

**ATTACHMENT D**

**CITY COMMENTS ON SB 35 NOI APPLICATION AND CONCEPTUAL DESIGN**

**1130 W. OLIVE AVE. (PROJECT NO. 24-0002154)**

**PLANNING DIVISION - CONSISTENCY WITH OBJECTIVE DEVELOPMENT STANDARDS**

| <b>BURBANK MUNICIPAL<br/>CODE SECTION /<br/>ADOPTED PLAN</b>  | <b>CONSISTENCY ANALYSIS</b>  | <b>COMPLIANCE<br/>DETERMINATION</b> |
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| 10-1-502: USES IN ALL<br>ZONES (EXCEPT<br>RESIDENTIAL ZONES)  | The Project is permitted in the C-2 Zone through either a Conditional Use Permit or through State Preemptions Laws such as SB 35 and AB 2011. The General Land Use Designation is Corridor Commercial, which does allow residential density. The project is therefore eligible for SB35.   | <b>YES</b>                          |
| ARTICLE 9.<br>MISCELLANEOUS USES<br>AND STANDARDS<br><br>DIVISION 4. MIXED-USE<br>DEVELOPMENT IN<br>NONRESIDENTIAL<br>ZONES |  |                                     |
| 10-1-921: PURPOSE   | The purpose of this article is to establish regulations for mixed-use developments in nonresidential zones (all zones except for R-1, R-1-H, R-2, R-3, R-4, or MDR-3, and MDR-4). Nonresidential zones in the City typically have a visual character and land uses dictated by commercial development standards. Specialized development standards are needed to ensure mixed-use development that occurs in these zones is appropriately designed to safeguard the health, safety and general welfare of potential residents and adjacent residential uses. |                                     |
| 10-1-622: APPLICABILITY   | A. This Division applies to the following projects:<br><br>1. Mixed-use developments consisting of Multifamily Residential with Nonresidential Uses in nonresidential zones when allowed pursuant to BMC Section <a href="#">10-1-502</a> .  | <b>YES</b>                          |

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|                                    | <p>2. Mixed-use developments consisting of Multifamily Residential with Nonresidential Uses when mandated subject to streamlined ministerial review pursuant to any state law that preempts local requirements.</p> <p>B. Additions to existing uses:</p> <p>1. If one or more dwelling units are added to an existing nonresidential use and the nonresidential structure is retained, all project features, including the previously existing nonresidential structure, shall comply with the applicable requirements of this Division.</p> <p>2. If one or more dwelling units are added to an existing single-family dwelling or multifamily dwelling with no nonresidential uses present on the site, this Division shall not apply and instead, the project will be subject to Article 6, Division 3.5 (Multifamily Residential-Only Development in Nonresidential Zones).</p> <p>3. If nonresidential FAR is added to an existing multifamily project, the newly added nonresidential FAR shall comply with all requirements of this Division. Existing multifamily units that are retained that do not meet parking, open space, or other requirements of this Division may continue their non-conforming status so long as their non-conformity is not increased.</p> <p>C. To the extent that any provision in this Division conflicts with state laws that preempt local development standards for an applicable project, state law will control over the conflicting provision. In such event, the remainder of this Division that is not in conflict with state law will apply to the project.</p> <p>The application is a multifamily residential project proposed in the C-2 Commercial Zone and was submitted as an SB 35 application. Therefore, this division applies to the Project.</p> |                                |
| 10-1-917: APPLICATION REQUIREMENTS | <p>Application submittal requirements shall be established by the Director, and will include, at a minimum:</p> <p>A. General Application Form with owner signature and architectural plans pursuant to Standard Plan Details, as issued by the Director. Applications seeking review through the</p>   | <p><b>TO BE DETERMINED</b></p> |

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|  | <p>Streamlined Ministerial Approval Process shall submit the application materials as listed in Section <a href="#">10-1-19302</a>(D).</p> <p>B. Identification of any applicable state laws, including any state law that is invoked for a streamlined ministerial review process. Include a detailed narrative description of how the project satisfies all state law criteria for any applicable streamlined ministerial review process.</p> <p>C. A consistency table that identifies all the applicable local development standards and describes how the project complies with these standards.</p> <p>D. For sites in nonresidential zones, as well as sites identified by the Burbank Fire Department (the Fire Marshal) as having a history of hazardous materials use or storage, the applicant shall conduct a Phase I Environmental Assessment (as defined in California Health and Safety Code Section <a href="#">25319.1</a>) and submit a Phase I Environmental Site Assessment (ESA) report in compliance with industry standards established by the American Society for Testing and Materials, as well as any further studies recommended in the Phase I report. Furthermore:</p> <p>If a recognized environmental condition is found, the applicant shall undertake a preliminary endangerment assessment (as defined in California Health and Safety Code Section <a href="#">25319.5</a>), prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.</p> <p>If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with current state and federal requirements.</p> <p>If a potential for exposure to significant hazards from surrounding properties or activities is found to exist on the site, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current state and federal requirements.</p> <p>The applicant shall be responsible for any cost related to third party review of a Phase I ESA report and any subsequent environmental documents submitted in compliance with this Section.</p> |  |
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|   | <p>The application did not include a consistency table that identifies all the applicable local development standards or a Phase 1 Environmental Site Assessment, but staff has informed the applicant that both will be required as part of their formal submittal, which comes after the Notice of Intent stage of the SB 35 process.</p>  |                   |
| <p>10-1-919: USES ALLOWED WHEN PART OF A MIXED-USE DEVELOPMENT:</p> | <p>A. All uses specified by underlying zoning designation established in <a href="#">10-1-502</a>, shall be allowed as part of a mixed-use development except as specified in subsection B, below.</p> <p>1. The entitlement requirements for any proposed use, as specified in <a href="#">10-1-502</a>, shall apply. For the purposes of implementing this Section, a mixed-use development is considered “residentially adjacent” whether the property is adjacent to a residentially zoned property or not.</p> <p>B. The following uses are prohibited in any mixed-use development, regardless of whether the use is otherwise allowed in <a href="#">10-1-502</a>:</p> <ol style="list-style-type: none"> <li>1. Firearms and ammunition sales.</li> <li>2. Heavy industrial uses.</li> <li>3. Hospitals (human or animal), not inclusive of services that do not offer overnight care.</li> <li>4. Ambulance or emergency services.</li> <li>5. Automotive and other vehicle repair, services, painting, storage, or upholstery, or the repair of engines, including automobiles, boats, motorcycles, trucks, or recreational vehicles.</li> <li>6. Welding, machining, or open flame work.</li> </ol> | <p><b>YES</b></p> |

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|   | <p>7. Storage or shipping of hazardous waste as defined in 22 California Code of Regulations § 66261.3, flammable liquids, or hazardous materials beyond those that are typically associated with a residential use.</p> <p>8. Any other activity or use determined by the Director to have the possibility of adversely affecting the health or safety of residents within, or adjacent to, a mixed-use project because of the potential for the use to create excessive dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or to be unreasonably hazardous because of materials, processes, products or wastes beyond that normally associated with a residential use.</p> <p>All proposed uses (retail, professional office, and medical office) are permitted by-right in the C-2 zone and are not among the prohibited uses listed above.</p> |                         |
| 10-1-920: Property Development Standards                                  |   |                         |
| Maximum Density (dwelling units per acre)                                 | Based on General Plan Consistency table in underlying zone and the Burbank 2035 General Plan land use designation unless otherwise preempted by State law.  | <b>YES</b>              |
| <p>Minimum Lot Area</p> <p>Minimum Lot Width</p> <p>Minimum Lot Depth</p> | <p>6,000 square feet</p> <p>50 feet</p> <p>100 feet</p> <p>The Project meets all the lot size and dimension requirements for mixed-use developments in nonresidential zones.</p>  |                         |
| Maximum Height  | The maximum height of a building or structure shall be determined by its distance from the closest lot line of any property zoned for residential uses as follows, unless otherwise preempted by State law:   | <b>To Be Determined</b> |

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|                           | <table border="1"> <tr> <td>150 – 299 feet</td><td>0 – 299 feet</td><td>60 feet. A request for greater maximum height may be reviewed through the Conditional Use Permit process.</td></tr> </table> <p>The Project is more than 150 feet from the R-1 neighborhood across W. Verdugo Ave. to the south. The Project proposes a maximum height of 34’-4” to the ceiling of the highest room permitted for human occupancy, 35’-10” to top of plate and 40’-4” to top of roof and architectural features, and therefore, complies the maximum height requirement.</p> <p>The applicant must provide an average grade calculation and have elevation dimensions (ceiling top plate and top of roof heights) measuring from that average grade to confirm that the Project does not exceed the 60’-0” maximum height limit.</p> <p>The site plan must include a measurement from the subject property to the adjacent multi-family zoned lot directly to its south so that staff can confirm the height buffer requirement pursuant to BMC 10-1-920(D)(4).</p> | 150 – 299 feet  | 0 – 299 feet | 60 feet. A request for greater maximum height may be reviewed through the Conditional Use Permit process. |  |
| 150 – 299 feet            | 0 – 299 feet  | 60 feet. A request for greater maximum height may be reviewed through the Conditional Use Permit process. |              |   |  |
| Stepbacks and Buffer Area | Subject to height limits in Subsection B(4) of Section 10-1-920, unless otherwise preempted by state law.   |   |              |   |  |
| General Requirements      | <p>a. General Requirements.</p> <p>i. Notwithstanding the setback encroachments specified in Table 10-1-920(B)(5)(d), a 20-foot buffer area shall be provided in any side or rear yard that abuts or is adjacent to a single-family zoned property and a 10-foot buffer shall be provided in any side or rear yard that abuts or is adjacent to a multiple family zoned property. The buffer area is measured from the property line of the single-family zoned property perpendicular to the single-family property line and includes public streets and alleys.</p> <p>(a) The additional setback resulting from the buffer area required for this Section shall not apply to the 15-foot height allowed for roof and architectural features and appurtenances within a 45-degree incline plane established in the height section. The setback plane for those rooftop features is established by required setback in Subsections <a href="#">10-1-920(B)(3)(b)</a> and <a href="#">10-1-920(B)(4)(b)</a>.</p>  | <b>To Be Determined</b>   |              |   |  |

ii. When the subject property abuts or is adjacent to a single-family or multiple-family zone, a five (5) foot strip of the open space which lies adjacent to the residentially zoned property shall be landscaped, unless the residential zoned lot is separated from the subject lot by a public right-of-way. Additionally, if vehicular alley access is provided, the portions where the access occurs are exempt from this requirement. This landscaping is intended to provide visual separation and screening between the different zones.

iii. The buffer area may contain the following uses:

(a) Where the buffer area abuts a public alley, the buffer area may be utilized as a driveway to provide vehicle access from the alley to an on-site garage or parking area using the shortest and most direct route feasible.

(b) The buffer area may contain pedestrian pathways.

(c) The buffer area may contain outdoor common area and outdoor amenities, and hardscaping associated with the provision of amenities in an open space area, located up to within 10 feet of the shared property line. For the purposes of this Subsection, hardscaping means cement concrete, asphalt, bricks, pavers, and similar impermeable surfaces.

(d) The buffer area may contain ground-level private open space areas so long as such areas are enclosed with an opaque enclosure as required by this Chapter.

(e) The buffer area may contain uncovered parking spaces up to within 10 feet of the shared property line with a residential zone.

(f) The buffer area may contain portions of driveway for the purpose of accessing required onsite parking so long as any required landscaped open space is provided.

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|  | <p>(g) The buffer area may contain bicycle parking facilities subject to this Code and any other applicable objective design and development standards issued by the City.</p> <p>Project complies with 10 ft buffer requirements to adjacent multi-family residential zoned property to the south. The Project site is not adjacent any single-family zoned properties. The Project meets all standards listed above.</p>   |                         |
|  | <p>b. Interior Step-back Height Buffer.</p> <p>i. An interior step back height buffer is required from any single-family zoned lot. When adjacent or adjoining a single-family zoned lot, no architectural or roof features may project into an imaginary 45-degree plane for a distance of 25 feet from a point 20 vertical feet from grade at the intersection of the nearest property line of the adjacent or adjoining single-family zoned lot, unless otherwise preempted by state law.</p> <p>ii. An interior step back height buffer is required from any multiple family zoned lot. When adjacent or adjoining a multiple family zoned lot, no architectural or roof features may project into an imaginary 45-degree plane for a distance of 25 feet from a point 35 vertical feet from grade at the intersection of the nearest property line of the adjacent or adjoining multiple family zoned lot, unless otherwise preempted by state law.</p> <p>iii. Encroachments into the step-back height buffer area are allowed for rooftop structures including:</p> <p>(a) Open patios.</p> <p>(b) Architectural features including rafter tails, corbels, eaves, cornices and other similar features.</p> <p>(c) Building mounted shade structures, arbors or trellises that are not supported from below.</p> | <b>To Be Determined</b> |



