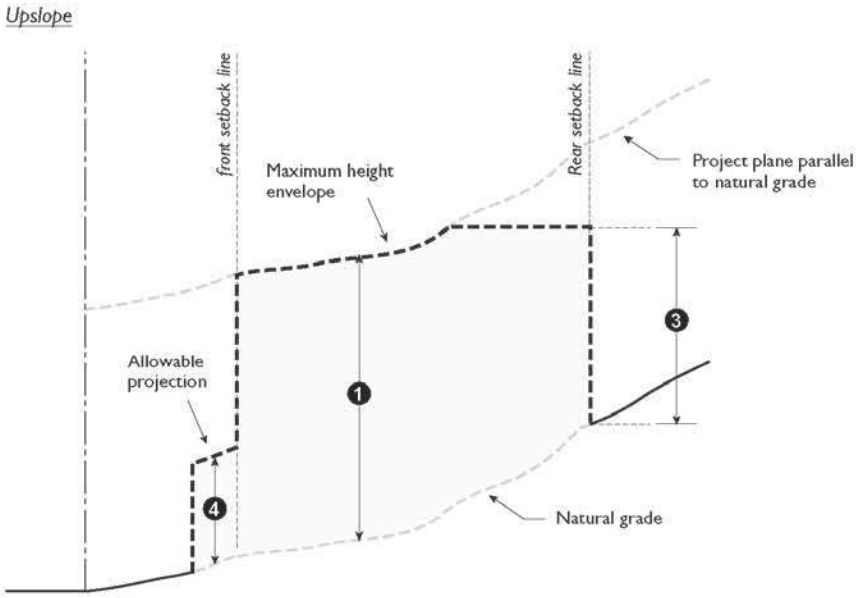
TABLE 10-1-606(B): HEIGHT REGULATIONS FOR ALL LOTS IN THE HILLSIDE AREA

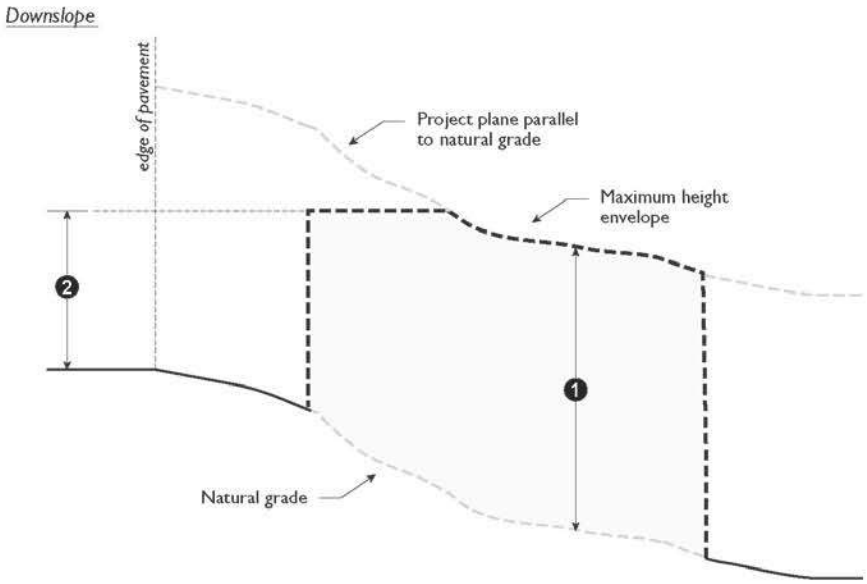




Regulation	***Maximum Height***	***# on Diagram***
Maximum Height Primary Building Above Natural grade	30 ft.	①
Maximum Height Above Edge of Pavement (Downslope)	18 ft.	②
Maximum Height Above the Ground Elevation at the Rear Setback Line (Upslope)	23 ft.	③

TABLE 10-1-606(B): HEIGHT REGULATIONS FOR ALL LOTS IN THE HILLSIDE AREA





Regulation	***Maximum Height***	***# on Diagram***
Maximum Height from Finished or Existing Grade (whichever is lower) within 25 ft. of front lot line	14 ft.	④

C. FLOOR AREA RATIO. When a Hillside Development Permit is required, the maximum floor area ratio and the maximum allowable house size may be reduced through reasonable conditions placed upon the permit when deemed necessary to satisfy the required findings for granting the permit per Section 10-1-607(A)(2).

D. SETBACKS FROM RIDGELINES. No structure shall be located within 100 feet, measured vertically, of the centerline of a major ridge, or within 50 feet, measured vertically, of the centerline of a minor ridge, as delineated in Diagrams 10-1-606(D)(1) and (2). When reviewing individual projects, the Planning Board may approve a more precise delineation as part of a Hillside Development Permit, based on a topographic map prepared by a licensed civil engineer with a contour interval of not more than 10 feet.

1. Grading and Design Standard. Where structures are proposed within 1,000 feet of a major ridge, the building pad shall be graded and the building designed so that the structure maintains a low-profile appearance and conforms to the natural grade of the hillside.

DIAGRAM 10-1-606(D)(1): RIDGELINE PROTECTION – MAJOR AND MINOR RIDGES

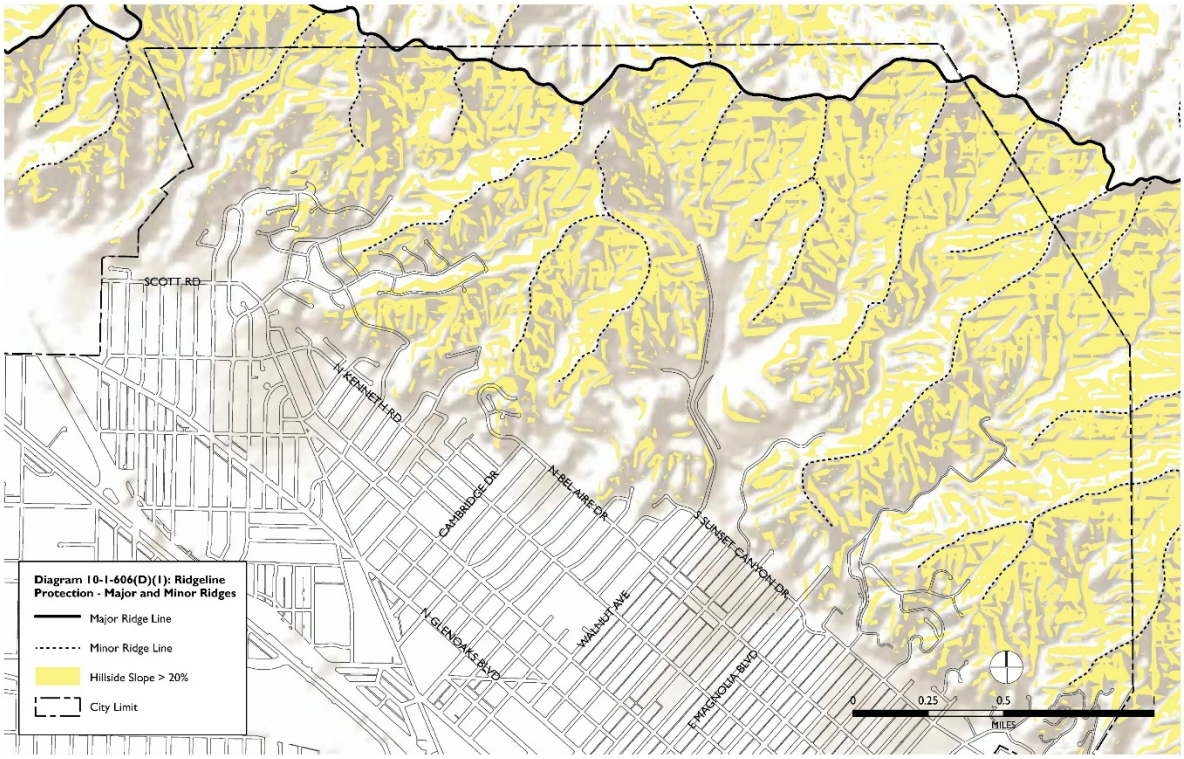
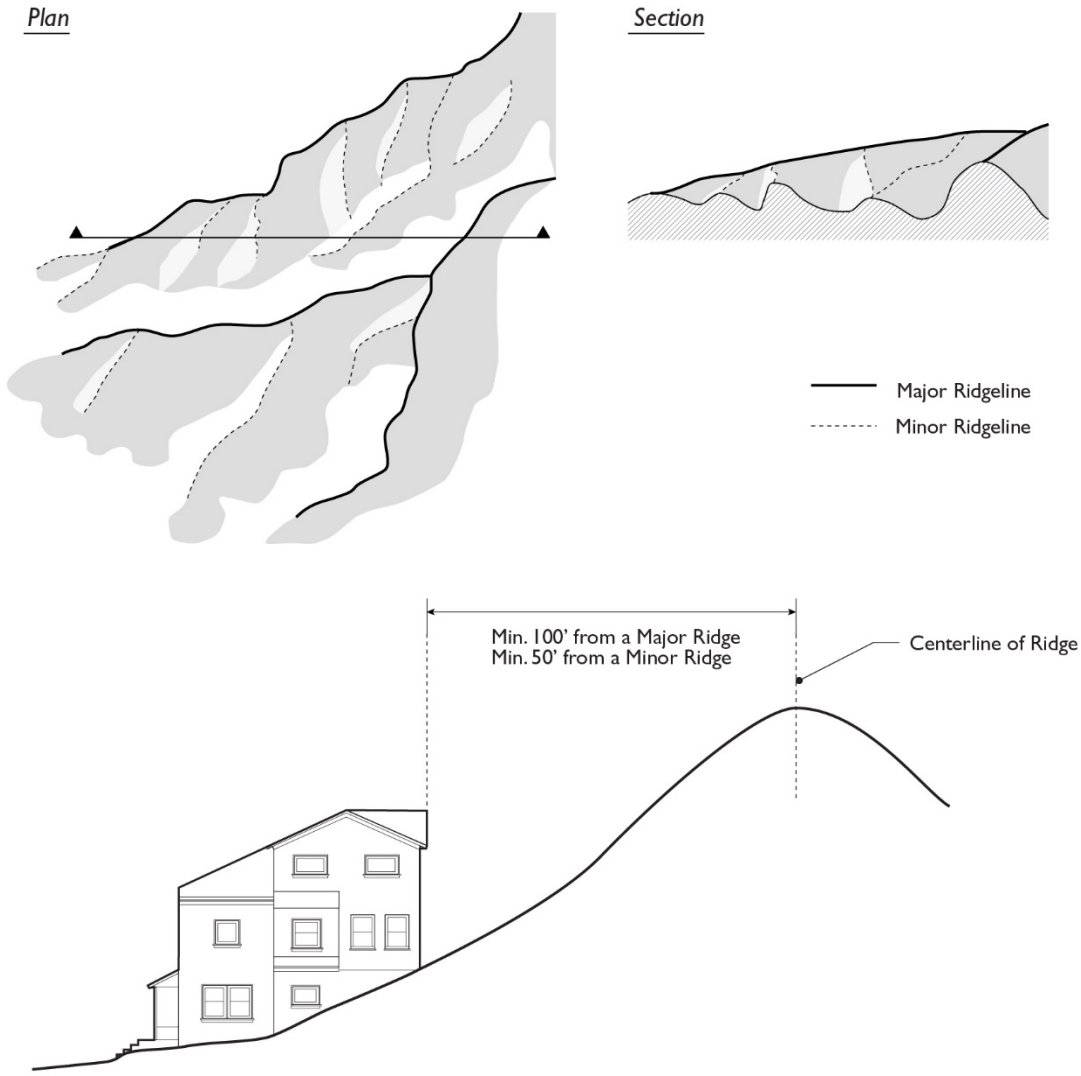


DIAGRAM 10-1-606(D)(2): RIDGELINE PROTECTION – LOCATION OF CONSTRUCTION IN RELATION TO MAJOR AND MINOR RIDGES



E. SETBACK LINES FOR VIEW DETERMINATION.

1. When the primary view from a property is from the front yard, rear yard, or both yards, a setback line is established in the primary view yard or yards by a line drawn from the nearest front or rear corner of existing homes on adjacent lots as illustrated in Diagram 10-1-606(E).

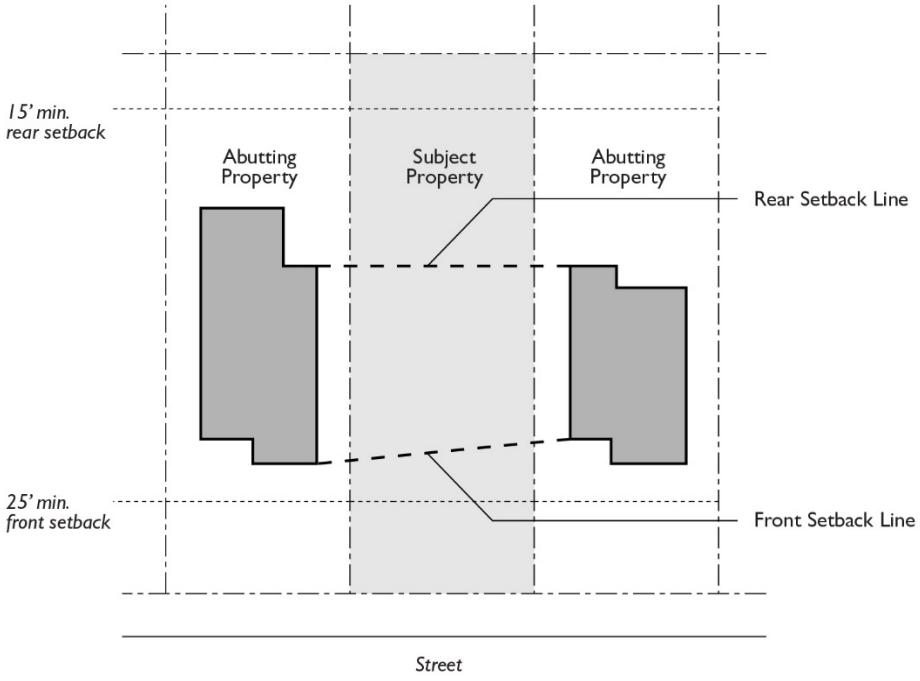
2. For the purposes of this Section, primary view means the following:

a. When a property has a downslope view, that view is the primary view, whether or not the property also has an upslope view.

b. When a property has an upslope view and no downslope view, the upslope view is the primary view.

c. Where the direction of the primary view is unclear or disputed, the Community Development Director or his/her designee shall determine the primary view.

DIAGRAM 10-1-606(E): FRONT AND REAR SETBACKS FOR VIEW DETERMINATION IN THE HILLSIDE AREA



This graphic assumes that both the front and rea yards are "primary view" areas for illustration purposes.

3. An approved Hillside Development Permit is required for any extension beyond the setback line per Section 10-1-606(H). If the setback line is closer to the property line that the setback otherwise required for the R-1 Zone, the structure must observe the applicable minimum R-1 setback and encroachments per Table 10-1-603(G).

4. No main dwelling unit shall be located entirely on the rear half of a lot unless a Hillside Development Permit is approved per Section 10-1-606(H).

F. FENCES, WALLS, HEDGES AND SCREENING IN THE HILLSIDE AREA.

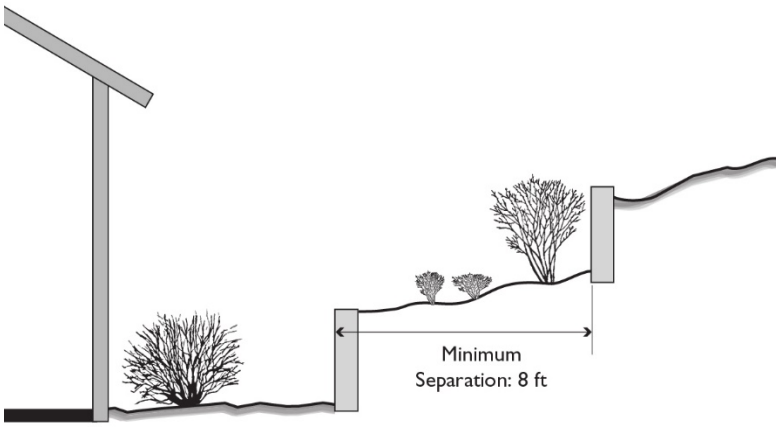
1. Fences and walls in the hillside area must comply with the height requirements specified in Table 10-1-603(A). ~~front setback area are limited to four (4) feet in height. Any portion of the fence or wall exceeding two (2) feet in height must utilize an open design. Open design is defined as follows: for any one (1) foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views though the fence or wall.~~ Hedges in front and street side setbacks are limited to four (4) feet in height.

2. Within the front yard setback, any portion of the fence or wall exceeding two (2) feet in height must utilize an open design. Open design is defined as follows: for any one (1)-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views though the fence or wall.

3. Only two (2) retaining walls are allowed in the front yard setback area.

~~2.~~ 4. The minimum horizontal distance between two retaining walls is eight (8) feet, but may be reduced to six (6) feet with Community Development Director's or his/her designee's approval to accommodate unique slope conditions existing prior to development or grading for development, ~~provided the cumulative height within a required front setback area with this reduced separation does not exceed six (6) feet~~.

DIAGRAM 10-1-606(F): MINIMUM RETAINING WALL SEPARATION



~~3. For all other fences, walls, and hedges regardless of their height, a Minor or Major Fence Exception Permit is required prior to construction. Fences, walls, and hedges must comply with Sections 10-1-19200 and 10-1-19201, except that~~

~~a. A Minor Fence Exception Permit is required for fences and walls up to eight (8) feet in height and a Major Fence Exception Permit is required for fences and walls in excess of eight (8) feet.~~

~~b. A Minor Fence Exception Permit is subject to the same public noticing requirement and findings as the Major Fence Exception Permit.~~

~~c. The Fence Exception Permit may be issued as part of the Hillside Development Permit when such a permit is required.~~

~~d. No exception shall be granted for maximum retaining wall height or cumulative height or for the required minimum separation for retaining walls.~~

~~4~~ 5. All retaining walls facing downslope areas must be screened with vegetation, and a minimum 18-inch wide planting strip provided along a front or street side-facing lot line.

6. Exceptions to the standards of height, separation, and number of walls, fences, hedges, gates, and the applicable requirements of Section 10-1-1303, may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement.

7. Exception to the standards of retaining walls in the Hillside area can be granted by the Director or his/her designee with the approval of a Hillside Development Permit to accommodate unique slope conditions existing prior to development or grading for development.

~~5~~ 8. Conditions may be placed on a Hillside Development Permit per Section 10-1-607 that require retaining walls to be shortened, broken into multiple shorter walls, stepped up or down a hillside, or otherwise modified.

~~6~~ 9. Fences and walls may be required to be shorter by conditions placed upon a Hillside Development Permit, and Minor/Major Fence Exception Permit.

~~7~~ 10. Areas under enclosed structures must be enclosed or skirted with permanent walls. All such enclosure or skirt walls and all other structure walls facing downslope areas must provide aesthetic relief

through windows, variation in texture, or similar methods approved by the Director or his/her designee and must be screened by vegetation.

G. PARKING. A minimum of four (4) off-street parking spaces must be provided. For houses with a gross floor area of 3,400 square feet or less, at least two (2) of the spaces must be located in a carport or garage. For houses with a gross floor area of more than 3,400 square feet, at least three of the spaces must be located in a carport or garage. Other required spaces may be located within a driveway, so long as the slope of the driveway area used for parking does not exceed five percent.

H. APPROVAL PROCESS. Approval of a Hillside Development Permit per Section 10-1-607(D) is required prior to the issuance of grading or building permits for the main dwelling structure or any other structure when any of the following criteria is applicable. A Hillside Development Permit is required whether the criteria apply to construction of a new structure or to modifications that increase the square footage or height of an existing structure or otherwise alter the footprint, volume, mass, or dimensions of an existing structure. Grading for construction of a pool and/or a spa on a flat portion of a lot with a slope less than 5% shall be exempt from HDP.

1. The project involves the creation of a new building pad, cut or fill activity to expand an existing building pad, or any other grading activity, including but not limited to grading for structures, swimming pools, and expanded yard areas.

2. The structure extends beyond the front or rear yard setback lines per Subsection (D).

3. The height of the proposed structure to the top of the roof exceeds 16 feet.

4. The total gross square footage of all structures and spaces that are included in the floor area ratio calculation is greater than 3,000 square feet.

I. EXCEPTIONS. Exceptions to the development standards required by Section 10-1-603 for the R-1 Zone may be granted through approval of a Hillside Development Permit. A Hillside Development Permit may not be used to grant exceptions in lieu of a Variance unless a Hillside Development Permit is otherwise required by Subsection (H). No exceptions may be granted through a Hillside Development Permit unless the following findings are made:

1. The exception is not detrimental to the public health, safety, or general welfare.

2. Granting of the exception does not constitute a grant of special privilege inconsistent with the limitations upon other projects and/or properties in the vicinity.

3. The exception does not permit or encourage development inconsistent with the character of existing development in the neighborhood.

4. There are special conditions or unique characteristics applicable to the subject property and/or the surrounding neighborhood due to the location in the hillside area that justify granting of the exception. Such conditions or characteristics may be related to topography, location, orientation, or other issues that do not generally apply to properties or neighborhoods located outside of the hillside area. [Formerly numbered Section 31-30; Amended by Ord. No. 17-3,890, eff. 2/23/17; 3810; 3774, 3750; 3748, 3688, 3669, 3643, 3488, 3399, 3058, 2858, 2598, 2355, 2194.]

4) Article 6, Division 1, Section 10-1-607: Design Guidelines And Neighborhood Compatibility: Single Family Development Permits/Hillside Development Permits, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

10-1-607: DESIGN GUIDELINES AND NEIGHBORHOOD COMPATIBILITY: SINGLE FAMILY DEVELOPMENT PERMITS/HILLSIDE DEVELOPMENT PERMITS:

A. APPLICABILITY AND AUTHORITY.

1. This Section outlines the process requirements and findings for two types of special permits applicable to the single family residential zones. Except as otherwise stated herein, the permits shall be processed and approved or denied in accordance with the Administrative Use Permit process set forth in Division 4.1 and with Article 19 of this Code, which authorizes the Director of Community Development, or his designee, to grant these permits, which may be appealed to Planning Board, then Council. The required findings shall be as set forth in this Section, and the noticing must be mailed to all property owners and occupants within a 300 foot radius of the property rather than a 1,000 foot radius.

2. For homes exempt from the neighborhood compatibility review as outlined in Section B(2) below, as part of the Building Permit Process, projects will be checked for conformance with the development standards for single family homes in the R1 and R1H zones and when the homes comply with those standards, the project shall be approved for Single Family Plan Check.

B. DESIGN GUIDELINES/NEIGHBORHOOD COMPATIBILITY.

1. Permits. Residential permits require findings that a project is compatible with the neighborhood. In an attempt to define compatibility, Design Guidelines (Guidelines) have been created. Compliance with the Guidelines should help homes be more in scale with the character of the neighborhood. The Guidelines allow an applicant to incorporate various elements and features into a single family home to maintain and conserve the character of residential areas. Those elements and features are weighted to assure compatibility with the neighborhood. Council has approved the Guidelines (and applicable weighting of different features) by Resolution No. 17-28,906, and reserves the right to modify the Guidelines by future resolutions, as necessary, after conducting a noticed public hearing before the Planning Board and Council. Notice of the hearings shall be newspaper advertisement at least once, ten days prior to the hearing. The Guidelines are incorporated hereto by this reference. Any future amendments adopted by resolution are also incorporated herein by this reference. The current Guidelines shall be available at the City Planners Office and the City Clerk's Office, as well as on-line.

2. Purpose of Neighborhood Compatibility Review. The purpose of neighborhood compatibility review is to conserve and enhance the character of Burbank's residential neighborhoods and ensure such that the design of new homes and additions and alterations to existing homes is in accord with and relates to the existing community character. Instead of creating a design review process, the intent is to incorporate the review into the Single Family Development Permit or the Hillside Development Permit. Compatibility Design review is intended to promote high-quality design, which will be achieved with well-crafted and maintained buildings and landscaping, the use of high-quality building materials, and well-executed details. This review shall be carried out in a manner that encourages creative and appropriate solutions while avoiding unnecessary delays in project approval or burdens on projects that are deemed approved. The review is achieved by applying Design Guidelines to project.

C. SINGLE FAMILY DEVELOPMENT PERMIT.

1. Intent and purpose. The intent and purpose of the Single Family ~~Special~~ Development Permit is to help ensure new construction and additions and alterations to the existing housing stock are generally consistent with the standards of this Article and the existing character of single family neighborhoods and, when applicable, the Single Family Design Guidelines.

2. Applicability. Single Family Development Permits are required for:

1) ~~for a~~All new two-story single family construction that exceeds a 0.35 FAR or is larger than 3,000 square feet;

Exception:

a) All new one-story single family construction and single-story additions are exempt from SFDP. A one-story house or one-story addition shall have a maximum of 19' to top of roof and 12' to top of plate. Any space with a ceiling or top plate exceeding the maximum allowed story height shall be considered as constituting two stories.

2) Remodeling of ~~for~~ all two-story single family homes where there is a whole house demolition,

3) For second story additions or remodels of existing homes adding more than ~~500~~ 700 square feet, which do not meet the exception below:

Exception:

a) When a second story addition is not visible from public right-of-way excluding alley, no Single Family Development Permit is required.

~~Exception: When the addition or remodel of an existing home does not result in a FAR over .40, but only if it is a single story addition or remodel not visible from the street no Single Family Development permit is required.~~

4) Additions and remodels that have the potential to alter the exterior elevations of an existing single family residential structure that is a National, State, and/or City designated historic resource.

3. Required Findings. In lieu of the finding required by Section 10-1-1956, the Director, or Planning Board or Council if appealed, may not approve a Single Family Development Permit unless the following findings are made after review using the Single Family Design Guidelines adopted by the Burbank City Council:

a. The house conforms to all of the required standards of this Article unless an exception has been approved; and

b. If the house has an FAR greater than .35, or is larger than 3,000 square feet, or involves an addition or remodel that requires a Permit (but the FAR remains less than .40 with the addition), the house has been reviewed against the Neighborhood Compatibility and the house complies with the City's Single Family Design Guidelines.

c. Conditions are necessary for the purpose of satisfying the required findings, ensuring conformance with the Design Guidelines, mitigating environmental or other impacts of the project, and/or protecting the public health, safety, convenience, or welfare.

4. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for

design review if, when the previous and new building permits are taken, the total square footage exceeds ~~500~~ 700 square feet, or the FAR exceeds .35 (as defined by all building permits issued in the past two years).

D. HILLSIDE DEVELOPMENT PERMIT.

1. Intent and purpose. The intent and purpose of the Hillside Development Permit is to protect, to the extent feasible, views in the hillside area and to ensure neighborhood compatibility through design review. The Hillside Development Permit is intended to balance the reasonable development of property consistent with high land values in the hillside area with the values placed upon views of Burbank and surrounding communities from hillside properties.

2. Applicability. Hillside Development Permit is required in accordance with Section 10-1-606(G).

3. Required Findings. In lieu of the finding required by Section 10-1-1956, the Director, or Planning Board or Council if appealed, may not approve a Hillside Development Permit unless the following findings are made after review using the Single Family Design Guidelines:

a. The vehicle and pedestrian access to the house and other structures do not detrimentally impact traffic circulation and safety or pedestrian circulation and safety and are compatible with existing traffic circulation patterns in the surrounding neighborhood. This includes, but is not limited to: driveways and private roadways, access to public streets, safety features such as guardrails and other barriers, garages and other parking areas, and sidewalks and pedestrian paths.

b. The house and other structures are reasonably consistent with the natural topography of the surrounding hillside.

c. The house and other structures are designed to reasonably incorporate or avoid altering natural topographic features.

d. The house and other structures will not unnecessarily or unreasonably encroach upon the scenic views from neighboring properties, including both downslope and upslope views.

e. The house has been reviewed against the Neighborhood Compatibility provisions as set forth in Section 10-1-609 and the house complies with the Single Family Design Guidelines.

f. For the purpose of evaluating required finding (d) above, a view study must be submitted with all Hillside Development Permit applications documenting the impacts of the proposed structure(s) on views from adjacent properties. The view study must be prepared in a manner approved by the Director or his/her designee and contain all information and documentation deemed necessary by the Director for the purpose of analyzing view impacts and establishing setback lines for view determination pursuant to Section 10-1-606(E). This study is separate from the Ridgeline setback analysis required by Section 10-1-606(D).

g. The view impacts of the proposed project must be considered by the Director, or Planning Board or City Council if appealed, and may be used as a basis for requiring modifications to a project or denying a Hillside Development Permit due to inability to make the required finding:

4. Conditions may be necessary for the purpose of satisfying the required findings, ensuring conformance with the Design Guidelines, mitigating environmental or other impacts of the project, and/or protecting the public health, safety, convenience, or welfare. Such conditions may be imposed.

5. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken together, the total square footage exceeds ~~500~~ 700 square feet or the FAR exceeds .35 (as defined by all building permits issued in the past two years). [Added by Ord. No. 2858; Formerly numbered Section 31-30.1; Renumbered by Ord. No. 3058, eff. 2/21/87; Amended by Ord. No. 17-3,890, eff. 2/23/17; 3669.]

5) Article 18, Division 4, Section 10-1-1810: Continuation Of Structure, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

10-1-1810: CONTINUATION OF STRUCTURE:

Any structure made nonconforming by this chapter as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. Such structure may not be enlarged or altered in a way which increases its nonconformity.

2. All enlargements, alterations and additions to such a structure shall conform to all standards and requirements of this Chapter for the zone in which the structure is located.

3. Should such structure be destroyed by any means to an extent of more than 50 percent of its replacement cost immediately prior to destruction, it shall not be reconstructed except in conformity with the provisions of this chapter. Provided however, that any single family or multiple family residential structure in a residential zone destroyed to such extent by means of fire, flood, wind, earthquake or other natural force or by action of the public enemy, may be rebuilt to the pre-destruction configuration and size, height, lot coverage, floor area ratio, amount of off-street parking, and number of dwelling units of the previous structure, upon granting of an Administrative Use Permit.

4. Should such structure be voluntarily demolished to an extent of 50 percent or less of its replacement cost, any non-conforming features or portions of the structure that are demolished shall not be replaced unless they conform to the standards of this Chapter. “Non-conforming features or portions of a structure”, as used above, include, but are not limited to, non-conforming walls and/or roofs. Such portion or feature shall be considered demolished if underlying structural elements such as foundations, framing or trusses are removed. Removal of surface or finish features such as siding, plaster, drywall, shingles, tiles, or suchlike for purposes of replacement or repair only shall not be considered demolition of the underlying element. For a single family residential structure, any new openings (windows and doors) along a non-conforming exterior wall, limited to 50% of the linear length of the wall, shall be exempt from requirements of this sub-section, subject to approval from the Building Official.

5. Should such structure be destroyed to an extent of 50 percent or less of its replacement cost by means of fire, flood, wind, earthquake or other natural force or by action of the public enemy, or from damages due to termites or dry rot:

a. The damaged structure may be repaired or rebuilt to the area, footprint and height of the previously existing structure.

b. Such repairs must be commenced within one (1) year of the event causing the damage, and must be diligently pursued until completed.

c. If during restoration or reconstruction, floor area or height is increased, the structure shall relinquish its non-conforming status, and shall become subject to Subsection (4) above.

Replacement of a nonconforming structure or portions thereof, from damages due to termites or dry rot is applicable to residential structures only, and as such these damages shall be confirmed by the Building Official.

~~Damage due to termites or dry rot is not considered to be a result of natural force or action for purposes of this Section, as such damage can be prevented by regular inspection and maintenance.~~

6. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zone in which it is located.

7. Such structure may be repaired provided the repair work is done in compliance with the provisions of this section.

8. If provision is made for the termination of such structure or its nonconforming characteristics, any use of such land after termination shall conform to the requirements of this chapter for the zone in which it is located.

9. Stables and corrals for keeping horses shall conform, except that stables need not conform until a building, or addition to a building intended or used for human habitation exists or is hereafter constructed or moved upon abutting property and less than 20 feet separates the stable from any door, window, or other opening of the building or addition, in which case the stable shall be made to conform within one (1) year from the occurrence of such event.

10. Multiple family residential structures or properties that are made non-conforming with respect to the number of residential units due to a Zone Map or text amendment that decreases the permitted density shall not be considered non-conforming with respect to the number of units so long as all of the units were legal (as to their number) when originally constructed. The existing units on the property may be improved or expanded as if the number of units were conforming, subject to all other applicable development standards; provided, however, that any demolition or destruction of the existing structure(s) shall be subject to the requirements of this Section. This provision does not prevent a structure or property from being made non-conforming or from being considered an increase of non-conformity due to Zone Map or text amendments not pertaining to density, and does not otherwise exempt a structure from any provision of this Section or Chapter.

Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any City or State official charged with protecting the public health or safety, upon order of such official." [Formerly numbered Section 31-205; Renumbered by Ord. No. 3058, eff.2/21/87; Amended by Ord. No. 3647, eff. 10/23/04; 3643, 2597.]

THE COUNCIL OF THE CITY OF BURBANK DOES ORDAIN AS FOLLOWS:

1. Chapter 1 of Title 10 of the Burbank Municipal Code is amended as follows:

1) Article 2 Section 10-1-203: Definitions, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended to update the definitions for "Retaining Wall", and "Demolition, Whole House":

RETAINING WALL: Means a structure that retains (holds back) for more than six inches of any material (usually earth), above the footing and prevents it from sliding or eroding away. For purposes of measuring the height of a retaining wall, the exposed portion of the retaining wall shall be measured from the lowest abutting finished ground surface, after any grading, cut, or fill activity. The portion of the retaining wall that is not underground shall be considered exposed. Portion of the wall not retaining dirt shall not be considered a retaining wall.

DEMOLITION, WHOLE HOUSE: Means the demolition of at least 50% of the total length of all the exterior walls of a main house, including garages and other enclosed accessory structures that are attached to the main house. Applicant shall calculate the linear length of all exterior walls. The calculated length should not exclude openings because part of the opening is a structural header, and the walls must remain as structural elements in the new plan.

2) Article 6, Division 1, Section 10-1-603: Property Development Standards, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

10-1-603: PROPERTY DEVELOPMENT STANDARDS:

A. STANDARDS TABLE. All land uses and structures, and alterations to existing land uses and structures, in the R-1 and R-1-H zones must be designed, constructed, and established consistent with the requirements in Table 10-1-603(A) and all other applicable provisions of this Division and this Code. Numbers in parentheses within the table refer to notes and additional requirements listed at the end of the table. For items marked with an (H), the hillside development standards apply if the property is located within the hillside area, as defined in Section 10-1-606(A). Where the last column in the table includes a section number, the referenced section includes additional requirements related to the development standard. All properties located within the R-1-H Zone must further comply with the requirements set forth in Section 10-1-605, and all properties located within the hillside area, as defined in Section 10-1-606(A), must further comply with the requirements set forth in Section 10-1-606.

TABLE 10-1-603(A): DEVELOPMENT STANDARDS IN THE R-1 AND R-1-H ZONES		
Development Standards	***R-1 and R-1-H***	***Additional or Related Standards***
Dimensions Related to Density		
Minimum lot area	6,000 square feet	
Minimum lot width	50 feet	
Minimum lot depth	100 feet	
Minimum lot area per primary dwelling unit	6,000 square feet	
Minimum lot area per additional dwelling unit above first 6,000 square feet subject to CUP approval	5,750 square feet	
Minimum dwelling unit size	850 square feet	
Minimum dwelling unit width (1)	20 feet	
Maximum height: (2)		
To top plate	22 feet	10-1-603(C)
To top of pitched roof and architectural features	30 feet (3) (4)	10-1-603(C)
To top of flat roof, parapet, and architectural features	23 feet	10-1-603(C)
To top plate for accessory structures	10 feet	10-1-603(C)
To top of roof and architectural features for accessory structures	14 feet (5)	10-1-603(C)
Maximum number of stories	2; 3 stories if the third story is enclosed within a pitched roof (maximum height requirements apply).	

TABLE 10-1-603(A): DEVELOPMENT STANDARDS IN THE R-1 AND R-1-H ZONES		
Development Standards	***R-1 and R-1-H***	***Additional or Related Standards***
Maximum floor area ratio (H)	0.4 for lot area up to 7,500 square ft. plus 0.3 for lot area over 7,500 square ft. and 0.2 for lot area over 15,000 square ft. (6)	10-1-603(D)
Upper-story Stepbacks; Building Plane Modulation	Required for all new dwellings and second story additions.	10-1-603(E)
Maximum lot coverage	50% (7)	10-1-603(F)
Minimum yard setbacks (H)		
Front	Average front yard setback on the blockface.	10-1-603(G)
Rear	15 feet	10-1-603(G)
Interior side	At least 10% of lot width, but no less than 3 feet and no more than 10 feet (8)	10-1-603(G)
Street-facing side	For the first story, no less than 10% of lot width or 5 feet and no more than 10 feet (8). For the second story, 20% of lot width, but no less than 6 feet and no more than 20 feet.	10-1-603(G)
Maximum fence, wall, and hedge heights (H)		
Within the front yard setback area	4 feet (9) (11) 6 feet (hedges only)	10-1-603(H)
Within the street-facing side yard setback area	6 feet (to rear of house) if 50% open; 4 feet if solid (11) 8 feet (to rear of lot) (11)	10-1-603(H)
Outside of the front yard or street-facing side yard setback area	8 feet 12 feet (hedges only)	10-1-603(H)

TABLE 10-1-603(A): DEVELOPMENT STANDARDS IN THE R-1 AND R-1-H ZONES		
Development Standards	***R-1 and R-1-H***	***Additional or Related Standards***
Required trees for New Single Family Homes or Homes Requiring Single Family Development Permits	2 trees somewhere on the property, preferably one in the front yard. (Can be existing trees)	10-1-603(L)
Minimum number of off-street parking spaces (H)		
When main dwelling has a gross floor area of 3,400 square feet or less	2 (10)	10-1-603(I)
When main dwelling has a gross floor area of more than 3,400 square feet	3 (10)	10-1-603(I)

Notes/Additional Requirements:

(H) For items marked with an (H), the hillside development standards apply if the property is located within the hillside area as defined in Section 10-1-606(A).

