STAFF REPORT



DATE:

January 8, 2024

TO:

City Planning Commission

FROM:

Fred Ramirez, Assistant Community Development Director - Planning 3/ +1/2

VIA: Scott Plambaeck, Planning Manager 5/ Daniel Villa, Principal Planner

BY: Xjvirr Thomas, Associate Planner X. Thomas

SUBJECT:

Project No. 22-0001350, A Proposed Zone Text Amendment (ZTA) to Establish Development Standards for the Single-Family Residential (R-1) zone, in Response to Senate Bill 9 to Ensure Consistency with Changes to Government Code Sections 66452.6, 65852.21, and

66411.7

RECOMMENDATION

Adopt a RESOLUTION OF THE PLANNING COMMISSION 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 REGULATIONS) OF THE BURBANK MUNICIPAL CODE **ESTABLISHING** DEVELOPMENT STANDARDS FOR SB9 - SECOND SINGLE FAMILY DWELLINGS AND URBAN LOT SPLITS IN THE SINGLE-FAMILY RESIDENTIAL ZONE (R-1) TO ENSURE CONSISTENCY WITH STATE LAW. (Exhibit A)

BACKGROUND

On April 5, 2022, the City Council adopted an Urgency Ordinance (Exhibit B) that established interim objective design and development standards regulating SB 9 Projects that are consistent with recent amendments to State law [Senate Bill 9 ("SB 9")]. Consistent with state and local laws, the Urgency Ordinance was extended on May 17, 2022, continuing the interim development standards until April 4, 2023, in order to give the City additional time to study more permanent updates to the City's development standards for SB 9 Projects (Exhibit C). The Urgency Ordinance was extended one additional time on March 14, 2023. The extension is set to expire on April 4, 2024 (Exhibit D).

On September 16, 2021, the Governor signed Senate Bill 9 (SB 9) California Housing Opportunity and More Efficiency (HOME) Act into law, codified as California Government Code Sections 66452.6, 65852.21 and 66411.7 (Exhibit E). SB 9 took effect on January 1, 2022, and specifies that when a proposed project is located in the Single-Family Residential (R-1) Zone and meets the applicable requirements, local jurisdictions must (1) ministerially approve up to two single-family dwellings ("SB 9 – Second Single-Family Dwelling) and (2) allow for the subdivision of one property into two properties ("Urban Lot Splits").

The adopted Urgency Ordinance temporarily reconciled inconsistencies between the City's local development standards, and the State Laws on SB 9 Projects. Before the extension of the Urgency Ordinance expires and leaves the City susceptible to legal challenges to the validity of the City's local SB 9 development standards, the Planning Commission and City Council should consider a more permanent Zone Text Amendment (ZTA) to preserve local control over SB 9 Projects within the City and avoid the imposition of otherwise-applicable statewide development standards.

DISCUSSION

The State has identified the housing shortage as an issue of statewide significance. SB 9 is an example of multiple approaches the California Legislature has taken to streamline the production of housing. The proposed ZTA would provide updated City procedures and development standards for SB 9 – Second Single-Family Dwellings and Urban Lot Splits (collectively, "SB 9 Projects") – that are consistent with State law. In addition, the proposed ZTA seeks to protect the City from legal challenges to the validity of its SB 9 Project regulations by ensuring that the City's new development standards are consistent with current state law. Furthermore, the proposed regulations will help maintain as much local control as permitted under state law in regulating these projects. If a local public agency fails to adopt an ordinance in accordance with State Laws, the local jurisdiction may be limited to only applying state law standards without local refinements to all local SB 9 projects.

Proposed Zone Text Amendment (ZTA)

To identify local regulations for SB 9 Projects, staff secured the services of a planning services consultant ("Dudek Consultants") to collaborate with City staff in the research and preparation of state-compliant and city-tailored objective standards. Throughout the preparation of the proposed ZTA, the project team (1) researched best practices and lessons learned from other jurisdictions; (2) considered SB 9 Projects that have been submitted for City review; and (3) worked closely with the City Attorney's Office to ensure consistency with State Law.