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|                 | <p>(d) Parapet walls, opaque balcony railings.</p> <p>(e) Landscaping.</p> <p>(f) Outdoor open space or amenities.</p> <p>The site plan must include a measurement from the subject property to the adjacent multi-family zoned lot directly to its south so that staff can confirm the height buffer requirement is satisfied pursuant to BMC 10-1-920(D)(4)(b)(ii). All other standards are not applicable.</p>  |                         |
| Street Setbacks | <p>b. Street Setbacks.</p> <p>i. The street setbacks of the underlying zone shall apply, except for the following:</p> <p>(a) Structures, except above-grade, semi-subterranean, and fully subterranean parking structures, on lots with less than 75 feet of lot frontage, have no required street front or street side yard setbacks on those lot frontages of 75 feet or less.</p> <p>(b) Street setbacks are measured from the sidewalk line.</p> <p>(c) Where ground floor residential units are elevated between 4 and 6 feet above sidewalk elevation, a minimum setback of 8 feet shall be required.</p> <p>(d) The required street setback shall not exceed 10 feet.</p> <p>(e) The required setback from the front or street-facing lot line for above-grade, semi-subterranean, and fully subterranean parking structures shall be at least five (5) feet or 20 percent of building height, whichever is greater, but no greater than ten (10) feet. In no event shall the setback be less than three (3) feet. This setback requirement may be averaged. For</p> | <b>To Be Determined</b> |

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|  | <p>example, a parking structure with a height of 25 feet that is 50 feet wide, would have a minimum setback of 5 feet. This setback can be averaged by providing 3 feet for 50% and 7 feet for the remaining 50% of the structure length.</p> <p>(f) Any portion of street-facing parking garage visible above grade shall constitute no more than 50% of each street-facing elevation of the primary structure. The remaining portion of the garage shall be set back a minimum of 15 feet from the property line. The area between this portion and the property line may be utilized for other enclosed or open space as allowed by this Division.</p> <p>(g) When abutting or adjacent to single-family zoned lots, above-grade parking structures shall be setback 20 feet from the residential property line. When abutting or adjacent to multiple family zoned lots, above-grade parking structures shall be setback ten (10) feet from the residential property line. Alleys and public roads separating the uses may be used in this calculation. For setbacks for surface parking lots, see Article 14, Division 4 of this Chapter.</p> <p>(h) Reversed corner lots. The following requirements apply to any reversed corner lot that abuts a key lot when the key lot is located in any residential zone:</p> <p>(i) The minimum required street-facing side yard setback for the rear 20 feet of the reversed corner lot is equal to the minimum required front yard setback of the key lot.</p> <p>(ii) Encroachments into the street-facing side yard setback for the rear 20 feet of the reversed corner lot are equal to the encroachments permitted into the front yard of the key lot.</p> |  |
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|                   | <p>(iii) The minimum setbacks for the balance of the street-facing side yard are increased by five feet if the key lot is in a single-family residential zone.</p> <p>(i) Permitted Street Setback encroachments include: landscaping and planters, hardscape (e.g. stoops, patios), shade structures, walls and fences, seating and furniture, outdoor dining and other open space amenities pursuant to review authority approval. If any of these features are proposed to encroach into public right-of-way, the applicant shall obtain an encroachment permit.</p> <p>According to BMC Section 10-1-712(C)(2), All structures, including semi-subterranean garages, but excluding above-grade parking structures, shall be set back at least five (5) feet from the front lot line or 20 percent of the building height, whichever is greater. In the case of this project, since there is an dedication that encroaches into the sidewalk and into the street, the front setback will be measured from line the sidewalk line.</p> <p>The applicant must provide an average setback calculation for the front yard to confirm compliance with the front yard setback requirements.</p> <p>The project also proposes a stairway that appears to encroach more than 5'-0" into the front setback area and will have to be revised as part of the formal submittal.</p> |                         |
| Interior Setbacks | <p>Buildings shall be set back a minimum of 10 feet from an interior property line that is adjacent to residential zone. Interior property lines include rear lot lines.</p> <p>No setback is required when adjacent to other nonresidential zones or alleys.</p> <p>However, the required step-backs and buffer areas required by Section 10-1-920(B)(4) shall apply to structures adjacent or adjoining a single-family or multiple-family zoned lot.</p> <p>Applicant must provide a diagram/elevation drawing showing that no part of the building encroaches upon the 45-degree that starts from 35'-0" over the southern property line abutting a multi-family residential zoned lot and extends 25'-0" into the subject lot</p>   | <b>To Be Determined</b> |

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| Façade Modulation               | <p>6. Façade Modulation.</p> <p>a. Façade Length. Each street-facing façade exceeding 50 feet shall include a break of at least 10 percent of the façade length or 20 feet, whichever is greater. This break shall be at least 10 feet deep, open to the sky.</p> <p>b. Façade Area. Each street-facing façade exceeding 50 feet in length shall modulate a minimum of 25 percent of the area above the ground floor between 2 feet and 12 feet in depth behind the primary façade plane.</p> <p>i. The primary façade plane is defined as the vertical plane with the greatest surface area above the ground floor.</p> <p>ii. Buildings with a total of 2 stories or less are exempt.</p> <p>iii. Façade area modulation is not required to be continuous or open to the sky, and may be recessed or projected, but not past the sidewalk line.</p> <p>c. Required step backs, façade breaks, and projected balconies shall not count toward the modulation requirement; except that, balconies that are recessed a minimum of 2 feet shall qualify.</p> <p>Front façade does not appear to comply with façade modulation requirements. Applicant must revise plans to show how the front façade complies with break and modulations requirements.</p> | <b>To Be Determined</b> |
| Frontage standards              | Subject to design and development standards in Subsection C of Section 10-1-920, unless otherwise preempted by state law. Only applicable sections are listed below.   |                         |
| Ground Floor Frontage Entrances | <p>2. Ground Floor Frontages for Nonresidential uses:</p> <p>a. Shall have an average interior depth of at least 35 feet and a minimum depth of 25 feet, measured from interior wall-to-wall.</p>  | <b>YES</b>              |

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|                                      | <p>b. Entrances or lobbies at the ground floor leading to non-ground floor nonresidential uses shall occupy no more than 30 percent of the ground floor frontage.</p> <p>c. On double-frontage lots, nonresidential uses shall be located along both street frontages only if both frontages are adjacent to nonresidential or mixed uses.</p> <p>The Project complies with standards for ground floor frontages for non-residential uses.</p>  |     |
| Ground Floor Frontage Entrances      | <p>4. Ground Floor Frontage Entrances.</p> <p>a. A minimum of one primary building entrance shall be located on the primary frontage of each building and shall open onto a sidewalk or other public space.</p> <p>i. Primary entrances shall be distinguished by a non-fabric awning, non-fabric canopy, a minimum 5-foot recessed entryway.</p> <p>ii. Other architectural features may be required as approved by the Director.</p> <p>b. All other entrances shall be recessed a minimum of 30 inches from the sidewalk line.</p> <p>c. For common space uses at the ground floor, the primary entrance of the first habitable floor shall be located at existing grade along the sidewalk line.</p> <p>The Project complies with standards regulating ground floor frontage entrances.</p> | YES |
| Ground Floor Frontage Minimum Height | <p>5. Ground Floor Frontage Minimum Height.</p> <p>a. The ground floor of all buildings shall have a minimum ground floor height of 15 feet, as measured from sidewalk elevation closest to the primary entrance to the second story floor, or roof if part of a one-story building.</p>  | YES |

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|                          | The Project complies with standards regulating ground floor frontage entrances.  |                  |
| Frontage<br>Transparency | <p>6. Frontage Transparency.</p> <p>a. Windows &amp; Doors:</p> <p>i. Street-facing facades shall incorporate transparent glass providing views into work, display, sales, lobby, or similar active areas. The minimum transparency is as follows:</p> <p>(a) Nonresidential or Common Space.</p> <p>(i) Ground floor: 60%</p> <p>(ii) Overall facade: 30%</p> <p>(b) Residential Units.</p> <p>(i) Ground Floor: 15%</p> <p>(ii) Overall facade: 15%</p> <p>ii. For nonresidential and residential common space uses, ground floor transparency is measured as the percentage of building frontage that consists of transparent openings between a height of 2 feet and 10 feet above sidewalk elevation.</p> <p>(a) All other transparency is measured as the percentage of building frontage area, viewed in elevation.</p> <p>iii. Windows shall be recessed by a minimum of 3 inches from the facade.</p> <p>iv. The use of color-tinted, mirrored, or highly reflective glass is prohibited.</p> | To Be Determined |

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|  | <p>v. Blinds, drapes, posters, and shelving for product displays visible to the public right-of-way in nonresidential uses shall not obscure more than 10 percent of the transparent areas of each respective storefront or 50 percent for medical office uses during business hours.</p> <p>b. Blank Walls.</p> <p>i. Windowless expanses of walls shall not exceed 20 feet in length.</p> <p>ii. The area of a blank building wall fronting a public street may not exceed a square area where the height and width are both 10 feet.</p> <p>iii. A break in a blank building wall shall be provided by any of the following:</p> <ul style="list-style-type: none"> <li>(a) Doors, windows, or other building openings.</li> <li>(b) Building projections or recesses, doorway and window trim, or other details that provide architectural articulation and design interest.</li> <li>(c) Varying wall planes where the wall plane projects or is recessed at least six inches.</li> <li>(d) Non-fabric awnings or canopies over a window or door, or arcades.</li> <li>(e) Substantial variations in building material. For example, adding brick or stone veneer to a stucco building or changing from vertically-oriented board and batten style siding to horizontally-oriented lap siding.</li> <li>(f) A permanently attached trellis or functionally similar architectural feature for landscaping.</li> <li>(g) A living wall.</li> </ul> |  |
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|                        | <p>(h) A mural or public art attached to the building wall if approved through the Art in Public Places Committee in fulfillment of a public art requirement.</p> <p>iv. The following do not qualify as a break in blank wall:</p> <p>(a) Variation in exterior building wall color.</p> <p>(b) Stand-alone planted vegetation or landscaping not attached to a building wall.</p> <p>(c) Commercial, residential or directional signs.</p> <p>(d) Mechanical appurtenances such as water heaters, vents, or utility meters.</p> <p>(e) Gutters and downspouts.</p> <p>The Project complies with standards for and blank wall breaks.</p> <p>The applicant must provide an exhibit in the project plans confirming that the windows and doors along the street-facing façade incorporate transparent glass that complies with frontage transparency requirements.</p> |            |
| Architectural Features | Subject to design and development standards in Subsection D of Section 10-1-920, unless otherwise preempted by state law.  |            |
| Exterior Stairs        | <p>1. Exterior Stairs.</p> <p>i. Enclosures or landscape barriers shall be provided wherever there is less than seven (7) feet vertical clearance below stairs.</p>  | <b>YES</b> |



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|                  | The Project complies with standards regulating exterior stairs.   |     |
| Shade Structures | <p>2. Shade Structures.</p> <p>i. Shade structures may project up to two-thirds of the sidewalk width, if approved through a City-issued encroachment permit.</p> <p>ii. Shade structures shall allow a minimum of 10 feet of vertical clearance from sidewalk elevation.</p> <p>iii. Shade structures shall not encroach into the Tree Protection Zone (see Section <a href="#">7-4-101</a>) of any public tree.</p> <p>The Project complies with the above standards regulating shade structures.</p>   | YES |
| Arcades          | <p>3. Arcades.</p> <p>a. Arcades shall be located behind the minimum setback.</p> <p>b. Arcades shall be a minimum of 8 feet from back of column to building facade.</p> <p>c. The distance between columns shall be equal to or greater than the arcade depth dimension, as measured from the column center.</p> <p>d. The facade within the arcade shall meet the ground floor transparency requirements.</p> <p>e. Uses allowed within arcades include: pedestrian travel, seating/street furniture, outdoor dining, landscape planters, and/or bicycle parking.</p> <p>The Project does not propose an arcade, so the standards above are not applicable.</p> | N/A |
|                  | 4. Galleries.   | YES |

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|                          | <p>a. Any galleries shall be located behind the minimum setback.</p> <p>b. Galleries shall allow a minimum of 10 feet of vertical clearance from sidewalk elevation.</p> <p>The Project does not propose a gallery, so the standards above are not applicable.</p>  |                         |
| Guardrails and Handrails | <p>5. Guardrails and Handrails.</p> <p>a. Guardrails and handrails may exceed the maximum wall and fence height up to the extent required by the Building Code. The guardrail shall be a fully transparent material or 50 percent open design.</p> <p>The Project does not propose guardrails and handrails, and complies with the above standards.</p> | <b>YES</b>              |
| Stoops and Patios        | <p>6. Stoops and Patios.</p> <p>a. Walls along the side of a stoop, patio or entry to a residential dwelling unit greater than 30" in height shall be set back a minimum of 18 inches from the sidewalk line, separated by planted area.</p> <p>The Project complies with standards regulating stoops and patios.</p>                                   | <b>YES</b>              |
| Balconies and Roof Decks | <p>7. Balconies and Roof Decks.</p> <p>a. Balconies may project a maximum of 5 feet from the building facade but shall not extend beyond the sidewalk line or within 6 feet of any interior property line.</p> <p>b. Balconies shall have a minimum dimension of five feet in depth and width in order to count as required open space.</p>             | <b>To Be Determined</b> |

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|                      | <p>c. Roof decks shall be set back a minimum of 5 feet from the building edge on all sides. The sum of all roof decks on a single building shall not exceed a maximum coverage of 50 percent of the roof area.</p> <p>d. Roof decks including the top of above-grade garages shall be located no closer than 25 feet to a lot zoned for residential use or a lot with existing residential development. When a roof deck area is utilized for open space, such open space shall be screened by an opaque parapet wall at least six (6) feet tall on the side facing a lot zoned for residential use or a lot with existing residential development. Such parapet shall be set back at least five (5) feet from the exterior face of the building on each elevation, or as required by the height buffer established by this Division.</p> <p>The Project complies with balcony development standards, but both roof decks will need to be revised to be setback by at least 25 feet to the residential developments to the east and south respectively to comply with BMC Section 10-1-920(D)(7)(d).</p> |            |
| Materials and Colors | <p>8. Materials and Colors.</p> <p>a. Excluding windows and doors, inclusive of window and door trim materials, a minimum of two (2) colors shall be used on the primary structure.</p> <p>b. Excluding windows and doors, inclusive of window and door trim materials, a minimum of two (2) materials shall be used on the primary structure.</p> <p>c. Excluding windows and doors, inclusive of window and door trim materials, no material or color shall compose more than 75 percent of street-facing building facade(s).</p> <p>The Project complies with standards regulating materials and colors.</p>  | <b>YES</b> |
| Security Bars        | <p>9. Security Bars.</p>   | <b>YES</b> |

