



## SB 35 Criteria and Consistency Analysis

1. The City received a NOI for the proposed Project on June 29, 2021. As a part of the NOI the proposed Project shall demonstrate consistency with all SB 35 criteria per CA Government Code 65913.4. Since the receipt of your NOI on June 29, 2021 the City has reached out to the Tribes to request initiation of the required consultation process. Please find the NOI consistency analysis below. The development is a multi-family housing development that contains two or more residential units.

**Analysis: Consistent.** The application includes 148 residential dwelling units.

2. The development is located on a site that satisfies all the following:
  - a. A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

**Analysis: Consistent.** The Project site is located within an existing legal parcel located in the City of Burbank, for which the boundaries include an urbanized area or urban cluster, as designated by the United States Census Bureau (see **Attachment A**).

- b. A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

**Analysis: Consistent.** Project site is located within an existing urbanized area. The site is located in an existing parcel that abuts a commercial property to the west and north, an urban park towards the east, and residential uses towards the south. Aerial map provided as **Attachment B** shows the location of the Project site with respect to the neighboring properties.

- c. A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

**Analysis: Consistent.** According to the City's Burbank2035 General Plan (2013) Land Use Element, the land use designation for the property is Regional Commercial. As noted in Policy 11.5 of the General Plan, residential uses are allowed in Regional Commercial designation, and the designation allows for a maximum FAR of 1.25 and 58 units per acre subject to a discretionary review – when the project is not being processed in conjunction with SB 35 streamlining permit.

According to the City's Zoning Map (2019), the Property is zoned M-2 (General Industrial) Zone. Pursuant to Section 10-1-808.5 of the Burbank Municipal Code, in the M-2 Zone, all uses shall be consistent with the maximum floor area ratio (FAR) and maximum residential density, as prescribed in the General Plan, which allows a 1.25 FAR and 58 units per acre. Pursuant to Section 10-1-809, in the M-2 Zone, uses are allowed as set forth in Burbank Municipal Code (BMC) Section 10-1-502, where residential use is not listed as a permitted use in the M-2 Zone. Nevertheless, pursuant to CA Government Code Section 65913.4(a)(5)(B), if objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards if the development is consistent with the standards set forth in the General Plan. As the residential use of the proposed Project is consistent with the General Plan, the Project is consistent with this State provision.

3. The development includes affordability provisions identified in the SB 35 Guidelines under CA Government Code Section 65913.4(a)(4), including the following:

a. The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower-income housing units required shall remain available at affordable housing costs or rent to persons and families of lower income for no less than the following periods of time and shall be recorded by the City for each parcel or unit of real property included in the development:

i. Fifty-five years for units that are rented.

ii. Forty-five years for units that are owned.

**Analysis: Incomplete-Additional Information Required.** In addition to NOI pursuant to SB 35, the Applicant has submitted a SB 330 Preliminary Application which specified that the Project is proposing 148 residential units, including 118 low income and 29 moderate income housing units, and a manager's unit at market rate. Additionally, the Project is proposing subsidized rental units with affordability restriction of fifty-five years. Please incorporate the number of units being proposed along with their affordability as part of the future application submittal for Development Review per SB35.

b. The development is subject to a requirement mandating a minimum percentage of below market rate housing based on the project containing more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that local ordinance applies.

**Analysis: Consistent.** The Project is dedicating 79 percent of the total number of units of housing affordable to households making at or below 80 percent of the Los Angeles County Area Median Income (AMI), (by proposing 118 low-income units out of the 148 total proposed), exceeding minimum required 10 percent affordable housing units. Moreover, an affordable housing covenant or similar restriction shall be recorded against the Project noting all deed-restricted affordable units including the required minimum percentage of affordable units deed restricted for households making at or below 80 percent of the AMI. Pursuant to BMC Section 10-1-646, at least 15 percent of all newly constructed dwelling units in Residential Developments shall be developed, offered to, and sold or rented to very low, low, and moderate income households. The Applicant will provide the requisite number and income levels for affordable housing units in compliance with both SB 35, State Density Bonus law and the City's Inclusionary Housing Ordinance.

4. The development satisfies both of the following:

a. Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period.

**Analysis: Consistent.** The City of Burbank has permitted less than 50 percent of the RHNA allocation for all income categories. As such, the pace of development has not met the requirements for the City's RHNA obligation.

b. The development is subject to a requirement mandating a minimum percentage of below-market-rate housing based on one of the following:

- i. The locality did not submit its latest production report to the department by the time period required by CA Government Code Section 65400, or that production report reflects that there were fewer units of above moderate-income housing issued building permits than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that local ordinance applies. *Please note, the City has an inclusionary housing ordinance that requires 15% of the units be sold to Low and or Moderate Income Households.*
- ii. The locality's latest production report reflects that there were fewer units of housing issued building permits affordable to either very low income or low-income households by income category than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that local ordinance applies.
- iii. The locality did not submit its latest production report to the department by the time period required by CA Government Code Section 65400, or if the production report reflects that there were fewer units of housing affordable to both income levels described in clauses (i) and (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

**Analysis: Consistent.** The pace of development has not met the requirements for the City of Burbank's RHNA obligation is subject to the requirements noted in section 4(b)(i) above.