Based upon the project team's research, staff has identified a series of recommended regulations for Planning Commission and City Council consideration. They focus on the establishment of:

- 1. Standards Regulating SB 9 Second Single Family Dwellings: When an R-1 zoned lot meets the applicable requirements State law requires that cities allow for a by-right second single-family home. Objective development standards are recommended that apply specifically to the second single-family home allowed under the State laws ("SB 9 Second Single Family Dwelling").
- 2. Urban Lot Splits: When an R-1 zoned lot meets the applicable requirements State law requires that cities allow for the by-right subdivision of one lot into two lots. Objective subdivision standards are recommended that apply specifically to the size, width, lot design and use of lots subdivided through an Urban Lot Split.

The recommended zoning code amendments are summarized in the tables below.

Summary of Recommended Amendments to the BMC, Permitted Uses in the R-1 and R-1-H Zones	
<u>Code Section</u>	Overview of Proposed Amendment
10-1-602: Uses in R-1 and R-1-H Zones	Table 10-1-602 that identifies permitted uses in the R-1 and R-1-H Zones would be amended to include SB 9 – Second Single-Family Dwelling as a use. The use would be permitted in the R-1 Zone and would be prohibited in the R-1-H Zone.
	In addition, a footnote would be added to a separate use that currently exists on the list "Single family Dwellings, additional, on one lot". This use has allowed for additional single-family homes on a single-family lot through the approval of a Conditional Use Permit (CUP). The footnote would state that "Single family Dwellings, additional, on one lot", in addition to the First Single Family Dwelling, would not be permitted if there exist an SB 9 — Second Single Family Dwelling on the property.

Summary of Recommended Amendments to the BMC, SB 9 – Second Single-Family Dwelling	
Code Section	Overview of Proposed Amendment
10-1-608.1(A): Applicability	California Government Code Sections and applicable standards for a SB 9 – Second Single-Family Dwelling.
10-1-608.1(B): Definitions	Defines key terms.

10-1-608.1(I): Submission of An Application	Lists the submittal requirements for an SB-9 Second Single-Family Dwelling.
10-1-608.1(H): Specific Adverse Impact	Identifies the specific adverse impact requirement that the Building Official must make in order to deny an SB-9 Second Single-Family Dwelling.
10-1-608.1(G): Address Assignment	Public Works Department will assign addresses for all new SB-9 Second Single-Family Dwelling.
10-1-608.1(F): Utility Connection	Identifies where utilities will be connected for an SB-9 Second Single-Family Dwelling.
10-1-608.1(E): Length of Rental Term	States that all rentals of SB-9 Second Single-Family Dwellings must be 30-days or more.
10-1-608.1(D): Development Standards for SB 9 – Second Single- Family Dwellings	Applicable development and design standards for an SB-9 Second Single-Family Dwelling.
10-1-608.1(C): Eligibility for An SB 9 – Second Single-Family Residential Dwelling	Identifies the eligibility requirements that must be met for an SB 9 – Second Single-Family Dwelling.

Summary of Recommended Amendments to the BMC, <u>Urban Lot Splits</u>	
<u>Code Section</u>	Overview of Proposed Amendment
10-1-608.2(A): Applicability	California Government Code Sections and applicable standards for an Urban Lot Split.
10-1-608.2(B): Definitions	Defines key terms.
10-1-608.2(C): Eligibility for An Urban Lot Split	Identifies the eligibility requirements that must be met for an Urban Lot Split.
10-1-608.2(D): Lot Design Standards for Urban Lot Splits	Applicable design and configuration standards for an Urban Lot Split.
10-1-608.2(E): Number of Dwelling Units Allowed on Parcels Subdivided	Maximum number of two (2) Dwelling Units are permitted on a parcel created through an Urban Lot Split.