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|   | <p>a. Any interior security bars on a nonresidential use shall be fully hidden from view during business hours with devices/strategies such as concealed side pockets and ceiling cavities.</p> <p>i. Exterior security bars are prohibited.</p> <p>The Project complies with standards regulating security bars.</p>  |                         |
| Maximum fence, wall, and hedge heights                        | Subject to design and development standards in Subsection E of Section 10-1-920.   |                         |
| Within front yard or street-facing side yard setback area     | <p>48 inches</p> <p>The project does not propose any walls, fences or hedges within the front yard, but must dimension the height of the fences along the street facing side yard area to confirm compliance with 48-in limit.</p>   | <b>To Be Determined</b> |
| Outside of front yard or street-facing side yard setback area | <p>Refer to development standards for the underlying zone.</p> <p>General commercial and industrial development standards (BMC Section 10-1-1113.1(J)) allow for walls and/or fences up to 8 feet in height 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 areas. The project proposes an 8-foot wall along the rear yard of the project, and complies with this standard.</p>   | <b>YES</b>              |
| Fences, Walls, Hedges and Other Yard Features                 | <p>1. Walls, Fences and Retaining walls.</p> <p>a. Walls and fences shall be subject to the applicable development standards of the underlying zone, except as follows for those located within the street setback.</p> <p>i. Within the street setback, walls and fences shall have a maximum height of 48 inches above sidewalk elevation.</p> <p>(a) For walls and fences taller than 30 inches, the entire wall or fence shall be a minimum of 50 percent transparent and set back a minimum of 18 inches from the sidewalk line, separated by planted area. Walls and</p> | <b>To Be Determined</b> |

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|  | <p>fences 30 inches or less in height do not have a transparency or setback requirement.</p> <p>ii. Walls and fences used to enclose outdoor dining may be located at the sidewalk line and are not required to provide a planted area if the wall or fence is 36 inches or less and more than 50 percent transparent.</p> <p>iii. Retaining walls located within front yard areas are limited to a maximum height of four (4) feet per wall and shall be set back 18 inches from the sidewalk line.</p> <p>iv. Additional retaining walls shall be set back a distance equivalent to the height of the retaining wall below as measured from the face of the retaining wall below.</p> <p>v. Fences or walls that are placed on top of a retaining wall within street setback are limited to a maximum height of four (4) feet from the abutting finished ground surface and require an additional two (2)-foot setback from the face of the retaining wall below.</p> <p>vi. Ornamentation on top of fences, walls, and hedges in the front yard may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge. All ornamentation features shall be spaced a minimum of four (4) feet apart, as measured on center.</p> <p>b. Fences, walls, and hedges may not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury. Chain link fences are prohibited.</p> <p>c. The height of a fence or wall is measured from the highest abutting finished ground surface of the property upon which the fence, wall, or hedge is located. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height</p> |  |
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|                     | <p>for the purpose of providing a stair-step design, but each stair-step section, as measured from the horizontal midpoint, may not exceed the maximum height.</p> <p>d. All fences, walls, and hedges shall comply with the corner cutoff provisions of Section <a href="#">10-1-1303</a>.</p> <p>e. Gates are subject to the same requirements as fences and walls.</p> <p>f. Guardrails and handrails may exceed the maximum wall and fence height up to the extent required by the Building Code. The guardrail shall be a fully transparent material or 50% open design.</p> <p>g. Exceptions. Exceptions from the requirements of this Subsection <a href="#">10-1-920(E)</a> (including the applicable requirements of Section <a href="#">10-1-1303</a> referenced herein) may be granted by the Building Official when required by the Building Code for health or safety purposes or when required by state law.</p> <p>The Project does not propose any walls, fences or hedges within the front yard, but must dimension the height of the fences along the street facing side yard area to confirm compliance with 48-in limit. The Project does not propose any walls within the corner cutoff area.</p> <p>The applicant must provide information on the type of materials for the proposed gate/fences along the street facing side yard to confirm that they are not dangerous wire types.</p> <p>The remaining standards above are either met or not applicable to the project.</p> |     |
| Other Yard Features | <p>2. Other Yard Features.</p> <p>a. Arbors, pergolas, and similar structures are limited to a maximum height of nine (9) feet, a maximum width of six (6) feet, and a maximum interior length of three (3) feet as measured from the highest abutting finished ground surface. Other yard</p>  | N/A |

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|   | <p>features are limited to a maximum height of six (6) feet and a maximum width of six (6) feet.</p> <p>The project does not propose any of the structures listed above, therefore this standard is not applicable.</p>  |                    |       |   |    |                            |     |     |     |                  |
| Parking   |  |                    |       |   |    |                            |     |     |     |                  |
| Minimum number of off-street tenant parking spaces                | <p>1 space per Studio or 1-bedroom unit<br/>1.5 spaces per 2- or 3-bedroom unit<br/>2.5 spaces per 4-bedroom unit</p> <p>State law supersedes this requirement permitting 1 parking space per bedroom unit. This requirement is met.</p>   | YES                |       |   |    |                            |     |     |     |                  |
| Minimum number of off-street bicycle parking spaces               | <p>0.25 bicycle spaces per residential unit</p> <p>The Project proposes 12 bicycle parking spaces, which satisfies bike parking requirements for both residential and commercial components of the projects. This standard is met.</p>   | YES                |       |   |    |                            |     |     |     |                  |
| Open Space and Landscaping  | Subject to open space requirements in Subsection G of Section 10-1-920, unless otherwise preempted by state law.   |                    |       |   |    |                            |     |     |     |                  |
| Minimum common and private open space per residential unit        | <table><tr><td>Number of Bedrooms</td><td>0 – 1</td><td>2</td><td>3+</td></tr><tr><td>Open Space Per Unit, sq ft</td><td>225</td><td>250</td><td>275</td></tr></table> <p>The project complies with this requirement by providing 5,191 SF, which meets the 5,175 SF requirement for 23 studio or single-bedroom units. Any revisions to the plan must comply with 5,175 SF minimum for the 23 proposed units.</p> | Number of Bedrooms | 0 – 1 | 2 | 3+ | Open Space Per Unit, sq ft | 225 | 250 | 275 | To Be Determined |
| Number of Bedrooms  | 0 – 1  | 2                  | 3+    |   |    |                            |     |     |     |                  |
| Open Space Per Unit, sq ft  | 225  | 250                | 275   |   |    |                            |     |     |     |                  |
| Minimum common and private open space for non-residential portion | <p>Projects with more than 40,000 square feet of nonresidential floor area shall provide an additional minimum of 5 percent of the gross nonresidential floor area as common open space accessible from the nonresidential portions of the project.</p> <p>Since the project does not propose more than 40,000 SF of non-residential floor area, then this standard is not applicable.</p>                         | N/A                |       |   |    |                            |     |     |     |                  |
| Publicly Accessible Open Space                                    | Projects on lots greater than 20,000 square feet in area shall provide 2% of the lot area as publicly accessible open space at the sidewalk level. For every additional 20,000 square foot   | YES                |       |   |    |                            |     |     |     |                  |

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|                                 | <p>increment (or portion thereof) in lot size, the percentage of publicly accessible open space required increases by an additional one percent for a maximum of five percent.</p> <p>The project provides 562 SF of publicly accessible open space, which is more than 2% of the 24,100 SF lot area (482 SF). Therefore, this standard is met.</p>   |     |
| Private Residential Open Space. | <p>3. Private Residential Open Space.</p> <p>a. A maximum of 40 percent of the required open space for the residential portion of the project shall be private open space.</p> <p>b. Private open space shall be a minimum area of 40 square feet with a minimum dimension of 5 feet in each direction.</p> <p>c. All private open space shall be outdoors. Private open space areas shall be located outside the interior living space of a structure.</p> <p>d. Private open space may be located within a required setback or on a rooftop area.</p> <p>e. Private open space shall abut the unit that it serves and allow for direct access from the unit without having to enter a common area.</p> <p>f. Private open space areas shall have a slope no greater than five percent but may be located on multiple levels.</p> <p>g. If located on multiple levels, each level of private open space shall individually satisfy the private open space minimum dimensions.</p> <p>Private open space areas make up 36% of the provided open space, area at least 40 SF in area each with a minimum dimension of 5 feet in each direction, and complies with all other standards listed above.</p> | YES |



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| <p>Common Residential Open Space</p> | <p>4. Common Residential Open Space:</p> <ul style="list-style-type: none"> <li>a. A minimum of 60 percent of the required open space for the residential portion of a project shall be common open space shared among tenants.</li> <li>b. Common open space shall be a minimum area of 400 square feet with a minimum dimension of 15 feet in each direction.</li> <li>c. All portions of all common open space areas shall be useable for recreational purposes and accessible by all residential tenants.</li> <li>d. Common open spaces may be accessible to and from the general public.</li> <li>e. Rooftop areas, including the top of above-grade garages, may be utilized to satisfy required common open space requirements. No more than 50 percent of the rooftop may be utilized for common open space.</li> <li>f. A minimum of 60 percent of common open space shall be outdoors, and a minimum of 80 percent of outdoor common open space shall be open to the sky. If located on the rooftop, the minimum is 50 percent. <ul style="list-style-type: none"> <li>i. A maximum of 40 percent of common open space may be indoors. Indoor common open space shall not include spaces used primarily for circulation.</li> <li>ii. A maximum of 25 percent of outdoor common open space may be paved in standard concrete.</li> <li>iii. A minimum of 25 percent of outdoor common open space shall be planted area with a minimum dimension of 30 inches in length, width, and depth. Landscaping shall otherwise comply with Section <a href="#">10-1-920</a>(H). <ul style="list-style-type: none"> <li>(a) A minimum of one 36-inch box tree per project or for every 750 square feet of outdoor common open space, whichever is greater, shall be</li> </ul> </li> </ul> </li> </ul> | <p><b>To Be Determined</b></p> |
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|  | <p>planted within the common open space. For projects with 2 or more trees, a minimum of 50 percent of trees planted shall be shade trees.</p> <p>(b) Trees planted in pots, on the ground floor, shall not be counted towards the tree requirement.</p> <p>iv. A maximum of 5 percent of the required common open space shall be fountains, reflecting pools, or other decorative water features that are served by non-potable water sources, if available. Swimming pools are not considered water features for the purposes of this standard.</p> <p>g. On-site amenities shall be provided in the common open space as follows. All amenities shall be permanently installed as part of the project, unless otherwise approved by the Director. Any of the amenity items listed below may be substituted with a comparable amenity subject to approval by the Director.</p> <p>i. For projects with 20 or fewer units, two (2) different items from the following: gazebo, spa, cooking/eating area with built-in barbeque, fountain, reflection pool, water garden, or permanently affixed outdoor seating.</p> <p>ii. For projects with 21 to 99 units, one (1) additional item from the following: children's indoor or outdoor play area or sandlot, dog park, lap pool, handball court, volleyball area, basketball court, activity room, sauna, or putting green.</p> <p>iii. For projects with 100 or more units one (1) additional item from the following: in-ground or above-ground swimming pool including rooftop pools, tennis court, permanently equipped gym or exercise room with a minimum area of 300 square feet, personal dog grooming area with a minimum area of 200 square feet, a library with a minimum area of 500 square feet, a conference room with a minimum area of 400 square feet, or a community room with a kitchenette with a minimum area of 400 square feet, indoor or outdoor edible garden or greenhouse with a minimum area of 500 square feet.</p> |  |
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|                                       | <p>Common open space areas, as proposed, make up more than 60% of the provided open space, area at least 400 SF in area each with a minimum dimension of 15 feet in each direction, do not exceed 50% of the rooftop area, and are 100% outdoors. Applicant must exhibit through drawings and calculations that at least 25% of outdoor common open space will be planted areas with a minimum dimension of 30 inches in length, width, and depth. Applicant must also show that the project provides two (2) of the following common open space amenities: gazebo, spa, cooking/eating area with built-in barbeque, fountain, reflection pool, water garden, or permanently affixed outdoor seating, and one (1) additional item from the following: children's indoor or outdoor play area or sandlot, dog park, lap pool, handball court, volleyball area, basketball court, activity room, sauna, or putting green.</p>  |                         |
| Publicly Accessible Open Space (PAOS) | <p>5. Publicly Accessible Open Space (PAOS):</p> <ul style="list-style-type: none"> <li>a. A minimum of 3,000 square feet of PAOS shall be at sidewalk elevation. If less square footage is required, then all required PAOS shall be at sidewalk elevation.</li> <li>b. When PAOS is required for a project, PAOS shall be provided in addition to private and common open space requirements.</li> <li>c. Although open to the public as specified herein, PAOS shall be owned and operated by the developer and any subsequent private property owner(s). Operating responsibilities include, but are not limited to, ongoing maintenance responsibilities and establishment and enforcement of rules and regulations governing use of the PAOS by the general public, if any.</li> <li>d. PAOS may be contiguous or noncontiguous, subject to the standards below. <ul style="list-style-type: none"> <li>i. A minimum area of 400 square feet with a minimum dimension of 20 feet in each direction is required for PAOS.</li> <li>ii. A maximum of 20 percent of the PAOS may be used as outdoor dining for a restaurant subject to Director approval; a minimum of 80 percent of the PAOS shall be accessible to the general public.</li> </ul> </li> </ul> | <b>To Be Determined</b> |

