STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: November 17, 2026

TO: Justin Hess, City Manager

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SUBJECT: Discussion on Development Streamlining and Incentives Program

RECOMMENDATION

Receive an update on the proposed Development Streamlining and Incentives Program (DSIP) and provide feedback, if any, on the proposed components and overall approach of the DSIP to ensure the program is in alignment with the City Council's policy direction.

BACKGROUND

The Community Development Department's (Department) Planning Division is developing the Development Streamlining & Incentives Program (DSIP), which consists of three primary components: (1) updating and clarifying the City's Development Review (DR) process; (2) updating the City's Density Bonus Ordinance to align with state Law; and (3) establishing a framework for a Community Benefits Program (CBP). Collectively, these efforts are intended to streamline development review procedures, reduce processing timelines, incentivize housing production, and implement adopted City policies and programs consistent with applicable state law.

The purpose of this report is to provide the City Council with an overview of the proposed DSIP, including its key components, and to seek feedback and confirmation that the proposed approach is consistent with the Council's policy direction before staff proceeds with further development of the program.

City Council Goals, Housing Production Targets, and State Housing Laws

In 2018, the City Council established a goal to facilitate the production of 12,000 housing units by 2035 to address local housing needs and accommodate anticipated growth. Additionally, the City's 2021-2029 Housing Element identifies a Regional Housing Needs Assessment (RHNA) allocation of 8,772 units. As of April 2026, approximately 16.6% of the City's RHNA allocation had been constructed, with an additional 37% entitled or issued building permits. Most of these units fall within the Above Moderate-Income category, highlighting the continued need to facilitate housing production across all income levels.

In recent years, the State legislature has adopted several laws, including Senate Bill (SB) 9, SB 684, SB 35, and Assembly Bill (AB) 2011, that establish streamlined or ministerial approval processes for qualifying housing developments. While these laws are intended to accelerate housing production, they also limit local discretionary review of eligible projects. In response, the City Council has expressed an interest in establishing local development regulations that encourage housing production while maintaining local oversight through objective development standards and promoting development that is compatible with surrounding neighborhoods.

Additionally, the City Manager's Action Plan identifies several goals related to housing production, development streamlining, and community benefits. These include updating the City's Density Bonus Ordinance, encouraging the development of for-sale housing, establishing more efficient entitlement procedures, and incorporating childcare facilities and other community benefits into new mixed-use developments.

General Plan, Housing Element, and Specific Plan Goals and Policies

The City has adopted several planning documents that establish policies and programs to facilitate housing production, streamline development review, and encourage community benefits. These include, but are not limited to:

- **Burbank2035 General Plan:** The Plan includes policies which direct higher-density residential and mixed-use development toward designated areas while protecting established neighborhoods. It also encourages affordable housing and community-serving uses and allows qualifying "Exceptional" and "Transit-Oriented Development" projects up to 25% additional development potential. A full list of policies is included in Attachment 1.
- **2021–2029 Housing Element**: The Housing Element includes policies and programs that aim to remove development barriers, streamline approval processes, update the density bonus regulations, and encourage affordable and for-sale housing. Relevant policies and programs are provided in Attachment 2.
- **Ongoing Specific Plan Updates:** The Downtown TOD, Golden State, and Media District Specific Plans call for streamlined development review through ministerial

approval pathways and community benefit incentives. The plans also encourage for-sale housing, lot consolidation, and transit-oriented development amenities.

Existing City Development Regulations

Relevant City regulations governing the review and approval of development projects include the Development Review (DR) process and the Density Bonus Ordinance, both of which establish procedures and standards for evaluating development proposals.

The City established its DR process in 1990 to ensure compliance with applicable regulations, facilitate interdepartmental coordination, and provide opportunities for public participation. Over time, the process evolved into a tiered system, with most multifamily residential projects and projects near residential areas subject to discretionary review. While discretionary review allows for greater project evaluation, it can also result in longer processing timelines, increased costs, and greater uncertainty for applicants due to case-by-case evaluation requiring subjective judgment by the decisionmakers. In contrast, ministerial review requires mandatory approval if the project complies with fixed, objective standards. Although ministerial review is permitted for certain projects, the existing DR procedures are limited and not clearly defined.