Through an Urban Lot Split	
10-1-608.2(F): Owner Occupancy Affidavit	Owner of the original property must occupy one of the lots created through an Urban Lot Split for a minimum of three (3) year.
10-1-608.2(G): Length of Rental Term	States that all rentals of any Dwelling Unit located on parcels created through the exercise of an Urban Lot Split must be 30-days or more.
10-1-608.2(H): Deed Restriction	Owner must record a deed restriction for the Urban Lot Split.
10-1-608.2(I): Separate Conveyance	Separate conveyance of the lots resulting from an Urban Lot Split is allowed.
10-1-608.2(J): Specific Adverse Impact	Identifies the specific adverse impact requirement that the Building Official must make in order to deny an Urban Lot Split.
10-1-608.2(K): Utility Connection	Identifies where utilities will be connected for an Urban Lot Split.
10-1-608.2(L): Easement Requirement	An easement may be required for newly created parcels that are created through an Urban Lot Split.
10-1-608.2(M): Dedications and Offsite Improvements	No dedication of rights-of-way, or construction of offsite improvements, shall be required for an Urban Lot Split.
10-1-608.2(N): Address Assignment	Public Works Department will assign addresses for an Urban Lot Split.
10-1-608.2(O): Submission of An Application, Payment of Fees, and Processing	Lists the submittal requirements for and Urban Lot Split.

Exemption for Single-Family Residential Horsekeeping Zone (R-1-H)

Senate Bill 684 (SB 684) (Exhibit F) was signed into law in 2023 and came into effect January 1, 2024. It establishes that the SB 9 Projects do not need to be permitted on sites located within a single family residential horsekeeping zone designated in a master plan, adopted before January 1, 1994, that regulated land zoned for single-family horsekeeping. City staff has established that properties in the R-1-H Zone are regulated through an adopted master plan that was adopted before January 1, 1994, City Council Resolution 23,927 and City Council Ordinance 3343 (Exhibit G). Therefore, SB 9 Projects

would not be permitted in the City's Single-Family Residential Horsekeeping Zones (R-1-H).

Findings for Adding a Use on a List of Permitted Uses

In accordance with Burbank Municipal Code Section 10-1-1991, the City Council cannot add a use to a list of permitted uses without first making a series of findings. The applicable findings can be made in conjunction with the addition of "SB 9 – Second Single Family Dwellings" as a permitted use in the list of permitted uses applicable to the City's Single-Family Residential (R-1) Zone:

1. The addition of the use will be in accord with the purposes of the zone in which it is proposed to be listed.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The purpose of the R-1 Zone is for "...neighborhoods of single-family dwellings separated from multiple family and non-residential uses." (Burbank Municipal Code Section 10-1-601(A)). The inclusion of the use would allow for an additional by-right single-family dwelling on the property. While the use would increase the number of by-right dwelling units that are permitted in the R-1 Zone, additional single-family dwellings are currently permitted in certain R-1 zone lots subject to Planning Commission approval of a Conditional Use Permit (CUP). Further, Accessory Dwelling Units and Junior Accessory Dwelling Units are also by-right permitted uses within the R-1 zone. Therefore, the addition of the use would be in accord with the purpose of the R-1 zone.

2. The proposed use is compatible with and has the same basic characteristics as the other permitted uses.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The inclusion of the use would allow for an additional by-right single-family dwelling on the property. While the use would increase the number of by-right dwelling units that are permitted in the R-1 Zone, additional single-family dwellings are currently permitted in certain R-1 zone lots subject to Planning Commission approval of a Conditional use Permit (CUP). Further, Accessory Dwelling Units and Junior Accessory Dwelling Units are also by-right permitted uses within the R-1 zone. Therefore, the addition of the use would be compatible with and has the same basic characteristics as the other permitted uses.