1. The minimum dwelling unit width does not apply when a narrower dwelling width is necessary to maintain the minimum required side yard setbacks.

2. Unless otherwise permitted by state or federal law, the maximum 30-foot height limit also applies to freestanding structures other than buildings, including but not limited to antennas, satellite dishes, and flagpoles.

3. To achieve this height, the minimum roof slope shall be 30 degrees above a horizontal plane.

4. Accessory structures include enclosed and non-enclosed structures that are detached from the main dwelling unit, including but not limited to detached garages, gazebos, workshops, storage sheds and buildings, pool houses, stables, corrals, and tack rooms. Accessory dwelling units, whether attached to the main dwelling unit or detached, and additional dwelling units authorized by conditional use permit, are not considered accessory structures.

5. On lots larger than 10,000 square feet, the maximum accessory structure height shall be 23 feet.

6. The maximum floor area ratio is 0.4 with neighborhood compatibility review. Without neighborhood compatibility review, the by-right FAR is .35, and Section 10-1-603(D) establishes additional regulations for the floor area ratio. In the hillside area as defined in Section 10-1-606(A), the floor area ratio may be reduced through conditions placed upon a Hillside Development Permit per Section 10-1-606(C).

7. The 50% maximum lot coverage may be exceeded with approval of a Single Family Development Permit when the lot is smaller than 6,000 square feet.

8. On lots that have an irregular shape or a varying width, the average lot width, as determined by the Community Development Director, is used to calculate the side yard setbacks. The Director also may reduce the interior side setback adjacent to an alley for blank walls with no ground floor windows for habitable rooms. The City of Burbank Neighborhood Compatibility Review and Single Family Design Guidelines provide additional guidance for the interior side yard setback and street facing side setbacks on lots over 50 feet wide.

9. In the front yard any portion of the fence exceeding two (2) feet in height must utilize an open design except as noted above. Open design means that for each one-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views through the fence or wall. Exceptions to this standard shall be allowed for retaining walls in hillside areas through the Hillside Development Permit process.

10. The first two required parking spaces must not be tandem spaces. The third parking space may be a tandem space.

11. The height of the retaining wall adjacent to the sidewalk or the public right of way in front of the house must be measured along the sidewalk or the right of way, not the finished grade of the property.

B. CONFORMANCE TO APPROVED PLANS REQUIRED.

1. All plans submitted with a building permit shall incorporate all of the project elements reviewed as part of the determination of neighborhood compatibility if applicable, when issuing the Single Family Development Permit or Hillside Development Permit. All construction shall comply with approved plans that are part of the building permit following neighborhood compatibility review and issuance of the respective Development Permit, unless minor modifications or changes are approved by the Community Development Director.

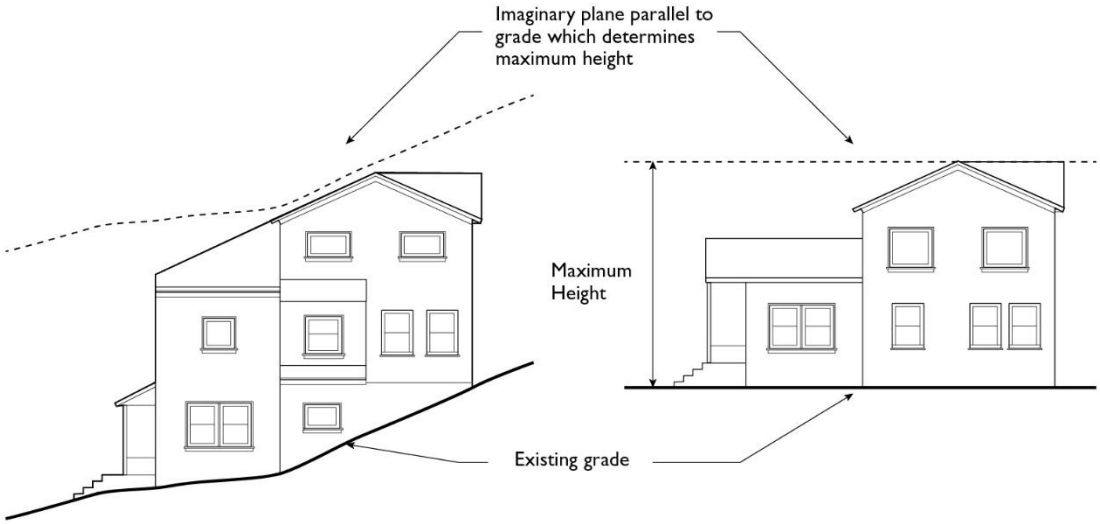
2. When the owner or the contractor encounters conditions in the field that may require a modification to an approved Single Family or Hillside Development Permit, it shall be the responsibility of the owner or the contractor to cease work. Information regarding the field conditions then must be provided to the Planning and Inspection staff. The Community Development Director or his designee must approve all proposed field modifications. Should modifications to a remodel result in a whole house demolition, then all standards relating to a new house shall apply and compliance with the respective Development Permit shall be required.

C. HEIGHT.

1. For purposes of these standards, height shall be measured as the vertical distance from grade to an imaginary plane located the allowed number of feet (as listed in Table 10-1-603(A)) above and parallel to the grade. The measurement is taken at each point along the face of the structure at no less than one foot intervals, and the reference grade shall be established as the existing ground surface of the lot, prior to any grading, cut, or fill activity or the finished ground surface of the lot, after any grading, cut, or fill activity, whichever is lower.

Diagram 10-1-603(C) illustrates the imaginary plane on a sloped lot and flat lot when measured from the existing grade to the top of the roof. A separate imaginary plane also parallel to the grade determines the maximum top plate height. With approval of a Conditional Use Permit, height may be measured from the average grade in lieu of being measured as described above. In this instance, average grade shall be the average of the highest and lowest finished ground surface elevations at the perimeter of the structure, whether or not the finished ground surface is higher than the existing ground surface.

DIAGRAM 10-1-603(C): HEIGHT MEASUREMENT



2. No building feature, except parapets above a height of 20 feet, or 10 feet on an accessory structure, shall exceed a roof pitch of 12 vertical inches for every 12 horizontal inches, where pitched. This standard is not intended to require hipped roofs.

3. Parapets and architectural features shall not exceed 30 inches in height above the intersection of the roof surface and the wall. A flat roof surface must be no higher than 23 feet above grade, or 11 feet above grade when on an accessory structure.

4. Chimneys shall not extend more than 15 feet above the highest point of the roof or exceed a maximum height of 30 feet, or 17 feet on an accessory structure. Unless otherwise permitted by State or federal law, air conditioning units and other roof-mounted equipment shall not exceed 30 feet in height, or 17 feet on an accessory structure. All such equipment shall be screened so as to limit visibility from the right-of-way.

5. When a deck or platform is provided on top of a structure, the assumed top plate height of the structure is six (6) feet, eight (8) inches above the deck surface, unless a deck covering or the top plate of an enclosed space on the same level exceeds that height.

6. Top of the roof height of front porches shall be limited to 12 feet as measured from the existing ground surface of the lot, prior to any grading, cut, or fill activity or the finished ground surface of the lot, after any grading, cut, or fill activity, whichever is lower.

7. While modest changes in grade (not to exceed 6 inches in non-Hillside areas, and 12 inches in the Hillside) may result when excavation and foundation work are carried out, the placement of fill dirt in the front and rear yards is not allowed in order to change the overall grade of the property

and increase the allowable height. Applicants for building permits requiring any grading beyond 6 inches in non-Hillside areas, and 12 inches in the Hillside shall be required to submit a stamped and signed pre-demolition topographic survey, a grading plan as part of the construction documents indicating existing and proposed topography, and, upon completion, a final certification from the surveyor verifying the as-built condition. Any changes to the existing grade must be shown on the construction drawings and approved by the City Building Official in advance of building permit issuance. Subsequent changes to the grade shall not be approved as part of field inspection and, instead, require resubmittal of plan documents to the Community Development Department for review, and, if applicable, determination of neighborhood compatibility of the proposed change in grade to the existing grade.

D. FLOOR AREA RATIO.

1. The floor area ratio (FAR) is calculated using the total gross floor area of all enclosed structures on the property, including the main dwelling structure, accessory structures, accessory dwelling units, enclosed patios, even when open on one or more sides, and sheds; except the following are excluded from the FAR calculation,

(a) attached garages and carports or portions thereof up to 400 square feet if in front of the house or within the front half of the lot and 500 square feet if either attached or detached in the rear half of the lot; and 600 square feet if access to the garage is taken from the alley; in case of multiple garages, the one with lesser area shall be exempt from FAR, the exemption shall not exceed 600 square feet;

(b) front covered porches with up to 250 square feet if open on two sides and located on the ground floor,

(c) stables, corrals, and tack rooms attached thereto;

(d) detached accessory structures open on all sides;

(e) attached covered patios, understory of balconies and overhangs that are not supported by posts;

(f) parking area of any size when located in basement, which is exempt from FAR as specified in sub-section 10-1-603 D. 4;

(g) up to two, non-habitable accessory structures under 120 square feet each. Structures above the quantity of two shall be included in FAR; and

(h) trellises and similar structures that have roofs that are at least 50 percent open to the sky with uniformly distributed openings.

2. Floor Area shall be calculated for each story and includes the horizontal area within exterior finish face walls. The total gross floor area shall be the sum of the floor area for each story.

3. Any portion of a structure, including the area above a staircase, over 12 feet in interior height, shall count as floor area as if a second story were within the space. This means that any space with a ceiling or top plate exceeding the maximum allowed one story height shall be considered as constituting two stories for the purpose of calculating floor area and thus the ground floor area is counted twice. For purposes of measuring height in this section, it is measured from grade, not from finished floor.

4. Basements with usable floor area that meet the minimum habitable room dimensions (area, height and width) as defined by the Building Code shall be counted toward the floor area ratio unless both of the following criteria are satisfied:

a. The finished floor level of the first story is no more than 24 inches above the adjoining ground surface for at least 50 percent of the perimeter of the basement; and

b. The basement space is located directly beneath an enclosed space that is included in the floor area ratio calculation.

5. The following requirements apply to basements whether or not exempted from floor area ratio per Subsection (4) above.

a. The gross floor area of the basement must be included in the total house square footage for the purposes of determining the number of required off-street parking spaces; and

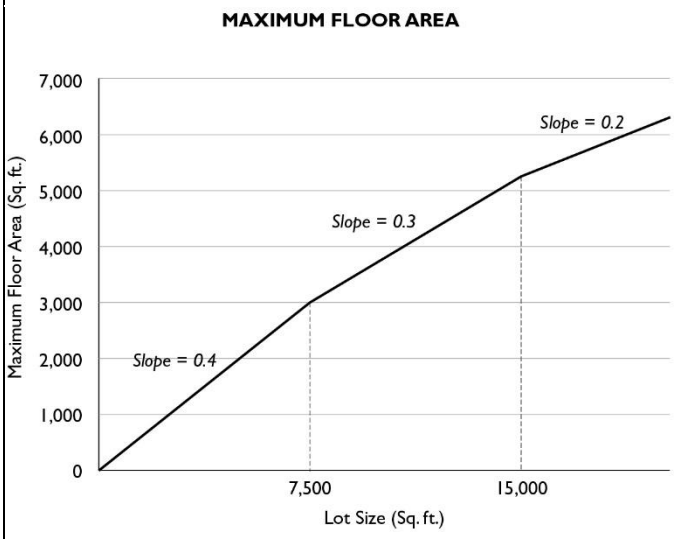
b. When built as part of an accessory structure, the gross floor area of the basement must be counted toward the square footage and size limitation of the accessory structure.

6. Portion of floor area within attics with a floor surface and a ceiling height of five feet or greater shall count toward the Floor Area Ratio.

7. The floor area for required parking provided underground shall not be counted when calculating the floor area ratio.

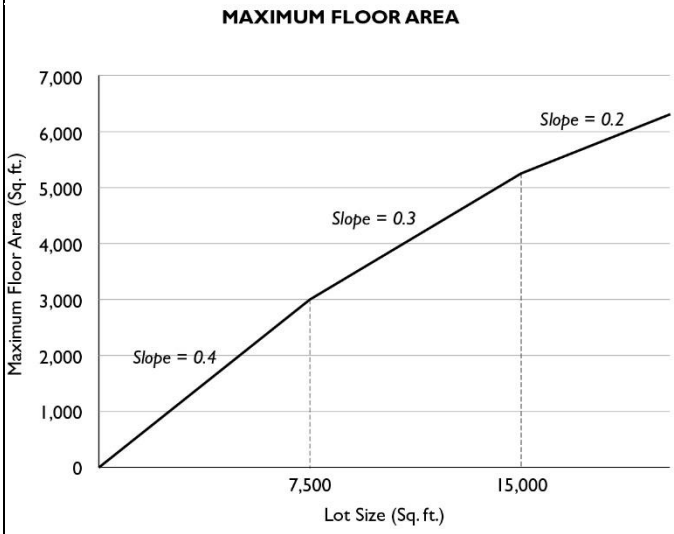
8. Maximum Residential Floor Area. The maximum residential floor area (FAR) by lot size is shown in Table 10-1-603(D). For lot sizes between the sizes shown, the maximum floor area shall be determined by the relevant proportional increase.

TABLE 10-1-603(D): MAXIMUM GROSS FLOOR AREA AND FLOOR AREA RATIO (FAR) BY LOT SIZE



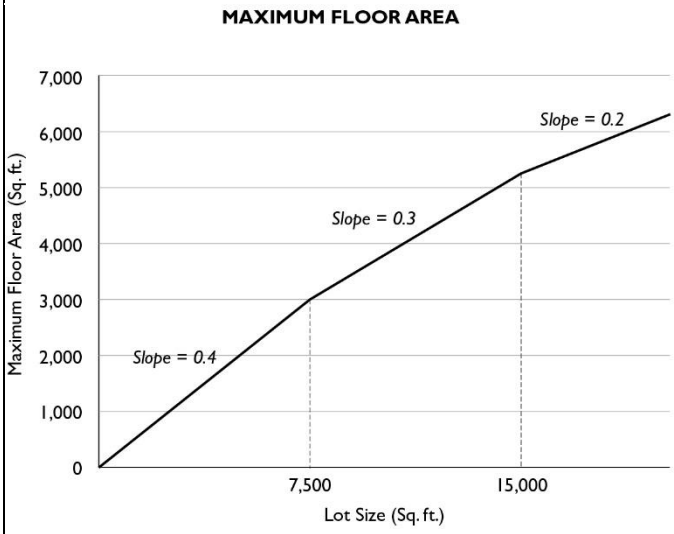
Lot Size (Sq. Ft.)	*Maximum Gross Floor Area (Sq. Ft.)*	*Maximum FAR*
3,500	1,400	0.4
4,000	1,600	

TABLE 10-1-603(D): MAXIMUM GROSS FLOOR AREA AND FLOOR AREA RATIO (FAR) BY LOT SIZE



Lot Size (Sq. Ft.)	***Maximum Gross Floor Area (Sq. Ft.)***	***Maximum FAR***
4,500	1,800	
5,000	2,000	
5,500	2,200	
6,000	2,400	
6,500	2,600	
7,000	2,800	
7,500	3,000	
8,000	3,150	
8,500	3,300	
9,000	3,450	
9,500	3,600	0.4 for up to 7,500; 0.3 for lot area over 7,500
10,000	3,750	
10,500	3,900	
11,000	4,050	
11,500	4,200	
12,000	4,350	
12,500	4,500	

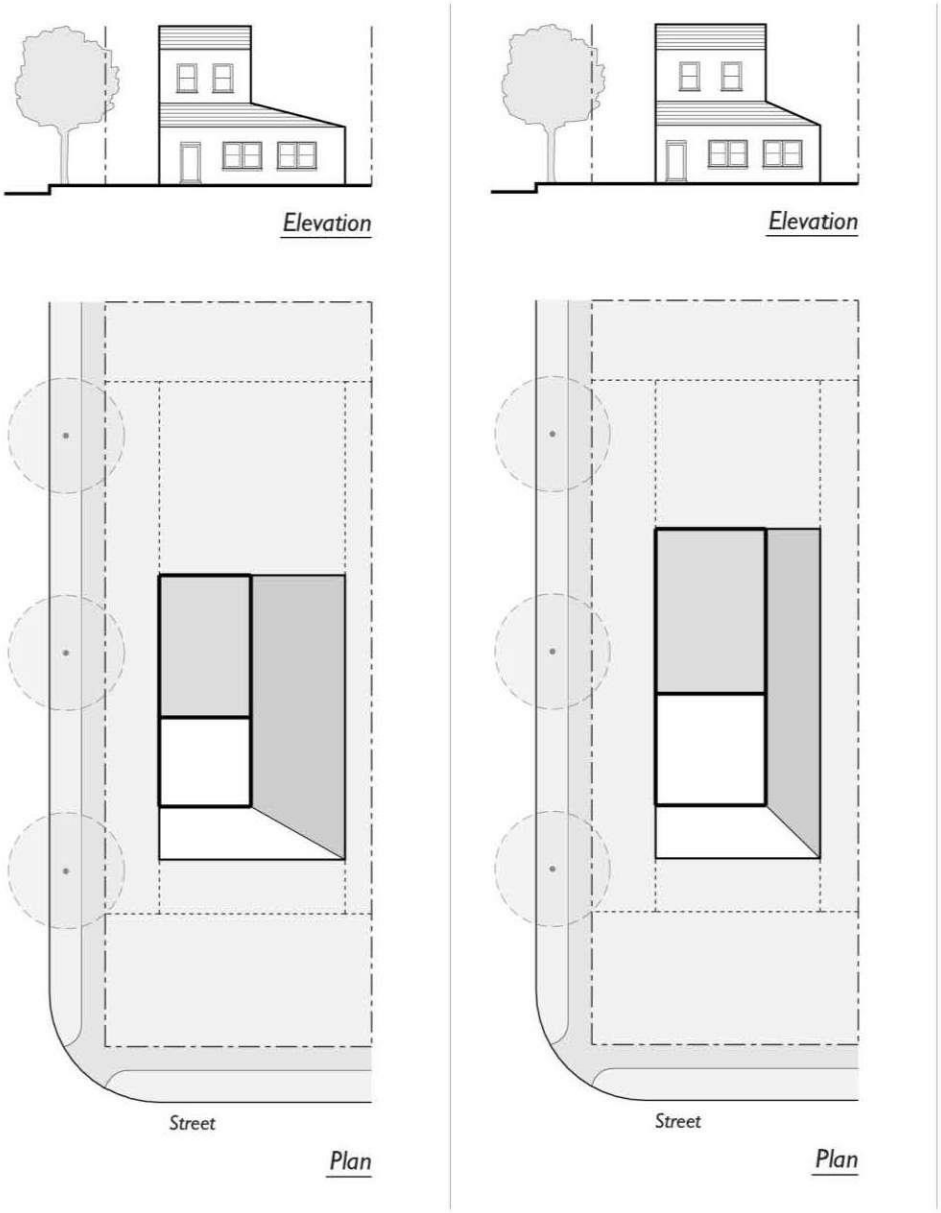
TABLE 10-1-603(D): MAXIMUM GROSS FLOOR AREA AND FLOOR AREA RATIO (FAR) BY LOT SIZE



Lot Size (Sq. Ft.)	***Maximum Gross Floor Area (Sq. Ft.)***	***Maximum FAR***
13,000	4,650	
13,500	4,800	
14,000	4,950	
14,500	5,100	
15,000	5,250	
15,500	5,350	0.4 for up to 7,500; 0.3 for lot area over 7,500 but less than 15,000; and 0.2 for lot area over 15,000
16,000	5,450	
16,500	5,550	
17,000	5,650	
17,500	5,750	
18,000	5,850	
18,500	5,950	
19,000	6,050	
19,500	6,150	
20,000 or more	As determined by same FAR formula	

DIAGRAM 10-1-603(D): FAR COMPARISON

FAR = 0.35 FAR = 0.40



9. Calculating FAR on Flag Lots. That portion of the pole or stem portion of a flag lot that is in a shared driveway shall not be used in calculating the maximum allowable floor area within a given FAR allowance. However, land area in the pole portion with a minimum width of 15 feet, and not part of the shared driveway, and under control of a single owner shall be included in calculating the maximum allowable floor area within a given FAR allowance. Such pole area can only be counted for one lot.

10. Reduced FAR on Sloped Lots in the Hillside. The maximum FAR of 0.4 shall be reduced to 0.35 on all hillside lots with slopes in the 15-29.99 percent range, as determined by the City, and to 0.30 for all hillside lots with slopes of 30 percent or more, as determined by the City. The

applicant shall provide a topographic map of the site showing topographic features by means of contour lines, with slope calculated by the formula:

S = (I x L x 100)/A, where:

S = Average ground slope in percent, calculated for the entire lot

I = Contour interval in feet. The contour interval shall be 10 feet or less.

L = The combined length in feet of all contour lines on the lot

A = Gross area for the lot in square feet

11. Floor Area Ratio Exception

a. A floor area ratio exception of up to ten (10) percent greater than the maximum square footage allowed for the lot may be granted by the Planning Board for an addition to an existing house that has already reached an FAR of .399. The exception requires a public hearing which must be in compliance with Article 19, Zoning Procedures, and requires notification of property owners within 300 feet.

An Example is listed below:

If a property is 6,000 square feet, the maximum square footage allowed for the lot is 2,400 square feet as determined by Table 10-1-603(D). If a Floor Area Ratio Exception is approved by the Planning Board, the applicant would be able to increase their square footage by 10%, resulting in an increase of 240 square feet. This will result in the maximum square footage allowed for the lot to equal 2,640 square feet.

1. Eligibility. Only non-Hillside houses on lots of 7,000 square feet or smaller are candidates for an FAR exception.

2. Findings for approval. A floor area exception shall not be approved unless the Planning Board makes the Findings below:

i. The addition is on the first story, of quality design, and consistent with the architectural character of the existing home;

ii. The addition does not propose a setback encroachment nor any exception from any other development standards; and

iii. The additional floor area is only intended to increase the habitability or function of the structure.

The Planning Board hearing shall be noticed in accordance with the requirements of the Single Family Development Permit, and the decision may be appealed to Council.

E. UPPER-STORY STEPBACKS.

Building Modulation Required. To reduce second story building mass and avoid shadow and privacy impacts on adjacent property, new construction and exterior alterations and additions must provide front and side setbacks according to the following standards:

1. Front, second story.

a. If the front yard setback proposed for the finished wall of the first floor is greater than 35 feet, no additional setback is required for the second story.

b. If the front yard setback proposed for the finished wall of the first floor is 35 feet or less, the story setback is determined by a 60-degree inclined daylight plane extending from the intersection

of the side property line and the existing grade at a point 12 feet above finished grade. See Diagram 10.1.603E(1)(A) below. Alternatively, if the front yard setback proposed for the finished wall of the first floor is between 30 and 35 feet, the second story may be setback an even five feet across the front.

c. If the front yard setback proposed for the finished wall of the first floor is between 25 and 30 feet, the second story must be set back 10 feet.

d. Alternatively, if the front yard setback proposed for the finished wall of the first floor is 30 feet or greater, the second story shall be setback at least five (5) feet for 15 percent of the front elevation, and the total floor area of the second story shall not exceed 85 percent of the first story floor area. This option can be integrated with side modulation options to achieve the 85 percent floor area reduction. See Diagram 10.1.603E(1)(B) below.

e. Exceptions to these setbacks may be granted through neighborhood compatibility review if a project design follows the average front yard setback on the block and otherwise complies with the City's Single Family Design Guidelines.

Findings for Exceptions. A setback exception shall only be approved when the Community Development Director or his/her designee makes the Findings below:

1. The granting of the exception is desirable for the preservation of an existing architectural style or neighborhood character which would not otherwise be accomplished through the strict application of the provisions of this chapter; and

2. It can be demonstrated that the design of the proposed addition is of superior design quality; compatible with existing neighborhood character; effective in minimizing the perceived size of the dwelling; not overly intrusive to the privacy and sunlight access of neighboring dwellings; and is in substantial compliance with the design guidelines for single-family homes; and

3. No other design exceptions are requested.

DIAGRAM 10-1-603(E)(1)(A): FRONT YARD BUILDING MODULATION ALTERNATIVE A

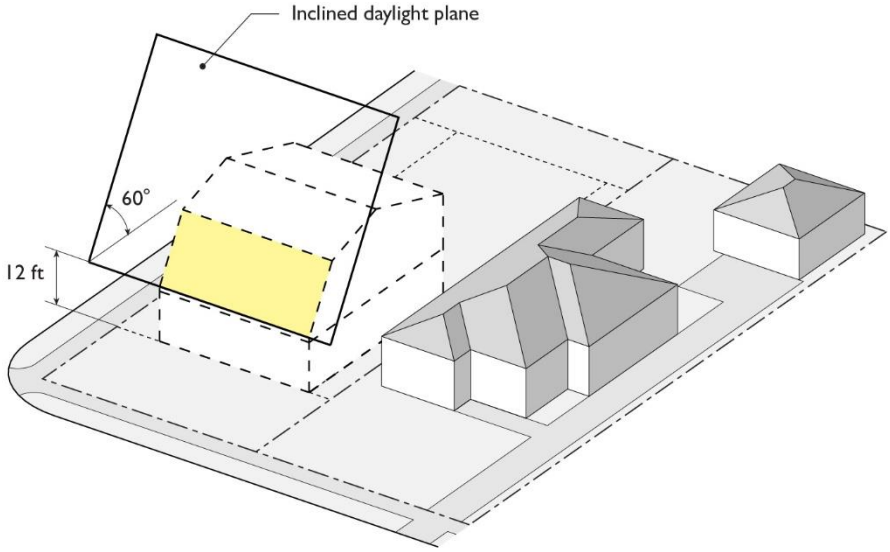
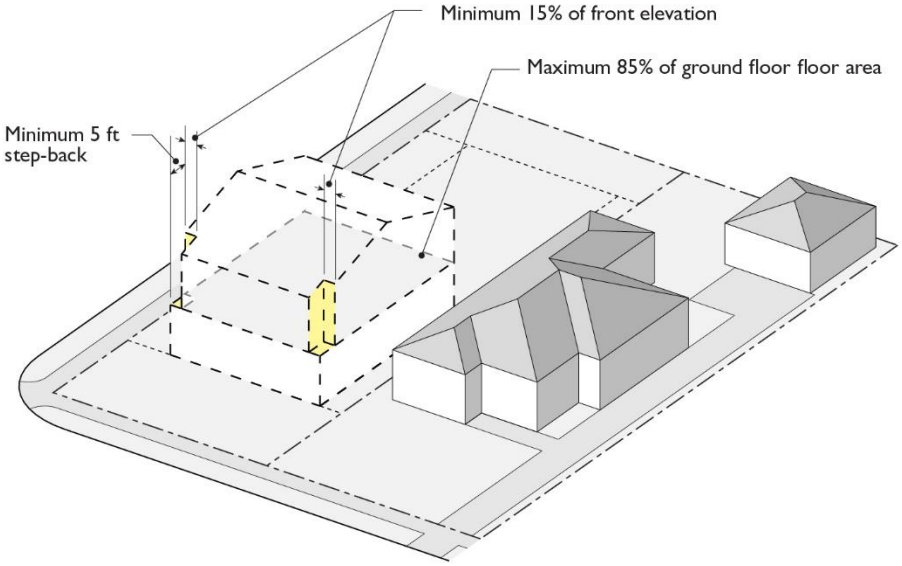


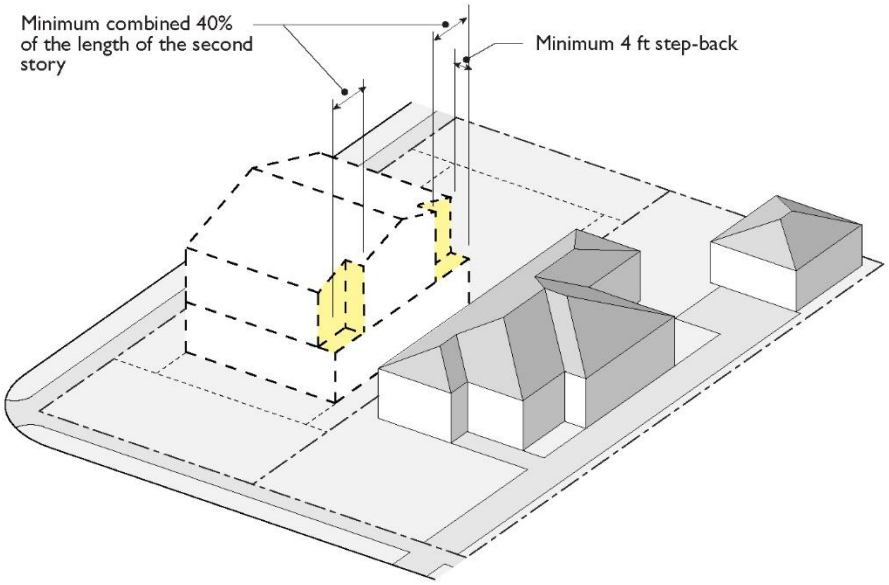
DIAGRAM 10-1-603(E)(1)(B): FRONT YARD BUILDING MODULATION ALTERNATIVE B



2. Side, second story. The side yard setback for the second story must conform to one of the following three standards.

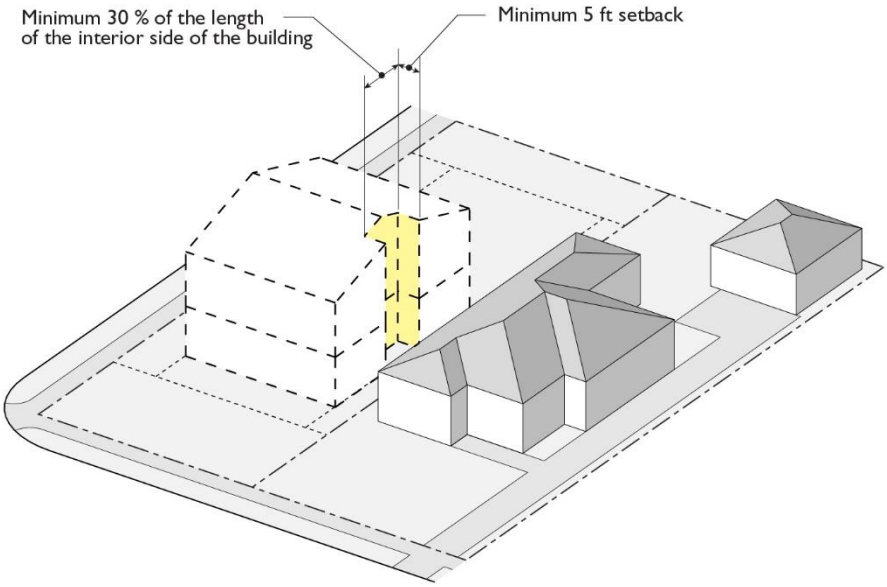
a. Standard E-2a: At least 40 percent of the length of the second story is set back 4 feet from the first floor building face. See Diagram 10-1-603(E)(2)(A) below.

DIAGRAM 10-1-603(E)(2)(A): SIDE YARD BUILDING MODULATION ALTERNATIVE A



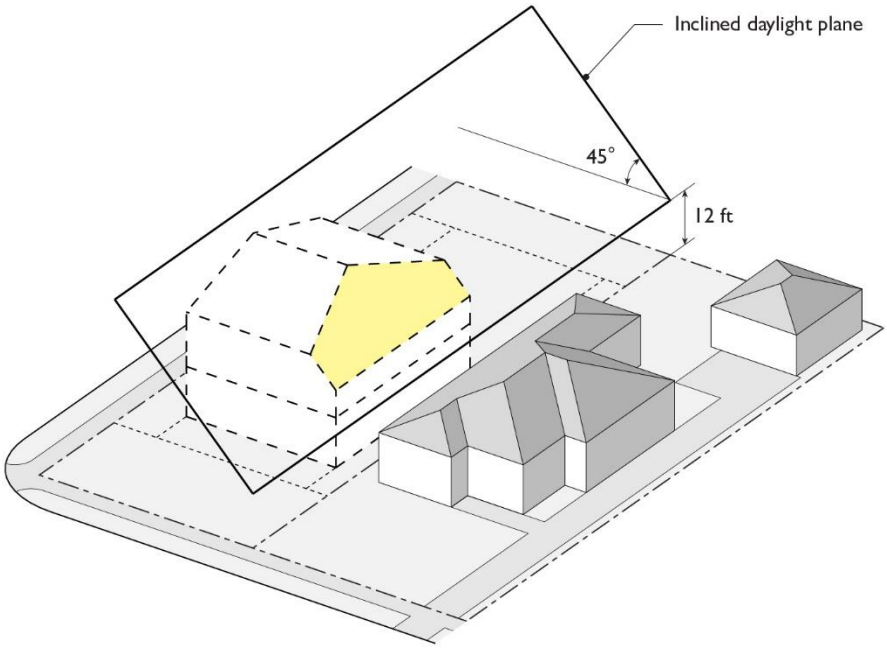
b. Standards E-2b: At least 30 percent of the interior side of a building is offset a minimum of 5 feet in depth from the primary wall. See Diagram 10.1.603(E)(2)(B) below.

DIAGRAM 10-1-603(E)(2)(B): SIDE YARD BUILDING MODULATION ALTERNATIVE B



c. Standard E-(2)(C): The second story setback is determined by a 45-degree inclined daylight plane extending from the intersection of the side property line and the existing grade at a point 12 feet above finished grade. See Diagram 10.1.603(E)(2)(C) below.

DIAGRAM 10-1-603(E)(2)(C): SIDE YARD BUILDING MODULATION ALTERNATIVE C



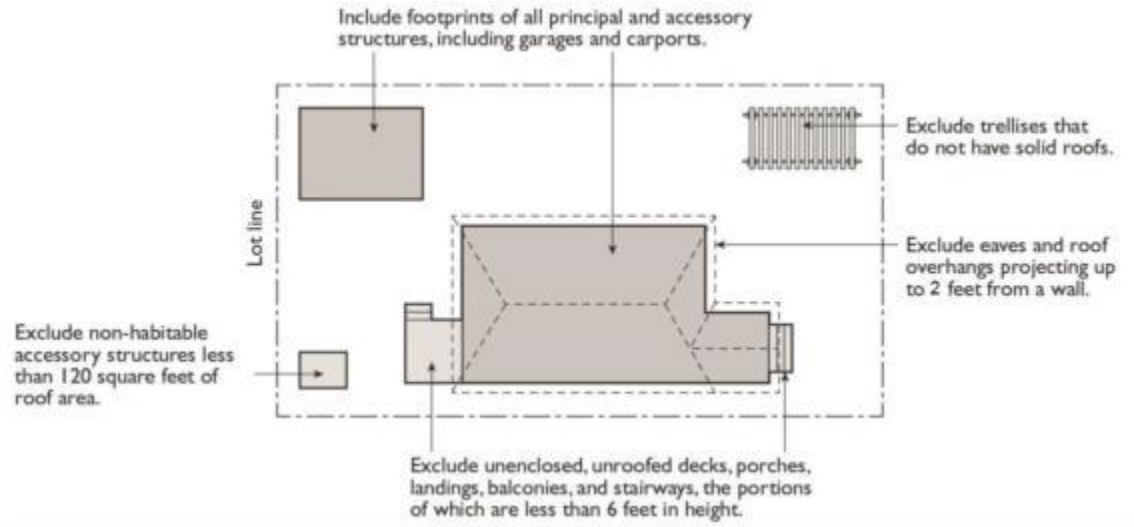
3. Street Side Yard Modulation Additional Requirement. An additional two (2) feet of yard setback shall be required for any portion of the second story side façade of the house greater than 60 feet in length and 14 feet in height.

F. LOT COVERAGE.

Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, porte-cocheres, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. See Diagram 10.1.603(F) below. The following structures are excluded from this calculation:

1. Unenclosed and unroofed decks, uncovered patio slabs, porches, landings, balconies, and stairways less than 18 inches in height at surface of deck (and less than six feet including railings);
2. Eaves and roof overhangs projecting up to two feet from a wall;
3. Trellises and similar structures that have roofs that are at least 50 percent open to the sky with uniformly distributed openings;
4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks;
5. Two small, non-habitable accessory structures under 120 square feet. Structures above quantity of two are to be included in lot coverage; and
6. R-1-H Zone Only. Stables, corrals, and tack rooms attached thereto.