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|  | <p>e. PAOS shall have signage visible from the adjacent sidewalk identifying the space as a publicly accessible amenity and listing accessible hours.</p> <p>f. At a minimum, PAOS shall be open to the general public from 8 a.m. to 8 p.m. The PAOS may be secured with a fence or gate with a minimum open design of 50%, but shall be left open and unlocked during the time it is open to the public.</p> <p>g. A maximum of 25 percent of PAOS shall be paved in standard concrete.</p> <p>h. Seating shall be provided at a minimum of 1 seat per 150 square feet of required PAOS. Fractions shall be rounded up to the nearest whole number.</p> <p>i. Benches shall be calculated as 1 seat per 30 linear inches.</p> <p>i. PAOS Landscaping</p> <p>i. PAOS landscaping shall comply with Section <a href="#">10-1-920(H)</a> except as follows:</p> <p>(a) A minimum of 25 percent of PAOS shall be planted area with a minimum dimension of 30 inches in length, width, and depth.</p> <p>(b) A minimum of one 36-inch box tree per project or for every 750 square feet of PAOS, whichever is greater, shall be planted. For projects with 2 or more trees, a minimum 50 percent of trees planted shall be shade trees.</p> <p>j. PAOS in excess of the minimum may count towards a maximum of 30 percent of the common open space requirement at a 1:1 ratio.</p> <p>k. Required short-term bicycle parking may be located in the PAOS.</p> |  |
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|                                  | <p>1. Decorative fences, gates, and interactive public art displays or statues may be integrated into PAOS if approved by the Arts in Public Places Committee, in fulfillment of a public art requirement.</p> <p>Publicly accessible open space (PAOS), as proposed, is completely at sidewalk elevation, exceeds the 400 SF area minimum and 20 SF dimension requirements noted above. The applicant must show in the plans that the required signage, seating and landscaping are provided.</p>   |                         |
| General Landscaping Requirements | <p>GENERAL LANDSCAPING REQUIREMENTS.</p> <p>1. All areas between a building and adjoining sidewalk shall be landscaped with live plant materials, except for:</p> <ul style="list-style-type: none"> <li>a. Private or common open space;</li> <li>b. Areas required for vehicular or pedestrian access to the property; and</li> <li>c. Courtyards, outdoor seating areas, and other similar outdoor spaces for residents, customers and/or the general public.</li> </ul> <p>2. Landscaping shall consist of any combination of trees and shrubs, and may include grass or related natural features, such as rock, stone, or mulch. At maturity, plantings shall comprise a minimum of 75 percent of the total landscape area. All landscape area not occupied by turf or ground cover shall be covered with mulch to reduce water evaporation and consumption and weed growth.</p> <p>3. No more than 35 percent of the total landscape area of the lot as a whole may be occupied by turf or lawn.</p> <p>4. All planters shall be constructed of permanent masonry or concrete construction. All planters shall provide drainage directly into a drainage system.</p> <p>5. All landscape areas shall provide minimum soil depths as follows:</p> | <b>To Be Determined</b> |

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|  | <ul style="list-style-type: none"> <li>a. 12 inches for areas planted with turf or ground cover.</li> <li>b. 18 inches for planters and areas planted with shrubs and similar vegetation.</li> <li>c. 3 feet for planters or areas planted with trees.</li> </ul> <p>6. Each planter and landscape area shall have no dimension or diameter less than three feet.</p> <p>7. All landscape areas shall include a permanent fully automatic irrigation system. Irrigation systems shall utilize water conservation design concepts including but not limited to low-flow sprinkler heads and bubblers, drip systems, zone separation, microclimate considerations, and moisture sensors. Irrigation systems may operate only between the hours of 9 p.m. and 6 a.m. A separate meter and service shall be installed for irrigation purposes only. When recycled water becomes available in the area directly adjoining the site, use of recycled water will be required for all irrigation needs. Pending recycled water availability, a backflow device will be required to protect the potable water system.</p> <p>8. Landscaping plans demonstrating compliance with the landscaping requirements shall be prepared by a registered landscape architect. Final species selection and placement of all trees and vegetation shall be approved by the Director.</p> <p>9. The following requirements apply to all required front yards and street-facing side yards:</p> <ul style="list-style-type: none"> <li>a. A minimum of 50 percent of front and exposed side yards shall be landscaped.</li> <li>b. Hardscape is limited to a driveway leading directly from a public street or alley to a garage or other required parking area using the shortest and most direct route feasible, pedestrian pathways, and encroachments specifically permitted in Table 10-1-920(B)(5)(d). For the purposes of this Subsection, hardscape means cement concrete, asphalt, brick, pavers, and similar impervious surfaces.</li> </ul> |  |
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|                              | <p>c. 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>d. To qualify as landscaped area, all areas not occupied by trees or drought-tolerant shrubs shall be planted with turf or other drought-tolerant ground cover with a minimum soil depth of 12 inches. All planters shall 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 (4) foot planter depth shall be required and the planter shall have a minimum inside dimension of four (4) feet.</p> <p>Along with the requisite landscaping calculations, the applicant must provide landscaping plans demonstrating compliance with the landscaping requirements prepared by a registered landscape architect.</p> |                         |
| General Parking Requirements | <p>2. General Parking Requirements.</p> <p>a. All parking spaces provided for residential uses shall be full-size spaces no less than eight (8) feet, six (6) inches wide and no less than 18 feet deep. Parking spaces adjacent to walls and columns, and at the end of the access aisle are subject to any additional dimension requirements in the Burbank Municipal Code and any applicable City Standard Plans.</p> <p>b. All parking spaces provided for nonresidential uses shall be full-size spaces no less than nine (9) feet wide and no less than 18 feet deep. Parking spaces adjacent to walls and columns, and at the end of the access aisle are subject to any additional dimension requirements in the Burbank Municipal Code and any applicable City Standard Plans.</p> <p>c. When individual garages or carports are used to provide parking for residential or nonresidential uses, a clear space no less than nine (9) feet, six (6) inches wide</p>  | <b>To Be Determined</b> |

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|  | <p>and 19 feet deep shall be provided inside the individual garage or carport for each parking space.</p> <p>d. All parking spaces shall be clear of any encroachments including but not limited to structural features, shelves, cabinets, appliances, and equipment.</p> <p>e. Unrestricted access shall be provided to all residential guest spaces when such spaces are provided. Such spaces may not be located within a gated or secured area or otherwise have their access restricted.</p> <p>f. All parking spaces, driveways, backup areas, and access aisles shall be designed and constructed in compliance with Article 14 of this Chapter and any applicable City Standard Plans.</p> <p>g. Garage doors shall not, when open or being opened, project beyond any lot line.</p> <p>h. Driveways shall be improved with cement concrete, asphalt, brick, pavers, or a permanent surface approved by the Director.</p> <p>i. Driveways shall be no less than 10 feet wide and no more than 20 feet wide and shall remain clear and unobstructed by any structural elements or vegetation.</p> <p>    i. Driveways located at the street-facing elevation of a structure shall not exceed 18 feet in width.</p> <p>    ii. For sites with less than 200 feet of primary street frontage, a maximum of 1 two-lane driveway shall be permitted.</p> <p>    iii. For sites with more than 200 feet of primary street frontage, a maximum of 2 two-lane driveways shall be permitted.</p> <p>    iv. Driveways are not permitted on street frontages of less than 200 feet where there is access from an alley.</p> |  |
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|                           | <p>j. When a turning movement is required to back out of a parking space, including but not limited to a curved driveway or access from an alley, a minimum backup turning radius of 24 feet shall be provided for all parking spaces as measured from the exterior wall of the garage or carport.</p> <p>k. No more than one (1) curb cut may be provided on each street frontage for each 100 feet of lot frontage on that street, except that lots with less than 100 feet of frontage may provide one (1) curb cut. Curb cuts shall be separated by at least 20 feet of uncut curb.</p> <p>All residential parking spaces comply with dimension requirements, and all but two of the non-residential parking spaces comply with dimension requirements. Guest spaces must be labeled in the plans to confirm that there is unrestricted access to them. The garage door does not project beyond any property line. Plans shall clarify what material the driving surface is improved with. Driveways comply with dimension and lane requirements for the corresponding street frontage length. The project also meets the standard regulating the number of curb cuts and curb cut separation requirements.</p> |                         |
| Parking Layout and Design | <p>6. Parking Layout and Design. All parking spaces, driveways, backup areas, and access aisles shall be designed and constructed in compliance with Article 14 of this Chapter and any applicable City Standard Plans, except if preempted by state law, and except for the following:</p> <p>a. Surface Parking:</p> <p>i. Parking lots shall be set back a minimum of 30 feet from the facade of the primary frontage, 10 feet from the facade of any secondary frontage, and 5 feet from R-1 zoned lots.</p> <p>ii. Surface Parking Landscaping.</p> <p>(a) Shall comply with Title <a href="#">10</a>, Chapter 1, Article 14, Division 4, except for the following:</p>  | <b>To Be Determined</b> |

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|  | <p>(i) Parking shall be buffered by permitted non-parking uses or a landscaped setback adjacent to the sidewalk line, except for driveways or pedestrian access to the parking area.</p> <p>(ii) Landscaped setbacks shall include hedges or shrubs with a minimum height of 3 feet at the time of planting that form a continuous visual screen to block vehicle headlights.</p> <p>(iii) Exceptions to tree planting requirements specified in Title <a href="#">10</a>, Chapter 1, Article 14 are allowed only for those parking spaces fully covered by solar energy systems.</p> <p>b. Structured Parking.</p> <p>i. To be considered a semi-subterranean garage, the top deck of a parking garage shall be no higher than five (5) feet above the natural abutting ground surface at any point as measured at a five (5)-foot horizontal distance out from the exterior wall surface.</p> <p>ii. Parking garages that exceed the height requirement for a semi-subterranean garage per as defined in Section <a href="#">10-1-920(I)(6)(b)(i)</a> are considered above-grade garages.</p> <p>iii. Structured parking shall maintain a three-foot setback from the sidewalk line.</p> <p>iv. All vehicle gates to a parking structure on a street-facing elevation and parallel to the street shall be located at least 18'-0" from the property line to allow for single-vehicle queuing.</p> <p>v. Garage doors shall not, when open or being opened, project beyond any lot line.</p> <p>vi. Portions of above-grade garages and semi-subterranean parking garages that extend above the ground surface on a front or street-facing side yard</p> |  |
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|  | <p>elevation shall be completely screened by a permanently irrigated landscaped berm or climbing vine or a storefront facade/architectural screening with the appearance of a storefront consistent with the development standards of this Division.</p> <p>vii. Parking structure facades visible from public streets, excluding alleys, shall use materials and design compatible with the building architecture.</p> <p>viii. Above ground parking structures shall be buffered by permitted non-parking uses a minimum of 35 feet in depth adjacent to the sidewalk line, for a minimum of 50 percent of the street frontage except for driveways or pedestrian access to the parking area.</p> <p>(a) This requirement only applies to lots with a depth of 120 feet or more.</p> <p>(b) In no case is a setback of less than three feet allowed.</p> <p>c. Underground Parking.</p> <p>i. Subterranean parking shall be set back a minimum of 5 feet from all street property lines and residential zones. Otherwise, it may extend up to the property line.</p> <p>d. Loading.</p> <p>i. Each mixed-use development shall require one loading space, which cannot be located on a street facing elevation or in the public right-of-way.</p> <p>ii. Off street loading areas shall be located as far as possible from the residential units and shall be completely screened from view from the residential portion of the project.</p> <p>(a) Service and loading areas shall be screened from residential areas and integrated with the design of the building. Techniques such as block</p> |  |
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|                       | <p>walls, enhanced setbacks, or enclosed loading or equipment areas shall be used to minimize adverse impacts to residents from vehicle and mechanical noise.</p> <p>(b) Back-in or back-out loading facilities shall not be permitted along arterial highways or collector streets.</p> <p>(c) Loading of furniture and household goods for the residential units shall be limited to the hours of 9:00 a.m. to 2:00 p.m. and 7:00 p.m. to 10:00 p.m. on weekdays and 9:00 a.m. to 10:00 p.m. on weekends.</p> <p>Surface parking area complies with setback requirement from primary and secondary frontage. The surface parking area is adequately by non-parking uses but a landscape plan must be provided to confirm that landscape setbacks include hedges or shrubs at least 3 feet in height.</p> <p>Applicant must provide dimension for subterranean parking area to confirm whether it would be considered as a semi-subterranean garage. Underground parking meets all required setbacks. The applicant must provide location of loading space required from mixed used developments.</p> |                         |
| Performance Standards | Subject to design and development standards in Subsection J of Section 10-1-920.   |                         |
| Hours of Operation    | <p>1. Hours of Operation.</p> <p>a. The business hours for the nonresidential component of a mixed-use development project shall be allowed to operate from 7 a.m. to 10 p.m. Operation outside of these allowed hours shall require a conditional use permit to ensure that the nonresidential use will not negatively impact the residential uses within the project.</p> <p>b. Commercial hours of operation that result in a public nuisance, as defined in this Code, will require hours of operation to be further restricted.</p>   | <b>To Be Determined</b> |