3. The proposed use can be expected to conform with the required conditions for the zone.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

- SB 9 Second Single-Family Dwellings would be required to comply with development standards similar to those of typical single-family homes, except as preempted by State law. In most instances the required building heights, building separation, and floor area ratio applicable to SB 9 Second Single-Family Dwellings will be aligned with the underlying development standards in the City's existing R-1 zone. Through this Zone Text Amendment, the City aims to to preserve local control over SB 9 Second Single-Family Dwellings within the City and avoid the imposition of otherwise-applicable statewide development standards.
- 4. The proposed use will not be detrimental to the public health, safety or welfare.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The proposed use is not anticipated to result in a detrimental impact to public health, safety, or welfare. Any future development associated with this use would have to comply with all applicable development standards. In addition it would also have to be in strict adherence to the latest City building, life and safety codes, which ensure that future habitants of these structures and surrounding land uses are protected from any potential impact to public health, safety, and welfare.

5. The proposed use will not adversely affect the character of the zone.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The inclusion of the use would allow for an additional by-right single-family dwelling on the property that would be required to comply with development standards similar to those of typical single-family homes, except as preempted by State law. While the use would increase the number of by-right dwelling units that are permitted in the R-1 Zone, additional single-family dwellings are currently permitted in certain R-1 zone lots subject to Planning Commission approval of a Conditional use Permit (CUP). Further, Accessory Dwelling Units and Junior Accessory Dwelling Units are also by-right permitted uses within the R-1 zone. Therefore, the addition of the use would not adversely affect the character of the R-1 zone.

6. The proposed use will not create more vehicular or other traffic than the volume normally created by any of the uses permitted.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The inclusion of the use would allow for an additional by-right single-family dwelling on the property. Adding additional dwelling units on a property can result in increased trips generated by a property. However, this is consistent with the uses currently permitted in the R-1 zone. The R-1 zone currently allows for additional single-family dwellings in certain R-1 zone lots subject to Planning Commission approval of a Conditional use Permit (CUP). Further, Accessory Dwelling Units and Junior Accessory Dwelling Units are also by-right permitted uses within the R-1 zone. Therefore, the addition of the use would not create more vehicular or other traffic than the volume normally created by any of the other permitted uses.

7. The proposed use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount, if any, normally created by any of the permitted uses.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The development of SB 9 — Second Single-Family Dwellings in the City's single-family residential zones will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount created by any other permitted use in the City's single-family residential zones. The proposed development of these one and/or two-story residential structures would result in structures that do not create more objectionable environmental and/or quality of life impacts than could result from the development of single-family dwellings currently allowed in the City's single-family residential zones. Furthermore, any future development would have to comply with the applicable development standards and building code requirements that address construction noise and dust mitigation and future operation of the residential use would continue to be subject to the City's SB 9 — Second Single-Family Dwelling development standards and the City's nuisance abatement requirements for any violation of the Burbank Municipal Code.

8. The proposed use will not create any greater hazard of fire or explosion than the hazards normally created by any of the permitted uses.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

The development of SB 9 – Second Single-Family Dwellings in the City's single-family residential zones will not create any greater hazard of fire or explosion than hazards normally created by any of the permitted uses in the City's single-family residential (R-1) zone. The development of these uses shall comply with the City's building and fire codes ensuring that the future residential structures protect the health and safety of future residents and surrounding land uses.

9. The proposed use will not cause substantial injury to the values of property in the zone in which it is proposed to be listed or in any abutting zone.

The inclusion of a "SB 9 – Second Single-Family Dwelling" as a permitted use in the City's single-family residential (R-1) zone is required pursuant to State law (California Government Code Section 65852.21).

It is not anticipated that the development of SB 9 — Second Single-Family Dwellings in the City's R-1 zones will cause substantial injury to the values of property in this zone, or in any abutting zone. These residential structures will be limited to a second single-family dwelling as prescribed in the State Law, and as currently permitted in the R-1 zone through approval of a Conditional Use Permit. Allowing for a by-right SB 9 — Second Single-Family Dwelling may presumably increase the value of a property through the additional by-right development potential. Notwithstanding, SB 9 — Second Single-Family Dwellings would be subject to development standards that establish requirements for setbacks, heights, open space, etc. that aim to preserve and protect the character of existing residential neighborhoods.