DIAGRAM 10-1-603(F): DETERMINING LOT COVERAGE



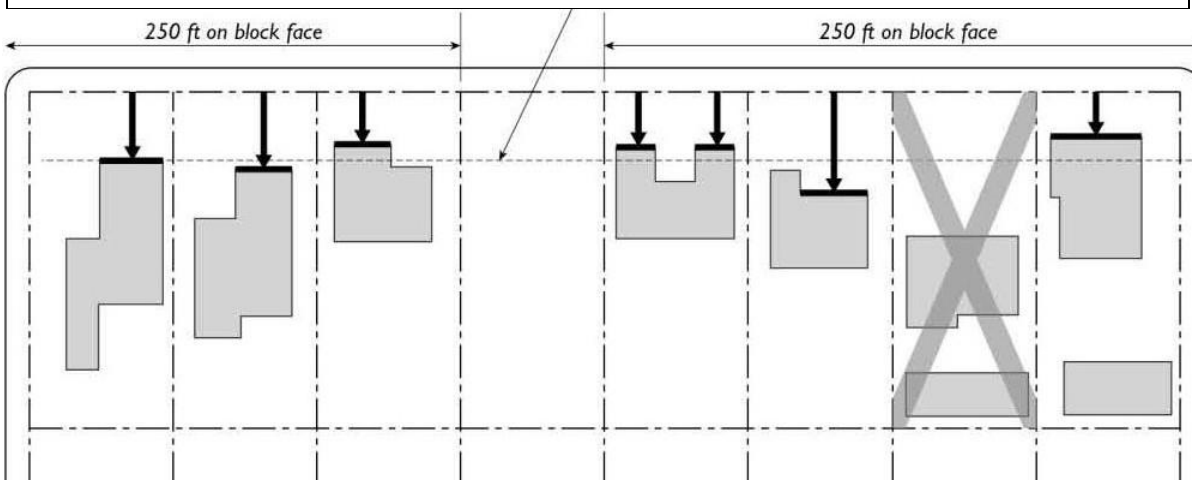
G. YARDS.

1. The minimum required setbacks for all yards are specified in Table 10-1-603(A). However, for front yard setbacks, an average front setback for adjoining and nearby lots shall be used. The average front yard setback shall be determined from lots on the same block that are within 250 feet on either side of the subject property. In calculating the average setbacks, measurements that vary from the average by more than 150 percent shall not be used to calculate the average.[1]

a. In calculating the average front yard setback for houses with more than one plane, the plane closest to the street shall be used to determine the setback provided that plane constitutes at least 40 percent of the width of the house. See Diagram 10.1.603(G) below.

DIAGRAM 10-1-603(G): FRONT YARD AVERAGING

Average setback includes garages and encroachments of that constitute more than 40% of the front facade.



2. Encroachments are permitted into the required setback areas by various structural components and objects to the maximum distance specified in Table 10-1-603(G). Encroachment distances are measured from the minimum required setback line and not from the actual setback of the structure. All setbacks and encroachments are measured perpendicular to the property line.

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS		
Structure/Object	***Setback Type***	***Maximum Encroachment***
Structural walls and posts supporting an overhead structure (except accessory structures) and any structural components or objects not specifically listed in this table	Front	none permitted
	Rear	none permitted
	Interior Side	none permitted
	Street-Facing Side	none permitted
Accessory structures [(1)]	Front	none permitted
	Rear	up to within 3 feet of property line but not beyond setback plane [(2)(3)]
	Interior Side	up to within 3 feet of property line but not beyond setback plane [(2)(3)(4)]

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS		
Structure/Object	***Setback Type***	***Maximum Encroachment***
	Street-Facing Side	none permitted
Eaves, canopies, porches including their eaves, or balcony covers, cornices, sills, etc.	Front	2.5 feet; 4 feet in the front yard for front porches with a 5-foot minimum clear horizontal dimension. The maximum height to the top of roof for the front porch structure shall be no more than 12 feet. See Diagram 10-1-603(G)(2)(A)
	Rear	
	Interior Side	up to within 2.5 feet of property line (6)
	Street-Facing Side	2.5 feet (6)
Garden window boxes and non-structural bay windows	Front	2.5 feet
	Rear	2.5 feet
	Interior Side	2 feet but no less than 3 feet from the property line
	Street-Facing Side	2.5 feet
Uncovered patios or porches at ground level. For a built-up slab-on-grade deck on a sloped lot, four inches above the lowest adjacent grade are permitted.	Front	4 feet (5)
	Rear	up to property line
	Interior Side	up to property line
	Street-Facing Side	up to property line (5)
Uncovered porches, patios, decks, and platforms above ground level	Front	4 feet
	Rear	none permitted

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS		
Structure/Object	***Setback Type***	***Maximum Encroachment***
and supported from the ground (whether freestanding or attached to a structure)	Interior Side	permitted with limitations [(6)]
	Street-Facing Side	none permitted
Uncovered porches, patios, decks, platforms, and balconies above ground level, attached to a structure, and not supported from the ground	Front	4 feet
	Rear	5 feet
	Interior Side	permitted with limitations [(6)]
	Street-Facing Side	up to within 10 feet of property line
Stairways, ramps, and landings leading up to grade level from basement or other below-grade space	Front	5 feet
	Rear	5 feet
	Interior Side	none permitted
	Street-Facing Side	none permitted
Stairways, ramps, and landings leading from one grade level to another grade level or from grade level up to the first floor level	Front	up to property line
	Rear	up to property line
	Interior Side	up to property line
	Street-Facing Side	up to property line
Stairways, ramps, and landings above floor level of first story [(6)(7)]	Front	2.5 feet
	Rear	none permitted
	Interior Side	none permitted

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS		
Structure/Object	***Setback Type***	***Maximum Encroachment***
	Street-Facing Side	none permitted
Above-ground and in-ground swimming pools and spas (as measured to water line)	Front	none permitted
	Rear	10 feet
	Interior Side	up to within 5 feet of property line
	Street-Facing Side	none permitted
Pool equipment, air conditioning equipment, water heaters [(8)], barbecues, play equipment, and similar accessory appliances and equipment	Front	none permitted
	Rear	12 feet
	Interior Side	up to within 3 feet of property line
	Street-Facing Side	none permitted
Chimneys	Front	none permitted
	Rear	2 feet
	Interior Side	2 feet. Encroachment shall be a minimum of 3 feet from the property line
	Street-Facing Side	2 feet
Porte-cochere	Front	none permitted
	Rear	none permitted
	Interior Side	up to 3 feet from the property line with a minimum 5-foot setback from the primary front building plane [(9)]

TABLE 10-1-603(G): ENCROACHMENTS INTO YARD AREAS		
Structure/Object	***Setback Type***	***Maximum Encroachment***
	Street-Facing Side	none permitted

Notes/Additional Requirements:

1. Accessory structures include enclosed and non-enclosed structures that are detached from the main dwelling unit, including but not limited to detached garages, gazebos, workshops, storage sheds and buildings, pool houses, stables, corrals, and tack rooms. Second dwelling units, whether attached to the main dwelling unit or detached, and additional dwelling units authorized by a Conditional Use Permit, are not considered accessory structures subject to the encroachment provisions in this table.
2. Accessory structures are permitted to encroach within the standard side and rear setbacks to the minimum three (3) foot setbacks only when located in the rear one-third of the lot. See 10-1-603(G)(4) for information about accessory structure setback planes.
3. The three (3)-foot side and rear setbacks are not required for accessory structures along any side or rear property line that abuts an alley. However, the setback plane described in 10-1-603(G)(4) still applies.
4. On lots less than 26 feet wide, accessory structures are permitted to encroach within the three (3)-foot side and rear setbacks to a distance necessary to provide a garage or carport that meets the minimum size specified in Section 10-1-603(I).
5. Uncovered patios and porches in the front and street-facing side yards are subject to the hardscape limitations in 10-1-603(G)(5).
6. Porches, patios, decks, platforms, and balconies must be set back a minimum of 10 feet from interior side property lines. This requirement applies whether the porch, patio, deck, platform, or balcony is freestanding, attached to the main dwelling structure, or attached to an accessory structure.
7. Stairways, ramps, and landings attached to an accessory structure may encroach to the same minimum setbacks as the accessory structure itself.
8. Water heater and equipment closets that are built-in to a structure or enclosed by structural walls or are within a cabinet are subject to the standard setback requirement for structural walls.
9. Porte-cochère attached to the interior side of a building may encroach into the interior side yard setback area up to the maximum specified for a maximum length of 20 feet as measured parallel to the property line. The maximum height to the top of a porte-cochere shall be no more than 14 feet in height; the maximum length of a porte-cochere shall be no more than 20 feet. (See Diagram 10-1-603(G)(2)(B).

DIAGRAM 10-1-603(G)(2)(A): PERMITTED ENCROACHMENT FOR PORCHES

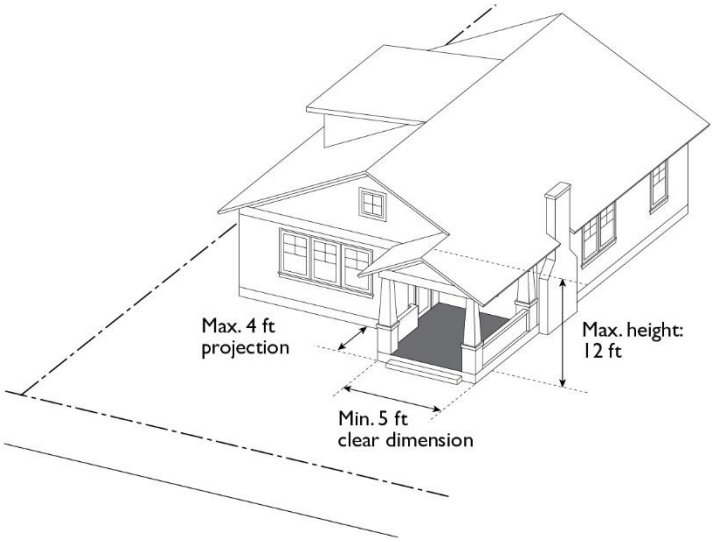
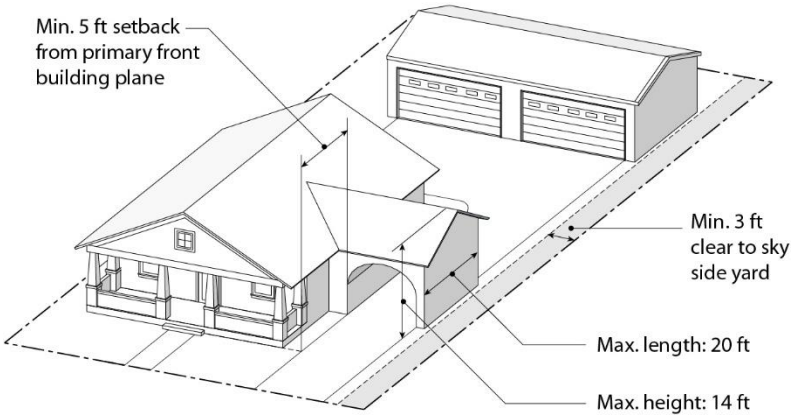
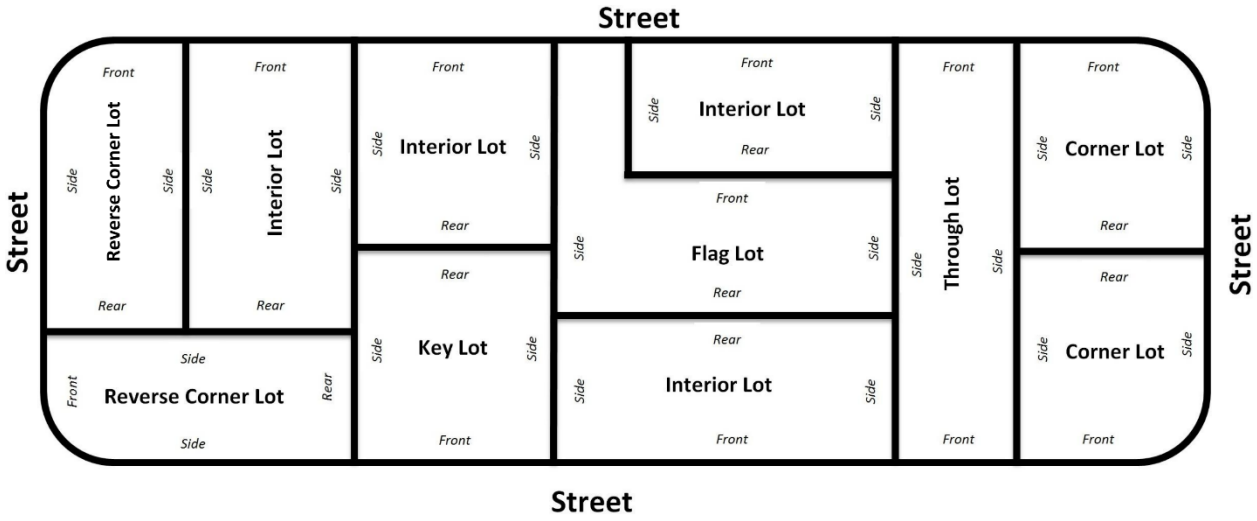


DIAGRAM 10-1-603(G)(2)(B): PERMITTED ENCROACHMENT FOR PORTE-COCHERE



3. Reverse Corner Lots. Where a reversed corner lot abuts a key lot (See Diagram 10-1-603(G)(3) below) and the key lot is located in a residential zone, the minimum required street-facing side yard setback and permitted encroachments for all structures and objects in the rear 30 feet of the reversed corner lot is equal to the required setback and permitted encroachments for structures and objects in the front yard of the key lot.

Diagram 10-1-603(G)(3): LOTS

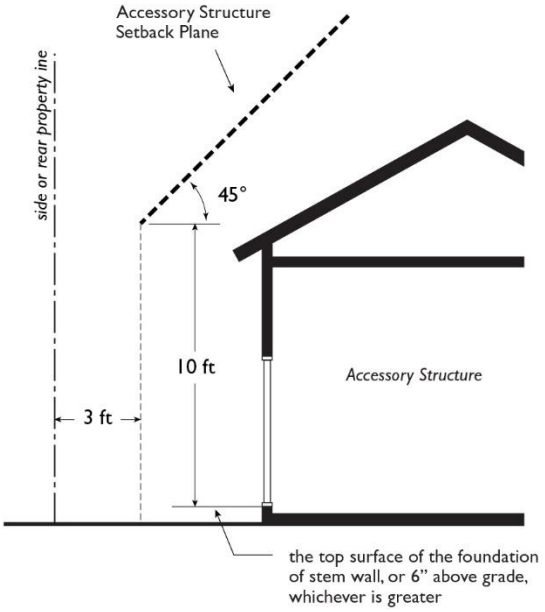


4. Accessory Structures. In addition to the minimum setbacks prescribed in Table 10-1-603(G), the top plate of the first or second story of an accessory structure may not extend above the prescribed setback planes. Only roof and related architectural features are permitted to extend above the setback planes. Setback planes are illustrated in Diagram 10-1-603(G)(4) and are defined as follows:

a. Setback planes extend inward from each side and rear property line at an angle of 45 degrees from the horizontal.

b. The base of each setback plane is a point located three (3) horizontal feet inward from the property line and 10 vertical feet above the top surface of the six (6) inch foundation stem wall of the accessory structure, or an equivalent vertical distance if the stem wall is a height other than six (6) inches. This applies whether the structure is built on slab or on a raised foundation.

DIAGRAM 10-1-603(G)(4): ACCESSORY STRUCTURE SETBACK PLANES



5. Additional Requirements. The following requirements apply to all front yards and street-facing side yards:

a. No more than 45 percent of the required front yard or street-facing side yard setback area shall be hardscaped. For the purposes of this provision, hardscape means cement concrete, asphalt, brick, pavers, and similar impervious or semi-pervious paved surfaces. An additional five (5) percent allowance for decorative brick sections or decorative paving within a landscaped area may be provided if needed for access or to complete a landscape design. If artificial turf is proposed for installation in the front yard, it shall be limited to half of the landscaped square footage.

b. The allowed hardscaping is limited to a driveway leading directly from a public street or alley to a garage or other required parking area, pedestrian pathways, and encroachments specifically permitted in Table 10-1-603(G). Within the required front yard setback area, driveways must be no wider than 20 feet when the garage is located to the rear of the main dwelling structure, provided the percentage of hardscaping is limited to 45%. The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width. Circular drives are permitted on lots 100 feet or more in width provided the City's landscaping standards are met for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403.

c. No hardscaping is permitted next to a driveway so as to provide a continuous hardscaped surface. When a pedestrian pathway is provided, a landscape buffer shall be installed to separate the pedestrian pathway from the driveway. Pedestrian pathway shall be differentiated from the driveway by incorporating different surface material. Final design of driveway, pedestrian pathway, and percentage of landscaping in the front yard is subject to approval by Community Development Director or his/her designee.

d. No vehicle shall be parked in a required front yard or street-facing side yard except on a driveway and subject to the limitations of Section 10-1-1405.

e. All areas within the required front yard and street-facing side yard setback that are not hardscaped must be landscaped. Such landscaping must be properly maintained. All newly installed landscaping must comply with State of California requirements for the use of water efficient landscaping and irrigation equipment, as adopted in Article 5, Chapter 3, Subsection 9-3-500 of the Municipal Code.

6. The City Planner and Traffic Engineer may approve exceptions to the requirements of this Subsection to allow for a turnaround area or circular driveway for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403. See the Burbank 2035 Plan for an illustration of the major and secondary arterial streets.

7. No structures or objects may be constructed or placed in required yard areas except as permitted by this Section or as included in the definition of Landscaping in Section 10-1-203, and subject to the limitations of Section 10-1-603(H).

H. FENCES, WALLS, HEDGES AND OTHER YARD FEATURES.

1. Fences, Walls, and Hedges.

a. Fences, walls, and hedges shall not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury.

b. New chain link fences are prohibited in front yards and street facing side yards after February 23, 2017.

c. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-603(A).

d. Fence in the front yard setback area can have up to two gates, and the gates must be 50 percent open and comply with the height requirements specified in Table 10-1-603(A).

e. Only one wall/fence, inclusive of any openings for access, is allowed in the front yard setback.

f. Fence in the front yard setback area may be combined with a retaining wall. The maximum height of a fence in combination with a retaining wall in the front yard setback area shall not exceed 4 feet, as measured from abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower, and the fence must be 50 percent open.

g. The height of a fence, wall, or hedge is measured from the abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower.

h. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair step-design, but each stair-step section, as measured from the horizontal midpoint, shall not exceed the maximum height.

i. Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls, and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard.

j. The only decorative element allowed on top of fences, walls, and hedges in front and street side yards is lighting, which may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge or up to a maximum height limit of five (5) feet, six (6) inches. In all other yards, lighting and ornamentation shall not exceed the maximum allowed height for fences, walls, and hedges. Pilasters shall be located at least eight (8) feet from each other, as measured from the center of the pilaster. The maximum width of each pilaster shall be 18 inches. The area of the pilasters is exempt from the 50% open design calculation.

k. All fences, walls, and hedges must comply with the corner cutoff provisions of Section 10-1-1303.

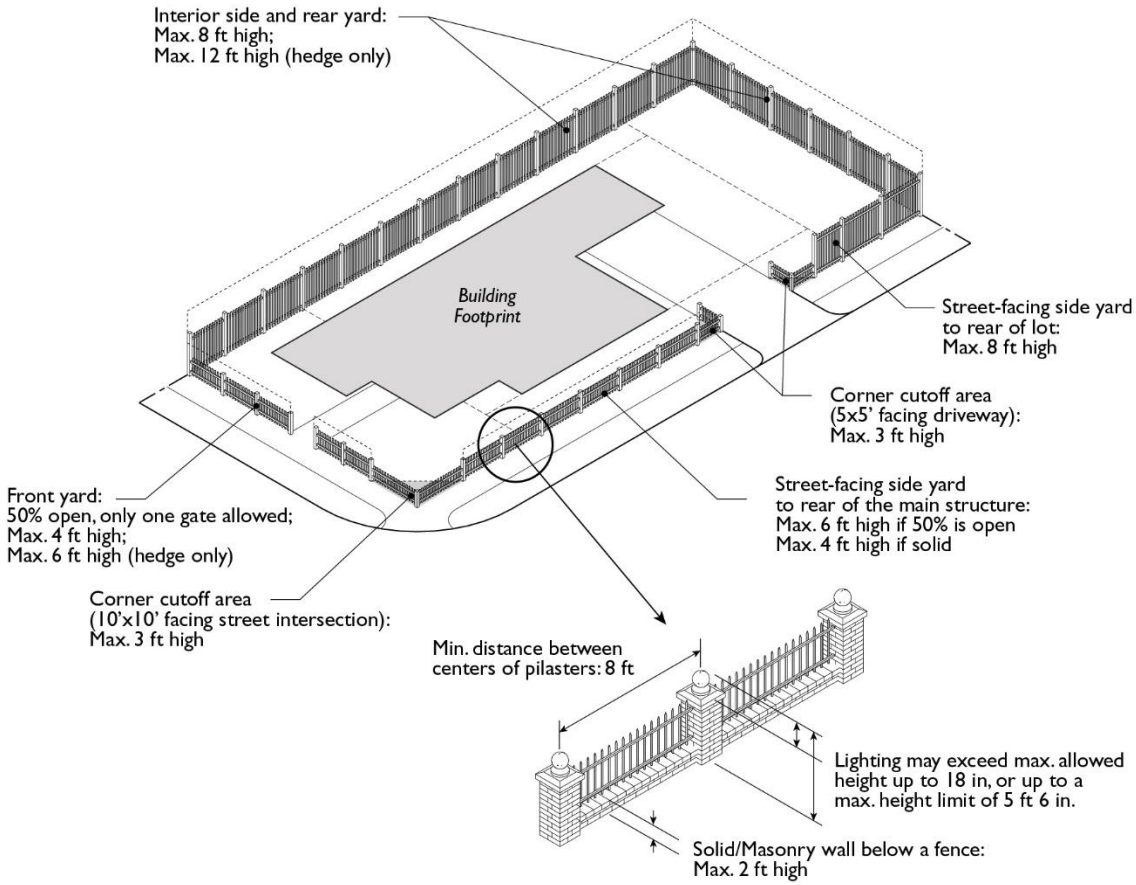
l. Gates are subject to the same requirements as fences and walls.

m. All walls in the front yard setback or street facing side yard must be finished with plaster, stucco, or brick or other similar materials. Materials must be consistent for all walls.

n. Enforcement of nonconforming fences and walls established prior to October 17, 2008 may be subject to abeyance pursuant to Section 10-1-19202.

o. If a wall or fence was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall or fence shall not be subject to these standards.

DIAGRAM 10-1-603(H)(1): FENCES AND WALLS



2. Other Yard Features.

a. Other yard features, including but not limited to natural features such as rocks; structural features such as arbors, pergolas, fountains, reflecting pools, art works, screens, light poles, benches, and other items included within the definition of Landscaping per Section 10-1-203 are limited to a maximum of two (2) features per street frontage within front and street-facing side yards. Such features must comply with the corner cutoff provisions of Section 10-1-1303.

b. Arbors, pergolas, and similar structures are limited to a maximum height of nine (9) feet, a maximum width of six (6) feet, and an interior length of three (3) feet, as measured from the highest abutting ground surface prior to grading. Other yard features are limited to a maximum height of six (6) feet and a maximum width of six (6) feet.

c. Enforcement of nonconforming yard features established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.

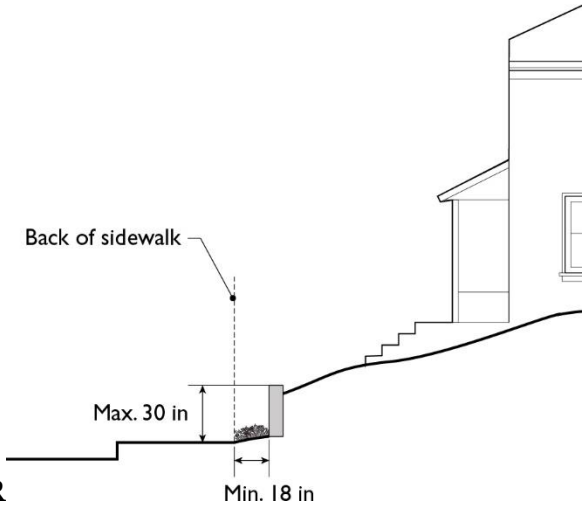
3. Retaining Walls.

a. Retaining walls located within front yard setback areas are limited to a maximum height of 30 inches in height, and must be setback 18 inches from the sidewalk with a planting buffer strip provided between the wall and the sidewalk. Only two (2) retaining walls are allowed in the front yard setback.

b. Exposed retaining wall height shall be measured from lowest abutting finished ground surface, after any grading, cut, or fill activity. Within 15 feet of a sidewalk, retaining wall height shall be

measured from the sidewalk elevation. For streets with no sidewalk, retaining wall height shall be measured from the public right-of-way elevation.

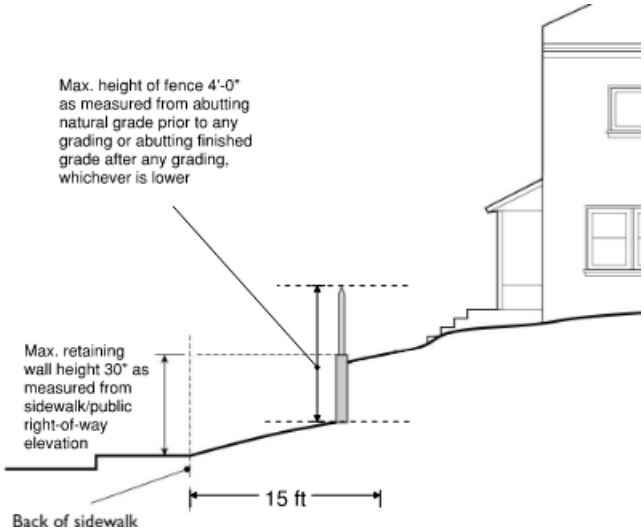
DIAGRAM 10-1-603(H)(3)(A): RETAINING WALL HEIGHT WITH PLANTED BUFFER



c. Other exposed retaining walls, located outside the front yard setback area, shall not exceed four (4) feet in height as measured from lowest abutting finished ground surface, after any grading, cut, or fill activity.

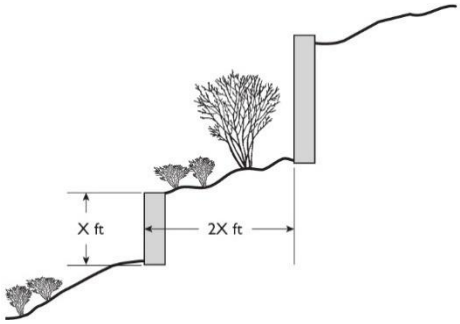
d. Walls shall not be placed above retaining walls within the front yard setback and street facing side yard setback.

DIAGRAM 10-1-603(H)(3)(D): RETAINING WALL HEIGHT WITHIN FRONT YARD



e. Additional retaining walls must be setback a distance equivalent to twice the height of the exposed retaining wall below as measured from lowest abutting finished ground surface, after any grading, cut, or fill activity.

DIAGRAM 10-1-603(H)(3)(E): RETAINING WALL SETBACK



f. Nonconforming retaining walls established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.

g. If a retaining wall was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall shall not be subject to these standards.

h. Damaged legal non-conforming retaining walls that require strengthening or restoring to a safe condition, as determined by any City official charged with protecting the public health or safety, can be replaced to previous height and location upon order of such official.

4. Exceptions. Exceptions from the requirements of this Subsection (H) (including maximum height, separation, and number of walls, fences, hedges, gates, and retaining walls, and the applicable requirements of Section 10-1-1303 referenced herein) may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement. No exceptions shall be granted for development standards for retaining walls located within the front yard setback area.

I. PARKING AND DRIVEWAYS.

1. All parking required by this Section must be provided in a carport, as defined in Section 10-1-203, or in an enclosed garage. No more than one (1) side of a garage may be used for a door to provide vehicle access to the garage.

2. A space no less than nine (9) feet, six (6) inches wide and 19 feet deep must be provided for each required vehicle parking space inside a carport or garage. All parking spaces must be clear of and unobstructed by any encroachments, including but not limited to structural features, shelves, cabinets, appliances, and equipment.

3. For existing dwellings where the parking area in a garage or carport does not meet the minimum requirements of this Section, the existing parking area shall not be reduced or encroached upon, as determined by the dimensions of the physical space provided.

4. Existing off-street parking must be maintained consistent with Subsection (3). In the following situations parking otherwise required by this Section must be provided:

a. An addition to the existing main dwelling structure that results in a total gross floor area, as defined in Section 10-1-203 of BMC, of more than 3,400 square feet, exclusive of attached garages and detached accessory structures.

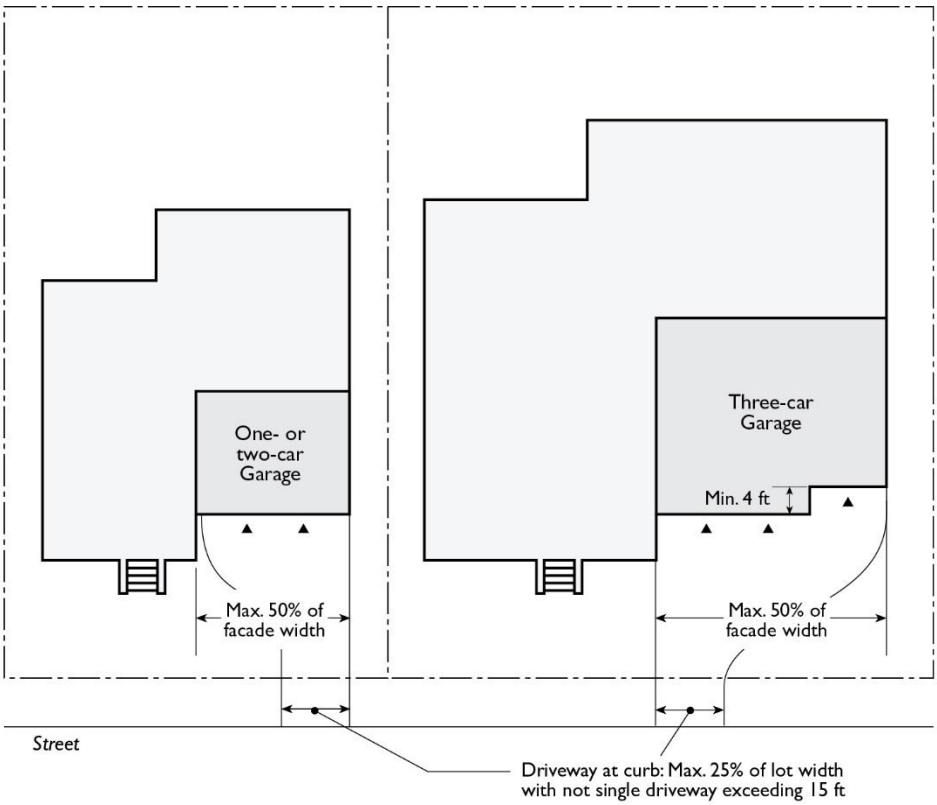
b. Whole house demolition of existing dwelling structure, whether or not the garage or carport structure is demolished. This requirement shall apply for detached and attached garages.

c. The existing garage or carport is demolished or destroyed including but not limited to destruction by an act of God or by fire, removed, relocated, or rebuilt.

5. Garages located at the front of the main dwelling with a door parallel to the street must be located no closer to the front property line than 10 feet back from the ground floor front facade. An exception to the garage setback shall be granted by the Community Development Director or his/her designee when the existing block face is already characterized by front facing garages with doors parallel to the front property line and not setback the required 10 feet for at least 40 percent of the houses on the block face.

6. Garages located at the front of the main dwelling must occupy no more than 50 percent of the width of the dwelling. A three car wide garage is allowed on lots that have a minimum width of 70 feet, but must be offset from the plane of the first two parking spaces by a minimum depth of four (4) feet. This standard applies whether the door is parallel or angled to the street. The Community Development Director or his/her designee shall approve minor exceptions to this requirement for irregular lots and narrow lots where there is less than fifty (50) feet of frontage.

DIAGRAM 10-1-603(I): MAXIMUM GARAGE WIDTHS AND OFFSETS REQUIRED



7. The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width.

8. Driveways must lead directly from a public street or alley to a garage or other required parking area using the shortest and most direct route feasible. The City Planner and Traffic Engineer may approve exceptions to this requirement to allow for a turnaround area or circular driveway for a

lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403.

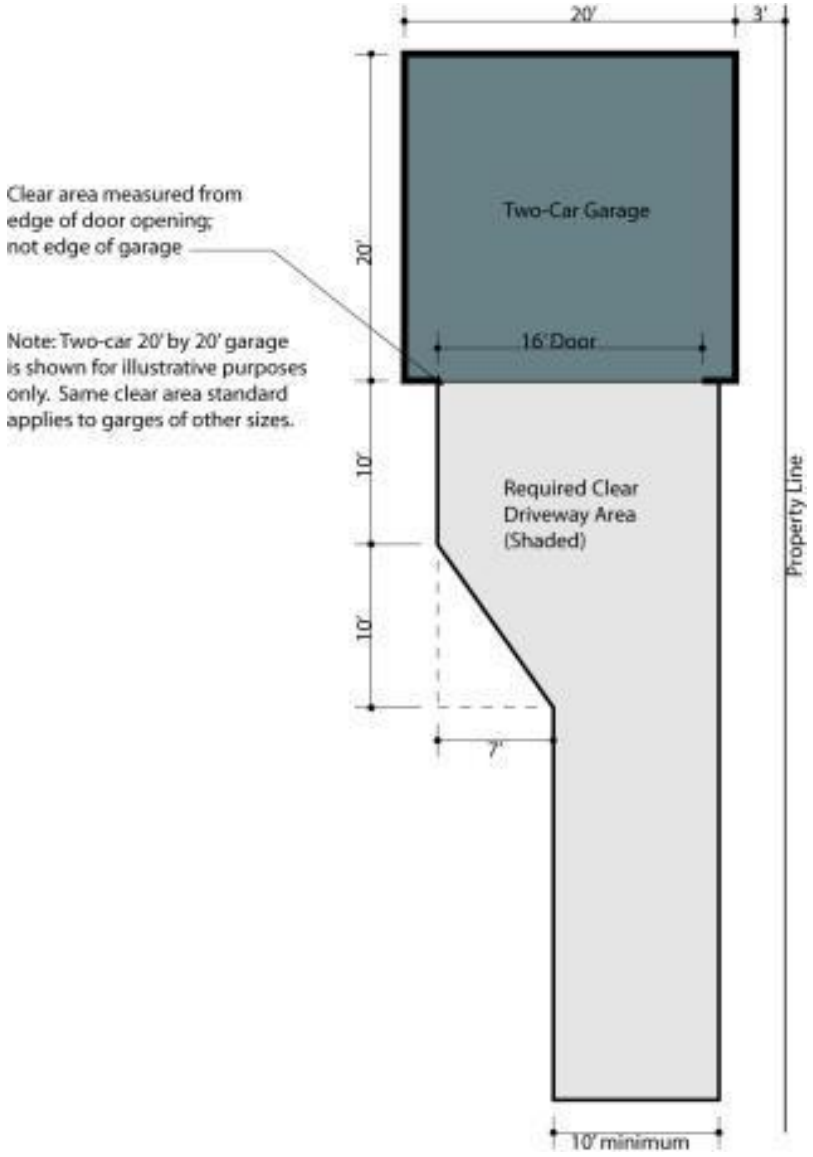
9. Driveways must be no less than 10 feet wide and must be improved with cement concrete, asphalt, brick, pavers, or another similar permanent surface approved by the Traffic Engineer. Driveways must remain clear and unobstructed by any structural elements or vegetation.

10. When a turning movement is required to back out of a parking space, including but not limited to a curved driveway or access from an alley, a minimum backup turning radius of 24 feet must be provided for all parking spaces as measured from the exterior wall of the garage or carport.

11. Parking space access and minimum backup clearances must be provided as shown in Diagram 10-1-603(I)(1) for all required parking spaces whether in a garage or carport or uncovered (in the case of parking for a second dwelling unit). The shaded clear driveway area shown in the diagram must be maintained as a driveway. The clear area must be improved with a permanent surface and must remain clear and unobstructed by any structural elements or vegetation.

12. The elevation of the floor of a garage or carport must be equal to or higher than the top of the curb at the front property line, unless the existing grade slopes downhill away from the street and the driveway follows the existing grade. The existing grade may not be altered for the purpose of lowering the elevation of a garage or carport floor below the top of the curb. Exceptions to this requirement may be granted through approval of a Conditional Use Permit.

DIAGRAM 10-1-603(I)(1): BACKUP CLEARANCE



J. INTERNAL CIRCULATION.

All rooms attached to the main dwelling unit structure must provide interior access so as to maintain internal circulation among all rooms of the main dwelling. All stories, including usable basements and attics when applicable, must have interior stairway access and may not be accessible solely by an exterior stairway. Second dwelling units and water heater or equipment closets are exempt from this requirement.

