

Good Evening and Welcome

**The Community Meeting will begin
at 6:10 PM**

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**COMMUNITY
DEVELOPMENT**

Zone Text Amendment (ZTA) to establish objective development standards for Mixed-Use and Multi-Family Residential-Only Projects in Nonresidential Zones

**Community Meeting
May 10, 2023**

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**COMMUNITY
DEVELOPMENT**

Meeting Agenda

Introduction

Project Presentation

- AB 2011 and Where It Can Apply
- Implementation Issues
- Necessity for a ZTA
- ZTA Approach and Analysis
- Complete Streets Standards
- Conclusion

Next Steps

Q&A

Call-in Information

- You may call into the Community Meeting via phone through any of the following numbers:
 - +1 669 444 9171
 - +1 253 215 8782
 - +1 346 248 7799
 - +1 719 359 4580
 - +1 720 707 2699
 - +1 253 205 0468

- Webinar ID: 889 7674 7494

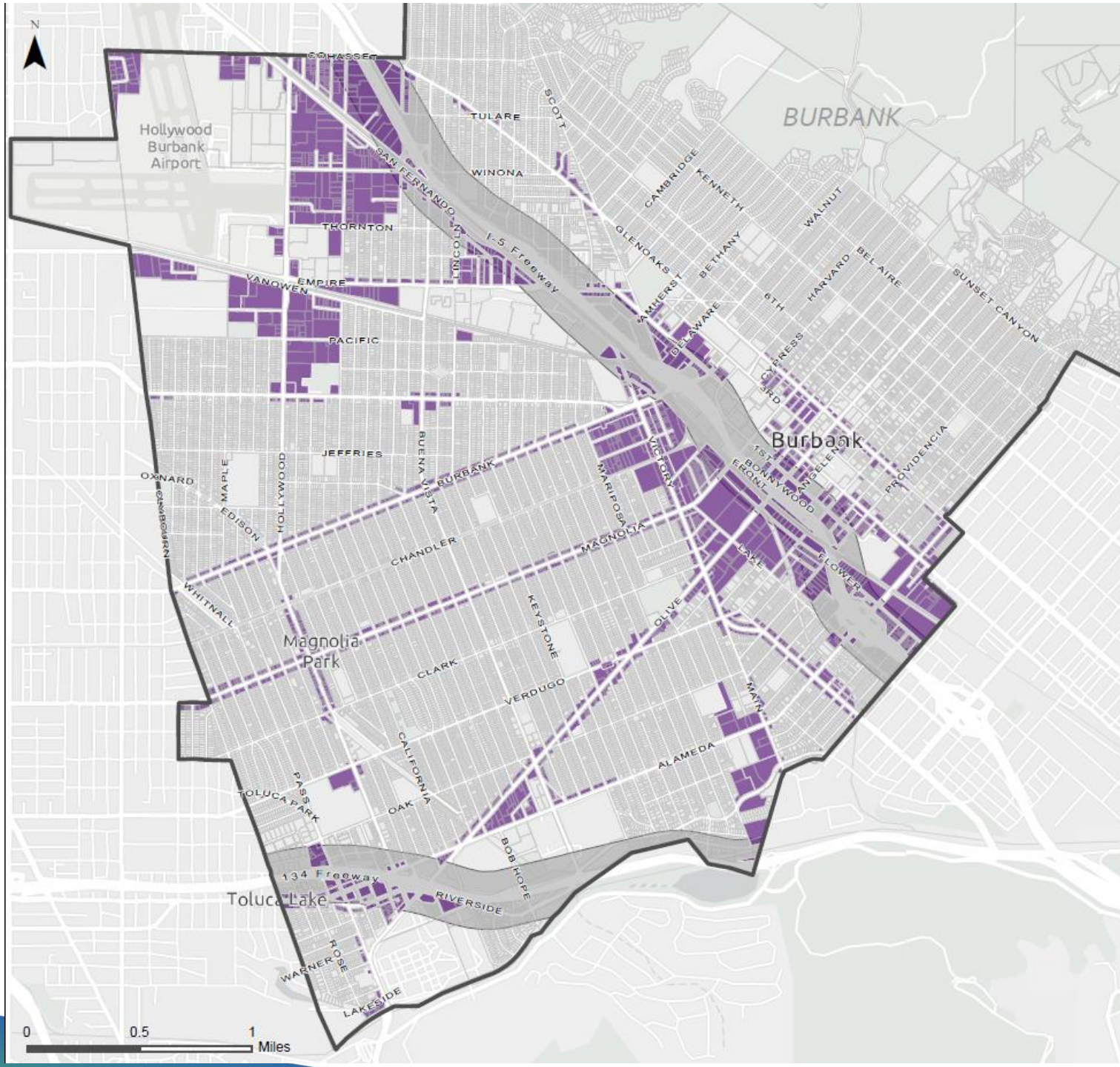
Recent Changes in State Law

On September 28, 2022, Governor Gavin Newsom signed Assembly Bill 2011 (AB 2011), the Affordable Housing and High Road Jobs Act of 2022 and takes effect on July 1, 2023.

- Establishes streamlined, ministerial review for Mixed-Income and 100% Affordable Housing in Nonresidential Zones.
- Projects are required to create construction jobs that pay the prevailing wage.
- Projects must meet specified affordability, labor, and environmental requirements.

AB 2011 Eligibility Requirements

- Multifamily housing development project – at least 5 units, in a zone where office, retail, or parking are a principally permitted use.
- Not within 500 feet of a freeway.
- Cannot be on a site or adjoining a site most recently or currently used for industrial use.
- Must meet commercial corridor width requirements for mixed-income projects.
- Satisfy SB 35 eligibility criteria in Govt. Code Section 65913.4(a)(6)(B) - (K).
- A more detailed summary of all AB 2011 requirements can be found in the Planning Commission Staff Report, accessible through Planning's Pending Projects page:
<https://www.burbankca.gov/web/community-development/pendingprojects>



- Potentially Eligible Sites
- 500 Ft. Freeway Exclusionary Area
- City Boundary

0 0.5 1 Miles

Implementation Issues

- The Burbank Municipal Code (BMC) has subjective design and development standards, none of which address mixed-use and multifamily residential projects in nonresidential zones.
- Current development-related standards in all zones are zone-specific and were written assuming extensive discretionary review.
