

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURBANK CONFIRMING THE COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION THAT THE AMENDED PROJECT NO. 22-0000972 LOCATED AT 921 W. RIVERSIDE DRIVE IS CONSISTENT WITH ALL APPLICABLE OBJECTIVE GENERAL PLAN, ZONING, SUBDIVISION, AND DESIGN REVIEW STANDARDS AND APPROVING THE PROJECT'S STREAMLINED MINISTERIAL DESIGN REVIEW.

THE CITY COUNCIL OF THE CITY OF BURBANK FINDS:

A. Based upon the First Half Reporting Period of the 5th planning cycle (2014 – 2021), the City is subject to Senate Bill (SB) 35, Streamlined Ministerial Review and Approval Process;

B. On July 1, 2021, Pickwick Investors, LLC ("Applicant") submitted an Notice of Intent to submit a SB 35 Application for Streamlined Ministerial Design Review for a housing development project located at 921-1001 W. Riverside Drive (the "Project");

C. On July 30, 2021, the Planning Division requested Tribal Consultation as required by AB 168;

D. On November 15, 2021, the City confirmed in writing the Project submitted at 921-1001 W. Riverside Drive was eligible for SB 35 Streamline Ministerial Approval Processing;

E. On December 13, 2021, the City and the Fernandeano Tataviam Band of Mission Indians completed the Enforceable Agreement for monitoring of the Project site;

F. On February 24, 2022, Pickwick Investors, LLC submitted an application for 96 townhome units and a Vesting Tentative Tract Map No.83627 for Streamline Ministerial Design Review and Approval Process;

G. On April 18, 2022 the Burbank City Council denied the application;

H. On May 9, 2022, the Applicant filed a legal action entitled *Pickwick Investment, LLC v. City of Burbank* challenging certain determinations made by the City with respect to the Application and the Project alleging violations of SB 35 and Housing Accountability Act. The City disputes those contentions;

I. On October 5, 2022, the Applicant submitted an amended project application that included but the following material changes:

- a. Proposed development of 92 units with an overall density project from 18.4 units to the acre;
- b. Proposed dedication or right-of-way on Main Street of 8-feet and 16-feet and a dedication of 2-feet along Riverside Drive to accommodate

- 10' wide equestrian trail and 8' wide sidewalk/parkway along the perimeter of the project site;
- c. Request for Front Yard Setback Concession from 25 feet to 17 feet along Main Street and from 25 feet to 23 Feet along Riverside Drive to accommodate the dedication and horse trail along Riverside Drive and Main Street as a neighborhood amenity;
 - d. Revised site area of 5.01 acres with the proposed dedication;
 - e. Removal of floor plan 1 and Plan 1x (1333 sq.ft/1,325 sq. ft. respectively) and replacing the new plans as follows:
 - i. Plan 1- 1,816 sq. ft. m 3 bed/3.5ba (former plan 2)
 - ii. Plan 2 - 1,880 sq. f. 4bed/3.5bat (new plan type)
 - iii. Plan3/3x - 1,931 sq. ft., 4 bed/3.5ba (former plan 3/3X)
 - iv. Revised building throughout, removed building types BT-300, BT-400 (replaced with existing building types BT-200 and BT-501 respectively)
 - f. The New Plan 2 that now includes:
 - i. Additional bedroom and large window on the third floor with slight adjustments to the rear elevation.
 - ii. Affects building except those that front either Main Street or Riverside Drive.
 - iii. Overall project architectural remains as originally proposed.

J. The City Council of the City of Burbank held a duly noticed public hearing on October 25, 2022, to consider the Community Director's Determination that the Project is consistent with all applicable Objective General Plan, Zoning, and Subdivision, and Design Review Standards, as well as to conduct Streamline Ministerial Review pursuant to Burbank Municipal Code Title 10, Chapter 1 (Zoning), Division 12 (Streamlined Ministerial Approval Process);

K. The Amended Project is statutorily exempt from environmental review under Government Code Section 65913.4(d)(2) and the California Environmental Quality Act ("CEQA") per CEQA Guidelines Section 15268;

L. The City Council considered the report and recommendations of the Community Development Director and the evidence presented at such hearing; and

M. The City Council considered the testimony and evidence from the Project Applicant, and the general public presented at such hearing.

THE CITY COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The Community Development Director's Determination that Project No. 22-0000972, an Amended Project proposal for 92 residential townhome units and Vesting Tentative Tract Map No. 83627 is consistent with all Objective General Plan, Zoning, Subdivision, and Design Review Standard and Government Code Section 65913.4 is hereby affirmed. Further the Burbank City Council approves the Ministerial Design Review for Project No. 22-0000972 for the Amended Project with 92-residential

townhome units and Vesting Tentative Tract Map No. 83627, subject to compliance with all standard Conditions of Approval (Exhibit A). The City Council's approval is based upon the City Council's determination that all required findings for approval of the requested Amended Project application could be made as required under the BMC for Project No. 22-0000972, as follows:

a. Findings for Streamlined Ministerial Design Review:

The Amended Project conforms to the requirements of Streamlined Ministerial Design Review as outlined in Burbank Municipal Code Title 10, Chapter 1 (Zoning), Division 12 (Streamlined Ministerial Approval Process); and California Government Code Section 65913.4, respectively.

The Amended Project has been reviewed under the requirements noted in BMC Title 10, Chapter 1 (Zoning), Division 12 (Streamlined Ministerial Approval Process). A publicly noticed City Council meeting was held on October 25, 2022. At this City Council meeting staff, the Amended Project Applicant and architect presented the Amended Project and staff and the Applicant and architect fielded questions and provided responses regarding the proposed Amended Project.

- i. The Amended Project complies with all requirements of California Government Code Section 65913.4(a), as detailed in Exhibits B, C, D, and E attached hereto and incorporated herein by this reference. Specifically, the 92-unit townhouse development is a multifamily housing development containing two or more units; the project parcel is within incorporated City limits and at least 75 percent of the parcel is adjoining to urban uses, the project site is surrounding by urban uses on all sides; the Project site General Plan land use designation and zoning permit residential or residential mixed-use development. In this case the Commercial Recreation (C-R) zone allows a density of up to 20 units to the acre and the General Plan Land Use Designation of Rancho Commercial also allows a density of up to 20 units to the acre; the Project Applicant has committed 10% of the units to be dedicated to affordable for low-income households; the Amended Project is consistent with all zoning, General Plan, Subdivision and Design Review standards as provided in Exhibit B.
- ii. The Amended Project site is not located on prime farmland or farmland of statewide importance as provided in Exhibit C;
- iii. The Amended Project site is not located in Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993) as provided in Exhibit C;
- iv. The Amended Project site is not located in a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code as provided in Exhibit C;

- v. The Amended Project site is not a listed hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code as provided in Exhibit C;
- vi. The Amended 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, as provided in Exhibit C;
- vii. The Amended Project site is not located in 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), or in a 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 as provided in Exhibit C;
- viii. The Amended Project site is not located within 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. Sec. 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) as provided in Exhibit C;
- ix. The Amended Project site is not located under a conservation easement as provided in Exhibit C;
- x. The Amended Project would not result in the demolition of housing, a site that would require demolition of housing that is subject to recorded restrictions or law that limits rent to levels affordable to moderate, low, or very-low income households, subject to rent control currently occupied by tenants or that was occupied by tenants within the past 10 years, or a site that previously contained housing occupied by tenants that was demolished within the past 10 years because it has occupied by a commercial use;
- xi. The Amended Project will not result in the demolition of a historic structure that is on local, state or Federal register;
- xii. The Amended Project site is not a parcel of land or site governed by the Mobilehome Residency Law, the Recreational Vehicle Park

Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act;

- xiii. A portion of the Amended Project site is within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. The Amended Project Applicant was able to demonstrate they can safely construct within the 100 year flood way as provided in Exhibit D;
- xiv. The Applicant for the Amended Project commits that all workers employed in the execution of the development will be paid at least the applicable general prevailing rate of per diem wages or apprenticeship wages, as provided in Exhibit E;
- xv. The Amended Project complies with all applicable development standards noted in the BMC, unless deviations are otherwise permitted through the concession requests sought under local and State density bonus law (BMC Section 10-1-634 et. seq. and California Government Sections 65915), as shown in Exhibit B – Objective Standards Consistency Analysis. More specifically, the Amended Project complies with the C-R zone development standards related to: all required front yards, side setbacks, rear yards, 50% landscaping required of required front and side yards, 36-inch box tree installation throughout the Amended Project site, design review standards with pitched roof, Spanish style architecture, off-white color scheme and the use of Spanish tile and textured stucco, parking lot facilitate design and location requirements and all other applicable standards as identified in Articles 11 through 24 of Chapter 1 (Zoning) of Title 10 (Zoning Regulations).

b. Findings For Concession

The Amended Project conforms to the requirements outlined in Burbank Municipal Code (BMC) Section 10-1-634 et. seq. and California Government Code Section 65915.

In accordance with BMC Section 10-1-634 et. seq. and California Government Code Sections 65915, the Amended Project is requesting one concession from the City's development standards that would facilitate the Density Bonus request. The Amended Project is requesting the following development standard concession from the BMC:

1. C-R Zone Front Setbacks: BMC Section 10-1-2441.C.2.a of the Burbank Zoning Code states that all structures within the Commercial Recreation (C-R) zone shall be set back at least 25 feet from the front lot line. The Amended Project is requesting front yard setback reduction from 25 feet to 17 feet along Main Street and from 25 feet to 23 Feet Riverside Drive to accommodate the dedication

needed for the proposed equestrian trail and sidewalk/parkway. The requested concession is identified as a Tier 3 as up to a 32 percent reduction to the minimum front setback is not identified in Tiers 1 or 2. The requested concession from the front setbacks along W. Riverside Drive and S. Main Street are necessary to facilitate the build out of the permitted residential dwelling units and the associated community benefits such as the equestrian trail and associated public right-of-way dedications.

- 2. The City Clerk shall mail a copy of this Resolution to the applicants in accordance with the Burbank Municipal Code.

PASSED AND ADOPTED this ____ day of October, 2022.

Jess A. Talamantes
Mayor

Approved as to Form:
Office of the City Attorney

By: _____
Joseph H. McDougall
City Attorney

Attest:

Zizette Mullins, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Zizette Mullins, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its special meeting held on this ____ day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

Zizette Mullins, MMC, City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL
(ATTACHED)

**EXHIBIT A
CONDITIONS OF APPROVAL
Project No. 22-0000972**

**SB 35 Housing Development Project and Vesting Tentative Tract Map No. 83627
(921-1001 W. Riverside Drive. – Pickwick Investment, LLC)**

Planning Division

1. Project No. 22-0000972 a SB 35 Housing Development Project and Vesting Tentative Tract Map No. 83627 approves the construction of ninety-two (92) for-sale units, which includes 10 units that will be set aside as deed restricted dwelling units affordable to eligible low-income households and the creation of air rights for each individual condominium unit. The Project is located at 921-1001 W. Riverside Drive in the Commercial Recreation (CR) zone.
2. Unless otherwise provided for under the provision of SB 35 (The Affordable Housing: Streamlined Ministerial Approval Process), this permit shall expire if the scope of work is not initiated within three years of the date of this approval (expires on October 25, 2025), unless the Property Owner has diligently developed the project as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. The Project may receive a one-time, one-year extension if the Project Applicant can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application. The Project Applicant can make a written request for a 1-year extension of the approved Project. The extension request is subject to the review and approval of the Community Development Director or his/her designee.
3. The operation/construction on the Project site shall remain in substantial conformance with the request and with the application materials submitted by the Applicant and the Project plans date stamped and approved by the City Council on October 25, 2022, and placed on file in the office of the City's Community Development Department's Planning Division. The Project Applicant shall provide material boards for the proposed buildings that include the proposed colors and finishes of the different building model types. These material boards must be submitted as part of the plan check submittal and must be reviewed and approved by the Planning Division prior to the issuance of a building permit for any of the buildings. The Community Development Director or his/her designee may approve minor modifications to the City approved plans within the approved building envelope. Additional modifications to the approved plans may be granted as provided by SB 35, subject to the review and approval of the Community Development Director or his/her designee.
4. The Project Applicant shall comply with all Federal, State, and local laws. Violation or conviction of any of those laws in connection with the use will be cause for revocation of this permit.

5. The Project Applicant shall list these standard Conditions of Approval in the construction plans submitted to the Building and Safety Division as part of a building permit request. The Applicant shall also provide a separate written document outlining how, or where, each of the Conditions of Approval have been addressed in the building permit plan set for all City Division/Department's conditions enclosed and provide the same number of copies as building plan sets submitted for Building Plan Check.
6. By signing and/or using this approval, the Applicant acknowledges all the conditions of approval imposed and accepts this permit subject to those Conditions of Approval and with full awareness of the provisions of the Burbank Municipal Code. Failure of the permittee or property owners to sign the Project's conditions does not affect their enforceability by the City or other responsible entity. These Conditions of Approval are binding upon all future property owners and occupants of the Project site located at 921-1001 W. Riverside Drive.
7. The Project must maintain the areas and square footage of landscaping that are noted on the plans approved by the City Council. Any deviations from the plans must be reviewed and approved by the Community Development Director or his/her designee.
8. Colors and materials shown on the plans must be reflected on the Building Permit plans unless otherwise approved by the Community Development Director or his/her designee. A material board and color pallet board shall be provided for each residential building types.
9. The height of the buildings must be measured from grade in accordance with the BMC definition of "Grade" as defined in BMC Section 10-1-203. Building section details for each building must be included in the plans submitted for building plan check. These sections must depict the height measurement noted from grade to the top of plate, and to the roof pitch/appurtenant structures.
10. The Project must be built and operated in conformance with the applicable objective design and development standards as approved by the City Council.
11. The Project shall be built to conformance with the applicable provisions of the City's Inclusionary Housing regulations.
12. A Tract Map application shall be submitted prior to the issuance of a Final Certificate of Occupancy for the Project, subject to the review and approval of the City's Community Development Director or his/her designee. The Tract Map process shall be completed within three years of submittal, and before the issuance of any Certificate of Occupancy.

13. Pursuant to the Enforceable Agreement between the City and the Fernando Tataviam Band of Mission Indians (FTBMI), the Project Applicant shall retain a professional Cultural Resources monitor procured or selected by the FTBMI to observe all clearing, grubbing, and grading operations of undisturbed soil below a depth of 5-feet within the proposed impact areas. If cultural resources are encountered, the monitor will have the authority to request that ground-disturbing activities cease within 50 feet if discovery to assess and document potential finds in real time. One monitor will be required on-site for all ground-disturbing activities in areas designated through additional consultation. However, if ground-disturbing activities occur in more than one of the designated monitoring areas at the same time, then the parties can mutually agree to an additional monitor, to ensure that simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage.
 - a. Any and all archeological documents created as a part of the project (isolate records, site records, survey reports, testing reports, and monitoring reports) shall be provided to the FTBMI.
 - b. The applicant and Lead Agency shall, in good faith, consult with the FTBMI on the disposition and treatment of any Tribal Cultural Resource encountered during the Project implementation.
14. Applicant shall provide notice to FTBMI not less than 14 calendar days prior to commencement of ground disturbing activities to ensure FTBMI has sufficient time to schedule adequate site monitoring personnel.
15. FTBMI shall be responsible to retain sufficient monitoring personnel to meet its monitoring obligations during all phases of ground disturbing activities. The applicant may, but shall have no obligation to, stop ground disturbing activities in the event FTBMI is not able to attend or monitor the site.
16. The Project Applicant shall pay FTBMI a rate of \$125.00 per hour for all monitoring costs and expenses
17. The FTBMI Monitor shall complete monitoring logs on a daily basis, providing descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified and available to the City upon request. The on-site monitoring shall end when grading and excavation activities of native soil (i.e., previously undisturbed) are completed, or when the FTBMI Native American Monitor has indicated that the site has a low potential for cultural resources, whichever occurs first. The City may request a copy of all field documentation from the FTBMI Native American Monitor. In addition, the FTBMI Native American Monitor shall provide the City a "closeout report" that addresses the FTBMI Native American Monitors role on the project and provides a summary of cultural findings, if any.

18. FTBMI shall comply with Applicant's site access and workplace safety requirements.
19. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted to State Health and Safety Code § 7050.5 and that code enforced for the duration of the project.
20. The Project applicant shall submit a complete landscape plan during Plan Check review that includes all existing and proposed plantings on the site. The plan shall include a matrix or legend with the plant species and a list of the maximum height of the proposed plants at full growth.
21. Applicant must provide a Construction Management Plan (CMP) that includes amongst other things, construction staging, traffic coordination, construction haul routes information and the identification of construction contractor/subcontractor including on and off-site (if applicable) parking throughout the extent of construction. The CMP is subject to review and approval by the Community Development Director or his/her designee. The Applicant and/or on-site primary general contractor (superintendent) shall have the responsibility of monitoring and enforcing the approved Construction Management Plan. The CMP shall provide a comprehensive outline of how the Applicant and Contractor(s) shall implement construction work at the project site and vicinity, as well as addressing the issue of parking, access, deliveries, et cetera.
22. The Project Applicant shall indicate the location of construction personnel parking throughout the extent of construction. Additionally, no construction personnel will be permitted to park any vehicle anywhere on any of the surrounding City streets. Contractor shall be required to post, and enforce, "NO CONSTRUCTION PARKING" signs at these locations in order to alleviate neighboring concerns.
23. There shall be no set-up, staging, or similar operations whatsoever until 7:00 a.m. Monday through Friday and not until 8:00 a.m. on Saturday.
24. There shall be no deliveries to the site accepted prior to 7:00 a.m. Delivery vehicles, if any, prior to 7:00 a.m. shall not impede or block traffic, idle the engine, nor otherwise generate any public nuisances. A queuing plan for delivery trucks shall be included as part of the CMP to identify acceptable locations.
25. Request for work outside of BMC construction hours may be granted for specific purposes, and limited time periods only. All requests must be submitted in writing to the City Building Official and approved prior to commencing any off-hour work.

26. In addition to the above general guidelines, the general contractor and on-site construction superintendent (or other designated primary contractor responsible for activities on and around the Project site) shall continue to strictly enforce the other construction guidelines specific to the Project, which includes, but is not limited to the following: the construction site and its perimeter area shall be kept free of trash, debris, and litter throughout the period of construction.
27. The Project Applicant shall identify, to the satisfaction of the City of Burbank Community Development Department's Planning Division, a qualified "Noise Disturbance Coordinator". The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the City of Burbank Community Development Director or his/her designee. All signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator in addition to the general contractor and construction superintendent.
28. The Project must be in compliance with all of the standards outlined in the Commercial Recreation (CR) Zone as stated in the Burbank Municipal Code (BMC) Title 10, Chapter 1, Article 24, Division 6.
29. The Project shall not exceed a density of more than 20 units per acre as outlined in BMC Section 10-1-2436.5.
30. The Project shall not exceed a building height greater than 35 feet as outlined in BMC Section 10-1-2441.
31. The Project shall comply with the open space requirements outlined in BMC Section 10-1-2441(B).
32. Pursuant to BMC Section 10-1-635, the City shall grant a concession for a reduced front yard setbacks from the code required 25 feet (BMC Section 10-1-2433(C)(2)) to 17 feet along S. Main Street and to 23 Feet along W. Riverside Drive to accommodate the dedication needed to build out the equestrian trail along the Project site's street fronting property lines along South Main Street and West Riverside Drive.
33. The Project must be in compliance with the rear and side-yard setback requirements outlined in BMC Section 10-1-2441(C)(2)(b)(c).
34. The Project must be in compliance with the landscaping requirements outlined in BMC Section 10-1-2441(C)(3).
35. The Project must be in compliance with parking standards outlined in BMC Section 10-1-2441(C)(5).

36. The Project must be in compliance with the parking standards noted on the plans adopted by the City Council in compliance with applicable local and State regulations for an SB 35 Project (CA Govt. Code Section 65913.4). Any reduction in the number of parking stalls shall be subject to review and approval by the Community Development Director or his/her designee.
37. The construction plans must remain in compliance with the design elements and architectural designs that are shown on the plans approved by the City Council during ministerial design review. Any deviations from these standards must be approved by the Community Development Director or his/her designee and must be in compliance with the design standards outlined in BMC Section 10-1-2443.
38. The Project must be in compliance with all applicable objective design standards outlined in BMC Section 10-1-1113.1.
39. The Project must be in compliance with the corner cutoff requirements outlined in BMC Section 10-1-1303.
40. All parking stalls on-site must meet the requirements outlined in BMC Section 10-1-1401, unless otherwise modified by applicable State Density Bonus Law and/or California Government Code Section 65913.4.
41. The ingress and egress to and from parking stalls on site shall comply with standards outlined in BMC Section 10-1-1403.
42. The location of parking stalls shall comply with standards outlined in BMC Section 10-1-1412.
43. The Project must be in compliance with the parking lot design standards outlined in BMC Section 10-1-1417.
44. Where applicable, any parking lots abutting and adjacent to residential zones must be in compliance with BMC Section 10-1-1417.2.
45. The Project shall comply with landscaping requirements outlined in BMC Section 10-1-1418.
46. The Project must be in compliance with the curb-cut standards outlined in BMC Section 10-1-1602.
47. The Project must be in compliance with the driveway width standards outlined in BMC Section 10-1-1603.
48. The Project must be in compliance with the driveway slope requirements outlined in BMC Section 10-1-1604.
49. The Project shall comply with turn-around area requirements outlined in BMC Section 10-1-1606.

50. The Project shall comply with the objective design standards outlined in BMC Section 10-1-630 (Additional Requirements for the Rancho Area).
51. The Project must be in compliance with the City's Inclusionary Housing requirements outlined in BMC Section 10-1-646.
52. The Project must be in compliance with the design and dispersion standards for inclusionary units outlined in BMC Section 10-1-651.
53. The timing of construction of the designated inclusionary units shall comply with BMC Section 10-1-651(B).
54. The Project must be in compliance with the duration of time the inclusionary units must remain as affordable units restricted for sale to qualifying low-income households as outlined in BMC Section 10-1-651(C).
55. The Project shall comply with right-of-way, roadway, parkway and median width requirements outlined in BMC Section 11-1-1009.
56. The Project shall comply with the lot area, width and depth requirements outlined in BMC Section 11-1-1101.
57. The Project shall comply with the lot frontage requirements outlined in BMC Section 11-1-1102, unless otherwise modified under State Density Bonus Law with the issuance of a concession or a waiver.
58. The Project shall comply with site drainage requirements as outlined in BMC Section 11-1-1509.
59. The Project shall comply with the sanitary sewer requirements outlined in BMC Section 11-1-1512 and section 8-Chapter 1.
60. The Project shall comply with sidewalk requirements as outlined in BMC Section 11-1-1513.
61. The Project shall comply with the street lighting system requirements outlined in BMC Section 11-1-1514.
62. The Project shall comply with the ungrounding of utility requirements outlined in BMC Section 11-1-1515.
63. The Project shall comply with the water system and fire hydrant requirements outlined in BMC Section 11-1-1516.
64. The Project shall comply with the street trees and plants requirement outlined in BMC Section 11-1-1517.