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|                     | Applicant shall include the operating hours of the non-commercial uses as part of their formal submittal to confirm compliance with this standard.   |                  |
| Security            | <p>2. Security.</p> <p>a. Shared elevators between residential and nonresidential uses, or other secured access doors shall have security code access or other keyless entry systems or similar security measure to prevent access to residential areas by non-residential users, and to allow residents to reach residential floors and to use the elevators during late evening and early morning hours between 10 p.m. and 7 a.m. at a minimum.</p> <p>Since all nonresidential uses are on the ground floor, there are no shared elevators between residential and nonresidential uses. Therefore, this standard does not apply.</p> | N/A              |
| Ventilation         | <p>3. Ventilation.</p> <p>a. Residential and nonresidential units shall be designed to not allow for cross-ventilation.</p> <p>b. Ground floor commercial vents for restaurants or other food production related businesses may not be located directly below residential uses.</p> <p>Applicant must provide notes or exhibits in plans confirming that residential and nonresidential units shall be designed to not allow for cross-ventilation. The project does not propose any uses that involve food production, so the second standard is met.</p>   | To Be Determined |
| Noise and Vibration | <p>4. Noise and Vibration.</p> <p>a. Walls on all sides of residential and live/work units shall be constructed to minimize the transmission of noise and vibration. A minimum impact insulation class (IIC) of 60 shall be required for all residential walls, floors, and ceilings.</p> <p>b. Residents of a mixed-use development project shall be notified via a disclosure statement in the lease agreement or in the sale documents that they are living in an</p>   | To Be Determined |

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|  | <p>urban, non-residentially zoned area and that the noise levels may be higher than in a typical residential zone.</p> <p>Applicant must provide notes or exhibits in plans that residential walls provide adequate noise insulation and that residents shall be notified via a disclosure statement in the lease agreement or that they are living in an urban, non-residentially zoned area and that the noise levels may be higher than in a typical residential zone.</p>   |     |
| Maintenance of Common Facilities                     | <p>5. Maintenance of Common Facilities.</p> <p>a. Where there is more than one (1) property owner with shared interest in maintaining common facilities related to lighting, fencing, signs, landscaping, shared parking, etc., a joint owner's association shall be formed, a landscape assessment district shall be established, or a maintenance agreement recorded. If a joint owner's association or a landscape assessment district is established, the association or district shall be obligated and responsible for maintaining common facilities in accordance with the standards and requirements of this Division and the conditions of any applicable use permit. If a maintenance agreement is recorded, the agreement shall clearly identify those individuals or entities obligated and responsible for maintaining the common facilities in accordance with the standards and requirements of this Division and the conditions of any applicable use permit. Each agreement, resolution or other document establishing a joint owner's association, a landscape assessment district or a maintenance agreement shall include the City of Burbank as a third-party beneficiary with the right, but not the obligation, to enforce said agreement, resolution or other document. The agreement, resolution or other document shall be subject to review and approval by the City.</p> <p>Project application documents show that proposed development will have one property owner, so this standard does not apply.</p> | N/A |
| Pedestrian Oriented Circulation and Site Design      | Subject to design and development standards in Subsection K of Section 10-1-920.  |     |
| For Development Projects with More Than One Building | 1. For development projects with more than one building, the following pedestrian design standards shall apply:   | YES |

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|                                    | <p>a. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or other shared amenities.</p> <p>b. An on-site walkway shall connect the principal building entry or entries to a public sidewalk on each street frontage.</p> <p>c. Direct pedestrian access shall be provided from mixed-use development projects to adjoining residential and nonresidential areas to the maximum extent feasible while still providing for safety and security.</p> <p>d. Pedestrian connections shall be provided from adjacent transit stops to building entrances.</p> <p>The project proposes one building so these standards do not apply.</p>   |     |
| Interior Pedestrian Walkway Design | <p>2. Interior Pedestrian Walkway Design.</p> <p>a. Within a development, walkways shall have a minimum clear unobstructed width of five feet, and be hard surfaced.</p> <p>b. Where a required walkway crosses driveways, parking areas, or loading areas, it shall be clearly identifiable through the use of a raised crosswalk, a different paving material, or other similar method as deemed appropriate by the Director.</p> <p>c. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier as deemed appropriate by the Director.</p> <p>The project's interior pedestrian walkways comply with width requirements and none of the interior walkways are parallel and adjacent to any auto travel lanes, therefore the project complies with the above-mentioned standards.</p> | YES |

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| <p>10-1-635: CALCULATION OF DENSITY BONUS AND NUMBER OF INCENTIVES AND CONCESSIONS</p> | <p>A. The City shall grant a Density Bonus to a developer of a Housing Development of five (5) or more dwelling units who seeks a Density Bonus in accordance with this Division and agrees to construct at least one of the following:</p> <ol style="list-style-type: none"> <li>1. Ten percent of the total units of the Housing Development as Affordable Units affordable to low income households; or</li> <li>2. Five percent of the total units of the Housing Development as Affordable Units affordable to very low income households; or</li> <li>3. A Senior Citizen Housing Development; or</li> <li>4. Ten percent of the total units of a newly constructed Condominium Project or Planned Development as Affordable Units which are affordable to moderate income households.</li> </ol> <p>The Project is located on a 24,100 square foot site. The Project is in a lot that has a General Plan Land Use Designation of Corridor Commercial, which permits 27 dwelling units/acre in density by-right. The site is, therefore, permitted to have 15 dwelling units. The Project is proposing to set aside 17% of the unit total for very low-income housing. Under California State Density Bonus Law, the site is eligible for a 50% Density Bonus. The Project can propose up to 23 units with 4 of the units reserved for very low-income residents. The Project proposes 23 units with 4 units reserved for very low-income.</p> | <p><b>YES</b></p> |
|  | <p>B. In determining the number of Density Bonus Units to be granted pursuant to Subsection (A) of this Section, the maximum residential density for the site shall be multiplied by 0.20 for Subsections (1), (2), and (3) and 0.05 for Subsection (4), unless a lesser number is selected by the developer.</p> <ol style="list-style-type: none"> <li>1. For each one percent increase above ten percent in the percentage of units affordable to low-income households, the Density Bonus shall be increased by 1.5 percent up to a maximum of 35 percent.</li> <li>2. For each one percent increase above five percent in the percentage of units affordable to very low-income households, the Density Bonus shall be increased by 2.5 percent up to a maximum of 35 percent.</li> </ol>  | <p><b>NO</b></p>  |



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|  | <p>3. For each one percent increase above ten percent of the percentage of units affordable to moderate-income households, the Density Bonus shall be increased by one percent up to a maximum of 35 percent.</p> <p>The Project proposes 17% of the total units for very low-income households, meaning that subsection 2 of this provision applies and the maximum density, pursuant to the BMC is 30%. However, BMC Section 10-1-643 specifically states that if there should be any inconsistency between the BMC and State Density Bonus Law, the State law will prevail. Therefore, the maximum bonus density permitted for the proposed development is 50%.</p>  |            |
|  | <p>C. The Density Bonus Units shall not be included when determining the number of Affordable Units required to qualify for a Density Bonus. When calculating the required number of Affordable Units, any calculations resulting in fractional units shall be rounded to the next larger integer.</p> <p>Project meets this standard.</p>  | <b>YES</b> |
|  | <p>D. The developer may request a lesser Density Bonus than the project is entitled to, but no reduction will be permitted in the number of required Affordable Units pursuant to Subsection (A) above. Regardless of the number of Affordable Units, no Housing Development may be entitled to a Density Bonus of more than 35 percent.</p> <p>As stated previously, State Bonus Density law prevails wherever there is inconsistency between</p>  | <b>YES</b> |
|  | <p>E. Subject to the findings included in Section <a href="#">10-1-641</a>, when a developer seeks a Density Bonus, the City shall grant incentives or concessions listed in Section <a href="#">10-1-641</a> as follows:</p> <ol style="list-style-type: none"> <li>One (1) incentive or concession for projects that include at least ten percent of the total units for low income households, at least five percent for very low income households, or at least ten percent for persons and families of moderate income in a condominium or Planned Development.</li> <li>Two (2) incentives or concessions for projects that include at least 20 percent of the total units for low income households, at least ten percent for very low income households, or at least 20 percent for persons and families of moderate income in a condominium or Planned Development.</li> </ol> | <b>YES</b> |

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|                         | <p>3. Three (3) incentives or concessions for projects that include at least 30 percent of the total units for low income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a condominium or Planned Development.</p> <p><a href="#">Project is entitled to three incentives or concessions.</a></p>   |            |
|                         | <p>F. A Housing Development may be entitled to more than one (1) Density Bonus, but in no event can the total Density Bonus for any Housing Development exceed 35 percent. For example, if a Developer provides ten percent of the Housing Units for Low Income Households and an additional five percent Very Low Income, Developer shall be entitled to two (2) Density Bonuses. Multiple Density Bonuses will only be allowed where the affordable units are separately and independently counted; however, in any event, the maximum Density Bonus for any Housing Development is 35 percent.</p> <p><a href="#">The Project proposes no more than one density bonus.</a></p>  | <b>YES</b> |
|                         | <p>G. In accordance with state law, neither the granting of a concession or incentive nor the granting of a Density Bonus shall be interpreted, in and of itself, to require a General Plan Amendment, zoning change, or other discretionary approval.</p> <p><a href="#">This standard does not apply.</a></p>  | <b>N/A</b> |
| 10-1-636: LAND DONATION | <p>A. When a developer of a Housing Development of five (5) or more dwelling units donates land to the City as provided for in this Section, the developer shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density under the applicable Zoning Ordinance and land use element of the general plan for the entire development. For each one percent increase above the minimum ten percent land donation described in Subsection (B)(2) of this Section, the Density Bonus shall be increased by one percent, up to a maximum of 35 percent. This increase shall be in addition to any increase in density allowed by Section <a href="#">10-1-635</a>, up to a maximum combined Density Bonus of 35 percent if a developer seeks both the increase required pursuant to this Section and Section <a href="#">10-1-635</a>. When calculating the number of</p> | <b>N/A</b> |

permitted Density Bonus Units, any calculations resulting in fractional units shall be rounded to the next larger integer.

B. A Housing Development shall be eligible for the Density Bonus described in this Section if the City makes all of the following findings:

1. The developer will donate and transfer the land no later than the date of approval of the final subdivision map, parcel map, or other development application for the Housing Development.
2. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than ten percent of the number of residential units of the proposed development, or will permit construction of a greater percentage of units if proposed by the developer.
3. The transferred land is at least one (1) acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as very low income housing, and will, at the time of transfer or at the time of construction, be served by adequate public facilities and infrastructure at no cost to the City. The land must also be appropriately zoned and have the appropriate Development Standards to make the development of the very low income units feasible. No later than the date of approval of the final subdivision map, parcel map, or other development application for the Housing Development, the transferred land will have all of the permits and approvals, other than building permits, necessary for the development of the very low income Housing Units on the transferred land.
4. The transferred land and the very low income units constructed on the land will be subject to a deed restriction ensuring continued affordability of the units consistent with this Division, which restriction will be recorded on the property at the time of dedication.
5. The land will be transferred to the City, the Redevelopment Agency, or to a housing developer approved by the City.

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|  | <p>C. Denial of requested land donations can be appealed in accordance with Section <a href="#">10-1-635(H)</a>.</p> <p><a href="#">This section does not apply to this project.</a></p>   |                             |
| 10-1-639:<br>AFFORDABILITY AND<br>DEVELOPMENT<br>STANDARDS |  |                             |
|  | <p>A. Affordable Units shall be constructed concurrently with Market Rate Units or pursuant to a schedule included in the Density Bonus Housing Agreement.</p> <p><a href="#">The Project must exhibit compliance with this standard as part of its formal submittal.</a></p>  | <b>TO BE<br/>DETERMINED</b> |
|  | <p>B. Affordable Units offered for rent to for low income and very low income households shall be made available for rent at an affordable rent and shall remain restricted and affordable to the designated income group for a minimum period of 30 years. A longer period of time may be specified if required by any construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program applicable to the housing development. Affordable Units targeted to Low Income Households and/or Very Low Income Households will not meet the requirements for rental inclusionary units contained in Division 5 of this Article unless they remain restricted and affordable for 55 years pursuant to Section <a href="#">10-1-651(C)</a>. The Director is authorized to execute the necessary agreement which shall be prepared by the City Attorney</p> <p><a href="#">The Project must comply with this standard.</a></p>   | <b>TO BE<br/>DETERMINED</b> |
|  | <p>C. Affordable Units offered for sale to moderate income households in condominiums and Planned Developments shall be sold by the developer of the housing development at a price that does not exceed the Affordable Purchase Price. At the time of the sale of an Affordable Unit from the developer of the Housing Development to the initial purchaser, the purchaser shall execute a promissory note secured by a subordinate deed of trust in favor of the City. The promissory note shall require payment, upon resale of the unit, the difference between the market rate price of the Affordable Unit at time of the purchaser's purchase of the Affordable Unit and the Affordable purchase price, and a proportionate share of the appreciation. Upon a resale, the seller of the unit shall retain the market value at the time of sale of any capital improvements made by the seller, the down payment, and the seller's proportionate share of appreciation. The City's proportion of</p> | <b>N/A</b>                  |