- Specific Plans with objective design and development standards are currently being prepared and will not be ready by AB 2011 effective date of July 1.

Need for a Zone Text Amendment (ZTA)

- AB 2011 is similar to Senate Bill 35 (SB 35), which created a streamlined ministerial approval process for certain housing projects.
- The City may only evaluate streamlined ministerial review projects against objective zoning, subdivision standards, and design review standards in effect at the time of application submittal.
- City needs to establish a more robust set of standards that can be applied to the streamlined, ministerial reviews of AB 2011 and SB 35 projects as well as mixed-use projects that are already permitted through Development Review and a Conditional Use Permit.

ZTA Approach and Strategy

- Goal is to create standards that apply to future multifamily and mixed-use projects mandated by the latest state housing and land use mandates.
- Strategy is to preserve local control with standards that are tailored to meet local needs while complying with state mandates.
- Where possible, replicate existing zoning code regulations or reflect their intent.
- BMC non-residential use table will be amended to account for mixed-use and multifamily residential uses as permitted through streamlined ministerial review or through CUP in applicable zones.

Multifamily Residential-Only Development Standards in Nonresidential Zones

- All development standards and language that are not consistent with the definition of objective standards in state law have been modified or eliminated.
- Proposed regulations draw from existing standards in the Multiple Family Residential and Commercial zones.
- Refines existing regulations to better integrate a residential use into the urban context of commercial corridors.
- New standards address project features where current code is lacking, including but not limited to: building frontage design, buffering, open space flexibility and parking structure visibility and screening.

Multifamily Residential-Only Development Standards in Nonresidential Zones

- The ZTA will establish development standards regulating lot coverage, buffer areas from residential zones, modulations and step-backs in facade, open spaces, parking requirements, and more.
- The goal is to promote contextual sensitivity and avoid projects that fit poorly into the surrounding commercial corridor, nearby residential properties, pedestrians and motorists.
- Planning staff is looking to avoid the ministerial approval of poorly designed developments such as Villa Ballona, shown on the picture to the right of the page.