Housing Division

65. The Project Applicant shall provide ten (10) for-sale, ownership units that are affordable to lower income households (the Affordable Units) to comply with the applicable requirements for a density bonus, SB 35, and inclusionary housing as provided in Burbank Municipal Code (BMC), Title 10, Chapter 1 (Zoning), Article 6, Division 5 (Affordable Housing Incentives); Government Code Section 65915; Government Code Section 65913.4 (SB 35); and Updated Streamlined Ministerial Approval Process Government Code Section 65913.4 Guidelines, issued March 30, 2021 by the California Department of Housing and Community Development (HCD Guidelines). The Project Applicant shall enter into one Affordable Housing Agreement with the City that will satisfy the requirements of the Burbank Municipal Code, Inclusionary Housing and Density Bonus Implementing Regulations, Government Code Section 65915, Government Code Section 65913.4, and the HCD Guidelines.
66. Affordable Housing Agreement. The Project Applicant shall enter into and record the Affordable Housing Agreement with the City prior to the issuance of any certificate of occupancy or approval of the final map for the Project, whichever occurs first. The Affordable Housing Agreement must include the following provisions **identified below in Conditions of Approval 67 to 71**:
 67. A table showing the number of bedrooms, unit size, and location of each of the Affordable Units and a floor plan that references the table and shows the type of Affordable Unit and location to ensure units are dispersed throughout the site.
 68. Provisions for the review and approval of a Marketing and Tenant Selection Plan.
 69. Description of the process for qualifying prospective homebuyer households for income eligibility.
 70. To comply with all of the provisions of the Burbank Municipal Code, Government Code Section 65915, Government Code Section 65913.4, and the HCD Guidelines, the Affordable Units shall remain reserved for lower income homebuyers in perpetuity for as long as the land is used for housing, which shall not be less than 55 years. Household incomes of eligible households shall not exceed eighty percent (80%) of annual median income (AMI), adjusted for actual household size, as AMI is determined annually by HCD (25 CCR Section 6932). Sales prices shall be calculated as provided in Health & Safety Code Section 50052.5 and 25 CCR 6920.
 71. Any other specific provisions required by the Burbank Municipal Code, Inclusionary Housing and Density Bonus Implementing Regulations, Government Code Section 65915, Government Code Section 65913.4, and the HCD Guidelines.
72. The Project Applicant is subject to full cost recovery of City expenses, including any consultant time, for drafting and recording the Affordable Housing Agreement

with the City and for ensuring the Project Applicant's compliance with said agreement. These fees are authorized by the City of Burbank fee schedule under Article III Land Use and Zoning, and Article I, Section 14 (Real Estate Services).

73. Recording of Agreements with Buyers of Affordable Units. The City shall provide **Affordability Agreements** and other documents (which may include resale restrictions, deeds of trust, rights of first refusal, and/or other documents) between the City and the homebuyer that must be executed and/or recorded against each Affordable Unit at the time of sale. The Project Applicant shall ensure that the Affordability Agreements and other documents provided by the City are properly executed and recorded.
74. The **Affordability Agreement** for each Affordable Unit shall include a requirement for owner-occupancy of the Affordable Unit and a provision for City monitoring of that requirement and other provisions of the Affordability Agreement. City monitoring will include a requirement for the homebuyer to either a) utilize annually an on-line system to collect and submit documents to demonstrate compliance with the Affordability Agreement; or b) pay an annual fee, adopted by the City Council, for City staff or a City-hired consultant to collect, review, and audit compliance of each homeowner. The future homebuyers are subject to full cost recovery of City expenses to ensure compliance with the Affordability Agreement. These Fees are authorized by the City of Burbank fee schedule under Article III Land Use and Zoning, and Article I, Section 14 (Real Estate Services).

Building Division

75. The Project shall comply with Title 9, Chapter 1, of the BMC, and the **2019 edition** of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and Building Energy Efficiency Standards, including all intervening Code Cycles.
76. Plans and reports submitted for Plan Check Review are to be submitted electronically. For more information about the online submittal process, please contact the Building Division at 818-238-5220 or via email at: building@burbankca.gov.
77. All Conditions of Approval are to be reproduced on the construction document drawings as part of the Approved Construction Set. All Departments that have provided Conditions of Approval are to review drawings and provide final approval via online electronic review, prior to issuance of a Building Permit.
78. Development Impact Fees are assessed by the City for construction of new residential square footage as listed in the Burbank Fee Schedule in effect on July 2021 and BMC Title 10, Article 22, of the Burbank Municipal Code.

79. Low Impact Development (LID): A LID Plan is required for City review that provides a comprehensive, technical discussion of how the project will provide on-site retention in compliance with the requirements of the LID Ordinance and LID Standards Manual. BMC 9-3-414: STORM WATER POLLUTION CONTROL MEASURES FOR DEVELOPMENT PLANNING and 2019 California Green Building Code Section 5.106.1. Best Management Practices (BMPs) and control measures shall be prioritized in the following order:
 - A. On-site infiltration, bioretention, and/or rainfall harvest.
 - B. On-site biofiltration, off-site ground water replenishment, and/or off-site retrofit.
80. New construction projects within the City of Burbank are subject to MWELo review. New landscape areas for residential and non-residential projects between 500 and 2,500 square feet requiring a building or landscape permit, plan check or design review will be required to complete, either a Performance or Prescriptive Compliance Method. Full house demolition will require MWELo review, either prescriptive or performance, no exceptions. BMC 9-3-500: ADOPTION OF THE WATER CONSERVATION IN LANDSCAPING ACT (ASSEMBLY BILL 1881) "MODEL WATER EFFICIENT LANDSCAPING ORDINANCE". Title 24, Part 11 CalGreen Building Code. California Code of Regulations Title 23. Waters Division 2. Department of Water Resources Chapter 2.7. Model Water Efficient. Landscape Ordinance
81. The Project site shall comply with accessibility requirements for the proposed occupancies as stated in California Building Code Chapter 11. Accessibility regulations apply to all common areas and pools and spas.
82. The parking layout will have to comply with City standards, including minimum turning radii for accessing parking stalls. Article 14. General Off-Street Parking Standards Division 1. General Provisions.
83. Deferral of any submittal items shall have prior approval of City Building Official. The registered design professional in responsible charge shall list the deferred submittals on construction documents for review.
84. Screening will be required for equipment located in front and side yards. The screening will include the electrical panels, A/C compressor units, gas meters, and transformers. All screening will be subject to approval by the Planning and Building & Safety divisions, and BWP. BMC Sections 10-1-1113.1 and 10-1-1417.1.
85. Grading and drainage plans will be required, and a separate Grading & Shoring Permit will be required. Geotechnical report to be submitted along with Grading & Shoring Permit Application to the City's Building and Safety Division as part of the Building Plan Check submittal.

86. The City's mandatory Construction & Demolition Debris Diversion Ordinance requires the recycling and diversion of at least 65% of construction and demolition debris. A refundable deposit and non-refundable administrative fee will be collected prior to permit issuance. The Ordinance applies to all demolitions and to new construction, additions, remodels, renovation, tenant improvement and alteration projects over 500 square feet in scope of work. BMC 9-1-11-1012 and SB 1374.
87. A stamped setback certification by a Licensed Surveyor will be required to certify the location of the new construction in relation to the setbacks prior to the first foundation inspection.
88. Plans submitted for plan check must be stamped by State-licensed architect or engineer unless the project is one of the following listed below and complies with conventional light wood frame construction requirements in the CBC:
- A. Wood-framed, single-family dwellings not more than two stories in height;
 - B. Wood-framed, multi-family dwellings not more than two stories in height, and limited to four dwelling units per parcel;
 - C. Wood-framed, garages or accessory structures for single-family dwellings not more than two stories in height;
 - D. Non-structural or non-seismic storefronts, interior alterations or additions.
- 9-1-2R-R301.1.3.2: Woodframe Structures Greater than Two Stories, 2019 California Administrative Code Chapter 4 Article 3, California Building Code Chapter 1 Section 107, California Residential Code R301.1.3.
89. Approved hours of construction are:
Monday – Friday 7:00 am to 7:00 pm
Saturday 8:00 am to 5:00 pm
90. No construction is permitted by contractors or subcontractors after hours, on Sunday or on City holidays without prior written request and approval from the Community Development Department BMC Section 9-1-1-105.10.

Transportation Division

91. For this Project, a traffic study will not be required.
92. Per the City's Burbank2035 General Plan Mobility Element, the City has set specific sidewalk width requirements for Burbank's streets. In addition, the project is required to install an equestrian trail parallel to Main Street (from the property boundary to Riverside Drive) and continuing along Riverside Drive west to the property boundary, adjacent to the Project. Based on Table M-2 (page 4-21) of the Burbank2035 General Plan's Rancho Commercial land use designation and the equestrian trail

requirement, the Project shall provide 18 feet wide sidewalks (from edge of curb to property line) that accommodate pedestrians and equestrians. This will require a dedication of approximately 7 feet along the project's Main Street frontage from the northern property line to a point approximately 150 feet south of the northern property line, and requires a dedication of approximately 16 feet from a point approximately 150 feet south of the northern property line to the southern property line. The 16-foot dedication is required to continue the 18-foot sidewalk adjacent to the existing southbound Main Street right turn pocket. Within this 18-foot sidewalk, the equestrian trail shall be 10 feet wide, unobstructed, with an 8-foot-wide pedestrian sidewalk and parkway, with street trees that provide canopy at maturity, and the sidewalk and parkway shall be constructed as a continuous sidewalk, with street trees installed in 4 foot by 8 foot tree wells. The surface of the trail shall be decomposed granite. Any concrete crossing of the equestrian path shall include a stiff-broom finish. The trail and sidewalk shall be separated by lodgepole fencing placed within the equestrian trail. The project shall include signage warning exiting vehicular traffic of horse trail/crossing at vehicular exits.

93. The portion of the 18-foot sidewalk adjacent to the street shall be improved with street trees in 4 by 8-foot tree wells in accordance with the City's Street Tree Master Plan or as approved by the Parks and Recreation Director. The four by 8-foot tree wells may also be improved with landscaping; if so desired, this landscaping shall be maintained by the project applicant.
94. Development shall provide sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to the units within the development, per Development Standards outlined in the Burbank Municipal Code.
95. The Sidewalk shall proceed to the corner of Riverside Drive and the main driveway in order to delineate a clear pedestrian path of travel and have the path of travel intersect the driveway at a right angle. Pedestrian pathways shall not be located behind any monument signs. BMC 6-1-903.
96. To promote and enhance transit, bicycle, and pedestrian connectivity and multi-modal options, the Developer shall be required to provide: 1) Shade canopy with trees along the sidewalk surrounding the Project site as described in Condition 92 and 93, 2) Provide pedestrian safety enhancements, such as pedestrian lighting.
97. Per State accessibility requirements, accessible paths of travel within the Project shall be a minimum of 4 feet wide (excluding deviations permitted by State Law) and pedestrian crossings shall be clearly marked.
98. Applicant shall provide a circulation plan that shows the path of travel for vehicles, pedestrians, and bicyclists, including internal sidewalk widths.

Parks and Recreation

99. Submit landscape and irrigation plans prepared by a licensed Landscape Architect. Developer to pay full cost for review of landscape and irrigation plan as reviewed by City landscape consultant. Landscape plan to meet the species of the plants and trees as noted in BMC 10-1-1418(b).
100. Must comply with Municipal Water Efficient Landscape Ordinance (MWELo) requirements if over 500 square feet of landscape. BMC 10-1-1418(b)
101. Do not remove any street/parkway trees unless the Director or appointee gives an approval and applicant is subject to pay the value of the tree removed BMC 7-4-111(a) and 7-4-102(a).
102. Parking lot trees will be required to cover 50% of all designated parking surface areas. BMC 10.1.1418(C)(1).
103. All street trees shall be a minimum of 24" box size. BMC 10.1.1418, 10.1.2107.
104. Tree wells required if planting in public right-of-way. BMC 7.4.118.
105. Provide irrigation bubbler to street trees. BMC Section 10-4-2713
106. Provide automatically controlled irrigation system to the parkway. BMC 10-1-2713
107. Must comply with Art in Public Places Ordinance. BMC 10-1-1114.
108. Provide an arborist/landscape architect valuation of any tree removed from the public rights-of-way for the Project. BMC 7-4-105.
109. Master Street Tree Plan – The Director shall have the authority to formulate a Master Street Tree Plan, which shall specify the species, spacing and locations of trees to be planted on each of the streets or other public areas of the City. BMC 7-4-103

Burbank Water and Power – Electric Division

110. The following information shall be included on the construction plans:
 - a. Location of the existing electric service panel
 - b. Dimensions/location of existing/proposed public improvements adjacent to project.
 - c. The width and the location of all the existing and proposed easements.
 - d. Fully dimensioned building elevations showing height of structure from natural grade.
 - e. Proposed location of the electric service panel/meters.
 - f. Proposed location of the any pad-mounted electrical equipment.
 - g. Plan approval will not be given until an electric service confirmation is obtained. Contact BWP Engineering at (818) 238-3575. The plans must show the pertinent information related to the method of service as specified on the confirmation.

111. Plan approval will not be given until an electric service confirmation is obtained. Contact BWP Engineering at (818) 238-3575. The plans must show the pertinent information related to the method of service as specified on the confirmation.

Load Requirements

112. A load schedule and secondary service schematic will be required to determine the extent of the electrical load requirements. An electronic copy of a plot plan of the site, showing all the existing and proposed substructures, complying with BWP AutoCAD standards should also be provided to BWP Electrical Engineering to aid the electrical design. BWP will provide full comments after the electrical sheets are provided. A meeting should be scheduled between the developer, project architect, electrical engineer, and BWP Electrical Engineering early in the design stage of each phase of the project to discuss all the issues and to finalize the location of the facilities. BWP Rules and Regulations 2.01(d).

113. Loads below 5MVA will be fed from the existing system but will require upgrades to accommodate the new development, at the developers cost. BWP Rules and Regulations 2.01(j).

114. Loads 5MVA or greater will require a new substation. The developer must provide the necessary space (a minimum of 125' x 80', with two 20' access roads on two sides), if a substation is required. Please contact BWP Engineering at (818) 238-3575 for details if the projected load will exceed 5MVA. 3.26 per BMC 8-2-203).

Substructure

115. Overhead BWP electrical facilities traversing or adjacent to the development are to be converted to underground at the developer's cost. The developer will be responsible for costs involved in converting existing overhead electric services to underground for any customers impacted by this underground conversion. BMC 8-2-203.

116. The proposed development will require the installation of pad-mounted switches and transformers. The pad-mounted switches will be looped on the line side. BMC 8-2-203.

117. The proposed development will require transformer and switch pads, which have a vault underneath them. No structures are allowed to be constructed underneath these vaults. BMC 8-2-203.

118. The installation of pad-mounted transformers and switches will require the use of a crane or boom truck. To facilitate this installation, a vertical clearance of 40' from the transformer or switch pad level should be maintained. Any design that would restrict

vertical access clearance to a level below 40' shall be subject to BWP approval. BMC 8-2-203.

119. Provide a minimum 14' x 18' clear accessible area at grade level on undisturbed soil with easy crane access 20-foot wide for each three phase pad-mount transformer facility. BMC 8-2-203.
120. Provide a minimum 10' x 17' clear accessible area at grade level on undisturbed soil with easy crane access 20-foot wide for each single-phase pad-mount transformer facility. BMC 8-2-203.
121. The proposed development will require the installation of 4' x 6' primary pull-boxes. BMC 8-2-203.
122. The proposed development will require the installation of 8' x 14' primary manholes. BMC 8-2-203.
123. Additional conduits may be required pursuant to Rule 2.81(c). BMC 8-2-203.
124. The developer will provide 5' wide recorded easement for the new underground system from the property line to the switch and a minimum 25' x 15' clear accessible easement for a pad-mount switch. The developer's surveyor will provide a legal description of the easements, which will be reviewed by Burbank Water and Power and then processed by the Community Development Department (contact 818-238-5250 for recording). BMC 8-2-203.
125. The developer's contractor will provide as-built drawings showing the exact location of underground substructure installed to serve the property. BMC 8-2-203.
126. All substructure work including transformer pads, switch pads, pull boxes, grounding systems, primary conduits and secondary conduits are the responsibility of the developer and shall be done in accordance with Burbank Water and Power drawings and specifications. BMC 8-2-203.
127. Any existing and proposed substructure on-site and off-site, which may affect the location of the new underground electrical system and any other improvements shall be identified and shown on the final plans in order to avoid a potential conflict with other substructure. BMC 8-2-203.
128. BWP will provide the following items at the developer's cost:
 - A. Construction drawings for all substructure work
 - B. Engineering support during construction
 - C. Inspection of the work performed by the developer's contractor to ensure the work is done per the plans provided by BWP and per BWP specifications
 - D. Installation of all transformers, switches, primary cables, and metering devices
 - E. Termination of the secondary cables at the transformer

129. The developer's contractor shall install secondary conduits, pull cable from the transformer to the switchboard, and terminate the secondary cables on the switchgear. BMC 8-2-203.
130. Depending on the location of the switchgear (whether it is outside or inside the building), secondary conduits and cables will be inspected and approved by both the BWP inspector and the Building Inspector (switchgear inside the building) or by the BWP inspector (switchgear outside the building). BMC 8-2-203.
131. The Building Inspector will provide structural inspection of secondary conduits for compliance with the Building code-concrete encasements, fire walls, support of the conduit package, etc. The BWP inspector will inspect the amount and size of secondary conduits and cables. BMC 8-2-203.

Safety/Clearances

132. The State of California Public Utilities Commission General Order No. 95 requires that no building or structure be allowed to encroach within the envelope 12' vertical and 6' horizontal from the existing high voltage lines along the existing alleys within project boundary. The lines are approximately 33 feet from grade. The actual height and location of the conductor attachment has to be surveyed and shown on the plans.
133. The State of California Public Utilities Commission General Order No. 95 requires that no building or structure be allowed to encroach within the envelope 8' vertical and 3' horizontal from the existing low voltage lines along the existing alleys within project boundary. The lines are approximately 27 feet from grade. The actual height and location of the conductor attachment has to be surveyed and shown on the plans.
134. The State of California Public Utilities Commission General Order No. 95 requires that no temporary scaffolding, platforms or supporting framework upon which men may work be allowed to encroach within the required clearance envelopes as stated in the previous two comments.
135. Burbank Water and Power Rules and Regulations require that no open patios or balconies will be erected underneath any high voltage overhead conductor regardless of vertical clearance. (BWP Rules and Regulations 2.34(b) per BMC 8-2-203).
136. The developer's contractor is responsible for protecting any existing Burbank Water and Power facilities in place. Power poles must be protected in place to prevent any movement of the pole butt during excavation. Anchors must also be protected to prevent slippage or exposure that could result in the reduction or loss of holding power. If these requirements cannot be met, then no excavation will be allowed

within three feet from the face of poles and five feet from anchors. (BWP Rules and Regulations 1.14, 2.01(e), 2.54 per BMC 8-2-203).

137. The developer's contractor is responsible for protecting any existing Burbank Water and Power underground facilities from damage during construction. No crane imposed loads will be allowed on any existing manhole or pullbox structures. (California Government Code 4216, BWP Rules and Regulations 1.14, 2.01(e), 2.54 per BMC 8-2-203).
138. Any excavation that restricts vehicular access to existing BWP facilities may require the relocation of such facilities prior to excavation at the developer's cost. (BWP Rules and Regulations 1.12, 1.14, 2.01(e), 2.52(f), 2.54 per BMC 8-2-203).

Aid-in-Construction

139. The Burbank Water and Power fees for providing electric service are Aid-in-Construction (AIC) charges set forth in Section 3.26 of BWP's Rules and Regulations for Electric Service. AIC charges are to recover the actual cost of:
 - a. Providing and installing new facilities to serve the customer;
 - b. Conducting feasibility studies and engineering;
 - c. Relocating existing overhead or underground facilities.
140. Depending on local site conditions and the location of the project, AIC costs can vary widely from project to project. For reference, historical AIC costs for developments between 1 MVA and 5 MVA have ranged from \$400,000 - \$1,200,000 (2021 dollars) per MVA. For projects in this size range, BWP recommends performing a feasibility study early on in the project to determine a proposed electrical route and a rough cost estimate.
141. If any portion of the existing BWP facilities needs to be upgraded or relocated due to the subject project, it will be done at the developer's expense.

Metering/Service

142. Electrical installations must conform to the Burbank Water and Power Rules and Regulations for Electric Service (latest revision). BWP Rules and Regulations 2.61-2.75 per BMC 8-2-203.
143. Contact BWP Engineering at (818) 238-3647 (residential) or at (818) 238-3565 (commercial) if the existing service panel requires upgrading. BWP Rules and Regulations 2.61-2.75 per BMC 8-2-203.
144. For multi-metered services all numbering must be completed in a permanent manner at all individual units and meter sockets before service can be energized. See BWP Rules and Regulations, Section 2.68 (c) for acceptable labeling (stenciling or riveted tags required, permanent marker is unacceptable). Contact Public Works

Engineering for unit designations. BWP Rules and Regulations 2.61-2.75 per BMC 8-2-203.

145. The service switchboard rating shall be limited to 3000 Amps. Five copies of EUSERC drawings of the switchboard shall be provided to BWP for approval prior to submittal to the manufacturer. Service shall not be energized unless these drawings are provided. BWP Rules and Regulations 2.61-2.75 per BMC 8-2-203.
146. Outdoor meter locations are preferred. When adequate exterior wall space is not available, a separately locked, clearly labeled meter room is acceptable. All meter rooms must be located on the ground floor and have two exit doors equipped with panic hardware. At least one door must lead directly outside. BWP must be supplied an access key to the room, which will be installed in a lock box adjacent to the door. The developer shall consult BWP for approved location and obtain a service confirmation prior to any installations. BWP Rules and Regulations 2.61-2.75 per BMC 8-2-203.
147. All new metered services require a path for meter communications to BWP communication networks. Installation of meters that fail to continuously communicate with BWP communication networks will require additional BWP approved equipment to be installed at the developer's expense in order to create the appropriate communications path. BWP Rules and Regulations 2.61-2.75 per BMC 8-2-203.

Street Lighting

148. The developer is responsible for the street lighting system traversing or adjacent to the project. The street light system is required to be underground fed with LED luminaires. If existing lighting conditions do not satisfy this requirement, modification will have to be made at the developer's expense. Standards and luminaries will be supplied by BWP at the developer's expense. A plot plan of the site must be submitted to BWP during the initial planning stage of the project for street light design. BWP Rules and Regulations 3.19(c)4 per BMC 8-2-203.
149. Any construction that impacts existing streetlight standards or infrastructure will require relocation at the developer's cost. BWP Rules and Regulations 3.19(c)4 per BMC 8-2-203.

Fiber/Communication

150. Burbank Water and Power offers high-speed, high-quality fiber optics-based services through its ONE Burbank program. Fiber service is available to the project if desired. For further information, email support@oneburbank.com or call (818) 238-3113.
151. Contact AT&T at (866) 577-7726 for any phone company facility conflicts. Contact Charter Communications at (818) 847-5013 for any cable T.V. facility conflicts.

Landscaping

152. Any trees planted in the area adjacent to the street/alley will be of a type that will not grow into the existing power lines and will also have sufficient clearance from the streetlight facilities. BWP Rules and Regulations 2.52(i) per BMC 8-2-203
153. All equipment locations and screening structures will be indicated on the plans and must meet the Community Development Department Equipment Screening Guidelines. The plans will include the proposed screening method, height of screening, material finish, and color or species of vegetation. All screen walls, which are a part of, or adjacent to, the proposed building will be shown on the building elevations. All screen walls detached from the building will be included as a separate elevation. Verification of submittal requirements and recommendations for screening requirements shall be by the CDD Director or his designee. BWP Rules and Regulations 2.52(i) per BMC 8-2-203
154. BWP landscaping requirements for transformer pads and switch pads:
Due to the natural maturation of trees and other landscaping elements, the following requirements are to be adhered to:
- a. New plantings within three feet of the back or sides of the pad and within eight feet of the front shall be of a groundcover type. This is considered the working zone.
 - b. Outside of the working zone, shrubbery is acceptable within eight feet of the pads, but trees must be beyond an eight-foot radius to lessen future root conflicts.
 - c. Landscaping grade shall be a minimum of five inches below the grade level of the top of transformer pads.
 - d. All irrigation and sprinkler systems shall be constructed so that water shall not be directed onto the switch, the transformers, or the concrete pads. Additionally, surface water shall drain away from the concrete pads.

