AMENDED
BURBANK CITY COUNCIL
JOINT MEETING WITH THE HOUSING AUTHORITY
TUESDAY, APRIL 21, 2026
4:00 p.m. – Closed Session
5:00 p.m. – Study Session
6:00 p.m. – Open Session
Council Chamber
275 E. Olive Avenue, Second Floor
***Amended to add a Closed Session Item**

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that a Joint City Council Meeting will be held in the Council Chamber – 275 East Olive Avenue, Second Floor, on Tuesday, April 21, 2026, at 4:00 p.m., to discuss matters on the attached agenda.

Members of the public have the option to participate in the meeting via in-person and/or telephonically for Closed Session, General Public Comment, Public Hearings, and Study Sessions. They may also submit their written comments regarding City business using the eComment feature on the City website.

Auxiliary aids and services are available for individuals with speech, vision, or hearing impairments (48-hour notice is required). For more information, please contact the ADA Coordinator at (818) 238-5051.

Interpretation Requests:
If you would like to participate in Public Comments and require an interpreter, please telephone the City Clerk's Office at (818) 238-5851 at least 48 hours in advance of the meeting.

Si desea participar en los comentarios públicos y necesita un intérprete, por favor llame a la Oficina de la Secretaria Municipal al (818) 238-5851 al menos 48 horas antes de la reunión.

Եթե ցանկանում եք մասնակցել հանրային մեկնաբանություններին և թարգմանիչ եք պահանջում, խնդրում ենք զանգահարել քաղաքապետարանի գրասենյակ՝ (818) 238-5851 հեռախոսահամարով հանդիպումից 48 ժամ առաջ:

How to View the Meeting:
Local Cable: Spectrum Channel 6 or AT&T Uverse Channel 99.
YouTube Live Streaming Channel: Click here.
City Website Live Streaming: Click here.

Public Comment Options:

1. To speak during Closed Session Public Comment, General Public Comment, Public Hearing Public Comment, and Study Session Public Comment periods during the meeting, members of the public may speak in-person in the Council Chamber or call (818) 238-3335. Speaker time limits will be determined by the Presiding Officer, depending on how many public comment cards are received and how many callers are in the queue at the commencement of each public comment period (as shown below). Additional public comment cards and calls will not be accepted once the public comment period commences.
    - 1 – 20 Total Speakers – 3 minutes each
    - 21 – 39 Total Speakers – 2 minutes each
    - 40+ Total Speakers – 1 minute each

2. The Reports to Council Public Comment periods are only accepted in person – public comment

cards must be submitted before the public comment period begins for each report to Council. Speaker time limits will be determined by the Presiding Officer depending on how many public comment cards have been received at the commencement of each public comment period (as shown below). Additional public comment cards will not be accepted once the public comment period commences.

- 1 – 20 Total Speakers – 3 minutes each
- 21 – 39 Total Speakers – 2 minutes each
- 40+ Total Speakers – 1 minute each

3. Written public comment may be submitted via eComment, available on the City website (www.burbankca.gov/web/city-clerks-office/ecomment) from the time the agenda is posted until 3:00 p.m. the day of the meeting. eComments will be distributed to the City Council in advance of the meeting.

4. The Presiding Officer has the discretion to reduce speaking time for each speaker in order to ensure that City business can be completed at a reasonable hour.

Public Disclosure:
Please be advised that any communication submitted to the City of Burbank, its officials, staff or City consultants, may be considered a public record under the Brown Act and California Public Records Act. This means that any information contained in the communication, including personal information, may be subject to public disclosure. The City reserves the right to disclose such information in accordance with the law.

This agenda contains a summary of each item of business which the City Council and Housing Authority may discuss or act on at this meeting. The agenda packet consisting of the staff reports and all other documentation relating to each item on this agenda will be posted on the City's website at www.burbankca.gov. Any writings or documents provided to the City Council regarding any item on this agenda subsequent to distribution of the agenda packet will be posted on the City's website at www.burbankca.gov. If you have a question about any matter on the agenda, please call the Office of the City Clerk at (818) 238-5851. The Council Chamber is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision, or hearing impairments (48-hour notice is required). Please contact the ADA Coordinator at (818) 238-5051 with questions or concerns.

A. **Public Comment**: (On Closed Session and Study Session items only) To Comment, please telephone into the meeting at (818) 238-3335, or to speak in person a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

B. **Closed Session in City Hall First Floor Conference Room:**

1. Conference with Legal Counsel – Existing Litigation
   a. Pursuant to Govt. Code §54956.9(d)(1)
   b. Name of Case: Marissa O'Brien v. City of Burbank
   c. Case No.: 25STCV16099
   d. Brief description and nature of case: Labor and Employment Matter

2. Conference with Legal Counsel – Existing Litigation
   a. Pursuant to Govt. Code §54956.9(d)(1)
   b. Name of Case: Aleg Alman v. City of Burbank, et al.
   c. Case No.: 24NNCV05106
   d. Brief description and nature of case: Trip and fall

3. Conference with Legal Counsel – Anticipated Litigation
   a. Initiation of litigation pursuant to Govt. Code §54956.9(d)(4) City as Potential Plaintiff
   b. Number of potential case(s): 1

C. **Study Session: 5:00 p.m. – 6:00 p.m. – Council Chamber:**

1. Update on the Proposed Burbank Housing Corporation Master Loan Agreement Phase II Related to Activity Center Programming; and Proposed Financing for 2321-2335 North Fairview Street Development (The Village at Fairview Street) – Community Development Department (with Housing Authority)

   Attachments:
   SR - BHC Loan Agreement
   Att1 - BHC Neighborhood Map
   Att2 - The Village at Fairview Project Site
   PowerPoint Presentation

D. **Call to Order: 6:00 p.m.**

E. **Moment of Reflection:**

F. **Flag Salute:**

G. **Roll Call:**

H. **Announcements:** (The Mayor will make announcements on various topics in addition to any listed)

I. **Council Presentations/Recognitions**: (The Mayor will make presentations to various groups/persons)

1. Presentation of a Proclamation Declaring April 12-18, 2026, as "National Animal Control Officer Appreciation Week" in the City of Burbank – City Council

2. Presentation of a Proclamation Declaring April 19-25, 2026, as “National Library Week” in the City of Burbank – City Council

3. Presentation of a Proclamation Declaring April 29, 2026, as "Denim Day" in the City of Burbank – City Council

4. Presentation of a Proclamation Declaring April 2026 as “Records and Information Management Month” in the City of Burbank – City Council

5. Presentation of a Proclamation Declaring April 24, 2026, as “Armenian Genocide Remembrance Day” in the City of Burbank – City Council

J. **City Manager Report:** (Updates on Notable Events, if any)

K. **Presentations**:

1. Presentation of an Update on the Status of the City’s Specific Plans – Community Development Department

   Attachments:
   PowerPoint Presentation

L. **Reporting on Closed Session:** (The City Attorney will report the Closed Session items and report out actions taken)

M. **Joint General Public Comment:** (On any matter concerning City business and/or any agenda

items.) To Comment, please telephone into the meeting at (818) 238-3335 or to speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.)

N. **Council, City Manager, and/or City Attorney Comment:** (Responses to General Public Comment, if any, shall be brief and in accordance with the Ralph M. Brown Act)

O. **Consent Calendar**: (Items on the Consent Calendar are generally routine matters and should be adopted by one motion without an oral report)

1. Council Minutes – City Clerk's Office

   Recommendation:
   Approve the City Council Minutes of the Joint Meeting of April 7, 2026, and the Dark Meeting of April 14, 2026.

   MOTION: Approved 4-0 (Perez, absent)

   Attachments:
   Council Minutes
   Dark Meeting Minutes

2. Housing Authority Minutes – City Clerk's Office

   Recommendation:
   Approve the Housing Authority Minutes of the Joint Meeting of April 7, 2026.

   MOTION: Approved 4-0 (Perez, absent)

   Attachments:
   Housing Authority Minutes

3. Update on the Process of Considering the Installation of an Armenian Memorial, with a Designated Proposed Location of Johnny Carson Park – City Manager's Office

   Recommendation:
   Note and file.

   MOTION: Noted and Filed 4-0 (Perez, absent)

   Attachments:
   SR - Update on Armenian Memorial
   Att1 - First Step Report 10.17.23

P. **Public Hearing**:

1. Introduction of an Ordinance for a Zone Map Amendment to Establish a Zoning Designation of Single-Family Residential (R-1) and Adoption of a Resolution Amending the General Plan Land Use Map to Establish a Land Use Designation of Low Density Residential, for Portions of 17 Properties Located on the 600-700 Block of Roselli Street that are Proposed for Annexation into the City of Burbank, to Pre-Zone the 17 Properties Related to Same; Finding of CEQA Exemptions (14 CCR §§ 15319, 15601(b)(3).) – Community Development Department

   Recommendation:
   1. Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE ZONING MAP TO ESTABLISH ZONING DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL (R-1) ZONE FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181; ZONE MAP AMENDMENT).
   2. Adopt A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE GENERAL PLAN LAND USE MAP TO ESTABLISH LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181).

   **** If Additional Documents/Correspondences are submitted for this item, they will be periodically posted to the City website for public viewing.****

   Public Hearing Public Comment: To comment, please telephone into the meeting at (818) 238-3335. To speak in person, a **SALMON** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Introduced and Adopted 5-0 (Resolution No. 26-29,692)

   Attachments:
   SR - Roselli Street Annexation
   Att1 - Proposed Ordinance
   Att2 - Proposed Resolution
   Att3 - Resolution No. 24-29,567
   Att4 - LAFCO Application
   Att5 - Surrounding Area Designations
   Att6 - 02.23.26 Meeting Staff Report, Resolution, and Minutes
   Correspondences
   PowerPoint Presentation

Q. **Reports to Council**: (Items listed under this section will have an oral report provided)

1. Introduction of an Ordinance Amending Sections 4-2-113 and 4-2-122 of the Burbank Municipal Code, Relating to Procedures for Enrollment Upon Prior Notice in Solid Waste Collection Services – Public Works Department

   Recommendation:
   Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING BURBANK MUNICIPAL CODE SECTIONS 4-2-113 (SOLID WASTE GENERATOR REQUIREMENTS) AND 4-2-122 (HAULER LICENSE AND PERMIT REQUIREMENTS) RELATING TO PROCEDURES FOR ENROLLMENT UPON PRIOR NOTICE IN SOLID WASTE COLLECTION SERVICES.

   Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Introduced 5-0

   Attachments:
   SR - Solid Waste Collection Ordinance
   Att1 - Ordinance
   PowerPoint Presentation

2. Update on View Obstructing Fences in the Designated Hillside Area – Community Development Department

   Recommendation:
   Maintain the current regulations related to view obstructing fences in the designated hillside area.

   Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Provided direction to maintain the current regulations 5-0

   Attachments:
   SR - View Obstructing Fences in Hillside Area
   Att1 - Memo to Council
   Att2 - Ordinance No. 2758
   Att3 - Ordinance No. 3748
   Att4 - BMC 10-1-603(H)
   Att5 - Existing Fence Exception Process and Submittal Requirements
   Att6 - Existing HDP Process and Submittal Requirements
   PowerPoint Presentation

3. Update on the Initial Assessment of Wireless Telecommunication Facilities Standards and Forthcoming Recommendations – Community Development Department

   Recommendation:
   Note and file.

   Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Noted and Filed 5-0

   Attachments:

SR - Wireless Telecommunication Facilities
Att1 - FCC Comments
PowerPoint Presentation

R. **Council Comments:** (Including reporting on Council committee assignments, attendance at conferences, regional meetings, and community events)

S. **Introduction of Additional Agenda Items:** (Council Members may request future agenda items)

T. **Adjournment**: To Tuesday, May 5, 2026, for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: April 21, 2026

TO: Justin Hess, City Manager/Housing Authority Executive Director

FROM: Patrick Prescott, Community Development Director/Housing Authority Assistant Executive Director
BY: Maribel Leyland, Assistant Community Development Director

SUBJECT: Update on the Proposed Burbank Housing Corporation Master Loan Agreement Phase II Related to Activity Center Programming; and Proposed Financing for 2321-2335 North Fairview Street Development (The Village at Fairview Street)

BACKGROUND

This Study Session will provide the City Council an overview of Burbank Housing Corporation's (BHC) financial and operational analysis of its Activity Centers; present information related to future proposed amendments to the Master Loan Agreement Phase II (MLA II); and provide a comprehensive update on the Village at Fairview affordable housing development. This study session is for information purposes only. The actions requested by BHC will be presented at a later date for Council and Housing Authority Board consideration.

Related to Activity Center programming, the future actions include the proposed transition of Activity Center programming off-site and allowing those existing spaces to be utilized for other uses including affordable housing units. Furthermore, BHC proposes changes for the MLA II specific to the City's and Housing Authority's proposed financial participation in the Village at Fairview project that includes removing existing properties from BHC's portfolio for that new development. In summary, the Study Session will present information to the Council and Housing Authority Board for proposed, future actions.

BHC Partnership

The City and BHC's long-standing (25-year) relationship has created more than 320 affordable units utilizing the City's restricted housing funds. These funds include federal

HOME Investment Partnership (HOME) funds and Low- and Moderate-Income Housing funds of the former Redevelopment Agency.[1] BHC's units have restricted rents for Extremely-Low, Very-Low, Low- and Moderate-Income households. The affordability restrictions are in place for a minimum of 55 years, and City staff work closely with BHC on an annual basis to ensure affordability requirements are met. In 2024, BHC reported financial challenges affecting long-term sustainability and committed to returning with a financial analysis and plan for stability and portfolio growth.

MLA Phase I Approved in January 2025

Study sessions were held at City Council meetings on August 13, 2024 and November 26, 2024 to discuss the partnership between the City and BHC and present a proposal from BHC for amendments to the MLA to help improve their long-term financial outlook. Proposed amendments have been divided into phases to ensure proper review and implementation. Phase 1, approved January 14, 2025, made global accounting and oversight changes for BHC. Specifically, MLA Phase I modified the City's loan to BHC reducing the amount owed by BHC to the Authority and amended and restated several documents to reflect the new loan terms, extended the affordability covenant for an additional 55 years, and made other Council/Housing Authority Board approved changes. As the Housing Authority no longer receives ongoing restricted housing funds to assist BHC, these amendments gave BHC flexibility to apply for other funding sources, such as grants to help finance existing projects. MLA Phase I also put BHC in a more favorable position to investors for future development, which would require Authority/City action, and may involve state and federal tax credits or private funds such as BHC's The Village at Fairview project.

DISCUSSION

The presentation will describe BHC's need to transition activity centers off-site, and how the financial benefit from the proposed change will allow BHC to develop additional affordable housing. BHC will also present an overview of The Village at Fairview project including:

i. The release of the Fairview properties from the MLA and cross-collateralization of properties including no impact to the Golden State Focus Neighborhood in removing the Fairview properties from the portfolio.
ii. The Village at Fairview Tax Credit application. BHC will describe its first proposed application and its request for conditional commitment letters for City and Housing Authority proposed financing, including financing terms.
iii. Introduction of their development partner, Homes & Hope Development, who has experience with tax credit projects.

[1] Redevelopment Agencies were dissolved in the State of California as of February 1, 2012.

The following summary is for informational purposes only. Consideration of the proposed actions by the City Council and Housing Authority Board is scheduled for next month.

Transition of Activity Centers Programming Off-Site

BHC has declining participation at its onsite Activity Centers. Several households who originally benefited have aged out of school-based programming or attend elsewhere. The proposal amends several documents related to the operation of four activity centers:

1. Grismer Activity Center in the Peyton Grismer Neighborhood adjacent to the BHC Corporate office.
2. Verdugo Activity Center in the Verdugo Lake Neighborhood.
3. Catalina Activity Center in the Golden State Neighborhood.
4. The Elmwood Achievement Center in the Elmwood Neighborhood.

BHC is proposing transitioning programming off-site for the Grismer, Verdugo and Catalina Activity Centers in June 2026. Programming for the Elmwood Achievement Center would transition in the fall of 2027 (Map - Attachment 1).[2] BHC would realize financial benefit with transitioning the current onsite activity center programming to school site programming in partnership with Boys and Girls Club at 14 Burbank Unified School District Campuses. BHC has signed a five-year agreement with Boys and Girls Club, at discounted rates, for after- school programming which begins Fall 2026. BHC will work with families to provide financial assistance to offset fees by applying for grant funding and private donations.

Consideration of this proposed transition at a later date will add four new affordable housing units to BHC's portfolio. BHC will present financial information that demonstrates the 10-year impact to BHC cash flow by transitioning Activity Center programming off-site and creating four new affordable housing units during the study session presentation.

The Village at Fairview

In February 2025, BHC received entitlements to construct an apartment-style multi-family residential building with 60 units (44 net new units) on the properties located at 2321, 2325, 2331, and 2335 N Fairview Street (Project) (Attachment 2). The project site includes four separate lots along Fairview Street that are not tied together. The total area of the four lots combined is 27,192 square feet or 0.6 acres. The Project utilized state density bonus law to demolish 16 existing units and develop 60 new affordable dwelling units on the site. State density bonus law does not require parking; however, the Project includes 60 parking spaces.

[2] There is no activity center in the Lake Alameda Neighborhood.

During the Development Review process, staff held a community meeting on January 30, 2025, to inform the public of the proposed Project and solicit feedback. In addition, a Replacement Housing plan and Relocation plan for the existing 16 units on site was completed. The Replacement Housing Plan was approved with the MLA amendments in January 2025, and a Relocation Plan will be presented with final financing approval of the City Council and Housing Authority Board.

Proposed Financing

The Village at Fairview is estimated to cost $51 million. BHC has submitted a financing proposal requesting financial assistance from the City and Housing Authority to finance the development with Low- and Moderate-Income Housing Asset funds (LMIHAF), federal Home Investment Partnerships funds (HOME) and project-based vouchers. In addition, BHC will submit a 4% tax credit application in May 2026 – noted as Limited Partner/Capital Contribution in the following chart:

Permanent Sources	
Source	**Amount**
Conventional Permanent Loan	$4,557,000
Housing Authority Low & Moderate Income Housing Asset Fund**	$5,772,883
City HOME Funds**	$2,592,389
Existing BHC Debt Rollover	$2,879,425
Regional Housing Trust Fund	$475,000
Senator Portantino's Office	$2,000,000
Deferred Developer Fee	$3,214,193
General Partner/Capital Contribution	$100
Limited Partner/Capital Contribution	$29,347,881
Total	**$50,838,871**

To submit their tax credit application, BHC has requested the City Council and Housing Authority Board consider authorizing the City Manager/Executive Director to execute conditional commitment letters for the City/Authority requested funds. If BHC is awarded funds through the tax credit application, staff will return to Council and the Housing Authority Board to execute complete loan documents and subordination agreements along with the Relocation Plan referenced above.

**City/Authority Proposed Assistance and Funding Sources	Total
Authority Loan to BHC (LMIHAF)	$5,772,883
City Loans to BHC (HOME)	$2,592,389
Total City/Authority Sources	**$8,365,272**

Project Based Vouchers

The Burbank Housing Authority released a Request for Proposals in July 2024 accepting invitations for the utilization of project-based vouchers (PBVs). PBVs is a financing tool authorized by the federal department of Housing and Urban Development (HUD) to utilize a portion of its Housing Choice Voucher allocation (Section 8 voucher allocation) for the financial benefit of a project-specific affordable housing project. BHC was the only respondent and requested 20 PBVs for The Village at Fairview project. Of the 20 vouchers requested, 15 will be utilized for formerly homeless households. To support those households, BHC will provide services via a local service provider. In addition to conditional commitment letters for LMIHAF and HOME funds as described, BHC is also requesting a conditional commitment letter for the PBV allocation.

Proposed MLA Phase II

To support The Village at Fairview tax credit application, BHC is requesting the City and Housing Authority Board authorize the City Manager/Executive Director to execute conditional commitment letters. Upon a tax credit award, staff will return to the City Council and Housing Authority Board to approve loan and subordination documents. The Fairview properties must be removed from all MLA-related agreements, and these actions constitute MLA Phase II. Once a tax credit award is received, additional City/Authority actions would be required, including:

- Amendment of the MLA and MLA Promissory Notes
- Termination of Affordable Housing Agreements relating to the Fairview parcels
- Reconveyance and release of MLA deeds of trust and regulatory agreements
- Execution of a new regulatory agreement reflecting revised affordable unit counts and 55-year affordability requirements

As previously mentioned, the MLA Phase I put BHC in a more favorable position for investors for future development. The Village at Fairview project is BHC's next affordable housing opportunity for the community. The proposed actions for MLA Phase II summarized above, along with the proposed changes to transition the activity center programming off-site, will provide BHC with the financial ability to develop The Village at Fairview project. These proposed MLA Phase II changes will allow BHC to pursue funding for this new development without affecting BHC's financial stability that was the goal of the MLA Phase I approved by the City Council and Housing Authority Board.

ENVIRONMENTAL REVIEW

This study session is not a project subject to the California Environmental Quality Act (CEQA) under State CEQA Guidelines § 15060(c)(2), in that no action is being taken, Council is only discussing future document modifications related to activity center programming and conditional commitment letters for financing will not result in a direct or reasonably foreseeable indirect physical change in the environment. The study session is further and independently exempt from the California Environmental Quality Act under State CEQA Guidelines § 15061(b)(3), in that it can be seen with certainty there is no possibility the modification documents and conditional commitment letters will have a significant effect on the environment. The underlying Village at Fairview project is subject to environmental assessment under California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) because it uses federal funds. CEQA and NEPA review is complete, and the Council/Housing Authority Board will adopt that compliance at final financing consideration at a later date.

FISCAL IMPACT

There is no fiscal impact to the City or Housing Authority with this study session, which is for informational purposes only. Information on the fiscal impact, if any, on transitioning Activity Center programming off-site, and the proposed conditional commitment letters to The Village at Fairview project will be a separate item for consideration of the City Council and Housing Authority Board.

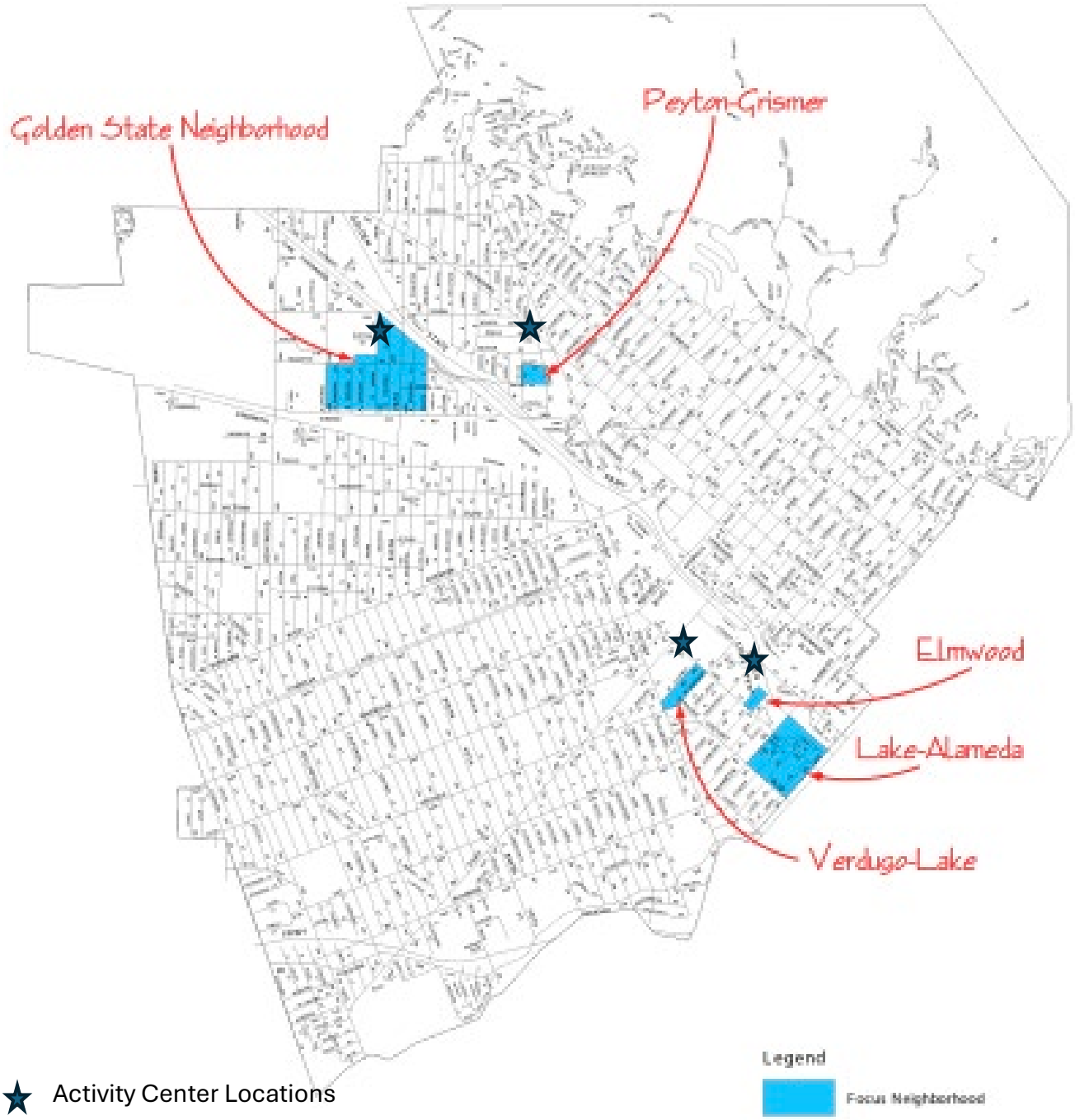
CONCLUSION

This study session will provide the City Council and Housing Authority Board with a comprehensive overview of BHC's operational and financial restructuring efforts, preview proposed Phase II amendments to the MLA, and the financing strategy for The Village at Fairview development. The summary of the proposed actions will help reinforce BHC's long-term financial stability, enhance the City's affordable housing portfolio, and support production of new units that address identified community housing needs. After the study session, the City Council and Housing Authority Board will consider modifying documents for the transition of Activity Center programming off-site and authorizing the execution of conditional commitment letters for Housing Authority and City funds in the amount of $8,365,272, and the reservation of 20 PBV's. That future item will present the draft legal documents and draft financing letters for the Council and Housing Authority Board's approval approving these actions.

ATTACHMENTS

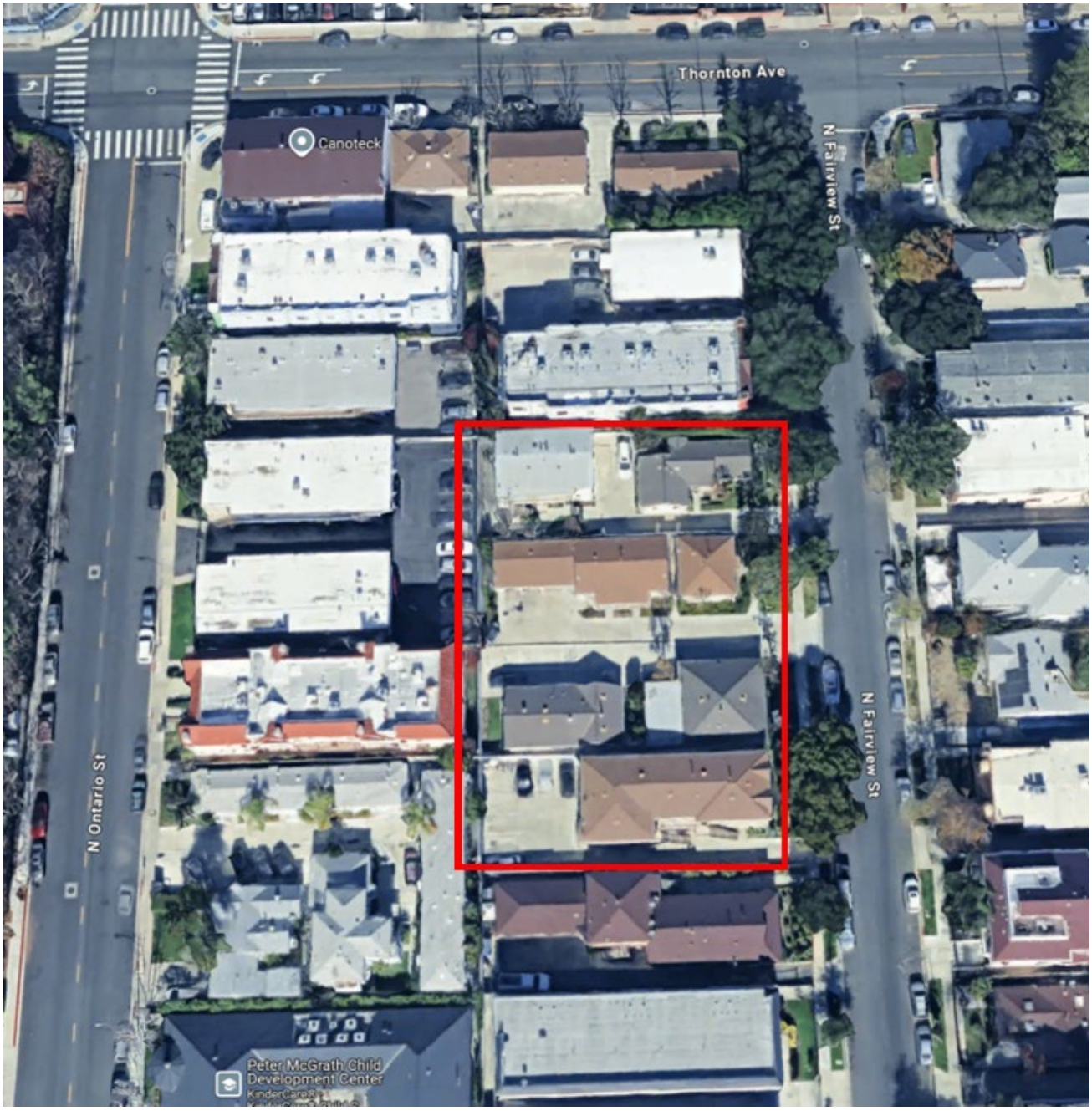
Attachment 1 – BHC Neighborhood Map
Attachment 2 – The Village at Fairview Project Site

Burbank Housing Corporation Neighborhood Map



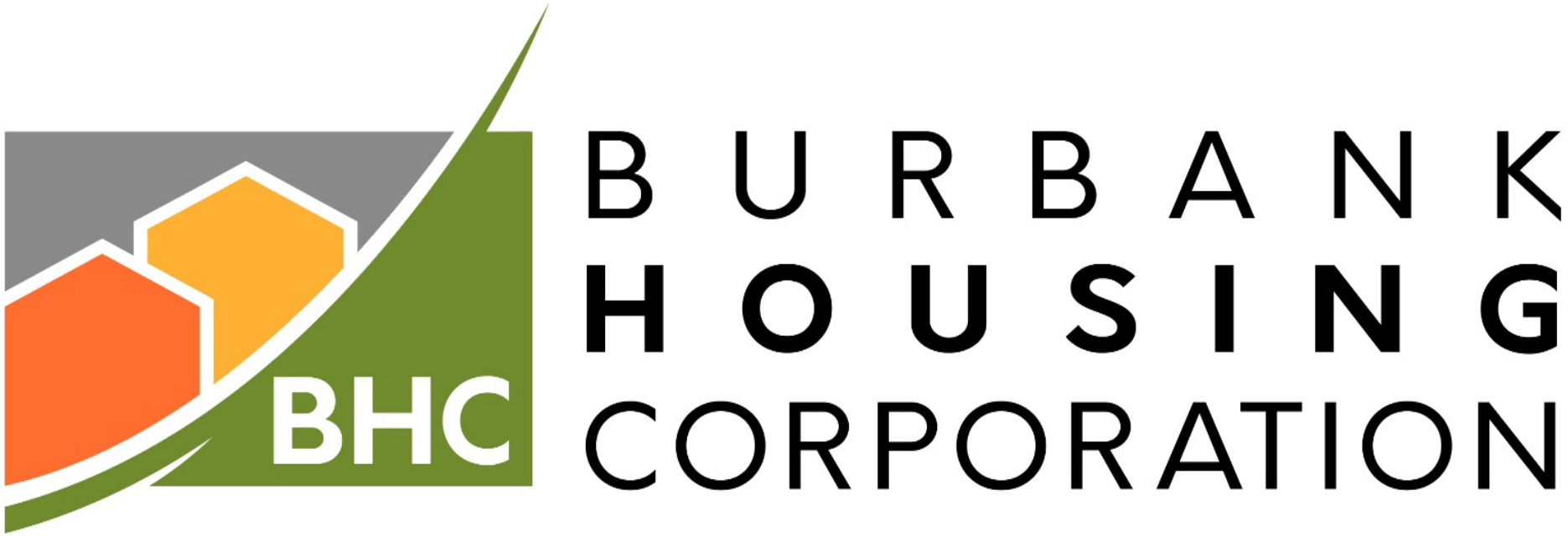
ATTACHMENT 1 – 1

THE VILLAGE AT FAIRVIEW
PROJECT SITE



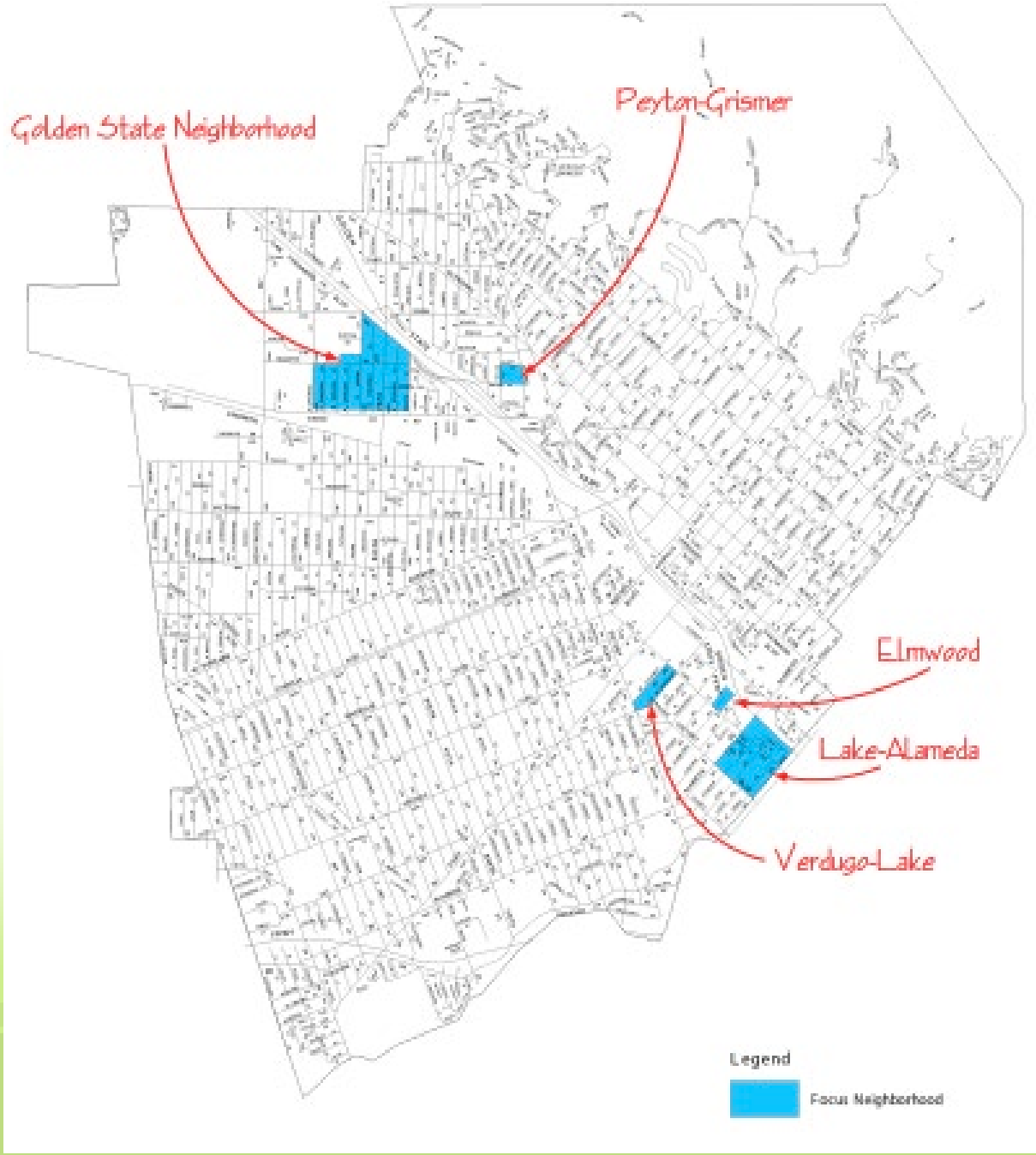
2321 – 2335 N Fairview Street

ATTACHMENT 2 – 1


BHC
BURBANK
HOUSING
CORPORATION

BHC Focus Neighborhoods: 326 Units

- Elmwood: 65 Units
- Peyton-Grismer: 77 Units
- Lake/Alameda: 15 Units
- Golden State: 78 Units
- Verdugo/Lake: 72 Units
- Special Projects: 8 Units
- Veteran Bungalows: 11 Units



Burbank Housing Corporation

Maintain Fiscal and Operational Stability

Position BHC for Growth

Challenges of BHC's Activity Centers After-School Program

1. Low Attendance
2. Change in Demographics
3. Other After-School Programs
4. High Cost Per Participant
5. Low Grant Funding Opportunities

The BHC Bridge Program – Fall 2026

- Transition the Activity Center after-school program to a Boys and Girls Club (BGC)-operated school-site program at 14 BUSD campuses
- Legacy Participants will be fully supported
- Negotiated rates: $60–$70 per month per child
- BHC will cover 100% of fees for participating families
- Total Cost: $18,000

The BHC After-School Access Program
Spring 2027 & Beyond

- 5-Year Program Agreement with BGC
- Affordable Monthly Rates
- Expansion of Access Program to Entire Housing Portfolio
- Participant Eligibility
- BHC's Continued Commitment to our Families

Change of Use of Activity Centers

Grismer Activity Center	Close Center: June 2026 Future Use: Management Office – a 1-bedroom Very Low-Income Unit will become available at 1815 Grismer upon the management offices move. Unit Available: September 2027
Verdugo Activity Center	Close Center: June 2026 Future Use: 2-bedroom Moderate Income Unit (Single Family Home) Unit Available: January 2028
Golden State Activity Center	Close Center: June 2026 Future Use: 2-bedroom Moderate Income Unit (Single Family Home) Unit Available: January 2028
Elmwood Achievement Center	Close Center: Fall 2027 Future Use: 2; 1-bedroom Moderate Income Units Units Available: December 2028

Operational Viability Enables Portfolio Growth

Maintain Fiscal and Operational Stability

Activity Center Transition

- High cost and low usage
- Adds 4 affordable housing units
- Allows for redevelopment of a portion of Fairview properties

Position BHC for Growth

Fairview Development

- Portfolio Can Absorb Revenue Loss for 16 Fairview Units
  - Redevelopment of 16 units to generate 60 affordable units
  - Portfolio increases to 363 affordable units

BHC Portfolio Stabilization

Portfolio 299 Units with Activity Centers

- 10-Year Cumulative Cash Flow
- -$1,850,415

Portfolio 299 Units without Activity Centers

- 10-Year Cumulative Cash Flow
- $403,343

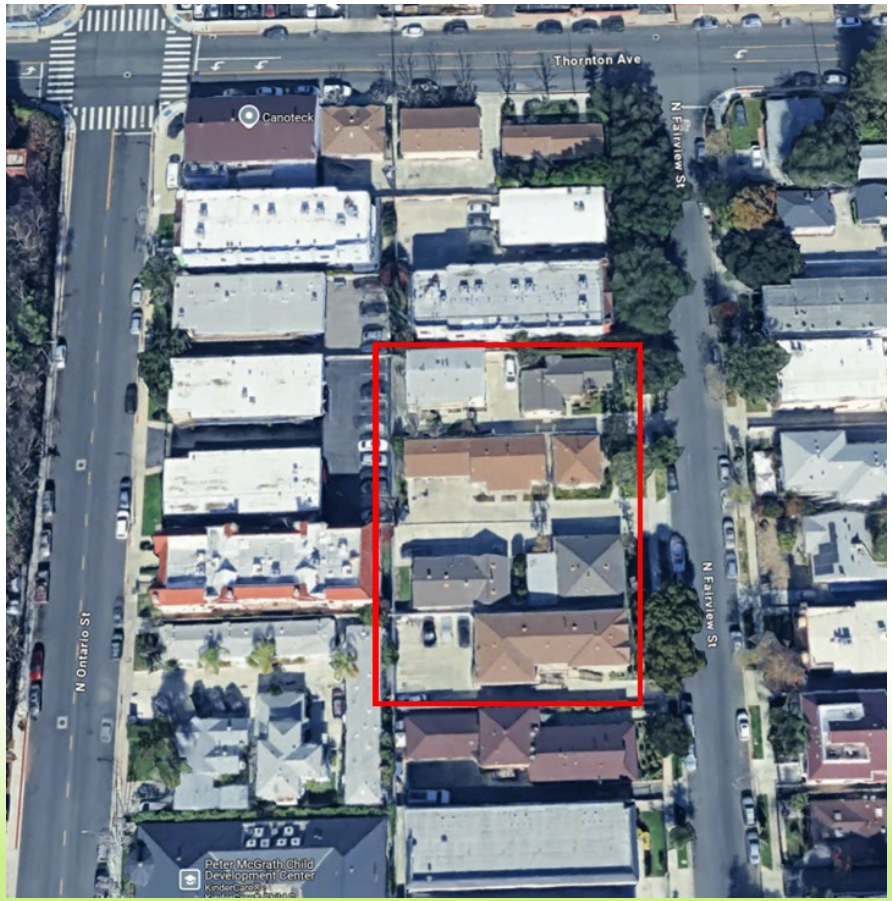
BHC Portfolio Expansion Feasibility

Golden State Neighborhood	Fairview Properties	Redevelop portion of site
		Remove 16 units to develop 60 new units
Financial Viability	Positive Impacts of MLA Amendment	16 units represent 41% of Golden State Focus Neighborhood Revenue
	Revenue impact of removing the 16 units	Larger Revenue Generating Units Being Removed

Financial Viability as the Foundation for Growth

- New Development: 60 Units
- Total Affordable Housing Portfolio: 363 Units
- Projected 10-Year Cumulative Cash Flow: $403,343
- Advancing City Housing Element (RHNA) Goals

Future Development Opportunity



- 7 existing buildings, with a total of 16 units
- **2321 N Fairview St** – One, 2-story, 6-unit building on a 6,885 sq. ft. lot.
- **2325-2327 N Fairview St** – Two single story houses on a 6,793 sq. ft. lot.
- **2331-2333 N Fairview St** – One single story house & one duplex on a 6,787 sq ft lot.
- **2335 N Fairview St** – One single story house & 2 story, 5 unit building on a 6,796 sq. ft. lot.