The City's Density Bonus Ordinance, adopted in 2006, has not been updated to reflect subsequent changes to California State Density Bonus Law (Government Code Section 65915), which would supersede city provisions. As a result, inconsistencies between local regulations and state law can create confusion and additional administrative challenges for applicants seeking density bonuses, incentives, concessions, or waivers.

DISCUSSION

The proposed DSIP consists of three components intended to modernize the City's development regulations, establish more efficient local review procedures, and encourage housing production and community benefits.

Component 1: Update to the Development Review Process

The first component proposes updates to the City's Development Review (DR) process to expand ministerial review opportunities for qualifying projects. Establishing a more efficient and predictable local ministerial review process would encourage developers to utilize the City's regulations rather than relying on state-mandated approval processes. This approach would allow the City to apply local objective development and design standards, while encouraging projects to provide community benefits, and advance the City's land-use priorities.

The proposed updates would allow the following project types to qualify for Ministerial Development Review:

- **Missing Middle Housing:** Up to 22 units in R-3/R-4 zones.
- **Lot Consolidation:** Up to 50 units on qualifying consolidated lots.
- **Housing Opportunity Sites:** Projects on the 19 identified Housing Element Opportunity Sites (see Attachment 3).
- **Downtown TOD Redevelopment Sites:** Qualifying residential projects on designated redevelopment sites (see Attachment 4).
- **Specific Plans:**
    - Up to 150 units on highest-density sites.
    - Up to 50 units on other qualifying non-residential sites.
    - Up to 300 units via the Community Benefits Program.
- **Commercial Projects:** Up to 10,000 sq. ft. where the use is permitted by right.

Additional procedural updates are also proposed to the DR regulations that include:

- **New Planning Commission Tier:** Establish a new review tier requiring Planning Commission consideration of projects of statewide, regional, or area-wide significance, as defined under the California Environmental Quality Act (CEQA). These would include residential projects with more than 500 units and qualifying large-scale commercial, hotel and industrial developments.
- **New Exemption Threshold:** Projects with four units and under would be exempt from the DR process.
- **Environmental & Approval Standards:** Establish standardized conditions of approval for all projects and require Phase I Environmental Site Assessments (ESA) for certain projects.
- **Public Engagement:** Maintains existing community meeting and public noticing requirements.

Component 2: Establishment of a Community Benefits Program

The second component would establish a Community Benefits Program (CBP) to encourage housing production and community serving amenities in exchange for development incentives. The program would be optional and it would offer density and intensity bonuses of up to 25%, alongside streamlined review for eligible projects in key transit and specific plan zones, in exchange for more affordable and for-sale housing, larger family-sized units, publicly accessible open space, childcare facilities, implementation of workforce programs, and sustainable design features. The CBP provides additional value for developers to make high-quality projects more financially feasible.

The program would apply to qualifying “exceptional” or “transit-oriented development” projects that meet the following eligibility criteria:

- **Location:** Within the Downtown TOD, Golden State, or Media District Specific Plan areas; on parcels within nonresidential zoning districts; and positioned at least 150 feet away from R-1 single-family zoned properties.
- **Project Size:** Minimum 10 units, up to a maximum of 300 units.
- **Permitted Use:** Housing must be a Permitted ("P") use on the Land Use Table.
- **Additional Requirements:** Satisfies criteria from a tiered menu of qualifying benefits (Attachment 5).

The proposed CBP would establish a two-tier menu of community benefits, generally requiring projects to provide one benefit from each tier. This menu could be expanded or modified to reflect evolving City Council goals and priorities.

- **Tier 1 Community Benefits:** Additional affordable units above the statutory minimums required by the City's Inclusionary Housing Ordinance, for-sale housing options, large family units, on-site childcare/family resources, civic/institutional space, high-quality architectural design, and workforce standards (e.g., prevailing wage, skilled/trained workforce, apprenticeship programs).
- **Tier 2 Community Benefits:** Local hiring requirements, double the required project amenities, publicly accessible open space, enhanced sustainability upgrades, adaptive reuse, public parking, and transit-related infrastructure.

Developer Incentives:

- In addition to the 25% residential density and commercial intensity and Ministerial Development Review for projects up to 300 units, qualifying projects may also have reduced Development Impact Fees for affordable units and reduced parking requirements, which result in lower overall construction/entitlement costs.