K. MOBILE HOMES AND MANUFACTURED HOMES.

In addition to the other standards of this Section, the following requirements apply to all mobile homes and manufactured homes:

1. Homes must be manufactured after June 15, 1976, and must be manufactured to the specifications of the National Manufactured Housing Construction and Safety Standards Act of 1974.

2. Homes must be installed on a permanent foundation system approved by the Building Official.
3. Exterior siding must be provided as necessary to screen an otherwise non-enclosed under floor area. Such siding must extend to within six (6) inches of the ground surface on all sides of the home and must be made of a non-reflective material that simulates wood, stucco, or masonry.
4. Roofing materials must not consist of continuously rolled metal roofing or any reflective roofing material.

L. TREES.

When applying for a Hillside Development Permit or a Single Family Development Permit, two trees are required to be planted preferably in the front yard and rear yard if there are none on the property. Required trees shall be a minimum 15-gallon in size. Anywhere that individual tree is planted in a space surrounded by pavement, the planting area shall have a minimum interior dimension of five square feet. This requirement may be modified if an alternative landscape plan is approved by the Community Development Director or his/her designee. Additional trees, including side yard trees, may be required as a condition of permit approval on lots greater than 10,000 square feet. [Amended by Ord. No. 18-3,901, eff. 4/13/18; 17-3,890; 3774; Added by Ord. No. 3774, eff. 12/08/09; Formerly numbered Section 31-28; 3750; 3748; 3690, 3688, 3669, 3622, 3535, 3399, 3259, 3255, 3058, 2922, 2912, 2725, 2640, 2616, 2387, 2356, 2183.]

M. DESIGN STANDARDS

1. The exterior design of all new additions and remodels that are exempt from SFDP shall match the architectural style of the main dwelling in terms of building forms, materials, colors, exterior finishes, roof forms and style of doors and windows.
2. Remodeling or additions in conjunction with a whole house demolition that are exempt from SFDP, as specified in Section 10-1-607(C), shall comply with 360-degree consistent architectural design by utilizing character defining features at all exterior elevations and comply with requirements of Neighborhood Compatibility Review - Design Guidelines Checklist.
3. All new single family constructions that are exempt from SFDP, as specified in Section 10-1-607(C), shall comply with 360-degree consistent architectural design by utilizing character defining features at all exterior elevations and comply with requirements of Neighborhood Compatibility Review - Design Guidelines Checklist.

3) Article 6, Division 1, Section 10-1-606: Development Standards For The Hillside Area, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

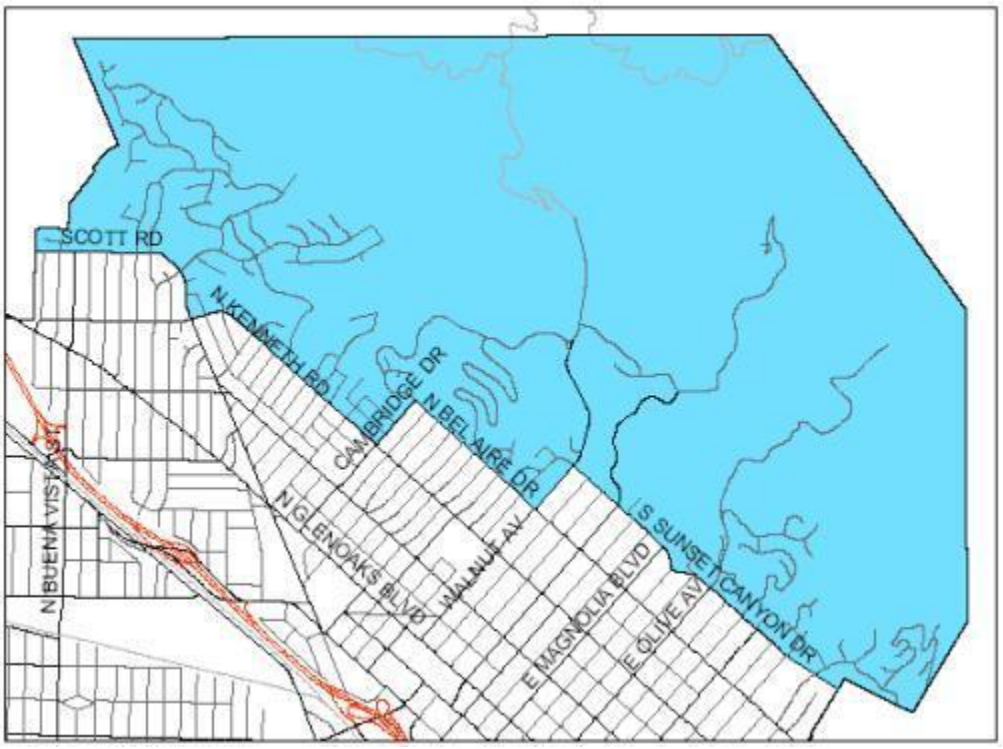
10-1-606: DEVELOPMENT STANDARDS FOR THE HILLSIDE AREA:

A. APPLICABILITY.

1. The requirements of this Section apply to all R-1 zoned properties located within the hillside area, as that area is defined in Subsection (2). The requirements of this Section supersede any conflicting standards of the R-1 Zone. All non-conflicting R-1 standards apply to R-1 zoned properties within the hillside area.
2. The hillside area is defined by the area bounded by the City boundaries with Glendale and Los Angeles and by the following streets as illustrated in Diagram 10-1-606(A): City boundary, Sunset

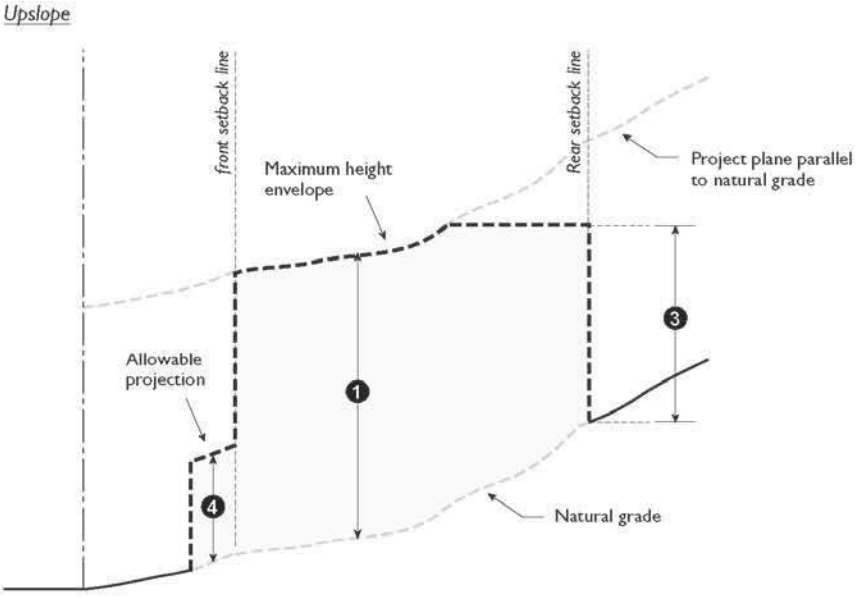
Canyon Drive, Walnut Avenue, Bel Aire Drive, Cambridge Drive, Kenneth Road, Scott Road, City boundary.

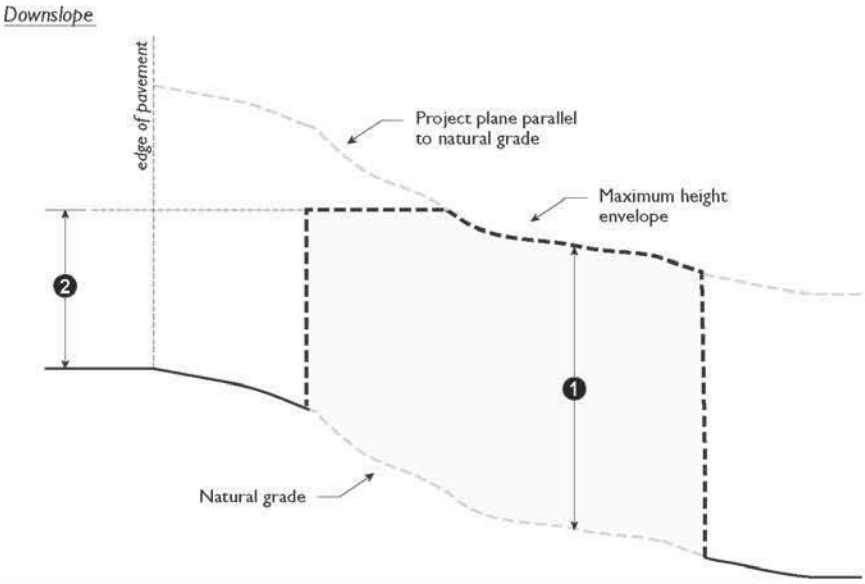
DIAGRAM 10-1-606(A): HILLSIDE AREA (SHADED)



B. HEIGHT FOR THE HILLSIDE AREA. Table 10-1-606(B) prescribes height standards associated with different sloped lots. The numbers in the right hand column refer to the diagram of upslope and downslope conditions. The building height shall be measured from finished or existing grade, whichever is lower.

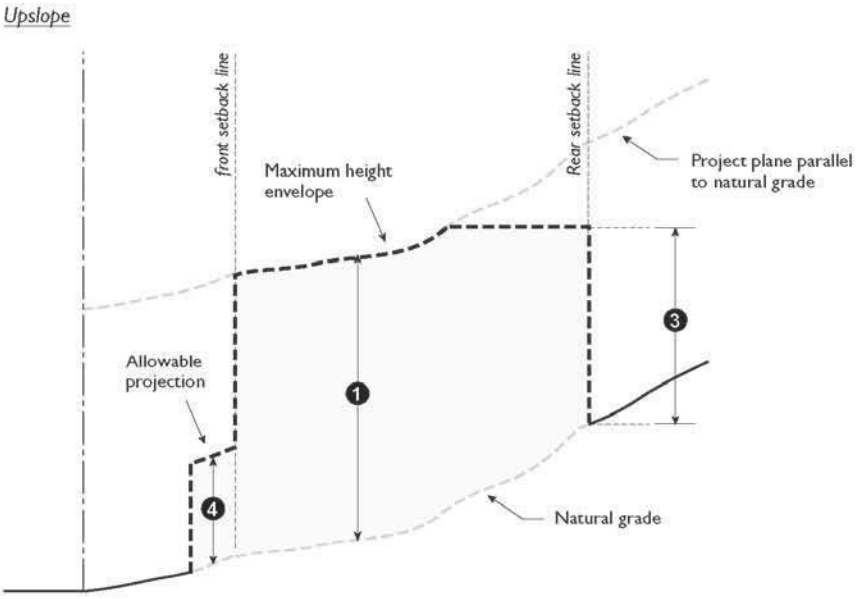
TABLE 10-1-606(B): HEIGHT REGULATIONS FOR ALL LOTS IN THE HILLSIDE AREA

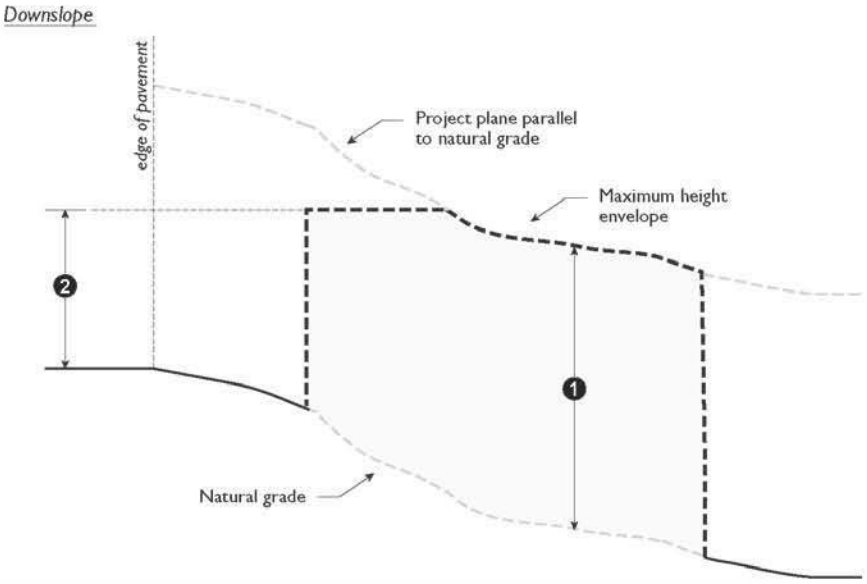




Regulation	***Maximum Height***	***# on Diagram***
Maximum Height Primary Building Above Natural grade	30 ft.	①
Maximum Height Above Edge of Pavement (Downslope)	18 ft.	②
Maximum Height Above the Ground Elevation at the Rear Setback Line (Upslope)	23 ft.	③

TABLE 10-1-606(B): HEIGHT REGULATIONS FOR ALL LOTS IN THE HILLSIDE AREA





Regulation	***Maximum Height***	***# on Diagram***
Maximum Height from Finished or Existing Grade (whichever is lower) within 25 ft. of front lot line	14 ft.	④

C. FLOOR AREA RATIO. When a Hillside Development Permit is required, the maximum floor area ratio and the maximum allowable house size may be reduced through reasonable conditions placed upon the permit when deemed necessary to satisfy the required findings for granting the permit per Section 10-1-607(A)(2).

D. SETBACKS FROM RIDGELINES. No structure shall be located within 100 feet, measured vertically, of the centerline of a major ridge, or within 50 feet, measured vertically, of the centerline of a minor ridge, as delineated in Diagrams 10-1-606(D)(1) and (2). When reviewing individual projects, the Planning Board may approve a more precise delineation as part of a Hillside Development Permit, based on a topographic map prepared by a licensed civil engineer with a contour interval of not more than 10 feet.

1. Grading and Design Standard. Where structures are proposed within 1,000 feet of a major ridge, the building pad shall be graded and the building designed so that the structure maintains a low-profile appearance and conforms to the natural grade of the hillside.

DIAGRAM 10-1-606(D)(1): RIDGELINE PROTECTION – MAJOR AND MINOR RIDGES

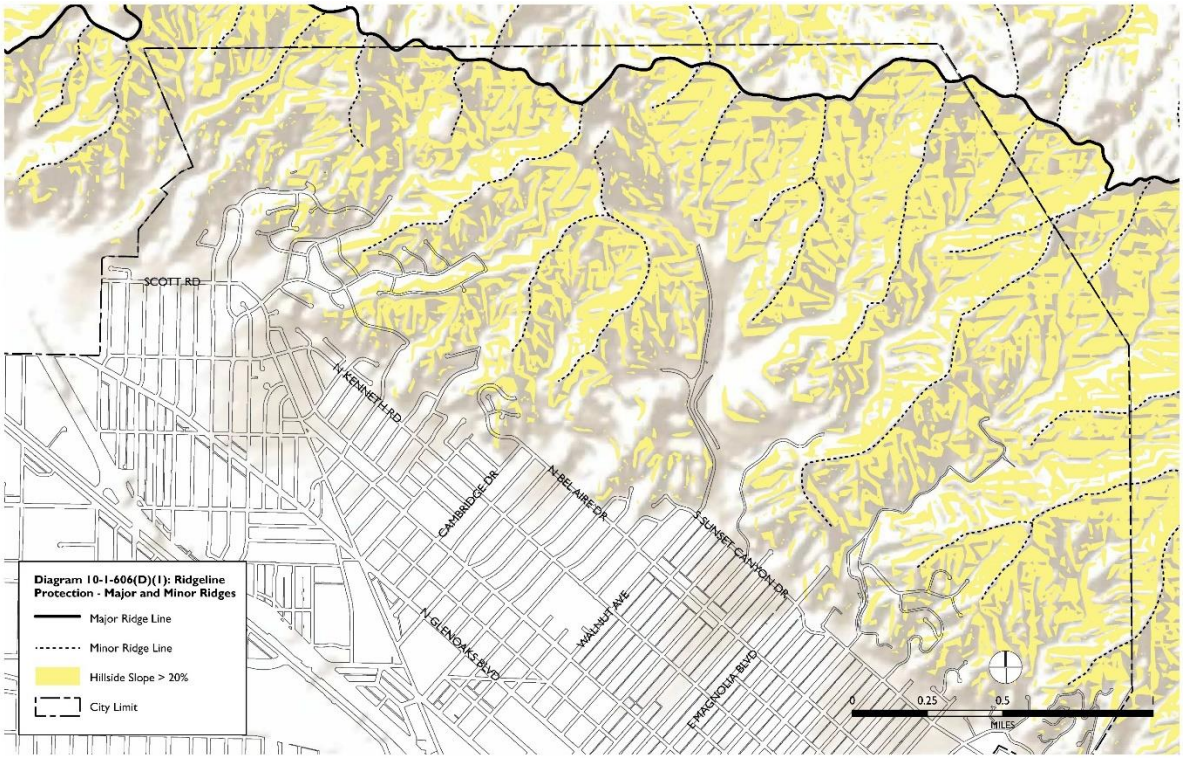
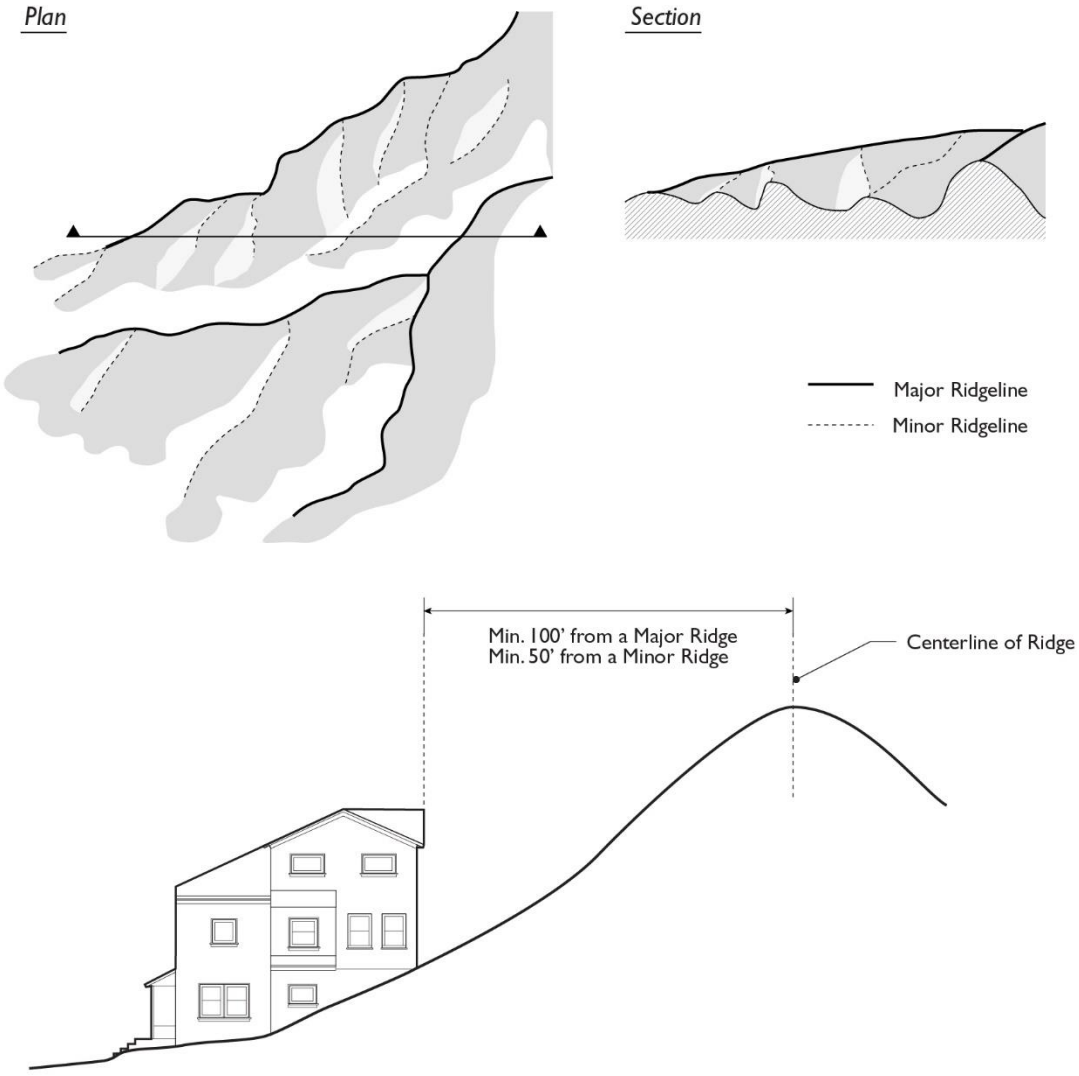


DIAGRAM 10-1-606(D)(2): RIDGELINE PROTECTION – LOCATION OF CONSTRUCTION IN RELATION TO MAJOR AND MINOR RIDGES



E. SETBACK LINES FOR VIEW DETERMINATION.

1. When the primary view from a property is from the front yard, rear yard, or both yards, a setback line is established in the primary view yard or yards by a line drawn from the nearest front or rear corner of existing homes on adjacent lots as illustrated in Diagram 10-1-606(E).

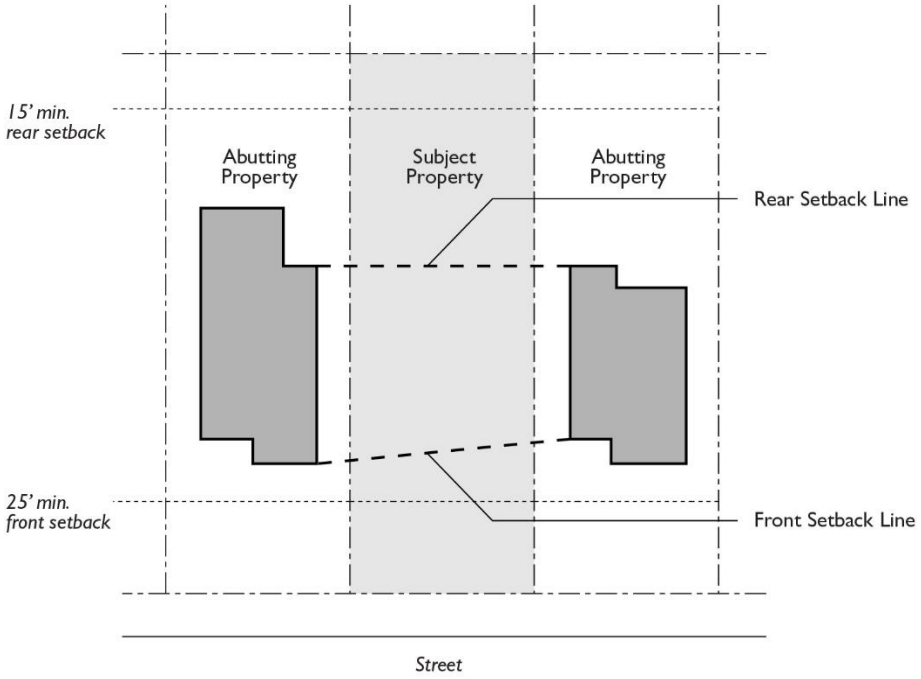
2. For the purposes of this Section, primary view means the following:

a. When a property has a downslope view, that view is the primary view, whether or not the property also has an upslope view.

b. When a property has an upslope view and no downslope view, the upslope view is the primary view.

c. Where the direction of the primary view is unclear or disputed, the Community Development Director or his/her designee shall determine the primary view.

DIAGRAM 10-1-606(E): FRONT AND REAR SETBACKS FOR VIEW DETERMINATION IN THE HILLSIDE AREA



This graphic assumes that both the front and rea yards are "primary view" areas for illustration purposes.

3. An approved Hillside Development Permit is required for any extension beyond the setback line per Section 10-1-606(H). If the setback line is closer to the property line that the setback otherwise required for the R-1 Zone, the structure must observe the applicable minimum R-1 setback and encroachments per Table 10-1-603(G).

4. No main dwelling unit shall be located entirely on the rear half of a lot unless a Hillside Development Permit is approved per Section 10-1-606(H).

F. FENCES, WALLS, HEDGES AND SCREENING IN THE HILLSIDE AREA.

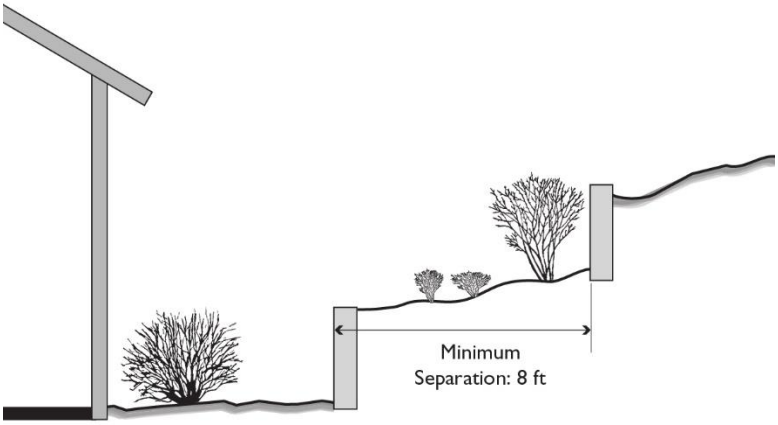
1. Fences and walls in the hillside area must comply with the height requirements specified in Table 10-1-603(A). Hedges in front and street side setbacks are limited to four (4) feet in height.

2. Within the front yard setback, any portion of the fence or wall exceeding two (2) feet in height must utilize an open design. Open design is defined as follows: for any one (1)-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views though the fence or wall.

3. Only two (2) retaining walls are allowed in the front yard setback area.

4. The minimum horizontal distance between two retaining walls is eight (8) feet, but may be reduced to six (6) feet with Community Development Director's or his/her designee's approval to accommodate unique slope conditions existing prior to development or grading for development.

DIAGRAM 10-1-606(F): MINIMUM RETAINING WALL SEPARATION



5. All retaining walls facing downslope areas must be screened with vegetation, and a minimum 18-inch wide planting strip provided along a front or street side-facing lot line.

6. Exceptions to the standards of height, separation, and number of walls, fences, hedges, gates, and the applicable requirements of Section 10-1-1303, may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement.

7. Exception to the standards of retaining walls in the Hillside area can be granted by the Director or his/her designee with the approval of a Hillside Development Permit to accommodate unique slope conditions existing prior to development or grading for development.

8. Conditions may be placed on a Hillside Development Permit per Section 10-1-607 that require retaining walls to be shortened, broken into multiple shorter walls, stepped up or down a hillside, or otherwise modified.

9. Fences and walls may be required to be shorter by conditions placed upon a Hillside Development Permit, and Minor/Major Fence Exception Permit.

10. Areas under enclosed structures must be enclosed or skirted with permanent walls. All such enclosure or skirt walls and all other structure walls facing downslope areas must provide aesthetic relief through windows, variation in texture, or similar methods approved by the Director or his/her designee and must be screened by vegetation.

G. PARKING. A minimum of four (4) off-street parking spaces must be provided. For houses with a gross floor area of 3,400 square feet or less, at least two (2) of the spaces must be located in a carport or garage. For houses with a gross floor area of more than 3,400 square feet, at least three of the spaces must be located in a carport or garage. Other required spaces may be located within a driveway, so long as the slope of the driveway area used for parking does not exceed five percent.

H. APPROVAL PROCESS. Approval of a Hillside Development Permit per Section 10-1-607(D) is required prior to the issuance of grading or building permits for the main dwelling structure or any other structure when any of the following criteria is applicable. A Hillside Development Permit is required whether the criteria apply to construction of a new structure or to modifications that increase the square footage or height of an existing structure or otherwise alter

the footprint, volume, mass, or dimensions of an existing structure. Grading for construction of a pool and/or a spa on a flat portion of a lot with a slope less than 5% shall be exempt from HDP.

1. The project involves the creation of a new building pad, cut or fill activity to expand an existing building pad, or any other grading activity, including but not limited to grading for structures, swimming pools, and expanded yard areas.
2. The structure extends beyond the front or rear yard setback lines per Subsection (D).
3. The height of the proposed structure to the top of the roof exceeds 16 feet.
4. The total gross square footage of all structures and spaces that are included in the floor area ratio calculation is greater than 3,000 square feet.

I. EXCEPTIONS. Exceptions to the development standards required by Section 10-1-603 for the R-1 Zone may be granted through approval of a Hillside Development Permit. A Hillside Development Permit may not be used to grant exceptions in lieu of a Variance unless a Hillside Development Permit is otherwise required by Subsection (H). No exceptions may be granted through a Hillside Development Permit unless the following findings are made:

1. The exception is not detrimental to the public health, safety, or general welfare.
2. Granting of the exception does not constitute a grant of special privilege inconsistent with the limitations upon other projects and/or properties in the vicinity.
3. The exception does not permit or encourage development inconsistent with the character of existing development in the neighborhood.
4. There are special conditions or unique characteristics applicable to the subject property and/or the surrounding neighborhood due to the location in the hillside area that justify granting of the exception. Such conditions or characteristics may be related to topography, location, orientation, or other issues that do not generally apply to properties or neighborhoods located outside of the hillside area. [Formerly numbered Section 31-30; Amended by Ord. No. 17-3,890, eff. 2/23/17; 3810; 3774, 3750; 3748, 3688, 3669, 3643, 3488, 3399, 3058, 2858, 2598, 2355, 2194.]

4) Article 6, Division 1, Section 10-1-607: Design Guidelines And Neighborhood Compatibility: Single Family Development Permits/Hillside Development Permits, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

10-1-607: DESIGN GUIDELINES AND NEIGHBORHOOD COMPATIBILITY: SINGLE FAMILY DEVELOPMENT PERMITS/HILLSIDE DEVELOPMENT PERMITS:

A. APPLICABILITY AND AUTHORITY.

1. This Section outlines the process requirements and findings for two types of special permits applicable to the single family residential zones. Except as otherwise stated herein, the permits shall be processed and approved or denied in accordance with the Administrative Use Permit process set forth in Division 4.1 and with Article 19 of this Code, which authorizes the Director of Community Development, or his designee, to grant these permits, which may be appealed to Planning Board, then Council. The required findings shall be as set forth in this Section, and the noticing must be mailed to all property owners and occupants within a 300 foot radius of the property rather than a 1,000 foot radius.

2. For homes exempt from the neighborhood compatibility review as outlined in Section B(2) below, as part of the Building Permit Process, projects will be checked for conformance with the development standards for single family homes in the R1 and R1H zones and when the homes comply with those standards, the project shall be approved for Single Family Plan Check.

B. DESIGN GUIDELINES/NEIGHBORHOOD COMPATIBILITY.

1. Permits. Residential permits require findings that a project is compatible with the neighborhood. In an attempt to define compatibility, Design Guidelines (Guidelines) have been created. Compliance with the Guidelines should help homes be more in scale with the character of the neighborhood. The Guidelines allow an applicant to incorporate various elements and features into a single family home to maintain and conserve the character of residential areas. Those elements and features are weighted to assure compatibility with the neighborhood. Council has approved the Guidelines (and applicable weighting of different features) by Resolution No. 17-28,906, and reserves the right to modify the Guidelines by future resolutions, as necessary, after conducting a noticed public hearing before the Planning Board and Council. Notice of the hearings shall be newspaper advertisement at least once, ten days prior to the hearing. The Guidelines are incorporated hereto by this reference. Any future amendments adopted by resolution are also incorporated herein by this reference. The current Guidelines shall be available at the City Planners Office and the City Clerk's Office, as well as on-line.

2. Purpose of Neighborhood Compatibility Review. The purpose of neighborhood compatibility review is to conserve and enhance the character of Burbank's residential neighborhoods and ensure such that the design of new homes and additions and alterations to existing homes is in accord with and relates to the existing community character. Instead of creating a design review process, the intent is to incorporate the review into the Single Family Development Permit or the Hillside Development Permit. Compatibility Design review is intended to promote high-quality design, which will be achieved with well-crafted and maintained buildings and landscaping, the use of high-quality building materials, and well-executed details. This review shall be carried out in a manner that encourages creative and appropriate solutions while avoiding unnecessary delays in project approval or burdens on projects that are deemed approved. The review is achieved by applying Design Guidelines to project.

C. SINGLE FAMILY DEVELOPMENT PERMIT.

1. Intent and purpose. The intent and purpose of the Single Family Development Permit is to help ensure new construction and additions and alterations to the existing housing stock are generally consistent with the standards of this Article and the existing character of single family neighborhoods and, when applicable, the Single Family Design Guidelines.

2. Applicability. Single Family Development Permits are required for:

1) All new two-story single family construction that exceeds a 0.35 FAR or is larger than 3,000 square feet;

Exception:

a) All new one-story single family construction and single-story additions are exempt from SFDP. A one-story house or one-story addition shall have a maximum of 19' to top of roof and 12'

to top of plate. Any space with a ceiling or top plate exceeding the maximum allowed story height shall be considered as constituting two stories.

2) Remodeling of all two-story single family homes where there is a whole house demolition,

3) For second story additions or remodels of existing homes adding more than 700 square feet, which do not meet the exception below:

Exception:

a) When a second story addition is not visible from public right-of-way excluding alley, no Single Family Development Permit is required.

4) Additions and remodels that have the potential to alter the exterior elevations of an existing single family residential structure that is a National, State, and/or City designated historic resource.

3. Required Findings. In lieu of the finding required by Section 10-1-1956, the Director, or Planning Board or Council if appealed, may not approve a Single Family Development Permit unless the following findings are made after review using the Single Family Design Guidelines adopted by the Burbank City Council:

a. The house conforms to all of the required standards of this Article unless an exception has been approved; and

b. If the house has an FAR greater than .35, or is larger than 3,000 square feet, or involves an addition or remodel that requires a Permit (but the FAR remains less than .40 with the addition), the house has been reviewed against the Neighborhood Compatibility and the house complies with the City's Single Family Design Guidelines.

c. Conditions are necessary for the purpose of satisfying the required findings, ensuring conformance with the Design Guidelines, mitigating environmental or other impacts of the project, and/or protecting the public health, safety, convenience, or welfare.

4. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken, the total square footage exceeds 700 square feet, or the FAR exceeds .35 (as defined by all building permits issued in the past two years).

D. HILLSIDE DEVELOPMENT PERMIT.

1. Intent and purpose. The intent and purpose of the Hillside Development Permit is to protect, to the extent feasible, views in the hillside area and to ensure neighborhood compatibility through design review. The Hillside Development Permit is intended to balance the reasonable development of property consistent with high land values in the hillside area with the values placed upon views of Burbank and surrounding communities from hillside properties.

2. Applicability. Hillside Development Permit is required in accordance with Section 10-1-606(G).

3. Required Findings. In lieu of the finding required by Section 10-1-1956, the Director, or Planning Board or Council if appealed, may not approve a Hillside Development Permit unless the following findings are made after review using the Single Family Design Guidelines:

a. The vehicle and pedestrian access to the house and other structures do not detrimentally impact traffic circulation and safety or pedestrian circulation and safety and are compatible with existing traffic circulation patterns in the surrounding neighborhood. This includes, but is not limited to: driveways and private roadways, access to public streets, safety features such as guardrails and other barriers, garages and other parking areas, and sidewalks and pedestrian paths.

b. The house and other structures are reasonably consistent with the natural topography of the surrounding hillside.

c. The house and other structures are designed to reasonably incorporate or avoid altering natural topographic features.

d. The house and other structures will not unnecessarily or unreasonably encroach upon the scenic views from neighboring properties, including both downslope and upslope views.

e. The house has been reviewed against the Neighborhood Compatibility provisions as set forth in Section 10-1-609 and the house complies with the Single Family Design Guidelines.

f. For the purpose of evaluating required finding (d) above, a view study must be submitted with all Hillside Development Permit applications documenting the impacts of the proposed structure(s) on views from adjacent properties. The view study must be prepared in a manner approved by the Director or his/her designee and contain all information and documentation deemed necessary by the Director for the purpose of analyzing view impacts and establishing setback lines for view determination pursuant to Section 10-1-606(E). This study is separate from the Ridgeline setback analysis required by Section 10-1-606(D).

g. The view impacts of the proposed project must be considered by the Director, or Planning Board or City Council if appealed, and may be used as a basis for requiring modifications to a project or denying a Hillside Development Permit due to inability to make the required finding:

4. Conditions may be necessary for the purpose of satisfying the required findings, ensuring conformance with the Design Guidelines, mitigating environmental or other impacts of the project, and/or protecting the public health, safety, convenience, or welfare. Such conditions may be imposed.

5. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken together, the total square footage exceeds 700 square feet or the FAR exceeds .35 (as defined by all building permits issued in the past two years). [Added by Ord. No. 2858; Formerly numbered Section 31-30.1; Renumbered by Ord. No. 3058, eff. 2/21/87; Amended by Ord. No. 17-3,890, eff. 2/23/17; 3669.]

5) Article 18, Division 4, Section 10-1-1810: Continuation Of Structure, of Chapter 1 of Title 10 of the Burbank Municipal Code is amended as following:

10-1-1810: CONTINUATION OF STRUCTURE:

Any structure made nonconforming by this chapter as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. Such structure may not be enlarged or altered in a way which increases its nonconformity.

2. All enlargements, alterations and additions to such a structure shall conform to all standards and requirements of this Chapter for the zone in which the structure is located.