5. The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:
  - a. A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.
  - b. In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.
  - c. The amendments to this subdivision made by the act adding this subparagraph do not constitute a change in, but are declaratory of, existing law.

**Analysis: Consistent.** The Project site is located in M-2(General Industrial) Zone, and according to the City's Burbank2035 General Plan (2013) Land Use Element, the General Plan land use designation for the property is Regional Commercial. This land use designation allows for a maximum FAR of 1.25 and 58 units per acre, typically (i.e., when not being processed for density bonus approval pursuant to Section 65915 and SB 35 approval) with discretionary approval. Pursuant to the first footnote in Table 10-1-628(A) of the Municipal Code, for dwelling unit calculations, the number of allowed dwelling units is determined by rounding down to the nearest whole number even when the fraction is 0.5 or greater. Thus, the allowed number of units on the approximate 0.84-acre site at 58 units per acre is 48 units. The Applicant is requesting to maximize the density by proposing 148 affordable units pursuant to Government Code Section 65915, by requesting a density bonus and/or other concessions and waivers as allowed by the State law and Municipal Code. More specifically, the Applicant is requesting following and concessions/waivers from the—

- Unlimited density pursuant to CA Government Code Section 65915(f)(3)(D)(ii).
- An increase in height from the maximum allowed 50 feet to 79 feet pursuant to CA Government Code Section 65915(d)(2)(D).
- Waiver from parking standards pursuant to CA Government Code Section 65913.4(d)(1)(A).

Approval of below concessions/incentives falling under Tier 3 concessions for FAR, are subject to a City Council approval,

- A reduction in the required front yard setback from 15.8 feet to 4.1 feet pursuant to CA Government Code Section 65915(d)(2)(D).

Thus, subject to approval of density bonus, the application does not conflict with the City of Burbank2035 General Plan and City zoning requirements.

6. The proposed Project is not located on a legal parcel that is any of the following:
- a. Within a coastal zone, as defined in Division 20, California Coastal Act (commencing with Section 30000) of the Public Resources Code.  
**Analysis: Incomplete-Additional Information Required.** Project application indicates that the Project site is not located within a coastal zone. Please provide a map indicating location of the Project site in relation to coastal zone, as designated by the California Coastal Act.
  - b. On prime farmland or farmland of statewide importance, as defined, nor is the Property located on land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by voters of the city.  
**Analysis: Incomplete-Additional Information Required.** Project application indicates that the Project site is not located on prime farmland or farmland of statewide importance, as designated by the California Department of Conservation. Please provide a map showing location of the Project site in relation to existing farmland areas as designated by the California Department of Conservation.
  - c. On wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).  
**Analysis: Incomplete-Additional Information Required.** Project application indicates that the Project site is not located on wetlands. Please provide a map showing location of the Project site in relation to

existing wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

- d. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to CA Government Code Section 51178.

**Analysis: Incomplete-Additional Information Required.** Project application indicates that the Project site is not located within a very high fire hazard severity zone. Please provide a map indicating the location of Project site in relation to very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection.

- e. A hazardous waste site that is currently listed pursuant to CA Government Code Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control (DTSC) pursuant to Health and Safety Code Section 25356.

**Analysis: Incomplete-Additional Information Required.** Project application indicates that the Project site is not listed as a hazardous waste site pursuant to CA Government Code Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control (DTSC) pursuant to Health and Safety Code Section 25356. Please provide a DTSC map indicating the location of Project site that corroborates the information on the Project application form, i.e. that Project is not located on hazardous waste site.

- f. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist. In any event, the Proposed Project will comply with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law, and by the City's Building Department.

**Analysis: Incomplete-Additional Information Required.** Project application indicates that the Project site is not located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist. Please provide a fault activity map indicating the location of the Project site in relation to the existing earthquake fault zones.

- g. Within a floodplain as determined by the Federal Emergency Management Agency (FEMA), nor in a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) or in any official maps published by FEMA.

**Analysis: Incomplete-Additional Information Required.** Project application specifies that the project site abuts a channel known as the "Lockheed Drain Channel," and a small portion of the site is within a 100-year flood hazard area. Please provide FEMA map indicating location of the Project site in relation to the flood hazard area, demonstrating the Project's eligibility in meeting the minimum flood plain management criteria of the National Flood Insurance Program regulations, as referenced in Section 65913.4(a)(6)(G) of SB 35 and the SB 35 Guidelines.

- h. Within a regulatory floodway as determined by FEMA in any official maps published by FEMA, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.