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|  | <p>the share of appreciation shall be equal to the percentage by which the Affordable Purchase Price was less than the fair market value of the Affordable Unit at the time of the initial sale.</p> <p><a href="#">This standard does not apply.</a></p>  |                         |
|  | <p>D. Affordable Units shall be built on site and shall be dispersed within the housing development. The number of bedrooms of the Affordable Units shall be equivalent to the bedroom mix of the non-Affordable Units of the housing development, except that the developer may include a higher proportion of Affordable Units with more bedrooms. The design and appearance of the Affordable Units shall be compatible with the design of the overall housing development. Housing developments shall comply with all applicable Development Standards, except those which may be modified as provided by this Division.</p> <p><a href="#">The Project proposes four units for very low-income households. The submitted plans do not make a distinction between the affordable units and the market rate units. The Project meets this standard. At the time of formal submission, the applicant should submit a floor plan that indicates the committed affordable units.</a></p> | <b>YES</b>              |
|  | <p>E. 1. Upon the request of the developer, the City shall permit a vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of Section <a href="#">10-1-635</a> at the following ratios:</p> <ul style="list-style-type: none"> <li>a. Zero to one (1) bedrooms: one (1) onsite parking space.</li> <li>b. Two (2) to three (3) bedrooms: two (2) onsite parking spaces.</li> <li>c. Four (4) and more bedrooms: two and one-half (2 1/2) parking spaces.</li> </ul> <p>2. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this Section only, a housing development may provide “onsite parking” through tandem parking or uncovered parking, but not through on-street parking.</p> <p><a href="#">The project must comply with this standard.</a></p>   | <b>TO BE DETERMINED</b> |
|  | <p>F. The Director is authorized to execute the necessary agreement which shall be prepared by the City Attorney. The agreement shall set forth affordability restrictions and granted a concession and incentive once approved and appealed, if applicable.</p>   | <b>TO BE DETERMINED</b> |

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|   | If requested, the project must comply with this standard.  |                         |
| 10-1-640: DEVELOPMENT STANDARDS MODIFIED AS INCENTIVE OR CONCESSION A-D | The applicant has not requested any incentives or concessions at this time. If incentives or concessions are requested at time of formal application submission, the standards included in this section will apply.  | <b>TO BE DETERMINED</b> |
| 10-1-641: APPLICATION REQUIREMENTS AND REVIEW                           | The Project must comply with the standards included in this section.   | <b>TO BE DETERMINED</b> |
| 10-1-642: DENSITY BONUS HOUSING AGREEMENT                               | The Project must comply with the standards included in this section.   | <b>TO BE DETERMINED</b> |
| 10-1-644: PURPOSE OF INCLUSIONARY ORDINANCE                             | The Project is not subject to the Inclusionary Ordinance.  | <b>NO</b>               |
| 10-1-801.5: GENERAL PLAN CONSISTENCY                                    | <p>The project is located within the Corridor Commercial land use designation which has a 27 unit/acre density maximum requirement. The applicant is proposing 23 units on a 0.55 acre lot.</p> <p>The Applicant is also requesting density bonus for this Project. The Applicant would be required to comply with the State Density Bonus law and Burbank Municipal Code (BMC).</p> <p>In accordance with BMC Section 10-1-203, the lot area is defined as the following:</p> <p>AREA OF LOT: Means the total horizontal area included within the lot lines. For purposes of calculating density, “area of lot” shall exclude any land previously dedicated for a public street easement or right-of-way, or alley easement or right-of-way.</p> <p>For this Project, this definition of lot area is used for calculating maximum allowable density under the City’s General Plan, floor area ratio and calculations of any density bonus and/or required inclusionary housing units.</p> <p>The lot area is described as 0.55 acres or 24,100 square feet.</p> | <b>TO BE DETERMINED</b> |
| 10-1-712: USES IN THE C-2 ZONE  | The applicant has applied for a SB 35 NOI Application. One of the eligibility requirements for a SB 35 project is that the project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development. The project site has a General Plan land use designation of Corridor Commercial, which has a maximum density requirement for   | <b>Yes</b>              |

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|   | residential uses. The zoning is C-2 (Commercial Use) and Burbank Municipal Code Section 10-1-502 (Uses in All Zones (Except Residential Zones)) allows for the Multifamily Residential with Nonresidential use in the C-2 Zone through a Conditional Use Permit or through state streamlining processes like SB 35. Therefore, the use is permitted.  |                         |
| 10-1-712: PROPERTY DEVELOPMENT STANDARDS  | The review of applicable development standards is provided below.   | <b>TO BE DETERMINED</b> |
| 10-1-712: PROPERTY DEVELOPMENT STANDARDS:<br><br>(E) Mixed-Use and Multifamily Residential-Only Development | <p>Mixed-Use and Multifamily Residential-Only Development. Notwithstanding the foregoing, this Section shall not apply to the following projects:</p> <ol style="list-style-type: none"> <li>1. Mixed-use developments (multifamily residential with nonresidential use) allowed as set forth in Section 10-1-502. These projects shall be governed by the provisions of Article 9, Division 4 of this Code, commencing with Section 10-1-915.</li> <li>2. Multifamily residential-only developments allowed as set forth in Section 10-1-502. These projects shall be governed by the provisions of Article 6, Division 3.5 of this Code, commencing with Section 10-1-621.</li> </ol> <p>Since the project proposed is a mixed-use development, then none of the standards outlined in BMC Section 10-1-712(A) to (D) are applicable.</p> | <b>YES</b>              |
| ARTICLE 11. GENERAL PROPERTY DEVELOPMENT REGULATIONS<br><br>10-1-1101: COMPLIANCE                           | <p>The requirement is <i>“No lot or structure shall be created, erected, altered, or maintained contrary to the provisions of this chapter.”</i></p> <p>Applicant shall comply with this requirement.</p>   | <b>YES</b>              |
| 10-1-1102: ERECTION OF MORE THAN ONE STRUCTURE ON A RESIDENTIAL LOT   | <p>The requirement is <i>“Not more than one (1) main structure occupied or intended to be occupied for a permitted or permissible use may be erected on a single residential lot, unless yard and other requirements of this chapter are met for each structure as though it were on an individual lot.”</i></p> <p>The Project is located on a lot in the C-2 Zone, which allows residential uses with discretionary approval or through state streamlined processes like SB 35. The project complies with this requirement.</p>   | <b>YES</b>              |
| 10-1-1103: LOT TO HAVE FRONTAGE   | The requirement is <i>“Every building shall be on a lot which has frontage of at least 20 feet on a public or private street.”</i>  | <b>YES</b>              |

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|  | Project site has a street frontage along W. Olive Ave. and S. Virginia Ave which meet this requirement.   |     |
| 10-1-1104: FRONTAGE ON ALLEYS                    | <p>The requirement is “Alleys shall not be considered public streets for street frontage requirements of this chapter.”</p> <p>Not applicable to Project.</p>   | N/A |
| 10-1-1105: HAZARDOUS AREAS                       | <p>The requirement is <i>“The Public Works Director may require a fence or wall not less than six (6) feet in height along the perimeter of any area which they consider dangerous because of conditions or physical hazards on the property, such as frequent inundation, erosion, excavation, or grade differential.”</i></p> <p>Standard shall be met if determined applicable by Public Works.</p>  | YES |
| 10-1-1106: USES IN COMPLETELY ENCLOSED BUILDINGS | <p>The requirement is <i>“When a use is required to be conducted in a completely enclosed building there shall be no openings on any side that faces residentially zoned property except as otherwise allowed by this section. Stationary windows not capable of being opened are not considered openings within the meaning of this section. Openings for the ingress or egress of persons or vehicles shall be permitted on a side that faces residentially zoned property upon the condition and requirement that said openings shall not be allowed to remain open except during the passage of persons or vehicles through such openings. As used in this section, the side of an enclosed building faces residentially zoned property if any point on the outer surface of the subject side of said enclosed building is within 150 feet of any point on the property line of said residentially zoned property as measured along any line within the horizontal scope of 45 degrees and 135 degrees from such point upon the surface of the subject side of said enclosed building.”</i></p> <p>Not applicable to Project.</p> | N/A |
| 10-1-1108: OPEN STORAGE AREAS MUST BE ENCLOSED   | <p>Open storage areas in commercial and industrial zones shall have an opaque masonry wall surrounding the storage area at least six (6) feet in height and in good repair, except where the storage area is bounded by a building. The stored material shall be kept below the horizontal plane of the top of the wall. The provisions of this section shall not apply to the open display of merchandise for sale in connection with a use permitted in the zone.</p> <p>The Project does not propose any open storage areas, therefore this standards does not apply.</p>  | N/A |
| 10-1-1109: JUNK YARDS MUST BE FENCED             | The requirement is <i>“Junk yards shall have an opaque masonry wall entirely surrounding the property, at least eight (8) feet in height and in good repair. The height of the junk, wrecked</i>  | N/A |



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|  | <p><i>automobiles, airplanes, or other machinery shall be kept below the horizontal plane of the top of the wall.”</i></p> <p>Not applicable to Project.</p>  |                  |
| 10-1-1110: ACCESSORY BUILDINGS CONVERTED TO LIVING QUARTERS                            | <p>The requirement is “No person shall erect, construct, place or maintain any roof or shade structure over a mobile home located within a mobile home park.”</p> <p>Not applicable to Project.</p>   | N/A              |
| 10-1-1113.1:<br>COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS<br><br>(A) ROOF DESIGN      | <p>The requirement is “<i>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. 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. 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.</i>”</p> <p>The submitted architecture plans do not provide detail on the height or the return of the parapet. The Project shall comply with this standard.</p> <p>No mechanical equipment is proposed on the rooves of the structures.</p> | TO BE DETERMINED |
| 10-1-1113.1:<br>COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS<br><br>(B) WINDOW TREATMENT | <p>The requirement is “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>Not applicable to the Project.</p>   | N/A              |
| 10-1-1113.1: COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS                                | <p>The requirement is “<i>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.</i>”</p> <p>The proposed elevation plans show building facades visible to the street having similar façade design using similar exterior materials.</p>   | YES              |

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| (C) BUILDING MATERIALS                                     |   |                         |
| 10-1-1113.1:<br>COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS | <p>The requirement is <i>“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.”</i></p>  | <b>Yes</b>              |
| (D) VARIATION ON PLANE                                     | <p>The proposed building frontage is shown along West Olive Avenue and South Virginia Avenue. The submitted plans show multiple plane breaks across the building façade, as well as balconies, and awnings that provide visual interest and variation.</p> <p>The Project shall remain consistent with this objective standard.</p>   |                         |
| 10-1-1113.1:<br>COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS | <p>The requirement is <i>“Pedestrian entrances on exposed elevations shall be recessed and architecturally highlighted.”</i></p>  | <b>To Be Determined</b> |
| (E) ENTRIES  | <p>There is one pedestrian entrance to the proposed building from West Olive Avenue which is architectural highlighted by being recessed behind a side wall and staircase walls that encroach into the front setback. The Project shall remain consistent with this objective standard.</p>   |                         |
| 10-1-1113.1:<br>COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS | <p>The requirement is <i>“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.”</i></p>   | <b>To Be Determined</b> |
| (F) APPENDAGES, AWNINGS AND MARQUEES                       | <p>Applicant to show on elevation plans that this requirement will be met.</p>  |                         |
| 10-1-1113.1:<br>COMMERCIAL AND INDUSTRIAL DESIGN STANDARDS | <p>The requirement is <i>“Enclosures or landscape barriers must be provided wherever there is less than seven (7) feet vertical clearance below stairs. 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. Open risers are prohibited.”</i></p> | <b>To Be Determined</b> |
| (G) EXTERIOR STAIRWAYS                                     | <p>Project shall comply with this requirement. If there are exterior stairs, sections of these stair areas shall be provided showing compliance.</p>  |                         |

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| 10-1-1113.1:<br>COMMERCIAL AND<br>INDUSTRIAL DESIGN<br>STANDARDS<br><br>(H) LOCATION AND<br>SCREENING OF TRASH<br>BINS | <p>The requirement is <i>“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. 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). Doors and gates of trash enclosures cannot swing out into any public right-of-way. If the lot abuts an alley, the trash bin must be directly accessible from the alley.”</i></p> <p>Project plans indicate that the Project proposes an enclosed trash room located at the rear portion of the building. The trash room doors to do not swing out into any public right-of-way. The standard is met.</p>  | <b>Yes</b>              |
| 10-1-1113.1:<br>COMMERCIAL AND<br>INDUSTRIAL DESIGN<br>STANDARDS<br><br>(J) FENCES AND WALLS<br><br>(1) HEIGHT         | <p>The requirement is <i>“Except as otherwise provided for property located at an intersection, the height of walls, fences and hedges may not exceed:</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.”</i></p> <p>Applicant to comply with the fence/wall requirements. Site plan shall call out the proposed wall/fence location, height from natural grade, and material.</p> | <b>To Be Determined</b> |
| 10-1-1113.1:<br>COMMERCIAL AND<br>INDUSTRIAL DESIGN<br>STANDARDS   | <p>The requirement is <i>“All fences and walls must comply with the corner cutoff provisions of Section 10-1-1303.”</i></p> <p>Project to comply with corner cut-off regulations.</p>   | <b>To Be Determined</b> |