Finding for Approval of a Zone Text Amendment

California Government Code Section 65860 requires that any zone text amendment be consistent with the objectives, policies, general land uses, and programs specified in the Burbank2035 General Plan. Staff's Burbank2035 General Plan Consistency is included in the section below.

Consistency with the Burbank2035 General Plan

In accordance with California Government Code Section 65860, the proposed Zone Text Amendment and associated Ordinance have been determined to be consistent with the Burbank2035 General Plan and are compatible with the objectives, policies, general land uses and programs specified therein, and more specifically, the Land Use Element as described below.

As noted in the attached Ordinance (Exhibit A), the proposed ZTA is consistent with the following Burbank2035 General Plan goals and policies:

LAND USE ELEMENT GOAL 3 COMMUNITY DESIGN AND CHARACTER

Burbank's well-designed neighborhoods and buildings and enhanced streets and public spaces contribute to a strong sense of place and "small town" feeling reflective of the past.

- Policy 3.4 Avoid abrupt changes in density, intensity, scale, and height and provide gradual transitions between different development types.
- Policy 3.7 Ensure that lots and buildings appropriately interact with and address public streets.
- Policy 3.13 Limit creation of flag lots and require that every lot have direct interface with a public street.

The proposed ZTA furthers this goal and associated policies by establishing design and development standards for SB 9 – Second Single-Family Dwellings and Urban Lot Splits in R-1 zones. The standards included in the ZTA are intended to achieve a design and scale that is consistent with existing single-family neighborhoods, with appropriate setbacks, public right-of way access and overall size of development that are consistent with state law, that produce properly scaled development. The ZTA includes modifications to height, setback, floor area, and objective subdivision standards that ensure consistency with state law and compatibility with the character of the surrounding neighborhood to the furthest extent possible.

LAND USE ELEMENT GOAL 5 HOUSING

Burbank provides housing options for people and families with diverse needs and resources.

- Policy 5.1 Provide for a variety of residential neighborhoods with varying densities and housing types.
- Policy 5.3 Provide more diverse housing opportunities, increase home ownership opportunities, and support affordable housing by encouraging alternative and innovative forms of housing.
- Policy 5.5 Provide options for more people to live near work and public transit by allowing higher residential densities in employment centers such as Downtown Burbank and the Media District.

The proposed ZTA furthers this goal and associated policies by establishing standards to accommodate SB 9 – Second Single-Family Dwellings and Urban Lot Splits in R-1 zones. This will facilitate for diverse housing options and increases in home ownership opportunities throughout the City. The standards included in the ZTA are intended to achieve a design and scale that is consistent with existing residential neighborhoods, with appropriate setbacks and overall size of

development that produce properly scaled single-family units with objective design standards being applied. The ZTA includes modifications to height, setback, floor area, and objective subdivision standards that ensure consistency with state law and compatibility with the character of the surrounding neighborhood to the furthest extent possible.

LAND USE ELEMENT GOAL 8 LOW DENSITY RESIDENTIAL LAND USE Low Density Residential neighborhoods define Burbank's small town feeling and provide the basis for the quality of life that Burbank residents enjoy. The following policies apply to Low Density Residential land uses in Burbank.

- Policy 8.2: Limit building to a size and scale that is consistent with the predominant neighborhood character and avoids overbuilding. New, remodeled, and expanded homes should respect existing neighborhood character.
- Policy 8.3: Require that building envelopes preserve access to light and air, provide adequate open space, and maintain appropriate setbacks. Ensure that privacy is respected to the extent feasible in an urban environment.
- Policy 8.5: Ensure that second dwelling units, child day-care facilities, and group living facilities are allowed, as required by and consistent with state and federal laws. Regulate such uses to the extent allowed by law to prevent unintended effects on the neighborhood and to avoid a proliferation of such uses in one neighborhood.

