

Planning Board Minutes

August 22nd, 2022

CALL TO ORDER 6:09 p.m.

INVOCATION None.

FLAG SALUTE None.

ROLL CALL

Present- - - - Planning Board Members: Vice Chair, Christopher Rizzotti and Board Members, Robert Monaco, and Michael Elric

Absent- - - - Board Member, Apraham Atteukenian
Also Present- Senior Assistant City Attorney, Iain MacMillan; Assistant Community Development Director, Fred Ramirez; Assistant General Manager of Water Systems, Richard Wilson; Planning Manager, Scott Plambaek; Senior Planner, Shipra Rajesh; Karen Warner of Karen Warner Associates, Inc.; and Associates; and Intermediate Clerk, Kyle Joffee.

ANNOUNCEMENTS None.

HEARINGS

1. Public Review Period of a Recirculated Draft Environmental Impact Report for the Draft Housing Element,

PROJECT DESCRIPTION:

Receive public comment for the Recirculated Draft Environment Impact Report (DEIR) for the 2021-2029 Housing Element, Safety Element, and Environmental Justice General Plan updates. The public hearing is being held during the 47-day review period that started on July 22, 2022, and will end on September 6, 2022. No decisions will be made by the Planning Board regarding this item, only public comments will be received.

Staff Report:

Safety
Element and
Environmental
Justice
General Plan
Update | Note
and File

Shipra Rajesh presented this item to the Board.

Public Comment:

Joshua Christensen of the Southwest Regional Council of Carpenters, requested that a provision be added to the Housing Element that all construction personnel working on new projects in Burbank receive fair wages, benefits and working conditions.

Jared Langford, a representative of the Southwest Regional Council of Carpenters, expressed the need for workforce training and prevailing wage requirements for all workers working on the new housing projects outlined in the Burbank Housing Element.

Chuck Powell of the Southwest Regional Council of Carpenters, expressed his desire for the workforce that builds the projects outlined in the Housing Element to be made up of a local workforce.

Response to Public Comment:

Mr. Ramirez clarified that the packets of public comments that were received before the meeting will be incorporated into the record and will be responded to in the Final Environmental Impact Report.

Board Q&A:

Mr. Monaco inquired about whether there is one area of the report that should be focused on with a wider perspective.

Mr. Ramirez recommended that due to the limited nature of the current item, it would be more appropriate to respond to this question within the context of the second agenda item.

Mr. Elric asked whether the Draft Environmental Impact Report (DEIR) presented will affect all future projects that require an environmental impact report.

Mr. Ramirez answered by stating that the DEIR is intended to analyze the updates to the Housing Element, Safety Element and Environmental Justice General Plan. As well as to provide clarity on the potential impacts of future projects, so that decision makers are able to evaluate the potential impacts of these projects in accordance with CEQA and make a determination based on this evaluation.

Mr. Elric asked if the DEIR is what the Council will use to make decisions in the future.

Mr. Ramirez clarified that the DEIR is a disclosure document for the City Council to understand what the impacts of future development are and the mitigation measures that would be applied to future projects.

Mr. Elric inquired about whether there any further mitigations that are being researched.

Mr. Ramirez referred Mr. Elric to the Mitigation Monitoring and Reporting Program Draft in Exhibit E of Item One.

Deliberation:

Mr. Monaco made a motion to note and file. Seconded by Mr. Elric, carried by a vote 3-0, the motion passes.

- 2. Request to Recommend to the City Council Approval of the 2021-2029 (6th Cycle) Housing Element, Safety Element, and Environmental Justice General Plan Updates ' Resolution

PROJECT DESCRIPTION:

A City initiated and state-mandated update to the Housing Element, which will cover the planning period of October 2021 through October 2029 - known as the 6th Cycle, provides policies and housing programs to enable housing development to meet the City's fair share of housing, identify potential opportunity sites for accommodating future housing growth, accommodate a diversity of housing affordable to all economic segments of the community, and remove regulatory constraints in development of housing by streamlining the processing of residential building permits; updates to the Safety Element to ensure safe ingress and egress for emergency services and the general public from existing and proposed housing; and revisions to the General Plan to incorporate goals and policies that relate to Environmental Justice in the City.