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| (J) FENCES AND WALLS<br>(2)   |  |                         |
| 10-1-1113.1:<br>COMMERCIAL AND<br>INDUSTRIAL DESIGN<br>STANDARDS<br><br>(J) FENCES AND WALLS<br>(3)             | <p>The requirement is <i>“The requirements of this Subsection do not apply to security fencing maintained by a governmental entity.”</i></p> <p>Not applicable to Project.</p> | <b>N/A</b>              |
| 10-1-1114: ART IN<br>PUBLIC PLACES  | Applicant shall comply with City’s Art in Public Places regulations.   | <b>To Be Determined</b> |
| 10-1-1115: ARCADE<br>DEVELOPMENT<br>REGULATIONS   | Not applicable to Project.   | <b>N/A</b>              |
| 10-1-1116: ALCOHOLIC<br>BEVERAGES - ON-<br>PREMISES AND OFF-<br>PREMISES;<br>CONDITIONAL USE<br>PERMIT REQUIRED | Applicant shall comply with this Section if applicable.  | <b>Yes</b>              |
| 10-1-1117: BILLIARD<br>PARLOR DEVELOPMENT<br>STANDARDS  | Not applicable to Project.   | <b>N/A</b>              |
| 10-1-1118: WIRELESS<br>TELECOMMUNICATIONS<br>FACILITIES.<br>REGULATIONS AND<br>DEVELOPMENT<br>STANDARDS         | Not applicable to Project.   | <b>N/A</b>              |
| 10-1-1120: ADULT<br>BUSINESSES:<br>REGULATIONS AND<br>DEVELOPMENT<br>STANDARDS                                  | Not applicable to Project.   | <b>N/A</b>              |

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| 10-1-1121: SHOPPING<br>CART CONTAINMENT  | Not applicable to Project.   | <b>N/A</b>                  |
| 10-1-1122: EMERGENCY<br>SHELTER<br>DEVELOPMENT<br>STANDARDS  | Not applicable to Project.   | <b>N/A</b>                  |
| 10-1-1123: TEMPORARY<br>AID CENTER<br>DEVELOPMENT<br>STANDARDS   | Not applicable to Project.   | <b>N/A</b>                  |
| ARTICLE 11.5.<br>RESIDENTIALLY<br>ADJACENT USES<br><br>10-1-1150:<br>RESIDENTIALLY<br>ADJACENT PROPERTY<br>AND USES: PURPOSE<br>AND APPLICABILITY  | Though the Project is residentially adjacent and proposes a mixed-use structure containing retail, office and medical office components, none of these uses are proposed to operate during the late night hours of midnight to 6:00 am or have outdoor speakers.   | <b>To Be Determined</b>     |
| 10-1-1151:<br>RESIDENTIALLY<br>ADJACENT USES -<br>CONDITIONAL USE<br>PERMIT REQUIRED FOR<br>NEW LATE NIGHT<br>BUSINESS AND NEW<br>OUTDOOR SPEAKERS | Though the Project is residentially adjacent and proposes a mixed-use structure containing retail, office and medical office components, none of these uses are proposed to operate during the late-night hours of midnight to 6:00 am or have outdoor speakers.<br><br>Therefore, this standard is not applicable to Project. | <b>N/A</b>                  |
| 10-1-1152:<br>RESIDENTIALLY<br>ADJACENT USES -<br>ADMINISTRATIVE USE<br>PERMIT REQUIRED FOR<br>NEW LATE NIGHT<br>OPERATIONS                        | Though the Project is residentially adjacent and proposes a mixed-use structure containing retail, office and medical office components, none of which will have late night operations as defined in BMC Section 10-1-203.<br><br>Therefore, this standard is not applicable to Project.                                       | <b>N/A</b>                  |
| 10-1-1153:<br>RESIDENTIALLY  | Applicant shall comply with this Section.  | <b>TO BE<br/>DETERMINED</b> |

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| ADJACENT USES -<br>DEVELOPMENT<br>STANDARDS FOR NEW<br>CONSTRUCTION                                 |  |                              |
| 10-1-1154:<br>RESIDENTIALLY<br>ADJACENT USES -<br>OPERATIONAL<br>REQUIREMENTS FOR<br>ALL BUSINESSES | <a href="#">Applicant shall comply with all applicable standards in this Section.</a>  | <b>TO BE<br/>DETERMINED</b>  |
| ARTICLE 12. GENERAL<br>YARD AND SPACE<br>STANDARDS<br><br>10-1-1201: YARDS OPEN<br>AND UNOBSTRUCTED | <p>The requirement is <i>“Every yard shall be open, unoccupied, and unobstructed vertically except for projections and encroachments authorized by this Code.”</i></p> <p><a href="#">Project must comply with this requirement. See analysis for mixed-use development setback requirements.</a></p>  | <b>TO BE<br/>DETERMINED</b>  |
| 10-1-1203: YARDS<br>CANNOT SERVE OTHER<br>BUILDINGS OR LOTS   | <p>The requirement is <i>“No yard or open space area shall be used to meet the requirements of this chapter for more than one (1) structure, nor shall a yard or open space on one (1) lot be used to meet yard or open space requirements on any other lot unless the two (2) lots are owned by the same person and are developed as a single parcel.”</i></p> <p><a href="#">The project proposes one structure on one lot. Project would be required to comply with this requirement.</a></p> | <b>TO BE<br/>DETERMINED</b>  |
| 10-1-1204:<br>REQUIREMENTS ON<br>THROUGH LOTS   | <p>The requirement is “Front yards as required for the zone in which the lot is located shall be maintained at each end of a through lot.”</p> <p><a href="#">Not applicable to Project.</a></p>   | <b>N/A</b>                   |
| 10-1-1205:<br>UNDEDICATED STREETS   | <p>The requirement is <i>“All land within the undedicated portion of a partially dedicated or future street shall remain open and unobstructed. Such land shall not be counted in meeting any yard and open space requirements of this chapter.”</i></p> <p><a href="#">Project shall comply with this requirement.</a></p>  | <b>TO BE<br/>DETERMINED</b>  |
| 10-1-1206: ACCESS TO<br>UTILITY POLES   | Whenever a utility pole is situated on a lot, required yard areas shall be maintained to provide unobstructed access to the pole.  | <b>TO BE<br/>DETERMINED.</b> |

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|   | Project to comply with utility requirements from City's Public Works Department and BWP.  |                         |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(A) DEFINITION AND<br>APPLICABILITY               | <p>The requirement is <i>"The requirements of this Section apply to all non-residential zones only. For the purposes of this Section, "REQUIRED YARD" means the minimum yard depth as specified in this Chapter for the zone in which the lot is located. The encroachments specified herein are measured from the required setback line, not from the exterior wall of the structure."</i></p> <p>Project site is zoned C-2. Project must comply with this requirement. See analysis for mixed-use development setback requirements.</p>   | <b>TO BE DETERMINED</b> |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(B) FIRE ESCAPES                                  | <p>The requirement is <i>"Fire escapes may project into any required yard not more than four (4) feet but shall not reduce the clear width of the yard to less than three (3) feet."</i></p> <p>Project elevation plans or site plan do not call out fire escapes. Project would have to comply with the City's Fire Department requirements.</p>   | <b>TO BE DETERMINED</b> |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(C) EAVES, CORNICES,<br>CANOPIES, ETC.            | <p><i>"Eaves, cornices, canopies, belt courses, sills and other similar architectural features may project into any required front yard not more than four (4) feet, and may extend into a required side or rear yard not more than two (2) inches for each one (1) foot of the width of such required side or rear yard; provided, however, that where the required side yard is in excess of three (3) feet, eaves may project to within 30 inches of the side lot line. On corner lots and reverse corner lots, eaves may not project more than three (3) feet into the required side yard abutting the side street."</i></p> <p>The submitted plans must detail eaves, cornices, canopies and any other encroachments into the permitted front yard</p> | <b>TO BE DETERMINED</b> |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(D) UNCOVERED<br>PORCHES, PATIOS AND<br>PLATFORMS | <p>Eaves, cornices, canopies, belt courses, sills and other similar architectural features may project into any required front yard not more than four (4) feet, and may extend into a required side or rear yard not more than two (2) inches for each one (1) foot of the width of such required side or rear yard; provided, however, that where the required side yard is in excess of three (3) feet, eaves may project to within 30 inches of the side lot line. On corner lots and reverse corner lots, eaves may not project more than three (3) feet into the required side yard abutting the side street.</p> <p>Project must comply with this requirement. Some of the balconies seem to encroach into the required front yard setback area.</p> | <b>NO</b>               |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS  | The requirement is <i>"Open, unenclosed stairways, handicap ramps or balconies not covered by a roof or canopy may project into a required front yard not more than four (4) feet. On corner lots and reverse corner lots, open, unenclosed stairways, handicap ramps or balconies not covered</i>  | <b>N/A</b>              |

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| (E) STAIRWAYS,<br>HANDICAP RAMPS AND<br>BALCONIES                               | <p><i>by a roof or canopy may project into the required side yard abutting the side street not more than three (3) feet.”</i></p> <p>The Project does not propose any open, unenclosed stairways, therefore this standards is not applicable</p>   |                         |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(F) PORTE-COCHERE           | <p>The requirement is <i>“Porte-Cocheres may extend into a side yard but are limited to 25 feet in length along the side lot line.”</i></p> <p>The Project does not propose a porte-cochere.</p>   | <b>YES</b>              |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(G) UTILITY POLES           | <p>The requirement is <i>“Utility poles servicing the property may extend into the side yard two (2) feet from the lot line.”</i></p> <p>There appear to be existing utility poles located along the southeast portion of the subject lot. These poles may have to be removed and the powerlines undergrounded in accordance to BWP-Electric requirements based on the comments provided during the IDRC process.</p>  | <b>TO BE DETERMINED</b> |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(H) GARAGE DOORS            | <p>The requirement is <i>“Garage doors shall not, when open or being opened, project beyond any lot line”</i></p> <p>According to the Project plans, the garage doors do not project beyond any lot line.</p>  | <b>YES</b>              |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(I) ACCESSORY<br>APPLIANCES | <p>The requirement is <i>“When approved by the City Planner, accessory appliances such as swimming pool equipment, water heaters, air conditioning equipment and the like may be located in any side or rear yard provided they do not prevent passage through such side or rear yard and are covered or concealed in such a manner as to not be objectionable when viewed from adjoining property.”</i></p> <p>The Project shall comply with this requirement. The Project does not show any appliances located in the side or rear yards in its plans.</p> | <b>TO BE DETERMINED</b> |
| 10-1-1211:<br>MISCELLANEOUS<br>ENCROACHMENTS<br><br>(J) CHIMNEYS                | <p>The requirement is <i>“Chimneys may extend into a required side yard to a distance of not less than 30 inches from the side lot line, provided, however, that on corner lots and reverse corner lots, chimneys may not project more than two (2) feet into the required side yard abutting the side street.”</i></p> <p>According to the Project plans, there are no proposed chimneys.</p>   | <b>YES</b>              |



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| <p>ARTICLE 13. GENERAL HEIGHT STANDARDS</p> <p>DIVISION 1. HEIGHTS FOR BUILDINGS, WALLS AND FENCES</p> <p>10-1-1301: EXCEPTIONS TO BUILDING HEIGHT LIMITS</p> | <p>The requirement is <i>“This Section applies to all zones except the R-1 and R-1-H zones. Height limits for the R-1 and R-1-H zones are specified in Section 10-1-603. Except as otherwise provided, skylights, fire and parapet walls, chimneys, ventilating fans, antennas (except personal wireless telecommunication facilities), tanks, flagpoles, penthouses or roof structures for housing elevators, lofts, stairways, air conditioning or similar equipment, and other appurtenances usually required to be placed above a building to operate and maintain it may be erected up to 15 feet above the height limits prescribed in this chapter, but no penthouse or roof structure shall be allowed for the purpose of providing additional floor area. A Conditional Use Permit is required if the appurtenance exceeds the height limit by more than 15 feet. Rooftop mechanical, storage and building circulation facilities are excluded from height limits, provided that these facilities do not occupy more than one-third (1/3) the area of the roof, are located in the interior of the roof area, and are screened so as to minimize pedestrian level view from public streets or from any neighboring residential uses. A Conditional Use Permit is required if the appurtenance is more than one-third (1/3) the area of the roof. Appurtenances do not include roof forms and architectural features which are not required to operate or maintain a building, such as ornamental towers, spires, steeples, belfries and cupolas.”</i></p> <p><a href="#">Refer to the Project’s building height analysis in accordance with the Mixed-use Development Standards.</a></p> | <p><b>TO BE DETERMINED</b></p> |
| <p>10-1-1303: CORNER CUTOFF</p>   | <p>The requirement is <i>“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:</i></p> <p><i>A. STREETS.</i></p> <p><i>At intersecting streets, ten (10) feet from the intersection at the corner of a front or side property line.</i></p> <p><i>B. ALLEYS.</i></p> <p><i>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.</i></p> <p><i>C. DRIVEWAYS.</i></p>  | <p><b>TO BE DETERMINED</b></p> |