**Analysis: Incomplete-Additional Information Required.** As mentioned above, please provide FEMA map indicating location of the Project site in relation to the flood hazard area, demonstrating the Project's eligibility in meeting the minimum flood plain management criteria of the National Flood Insurance Program regulations, as referenced in Section 65913.4(a)(6)(G) of SB 35 and the SB 35 Guidelines.

- i. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

**Analysis: Incomplete-Additional Information Required.** Please provide a map indicating location of the Project site in relation to lands identified for conservation in an adopted Natural Community Conservation Plan pursuant to the Natural Community Conservation Planning Act, a Habitat Conservation Plan pursuant to the federal Endangered Species Act, or another adopted natural resource protection plan.

- j. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code, or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code.

**Analysis: Incomplete-Additional Information Required.** Please provide a map indicating location of the Project site in relation to habitat used by protected species identified as candidate, sensitive, or species of special status by State or Federal agencies, fully protected species, or species protected by the federal Endangered Species Act, the California Endangered Species Act, or the Native Plant Protection Act.

- k. Lands under conservation easement.

**Analysis: Incomplete-Additional Information Required.** Please provide a map indicating location of the Project site in relation to existing conservation easement as designated in the National Conservation Easement Database.

7. The development is not located on a site where any of the following apply:

- a. The development would require the demolition of the following types of housing:
  - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
  - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
  - iii. Housing that has been occupied by tenants within the past 10 years.

**Analysis: Consistent.** The site is currently developed with one story medieval themed restaurant with on-grade surface parking, and thus the proposed Project would not require the demolition of any housing.

- b. The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

**Analysis: Consistent.** The site is zoned M-2 (General Industrial) zone and has been operated as commercial use for more than 10 years; there currently is no housing onsite.

- c. The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

**Analysis: Consistent.** The site is not located in a historic district and there are no national, state, or locally designated historic structures on the site (per Appendix D of City of Burbank Historic Preservation Plan).

The proposed Project would not require the demolition of a historic structure that was placed on a national, state, or local historic register.

- d. The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the public by the subdivider or subsequent owner of the property.

**Analysis: Consistent.** The site is currently developed with a commercial (restaurant) use and thus the proposed Project would not require the demolition of any housing.

8. The development proponent has done both of the following, as applicable:
  - a. Certified to the locality that either of the following is true, as applicable:
    - i. The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
    - ii. If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:
      - a) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
      - b) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.
      - c) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.
      - d) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
      - e) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, “project labor agreement” has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.



- f) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.
- b. i. For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:
    - a) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
    - b) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
    - c) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
    - d) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
    - e) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
  - ii. For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
  - iii. If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
    - a) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
    - b) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
    - c) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under

the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

- d) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, “project labor agreement” has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- c. Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
  - i. The project includes 10 or fewer units.
  - ii. The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

**Analysis: Consistent.** The Applicant has noted on the Notice of Intent dated 29 June, 2021, that the proposed Project will comply with all labor provisions identified in SB 35 and the SB 35 Guidelines, pursuant to CA Government Code Section 65913.4, including the requirements regarding payment of prevailing wages and use of a skilled and trained workforce in the construction of the Project, as applicable.

- 9. The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:
  - a. The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).
  - b. The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

**Analysis: Consistent.** The Proposed Project does not involve subdivision of a parcel; therefore, this criterion does not apply.

- 10. The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title

2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

**Analysis: Consistent.** The Proposed Project is not located on an existing parcel of land or site that is governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.

11. Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing automobile parking requirements in multi-family developments, shall not impose automobile parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

a. The development is located within one-half mile of public transit.

**Analysis: Incomplete-Additional Information Required.** The Proposed Project is located approximately 0.41 miles from a pedestrian entrance to the Regional Intermodal Transportation Center (RITC) located at the northwest corner of Empire Avenue and North Hollywood Way. Therefore, the Proposed Project is within one-half mile of public transit, (see **Attachment C**). Additionally, the Project site is located within proximity to bus transit station at Empire/Niagara. Please provide an aerial map indicating the distance of the Project site from the nearest bus transit station.

Should you have any questions, please feel free to contact Shipra Rajesh, Associate Planner at (818) 238-5250.

Sincerely,

*Shipra Rajesh*

Shipra Rajesh  
Associate Planner

CC: Patrick Prescott, Community Development Director  
Fred Ramirez, Assistant Community Development Director  
Scott Plambaek, Deputy City Planner  
Joseph H. McDougall, Chief Assistant City Attorney

### **Attachments**

Attachment A – 2010 US Census – Urbanized Area Reference Map: Los Angeles–Long Beach–Anaheim, CA.  
Attachment B – Aerial map showing location of Project site  
Attachment C – Aerial Map showing distance of the Project site from Regional Intermodal Transportation Center (RITC) located at the northwest corner of Empire Avenue and North Hollywood Way  
Attachment D – City Comments on Preliminary Application and Conceptual Design