

RESOLUTION NO. 3474

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURBANK RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING THE ZONING MAP AND THE BURBANK MUNICIPAL CODE: ZONING REGULATIONS TO CREATE A NEW 2021-2029 HOUSING ELEMENT OPPORTUNITY SITE OVERLAY ZONE TO IMPLEMENT REQUIRED 2021-2029 HOUSING ELEMENT PROGRAMS PURSUANT TO STATE LAW

(Zone Map Amendment, Zone Text Amendment; Project No. 24-0004926)

THE PLANNING COMMISSION OF THE CITY OF BURBANK FINDS:

A. The Planning Commission of the City of Burbank at its meeting of October 28, 2024, held a public hearing on Project No. 24-0004926 (Project) to amend the Zone Map to include a Housing Opportunity Sites Overlay Zone that identifies all of the parcels that constitute the nineteen opportunity sites identified in the adopted 2021-2029 Housing Element, and amend the Use List to facilitate residential development, consistent with the 2021-2029 Housing Element.

B. Said hearing was properly noticed in accordance with the provisions of Burbank Municipal Code Section 10-1-1994.

C. The Planning Commission considered the report and recommendations of the City Planner and the evidence presented at such hearing.

D. The Planning Commission reviewed the City Planner's environmental assessment and concurs with the assessment that the amendments proposed as part of this Project are consistent with the development density established by the 2021-2029 Burbank Housing Element and as such, were contemplated and studied in the Program Environmental Impact Report for the 2021-2029 Housing Element (SCH No. 2021020393), certified in September 2022. Pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15183(a), no further environmental review is required for this Project.

E. The documents and other materials that constitute the record of proceedings, upon which the decision to recommend approval of the proposed Project (No. 24-0004926) and associated environmental assessment that the Project is in substantial conformance with the Program EIR for the 2021-2029 Housing Element (SCH No. 2021020393) are in the Planning Division of the City of Burbank and the custodian of record is the City Planner.

THE PLANNING COMMISSION OF THE CITY OF BURBANK RESOLVES:

1. The findings listed above are true and correct and incorporated herein.

2. To recommend to the City Council approval of the Project, a Zone Map Amendment (ZMA) and a Zone Text Amendment (ZTA), amending the zoning map and zoning code to establish the 2021-2029 Housing Opportunity Sites Overlay Zone, which encompasses all parcels that constitute the nineteen opportunity sites (Sites) identified in the adopted 2021-2029 Housing Element, to align the zoning of the properties with the designations as established in the adopted 2021-2029 Housing Element.

3. This recommendation is based upon the Planning Commission's ability to address the following requirements for a ZTA and ZMA:

- a. *Pursuant to Government Code Section 65804(d), when any hearing is held on an application for a change of zone for parcels of at least 10 acres, a staff report with recommendations and the basis for those recommendations shall be included in the record of the hearing.*
- b. *Government Code Section 65860 requires that any zone text amendment be consistent with the objectives, policies, general land uses, and programs specified in the Burbank2035 General Plan.*
- c. *BMC Section 10-1-1967 requires that within 30 days after the conclusion of the Planning Commission hearing, the Planning Commission shall render its decision recommending either approval, approval with conditions, or disapproval of the proposed Zone Map Amendment by resolution containing reasons supporting the recommendation.*
- d. *BMC 10-1-1992 requires the Planning Commission to study the proposed amendment and report to the Council, which shall include a recommendation approving or disapproving the amendment.*

The Project will create consistency between the City's Zoning Regulations, the adopted 2021-2029 Housing Element, and the purpose of the Burbank2035 General Plan, which is to provide guidance for future development in Burbank and designate appropriate locations for different land uses. The Burbank2035 General Plan, and the 2021-2029 Housing Element, allow for residential and commercial development on the nineteen opportunity sites, including the proposed Civic Center, which is designated as Institutional in the Burbank2035 General Plan.

The Project will facilitate residential development, consistent with the adopted 2021-2029 Housing Element. The Sites are ideally situated and represent feasible opportunities to create communities that accommodate living, commerce, employment, recreation, education, culture, entertainment, and civic engagement, which are all consistent with the goals and policies of the Burbank2035 General Plan Land Use Element. Further, the proposed Project will not reduce residential development capacity on any of the Sites. Therefore, the proposed Project is consistent with the provisions of Government Code Section 65863 (No Net Loss), and it ensures adequate sites to accommodate the City's remaining unmet RHNA allocation while critical and necessary technical analysis for the Downtown Burbank Transit Oriented Development Specific Plan (TOD) and Golden State Specific Plan (GSSP) are being prepared.