Landscape plans shall adhere to the above requirements, showing proper working clearances for electrical facilities on L-sheets. BWP Rules and Regulations 2.52(i) per BMC 8-2-203

Energy Efficiency

155. The electrical design shall comply with California Building Code Title 24 energy efficiency requirements and shall use, wherever practical, surge suppressors, filters, isolation transformers, or other available means to preserve a quality of power of its electrical service and to protect sensitive electronic and computer-controlled equipment from voltage surges, sags, and fluctuations. BWP also recommends the use of an uninterruptible power supply (UPS) and a standby generator for critical loads.
156. Power factor correction to a minimum of 90% will be requested to minimize kVA demand as well as energy use. The developer must use California Nonresident

Building Standard to consider and implement energy efficient electrical equipment and devices for minimizing peak demand and wasteful energy consumption.

Electric Vehicle Charging

157. Electric Vehicle (EV) parking capacity shall be in accordance with Title 24 building code requirements. Plans shall detail all planned EV charger installations as well as all EV capable parking spaces. The electrical service panel shall include capacity to simultaneously charge all EV capable parking spots at their full-rated amperage whether installed or not.
158. As part of our efforts to reduce greenhouse gas emissions, improve air quality, and enhance customer service, Burbank Water and Power's Electric Vehicle Charging program promotes the use of electric vehicles by providing rebates for the installation of Level 2 (240V) charging equipment. BWP also installs and maintains a public electric vehicle charging network, consisting of 45 Level 2 charging ports and 2 DC Fast Chargers (480V), with new stations added each year depending on budget and availability. For more information on the rebates and the charging network, please contact Drew Kidd at 818-238-3653 or dkidd@burbankca.gov. Additionally, information can be found at <https://www.burbankwaterandpower.com/conservation/electric-vehicles-rebate>.

Additional Comments

159. A feasibility study as recommended under the Aid-in-Construction comment above should be requested and completed before finalizing the site plan. A padmount switch will be required, and electrical structures may affect layout of parking, buildings, and landscaping. The Feasibility study is not required ahead of time, but it will help the developer in planning for the electrical installation. Past projects and experience have shown that a feasibility study will help determine the extent of onsite electrical facilities for the requested load, and may save the developer cost and time in the design process. BWP highly recommends a feasibility study to reduce cost and improve coordination of new utility installations with the development.
160. This project will be required to underground the adjacent overhead lines, this work will affect adjacent services and provisions to refeed these services will need to be provided either on or off site. If provided onsite these electrical structures may affect layout of parking, buildings, and landscaping. See Substructure section above.

For additional information or questions please contact Sven Knauth, Electrical Engineering Associate II, BWP at (818) 238-356 or SKnauth@BurbankCA.gov.

Burbank Water and Power – Water Division

161. The plans shall contain the size and location of water services (domestic, fire, type and location of the backflow assembly).
162. The plans shall contain the calculations for sizing of domestic water meter and service.
163. The plans shall contain plumbing plans.
164. New water service will connect from an 8" main located on Riverside Drive at a static pressure of approximately 160+ psi.
165. A service connection shall not be used to supply utility services to any parcel of land other than the parcel for which the service connection is assigned. If the two parcels are not consolidated into one parcel, each parcel will require their own potable and fire water services at the applicants cost.
166. The applicant shall be responsible for all additional costs of connection, installation, and abandonment in accordance with BWP Rules and Regulations.
167. Water may be supplied temporarily from a hydrant. Contact Water Engineering concerning fees, required permit, and fittings.
168. Since the static pressure at this site exceeds 80 pounds per square inch (PSI), the Building and Division requirements for a pressure regulator are to be followed in accordance with the California Plumbing Code (CPC).
169. The applicant shall contact Water Engineering before the building permit is issued. The drawings will be reviewed for adequate sizing of the service and meter and will take a minimum of five working days. Domestic meter size shall be adequate to provide the required flow, as determined by a licensed plumber, architect or engineer, calculated from the number of fixture units for the proposed development, pursuant to the CPC, CCR, Title 24, Part 5. Prior to final approval and preparation of an estimate by the BWP Water Division, the applicant shall obtain approval from the Fire Department for appropriate fire service size and appurtenance selection. A deposit will then be collected to cover construction costs for all required services. Construction scheduling will be based on date of receipt of the required drawings, fees and deposit. BWP 4.31
170. If the Fire Department requires any new fire hydrants and/or fire services for this development, the applicant shall request an estimate for same from BWP Water Division. The full deposit for any required work (including upgrading the fire service/backflow device) must be paid before the Water Division approves the project plans. BWP 4.31
171. A copy of these Design Review Standard Conditions of Approval shall be shown on the applicants plan submittal.

172. The Applicant shall meet with utility representatives from BWP/Water, BWP/Electric, and Public Works/Sewer to discuss utility requirements in detail. BWP 4.35.
173. The water service for this project must be provided with protective devices that prevent objectionable substances from being introduced into the public water supply system, per Title 17 of the California Administrative Code. A minimum \$50 backflow prevention plan check fee and up to actual cost will be applied. Both domestic and fire services will require installation of backflow prevention devices. Backflow devices must be installed on the applicants property and as close as possible to the property line. BWP 4.35.

Burbank Water and Power – Recycled Water

174. Recycled water shall be utilized for construction, grading, and dust control. Contact Water Engineering for fees and permitting requirements. BWP 5.15
175. Recycled water will be available to your parcel in the future. Until recycled water is available, landscape irrigation must be served by a dedicated landscape service protected by a BWP approved prevention device. When recycled water is available you must immediately convert; at your cost; all landscape irrigation from potable water to recycled water. BWP 5.02

PUBLIC WORKS

Engineering Division

176. Show width and location of all existing and proposed easements [BMC 9-1-1-3203]. Plans shall show 15' L. A. County Storm Drain easement running through the property.
177. Show dimensions and location of all proposed property dedications.
178. Applicant shall protect in place all survey monuments (City, County, State, Federal, and private). Pursuant to California Business and Professions Code Section 8771, when monuments exist that may be affected by the work, the monuments shall be located and referenced by or under the direction of a licensed land surveyor or licensed civil engineer legally authorized to practice land surveying, prior to construction, and a corner record or record of survey of the references shall be filed with the county surveyor. A permanent monument shall be reset, or a witness monument or monuments set to perpetuate the location if any monument that could be affected, and a corner record or record of survey shall be filed with the county surveyor prior to the recording of a certificate of completion for the project.
179. No building appurtenances for utility or fire service connections shall encroach or project into public right-of-way (i.e. streets and alleys). Locations of these

appurtenances shall be shown on the building site plan and the off-site improvement plans [BMC 7-3-701.1].

180. All unused driveways shall be removed and reconstructed with curb, gutter and sidewalk [BMC 7-3-504].
181. Any work within the public right-of-way must be permitted and approved by the Public Works Department before construction can commence. All construction work in the public right-of-way must comply with Burbank Standard Plans and must be constructed to the satisfaction of the City Engineer. A Public Works **EXCAVATION PERMIT** is required. The excavation permit requires a deposit acceptable to the Public Works Director to guarantee timely construction of all off-site improvements. Burbank Standard Plans can be accessed at: <http://file.burbankca.gov/publicworks/OnlineCounter/main/index.htm>

The following must be completed prior to the issuance of a Building Permit:

182. Off-site improvement plans (in the public right-of-way) must be approved by the Public Works Director. Plans must be submitted in City of Burbank Standard format and as-built plans must be submitted on mylar paper.
183. No structure, including the stairs at the corner of W. Riverside Drive and S. Main Street, is permitted in any public right-of-way or any public utility easements/pole line easements [BMC 7-3-701.1, BMC 9-1-1-3203]. Applicant to clear any encroachment shown on page 1 of the ALTA.
184. The applicant must coordinate with Public Works to establish a Professional Service Agreement (PSA) for engineering support/project management and inspection services to oversee any related Public Works Construction in the public right of way or within public utility easements related to this project. The cost of the PSA will be paid by the applicant [BMC 11-1-1505, Burbank Citywide Fee Schedule FY 2021-2022, Article II, Section 7 (K)].
185. Submit hydrology/hydraulic calculations and site drainage plans. On-site drainage shall not flow across the public parkway (sidewalk) or onto adjacent private property. It should be conveyed by underwalk drains to the gutter through the curb face or connected to a storm drain facility [BMC 7-1-117, BMC 7-3-102]. The proposed development will need to submit a hydrology/hydraulic calculation, which depict both the existing and proposed drainage conditions. Any drainage studies and/or improvements on private property are to be reviewed and approved by the City's Building Department. Any drainage studies and/or improvements within the public right-of-way are to be reviewed and approved by the City's Public Works Department.
186. Provide drainage calculations and analysis with the plan check submittal for Public Works and the Building and Safety Division for review and approval.

187. Demonstrate L.A. County has approved the construction of permanent structures over and/or adjacent to the Los Angeles County Flood Control 15' Storm Drain Easement.
188. Applicant must contact the City of Burbank, Park and Recreation Department for the removal of any parkway tree(s) [BMC 7-4-117 B].
189. An address form must be processed [BMC 7-3-907].
190. Plans should include easements, elevations, right-of-way/property lines, dedication, location of existing/proposed utilities and any encroachments.

The following must be completed prior to issuance of Certificate of Occupancy:

191. Due to the proposed scope of the off-site improvements (dedication) adjacent to Main Street, hardscape removals are required. Sidewalk/wall and the reconstruction of the sidewalk fronting the property along Main Street shall be per City of Burbank Standards [BMC 11-1-1513, BMC 11-1-1518, BS-100, BS-101, BS-104-1, BS-105].
192. Protect in place or re-establish centerline ties at the intersection of Riverside Drive and Main Street per City of Burbank Standards [California Business and Professions Code Section 8771].
193. Any portion of public sidewalk, curb or gutter that is broken, uneven or uplifted at the end of the project must be reconstructed to the satisfaction of the City Engineer [BMC 7-3-501]. That reconstruction will be required whether the damage is pre-existing or is a result of the project. Contact the Public Works Inspection Office at (818) 238-3955 to have these areas inspected and identified after obtaining a Public Works Excavation Permit. The full cost of reconstruction shall be

VESTING TENTATIVE TRACT MAP NO. 83627

The following must be resolved prior to the Tentative Tract Map approval:

194. The Vesting Tentative Tract Map shall follow all applicable objective standards stated in the Burbank Municipal Code Title 11 (Subdivisions), Chapter 1 (Subdivision Regulations) including but not limited to Article 2 (Tentative Map Filing).

The following must be completed prior to Final Map Approval:

195. All off-site improvements must be completed prior to Final Map approval unless improvement security has been posted in an amount sufficient to assure completion of such improvements [BMC 11-1-709].

196. Dedications and easements can be processed by a separate instrument prior to final map approval or implemented on the map at the time of final map approval [BMC 11-1-708].
197. All monuments must be set prior to finalizing and approving Final Map [BMC 11-1-805].

Additional Comments:

198. Building access doors, loading docks doors, and access gates may not swing open into the public right-of-way [BMC 7-3-701.1].
199. If any utility cuts or construction related impacts are made on Main Street or on Riverside Drive, applicant will have to resurface with rubber asphalt (ARHM) per moratorium requirements fronting the property. Main Street and Riverside Drive were resurfaced with ARHM in 2019 and falls under moratorium requirements [BS-110-3].
200. Additional impacts to street triggered by this project could extend the paving restoration limits [BS-110-3].

For additional information or questions, please contact Anthony Roman, Civil Engineer Associate, at (818) 238-3945.

WATER RECLAMATION AND SEWER

201. Under the current rate structure, pulling the Building Permit for the proposed development is subject to a Sewer Facilities Charge estimated at \$61,364. The charge is due prior to issuance of a Building Permit [BMC 8-1-802 and BMC 8-1-806].

SFC = Proposed Developments
= Multi-family residential [\$667/unit * 92 units]
= \$ 61,364

(Note: It is the responsibility of the developer to show proof of the existing sewer usage or existing developments so that the proper credit can be given.)

202. Every building or structure in which plumbing fixtures are installed which conveys sewage must be connected to the municipal wastewater system [BMC 8-1-104].
203. No person shall connect to or tap an existing public sewer without obtaining a permit [BMC 8-1-301].
204. Each lot must have its own private lateral (building sewer) connection to the City sewer main [BMC 8-1-309]. Should the lot be subdivided in the future, a separate sewer lateral connection to the City sewer main will be required for each lot. For

reference, the applicant can propose that separate building structures on one lot have separate sewer lateral connections to the City sewer main.

205. A maintenance hole must be installed at the connection point to the City sewer main for any newly proposed private sewer lateral connection(s) that are greater than or equal to 8-inches in diameter [BMC 8-1-308] per Standard Drawing BSS-201-2 located in the 2012 edition of Standard Plans for Public Works Construction.
206. Pollutants, including construction debris, soil, and other discharges, are prohibited from entering the City's sewer collection system [BMC 8-1-501.1]. Discharges that exceed the local discharge limits per BMC 8-1-501.4 are prohibited. In addition, the applicant shall not obstruct or damage any part of the City sewer system and shall reimburse the City for sanitary sewer overflows and the reasonable costs of necessary maintenance and/or repair of the sewer system [BMC 8-1-311]. As such, it is strongly recommended that all existing private sewer laterals are capped prior to any demolition activities.
207. A backwater valve is required on every private sewer lateral(s) connected to a private building(s), unless it can be shown that all fixtures contained therein have flood level rim elevations above the elevation of the next upstream maintenance hole cover of the public sewer serving the property, or a conditional waiver is granted by the Director [BMC 8-1-313]. Please note that Public Works' Wastewater Division will not sign off on the Certificate of Occupancy until the owner/developer provides proof that the backwater valve(s) has been installed.

Project Specific Requirements:

208. A Sewer Capacity Analysis (SCA) is required. The SCA shall analyze how the proposed project will impact wastewater flows and assess the ability of existing sewer lines to accommodate the proposed project in a peak wet weather scenario for all sewer reaches tributary to the property. The sewer study can be conducted by the applicant, or by Public Works subject to a fee per the currently adopted Citywide Fee Schedule. Please be aware that the SCA must include sewer reaches downstream/tributary to the proposed sewer connection to properly conduct the analysis. Public Works requires that the sewer study be completed prior to the review of the project's offsite improvement plans. Please note that if sufficient capacity does not exist, the Director will require the applicant to restrict discharge until sufficient capacity is available, or to construct a public sewer to provide sufficient capacity or agree to pay a shared portion of the sewer infrastructure improvement costs with the City. The City may refuse service to persons locating facilities in areas where their proposed quantity or quality of sewage is unacceptable [BMC 8-1-301A and BMC 8-1-304]. An approved Sewer Capacity Analysis (SCA) dated 9-21-2022 has been prepared. The project shall be constructed in substantial conformance with the recommendations of the approved SCA.

STORMWATER REQUIREMENTS

209. Per BMC 9-3-407, Best Management Practices shall apply to all construction projects and shall be required from the time of land clearing, demolition or commencement of construction until receipt of a certificate of occupancy.
210. Discharges from essential non-emergency firefighting activities (i.e., fire sprinkler system testing) is a conditionally allowed non-storm water discharge into the storm drain system, provided appropriate Best Management Practices (BMPs) are implemented. Please see the attached Fire Suppression Systems discharge form and follow the requirements to comply when conducting the conditionally allowed non-storm water discharge.
211. Certain construction and re-construction activities on private property will need to comply with post-construction Best Management Practices (BMPs), which include Sections 8-1-1007 and 9-3-414.D of the BMC authorizing the City to require projects to comply with the Standard Urban Stormwater Mitigation Plan provisions and the City's **Low Impact Development (LID)** ordinance. For questions on these requirements, please contact the City's Building and Safety Division at (818) 238-5220.
212. Landscape irrigation discharges using potable or reclaimed/recycled waters are a conditionally allowed discharge per Table 5 of Final LA County MS4 Permit (Order No. R4-2021-0105) which can be found at:
[https://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/public_docs/2022/1_Order\(ACC-RPSignature\).pdf](https://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/public_docs/2022/1_Order(ACC-RPSignature).pdf)
213. Certain construction and re-construction activities within the City's transportation corridors (i.e., public streets, public alleys, public parkway areas, private streets, and private parking) will be subject to the City's Green Streets Policy requirements should the transportation corridor redevelopment area exceed 5,000 square feet. This policy can be reviewed at the following address:
<https://www.burbankca.gov/documents/174714/1211995/Green-Streets-Policy.pdf>

For questions on these requirements, please contact the City's Wastewater Division at (818) 238-3915.

For additional information or questions, please contact Seiko Oishi at (818) 238-3941

TRAFFIC ENGINEERING

214. There is restricted visibility created by curvature of the roadway and vehicles queuing in the eastbound left-turn pocket at Main Street and Riverside Drive. To address these visibility constraints, the driveway into the site shall be a minimum of 350 feet west of the signal. If the entrance is closer than 350 feet, left turns unto the site shall be prohibited.

215. Previous comment dated 07/22/21: “Modify striping on Riverside Drive to provide exclusive left turn lane for driveway access.”

If the main entrance will be moved a minimum of 350' west of the intersection, then the developer shall modify the striping on Riverside Drive to provide an exclusive left turn lane for driveway access. If the main entrance will remain in the proposed location, then the developer shall provide the proper striping and signage on Riverside Drive to restrict left turns into the driveway.

Prior to issuance of Public Works Excavation Permit, the Developer shall submit a signing & striping plan of the modified striping on Riverside Drive, to be approved by the Public Works Traffic Engineering Manager.

For additional information or questions, please contact Vikki Davtian, Principal Engineer – Traffic, at (818) 238-3922.

FIELD SERVICES

Solid Waste:

216. Trash must be serviced by a qualified third party commercial hauler or shall provide a common location(s) for trash enclosures large enough to house an appropriate number of refuse and recycling bins. All trash enclosures shall be designed to meet BMC 10-1-1113.1 H.
217. There must be an appropriate location on the property for all solid waste containers or bins [BMC 4-2-108 C]. Solid waste containers shall not to be visible from the street.
218. Recycling must be provided for all residents/businesses [BMC 4-2-111].

For additional information or questions, please contact Public Works Field Services at (818) 238-3800.

Police Department

219. All outside lighting shall comply with the requirements of Burbank Municipal Code 5-3-505 - Outside Lighting.
220. Pursuant to Burbank Municipal Code 9-1-1-2703 Public Safety UHF Radio Amplification System, all buildings and parking structures shall be capable of supporting emergency safety service radio communication systems. All enclosed and/or subterranean interior areas of this project will be tested upon completion of construction to determine the radio signal transparency. Any buildings or structures which cannot pass the appropriate radio signal strength test may require installation of a radiating cable antennae or internal multiple antennae low power repeater

system with or without FCC type accepted bi-directional UHF amplifiers as necessary to meet this requirement.

221. Buildings/structures shall display a street number in accordance with Burbank Municipal Code 9-1-9-505.1.1– Residential Building Identification and/or Burbank Municipal Code 9-1-505.1.2 – Commercial Building Identification.
222. Pursuant to Burbank Municipal Code 9-1-9-505.1.1 - approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property and from the alley or rear accessway to the property. Numbers/addresses on residential structures shall be at least four (4) inches (101.6 mm) in height with three-fourths (3/4) inch (19.1 mm) stroke. All other occupancies shall have numbers/addresses a minimum of six (6) inches (152.4 mm) in height with three-fourths (3/4) inches (19.1) stroke. All numbers/address shall contrast with their background.
223. Pursuant to Burbank Municipal Code 9-1-9-506.1(a) - Key Boxes For Police:
 - A. Residential Dwellings: When access to or within a multiple-family dwelling or complex or private residential community is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or police purposes, a key box is to be installed in an accessible location. They key box shall contain keys to allow access to security gates as required by the Chief of Police.
 - B. Other Buildings: When access to or within a multi-occupancy building is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or other police purposes, a key box may be required by the Chief of Police.
224. If perimeter gates are installed as part of the Project, the installation shall occur during the construction phase. Depending on the size of the development, more than one “key box for police” may be required. Your project requires “key box for police,” also known as KnoxBox, to be installed in the following location(s):

Police KnoxBox to be mounted on the wall adjacent to the main front door. The box must be visible while standing at the front door, and easily accessible.

 - a. Preventive measures should be taken to secure any entrances to the building(s) from any parking structures to prevent the possibility of theft or burglary. (Burbank2035 General Plan Safety Element Goal 3, Policy 3.2 – Reduce opportunities for criminal activity through physical design standards such as Crime Prevention Through Environmental Design (CPTED) and youth programs, recreation opportunities, educational programs, and counseling services.)

- b. All exterior doors, other than primary entry doors, shall be self-closing and self-locking to prevent trespassing. (Burbank2035 General Plan Safety Element Goal 3, Policy 3.2 – Reduce opportunities for criminal activity through physical design standards such as Crime Prevention Through Environmental Design (CPTED) and youth programs, recreation opportunities, educational programs, and counseling services.)
 - c. Secure fencing around the construction site with locking gates and appropriate lighting should be installed during construction to prevent trespassing and theft. During construction, the Police Department should be given emergency contact information of contractors and owners for any problems encountered after normal construction hours. (Burbank2035 General Plan Safety Element Goal 3, Policy 3.2 – Reduce opportunities for criminal activity through physical design standards such as Crime Prevention Through Environmental Design (CPTED) and youth programs, recreation opportunities, educational programs, and counseling services.)
 - d. To ensure construction personnel are aware of the restricted construction times, the developer should install legible, professionally made sign(s) 2 ft.X 3 ft. in size in location(s) satisfactory to the City Planner and the Police Department that states, “NOTICE: THE CITY OF BURBANK LIMITS CONSTRUCTION ACTIVITIES OF THIS PROJECT (DEMOLITION, EXCAVATION, GRADING, ACTUAL CONSTRUCTION, AND LANDSCAPING) as follows: 7:00 AM TO 7:00 PM MONDAY THROUGH FRIDAY, AND FROM 8:00 AM TO 5:00 PM ON SATURDAY. THERE SHALL BE NO WORK PERFORMED ON SUNDAYS OR ON MAJOR HOLIDAYS.” Any exceptions would be subject to the approval of the Directors of both the Community Development and Public Works Departments.
225. Burbank Municipal Code 9-1-1-105.10 – Construction Hours: The following construction hours shall apply to all construction, alteration, movement, enlargement, replacement, repair, equipment, maintenance, removal, and demolition work regulated by this code:
- Construction Hours:
Monday – Friday 7:00 a.m. to 7:00 p.m.
Saturday 8:00 a.m. to 5:00 p.m.
Sunday and City Holidays – None
226. If interior stairwells are installed, the interiors of which are not completely visible when first entering, shall have mirrors so placed as to make the whole stairwell interior visible to pedestrians outside. (Burbank2035 General Plan Safety Element Goal 3, Policy 3.2 – Reduce opportunities for criminal activity through physical design standards such as Crime Prevention Through Environmental Design (CPTED) and youth programs, recreation opportunities, educational programs, and counseling services.)

227. For additional information or questions, please contact Sergeant Brent Fekety at (818) 238-3240 or via email at bfekey@burbankca.gov. The Police Department will be available to review plans and apply an approval stamp for building permits Monday through Thursday between 9:00 A.M. and 11:00 AM.

Fire Department

228. Provide an automatic fire sprinkler system in accordance with the Burbank Municipal Code. 9-1-9-903 (a).

229. Provide electrical supervision for all valves controlling the water supply and all water flow switches on all fire sprinkler systems where the number of sprinklers is 20 or more. BMC 9-1-9-903.4.2.1.