The Village At Fairview Development Team

Burbank Housing Corporation

Sylvia Moreno – Executive Director, smoreno@burbankhousingcorp.org
Raha Arnold – Vice President of Operations, rarnold@burbankhousingcorp.org

Homes & Hope

Alexander Russell – Chief Executive Officer, alex@homesnhope.com

Y & M Architects

Manuel Salazar – Lead Architect, msalazar@ymarch.com

Proposed Development

The Village at Fairview

Y&M Architects



Proposed Elevations

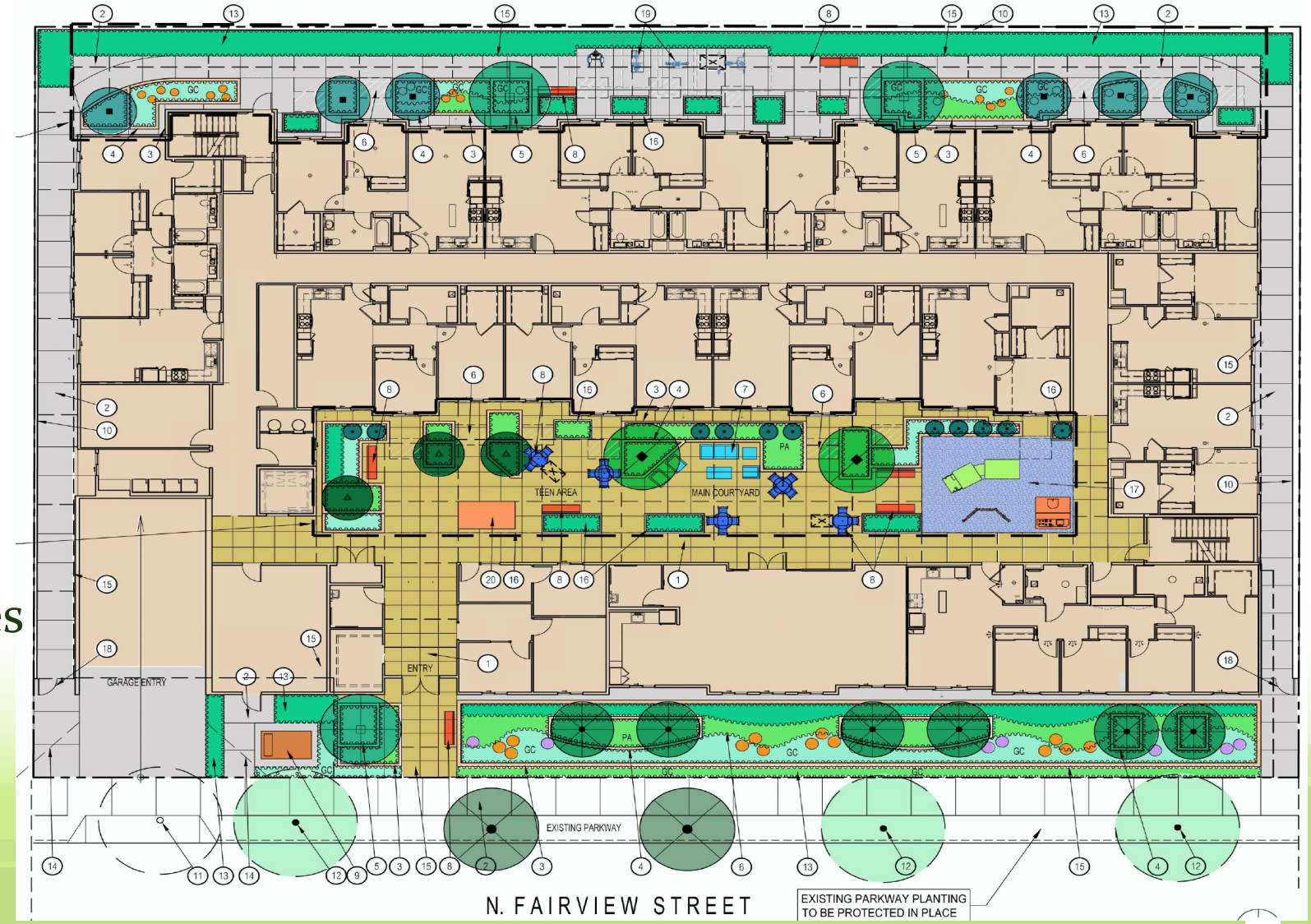


FRONT ELEVATION (EAST) 1
SCALE: 1" = 10'-0"



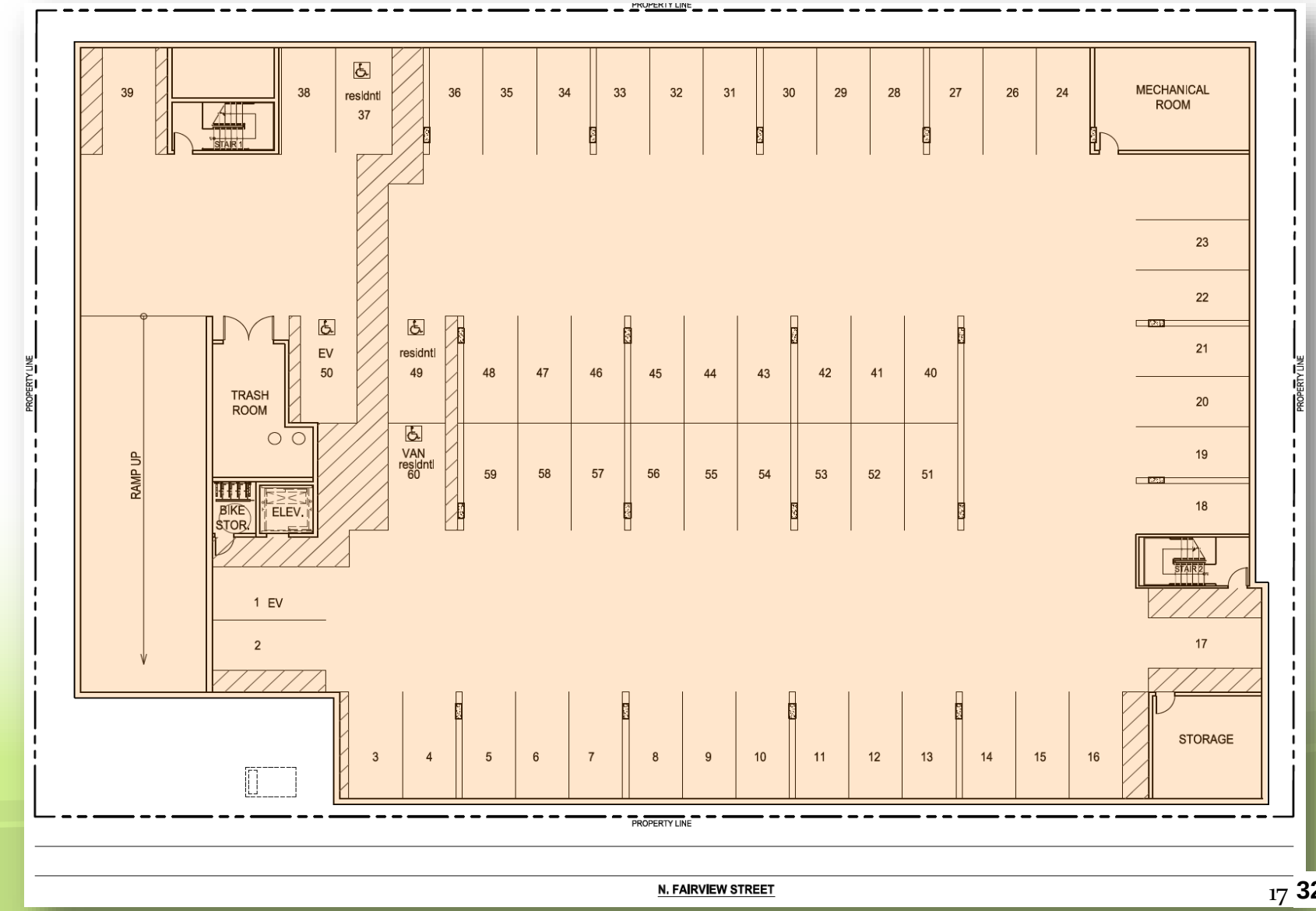
Site Plan & Amenities

- **2,660 sq. ft.** central courtyard featuring a tot lot, gaming tables, and sitting areas
- **3,172 sq. ft.** rear courtyard with outdoor exercise equipment
- 60 Subterranean Parking Spaces
- Onsite Managers Unit



Subterranean Parking

- 60 parking spaces
- 7 bicycle spaces



•Required concessions and waivers utilized
•Public appeal period concluded

Project Status

Development Review

- Planning and environmental review completed.
- Public appeal period concluded.

Tenant Relocation Plan

- Relocation Plan prepared and submitted to City for approval.
- Existing tenants have right to return to comparable units.

Supportive Services Provider

Home Again Los Angeles (HALA)

- 60 Families Served
  - 15 PBV to serve Homeless Families
  - 5 PBV to serve Very Low-Income Families
- On-Site Services
- Core Support
  - Case Management
  - Benefit Access
  - Employment Support
- On-Site Staffing
  - 1 On-site Case Manager
- Community Workshops
- Homeless Resource Center Nearby

Development Timeline



Development Approvals

February 2026

- Review Completed
- Waivers Approved
- Appeals Concluded

Financing Approvals

May – September 2026

- Funding Commitments
- Tax Credit Application
- Agreements Signed

Tenant Relocation

September 2026 – February 2027

- Plan Approved
- Relocation Assistance
- Right to Return

Construction

March 2027 – February 2028

- Construction Begins
- Project Completion

Financing Sources

Permanent Source	Amount
Conventional Permanent Loan	$4,099,000
Housing Authority Low & Moderate Income Housing Asset Fund	$5,772,883
City HOME Funds	$2,592,389
Existing BHC Debt Rollover	$2,879,425
Regional Housing Trust Fund	$475,000
Senator Portantino's Office	$2,000,000
Deferred Fee Paid Over Time	$3,082,336
General Partner/Capital Contribution	$100
Limited Partner/Capital Contribution (Low-Income Tax Credits)	$28,911,576
Total Source of Funds	**$49,812,709**

City & Housing Authority Requests

Activity Center Change of Use

- MLA II Modifications Reflecting Change of Use

Existing Fairview City Loan Rollover: $2,879,425

- Use: Permanent Financing
- Interest Rate: Greater than the AFR or 3%
- 55 Year Term
- Third Lien Position

New Fairview City and Housing Authority: $8,365,272

- Use: Construction and Permanent Financing
- 3.0% simple interest
- 55-year loan
- Second Lien Position

Burbank Housing Authority Project Based Vouchers

- 15 Homeless units and 5 Very Low-Income units.

Ownership and Management



Single Asset Entity Limited Partnership

General Partners





Homes & Hope	Burbank Housing Corporation
• Entitlements & Financials • Tax Credit Application • Loan Closing • Project Construction	• Lease Up • Ongoing Operations • Compliance Monitoring

Thank You



Specific Plans Update

CITY OF BURBANK
COMMUNITY DEVELOPMENT

City Council Meeting
4.21.2026

Why Are We Here?



- Housing Affordability, Availability, Demand, and State-mandates
- City Council goal to facilitate 12,000 units by 2035
- State-mandate to facilitate 8,772 units by 2029

Specific Plans Goals

- Reflect community vision through objective standards
- Ensure contextual design
- Facilitate housing development
- Align housing with transit opportunities



Airport/Golden State Area

Specific Plan Timelines

	Winter 2026	Spring 2026	Summer 2026	Fall 2026	
MDSP	Release Draft EIR	Respond to Comments/prepare Final EIR or Recirculate Draft EIR Release revised policy document	Planning Commission and City Council Consideration		
DTN TOD	Complete draft policy document	Release draft policy document	Release Draft EIR	Release Final EIR	Planning Commission and City Council
GSSP	Continue work on draft policy document	Complete draft policy document	Release draft policy document	Release Draft EIR	Release Final EIR Planning Commission and City Council
Rancho	Visioning	Policy Formulation	Outreach and Preparation of Draft EIR	Release Draft EIR and Policy Document	Public Outreach

A Closer Look: Media District Specific Plan



Media District Specific Plan Area

- Draft Program Environmental Impact Report (EIR) released
- Extensive public comments related to utility infrastructure
- Additional analysis required

NEW: Sustainable Infrastructure Alternative

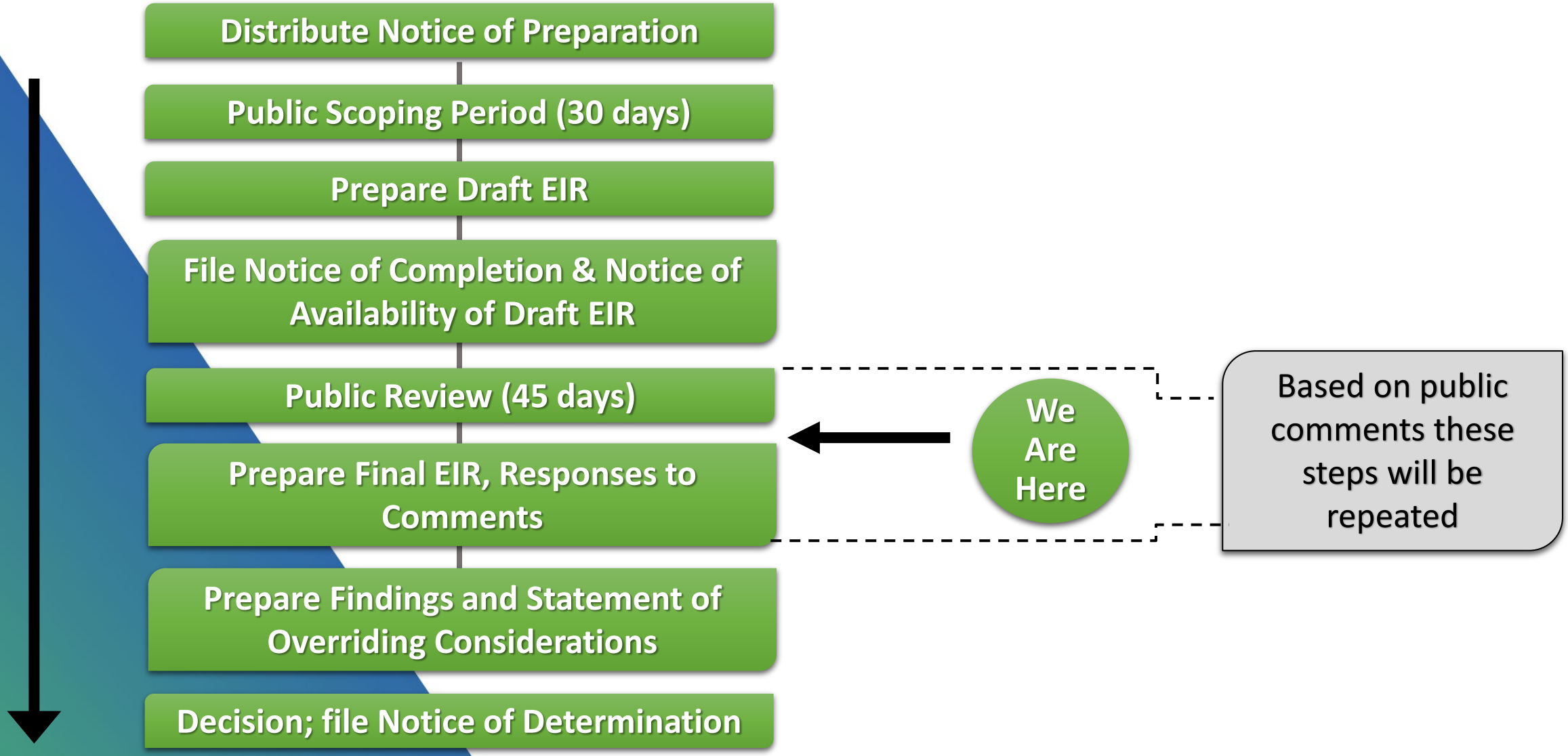
New “Alternative” has been developed

Focuses on concurrency between land use and utility/infrastructure capacity

Critical for informing long term utility planning

Information will be used beyond the planning period

MDSP EIR/CEQA Next Steps



Benefits of Completing the Specific Plans

- Facilitate and streamline compatible housing
- Promote economic development
- Additional flexibility in development standards
- Greater transparency and certainty
- Road map for future progress

City Planning Contact Information

Fred Ramirez, Assistant Director
framirez@burbankca.gov

Scott Plambaeck, Planning Manager
splambaeck@burbankca.gov

Specific Plan	Project Manager
Media District	Amanda Landry alandry@burbankca.gov
Downtown TOD	Leonard Bechet lbechet@burbankca.gov
Golden State	Daniel Villa dvilla@burbankca.gov
Burbank Rancho Neighborhood	Amanda Landry alandry@burbankca.gov Greg Mirza Avakyan gmirzaavakyan@burbankca.gov

COMMUNITY DEVELOPMENT

CITY OF BURBANK
CITY COUNCIL MINUTES
JOINT MEETING WITH THE SUCCESSOR AGENCY, HOUSING AUTHORITY, PARKING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND YOUTH ENDOWMENT SERVICES FUND BOARD
TUESDAY, APRIL 7, 2026

Call to Order:

A Closed Session Meeting of the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 4:07 p.m. by Mayor Takahashi.

Present: Council Member(s) Anthony, Perez, Rizzotti, Vice Mayor Mullins, and Mayor Takahashi
Absent: None
Also Present: City Manager Hess, City Attorney McDougall, and City Clerk Clark

Closed Session Public Comment:

There being no response to the Mayor's invitation for Public Comment on Closed Session matters, the City Council recessed at this time to the City Hall First Floor Conference Room to hold a Closed Session on the following:

1. Conference with Legal Counsel – Existing Litigation
    a. Pursuant to Govt. Code §54956.9(d)(1)
    b. Name of Case: Marine Bezhanyan v. City of Burbank
    c. Case No.: 25STCP03832
    d. Brief description and nature of case: Civil Rights

2. Conference with Real Property Negotiator
    a. Pursuant to Govt. Code §54956.8
    b. Property: 6 West Burbank Blvd., Burbank, CA 91502; Assessor's Parcel Number (APN) 2449-031-003
    c. Parties Whom Agency or City is Negotiating with: Mark A. Alvarado (property owner) through his Broker, Greg Barsamian of CBRE
    d. City Negotiator: Simone McFarland, Assistant Community Development Director – Business & Economic Development
    e. Terms Under Negotiation: Potential Real Estate Purchase

3. Conference with Labor Negotiator
    a. Pursuant to Govt. Code §54957.6
    b. Name of the City Negotiator: Betsy McClinton, Management Services Director
    c. Name of Organizations Representing Employee: Burbank City Employees' Association

Call to Order:
A Joint Meeting of the City Council and the Successor Agency, Housing Authority, Parking Authority, Public Financing Authority, and Youth Endowment Services Fund Board of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:07 p.m. by Mayor Takahashi.

Moment of Reflection:
Mayor Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community.

Flag Salute:
The Pledge of Allegiance was led by Mayor Takahashi.

Roll Call:
Present: Council Member(s) Anthony, Perez, Rizzotti, Vice Mayor Mullins, and Mayor Takahashi
Absent: None
Also Present: City Manager Hess, City Attorney McDougall, and City Clerk Clark

Mayor Takahashi indicated there would be six (6) periods of Public Comment at this evening's meeting and those who wish to participate in the General Public Comment and Public Hearing Public Comment periods may call in at (818) 238-3335. The Reports to Council Public Comment period will only be taken in person.

Announcements:
Mayor Takahashi displayed a PowerPoint presentation announcing the following: (1) eComment; (2) Ban on Gas Leaf Blowers; (3) Central Library and Public Plaza Community Workshops; and (4) Earth Day Artwork Presentation.

Council Presentations/Recognitions:

1. Presentation of a Proclamation Declaring April 1–30, 2026, as "Arts, Culture and Creativity Month" in the City of Burbank
   Mayor Takahashi presented a proclamation declaring April 1–30, 2026, as "Arts, Culture and Creativity Month" in the City of Burbank and introduced members of the Burbank Cultural Arts Commission.

2. Presentation of a Proclamation Declaring April 1–30, 2026, as "Autism and Neurodiversity Celebration and Acceptance Month" in the City of Burbank
   Mayor Takahashi presented a proclamation declaring April 1–30, 2026, as “Autism and Neurodiversity Celebration and Acceptance Month" in the City of Burbank and introduced Trey Mihal and Lucas Thornbury from Burbank ACEing Autism, who made remarks.

3. Presentation of a Proclamation Declaring April 12–18, 2026, as "National Public Safety Telecommunications Week" in the City of Burbank
   Mayor Takahashi presented a proclamation declaring April 12–18, 2026, as "National Public Safety Telecommunications Week" in the City of Burbank and

introduced Communications Supervisor Brianna Berridge, Operators Brittany Lerian and Ashley Gastil, and Police Chief Rafael Quintero, who made remarks.

4. Presentation by the Burbank Tournament of Roses Association for Receiving the 137th Tournament of Roses Parade Theme Award
   Mayor Takahashi presented a Certificate of Recognition to the Burbank Tournament of Roses Association for receiving the 137th Tournament of Roses Parade Theme Award and introduced Linda Cozakos, Association President, who made remarks.

5. Presentation of a Certificate of Recognition to Roosevelt Elementary School for the Roosevelt Bike Bus Program
   Mayor Takahashi presented a Certificate of Recognition to Roosevelt Elementary School for the Roosevelt Bike Bus Program and introduced Roosevelt's Planeteers Member Valen Rosenman, who made remarks.

City Manager Report:
City Manager Hess indicated there were no items to report.

Reporting on Closed Session:
City Attorney McDougall reported that the City Council met in Closed Session regarding the agendized Closed Session items and City Council took no reportable action.

City Attorney McDougall reported the Council met in a special meeting on March 13, 2026, to discuss existing litigation case, *Nicholas Gutierrez v. City of Burbank,* and took no reportable action. The City has subsequently entered into a settlement agreement, the terms of which were summarized in a press release available on the City's website.

Joint General Public Comment:
Appearing to comment were: Ron Bax, Cynthia Pease, Jeff Ferguson, Phil Booth, Debbie Kaye, Mark Scroggs, Michael Stanley, Eric Hawk, Diana Pulver, Shelby Grimm, Michael Graves, Jim Festante, Daniel Cronin, Dan K., Janet Diehl, Forrest Childers, Juliane Crump, Alfonso Directo Jr., Jo Pimienta, Elizabeth Bax, Nathan Adair, Kreigh Hampel, and David Donahue.

Calling in to comment were: Jonathan Wilder and Corey Mensing.

Council, City Manager, and/or City Attorney Comment:
Council Members and Staff responded to Public Comment.

Consent Calendar:
It was moved by Vice Mayor Mullins, seconded by Council Member Perez, to approve the Consent Calendar. The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

1. Council Minutes
   Approve the City Council Minutes of the Regular Meeting of March 24, 2026; the Special Meeting of March 30, 2026; and the Dark Meeting of March 31, 2026.

2. Successor Agency Minutes
   Approve the Successor Agency Minutes of the Joint Meeting of January 13, 2026.

3. Housing Authority Minutes
   Approve the Housing Authority Minutes of the Joint Meeting of January 13, 2026.

4. Parking Authority Minutes
   Approve the Parking Authority Minutes of the Joint Meeting of March 10, 2026.

5. Public Financing Authority Minutes
   Approve the Public Financing Authority Minutes of the Joint Meeting of September 9, 2025.

6. Youth Endowment Services Fund Board Minutes
   Approve the Youth Endowment Services Fund Board Minutes of the Joint Meeting of January 13, 2026.

Public Hearing:

1. Adoption of a Resolution Approving the Burbank Public Housing Agency Annual Plan for Fiscal Year 2026-2027 and Proposed Administrative Plan Updates (with Housing Authority)
   The Public Hearing was opened at 7:56 p.m. There were no Conflict of-Interest disclosures. City Clerk Clark affirmed receipt of Proof of Publication; confirmed there was a complete file of exhibits and correspondence including emails and other documents, and that no written correspondence was received.

   Odet Ayvazyan, Housing Development Manager, presented the PowerPoint Presentation and responded to City Council inquiries. Maribel Leyland, Assistant Community Development Director – Business and Economic Development, also responded to Council inquiries.

   Council Member Perez left the dais at 7:59 p.m.

   Public Comment:
   Appearing to comment was: None.

   Calling in to comment was: None.

   The Public Hearing was closed at 8:32 p.m.

   Council Action:
   It was moved by Council Member Anthony, seconded by Vice Mayor Mullins, to:

   RESOLUTION NO. H-26-276
   Adopt A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF BURBANK APPROVING: 1) THE PUBLIC HOUSING AGENCY ANNUAL PLAN

FOR FISCAL YEAR 2026-2027; 2) UPDATES TO THE SECTION 8 ADMINISTRATIVE PLAN; AND 3) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CERTIFICATIONS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

The motion carried 4-0 with the following roll call vote: AYES: Anthony, Rizzotti, Mullins, and Takahashi. NOES: None. ABSENT: Perez.

Reports to Council:

1. Introduction of an Ordinance Amending and Restating Title 2, Chapter 1, Article 4 (Boards, Commissions, and Committees) of the Burbank Municipal Code

   Kimberley Clark, City Clerk, presented the report and responded to City Council inquiries. Joseph McDougall, City Attorney, also responded to Council inquiries.

   Council Member Perez returned to the dais at 8:39 p.m.

   Public Comment:
   Appearing to comment was: None.

   Council Action:
   It was moved by Council Member Anthony, seconded by Council Member Rizzotti, as amended, to:

   Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING AND RESTATING TITLE 2, CHAPTER 1, ARTICLE 4 (BOARDS, COMMISSIONS, AND COMMITTEES) OF THE BURBANK MUNICIPAL CODE RELATING TO COMPOSITION AND FUNCTIONS OF BOARDS, COMMISSIONS AND COMMITTEES.

   The motion failed 2-3 with the following roll call vote: AYES: Anthony and Rizzotti. NOES: Perez, Mullins, and Takahashi.

2. Review of City Treasurer's Investment Portfolio Report for December 31, 2025 (with All Agencies)

   Krystle Palmer, City Treasurer, presented the PowerPoint Presentation and responded to City Council inquiries.

   Public Comment:
   Appearing to comment was: None.

   Council Action:
   It was unanimously approved by Council consensus to note and file.

3. Discussion and Update on Measure A Los Angeles County Affordable Housing Solutions Agency Funding

City Attorney McDougall announced that Council Member Anthony requested a copy of Measure A and copies are available to the public.

Kasey Lee, Housing Development Manager, presented the PowerPoint Presentation and responded to City Council inquiries. Maribel Leyland, Assistant Community Development Director – Business and Economic Development; Justin Hess, City Manager; and Joseph McDougall, City Attorney, also responded to Council inquiries.

Public Comment:
Appearing to comment was: None.

Council Members voted by consensus to continue with City business past 11:00 p.m.

Council Action:
It was unanimously approved by Council consensus to provide direction to staff on possible Measure A projects and programs.

4. Update on Homelessness Programs and the Homeless Solutions Center; Approval to Withdraw the Request for Grant Funding from the Burbank-Glendale-Pasadena Regional Housing Trust Joint Power Authority; and Discussion of Potential Options for Property Previously Slated for Homeless Solutions Center

Simone McFarland, Assistant Community Development Director – Business and Economic Development, and Kasey Lee, Housing Development Manager, presented the PowerPoint Presentation and responded to City Council inquiries. Maribel Leyland, Assistant Community Development Director – Business and Economic Development; Robert Newman, Administrative Analyst II - Community Development Department; Justin Hess, City Manager; and Joseph McDougall, City Attorney; also responded to Council inquiries.

Public Comment:
Appearing to comment were: MJ Kinney and Ron Bax.

Council Action:
It was moved by Council Member Anthony, seconded by Council Member Perez, to:

1. Direct the City Manager, or his designee to withdraw the grant funding request made to the Burbank-Glendale-Pasadena Regional Housing Trust in the amount of $3,450,000.
2. Direct staff to research alternate options for the City-owned site located at 211, 323, and 333 S. Front Street, 10 E. Verdugo Avenue, and a portion of

the adjacent Downtown Metrolink Parking Lot in Burbank, previously proposed for the Homeless Solutions Center.

The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

Council Comments:
Council Members reported out on Council committee assignments and attendance at conferences, regional meetings, and community events.

Introduction of Additional Agenda Items:
Mayor Takahashi requested a status update on her previous request for an informational memo on the community/special events process, including requirements for hosting events and applicable insurance requirements.

Adjournment:
There being no further business to come before the City Council, the meeting was adjourned at 12:40 a.m. to Tuesday, April 21, 2026 for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
City Clerk	Mayor

APPROVED DATE:

CITY COUNCIL REGULAR MEETING MINUTES
DARK MEETING
TUESDAY, APRIL 14, 2026

A Regular Meeting of the Council of the City of Burbank was not held on the above date.

Kimberley Clark
City Clerk

Tamala Takahashi
Mayor

APPROVED DATE:

HOUSING AUTHORITY MINUTES
A JOINT MEETING WITH THE CITY COUNCIL
TUESDAY, APRIL 7, 2026

Call to Order:
A Joint Meeting of the Housing Authority and the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:07 p.m. by Chair Takahashi.

Moment of Reflection:
Chair Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community.

Flag Salute:
The Pledge of Allegiance was led by Chair Takahashi.

Roll Call:
Present: Commissioner(s) Anthony, Perez, Rizzotti, Vice Chair Mullins, and Chair Takahashi
Absent: None
Also Present: Executive Director Hess, City Attorney McDougall, and Clerk Clark

Closed Session, Announcements, Council Presentations/Recognitions, City Manager Report, Reporting on Closed Session, Council Comments, and Introduction of Additional Agenda Items were City Council items only and can be found in the City Council Meeting Minutes.

Joint General Public Comment:
Appearing to comment were: Ron Bax, Cynthia Pease, Jeff Ferguson, Phil Booth, Debbie Kaye, Mark Scroggs, Michael Stanley, Eric Hawk, Diana Pulver, Shelby Grimm, Michael Graves, Jim Festante, Daniel Cronin, Dan K., Janet Diehl, Forrest Childers, Juliane Crump, Alfonso Directo Jr., Jo Pimienta, Elizabeth Bax, Nathan Adair, Kreigh Hampel, and David Donahue.

Calling in to comment were: Jonathan Wilder and Corey Mensing.

Council, City Manager, and/or City Attorney Comment:
Commissioners and Staff responded to Public Comment.

Consent Calendar:
It was moved by Vice Chair Mullins, seconded by Commissioner Perez, to approve the Consent Calendar. The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

Consent Calendar Item Nos. 1–2 and 4–6 were City Council items only and can be found in the City Council minutes.

3. Housing Authority Minutes
   Approve the Housing Authority Minutes of the Joint Meeting of January 13, 2026.

Public Hearing:

1. Adoption of a Resolution Approving the Burbank Public Housing Agency Annual Plan for Fiscal Year 2026-2027 and Proposed Administrative Plan Updates

   The Public Hearing was opened at 7:56 p.m. There were no Conflict of-Interest disclosures. Clerk Clark affirmed receipt of Proof of Publication; confirmed there was a complete file of exhibits and correspondence including emails and other documents, and that no written correspondence was received.

   Odet Ayvazyan, Housing Development Manager, presented the PowerPoint Presentation and responded to Housing Authority inquiries. Maribel Leyland, Assistant Community Development Director - Business and Economic Development, also responded to Authority inquiries.

   Commissioner Perez left the dais at 7:59 p.m.

   Public Comment:
   Appearing to comment was: None.

   Calling in to comment was: None.

   The Public Hearing was closed at 8:32 p.m.

   Council Action:
   It was moved by Commissioner Anthony, seconded by Vice Chair Mullins, to:

   RESOLUTION NO. H-26-276
   Adopt A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF BURBANK APPROVING: 1) THE PUBLIC HOUSING AGENCY ANNUAL PLAN FOR FISCAL YEAR 2026-2027; 2) UPDATES TO THE SECTION 8 ADMINISTRATIVE PLAN; AND 3) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CERTIFICATIONS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

   The motion carried 4-0 with the following roll call vote: AYES: Anthony, Rizzotti, Mullins, and Takahashi. NOES: None. ABSENT: Perez.

   Commissioner Perez *returned to the dais at 8:39 p.m.*

Reports to Council:

Reports to Council Item Nos. 1 and 3–4 were City Council items only and can be found in the City Council minutes.

Commissioners voted by consensus to continue with City business past 11:00 p.m.

2. Review of City Treasurer's Investment Portfolio Report for December 31, 2025 (with All Agencies)

   Krystle Palmer, City Treasurer, presented the PowerPoint Presentation and responded to Housing Authority inquiries.

   Public Comment:
   Appearing to comment was: None.

   Council Action:
   It was unanimously approved by Authority consensus to note and file.

Adjournment:
There being no further business to come before the Housing Authority, the meeting was adjourned at 12:40 a.m. to Tuesday, April 21, 2026 for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
Clerk	Chair

APPROVED DATE:

STAFF REPORT

CITY MANAGER'S OFFICE

DATE: April 21, 2026

TO: Justin Hess, City Manager

FROM: Courtney Padgett, Assistant City Manager
By: Cathryn LaBrado, Assistant to the City Manager

SUBJECT: Update on the Process of Considering the Installation of an Armenian Memorial, with a Designated Proposed Location of Johnny Carson Park

RECOMMENDATION

Note and file.

BACKGROUND

At the September 27, 2022, City Council meeting, then Council Member Sharon Springer requested a first step staff report on the installation of an Armenian Genocide Memorial in the City of Burbank. At the October 17, 2023, City Council meeting, the report was presented and Council directed staff to return with a second step staff report on a potential Armenian Genocide Memorial in the City of Burbank, with a broader and more comprehensive project outline.

DISCUSSION

Staff has worked collaboratively with the Chair of the Armenian National Committee of America (ANCA), since late 2023 to explore potential locations for the memorial. Locations that were discussed as potential options include:

1) Chandler Bike Path
2) City Hall
3) Corner of Third Street and Palm Avenue
4) Foy Park
5) Ovrom Park
6) Johnny Carson Park
7) Lincoln Park

8) Palm Paseo/AMC Walkway
9) Whitnall Highway Park North

The locations on the list were evaluated based on various factors, including design flexibility, impact on existing uses, visibility and access, opportunities for gathering and reflection, regulatory considerations, and maintenance and longevity. After careful consideration, ANCA and staff agreed on Johnny Carson Park as an appropriate site for recommendation to City Council. Johnny Carson Park is a suitable location for the Armenian Memorial due to its accessibility, openness, and community-oriented setting. The park is well utilized and provides ample space for a thoughtful design that will integrate appropriate land use and maintenance, as well a respectful commemorative space for the memorial.

While ANCA's preferred location is City Hall, it was determined that City Hall is not an ideal location for the memorial due to the site's designation as a historic resource and the need to preserve the integrity of its architecture and civic design. A new installation at City Hall would require extensive review to ensure compatibility with the building's historic character, materials, and setting. Additionally, the review process can be complex and lengthy, while a park location was found to provide more flexibility and timeliness in honoring the intent of the memorial. Placing the memorial in a City park location provides greater flexibility and ensures a prominent setting that will honor the intent of the memorial more efficiently.

As a next step in the process, staff recommends that the proposal be routed through the Parks and Recreation Department, including the Parks and Recreation Board, for determination of a specific location at the park and preliminary review. Once completed, staff will return to City Council for consideration and final approval with the following details:

- Proposed memorial location within Johnny Carson Park;
- Conceptual design and artistic features;
- Dimensions, materials, and inscriptions of memorial;
- Any related hardscape, seating, lighting, or landscaping;
- Long-term maintenance, repair, and stewardship responsibilities;
- Funding details; and
- Any required agreements, licenses, or approvals for placement on City property.

ENVIRONMENTAL REVIEW

This activity involves reports and direction on continued discussions on a potential location for a monument, and has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the

environment, and as such, is not a “project” subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

FISCAL IMPACT

There is no fiscal impact associated with this report.

CONCLUSION

City staff has collaborated closely with ANCA to evaluate multiple potential locations and identify an option that balances the City’s needs with ANCA’s preferences. With Johnny Carson Park as the proposed site, staff will continue working with ANCA to refine project details. Following review by the Parks and Recreation Board, the item will return to Council for final approval.

ATTACHMENT

Attachment 1 – First Step Report 10.17.23

STAFF REPORT

CITY MANAGER'S OFFICE

DATE: October 17, 2023

TO: Justin Hess, City Manager

FROM: Judie Wilke, Assistant City Manager
By: Viviana Garzon, MPA, Senior Administrative Analyst

SUBJECT: Consideration of the Installation of an Armenian Genocide Memorial in the City of Burbank

RECOMMENDATION

The City Council could:

1) Note and file the report, or
2) Direct staff to return with a second step staff report on a potential Armenian Genocide Memorial in the City of Burbank, with a broader and more comprehensive project outline.

BACKGROUND

At the September 27, 2022, City Council meeting, then Council Member Springer requested a first step staff report on the installation of the Armenian Genocide Memorial in the City of Burbank. While Council Member Springer is no longer serving on the Council, staff is presenting this request as it was originally proposed by the Burbank Chapter of the Armenian National Committee of America (ANCA) and remains a project of ongoing interest for the organization.

DISCUSSION

To further explore this request, staff engaged in discussions with Sarkis Simonian, the Chair of the ANCA. Mr. Simonian emphasized that the objective behind this request is to install a memorial in front of Burbank City Hall, which serves as the annual gathering place for the Armenian community to commemorate Armenian Genocide Remembrance Day on April 24th. He expressed ANCA's intention for the memorial to be complement the

historical City Hall building and made a firm commitment that ANCA would bear the majority of the expensed associated with the memorial.

ENVIRONMENTAL REVIEW

This activity has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and as such, is not a “project” subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

FISCAL IMPACT

There is no fiscal impact associated with this first step report.

CONCLUSION

As part of the one-step, two-step process, Council Member Springer initially requested the opportunity for Council to consider the installation of an Armenian Genocide Memorial. Should the Council be interested in further exploring this request, staff should be directed to return with a second step report. This report should encompass comprehensive information, including details on the suggested location, estimated cost, materials to be used, artistic features, dimensions, arrangements for perpetual maintenance, as well as the financial commitment from the ANCA.

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: April 21, 2026

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director
VIA: Fred Ramirez, Assistant Community Development Director
Scott Plambaeck, Planning Manager
Daniel Villa, Principal Planner
BY: Karen C. Hernandez, Associate Planner

SUBJECT: Introduction of an Ordinance for a Zone Map Amendment to Establish a Zoning Designation of Single-Family Residential (R-1) and Adoption of a Resolution Amending the General Plan Land Use Map to Establish a Land Use Designation of Low Density Residential, for Portions of 17 Properties Located on the 600-700 Block of Roselli Street that are Proposed for Annexation into the City of Burbank, to Pre-Zone the 17 Properties Related to Same; Finding of CEQA Exemptions (14 CCR §§ 15319, 15601(b)(3).)

RECOMMENDATION

1. Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE ZONING MAP TO ESTABLISH ZONING DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL (R-1) ZONE FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181; ZONE MAP AMENDMENT) (Attachment 1).
2. Adopt A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE GENERAL PLAN LAND USE MAP TO ESTABLISH LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181) (Attachment 2).