ENVIRONMENTAL REVIEW: The Project will result in changes to the City's General Plan and are subject to the applicable environmental review under the California Environmental Quality Act of 1970 (CEQA). To satisfy the disclosure requirements as prescribed under CEQA, an Environmental Impact Report (EIR) was prepared to identify, analyze, and mitigate, to the extent feasible, the potential environmental effects associated with implementation of the Project. The EIR was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA (State CEQA Guidelines) (Title 14, California Code of Regulations, Chapter 3, Sections 15000 et. seq.).

Meeting Disclosures:

None.

Notices Given:

Mr. Ramirez informed the Board that the notices have been provided.

Written Communications:

Mr. Ramirez stated that we have received public comment from members of the Southwest Regional Council of Carpenters and Carpenters Local 661.

Staff Report:

Shipra Rajesh presented this item to the Board.

Public Comment:

Jared Langford of the Southwest Regional Council of Carpenters recommended that section 2.5.1 of the Housing Element be updated to contain a local hire apprenticeship policy to produce an ample of supply of mixed income and affordable housing units.

Response to Public Comment:

No further comment.

Board Q&A:

Mr. Rizzotti inquired about what the plan is for the growing inventory of housing in the City as developments continue to increase and the housing market continues to worsen.

Ms. Rajesh answered by saying that the Housing Element with the help of the Environmental Impact Report, takes into account all of the potential impacts of the Housing Element being implemented.

Ms. Warner stated that the City's production in the last cycle was only 40% of its regional needs. As well as that the City has a very aggressive monitoring program to meet our RHNA threshold going forward.

Mr. Rizzotti asked whether staff has questioned the RHNA numbers that the City of Burbank has been allocated.

Ms. Rajesh stated that the City has not questioned the RHNA numbers.

Mr. Ramirez also added that when the City was presented with their new RHNA allocation numbers, the City Council did not direct staff to question the numbers, which was at a time when our housing production were significantly less than our previous RHNA allocation for the prior 2014-2021 planning period.

Mr. Rizzotti inquired about the current state of SB 9 in the City.

Mr. Ramirez answered by saying that staff is currently using interim standards established from an adopted urgency ordinance to evaluate SB 9 projects and that staff will have to return to present a new set of regulations to establish permanent SB 9 Development Standards for the Board and eventual City Council consideration as part of a future zone text amendment.

Mr. Rizzotti asked if staff has questioned the State of California on how we can meet our required housing quota while also complying with the State's imposed water restrictions.

Mr. Ramirez stated that based off of the City's required Water Supply Assessment and joint assessment of water availability conducted with the Metropolitan Water District, a conclusion was made that there was sufficient water capacity to support the proposed development under the Project.

Mr. Wilson added that the Metropolitan Water District (MWD) takes multiple factors into account when calculating their water supply projection. These factors include an analysis of all twenty-six-member agency's Urban Water Management Plans, as well as new water supply projects that are currently in the design, conceptual and CEQA phases of development. Which is how the MWD determines whether they will be able to meet projected demand.

Mr. Rizzotti inquired about why recycled water infrastructure is not being installed throughout the City.

Mr. Wilson stated that Los Angeles County requires every site that is connected to the recycled water system to have a trained on-site supervisor, a backflow preventer that is maintained and tested annually, and a permit from the Los Angeles County Department of Health. As well as that having residential properties connected to the recycled water system can pose a risk to Public Health due to the possibility of cross-contamination into the potable water system.

Mr. Ramirez added that the Greenhouse Gas Reduction Plan requires new developments to be connected to purple pipe for irrigation purposes as the purple pipe becomes available.

Mr. Elric asked if these new developments have on-site supervisors to maintain their recycled water systems?

Mr. Ramirez answered that these developments do have on-site supervisors, on-site requirements and that their recycled water and potable water systems are plumbed separately.

Mr. Rizzotti asked if staff has provided feedback to the State on how policies imposed by the State have affected Burbank neighborhoods.