230. If enclosed common areas are proposed, provide a Knox key box for fire department access shall be installed. CFC 506.1 / BMC 9-1-9-506.1.

231. If security gates are proposed, a Knox KS-2 key access switch for security gates shall be installed. CFC 503.6.

232. Provide address numbers a minimum of 4 inches high for residential structures and six inches high for all other occupancies with $\frac{3}{4}$ inch stroke to identify the premises. Numbers shall be plainly visible from the street or road fronting the property and from the alley or rear accessway to the property. BMC 9-1-9-505.1.1 / BMC 9-1-9-505.1.2.

233. 2A10BC fire extinguishers shall be provided and located as directed by the Fire Code Official in the field. Where required, all portable fire extinguishers shall be installed on a positive latching bracket or within an enclosed cabinet. BMC 9-1-9-906.6.7.1 / CFC 906.1.

234. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort. All locking devices shall be of an approved type. CFC 1010.1.9.

235. Fire apparatus access roads shall be provided in accordance with the California Fire Code, for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility. More than one fire apparatus road shall be provided when it is determined by the chief that access by a single road might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Access during construction shall be maintained in accordance with the CFC Section 503.1 Through 503.6.

236. Specifications for fire apparatus access roads shall be provided and maintained in accordance with the California Fire Code 503.2.3.

- 237. Plans for fire apparatus access road shall be submitted to the fire department for review and approval prior to construction. CFC 105.4.1.
- 238. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. CFC 105.4.1.
- 239. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 501.4.
- 240. Approved signs or other approved notices shall be provided and maintained, at the expense of the person(s) in possession of the property, for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. CFC 503.3 / CFC 503.4.
- 241. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 400 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. CFC 507.1 Through 507.5.6.
- 242. All exits, fire department access and fire protection shall be maintained in accordance with the California Fire Code during construction. CFC 3308.5 / CFC 3310.1 / CFC 3311.2.
- 243. In order to determine fire flow requirements for this building, the following information shall be provided prior to issuing a building permit for final fire department plan check:
 - a. Building Type Construction as defined by the California Building Code.
 - b. Square feet of the building.
- 244. Provide a fire alarm system to notify all occupants of automatic fire sprinkler water flow, if required pursuant to BMC 9-1-9-903.4.2.1 or as otherwise specified by the California Building Code or California Residential Code.
- 245. Provide a fire alarm system, if required pursuant to BMC 9-1-9-903.4.2.1 or as otherwise specified by the California Building Code or California Residential Code.

X _____

X _____

Signature of Applicant/Permittee

Signature of Property Owner

EXHIBIT B

OBJECTIVE STANDARD CONSISTENCY ANALYSIS

(ATTACHED)

Exhibit B - Objective Standard Consistency Analysis

ARTICLE 24. RANCHO MASTER PLAN ZONES		
DIVISION 6. COMMERCIAL RECREATION (CR) ZONE		
Objective Standards	Consistency Analysis	Consistency Determination
<p><u>10-1-2436.5 Maximum Residential Density: 20 du/ac</u></p>	<p>The project site is comprised of 5.01 acres after a proposed dedication for the equestrian trail. The allowed number of units on the 5.01-acre site at 20 units per acre is 100 units. The Project provides 92 dwelling units at 18.4 du/ac.</p>	<p>Consistent</p>
<p><u>10-1-2441 A. Structure Height</u></p> <p>1. The maximum height of a structure shall be 35 feet as measured from grade, as defined in this chapter. Roof and architectural features may exceed the maximum height up to 15 additional feet without the need of a Conditional Use Permit if a 45 degree angle is maintained as depicted in Diagram No. 1.</p> <p>2. Maximum building height shall be measured to the ceiling height of the highest room permitted for human occupancy.</p> <p>3. A Conditional Use Permit is required for a structure higher than 35 feet.</p>	<p>The proposed maximum building height as measured from grade is 35' to ridge.</p>	<p>Consistent</p>
<p><u>10-1-2441 B. Open Space</u></p> <p>1. Distance Requirements.</p> <p>Each lot which abuts or is adjacent to an R-1, R-1-H or R-2 lot shall provide open space not less than 20 feet wide along the area that abuts the residential property. Lots abutting or adjacent to R-3 and R-4 lots shall provide a minimum five (5) foot open space between the properties.</p> <p>2. Determination of Open Space.</p> <p>This open space shall be measured from the lot line of the residential property to the commercial structure. Public rights-of-way may be included within the calculation of such area, except as otherwise provided in this section.</p> <p>3. Landscaping Requirement. When the commercial property abuts or is adjacent to R-1, R-1-H, or R-2 property, a five (5) foot strip of the open space which lies adjacent to the residential property shall be landscaped, unless a public right-of-way is utilized in the calculation of the open space. This landscaping is intended to provide screening between the different zones.</p> <p>4. Parking Allowed in Open Space.</p> <p>When the commercial property abuts property other than R-1, R-1-H, or R-2, open space may be used for surface parking.</p>	<p>1. This standard does not apply because the lot does not abut or is adjacent to an R-1, R-1-H, or R-2 lot. Lots that are zoned R-4 are located across Main Street and Riverside Drive.</p> <p>2. With R-4 lots across both Main and Riverside, the project exceeds this requirement.</p> <p>3. This standard does not apply as the project site does not abut, nor is adjacent to an R-1, R-1-H, or R-2 zone.</p> <p>4. The project does not include commercial components, so the requirement is not applicable to the project. No open space will be used for surface parking.</p>	<p>Consistent</p>

Exhibit B - Objective Standard Consistency Analysis

ARTICLE 24. RANCHO MASTER PLAN ZONES		
DIVISION 6. COMMERCIAL RECREATION (CR) ZONE		
Objective Standards	Consistency Analysis	Consistency Determination
<p><u>10-1-2441 C. Yard</u></p> <p>2. Setbacks.</p> <p>a. Front Yards. All structures shall be set back at least 25 feet from the front lot line. A minimum of a ten (10) foot setback from the front lot line to any surface parking area is required.</p> <p>b. Side Yards. A five (5) foot side yard building setback is required; provided, however, if the side yard abuts or is adjacent to a residentially zoned property, a minimum ten (10) foot setback is required. A minimum of a five (5) foot setback from the side lot line to any surface parking is required.</p> <p>c. Rear Yards. A five (5) foot rear yard building setback is required; provided, however, if the rear yard abuts or is adjacent to a residentially zoned property, a minimum ten (10) foot setback is required. A minimum five (5) foot setback from the rear lot line to any surface parking area is required.</p>	<p>a. Pursuant to Section 10-1-635 of the Burbank Municipal Code, the project is eligible to receive a concession since it reserves at least 10 percent of the units to Low-Income Earners. The project is requesting a front yard setback reduction concession from 25 feet to 17 feet along Main Street and from 25 feet to 23 feet along Riverside Drive due to a potential dedication for street improvements and equestrian trail.</p> <p>b. 10 min. setback is proposed.</p> <p>c. Rear yards do not abut or are adjacent to residentially zoned properties. 5 min. setback is proposed.</p>	<p>Consistent with Density Bonus Law concession for front yard setbacks.</p>
<p>3. Landscaping.</p> <p>a. Californian native plants and California Sycamore trees shall be used as required landscaping materials. California Sycamore trees shall be used as the required street trees.</p> <p>b. The following landscaping requirements shall apply in the CR Zone:</p> <p style="padding-left: 20px;">a. A minimum of 50 percent of front and exposed side yards shall be landscaped.</p> <p style="padding-left: 20px;">b. The provision of outdoor amenities and decorative hardscape, such as outdoor seating areas with benches permanently affixed to the ground or hardscaped areas enriched with decorative materials which are under a tree canopy, shall be credited toward up to 50 percent of the required landscaping in all yards. Vehicular access areas may not be considered as decorative hardscape.</p> <p style="padding-left: 20px;">c. The planting of vines on masonry buildings is encouraged.</p> <p style="padding-left: 20px;">d. To qualify as landscaped area, all areas not occupied by trees or shrubs must be planted with turf or other ground cover with a minimum soil depth of 12 inches. All planters must be a minimum of 18 inches deep and two (2) feet in their smallest inside dimension, unless a tree is required, in which case a three (3) foot planter depth shall be required and the planter must have a minimum inside dimension of four (4) feet.</p>	<p>The City required landscape palettes will be used in combination with a fully developed landscape architect's concept plan. The Project will comply with all applicable landscaping requirements.</p> <p>a. A minimum of 50 percent of front and exposed side yards is provided as landscaped, see Sheet L8-Open Space Plan.</p> <p>b. Noted and have been added to the required Landscape area calculation, see Sheet L8 Open Space Plan.</p> <p>c. Vines have been added on the walls, see Sheet L6-Planting Plan.</p> <p>d. Noted, further specification and detail will be added in the Construction document phase.</p>	<p>Consistent.</p>

Exhibit B - Objective Standard Consistency Analysis

ARTICLE 24. RANCHO MASTER PLAN ZONES

DIVISION 6. COMMERCIAL RECREATION (CR) ZONE

Objective Standards	Consistency Analysis	Consistency Determination
<p>e. In required front and exposed side yards, a minimum of one (1) tree shall be planted for every 40 linear feet of street frontage or fraction thereof. Turf is allowed in up to 50 percent of required landscaped areas. In shrub areas, a minimum of one five (5) gallon shrub is required for every ten (10) square feet of shrub area.</p> <p>f. A minimum of 50 percent of required trees shall be a minimum 36-inch box size, with the remainder a minimum 24-inch box size. The required 36-inch box trees shall be equally distributed in required front or street side yards.</p>	<p>e. One Tree has been planted for every 40 linear feet of street frontage or fraction thereof. Noted, shrub / GC symbols will be shown in the planting area will be added during the construction document phase; see palette on Sheet L6-Planting Plan.</p> <p>f. 50 percent of required trees are 36-inch box size, with the remainder are 24-inch box size. The required 36-inch box trees is equally distributed in required front or street side yards; see Sheet L6-Planting Plan.</p>	Consistent.
<p>g. If trees are planted in planters, the planters must have a minimum length and width of five (5) feet.</p> <p>h. For additional landscaping requirements for above-grade parking structures and surface parking lots, see Article 14, Division 4 of this Chapter.</p> <p>c. The requirements for parking structures and surface parking lots in Article 14 of this Chapter shall apply in the CR Zone.</p>	<p>g. The trees are planted in planters, the planters have a minimum length and width of five (5) feet in front / side yards. 4' min. tree planting width for other internal tree planting areas.</p> <p>h. The project meets criteria in Article 14, Division 4 as demonstrated later within this table.</p> <p>C. The project meets criteria in Article 14, as demonstrated later within this table.</p>	Consistent.
<p>5. Parking.</p> <p>a. No surface parking area frontage shall comprise more than 50 percent of any street frontage.</p> <p>b. Surface parking shall be organized into parking courts not to exceed 40 stalls, surrounded on all sides with a minimum five (5) foot landscape buffer.</p> <p>c. Parking structures shall not be allowed in the rear 50 percent of the property if the property abuts or is adjacent to a residential zone.</p>	<p>a. The proposed off-street parking area does not front onto any street.</p> <p>b. Surface parking is distributed to the whole project site. No one area exceeds 40 stalls.</p> <p>c. No parking structure is provided in the project. Not applicable</p>	Consistent

Exhibit B - Objective Standard Consistency Analysis

ARTICLE 24. RANCHO MASTER PLAN ZONES		
DIVISION 6. COMMERCIAL RECREATION (CR) ZONE		
Objective Standards	Consistency Analysis	Consistency Determination
<p><u>California Government Code, Section 65913.4 Parking Space Requirement</u> (d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose 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. (B) The development is located within an architecturally and historically significant historic district. (C) When on-street parking permits are required but not offered to the occupants of the development. (D) When there is a car share vehicle located within one block of the development. (2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.</p>	<p>Pursuant to SB 35, the project is eligible for 1 parking space per unit. Nonetheless, the Project provides a total of 209 spaces at 2.27 spaces/du, which exceeds the SB 35 parking requirement.</p>	<p>Consistent</p>
<p><u>10-1-2443: Design Review Standards for CR Zone</u> A. Pitched roofs are required. Mansard roofs are prohibited. B. Architectural design-Mission, Rancho or Spanish Colonial style shall be used incorporating a number of the following elements; verandas, arbors, patios, courtyards, plazas, arches, simulated wood roofs, tile roofs, open beam ceilings or walkways, archways, colonial columns and heavy posts. C. Color-Whites, natural wood grain finishes, earth tones, pale tones, tans, rusts, adobe pink, and copper patina shall be used and incorporated. No bright colors may be used. D. Materials and Finishes-A number of the following may be incorporated, if otherwise permitted by the Burbank Municipal Code: wood, rough cut timbers, river rock, Spanish tile and textured stucco.</p>	<p>a. As indicated in the enclosed elevations, the proposed design include pitched gable roofs and gable ends. Mansards are not included. b. The project includes the Spanish Colonial architectural style. The design includes patios, courtyards, arches, tile roofs, and archways. c. These items will be incorporated as appropriate. d. The elevations include the use of Spanish tiles and textured stucco.</p>	<p>Consistent.</p>

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<p>E. The design standards of Section 10-1-1113.1 shall apply in the CR Zone: <u>10-1-1113.1 Commercial and Industrial Design Standards:</u></p> <p>A. ROOF DESIGN.</p> <p>1. All parapets shall have returns equal to the height of the parapet. Parapets used for fire separation purposes should be visually integrated into the building.</p> <p>2. All mansards shall be continuous on all sides of a building visible from neighboring properties and public rights-of-way, including those elevations facing a street, alley, yard, setback or open space. All mansards on all other elevations which are not exposed or visible to neighboring properties and public rights-of-way, shall have a return at least equal to the height of the mansard.</p> <p>3. All roof mounted equipment shall be screened from view through the use of architectural screening systems which are visually integrated into building design with respect to color, material and form.</p>	<p>1. The project does not include the use of parapets into the design.</p> <p>2. The project does not include the use of mansard roofs.</p> <p>3. The project does not include any roof-mounted equipment. Equipment will be located at grade or within the attic space.</p>	Consistent
<p>B. WINDOW TREATMENT.</p> <p>Those buildings on lots with 75 feet or less of street frontage which are built to the street property line shall have a minimum 25 percent of the building facade on the ground floor devoted to window treatment.</p>	<p>This guideline does not apply to the project as there is more than 75 feet of street frontage.</p>	Consistent
<p>C. BUILDING MATERIALS.</p> <p>All facades visible to the public and surrounding neighbors must be designed, treated and finished in a manner compatible with the other visible sides of the building.</p>	<p>All publicly visible sides of the building are equally and well-articulated.</p>	Consistent
<p>D. VARIATION ON PLANE.</p> <p>All building elevations fronting public streets or residentially zoned lots shall contain elements designed for the purpose of providing visual variation including expressed floor or surface breaks, balconies, projections, recesses, awnings and horizontal setbacks.</p>	<p>The proposed buildings fronting onto the public streets includes building variation elements such as surface breaks, projecting facades, recessed entries, and projecting archways.</p>	Consistent
<p>E. ENTRIES.</p> <p>Pedestrian entrances on exposed elevations shall be recessed and architecturally highlighted.</p>	<p>Entries are either recessed within an alcove or behind a projecting archway. Entries are also highlighted by a window or tilework.</p>	Consistent

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<p>F. APPENDAGES, AWNINGS AND MARQUEES.</p> <p>All appendages, awnings and marquees shall be flame resistant or erected with non-combustible materials and meet Uniform Fire Code requirements, and shall not protrude far enough to obstruct a ladder placed at ground level at a 70 degree angle to the building openings above the appendage, awnings or marquees.</p>	<p>All awnings use flame-resistant material and will meet all applicable building and fire codes.</p>	<p>Consistent</p>
<p>G. EXTERIOR STAIRWAYS.</p> <p>Enclosures or landscape barriers must be provided wherever there is less than seven (7) feet vertical clearance below stairs.</p> <p>Front entry stair rails should be integrated into the overall building and site design. Thin section wrought iron and stair rails that have minimal form, mass or color reference to the design elements within the facades are discouraged.</p> <p>Open risers are prohibited.</p>	<p>The project does not include any exterior stairways. All stairways are within the individual units.</p>	<p>Consistent</p>
<p>H. LOCATION AND SCREENING OF TRASH BINS.</p> <p>Trash bins shall not be located in any required front or street side yard, but may be permitted within the required interior side and rear yards.</p> <p>Trash enclosures shall be recessed or within the structure, or enclosed by a six (6)foot high masonry wall on three (3) sides and have a solid permanent metal gate(s).</p> <p>Doors and gates of trash enclosures cannot swing out into any public right-of-way.</p> <p>If the lot abuts an alley, the trash bin must be directly accessible from the alley.</p>	<p>Trash containers will be stored within the garage of each unit.</p>	<p>Consistent</p>

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<p>J. FENCES AND WALLS.</p> <p>1. Height - Except as otherwise provided for property located at an intersection, the height of walls, fences and hedges may not exceed:</p> <p>a. Three (3) feet above the finished grade of the lot within any required front yard and within the required side yard on the street side of a corner or reverse corner lot; provided, however, that where a parking lot abuts or is across the street from a residential zone, a six (6) foot high masonry wall may be constructed within the required front yard and within the required side yard on the street side of a corner or reverse corner lot to the extent specified in Article 14, Division 4 of this Chapter or in a Conditional Use Permit granted by the Board or the Council.</p> <p>b. Eight (8) feet above the finished grade of the lot within any yard area behind the required front yard or required side yard on the street side of a corner or reverse corner lot except cutoff area. Where topographic features or other conditions create an unnecessary hardship the Building Director may permit these height limits to be exceeded, provided the modification will not have a detrimental effect upon adjacent properties or conflict with architectural characteristics of the surrounding neighborhoods.</p>	<p>a. Retaining walls are limited to 3 feet in height within the front and street side setbacks. Patios walls will be updated to also have a maximum height of 3 feet.</p> <p>b. All walls behind the front and street side setbacks are limited to 6'-6" in height.</p>	Consistent
<p>2. All fences and walls must comply with the corner cutoff provisions of Section 10-1-1303.</p> <p>3. The requirements of this Subsection do not apply to security fencing maintained by a governmental entity.</p>	<p>2. As described below, all fences and walls meet corner cutback requirements.</p> <p>3. N/A</p>	Consistent

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<p><u>10-1-1303: Corner Cutoff</u> No structure, object, or feature, including but not limited to fences, walls, and hedges, may be erected or maintained in any zone below a height of ten (10) feet and above a height of three (3) feet above the finished ground surface within a corner cutoff area. The corner cutoff area is defined by a horizontal plane making an angle of 45 degrees with the front, side, or rear property lines as the case may be, and passing through points as follows:</p> <p>A. Streets At intersecting streets, ten (10) feet from the intersection at the corner of a front or side property line.</p> <p>B. Alleys At the intersection of an alley with a street or another alley, ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.</p> <p>C. Driveways At the intersection of a driveway with a street or alley, five (5) feet from the edges of the driveway where it intersects the street or alley right-of-way.</p>	<p>A. No structure or fences or walls are located within the corner cutoff zone of Main Street with Riverside Drive.</p> <p>B. The project does not have such intersection condition. The requirement is not applicable to the project.</p> <p>C. No structure or fences or walls are located within the corner cutoff zone of a driveway with a street or alley.</p>	Consistent
<p><u>10-1-1401: Parking Space Dimensions</u> The following minimum parking space shall be provided: Residential: Min. Width 8'-6" The minimum width of parking spaces adjacent to walls, columns, or other vertical obstructions shall be determined by standards established by the Public Works Director. The following requirement shall be used when determining overall parking space dimensions and aisle widths (Table No.4): For 90' parking angle and 8'-6" stalls, parking bay widths for two-way traffic and single loaded aisles: 45'-4"</p>	<p>All parking spaces have a minimum dimension of 8'-6" in width and 18' in depth. Proposed 46' parking bay width meets the 45'-4" requirement.</p>	Consistent
<p><u>10-1-1403: Ingress and Egress; Backing into Highway</u> Off-street parking shall be easily accessible from and to a street or other dedicated public right-of-way. The parking shall be so arranged that it shall not be necessary to back into a major or secondary highway to exit from the parking area. Exceptions from this requirement may be authorized by the Public Works Director if the parking area is located in an R-1 or an R-2 Zone.</p>	<p>The proposed off-street parking is easily accessed from and to a street or other dedicated public right-of-way, and no need to back into a major or secondary highway to exit.</p>	Consistent

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<p>10-1-1405.5: Bicycle Parking Spaces: B. INSTALLATION AND MAINTENANCE REQUIREMENTS.</p> <p>Bicycle parking facilities shall be installed in a manner which allows adequate space for access when the facilities are occupied, and shall be located so as to minimize the blocking of any public sidewalks or right-of-way. An encroachment permit from the Public Works Department is required for any encroachment into the public right-of-way. Bicycle parking facilities shall be located on a hard paved surface and shall be painted with a protective coating to prevent rusting and shall be well maintained.</p> <p>C. BICYCLE PARKING FOR ARCADES/BILLIARD PARLORS. For all arcades and billiard parlors, one (1) bicycle space shall be provided for each 150 square feet of adjusted gross floor area. [Added by Ord. No. 3316, eff. 11/14/92.]</p>	<p>This requirement does not apply since it is only required for arcades and billiard parlors.</p>	<p>Consistent</p>
<p><u>10-1-1408: Parking Spaces Required</u></p> <p>Not applicable. See Parking requirements above (Section 65913.4 of the California Government Code)</p>	<p>Pursuant to SB 35, the project is eligible for 1 parking space per unit. Nonetheless, the Project provides a total of 209 spaces at 2.27 spaces/du, which exceeds the SB 35 parking requirement.</p>	<p>Consistent</p>
<p><u>10-1-1412: Location of Parking Areas</u></p> <p>A. DWELLINGS. For single or multiple family dwellings, off-street parking shall be located on the same lot or building site as the building is required to serve.</p> <p>B. HOSPITALS, ROOMING HOUSES, CLUBS, ETC. For hospitals, sanitariums, homes for the aged, orphanages, rooming houses, lodging houses, clubrooms, fraternity and sorority houses, off-street parking shall be located not more than 150 feet from the building it is required to serve.</p> <p>C. COMMERCIAL USES. For commercial uses, off-street parking shall be located not more than 300 feet from the use it is required to serve.</p> <p>D. MANUFACTURING USES. For manufacturing uses, off-street parking shall be located not more than 750 feet from the use it is required to serve.</p>	<p>A. The proposed off-street parking is located on the same lot.</p> <p>B, C and D. The requirements are not applicable to the project.</p>	<p>Consistent</p>

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<p><u>10-1-1417 Parking Lot Design Standards</u></p> <p>A. All off-street parking areas and accessways shall be graded, paved, and marked as follows:</p> <ol style="list-style-type: none"> 1. All paved areas used for parking, loading, or vehicle circulation shall be designed consistent with accepted engineering principles for the largest type of anticipated vehicle loading in order to minimize future maintenance and safety hazards. 2. Surfaces shall be paved with concrete or suitable asphaltic surfacing to prevent the emanation of dust. 3. Surfaces shall be graded and drained in accordance with standards prescribed by the Public Works Director. 4. Parking spaces and access lanes shall be clearly marked including the use of directional arrows when necessary to guide internal movements. <p>B. The Public Works Director, Community Development Director, and/or the Planning Board may place special requirements on an individual site to reduce or increase the number, width, and location of driveways in order to reduce traffic hazards, decrease paved area, or mitigate on-street parking problems. The Public Works Director, Community Development Director, and/or the Planning Board may require that access, either primary or secondary, take advantage of existing public alleys.</p> <p>C. Parking and directional signs shall be provided in accordance with the Burbank Municipal Code or when required by the Public Works Director.</p> <p>D. Barriers shall be provided as follows:</p> <ol style="list-style-type: none"> 1. Safety barriers, protective bumpers, or curbing and directional markers shall be provided to ensure pedestrian and vehicular safety and efficient utilization and protection of landscaping, and to prevent encroachment onto adjoining public or private property. 2. Concrete curbs at least six inches high shall be installed to serve as wheelstops for cars next to streets, sidewalks, buildings, or other structures, and as protective edging for planting areas. 	<p>A. 1. All paved areas used for parking, loading, or vehicle circulation will be designed consistent with the engineering principles.</p> <p>A.2. Surfaces will be paved with concrete or suitable asphaltic surfacing to prevent the emanation of dust.</p> <p>A.3. Surfaces will be graded and drained in accordance with standards prescribed by the Public Works Director.</p> <p>A.4. Parking spaces and access lanes will be clearly marked including the use of directional arrows when necessary to guide internal movements.</p> <p>B. Noted.</p> <p>C. Parking and directional signs will be provided in accordance with the Burbank Municipal Code or when required by the Public Works Director.</p> <p>D. Barriers will be provided as requested in Section 10-1-1417.</p>	<p>Consistent</p>