EXECUTIVE SUMMARY

The City is correcting a jurisdictional boundary issue affecting 17 residential properties on Roselli Street that currently receive City of Burbank services, but are partially within City

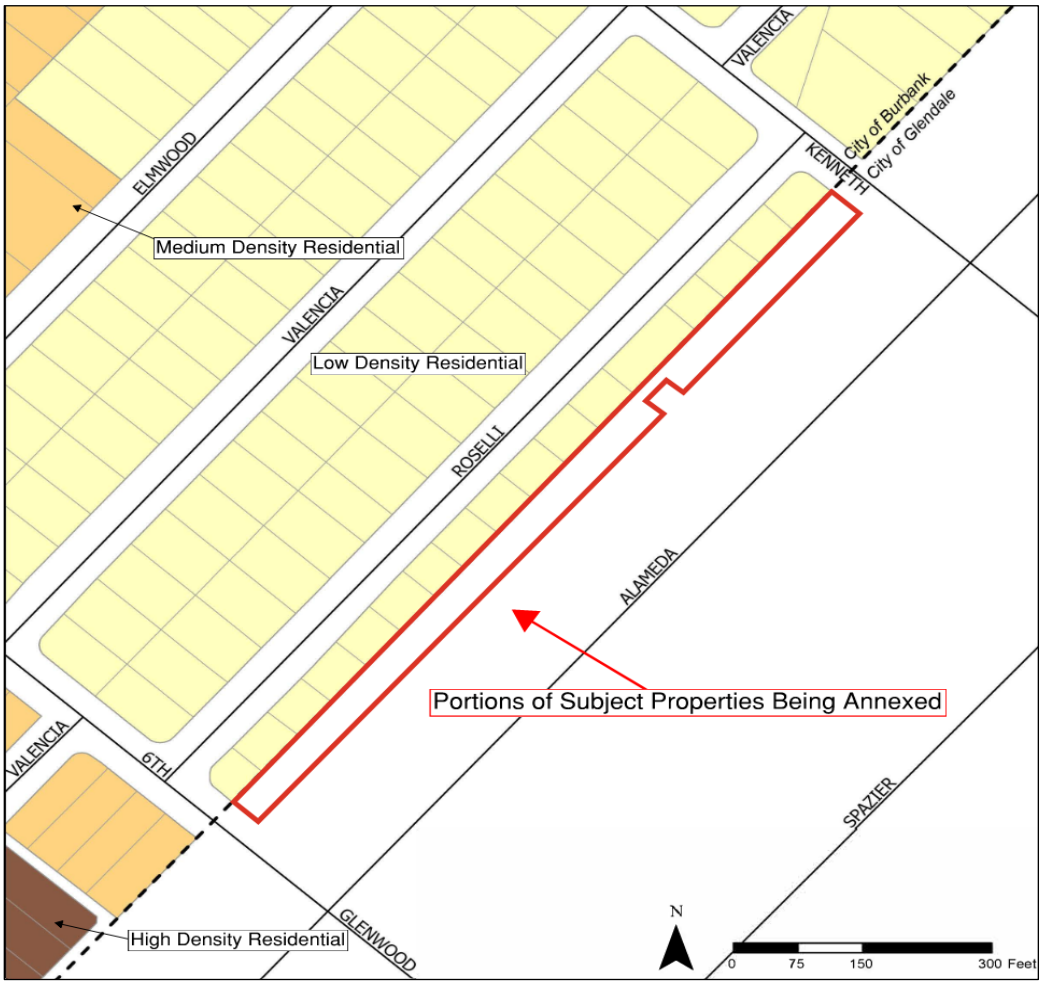
of Glendale. This misalignment, in addition to a recent precinct boundary change, has resulted in incorrect voter ballots and property tax allocation to Glendale instead of Burbank. Staff recommends approval of a General Plan Map Amendment (GPA) and Zone Map Amendment (ZMA) to pre-zone the affected portions, in advance of the LAFCO reorganization application. These actions are required to complete the annexation process and ensure residents are fully incorporated into the City of Burbank.

BACKGROUND

Roselli Block Characteristics and Issues Raised

On the even side of the 600 and 700 block of Roselli Street there are 17 properties that are bisected by the jurisdictional boundaries of the City of Burbank and the City of Glendale (Subject Properties). This leaves the rear approximately 50 feet of each of the Subject Properties in the City of Glendale, while the majority of each lot of the Subject Properties is within the City of Burbank. The Subject Properties front Roselli Street in the City of Burbank and therefore have City of Burbank addresses. In addition, these properties receive municipal services from the City of Burbank, including water, electricity, sewer, and solid waste collection services.

Figure No. 1: Subject Properties



Until recently, the boundary bisection had no known impact on the residents. However, during the November 2022 election, the Burbank City Clerk's Office became aware that residents living on the Subject Properties did not receive vote-by-mail ballots that included Burbank election contests for City Council, City Clerk, City Treasurer, and the Burbank Unified School Board. The City Clerk's Office determined that this issue resulted from a precinct boundary change implemented during the 2021 redistricting process that was affected by the existing jurisdictional boundaries. As a result, property taxes for the Subject Properties were credited to the City of Glendale rather than the City of Burbank. Since voter ballot assignments are based on the jurisdiction in which property taxes are paid, residents of the Subject Properties currently receive City of Glendale ballots instead of City of Burbank ballots.

To correct this situation, the jurisdictional boundaries must be adjusted so that the Subject Properties are completely within the City of Burbank. This would require the annexation, into Burbank, of portions of the Subject Properties currently within the City of Glendale. In addition, this will require the City of Glendale to concurrently detach the properties from its jurisdictional boundaries. The proposed annexation and concurrent detachment will also amend the City Limit Boundaries for both Burbank and Glendale and must be approved by the Los Angeles County Local Agency Formation Commission (LAFCO) [1]

The City of Burbank initiated coordination with the City of Glendale, including communication with their City Clerk and City Manager, to apprise them of the boundary issue and its impact on residents' voting rights. Glendale's City Manager confirmed Glendale's cooperation in correcting the boundary lines, enabling Burbank to move forward with the annexation process for the noted portions of the Subject Properties.

Burbank City Council Request to Initiate Annexation Proceedings

On October 29, 2024, the Burbank City Council adopted Resolution No. 24-29,567 (Attachment 3) requesting that the LAFCO initiate proceedings for the annexation to the City of Burbank and concurrent detachment from the City of Glendale of portions of the Subject Properties (collectively, the "Reorganization"), and directing Staff to process any and all documents as necessary to effectuate the Reorganization.

Local Agency Formation Commission (LAFCO) Annexation Process and Application

To initiate proceedings for the Reorganization, the City of Burbank needs to submit a completed application to the LAFCO for review and consideration (LAFCO Application). The LAFCO Application identifies several submittal requirements that must be included (Attachment 4). One requirement is the submittal of a "Pre-Zoning Ordinance," which is a

[1] The Local Agency Formation Commission (LAFCO) is an independent public agency with countywide jurisdiction over the boundaries of cities and certain special districts within their respective counties. All requests for jurisdictional reorganization, including annexations, are coordinated by each county's LAFCO.

Zoning Ordinance that would preemptively establish Zoning Designations for the portions of the Subject Properties proposed for annexation (Zoning Ordinance). To be able to submit to the LAFCO the required Zoning Ordinance along with the LAFCO Application, the City needs to preemptively establish a Zoning Designation for the properties proposed for annexation into the City. In addition, the City also needs to preemptively establish a General Plan Land Use Designation for these same properties. The designations would only take effect upon the LAFCO's approval of the Reorganization. This would ensure that the portions of the Subject Properties proposed for annexation have established General Plan and Zoning Designations.

To complete and submit the LAFCO Application, the City needs to undertake a GPA and ZMA. Burbank Municipal Code (BMC) Sections 10-1-101 and following, governs the GPA. BMC Sections 10-1-1961 and following, governs the ZMA. From the date an application is submitted, this process typically takes approximately two to three years to complete.

City of Glendale's Role in the Process

The LAFCO Application will be submitted by the City of Burbank. The City of Glendale will not be a party to the application. However, as part of the LAFCO process, the LAFCO will provide public notice to all impacted stakeholders and agencies, including the City of Glendale. The City of Glendale will have an opportunity to provide public comments and reaffirm if they are in favor of the proposed Reorganization. The LAFCO will consider any comments from the City of Glendale in their decision on the proposed Reorganization.

Existing Neighborhood Context

The GPA and ZMA must meet findings that the proposed GPA amendments are compatible with the surrounding neighborhood. The portion of the Subject Properties located within the City of Burbank have a General Plan Land Use Designation of Low Density Residential, a Zoning Designation of Single Family Residential (R-1), and are currently developed with single family homes and have been such for decades. The surrounding neighborhood also consists of General Plan Land Use Designations of Low Density Residential, Medium Density Residential, and High Density Residential; and Zoning Designations of Single-Family Residential (R-1) and High Density Residential (R-4). The surrounding neighborhood is generally improved with a mix of single family and multifamily homes, and therefore the amendments will be compatible with the surrounding neighborhood (Attachment 5).

DISCUSSION

Proposed General Plan Map Amendment (GPA) and Zone Map Amendment (ZMA)

A GPA is required before the ZMA, because Zoning Map Amendments must be consistent with the City's adopted General Plan. Accordingly, Staff proposes two amendments:

1) A General Plan Map Amendment to *Burbank2035* would, by resolution, amend the General Plan Land Use Map in Exhibit LU-1. (Land Use Diagram) to establish General Plan Land Use Designations of Low Density Residential for portions of the 17 properties that are proposed for annexation into the City.

2) A Zone Map Amendment which would, by ordinance[2], amend the City of Burbank Zoning Map, as referenced in BMC § 10-1-302(A), to establish a Zoning Designation of Single Family Residential (R-1) for portions of 17 properties that are proposed for annexation into the City.

These designations would be consistent with (1) the existing designations of those portions of the Subject Properties currently within the City of Burbank; (2) the objectives, policies, general land uses and programs of the *Burbank2035*; and (3) would be consistent with the existing development pattern on site and in the surrounding neighborhood. The amendments would become effective upon the properties being annexed into the City.

Findings for Approval of a General Plan Map Amendment

Pursuant to BMC § 10-1-102 (Amendment of General Plan), the GPA requires Planning Commission consideration and City Council approval. The City Council can make amendments to the General Plan as often as it deems it necessary or advisable for the best interests of the City, and after making required findings (see generally Gov. Code §65300.5.) (Attachment 2, p. 3-6). It is staff's assessment that the proposed GPA meets the findings and is compatible with the *Burbank2035* General Plan, the Low-Density Residential designation for the whole parcel and with the surrounding neighborhood, and is progression towards fulfilling the City Council's request through Resolution No. 24-29,567.

Findings for Approval of a Zone Map Amendment

Pursuant to BMC § 10-1-107 (Zone Map Amendments Consistent With General Plan) and 10-1-1961 (Zone Map Amendment), and following, zone map amendments require Planning Commission consideration and City Council approval. The City Council can make amendments to the Zoning Map after making the required findings (Attachment 1, p. 3-4). It is staff's assessment that the proposed ZMA meets the findings and is compatible with the *Burbank2035* General Plan, the Zoning Designation for the whole parcel and with the surrounding neighborhood, and is progression towards fulfilling the City Council's request through Resolution No. 24-29,567.

Planning Commission Recommendation

The Planning Commission considered the proposed GPA Resolution and ZMA Ordinance during their noticed meeting on February 23, 2026, following a presentation by staff. Staff received six phone calls prior to the public hearing inquiring about the purpose of the GPA

[2] This would fulfill the Zoning Ordinance requirement referenced in the Background discussion above.

and ZMA, and impacts to the surrounding neighborhood. Two public comments were received at the public hearing in support of the GPA and ZMA. During deliberation for the item, the Commissioners discussed the project background and clarification on the next steps (Attachment 6). After consideration and discussion, the Planning Commission voted 4-0, with one absence, to adopt a Resolution recommending that City Council approve the proposed GPA Resolution and ZMA Ordinance (Attachment 6).

COMMUNITY OUTREACH

Staff provided public notice of the City Council's public hearing to consider the GPA Resolution and ZMA Ordinance in a newspaper of general circulation in the City on March 28, 2026, in accordance with BMC § 10-1-1964. Additional notifications were distributed via the City Calendar and the Planning Division website.

ENVIRONMENTAL REVIEW

The proposed GPA Resolution and ZMA Ordinance are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, § 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the GPA Resolution and ZMA Ordinance are exempt from CEQA pursuant to California Code of Regulations, Title 14, § 15061(b)(3), the commonsense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. These items simply apply the existing General Plan Land Use and Zoning Designations to the Subject Properties that already exist but are allocated in part to the City of Glendale, without any change in use, and match them with the existing designations for the immediate neighborhood. Such findings are incorporated into the proposed resolution and ordinance for City Council's consideration and potential approval/adoption.

FISCAL IMPACT

The cost of completing this annexation project is anticipated to total $50,000 (legal fees, the LAFCO application fees, community outreach, etc.) with the funding coming from the City Clerk's Office and City Attorney's Office. These costs are anticipated to be recovered over time in the form of increased property tax revenue.

CONCLUSION

The proposed GPA Resolution and ZMA Ordinance will establish a General Plan Land Use Designation of Low Density Residential and a Zoning Designation of Single-Family Residential (R-1) for portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank. The amendments would ensure that the newly annexed land be zoned for single family purposes consistent with

the existing development pattern on site and in the surrounding neighborhood. The Subject Properties are currently improved with single family homes and will continue to enjoy the benefit of single-family home uses.

The proposed GPA Resolution and ZMA Ordinance is progression towards fulfilling the City Council's request, through Resolution No. 24-29,567, to process the necessary documents and initiate proceedings for the Reorganization to annex portions of the Subject Properties into the City of Burbank and concurrently detach those portions from the City of Glendale. If the City Council approves the GPA Resolution and ZMA Ordinance, Staff will be able to submit a complete LAFCO Application for review and consideration. Upon the LAFCO's approval, the portions of the Subject Properties will be officially annexed into the City of Burbank, and residents of the Subject Properties will thereafter receive City of Burbank ballots.

ATTACHMENTS

Attachment 1 – Proposed Ordinance
Attachment 2 – Proposed Resolution
Attachment 3 – Resolution No. 24-29,567
Attachment 4 – LAFCO Application
Attachment 5 – Surrounding Area Designations
Attachment 6 – February 23, 2026 Meeting Staff Report, Resolution, and Minutes
Correspondences

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE ZONING MAP TO ESTABLISH ZONING DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL (R-1) ZONE FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181; ZONE MAP AMENDMENT)

City Attorney's Synopsis

This Ordinance amends the Zone Map to establish Zoning Designations of Single Family Residential (R-1) zone for portions of 17 properties that are proposed for annexation into the City, and concurrent detachment from the City of Glendale. The effectiveness of this Ordinance is contingent on successful annexation and approval of the General Plan Amendment that is being presented with this Ordinance.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. On or about October 29, 2024, the City Council of the City of Burbank adopted Resolution Number 24-29,567 titled "A Resolution of the Council of the City of Burbank: 1) Requesting the Local Agency Formation Commission for the County of Los Angeles (LAFCO) to Initiate Proceedings for Reorganization to Include Annexation to The City Of Burbank and Concurrent Detachment of the Subject Properties from the City of Glendale, and 2) Directing Staff to Process Documents as Necessary to Effectuate Same."

B. As background, during the November 2022 election, the Burbank City Clerk's Office became aware that residents living on the even numbered side of the 600 and 700 blocks of Roselli Street ("Roselli Street Properties") in Burbank did not receive mail-in ballots containing the Burbank election contests for City Council, City Clerk, City Treasurer, and School Board. The City Clerk's Office further became aware that this occurred because the precinct boundary for these addresses was changed during the 2021 redistricting, with this boundary bisecting (dividing) the Roselli Street Properties.

C. There are 17 properties that are affected by the bisecting of the City of Burbank/City of Glendale jurisdictional lines. These properties are included as **Exhibit A** to this Ordinance and are referred to as the Subject Properties. Due to this, the property tax paid on the Subject Properties is credited to the City of Glendale, even though the residents live in the City of Burbank, have their frontage on Burbank streets, and receive Burbank services. The place where residents pay their property taxes determines which ballots they receive. Therefore, at the moment, the residents of the Subject Properties receive City of Glendale ballots, and not City of Burbank ballots.

D. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank.

E. The City of Burbank is in the process of applying to LAFCO to correct the bisecting boundary so that the entirety of the Subject Properties fall within the City of Burbank's jurisdiction and are detached from the City of Glendale.

F. It is important that the bisecting boundary between the cities of Burbank and Glendale be corrected to ensure equity for both City of Burbank and City of Glendale residents. To do so, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale.

G. As part of the application to LAFCO to correct the boundaries of the Subject Properties, Burbank is required to preemptively establish the proper Zoning Designation that would apply to the portions of the Subject Properties being annexed into the City. Therefore, the City must amend the Zone Map to properly reflect that the portions of the Subject Properties being annexed into the City will be designated as Single-Family Residential.

H. As part of the application to the LAFCO, the City must submit a "Pre-Zoning Ordinance," which is a Zoning Ordinance that would preemptively establish Zoning Designations for the properties proposed for annexation ("Zoning Ordinance"). To be able to provide LAFCO the required Zoning Ordinance as part of the submission of the LAFCO application, the City needs to preemptively establish a Zoning Designation for the properties proposed for annexation into the City. The designations would only take effect upon LAFCO's approval of the Reorganization and ensures that the properties proposed for annexation into the City have established zoning regulations.

I. On February 23, 2026, the Planning Commission held a duly noticed public hearing on this Ordinance (Project No. 25-0004181) and at such hearing recommended that the City Council of the City of Burbank ("Council") approve the amendments to the Zoning Map, and this Ordinance to establish the Zoning Designation of portions of the Subject Properties to Single-Family Residential (R-1).

J. On *_____, the Council at its regular meeting, held a public hearing on Project No. 25-0004181, to amend the Zoning Map to establish Zoning Designations of portions of the Subject Properties to Single-Family Residential (R-1).

K. Said hearing was properly noticed in accordance with the provisions of BMC Section 10-1-1969.

L. The Council considered the report and recommendations of the City Planner, the action and recommendations of the Planning Commission as evidenced by its Resolution *_____, and the evidence and testimony presented at such hearing.

M. In accordance with California Government Code Section 65860, the proposed Zone Map Amendment and Ordinance have been determined to be consistent with the Land Use Element of the Burbank2035 General Plan and compatible with the specified objectives, policies, general land uses and programs, as well as Title 10, Chapter 1 (Zoning) of the BMC.

N. The Project has been evaluated under the California Environmental Quality Act (CEQA) and requires no further CEQA review. It is categorically exempt from CEQA pursuant to California State Regulations, 14 Cal. Code Regs Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California State Regulations, 14 Cal. Code Regs Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The 17 Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. The adoption of the proposed Zone Map Amendment, and this Ordinance, is exempt from CEQA and no further analysis under CEQA is required.

THE COUNCIL OF THE CITY OF BURBANK ORDAINS AS FOLLOWS:

1. Project No. 25-0004181, which includes a request to amend the Zoning Map, as referenced in BMC Section 10-1-302(A), to establish Zoning Designations for approximately 17 properties on the 600-700 block of Roselli Street (Project sites) to Single Family Residential (R-1) once the properties have been annexed into the City of Burbank, and detached from the City of Glendale (as shown on Exhibit A to this Ordinance), is hereby approved based upon the following findings:

FINDINGS FOR ZONING MAP AMENDMENT:

I. *The proposed Zone Map Amendment is consistent with the General Plan of the City of Burbank and the provisions of Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code, and are compatible with the specified objectives, policies, general land uses and programs.*

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank has applied to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the portions being annexed will need to have an established zoning designation.

The Zone Map Amendment establishes a Zoning Designation of Single Family Residential (R-1) for portions the Subject Properties that are being annexed into the City of Burbank. This designation is consistent with the objectives, policies, general land uses, density and programs of Burbank2035. The Zone Map Amendment would ensure that the newly annexed land be zoned for single family purposes consistent with (1) the existing development pattern on site and in the surrounding neighborhood, which is zoned R-1 and (2) the Low Density Residential General Plan Land Use Designation that would be established for portions the Subject Properties once annexed into the City of Burbank. The proposed Zone Map Amendment will not cause any internal inconsistencies in the General Plan and would not change any policy direction or intent of the General Plan. The Subject Properties are currently improved with single family homes. With the Zone Map Amendment these Subject Properties will continue to enjoy the benefit of single-family home uses.

2. The City Planner is instructed and authorized to establish a Zoning Designation for the Project Sites subject to this approval (i.e., 17 properties on the 600-700 block of Roselli Street) to Single Family Residential (R-1). The City Planner is also instructed and authorized to amend the Zoning Map of the City of Burbank, as referenced in BMC Section 10-1-302(A), to incorporate the changes set forth in this Ordinance.

3. The City Manager, with the approval of the City Attorney, of the City of Burbank, is hereby authorized to negotiate and execute any and all documents to effectuate this Zoning Map Amendment related to the annexation of the Subject Properties, that is consistent with this Ordinance.

4. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance, which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

5. This Ordinance shall become effective once the subject properties have been annexed into the City of Burbank, and no earlier than 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

PASSED AND ADOPTED this___day of_____, 2026.

_____
Tamala Takahashi
Mayor

Attest:

Approved as to Form:
Office of the City Attorney

_____
Kimberley Clark, City Clerk

_____
Joseph H. McDougall
City Attorney

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

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the _____day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Burbank, California within 14 days following its _____, 2026 adoption.

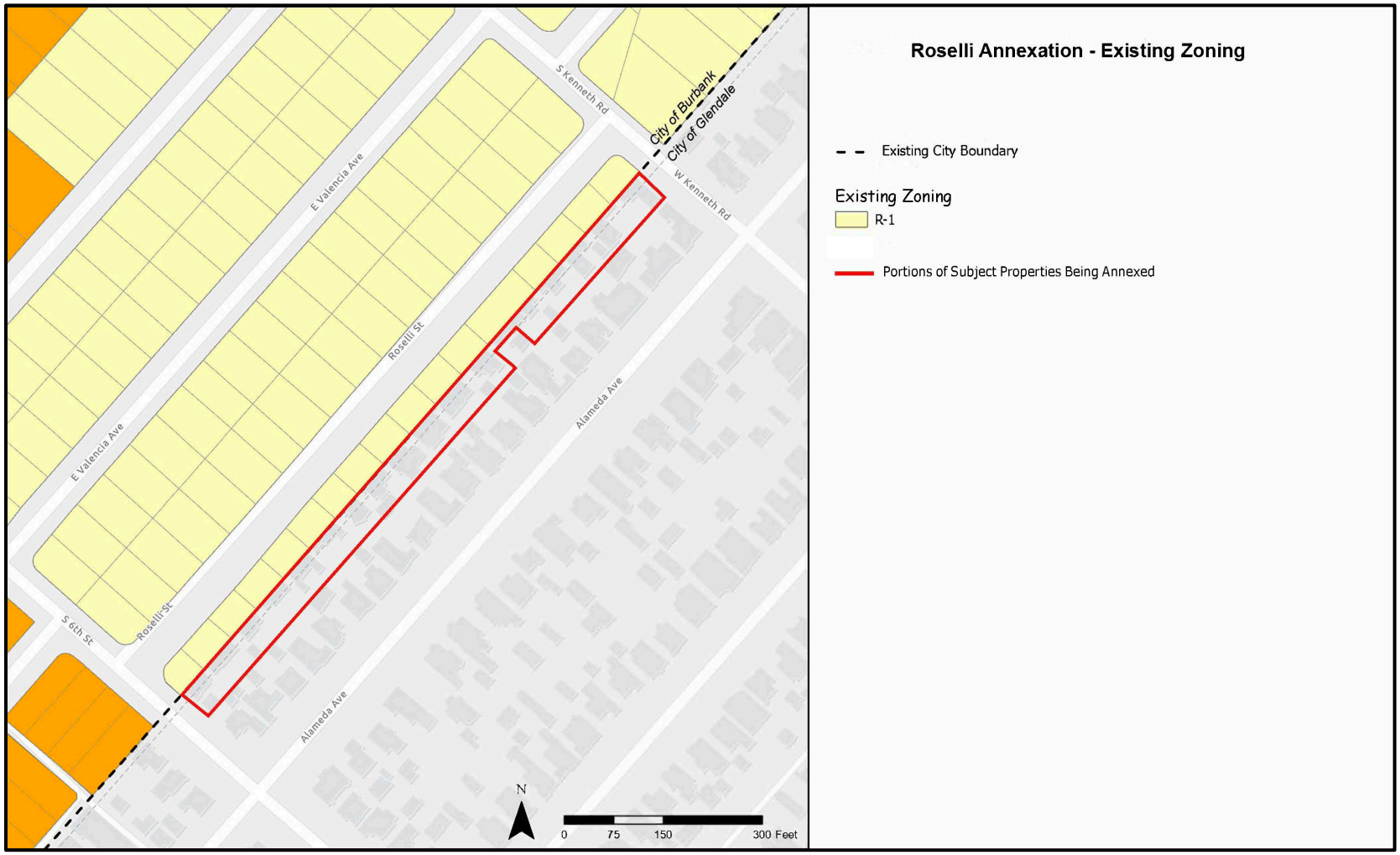
_____
Kimberley Clark, City Clerk

ATTACHMENT 1 – 5

EXHIBIT A

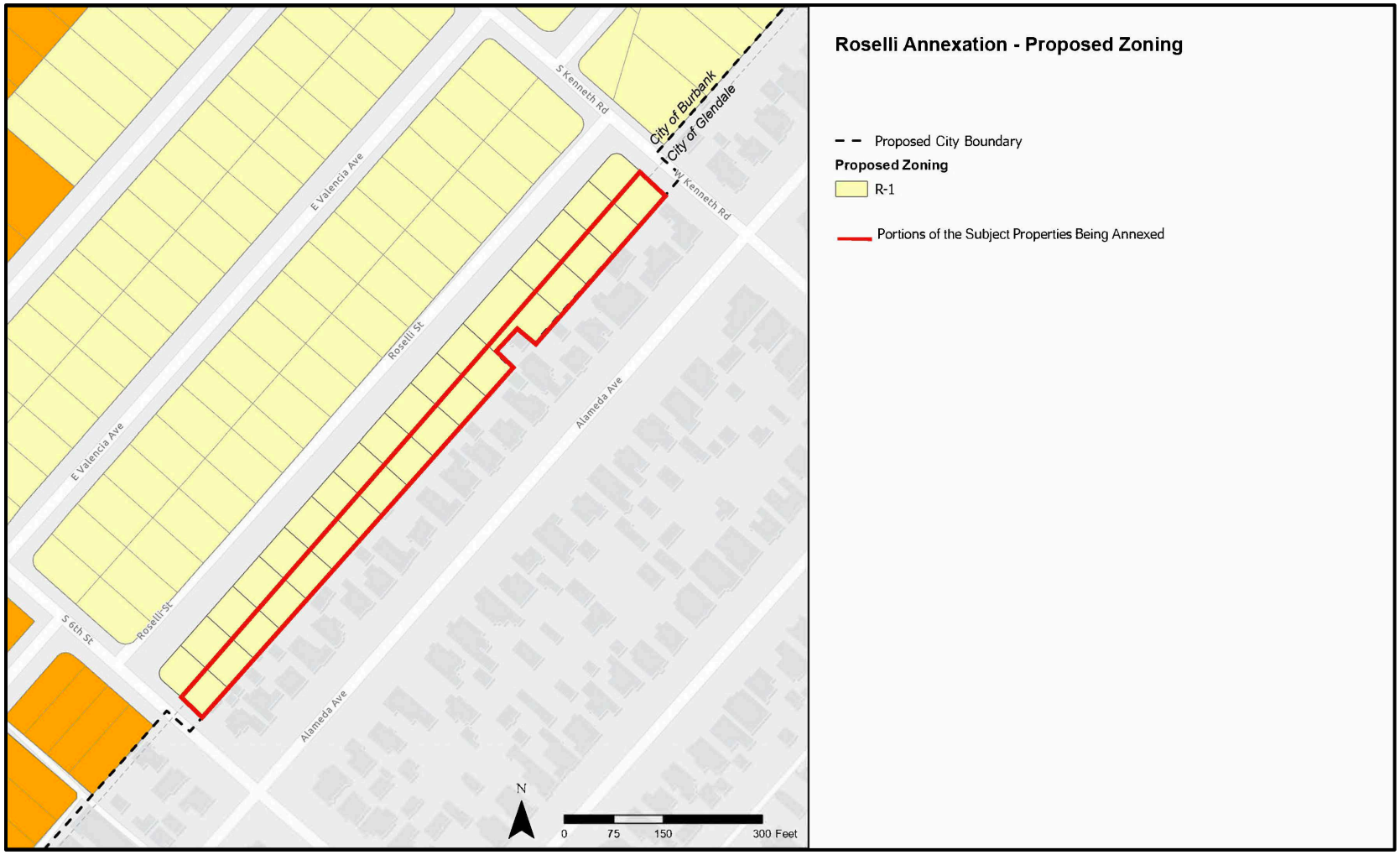
ATTACHMENT 1 – 6

EXISTING ZONING MAP/DESIGNATIONS



ATTACHMENT 1 – 7

PROPOSED ZONING MAP AMENDMENT/DESIGNATIONS



ATTACHMENT 1 – 8

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE GENERAL PLAN LAND USE MAP TO ESTABLISH LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181)

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. On or about October 29, 2024, the City Council of the City of Burbank adopted Resolution Number 24-29,567 titled "A Resolution of the Council of the City of Burbank: 1) Requesting the Local Agency Formation Commission for the County of Los Angeles (LAFCO) to Initiate Proceedings for Reorganization to Include Annexation to The City Of Burbank and Concurrent Detachment of the Subject Properties from the City of Glendale, and 2) Directing Staff to Process Documents as Necessary to Effectuate Same."

B. As background, during the November 2022 election, the Burbank City Clerk's Office became aware that residents living on the even numbered side of the 600 and 700 blocks of Roselli Street ("Roselli Street Properties") in Burbank did not receive mail-in ballots containing the Burbank election contests for City Council, City Clerk, City Treasurer, and School Board. The City Clerk's Office further became aware that this occurred because the precinct boundary for these addresses was changed during the 2021 redistricting, with this boundary bisecting (dividing) the Roselli Street Properties.

C. There are 17 properties that are affected by the bisecting of the City of Burbank/City of Glendale jurisdictional lines. These properties are included as **Exhibit A** (Existing Conditions) to this Resolution and are referred to as the Subject Properties. Due to this, the property tax paid on the Subject Properties is credited to the City of Glendale, even though the residents live in the City of Burbank, have their frontage on Burbank streets, and receive Burbank services. The place where residents pay their property taxes determines which ballots they receive. Therefore, at the moment, the residents of the Subject Properties receive City of Glendale ballots, and not City of Burbank ballots.

D. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank.

E. The City of Burbank is in the process of applying to LAFCO to correct the bisecting boundary so that the entirety of the Subject Properties fall within the City of Burbank's jurisdiction and are detached from the City of Glendale.

F. It is important that the bisecting boundary between the cities of Burbank and Glendale be corrected to ensure equity for both City of Burbank and City of Glendale residents. To do so, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale.

G. As part of the application to LAFCO to correct the boundaries of the Subject Properties, the City of Burbank is required to preemptively establish the proper General Plan Land Use and Zoning Designation that would apply to the portions of the Subject Properties being annexed into the City. Therefore, the City must amend the General Plan Land Use Map to properly reflect that the portions of the Subject Properties being annexed into the City will be designated as Low Density Residential, which is required before the City may amend its zoning map.

H. On February 23, 2026, the Planning Commission held a duly noticed public hearing on this Resolution (Project No. 25-0004181) and at such hearing recommended that the City Council of the City of Burbank ("Council") approve the amendments to the General Plan and the General Plan's Land Use Map, and associated Resolution to establish the land use designation of portions of the Subject Properties to Low Density Residential.

I. On *_____, the Council at its regular meeting, held a public hearing on Project No. 25-0004181, to amend the General Plan Land Use Map to establish land use designations of portions of the Subject Properties to Low Density Residential.

J. Said hearing was properly noticed in accordance with the applicable law.

K. The Council considered the report and recommendations of the City Planner, the action and recommendations of the Planning Commission as evidenced by its Resolution *_____, and the evidence and testimony presented at such hearing.

L. As part of Staff's review, it was established that this General Plan Amendment, and this Resolution, is not subject to California Government Code Section 65350.5, because it does not involve a substantial amendment of the City's General Plan, but rather just applying a General Plan Land Use Designation to the remainder of a subset of residential properties on a street.

M. The Project has been evaluated under the California Environmental Quality Act (CEQA) and requires no further CEQA review. It is categorically exempt from CEQA pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California Code of Regulations, Title 14, Section

15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. The adoption of the proposed General Plan Amendment, and this Resolution, is exempt from CEQA and no further analysis under CEQA is required.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The Project request to amend the General Plan and update the General Plan Land Use Map in Exhibit LU-1 Land Use Diagram (as shown on Exhibit A to this Resolution) to establish designations for approximately 17 properties on the 600-700 block of Roselli Street (Project sites) to Low Density Residential once the properties have been annexed into the City of Burbank, and detached from the City of Glendale, is hereby approved based upon the following findings:

I. The proposed General Plan Map Amendment is consistent with the Burbank2035 General Plan goals and policies and any of the plan goals that may be affected by the Project's implementation. Specifically, the proposed General Plan Map Amendment is consistent with the following Burbank2035 General Plan goals and policies:

- Policy 1.3 of Goal 1: Maintain and protect Burbank's residential neighborhoods by avoiding encroachment of incompatible land uses and public facilities.

- Policy 1.8 of Goal 1: 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.

- Policy 2.7 of Goal 2: Make and enforce land use policy in an equitable fashion to protect all people equally from adverse environmental effects.

- Policy 3.4 of Goal 3: Avoid abrupt changes in density, intensity, scale, and height and provide gradual transitions between different development types.

- Goal 7: Community Participation: Burbank encourages community engagement and provides a wide range of opportunities to participate in the planning process.

- Policy 7.3 of Goal 7: Consistently seek direct public involvement in the planning process for new projects and plans, as well as for everyday planning matters.

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank will apply to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the City Limits Boundary will be amended and the portions being annexed will need to have an established General Plan Land Use Designation.

The General Plan Map Amendment establishes a General Plan Land Use Designation of Low Density Residential for portions the Subject Properties proposed for annexation into the City of Burbank. It would not cause any internal inconsistencies in the General Plan, would not change any policy direction or intent of the General Plan, would contribute to the purposes of the General Plan, and would accurately reflect the same land use designation as the portions of the Subject Properties currently within City boundaries.

Further, the General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank receive the same General Plan Land Use Designations as the remainder of the parcels as well as the surrounding parcels, thereby confirming consistency and compatibility with existing land uses. It will ensure that the portions being annexed into the City of Burbank comply with the policies applicable to the Low Density Residential designation, such as limiting buildings to a size and scale that is consistent with the predominant neighborhood character. The General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank follow consistent land use policies as the surrounding neighborhood in order to protect all people from adverse environmental effects. It will also ensure that there are no abrupt changes in density, intensity, scale, and height since the portions being annexed into the City of Burbank will have the same General Plan Land Use Designation as the portions of the lot that are already within the City of Burbank.

The General Plan Map Amendment has encouraged community participation along many milestones, including confirming that the impacted residents support the planning process to correct the improper boundary bisection and informing the occupants and owners of property within a radius of 1,000 feet of the exterior boundaries of the property to be rezoned about the planning process. This General Plan Map Amendment is an example of how a

community can come together in order to raise awareness about an issue that is impacting a block within the City of Burbank, and bring about a change through a planning process.

II. *The potential impacts of the proposed General Plan Map Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.*

The amendment to establish General Plan Land Use Designations of Low Density Residential for portions the Subject Properties that are being annexed into the City of Burbank is not anticipated to be detrimental to the public health, safety, and welfare. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. The portions of the Subject Properties that are located within the City of Burbank currently have a General Plan Land Use Designation of Low Density Residential. Correcting the bisecting boundary so that the Subject Properties fall entirely within the City of Burbank's jurisdiction would result in a consistent General Plan Land Use Designation for the whole parcel. Therefore, the proposed amendment will not result in a detrimental impact to public health, safety, or welfare.

III. *The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).*

The proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. The proposed amendment is merely to correct the improper boundary bisection and annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Therefore, the proposed amendment has been processed in accordance with the applicable provisions of CEQA and has been determined to be exempt from CEQA and no further analysis under CEQA is required.

2. The approved General Plan Amendment and associated changes to the Land Use Map shall only come into effect once the subject properties have been annexed into the City of Burbank.

3. The City Manager, with the approval of the City Attorney, of the City of Burbank, is hereby authorized to negotiate and execute any and all documents to effectuate the General Plan Amendments related to the annexation of the Subject Properties, consistent with this Resolution.

PASSED AND ADOPTED this _____ day of _____, 2026.

_____
Tamala Takahashi
Mayor

Attest:

Approved as to Form:
Office of the City Attorney

_____
Kimberley Clark, City Clerk

_____
Joseph H. McDougall
City Attorney

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

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the _____day of _____, 2026, by the following vote:

AYES:

NOES:

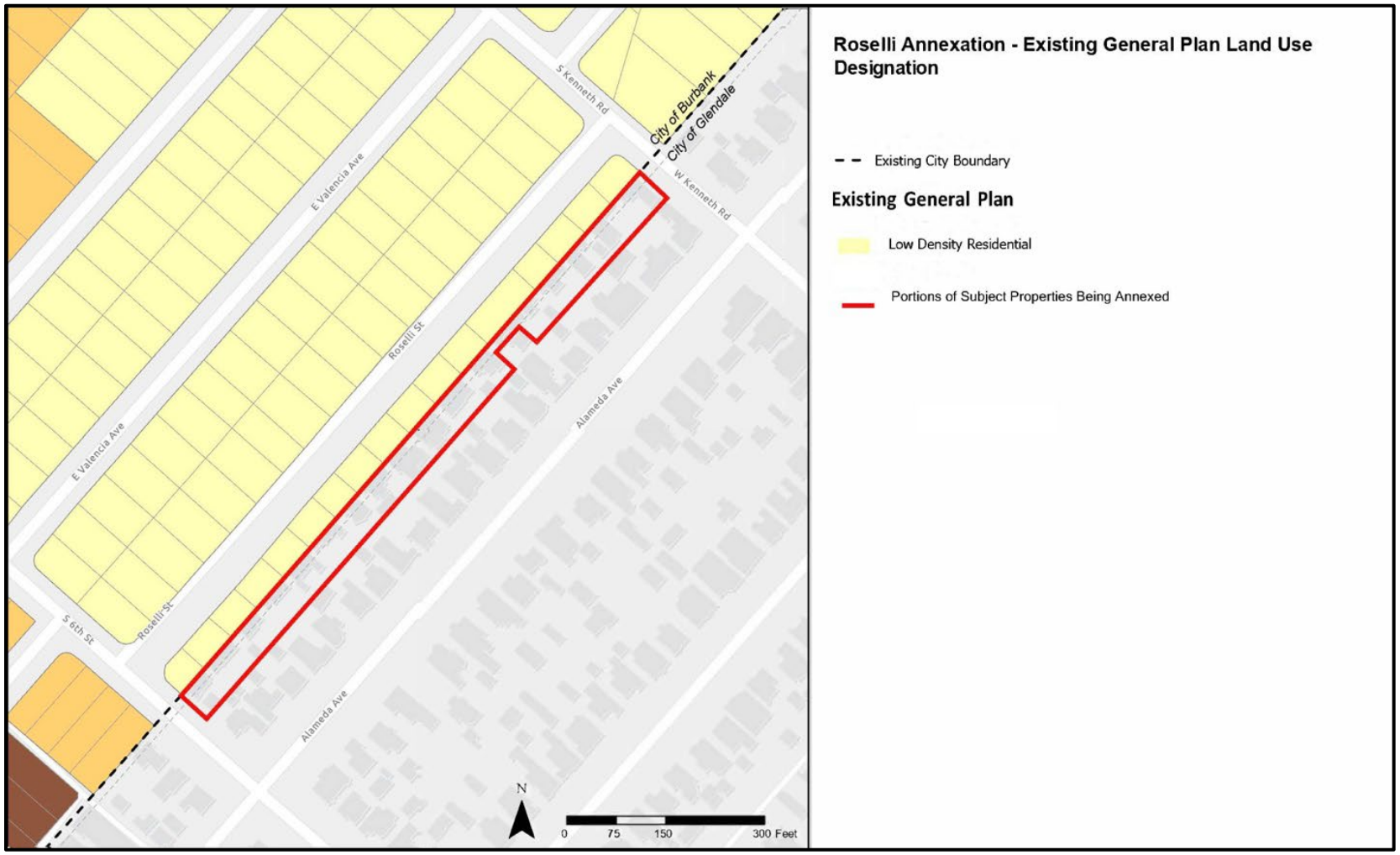
ABSENT:

_____
Kimberley Clark, City Clerk

ATTACHMENT 2 – 6

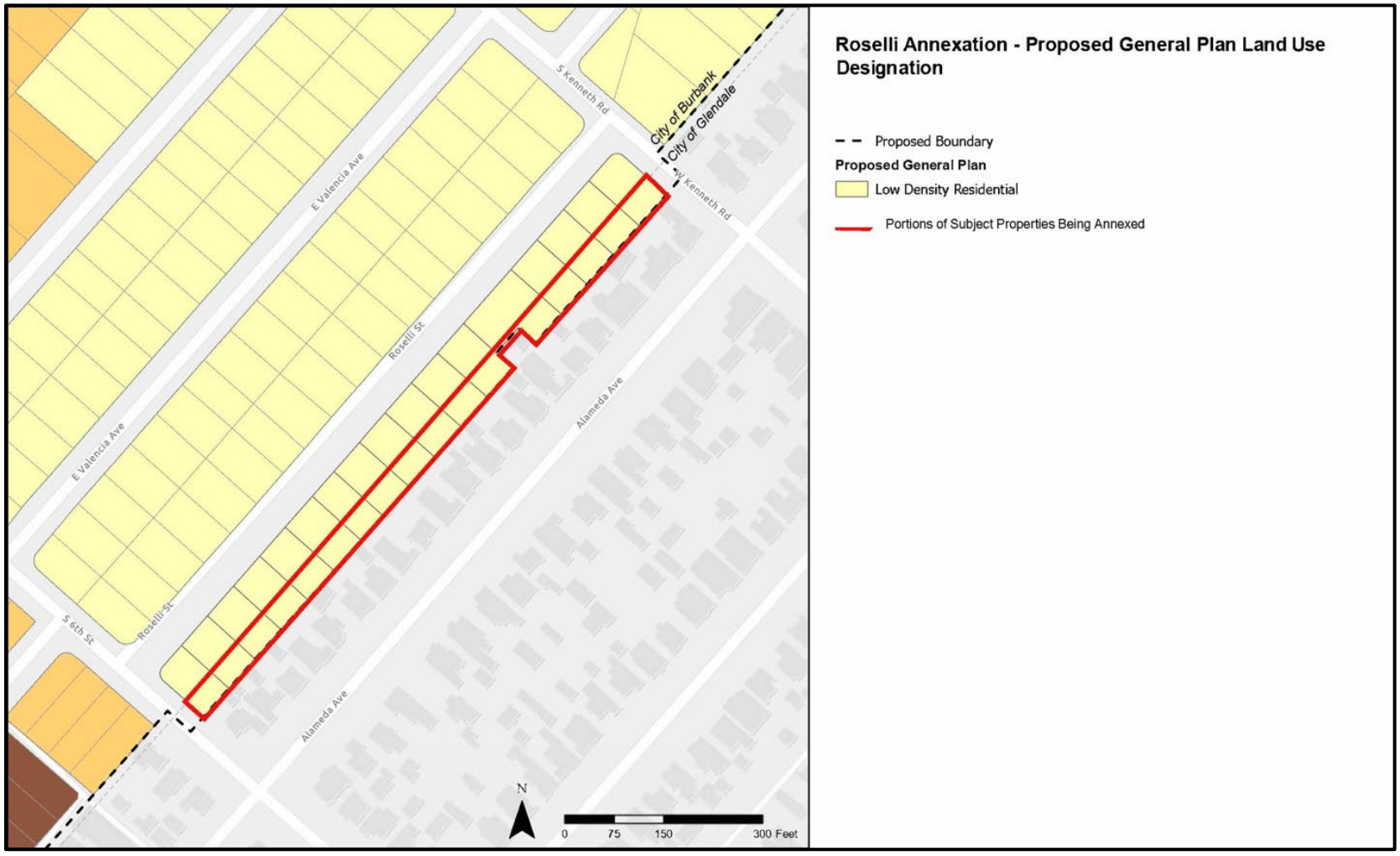
EXHIBIT A

EXISTING GENERAL PLAN MAP/DESIGNATION



ATTACHMENT 2 – 8

PROPOSED GENERAL PLAN AMENDMENT/DESIGNATION



ATTACHMENT 2 – 9

RESOLUTION NO. 24-29,567

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK: 1) REQUESTING THE LOCAL AGENCY FORMATION COMMISSION FOR THE COUNTY OF LOS ANGELES (LAFCO) TO INITIATE PROCEEDINGS FOR REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF BURBANK AND CONCURRENT DETACHMENT OF THE SUBJECT PROPERTIES FROM THE CITY OF GLENDALE, AND 2) DIRECTING STAFF TO PROCESS DOCUMENTS AS NECESSARY TO EFFECTUATE SAME

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. The City of Burbank desires to have the Local Agency Formation Commission for the County of Los Angeles (LAFCO) initiate proceedings pursuant to the Cortese Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for a change of organization that would annex territory into the City of Burbank.