3. Should such structure be destroyed by any means to an extent of more than 50 percent of its replacement cost immediately prior to destruction, it shall not be reconstructed except in conformity with the provisions of this chapter. Provided however, that any single family or multiple family residential structure in a residential zone destroyed to such extent by means of fire, flood, wind, earthquake or other natural force or by action of the public enemy, may be rebuilt to the pre-destruction configuration and size, height, lot coverage, floor area ratio, amount of off-street parking, and number of dwelling units of the previous structure, upon granting of an Administrative Use Permit.

4. Should such structure be voluntarily demolished to an extent of 50 percent or less of its replacement cost, any non-conforming features or portions of the structure that are demolished shall not be replaced unless they conform to the standards of this Chapter. "Non-conforming features or portions of a structure", as used above, include, but are not limited to, non-conforming walls and/or roofs. Such portion or feature shall be considered demolished if underlying structural elements such as foundations, framing or trusses are removed. Removal of surface or finish features such as siding, plaster, drywall, shingles, tiles, or suchlike for purposes of replacement or repair only shall not be considered demolition of the underlying element. For a single family residential structure, any new openings (windows and doors) along a non-conforming exterior wall, limited to 50% of the linear length of the wall, shall be exempt from requirements of this sub-section, subject to approval from the Building Official.

5. Should such structure be destroyed to an extent of 50 percent or less of its replacement cost by means of fire, flood, wind, earthquake or other natural force or by action of the public enemy, or from damages due to termites or dry rot:

a. The damaged structure may be repaired or rebuilt to the area, footprint and height of the previously existing structure.

b. Such repairs must be commenced within one (1) year of the event causing the damage, and must be diligently pursued until completed.

c. If during restoration or reconstruction, floor area or height is increased, the structure shall relinquish its non-conforming status, and shall become subject to Subsection (4) above.

Replacement of a nonconforming structure or portions thereof, from damages due to termites or dry rot is applicable to residential structures only, and as such these damages shall be confirmed by the Building Official.

6. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zone in which it is located.
7. Such structure may be repaired provided the repair work is done in compliance with the provisions of this section.
8. If provision is made for the termination of such structure or its nonconforming characteristics, any use of such land after termination shall conform to the requirements of this chapter for the zone in which it is located.
9. Stables and corrals for keeping horses shall conform, except that stables need not conform until a building, or addition to a building intended or used for human habitation exists or is hereafter constructed or moved upon abutting property and less than 20 feet separates the stable from any door, window, or other opening of the building or addition, in which case the stable shall be made to conform within one (1) year from the occurrence of such event.
10. Multiple family residential structures or properties that are made non-conforming with respect to the number of residential units due to a Zone Map or text amendment that decreases the permitted density shall not be considered non-conforming with respect to the number of units so long as all of the units were legal (as to their number) when originally constructed. The existing units on the property may be improved or expanded as if the number of units were conforming, subject to all other applicable development standards; provided, however, that any demolition or destruction of the existing structure(s) shall be subject to the requirements of this Section. This provision does not prevent a structure or property from being made non-conforming or from being considered an increase of non-conformity due to Zone Map or text amendments not pertaining to density, and does not otherwise exempt a structure from any provision of this Section or Chapter.
Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any City or State official charged with protecting the public health or safety, upon order of such official." [Formerly numbered Section 31-205; Renumbered by Ord. No. 3058, eff.2/21/87; Amended by Ord. No. 3647, eff. 10/23/04; 3643, 2597.]

Exhibit C - Summary of Amendments Proposed to Regulations on Single-Family Dwellings in R-1 and R-1-H Single Family Residential Zones and continuation of nonconforming structures

1. Section 10-1-203: Definitions

a) The ZTA proposes update to the definition of retaining wall by adding language that clarifies the way a retaining wall is measured. Currently, the existing code does not provide details regarding reference grade for measuring height of retaining walls located outside the 15-foot setback area as measured from the sidewalk. The proposed update will facilitate consistency in measuring retaining wall height.

Existing Standard	Proposed Standard
RETAINING WALL: Means a structure that retains (holds back) for more than six inches any material (usually earth) measured from the top of the horizontal footing and prevents it from sliding or eroding away.	RETAINING WALL: Means a structure that retains (holds back) for more than six inches of any material (usually earth) ~~measured from top of the horizontal footing~~ and prevents it from sliding or eroding away. For purposes of measuring the height of a retaining wall, the exposed portion of the retaining wall shall be measured from the lowest abutting finished ground surface, after any grading, cut, or fill activity. The portion of the retaining wall that is not underground shall be considered exposed. Portions of the wall not retaining dirt shall not be considered a retaining wall.

b) Section 10-1-203 defines "whole house demolition" as demolition of at least 50% of existing linear walls and openings. Calculation of whole house demolition includes demolition of both interior and exterior walls and openings that have wall headers (doors and windows). Per current code, any dwelling undergoing a whole house demolition is subject to a Single Family Development Permit planning entitlement. The proposed ZTA would amend the definition of whole house demolition include only demolition of exterior walls and openings of a main dwelling, and accessory structures (including garage) when attached to the main dwelling. Demolition of interior walls, as long as exterior walls are maintained, does not impact the existing mass and bulk of a house. Limiting the calculation to exterior walls and openings only meets the intent of preserving existing mass and bulk of a house and eliminates discretionary approval for interior remodels.

Existing Standard	Proposed Standard
DEMOLITION, WHOLE HOUSE: Means the demolition of at least 50% of the total length of all the walls. Applicant shall calculate the linear length of all exterior and interior walls. The calculated length should not exclude openings because part of the opening is a	DEMOLITION, WHOLE HOUSE: Means the demolition of at least 50% of the total length of all the exterior walls of a main house, including garages and other enclosed accessory structures that are attached to the main house. Applicant shall calculate the linear length of all exterior ~~and interior~~ walls. The calculated length should

structural header, and the walls must remain as structural elements in the new plan.	not exclude openings because part of the opening is a structural header, and the walls must remain as structural elements in the new plan.

2. Table 10-1-603 (A): Property Development Standards

a) The proposed ZTA includes an increase in maximum top of the plate height for a single-family dwelling from 20 feet to 22 feet to accommodate flexibility in design for new single-family dwellings and additions to existing single-family dwellings. The measurement would continue to be taken from natural grade before grading, cut or fill activity or from finished grade after grading, cut or fill activity, whichever is lower. Allowing a 22-foot top of the plate height will enable applicants to accommodate the height of raised foundation for additions to houses that are built on raised foundation, and for construction of new homes on raised foundation. Additionally, a 22 feet top of the plate height will facilitate better design for second story additions that are built on raised foundation with an eight foot interior ceiling height. Many homes within the City are built on raised foundation, and an increase in top of the plate height will facilitate better design by enabling additions to be built on the existing raised foundation, matching the mass, bulk and design of the existing dwelling. This update will not impact mass and bulk of new homes, as the maximum top of the roof height for a single-family dwelling is limited to 30 feet as measured from adjacent grade.

Existing Standard		**Proposed Standard**	
To top plate	20 feet	**To top plate**	~~20~~ 22 feet

b) The proposed ZTA expands the applicability of upper-story stepbacks and building plane modulations to all new single-family dwellings and all upper story additions, regardless of a project triggering a Single Family Development Review. This update will ensure that all new homes and upper-story additions incorporate modulations in order to avoid "boxy" architecture.

Existing Standard	**Proposed Standard**
Upper-story Stepbacks; Building Plane Modulation Required when project is subject to Neighborhood Compatibility Review.	**Upper-story Stepbacks; Building Plane Modulation** Required ~~when project is subject to Neighborhood Compatibility Review~~ for all new dwellings and second story additions.

c) Table 10-1-603(A) specifies that fences and walls along the street facing side yard shall be limited to 4 feet in height if solid. Footnote #9 for Table 10-1-603(A) contradicts the development standard in the Table by requiring a 50% open design for fences and walls

located in the street facing side yard. Staff is recommending an update to footnote #9 to maintain consistency with the development standard for fences and walls located in the street facing side yard.

Existing Standard	Proposed Standard
9. In the front and street-facing side yards, any portion of the fence exceeding two (2) feet in height must utilize an open design except as noted above. Open design means that for each one-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views through the fence or wall. Exceptions to this standard shall be allowed for retaining walls in hillside areas through the Hillside Development Permit process.	9. In the front yard ~~and street-facing side yards,~~ any portion of the fence exceeding two (2) feet in height must utilize an open design except as noted above. Open design means that for each one-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views through the fence or wall. Exceptions to this standard shall be allowed for retaining walls in hillside areas through the Hillside Development Permit process.

3. Section 10-1-603 (C): Height

a) For single-family dwellings with flat roof, Table 10-1-603(A) specifies that maximum permitted height to top of flat roof, parapet, and architectural features is 23 feet. However, maximum allowed top of the flat roof height is specified as 21 feet in Section 10-1-603(C)(3). Staff is recommending amending Section 10-1-603(C)(3) to reflect accurate maximum allowed top of the flat roof height i.e., 23 feet, consistent with information provided in Table 10-1-603(A).

Existing Standard	Proposed Standard
3. Parapets shall not exceed 30 inches in height above the intersection of the roof surface and the wall. A flat roof surface must be no higher than 21 feet above grade, or 11 feet above grade when on an accessory structure.	3. Parapets and architectural features shall not exceed 30 inches in height above the intersection of the roof surface and the wall. A flat roof surface must be no higher than ~~21~~ 23 feet above grade, or 11 feet above grade when on an accessory structure.

b) The proposed ZTA restricts the maximum allowed top of the roof height for front porches at 12 feet in order to ensure that front porches are subordinate in height to the overall house, creating a sense of transition between the front yard and the interior of the home, and reducing the overall mass and bulk of the house.

Existing Standard	Proposed Standard
Not addressed. Currently, front porches located outside the front yard setback can be as high as the main dwelling, i.e., 30 feet.	6. Top of the roof height of front porches shall be limited to 12 feet as measured from the existing ground surface of the lot, prior to any grading, cut or fill activity, or the finished ground

	surface of the lot, after any grading, cut, or fill activity, whichever is lower.

4. Section 10-1-603 (D): Floor Area Ratio

a) The existing code exempts the following structures from FAR: stables, corrals, tack rooms, garages - based on its location, and front porches if it meets certain criteria. The proposed update includes an FAR exemption for detached accessory structures when unenclosed on all four sides, attached patio cover and overhangs not supported by posts, trellises with uniform openings that are 50% open to sky, parking areas in basements that are already exempt from FAR per Section 0-1-603 D.4., and up to two non-habitable accessory structures (such as a shed) under 120 square feet. Additionally, language is added to provide direction regarding implementation of the FAR exemption in the case of multiple garages. This update will codify staff's current interpretation of the FAR exemption as it has been applied to some structures, including trellises with 50% uniform openings, detached patio covers unenclosed on all four sides, understory of balconies and overhangs that are not supported by posts, and non-habitable accessory structures under 120 square feet in area.

Existing Standard	**Proposed Standard**
1. The floor area ratio (FAR) is calculated using the total gross floor area of all enclosed structures on the property, including the main dwelling structure, accessory structures, second dwelling units, enclosed patios, even when open on one or more sides, and sheds; except (1) attached garages and carports or portions thereof up to 400 square feet if in front of the house or within the front half of the lot and 500 feet if either attached or detached in the rear half of the lot; and 600 feet if access to the garage is taken from the alley; (2) front covered porches with up to 250 square feet if open on two sides and located on the ground floor, and (3) stables, corrals, and tack rooms attached thereto are not included.	1. The floor area ratio (FAR) is calculated using the total gross floor area of all enclosed structures on the property, including the main dwelling structure, accessory structures, ~~second~~ accessory dwelling units, enclosed patios, even when open on one or more sides, and sheds; except the following are excluded from the FAR calculation, ~~(1)~~(a) attached garages and carports or portions thereof up to 400 square feet if in front of the house or within the front half of the lot and 500 square feet if either attached or detached in the rear half of the lot; and 600 square feet if access to the garage is taken from the alley; in case of multiple garages, the one with lesser area shall be exempt from FAR, the exemption shall not exceed 600 square feet; ~~(2)~~(b) front covered porches with up to 250 square feet if open on two sides and located on the ground floor, ~~and~~ ~~(3)~~(c) stables, corrals, and tack rooms attached thereto; (d) detached accessory structures open on all sides; (e) attached covered patios, understory of balconies and overhangs that are not supported by posts; (f) parking area of any size when located in basement, which is exempt from FAR as specified in sub-section 10-1-603 D. 4. ; (g) up

	to two, non-habitable accessory structures under 120 square feet each. Structures above the quantity of two shall be included in FAR; and (h) trellises and similar structures that have roofs that are at least 50 percent open to the sky with uniformly distributed openings.

b) The ZTA proposes inclusion of attic spaces with a floor surface that have a ceiling height of five feet or greater within FAR calculation. Currently, attic spaces that have a structural floor and exceed four feet in height are included within FAR calculation. This update removes the requirement for structural floor, as it is difficult to determine if an attic space includes structural floor during planning review, and such a determination requires feedback from the Building and Safety Division. Furthermore, the existing code allows attic spaces with surface floor (that is not structural) and a height exceeding 4 feet, to be exempt from FAR calculation. The proposed update will count all attic spaces with surface floor (irrespective of the floor being structural) that exceeds 5 feet within the FAR calculation.

Existing Standard	**Proposed Standard**
6. Floor area within attics that have a structural floor and a ceiling height greater than four feet counts toward the Floor Area Ratio.	6. Portion of f~~F~~loor area within attics ~~that have a structural floor~~ with a floor surface and a ceiling height of five feet or greater ~~than four feet~~ shall count~~s~~ toward the Floor Area Ratio.

5. Section 10-1-603(E)(2): Upper story stepbacks

a) Section 10-1-603(E)(2) provides details regarding side modulation standards for upper-story additions. Existing code specifies three standards for upper-story side modulations that are applicable along interior side elevations of a single-family dwelling. However, Section 10-1-603(E)(2) provides inconsistent information specifying that there are four standards. The proposed update is intended to correct the typo and reflect accurate information within Section 10-1-603(E)(2).

Existing Standard	**Proposed Standard**
2. Side, second story. The side yard setback for the second story must conform to one of the following four standards.	2. Side, second story. The side yard setback for the second story must conform to one of the following ~~four~~ three standards.

6. Section 10-1-603(F): Lot Coverage:

a) Amendments are proposed to the section detailing standards on lot coverage. Currently, the code exempts one small, non-habitable accessory structure under 120

square foot from lot coverage. Staff is recommending exemption of up to two small, non-habitable accessory structures under 120 square foot from lot coverage, consistent with the FAR section (Section 10-1-603(D)).

Existing Standard	Proposed Standard
5. One small, non-habitable accessory structure under 120 square feet. Structures above quantity of one are to be included in lot coverage;	5. ~~One~~ Two small, non-habitable accessory structures under 120 square feet. Structures above quantity of ~~one~~ two are to be included in lot coverage;

7. Table 10-1-603 (G):

a) The proposed ZTA includes revision to Table 10-1-603(G), detailing standards for maximum encroachments by different structures to include language limiting the maximum top of the roof height for front porches to 12 feet, consistent with the changes proposed to Section 10-1-603(C).

Existing Standard	Proposed Standard
Porches including their eaves 4 feet in the front yard for porches with a 5-foot minimum clear horizontal dimension. The maximum height to the top of ceiling in the porch structure shall be no more than 12 feet.	**Porches including their eaves** 4 feet in the front yard for front porches with a 5-foot minimum clear horizontal dimension. The maximum height to the top of ~~ceiling~~ roof ~~in~~ for the front porch structure shall be no more than 12 feet.

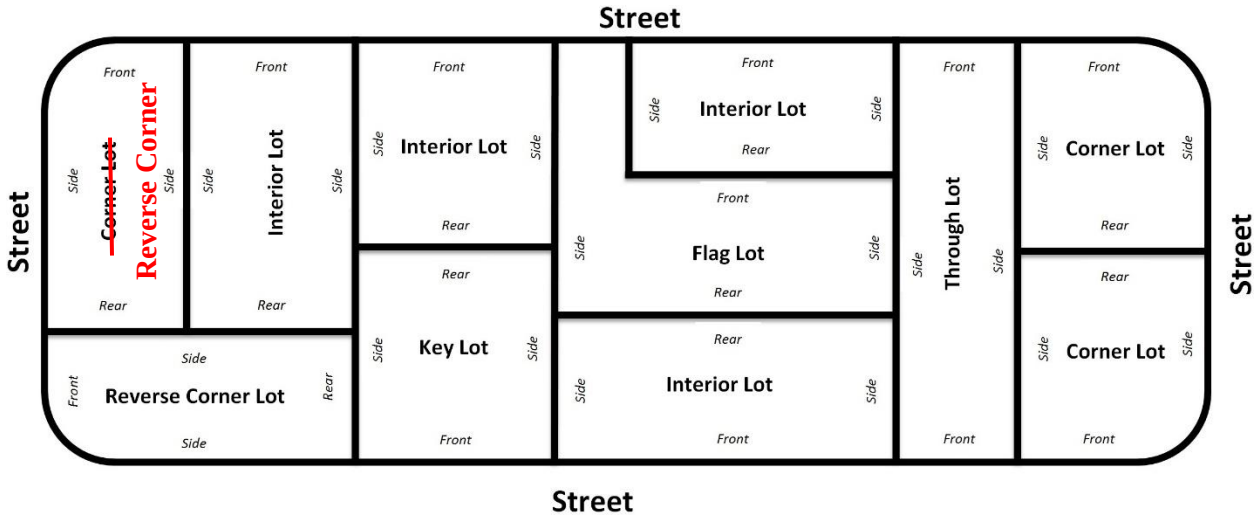
b) "Porte-cochère" is misspelled within the code. Updates are proposed to incorporate correct spelling of porte-cochere within the code.

Existing Standard	Proposed Standard
Portes-cochere attached to the interior side of a building may encroach into the interior side yard setback area up to the maximum specified for a maximum length of 20 feet as measured parallel to the property line. The maximum height to the top of a porte-cochere shall be no more than 14 feet in height; the maximum length of a porte-cochere shall be no more than 20 feet. (See Diagram 10-1-603(G)(2)(B).	9. ~~Portes-cochere~~ Porte-cochère attached to the interior side of a building may encroach into the interior side yard setback area up to the maximum specified for a maximum length of 20 feet as measured parallel to the property line. The maximum height to the top of a porte-cochere shall be no more than 14 feet in height; the maximum length of a porte-cochere shall be no more than 20 feet. (See Diagram 10-1-603(G)(2)(B).

8. Diagram 10-1-603(G)(3): Lots

a) The proposed ZTA includes revision to diagram 10-1-603(G)(3) illustrating different types of lots based on their orientation to correct an error. A *reverse corner lot* is defined

as “a corner lot, the rear lot line of which abuts upon the side lot line of another lot”, and the diagram incorrectly labels a *reverse corner lot* as a *corner lot*. Changes proposed to the diagram is indicated in red in the figure below.



9. <u>Section 10-1-603(G)(5): Additional Requirements. The following requirements apply to all front yards and street-facing side yards:</u>

a) Staff is recommending updates to the development standard for maximum width of driveways within front yard setback area when a garage is located to the rear of the main dwelling. Currently, the maximum width of driveways within front yard setback area is limited to 12 feet for properties where the garage is located to the rear of the main dwelling. With this update staff is recommending a 20 feet limit for driveway width within front yard setback area, provided the percentage of hardscaping in the front yard setback area does not exceed 45%. This update is being proposed to accommodate off-street parking within driveways, resulting from increase in construction of new ADUs and conversion of garages to ADUs. This requirement applies only to garages that are located to the rear of main dwelling. In the case of front-facing garages that are attached to the front façade of a main dwelling, driveways can be as wide as the width of the garage door. This update does not alter the primary use of a driveway, that is to provide shortest and most direct route to a garage or other required parking area.

Existing Standard	**Proposed Standard**
b. The allowed hardscaping is limited to a driveway leading directly from a public street or alley to a garage or other required parking area, pedestrian pathways, and encroachments specifically permitted in Table 10-1-603(G). Within the required front yard setback area, driveways must be no wider than 12 feet when the garage is located to the rear of the main	b. The allowed hardscaping is limited to a driveway leading directly from a public street or alley to a garage or other required parking area, pedestrian pathways, and encroachments specifically permitted in Table 10-1-603(G). Within the required front yard setback area, driveways must be no wider than ~~12~~ 20 feet when the garage is located to the rear of the

dwelling structure. The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width. Circular drives are permitted on lots 100 feet or more in width provided the City's landscaping standards are met for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403.	main dwelling structure, provided the percentage of hardscaping is limited to 45%. The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width. Circular drives are permitted on lots 100 feet or more in width provided the City's landscaping standards are met for a lot fronting on a major or secondary arterial street for the purpose of complying with Section 10-1-1403.

b) The ZTA proposes an amendment to include the requirement to provide a landscape buffer between the driveway and pedestrian pathway to eliminate a continuous hardscaped surface within front setback area. Additionally, language has been included to differentiate driveway from pedestrian pathway by incorporating different surface material, making it easy to identify the width of a driveway. Furthermore, with this update, the final design of a driveway and hardscaping in the front yard setback area will be subject to approval by Community Development Director or his/her designee.

Existing Standard	**Proposed Standard**
c. No hardscaping is permitted next to a driveway so as to provide a continuous hardscaped surface greater than the allowed driveway width unless the hardscaping is providing direct pedestrian access to the main dwelling.	c. No hardscaping is permitted next to a driveway so as to provide a continuous hardscaped surface ~~greater than the allowed driveway width unless the hardscaping is providing direct pedestrian access to the main dwelling~~. When a pedestrian pathway is provided, a landscape buffer shall be installed to separate the pedestrian pathway from the driveway. Pedestrian pathway shall be differentiated from the driveway by incorporating different surface material. Final design of driveway, pedestrian pathway, and percentage of landscaping in the front yard is subject to approval by Community Development Director or his/her designee.

10. Section 10-1-603(H) (1): Fences, Walls, Hedges and other Yard Features

a) The ZTA proposes updates to fences, walls, and hedges section for non-hillside lots, by incorporating language that specifies a reference grade for measurement of height for fences, walls, and hedges. The existing code states that height of walls, fences, or hedges are measured from lowest abutting ground surface of the property upon which it is located. The existing code does not clarify if the height should be measured from natural

grade before grading, cut, or fill activity or finished grade after grading, cut, or fill activity. The proposed update will require height of wall/fence or hedge to be measured either from natural grade before grading, cut, or fill activity or finished grade after grading, cut, or fill activity, whichever is lower. The intent of the update is to prevent situations where fences or walls exceed the maximum allowed height limit by being built on artificially raised grade. The proposed ZTA also incudes language to allow two gates along a wall/fence located within front yard setback, to accommodate pedestrian access, and access for vehicles if applicable. Currently, code allows only one gate in the front yard setback area. The standard pertaining to maximum height of a fence constructed on top of a retaining wall that is currently contained within "Retaining Walls" section (10-1-603(H) (3)) has been moved to the "Fences, Walls, Hedges and other Yard Features" section (10-1-603(H) (1)). Other changes include addition of standard regulating maximum width of pilasters within a fence in the front yard setback to 18 inches, and exclusion of pilasters from the 50% open design calculation requirement. Currently, the code does not provide standards for pilasters.

Existing Standard	**Proposed Standard**
a. Fences, walls, and hedges shall not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury.	a. Fences, walls, and hedges shall not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury.
b. New chain link fences are prohibited in front yards and street facing side yards after February 23, 2017.	b. New chain link fences are prohibited in front yards and street facing side yards after February 23, 2017.
c. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-603(A).	c. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-603(A).
d. Only one fence with a gate is allowed in the front yard setback, and it must be 50 percent open. It may be combined with a retaining wall. The maximum height of the fence in the front yard setback is four (4) feet. If a fence is added above a retaining wall, the masonry or solid portion of the wall is limited to two (2) feet in height.	d. ~~Only one fence with a gate is allowed in the front yard setback, and it must be 50 percent open. It may be combined with a retaining wall. The maximum height of the fence in the front yard setback is four (4) feet. If a fence is added above a retaining wall, the masonry or solid portion of the wall is limited to two (2) feet in height.~~ Fence in the front yard setback area can have up to two gates, and the gates must be 50 percent open and comply with the height requirements specified in Table 10-1-603(A).
e. Only one wall is allowed in the front yard setback, including the front edge of the property.	e. Only one wall/fence, inclusive of any openings for access, is allowed in the front yard setback~~, including the front edge of the property~~.
f. The height of a fence, wall, or hedge is measured from the lowest abutting ground	

surface of the property upon which the fence, wall, or hedge is located. g. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair step-design, but each stair-step section, as measured from the horizontal midpoint, shall not exceed the maximum height. h. Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls, and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard. i. The only decorative element allowed on top of fences, walls, and hedges in front and street side yards is lighting, which may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge or up to a maximum height limit of five (5) feet, six (6) inches. In all other yards, lighting and ornamentation shall not exceed the maximum allowed height for fences, walls, and hedges. Pilasters shall be located at least eight (8) feet from each other, as measured from the center of the pilaster. j. All fences, walls, and hedges must comply with the corner cutoff provisions of Section 10-1-1303. k. Gates are subject to the same requirements as fences and walls. l. All walls in the front yard setback or street facing side yard must be finished with plaster, stucco, or brick or other similar materials. Materials must be consistent for all walls. m. Enforcement of nonconforming fences and walls established prior to October 17, 2008 may	f. Fence in the front yard setback may be combined with a retaining wall. The maximum height of a fence in combination with a retaining wall in the front yard setback area shall not exceed 4 feet, as measured from abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower, and the fence must be 50 percent open. ~~f~~ g. The height of a fence, wall, or hedge is measured from the ~~lowest abutting ground surface~~ abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower ~~of the property upon which the fence, wall, or hedge is located~~. ~~g~~ h. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair step-design, but each stair-step section, as measured from the horizontal midpoint, shall not exceed the maximum height. ~~h~~ i. Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls, and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard. ~~i~~ j. The only decorative element allowed on top of fences, walls, and hedges in front and street side yards is lighting, which may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge or up to a maximum height limit of five (5) feet, six (6) inches. In all other yards, lighting and ornamentation shall not exceed the maximum allowed height for fences, walls, and hedges. Pilasters shall be located at least eight (8) feet

be subject to abeyance pursuant to Section 10-1-19202. n. If a wall or fence was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall or fence shall not be subject to these standards.	from each other, as measured from the center of the pilaster. The maximum width of each pilaster shall be 18 inches. The area of the pilasters is exempt from the 50% open design calculation. ~~j~~ k. All fences, walls, and hedges must comply with the corner cutoff provisions of Section 10-1-1303. ~~k~~ l. Gates are subject to the same requirements as fences and walls. ~~l~~ m. All walls in the front yard setback or street facing side yard must be finished with plaster, stucco, or brick or other similar materials. Materials must be consistent for all walls. ~~m~~ n. Enforcement of nonconforming fences and walls established prior to October 17, 2008 may be subject to abeyance pursuant to Section 10-1-19202. ~~n~~ o. If a wall or fence was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall or fence shall not be subject to these standards.

11. Section 10-1-603(H) (3): Retaining Walls

a) The ZTA proposes updates to allow up to two retaining walls within the front setback area for non-hillside lots. Currently, the code allows only one retaining wall within the front setback area. This update will provide flexibility to accommodate unique slope conditions for non-hillside lots by allowing an additional retaining wall. Allowing an additional retaining wall is not anticipated to lead to proliferation of retaining walls within front yard setback of non-hillside lots because of limitations on height of retaining walls located within 15 feet of sidewalk and the separation requirement between two retaining walls.

Additionally, language has been incorporated to specify a refence grade for measuring height of retaining walls located outside of the 15 feet setback as measured from the sidewalk/public right-of-way. Currently, the code does not provide details regarding reference grade for measurement of height of retaining walls located outside the 15 feet

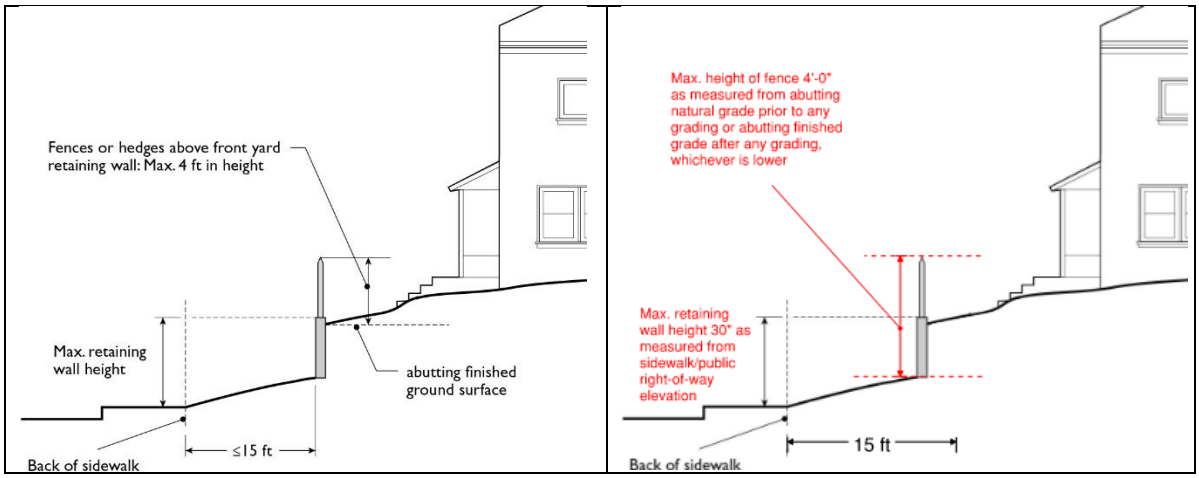
setback area, as measured from the sidewalk/public right-of-way. Retaining walls are measured the same way as regular walls. i.e., from the finished grade of the property. With this update, height of the exposed portion of retaining wall will be measured from finished grade after grading/cut/fill activity. This update facilitates consistency in measuring retaining wall height irrespective of the amount of grading. Existing regulation requiring retaining walls within 15 feet of a sidewalk to be measured from the sidewalk elevation will be maintained. Staff is proposing additional language that clarifies that in absence of sidewalks, the height of retaining walls along front or street facing side yard shall be measured from the elevation of public right-of-way. This requirement is proposed to discourage tall retaining walls that are visible from public right-of-way, in absence of a sidewalk.

In addition to above changes, the ZTA proposes to remove development standards pertaining to maximum cumulative height requirement for retaining walls, because currently the code does not provide any details/methods for measuring cumulative height. Due to lack of a methodology and clarity regarding definition of cumulative height for retaining walls, there has been a lack of consistency in application of the cumulative height development standard. Removing cumulative height standard will address the existing ambiguity withing the code section.

Additionally, current code prohibits construction of walls on top of retaining walls within front yard setbacks. The proposed update adds language within the current code to prohibit construction of walls on top of retaining walls within street facing side yard setbacks as well. This requirement has been included to prevent construction of fortress like walls along street facing side yards. Other proposed updates include permitting replacement of damaged legal non-conforming retaining walls to previous height and location if a City official determines it to be unsafe. This update has been included to provide flexibility to rebuild legal retaining walls to previous permitted height.

Existing Standard	**Proposed Standard**
a. Retaining walls located within front yard areas are limited to a maximum height of 30 inches in height, and must be setback 18 inches from the sidewalk with a planting buffer strip provided between the wall and the sidewalk. Only one retaining wall is allowed in the front yard setback, including a wall at the front edge of the property. b. Other retaining walls shall not exceed four (4) feet in height, and the cumulative height of all retaining walls on a lot (existing, new, replacement or any combination) shall not exceed eight (8) feet.	a. Retaining walls located within front yard setback areas are limited to a maximum height of 30 inches in height, and must be setback 18 inches from the sidewalk with a planting buffer strip provided between the wall and the sidewalk. ~~Only one retaining wall is allowed in the front yard setback, including a wall at the front edge of the property.~~ Only two (2) retaining walls are allowed in the front yard setback. b. Exposed retaining wall height shall be measured from lowest abutting finished ground

c. Retaining wall height shall be measured from the street side, not to the inside of the wall and facing the house. Within 15 feet of a sidewalk, retaining wall height shall be measured from the sidewalk elevation. d. Fences or hedges that are placed above a retaining wall within a front yard are limited to a maximum height of four (4) feet from the abutting ground surface prior to grading. Walls shall not be placed above retaining walls. e. Additional walls must be setback a distance equivalent to twice the height of the retaining wall below as measured from the face of the retaining wall below. f. Nonconforming retaining walls established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202. g. If a retaining wall was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall shall not be subject to these standards.	surface, after any grading, cut, or fill activity. Within 15 feet of a sidewalk, retaining wall height shall be measured from the sidewalk elevation. For streets with no sidewalk, retaining wall height shall be measured from the public right-of-way elevation. ~~b.~~ c. Other exposed retaining walls, located outside the front yard setback area, shall not exceed four (4) feet in height as measured from lowest abutting finished ground surface, after any grading, cut, or fill activity. ~~and the cumulative height of all retaining walls on a lot (existing, new, replacement or any combination) shall not exceed eight (8) feet.~~ ~~c. Retaining wall height shall be measured from the street side, not to the inside of the wall and facing the house. Within 15 feet of a sidewalk, retaining wall height shall be measured from the sidewalk elevation.~~ d. ~~Fences or hedges that are placed above a retaining wall within a front yard are limited to a maximum height of four (4) feet from the abutting ground surface prior to grading.~~ Walls shall not be placed above retaining walls within the front yard setback and street facing side yard setback. e. Additional retaining walls must be setback a distance equivalent to twice the height of the exposed retaining wall below as measured from ~~the face of the retaining wall below~~ lowest abutting finished ground surface, after any grading, cut, or fill activity. f. Nonconforming retaining walls established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202. g. If a retaining wall was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall shall not be subject to these standards. h. Damaged legal non-conforming retaining walls that require strengthening or restoring to a safe condition, as determined by any City official charged with protecting the public health or safety, can be replaced to previous height and location upon order of such official.
DIAGRAM 10-1-603(H)(3)(D): RETAINING WALL HEIGHT WITHIN FRONT YARD	DIAGRAM 10-1-603(H)(3)(D): RETAINING WALL HEIGHT WITHIN FRONT YARD



b) Updates have been proposed to the "Exceptions" sub-section contained within Section 10-1-603(H) of BMC. Currently, code does not allow exceptions to development standards pertaining to retaining walls for lots that are not located within the hillside area. This update would allow exceptions to maximum height and separation requirement for retaining walls located outside the front setback area will be permitted with an approval of Minor/Major Fence Exception Permit, to provide flexibility for lots that may have unique slope conditions. Additionally, language prohibiting exceptions from height and separation requirement for retaining walls located within the front yard setback has been included. Furthermore, language detailing specifics regarding Minor/Major Fence Exception Permit has been replaced by the code section pertaining to regulations on Minor/Major Fence Exception Permit to present the information concisely.

Existing Standard	**Proposed Standard**
4. Exceptions. Exceptions from the requirements of this Subsection (H) (including the applicable requirements of Section 10-1-1303 referenced herein) may be granted through approval of a fence exception permit as follows. a. Any exceptions from the requirements of this Subsection (H) to allow a fence, wall, hedge, or other yard feature with a height of six (6) feet or less as measured from the abutting ground surface prior to grading may be granted through approval of a Minor Fence Exception Permit per Section 10-1-19200. b. Any exceptions from the requirements of this Subsection (H) to allow a fence, wall, hedge, or other yard feature with a height of greater	4. Exceptions. Exceptions from the requirements of this Subsection (H) (including maximum height, separation, and number of walls, fences, hedges, gates, and retaining walls, and the applicable requirements of Section 10-1-1303 referenced herein) may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement ~~follows~~. No exceptions shall be granted for development standards for retaining walls located within the front yard setback area. ~~a. Any exceptions from the requirements of this Subsection (H) to allow a fence, wall, hedge, or other yard feature with a height of six (6) feet or less as measured from the abutting ground surface prior to grading may be granted through~~

than six (6) feet as measured from the abutting ground surface prior to grading may be granted through approval of a Major Fence Exception Permit per Section 10-1-19201. c. Any exceptions from the requirements of this Subsection to allow additional fences or walls or such fences of walls with a height greater than otherwise permitted in the Hillside may be granted through approval of a Hillside Development Permit per Section 10-1-606. d. No exception shall be granted for the maximum height or cumulative height of a retaining wall.	~~approval of a Minor Fence Exception Permit per Section 10-1-19200.~~ ~~b. Any exceptions from the requirements of this Subsection (H) to allow a fence, wall, hedge, or other yard feature with a height of greater than six (6) feet as measured from the abutting ground surface prior to grading may be granted through approval of a Major Fence Exception Permit per Section 10-1-19201.~~ ~~c. Any exceptions from the requirements of this Subsection to allow additional fences or walls or such fences of walls with a height greater than otherwise permitted in the Hillside may be granted through approval of a Hillside Development Permit per Section 10-1-606.~~ ~~d. No exception shall be granted for the maximum height or cumulative height of a retaining wall.~~

12. Section 10-1-603(I): Parking and Driveways

a) The ZTA proposes amends the code section that details situations wherein existing non-conforming off-street parking for a property is required to provide code-compliant parking. One of the triggers for updating non-conforming off-street parking pertains to voluntary demolition of existing house to an extent more than 50% of its replacement cost. The ZTA proposes to update 'replacement cost' to 'whole house demolition' which is defined as demolition of more than 50% of exterior linear walls and openings of a main house. This update has been recommended because determination of replacement cost requires input from Building and Safety Division and often times it is challenging to verify the accuracy of the cost provided by an applicant. Calculation of percentage of demolition of exterior linear walls and openings of a main dwelling is straightforward and removes any ambiguity related to computation of replacement cost. The other updates to the code section pertains to editing existing text contained in the code section for clarity, to enable consistent application of the code section.