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<p>E. All open space areas designed for active or passive recreation purposes shall be physically separated from parking areas and driveways in a fashion necessary to protect the safety of all pedestrians.</p> <p>F. Visibility of pedestrians, bicyclists, and motorists shall be ensured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.</p> <p>G. Internal circulation patterns and the location and traffic direction of all access drives shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety. All vehicle movements involved in loading, parking, or turning around shall occur on-site.</p> <p>H. All parking lots shall be maintained as follows:</p> <p>1. All paved areas shall be maintained in the manner required to eliminate safety hazards, standing water, weeds, inefficient drainage patterns, and deterioration of sub-base materials. Paved areas shall be impervious to water and shall be maintained in a sanitary condition free from refuse and debris.</p> <p>2. All trees and landscape areas shall be maintained as per Section 10-1-1418:E.</p> <p>3. All property owners shall perform such maintenance as required by the Community Development Director within 45 days following written notification of any pavement, landscaping, or irrigation maintenance deficiencies pursuant to this section and within seven days following written notification of unsanitary or unsafe conditions. [Formerly numbered Section 31-173; Renumbered by Ord. No. 3058, eff. 2/21/87; Amended by Ord. No. 3824, eff. 4/6/12; 3548; 2829.]</p>	<p>E. All open space areas designed for active or passive recreation purposes will be physically separated from parking areas and driveways to protect the safety of all pedestrians.</p> <p>F. Visibility of pedestrians, bicyclists, and motorists will be ensured.</p> <p>G. Internal circulation patterns and the location and traffic direction of all access drives will be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety. All vehicle movements involved in loading, parking, or turning around will occur on-site.</p> <p>H. All parking lots will meet the maintenance requirements.</p>	<p>Consistent</p>

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<p><u>10-1-1417.1 Setbacks and Walls</u></p> <p>A. Parking areas, trash enclosures, and utility cabinets or equipment shall be fully screened from public view through the use of berming, landscape materials, walls, buildings, lowering the elevation of parking areas below street grade, or a combination thereof. All walls to be used for screening purposes shall be of solid masonry construction and ornamental in texture, pattern, or shadow relief and shall be used in conjunction with foreground landscaping.</p> <p>B. Surface parking lots shall have four foot minimum front yard and street side yard landscaped setbacks. A three foot high masonry wall, or other such protective barrier as may be approved by the Community Development Director, shall be constructed along the street frontage of a parking lot, except at accessways, to insure against unchanneled motor vehicle ingress or egress. If a wall is used as a protective device, the required landscaping must be located between the wall and the street property line.</p> <p>C. All walls and landscaping materials shall comply with the corner cutoff requirements in Section 10-1-1303.</p>	<p>A. All parking areas will be screened from view by landscaping.</p> <p>B. All surface parking areas have minimum 4 feet landscaped setbacks. No surface parking lots are next to the exterior streets.</p> <p>C. All walls and landscaping materials meet with the corner cutoff requirements.</p>	Consistent
<p><u>10-1-1417.2 Parking Lots Abutting and Adjacent to Residential Zones:</u></p> <p>A. Where a parking lot abuts or is across the street from a residential zone, a front yard, or street side yard if on a corner, ten (10) feet shall be landscaped and continuously maintained to provide a buffer between the parking lot and adjacent residential properties.</p> <p>B. Where a parking lot abuts property in a residential zone, a masonry wall six (6) feet above the grade of the parking lot shall be constructed along the common property line, provided, however, that if the residentially zoned property to which a parking lot abuts is also being lawfully used as a parking lot, this requirement shall not apply so long as such use continues.</p> <p>C. Where a parking lot is across the street from a residential zone, a six (6) foot high masonry wall shall be constructed along the interior line of the front yard, or street side yard if on a corner, except at accessways to the parking lot. The wall may be omitted if landscaping sufficient to provide aesthetic screening of the parking area is provided as approved by the Community Development Director. [Added by Ord. No. 3548, eff. 9/2/00.]</p>	<p>This requirement does not apply to the project. The proposed off-street parking area does not abut nor is across the street from a residential zone.</p>	Consistent

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<p><u>10-1-1418: Landscaping:</u></p> <p>A. All interior areas not used for parking spaces or driving aisles in a parking lot shall be landscaped.</p> <p>B. Landscaping and shading plans shall be prepared by a licensed landscape architect and shall be done to the satisfaction of the Director. The licensed landscape architect shall certify that the plans comply with the requirements of this Section as well as the provisions of AB 1881, the Model Water Efficient Landscaping Ordinance. The Director may prepare guidelines to assist applicants in drafting landscaping plans.</p> <p>1. Minimum Landscape Areas. A minimum of ten percent of the open parking and driveway areas shall be landscaped, exclusive of required front and exposed side yard setbacks.</p> <p>a. All interior parking lot landscaping, exclusive of required front and exposed side yard setbacks, shall be located within a planter bounded by a concrete curb at least six inches high. No planter shall have a minimum dimension of less than six feet by six feet, or if no tree is located in the planter, four feet by four feet, excluding curbing. Each planter shall include a permanent automatic irrigation system appropriate for the type of landscaping installed. Each planting area shall be of adequate size for the landscaping provided.</p>	<p>A. All interior areas not used for parking spaces or driving aisles in a parking lot are landscaped. See the Sheet L1 for the detail information.</p> <p>B. Landscaping and shading plans are prepared by licensed landscape architects. The plans comply with Burbank's code requirements.</p> <p>1. The project's parking spaces are distributed throughout the site. There are no more than 3 parking spaces grouped together. In an effort to conservatively calculate this requirement, the total are of all drives, driveways, alleys and parking spaces total 65,295 square feet. As depicted on Sheet L-8, there is a total of 20,046 square feet of common landscape, resulting in 30.7% landscape.</p> <p>a. All interior lot landscaping are bounded by a six-inch tall curb.</p>	<p>Consistent</p>
<p>b. Trees, shrubs, and ground cover shall be provided at suitable intervals in order to break up the continuity of the parking area and shall be designed so as not to block the view of motorists and pedestrians. All shrubs and groundcover shall be a minimum five gallon size.</p> <p>c. Groundcover or shrubs may not exceed three feet in height above the parking lot surface.</p> <p>d. No one species shall comprise more than 75 percent of the planting within each of the following categories: trees, shrubs, and groundcover.</p> <p>e. Not more than 25% of the plant or planter or landscaped area may be covered with non-plant surfaces such as gravel, landscaping rock, artificial turf or concrete.</p> <p>f. All landscaped areas shall be designed so that plant materials are protected from vehicle damage or encroachment.</p>	<p>b. Trees, shrubs, and ground cover are provided for the project. Each surface parking area is no more than 3 spaces, so no views will be blocked.</p> <p>c. Groundcovers and shrubs will be limited to 3 feet in height in the common landscape areas.</p> <p>d. Different types of species, including trees, shrubs and groundcover will be provided in the parking areas. No one species is more than 75%. See Sheet L6 for the detailed information.</p> <p>e. As depicted on Sheets L-1 and L-2, the common landscape area does not consist of gravel, rocks, artificial turf or concrete.</p> <p>f. All landscape areas are design so they are protected from vehicle damage or encroachment.</p>	<p>Consistent</p>

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<p>C. Tree Shading Requirements</p> <ol style="list-style-type: none"> 1. Trees shall be planted and maintained throughout the parking lot to ensure that, within 15 years after establishment of the parking lot, at least 50 percent of the parking lot will be shaded. <ol style="list-style-type: none"> a. The shade trees shall be a species that will provide a canopy-style effect. b. Shade trees shall be a minimum 36-inch box size at planting. If a minimum 36-inch box size is determined to be technologically infeasible or impractical, the 36-inch box size may be substituted with two, 24-inch box sized trees at the discretion of the Director. 2. Upon completion of the installation of the shade trees, a licensed landscape architect shall certify that the shading complies with all requirements of this section. Certification shall be accomplished in a manner to be determined by the Director. 3. Tree species appropriate for providing shade in parking lots shall be selected from “Street Trees Recommended for Southern California” as published by Street Tree Seminar, Inc. unless an applicant can demonstrate that it is technologically infeasible, impractical or inconsistent with the landscape design of the proposed parking lot to select such tree. <p>D. Tree Shading Calculation</p> <ol style="list-style-type: none"> 1. Landscape and shading plans shall show the estimated tree canopies after 15 years of growth, the specific names, sizes and locations of trees to be planted, and the total area in square feet of the area shaded by tree canopies. In determining the area shaded, the following methodology shall be used: <ol style="list-style-type: none"> a. Shading shall be calculated using the expected diameter of the tree canopy at 15 years. The Director may establish assumed expected canopy diameters. b. Shaded area on the pavement shall be measured assuming that the shaded area is only that area directly under the tree canopy or dripline. Diagram 10-1-1418(A) illustrates the manner in which shade is credited under various conditions. c. The shading plans shall include a shade calculation table identifying the quantity and type of trees used and the percentage of shade credited to each. Diagram 10-1-1418 (B) illustrates the format of the shade calculation table. d. Landscape planters under the canopy may be counted as shaded area, except in required setback areas. 	<p>The project provides 70% tree shade as shown on the L-11 Tree Shading Exhibit.</p>	<p>Consistent</p>

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<p>E. Maintenance</p> <ol style="list-style-type: none"> 1. The maintenance obligations provided herein shall apply to all parking facilities, whether approved prior to or after the effective date of these requirements. 2. All trees and landscape areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. 3. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. 4. Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to safety, drainage, or appearance. 5. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning conducted as part of regular maintenance. 6. Trees may not be trimmed or pruned to reduce the natural height, canopy size, or overall crown of the tree, except as necessary for health of the tree and public safety. All tree care shall comply with the current appropriate International Society of Arboriculture and American National Standards Institute standards. 7. Any required tree or other plants that die or are improperly maintained shall be replaced with healthy specimens of similar species or size, provided that the replacement trees shall be a minimum of 36-inch box size and shall not be required to exceed 48-inch box size. 8. Removal and replacement of trees that have caused damage to City sidewalks or other City infrastructure shall be reviewed and approved by the appropriate City Department. [Formerly numbered Section 31-174; Amended by Ord. No. 3824, eff. 4/6/12; 3548; 3297, 3058, 2930, 2599, 2193.] 	<p>The project will meet the maintenance requirements.</p>	<p>Consistent</p>

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<p><u>10-1-1602: Curb Cuts</u> No vehicular access way shall be located nearer than 30 feet to the ultimate curb lines of an intersecting street, nor be provided with a curb cut of more than 18 feet in residential zones and 30 feet in other zones. The Public Works Director may permit a curb cut of not more than 38 feet in nonresidential zones if the adjacent parking area is provided with an internal circulation pattern requiring two (2)-way vehicular movement in the driveway. Curb cuts on the same lot shall be separated by at least 20 feet of uncut curb. In residential zones, each lot is limited to one curb cut for each 100 feet of street frontage along any one street except that lots with less than 100 feet of street frontage may provide one curb cut. Minor deviations from the foregoing standards may be authorized by the Public Works Director to accommodate the safe ingress and egress of vehicles.</p>	<p>No vehicular access ways are located nearer than 30' to the ultimate curb lines of an intersecting street.</p>	<p>Consistent</p>
<p><u>10-1-1603: Driveway Width</u> Every driveway shall be at least 10 feet wide, and a maximum as approved by the Director.</p>	<p>Each driveway is 16' wide.</p>	<p>Consistent</p>
<p><u>10-1-1604: Driveway Slopes</u> The slope of a driveway or driveway ramp shall not exceed a grade of 20 percent. A grade transition shall be provided at each end of a driveway or driveway ramp in accordance with standards prescribed by the Public Works Director.</p>	<p>The slope of the driveway is less than 20%.</p>	<p>Consistent</p>
<p><u>10-1-1606: Turn Around Areas</u> A 24 foot turning radius shall be provided for access to driveways and right-angle parking stalls.</p>	<p>A 24'-minimum turning radius is provided project wide.</p>	<p>Consistent</p>

Exhibit B - Objective Standard Consistency Analysis

ARTICLE 6. RESIDENTIAL USES AND STANDARDS

DIVISION 5. AFFORDABLE HOUSING INCENTIVES

Objective Standards	Consistency Analysis	Consistency Determination
<p><u>10-1-640: Development Standards Modified as Incentive or Concession</u></p> <p>1. A reduction of site Development Standards or a modification of zoning code requirements or architectural design requirements which exceed the minimum building standards provided in Part 2.5 (commencing with Section 18901. of Division 13 of the California Health and Safety Code and which result in identifiable, financially sufficient, and actual cost reductions, including, but not limited to:</p> <ul style="list-style-type: none"> a. Reduced minimum lot sizes and/or dimensions. b. Reduced minimum lot setbacks. c. Reduced minimum outdoor and/or private outdoor living area. d. Increased maximum lot coverage. e. Increased maximum building height and/or stories. f. Reduced minimum building separation requirements. g. Reduced street standards, such as reduced minimum street widths. 	<p>b. Pursuant to Section 10-1-635 of the Burbank Municipal Code, the project is eligible to receive a concession since it reserves at least 10 percent of the units to Low-Income Earners. The project is requesting a front yard setback reduction concession from 25 feet to 17 feet along Main Street and from 25 feet to 23 feet along Riverside Drive due to a potential dedication for street improvements and equestrian trail.</p>	<p>Consistent</p>
<p><u>10-1-646: Inclusionary Unit Requirement</u></p> <p>A. Calculation</p> <p>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, at an Affordable Rent or Affordable Ownership Housing Cost, as follows:</p> <ul style="list-style-type: none"> 1. For-sale projects - All Inclusionary Units 15 percent of the total Residential Development) shall be sold to Low and/or Moderate Income Households. 2. Rental projects - A minimum of five percent of units in the total Residential Development shall be Very Low Income; the remaining ten percent of the units shall be Low Income. <p>In calculating the required number of Inclusionary Units, any decimal fraction shall be rounded up to the nearest whole number. Any additional units authorized as a density bonus under Section 10-1-635 of the Burbank Municipal Code will not be counted in determining the required number of Inclusionary Units.</p>	<p>The Project will dedicate a minimum of 10 percent of the total number of for-sale units affordable to households making at or below 80 percent of the AMI (Low Income). Section 10-1-646, Paragraph C allows for credits for units sold to low-income residents (80 percent of the AMI) at a rate of two (2) units for every one (1) unit provided. Currently, the Applicant will reserve 10 units for low-income residents (80 percent of the AMI), resulting in a total of 10.8 percent of the total units being affordable. This would result in a total credit of 20 affordable units, exceeding the 15 percent inclusionary housing requirement identified in Section 10-1-646 of the Burbank Municipal Code.</p>	<p>Consistent</p>

Exhibit B - Objective Standard Consistency Analysis

ARTICLE 6. RESIDENTIAL USES AND STANDARDS

DIVISION 5. AFFORDABLE HOUSING INCENTIVES

Objective Standards	Consistency Analysis	Consistency Determination
<p><u>10-1-651: Standards for Inclusionary Units</u></p> <p>A. DESIGN. Except as otherwise provided in this Division, Inclusionary Units must be dispersed throughout a Residential Development and be comparable in construction quality and exterior design to the Market-rate Units. Inclusionary Units may be smaller in aggregate size and have different interior finishes and features than Market-rate Units so long as the interior features are durable, of good quality and consistent with contemporary standards for new housing. The number of bedrooms must at a minimum be the same as those in the Market-rate Units and at the same percentage.</p>	<p>Inclusionary units will be constructed in the same manner as the proposed units. All units will be designed to be a cohesive and uniform community. The units designated as affordable will be as close as possible to the mix for the market-rate units.</p>	<p>Consistent</p>
<p>B. TIMING. All Inclusionary Units must be constructed and occupied concurrently with or prior to the construction and occupancy of Market-rate Units. In phased developments, Inclusionary Units must be constructed and occupied in proportion to the number of units in each phase of the Residential Development.</p>	<p>Both the market rate units and affordable units will be occupied in phases in a similar mix as that of the overall project.</p>	<p>Consistent</p>
<p>C. DURATION OF AFFORDABILITY REQUIREMENT. Inclusionary Units shall be reserved for Very Low, Low and Moderate Income Households at the ratios established pursuant to Section 10-1-646, and shall be provided at the applicable Affordable Rent or Affordable Ownership Housing Cost.</p> <p>1. An Inclusionary Unit that is for rent shall remain reserved for the target income level group at the applicable Affordable Rent in perpetuity for as long as the land is used for housing, which shall be less than 55 years.</p> <p>2. An Inclusionary Unit that is for sale shall remain reserved for the target income level group at the applicable Affordable Ownership Housing Cost in perpetuity for as long as the land is used for housing, which shall be not less than 55 years, subject to the City provisions for earlier termination set forth in the Inclusionary Housing Agreement. Purchasers of affordable units must remain as owner-occupants, and may not rent out the unit.</p>	<p>The project includes a total of 10 units that will be sold to Low-Income earners (80 percent Area Median Income) or lower and will be affordable for a period of no less than 55 years.</p>	<p>Consistent</p>

Exhibit B - Objective Standard Consistency Analysis

TITLE 11 SUBDIVISION REGULATIONS		
ARTICLE 11. LOT DESIGN		
Objective Standards	Consistency Analysis	Consistency Determination
<p><u>11-1-1009: Right of Way, Roadway, Parkway and Median Widths</u> Each street shall have right of way, roadway, parkway and median widths conforming to the following (numbers indicate width in feet):</p> <p>Collector: 64' min., (Right-of-Way); 40' min., (Roadway), 12' min., (Parkway)</p> <p>Streets shall conform to the above standards (Std.) unless the approving body determines that the widths specified as standard are not practical. Where no standard width is specified but a minimum width is indicated, the approving body may require a width in excess of the minimum. Such widths shall not be reduced below the minimums (Min.) specified except that in hillside or mountainous areas the above widths may be reduced below the minimums specified where evidence satisfactory to the approving body shows that such widths are impractical.</p>	<p>Per the City's Mobility Element, both Main Street and Riverside Drive are classified as Collector Streets. Main Street adjacent to the project site currently has a right of way of 70 feet with 40 feet for traffic lanes and 10 feet of parkway on the project side of the street. Riverside Drive has an existing right of way of 100 feet with 68 feet for traffic lanes and 15 feet of parkway/sidewalk adjacent to the project site. Part of the project includes a potential right-of-way dedication on Main Street of 8 feet and 16 feet, to allow for an 8' parkway and sidewalk as well as a 10' equestrian trail. Along Riverside Drive, a potential 2' right-of-way dedication is provided to allow for an 8' parkway and sidewalk as well as a 10' equestrian trail.</p>	<p>Consistent</p>
<p><u>11-1-1101: Lot Area, Width and Depth</u> Each residential lot shall have a minimum width, depth and area to comply with the requirements specified in Article 6 of Title 10 of this code for the zone in which the lot is located unless a variance is granted pursuant to the provisions of Title 10, Article 19, Division 3 of this code. Lots in commercial and industrial zones shall have a minimum average width of forty feet (40') and a minimum area of four thousand eight hundred (4,800) square feet.</p>	<p>The project site has 218,449 square feet, which is more than the 4,800-square foot minimum. The lot width is approximately 210 feet, which is more than 40-foot minimum.</p>	<p>Consistent</p>
<p><u>11-1-1102: Lot Frontage</u> Each lot shall front on a dedicated street. In no case shall a lot intended for residential use have a frontage of less than twenty feet (20'), except that in hillside areas the approving body may in the exercise of sound discretion approve narrower frontage if necessitated by the terrain. Where lots adjoin arterial or collector streets, they shall front on such streets; and where they adjoin local streets, they shall front on the streets which parallel the long dimension of the block. Key lots and double frontage lots are not permitted if they can be avoided</p>	<p>The project lot has a minimum lot frontage of approximately 281.71 feet along Main Street and a minimum lot frontage of approximately 586.99 feet, which is more than the 20-foot minimum.</p>	<p>Consistent</p>

Exhibit B - Objective Standard Consistency Analysis

TITLE 11 SUBDIVISION REGULATIONS		
ARTICLE 13. DEDICATION OF PARK AND RECREATION FACILITIES		
Development Standards	Consistency Analysis	Consistency Determination
<p><u>11-1-1302: Limitation on Applicability of Article:</u> The provisions of this article shall be applicable only to subdivisions for which tentative maps were applied for and accepted for processing prior to November 1, 1986. [Added by Ord. No. 3045; formerly numbered Section 27-133.1; renumbered by Ord. No. 3058, eff. 2/21/87.]</p>	The requirement does not apply since the project includes a map after November 1, 1986.	Consistent
<p><u>11-1-1306: Amount of Land for Park Dedication:</u></p> <p>Density Formula</p> <p>Net Density Per Dwelling Unit % of Gross Area Required When Park Land is Dedicated</p> <p>10 to 19 dwelling units per acre - 5.79%</p>	The requirement does not apply pursuant to 11-1-1302 since the project includes a map after November 1, 1986.	Consistent
ARTICLE 14. DEDICATION OF SCHOOL SITES		
Development Standards	Consistency Analysis	Consistency Determination
<p><u>11-1-1402: Subdividers Must Offer School Site:</u> Every subdivider and his successors who, within three (3) years or less, develop or complete the development of one or more subdivisions comprised of a single parcel or contiguous parcels having more than four hundred (400) dwelling units within the Burbank Unified School District shall dedicate to the school district such lands as the Council shall deem to be necessary for the purpose of constructing thereon schools necessary to assure the residents of the subdivision adequate elementary school service.</p>	The project consists of 92 units on a 5.01-acre site and is less than the threshold for school site dedication.	Consistent

Exhibit B - Objective Standard Consistency Analysis

TITLE 11 SUBDIVISION REGULATIONS		
ARTICLE 15. IMPROVEMENTS		
Development Standards	Consistency Analysis	Consistency Determination
<p><u>11-1-1509: Drainage Improvements</u> The subdivider shall provide such drainage facilities as are considered necessary by the approving body for the drainage requirements of the subdivision. Such facilities shall be constructed in accordance with standards and specifications approved by the Public Works Director.</p>	Drainage facilities are provided for the project. The facilities will be constructed in accordance with standards and specifications approved by the PW Director.	Consistent
<p><u>11-1-1512: Sanitary Sewers</u> The subdivider shall install sanitary sewers to serve each lot in the subdivision and all off site sewers required to carry the sewage to the nearest public sewer. Such sewers shall be designed and constructed in accordance with City specifications and Title 8, Chapter 1 of this code.</p>	Sanitary Sewers are provided for the project.	Consistent
<p><u>11-1-1513: Sidewalks</u> The subdivider shall construct Portland cement concrete sidewalks on both sides of all streets in the subdivision. The sidewalks shall be at least five feet (5') wide and three and one-half inches (3 1/2") thick, and otherwise constructed in accordance with City specifications. Sidewalks on one side of a street may be deleted where the approving body determines that they are not needed.</p>	Sidewalks are provided for the project and will be constructed in accordance with City specifications. All sidewalks will have a minimum width of 5 feet as depicted on Sheet 2 of VTTM No. 83627.	Consistent
<p><u>11-1-1514: Street Lighting System</u> The subdivider shall provide a continuous street lighting system on ornamental standards throughout the subdivision. The plans and specifications for such system shall be submitted to the General Manager of the Public Service Department for approval before the parcel or final map is submitted for certification. The installation of the system shall be subject to inspection by the Public Service Department.</p>	Light standards are provided on the streets. See Schematic Lighting Plan, Sheet L-7.	Consistent
<p><u>11-1-1515: Underground Utilities</u> Utility lines which serve the subdivision, including, but not limited to, electric, communications, street lighting and cable television, shall be placed underground. The subdivider shall make the necessary arrangements for the installation of such facilities in accordance with the requirements of each such utility and subject to its inspection and approval. Appurtenances and associated equipment such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be placed aboveground if acceptable to the utility concerned.</p>	The overhead utilities within the abutting ROW will be undergrounded. A note is added on the VTTM.	Consistent

Exhibit B - Objective Standard Consistency Analysis

TITLE 11 SUBDIVISION REGULATIONS

<p><u>11-1-1516: Water System and Fire Hydrants</u></p> <p>The subdivider shall install a water system and fire hydrants in the subdivision and shall pay to the Public Service Department such amount as is required, in the judgment of its General Manager, to conform off tract water facilities to the requirements of the subdivision. The design of the water distribution system and fire hydrants for the subdivision and of all off site water facilities shall conform to the requirements of the General Manager, and installation of the water system and fire hydrants shall comply with all applicable statutes, ordinances, rules and regulations. Unless the water system and fire hydrants have been constructed and accepted, the agreement and the improvement security required by Section 11-1-604 of this chapter shall provide therefor.</p>	<p>Water system and fire hydrants are provided for the project.</p>	<p>Consistent</p>
<p><u>11-1-1517: Street Trees and Plants</u></p> <p>The subdivider shall plant and install trees in the parkways of the subdivision. If the subdivision contains service road islands, street trees and plants shall be installed in the islands. The type or species and location of the trees and plants shall be subject to the approval of the Park, Recreation and Community Services Director. When a service road island is provided, the subdivider shall install a stub-out water line consisting of a minimum two inch (2") feeder pipe to, and centrally located within, the island.</p>	<p>Street trees are provided as part of the project. See Schematic Planting Plan, Sheet L-6.</p>	<p>Consistent</p>

EXHIBIT C
INFORMATIONAL MAPS
(ATTACHED)



California Important Farmland Finder

Ca. Dept of Conservation



1001 W. Riverside Drive

Show search results for 1001 W...