B. The City of Burbank understands that the City of Glendale does not object to concurrently detach the territory from the City of Glendale.

C. This annexation and concurrent detachment are being proposed upon a Resolution of Application to Initiate Proceedings for annexation and concurrent detachment filed by the City of Burbank.

D. The territory proposed to be annexed is inhabited (6 or more registered voters).

E. The territory proposed to be detached is inhabited (6 or more registered voters).

F. The proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment of the Subject Properties that currently have land within the City of Glendale that would be included as part of the City of Burbank post annexation approval may have a significant effect on the environment.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The recitals are accurate and are herein incorporated.

2. The proposal is hereby made to LAFCO for a change of reorganization as follows:

a. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 commencing with Section 56000 of the California Government Code.

b. The nature of the proposed change of reorganization is the annexation of the territory to the City of Burbank and the concurrent detachment from the City of Glendale.

c. The affected territory proposed to be annexed is inhabited.

d. The boundaries of the proposed area are described in the geographic description and generally depicted on the corresponding map, Exhibit "A", for annexation and concurrent detachment, which is incorporated herein by reference. Although not depicted with measurement accuracy, the map depicted in Exhibit B, which is incorporated herein by reference, shows generally the zoning of the Subject Properties.

e. The affected territory is not within the Sphere of Influence (SOI) of the City.

f. It is desired that the proposed annexation is made subject to the following terms and conditions:

i. The negotiated exchange of property tax revenue between affected agencies resulting from said annexation to the City.

ii. The annexed territory shall be subject to the payment of such service charges, assessments, or taxes as the City may legally impose.

iii. Any taxes, fees, charges, or assessments for the City may be collected by the County of Los Angeles Tax Collector in the same manner as ad valorem property taxes or otherwise allowed by law.

g. The description of the proposal area is as follows: 17 properties located on the even side of the 600 and 700 blocks of Roselli Street (600, 606, 612, 616, 622, 626, 630, 632, 638, 700, 704, 710, 718, 722, 728, 730, and 740 Roselli Street), where the cities of Burbank and Glendale jurisdictional lines bisect. The properties shall be referred to as the Subject Properties. See Exhibits A and B attached to this Resolution.

h. The reason for this proposal is as follows: The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately ten (10) feet of the Subject Properties in the City of Glendale, while the remainder of the area of the parcels of the Subject Properties are located within the City of Burbank. This application is to correct the bisecting boundary so that all square footage/area of the Subject Properties falls within the City of Burbank's jurisdictional boundaries.

3. This Resolution of Application to Initiate Proceedings is hereby adopted and approved by the City of Burbank, and LAFCO is hereby requested to initiate proceedings for the annexation of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

4. City of Burbank staff is hereby directed to process any and all documents as necessary to effectuate the annexation into the City of Burbank and concurrent detachment from the City of Glendale.

5. The City Manager is directed to execute any and all documents, approved as to form by the City Attorney, as necessary to effectuate the annexation into the City of Burbank and concurrent detachment from the City of Glendale.

6. The Clerk of the City of Burbank is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for the County of Los Angeles.

PASSED and ADOPTED this 29th day of October, 2024.

Nick Schultz
Mayor

Approved as to Form:
Office of the City Attorney

Attest:

Kimberley Clark, City Clerk

By: _____
Joseph H. McDougall
City Attorney

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

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the 29th day of October, 2024, by the following vote:

AYES: Anthony, Mullins, Takahashi, Perez, and Schultz.

NOES: None.

ABSENT: None.

Kimberley Clark

Kimberley Clark, City Clerk

EXHIBIT A

MAP DEPICTING ANNEXATION/DETACHMENT OF SUBJECT PROPERTIES

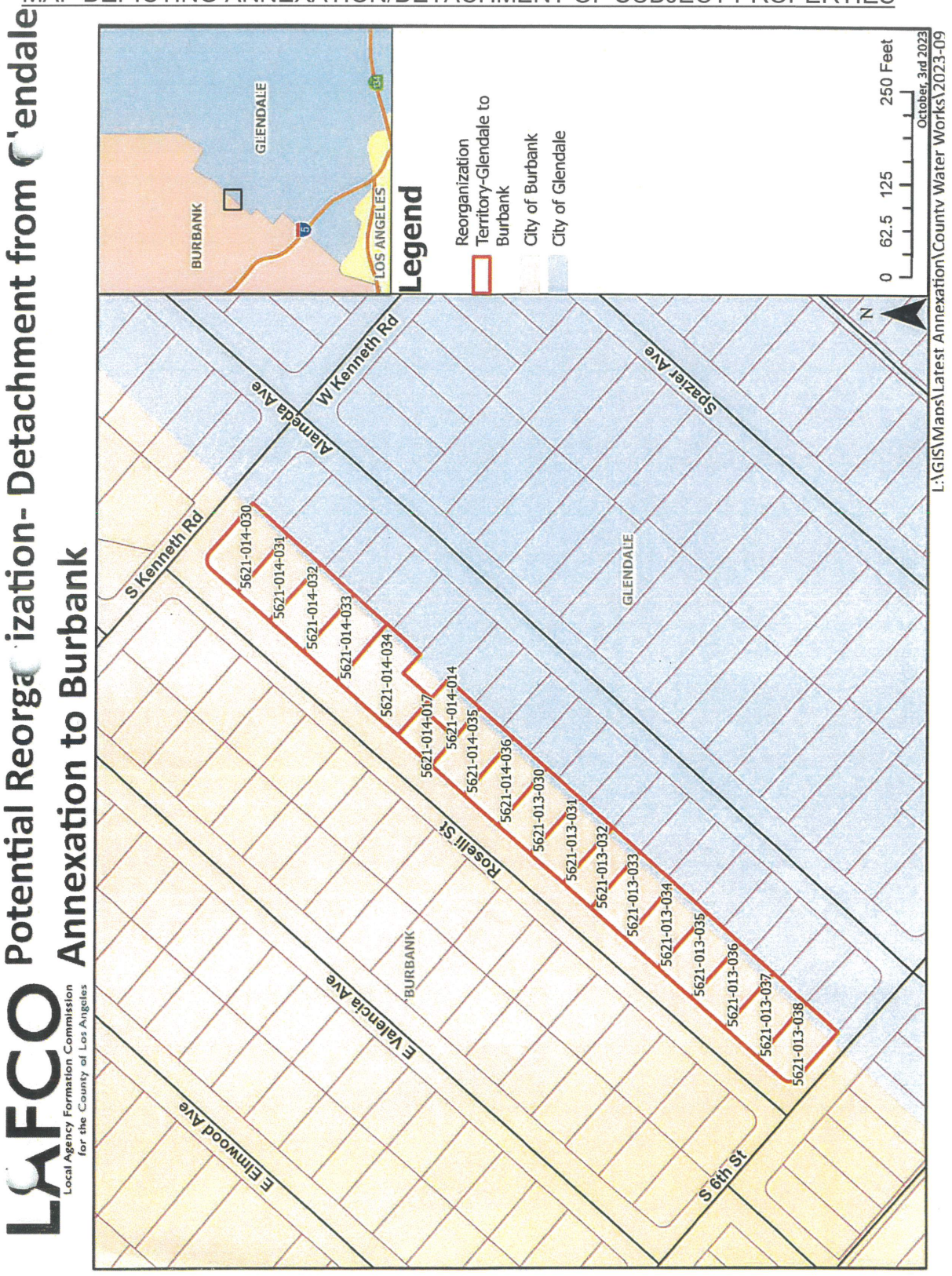
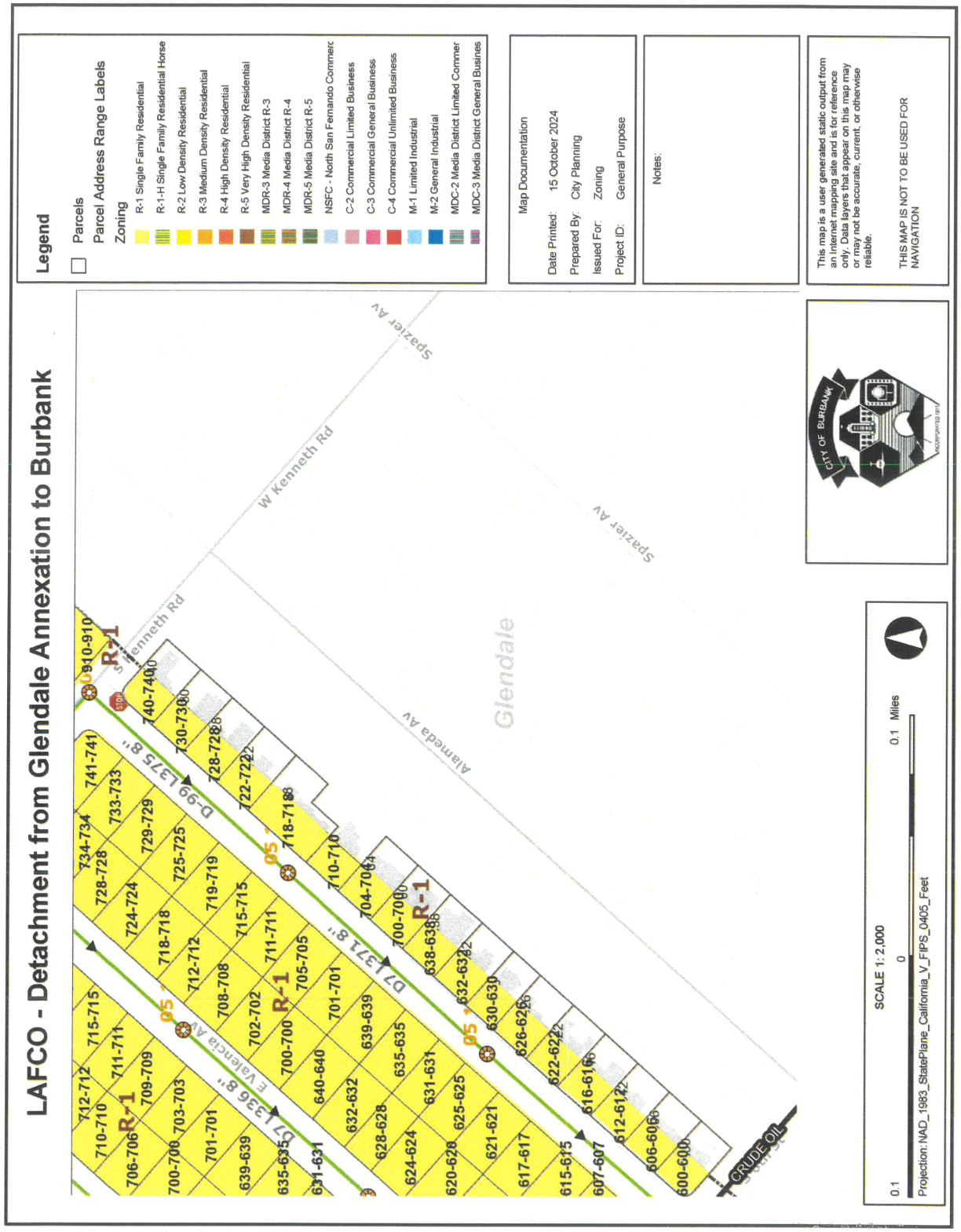


EXHIBIT B
GENERAL ZONING MAP OF SUBJECT PROPERTIES



LAFCO Local Agency Formation Commission for Los Angeles County

INSTRUCTIONS FOR FILING AN APPLICATION FOR PROCEEDINGS BEFORE THE LOCAL AGENCY FORMATION COMMISSION FOR LOS ANGELES COUNTY

1. RESOLUTION (PETITION) MAKING APPLICATION

If the application to initiate proceedings before the Local Agency Formation Commission (LAFCO) is initiated by a registered voter or landowner, submit the original petition (See Landowner/Registered Voter Petition). If initiated by an affected agency, submit one certified copy of a resolution of said agency.

2. APPLICATION FORM

Submit a signed original application form and 25 Copies.

NOTE: BEFORE SUBMITTING THE APPLICATION PLEASE CALL THE LAFCO OFFICE FOR A PROPOSAL DESIGNATION NUMBER. WHEN INQUIRING ABOUT YOUR APPLICATION THIS IS THE NUMBER YOU WILL USE. LAFCO DOES NOT TRACK PROPOSALS BY TRACT NUMBER OR APN.

3. GEOGRAPHIC DESCRIPTION

Use EXHIBIT "A" and LAFCO Designation number as the title.

EXHIBIT "A"
Annexation No. 2005-21
To Los Angeles County Waterworks District 40,
Antelope Valley

See State Board of Equalization "Changes of Jurisdiction Boundary", for further written description requirements.

Submit 5 **prints** (not copies) of the description.

4. MAP

Use Exhibit "B" and the LAFCO designation number as the title.

Subject territory must be extended to the centerline of the street.

All Parcels within the subject territory must be drawn and identified. Parcels outside subject territory must be drawn.

Preferred map size is 11 x 17.

Minimum Scale:	1-20 acres	1" = 200' or 1" =300'
	21-1000 acres	1" = 400' or 1" =800'
	Over 1000 acres	1" = 800' or 1"= 1200'

See State Board of Equalization "Changes of Jurisdictional Boundary", for further map requirements.

Submit 5 original **prints** (not copies) of the map to scale.
Submit 5 legible copies of the map reduced to 8 ½ x 11 (scale doesn't matter).

5. RADIUS MAP AND CORESPONDING MAILING LABELS

Pursuant to Government Code Section 56157 LAFCO requires notification of all landowners and registered voters within 300 feet of the exterior boundary of the subject area, as shown upon the most recent assessment roll and the most recent index of affidavits prepared by the county elections official. The radius map should contain subject area and each parcel of land lying entirely or partially within a 300 foot radius.

Submit one map no larger than 11 x 17.

Submit one set of mailing labels of the landowners and registered voters that are within a 300 foot radius of the exterior boundary of the subject area. On the labels (1 x 2 inches), please include assessor parcel number, name, and address of each landowner and/or registered voter.

Provide a separate list of the names an address of all landowners that are within the boundaries of the subject territory and a corresponding set of labels.

6. FEES

The applicant must submit the appropriate fees with the application. Where the fee is based upon the actual cost of work to be performed, as set forth in the Fee Schedule, the applicant shall deposit with the application an amount equal to one-third of the estimated cost of the work, as determined by the Executive Officer, and may be required to make progress payments during the proceedings. All other fees must be paid in full with the application.

All checks are made payable to the ***Local Agency Formation Commission***.

No application shall be accepted for filing until all applicable filing fees have been deposited with the Executive Officer and the application is in all other respects complete.

Fees are non-refundable.

A request for waiver or reduction of any filing fee or other fee must be submitted in writing no later than the date of submittal of the application and shall specify the reason(s) for the request. The request will be considered by the Commission at the next meeting for which the item can be legally placed on the agenda.

The payment of any filing fee should not be construed to either obligate the applicant to pay any additional processing fees pursuant to Government Code Section 56383.

Note: Upon completion of proceedings the applicant is also responsible for payment of the State Board of Equalization processing fees based on acreage category. Please <u>DO NOT</u> include State Board of Equalization fees at the time of application submittal. The applicant will be notified by LAFCO Staff of the amount and when the fee must be submitted to this office.

7. ENVIRONMENTAL DOCUMENTS

California Environmental Quality Act compliance is required for most LAFCO actions.

If the application is initiated by a public agency, submit as applicable, 25 copies of the Notice of Determination with the Negative Declaration and Initial Study attached. Submit the same amount where applicable of the Mitigated Negative Declaration, Determination of Exemption, Mitigation Monitoring and Reporting Program, or other related environmental documents. In the case of an Environmental Impact report please submit two (2) hard copies of the full report and a copy of the same on disk (CD is preferable by this office, but not mandatory).

In order for LAFCO to consider the CEQA requirement met all environmental documents must have the stamp from the County Clerk and a copy of the Certificate of Fee Exemption or a copy of the receipt indicating all fees required by the Fish and Game Commission have been paid. Documents submitted without the County Clerk's will not be considered as CEQA compliance by this office.

If the application is initiated by petition, the applicant may be required to submit additional information for an environmental assessment.

8. PRE-ZONING ORDINANCE

If the proposal involves annexation to a city, submit one copy of the pre-zoning ordinance.

9. LIST OF LIMITING ADDRESSES

For city boundary change proposals only, submit two copies of either a map or list of all streets and addresses within the proposal. If addresses will be changed upon completion of the proposal, please submit both current and new numbers.

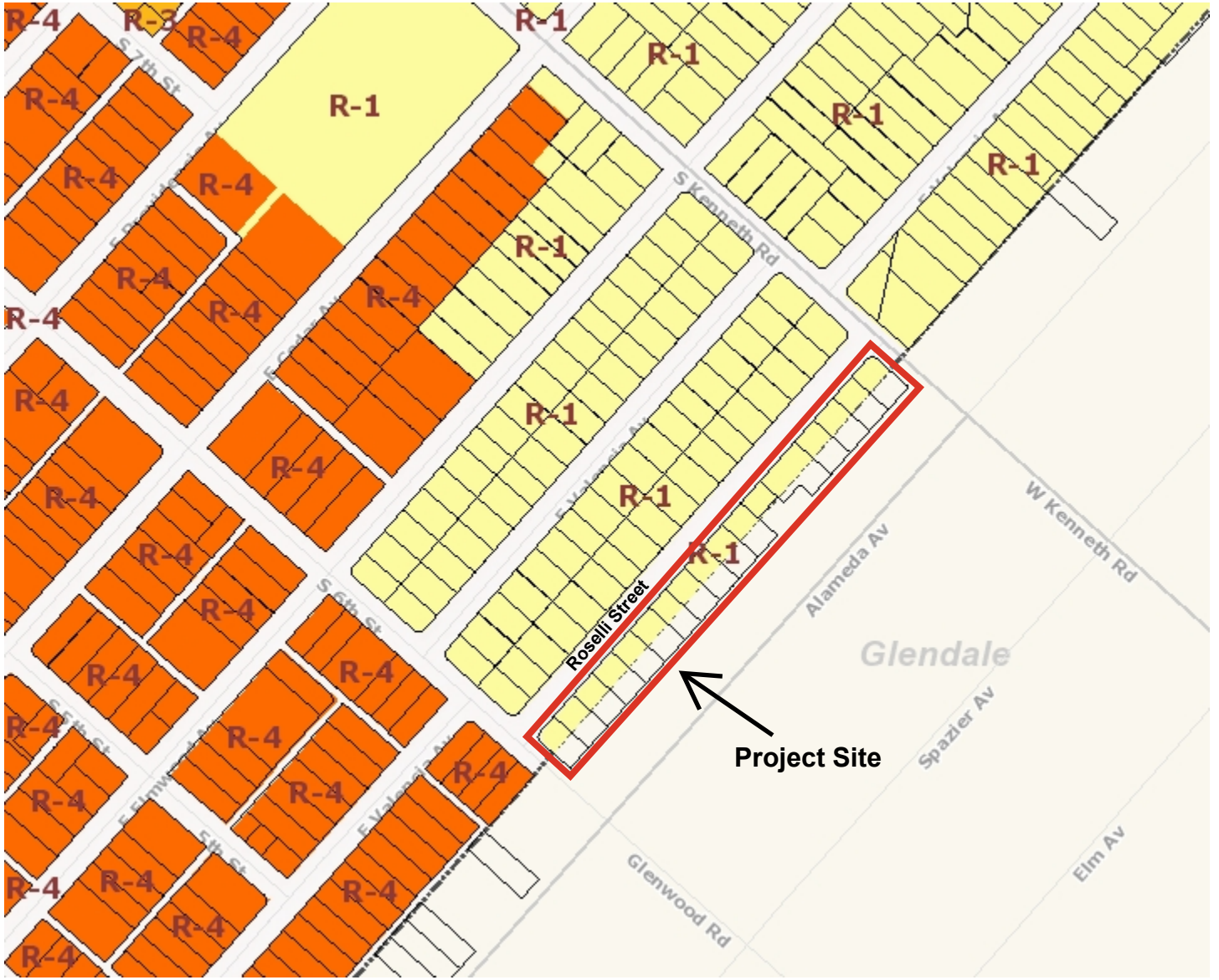
10. SUBMISSION OF APPLICATION MATERIALS

All application materials must be mailed or delivered to the following address:

Local Agency Formation Commission
80 S. Lake Avenue, Suite 870
Pasadena, CA 91101

If you have any questions, contact LAFCO staff by telephone at 626/204-6500 or Fax at 626/204-6507.

Zoning Designations for Surrounding Neighborhood



Legend

- Parcels
- Zoning
  - R-1 Single Family Residential
  - R-1-H Single Family Residential Horsekeeping
  - R-2 Low Density Residential
  - R-3 Medium Density Residential
  - R-4 High Density Residential
  - MDR-3 Media District R-3
  - MDR-4 Media District R-4
  - NSFC - North San Fernando Commercial
  - C-2 Commercial Limited Business
  - C-3 Commercial General Business
  - C-4 Commercial Unlimited Business
  - M-1 Limited Industrial
  - M-2 General Industrial
  - MDC-2 Media District Limited Commercial
  - MDC-3 Media District General Business
  - MDC-4 Media District Commercial/Media Production
  - MDM-1 Media District Industrial
  - NB Neighborhood Business

Map Documentation

Date Printed: 5 February 2026

Prepared By:

Issued For:

Project ID:

Project Notes:

SCALE 1: 4,000

0.1 0 0.1 Miles

Projection: NAD_1983_StatePlane_California_V_FIPS_0405_Feet

CITY OF BURBANK

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ATTACHMENT 5 - 1

General Plan Land Use Designations for Surrounding Neighborhood



Legend

- Parcels
- General Plan Land Use
  - Low Density Residential
  - Medium Density Residential
  - High Density Residential
  - Corridor Commercial
  - Regional Commercial
  - Open Space
  - Institutional
  - Airport
  - Downtown Commercial
  - South San Fernando Commercial
  - North Victory Commerical/Industrial
  - Rancho Commercial
  - Media District Commercial
  - Golden State Commercial/Industrial
- Park
- School
- Library
- Airport

Map Documentation

Date Printed: 5 February 2026

Prepared By:

Issued For:

Project ID:

Notes:

SCALE 1: 4,000

0.1 0 0.1 Miles

Projection: NAD_1983_StatePlane_California_V_FIPS_0405_Feet

CITY OF BURBANK

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Attachment 6: February 23, 2026 Meeting Staff Report, Resolution, and Minutes

Planning Commission Staff Report, Dated February 23, 2026

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: February 23, 2026

TO: City Planning Commission

FROM: Fred Ramirez, Assistant Community Development Director - Planning
Via: Scott Plambaeck, Planning Manager SP
Daniel Villa, Principal Planner DV
By: Karen Chavez Hernandez, Associate Planner K.C.H.

SUBJECT: **Project No. 25-0004181; A General Plan Map Amendment and Zone Map Amendment to consider establishing General Plan Land Use Designations and Zoning Designations for portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank**

RECOMMENDATION

Adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURBANK RECOMMENDING THE CITY COUNCIL ADOPT: (1) A RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP TO ESTABLISH LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY; AND (2) A ZONING ORDINANCE AMENDING THE ZONING MAP OF THE BURBANK MUNICIPAL CODE TO ESTABLISH SINGLE FAMILY RESIDENTIAL (R-1) ZONING DESIGNATIONS FOR THE SAME 17 PROPERTIES PROPOSED FOR ANNEXATION INTO THE CITY (Exhibit A).

EXECUTIVE SUMMARY

Staff recommends the Planning Commission adopt the attached Resolution recommending that the City Council approve the proposed General Plan Map Amendment (GPA) and adopt the Zone Map Amendment (ZMA) (Exhibit A). The proposed amendments would update the General Plan Land Use Map in Exhibit LU-1 Land Use Diagram and assign a General Plan Land Use Designation of Low Density Residential, and amend the Zoning Map, as referenced in Burbank Municipal Code (BMC) Section 10-1-302(A), to establish a Zoning Designation of Single-Family Residential (R-1) to portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank. The proposed annexation into the City

of Burbank, and concurrent detachment from the City of Glendale, will also amend the City Limit Boundaries for both jurisdictions.

Following the Planning Commission's recommendation, the City Council will hold a noticed public hearing to consider the Resolution adopting the GPA (GPA Resolution) and the Ordinance adopting the ZMA (ZMA Ordinance). Should the City Council adopt the GPA and the ZMA, the application for this Project will proceed through the Local Agency Formation Commission for the County of Los Angeles (LAFCO) annexation process, which also includes a noticed public hearing at the LAFCO level. If approved by the LAFCO, the annexation will be complete.

BACKGROUND

Roselli Block Characteristics and Issues Raised

Located on the even side of the 600 and 700 block of Roselli Street, 17 properties are bisected by the jurisdictional boundaries of the City of Burbank and the City of Glendale ("Subject Properties"). The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving the rear approximately 50 feet of each of the Subject Properties in the City of Glendale, while the majority of each lot of the Subject Properties is within the City of Burbank (Exhibit B). The Subject Properties front Roselli Street, a City of Burbank street, and therefore have City of Burbank addresses. In addition, these properties receive municipal services from the City of Burbank, including water, electricity, sewer, and solid waste collection services.

Until recently, the boundary bisection had no known impact on the residents. However, during the November 2022 election, the Burbank City Clerk's Office became aware that residents living on the Subject Properties did not receive vote-by-mail ballots that included Burbank election contests for City Council, City Clerk, City Treasurer, and Burbank Unified School Board. The City Clerk's Office determined that this issue resulted from a precinct boundary change implemented during the 2021 redistricting process that was affected by the existing jurisdictional boundaries. As a result, property taxes for the Subject Properties were credited to the City of Glendale rather than the City of Burbank. Because voter ballot assignments are based on the jurisdiction in which property taxes are paid, residents of the Subject Properties currently receive City of Glendale ballots instead of City of Burbank ballots.

To correct this situation, the jurisdictional boundaries must be adjusted through the LAFCO process. This would require the City of Burbank to annex the portions of the Subject Properties currently within the City of Glendale. In addition, this will require the City of Glendale to concurrently detach the properties from its jurisdictional boundaries. The proposed annexation and concurrent detachment will also amend the City Limit Boundaries for both Burbank and Glendale.

The City of Burbank initiated coordination with the City of Glendale, including communication with their City Clerk and City Manager, to apprise them of the boundary issue and its impact on residents' voting rights. Staff's understanding is that Glendale's City Manager confirmed Glendale's cooperation in correcting the boundary lines, enabling

Burbank to move forward with the annexation process for the noted portions of the Subject Properties.

Burbank City Council Request to Initiate Annexation Proceedings

On October 29, 2024, the Burbank City Council adopted Resolution No. 24-29,567 (Exhibit C) requesting that the LAFCO[1] initiate proceedings for the annexation to the City of Burbank and concurrent detachment from the City of Glendale of portions of the Subject Properties (collectively, the "Reorganization"), and directing Staff to process any and all documents as necessary to effectuate the Reorganization.

Local Agency Formation Commission (LAFCO) Annexation Process and Application

The LAFCO has an established process for requests involving jurisdictional boundary changes. This process generally includes: (1) submittal of an application to LAFCO; (2) LAFCO staff review of the application; (3) LAFCO consideration of the request at a noticed public hearing; and (4) a decision on the request for jurisdictional boundary changes. From the date an application is submitted, this process typically takes approximately two to three years to complete. As part of this process, the LAFCO prepares a written report and recommendation, which is routed to all affected local agencies, including the City of Glendale.

To initiate proceedings for the Reorganization, the City of Burbank needs to submit a completed application to the LAFCO for review and consideration (LAFCO Application). The LAFCO Application identifies several submittal requirements that must be included (Exhibit D). One requirement is the submittal of a "Pre-Zoning Ordinance," which is a Zoning Ordinance that would preemptively establish Zoning Designations for the portions of the Subject Properties proposed for annexation ("Zoning Ordinance"). To be able to submit to LAFCO the required Zoning Ordinance along with the LAFCO Application, the City needs to preemptively establish a Zoning Designation for the properties proposed for annexation into the City. In addition, the City also needs to preemptively establish a General Plan Land Use Designation for these same properties. The designations would only take effect upon LAFCO's approval of the Reorganization. This would ensure that the portions of the Subject Properties proposed for annexation have established General Plan and Zoning regulations.

Accordingly, to preemptively establish the proposed Zoning and General Plan Land Use Designations, the Planning Commission must consider, and the City Council must approve, a General Plan Map Amendment (GPA) and a Zone Map Amendment (ZMA).

Processing of General Plan Map Amendment (GPA) and Zone Map Amendment (ZMA)

To complete and submit the LAFCO Application, the City needs to undertake a GPA and ZMA. Burbank Municipal Code (BMC) Sections 10-1-101 and following, governs the GPA. BMC Sections 10-1-1961 and following, governs the ZMA.

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[1] The Local Agency Formation Commission (LAFCO) is an independent public agency with countywide jurisdiction over the boundaries of cities and certain special districts within their respective counties. All requests for jurisdictional reorganization, including annexations, are coordinated by each county's LAFCO.

Existing Neighborhood Context

Part of processing a GPA and ZMA involves understanding the existing land use and neighborhood context to ensure that the amendments will be compatible with the surrounding neighborhood. This includes identifying the existing zoning and general plan land use designations of nearby parcels, surrounding land uses and development patterns.

The Subject Properties are located on the south side of the Roselli Street block, bound by South Kenneth Road to the north and South Sixth Street to the south. The portion of the Subject Properties located within the City of Burbank have a General Plan Land Use Designation of Low Density Residential, and a Zoning Designation of Single Family Residential (R-1). The Subject Properties are currently developed with single family homes and have been such for decades.

The north side of the Roselli Street block also has a General Plan Land Use Designation of Low Density Residential and a Zoning Designation of Single-Family Residential (R-1). These properties are improved with single family homes. The surrounding neighborhood to the north and east of the Subject Properties also have a General Plan Land Use Designation of Low Density Residential and a Zoning Designation of Single-Family Residential (R-1) and are also improved with single family homes. The surrounding neighborhood to the west of the Subject Properties has a General Plan Land Use Designation of Medium Density Residential and High Density Residential, and a Zoning Designation of High Density Residential (R-4). These properties are generally improved with a mix of single family and multifamily homes (Exhibit E).

DISCUSSION

Proposed General Plan Map Amendment (GPA) and Zone Map Amendment (ZMA)

A GPA is required before the ZMA, because Zoning Map Amendments must be consistent with the City's adopted General Plan.

Accordingly, Staff proposes two amendments:

1) A General Plan Map Amendment that would, by resolution, amend the General Plan Land Use Map in Exhibit LU-1. Land Use Diagram to establish General Plan Land Use Designations of Low Density Residential for portions of the 17 properties that are proposed for annexation into the City.

2) A Zone Map Amendment which would, by ordinance[2], amend the City of Burbank Zoning Map, as referenced in BMC Section 10-1-302(A), to establish a Zoning Designation of Single Family Residential (R-1) for portions of 17 properties that are proposed for annexation into the City.

These designations would be consistent with (1) the existing designations of those portions of the Subject Properties currently within the City of Burbank; (2) the objectives, policies,

[2] This would fulfill the Zoning Ordinance requirement referenced in the Background discussion above.

general land uses and programs of the City's general plan; and (3) would be consistent with the existing development pattern on site and in the surrounding neighborhood. The amendments would become effective upon the properties being annexed into the City.

Findings for Approval of a General Plan Map Amendment

The City's General Plan, Burbank2035, was adopted in 2013 and serves as the City's primary land use policy document. It establishes the community's long-term vision for physical development, including goals, policies, land use designations, and allowable densities that guide future growth and decision-making.

Pursuant to BMC Section 10-1-102 (Amendment of General Plan), the GPA requires Planning Commission consideration and City Council approval. The City Council can make amendments to the General Plan as often as it deems it necessary or advisable for the best interests of the City. However, no amendments to the General Plan shall be adopted without first making required findings (see generally Gov. Code §65300.5.) Below are the required findings, including staff's assessment and recommendation that the GPA meets these requirements.

1. **The proposed General Plan Map Amendment is consistent with the Burbank2035 General Plan goals and policies and any of the plan goals that may be affected by the Project's implementation. Specifically, the proposed General Plan Map Amendment is consistent with the following Burbank2035 General Plan goals and policies:**

   - *Policy 1.3 of Goal 1:* Maintain and protect Burbank's residential neighborhoods by avoiding encroachment of incompatible land uses and public facilities.

   - *Policy 1.8 of Goal 1:* 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.

   - *Policy 2.7 of Goal 2:* Make and enforce land use policy in an equitable fashion to protect all people equally from adverse environmental effects.

   - *Policy 3.4 of Goal 3:* Avoid abrupt changes in density, intensity, scale, and height and provide gradual transitions between different development types.

   - *Goal 7: Community Participation:* Burbank encourages community engagement and provides a wide range of opportunities to participate in the planning process.

   - *Policy 7.3 of Goal 7:* Consistently seek direct public involvement in the planning process for new projects and plans, as well as for everyday planning matters.

   Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject

Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank will apply to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the City Limits Boundary will be amended and the portions being annexed will need to have an established General Plan Land Use Designation.

The General Plan Map Amendment establishes a General Plan Land Use Designation of Low Density Residential for portions the Subject Properties proposed for annexation into the City of Burbank. It would not cause any internal inconsistencies in the General Plan, would not change any policy direction or intent of the General Plan, would contribute to the purposes of the General Plan, and would accurately reflect the same land use designation as the portions of the Subject Properties currently within City boundaries.

Further, the General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank receive the same General Plan Land Use Designations as the remainder of the parcels as well as the surrounding parcels, thereby confirming consistency and compatibility with existing land uses. It will ensure that the portions being annexed into the City of Burbank comply with the policies applicable to the Low-Density Residential designation, such as limiting buildings to a size and scale that is consistent with the predominant neighborhood character. The General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank follow consistent land use policies as the surrounding neighborhood in order to protect all people from adverse environmental effects. It will also ensure that there are no abrupt changes in density, intensity, scale, and height since the portions being annexed into the City of Burbank will have the same General Plan Land Use Designation as the portions of the lot that are already within the City of Burbank.

The General Plan Map Amendment has encouraged community participation along many milestones, including confirming that the impacted residents support the planning process to correct the improper boundary bisection and informing the occupants and owners of property within a radius of 1,000 feet of the exterior boundaries of the property to be rezoned about the planning process. This General Plan Map Amendment is an example of how a community can come together in order to raise awareness about an issue that is impacting a block within the City of Burbank and bring about a change through a planning process.

2. **The potential impacts of the proposed General Plan Map Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.**

The amendment to establish General Plan Land Use Designations of Low Density Residential for portions the Subject Properties that are being annexed into the City

of Burbank is not anticipated to be detrimental to the public health, safety, and welfare. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. The portions of the Subject Properties that are located within the City of Burbank currently have a General Plan Land Use Designation of Low Density Residential. Correcting the bisecting boundary so that the Subject Properties fall entirely within the City of Burbank's jurisdiction would result in a consistent General Plan Land Use Designation for the whole parcel. Therefore, the proposed amendment will not result in a detrimental impact to public health, safety, or welfare.

3. **The proposed General Plan Map Amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).**

   The proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. The proposed amendment is merely to correct the improper boundary bisection and annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Therefore, the proposed amendment has been processed in accordance with the applicable provisions of CEQA and has been determined to be exempt from CEQA and no further analysis under CEQA is required.

<u>Findings for Approval of a Zone Map Amendment</u>

Pursuant to BMC Sections 10-1-107 (Zone Map Amendments Consistent With General Plan) and 10-1-1961, and following, (Zone Map Amendment) zone map amendments require Planning Commission consideration and City Council approval. However, no ordinance changing the Zone Map designation of property shall be adopted without first making required findings. Below are the required findings, including staff's assessment and recommendation that the ZMA meets these requirements.

1. **The proposed Zone Map Amendment is consistent with the General Plan of the City of Burbank and the provisions of Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code, and are compatible with the specified objectives, policies, general land uses and programs.**

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank has applied to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the portions being annexed will need to have an established zoning designation.

The Zone Map Amendment establishes a Zoning Designation of Single Family Residential (R-1) for portions the Subject Properties that are being annexed into the City of Burbank. This designation is consistent with the objectives, policies, general land uses, density and programs of Burbank2035. The Zone Map Amendment would ensure that the newly annexed land be zoned for single family purposes consistent with (1) the existing development pattern on site and in the surrounding neighborhood, which is zoned R-1 and (2) the Low Density Residential General Plan Land Use Designation that would be established for portions the Subject Properties once annexed into the City of Burbank. The proposed Zone Map Amendment will not cause any internal inconsistencies in the General Plan and would not change any policy direction or intent of the General Plan. The Subject Properties are currently improved with single family homes. With the Zone Map Amendment these Subject Properties will continue to enjoy the benefit of single-family home uses.

INTERDEPARTMENTAL REVIEW

The Reorganization, GPA and ZMA were routed to the City's Interdepartmental Review Committee (IDRC) for coordination and review. The IDRC raised no concerns regarding the annexation of the portions of the Subject Properties into the City, or the proposed GPA and ZMA.

PUBLIC NOTIFICATION AND INPUT

As a prelude to the Reorganization, the Burbank City Clerk's Office sent multiple letters and placed telephone calls to all households and property owners of the 17 Subject Properties and contact was made with the majority of the residents, none of whom objected to an effort to initiate proceedings to annex a portion of the Subject Properties into the City of Burbank, and concurrently detach it from the City of Glendale. In October 2024, consent letters were mailed to the owners of the Subject Properties asking for them to sign and return the letters to the City Clerk's Office.

Recently, the residents and property owners of the Subject Properties were mailed a letter on January 28, 2026, with an update on the Reorganization and were provided with preliminary notice of upcoming public hearings associated with the GPA and ZMA.

In conformance with BMC Section 10-1-1964, Staff provided public notice in a newspaper of general circulation in the City on January 31, 2026, concerning the Planning Commission's hearing and recommendation on the proposed GPA Resolution and ZMA

Ordinance at their regular meeting of February 23, 2026. In addition, notices were mailed on January 30, 2026, to the occupants and owners of property within a radius of 1,000 feet of the exterior boundaries of the property to be rezoned. Further, additional notifications for the Planning Commission meeting were distributed via the City Calendar and the Planning Division website.

As of completion of this report, the City has received six phone calls inquiring about the purpose of the GPA and ZMA, and impacts to the surrounding neighborhood. The City has not received any phone calls or written correspondence in opposition to the proposed GPA Resolution and ZMA Ordinance.

ENVIRONMENTAL REVIEW

Staff's position is that the proposed GPA Resolution and ZMA Ordinance are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the GPA Resolution and ZMA Ordinance are exempt from CEQA pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), the common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. These items simply apply the existing General Plan Land Use and Zoning Designations to the Subject Properties that already exist but are allocated in part to the City of Glendale, without any change in use, and match them with the existing designations for the immediate neighborhood.

The Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to the LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Staff recommends that the Planning Commission include as part of their recommendation that the City Council find the GPA Resolution and ZMA Ordinance are exempt from CEQA and that no further analysis under CEQA is required. However, the Planning Commission's recommendation, by itself, is not a project under CEQA because it is not an approval leading to a definite course of action. (14 CCR §§ 15352(a); 15378.)

FISCAL IMPACT

The cost of completing this annexation project is anticipated to total $50,000, comprised of legal fees, LAFCO application fees, community outreach, etc., with the funding coming from the City Clerk's Office and City Attorney's Office. These costs are anticipated to be recovered over time in the form of increased property tax revenue.

CONCLUSION

The proposed GPA Resolution and ZMA Ordinance will establish a General Plan Land Use Designation of Low Density Residential and a Zoning Designation of Single-Family Residential (R-1) for portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank. The amendments would ensure that the newly annexed land be zoned for single family purposes consistent with the existing development pattern on site and in the surrounding neighborhood. The Subject Properties are currently improved with single family homes and will continue to enjoy the benefit of single family home uses.

The proposed GPA Resolution and ZMA Ordinance is progression towards fulfilling the City Council's request, through Resolution No. 24-29,567, to process the necessary documents and initiate proceedings for the Reorganization to annex portions of the Subject Properties into the City of Burbank and concurrently detach those portions from the City of Glendale. If the City Council approves the GPA Resolution and ZMA Ordinance, Staff will be able to submit a complete LAFCO Application for review and consideration. Upon LAFCO approval, the portions of the Subject Properties will be officially annexed into the City of Burbank, and residents of the Subject Properties will thereafter receive City of Burbank ballots.

