

# Planning Board Minutes

May 9<sup>th</sup>, 2022

CALL TO ORDER 6:01 p.m.

INVOCATION Mr. Atteukenian led the invocation.

FLAG SALUTE Mr. Rizzotti led the flag salute.

## ROLL CALL

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

Absent- - - - Board Member Tammy Heiner  
Also Present- Senior Assistant City Attorney, Iain MacMillan; Assistant Community Development Director, Fred Ramirez; Assistant Community Development Director, David Kriske; Planning Manager, Scott Plambaeck; Senior Administrative Analyst, Beverly Ibarra; Executive Assistant, Natalie Amela and Intermediate Clerk, Kyle Joffee.

ANNOUNCEMENTS None.

## HEARINGS

1. Project No. 22-0002020 | Community Facility Fees Zone Text Amendment | Resolution  
PROJECT DESCRIPTION:  
A Zone Text Amendment for proposed updates to Community Facility Fees (Title 10, Chapter 1, Article 22 of the Burbank Municipal Code), which includes a comprehensive update to the City's Development Fee Program. Development Impact Fees are fees charged to new development projects to offset the impacts to certain City infrastructure systems caused by the new development.

**Meeting Disclosures:**

Mr. Ramirez informed the Board that Board Member Elric had submitted questions via email to which the Planning Division had created responses for and those responses would be included in staff's presentation of the Project.

**Notices Given:**

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

**Staff Report:**

Beverly Ibarra presented this item to the board.

**Applicant Presentation:**

None.

**Public Comment:**

Simon Hamell, inquired about money for schools, the difference in price for multi-unit and single-family projects, and untracked hours in the plan check process.

**Response to Public Comment:**

Ms. Ibarra clarified that the school district sets their own fees, which is regulated under a separate law. She also noted the reason for the differences in fees from single family and multifamily. She also clarified that plan review fees are not covered under impact fees.

**Applicant Response to Public Comment:**

None.

**Board Q&A:**

Mr. Elric asked how fees are raised and who decides to raise the fees.

Ms. Ibarra informed the Board that fees are raised by the City Council after establishing a nexus between the impacts of new development and the capital improvements needed to address those impacts

Mr. Elric asked how the list for new facilities in Exhibit C was compiled.

Ms. Ibarra responded that the Parks and Recreation Department based their list off necessary capital infrastructure based off Parks and Recreation needs that are needed to support new development as well as the priorities of City Council and the Parks and Recreation board. She also noted that a similar process was undertaken for all noted infrastructure needs noted in the nexus study.

Mr. Elric asked how old the nexus study is.

Ms. Ibarra informed the Board that the current impact fees are based off the nexus study from 1993 and that the proposed fees in this report are based off a new nexus study that was completed this year.

Mr. Elric inquired about whether recently discussed capital project ideas can be added to the new nexus study.

Ms. Ibarra responded by saying that staff are recommending that City Council consider subsequent updates to the Development Impact Fees based on an updated nexus study if specific infrastructure can be identified to support those plans.

Mr. Elric asked how often the nexus study will be updated?

Ms. Ibarra answered by saying the State of California requires an updated nexus study every 8 years, however staff is recommending to City Council that this study be completed sooner in light of the anticipated specific plans that are currently being developed and/or updated by City staff.

Mr. Elric asked what the average inflation rate on construction costs is and whether there is a cap on fee increases because of inflation.

Ms. Ibarra responded by saying that inflation is usually between two and four percent and that there is currently no cap on fee increases.

Mr. Elric inquired about how discounts are being applied to affordable housing.

Ms. Ibarra informed the Board that a fifty percent fee would be imposed on affordable housing units as opposed to the eighty percent fee for market rate units.

Mr. Atteukenian requested clarification on the definition of "new development".

Ms. Ibarra clarified that projects will receive credit for demolished areas and "new development" means any added gross area to the already existing non-residential property. She also clarified that development impact fees would not apply to existing residential units that are being remodeled, added on to, or demolished to construct anew. She also noted that any new residential units beyond those

already existing would be required to pay the development impact fees.

Mr. Monaco inquired about how it was determined that multi-family properties create less transportation trips than single-family properties.

Mr. Kriske informed the Board that the determination was made on a per-capita basis and that per-capita one unit of a single-family residence produces more trips than one unit of a multi-family residence.

Mr. Monaco requested clarification on how fees are assessed.

Mr. Kriske clarified that fees are established on a per-unit basis.

Mr. Monaco asked who would make the decision to start charging the maximum fee and how would that decision be made.

Mr. Kriske answered by saying that the City Council would make that decision and could choose any fee within the range provided in the new nexus study.

Mr. Elric requested clarification on whether ADU's are charged developmental impact fees.

Ms. Ibarra clarified that under State ADU law that any ADU under 750 square feet is exempt from development impact fees.

Mr. Elric inquired about why hotels will be charged by square footage per room as opposed to square footage of the entire property.

Mr. Kriske explained that the shift to charging per room is being proposed because the room is what drives transportation activity.

Mr. Rizzotti inquired about whether fees for a restaurant in a hotel will be calculated by square footage.

Mr. Kriske answered by saying that generally the restaurant as a hotel amenity has been addressed as part of the per-room calculation of development impact fees. However, if the hotel has a separate intense-use amenity it may be charged on its own.

Mr. Rizzotti asked if there was any discussion to distinguish fees between short-term profit driven projects and long-term resident home improvement projects.

Mr. Kriske clarified that impact fees rarely apply to single family projects.

**Deliberation:**

Mr. Atteukenian thanked staff for their presentation and stated his support for the project.

Mr. Elric stated his support for the project.

Mr. Atteukenian proposed a motion to approve a resolution of the Planning Board of the City of Burbank approving a Zone Text Amendment (Project No. 22-0002020) for proposed updates to Community Facility Fees (Title 10, Chapter 1, Article 22 of the Burbank Municipal Code), which includes a comprehensive update to the City's Development Fee Program, based on the Findings of Fact and subject to the recommended Conditions of Approval. Seconded by Mr. Elric, carried by a vote 4-0. Motion passes.

ORAL COMMUNICATIONS

None.

REPORTS

None.

APPROVAL OF MINUTES

Mr. Monaco made a motion to approve the minutes from the Planning Board meetings of April 15, 2022. Seconded by, Mr. Atteukenian, carried by a vote 4-0. Motion passes.

ITEMS FROM THE PLANNING BOARD

Mr. Elric recommended the council update the nexus study in order to create opportunities for a horse park as well as new parks and trails in the Golden State District.

Mr. Ramirez acknowledged and noted the comment.

Mr. Rizzotti inquired about the current and future plans for parks.

Mr. Ramirez informed the Board that they will be viewing the proposed specific plan for the Golden State, Media, and Downtown districts and that a discussion on this topic of open space and parks can be held at that time.

CITY PLANNER  
COMMENTS

Mr. Ramirez welcomed Michael Elric to the Board and thanked Transportation Planning staff for their hard work on the the report.

ADJOURNMENT  
TO THE  
PLANNING  
BOARD MEETING  
OF MAY 9<sup>TH</sup> 2022.

Respectfully Submitted,  
Secretary of the Planning Board

DRAFT