The Project will establish a 2021-2029 HEOS-OZ that includes all parcels comprising the nineteen opportunity sites in the adopted 2021-2029 Housing Element, to align the zoning of the properties with the General Plan thereby helping to facilitate future development on those Sites. The Project furthers the implementation of the Burbank2035 General Plan by requiring land be identified so that it can be used and developed in ways that are consistent with Burbank2035.

The City's Zoning Regulations encompasses a comprehensive set of regulations that control various aspects of land use, including the density of population, permitted uses and locations of structures, the height and bulk of those structures, and the provision of open spaces around them. Additionally, the Zoning Regulations governs the appearance of certain uses and structures, the area and dimensions of sites, location, and size. All future development must comply with the regulations of each parcel's base zone, unless otherwise specified in the 2021-2029 Housing Element.

As noted previously, all Sites are located within the boundaries of the GSSP and TOD. The City is diligently completing the GSSP, TOD, and Media District Specific Plan, which includes coordinating closely with other City Departments to ensure the appropriate analysis to fully address future impacts of each specific plan. This analysis includes complex technical studies by Burbank Water and Power, and Public Works staff to ensure impacts to the City's infrastructure and utilities are understood and appropriately addressed in the environmental analysis for each plan. The Project will ensure the City meets its RHNA obligation while also ensuring the complex ongoing technical analysis for each specific plan is thorough and accurate. Until the specific plans are finalized, all future development in the Sites will adhere to the regulations of the underlying zone and the Burbank2035General Plan.

The Project will formally designate the Sites so that property owners and/ or developers that are interested in acquiring and assembling underdeveloped parcels into larger residential development sites can easily identify them. The proposed Project will also provide certainty and clarity to potential developers and staff. If applications are submitted for development on Sites identified, the Project will ensure the developments will be reviewed in accordance with applicable regulations of the underlying zoning designation, and existing zoning requirements and land use regulations, except as otherwise stated in the adopted 2021-2029 Housing Element.

The Project also furthers the Purpose of the City's Zoning Regulations, as established in BMC Section 10-1-202, which establishes that the purpose and intent is to:

1. Provide a precise guide for the physical development of the City in such manner as to achieve progressively the arrangement of land uses depicted in the General Plan.
2. Promote the stability of existing land uses that conform with the General Plan and protect them from inharmonious influences and harmful intrusions.

3. Foster a harmonious, convenient, workable relationship among land uses.
4. Ensure that public and private lands ultimately will be used for the purposes which are most appropriate and most beneficial from the standpoint of the City as a whole.
5. Prevent excessive population densities and overcrowding of the land with structures.
6. Promote a safe, effective traffic circulation system.
7. Foster the provision of adequate off-street parking and off-street loading facilities.
8. Facilitate the appropriate location of community facilities and institutions.
9. Prevent the creation and establishment of airport hazards, and eliminate, remove, alter, and mitigate existing airport hazards.
10. Protect and enhance real property values.
11. Safeguard and improve the appearance of the City.

4. The amendments proposed as part of the Project are consistent with the development density established by the 2021-2029 Burbank Housing Element and as such, were contemplated and studied in the Program Environmental Impact Report for the 2021-2029 Housing Element (SCH No. 2021020393), certified in September 2022. Pursuant to CEQA Guidelines Section 15183(a), no further environmental review is required for this Project.

5. The Secretary of the Planning Commission shall forward a signed copy of this Resolution with the Planning Commission's report and decision to the City Council in accordance with Burbank Municipal Code Section 10-1-1969.

PASSED AND ADOPTED this 28 day of October, 2024.

CITY PLANNING COMMISSION



Chairperson

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF BURBANK

I, Fred Ramirez, Secretary of the Planning Commission of the City of Burbank, certify that this Resolution was adopted by the City Planning Commission at its meeting held on the 28 day of October, 2024, by the following vote:

AYES: Rizzotti, Wick, Bennett, Safarian

NOS:

ABSENT:

ABSTAINED: Mkrtoumian



Fred Ramirez, Secretary

ATTACHMENT 5-5

Attachment 1

Draft Ordinance

[Attached]

ATTACHMENT 5-6