Villa Ballona
Culver City, CA

Existing vs. Proposed Standards



- Flat Façade
- No modulation or materials requirements
- Parking garage dominates at sidewalk level
- Poor pedestrian experience
- Parapets at the top create additional bulk



- Required modulation/plane break in façade creates interest
- Variety of materials required
- Balconies provide private open space
- Required visibility/transparency into the building at ground floor
- Parapets are offset from the edge of building
- Maximum lot coverage

Existing vs. Proposed Standards



- No objective standards for residential, so can only apply commercial standards
- Rooftop decks not addressed
- No amenities required
- No required setback on sides



- Encourages appropriately located Rooftop Common Open Space (50% of roof)
- Minimum number of amenities depending on unit count
- Requires side setback of 5'-0" to allow air and light
- Allows for canopies to provide shade and protect from elements

Existing vs. Proposed Standards

Existing standards:



Proposed standards
require building
separation:



Existing vs. Proposed Standards



- In order to protect privacy, new standards include measures to address these concerns
- Minimum landscaping requirement

Existing vs. Proposed Standards



Mixed Use Development Standards

- There are no existing development standards for Mixed-Use Development other than “residential use above commercial use”
- Intent is to ensure contextually appropriate design that protects the privacy of adjacent residentially zoned properties
- Includes performance standards to address, noise, shadow, and light impacts to protect the residents that may occupy the project in the future as well as adjacent residential uses
- Identifies incompatible uses and prohibits them from being part of mixed-use developments.
- Establishing standards will allow for greater flexibility in building design by allowing horizontal and vertical mixed-use.

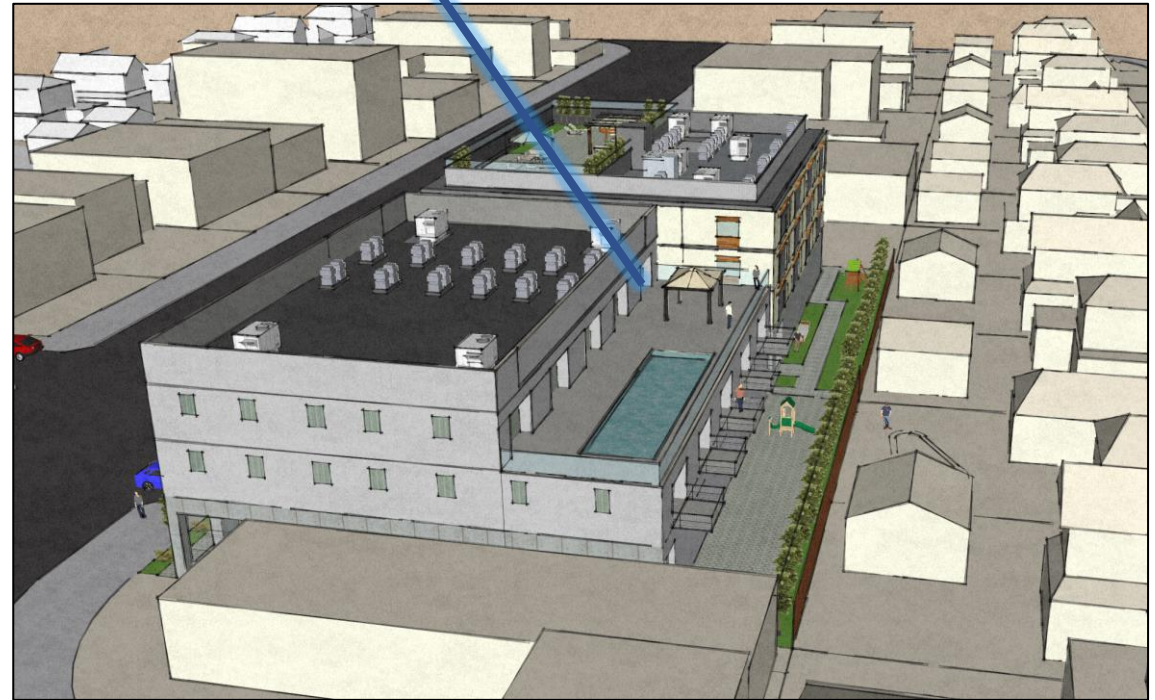
Complete Streets Objective Design Standards

- ZTA includes instances where the Complete Streets Objective Design Standards (CSODS) are incorporated by reference.
- New developments are required to comply with applicable design and development standards within the City's adopted 2020 Complete Our Streets Plan.
- CSODS are based on the goals, policies, and implementation actions in the Burbank2035 General Plan Mobility Element.