Existing Standard	**Proposed Standard**
4. Existing off-street parking must be maintained consistent with Subsection (3) except in the following situations, where the parking otherwise required by this Section must be provided:	4. Existing off-street parking must be maintained consistent with Subsection (3). ~~except~~ In the following situations~~, where the~~ parking otherwise required by this Section must be provided: a. An addition to the existing main dwelling structure that results in a total gross floor area, as defined in Section 10-1-203 of BMC, of more

a. An addition to the existing dwelling structure results in a total gross floor area of more than 3,400 square feet. b. The existing dwelling structure is voluntarily demolished to an extent more than 50 percent of its replacement cost, whether or not the garage or carport structure is demolished. i. For purposes of establishing the replacement cost, the applicant must refer to the International Code Council per square foot valuation table. Any deviations from this calculation must be based on an actual cost breakdown provided by the contractor on letterhead and signed by the contractor. c. The existing garage or carport is demolished or destroyed including but not limited to destruction by an act of God or by fire, removed, relocated, or rebuilt.	than 3,400 square feet, exclusive of attached garages and detached accessory structures. b. Whole house demolition of ~~The~~ existing dwelling structure ~~is voluntarily demolished to an extent more than 50 percent of its replacement cost~~, whether or not the garage or carport structure is demolished. This requirement shall apply for detached and attached garages. ~~i. For purposes of establishing the replacement cost, the applicant must refer to the International Code Council per square foot valuation table. Any deviations from this calculation must be based on an actual cost breakdown provided by the contractor on letterhead and signed by the contractor.~~ c. The existing garage or carport is demolished or destroyed including but not limited to destruction by an act of God or by fire, removed, relocated, or rebuilt.

b) Updates are being proposed to remove redundant language within the code section on parking and driveways. This update does not amend existing standards on width of driveways at curb cut, which is limited to 15 feet. Instead, this update is intended to bring clarity by providing information in a consistent way. This update is consistent with the information provided in Section 10-1-603(G)(5) and Diagram 10-1-603(I) of BMC.

Existing Standard	**Proposed Standard**
7. Where a garage is located under a single family home, the width of the curb cut for the driveway shall not exceed 15 feet.	7~~. Where a garage is located under a single family home, the width of the curb cut for the driveway shall not exceed 15 feet.~~ The maximum width of driveways at a curb shall be no more than 25 percent of the lot width with no single driveway exceeding 15 feet in width.

13. Section 10-1-603:

a) Staff is recommending updates to include language regulating design and architectural style for new constructions and additions to single-family dwellings that are exempt from SFDP discretionary approval process. Currently, the code does not require additions, remodels, and construction of new single-family dwellings that are exempt from SFDP discretionary approval to comply with design guidelines requirements, including upper-story modulations. The absence of design guidelines for such projects often results in boxy architecture. Updates have been proposed requiring all new additions and remodels that

are exempt from SFDP to incorporate similar design elements - including roof forms, exterior finishes, window and door style - as the existing house. Additionally, all new single-family homes and remodels/additions in conjunction with whole house demolition that are exempt from SFDP will be required to incorporate "360 degree" consistent architectural design along all the exterior elevations and comply with the requirements of Neighborhood Compatibility Review - Design Guidelines Checklist as adopted in Resolution No. 17-28,906.

Existing Standard	Proposed Standard
Not addressed	M. DESIGN STANDARDS 1. The exterior design of all new additions and remodels that are exempt from SFDP shall match the architectural style of the main dwelling in terms of building forms, materials, colors, exterior finishes, roof forms and style of doors and windows. 2. Remodeling or additions in conjunction with a whole house demolition that are exempt from SFDP, as specified in Section 10-1-607(C), shall comply with 360-degree consistent architectural design by utilizing character defining features at all exterior elevations and comply with requirements of Neighborhood Compatibility Review - Design Guidelines Checklist. 3. All new single family constructions that are exempt from SFDP, as specified in Section 10-1-607(C), shall comply with 360-degree consistent architectural design by utilizing character defining features at all exterior elevations and comply with requirements of Neighborhood Compatibility Review - Design Guidelines Checklist.

14. Section 10-1-606(F): Fences, Walls, Hedges and Screening in the Hillside Area

a) Staff is recommending updates to remove redundant language from the existing development standards for fences, walls, hedges, and retaining walls in the hillside area. The proposed updates do not modify existing development standards pertaining to height and separation requirement for retaining walls, regular walls, fences, and hedges in the hillside area. Updates are proposed to this section to maintain consistency with the amendments proposed to Section 10-1-603(H)(3), including updates to maximum number of retaining walls within front yard setback area, maximum cumulative height requirement for retaining walls, and refence grade for measurement of height of retaining walls. Consistent with changes discussed under Section 10-1-603(H)(3), staff is

recommending to allow two retaining walls by-right in the front yard setback area of hillside lots, and removal of development standard pertaining to maximum cumulative height for retaining walls. Additionally, changes have been proposed to specify refence grade for measurement of height of retaining walls, consistent with the changes proposed under Section 10-1-603(H)(3).

Additionally, Staff is also recommending removal of a Minor or Major Fence Exception Permit for construction of regular block walls, fences, and hedges outside of the front setback area. This update is intended to remove requirement of discretionary permit for construction of code-compliant walls, fences, and hedges, located outside the front setback area. Other proposed updates include requirement of a Minor or Major Fence Exception permit to allow exceptions from the code-required development standards for walls, fences, and hedges pursuant to Article 19, Division 11 of BMC. Any exception from the development standard of retaining walls is subject to approval of a Hillside Development Permit.

Existing Standard	**Proposed Standard**
1. Fences and walls in the front setback area are limited to four (4) feet in height. Any portion of the fence or wall exceeding two (2) feet in height must utilize an open design. Open design is defined as follows: for any one (1)-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views though the fence or wall. Hedges in front and street side setbacks are limited to four (4) feet in height. 2. The minimum horizontal distance between two retaining walls is eight (8) feet, but may be reduced to six (6) feet with Community Development Director's or his/her designee's approval to accommodate unique slope conditions existing prior to development or grading for development, provided the cumulative height within a required front setback area with this reduced separation does not exceed six (6) feet. 3. For all other fences, walls, and hedges regardless of their height, a Minor or Major Fence Exception Permit is required prior to construction. Fences, walls, and hedges must comply with Sections 10-1-19200 and 10-1-19201, except that a. A Minor Fence Exception Permit is required for fences and walls up to eight (8) feet in height	1. Fences and walls in the hillside area must comply with the height requirements specified in Table 10-1-603(A). ~~front setback area are limited to four (4) feet in height. Any portion of the fence or wall exceeding two (2) feet in height must utilize an open design. Open design is defined as follows: for any one (1)-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views though the fence or wall.~~ Hedges in front and street side setbacks are limited to four (4) feet in height. 2. Within the front yard setback, any portion of the fence or wall exceeding two (2) feet in height must utilize an open design. Open design is defined as follows: for any one (1)-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views though the fence or wall. 3. Only two (2) retaining walls are allowed in the front yard setback area. ~~2~~ 4. The minimum horizontal distance between two retaining walls is eight (8) feet, but may be reduced to six (6) feet with Community Development Director's or his/her designee's approval to accommodate unique slope conditions existing prior to development or grading for development, ~~provided the cumulative height within a required front~~

and a Major Fence Exception Permit is required for fences and walls in excess of eight (8) feet. b. A Minor Fence Exception Permit is subject to the same public noticing requirement and findings as the Major Fence Exception Permit. c. The Fence Exception Permit may be issued as part of the Hillside Development Permit when such a permit is required. d. No exception shall be granted for maximum retaining wall height or cumulative height or for the required minimum separation for retaining walls. 4. All retaining walls facing downslope areas must be screened with vegetation, and a minimum 18-inch wide planting strip provided along a front or street side-facing lot line. 5. Conditions may be placed on a Hillside Development Permit per Section 10-1-607 that require retaining walls to be shortened, broken into multiple shorter walls, stepped up or down a hillside, or otherwise modified. 6. Fences and walls may be required to be shorter by conditions placed upon a Hillside Development Permit. 7. Areas under enclosed structures must be enclosed or skirted with permanent walls. All such enclosure or skirt walls and all other structure walls facing downslope areas must provide aesthetic relief through windows, variation in texture, or similar methods approved by the Director or his/her designee and must be screened by vegetation.	~~setback area with this reduced separation does not exceed six (6) feet~~. ~~3. For all other fences, walls, and hedges regardless of their height, a Minor or Major Fence Exception Permit is required prior to construction. Fences, walls, and hedges must comply with Sections 10-1-19200 and 10-1-19201, except that~~ ~~a. A Minor Fence Exception Permit is required for fences and walls up to eight (8) feet in height and a Major Fence Exception Permit is required for fences and walls in excess of eight (8) feet.~~ ~~b. A Minor Fence Exception Permit is subject to the same public noticing requirement and findings as the Major Fence Exception Permit.~~ ~~c. The Fence Exception Permit may be issued as part of the Hillside Development Permit when such a permit is required.~~ ~~d. No exception shall be granted for maximum retaining wall height or cumulative height or for the required minimum separation for retaining walls.~~ ~~4~~ 5. All retaining walls facing downslope areas must be screened with vegetation, and a minimum 18-inch wide planting strip provided along a front or street side-facing lot line. 6. Exceptions to the standards of height, separation, and number of walls, fences, hedges, gates, and the applicable requirements of Section 10-1-1303, may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement. 7. Exception to the standards of retaining walls in the Hillside area can be granted by the Director or his/her designee with the approval of a Hillside Development Permit to accommodate unique slope conditions existing prior to development or grading for development. ~~5~~ 8. Conditions may be placed on a Hillside Development Permit per Section 10-1-607 that require retaining walls to be shortened, broken into multiple shorter walls, stepped up or down a hillside, or otherwise modified. ~~6~~ 9. Fences and walls may be required to be shorter by conditions placed upon a Hillside Development Permit, and Minor/Major Fence Exception Permit.

	~~7~~ 10. Areas under enclosed structures must be enclosed or skirted with permanent walls. All such enclosure or skirt walls and all other structure walls facing downslope areas must provide aesthetic relief through windows, variation in texture, or similar methods approved by the Director or his/her designee and must be screened by vegetation.

15. Section 10-1-606(H): Approval Process

a) The ZTA proposes updates to remove the requirement for discretionary approval for pools and spas that are proposed on flat portions of a lot located in the hillside area of the City. A flat ground surface is defined to have a slope of less than 5%. This update will allow over-the-counter approval for pools and spas located in flat portions of a hillside lot, for those that do not require grading beyond the grading work required for constructing a pool/spa. Applicants will be required to provide a topographic map indicating slope of the flat portion of a hillside lot to show compliance with the 5% slope requirement.

Existing Standard	**Proposed Standard**
Approval of a Hillside Development Permit per Section 10-1-607(D) is required prior to the issuance of grading or building permits for the main dwelling structure or any other structure when any of the following criteria is applicable. A Hillside Development Permit is required whether the criteria apply to construction of a new structure or to modifications that increase the square footage or height of an existing structure or otherwise alter the footprint, volume, mass, or dimensions of an existing structure.	Approval of a Hillside Development Permit per Section 10-1-607(D) is required prior to the issuance of grading or building permits for the main dwelling structure or any other structure when any of the following criteria is applicable. A Hillside Development Permit is required whether the criteria apply to construction of a new structure or to modifications that increase the square footage or height of an existing structure or otherwise alter the footprint, volume, mass, or dimensions of an existing structure. Grading for construction of a pool and/or a spa on a flat portion of a lot with a slope less than 5% shall be exempt from HDP.

16. Section 10-1-607(C): Single Family Development Permit

a) Updates have been proposed to the code section detailing applicability of Single Family Development Permit (SFDP). Staff is recommending removal of SFDP discretionary approval for all new single-story dwellings and one-story additions that are limited to 19 feet top of the roof height and 12 feet top of the plate height. SFDP discretionary approval, which contains design guidelines for neighborhood compatibility review, was put in place to control mass and bulk of new single-family homes and additions, and to ensure that any new addition/construction is compatible with scale and character of

existing neighborhood. It is staff's assessment that a single-story dwelling/addition that is limited to 19 feet top of the roof height will not be out of scale. Additionally, requirements for 360 degree architectural and design compatibility for all additions and new single-family dwellings that are exempt from SFDP discretionary approval, have been included as a part of the ZTA.

Moreover, an amendment is proposed to exempt all second-story additions that do not exceed 700 square foot in area from SFDP, and exempt all second story additions that are not visible from public right-of-way from being subject to SFDP discretionary approval. Currently, all additions exceeding 500 square feet that are visible from the street are subject to SFDP discretionary approval, including single-story additions where only a small/narrow portion of the addition is visible from the street. As previously specified, SFDP approval was intended to control mass and bulk of new constructions/additions/remodels to single-family dwellings. A single-story addition that is limited in height will not negatively impact mass and bulk of house and will not look out of scale. It is staff's assessment that limiting the SFDP for second-story additions that exceed 700 square foot and are visible from public right-of-way, will exempt approximately 41% of the projects (that are currently subject to SFDP discretionary approval) from the SFDP process, resulting in shorter planning review time.

Finally, updates have been proposed requiring SFDP for remodeling/additions to two-story dwellings in conjunction with whole house demolition. Remodeling/addition to one-story dwellings in conjunction with whole house demolition will be exempt from SFDP discretionary approval. However, updates are being proposed that require projects proposing remodeling of one-story dwellings in conjunction with whole house demolition to incorporate 360-degree consistent architectural design along all the exterior elevations and comply with the requirements of Neighborhood Compatibility Review - Design Guidelines Checklist as adopted in Resolution No. 17-28,906.

Existing Standard	**Proposed Standard**
1. Intent and purpose. The intent and purpose of the Single Family Special Development Permit is to help ensure new construction and additions and alterations to the existing housing stock are generally consistent with the standards of this Article and the existing character of single family neighborhoods and, when applicable, the Single Family Design Guidelines. 2. Applicability. Single Family Development Permits are required 1) for all new single family construction that exceeds a .35 FAR or is larger than 3,000 square feet, 2) for all single family homes where there is a whole house demolition, and 3) for additions or remodels of existing	1. Intent and purpose. The intent and purpose of the Single Family ~~Special~~ Development Permit is to help ensure new construction and additions and alterations to the existing housing stock are generally consistent with the standards of this Article and the existing character of single family neighborhoods and, when applicable, the Single Family Design Guidelines. 2. Applicability. Single Family Development Permits are required for: 1) ~~for a~~All new two-story single family construction that exceeds a 0.35 FAR or is larger than 3,000 square feet; Exception:

homes adding more than 500 square feet, which do not meet the exception, below. Exception: When the addition or remodel of an existing home does not result in a FAR over .40, but only if it is a single story addition or remodel not visible from the street no Single Family Development permit is required. 3. Required Findings. In lieu of the finding required by Section 10-1-1956, the Director, or Planning Board or Council if appealed, may not approve a Single Family Development Permit unless the following findings are made after review using the Single Family Design Guidelines adopted by the Burbank City Council: a. The house conforms to all of the required standards of this Article unless an exception has been approved; and b. If the house has an FAR greater than .35, or is larger than 3,000 square feet, or involves an addition or remodel that requires a Permit (but the FAR remains less than .40 with the addition), the house has been reviewed against the Neighborhood Compatibility and the house complies with the City's Single Family Design Guidelines. c. Conditions are necessary for the purpose of satisfying the required findings, ensuring conformance with the Design Guidelines, mitigating environmental or other impacts of the project, and/or protecting the public health, safety, convenience, or welfare. 4. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken together, the total square footage exceeds 500 square feet, or the FAR exceeds .35 (as defined by all building permits issued in the past two years).	a) All new one-story single family construction and single-story additions are exempt from SFDP. A one-story house or one-story addition shall have a maximum of 19' to top of roof and 12' to top of plate. Any space with a ceiling or top plate exceeding the maximum allowed story height shall be considered as constituting two stories. 2) Remodeling of ~~for~~ all two-story single family homes where there is a whole house demolition, 3) For second story additions or remodels of existing homes adding more than ~~500~~ 700 square feet, which do not meet the exception below: Exception: a) When a second story addition is not visible from public right-of-way excluding alley, no Single Family Development Permit is required. ~~Exception: When the addition or remodel of an existing home does not result in a FAR over .40, but only if it is a single story addition or remodel not visible from the street no Single Family Development permit is required.~~ 4) Additions and remodels that have the potential to alter the exterior elevations of an existing single family residential structure that is a National, State, and/or City designated historic resource. 3. Required Findings. In lieu of the finding required by Section 10-1-1956, the Director, or Planning Board or Council if appealed, may not approve a Single Family Development Permit unless the following findings are made after review using the Single Family Design Guidelines adopted by the Burbank City Council: a. The house conforms to all of the required standards of this Article unless an exception has been approved; and b. If the house has an FAR greater than .35, or is larger than 3,000 square feet, or involves an addition or remodel that requires a Permit (but the FAR remains less than .40 with the addition), the house has been reviewed against the Neighborhood Compatibility and the house complies with the City's Single Family Design Guidelines.

	c. Conditions are necessary for the purpose of satisfying the required findings, ensuring conformance with the Design Guidelines, mitigating environmental or other impacts of the project, and/or protecting the public health, safety, convenience, or welfare. 4. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken, the total square footage of the second story exceeds ~~500~~ 700 square feet, or the FAR exceeds .35 (as defined by all building permits issued in the past two years).

17. Section 10-1-607(D): Hillside Development Permit

a) The code-required "look back period" prevents an applicant from dividing the scope of work into two parts through two different building permits, in lieu of going through a SFDP discretionary approval. Per the look back period regulations, if an applicant has undergone a plan check process to obtain building permit for an addition/remodel to single-family dwelling, he/she will have to wait two years before pursuing another addition/remodel work, if both projects together would have been subject to a SFDP discretionary approval. Changes have been proposed to the look back period section of the zoning code to update area of addition triggering design guidelines/neighborhood compatibility review to second story additions exceeding 700 square foot, to maintain consistency with the changes proposed to Section 10-1-607(C).

Existing Standard	**Proposed Standard**
5. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken together, the total square footage exceeds 500 square feet or the FAR exceeds .35 (as defined by all building permits issued in the past two years). [Added by Ord. No. 2858; Formerly numbered Section 31-30.1;	5. Look Back Period. After a building permit is issued for new square footage through a remodel or addition or for a new house which does not require review under this provision, no new building permits shall be issued for additional square footage within two years unless the new project is submitted for design review if, when the previous and new building permits are taken together, the total square footage of the second story exceeds ~~500~~ 700 square feet or the FAR exceeds .35 (as defined by all building permits issued in the past two years). [Added by Ord. No. 2858; Formerly

Renumbered by Ord. No. 3058, eff. 2/21/87; Amended by Ord. No. 17-3,890, eff. 2/23/17; 3669.]	numbered Section 31-30.1; Renumbered by Ord. No. 3058, eff. 2/21/87; Amended by Ord. No. 17-3,890, eff. 2/23/17; 3669.]

18. Section 10-1-1810: Continuation of Structure

a) Staff is recommending updates to allow creation of openings (doors and windows) along legal non-conforming portions of a residential structure, if the openings are limited to 50% of the linear length of the non-conforming wall. Please note that installation of openings along legal non-conforming walls of residential structures will be subject to approval from Building Official. Currently, a Minor Setback Exception Permit is required to create openings along non-conforming walls of residential structures. This update has been proposed to provide flexibility to property owners to remodel their homes, by creating new openings on existing walls, without undergoing any planning entitlement permit.

Additionally, updates have been proposed to allow damages to residential structures, from termites or dry rot, that are limited to 50 percent or less of its replacement cost, to be rebuilt to its previous form. Currently, restoration and reconstruction of portions of residential structure that have been destroyed due to termites and dry rot, are required to comply with existing development standards, including setbacks and height standards. The proposed update has been included because often property owners are unaware of damages caused due to termites and dry rot, and such damages are frequently encountered during construction work after issuance of building permit. Allowing portions of the structures that have been damaged due to termites and dry rot to get rebuilt to its previous form will enable property owners to obtain planning approval in a timely manner and limit costs.

Existing Standard	**Proposed Standard**
4. Should such structure be voluntarily demolished to an extent of 50 percent or less of its replacement cost, any non-conforming features or portions of the structure that are demolished shall not be replaced unless they conform to the standards of this Chapter. "Non-conforming features or portions of a structure", as used above, include, but are not limited to, non-conforming walls and/or roofs. Such portion or feature shall be considered demolished if underlying structural elements such as foundations, framing or trusses are removed. Removal of surface or finish features such as siding, plaster, drywall, shingles, tiles, or suchlike for purposes of replacement or repair only shall not be considered demolition of the underlying element.	4. Should such structure be voluntarily demolished to an extent of 50 percent or less of its replacement cost, any non-conforming features or portions of the structure that are demolished shall not be replaced unless they conform to the standards of this Chapter. "Non-conforming features or portions of a structure", as used above, include, but are not limited to, non-conforming walls and/or roofs. Such portion or feature shall be considered demolished if underlying structural elements such as foundations, framing or trusses are removed. Removal of surface or finish features such as siding, plaster, drywall, shingles, tiles, or suchlike for purposes of replacement or repair only shall not be considered demolition of the underlying element. For a single family

5. Should such structure be destroyed to an extent of 50 percent or less of its replacement cost by means of fire, flood, wind, earthquake or other natural force or by action of the public enemy: a. The damaged structure may be repaired or rebuilt to the area, footprint and height of the previously existing structure. b. Such repairs must be commenced within one (1) year of the event causing the damage, and must be diligently pursued until completed. c. If during restoration or reconstruction, floor area or height is increased, the structure shall relinquish its non-conforming status, and shall become subject to Subsection (4) above. Damage due to termites or dry rot is not considered to be a result of natural force or action for purposes of this Section, as such damage can be prevented by regular inspection and maintenance.	residential structure, any new openings (windows and doors) along a non-conforming exterior wall, limited to 50% of the linear length of the wall, shall be exempt from requirements of this sub-section, subject to approval from Building Official. 5. Should such structure be destroyed to an extent of 50 percent or less of its replacement cost by means of fire, flood, wind, earthquake or other natural force or by action of the public enemy or from damages due to termites or dry rot: a. The damaged structure may be repaired or rebuilt to the area, footprint and height of the previously existing structure. b. Such repairs must be commenced within one (1) year of the event causing the damage, and must be diligently pursued until completed. c. If during restoration or reconstruction, floor area or height is increased, the structure shall relinquish its non-conforming status, and shall become subject to Subsection (4) above. Replacement of a nonconforming structure or portions thereof, from damages due to termites or dry rot is applicable to residential structures only, and as such these damages shall be confirmed by the Building Official. ~~Damage due to termites or dry rot is not considered to be a result of natural force or action for purposes of this Section, as such damage can be prevented by regular inspection and maintenance.~~

City of Burbank
Neighborhood Compatibility Review
and
Design Guidelines

BURBANK
NEIGHBORHOOD DESIGN

EXHIBIT D-135

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Table of Contents

Figure 1 - *The look, feel, and experience of Burbank's single-family residential streets and architecture is a key factor that defines the environmental quality of this city.*

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Figure 2 - *The continuity of the streetscape through the Rancho and Flats neighborhoods including the preponderance of one-story homes on both sides of the street is a treasured context for Burbank residents.*

1. Design Guidelines Purpose

These City of Burbank Single-Family Residential Design Guidelines (Guidelines) are utilized by project applicants, home owners, architects and residential designers to assist in the development of residential designs that relate to existing single-family neighborhood contexts.

These Guidelines were developed in response to community concerns that there are too many examples of new single-family construction that do not relate to the scale and character of existing homes, and that the cumulative impact of non-contextual single-family dwelling construction diminishes Burbank's neighborhood quality and values. To address these concerns, the City adopted an Interim Control Ordinance on April 1, 2015. Simultaneously the City retained consultants and undertook a planning process to address the challenges and opportunities associated with alterations, additions, and new construction of single-family residences.

Concerns noted during "walkshops" of neighborhoods, public workshops, meetings, group and one-on-one conversations, and surveys included observations that many new dwellings are much larger than adjoining residences, new second floors on existing homes sometimes loom over adjacent yards and single-story homes, over height fences and walls are too often located inappropriately in yards, new or expanded garages are placed contrary to existing patterns of development, hillside views are impeded by new construction, and the quality and character of new architecture is inappropriate in relationship to characteristic Burbank styles. At the same time there were many voices that expressed a need to balance the qualities of existing residential development patterns with contemporary lifestyles that include larger multi-generational families, trends towards increased home sizes, increases in automobile ownership and larger garages, and individual design expression.

These Guidelines seek to balance these issues and concerns. They are primarily based upon the enduring qualities and characteristics that for decades have shaped Burbank's existing single-family residential neighborhoods and at the same time acknowledge that new home-building trends and expressions.

The Guidelines first and foremost create a framework of design decision-making that relates new structures and additions to the settings, orientation, forms, masses, and characters of Burbank's residential communities.

Specifically, the Guidelines are used by applicants to understand community expectations for design of residential construction, and utilized by City staff and decision-makers to process and approve Neighborhood Compatibility Review applications (see also Section 10-1-106 of the Municipal Code) for new homes, additions to existing homes, alterations to structures, and residential landscapes.

2. Neighborhood Compatibility Review and Approval Process

A. Purpose - The purpose of neighborhood compatibility review is to enhance the character of Burbank's residential neighborhoods and ensure that the design of new homes, additions, and alterations to existing dwellings relates to the existing community character. Design review by City staff is intended to promote high-quality design, which will be achieved with well-crafted and maintained buildings and landscaping, use of high-quality building materials, and well-executed details. This review shall be carried out in a manner that encourages creative and appropriate solutions while avoiding unnecessary delays in project approval or burdens on projects that are deemed approved.

B. Applicability and Review Process - Neighborhood compatibility review and compliance is required for all projects for which a building permit is required that involves new construction, additions, and/or exterior alterations greater than 500 square feet, or resulting in a house with a Floor Area Ratio (FAR) greater than 0.35, or resulting in a house greater than 3,500 square feet. Neighborhood compatibility review will be conducted by City staff simultaneously with other required permit reviews including those for Single Family Development Permits and Hillside Development Permits.

C. Design Review - Design review is a discretionary review process for projects where the FAR is more than 0.35 or more than 500 square feet are being added. In these cases, compliance with the Design Guidelines, as adopted by the City Council, is required. Reasonable conditions of approval may be imposed as part of the design review process including limitations on building size, height, and setbacks (see also Section 2.E below). Alterations, additions, and repairs that do not change any aspect of the exterior appearance or footprint of a structure, including replacement in-kind of existing building features, do not require Design Review.

D. Scope of Design Review - Neighborhood compatibility design review shall be based on consideration of the following features of a permit submittal and/or application:

1. Prevailing and/or transitional heights, massing, setbacks and garage location so as to relate to neighborhood built-form patterns.

2. Orientation and location of main residential buildings and accessory structures in relationship to streets, topography, yards, and other physical features of the existing built and natural environment.

3. The size, location, and arrangement of on-site parking and paved areas.

4. Building massing, bulk, and skyline appearance.

5. Height, materials, and variety of fences, walls, and screen plantings.

6. Location and type of landscaping, including selection and size of plant materials, and design of hardscape.

E. Required Findings - Prior to approving an application for neighborhood compatibility review, the Director or his/her designee must make all of the following findings on the basis of the application and the design submitted:

1. That the proposal is consistent with City zoning standards

2. The proposal, as submitted or modified by conditions of approval is consistent with the adopted Design Guidelines as determined by use of the Design Guidelines Checklist.

F. Limitations On Building Size, Height, and Setback - Where a project is subject to Neighborhood Compatibility Review, the Director or his/her designee may impose more restrictive size and height limitations and may require greater setbacks and required yards than those specified in this article where specific and unusual site circumstances or natural or topographic features such as the following are present on the site:

1. The lot has an irregular configuration (e.g., a flag lot).

2. The proposed building site is located on a steep slope above or below a street or other homes.

3. The lot contains natural or topographic features; large trees or other significant vegetation; other significant site features such as a major rock outcropping; other drainage way or riparian area(s); areas of very steep slope which limit the practical building area on the lot; is in a visually prominent location; or portions of the lot are inaccessible due to a creek or other feature intersecting the lot.

4. The maximum permitted size and/or height would result in a home and/or garage which is/are not generally compatible with the scale of other homes and/or garages in the vicinity such as where, for example, the lot is considerably larger than other lots in the vicinity.

G. Appeals - Neighborhood compatibility review decisions are subject to appeal to the Planning Board under the provisions of Section 10-10-1907-3. Appeal of a neighborhood compatibility review decision shall be based on design issues that are within the scope of this article and the purview of the Community Development Director unless the appellant asserts that the Director's decision exceeded the authority granted for conducting the review. Consistent with the requirements in Section 10-10-1907, evidence must be provided to the Planning Board as to the ability to make the required findings and consistency with the approved Design Guidelines.

H. Conformance to Approved Plans Required - All building permit plans shall incorporate all of the project elements reviewed as part of the determination of project compatibility when issuing the Single Family Development Permit. All construction shall comply with building permit plans approved following neighborhood compatibility review and issuance of the Single Family Development Permit unless very minor modifications or changes are approved by the Community Development Director.

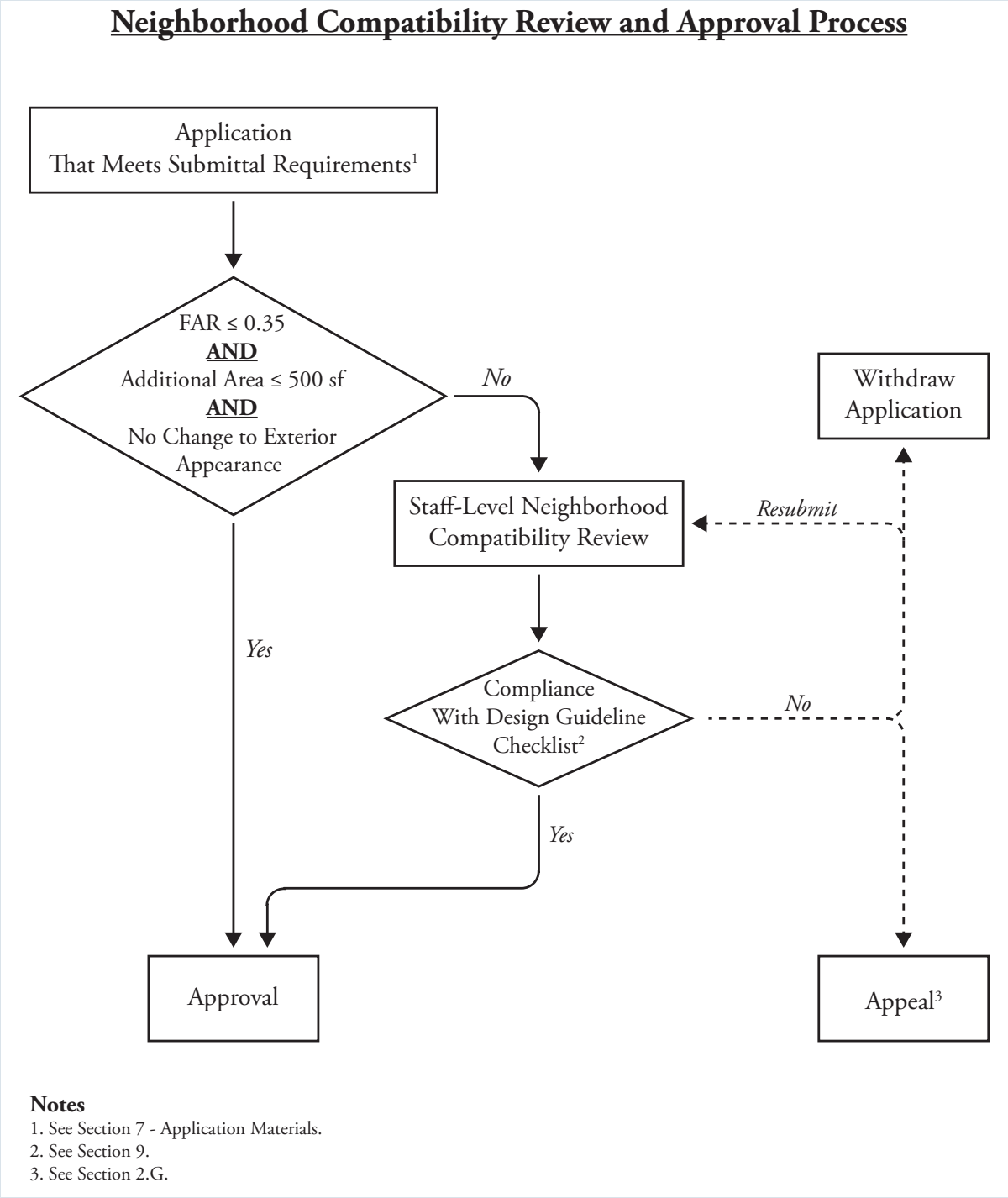

Figure 3 - *Neighborhood Compatibility Review and Approval Process*

3. Design Guidelines Objectives

All residential design projects ideally begin with careful study and observation of the existing neighborhood and then use this study and observation to relate to and conserve an existing neighborhood setting. The Design Guidelines Objectives (Objectives) of this section provide an overarching yet flexible design framework to assist in the realization of this goal. The Objectives acknowledge characteristic Burbank settings and architectural styles while allowing for additional architectural expressions, including contemporary and innovative architecture.

A. Projects that are subject to these Design Guidelines shall be in compliance with the Objectives of this section. A project shall be determined to be in compliance with these Objectives, as determined by the Director or his/her designee, if compliance with the Design Guidelines Checklist described in Section 8, is met.

B. Notwithstanding the Design Guidelines of Section 6 below, when an appeal to a Director or his/her designee Neighborhood Compatibility review decision is filed by an Applicant, in addition to any required findings that may be required by the Municipal Code, the design shall be determined to be in compliance with the Objectives of this Section as follows:

    1. A project design shall follow the prevailing setbacks at front and side yards and provide similar entry and residence orientation as seen at the majority of other residences on the same block on the same side of the street

    2. A project design shall maintain the prevailing neighborhood pattern of garage placement and orientation in relationship to the main residential structure on the lot. When the prevailing garage placement pattern allows for placement of a front-yard-adjoining garage, the impact of this type shall be minimized by subordinating the length and height of the garage in relationship to the front building plane of the residential structure.

    3. The bulk, mass, and skyline of a project design shall relate to the prevailing scale of adjoining residential properties as seen from the front yard and the street by utilizing similar heights, roof types, and massing, or establishing distinct transitions in height, mass, bulk, and skyline that relate and subordinate new construction, and in particular upper level stories, to adjoining residences along the same side of the block and street.

    4. The architectural character of a design shall extend to all building facades. When a characteristic Burbank architectural style, as defined by Section 5 below, is used for a project design, the design shall be consistent with examples of the characteristic architectural style as seen in the community and/or as developed through research.

Figure 4 - *A view down Hampton road from Scott road.*

4. Neighborhood Design Contexts

Four key and distinct single-family residential neighborhood types have been observed in Burbank; "Flats," "Cut-Hillside," "Rancho," and "Hillside." Each is shaped by divergent topography, lot sizes, and the era of development. In general, the Flats were the first neighborhoods developed in Burbank, starting in the 1920s. The Rancho and Cut-Hillside neighborhoods followed, with much of the construction in these areas occurring before and after World War II and through the 1950s. While Hillside neighborhoods were developed from the City's inception, much of the construction in the hillier areas of the community is more recent. While the character of all of these neighborhoods is eclectic, inclusive of a variety of architectural styles ranging from the traditional to the whimsical, to the contemporary (see also Section 5, Characteristic Architectural Styles), there is nevertheless overall consistency and continuity of observed setbacks, massing, heights, and landscape expression on a neighborhood-by-neighborhood basis.

The Design Guidelines of Section 6 are based upon the goal of conserving the settings and character of the four neighborhood types. When proposing a project, the design should begin with an understanding, of and sensitivity to, the specific neighborhood context as well as the adjoining property characteristics. To assist this understanding, the following descriptions of the key neighborhood types are provided.

A. Flats.

Flats incorporate some of the oldest residential communities in Burbank and contain the largest percentage of homes in the city. Smaller lot sizes and shallow side yard setbacks between typically one-story pitched roof homes establish a built-form pattern that is compact, but with a sense of space, light, and air between structures. Residential streetscapes are lined with shade trees.