List of Exhibits	
Exhibits	**Title**
A	Resolution
B	Subject Properties
C	Resolution No. 24-29,567
D	LAFCO Application
E	Surrounding Area Designations

Planning Commission Resolution, Dated February 23, 2026

RESOLUTION NO. 3484

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURBANK RECOMMENDING THE CITY COUNCIL ADOPT: (1) A RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP TO ESTABLISH LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY; AND (2) A ZONING ORDINANCE AMENDING THE ZONING MAP OF THE BURBANK MUNICIPAL CODE TO ESTABLISH SINGLE FAMILY RESIDENTIAL (R-1) ZONING DESIGNATIONS FOR THE SAME 17 PROPERTIES PROPOSED FOR ANNEXATION INTO THE CITY.

(PROJECT NO. 25-0004181; GENERAL PLAN AMENDMENT AND ZONE MAP AMENDMENT)

THE PLANNING COMMISSION OF THE CITY OF BURBANK FINDS:

A. The Planning Commission of the City of Burbank at its meeting of February 23, 2026 held a public hearing on Project No. 25-0004181 (General Plan Amendment and Zone Map Amendment) to consider establishing General Plan Land Use Designations and Zoning Designations for portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank under Project No. 25-0004181 ("Project"). The properties are referenced in Attachment 1, and may be referred to as the Subject Properties ("Subject Properties"). The portions of the Subject Properties proposed for annexation into the City would have a General Plan Land Use Designation of Low Density Residential and a Zoning Designation of Single-Family Residential (R-1). This would become effective upon annexation into the City of Burbank.

B. The City is in the process of applying to the Local Agency Formation Commission for the County of Los Angeles ("LAFCO") to annex portions of the Subject Properties to the City of Burbank and the concurrent detachment from the City of Glendale. The description of the proposal area is as follows: the back approximately fifty (50) feet of each of the 17 properties located on the even side of the 600 and 700 block of Roselli Street where the cities of Burbank and Glendale jurisdictional lines bisect.

C. As part of the application to the LAFCO, the City must submit a "Pre-Zoning Ordinance," which is a Zoning Ordinance that would preemptively establish Zoning Designations for the properties proposed for annexation ("Zoning Ordinance"). To be able to provide LAFCO the required Zoning Ordinance as part of the submission of the LAFCO application, the City needs to preemptively establish a Zoning Designation for the properties proposed for annexation into the City. The designations would only take effect upon LAFCO's approval of the Reorganization and ensure that the properties proposed for annexation into the City have established zoning regulations.

D. Said hearing was properly noticed in accordance with the provisions of Burbank Municipal Code (BMC) Section 10-1-1963.

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

F. The Planning Commission has reviewed the City Planner's environmental assessment and concurs with the assessment that the proposed Zone Map Amendment (ZMA), General Plan Amendment (GPA), and associated Resolution and Ordinance are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project is also exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to the LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. As such, the Planning Commission recommends that the City Council find both the adoption of the proposed Resolution adopting the General Plan Amendment (GPA Resolution) and Ordinance adopting the Zone Map Amendment (ZMA Ordinance), exempt from CEQA and that no further analysis under CEQA is required.

G. The Planning Commission finds that the proposed GPA and ZMA are consistent with the Burbank2035 General Plan and are compatible with the specified objectives, policies, general land uses and programs, and more specifically, the General Plan Land Use Element. Furthermore, all findings required under BMC Section 10-1-107 and California Government Code Section 65860 can be made as outlined in this Resolution. Accordingly, the Planning Commission recommends that the City Council adopt such findings as part of their approval of the GPA Resolution and their adoption of the ZMA Ordinance.

H. The documents and other materials that constitute the record of proceedings, upon which the decision to recommend approval of the proposed GPA and ZMA (Project No. 25-0004181) and associated environmental assessment that the project qualifies for a categorical exemption under CEQA, is located in the Planning Division of the City of Burbank and the custodian of the record is the City Planner.

THE PLANNING COMMISSION OF THE CITY OF BURBANK RESOLVES:

1. The findings above are true and correct and incorporated into this Resolution.

2. Project No. 25-0004181 is a General Plan Amendment and Zone Map Amendment to establish General Plan Land Use Designations and Zoning Designations for portions the Subject Properties that are being annexed into the City of Burbank. The portions of the Subject Properties being annexed into the City would have a general plan designation of Low Density Residential and a Zoning Designation of Single-Family Residential (R-1). This would become effective upon annexation of the property into the City of Burbank. Attachments 2 and 3 (Draft GPA Resolution and Draft ZMA Ordinance, respectively) to this Resolution, reflect the Commission's recommendation to the City Council of the City of Burbank (City Council).

3. The recommendation for City Council approval of Project No. 25-0004181 through adoption of (1) a Resolution Amending the General Plan Land Use Designation Map to Low Density Residential for portions of the Subject Properties that are proposed for annexation into the City of Burbank, and (2) a Zoning Ordinance to amend the Zoning Map of the City of Burbank to reflect the pre-Zoning of Single Family Residential (R-1) for portions of the Subject Properties that are proposed for annexation into the City of Burbank. This recommendation is based upon the Planning Commission's approval of the following findings:

A. FINDINGS FOR THE GENERAL PLAN AMENDMENT:

1) The proposed General Plan Map Amendment is consistent with the Burbank2035 General Plan goals and policies and any of the plan goals that may be affected by the Project's implementation. Specifically, the proposed General Plan Map Amendment is consistent with the following Burbank2035 General Plan goals and policies:

- *Policy 1.3 of Goal 1*: Maintain and protect Burbank's residential neighborhoods by avoiding encroachment of incompatible land uses and public facilities.

- *Policy 1.8 of Goal 1*: 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.

- *Policy 2.7 of Goal 2*: Make and enforce land use policy in an equitable fashion to protect all people equally from adverse environmental effects.

- *Policy 3.4 of Goal 3*: Avoid abrupt changes in density, intensity, scale, and height and provide gradual transitions between different development types.

- *Goal 7: Community Participation*: Burbank encourages community engagement and provides a wide range of opportunities to participate in the planning process.

- *Policy 7.3 of Goal 7*: Consistently seek direct public involvement in the planning process for new projects and plans, as well as for everyday planning matters.

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank will apply to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the City Limits Boundary will be amended and the portions being annexed will need to have an established General Plan Land Use Designation.

The General Plan Map Amendment establishes a General Plan Land Use Designation of Low Density Residential for portions the Subject Properties proposed for annexation into the City of Burbank. It would not cause any internal inconsistencies in the General Plan, would not change any policy direction or intent of the General Plan, would contribute to the purposes of the General Plan, and would accurately reflect the same land use designation as the portions of the Subject Properties currently within City boundaries.

Further, the General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank receive the same General Plan Land Use Designations as the remainder of the parcels as well as the surrounding parcels, thereby confirming consistency and compatibility with existing land uses. It will ensure that the portions being annexed into the City of Burbank comply with the policies applicable to the Low Density Residential designation, such as limiting buildings to a size and scale that is consistent with the predominant neighborhood character. The General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank follow consistent land use policies as the surrounding neighborhood in order to protect all people from adverse environmental effects. It will also ensure that there are no abrupt changes in density, intensity, scale, and height since the portions being annexed into the City of Burbank will have the same General Plan Land

Use Designation as the portions of the lot that are already within the City of Burbank.

The General Plan Map Amendment has encouraged community participation along many milestones, including confirming that the impacted residents support the planning process to correct the improper boundary bisection and informing the occupants and owners of property within a radius of 1,000 feet of the exterior boundaries of the property to be rezoned about the planning process. This General Plan Map Amendment is an example of how a community can come together in order to raise awareness about an issue that is impacting a block within the City of Burbank, and bring about a change through a planning process.

2) *The potential impacts of the proposed General Plan Map Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.*

The amendment to establish General Plan Land Use Designations of Low Density Residential for portions the Subject Properties that are being annexed into the City of Burbank is not anticipated to be detrimental to the public health, safety, and welfare. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. The portions of the Subject Properties that are located within the City of Burbank currently have a General Plan Land Use Designation of Low Density Residential. Correcting the bisecting boundary so that the Subject Properties fall entirely within the City of Burbank's jurisdiction would result in a consistent General Plan Land Use Designation for the whole parcel. Therefore, the proposed amendment will not result in a detrimental impact to public health, safety, or welfare.

3) *The proposed General Plan Map Amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).*

The proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent

detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. The proposed amendment is merely to correct the improper boundary bisection and annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Therefore, the proposed amendment has been processed in accordance with the applicable provisions of CEQA and has been determined to be exempt from CEQA and no further analysis under CEQA is required.

B. FINDINGS FOR A ZONE MAP AMENDMENT:

1) *The proposed Zone Map Amendment is consistent with the General Plan of the City of Burbank and the provisions of Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code, and are compatible with the specified objectives, policies, general land uses and programs.*

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank has applied to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the portions being annexed will need to have an established zoning designation.

The Zone Map Amendment establishes a Zoning Designation of Single Family Residential (R-1) for portions the Subject Properties that are being annexed into the City of Burbank. This designation is consistent with the objectives, policies, general land uses, density and programs of Burbank2035. The Zone Map Amendment would ensure that the newly annexed land be zoned for single family purposes consistent with (1) the existing development pattern on site and in the surrounding neighborhood, which is zoned R-1 and (2) the Low Density Residential General Plan Land Use Designation that would be established for portions the Subject Properties once annexed into the City of Burbank. The proposed Zone Map Amendment will not cause any internal inconsistencies in the General Plan and would not change any policy direction or intent of the General Plan. The Subject Properties are currently improved with single family homes. With the Zone Map Amendment these Subject Properties will continue to enjoy the benefit of single-family home uses.

4. The Secretary of the Planning Commission shall forward a copy of this Resolution with the Planning Commission's report and decision to the City Council in accordance with the Burbank Municipal Code Section 10-1-1967.

PASSED AND ADOPTED this 23 day of February, 2026.

CITY PLANNING COMMISSION

Chairperson

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF BURBANK

I, Federico Ramirez, Secretary of the Planning Commission of the City of Burbank, certify that this Resolution was adopted by the City Planning Commission at its regular meeting held on this 23 day of February, 2026 by the following vote:

AYES: Wick, Safarian, Bennett, Van Gorder

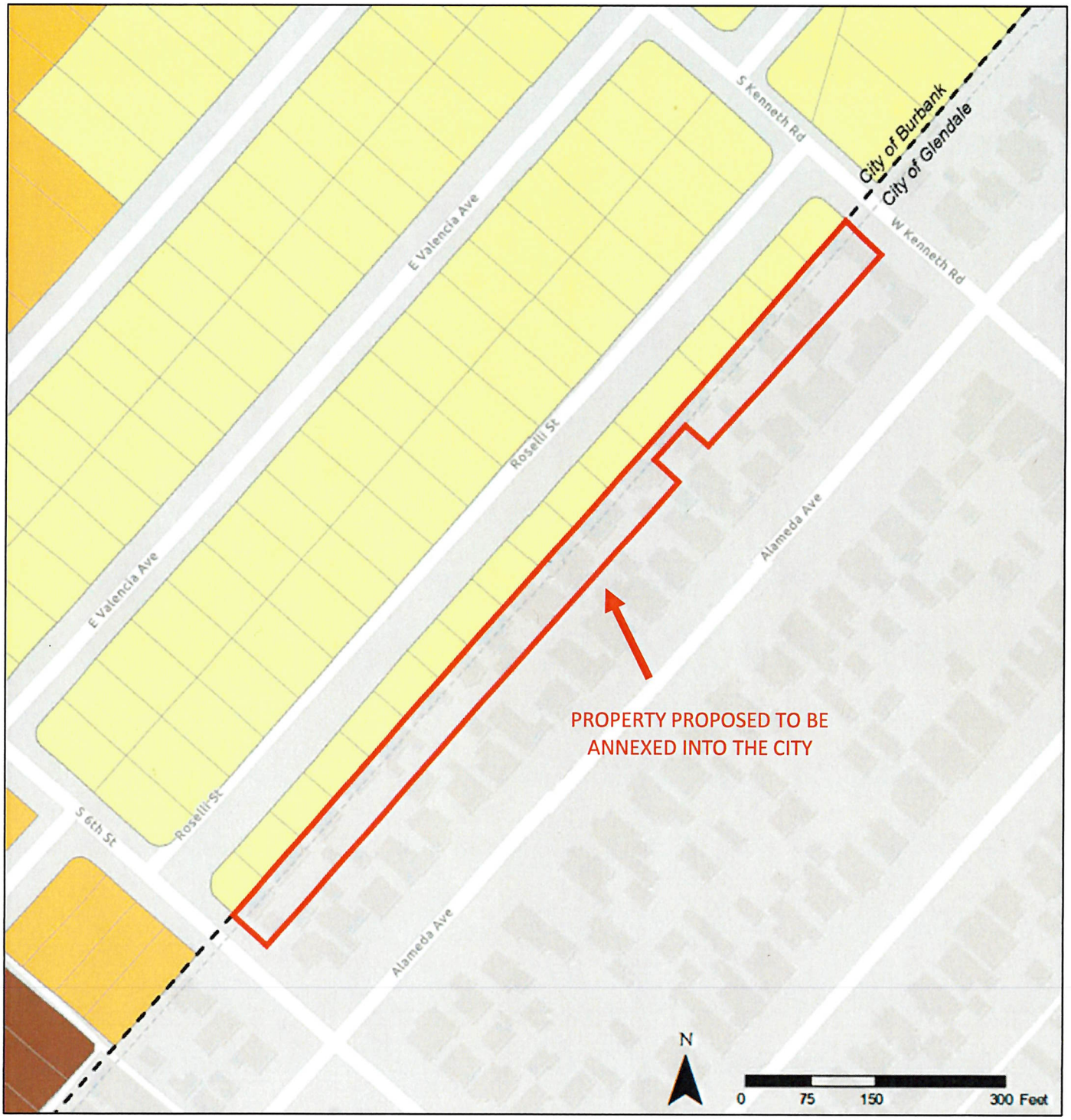
NOES:

ABSENT: Mendez

ABSTAINED:

Federico Ramirez, Secretary

PROPERTY PROPOSED FOR ANNEXATION INTO THE CITY OF BURBANK – ATTACHMENT 1


City of Burbank
City of Glendale
S Kenneth Rd
W Kenneth Rd
E Valencia Ave
E Valencia Ave
Roselli St
Roselli St
Alameda Ave
Alameda Ave
S 6th St
PROPERTY PROPOSED TO BE
ANNEXED INTO THE CITY
N
0
75
150
300 Feet

DRAFT RESOLUTION – ATTACHMENT 2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING THE GENERAL PLAN LAND USE MAP TO ESTABLISH LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY (PROJECT NO. 25-0004181)

THE CITY COUNCIL OF THE CITY OF BURBANK FINDS:

A. On or about October 29, 2024, the City Council of the City of Burbank adopted Resolution Number 24-29,567 titled "A Resolution of the Council of the City of Burbank: 1) Requesting the Local Agency Formation Commission for the County of Los Angeles (LAFCO) to Initiate Proceedings for Reorganization to Include Annexation to The City Of Burbank and Concurrent Detachment of the Subject Properties from the City of Glendale, and 2) Directing Staff to Process Documents as Necessary to Effectuate Same."

B. As background, during the November 2022 election, the Burbank City Clerk's Office became aware that residents living on the even numbered side of the 600 and 700 blocks of Roselli Street ("Roselli Street Properties") in Burbank did not receive mail-in ballots containing the Burbank election contests for City Council, City Clerk, City Treasurer, and School Board. The City Clerk's Office further became aware that this occurred because the precinct boundary for these addresses was changed during the 2021 redistricting, with this boundary bisecting (dividing) the Roselli Street Properties.

C. There are 17 properties that are affected by the bisecting of the City of Burbank/City of Glendale jurisdictional lines. These properties are included as **Exhibit A** (Existing Conditions) to this Resolution and are referred to as the Subject Properties. Due to this, the property tax paid on the Subject Properties is credited to the City of Glendale, even though the residents live in the City of Burbank, have their frontage on Burbank streets, and receive Burbank services. The place where residents pay their property taxes determines which ballots they receive. Therefore, at the moment, the residents of the Subject Properties receive City of Glendale ballots, and not City of Burbank ballots.

D. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank.

E. The City of Burbank is in the process of applying to LAFCO to correct the bisecting boundary so that the entirety of the Subject Properties fall within the City of Burbank's jurisdiction and are detached from the City of Glendale.

F. It is important that the bisecting boundary between the cities of Burbank and Glendale be corrected to ensure equity for both City of Burbank and City of Glendale residents. To do so, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale.

G. As part of the application to LAFCO to correct the boundaries of the Subject Properties, the City of Burbank is required to preemptively establish the proper General Plan Land Use and Zoning Designation that would apply to the portions of the Subject Properties being annexed into the City. Therefore, the City must amend the General Plan Land Use Map to properly reflect that the portions of the Subject Properties being annexed into the City will be designated as Low Density Residential, which is required before the City may amend its zoning map.

H. On February 23, 2026, the Planning Commission held a duly noticed public hearing on this Resolution (Project No. 25-0004181) and at such hearing recommended that the City Council of the City of Burbank ("Council") approve the amendments to the General Plan and the General Plan's Land Use Map, and associated Resolution to establish the land use designation of portions of the Subject Properties to Low Density Residential.

I. On *_____, the Council at its regular meeting, held a public hearing on Project No. 25-0004181, to amend the General Plan Land Use Map to establish land use designations of portions of the Subject Properties to Low Density Residential.

J. Said hearing was properly noticed in accordance with the applicable law.

K. The Council considered the report and recommendations of the City Planner, the action and recommendations of the Planning Commission as evidenced by its Resolution *_____, and the evidence and testimony presented at such hearing.

L. As part of Staff's review, it was established that this General Plan Amendment, and this Resolution, is not subject to California Government Code Section 65350.5, because it does not involve a substantial amendment of the City's General Plan, but rather just applying a General Plan Land Use Designation to the remainder of a subset of residential properties on a street.

M. The Project has been evaluated under the California Environmental Quality Act (CEQA) and requires no further CEQA review. It is categorically exempt from CEQA pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California Code of Regulations, Title 14, Section

15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. The adoption of the proposed General Plan Amendment, and this Resolution, is exempt from CEQA and no further analysis under CEQA is required.

THE CITY COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The Project request to amend the General Plan and update the General Plan Land Use Map in Exhibit LU-1 Land Use Diagram (as shown on Exhibit A to this Resolution) to establish designations for approximately 17 properties on the 600-700 block of Roselli Street (Project sites) to Low Density Residential once the properties have been annexed into the City of Burbank, and detached from the City of Glendale, is hereby approved based upon the following findings:

I. The proposed General Plan Map Amendment is consistent with the Burbank2035 General Plan goals and policies and any of the plan goals that may be affected by the Project's implementation. Specifically, the proposed General Plan Map Amendment is consistent with the following Burbank2035 General Plan goals and policies:

- Policy 1.3 of Goal 1: Maintain and protect Burbank's residential neighborhoods by avoiding encroachment of incompatible land uses and public facilities.

- Policy 1.8 of Goal 1: 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.

- Policy 2.7 of Goal 2: Make and enforce land use policy in an equitable fashion to protect all people equally from adverse environmental effects.

- Policy 3.4 of Goal 3: Avoid abrupt changes in density, intensity, scale, and height and provide gradual transitions between different development types.

- Goal 7: Community Participation: Burbank encourages community engagement and provides a wide range of opportunities to participate in the planning process.

- Policy 7.3 of Goal 7: Consistently seek direct public involvement in the planning process for new projects and plans, as well as for everyday planning matters.

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank will apply to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the City Limits Boundary will be amended and the portions being annexed will need to have an established General Plan Land Use Designation.

The General Plan Map Amendment establishes a General Plan Land Use Designation of Low Density Residential for portions the Subject Properties proposed for annexation into the City of Burbank. It would not cause any internal inconsistencies in the General Plan, would not change any policy direction or intent of the General Plan, would contribute to the purposes of the General Plan, and would accurately reflect the same land use designation as the portions of the Subject Properties currently within City boundaries.

Further, the General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank receive the same General Plan Land Use Designations as the remainder of the parcels as well as the surrounding parcels, thereby confirming consistency and compatibility with existing land uses. It will ensure that the portions being annexed into the City of Burbank comply with the policies applicable to the Low Density Residential designation, such as limiting buildings to a size and scale that is consistent with the predominant neighborhood character. The General Plan Map Amendment will ensure that the portions being annexed into the City of Burbank follow consistent land use policies as the surrounding neighborhood in order to protect all people from adverse environmental effects. It will also ensure that there are no abrupt changes in density, intensity, scale, and height since the portions being annexed into the City of Burbank will have the same General Plan Land Use Designation as the portions of the lot that are already within the City of Burbank.

The General Plan Map Amendment has encouraged community participation along many milestones, including confirming that the impacted residents support the planning process to correct the improper boundary bisection and informing the occupants and owners of property within a radius of 1,000 feet of the exterior boundaries of the property to be rezoned about the planning

process. This General Plan Map Amendment is an example of how a community can come together in order to raise awareness about an issue that is impacting a block within the City of Burbank, and bring about a change through a planning process.

II. *The potential impacts of the proposed General Plan Map Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.*

The amendment to establish General Plan Land Use Designations of Low Density Residential for portions the Subject Properties that are being annexed into the City of Burbank is not anticipated to be detrimental to the public health, safety, and welfare. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. The portions of the Subject Properties that are located within the City of Burbank currently have a General Plan Land Use Designation of Low Density Residential. Correcting the bisecting boundary so that the Subject Properties fall entirely within the City of Burbank's jurisdiction would result in a consistent General Plan Land Use Designation for the whole parcel. Therefore, the proposed amendment will not result in a detrimental impact to public health, safety, or welfare.

III. *The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).*

The proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The Subject Properties are single family homes and have been such for decades. The proposed amendment is merely to correct the improper boundary bisection and annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Therefore, the proposed amendment has been processed in accordance with the applicable

provisions of CEQA and has been determined to be exempt from CEQA and no further analysis under CEQA is required.

2. The approved General Plan Amendment and associated changes to the Land Use Map shall only come into effect once the subject properties have been annexed into the City of Burbank.

3. The City Manager, with the approval of the City Attorney, of the City of Burbank, is hereby authorized to negotiate and execute any and all documents to effectuate the General Plan Amendments related to the annexation of the Subject Properties, consistent with this Resolution.

4. The Secretary of the City Council shall mail a copy of this Resolution to the applicants.

PASSED AND ADOPTED this _____ day of _____, 2026.

_____
Tamala Takahashi
Mayor of the City of Burbank

Attest:

_____
Kimberley Clark, City Clerk

Approved as to Form
Office of the City Attorney

_____
Joseph H. McDougall, City Attorney

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

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the _____day of _____, 2026, by the following vote:

AYES:

NOES:

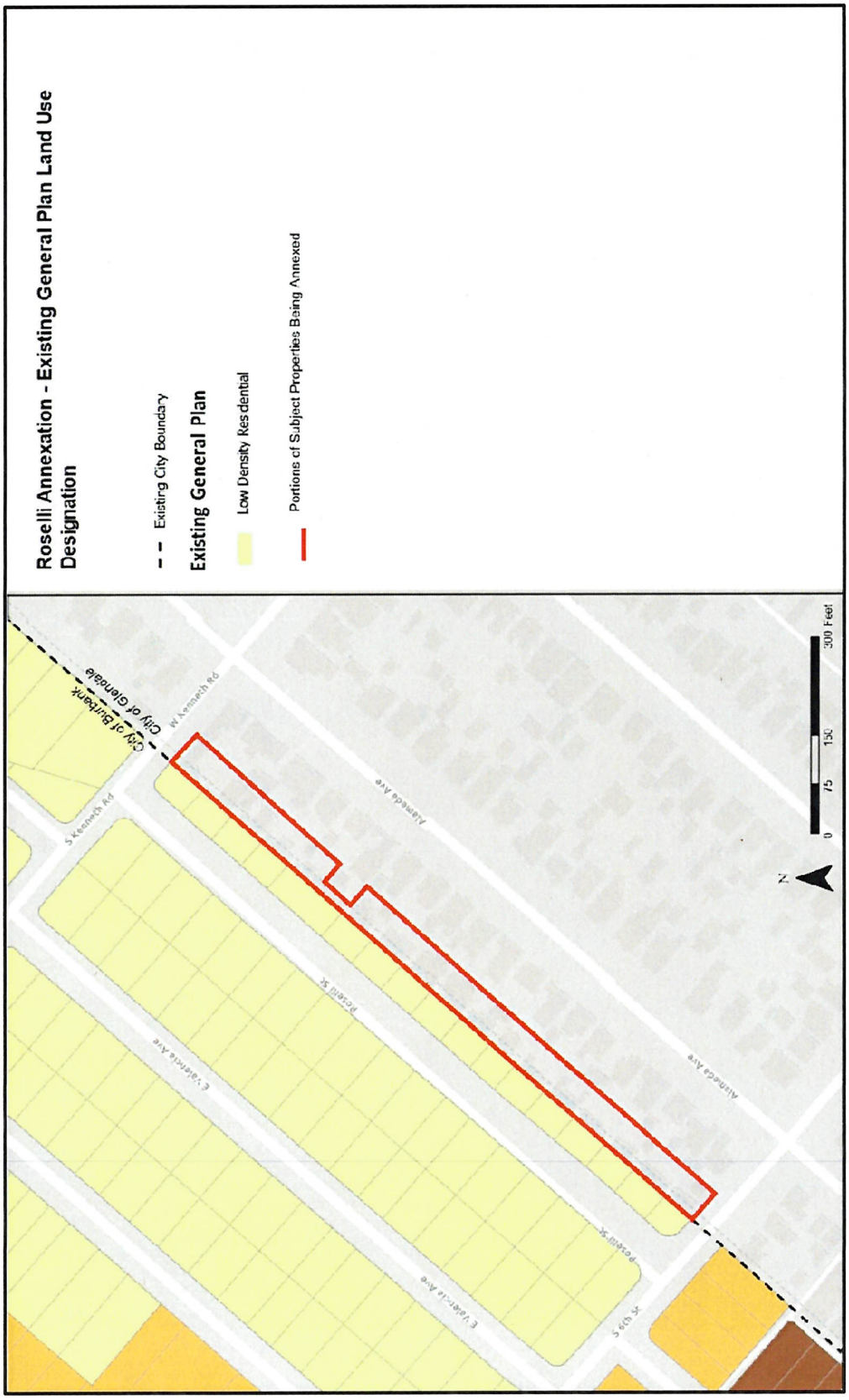
ABSENT:

_____

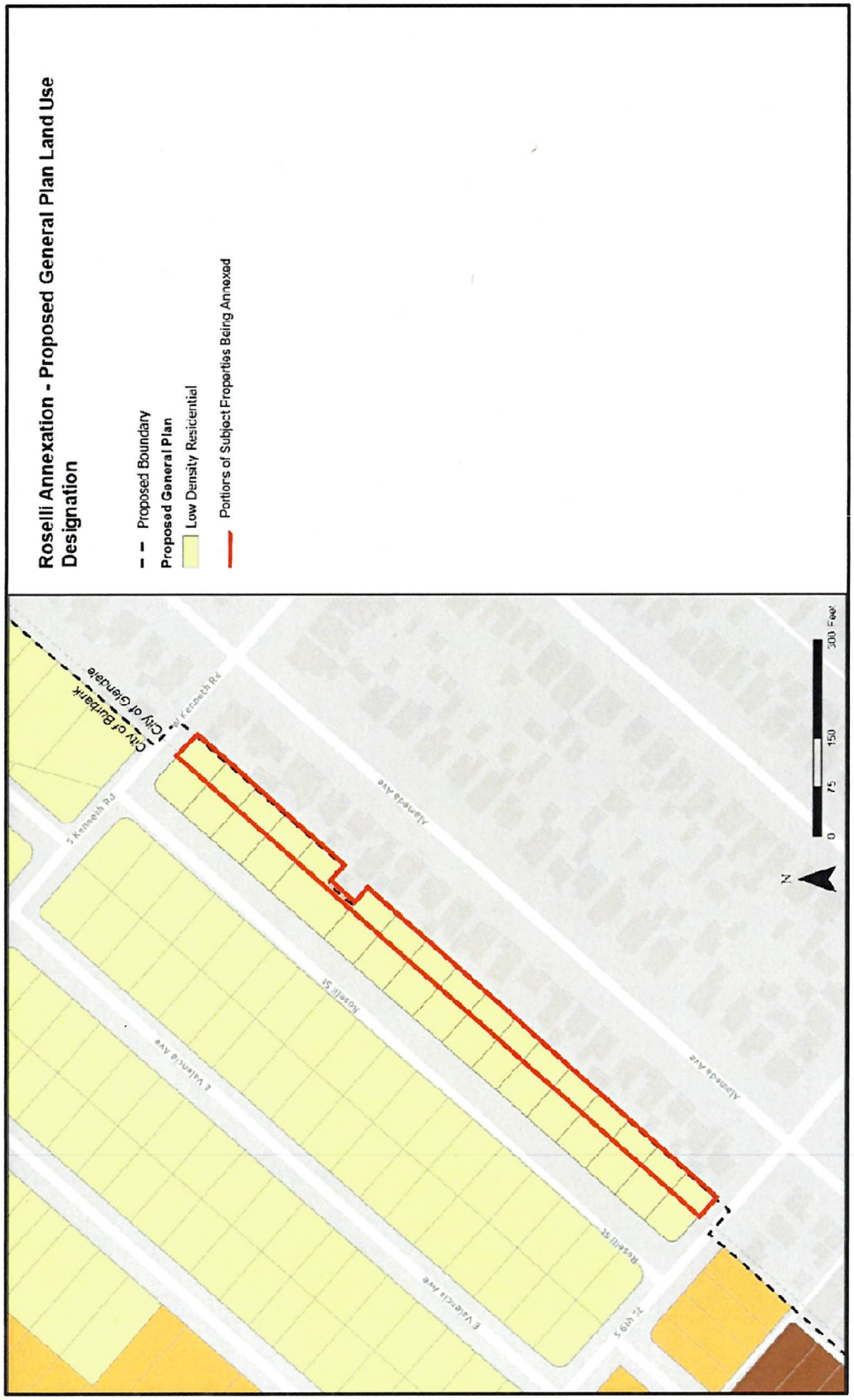
Kimberley Clark, City Clerk

EXHIBIT A TO ATTACHMENT 2

EXISTING GENERAL PLAN MAP/DESIGNATION



PROPOSED GENERAL PLAN AMENDMENT/DESIGNATION



DRAFT ORDINANCE – ATTACHMENT 3

ORDINANCE NO. _____

A ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING THE ZONING MAP TO ESTABLISH ZONING DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL (R-1) ZONE FOR PORTIONS OF 17 PROPERTIES THAT ARE PROPOSED FOR ANNEXATION INTO THE CITY

(PROJECT NO. 25-0004181; ZONE MAP AMENDMENT)

City Attorney's Synopsis

This Ordinance amends the Zone Map to establish Zoning Designations of Single Family Residential (R-1) zone for portions of 17 properties that are proposed for annexation into the City, and concurrent detachment from the City of Glendale. The effectiveness of this Ordinance is contingent on successful annexation and approval of the General Plan Amendment that is being presented with this Ordinance.

THE CITY COUNCIL OF THE CITY OF BURBANK FINDS:

A. On or about October 29, 2024, the City Council of the City of Burbank adopted Resolution Number 24-29,567 titled "A Resolution of the Council of the City of Burbank: 1) Requesting the Local Agency Formation Commission for the County of Los Angeles (LAFCO) to Initiate Proceedings for Reorganization to Include Annexation to The City Of Burbank and Concurrent Detachment of the Subject Properties from the City of Glendale, and 2) Directing Staff to Process Documents as Necessary to Effectuate Same."

B. As background, during the November 2022 election, the Burbank City Clerk's Office became aware that residents living on the even numbered side of the 600 and 700 blocks of Roselli Street ("Roselli Street Properties") in Burbank did not receive mail-in ballots containing the Burbank election contests for City Council, City Clerk, City Treasurer, and School Board. The City Clerk's Office further became aware that this occurred because the precinct boundary for these addresses was changed during the 2021 redistricting, with this boundary bisecting (dividing) the Roselli Street Properties.

C. There are 17 properties that are affected by the bisecting of the City of Burbank/City of Glendale jurisdictional lines. These properties are included as **Exhibit A** to this Ordinance and are referred to as the Subject Properties. Due to this, the property tax paid on the Subject Properties is credited to the City of Glendale, even though the residents live in the City of Burbank, have their frontage on Burbank streets, and receive Burbank services. The place where residents pay their property taxes determines which ballots they receive. Therefore, at the moment, the residents of the Subject Properties receive City of Glendale ballots, and not City of Burbank ballots.

D. The boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank.

E. The City of Burbank is in the process of applying to LAFCO to correct the bisecting boundary so that the entirety of the Subject Properties fall within the City of Burbank's jurisdiction and are detached from the City of Glendale.

F. It is important that the bisecting boundary between the cities of Burbank and Glendale be corrected to ensure equity for both City of Burbank and City of Glendale residents. To do so, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale.

G. As part of the application to LAFCO to correct the boundaries of the Subject Properties, Burbank is required to preemptively establish the proper Zoning Designation that would apply to the portions of the Subject Properties being annexed into the City. Therefore, the City must amend the Zone Map to properly reflect that the portions of the Subject Properties being annexed into the City will be designated as Single-Family Residential.

H. As part of the application to the LAFCO, the City must submit a "Pre-Zoning Ordinance," which is a Zoning Ordinance that would preemptively establish Zoning Designations for the properties proposed for annexation ("Zoning Ordinance"). To be able to provide LAFCO the required Zoning Ordinance as part of the submission of the LAFCO application, the City needs to preemptively establish a Zoning Designation for the properties proposed for annexation into the City. The designations would only take effect upon LAFCO's approval of the Reorganization and ensures that the properties proposed for annexation into the City have established zoning regulations.

I. On February 23, 2026, the Planning Commission held a duly noticed public hearing on this Ordinance (Project No. 25-0004181) and at such hearing recommended that the City Council of the City of Burbank ("Council") approve the amendments to the Zoning Map, and this Ordinance to establish the Zoning Designation of portions of the Subject Properties to Single-Family Residential (R-1).

J. On *_____, the Council at its regular meeting, held a public hearing on Project No. 25-0004181, to amend the Zoning Map to establish Zoning Designations of portions of the Subject Properties to Single-Family Residential (R-1).

K. Said hearing was properly noticed in accordance with the provisions of BMC Section 10-1-1969.

L. The Council considered the report and recommendations of the City Planner, the action and recommendations of the Planning Commission as evidenced by its Resolution *_____, and the evidence and testimony presented at such hearing.

M. In accordance with California Government Code Section 65860, the proposed Zone Map Amendment and Ordinance have been determined to be consistent with the Land Use Element of the Burbank2035 General Plan and compatible with the specified objectives, policies, general land uses and programs, as well as Title 10, Chapter 1 (Zoning) of the BMC.

N. The Project has been evaluated under the California Environmental Quality Act (CEQA) and requires no further CEQA review. It is categorically exempt from CEQA pursuant to California State Regulations, 14 Cal. Code Regs Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the CEQA pursuant to California State Regulations, 14 Cal. Code Regs Section 15061(b)(3), common sense exemption, because it can be seen with certainty that there is no possibility that the annexation and concurrent detachment may have a significant effect on the environment. The 17 Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to LAFCO for LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. The adoption of the proposed Zone Map Amendment, and this Ordinance, is exempt from CEQA and no further analysis under CEQA is required.

THE CITY COUNCIL OF THE CITY OF BURBANK ORDAINS AS FOLLOWS:

1. Project No. 25-0004181, which includes a request to amend the Zoning Map, as referenced in BMC Section 10-1-302(A), to establish Zoning Designations for approximately 17 properties on the 600-700 block of Roselli Street (Project sites) to Single Family Residential (R-1) once the properties have been annexed into the City of Burbank, and detached from the City of Glendale (as shown on Exhibit A to this Resolution), is hereby approved based upon the following findings:

FINDINGS FOR ZONING MAP AMENDMENT:

I. *The proposed Zone Map Amendment is consistent with the General Plan of the City of Burbank and the provisions of Title 10, Chapter 1 (Zoning) of the Burbank Municipal Code, and are compatible with the specified objectives, policies, general land uses and programs.*

Currently, the boundary between the City of Burbank and the City of Glendale bisects the Subject Properties, leaving approximately fifty (50) feet of each of the Subject Properties in the City of Glendale, while the remainder of the parcels of the Subject Properties are located within the City of Burbank. To correct the improper boundary bisection, the City of Burbank has applied to LAFCO to initiate proceedings to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. Once annexed into the City of Burbank, the portions being annexed will need to have an established zoning designation.

The Zone Map Amendment establishes a Zoning Designation of Single Family Residential (R-1) for portions the Subject Properties that are being annexed into the City of Burbank. This designation is consistent with the objectives, policies, general land uses, density and programs of Burbank2035. The Zone Map Amendment would ensure that the newly annexed land be zoned for single family purposes consistent with (1) the existing development pattern on site and in the surrounding neighborhood, which is zoned R-1 and (2) the Low Density Residential General Plan Land Use Designation that would be established for portions the Subject Properties once annexed into the City of Burbank. The proposed Zone Map Amendment will not cause any internal inconsistencies in the General Plan and would not change any policy direction or intent of the General Plan. The Subject Properties are currently improved with single family homes. With the Zone Map Amendment these Subject Properties will continue to enjoy the benefit of single-family home uses.

2. The City Planner is instructed and authorized to establish a Zoning Designation for the Project Sites subject to this approval (i.e., 17 properties on the 600-700 block of Roselli Street) to Single Family Residential (R-1). The City Planner is also instructed and authorized to amend the Zoning Map of the City of Burbank, as referenced in BMC Section 10-1-302(A), to incorporate the changes set forth in this Ordinance.

3. The City Manager, with the approval of the City Attorney, of the City of Burbank, is hereby authorized to negotiate and execute any and all documents to effectuate this Zoning Map Amendment related to the annexation of the Subject Properties, that is consistent with this Ordinance.

4. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance, which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

5. This Ordinance shall become effective once the subject properties have been annexed into the City of Burbank, and no earlier than 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

PASSED AND ADOPTED this___day of_____, 2026.

_____

Tamala Takahashi
Mayor of the City of Burbank

Attest:

Approved as to Form
Office of the City Attorney

_____ _____

Kimberley Clark, City Clerk

Joseph H. McDougall, City Attorney

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

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the _____day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

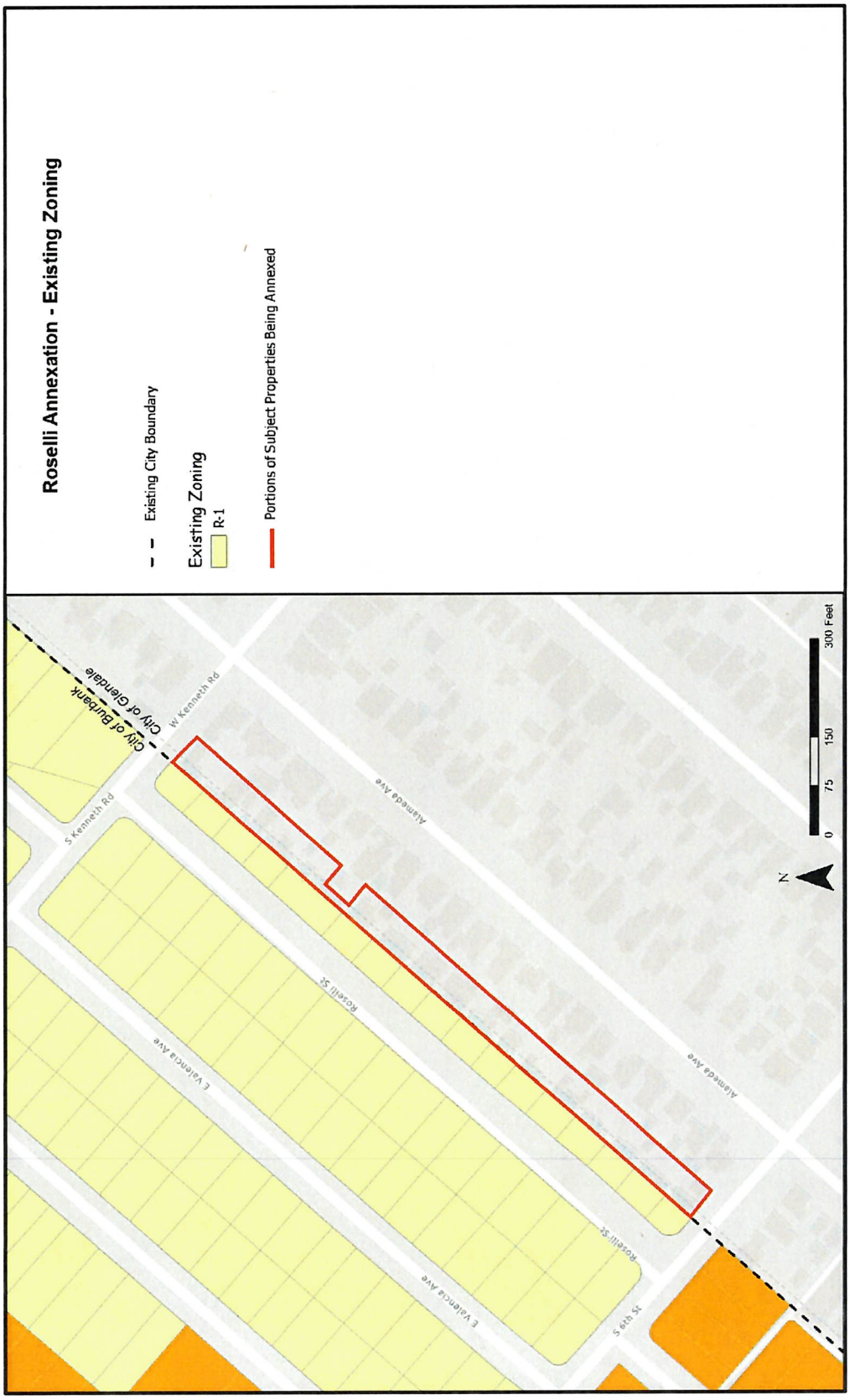
I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Burbank, California within 14 days following its_____, 2026 adoption.