What Does This Mean For Residents?

- ZTA will protect nearby residential uses through operational requirements, residential buffers and open space requirements
- Through establishment of development standards that could be applied to AB 2011, SB 35 and certain CUP projects
- ZTA provides for flexibility in building design
- ZTA allows for identification of incompatible uses.

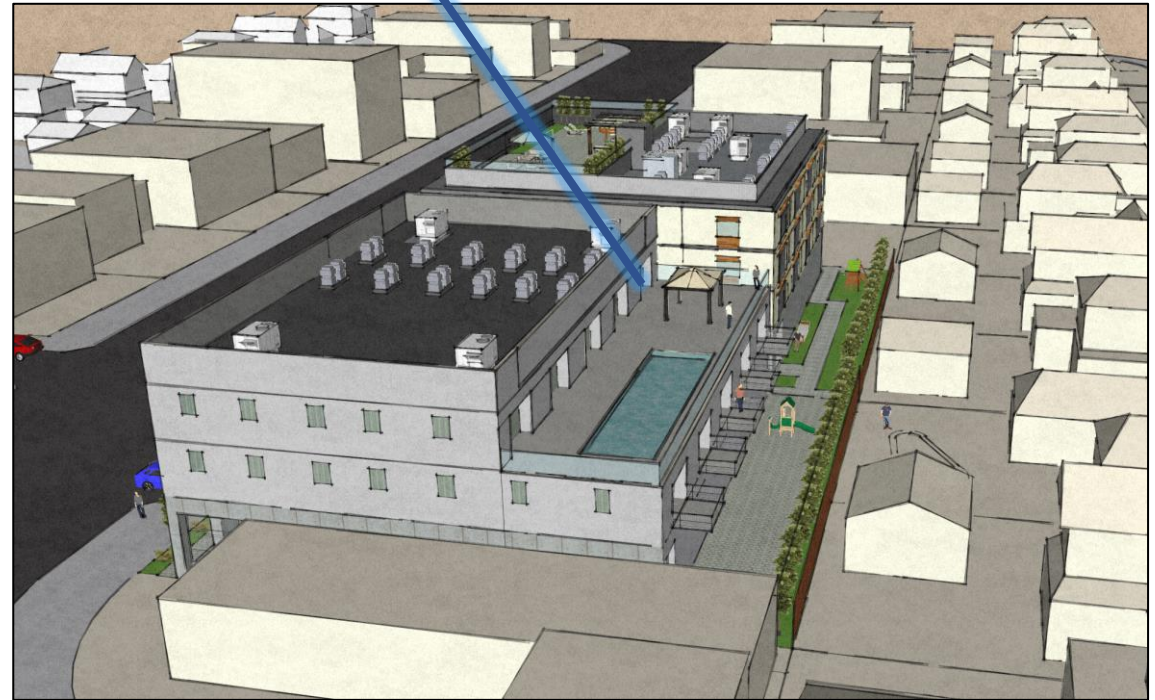
Current regulations do not address privacy concerns associated with new residential development




What Does This Mean For Residents?

- Rejection of the ZTA would not change the state's mandated requirements to approve through a streamlined, ministerial review of AB 2011 and SB 35 projects.
- Rejection would prevent the City from being able to impose objective development standards on these projects and protect adjacent residential uses


Current regulations do not address privacy concerns associated with new residential development



Conclusion


- ZTA provides protections where there currently are none.
 - ZTA addresses important objective design concepts that need to be either refined or incorporated into a set of objective design and development standards.
 - ZTA establishes objective design and development standards that facilitate the anticipated infill projects and help protect existing neighborhoods.
 - ZTA helps to maintain local control and avoid incompatible projects from being approved by-right.
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Next Administrative Steps

- Ongoing coordination with City Departments to ensure consistency with City regulations and applicable state laws.
 - City Council Public Hearing on May 23rd.
 - Ongoing engagement through the Specific Plan updates for those focused geographic areas.
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Questions and Answers

- **Q&A PROTOCOL**

- Please use the “raise hand” function if you would like to ask a question out loud.
 - Attendees will be called upon to unmute or questions will be read from the chat.
 - Questions or comments will initially be limited to 3 minutes to allow for everyone to participate
 - For telephone callers, please dial *9 to raise your hand, and once completed, dial *9 to lower your hand
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Additional Questions?

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