The design character of the Flats is established by an eclectic mix of Spanish Revival, Colonial Revival/ Minimal Traditional, and Ranch homes. An occasional Storybook, Art-Deco, or Contemporary design compliments the diversity of styles. While each house is unique, common elements include respect for front setbacks and use of pitched roofs appropriate to the house's architectural style. Other observed architectural components include front-facing picture and bay windows as well as covered porches. Along most streets in the Flats, garages are located to the rear of lots.

Figure 5 - *Small single-family homes with garages placed to the rear of the lot characterize the Flats.*

Figure 6 - *One story construction characterizes the sidewalk and neighborhood context in the Flats.*

Figure 7 - *Front-facing picture/bay windows, covered porches and awnings are observed as typical architectural components in the Flats. Note the massing of the second-story addition to the rear maintaining the one-story context.*

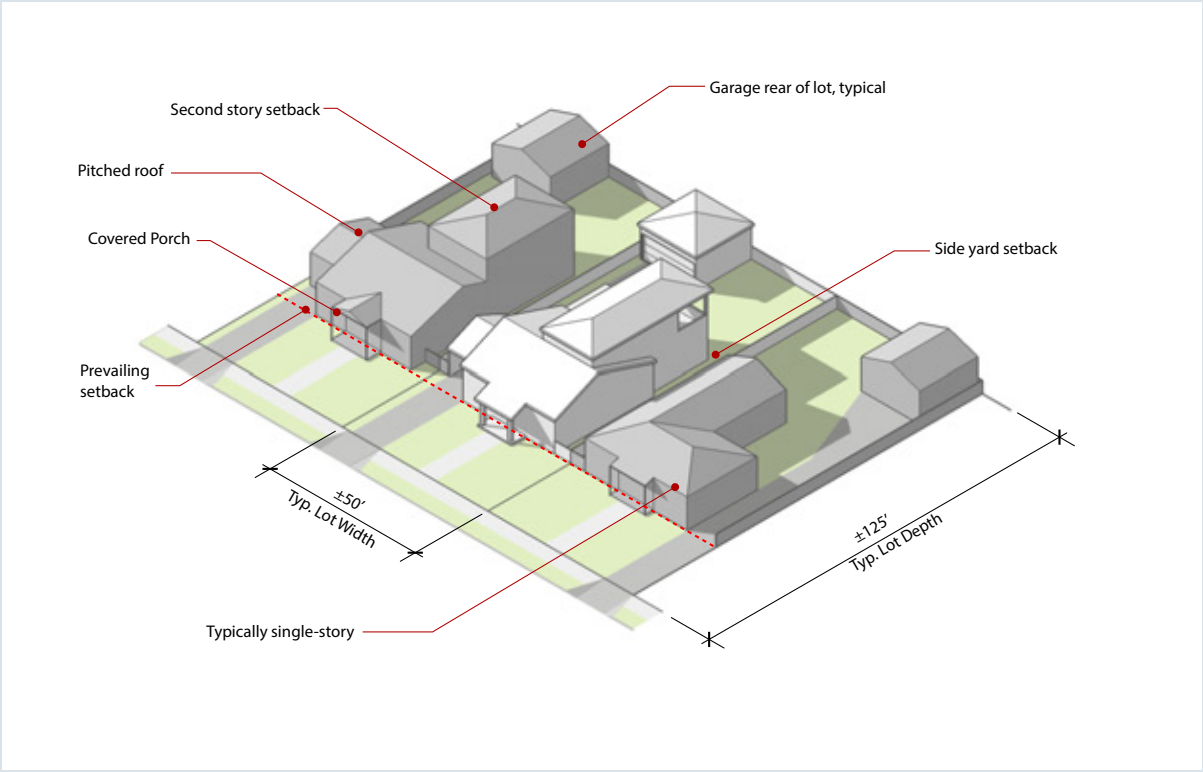

Figure 8 - *Illustration of the typical houses, yards, and features seen in the "Flats". In these neighborhoods, the quality of the experience is created by the consistency of front yard setbacks and landscaping, clearly delineated entries oriented to the sidewalk, low one-story heights with higher second stories and masses set back from the front yards, and the preponderance of garages placed within rear yards. To maintain these architectural qualities, the Design Guidelines encourage the conservation of these built form patterns when designing alterations, additions, and new homes.*

B. Cut Hillside.

Cut Hillside communities are the second-most predominant neighborhood type in Burbank and were developed both before and after World War II. Lots trend larger than in the Flats. Here, in contrast to the Flats, sloping topography is step-graded into flat building pads along the length of the streets. Low retaining walls, often constructed of clay or concrete brick, are often built perpendicular to the public roadways. Occasionally, retaining walls wrap around the front lawn to support an elevated lot, creating a street-facing wall along the front property line.

Homes in the Cut Hillside neighborhoods are typically one- and two-story multi-level pitched roofs. Front yard facing garages are more common than in the Flats, reflecting changing attitudes towards the importance of cars and increased automobile ownership after the war. A few properties employ front yard car courts with garages set beneath a front gabled structure and the main residence set behind the garage. Regardless of the placement of the garage, front setbacks remain typically uniform.

While a range of 20th Century building styles are seen in the Cut Hillside communities, many homes, because of the later period of development, reflect Ranch and Traditional Minimal influences. Given the topography, many also incorporate Split-Level designs, introducing a sense of varied massing, multi-level height, and modulation along the Cut Hillside neighborhood street frontages.

Figure 9 - *Sloping topography that is step-graded into flat building pads characterizes Cut Hillside neighborhoods*

Figure 10 - *Cut Hillside homes often deploy multi-ridged roofs at differing levels, reducing the bulk of the residence.*

Figure 11 - *Changes in topography across Cut Hillside lots often allows garages to be discretely tucked into the cross-section of a parcel.*

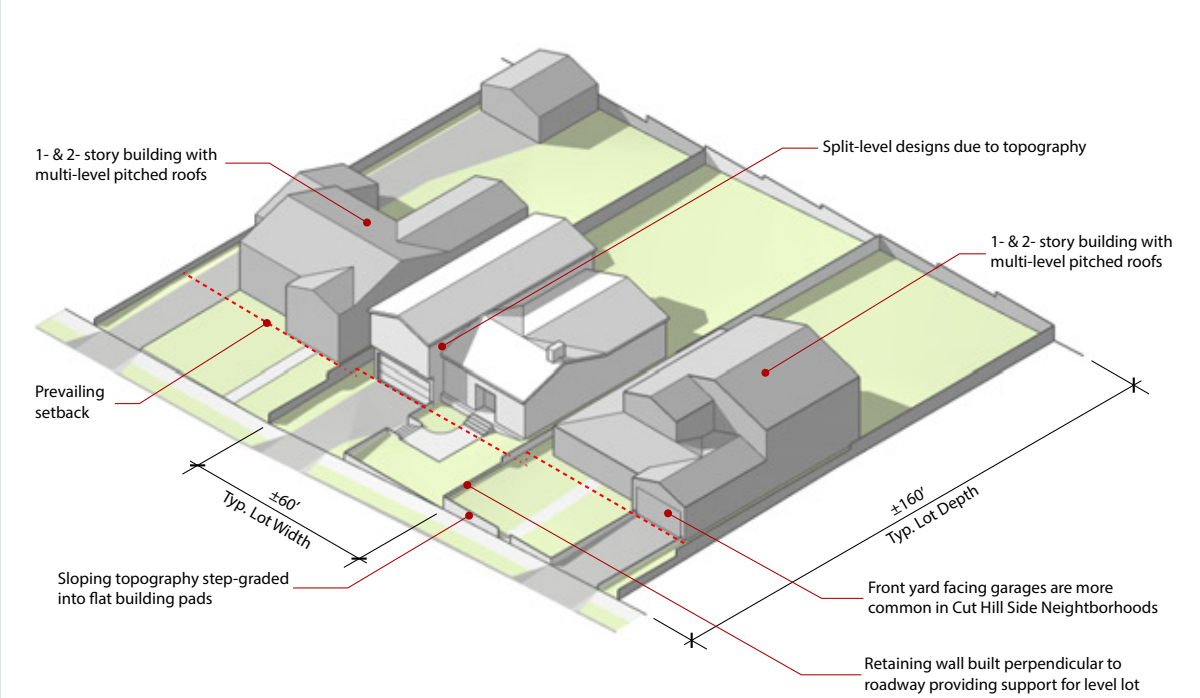

Figure 12 - *Illustration of the typical houses, yards, and features seen in the "Cut Hillside" districts. In these neighborhoods, the quality of the experience is created by the consistency of front yard setbacks and landscaping, multi-ridged pitched rooflines that reduce bulk, and garage placement and massing that is subordinate to the primary mass and character of the house. To maintain these architectural qualities, the Design Guidelines encourage the conservation of these built form patterns when designing alterations, additions, and new homes.*

C. Rancho.

Curving along Burbank's border with the City of Glendale, the Rancho's character derives from the equestrian needs of the community. Horse trails follow roadways or the rear of properties along the edge of the Los Angeles River. Homes display broader and lower architectural massing that takes advantage of the generally larger lot sizes. Typical streets are well shaded by generous tree canopies.

One and two-story Ranch style homes are predominant, though Spanish Revival, Colonial Revival, and Traditional Minimal styles are also common. Occasional split-level homes and Storybook style residences are also seen. Front lawns are deeper. Hipped and low slope roofs are typical. Garages or carports are accessed from the sides of lots and are often contiguous with the front of the residence, with doors and distinct massing incorporated into the facade.

Figure 13 - *Low pitched and broad roofs and single-story homes characterize the Rancho style of architecture.*

Figure 14 - *In the Rancho, trees shade front lawns. In this residence, change in materials, from brick to vertical board and batten at the garage, and its separate small projecting mass, subordinate this latter volume in relationship to the horizontal length and breadth of the home. The entry, marked by the recess in the front wall plane, creates further visual interest.*

Figure 15 - *The garage of this home is contiguous with the front of the main massing of the residence, but the lowered ridgeline subordinates its mass to the primary bulk of the dwelling.*

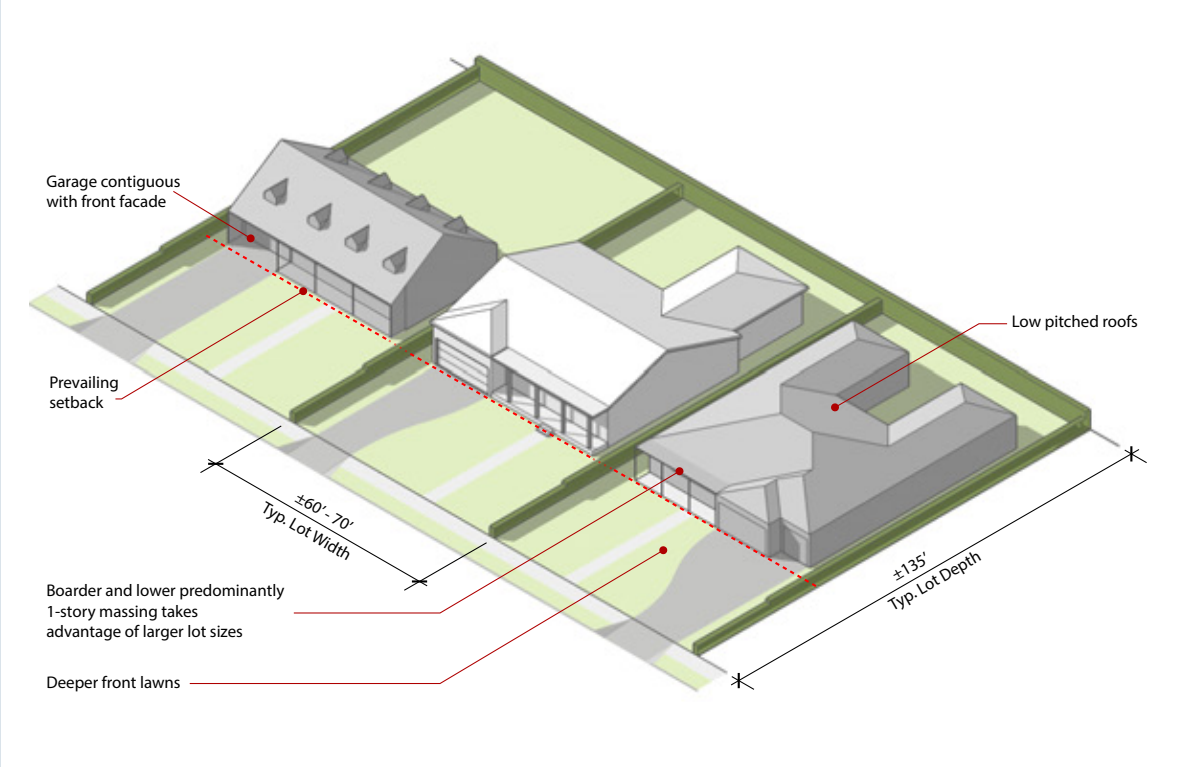

Figure 16 - *Illustration of the typical houses, yards, and features seen in the "Rancho" districts. In these neighborhoods, the quality of the experience is created by the consistency of front yard setbacks and landscaping, simple one-story massing topped by low pitched hipped and gabled roof ridges, and garage placement and massing that is subordinate to the primary mass and character of the house. Entries are typically recessed from the front façade plane, set back under shallow porches. To maintain these architectural qualities, the Design Guidelines encourage the conservation of these built form patterns when designing alterations, additions, and new homes.*

D. Hillside.

Along the ridgelines of the Verdugo Mountains, Hillside neighborhoods enjoy views of Downtown Burbank, the Flats, the Bob Hope Airport, and the San Fernando Valley. Hillside lots are generally larger, but often greatly vary in size and are set amidst switchback streets that follow the steeper topography that edges the city.

Unlike the Cut Hillside communities, many of the homes in the Hillside neighborhoods are set within the hillside and massing consequently follows the topography. Minimal grading results in more irregularity of front yard setbacks, more street-facing garages, and greater variety of built-forms. Garages are typically attached to the main structure with entry points at the front facade.

As many homes follow the topography, house-by-house (and even within the same structure) there are variations in rooflines, heights, and bulk as buildings move up and down the hillside. Retaining walls are also common where changes in grade call for adjustments in elevation.

In the hillside communities, one-, two-, and sometimes three-story homes are observed. However, there are hillside subdivisions where there is great consistency of building types; for instance, there are tracts from the 1960s and 1970s where almost all of the homes are one-story. This consistency is often prized. There are other blocks in the hillside neighborhoods where one sees a mix of both one- and two-story structures and some homes are able to realize a third story tucked into a downslope or upslope conditions. Street by street, fit within the topography and sensitivity to existing story heights of adjoining properties as well as maintenance of views to and from properties are typical design considerations that should shape architectural decisions. Though there is no one dominant style of architecture utilized in hillside neighborhoods, architectural character ranges across 20th Century styles, with numerous Spanish Revival, Craftsman, Minimal Traditional, and Split-Level examples seen.

Figure 17 - *The most visually fitting Hillside residences are cut into and/or follow the topography to reduce the perception of height and bulk and honor the natural settings.*

Figure 18 - *Along some streets in the Hillside neighborhoods, irregular and topographically challenging sites lead to innovative expressions. Here the visual impact of the three-car garage is diminished by the character of the projecting roof, recess, and horizontal glass of the third level, creating a visual crown that leads the eye upward.*

Figure 19 - *This three-story home on a downslope lot follows the topography by having one story below street level, reducing the bulk and mass observed. Note the below-grade minimally visible garage.*

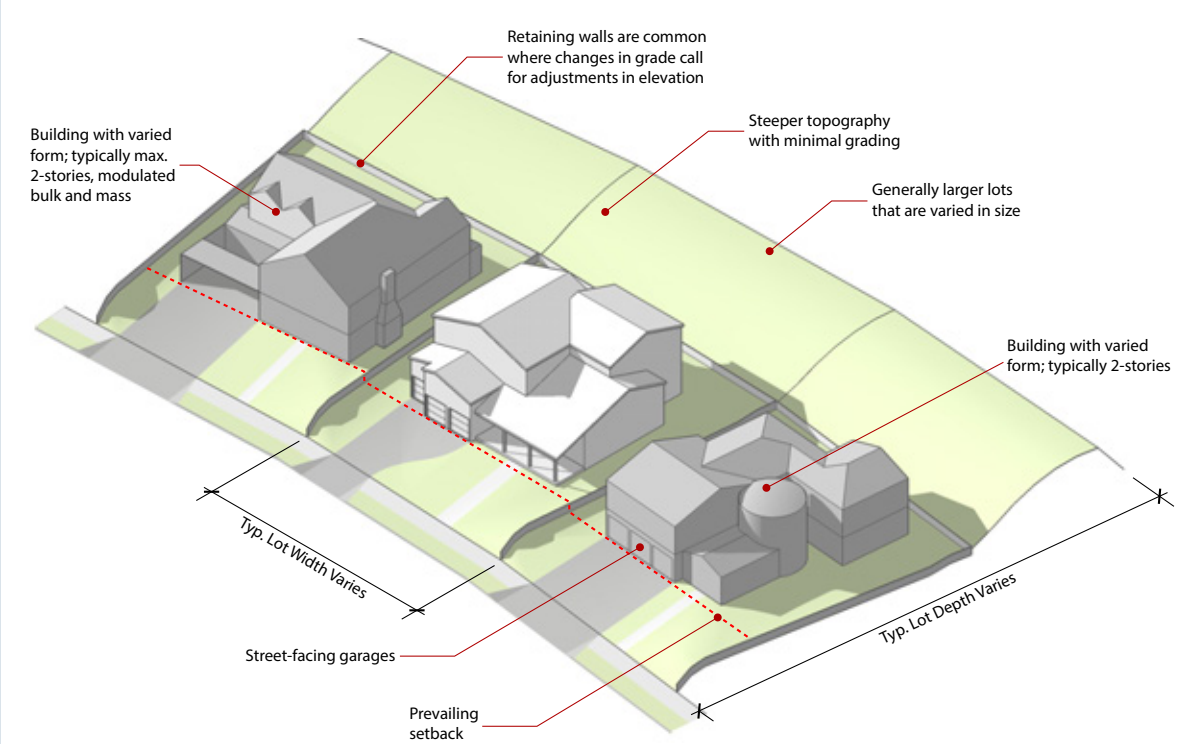

Figure 20 - *Illustration of the typical houses, yards, and features seen in the "Hillside" districts. In these neighborhoods, the quality of the experience is primarily established when residences have a sense of fit that follows the topography. The overall bulk of homes is broken down by secondary and subordinate masses, ridge lines of roofs are broken and follow the topography, reducing the perception of height. While garages on both upslope and downslope sites often adjoin front yards, they are subordinate to the overall mass and bulk. In Hillside subdivisions there is great consistency of setbacks, heights, and architectural character forming a strong context that alterations, additions, and new construction need to address. To maintain these architectural qualities, the Design Guidelines encourage the conservation of these built form patterns when designing alterations, additions, and new homes.*

5. Characteristic Architectural Styles

Almost every architectural style that has been historically utilized for the design of American homes since Burbank's incorporation in 1911 is seen in this city. During the time of Burbank's greatest growth, the 1920's to the 1950's, five period styles collectively established the architectural character of the neighborhoods; "Craftsman", "Spanish Revival", "Tudor", "Minimal Traditional with Colonial Revival", and "Ranch". Two additional styles "Storybook" and "Split-Level" may be seen respectively as a fanciful 1920s outlier style and a post-war building type, both creating distinct impact when encountered.

High quality examples of every architectural expression from traditional to contemporary are present in Burbank's neighborhoods and these Guidelines encourage all forms of creative expression. Many homeowners choose to make additions to existing homes or build new homes utilizing existing community design cues. In these cases, careful observation of the characteristics of these seven styles, how they utilize rooflines, modulate massing, deploy proportions, incorporate materials and colors, and express features and details such as porches, window divides, and overhangs, stimulates design knowledge as well as points of design departure. To assist in understanding these design choices, the following descriptions of the seven characteristic Burbank residential architectural styles and types are provided.

Figure 21 - *This Tudor style home has steep roofs, expressed on the front façade by different sized equilateral-shaped gables. The roofed bay window contrasts with the vertical and narrow slot windows. The decorative brick and stucco chimney introduces additional visual variety and interest to this house.*

A. Craftsman Style

Rustic in its feeling and typically incorporating indoor-outdoor relationships, Craftsman architecture establishes a natural sensibility through use of gabled and overhanging roof forms, eaves with expressed structure and detail, raised and broad porches, and typical use of shingles, wood siding, and earth-tone materials and colors. Craftsman houses are typically raised several steps off the ground and sit on exposed foundation walls, sometimes of cobbled stone tapered at the corners. Protruding rafter tails and brackets visually support roof eaves while rooflines maintain a low pitch. When more than one story is present, dormers with lower ridgelines are subordinated to the main ridgeline, which often sits behind and parallel to the front façade. Entryway porches are covered by broad roofs, supported by roof-to-foundation columns, and extend across the front façade. Windows are often divided and typically at least one prominent window or window bay faces the front yard.

B. Spanish Revival Style

Red tiles on multi-level or cross-gabled roofs, light colored stucco walls, asymmetry, and decorative exposed beams at overhangs and gables characterize this characteristically Southern California style. Roofs typically have little or no overhang and are of low to moderate pitch, rarely exceeding a 1:3 slope. Entryways are framed by columns or arches and some houses incorporate arcade components or landscaped forecourts. On more decorative residences, doors and openings are outlined with spiral columns, carved stonework, or patterned surrounds of tiles. Windows may also be arched and divided, and sometimes are further defined by decorative treatments such as wood or iron grilles. Square or rounded towers with hipped and polygonal roofs may be incorporated into and punctuate the roofline and offset building wings. Chimneys create additional visual counterpoints and are often topped with terracotta pots. Two-story massing is typically modulated by lower gabled wings and ells that break up the bulk of the residence.

Figure 22 - *A Craftsman style home with expressed structure and a front-facing open gable. The recessed porch, raised three steps above the front lawn, invites entry.*

Figure 23 - *Asymmetric massing and a forward-thrusting but subordinate living room mass characterize this Spanish Revival dwelling. The 1:3 roof pitch pierced by a trapezoidal chimney, use of red roof tile and light colored stucco, recessed front entry, and low-walled forecourt are all typical of the style.*

C. Tudor Style

Steeply pitched cross-gable and multi-ridged roofs with proportions based on near-equilateral triangles, decorative half-timbering, use of stucco or brick, and vertical sensibility mark the Tudor style. Roofs commonly include protruding dormers and massive decorative brick chimneys that may be crowned with decorative tops. Homes are typically side-gabled and incorporate a prominent front facing, sometimes overhanging, triangular gable at the second level that encompasses an offset main entryway. Doors are framed with round or Tudor arches, sometimes feature observation windows, and are often of board and batten construction. Facades are a balanced collage of offset asymmetrical planes with windows clustered in tall, narrow, multi-pane groupings. Common materials include stucco and masonry, as well as decorative wood and half-timbering.

D. Minimal Traditional/Colonial Revival Style

Simple in massing and detail, the design of a Minimal Traditional home is often realized using stucco, horizontal lap siding, or brick panels facing the street. Massing is predominantly side-gabled (Cape Cod in derivation), with pitched roofs sloping towards the sidewalk, through many examples utilize side-hipped roofs creating a greater sense of horizontal expression. Use of decorative vertical siding under street-facing gabled roof forms is also common. Windows are typically double-hung and often paired and framed by shutters. Main doors are accented with sidelights and overhead lamps. Second stories are expressed as a secondary mass rising behind the parallel-to-the-street main ridgeline. This style, popular in Burbank, is often embellished with simplified Colonial Revival treatments, including decorative crowns at entryway doors, shallow pitched roofs over entries, side porches supported by slender pillars, and living rooms expressed as forward thrusting gabled or hipped house wings.

Figure 24 - *A Tudor style home with diamond window panes, a board and batten entry door, and half timbering. Note also the steeply pitched roofs and equilateral gable that faces the street that expresses the function of the main living area.*

Figure 25 - *A home with decorative shutters, and low pitched and hipped roofs, as well as minimal detailing exemplifies the Minimal Traditional/Colonial Revival style.*

E. Ranch Style

This popular post-World War II style incorporates longer, ground-hugging designs with gently pitched and sometimes hipped roofs reaching to the horizon. Shallow entries and porches, sometimes supported by slender wood columns, rest under deep-set eaves. Mostly one story tall, these structures use brick, wood, stone and stucco to characterize otherwise simply detailed asymmetrical facades. Large picture windows define open living areas and traditional decorative emphasis is often limited to door or entryway treatments with hand-carving or wrought iron hardware. Garages or porte-cocheres often attach to the main façade and directly face the street; though given the increased lengths of the homes these elements are not dominant in appearance. Second stories are atypical and the primary mass and bulk is almost always limited to the first level. Ranch designs, a Southern California innovation, are well suited for the combination of house, garage, stable and equestrian use located in the Rancho neighborhoods.

F. Split-Level Style

This post World War II modern type is best suited and most often seen along the sloping grades of either the Cut Hillside or Hillside neighborhoods. Split-level homes are often realized as variants of Minimal Traditional and Ranch styles, though the type accommodates all architectural expressions. Split-level buildings typically stack three levels along the length of a sloped grade. These tri-level buildings are connected by half-flights of stairs in the interior. At the exterior, the entry level and garage are connected either by a short stair or sloped sidewalk. Garages are typically built into the lowest level and face the street. Front entries are situated half a level up adjacent to the garage. Second levels usually sit over the garage and sit partially over the one-story living area, realizing a one and one-half level massing with multi-level overhanging low-pitched roofs that are either gabled or hipped. The overall result accommodates generous square footage with a sense of reduced bulk and modulated mass.

Figure 26 - *The ground-hugging form of this one-story Ranch home is also echoed by the low-pitched, gabled and hipped and deep-eaved roof line.*

Figure 27 - *This Split-Level home utilizes its parts to create a sense of more intimate scale. The garage is placed below the street-facing gabled form that features decorative roof brackets. In turn, this element, as well as the dormer over the recessed entry porch, create smaller masses that contrast with the overall bulk. The overall sense of size is further mitigated by the retreating slope of the main roof.*

G. Storybook Style

Storybook style uses decorative rustic features, purposely uneven and asymmetrical lines and masses, and collages of both diminutive and exaggerated architectural components. Roofs use steep pitches, rolled eaves, shaped ridgelines, and planes of curving roof shingles or tiles to create shifts in scale, mass, bulk, and texture. Towers and turrets are common features, often accompanied by twisting and shaped chimneys with decorative brick or stonework inlay. Facades are generally built of face stone or stucco and may be decorated by half-timbering, carving, or other ironwork. Doors typically use board and batten wood construction with heavy wrought-iron hardware. Multi-pane windows are set in wood or steel frames. Ornate lighting fixtures are also common. Derived from Cottage, Gothic Revival, Medieval Revival, Tudor, and other romantic sensibilities, this whimsical design style emerged in the 1920s as both a built antidote to modernism and a physical celebration of fairy tales.

Figure 28 - *The rolled eaves, steep roof, vertically proportioned windows and doors, and Gothic style arch of the entry door are indicators of a Storybook style home.*

6. Single-Family Design Guidelines

The realization of a high-quality residential project in Burbank starts with design sensitivity to existing neighborhood conditions including respect for existing setbacks, use of typical orientation of entries to sidewalks, acknowledgement through massing and bulk variation of lower surrounding structures, similar modulation and scale to what is seen along the same street, maintenance of views to and from properties, and use of building character, materials, and colors that relate to the surrounding neighborhood. The following guidelines establish a framework for evaluating these relationships and form the evaluative and qualitative criteria for neighborhood compatibility review.

To determine compliance with the following Design Guidelines, City staff will utilize a checklist (see Section 9 - Design Guidelines Checklist). When designing an alteration, addition, or new home, this checklist should be carefully considered as some guidelines, for instance those relating to mass, bulk and setbacks, carry more weight than others, for example use of a characteristic Burbank style. The applicant's and residential designer's critical responsibility is to utilize these guidelines and the checklist to shape the highest quality project that contributes to the residential setting of the existing community.

Figure 29 - *This home combines the character-defining features of more than one Burbank-defining architectural style. In this case elements of both the Ranch style (use of horizontal lap board and recessed front porch across the majority of the house front), as well as the Minimal Traditional/Colonial Revival (use of shutters, side yard-facing gables, and simple and singular bulk) are observed (see also Section 5 for a discussion of Burbank Characteristic Architectural Styles).*

A. Dwelling Setbacks

1. **Front Yard Setbacks.** A project design should follow the prevailing front yard setback and in those cases where adjoining dwellings have different setbacks, the project design should establish transitions in the front building plane that average and blend the different front yard setbacks.

2. **Side Yard Setbacks.** A project design should provide sufficiently proportioned side yard setbacks to provide for buffering and privacy between adjacent dwellings. Privacy may be achieved through use of landscape buffering such as hedges, the alternating of windows such that they do not look directly into each other, or increased side yard setbacks along all or a portion of the side yard building face. When a second story adjoins a side yard, all or portions of the side yards should be increased in size to provide for privacy between adjoining properties.

3. **Rear Yard Setbacks.** Accessory buildings should be setback from rear property lines to ensure adequate space for landscape buffers along rear property lines that enhance the sense of openness and privacy between adjacent homes.

B. Dwelling Orientation

1. **Dwelling Frontage Orientation.** The frontages of residences that face public streets and sidewalks should incorporate secondary and minor elements such as entry porches, recessed front doors, overhangs, building wings, use of more than one material, and building modulation of front building planes and roof lines to create visual interest.

2. **Front Entry Orientation.** Front entries and doors should be visible and accessible from the front yard and sidewalk.

3. **Front Entry Design.** Front entries should incorporate a sense of design interest that leads the eye and person to the entry and creates a sense of

Figure 30 - *Maintaining front yard setbacks is key to conserving existing contexts.*

Figure 31 - *The entry orientation of this Craftsman style home is accentuated by the recessed porch drawn across the entirety of the house's front façade.*

Figure 32 - *Beneath the recessed porch, the eye is drawn to the front entry of this Tudor style dwelling.*

Figure 33 - *Front entry placed within a secondary mass that is subordinate to and lower than the overall height of the building.*

Figure 34 - *A carport adjoins the front yard. The deep overhang minimizes the visual impact of the garage beyond.*

Figure 35 - *In those locations where garages are typically placed behind the home, this built-form pattern should be respected.*

transition between the front yard and the interior of the home. This can be accomplished by many design means including but not limited to recessing the entry behind the main front building plane and within a front porch or overhang, raising the front door above the grade of the front yard, placing the front entry within a minor mass subordinate to the overall form of the house, and/or utilizing a high-quality material, contrasting colors, and details surrounding the front door.

4. **Front Entry Height.** The front entry should be recessed within and not exceed the height of the volume of the architecture. If the entry is placed within a secondary mass, this form and any roof elements associated with this form and the entry should be clearly subordinate to and lower than the overall height of the building and the building's highest ridge line.

5. **Garage Orientation, General.** Front yard garages are allowed but discouraged except for those parcels where it is impractical due to considerations of topography, geometry of the lot, and constraining dimensions of property boundaries. Front yard facing garages may be considered where there is precedent along the same block and side of the street. When there is precedent for front yard garages, or front yard garages are allowed, the garage should be subordinate to the bulk and mass of the dwelling.

6. **Garage Orientation, Alleys.** Where an alley provides access to a residential lot, the garage should be accessed from the alley.

7. **Garages, Design.** Garage character should be subordinated to the overall length, height, mass, and bulk of the dwelling, or be configured as a subordinate wing or ell. Rear yard garages should be similar in character and detail to the main residential structure but when not visible from the street may utilize simpler massing and detail.

C. Rooflines

1. **Pitched Roofs.** Buildings should utilize pitched roofs, roofs with intersecting ridgelines, and roofs with multi-level ridgelines at differing heights that are similar to those along the same block face as well as those at adjoining properties along the same street. When new dwellings and upper level additions with roof pitches are proposed adjacent to homes of lesser height, bulk, and/or mass, the new roofs should express a transition in height and/or mass from the adjacent dwelling to the high point of the new roof construction.

2. **Flat Roofs.** Where flat roofs are utilized, there should be precedent for flat roofs as seen along the same block face on the same side of street. Or, the design of a flat roofed main residential structure, through use of major and minor masses, wings and ells such as at porches, entries, and living areas, should be modulated with different roof heights and parapet heights to create a sense of varied and intersecting massing.

3. **Skyline Interest.** When utilizing a Characteristic Residential Architectural Style or other design expression, design components typical to the style or consistent to the expression such as multi-level ridgelines, cross gables, chimneys, and tower elements should be utilized to enhance skyline interest.

D. Major and Minor Massing

1. **Major and Minor Massing.** Residences should incorporate both major and minor massing at a variety of heights to create visual modulation and interest. This type of modulation should be related to the massing, rooflines, heights, setbacks, front building planes, and overhangs of adjoining residences. Elements that establish major and minor massing include but are not limited to porches, front entries, one-story building wings, second story wings that overhang first stories, integral balconies that sit under rooflines, first story wings that

Figure 36 - *Bulk is diminished when multiple intersecting ridgelines of varying height are introduced.*

Figure 37 - *The tower element breaks the line of the roof ridge. The three smaller masses contrast with the overall bulk, reducing the perception of a large, box-like form.*

Figure 38 - *The overall bulk of this home is reduced through the introduction of two smaller masses, the gabled second-story mass that is smaller than the overall bulk, and the subordinate garage mass. The chimney creates additional variety and interest and a sense of smaller scale.*

Figure 39 - *The bulk of this home, under a uniform-in-height ridgeline, is articulated by a major mass that incorporates a recessed corner entry, and a minor asymmetric mass, accented by a vertical chimney.*

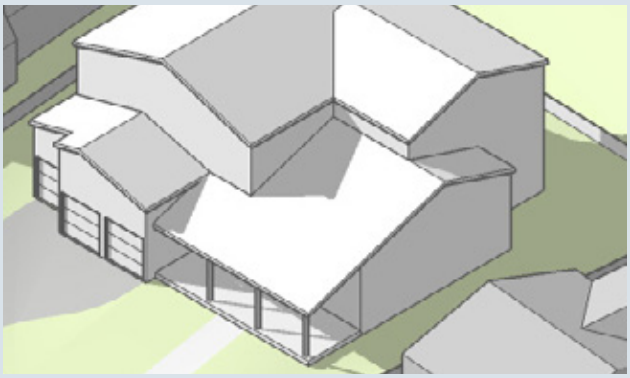

Figure 40 - *An illustration of intersecting masses, ridgelines, gables, and a recessed entry porch, together realize a modulated and smaller sense of bulk, mass, and scale. The second story portion steps back from the minimum side yard*

Figure 41 - *Minor architectural components including dormers, planter boxes, three ridgelines at differing heights, a change of materials that distinguishes the second floor from the first floor, shutters, and a two-sided entrance porch and overhang each contribute to reducing the overall sense of bulk.*

foreground second stories, and second stories that are smaller than first stories.

2. **Major Versus Minor Massing.** When minor massing becomes the dominant visual expression of a home, the overall mass, form, and design of the dwelling is often perceived to be diminished. Where major and minor massing are utilized, the minor massing should be clearly subordinate to the major massing. This can be accomplished by decreasing the number of minor masses so as not to obscure the major mass and/or limiting the height of minor masses to below the major mass ridge line and/or eave height.

E. Modulation

1. **Residential Modulation, Front Yards.** Building mass and bulk visible from the street, i.e. the front building plane, should be modulated and broken, to reduce the length of the overall façade and repeat the scale and size of building components seen along the block length of the same side of the street including but not limited to building wings and ells, multi-level ridgelines and cross gables, overhangs, and the length and height of existing one story components such as entries, porches and wings.

2. **Residential Modulation Side Yards.** At both the first and upper stories, building mass along the side yards, i.e. the side building plane, should be modulated with regard to length and height to maintain at a minimum the maximum side yard while further reducing the sense of bulk through use of one story building wings that step down towards the side yard, additional setbacks, at the first and second stories, and/or multi-planed building faces along side yards that both set back and step back away from the side property lines.

3. **Residential Modulation, Minor.** Consider use of bay windows, dormers, covered and recessed entries, porches, stoops, one story wings, awnings and other minor architectural components to reduce the overall sense of mass and bulk.

F. Residential Dwelling Height, Upper Stories, and Height Transitions

1. **Residential Height, One Story.** On streets and in neighborhoods with a predominance of one-story houses, and where adjoining dwellings are one-story, one-story additions, and when new construction is permitted, one-story dwellings, are encouraged.

2. **Alterations Under Existing Rooflines.** At existing residences with roof pitches, where roof pitches above first stories allow for adequate height and floor area, second stories should be placed under the existing roofline and the existing characteristic residential architectural style maintained.

3. **Residential Height and Upper Levels Adjoining Existing One-Story Dwellings.** Where one-story dwellings adjoin the front and/or side yards of new residences, or additions to existing residences, new homes with upper levels, or upper level additions, should incorporate or maintain elements of one-story massing oriented towards the front yard and the side yards of adjoining and existing one-story homes, and create height transitions between the adjoining one-story dwelling and the new upper level mass.

4. **Upper Stories, New Construction.** The area of second stories should be smaller than the footprint of first stories and a portion of the second story should be set back from the front building plane.

5. **Window, Balcony, and Roof Terrace Placement at Upper Stories Overlooking Side Yards.** Windows, balconies, and roof terraces at upper stories should be located to avoid direct views across side yards into windows of existing adjoining residences. Landscape in the form of screening hedges that meet City height requirements and/or trees should be placed along affected property lines.