Legend

County Boundaries

County Boundaries



California Important Farmland: Most Recent

Most Recent

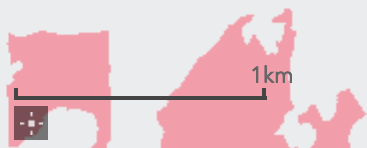
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-  Farmland of Statewide Importance
-  Unique Farmland
-  Grazing Land
-  Farmland of Local Importance
-  Farmland of Local Potential
-  Other Land
-  Confined Animal Agriculture
-  Nonagricultural or Natural Vegetation
-  Vacant or Disturbed Land
-  Rural Residential Land
-  Semi-agricultural and Rural Commercial Land
-  Urban and Built-Up Land
-  Water Area
-  Irrigated Farmland
-  Nonirrigated Farmland

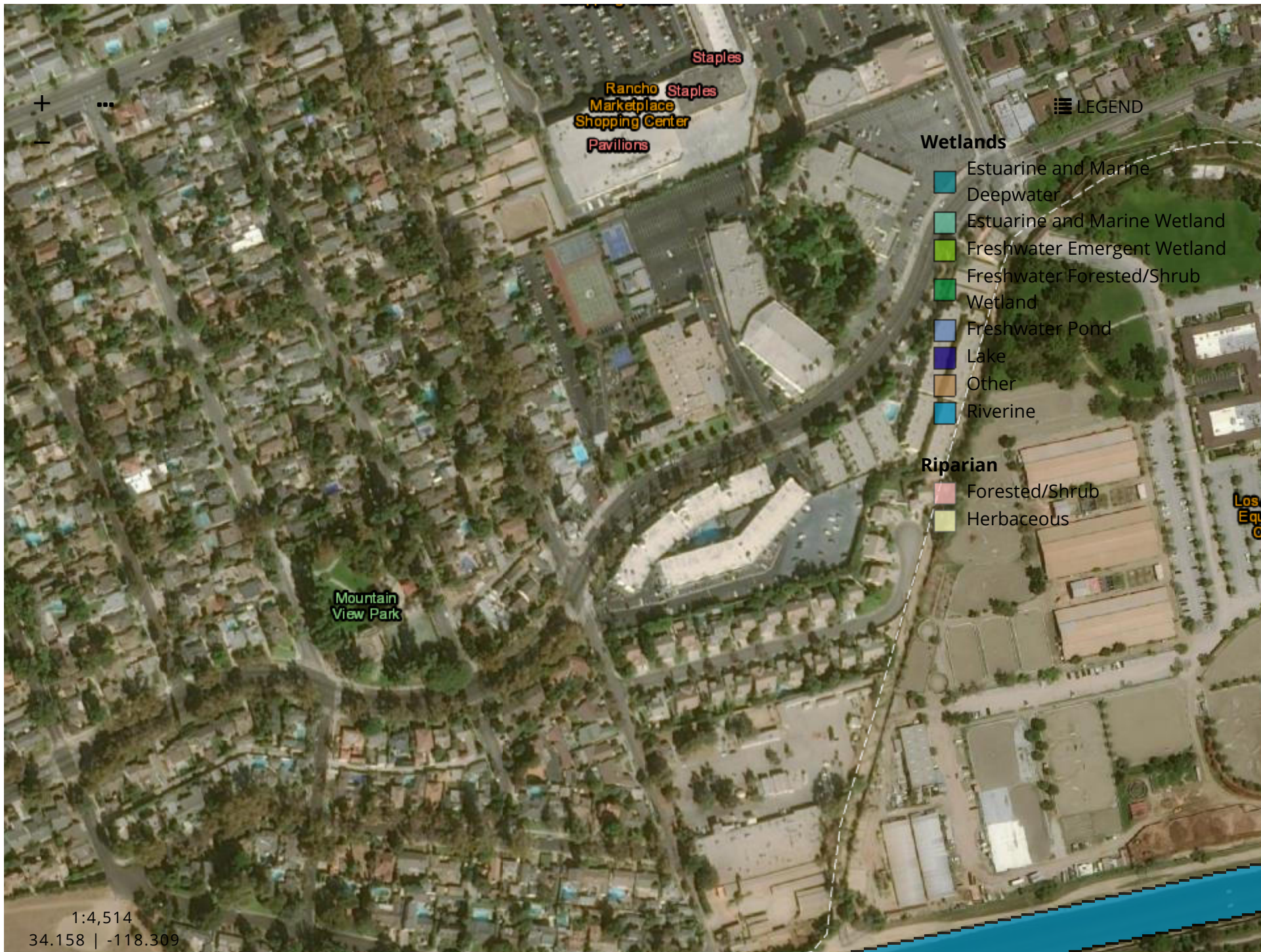
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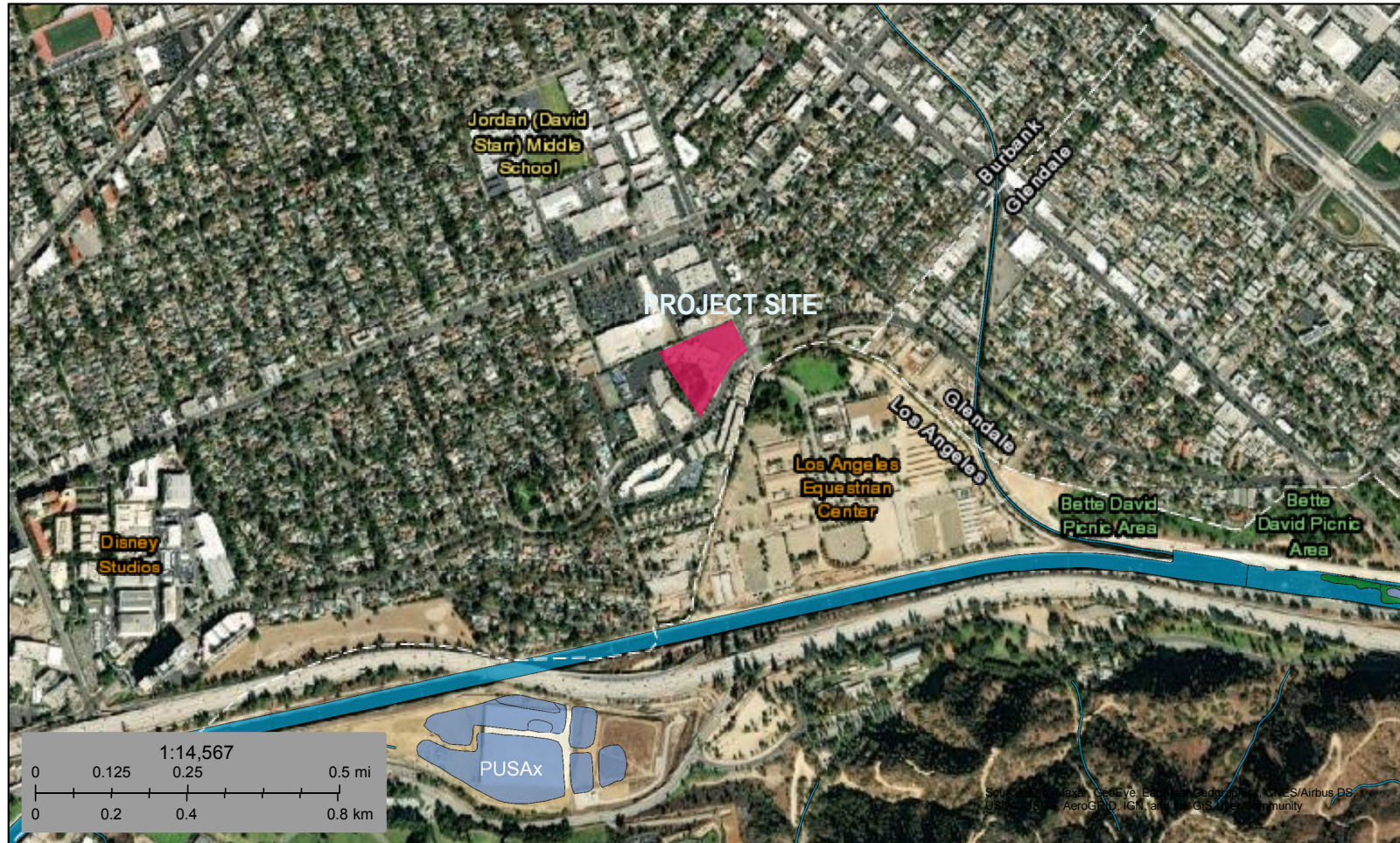
1001 W RIVERSIDE DR, Burbank, CA, 91506

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June 1, 2021

Wetlands

- Estuarine and Marine Deepwater
- Freshwater Emergent Wetland
- Estuarine and Marine Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper





FHSZ Viewer



LEGEND ✕

City Boundaries

- Incorporated Area

County Boundaries

-

FHSZ in LRA

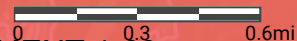
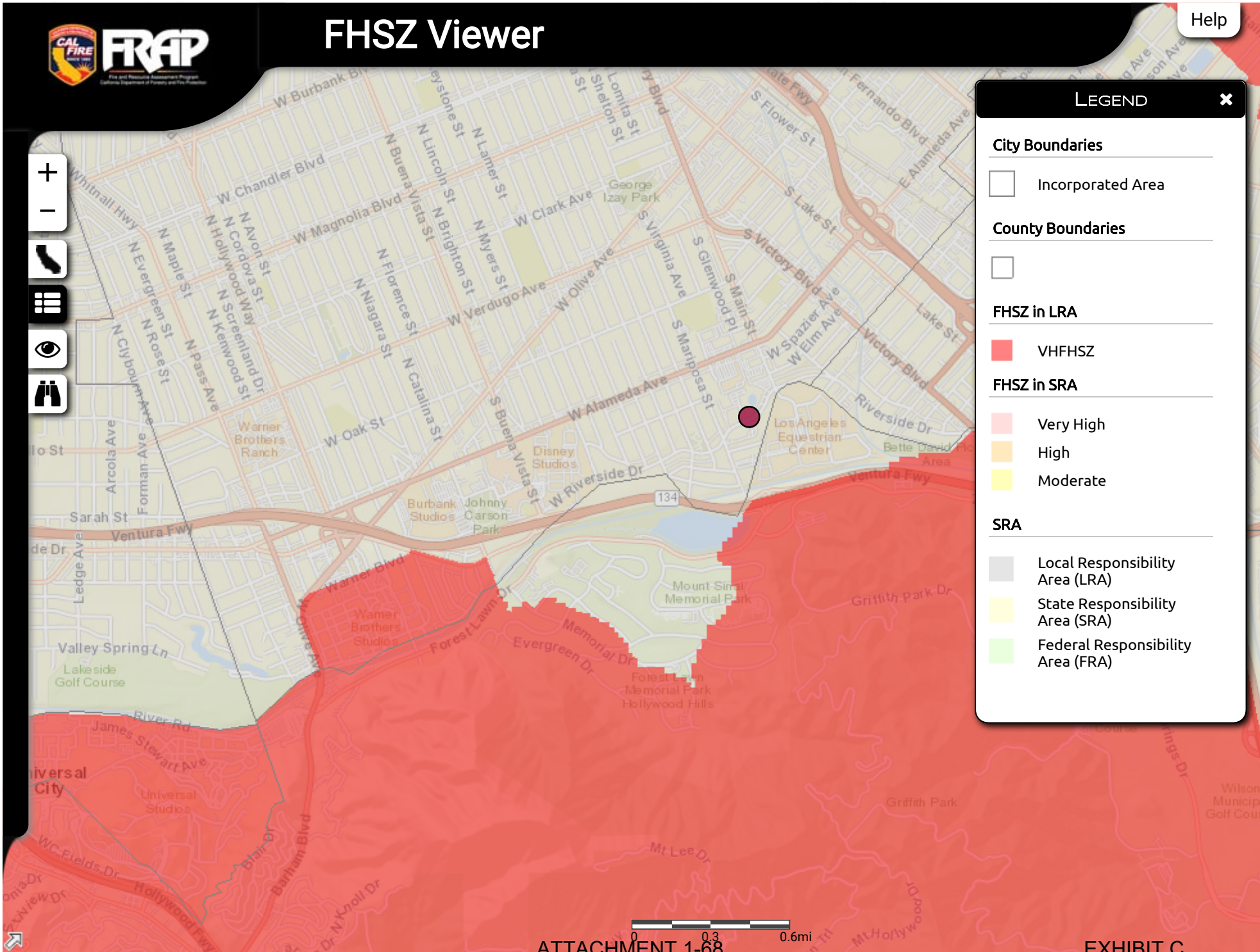
- VHFHSZ

FHSZ in SRA

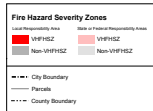
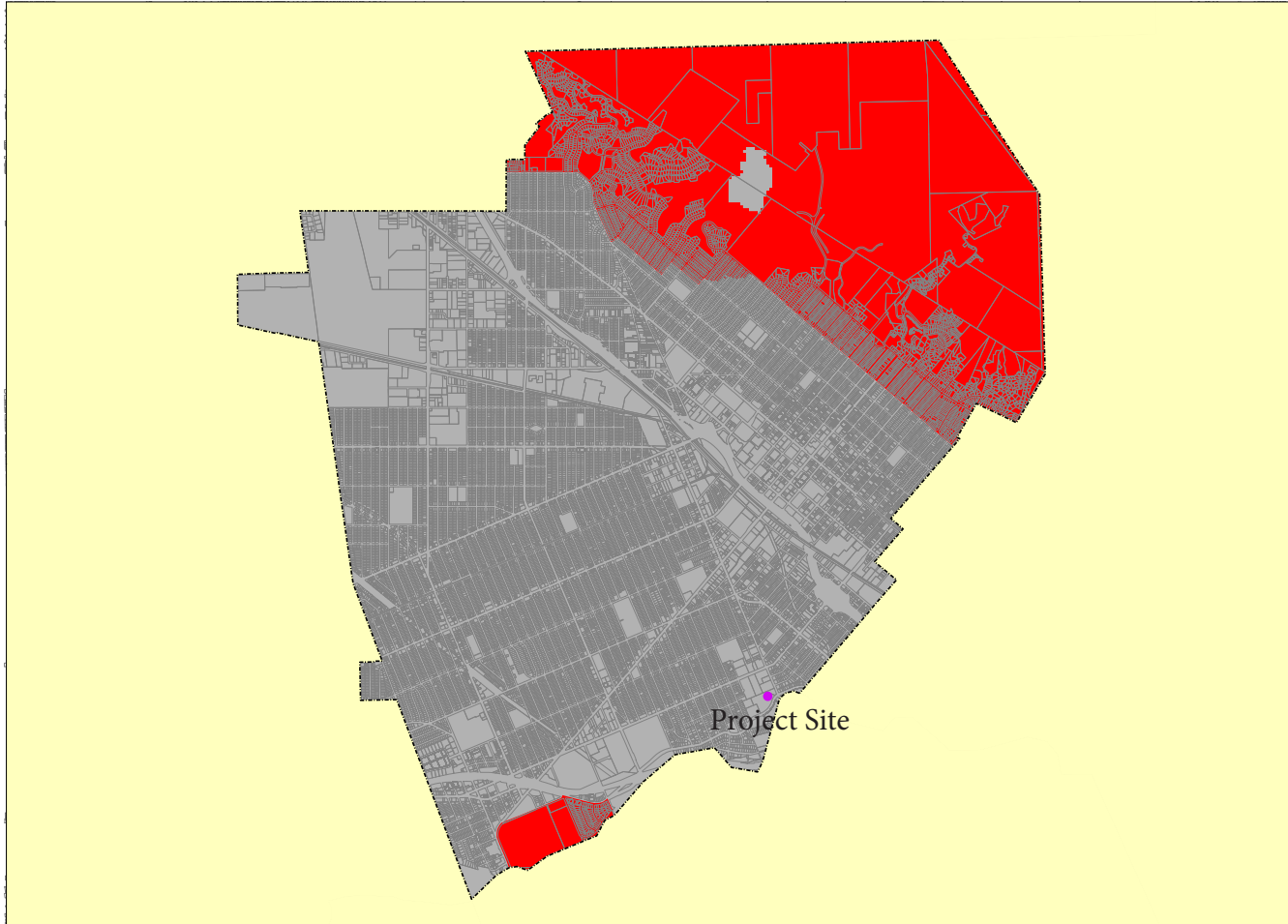
- Very High
- High
- Moderate

SRA

- Local Responsibility Area (LRA)
- State Responsibility Area (SRA)
- Federal Responsibility Area (FRA)

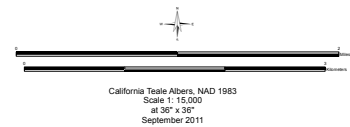


Very High Fire Hazard Severity Zones in LRA As Recommended by CAL FIRE



Government Code 41775.99 directs the California Department of Forestry and Fire Protection (CAL FIRE) to identify and map Very High Fire Hazard Severity Zones (VHFHSZ) in unincorporated areas of the State. VHFHSZ are those areas that are most susceptible to fire loss and are located in unincorporated areas of the State. CAL FIRE is responsible for the development and maintenance of the VHFHSZ maps. CAL FIRE is responsible for the development and maintenance of the VHFHSZ maps. CAL FIRE is responsible for the development and maintenance of the VHFHSZ maps.

This map was developed using data products such as parcel and city boundaries provided by local government agencies. In certain cases, this includes copyrighted geographic information. The maps are for display purposes only - questions and requests related to parcel or city boundary data should be directed to the appropriate local government entity.



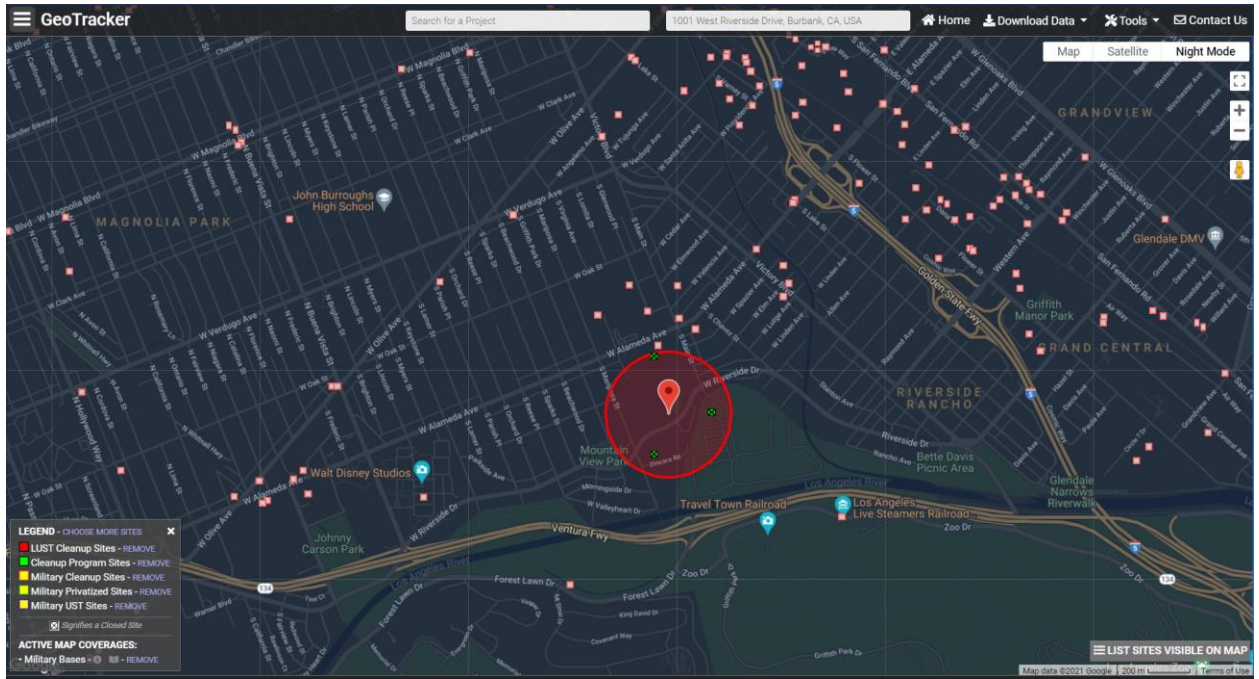
The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

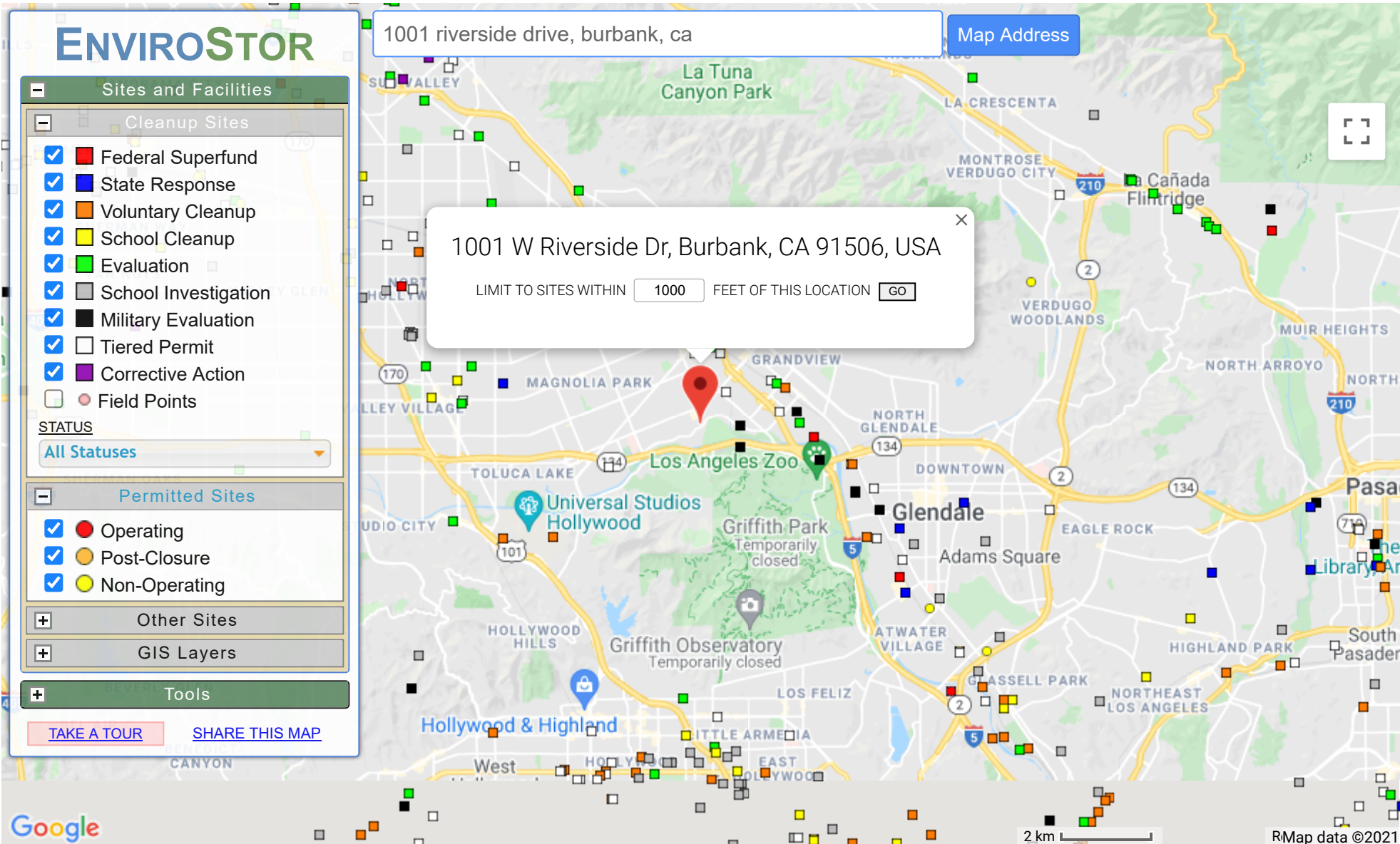
Obtain FRAP maps, data, metadata and publications on the Internet at <http://frap.cdf.ca.gov>
 For more information, contact CAL FIRE-FRAP, PO Box 94246, Sacramento, CA 94244-2460, (916) 327-3539.