The proposed ZTA furthers this goal and associated policies by establishing subdivision and development standards for SB 9 – Second Single-Family Dwellings and Urban Lot Splits in R-1 zones, that are consistent with state law and impose setbacks and objective design standards to the extent allowed by state law. The standards included in the ZTA are intended to achieve a design and scale that is consistent with existing residential neighborhoods, with appropriate setbacks and overall size of development that produce properly scaled SB 9 – Second Single-Family Dwellings and Urban Lot Splits in R-1 zones.

PUBLIC NOTICE AND PUBLIC OUTREACH

To ensure members of the public have an opportunity to learn more about the ZTA and provide feedback or suggestions to the city, City staff will conduct a virtual community meeting on January 25, 2024. Notifications for the community meeting will be distributed through a newspaper of general circulation, the City's social media, the City Calendar, and the planning division website. Given time constraints and to ensure that the City Council can consider adoption of an ordinance before the expiration of the existing Urgency Ordinance April 4, 2024, staff will be hosting the virtual community meeting between the Planning Commission and City Council Public Hearings. All information received from the public will be included in the staff report and recommendation provided to the City Council.

If the Planning Commission recommends approval of this ZTA, staff anticipates that the City Council will consider the proposed ZTA at a public hearing on February 13, 2024, and will be preparing the legal public notifications inviting both residents and members of the community to learn more about the proposed ZTA and provide comments at the public hearing.

Finally, in conformance with BMC Section 10-1-1994, staff provided public notice in a newspaper of general circulation in the City on December 20, 2023, for the proposed ZTA to be heard by the Planning Commission at their regular meeting of January 8, 2024.

ENVIRONMENTAL ASSESSMENT

Pursuant to California Government Code Sections 65852.21(j) and 66411.7(n), the adoption of an ordinance by a city or county implementing the provisions of Government Code Sections 66411.7 and 65852.21 to regulate SB 9 – Second Single-Family Dwellings and Urban Lot Splits is not a "project" subject to the requirements of CEQA. As such, the proposed ZTA and Ordinance is exempt from CEQA.

INTERDEPARTMENTAL REVIEW

The proposed ZTA development standards were distributed to other City Departments and other Divisions within the Community Development Department for review and feedback to ensure the proposed objective development standards are consistent with or compatible with other City development standards that affect development. Staff received comments from Public Works and Burbank Water & Power, which were incorporated into the proposed ZTA. Additionally, staff will be continuing to work with the City Attorney's Office on the ordinance in anticipation of the City Council's review. However, staff does not expect the purpose or intent of the ZTA to change significantly or alter any of the proposed development standards to the extent that there is a substantive difference from what is presented as part of this report.

FISCAL IMPACT

There is no significant fiscal impact to the City's General Fund by adopting the proposed ZTA. Future SB 9 – Second Single-Family Dwellings and Urban Lot Splits would be processed through the City's existing planning or building plan check and permitting process, which includes the payment of associated processing and development fees. Newly created parcels and new SB 9 – Second Single-Family Dwellings would be reassessed by the County, which may result in a higher valuation and/or property taxes. Proponents of future development would be required to pay the associated development impact fees as well as any required infrastructure connection and maintenance fees.

CONCLUSION

The changes outlined in the proposed ZTA are intended to create development standards for SB 9 – Second Single-Family Dwellings and Urban Lot Splits (SB 9 Projects) that are consistent with the City's local single-family development standards, and the State Law. The proposed ZTA will facilitate ongoing responsible development of new housing units, which create new housing opportunities and building types to meet the city's RHNA Allocation, while putting in place development standards that help preserve local control

and protect the character of existing residential neighborhoods to the greatest extent allowed under State law.

List of Exhibits		
Exhibit	Title	
A B	Planning Commission Resolution with Draft City Ordinance	
	Interim Urgency Ordinance No. 22-3,972 adopted April 5, 2022	
C	Urgency Ordinance Extension No. 22-3,975 adopted May 17, 2022	
D	Urgency Ordinance Extension No. 23-3,991 adopted March 14, 2023	
E	Senate Bill No. 9	
F	Senate Bill No. 684	
G	City Council Resolution 23,927 and City Council Ordinance 3343	