Figure 42 - *On streets with a preponderance of one-story homes, alterations, additions, and new houses are encouraged to maintain the one-story context.*

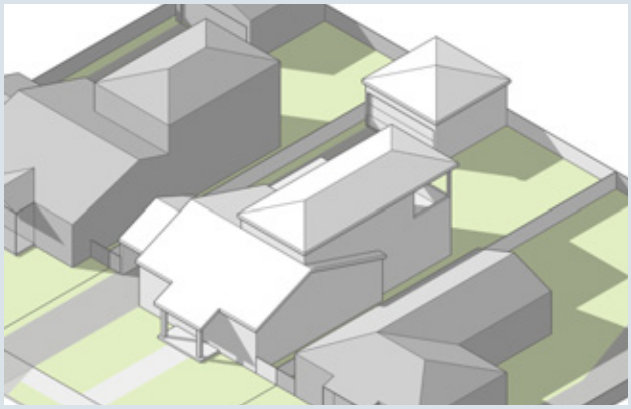

Figure 43 - *When second stories are added to one-story homes, the project design should incorporate elements of one-story massing oriented to the front yard. Second story massing should be oriented to the rear of lots. Side yard massing should be modulated to minimize impacts of second-story construction.*

Figure 44 - *Setting the mass of the second story behind the one-story roof ridgeline reduces the perception of bulk and maintains one-story character oriented towards the sidewalk.*

6. **Window, Balcony, and Roof Terrace Placement at Upper Stories Overlooking Rear Yards.** Windows, balconies, and roof terraces at upper stories that overlook rear yards of adjoining residences should be screened from adjoining residences by landscape in the form of screening hedges that meet City height requirements, and/or trees placed along affected property lines.

7. **Upper Levels and Views; Hillside Only.** Upper levels, bulk, mass, and height of proposed Hillside projects should be placed to the maximum extent feasible to maintain the view corridors of existing homes. "To the maximum extent feasible" means that upper levels may be permitted where there are view corridors, but that the footprint of upper levels should be smaller than the first stories, and/or that the upper level bulk, mass, and height should be placed way from the view corridor, and/or that where a view corridor is impacted, that first stories should be optimized before second stories affect view corridors.

8. **Third Stories, General.** Third stories are discouraged except in cases where they fit within a permitted roof pitch.

9. **Third Stories, Hillside.** When third stories are proposed in Hillside neighborhoods, whether on upslope or downslope sites, they should not impact view corridors.

G. Windows

1. **Window Quality and Design.** In new residences, windows should be of enduring materials and window divides and the size of individual window lights should be similar to the size of window lights at adjoining residences along the same street. In addition and alteration projects, windows should be similar in scale, include devides if appropriate and be similar in existing windows. And, in projects that utilize a Characteristic Residential Architectural Style, windows should be based upon traditional materials, scales and proportions appropriate to the characteristic design expression of the style.

Figure 45 - *The third story of this home is set under the pitch of the roof planes. The dormer at the third level adds visual interest to the home.*

Figure 46 - *Windows should be matched to and maintain the original character of the home.*

Figure 47 - *The architectural detail, character, and landscape of this home extends to all visible building details along both street frontages, establishing a sense of 360° design care and quality.*

H. 360° Architecture

1. **360° New Construction.** The architectural character of new residential projects should extend to all building frontages visible from the street and adjacent and adjoining dwellings.

2. **360° Additions.** The architectural character of additions should be similar to and complimentary in character to the proportions, massing, and details, of the existing residence.

3. **360° Alterations.** Alteration projects should typically utilize in-kind, similar, and/or equivalent proportions, massing, materials, and details, when improvements are proposed for existing residences. Where the existing architectural design is not reflective of a characteristic Burbank architectural style, or lacks a sense of quality as defined by these Design Guidelines, the alteration should utilize these Design Guidelines to develop a distinct architectural direction as demonstrated by compliance with these Design Guidelines.

I. Accessory Structures

1. **Accessory Structure, Design.** Accessory structure design for separate garages, carports, stables, porte-cocheres, sheds and other buildings should be similar in character and detail to the main residential structure but may utilize simpler massing and detailing or alternative design means when not visible to the street or public rights-of-way.

Figure 48 - *Fences, walls, and hedges, if provided at front yards, need to meet City height requirements and should be set back from the back of sidewalk to provide landscape opportunities on both sides.*

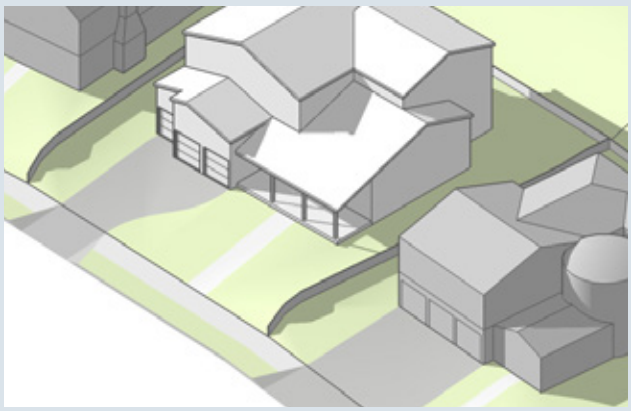

Figure 49 - *Fences, walls and hedges at side yards need to meet City height requirements and should maintain the tradition of views across front yards.*

Figure 50 - *Accessory structures and garages should be subordinate to the primary expression of the dwelling. In this home, the garage is set back from the front building plane and the placement downslope further reduces its bulk and impact on the appearance of the front yard and the public streetscape.*

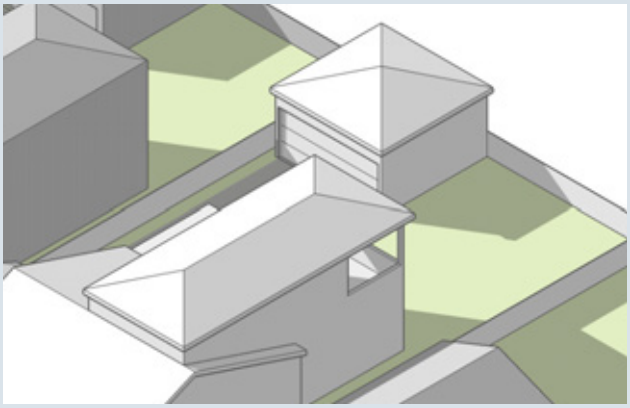

Figure 51 - *When an accessory structure is visible to the street, the design should be similar in character to the main structure, though simpler detailing may be utilized given its distance from the street.*

Figure 53 - *Continuous, low, and open landscape and views across front yards characterize high-quality single-family residential streetscapes in Burbank.*

Figure 52 - *Contemporary landscape design needs to meet City requirements for low water use.*

J. Fences and Property Line Walls

1. **At Front Yards.** Fences and walls at front yards are discouraged to maintain the traditional open front yard views and feel across property lines, along sidewalks, and up and down streets. When proposed, only low hedges or fences that are open, i.e. with pickets or similar should be utilized, and fences should be set back from the back of sidewalk to allow for landscape on both sides of the fence, such as climbing vines and low-growing plant materials. Low fences and hedges, if used, should be maintained so that their organic height does not exceed City requirements.

2. **At Street-Facing Side Yard** When proposed, fences and walls should be set back from the back of sidewalk to provide for plant materials including climbing vines.

3. **Retaining Walls, at Front Yards and Street-Facing Side Yards.** Retaining walls in front yards and at street-facing side yards are discouraged and when provided should be set back from the back of sidewalk to allow for landscape including low shrubs and climbing vines.

K. Landscape

1. **Landscape Design.** Landscape design and materials, both plant materials and hardscape, should be integral and related to the architectural design of the project and additionally meet City and State requirements for irrigation and low water use.

2. **Landscape Along Street Frontages.** Landscaping along the street sides of residences should maintain a sense of continuity and openness along the block face and at adjoining properties along the same street. Continuity and openness conserve the traditions and views of continuous open planting areas along streetscapes, avoidance of dividing walls and hedges between properties at front yards, and limiting of fences and walls at the backs of sidewalks. Hedges should be considered as the equivalent of walls and meet City requirements with

regard to height at mature growth and will need ongoing maintenance to maintain these limiting heights.

3. **Lawns and Turf Substitutes.** Grass lawns still characterize the majority of Burbank front yards and establish a key component of the typical residential streetscape experience, especially in the Rancho neighborhoods. Maintenance of substantial front yard areas utilizing drought resistant grasses, turf substitutes, or ground covers that maintain a living, organic, and continuous sense of a green carpet are encouraged.

4. **Artificial Turf, Front Yards.** Use of artificial turf at front yards is discouraged.

5. **Hardscape, Front Yards.** Hardscape at front yards should be minimized and never constitute a majority of the available landscape area.

6. **Trees.** Additional trees should be planted at front yards and/or parkways and street-facing side yards to enhance the City's shade canopy.

7. **Landscape at Buildings.** Base plantings including shrubs should be planted along building perimeters at street-facing facades.

8. **Side Yard Landscape.** Landscape, including plant materials, hedges, and trees should be proportioned to the depth of the side yard and designed to enhance privacy between adjoining properties. Hedges should be considered as the equivalent of walls and meet City requirements with regard to height and be maintained at this limiting height.

9. **Rear Yard Landscape.** Landscape including plant materials, hedges, and trees should be provided and proportioned to enhance privacy between adjoining properties. Hedges should be considered as the equivalent of walls and meet City requirements with regard to height at mature growth and be maintained at this limiting height.

Figure 54 - *Trees in front yards create additional shade along streets.*

Figure 55 - *Foundation plantings at the front façade create a natural transition from the lawn to the home. Low bushes and ground cover maintain views across the front yard, reduce the area of the traditional turf lawn, and save water.*

Figure 56 - *Low hedges at the back of sidewalk, low walls at the entry, foundation plantings, and a traditional turf lawn maintain the appearance and character of this home.*

Design Considerations Regarding Colors and Materials

Choice of color and use of materials are very specific to the type of architecture designed and the eye of the individual homeowner. Given the broad range of architectural styles and color palettes observed in Burbank, specific guidelines are not proposed. However, observation of Burbank single-family neighborhoods suggests that there is consistency with regard to use of materials and colors. Materials are typically based upon the architectural style utilized. Colors are the choice of the homeowner, yet tend to reflect unspoken consensus street by street. The following recommendations for color and material choice are presented for information purposes only, are not reviewed as part of the neighborhood compatibility review and approval process, but should be considered as a design means to further optimize the quality of the existing built environment.

Consider Use of Appropriate Local Colors

A. Consider utilizing exterior colors that are similar in hue, intensity, and lightness to those seen within the neighborhood. Alternatively, use Southern California regional colors, earth-toned colors, or colors associated with a Burbank Characteristic Residential Architectural Style. These latter color choices are often catalogued by and available at local paint stores. For example, if the project is based upon the Craftsman style, most paint companies will offer color choices based upon this type of design.

B. Quality paint schemes often use of two or more colors that harmonize. Consider use of a base color for broad building planes, a contrasting color for windows and window casings, and trim or accent colors for details. Again, a paint store or design professional can offer good suggestions for highlights and contrasts based upon the architectural character of the home.

Consider Use of Architecturally Appropriate Materials

A. Burbank Characteristic Residential Architectural Styles utilize specific building and roof materials as well as finishes associated with the style. For example, Spanish Revival style homes incorporate tile roofs, exposed beams at eave lines, and on more decorative designs, cast stone door and window surrounds. Similarly, Ranch style homes typically utilize more than one façade material, for instance stucco complimented by vertical board and batten or brick relief planes that highlight entries, under-gable areas, or building wings. Even the many post-war Minimal Traditional/Colonial Revival homes feature complimentary window shutters, and secondary brick or wood panels providing visual interest and detail.

B. To create a sense of design consistency, a quality seen along most Burbank residential streets, utilize a material palette typical of the design character, or finishes similar to those observed on the same block, or at adjoining residences along the same street.

Figure 57 - *Some of the colors and materials typically seen in Burbank single-family residential neighborhoods.*

10. **Exterior Lighting.** Exterior lighting should enhance safety between streets, sidewalks, and residential entries, and additionally utilize shielded fixtures to avoid glare and light intrusion between adjoining and adjacent residences.

11. **Landscape at Views.** In Hillside neighborhood, landscape should be designed to minimize impacts on views. Trees should be carefully selected and located to avoid interference with existing view corridors from both private properties and public rights-of-way.

L. Use of Characteristic Residential Architectural Styles

1. **Use of Characteristic Residential Architectural Styles.** Characteristic residential architectural styles observed in Burbank neighborhoods includes but are not limited to the Craftsman, Spanish Revival, Tudor, Minimal Traditional with Colonial Revival, Ranch, Split-Level, and Storybook styles (For more information on characteristic architectural styles see Section 5 above).

   Use of Burbank Characteristic Architectural Styles in residential design is encouraged. When a characteristic architectural style is utilized the design character, rooflines, components, proportions, details, materials, and typical color palettes should be extended to all exterior portions of the structure.

M. Use of Other Architectural Styles

1. **Use of other architectural styles and expressions including contemporary architecture is encouraged.** When other architectural styles are used, these Neighborhood Compatibility Review Design Guidelines shall be complied with and the design character, rooflines, components, proportions, and details of the architectural expression should be extended to all exterior portions of the structure.

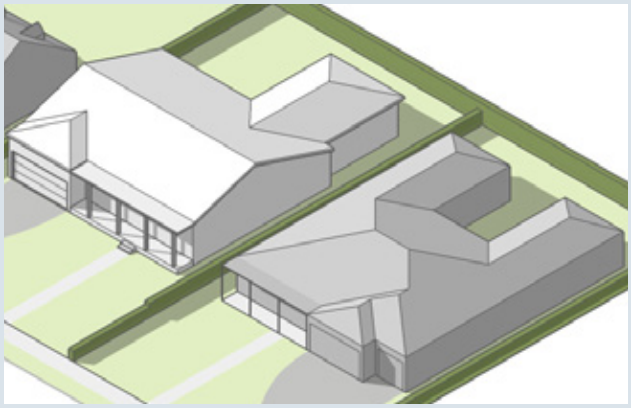

Figure 58 - *Street by street, consistency in the character of residential architecture is often observed in Burbank.*

Figure 59 - *In addition to the characteristic Burbank architectural styles noted, the Design Guidelines encourage other well-executed and high-quality design languages, such as seen in this post and beam Mid-Century Modern residence.*

7. Application Materials

To facilitate staff neighborhood compatibility review and approvals, the following minimum of drawings and design materials should be submitted with each application. Applications may be deemed incomplete if the minimum materials as noted in this section are not provided by applicants.

Site Documentation. Photographs should be provided of adjoining properties to either side of the project site as well as color photographs of each property along the same side of the street as well as the block from intersection to intersection and/or street terminus.

Site Plan. A site plan should be provided and be to-scale, preferably 1/16" or 1/10" to the foot, and illustrate the entire project site, landscaping treatments, first level versus any upper levels, topography at minimum five foot contours, property corner elevations, as well as the basic layout of buildings and yards at adjoining properties to the side and rear of the project. Site plans should be fully dimensioned and include the lengths and widths of all elements including but not limited to building foot prints, yards, and outdoor features such as patios and driveways. Fences and hedges should be shown and their heights notated, and all existing and proposed trees should be illustrated.

Floor Plans. Dimensioned and noted to-scale floor plans of every proposed level, at a minimum of 1/8" or 1/4" to the foot, should be delineated with each room clearly described, all windows, doors, and openings shown, and a summary of square footages provided.

Elevations. Dimensioned and noted to-scale elevations of every building façade visible from public-rights-of way or adjoining properties, at a minimum of 1/8" or 1/4" to the foot, should be delineated with all elevations of floors, building ridgelines, major and minor roofs, and massing dimensioned. All openings such as windows and doors should be shown and dimensioned, materials should be called out, and finishes specified. At least one of the elevations, typically the most visible elevation from a public right-of-way, shall be colored to fully describe the proposed quality of the architectural character.

Sections. At least two, to-scale building sections, one latitudinal and one longitudinal, at a minimum of 1/8" or 1/4" to the foot, should be provided. Building sections should incorporate all project building and site features from property line to property line and additionally depict adjoining properties to the sides and rear of the project.

Hillside Requirements. A view analysis that may include but is not limited to enhanced building sections, expanded site plans, and perspective renderings should be provided that demonstrates the impacts, if any, on views from public rights-of-way and adjoining properties.

Optional Application Materials

1. Materials and finishes board or sheets.
2. Landscape and planting plan.
3. Rendering(s) of the project from public rights-of-way and adjoining properties.
4. Physical and/or digital model of the project including its context and surrounds.

Preparation of Application Materials. Application materials, as provided in this section, may be prepared directly by the applicant. Use of an experienced residential designer or architect is encouraged.

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8. Glossary

Arcade. A pedestrian walkway defined by columns, pilasters, or short-length open-to-the-outside walls supporting a roof that provides shelter along its length.

Art-Deco. A decorative style of the machine-age popular during the 1920s and 1930s, characterized by simple geometric shapes, strong colors, and streamlining.

Asymmetry. Buildings faces that do not have identical features or the property of mirroring on both sides of a central line.

Bay Window. A window within a curved or angular projection of a building.

Block Face. One side of a street, or the building facades that make up one side of a street, between two consecutive intersections, or an intersection and a cul-de-sac or street terminus.

Board and Batten. A type of exterior siding that has alternating wide boards and narrow wooden strips (called battens).

Bracket. Any strut or angled support of a shelf, beam, overhang, or projecting roof.

Building Pads. A level plot to build on.

Building Plane. The vertical face of a building or the vertical outer envelope of the structure.

Built Form. The pattern of masses, heights, details, expressions, and characters in a structure both in relationship to each other and to their environmental surrounds.

Bulk. The overall magnitude or largeness of the aggregate sizes and/or shape(s) of a building, particularly in comparison to the visible overall magnitude or largeness of adjoining buildings.

Cape Cod. A style of house originating in New England in the 17th century. The style is characterized by a main story generally overhung with moderately steep, gable-ended roof with a ridge line parallel to the frontage, a second story tucked underneath the roof, a large central chimney, and little ornamentation.

Casement. A window or part of a window set on a hinge so that it opens like a door.

Column. A supporting post.

Contemporary. Present day architecture that reflects present day trends, styles, and culture.

Context. The whole of the surrounding natural, built, historic, and cultural environment.

Cottage. A small, single story home.

Cross-Gabled Roofs. Roofs that have two or more ridgelines that intersect and that feature at the ends of the ridgelines triangle shapes that terminate the building plane.

Cut Hillside. The second-most predominant neighborhood type in Burbank, characteristically built on sloping topography, which typically incorporates Split-Level designs, retaining walls, and one- to two-story homes.

Design Guidelines. A toolbox of a broad range of design approaches that assists project proponents and their design teams in reaching compliance with the Zoning Code.

Design Objectives. Overarching urban design and built-form principles. When a project is required to be in compliance with the Design Guidelines, the project needs to meet the intent of the Design Objectives as determined by the appropriate review authority.

Dormer. A window and roofline placed as an inset in a sloping roof.

Double-Hung Windows. A window having two operating sashes that move up and down allowing for ventilation on the top, bottom, or both.

Elevation, Building. The flat side or external face of a building.

Elevation, Height. The height of a building above a fixed reference point.

Ell. A minor extension of a building.

Façade. A face and/or plane of a building typically incorporating windows, entries, and architectural treatments.

Flats. A Burbank neighborhood that is home to some of the oldest residential communities, characterized by near horizontal topography, smaller lot sizes, shallow side-yard setbacks, and an overall compact built form.

Floor Area Ratio (FAR). The ratio of a building's total floor area to the size of the lot's square footage upon which it is built.

Floor Plate. The flat surface of a building level contained within the extent of the exterior walls and including habited and permanently covered outdoor areas.

Front Yard Adjoining Garage. A garage structure that adjoins the front yard or is located such that entry to the garage is directly from the front yard.

Gable. A triangular feature, often the upper section of a wall at the end of a pitched roof.

Gothic Revival. A revival of Gothic styles featuring pointed arches, ribbed vaults, flying buttresses, and walls reduced to a minimum by spacious arcades, galleries, and clerestory windows.

Half-Timbering. A method of building in which external and internal walls are constructed of timber frames with diagonal members, with the spaces between the structural members filled with materials including brick, plaster, or wattle and daub. In more recent times, half-timbering is a decorative treatment as opposed to a building technique.

Hardscape. The nonliving or man-made paving materials of a planned exterior yard.

Hillside. Burbank neighborhoods set amidst switchback streets and/or steeper hillsides that follow the hills at the edge the city.

Hipped Roof. A roof with ends inclined from a ridgeline.

Horizontal Lap Siding. Exterior wall covering made of wood (or any other type of similar material on the outer frame of a building.

Mass. The general shape, form, and consequent volume of components that come together to form a building.

Medieval Revival. A revival of architecture common to medieval Europe including Gothic and Romanesque styles characterized by flying buttresses, sharply pointed spires, barrel vaults, and skeletal stone structures. This type of design was often used in the for religious buildings.

Modulation, Architectural. Adjustment and variation of proportion, scale, detail, and/or change in expression of architectural components, elements, and design to realize architectural variety and enhanced complexity of design expression; to modulate.

Modulation, Façade Plane. Adjustment and breaking of a façade plane(s) to realize variations in massing, scale, materials, color, and/or proportion, to introduce a sense of variety and major and minor building plane rhythms.

Multi-Pane Window. Multiple-panes of glass separated by sticking or mullions.

Multi-Ridged Roofs. A roof with one or more ridgelines often at different heights.

One Story Wings. A single level portion of a building that is subordinate to the main, central structure.

Parapet. A low wall that edges a balcony, terrace, or roof, immediately below which is a drop.

Picture Windows. A large window, typically in a living room overlooking a street.

Pillar. Upright members primarily used for supporting structures; distinguished from columns in that pillars need not be cylindrical or conform to the measures of classically inspired columns.

Pitch. The slope of a roof, usually given in degrees or as a ratio of height to length as in a 1 to 3 or 3 to 4.

Polygonal Roofs. Roof structures with more than four sides, typically in the form of turrets or towers.

Porte-Cochere. A covered entrance porch for vehicles, attached to and projected into either the front or side yard.

Public Right-of-Way. A type of easement granted or reserved over the land for roads, footpaths, railways, canals, as well as electrical transmission lines and other utilities.

Rancho. This Burbank neighborhood incorporates horse trails and includes homes on larger lots that accommodate stables or other accessory structures. Homes are typically Ranch style and one story.

Retaining Walls. A wall that supports a weight of earth or water.

Ridgelines. A horizontal line at the top af two sloping roof surfaces.

Riparian. Of, relating to, or situated on the banks of a river.

Roof Eaves. The under part of a roof overhanging a wall.

Scale, Building. The perceived effect on humans of the combined elements of a structure in relationship to the scale of adjoining buildings, urban and/or natural features, open spaces, and/or the human body.

Scale. The direct relationship of components and details to the dimensions and physical, behavioral, and cultural patterns of humans.

Screening Hedges. Any variant of thick greenery that is planted or grown to purposefully create a privacy barrier.

Setback. The minimum permitted distance between a property line and a building plane or a distance between one building plane and a second building plane.

Side-Gabled. A house with a roof ridgeline parallel to its front.

Side-Hipped Roofs. A pitched roof that parallels its frontage with slopes at either side.

Single-Family Residential. A free-standing residential building designated for one group of individuals.

Skyline, Skyline Expression. The intersection of roof lines, building ridges, parapets, building bulk and mass, and architectural projections such as chimneys with the sky.

Step-Graded. Grading in a short, step-like manner, along a street's natural slope to provide level pads for development.

Streetscape. The scene along a street; the design quality of the street and its visual effect.

Switchback Streets. Roads that make a series of 180° bends, that more gently move up the side of a slope.

Topographic. The arrangement of the natural and artificial physical features of a landform or area.

Tudor Revival. Architecture with characteristic features such as lavish half-timber work; large groups of vertical and grouped windows, complex and steep roofs with many gables, interesting and sometimes fantastic chimney treatment,; and much brickwork, frequently in patterns.

Turret. A very small and slender tower.

View Corridor. The line of sight of an observer looking toward an object of significance to the community (e.g., ridgeline, river, historic building, etc.)

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9. City of Burbank
Neighborhood Compatibility Review - Design Guidelines Checklist

The purpose of these design guidelines is to ensure that new homes and alterations and additions to existing homes, enhance the character of Burbank's residential neighborhoods, while allowing flexibility in design. Standards on maximum allowable building mass and building form, coupled with a neighborhood compatibility review process, are established to implement this policy.

Compliance with the Design Guidelines shall be determined by the Director or his/her designee or Planning Board or City Council through use of the following checklist. Compliance with the design Guidelines may also be required for projects that are required to secure a Single Family Development Permit or a Hillside Development Permit. The design Guidelines for a description of the Neighborhood Compatibility Review and Approval Process, Section 2.G for an understanding of the appeals process, and Figure 3 for an illustration of the review and approval process.

Design Guidelines	Description	In Compliance
DWELLING SETBACKS		
Table A. Must meet all 3 below.		
1. Front Yard Setbacks	A project design should follow the prevailing front yard setback and in those cases where adjoining dwellings have different setbacks, the project design should establish transitions in the front building plane that average and blend the different front yard setbacks. (see Section 6.A.1).	
2. Side Yard Setbacks	A project design should provide sufficiently proportioned side yard setbacks to provide for buffering and privacy between adjacent dwellings. Privacy may be achieved through use of landscape buffering such as hedges, the alternating of windows such that they do not look directly into each other, or increased side yard setbacks along all or a portion of the side yard building face. When a second story adjoins a side yard, all or portions of the side yards should be increased in size to provide for privacy between adjoining properties. (see Section 6.A.2).	
3. Rear Yard Setbacks	Accessory buildings should be setback from rear property lines to ensure adequate space for landscape buffers along rear property lines that enhance the sense of openness and privacy between adjacent homes. (see Section 6.A.3).	
DWELLING ORIENTATION		
Table B. Must meet minimum 1 of 4 below.		
1. Dwelling Frontage Orientation	Incorporate secondary and minor elements and visual interest (see Section 6.B.1).	
2. Front Entry Orientation	Visible and accessible from front yard and sidewalk (see Section 6.B.2).	
3. Front Entry Design	Lead eye and person to entry (see Section 6.B.3).	
4. Front Entry Height	When placed within secondary mass, subordinate to overall height (see Section 6.B.4).	
Table C. Must meet minimum 1 of 2 below.		
1. Garage Orientation, General	Generally should be placed behind main dwelling; **EXCEPT -** • When garages are attached to front building elevation, the garage should be subordinate to the bulk and mass of primary dwelling (see Section 6.B.5). • Where there are alleys, it is preferable to provide alley access to garage (see Section 6.B.6).	
2. Garages, Design	Subordinate to bulk of building and utilize similar character, when not visible to street may utilize simpler mass and detail (see Section 6.B.7).	

ROOFLINES

Table D. Must meet minimum 1 of 3 below.		
1. Pitched Roofs	Utilize pitched roof, intersecting and multi-level ridgelines and transitions to lower adjoining dwellings (see Section 6.C.1).	
2. Flat Roofs	Utilize where there is precedent at block face at same side of street; modulate flat roofs with major and minor masses and different heights (see Section 6.C.2).	
3. Skyline Interest	When utilizing a Characteristic Residential Architectural Style or other design expression, design components typical to the style or consistent to the expression should be utilized (see Section 6.C.3).	

MAJOR & MINOR MASSING & MODULATION

Table E. Must meet minimum 2 of 4 below.		
1. Major & Minor Massing	Utilize major and minor massing and variety of heights (see Section 6.D.1) and subordinate minor massing to major massing (see Section 6.D.2).	
2. Residential Modulation, Front Yards	Modulate and break front building plane (see Section 6.E.1.)	
3. Residential Modulation, Side Yards	At both the first and upper stories, modulate along both length and/or height (see Section 6.E.2)	
4. Residential Modulation, Minor	Use minor massing components such as bay windows, dormers, porches, recessed entries, one-story wings, awnings, etc. (see Section 6.E.3)	

RESIDENTIAL DWELLING HEIGHT, UPPER STORIES & HEIGHT TRANSITIONS

Table F. With one story only, must meet minimum 1 of 2 below and then do not complete Table G; OR With two or more stories, skip Table F and complete Table G.		
1. Residential Height, One Story	One story in height dwellings and additions are encouraged (see Section 6.F.1).	
2. Alterations, Under Existing Rooflines	Place additional upper-level area under existing roof with no changes to rooflines (see Section 6.F.2).	

Table G. With two stories or more, must meet minimum 3 of 4 below.		
1. Residential Height and Upper Levels, Adjoining Existing One-Story Dwellings	Provide one-story component and/or minor massing at front yard and/or side yard when adjoining existing single-story dwelling(s) (see Section 6.F.3).	
2. Upper Stories, New Construction	Provide upper story footprint(s) smaller than the first story (see Section 6.F.4).	
3. Window, Balcony, and Roof Terrace Placement, at Upper Stories Overlooking Side Yards	Locate to avoid direct views into windows of adjoining residences; provide landscape screening that meets City standards (see Section 6.F.5).	
4. Window, Balcony, and Roof Terrace Placement, at Upper Stories Overlooking Rear Yards	When present, provide landscape screening that meets City standards (see Section 6.F.6).	

Table H. With third story, must meet the following.		
1. Third Stories	Discouraged except when placed within roof pitches (see Section 6.F.8), or where view corridors not impacted at Hillside lots (see Section 6.F.9).	

WINDOWS & 360° ARCHITECTURE

Table I. Must meet minimum 1 of 4 below.		
1. Window Quality and Design	At alterations and additions provide windows similar to original, and/or similar to existing in neighborhood, and/or windows representative of Characteristic Burbank Architectural Style (see Section 6.G.1).	
2. 360° New Construction	Extend to all building frontages visible from street and adjacent and adjoining dwellings (see Section 6.H.1).	
3. 360° Additions	Similar to and complimentary in character to the proportions, massing, and details of existing residence (H.2)	
4. 360° Alterations	Utilize in-kind proportions, massing, and details (see Section 6.H.3).	

ACCESSORY STRUCTURES

Table J. If provided, must meet the following.		
1. Accessory Structure Design	Similar in character and intensity of detail to main dwelling when visible to the street; when not visible may be of simpler design (see Section 6.I.1).	

FENCES & PROPERTY LINE WALLS

Table K. If provided, must meet all 3 below.		
1. At Front Yards	Walls are discouraged; utilize low hedges and fences only that meet City requirements. Set back from sidewalk; landscape both sides (see Section 6.J.1).	
2. At Street-Facing Side Yards	Set back from sidewalk to allow for landscape (see Section 6.J.2).	
3. Retaining Walls, at Front Yards and Street-Facing Side Yards	Set back from back of sidewalk to allow for landscape (see Section 6.J.3).	

LANDSCAPE

Table L. Must meet minimum 2 of 4 below.		
1. Landscape Design	Integrated and related to architectural design; provide landscape design (see Section 6.K.1). (A landscape plan is only required for construction of new homes, not for additions)	
2. Artificial Turf, Front Lawns	Not utilized (see Section 6.K.4).	
3. Hardscape, Front Yards	Less than majority of available landscape area (see Section 6.K.5)	
4. Trees	Place additional trees at front yards and/or parkways and street-facing side yards (see Section 6.K.6).	

Table M. Must meet minimum 3 of 7 below.		
1. Landscape along Street Frontages	Maintains continuity and openness along block face at front yards (see Section 6.K.2).	
2. Lawns and Low Maintenance Lawn Alternatives	Low Maintenance Lawn Alternatives and ground covers encouraged (see Section 6.K.3).	
3. Landscape at Buildings	Use base/foundation plantings and shrubs at visible street-facing building perimeters (see Section 6.K.7)	
4. Side Yard Landscape	Utilize to enhance privacy between adjoining dwellings (see Section 6.K.8).	
5. Rear Yard Landscape	Include trees to enhance shade and privacy (see Section 6.K.9)	
6. Exterior Lighting	Enhance safety and use shielded fixtures (see Section 6.K.10)	
7. Landscape at Views	Avoid interference with existing view corridors (see Section 6.K.11).	

USE OF CHARACTERISTIC OR OTHER ARCHITECTURAL STYLES

Table N. Meet 1 of 2 below.		
1. Use of Characteristic Style	Character defining features utilized at all exterior elevations (see Section 6.L.1)	
2. Use of other architectural styles	Character defining features utilized at all exterior elevations (see Section 6.M.1)	

	YES	NO
Overall Compliance Finding		

by _____
(printed name here)

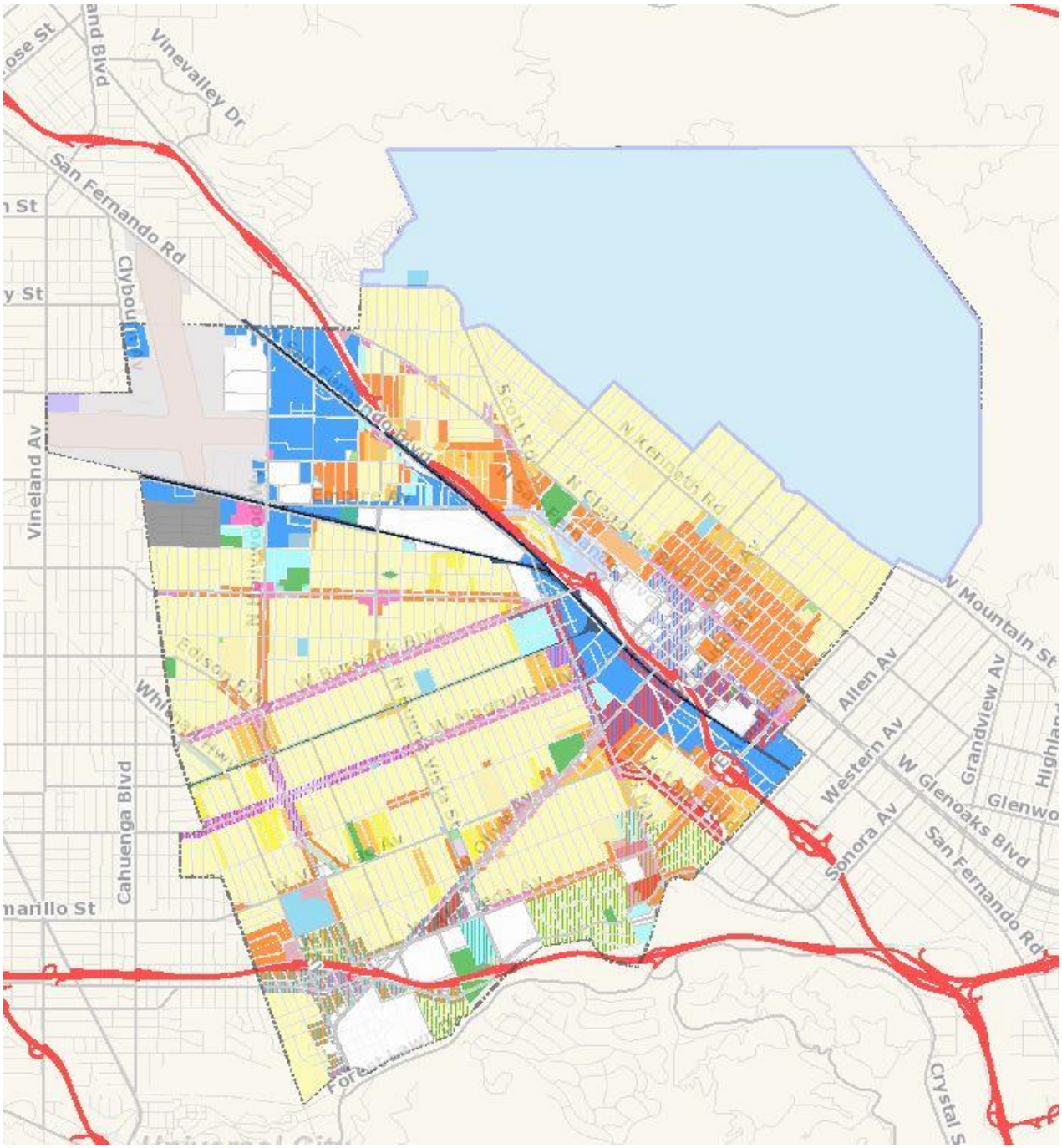
10. Acknowlegement

City Council
Jess Talamantes, Mayor
Will Rogers, Vice Mayor
Emily Gable-Luddy, Council Member
Dr. David Gordon, Council Member
Bob Frutos, Council Member

Planning Board
Christopher Rizzotti, Chair
Kimberly Jo, Vice-Chair
Apraham Atteukenian
Diane Eaton
Undine M. Petrulis

Ron Davis, City Manager
Patrick Prescott, Community Development Director
Carol Barrett, City Planner

Consultants
John Kaliski Architects with Dyett and Bhatia | Urban and Regional Planners
John Kaliski, Principal
Wenchong Lai, Senior Designer
Sarah Mercurio, Intern
Lydia Yen, Intern
Jean Yang, Designer



Map Showing Designated Hillside Area Within City of Burbank

Hillside Area

N

CITY OF BURBANK

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