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|  | <p><i>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.</i></p> <p>Applicant shall provide the corner cut-off dimensions and areas on the site plan for the street-street intersections and the street-driveway intersections.</p>   |                         |
| <p>DIVISION 2. HEIGHTS SURROUNDING BOB HOPE AIRPORT</p> <p>10-1-1305 through 10-1-1309</p>   | <p>The Project site is located in Zone 5 according to the City's FAA Filing Requirement Map, which requires FAA Notice for all structures with height at 200 feet or greater.</p> <p>The proposed building heights does not exceed 200 feet.</p>  | <b>YES</b>              |
| <p>ARTICLE 14. GENERAL OFF-STREET PARKING STANDARDS</p> <p>DIVISION 1. GENERAL PROVISIONS</p> <p>10-1-1401: PARKING SPACE DIMENSIONS</p> | <p><i>Residential Use: 8'-6" minimum width</i><br/> <i>Retail and Services Commercial: 9'-0" minimum width</i></p> <p><i>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.</i></p> <p><i>PARKING BAY WIDTHS FOR TWO-WAY TRAFFIC AND DOUBLE LOADED AISLES</i></p> <p><i>Minimum Stall Length = 18'-0"</i></p> <p><i>8'-6" width (90 degree angled parking): 63' - 4"</i></p> <p><i>9'-0" width (90-degree angled parking): 61' - 4"</i></p> <p>Project plans show the dimensions of the provided surface and subterranean parking spaces and driveways, and they appear to comply with the above standards. These spaces and driveways must be continue to comply with</p> | <b>TO BE DETERMINED</b> |
| 10-1-1403: INGRESS AND EGRESS; BACKING INTO HIGHWAY  | The proposed Project would not require vehicles to back out into major or secondary highways.   | <b>YES</b>              |
| 10-1-1404: TANDEM PARKING  | This section is superseded by Section 10-1-920 which permits tandem parking spaces to be used on as designated parking for dwelling units providing more than 1 parking space (10-1-920(I)(7)(B)). The project does not propose any tandem parking, therefore this standard is not applicable.  | <b>N/A</b>              |

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| 10-1-1405: PARKING OR STORING AIRPLANES, BOATS, VEHICLES, ETC. WITHIN CERTAIN YARDS IN RESIDENTIAL ZONES | Project site is zoned C-2, therefore this standard does not apply.  | <b>YES</b> |
| 10-1-1405.5: BICYCLE PARKING SPACES  | This section is superseded by Section 10-1-920. 12 bicycle parking spaces are proposed (6 residential and 6 commercial) which satisfies the required number of spaces for the residential and commercial components of the mixed-use development. This standard is met.   | <b>YES</b> |
| 10-1-1406: SITE PLAN   | <p>The requirement is “<i>A site plan containing a detailed parking arrangement accurately dimensioned, showing individual parking spaces, aisles and driveways indicating adequate ingress and egress, as well as location, size, shape, design, curb cuts, lighting, landscaping, and other features and appurtenances of the proposed parking, as provided in Article 19, Division 2 of this chapter, shall be submitted to the Building Director when application is made for a building permit requiring compliance with this article. The site plan shall be referred to the Building Director for approval.</i>”</p> <p>The site plan provides a detailed parking arrangement on Sheets A-2.0 and A-3.0.</p> | <b>YES</b> |
| 10-1-1407: USE OF VACANT LOTS IN RESIDENTIAL AND COMMERCIAL ZONES FOR PARKING VEHICLES                   | Not applicable to the Project.  | <b>N/A</b> |
| 10-1-1407.01: USE OF PARKING AREAS FOR STORAGE   | <p>The requirement is “<i>All required parking shall be used solely as customer and employee parking of motorized vehicles. No required parking shall be used for the temporary or permanent storage of any other motor vehicles, or any products or materials for production, repair, sale or lease.</i>”</p> <p>Not applicable to the Project.</p>  | <b>N/A</b> |
| 10-1-1407.1: CENTRAL BUSINESS DISTRICT DOWNTOWN PARKING AREA   | Not applicable to the Project.  | <b>N/A</b> |
| DIVISION 2. PARKING REQUIREMENTS   | The requirement is “ <i>Residential Uses: As provided for each residential zone in Article 6 of this chapter.</i> ”   | <b>YES</b> |

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| 10-1-1408: SPACES REQUIRED   | This standard is superseded by the parking requirements outlined in BMC Section 10-1-920(A) and the project meets those parking requirements. Therefore, this standard is met.   |                  |
| 10-1-1409: WAIVER WITHIN A PARKING DISTRICT                                | Not applicable to Project.   | N/A              |
| 10-1-1410: WAIVER AS TO EXISTING USES                                      | Not applicable to Project.   | N/A              |
| 10-1-1411: MUST SERVE ONE USE; EXCEPTIONS                                  | <p>The requirement is <i>“Off-street parking for one use shall not be considered as providing required off-street parking for any other use, except as expressly authorized by this article.”</i></p> <p>This standard is superseded by the parking standards in the mixed-use development standards (BMC Section 10-1-920), therefore this standard does not apply.</p>   | N/A              |
| 10-1-1413: MEASUREMENT OF DISTANCES  | <p>The requirement is <i>“The distance of off-street parking from the building it is required to serve shall be based upon the shortest walking distances from the nearest point of the off-street parking to the nearest point of the building or use served.”</i></p> <p>The Project proposes a both surface parking and a subterranean parking garage to serve the residential and commercial uses. These spaces appear to be accessible through elevators and entry ways closest to each respective use. Therefore this standard is met.</p> | YES              |
| 10-1-1414: OFF-SITE PARKING AGREEMENT FOR NON-SHARED AND EXCLUSIVE PARKING | Project is not proposing off-site parking. Not applicable to Project.  | N/A              |
| 10-1-1415: SHARED PARKING AGREEMENT – ON OR OFF-SITE                       |  |                  |
| 10-1-1416: APPLICABILITY OF PARKING AREA REQUIREMENTS                      | <p>The requirement is <i>“The requirements of Sections 10-1-1417, 10-1-1421, and 10-1-1422 apply to all parking areas located in all zones. The requirements of Sections 10-1-1417.1 through 10-1-1420 inclusive apply to all parking areas located in 1) all non-residential zones and 2) in residential zones which provide parking for uses located in a non-residential zone.”</i></p> <p>Project must comply with this Section.</p>   | TO BE DETERMINED |
| 10-1-1417: PARKING LOT DESIGN STANDARDS                                    | The surface parking area of the project shall comply with this section.  | TO BE DETERMINED |

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| 10-1-1417.1: SETBACKS AND WALLS                                      | <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 <a href="#">10-1-1303</a>.</p> <p><a href="#">Project must exhibit compliance with this Section.</a></p> | <b>TO BE DETERMINED</b> |
| 10-1-1417.2: PARKING LOTS ABUTTING AND ADJACENT TO RESIDENTIAL ZONES | <a href="#">This section is superseded by Section 10-1-920(I). Therefore, the standards in this section are not applicable.</a>   | <b>N/A</b>              |
| 10-1-1418: LANDSCAPING   | <a href="#">This section is superseded by Section 10-1-920(H). Therefore, the standards in this section are not applicable.</a>   | <b>N/A</b>              |
| 10-1-1419: PARKING STRUCTURES  | <a href="#">This section is superseded by Section 10-1-920(I). Therefore, the standards in this section are not applicable.</a>   | <b>N/A</b>              |
| 10-1-1420: LIGHTING  | <p>The requirement is <i>“All off-street parking areas shall be provided with lighting as follows:</i></p> <ol style="list-style-type: none"> <li><i>Lights conforming to standards prescribed by the Public Works Director shall be installed in all nighttime parking lots used for public parking or for commercial purposes.</i></li> <li><i>All lighting shall be arranged to prevent glare or direct illumination on adjoining properties and streets.”</i></li> </ol> <p><a href="#">Formal SB 35 application submittal for the project shall include a photometric plan.</a></p>  | <b>TO BE DETERMINED</b> |

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| 10-1-1421:<br>MAINTENANCE  | Applicant to make sure the parking area is in good condition for the life of the development.  | <b>TO BE DETERMINED</b> |
| 10-1-1422:<br>PREREQUISITES TO<br>IMPROVEMENT AND<br>USE   | Applicant to make sure applicable city permits are obtained for parking area improvements.   | <b>TO BE DETERMINED</b> |
| ARTICLE 15. GENERAL<br>OFF-STREET LOADING<br>STANDARDS<br><br>10-1-1501: LOADING<br>SPACES REQUIRED<br><br>10-1-1502: LOADING<br>SPACE DIMENSIONS<br><br>10-1-1503: LOCATION OF<br>AND ACCESS TO<br>LOADING SPACES | Since the project is proposing a mixed-use development, these sections are not applicable to the Project.  | <b>N/A</b>              |
| ARTICLE 16. GENERAL<br>VEHICULAR ACCESS<br>STANDARDS<br><br>10-1-1601: ACCESS TO<br>STREET   | The requirement is <i>“Every lot shall be provided with permanent vehicular access to a street or an alley upon which it abuts.”</i><br><br>The Project site will provide vehicular access from S. Virginia Ave.   | <b>YES</b>              |
| 10-1-1602: CURB CUTS   | The requirement is <i>“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.”</i> | <b>YES</b>              |

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|   | Project plans indicate that the vehicular access way is located more than 30 feet away from the intersection of W. Olive Ave. and S. Virginia Ave. The project is located in the C-2 Zone and the curb cut is approximately 18 feet wide which complies with the above standard.   |                         |
| 10-1-1603: DRIVEWAY WIDTH                             | <p>The requirement is “Every driveway shall be at least 10 feet wide, and a maximum as approved by the Director.”</p> <p>Proposed Project meets this standard.</p>   | <b>YES</b>              |
| 10-1-1604: DRIVEWAY SLOPES                            | <p>The requirement is <i>“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.”</i></p> <p>The applicant must revise the project plans to show the driveway slope and confirm whether the it is compliant with the 20% limit.</p>  | <b>TO BE DETERMINED</b> |
| 10-1-1605: PROTECTIVE BARRIER IN NONRESIDENTIAL ZONES | <p>The requirement is <i>“Where a vehicular access is provided to a street in a nonresidential zone, a barrier consisting of a three (3) foot high masonry wall, or such other protective barrier as may be approved by the Director, shall be constructed along the remaining street frontage of the lot to prevent unchanneled motor vehicle ingress or egress to the property. In commercial zones, the protective barrier shall also have the same aesthetic screening effect as a block wall, as approved by the Director.”</i></p> <p>See previous analysis provided in BMC Section 10-1-920(E) pertaining to fence, wall and hedge height</p> | <b>TO BE DETERMINED</b> |
| 10-1-1606: TURN AROUND AREAS                          | <p>The requirement is <i>“A 24 foot turning radius shall be provided for access to driveways and right-angle parking stalls.”</i></p> <p>The project plans must show a 24-foot turning radius for garage access areas and open parking spaces.</p>   | <b>TO BE DETERMINED</b> |
| 10-1-1607: APPROVAL BY PUBLIC WORKS DIRECTOR          | <p>The requirement is <i>“All vehicular accessways to the street must be approved by the Public Works Director.”</i></p> <p>The Project shall comply with this requirement.</p>  | <b>TO BE DETERMINED</b> |

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| 10-1-1608: DRIVE-THROUGH RESTAURANTS                                       | These standards are not applicable to the Project.   | N/A              |
| 10-1-1609: RESIDENTIALLY ADJACENT DRIVE-THROUGH ESTABLISHMENTS             |  |                  |
| Article 17. PROTECTION AGAINST NUISANCES<br><br>10-1-1701-1707             | Project shall comply with the standards of this article.   | TO BE DETERMINED |
| DIVISION 8. TRANSPORTATION DEMAND MANAGEMENT                               | Not applicable to the project  | TO BE DETERMINED |
| Article 24. RANCHO MASTER PLAN ZONES                                       |  |                  |
| Division 2 – 7 (NB – RBP Zones)  | Not applicable to the project  | N/A              |
| Division 9. Commercial Stables   | This division is not applicable to the project.  | N/A              |
|  |  |                  |
| DIVISION 5. AFFORDABLE HOUSING INCENTIVES<br><br>10-1-633 through 10-1-653 | Applicant is applying for a density bonus project in accordance with State law and Burbank Municipal Code (BMC).<br>Project is not subject to the City's Inclusionary Housing Ordinance. | YES              |
| BURBANK GENERAL PLAN 2035  |  |                  |



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| Policy 1.8   | <p>Ensure that development in Burbank is consistent with the land use designations presented in the Land Use Plan and shown on the Land Use Diagram, including individual policies applicable to each land use designation.</p> <p>The proposed project is consistent with the Corridor Commercial Land Use designation which allows for a variety of medium-intensity multi-family residential and commercial uses.</p>  | <b>YES</b>              |
| Policy 2.3   | <p>Require that new development pay its fair share for infrastructure improvements. Ensure that needed infrastructure and services are available prior to or at project completion.</p> <p>Project documents must exhibit that the project provides adequate open space and amenities in mixed-use projects that encourage residents to gather and that supplement public open spaces.</p>  | <b>TO BE DETERMINED</b> |
| Policy 2.5   | <p>Require the use of sustainable construction practices, building infrastructure, and materials in new construction and substantial remodels of existing buildings.</p> <p>This standard must be met.</p>  | <b>TO BE DETERMINED</b> |
| Policy 4.6   | <p>Provide adequate open space and amenities in residential projects that encourage residents to gather and that supplement public open spaces.</p> <p>The project provides open space and amenities as required in the mixed-use development standards. The common open space and amenities provided is located along the rear of the site and on the second-story deck. Both of these open space areas are easily accessible to the building's residents.</p> | <b>YES</b>              |
| MOBILITY ELEMENT<br>CHAPTER –<br>TABLE M-2, SIDEWALK<br>STANDARD, RANCHO<br>COMMERCIAL                         | <p>Standard Sidewalk Width – 15 feet (10 feet minimum)</p> <p>The Project plans shall show the public right-of-way information including the required public right-of-way width for the Project per City's Public Works Department and Transportation Division's comments.</p>  | <b>TO BE DETERMINED</b> |
| BURBANK<br>GREENHOUSE GAS<br>REDUCTION PLAN<br>(GGRP) UPDATE<br>(ADOPTED BY CITY<br>COUNCIL ON MAY 3,<br>2022) | <p>Project shall comply with the City's updated GGRP.</p>   | <b>TO BE DETERMINED</b> |