_____

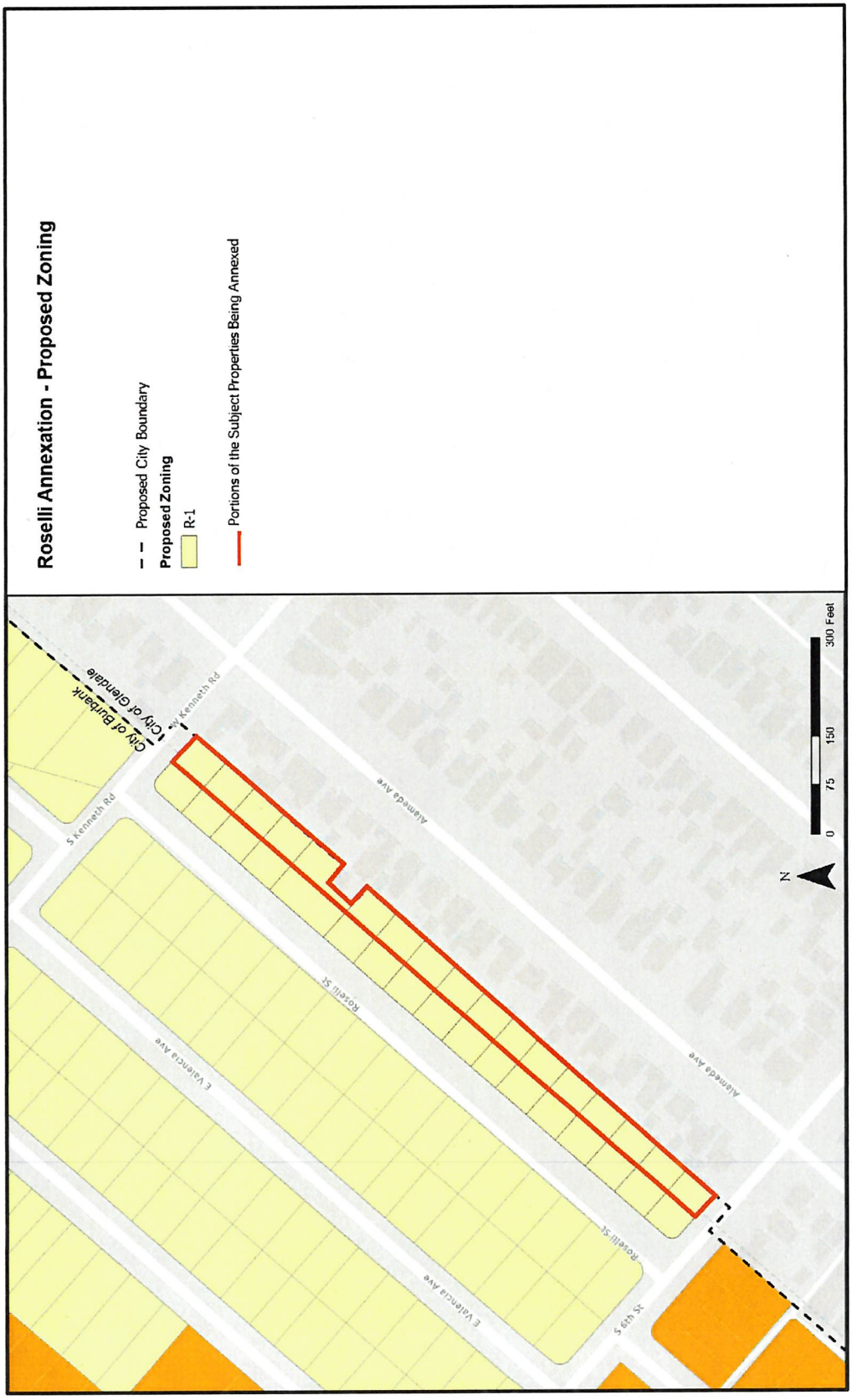
Kimberley Clark, City Clerk

EXHIBIT A TO ATTACHMENT 3

EXISTING ZONING MAP/DESIGNATIONS



PROPOSED ZONING MAP AMENDMENT/DESIGNATIONS



Planning Commission Meeting Minutes for the February 23, 2026, Public Hearing Date

city of burbank
community development department

Planning Commission Minutes

February 23, 2026

CALL TO ORDER	6:00 p.m.
MOMENT OF REFLECTION	Chair Wick led the moment of reflection.
FLAG SALUTE	Chair Wick led the flag salute.
ROLL CALL	
Present:	Planning Commission Members: Bennett, Van Gorder, Vice Chair Safarian, and Chair Wick.
Absent:	Commissioner Mendez.
Also Present:	Senior Assistant City Attorney; Ray Johal; Assistant Community Development Director, Fred Ramirez; Planning Manager, Scott Plambaeck; Principal Planner, Daniel Villa; Associate Planner, Karen C. Hernandez; Intermediate Clerk, Diana Arias.
ANNOUNCEMENTS	Assistant Community Development Director announced the Starlight Bowl meeting is being held at the same time but virtually.
ORAL COMMUNICATION	None.

HEARINGS

1. Project No. 25-0004181, A General Plan Map Amendment and Zone Map Amendment to consider establishing General Plan Land Use Designations and

PROJECT DESCRIPTION:
A proposal for a General Plan Map Amendment to establish a General Plan Land Use Designation to Low Density Residential and Zone Map Amendment to establish Single-Family Residential (R-1) zone for portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank.

ENVIRONMENTAL REVIEW:

Zoning Designations for portions of 17 properties located in the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank.

It is Staff's assessment that the proposed General Plan Amendment, Zone Map Amendment, and associated Resolution and Ordinance are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15319, annexations of existing facilities and lots for exempt facilities, because it includes the annexation of property to the City of Burbank containing existing private structures developed to the density allowed by the pre-zoning designation, and there is sufficient utility capacity to serve the Subject Properties. In addition, the Project has also been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to California it can be seen with certainty that there is no possibility that annexation and concurrent detachment may have a significant effect on the environment.

The Subject Properties are single family homes and have been such for decades. This Project is merely to correct an improper boundary bisection that occurred in the past. To correct the improper boundary bisection, the City of Burbank must apply to the LAFCO to initiate proceeding to annex the back approximately fifty (50) feet of each of the Subject Properties into the City of Burbank, as well as detach the approximately fifty (50) feet of each of the Subject Properties from the City of Glendale. The adoption of the proposed General Plan Amendment and Zone Map Amendment, and associated Resolution and Ordinance are exempt from CEQA and no further analysis under CEQA is required.

Meeting Disclosures:
None.

Notices Given:
Assistant Community Development Director Ramirez confirmed for the Commission that notices were given per the Burbank Municipal Code requirements.

Written Communication:
None.

Staff Report:
Karen C. Hernandez, Associate Planner, presented the project to the Commission.

Public Comment:
Appearing to comment were: Leslie Bravin and Michael Bravin.

Calling in to comment: None.

Staff Comment:
None.

Deliberation:
It was moved by Commissioner Bennet, seconded by Commissioner Van Gorder, and carried 4-0 by roll call vote, to approve Project No. 25-0004181, a General Plan Map Amendment and Zone Map Amendment to consider establishing General Plan Land Use Designations and Zone Designations for portions of 17 properties located on the 600-700 block of Roselli Street that are proposed for annexation into the City of Burbank.

REPORTS TO COMMISSION

None.

APPROVAL OF MINUTES

It was moved by Commissioner Bennett, seconded by Commissioner Van Gorder, and carried 4-0 by roll call vote, to approve the minutes for Planning Commission of January 12, 2026.

INTRODUCTION OF ADDITIONAL AGENDA ITEMS

None.

CITY PLANNER COMMENTS

None.

ADJOURNMENT TO THE PLANNING COMMISSION MEETING OF MARCH 9, 2026

Respectfully Submitted,

Secretary of the Planning Commission

Correspondences

Please Note: If Additional Documents/Correspondences are submitted for this item, they will be periodically posted to the City website for public viewing.

Introduction of an Ordinance and Adoption of a Resolution for the Roselli Street Annexation

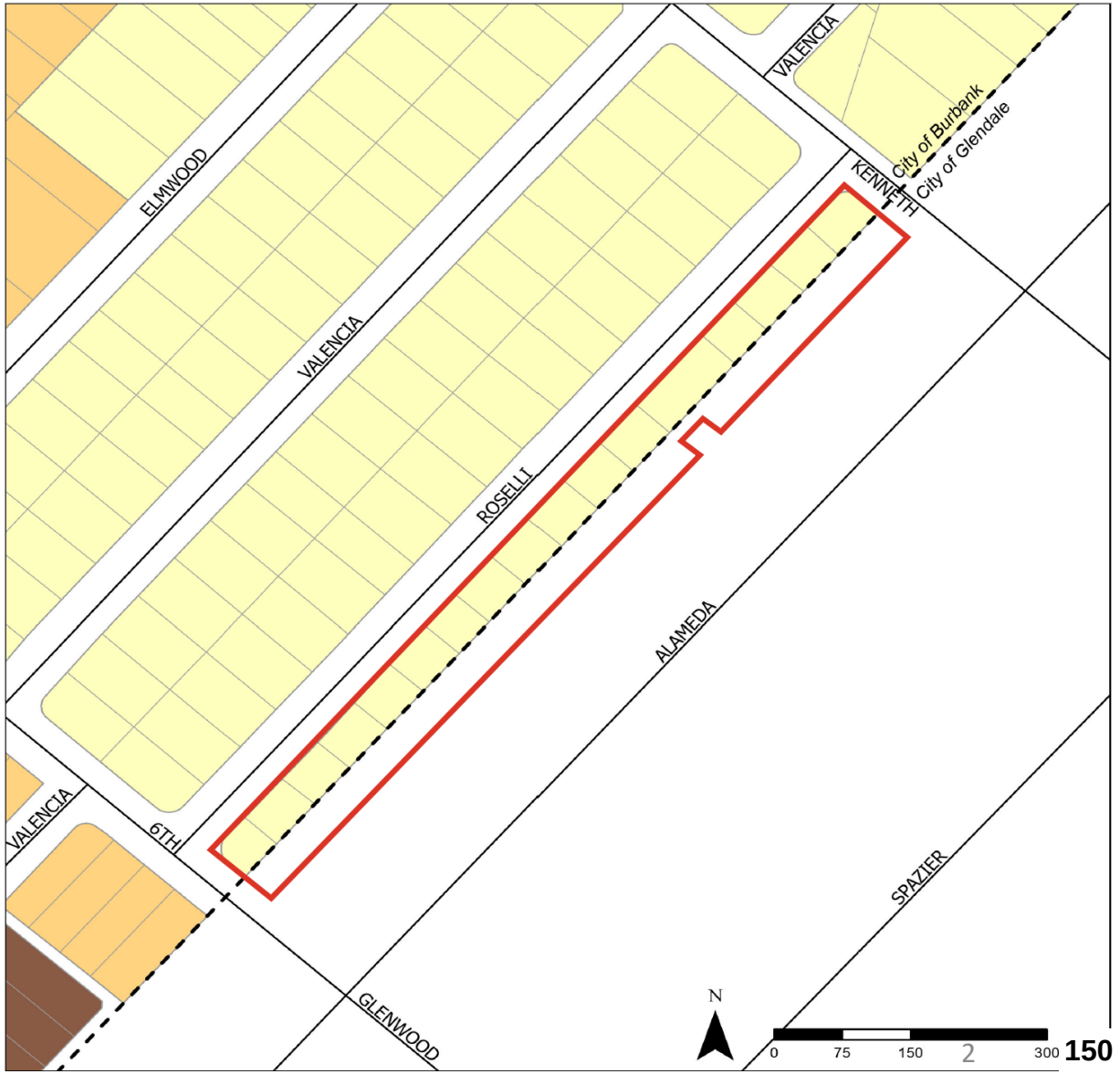
Project No. 25-0004181

City Council
April 21, 2026

COMMUNITY DEVELOPMENT

Background

17 Properties on Roselli Street are bisected by the jurisdictional boundaries of the City of Burbank and the City of Glendale



Background (cont.)

East Roselli Street



West Roselli Street

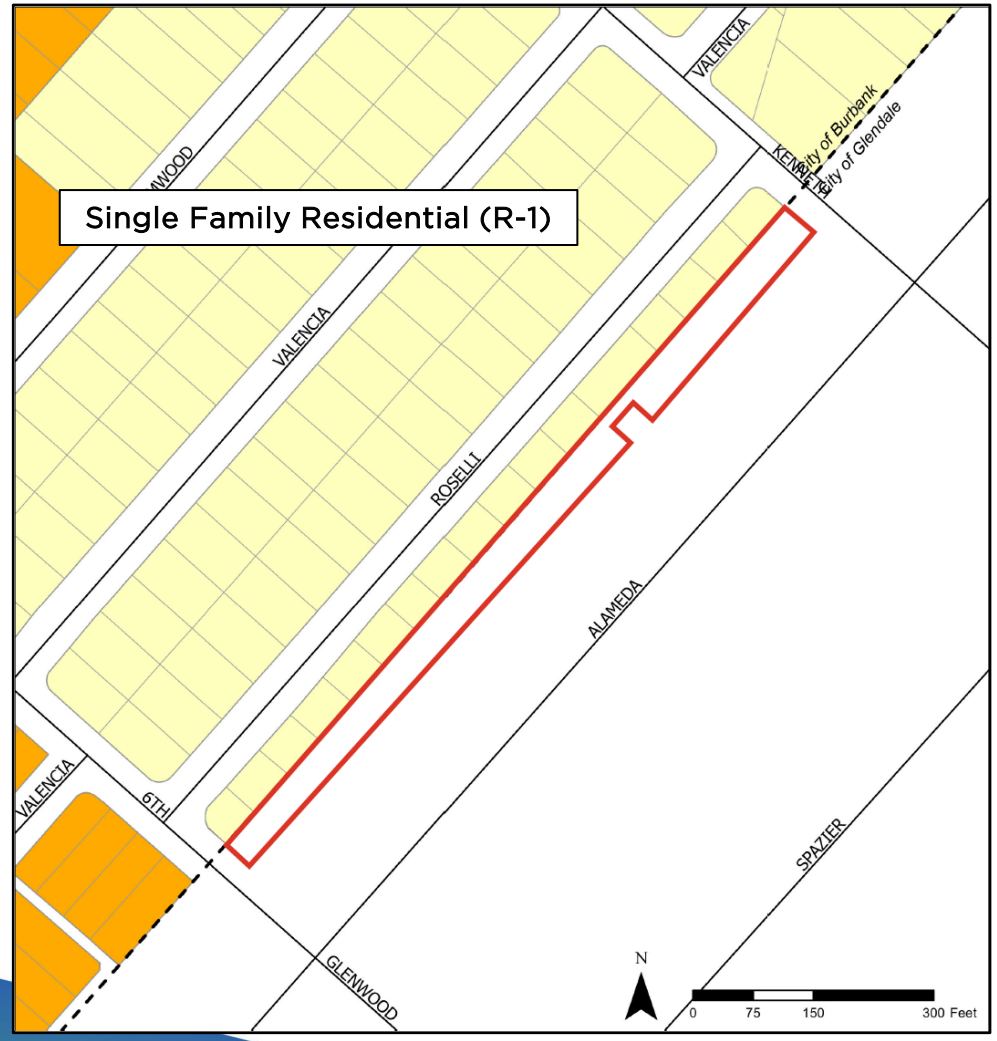


Background (cont.)

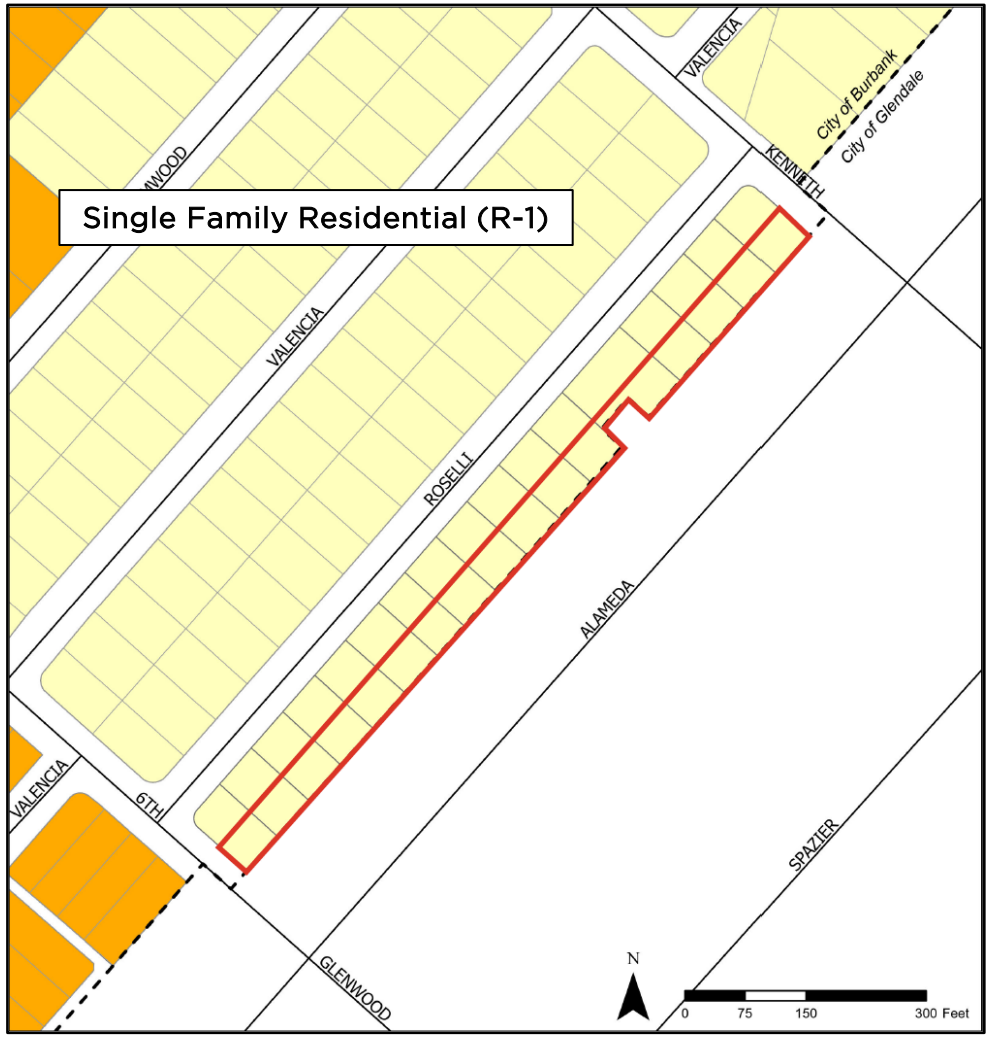
- Residents have received City of Glendale voter ballots instead of Burbank.
- October 29, 2024, Burbank City Council adopted Resolution No. 24-29,567.
- City needs to undertake a:
  - Zone Map Amendment (ZMA) and
  - General Plan Map Amendment (GPA).

Amendment 1: Zone Map Amendment (ZMA)

Existing Zoning Designation

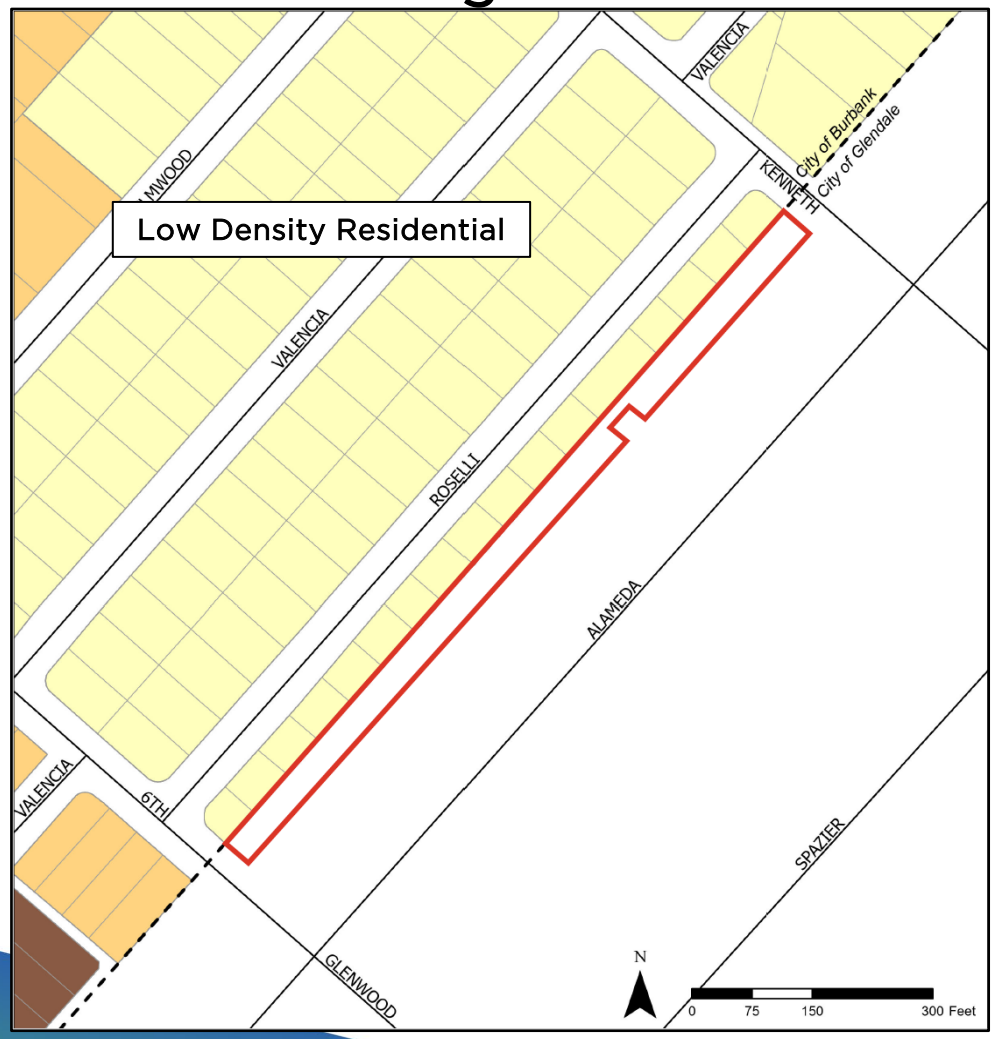


Proposed Zoning Designation

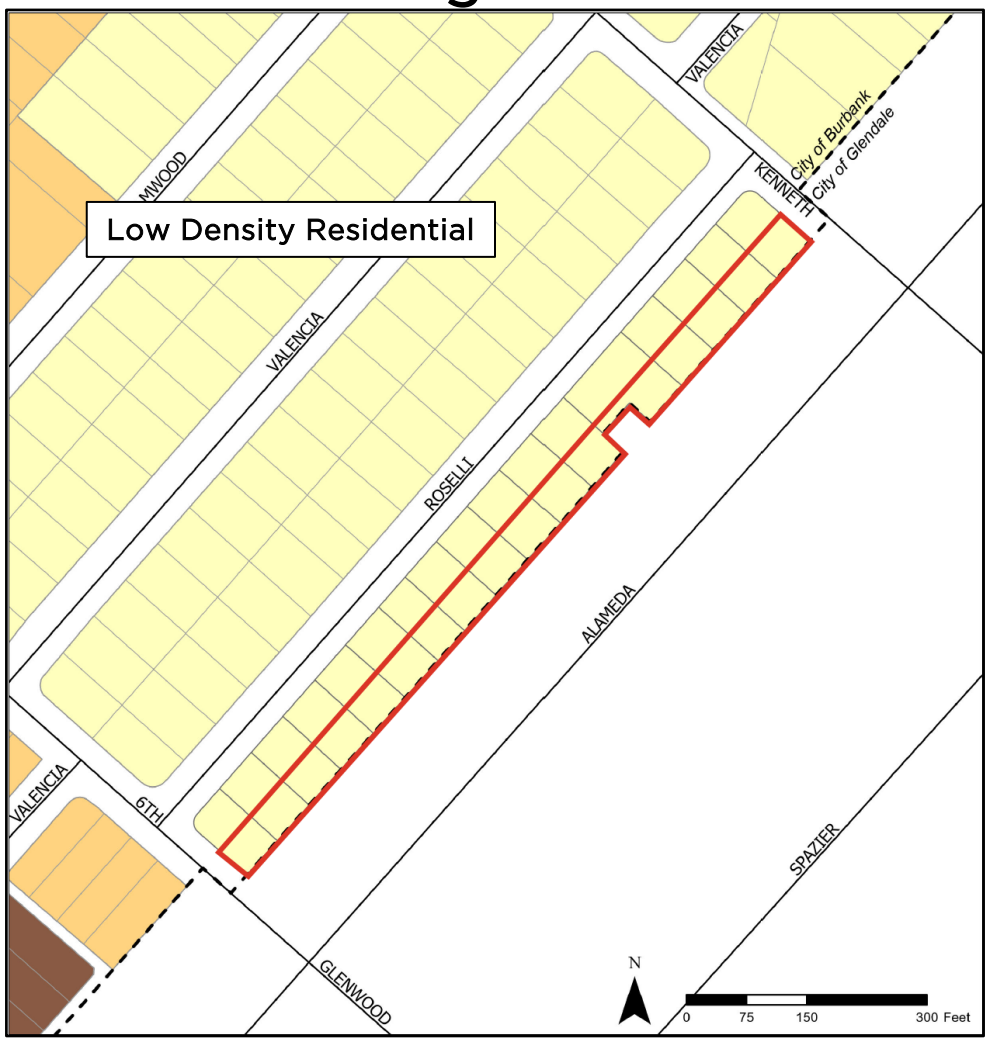


Amendment 2: General Plan Map Amendment (GPA)

Existing General Plan Land Use Designation



Proposed General Plan Land Use Designation



Planning Commission (PC) Recommendation

- February 23, 2026, Planning Commission hearing.
- With 4-0 vote, Planning Commission recommended City Council adoption.

ZMA Findings and Consistencies

- Consistent with the *Burbank2035* General Plan.
- Consistent with the Zoning Designation.
- Progression towards fulfilling the City Council request.

GPA Findings and Consistencies

- Consistent with the *Burbank2035* General Plan.
- Consistent with the General Plan Land Use Designation.
- Progression towards fulfilling the City Council request.

Environmental Assessment

The proposed ZMA Ordinance and GPA Resolution is Exempt from CEQA:

1. Annexations of Existing Facilities and Lots for Exempt Facilities (CEQA Guidelines § 15319)
2. Common-sense Exemption (CEQA Guidelines § 15061(b)(3)).

Recommendation

1. Introduce an Ordinance for a Zone Map Amendment and Adopt a Resolution Amending the General Plan Land Use Map.

2. Find the Ordinance and Resolution exempt from CEQA.

Next Steps

- 2nd Reading for ZTA on May 5, 2026.
- Submit a complete LAFCO Application for review and consideration.
- If approved by the LAFCO, the annexation will be complete, and residents of the Subject Properties will thereafter receive City of Burbank ballots.

Thank you!

Contact:
Karen C. Hernandez, Associate Planner
818-238-5250
KChavezHernandez@burbankca.gov

COMMUNITY DEVELOPMENT

Introduction of an Ordinance and Adoption of a Resolution for the Roselli Street Annexation

Project No. 25-0004181

City Council
April 21, 2026

COMMUNITY DEVELOPMENT

STAFF REPORT

PUBLIC WORKS

DATE: April 21, 2026

TO: Justin Hess, City Manager

FROM: Damian Skinner, Public Works Director
VIA: John Molinar, Assistant Public Works Director – Street and Sanitation
BY: Amber Duran, Recycling Coordinator

SUBJECT: Introduction of an Ordinance Amending Sections 4-2-113 and 4-2-122 of the Burbank Municipal Code, Relating to Procedures for Enrollment Upon Prior Notice in Solid Waste Collection Services.

RECOMMENDATION

Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING BURBANK MUNICIPAL CODE SECTIONS 4-2-113 (SOLID WASTE GENERATOR REQUIREMENTS) AND 4-2-122 (HAULER LICENSE AND PERMIT REQUIREMENTS) RELATING TO PROCEDURES FOR ENROLLMENT UPON PRIOR NOTICE IN SOLID WASTE COLLECTION SERVICES (Attachment 1).

BACKGROUND

The City of Burbank is responsible for ensuring compliance with California's solid waste and recycling mandates, including the California Integrated Waste Management Act of 1989, Senate Bill (SB) 1383 – the Short-Lived Climate Pollutant Reduction Act of 2016 - and related legislation such as Assembly Bill (AB) 1276 and SB 54.

Title 4, Chapter 2 of the Burbank Municipal Code (BMC) establishes the City's framework for solid waste management, Hauler licenses and permits, Generator requirements, and waste reduction regulations. Since the adoption of Title 4, Chapter 2 of the BMC in 2022, implementation has revealed opportunities for clarification and refinement to better support compliance and streamline program operations.

The City seeks to ensure all Generators, a person or entity that creates or accumulates

garbage, organic waste, recyclable materials, or other solid waste on property they own or manage, are subscribed to recycling and organics services by implementing procedures to enroll Generators in such services, upon prior notice, when they do not voluntarily establish service within required timeframes.

DISCUSSION

BMC §4-2-113 requires all Generators to subscribe to a Solid Waste collection service that includes collection of Garbage, Organic Waste, and Recyclable Materials, furnished by an Authorized Collector. Under the current framework, Generators' compliance with service subscription is largely dependent on voluntary enrollment and subsequent staff follow-up and/or audits. In practice, some Generators delay or fail to subscribe to the required Solid Waste collection services, creating gaps in participation and increasing the City's risk of non-compliance with State mandates under SB 1383.

To improve compliance and reduce the need for formal enforcement actions, staff recommends adding a notice and enrollment process to the BMC. Under the proposed amendment, Generators will be required to subscribe to garbage, recycling, and organic waste collection services within seven (7) days after occupying a property. If a Generator fails to establish service and has not obtained a waiver pursuant to BMC §4-2-117, the City will initiate a notification and service enrollment process.

The proposed amendment states that if a Generator fails to subscribe to required services within seven (7) days of occupying its premises, the City or its Authorized Collector will provide written notification advising the Generator that collection service is required. If the Generator does not initiate service within fifteen (15) days of the notice being mailed, the Authorized Collector will establish the required service on behalf of the Generator and continue service thereafter. The Generator will be responsible for all associated service fees and charges.

This process ensures Generators timely subscribe to and receive required recycling and organic waste collection services, while providing clear notice and an opportunity to voluntarily establish service prior to automatic enrollment.

The notice and enrollment process also supports the City's compliance with SB 1383 enforcement requirements. State regulations require jurisdictions to issue Notices of Violation and subsequent citations to Generators that do not subscribe to required services and have not received an approved waiver. By proactively enrolling Generators that fail to initiate service, the City can reduce the number of Notices of Violation and administrative citations that would otherwise be necessary to bring Generators into compliance.

Generators who believe they qualify for a waiver may apply pursuant to BMC §4-2-117.

Waiver requests are evaluated by City staff to determine eligibility based on State-approved criteria, including generation of only a small amount of organic waste or lack of adequate physical space for the required containers. Generators granted a waiver are exempt from mandatory service requirements consistent with State regulations.

ENVIRONMENTAL REVIEW

Staff recommends that the City Council find that this amendments to BMC §4-2-113 and BMC §4-2-122, relating to procedures for enrollment upon prior notice in solid waste collection services is not subject to California Environmental Quality Act (CEQA) pursuant the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Sections: 15060(c)(2), because the proposed amendments will not result in a direct or reasonably foreseeable indirect physical change in the environment; 15061(b)(3), because the proposed ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant negative effect on the environment; and 15308, because the proposed ordinance involves regulatory actions to assure protection of the environment. As such, the adoption of this ordinance is exempt from CEQA and no further environmental review is necessary

FISCAL IMPACT

There are no anticipated fiscal impacts associated with this report.

CONCLUSION

Adopting these amendments will strengthen Burbank's solid waste regulations and ensure continued compliance with State mandates under SB 1383. By establishing notice and enrollment procedures for non-subscribed generators, the City promotes universal participation, improves program efficiency, and reinforces its commitment to waste reduction and sustainability.

ATTACHMENT

Attachment 1 – Proposed Ordinance

ORDINANCE NO._____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING BURBANK MUNICIPAL CODE SECTIONS 4-2-113 (SOLID WASTE GENERATOR REQUIREMENTS) AND 4-2-122 (HAULER LICENSE AND PERMIT REQUIREMENTS) RELATING TO PROCEDURES FOR ENROLLMENT UPON PRIOR NOTICE IN SOLID WASTE COLLECTION SERVICES

City Attorney's Synopsis:

This Ordinance updates Title 4 of the Burbank Municipal Code ("BMC") by amending Sections 4-2-113 and 4-2-122 of the BMC, to include updates to the City of Burbank's ("City") solid waste management program in compliance with California Senate Bill ("SB") 1383 and accompanying state regulations, to introduce procedures for enrollment upon prior notice of Generators in required solid waste collection services.

THE COUNCIL OF THE CITY OF BURBANK FINDS AS FOLLOWS:

A. The Short-Lived Climate Pollutant Reduction Act of 2016 (Senate Bill ("SB") 1383) requires the California Department of Resources Recycling and Recovery ("CalRecycle") to develop regulations to reduce organics in landfills as a source of methane ("SB 1383 Regulations"). As adopted by CalRecycle, these SB 1383 Regulations place requirements on multiple entities, including the City, residential households, commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services, to support achievement of statewide organic waste disposal reduction targets.

B. In accordance with the SB 1383 Regulations, the City adopted Ordinance No. 22-3,969 on March 15, 2022, to implement relevant provisions of the SB 1383 Regulations.

C. Any Generator, who is a person or entity that creates Garbage, Organic Waste, Recyclable Materials, or other Solid Waste, or who otherwise allows the accumulation of such Solid Waste on real property owned by the person or entity, is required to subscribe to a Solid Waste collection service furnished by an Authorized Collector.

D. The City is responsible for ensuring compliance with SB 1383 Regulations, and has identified instances of Generators' failure to subscribe to a required Solid Waste collection service.

E. Based on the foregoing, it is necessary to amend Sections 4-2-113 and 4-2-122 of the BMC in order to update the City's solid waste management program to implement a process to enroll Generators in a Solid Waste collection service furnished by an Authorized Collector, upon prior notice.

THE COUNCIL OF THE CITY OF BURBANK DOES ORDAIN AS FOLLOWS:

Section 1. **Incorporation of Findings.** The City Council of the City of Burbank hereby finds that the above findings are true and correct and are hereby incorporated by reference.

Section 2. **Amend BMC Section 4-2-113.** Section 4-2-113 (Solid Waste Generator Requirements) of the BMC is hereby amended and restated to read as follows (additions are reflected in underline):

4-2-113: SOLID WASTE GENERATOR REQUIREMENTS:
Generators shall fully comply with all applicable requirements of the California Integrated Waste Management Act of 1989.

A. All Generators in the City, including Single-Family, Multi-Family and Commercial Business Generators, shall:

(1) Subscribe to a Solid Waste collection service that includes collection of Garbage, Organic Waste, and Recyclable Materials, furnished by an Authorized Collector. Generators shall maintain for their relevant residential or commercial real property, separate Garbage, Compost and Recycling containers, supplied by the City or another Authorized Collector. Generators shall arrange for a sufficient number of such containers to adequately store all Garbage, Source Separated Recyclable Materials and Source Separated Organic Waste generated in connection with the real property between the times designated for collection. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this Article. Nothing in this subsection prohibits a Generator from preventing or reducing Solid Waste generation, managing Organic Waste on site, and/or using a Community Composting site pursuant to 14 CCR Section 18984.9(c), to the extent permitted by other applicable laws.

(2) Participate in the Solid Waste collection services provided by the City or another Authorized Collector(s), by placing designated materials in designated containers as described below, and not placing Prohibited Container Contaminants (including, but not limited to, Excluded Waste) in collection containers. Unless otherwise directed by its Authorized Collector, Generators shall place Source Separated Organic Waste in the Compost Container; Source Separated Recyclable Materials in the Recycling Container; and Garbage in the Garbage Container. If the City finds that a Generator has placed Prohibited Container Contaminants in a container,

the City will notify the Generator of the violation in accordance with 14 CCR 18984.5(b).

(3) Place Garbage Containers, Recycling Containers, and Compost Containers at the Designated Collection Location on the day specified by the Authorized Collector for collection, but no more than eighteen (18) hours prior to collection, unless otherwise authorized by the Public Works Director. All containers so placed for collection shall be removed from the Designated Collection Location within twelve (12) hours after the contents thereof have been collected. Garbage, Compost and Recycling Containers shall not be placed anywhere that will cause them to become a nuisance or danger to the public health and safety.

(4) Maintain Garbage Containers, Recycling Containers and Compost Containers in a sanitary condition at all times. All containers containing any type of Solid Waste shall be kept tightly covered at all times and be resistant to access by vectors. Any bulky material must be reduced in size so that it may be placed in the appropriate container not overflowing and with the cover tightly closed and without excessive tamping, so that the container may be easily emptied.

(5) Drain Garbage, Organic Waste and Recyclable Materials of all liquid before placement in the appropriate container, and wrap loose, light materials to prevent windblown litter.

(6) For locations where the City serves as the Authorized Collector, Generators shall not place more than 200 pounds of Solid Waste in any one City-issued container at any given time.

(7) If a Generator fails to subscribe to a required Solid Waste collection service that includes collection of Garbage, Organic Waste, and Recyclable Materials within seven (7) days of occupancy of its premises and has not obtained an approved waiver under Section 4-2-117, the City or its Authorized Collector shall provide written notification to the Generator that such service is required. If service is not initiated within fifteen (15) days from the date of mailing of the notice, then the Authorized Collector shall initiate and continue service for the Generator. The Generator shall be liable for all associated fees and charges.

B. In addition to the requirements in subsection A above, Commercial Business Generators, other than Multi-Family residential dwellings, shall also:

(1) Provide containers for the collection of Source Separated Organic Waste and Source Separated Recyclable Materials in all areas where the commercial business provides disposal containers for employees, contractors, tenants, customers, and other users of the premises, except for

restrooms ("User Disposal Containers"). If a Commercial Business does not generate any of the materials that would be collected in one type of User Disposal Container, then the business does not have to provide that particular type of container in all areas where disposal containers are provided. Pursuant to 14 CCR Section 18984.9(b), the User Disposal Containers provided by the business shall have either:

(a) A body and/or lid that conforms with the following container colors: gray or black containers for Garbage, blue containers for Recyclable Materials, and green containers for Organic Waste; **or**

(b) Container labels (including imprinted text or graphic images) that include language and/or graphic images indicating the primary materials accepted and the primary materials prohibited in that container.

(c) Notwithstanding the foregoing, a Commercial Business is not required to replace functional containers that do not comply with this requirements prior to the earlier of (1) the end of the useful life of those containers, or (2) January 1, 2036.

(2) Prohibit employees from placing Organic Waste in a container not designated to receive such Organic Waste.

(3) Periodically inspect Organic Waste Containers for contamination and inform employees if containers are contaminated and of the requirement to only use those containers for Organic Waste.

C. Generators may be exempt from certain requirements of this Section if they obtain a waiver issued by the City pursuant to this Article, or if they qualify as Self-Haulers and comply with all Self-Hauler requirements outlined in this Article.

Section 3. Amend BMC Section 4-2-122. Section 4-2-122 (Hauler License and Permit Requirements) of the BMC is hereby amended and restated to read as follows (additions are reflected in underline):

4-2-122: HAULER LICENSE AND PERMIT REQUIREMENTS:

A. The Hauler License and Permit consists of the following:

(1) Hauler Permit: Single permit issued, and renewed annually, to the Authorized Collector.

(2) Hauler Vehicle License: License(s) issued on a per vehicle basis, and renewed annually, to the Authorized Collector's fleet. Each waste collection vehicle must clearly display the license in the front window of every waste collection vehicle operating within the City of Burbank.

B. Application: Application for an Annual Private Hauler Contractor License and Permit shall be made on a form provided by the City, and in conjunction with procedures established in the Solid Waste Management Rules and Regulations. The information provided in the application shall be certified by the applicant as being true and accurate. The Public Works Director may require additional information as authorized by law.

C. Review: Upon receipt of a completed application and deposit of applicable fees, the Public Works Director shall examine each application for conformity with the requirements of this Article and the Solid Waste Management Rules and Regulations. If the applicant is in compliance with all such requirements, the application shall be accepted and approved, and such approval shall be so noted upon the face of the application. Prior to approval of a permit renewal, applicants must be in compliance with the previously issued Hauler Permit and License and current on all reports and fees due to the City. If the Public Works Director determines that the applicant does not conform to applicable requirements, the application shall be rejected, and the applicant shall be notified of the grounds for the rejection.

D. Denial and Appeal: The Public Works Director may deny an application upon a determination that the proposed waste collection operation is not consistent with either the City's Solid Waste Management plan, or cannot conform to State standards, or to any provision of this Article. The Public Works Director shall give written notice of the denial to the applicant and any other person who has requested in writing that such notice be given. The applicant shall have the right to appeal any decision of the Public Works Director by filing with the City Manager within ten (10) days of any such decision a written appeal specifying the decision complained of and the reasons for the appeal. The decision of the City Manager shall be final.

E. If a Hauler License and Permit has been revoked or not renewed, it may be reinstated by application filed in the same manner as an application for a new permit. However, nothing in this Article is intended to preclude the City from considering the revocation or nonrenewal and grounds therefor in reviewing the application. The Authorized Collector must be able to demonstrate that the reasons for permit revocation or nonrenewal have been rectified.

F. Permit Fees: Fees charged to Authorized Collectors for issuance of a Hauler License and Permit shall be established by the City Council in the Burbank Fee Schedule.