Ms. Rajesh stated that staff was mindful when choosing the opportunity sites outlined in the Housing Development, and that within the Housing Development there are programs that focus on preserving and maintaining the existing single-family neighborhoods.

Mr. Ramirez confirmed that the City Council and the City's consultants/lobbyists continue to advocate for the interests of the City and its residents at the regional and state levels.

Mr. Monaco asked who decides what is the City's RHNA allocation.

Ms. Rajesh answered by saying that the Southern California Association of Governments (SCAG) determines what is the local RHNA allocation.

Ms. Warner then clarified that while the RHNA numbers are issued by SCAG they originate from the State Department on Finance.

Mr. Monaco inquired about how the Housing Element and Burbank Water and Power's Urban Water Management Plan will be implemented so that the developments outlined in the Housing Element are subject to BWP's Urban Water Management Plan.

Mr. Wilson clarified that the City of Burbank's demand for water is a very small percentage of the additional water supply that may become available through the new water supply projects being designed by the Metropolitan Water District.

Mr. Monaco asked for confirmation that the Housing Element is meant to provide incentives for developers to develop new housing

in Burbank and not a plan for the City of Burbank to go out and build housing itself.

Mr. Ramirez clarified that the purpose of the Housing Element is to create a regulatory structure that will accommodate a developer to create a certain level of affordable housing with new housing proposals.

Mr. Elric what efforts are staff making to help the Southwest Regional Carpenter's Union in response to their comments regarding the Housing Element?

Mr. Ramirez stated that in both the Density Bonus and Inclusionary Housing programs of the Housing Element, language was added that staff would undertake an economic feasibility analysis to assess the potential cost of prevailing wage and workforce training requirements for the new housing development outlined in the Housing Element.

Mr. Elric asked if there are any plans to develop housing in close proximity to the City's railroad network.

Mr. Ramirez answered by saying that the plans that would facilitate a development close to our public transportation infrastructure would be the specific plans such as the Downtown Burbank Transit Oriented Development (TOD) Specific Plan, the Golden State Specific Plan, and the Media District Specific Plan.

Deliberation:

Mr. MacMillan reminded the board that a motion to approve the resolution will require three votes.

Mr. Elric made a motion to approve the resolution with the condition that City Council take the Planning Board Member's concerns into account. Mr. Rizzotti seconded the motion with the caveat that all of the Planning Board Member's comments are sent to council. Denied by a vote of 2-1.

Mr. Monaco inquired about whether the State can put pressure on the City to approve the Housing Element if it is not approved by the City.

Mr. Ramirez clarified that not having a state compliant Housing Element would allow certain projects to become by-right, which further erodes local control and in turn creates more restraints for the City.

Mr. Monaco made a motion to reconsider, seconded by Mr. Elric. Carried by a vote of 3-0, the motion passes.

Mr. Elric made a motion to approve the resolution as previously stated on the record. Seconded by Mr. Rizzotti, carried by a vote of 3-0, the motion passes.

ORAL
COMMUNICATIONS

None.

REPORTS

None.

APPROVAL OF
MINUTES

Mr. Monaco made a motion to approve the minutes from the Planning Board meeting of May 9th, 2022. Seconded by, Mr. Elric, carried by a vote 3-0.

ITEMS FROM THE
PLANNING BOARD

Mr. Elric inquired about whether there are more projects that will be coming before the board which are not listed in the Agenda Forecast.

Mr. Ramirez stated that there are a handful of items that will be coming before the board, but that the public must be notified before they are entered into the agenda forecast.

Mr. Ramirez stated that Mr. Wilson is willing to give the same presentation to the Planning Board that he previously gave to City Council regarding the City's long term planning for water.

CITY PLANNER
COMMENTS

Mr. Ramirez thanked the board for their service and commended them for their hard work, their proper examination of the items brought before them and the positive impact that their service has on the community.

ADJOURNMENT
TO THE PLANNING
BOARD MEETING
OF SEPTEMBER
12TH 2022.

Respectfully Submitted,

Secretary of the Planning Board