Component 3: Update to the Density Bonus Ordinance

The third component proposes to update the local Density Bonus Ordinance to maintain full compliance with the current California law by referencing the state law, rather than adopting and restating state law. As stated earlier, the current Density Bonus Ordinance was adopted in 2006 and does not reflect extensive successive state law changes. The project proposes the following changes to the DB Process:

- **Simplified Municipal Code:** Streamlines the Burbank Municipal Code (BMC) by referencing state law directly and establishing detailed Implementing Regulations.
- **Streamlined Administrative Updates:** Allows updates to Implementing Regulations without requiring Zone Text Amendments (ZTA).
- **Two-Tier Incentive Structure:** Establish a simplified process for reviewing density bonus incentives, concessions, and waivers.
    - *On-Menu Concessions/Incentives:* Ministerial and granted automatically. The list of On-Menu Concessions/Incentives is included in Attachment 6.

    - *Off-Menu Concessions/Incentives and all waivers:* Ministerial, subject to denial only through explicit statutory findings.
- **Clarified State Law Requirements:** Affordability commitments enforced for 55 or 45 years; statutory reductions in parking requirements; access to development concessions/incentives and standard waivers.

Expected Program Impacts

The DSIP is intended to streamline development review, with a special focus on mixed-income housing production in targeted areas of the City. The DSIP is expected to accelerate housing production on identified Housing Element Opportunity Sites and within the Specific Plan Areas. The DSIP does this by reducing entitlement lead times, minimizing pre-development costs, and reducing risk. By including the Community Benefits Program, the DSIP incentivizes tangible community benefits, including larger family units, for-sale inventory, missing middle housing, energy-efficient designs, public amenities, and workforce programs, which will result in superior projects. Finally, the DSIP will ensure that the City's density bonus regulations are clear and consistent with the state law.

COMMUNITY OUTREACH

The City has conducted several outreach efforts to assist in the development of the DSIP and its various components, including:

- **December 2022:** Staff and the City's consultant held a roundtable with developers, property owners, and union representatives to discuss construction workforce policies/programs, including prevailing wages, skilled and trained workforce, apprenticeship programs, and local hiring requirements.
- **June 2024:** The Department hosted a virtual informational community meeting to discuss the potential impacts and benefits of implementing construction workforce programs/policies for housing developments.
- **June 2025:** The Department hosted a virtual informational community meeting to present proposed updates to the City's Density Bonus Ordinance and an overview of the proposed Community Benefits Program, including potential incentives for qualifying housing projects. No decisions were made on the Project during this meeting.

ENVIRONMENTAL REVIEW

This report is solely informational and has no potential for resulting in direct or indirect physical change to the environment. It falls outside the definition of a "project" under the California Environmental Quality Act (CEQA) and is therefore not subject to CEQA pursuant to Section 15378 of Title 14 of the California Code of Regulations. However, the DSIP itself is subject to CEQA, and in late 2026 the Project consultant will begin environmental review.

FISCAL IMPACT

There is no fiscal impact associated with this report.

CONCLUSION

The proposed Development Streamlining & Incentives Program (DSIP) seeks to modernize the City's land-use and entitlement framework, directly addressing current administrative challenges and statutory misalignments while providing a clear path toward the City's goal of facilitating the production of 12,000 housing units by 2035. By updating Development Review procedures, fully aligning local density bonus provisions with California State Density Bonus Law, and instituting a tailored Community Benefits Program, the DSIP establishes predictable ministerial pathways alongside transparent incentive structures. In doing so, the program would deliver substantial benefits to both the community and the development sector: lower pre-development costs, reduced entitlement lead times, and secure critical public amenities—including enhanced affordable housing options, missing middle housing, family-sized units, public open space, and workforce standards—all while preserving local objective design control and ensuring that future growth yields lasting public value.

Staff is seeking City Council feedback on the proposed components and overall approach of the DSIP to ensure the program is consistent with the Council's policy direction prior to proceeding with further development of the program.

ATTACHMENTS

Attachment 1 – General Plan Goals and Policies
Attachment 2 – Housing Element Policies and Programs
Attachment 3 – Housing Element Opportunity Sites
Attachment 4 – Downtown TOD Redevelopment Sites
Attachment 5 – Community Benefits Program Proposed Menu of Benefits
Attachment 6 – List of Proposed On-Menu Incentives