G. Permit Conditions: Every Authorized Collector shall comply with Hauler License and Permit conditions as set forth in this Article, in the Solid Waste Management Rules and Regulations, and as otherwise specified on the issued permit. If the City chooses to allow an Authorized Collector to operate under a written agreement or other contract, the Hauler License and Permit conditions

shall be incorporated into the agreement or contract At a minimum, the Hauler License and Permit shall include the following conditions:

(1) Authorized Collectors shall comply with the following SB 1383 conditions:

(a) Provide written notice to the City identifying the facilities to which they will transport Solid Waste including facilities for source separated Recyclable Materials and Source Separated Organic Waste.

(b) Transport Source Separated Recyclable Materials and Source Separated Organic Waste to a facility, operation, activity, or property that recovers Recyclable Materials and/or Organic Waste, as applicable, as defined in 14 CCR, Division 7, Chapter 12, Article 2. Authorized Collectors providing Organic Waste collection service shall comply with applicable requirements of 14 CCR Division 7, Chapter 12, Article 3.

(c) Notwithstanding subsection G(1)(i) and (ii), the SB 1383 conditions outlined in this Subsection G(1) shall not apply to Authorized Collectors who are transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with the requirements 14 CCR Section 18989.1, Burbank Municipal Code Title 9, Chapter 1, Article 11, and all other applicable laws.

(2) Each Authorized Collector shall arrange for the disposal of any Solid Waste collected in accordance with all applicable federal, state, and local regulations and laws. The City shall assume no liability which may arise due to the Solid Waste disposal arrangements of the Authorized Collector.

(3) If a Generator fails to subscribe to a required Solid Waste collection service that includes collection of Garbage, Organic Waste, and Recyclable Materials within seven (7) days of occupancy of its premises and has not obtained an approved waiver under Section 4-2-117, the City or its Authorized Collector shall provide written notification to the Generator that such service is required. If service is not initiated within fifteen (15) days from the date of mailing of the notice, then the Authorized Collector shall initiate and continue service for the Generator. The Generator shall be liable for all associated fees and charges.

(4) The Authorized Collector shall indemnify and hold the City harmless from any liability arising out of its Solid Waste collection operation, including liability under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA).

(5) Each Authorized Collector, including all C&D waste collectors, shall remit a

solid waste management fee in an amount equal to a percentage of the Gross Receipts generated by solid waste collection, transfer, or disposal from customers within the City, to the Public Works Director on a quarterly basis. The percentage shall be established by the City Council in the Burbank Fee Schedule. Gross Receipts are monies charged to account holders and not monies received from account holders, including account holder defaults. Monies paid for Recyclable Materials or recycling shall not be rebated or counted against the Gross Receipts. The failure of an Authorized Collector to submit the solid waste management fee on or before the dates stipulated in the Solid Waste Management Rules and Regulations shall constitute just cause for revocation of the Hauler License and Permit.

(6) Authorized Collectors collecting and transporting C&D are also subject to the requirements set forth in Title 9, Chapter 1, Article 11 of the Burbank Municipal Code.

H. Changed Circumstances: All permit applicants and Authorized Collectors shall notify the Public Works Director of any change in the information provided in the permit application including, but not limited to, changes in routing and/or changes in services offered that are initiated by the permit applicant or Authorized Collector. Notice shall be given not less than thirty (30) days prior to the date the change is effective.

I. Failure to submit the payments or the reporting forms required by this section or related rules and regulations within the time provided shall result in late charges as outlined in the Burbank Fee Schedule.

J. All fees collected hereunder shall be used exclusively to pay the costs of preparing, adopting and implementing an integrated waste management plan for the City and complying with SB1383 Regulations pursuant to the state mandates included in the California Integrated Waste Management Act of 1989.

Section 4. Severability. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

Section 5. Environmental Review. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15308 of the California CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations) on the grounds that it can be seen with certainty that the enhanced solid waste regulations, as provided for in this Ordinance will not have a significant effect on the environment and that the new requirements, which strengthen requirements for the handling of solid waste, represent actions by a regulatory agency (the City) for the

protection of the environment.

Section 6. Effective Date. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

PASSED AND ADOPTED this_____day of_____, 2026.

_____
Tamala Takahashi
Mayor

Approved as to Form
Office of the City Attorney

Attest:

_____
Kimberley Clark, City Clerk

By: _____
Sei-Hee Park
Assistant City Attorney

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

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No._____was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the ___ day of_____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

I further certify that the City Attorney's Synopsis was published as required by law in a newspaper of general circulation in the City of Burbank, California within 14 days following the Ordinance's adoption on _____, 2026.

_____
Kimberley Clark, City Clerk

Solid Waste & Organics Recycling Ordinance Update

Amendments to BMC Title 4, Chapter 2

PUBLIC WORKS

City Council
April 21, 2026

Notice and Enrollment of Recycling Services



Purpose of the Amendments

- Strengthen compliance with SB 1383 recycling and organics requirements
- Close gaps where individuals or businesses ("Generators") fail to subscribe to required waste collection services
- Reduce prolonged periods of non-compliance
- Improve efficiency of City's compliance efforts

Why Changes are Needed

Current Enrollment Process

- Relies on voluntary enrollment by Generators
- Requires staff follow-up through Notices of Violation and citations in cases of non-compliance

Challenges

- Some Generators delay or never enroll in waste services
- Results in extended non-compliance
- Staff time focused on enforcement rather than program support

Proposed Amendment

Step 1 - Notification Letter

Generators are notified when required waste services have not been established within 7 days of occupancy of its premises

Step 2 – Opportunity to Comply

Generators have 15 days from the date of the notice to subscribe to required services

Step 3 – Automatic Enrollment

If no action is taken, the Authorized Collector subscribes the Generator in the minimum required services

New Business Outreach



- Public Works will coordinate with the Community Development Department to provide education during the business license application process.
- New businesses must subscribe to garbage, recycling, and organics services within 7 days of occupancy.

New Implementation Approach

1. Recycle Center staff will coordinate with Authorized Collectors to identify Generators not subscribed to services
2. A written notice letter is sent
3. Generators have 15 days to subscribe
4. If service is not established, the Authorized Collector initiates minimum service

Waiver and Self Haul Options

Automatic Enrollment Does Not Eliminate Waiver or Self-Haul Options

Waiver

- De minimis organic waste generation
- Physical space constraints

Self-Haul

- Generator transports materials to a permitted facility
- Must maintain documentation of recycling

Benefits of Automatic Enrollment

- Ensure universal subscription to required services
- Reduces the time businesses remain out of compliance
- Lowers risk of State penalties
- Improves staff efficiency
- Creates a consistent compliance framework

Fiscal & Operational Impact

- No direct fiscal impact
- Implemented using existing staff and systems
- Builds upon current hauler coordination and waiver processes

Alignment with Council Priorities

City Services: More efficient compliance and enforcement

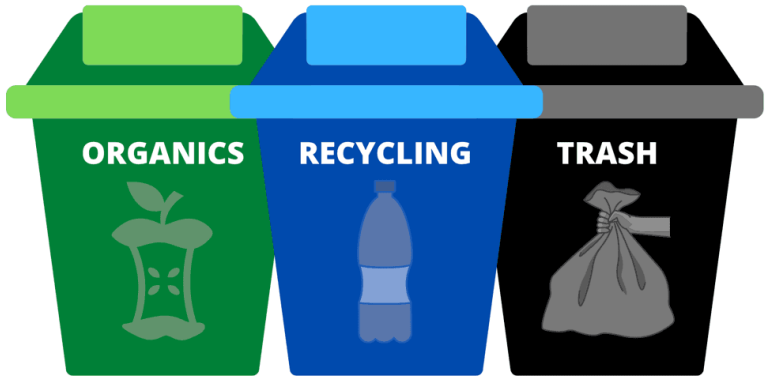
Sustainability: Supports SB 1383 and climate goals

Business-Friendly: Phased, cooperative implementation approach

QUESTIONS?

Amber Duran
Recycling Coordinator

ZeroWaste@burbankca.gov
818-238-3900



STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: April 21, 2026

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director
Via: Fred Ramirez, Asst. Community Development Director - Planning
Scott Plambaeck, Planning Manager
Amanda Landry, Principal Planner
By: Ryan Allen-Esquivel, Assistant Planner

SUBJECT: Update on View Obstructing Fences in the Designated Hillside Area

RECOMMENDATION

Maintain the current regulations related to view obstructing fences in the designated hillside area.

BACKGROUND

At the February 4, 2025, City Council meeting, Councilmember Konstantine Anthony requested a memorandum describing any changes to the Single-Family Residential Zoning and Hillside Ordinance requirements with regards to View Protection since 2022. In response to this request, Planning staff prepared a memorandum to the City Manager (Attachment 1). On April 8, 2025, Councilmember Nikki Perez requested a first step report to analyze existing fence regulations and procedures in the designated Hillside area.

This first step report outlines all existing fence standards and procedures, including the City's review of perceived impacts on privacy and protected views. Furthermore, the report discusses several alternative options to update current regulations to potentially address community concerns regarding new fences in the Hillside area.

For over 40 years, the City has implemented regulations to protect the character of the designated Hillside Area by recognizing the values of the unique views of Burbank and the surrounding area when considering reasonable new development. On January 8, 1980, Council adopted Ordinance No. 2758 (Attachment 2) that added a Division to the Burbank Municipal Code (BMC) establishing Hillside specific development standards and instituting a Hillside Development Permit (HDP) requirement. This ordinance was intended to regulate development within the designated Hillside area of the City. This Hillside area is defined in BMC Section 10-1-606(A) as the area bounded by the City boundaries with Glendale and Los Angeles and by Sunset Canyon Drive, Walnut Avenue, Bel Aire Drive, Cambridge Drive, Kenneth Road, and Scott Road, as shown in the following diagram.

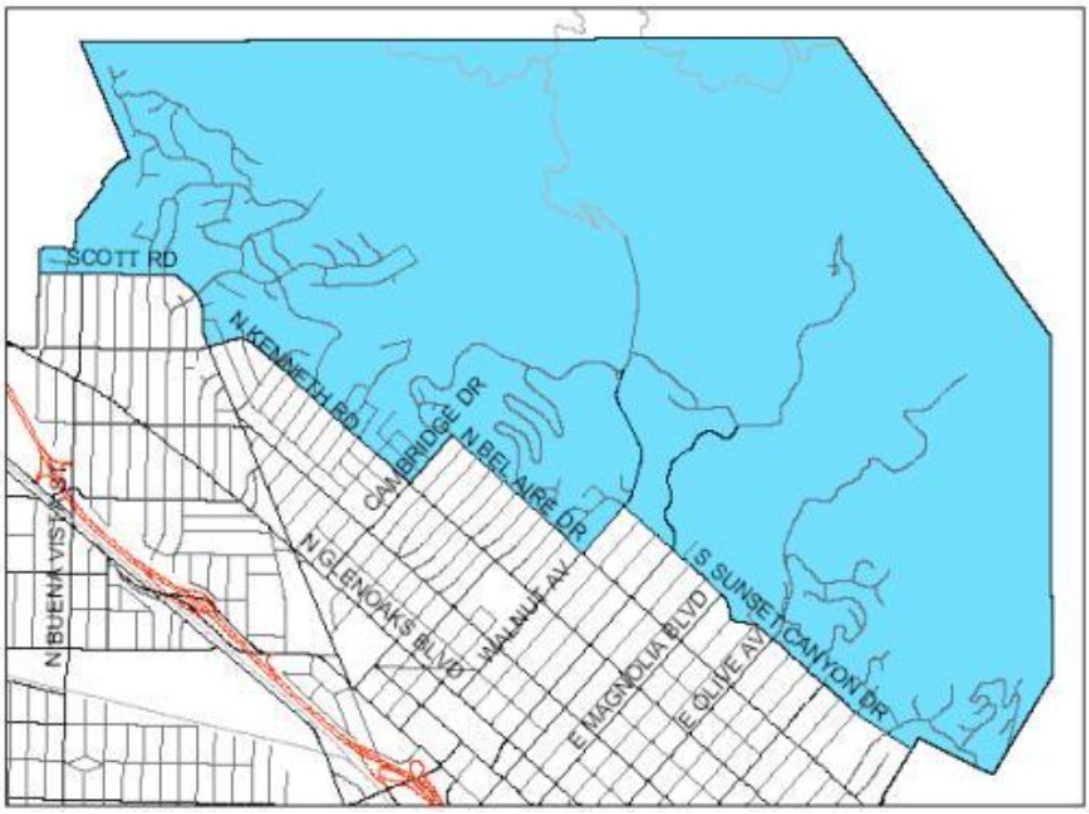


Figure 1 City of Burbank – Hillside Area (Shaded) (BMC 10-1-606(A):)

Over time, and in response to community concerns about the potential impact of fences on views in the Hillside, Council adopted Ordinance No. 3748 in 2008, which required the approval of a Minor or Major Fence Exception permit for the construction of fences and walls within the Hillside area (Attachment 3). This requirement remained in effect until March 15, 2022, when Council adopted Ordinance No. 22-3,970, which eliminated the Minor and Major Fence Exception permits for fences and walls in the Hillside that comply with the height limits set forth in the BMC § 10-1-603. This was done in conjunction with a larger effort to update the R-1 (Single-Family) zone development standards that was

intended to streamline the planning process and reduce permit processing times. The removal of the Hillside fence requirement was based on the belief that fences or walls in the Hillside that met the objective standards in the BMC would not pose significant view impacts and thus not require any discretionary review.

However, following the elimination of the fence exception permits in 2022, concerns were raised to staff and Council regarding potential view obstruction impacts associated with fence and wall construction in the Hillside.

DISCUSSION

Existing R-1 Fence Standards

BMC § 10-1-603(H) (Attachment 4) contains the existing development standards for fences and walls in the R-1 zone, including the designated Hillside. Fences and walls within the front yard setback area have a maximum allowed height of four feet. The first two feet of fencing in the front may be fully solid, however, any portion of the fence above two feet must meet a 50% open-design standard. Fences and walls located outside of the front setback area are permitted to be a maximum height of eight feet, by-right. For corner lots, additional height restrictions apply to the street facing setback area. The maximum allowed height for fences within the street yard setback area is six feet to the rear of the house, if the fence utilizes an open design concept. If the fence is solid, then the maximum height allowed is four feet. The fence is allowed a maximum height of eight feet along the street side yard at the end of the house to the rear of the property.

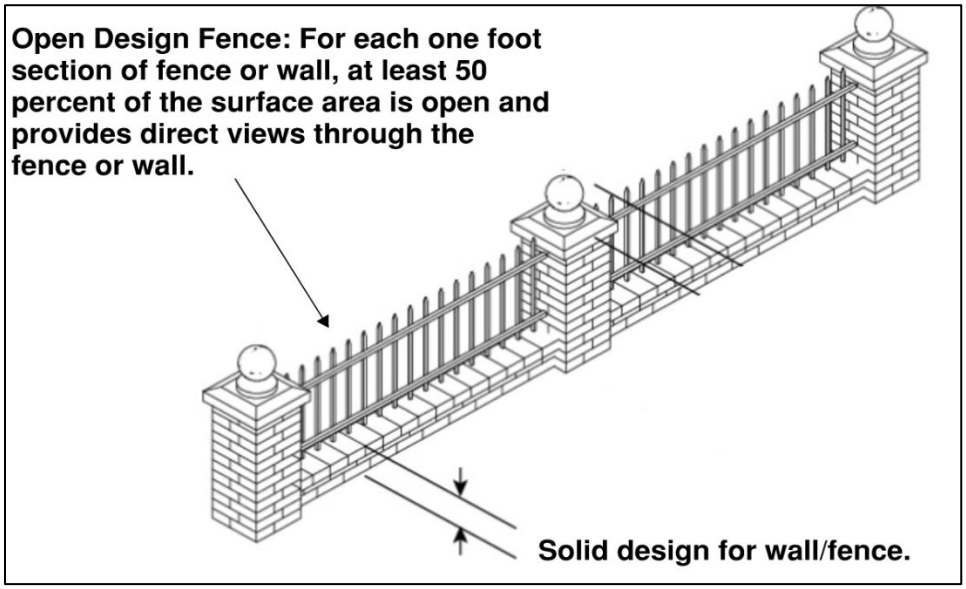


Figure 2 Open Design Fence/Wall Example

Currently, freestanding fences and walls do not require discretionary review. Staff is able to review applications for freestanding fences and walls over the counter, and most

applicants are able to receive their zoning approval within the same day. The current zoning review process requires that staff check the proposed fencing against the existing R-1 development standards for fences and walls located within BMC § 10-1-603(H). If the proposed fence or wall in the Hillside area conforms with all applicable development standards, then the application is approved. Presently, only retaining walls are required to receive approval through an HDP, as the construction of retaining walls often requires grading of the subject property, which is one of the established triggers for the requirement of an HDP.

Existing Fence Exception Process

Exceptions to the fence standards in BMC § 10-1-603(H) may be requested through a Minor Fence Exception or a Major Fence Exception application. These fence exception applications are discretionary reviews and require a number of findings to be made to approve the application. The Community Development Director is the review authority for Fence Exceptions, with the decision being appealable to the Planning Commission. Alternatively, residents in the Hillside area can apply for an exception to the single-family development standards through the HDP process. These exception requests can apply to a number of development standards, including maximum allowed height, setbacks, retaining wall height, and other standards. An exception request made through an HDP requires an additional set of four findings to be made in the affirmative before the exception can be granted. The fee is $3,237.43 for a Major Fence Exception and $2,808.47 for a Minor Fence Exception. The submittal requirements and a process flow chart for the Fence Exception process are included in Attachment 5.

Existing HDP Process

BMC § 10-1-607(H) contains the HDP thresholds and procedural requirements. The HDP is a discretionary review process that is intended to protect hillside views to the extent feasible, ensure neighborhood compatibility, and to balance the reasonable development with the values placed upon views of Burbank and surrounding communities. The HDP fee is $11,397.86 and typically takes eight to twelve months to process. The submittal requirements and a process flow chart for the HDP process are included in detail in Attachment 6.

ANALYSIS

Following review and analysis of existing fence standards and procedures, City Planning has identified four proposed approaches to address the potential view impacts of fences and walls in response to concerns shared by the residents and consistent with Council's request for this first step report. When developing these proposed approaches, staff considered the ability of each approach to address the concerns of the Hillside residents,

the overall processing time, cost, and impact on other mandatory reviews by Planning staff. Each approach with a brief description of the pros and cons are listed below.

#1: Revert to the Pre-2022 Major and Minor Fence Exception Permit Requirement.
Revert back to the Minor or Major Fence Exception permit for the development of ***any*** fences or walls as established by Ordinance No. 3748 (Attachment 3). These regulations were in place prior to 2022 and under these regulations, ***all*** proposed fences or walls required a Minor or Major Fence Exception permit prior to construction. Attachment 2 to this report contains previous BMC sections establishing the requirements for the entitlement and a description of the full requirements and procedures for the approval of a Minor and Major Fence Exception. The typical processing time for such applications is approximately 4-6 months, and the current fee is $3,237.43 for a Major and $2,808.47 for a Minor Fence Exception.

> **Pro**: This approach would adequately address the concerns of Hillside residents and would enable staff to mitigate potential impacts on protected views and privacy.
>
> **Con**: This procedure was repealed by Council in 2022 as a means to streamline the permitting and approval process for minor applications. The requirement was removed because fences or walls that met the objective development standards set forth in the BMC would not pose significant view impacts to neighboring properties. This approach would apply to an estimated 10 to 15 projects annually and generally would add considerable cost and review time for these projects in the Hillside area.

#2: Impose A New HDP Requirement for all Fences and Walls in the Hillside.
This approach would require that all freestanding fences and walls that are less than 50 percent open design within the Hillside area be approved through a modified HDP process, regardless of height or location. This would require residents to submit a full application package to Planning staff and the application would be processed in the same manner as an HDP. A new process and application fee would have to be established.

> **Pro**: This approach would allow staff the opportunity to fully address any concerns from neighbors regarding potential view or privacy impacts for all new fences regardless of height or location. Creating a discretionary process for the review of fences and walls in the Hillside area will allow staff the ability to impose conditions of approval to mitigate potential view impacts.

Con: Based on recent permit history, this approach would apply to an estimated 10 to 15 projects a year and generally would add considerable costs and review time for these projects in the Hillside area. Additional application submittals may affect the City's ability to process other housing development projects within state-mandated timelines, which could result in potential risk and liability for the City.

#3: Impose a New HDP Requirement for only Fences and Walls with a Higher Likelihood of Having a View Impact on the Hillside

Similar to Approach #2 above, this approach would create a new HDP discretionary process but would only apply to a more limited scope of fences. This HDP requirement would be focused only on view obstructing fences. A view obstructing fence would be defined as any fence or wall over five feet in height. Therefore, this new entitlement process, would only apply to those proposed fences greater in height than five feet. To be exempted from the requirement, property owners would have to demonstrate the proposed fence will utilize a fifty percent, open-design concept for the portion of fence which exceeds five feet in height. This would be verified by staff via an over-the-counter zoning clearance.

Pro: This approach will focus only on those fence projects, which are most likely to generate view impacts, rather than applying a universal entitlement requirement to all fences in the Hillside area. This approach provides a path for staff and neighbors to evaluate potential view impacts and allows staff to impose reasonable conditions to mitigate impacts when they arise. This approach also improves the City's ability to address view impacts while ensuring that residents proposing low impact fencing will avoid the cost and time delay of an involved discretionary process.

Con: This approach would generally add considerable costs and review time for these projects. Additional application submittals may affect the City's ability to process other housing development projects within state-mandated timelines, which could result in potential risk and liability for the City. However, there likely would not be as many new submittals under this Approach #3 as anticipated under Approach #2.

#4: Maintain the Existing Regulations

This approach would maintain the existing regulations as-is. Fences and walls would be subject to the existing development standards, and if found to be consistent, applications would be approved over the counter.

Pro: Maintaining the existing approach allows efficient review of fence and wall applications while not affecting the review time for other Planning projects, as fence and wall zoning reviews do not require significant administrative work. Additionally, the existing review and approval process does not require extensive analysis of a view study or public noticing, and the current fee of $169.62 would be maintained.

Con: Although there are few code enforcement cases for fences and walls in the Hillside, if complaints are made about individual fences or walls in the Hillside this approach will not enable staff to review potential view impacts caused by fences outside of those inherently addressed by the objective development standards already set forth in the BMC.

The four proposed approaches provide a range of options for addressing Council's concerns about view obstruction in the Hillside area. As there are very few complaints submitted to the City, staff recommends that the existing regulations be maintained.

If further action is desired, based on the ability to best address Council's concern through a streamlined review process for applicants, Approach #3 offers a more balanced alternative by establishing a new discretionary process that would only apply to fences that have the greatest potential to create a view impact, which are fences over five feet in height. This approach creates a more focused review for fences that are most likely to obstruct views while allowing low impact fences to be exempted. This approach will introduce additional review time for certain projects; however, it does directly respond to Council's concerns in a more limited way.

COMMUNITY OUTREACH

If directed by the City Council to pursue an applicable project alternative, staff will return with a second step report that outlines the potential components and language to be included in future a Zone Text Amendment ("ZTA"). Pursuant to BMC Section 10-1-1994 and Government Code Section 65854(b)(2), ZTAs require a minimum 20-day public notification prior to the public meeting. A public notice will be published in a newspaper of general circulation in the City for the proposed ZTA to be heard by the Planning Commission at a regular meeting. Notifications of the Planning Commission meeting will also be distributed through the City's social media channels, the City Calendar and the Planning Division website. If the Planning Commission recommends approval of this ZTA, City Council would consider the proposed ZTA at a noticed public hearing, and residents and members of the community will have the opportunity to learn more about the proposed ZTA and provide comments at the public hearing.

ENVIRONMENTAL REVIEW

This staff report is for informational purposes about potential approaches to addressing view concerns within the Hillside area pertaining to fences and walls and has no potential for resulting in a direct or indirect physical change to the environment and falls outside the definition of a “project” under the California Environmental Quality Act (CEQA) and is therefore not subject to CEQA pursuant to Section 15378 of Title 14 of the California Code of Regulations.

FISCAL IMPACT

There is no fiscal impact associated with this first step report. If City Council directs staff to adopt new development standards or new processes, a detailed fiscal impact analysis would be prepared and include discussion about new entitlement fees based on the City’s cost recovery policy and actual staff time and resources required to process the application.

CONCLUSION

This first step report outlines all existing City fence standards and procedures, including the City’s review of perceived impacts on privacy and protected views. The report also provides several alternative approaches for Council to consider potentially updating the current regulations to address community concerns regarding new fences in the Hillside area. Staff recommends that the City Council select Proposed Approach #4 and maintain the existing regulations and procedures regarding fences in the Hillside area.

ATTACHMENTS

Attachment 1 – Memo to Council – Changes to Hillside Ordinance with Regards to View Protection
Attachment 2 – Ordinance No. 2758
Attachment 3 – Ordinance No. 3748
Attachment 4 – BMC 10-1-603(H) – Existing Fence Standards
Attachment 5 – Existing Fence Exception Process and Submittal Requirements
Attachment 6 – Existing HDP Process and Submittal Requirements

MEMORANDUM

COMMUNITY DEVELOPMENT

DATE: February 25, 2025

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director

SUBJECT: Memo to Council: Changes to Hillside Ordinance with Regards to View Protection

BACKGROUND

At the February 4, 2025, City Council meeting, Councilmember Konstantine Anthony requested a memorandum describing any changes to the Single-Family Residential Zoning and Hillside Ordinance requirements with regards to View Protection since 2022.

ANALYSIS

On March 15, 2022, the Council adopted Ordinance No. 22-3,970, which amended the development standards in the Single-Family Residential (R-1 and R-1-H) zones. These amendments became effective on April 15, 2022. The primary goals of this ordinance were to:

1. Maintain effective single-family development standards that limit the mass and bulk of single-family homes in the R-1 and R-1-H zones.
2. Streamline the planning review process by eliminating the Single-Family Special Development Permit (SFSDP) process. The elimination of the SFSDP has reduced the planning review time by 76% for initial reviews.
3. Facilitate better design and remove redundant or unclear information, which includes the implementation of objective zoning standards [1] that previously hindered the consistent application of the code.

[1] Objective zoning standards mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal that previously hindered the consistent application of the code. (Reference: Gov. Code, §§ 65852.21, subd. (b); 66411.7, subd. (c))

One of the key changes in the Ordinance was the elimination of Minor Fence Exceptions (MFE) permit requirements for fences in R-1-H hillside lots, provided the fences comply with the height requirements specified in BMC Section 10-1-603(A). The height standards include:

- 4 feet within the front yard,
- 4 feet if solid to 6 feet if 50% open within the street-facing side yard,
- 8 feet outside the front and street-facing side yards.

Before this amendment, all fences in the R-1-H zone, even those that complied with the BMC's height requirements, required MFE permits, which could take several months to process. The code section's findings for MFE approval in BMC Section 10-1-19200 are subjective, often leading to conflicting considerations of views, privacy, and aesthetic impact.

The 2022 Ordinance did not make any changes to the building permit requirements for fences. Fences and walls of a certain height continue to require building permits and must be submitted into Plan Check. Before 2022, all fences in the hillside that required a building permit had to first be approved through the MFE process. After the Ordinance adoption, fences in the hillside that require permits can be submitted directly into Plan Check.

CONCLUSION

The 2022 amendments to the development standards in the R-1 and R-1-H zones effectively streamlined the planning process by eliminating the SFSDP review and MFE permits for fences that comply with height requirements. This has resulted in a reduction in processing time by several months. The Ordinance did not specifically address changes related to the protection of views. Any future consideration to apply an alternate approach for fences in the hillside would require the establishment objective zoning standards that would also have to establish objective requirements when evaluating privacy and view concerns by applicants and/or neighboring property owners.

ATTACHMENTS:

Attachment 1 –Minor Fence Exceptions Requirements and Findings

Effective date: February 11, 1980 RWM:11 x11/29/79

ORDINANCE NO. 2758

1705

AMENDING ARTICLE 6 OF CHAPTER 31 OF THE BURBANK MUNICIPAL CODE BY ADDING THERETO A NEW DIVISION 12 RELATING TO HILLSIDE DEVELOPMENT STANDARDS (NON-SUBDIVISION).

THE COUNCIL OF THE CITY OF BURBANK DO ORDAIN AS FOLLOWS:

Section 1. Article 6 of Chapter 31 of the Burbank Municipal Code is amended to add thereto a new Division 12 to read as follows:

DIVISION 12. HILLSIDE DEVELOPMENT STANDARDS, GUIDELINES, AND PROCEDURES FOR SINGLE LOTS OR PARCELS (NON-SUBDIVISION).

Sec. 31-75.3. Purpose.

It is the City's position that its hillsides are a valuable resource to the community, providing a visible geographic boundary to the City and aesthetic relief to the viewscape from virtually every location in Burbank. Much of the remaining privately-owned, undeveloped acreage in the City can best be described as steep, consisting of slopes in excess of 30 or 40 percent, and visually prominent. The purpose of this Division is to insure the most orderly development of single lots or parcels located upon the City's hillsides, in order that such development is consistent with existing surrounding development patterns, and is carried out in a manner which promotes and enhances public safety and general welfare.

Sec. 31-75.4. Applicability.

(a) The provisions of this Division shall apply to any single lot or parcel of record which has an average slope of 20 percent or greater and which is located in the foothills of the Verdugo Mountains lying within the boundaries of Fire District No. 4 as set forth in Section 7-20 of this Code. Except as provided in this section these provisions shall not apply to those lots or parcels which are proposed to be developed pursuant to the provisions of Chapter 27 (Subdivisions) of this Code. However, individual lots or parcels of subdivisions recorded after the effective date of this Ordinance shall be subject to the provisions of this Division if said lot or parcel after finished grading thereof has no building pad to entirely support structures thereon and the slope of said lot or parcel has an average slope of 20 percent or greater.

(b) For the purposes of this Division, "average slope" means the relationship between the change in elevation (up or down) of the land and the horizontal distance (run) over which that change in elevation occurs. The average slope "S" is computed on the net area of a parcel by the following formula:

$$S = \frac{IL}{A\ 100}$$

Where: S = Average natural slope in percent.
I = Contour interval in feet, at not greater than 10-foot intervals, resulting in at least 5 contour lines.
L = Total accumulated length of all contours of interval "I" in feet.
A = The area being considered in square feet.

Sec. 31-75.5. Pre-Application Procedure.

The intent of this section is to outline informal, pre-application procedures for applying for a conditional use permit under this Division. Project applicants are encouraged to approach the City staff at an early stage of site plan development to enable City staff input into project conceptualization. Further, it is the intent of these procedures to provide early coordination between the City's hillside development procedures and environmental review process and to provide for incorporation of mitigation measures recommended by the City into project and site plan design. The requirements and procedures set forth in this division are intended to supplement and be used simultaneously with other requirements and procedures set forth in this chapter, the environmental review process, and the City's building and grading codes. However, to the extent this division conflicts with any other ordinance or regulation of the City, the provisions of this division shall prevail.

Sec. 31-75.6. Conditional Use Permit Required.

No building or grading permit shall be issued for the construction of any structure upon, or the grading of any lot or parcel to which the provisions of this division are applicable, until a conditional use permit is first obtained. The issuance of such conditional use permit shall be governed by the provisions of Division 4 of Article 19 of this Chapter.

Sec. 31-75.7. Application for Conditional Use Permit.

The application for a Conditional Use Permit shall include the information hereinafter specified. The staff of the Community Development and Planning Department shall review such information to report upon and to evaluate the project for the use and benefit of members of the City Planning Board. Such information shall include:

(a) A site or plot plan, drawn to scale. Wherever practical, such scale shall not be less than one inch to 40 feet, reflecting the proposed project including representations of property lines and recorded and proposed easements and public rights-of-way. Buildings or structures on adjacent property within 100 feet shall also be shown on the site or plot plan.

(b) Section or elevation plans of the proposed project, drawn to scale, wherever possible of not less than one inch to 40 feet. Plans shall also indicate those abutting residential units which may be affected in terms of view obstruction.

(c) A topographical map of the project site and all adjacent terrain located within 100 feet of the project boundaries. This map shall be drawn to the same scale as the site or plot plan required in (a) above, with a maximum contour interval of ten feet.

(d) A complete grading plan for the project, drawn to the same scale as required in (a) above.

(e) A tree map, drawn to the same scale as prescribed above, locating existing trees on the project site with a trunk diameter of four inches or greater and/or having a vertical height from ground level to tree-top level of fifteen feet or greater. This map shall define the species of all such trees and identify their approximate trunk diameter, height and condition.

(f) A completed Environmental Information Form, from a blank form provided by the city.

(g) A soils engineering report which shall contain, but need not be limited to, data regarding the nature, distribution and strengths of existing soils, conclusions and recommendations for grading procedures, design criteria for and identified corrective measures, and opinions and recommendations covering the adequacy of the site to be developed. This investigation and report shall be performed by a professional soils engineer who is experienced in the practice of soil mechanics and who is registered with the state of California.

(h) A geology report which shall include, but need not be limited to the surface and subsurface geology of the site, degree of seismic hazard, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, opinions and recommendations covering the adequacy of the sites to be developed, and design criteria to mitigate any identified geologic hazards. This investigation and report shall be completed by a professsional geologist who is experienced in the practice of engineering geology and who is registered with the state of California.

(i) A hydrology report which shall include, but need not be limited to, the hydrologic conditions on the site, possible flood inundation, downstream flood hazards, natural drainage courses, conclusions and recommendations regarding the effect of hydrologic conditions on the proposed development, opinions and recommendations covering the adequacy of the site to be developed, and design criteria to mitigate any identified hydrologic hazards consistent with these regulations. This report shall account for all runoff and debris from tributary areas and shall provide consideration for each lot or dwelling unit site in a proposed development project. Runoff and debris amounts shall be computed using the Los Angeles County Flood Control District criteria. This investigation and report shall be completed by a registered civil engineer experienced in the science of hydrology and hydrologic investigation.

(j) A landscaping plan shall accurately show the final disposition of all existing trees, as specified above, on the project site and the type and extent of proposed vegetation. This plan shall be developed in accordance with the provisions of Section 13-20 of the Burbank Municipal Code. This plan shall be drawn to the same scale as required in (a) above.

(k) A three-dimensional scale model of the project site, to such minimum scale as prescribed by the Community Development and Planning Director.

(l) Other information or application materials as may be deemed necessary or desirable by the Community Development and Planning Director.

Sec. 31-75.8. Waiver of Requirement for Application Materials.

The requirement to submit any or all the materials enumerated by Section 31-75.7 may be waived by the Community Development and Planning Director, under the following conditions:

(a) Recently completed and satisfactory reports covering the same subject matter on the same site already exist; or

(b) Some or all of the above reports are included as part of an existing and approved Environmental Impact Report or Negative Declaration; or

(c) The reports described in (a) and (b) above were previously prepared for a site or area in close proximity to the project lot or parcel and such other site possesses similar characteristics to the project lot or parcel subject to this Division.

Sec. 31-75.9. Minimum Hillside Development Standards.

Hillside developments shall meet the following minimum standards:

(a) Each hillside residential dwelling unit shall provide off-street parking for a minimum of four automobiles at least two of which spaces shall be located in a garage or carport. Private driveways leading directly to a garage or carport sufficient to accommodate the two additional parking spaces shall count as part of the four minimum parking spaces required; provided, however, direct entry vehicular garages or carports shall have a minimum front yard setback of twenty feet. Whether direct entry garages or carports are provided or not, in no case shall the slope of a driveway or driveway ramp exceed a grade of five percent in the area designated for required parking.

(b) Unless Underwriter Laboratory Class B approved, no structure shall be constructed with wood roofing material.

(c) Concern shall be given for the preservation of views of existing hillside developments.

(d) All areas below enclosed occupiable living spaces or garages, which are exposed above the ground surface, shall be fully enclosed or "skirted" with walls. All downslope walls (walled side of any building or structure facing most directly down hill) exceeding a height of twenty-five feet shall be given aesthetic relief in the form of different building materials, balconies, catwalks, mature landscaping, or other methods approved by the Community Development and Planning Director.

(e) No structure shall exceed a height of thirty-five feet as measured from the lowest point upon the perimeter of the foundation of the structure exposed above ground surface, after grading, to the highest point of the roof or parapet wall, whichever is higher.

(f) The Burbank Fire Department shall review each hillside residential project, including the construction plans thereto, located in Fire District No. 4 to determine adequate fire prevention requirements, including, but not necessarily limited to smoke detectors, fire retardant planting and irrigation systems, and fire hydrants.

(g) All other City regulations and code requirements pertaining to the R-1 Residential zone and grading provisions shall also apply, unless specifically in conflict with the requirements set forth herein.

Sec. 31-75.10. Right of the City to Impose Conditions.

The City Planning Board may impose such conditions of approval as are reasonable so that such hillside developments will conform to the general design, plan and construction of buildings in the neighborhood of the project site. Any conditions imposed by the City Planning Board shall be by resolution.

Sec. 31-75.11. Exceptions to Standards.

The City Planning Board may approve a project which does not entirely conform to the standards as described in Section 31-75.9 of this Division if it makes the following findings:

(a) The project will not be detrimental to the public health, safety or general welfare;

(b) Approval of the project will not constitute a grant of special privilege inconsistent with the limitations upon other projects and/or properties in the vicinity in which the proposed site is located;

(c) The project will not encourage development inconsistent with the character of the existing development within the neighborhood; and

(d) There are special conditions or unique characteristics of the subject property and its location or surroundings which justify relaxation of one or more of the standards set forth in this Division to permit project development.

Section 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published once in The Burbank Daily Review.

PASSED and ADOPTED this 8th day of January, 1980.

E. Daniel Remy
Mayor of the City of Burbank

Attest:

Evelyn L. Haley, City Clerk

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

I, EVELYN L. HALEY, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No. 2758 was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the 8th day of January, 19 80, by the following vote:

AYES: Councilmembers Ayers, Howard, Olney, Richman and Remy.

NOES: Councilmembers None.

ABSENT: Councilmembers None.

I further certify that said Ordinance was published as required by law in the Burbank Daily Review, a newspaper of general circulation in the City of Burbank, California, on the 11th day of January, 19 80.

Evelyn L. Haley

Evelyn L. Haley, City Clerk

Eff.: 9-19-08

ORDINANCE NO. 3748

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING TITLE 10 OF THE BURBANK MUNICIPAL CODE REGARDING ALLOWABLE FENCE AND WALL HEIGHTS FOR THE HILLSIDE AREA (Project No. 08-0002282, Zone Text Amendment).

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City Attorney's Synopsis

This Ordinance amends Section 10-1-606(E) of Title 10 of the Burbank Municipal Code and Table 10-1-603(A) regarding the allowable height of fences and walls within the Hillside Area.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. The Council held a duly noticed public hearing during its August 12, 2008 regular meeting to consider the aforementioned Zone Text Amendment.

B. The Council considered the report and recommendations of the City Planner, all correspondence and comments received prior to and during the public hearing, and all other evidence presented at the public hearing.

C. The project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15303(e) of the CEQA Guidelines concerning the construction of accessory structures, as well as Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that the regulation of allowable fence and wall heights for purposes of preserving hillside views may have a significant effect on the environment. The modifications would not cause any development to occur or otherwise directly or indirectly cause environmental impacts. It is not reasonably foreseeable that any projects will occur as a result of the modifications.

THE COUNCIL OF THE CITY OF BURBANK DOES ORDAIN AS FOLLOWS:

1. Subsection E of Section 10-1-606 of Title 10 of the Burbank Municipal Code, is hereby amended to read as follows:

E. FENCES, WALLS AND SCREENING.

1. Fences and walls in the front yard are limited to 4' in height. Any portion of the fence or wall exceeding 2' in height must utilize an open design. Open

3748

design is defined as follows: for any one-foot section of fence or wall, at least 70% of the surface area is open and provides direct views though the fence or wall.

2. For all other fences and walls, regardless of their height, a Minor or Major Fence Exception Permit is required prior to construction. Fences and walls must comply with Sections 10-1-200 and 10-1-201, except that

a. A Minor Fence Exception Permit is required for fences and walls up to 8' in height and a Major Fence Exception Permit is required for fences and walls in excess of 8'.

b. A Minor Fence Exception Permit is subject to the same public noticing requirement and findings as the Major Fence Exception Permit.

3. All retaining walls facing downslope areas must be screened with vegetation.

4. Conditions may be placed on a hillside development permit per Section 10-1-607 that require retaining walls to be shortened, broken into multiple shorter walls, stepped up or down a hillside, or otherwise modified.

5. Fences and walls may be required to be shorter by conditions placed upon a hillside development permit.

6. Areas under enclosed structures must be enclosed or skirted with permanent walls. All such enclosure or skirt walls and all other structure walls facing downslope areas must provide aesthetic relief through windows, variation in texture, or similar methods approved by the Director and must be screened by vegetation.

2. Table 10-1-603(A), entitled "Development Standards in the R-1 and R-1-H Zones," of the Burbank Municipal Code, is hereby amended to cross-reference Section 10-1-606 with regard to Maximum fence and wall heights as reflected in the amended table attached hereto as Exhibit "A."

3. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and this City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion thereof has been deleted.

4. The City Clerk shall certify to the passage of this Ordinance and cause the City Attorney Synopsis of this Ordinance to be published once in a newspaper of general circulation within fourteen (14) days of adoption, published and circulated in the City of Burbank, California.

5. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption. This ordinance does not apply to fences or walls erected prior to the effective date so long as they were in compliance with the regulations in effect at the time they were erected.

3748

PASSED AND ADOPTED this 19th day of August, 2008.

Dave Golonski
Mayor of the City of Burbank

Attest:

Margarita Campos, CMC, City Clerk

Approved as to Form and Legal Content

Dennis A. Barlow, City Attorney

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

I, Margarita Campos, CMC, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No. 3748 was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the 19th day of August, 2008, by the following vote:

AYES: Council Members Bric, Ramos, Reinke and Golonski.

NOES: Council Member Gordon.

ABSENT: Council Members None.

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Burbank, California on the 27th day of August, 2008.