Jerry Brown, Governor,
 State of California
 Jeff Leffler, Secretary for Resources,
 The Natural Resources Agency
 Ken Pimlott, Director,
 Department of Forestry and Fire Protection

MAP ID: Burbank
 DATA SOURCES
 CAL FIRE Fire Hazard Severity Zones (FRHSZ_06_1)
 CAL FIRE Very High Fire Hazard Severity Zones in LRA - Los Angeles (c19hsz06_5)



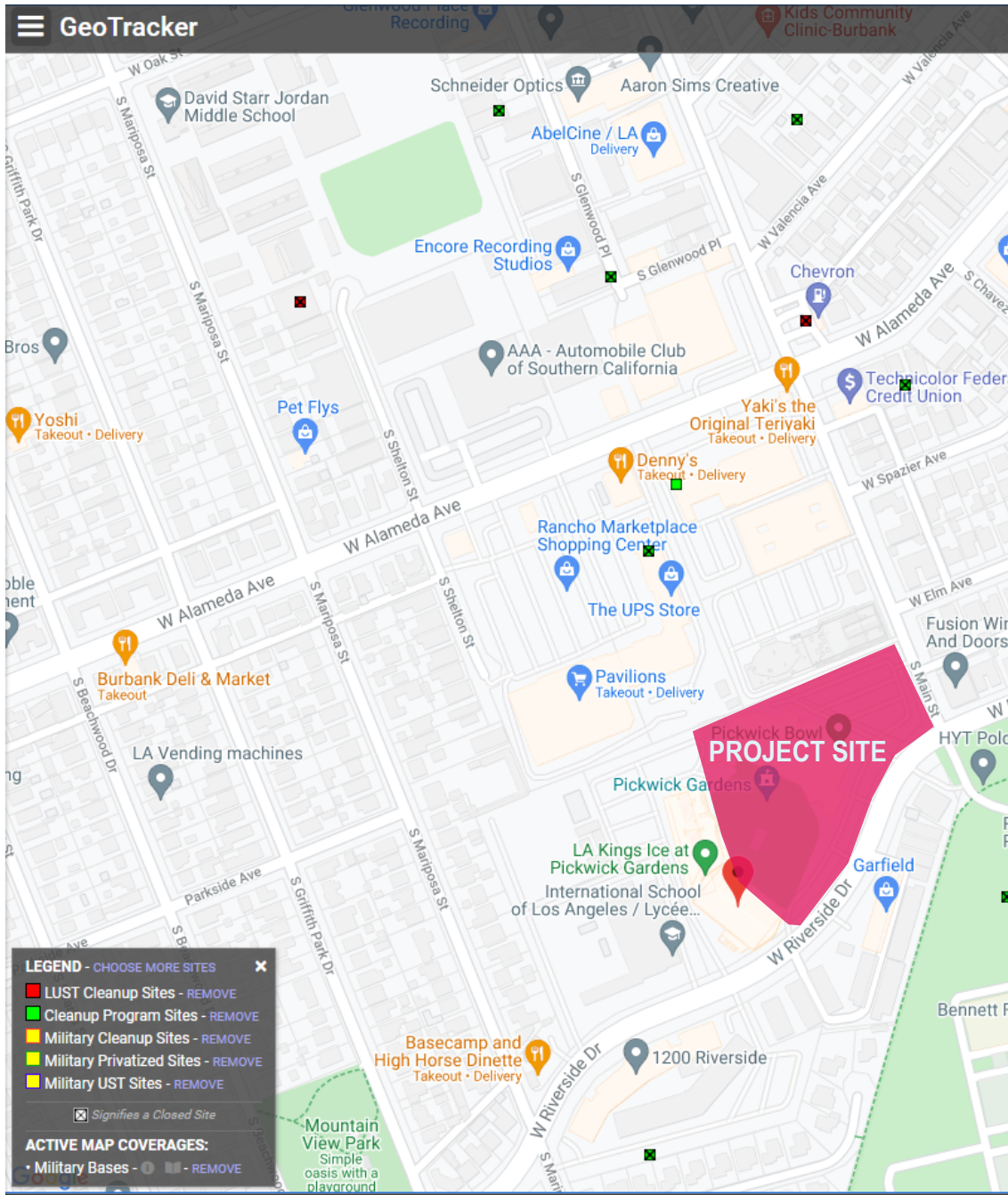




SITES CURRENTLY VISIBLE ON MAP					755 SITES LISTED	EXPORT THIS LIST TO EXCEL
PROJECT NAME	STATUS	PROJECT TYPE	ADDRESS	CITY		
1 50 MOST CLEANERS	NO ACTION REQUIRED	CORRECTIVE ACTION	2308 E COLORADO BLVD	PASADENA		
1 50 MOST CLEANERS	CLOSED	NON-OPERATING	2308 E COLORADO BLVD	PASADENA		
1101 N MAIN	NO FURTHER ACTION	VOLUNTARY CLEANUP	1101 NORTH MAIN STREET	LOS ANGELES		
11204 ASHER STREET COMMUNITY SCHOOL	NO ACTION REQUIRED	SCHOOL INVESTIGATION	11204 ASHER STREET	EL MONTE		
140-154 N AVENUE 21	ACTIVE	VOLUNTARY CLEANUP	140-154 N AVENUE 21	LOS ANGELES		
1X GARFIELD MEDICAL CENTER	CLOSED	NON-OPERATING	525 NORTH GARFIELD AVE.	MONTEREY PARK		
20200 SUNBURST STREET PROPERTY	ACTIVE	VOLUNTARY CLEANUP	20200 SUNBURST STREET	CHATSWORTH		
410 CENTER STREET PROPERTY	CERTIFIED O&M LAND USE					

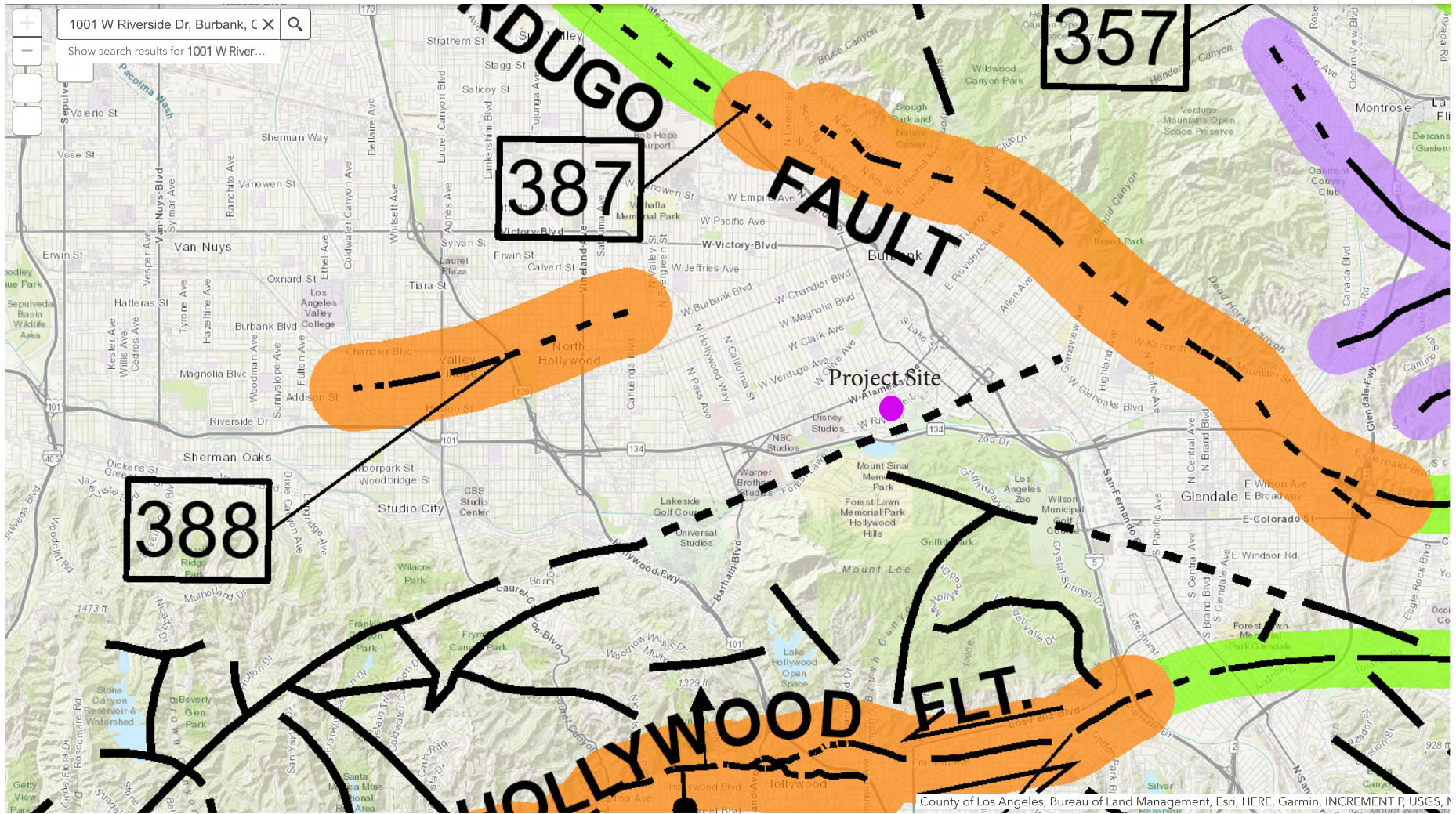
ATTACHMENT 1-71

EXHIBIT C



Fault Activity Map of California

California Geological Survey



County of Los Angeles, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, N

1mi
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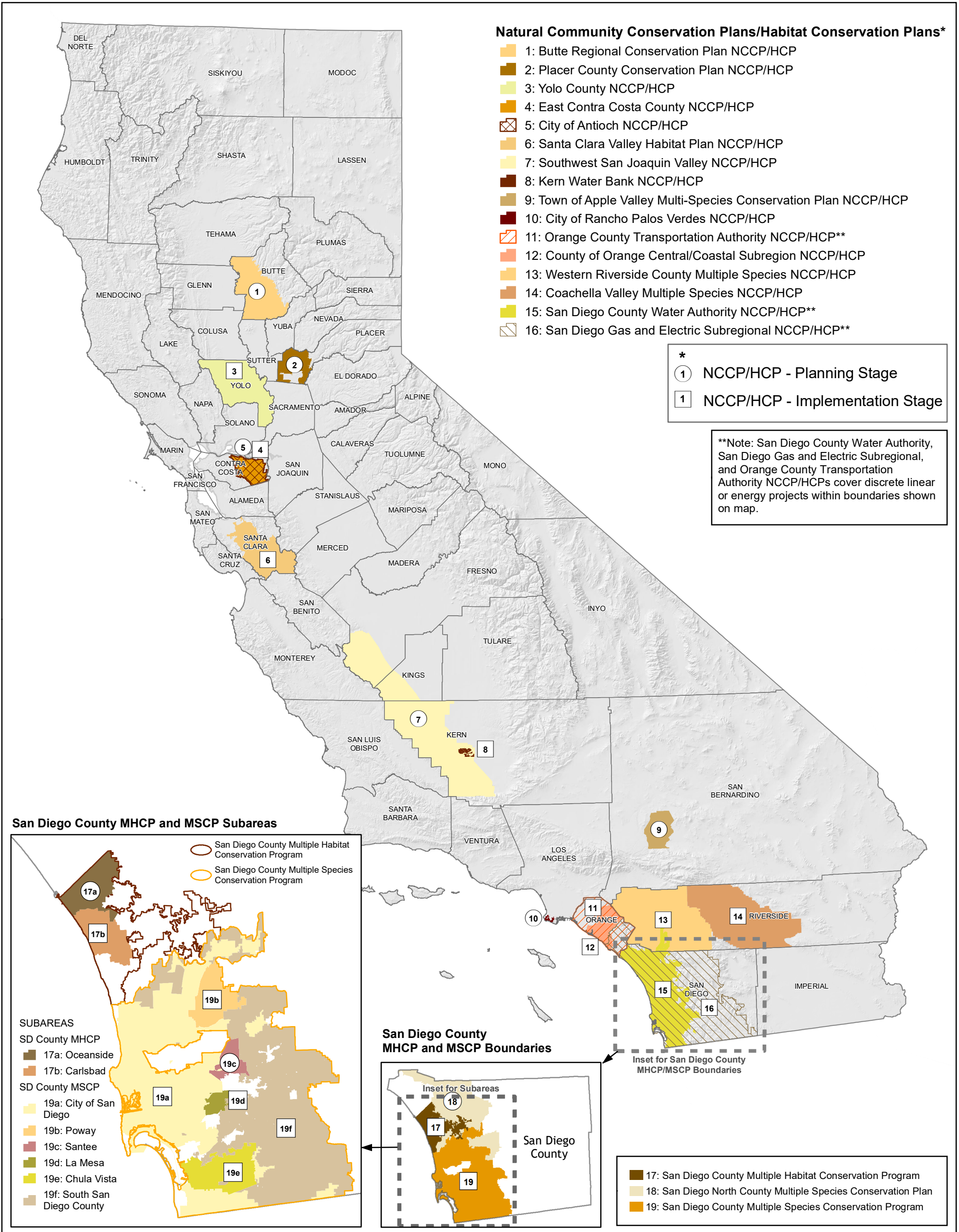
<https://maps.conservation.ca.gov/cgs/fam/app/>

1/1



CALIFORNIA NATURAL COMMUNITY CONSERVATION PLANS

April 2019



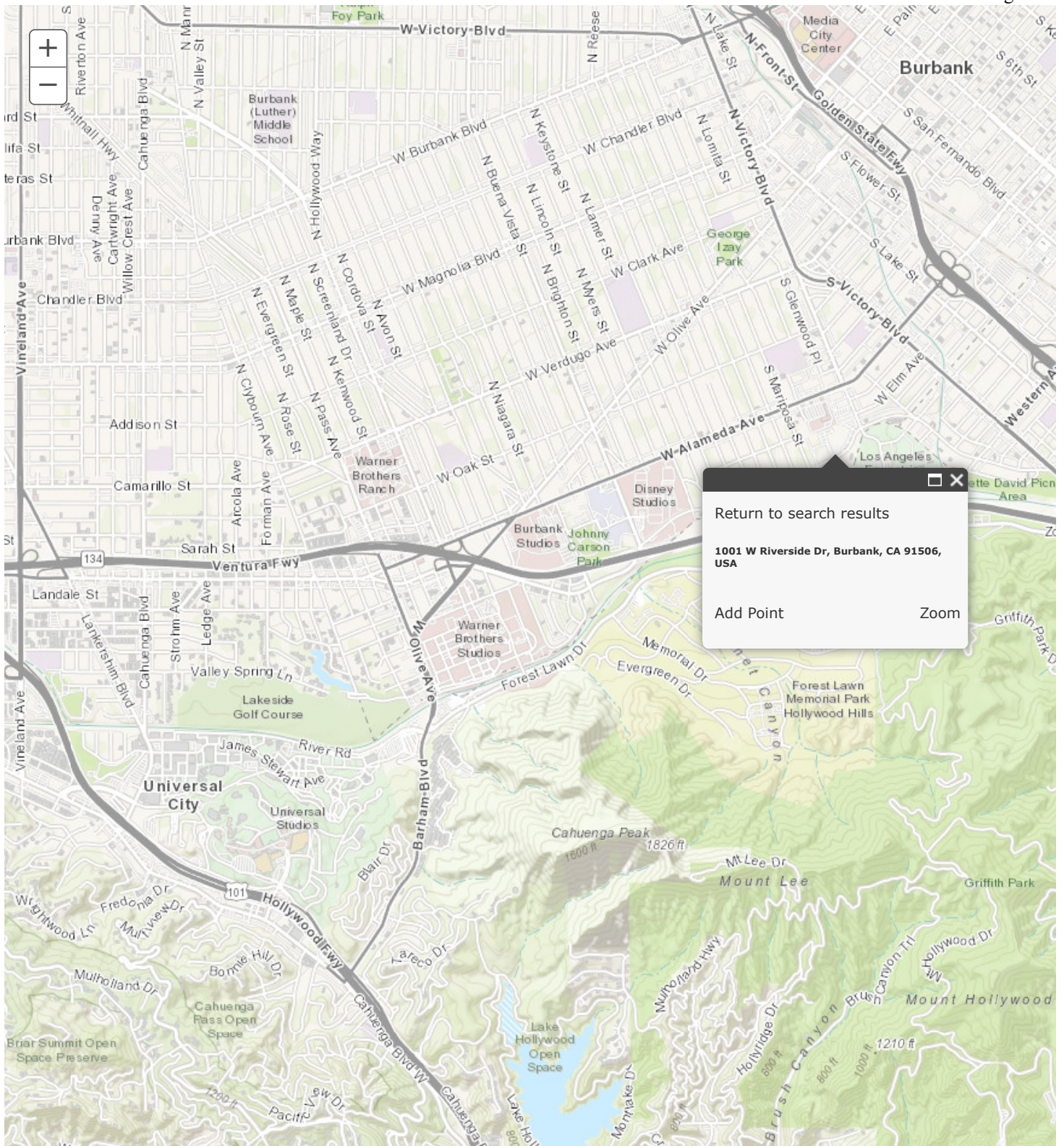
NCCP: Natural Community Conservation Plan (California Fish and Game Code §2800) (<https://www.wildlife.ca.gov/Conservation/Planning/NCCP>)
 HCP: Habitat Conservation Plan (Federal Endangered Species Act Section 10) (<http://www.fws.gov/endangered/what-we-do/hcp-overview.html>)



Conservation plans may be in various stages of review, and subject to change. In some cases, boundaries have not been submitted by participants, and are **estimated locations**.

Data Sources: California Department of Fish and Wildlife, Kern Water Bank, Orange County, Dudek, Orange County Transportation Authority, Contra Costa County, San Diego Association of Governments, Santa Clara Valley Habitat Agency, Placer County, Kern County, San Diego County Water Authority, Coachella Valley Association of Governments.

Legend



LONG: -118.29 | LAT: 34.14

- [ABOUT](#)
- [TERMS OF USE](#)

Details

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Legend

Legend

Final Linear Features



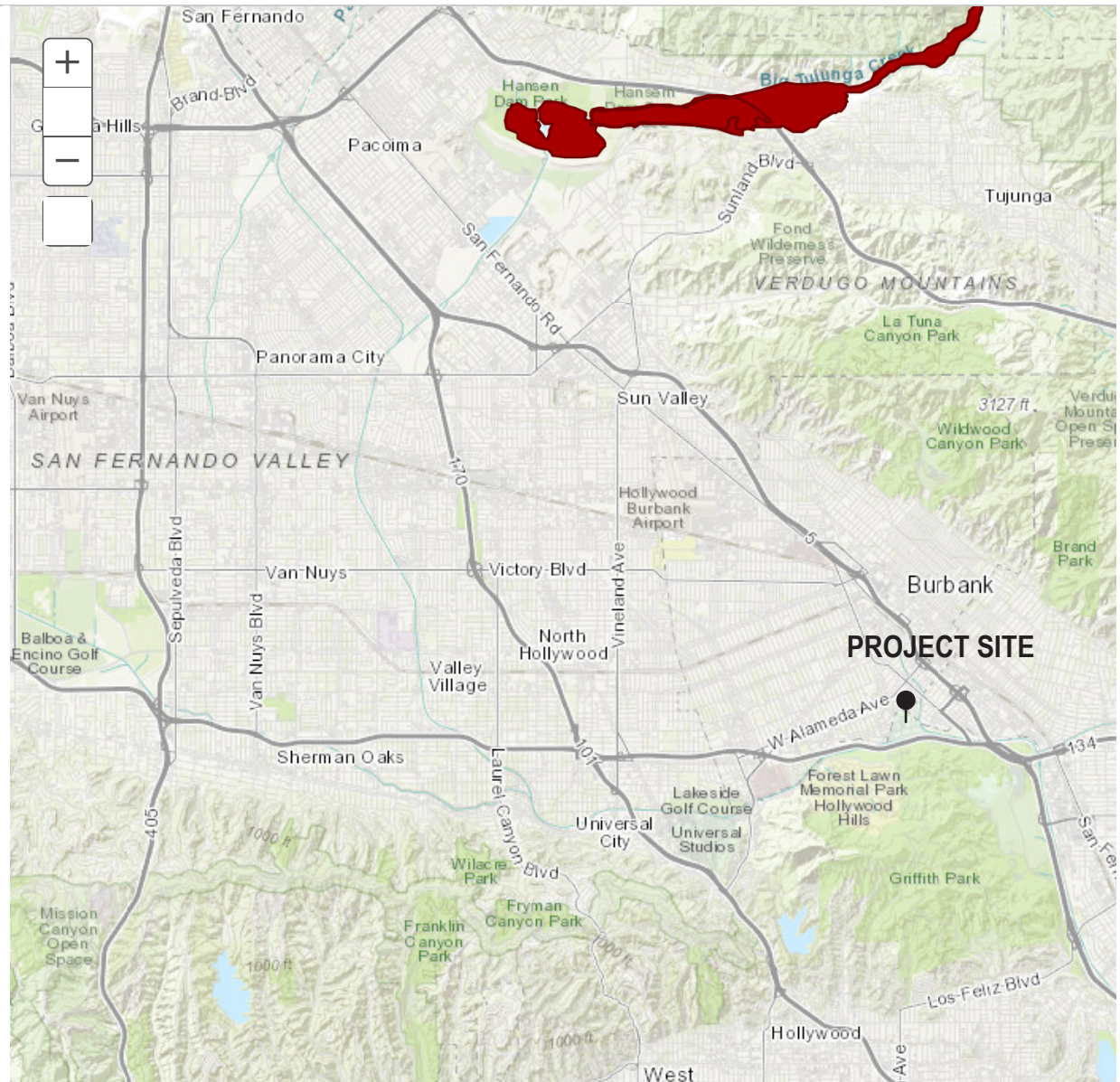
Final Polygon Features



Proposed Linear Features



Proposed Polygon Features



NTS





Show search results for 100...

Legend

Conservation Easements

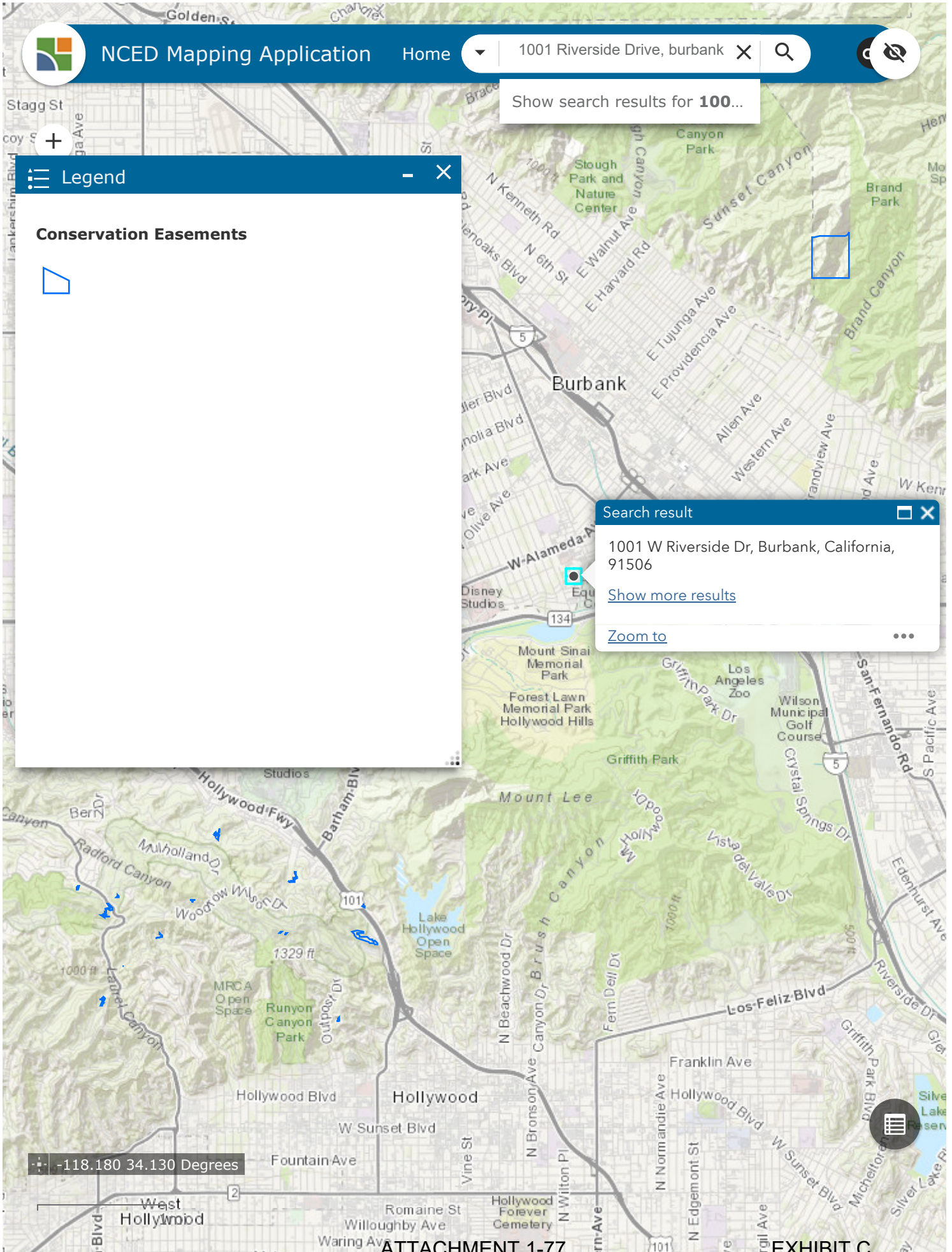


Search result

1001 W Riverside Dr, Burbank, California, 91506

[Show more results](#)

[Zoom to](#)



-118.180 34.130 Degrees

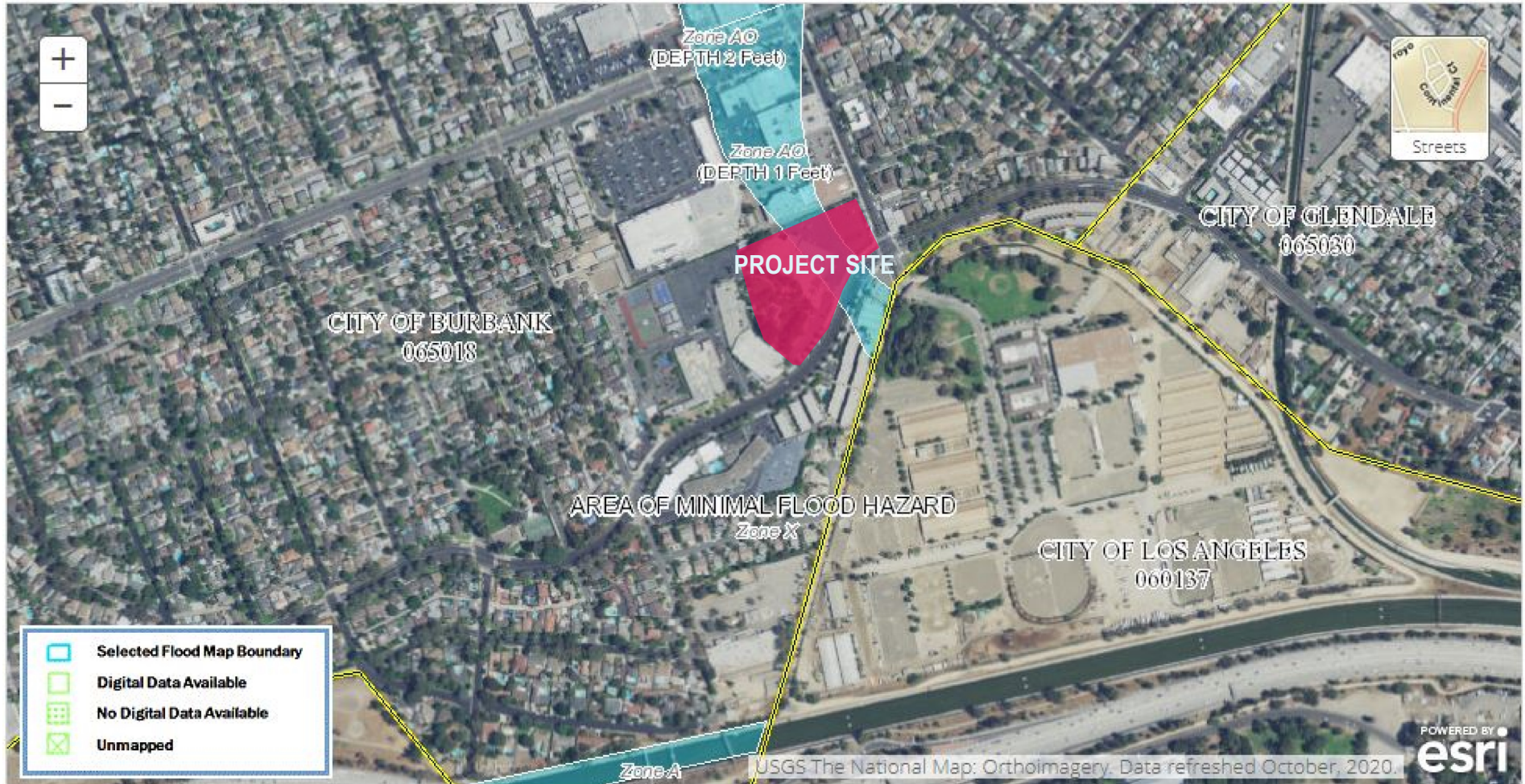


EXHIBIT D

THE PICKWICK PROJECT'S COMPLIANCE WITH SB 35 "SPECIAL FLOOD
HAZARD AREA" QUALIFYING CRITERION

(ATTACHED)

MEMORANDUM

To: Scott Plambaeck, City of Burbank

From: Scott Birkey, Cox, Castle & Nicholson LLP
James Kawamura, KHR Associates
Cary Brockman, KHR Associates

Cc: Matt Waken, MW Investments

Date: October 20, 2021

Re: The Pickwick Project's Compliance with SB 35 "Special Flood Hazard Area" Qualifying Criterion

This memorandum provides additional support for The Pickwick Project's ("Project") compliance with the Senate Bill ("SB") 35 qualifying criterion regarding "special flood hazard areas."

Background

Pursuant to Section 65913.4(b) of the Government Code, MW Investments ("Project Proponent") submitted a Notice of Intent to Submit an SB 35 Application on July 1, 2021 ("Notice of Intent") in connection with a development proposal ("Project") located at 1001 W. Riverside Drive and generally referred to as Pickwick Gardens ("Property") in the City of Burbank ("City"). The Property is comprised of two legal parcels.

As the Project Proponent indicated in its Notice of Intent, and in reference to a particular qualifying criterion set forth in SB 35, a portion of the legal parcels that comprise the Property is located within a "special flood hazard area" with the designation of flood zone "AO" and a flood depth of one foot, as determined by the Federal Emergency Management Agency ("FEMA"). See attached Exhibit A titled "Existing Conditions – Flood Hazard Zone."

As the Project Proponent explained in the Notice of Intent, the Project will be able to meet 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. Because the Project will follow the design and construction criteria specified in these regulations, the SB 35 restrictions pertaining to special flood hazard areas do not apply.

The purpose of this memorandum is to provide additional support as to the Project's compliance with this SB 35 qualifying criterion.

SB 35 Requirements

SB 35 specifies that a qualifying development must not be located "on a site that is," among other things:

Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under [SB 35], a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development ***may be located on a site [within a special flood hazard area]*** if either of the following are met:

- (i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.
- (ii) The ***site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria*** of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(Gov't Code Section 65913.4(a)(6)(G) (emphasis added).)

The SB 35 Guidelines further provide that:

The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a legal parcel(s) that is . . . Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.

- (A) This restriction does not apply if the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local government.
- (B) This restriction ***does not apply*** if the development proponent can demonstrate that they will be able ***to meet the minimum flood plain management criteria of the National Flood Insurance Program*** pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
 - i. If the development proponent demonstrates that the development satisfies either subsection (A) or (B) above, and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for the development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to special flood hazard areas.

- ii. If the development proponent is seeking a floodplain development permit from the local government, the development proponent must describe in detail in the application for the Streamlined Ministerial Process how the development will satisfy the applicable federal qualifying criteria necessary to obtain the floodplain development permit. Construction plans demonstrating these details shall be provided to the locality before the time of building permit issuance, however, construction plans shall not be required for the local jurisdiction to take action on the application under the Streamlined Ministerial Approval Process.

(SB 35 Streamlined Ministerial Approval Process Guidelines, Article IV, Section 401(b)(7) (March 30, 2021) (emphasis added).)

The FEMA Regulations cited in the exceptions to these special flood hazard area requirements pertain to FEMA's Insurance and Hazard Mitigation regulations and in particular those FEMA regulations governing the criteria for land management and use, and requirements for flood plain management. More specifically, Subpart A provides "Requirements for Flood Plain Management Regulations." (44 C.F.R. Sections 60.1 – 60.8.) In effect, SB 35's references to these regulations establish that, to avoid the restriction against parcels located within a special flood hazard area, a developer must demonstrate that the proposed development will be safe from flooding associated with a certain flood event.

The Project Complies with the SB 35 Requirements

We note as an initial matter that SB 35 and the SB 35 Guidelines do not specify whether the special flood hazard area requirement applies to development located on a site that is **entirely within** or **only partially within** a special flood hazard area. SB 35 simply states that the development must not be located on a site "that is . . . within a special flood hazard area," subject to certain exceptions. (Gov't Code Section 65913.4(a)(6)(G).) Arguably, because only a portion (approximately 25%) of the Property is located within a special flood hazard area, this requirement does not apply to the Project.

In any event, assuming this requirement does apply to the Project, the Project complies with this requirement because it will satisfy the FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

SB 35 and the SB 35 Guidelines refer to two sets of FEMA requirements with which a project must comply in order to be located within a special flood hazard area, if the site has not already been subject to a Letter of Map Revision ("LOMR") prepared by FEMA. In this instance, because the Property is not currently subject to a LOMR, the Project must demonstrate that it satisfies the relevant FEMA requirements referenced in SB 35 and the SB 35 Guidelines.

Here, certain minimum flood plain management criteria established by FEMA are directly relevant because the Federal Insurance Administrator has designated an AO Zone on the City's FIRM. These

criteria can be found in Section 60.3(c) of Title 44, Subpart A of the Code of Federal Regulations.¹ Two criteria are directly relevant to the Project, and they include:

1. Require within any AO zone on the City's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified) (44 C.F.R. Section 60.3(c)(7)); and
2. Require within Zones AH and AO, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures (44 C.F.R. Section 60.3(c)(11)).

With respect to the **first criterion**, as shown on the attached Exhibit B titled "Building Flood Elevations – Flood Hazard Zone," as currently proposed all new construction and substantial improvements of residential structures will have the lowest floor elevated above the highest adjacent grade at least as high as one foot, which is the depth number specified in feet on the City's FIRM map relative to the Property's location within Zone AO. FEMA defines "highest adjacent grade" as "the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure." (44 C.F.R. Section 59.1.)

Exhibit B demonstrates that within the area designated as Zone AO on the Property, the "Proposed Floor Elevation" of the development as currently proposed will be elevated above the "Existing Surface Elevation," i.e., the highest adjacent grade, by approximately 3.20 feet on average. The Project Proponent will raise these development elevations beyond the one-foot depth flood contemplated by the AO Zone designation on this portion of the Property. This elevation increase is more than three times higher than the one-foot depth number specified on the City's FIRM map for the Property. As such, by elevating the construction of the proposed residential structures more than one foot within this portion of the Property, **the Project will comply with the first criterion.**

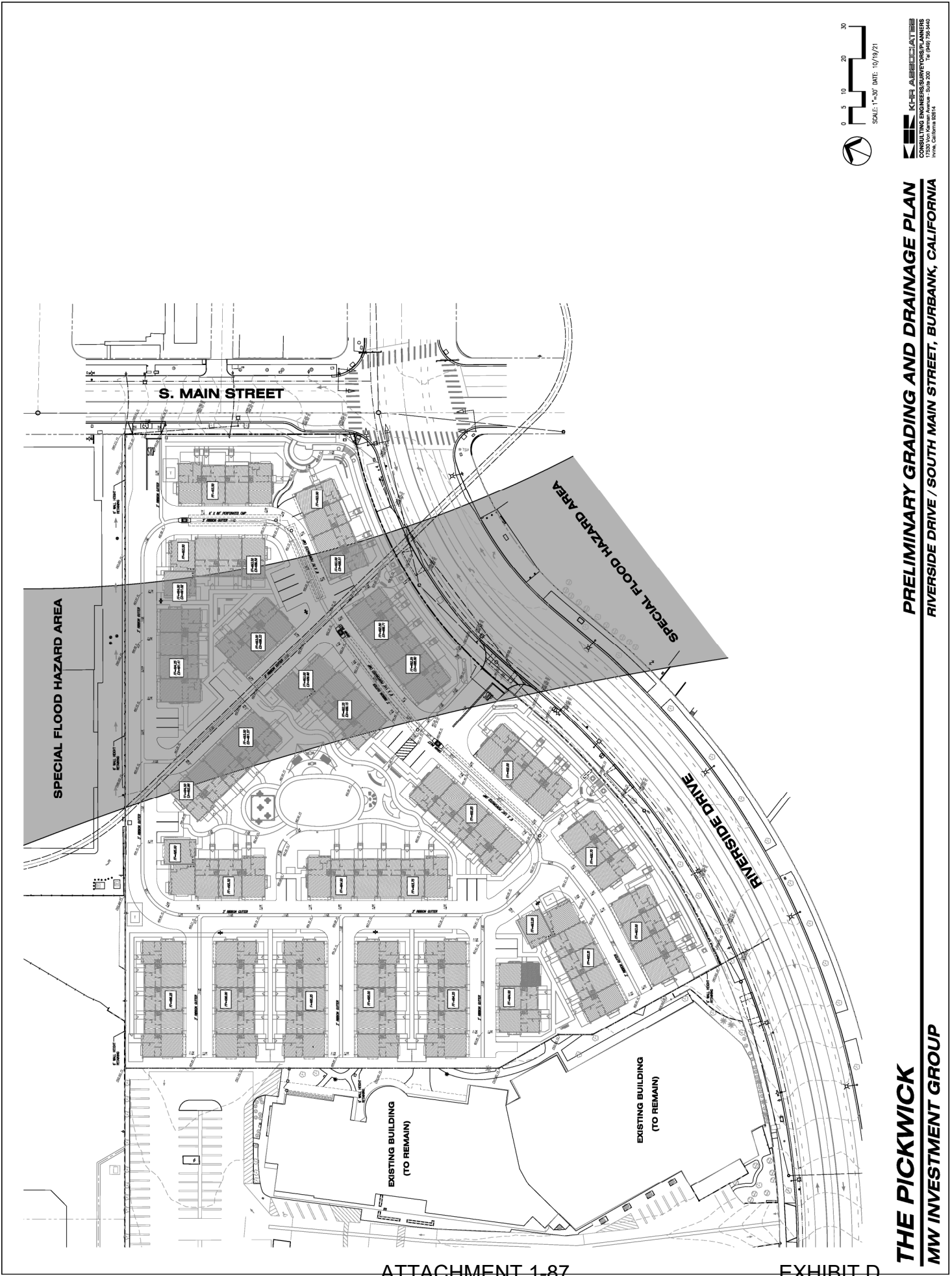
With respect to the **second criterion**, as shown on Exhibit C titled "Preliminary Grading and Drainage Plan," the Project will include adequate drainage around structures on slopes, to guide storm and floodwaters around and away from the proposed residential structures.



As currently proposed, the Project's drainage system includes a network of ribbon gutters throughout the Property. Two key segments run north-to-south and east-to-west through the special flood hazard area, intersecting near the middle of the special flood hazard area. In addition, the Project will include several drain inlets and underground storm tanks located throughout the Property for efficient stormwater retention and drainage. Moreover, the Project will include slopes of 2% or more grade

¹ Section 60.3(d) may also apply to the extent the Federal Insurance Administrator has provided data from which the City must designate a regulatory floodway. This section incorporates the criteria from Section 60.3(c), which are used for this analysis. However, other categories of standards contained in Section 60.3 of the FEMA Regulations do not apply to this Property. This is because those categories apply based on whether, for example, the Federal Insurance Administrator has or has not defined special flood hazard areas (e.g., Section 60.3(a)), the Federal Insurance Administrator has not produced water surface elevation data (e.g., Section 60.3(b)), the FIRM identifies coastal high hazard areas (e.g., Section 60.3(e)), or the Federal Insurance Administrator has identified flood protection restoration areas (e.g., Section 60.3(f)).

away from structures. With this proposed infrastructure, the Project will provide adequate drainage around structures on slopes to guide storm and floodwaters around and away from proposed structures. As such, ***the Project will comply with the second criterion.***

The remaining criteria in Section 60.3(c) are not relevant to the Project. This is because those remaining criteria apply to standards in zones other than the AO zone (see, for example, 44 C.F.R. Sections 60.3(c)(2), (3), (6), (9), (10), (12), (13), (14)), apply to non-residential projects (see, for example, 44 C.F.R. Sections 60.3(c)(4), (8)), apply to residential product types other than townhomes (see, for example, 44 C.F.R. Sections 60.3(c)(12), (14)), or apply to project designs that are not being proposed for the Project (see, for example, 44 C.F.R. Section 60.3(c)(5)). Therefore, these remaining criteria do not apply to the Project or for purposes of the City's determination as to whether the Project is exempt from the special flood hazard area restriction in SB 35.




 SCALE: 1"=30' DATE: 10/19/21

K&S ASSOCIATES, INC.
 CONSULTING ENGINEERS/ARCHITECTS/JANITORS
 17530 Von Karman Avenue, Suite 200 Torrance, CA 90504
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PRELIMINARY GRADING AND DRAINAGE PLAN
RIVERSIDE DRIVE / SOUTH MAIN STREET, BURBANK, CALIFORNIA

THE PICKWICK
MW INVESTMENT GROUP

EXHIBIT E

PREVAILING WAGE LETTER

(ATTACHED)



Cox, Castle & Nicholson LLP
50 California Street, Suite 3200
San Francisco, California 94111-4710
P: 415.262.5100 F: 415.262.5199

Scott B. Birkey
415.262.5162
sbirkey@coxcastle.com

October 13, 2021

Patrick Prescott
City of Burbank Community Development Director
275 East Olive Avenue
Burbank, CA 91502

Dear Mr. Prescott:

We represent MW Investments (“Applicant”) in connection with a development proposal (“Project”) located at 1001 W. Riverside Drive and generally referred to as Pickwick Gardens (“Property”) in the City of Burbank (“City”). Applicant certifies that it will comply with the prevailing wage requirements of Senate Bill (“SB”) 35 and set forth in Section 65913.4 of the Government Code, including that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages or apprenticeship wages, as applicable.

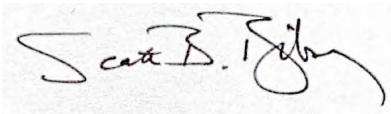
Specifically, Applicant certifies that:

1. The prevailing wage requirement of SB 35 will be included in all contracts for the performance of the work;
2. All contractors and subcontractors shall be required to pay to all construction workers and apprentices at least the general prevailing rate of per diem wages or apprenticeship wages, as applicable;
3. All contractors and subcontractors shall be required to 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; and
4. 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.

In addition, and for the purposes of clarity, in accordance with the SB 35 Guidelines issued by the California Department of Housing and Community Development, the provisions of Section 65913.4(a)(8)(B) relating to skilled and trained workforce provisions do not apply to the Project because the City of Burbank population as determined under the last Centennial Census is not 225,000 or more.

We look forward to working with you on the Project.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott B. Birkey". The signature is written in a cursive style with a large, stylized initial "S".

Scott Birkey
Cox, Castle & Nicholson LLP

Cc: Matthew J. Waken, MW Investment Group, LLC