Margarita Campos, CMC, City Clerk

3148

Table 10-1-603(A)
Development Standards in the R-1 and R-1-H Zones

Development Standards	*R-1 and R-1-H*	*Additional or Related Standards*
Density		
Minimum lot area	6,000 square feet	
Minimum lot width	50 feet	
Minimum lot depth	100 feet	
Minimum lot area per primary dwelling unit	6,000 square feet	
Minimum lot area per additional dwelling unit above first 6,000 square feet subject to CUP approval	5,750 square feet	
Minimum dwelling unit size	850 square feet	
Minimum dwelling unit width [1]	20 feet	
Maximum height [H] [2]		
To top plate	23 feet	10-1-603(C)
To top of roof and architectural features [3]	30 feet	10-1-603(C)
To top plate for accessory structures [4]	19 feet	10-1-603(C)
To top of roof and architectural features for accessory structures [4]	26 feet	10-1-603(C)
Maximum number of stories for all structures [H]	2	10-1-603(C)
Maximum floor area ratio [H]	0.4 - 0.45 [5]	10-1-603(D)
Maximum lot coverage	50% [6]	10-1-603(E)
Minimum yard setbacks [H]		
Front	25 feet	10-1-603(F)
Rear	15 feet	10-1-603(F)
Interior side	10% of lot width but no less than 3 feet and no more than 10 feet [7]	10-1-603(F)
Street-facing side	20% of lot width but no less than 6 feet and no more than 20 feet [7]	10-1-603(F)
Maximum fence and wall heights [H]		
Within front yard or street-facing side yard set back area	4 feet [8]	10-1-603(G)
Outside of front yard or street-facing side yard setback area	8 feet	10-1-603(G)
Minimum number of off-street parking spaces [H]		
When main dwelling has a gross floor area of 3,400 square feet or less	2 [9]	10-1-603(H)
When main dwelling has a gross floor area of more than 3,400 square feet	3 [9]	10-1-603(H)

Notes/Additional Requirements:
(H) For items marked with an (H), the hillside development standards apply if the property is located within the hillside area as defined in Section 10-1-606(A).
(1) The minimum dwelling unit width does not apply when a narrower dwelling width is necessary to maintain the minimum required side yard setbacks.
(2) On lots where 50 percent or more of the R-1 or R-1-H zoned lots within a 300-foot radius contain homes that were legally built taller than the maximum allowed roof height, the maximum top plate and roof heights may be exceeded with approval of a single family special development permit per Section 10-1-607.
(3) Unless otherwise permitted by state or federal law, the maximum 30-foot height limit also applies to free-standing structures other than buildings including but not limited to antennas, satellite dishes, and flagpoles.

EXHIBIT A

ATTACHMENT 4: BMC 10-1-603(H) – Existing Fence Standards

H. FENCES, WALLS, HEDGES AND OTHER YARD FEATURES.

1. Fences, Walls, and Hedges.

a. Fences, walls, and hedges shall 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.

b. New chain link fences are prohibited in front yards and street facing side yards after February 23, 2017.

c. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-603(A).

d. Fence in the front yard setback area can have up to two gates, and the gates must be 50 percent open and comply with the height requirements specified in Table 10-1-603(A).

e. Only one wall/fence, inclusive of any openings for access, is allowed in the front yard setback.

f. Fence in the front yard setback area may be combined with a retaining wall. The maximum height of a fence in combination with a retaining wall in the front yard setback area shall not exceed 4 feet, as measured from abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower, and the fence must be 50 percent open.

g. The height of a fence, wall, or hedge is measured from the abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower.

h. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair step-design, but each stair-step section, as measured from the horizontal midpoint, shall not exceed the maximum height.

i. Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls, and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard.

j. The only decorative element allowed on top of fences, walls, and hedges in front and street side yards is lighting, which 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 or up to a maximum height limit of five (5) feet, six (6) inches. In all other yards, lighting and ornamentation shall not exceed the maximum allowed height for fences, walls, and hedges. Pilasters shall be located at least eight (8) feet from each other, as measured from the center of the pilaster. The maximum width of each pilaster shall be 18 inches. The area of the pilasters is exempt from the 50% open design calculation.

k. All fences, walls, and hedges must comply with the corner cutoff provisions of Section 10-1-1303.

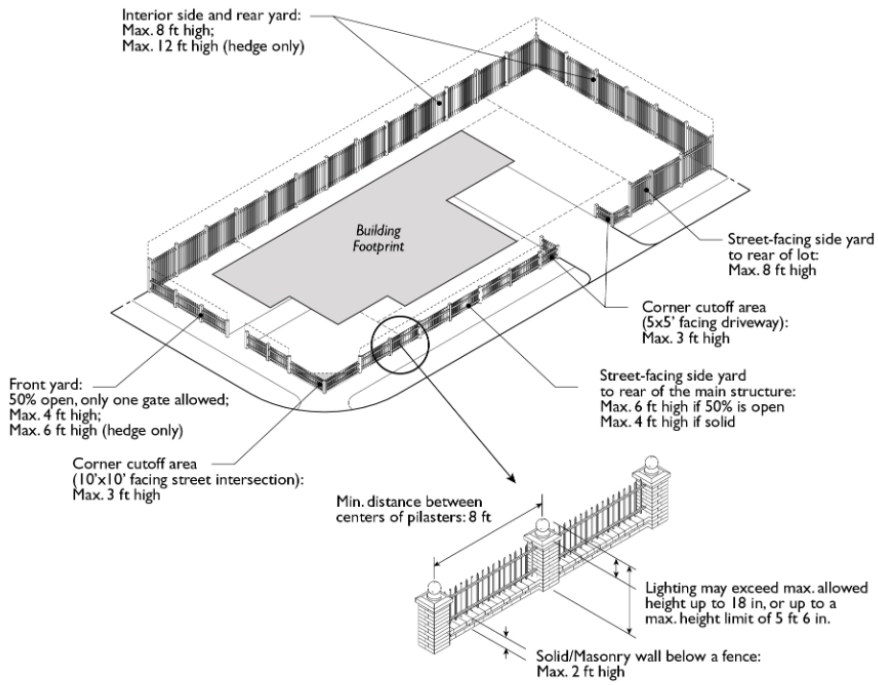
l. Gates are subject to the same requirements as fences and walls.

m. All walls in the front yard setback or street facing side yard must be finished with plaster, stucco, or brick or other similar materials. Materials must be consistent for all walls.

n. Enforcement of nonconforming fences and walls established prior to October 17, 2008 may be subject to abeyance pursuant to Section 10-1-19202.

o. If a wall or fence was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall or fence shall not be subject to these standards.

DIAGRAM 10-1-603(H)(1): FENCES AND WALLS



2. Other Yard Features.

a. Other yard features, including but not limited to natural features such as rocks; structural features such as arbors, pergolas, fountains, reflecting pools, art works, screens, light poles, benches, and other items included within the definition of Landscaping per Section 10-1-203 are limited to a maximum of two (2) features per street frontage within front and street-facing side yards. Such features must comply with the corner cutoff provisions of Section 10-1-1303.

b. Arbors, pergolas, and similar structures are limited to a maximum height of nine (9) feet, a maximum width of six (6) feet, and an interior length of three (3) feet, as measured from the highest abutting ground surface prior to grading. Other yard features are limited to a maximum height of six (6) feet and a maximum width of six (6) feet.

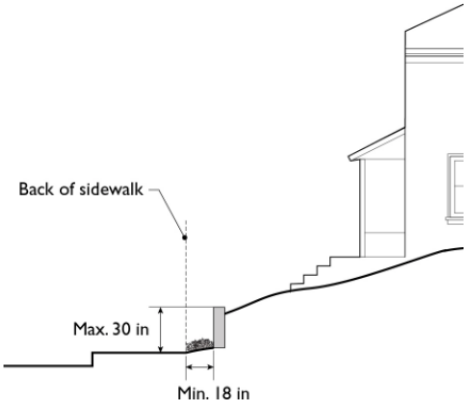
c. Enforcement of nonconforming yard features established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.

3. Retaining Walls.

a. Retaining walls located within front yard setback areas are limited to a maximum height of 30 inches in height, and must be setback 18 inches from the sidewalk with a planting buffer strip provided between the wall and the sidewalk. Only two (2) retaining walls are allowed in the front yard setback.

b. Exposed retaining wall height shall be measured from lowest abutting finished ground surface, after any grading, cut, or fill activity. Within 15 feet of a sidewalk, retaining wall height shall be measured from the sidewalk elevation. For streets with no sidewalk, retaining wall height shall be measured from the public right-of-way elevation.

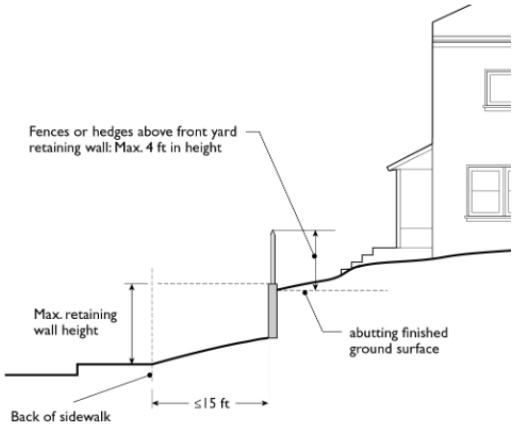
DIAGRAM 10-1-603(H)(3)(A): RETAINING WALL HEIGHT WITH PLANTED BUFFER



c. Other exposed retaining walls, located outside the front yard setback area, shall not exceed four (4) feet in height as measured from lowest abutting finished ground surface, after any grading, cut, or fill activity.

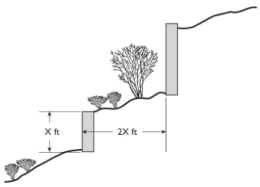
d. Walls shall not be placed above retaining walls within the front yard setback and street facing side yard setback.

DIAGRAM 10-1-603(H)(3)(D): RETAINING WALL HEIGHT WITHIN FRONT YARD



e. Additional retaining walls must be setback a distance equivalent to twice the height of the exposed retaining wall below as measured from lowest abutting finished ground surface, after any grading, cut, or fill activity.

DIAGRAM 10-1-603(H)(3)(E): RETAINING WALL SETBACK



f. Nonconforming retaining walls established prior to October 17, 2008, may be subject to abeyance pursuant to Section 10-1-19202.

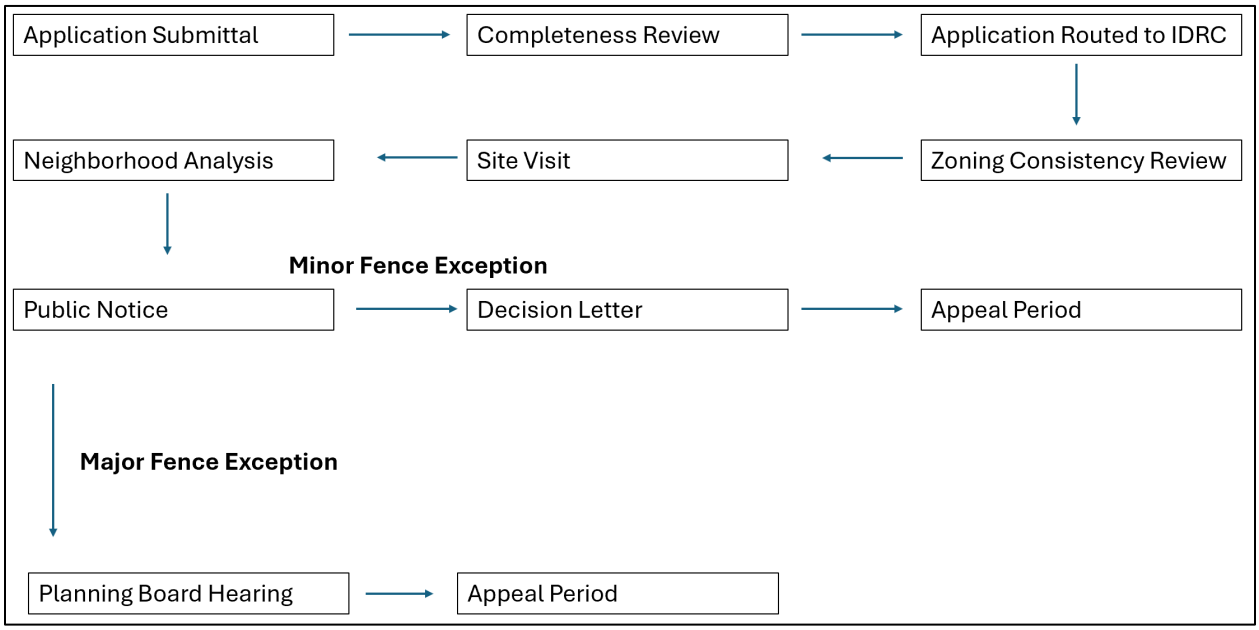
g. If a retaining wall was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall shall not be subject to these standards.

h. Damaged legal non-conforming retaining walls that require strengthening or restoring to a safe condition, as determined by any City official charged with protecting the public health or safety, can be replaced to previous height and location upon order of such official.

4. Exceptions. Exceptions from the requirements of this Subsection (H) (including maximum height, separation, and number of walls, fences, hedges, gates, and retaining walls, and the applicable requirements of Section 10-1-1303 referenced herein) may be granted through approval of a fence exception permit as specified in Article 19, Division 11: Fence Exception Permits and Enforcement. No exceptions shall be granted for development standards for retaining walls located within the front yard setback area.

ATTACHMENT 5: EXISTING FENCE EXCEPTION PROCESS AND REQUIREMENTS

FENCE EXCEPTION PROCESS FLOWCHART



ATTACHMENT 6: EXISTING HDP PROCESS AND REQUIREMENTS

An HDP is required when a project meets one of four codified triggers. These triggers include:

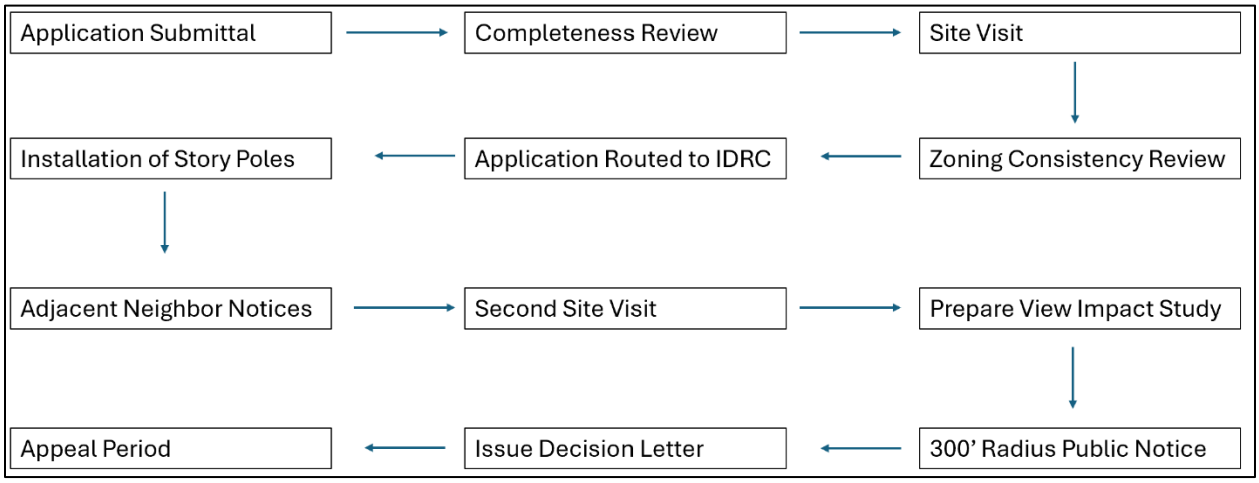
1. The project involves the creation of a new building pad, cut or fill activity to expand an existing building pad, or any other grading activity.
2. The structure extends beyond the front or rear yard setback lines per Subsection (D).
3. The height of the proposed structure to the top of the roof exceeds 16 feet.
4. The total gross square footage of all structures and spaces that are included in the floor area ration calculation is greater than 3,000 square feet.

All HDP projects are required to submit a complete application form and mandatory submittal requirements. Applicants are also required to submit the necessary fee for project processing, inclusive of other administrative fees.

Once an application is determined to be complete, the Project plans are routed to other city Departments and Divisions of the Community Development Department to review for compliance with all applicable development standards.

After the Project has been deemed to be in conformance with the BMC, Planning staff prepare a view study to analyze the potential view impacts a project may have on the neighboring properties. The view study includes the installation of story poles, which reflect the footprint of the proposed structure. The story poles aid staff in understanding if the Project will unreasonably encroach upon the views of any neighboring properties. As part of the view study, staff will also send a notice to the immediate neighbors informing them about the project and providing them with an opportunity to comment on potential view impacts from the project. All comments received during the initial noticing period are investigated fully for any perceived impacts to neighboring views. If an impact is identified, staff will work with the applicant to mitigate the impact to the extent feasible. In addition, all residents within 300 feet of the subject property will receive a notice indicating staff's intent to render a decision. Approval of all HDPs requires staff to make in the affirmative, four required findings of fact. These findings require that a project does not negatively impact the surrounding area's safety and circulation, be consistent with the existing hillside topography, avoid substantially altering the natural topography of the hillside, and not encroach upon neighboring scenic views. If no appeal of the Director's Decision is filed within 15 days of the decision date, then the HDP decision is final.

HDP PROCESS FLOWCHART



Update on View Obstructing Fences in the Designated Hillside Area

City Council
April 21, 2026

CITY OF BURBANK
COMMUNITY DEVELOPMENT

PURPOSE

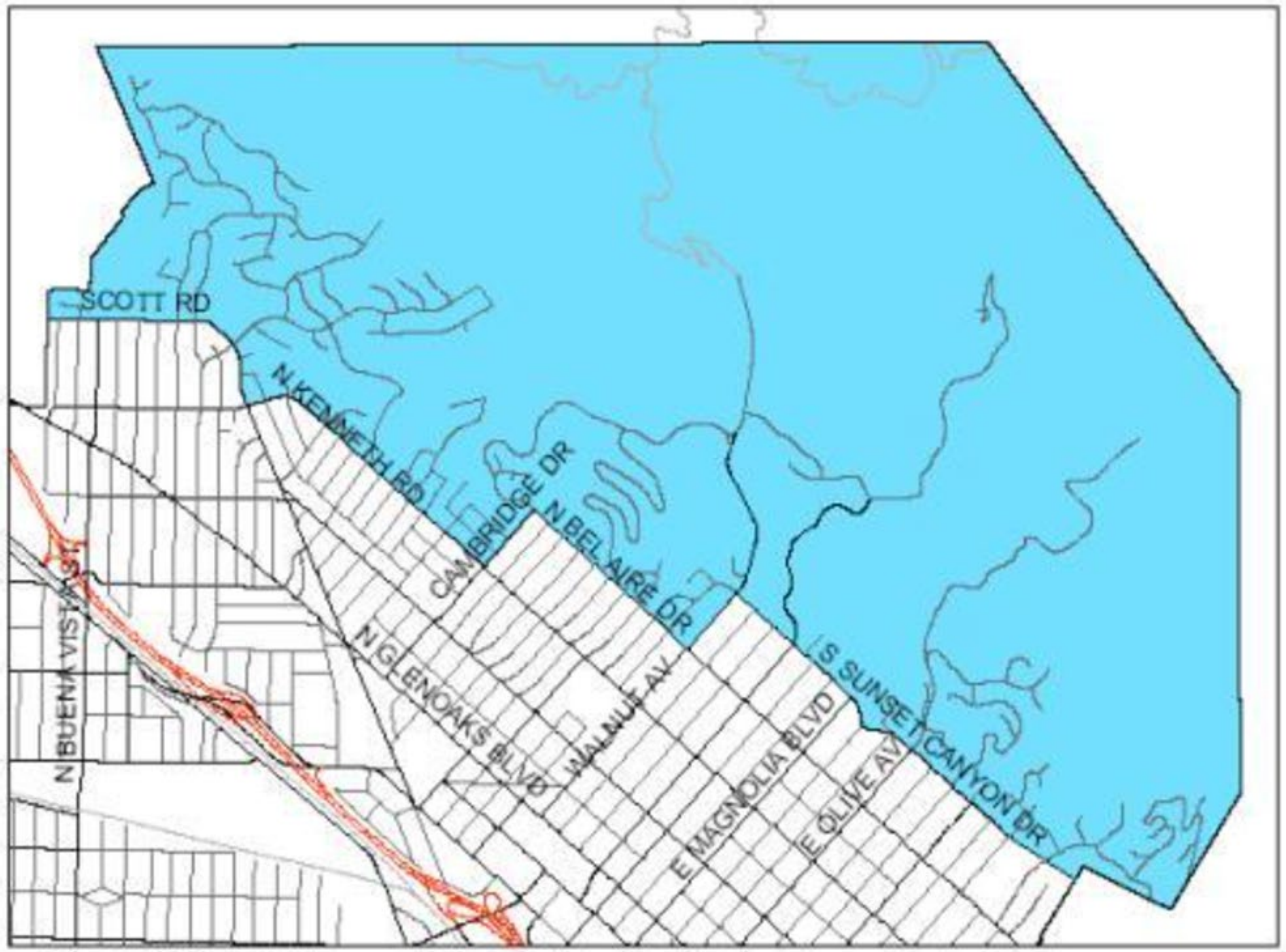


Photo of Hillside Taken from Downtown Burbank

- Respond to Council request for information about existing Hillside fences and;

- Discuss possible alternatives to address scenic view obstructions.

REGULATORY BACKGROUND



City of Burbank – Hillside Area (Shaded) (BMC 10-1-606(A):)

- Hillside Development Permit (HDP) introduced in 1980.

- Minor or Major Fence Exception requirement codified in 2008.

- Fence exception requirement repealed in 2022.

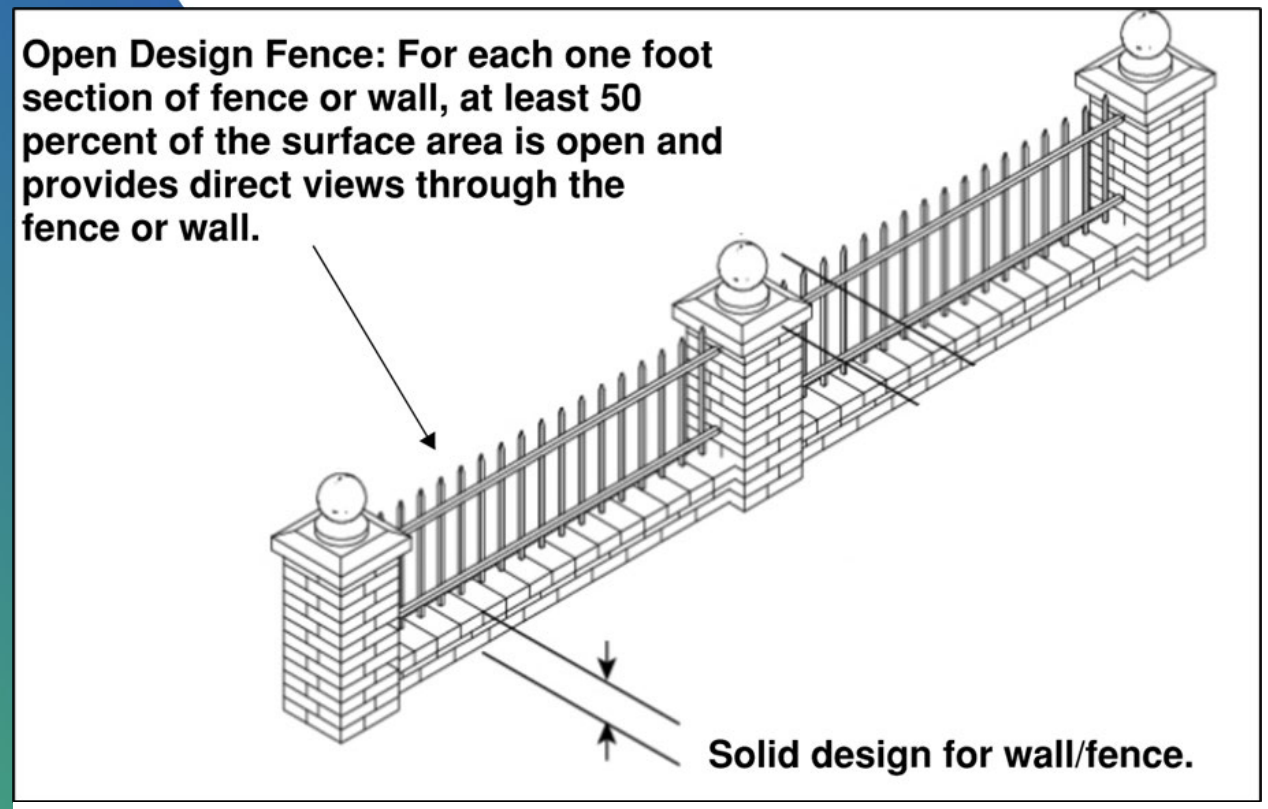
EXISTING HDP PROCESS



Story Poles Used for View Impact Assessment

- Discretionary Review
- Public notification and a view impact study
- Review Authority is the Community Development Director
- Findings in BMC Section 10-1-607

EXISTING FENCE STANDARDS



Existing Fence Open-Design Standard Diagram

- BMC 10-1-603(H) contains fence development standards for single-family zones.
- Height, location, design, opacity
- Exceptions granted through a Minor or Major Fence Exception

PROPOSED APPROACH #1

- Revert to Hillside fence requirements prior to 2022.

- Hillside fences and walls will require Minor or Major Fence Exception Permit

- Addresses view concerns

- Will significantly increase cost and review time for Hillside residents.

PROPOSED APPROACH #2

- Require modified HDP for all fences and walls in the Hillside
- Processed in same manner as current HDPs
- Addresses view impacts
- Estimated to apply to 10-15 projects per year and;
- Increase cost and review time for Hillside residents

PROPOSED APPROACH #3

- Require modified HDP, but only for fences that are likely to have impact

- Applies to fences over five feet in height, fully solid design

- Serve to address view concerns

- Will increase cost and review time, would impact fewer fences



Photo of Burbank from the Hillside Area

PROPOSED APPROACH #4

- Maintain existing standards and procedures for Hillside fences
- Fences will continue to be processed with streamlined review times
- Would not allow an interactive public process to address view impacts
- Would not add additional review time or cost for residents.

Photos of Burbank Hillside from the Burbank2035 General Plan





RECOMMENDATION

Maintain the current regulations related to view obstructing fences in the designated hillside area.

Thank you!

Contact:
Ryan Allen-Esquivel, Assistant Planner
818-238-5250
Rallen-Esquivel@burbankca.gov

CITY OF BURBANK
COMMUNITY DEVELOPMENT

Update on View Obstructing Fences in the Designated Hillside Area

City Council
April 21, 2026

CITY OF BURBANK
COMMUNITY DEVELOPMENT

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: April 21, 2026

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director
VIA: Fred Ramirez, Assistant Community Development Director - Planning
Scott Plambaeck, Planning Manager
Amanda Landry, Principal Planner
BY: Sara Durghalli, Assistant Planner

SUBJECT: Update on the Initial Assessment of Wireless Telecommunication Facilities Standards and Forthcoming Recommendations

RECOMMENDATION

Note and file.

BACKGROUND

On October 29, 2024, the City Council considered an appeal of the Director's decision to approve a new unmanned roof-mounted WTF on the roof of an existing 35-foot tall, three-story commercial office building (Project) located at 800 S. Main Street. During the hearing, Council heard significant public comments regarding general community concerns about potential health effects of WTFs and comments on the adequacy of the City's regulations for the siting of WTFs. Council denied the appeal and approved the Project, however, directed staff to return with a report providing an overview of the ordinance regulating the installation of WTFs in light of the various community concerns that were raised. This report provides an overview of the existing WTF development standards provided in the Burbank Municipal Code (BMC) and broadly evaluates their alignment with Federal Communications Commission (FCC) regulations and California State law. The report outlines the City's next steps to address community concerns while ensuring continued compliance with state and federal WTF permitting regulations.

DISCUSSION

WTFs are primarily licensed and regulated by the FCC, which establishes comprehensive guidelines governing their deployment and operation. While local jurisdictions have some authority to regulate certain aspects of WTFs, this authority is significantly limited.

Local governments can develop regulations addressing the time, manner, and location of WTF installations, such as setting zoning requirements, design standards, and aesthetic guidelines. However, these regulations must comply with federal law and cannot effectively prohibit the provision of wireless services. The FCC also imposes strict shot clocks, requiring local authorities to act on WTF applications within specific timeframes to prevent undue delays.

Moreover, local jurisdictions have no authority to regulate radiofrequency (RF) emissions, as the FCC maintains exclusive jurisdiction over RF safety standards. Any local regulations must not conflict with federal objectives, including the rapid deployment of wireless infrastructure. As a result, while municipalities can influence certain aspects of WTF placement and design, their control is narrowly constrained by federal preemption and legal standards.

Federal WTF Regulations

During the initial phase of wireless telecommunications infrastructure deployment nationwide, local jurisdictions exercised significant authority over their placement and design. This created complex, inconsistent regulations that, while addressing local concerns, hindered network expansion and ultimately impeded interstate commerce. To address these challenges, the FCC has implemented regulations to standardize and limit local review of wireless infrastructure. These measures aim to accelerate deployment, reduce regulatory barriers, and meet the nation's growing demand for wireless capacity. By streamlining processes and minimizing local obstacles, the FCC seeks to ensure timely access to reliable, high-speed service nationwide.

City of Burbank WTF Regulations

Parallel to the adoption of Federal regulations, in 1996, the City of Burbank adopted development standards regarding the placement of WTFs. Since then, the development standards were updated in 2010, 2011, 2015, and 2017 in response to the various state and federal regulations limiting local control. Each update aimed to clarify the City's approach and to ensure the City complied with all applicable federal, state and local health and safety regulations required for WTF development projects.

The City continues to carefully balance community concerns related to potential health effects of wireless technology and its visual impact on the built environment, while ensuring compliance with applicable federal regulations. The City's current strategy faces significant challenges related to compliance with federal regulations, including the

restrictive shot clocks, and the discretionary review strategy for certain classes of WTFs creating an expectation for residents that the City can condition or deny projects based on perceived health effects.

ANALYSIS

The City regularly updates its wireless permitting process to align with FCC rules, refining workflows, adopting best practices, and training staff to ensure effective compliance. Recently, staff from the Planning Division of the Community Development Department (CDD) and City Attorney's Office (CAO) completed training on the federal regulations governing WTFs and common challenges that local governments face. Through this training, staff identified key areas of the City's review process and objective development standards that require further review and modification to maintain compliance with federal regulations.

Given the complexity of this review, the City has retained BBK, a law firm with a specialized telecommunications practice group, to assist staff in conducting a comprehensive evaluation of the City's wireless facility regulations. As part of this review, BBK and the staff will undertake a comprehensive analysis of the Zoning Code and a thorough evaluation of the City's administrative procedures for processing wireless permit applications. This review will also identify opportunities to address and, where feasible, mitigate community concerns regarding health and aesthetics. The proposed approach aims to:

- Ensure compliance with FCC shot clock requirements;
- Minimize the risk of legal challenges related to federal preemption;
- Streamline staff workload and improve application processing efficiency; and
- Facilitate the timely deployment of next-generation wireless infrastructure.

In addition, staff has been proactively coordinating with the City's federal lobbyists, the Ferguson Group, to advocate for local governance and protect the City's interests in alignment with the City's adopted Legislative Platform. The FCC proposed to broaden the qualifications for mandatory approval requirements, limit local authority over aesthetic and permit conditions, and consider an expedited federal process to resolve siting disputes. In December 2025, with the assistance of the Ferguson Group, staff submitted a formal comment letter in response to the FCC's recent rulemaking announcement proposing to further expand federal preemption over the siting and approval of wireless facilities (Attachment 1).

Staff is also reviewing and updating administrative guidelines and procedures related to the application intake process, which will help the City adhere to some of the shot clock requirements. A preliminary review of the City's WTF regulations determined that a comprehensive analysis was necessary to identify additional regulatory measures the

City may be able to implement that address recent community concerns while maintaining federal compliance. Staff anticipates a completed analysis from BBK at the end of June 2026. Following BBK's review, staff will present a detailed report to the City Council outlining findings and providing recommendations for next steps. Staff will return to council within six to twelve months, depending on the analysis and recommended adjustments provided by BBK.

ENVIRONMENTAL REVIEW

This report is an informational item only and has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and as such, is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

FISCAL IMPACT

The preparation of this report has no impact on the General Fund. The preparation of the BBK aided review of the City's regulations and development of recommendations is collaboratively funded by CDD, CAO, Burbank Water and Power, and Public Works through existing budget allocations for professional services. The estimated cost for the project's scope of work is approximately $20,000 to $25,000, as projected by BBK and reviewed by CAO.

CONCLUSION

As demand for mobile broadband continues to grow, wireless technologies are becoming more compact and visually unobtrusive, reducing the need for intensive design and siting review. At the same time, increased small-cell deployment and evolving FCC regulations—particularly strict application "shot clocks"—further limit the City's discretion to apply additional standards or conduct extended reviews. In response, staff, with input from BBK, will develop recommendations to update the City's WTF regulations and processes in a way that maintains community input, streamlines internal procedures, improves efficiency, and ensures continued compliance with federal requirements. This effort includes an ongoing review of the existing WTF ordinance and policy guidance to identify potential amendments and address regulatory gaps or ambiguities to improve clarity and consistency. BBK will also continue to provide legal guidance regarding whether an expanded scope of work or additional measures may be needed as statutory and regulatory requirements evolve.

ATTACHMENT

Attachment 1 – City of Burbank, CA-FCC NPRM Comments-WT Docket 25-276

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)
	)
Build America: Eliminating Barriers to Wireless Deployments	) WT Docket No. 25-276

COMMENTS OF THE CITY OF BURBANK, CALIFORNIA

David Hoover
Principal
TFG-The Ferguson Group
1901 Pennsylvania Ave. NW, Suite 700
Washington, D.C. 20006

Justin Hess, City Manager
City of Burbank
City Hall
275 East Olive Avenue
Burbank, CA 91502

December 31, 2025

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SUMMARY OF COMMENTS OF THE CITY OF BURBANK, CALIFORNIA

Burbank supports rapid deployment of advanced wireless infrastructure and has demonstrated that commitment through its track record of timely application processing, collaborative problem-solving with carriers, and facilitation of numerous successful deployments. The City's permitting process works efficiently because the City implemented clear, objective standards in good faith while preserving appropriate flexibility to address legitimate local variations.

However, Burbank respectfully opposes several aspects of the NPRM that would undermine effective local governance without corresponding deployment benefits. Specifically, the City opposes overly broad deemed granted remedies that would create significant safety risks in Burbank's unique environment, inflexible national aesthetic standards that fail to account for legitimate local variations, rigid fee caps divorced from actual local cost realities, and the imposition of restrictions on time-limited permits that serve legitimate safety and compliance purposes distinct from Section 6409(a) eligibility determinations.

Rather than presuming municipal obstruction and imposing categorical federal mandates, the Commission should provide clear, objective, and stable federal definitions of key statutory terms that enable both applicants and local governments to predict outcomes with certainty. The primary impediment to efficient wireless deployment is not local process but rather shifting federal definitions, inconsistent industry submittal practices, and incomplete applications lacking basic technical data. Burbank urges the Commission to adopt balanced rules that facilitate rapid deployment by providing definitional clarity while preserving reasonable local authority to address legitimate safety, structural integrity, and compatibility concerns that vary based on local conditions.

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)
	)
Build America: Eliminating Barriers to Wireless Deployments	) WT Docket No. 25-276

COMMENTS OF THE CITY OF BURBANK, CALIFORNIA

I. INTRODUCTION

A. Overview of the City

The City of Burbank, California ("Burbank" or "City") appreciates the opportunity to file these initial Comments in response to the Commission's Notice of Proposed Rulemaking in WT Docket No. 25-276 concerning potential "barriers" to wireless broadband deployment in the public rights-of-way.[1] Burbank is a charter city located in southeastern Los Angeles County, California, serving approximately 107,000 residents in a compact 17-square-mile area. The City's geography includes dense mixed-use infill development, hillside neighborhoods with significant topographical variations, and mature urban infrastructure that creates unique engineering and compatibility challenges for wireless deployments. Governed under a council-manager system, the City places a strong emphasis on public safety, infrastructure investment, economic development, and community services.

Burbank functions as a vital regional employment center, home to major film and television production studios, including Warner Bros., Disney, and numerous production

[1] *Build America: Eliminating Barriers to Wireless Deployments*, Notice of Proposed Rulemaking, FCC 25-67 (rel. Sep. 30, 2025), published at 90 Fed. Reg. 55066 (Dec. 1, 2025).

facilities. The City operates its own municipal utilities—Burbank Water and Power—providing electricity, water, and fiber services, which enhances local control over infrastructure and reliability. In addition, the City is home to Bob Hope Airport (Hollywood Burbank Airport), requiring careful coordination of wireless facility siting with Federal Aviation Administration requirements and established flight paths.

B. Interest in this Proceeding

Burbank administers comprehensive wireless telecommunications permitting processes to separately address facilities in the public right of way and facilities on private property. The City has developed application materials, templates, and review protocols that provide applicants with clear guidance and streamlined processing pathways.

The City has invested substantial resources over many years in developing objective standards, streamlined intake procedures, and internal coordination protocols designed to facilitate compliant deployments while ensuring consistency with the City's adopted land-use, zoning, and public safety requirements. These investments reflect Burbank's recognition that efficient wireless infrastructure deployment serves both the public interest and the City's economic vitality.

Burbank has a direct and substantial interest in this proceeding. The proposed rules would fundamentally alter the regulatory framework governing wireless facility permitting and potentially preempt portions of Burbank's carefully developed municipal code. The City's planning staff processes wireless telecommunications facility applications alongside residential housing projects subject to stringent state-mandated processing timelines, commercial development proposals with separate review requirements, and other land use applications, each

governed by distinct regulatory frameworks with separate shot clocks and procedural requirements.

Burbank currently hosts numerous wireless facilities including rooftop installations, public right-of-way small cells, and collocation sites on existing structures. The City must balance federal mandates for rapid deployment with legitimate local concerns regarding public safety near airport operations, compatibility with ongoing film and television production activities sensitive to visual intrusions and interference, structural integrity requirements in seismically active areas, and community character preservation in established residential neighborhoods. The NPRM's proposals regarding deemed granted remedies, permit renewals, fee limitations, and aesthetic standards would directly impact the City's ability to fulfill these responsibilities.

II. BURBANK'S WIRELESS PERMITTING FRAMEWORK AND DEMONSTRATED TRACK RECORD

A. Legal and Regulatory Framework

Burbank's wireless telecommunications permitting structure reflects years of careful development aimed at implementing federal requirements while addressing the City's unique characteristics. The framework establishes multiple permitting pathways tailored to different deployment scenarios, providing certainty for applicants while ensuring appropriate review of legitimate local concerns.

The City uses a tiered structure, which allows different permitting processes, including, by-right approval, streamlined processing for installations requiring limited assessment of site-specific factors, and complex deployments involving greater potential impacts. This tiered approach enables the City to process straightforward applications quickly while preserving necessary flexibility for unusual circumstances. These provisions were developed through

extensive consultation with wireless carriers to ensure they facilitate deployment rather than obstruct it. The different permitting pathways allow for evaluation of site-specific factors including proximity to airport flight paths, hillside stability concerns, and visual compatibility with surrounding development.

B. Application Processing and Internal Coordination

The City utilizes an appointment-based intake system that enables staff to conduct a real-time completeness review during application submission. Contrary to industry claims that appointment requirements create delay, Burbank has received no carrier complaints about appointment availability, and the system has proven highly effective at preventing the iterative incompleteness determinations that plague many jurisdictions.

The City employs ProjectDox and DigitalPlanRoom software platforms to coordinate multi-departmental review of wireless facility applications. These systems enable simultaneous review by planning, building and safety, public works, fire, and other relevant departments, eliminating sequential review delays. Staff can track application status in real time, identify pending issues immediately, and coordinate responses efficiently. This digital infrastructure represents a substantial municipal investment that has significantly improved processing timelines.

Burbank has developed standardized review templates for Administrative Use Permits, Conditional Use Permits, and Eligible Facilities Requests that provide staff with clear evaluation criteria and ensure consistent application of objective standards. The templates reduce processing time, improve consistency, and provide transparency for applicants regarding approval criteria.

C. Application Processing and Internal Coordination

The City's planning staff processes applications for wireless telecommunications facilities on private property within a complex regulatory environment that includes numerous overlapping mandates with competing priorities and inflexible deadlines. The same planners who review wireless applications also process residential housing development projects, including hundreds of accessory dwelling unit applications, which are subject to California's Housing Accountability Act and other state-mandated timelines, commercial development proposals, and various other land use matters, each with distinct procedural frameworks.

Consistent with most cities with a population of under 110,000 residents, Burbank does not maintain a dedicated wireless telecommunications permitting division. Planning staff with generalist land use expertise handle wireless applications alongside their other responsibilities, requiring them to maintain current knowledge of evolving FCC regulations, court decisions interpreting federal wireless law, state telecommunications statutes, and local zoning requirements. The cumulative burden of administering multiple overlapping regulatory regimes with different substantive standards, procedural requirements, and processing deadlines creates significant workload pressure on small and mid-sized local governments that the NPRM's Initial Regulatory Flexibility Analysis should acknowledge and address. When the Commission imposes new requirements or alters existing definitions, the resulting need for legal consultation, staff training, and procedure revision diverts resources from actual application processing. The Commission should recognize that regulatory complexity and instability create more deployment delay than local process requirements.

III. BURBANK'S REAL-WORLD EXPERIENCE FACILITATING DEPLOYMENT

A. Consistent Compliance with Federal Shot Clocks

Burbank meets FCC shot clock requirements for the majority of wireless facility applications. The City's internal tracking systems monitor all pending applications against applicable shot clock deadlines, and staff prioritize timely processing to avoid violations. In the rare instances where processing timelines approach shot clock expiration, City staff proactively communicate with applicants to negotiate mutually acceptable short extensions based on specific circumstances requiring additional review time.

These mutual tolling agreements benefit both parties. Carriers prefer cooperative extensions enabling thorough review over rushed denials that would trigger costly litigation. The City benefits from additional time to resolve legitimate issues and develop complete administrative records supporting decisions. The Commission's existing shot clock framework, which permits tolling under specified circumstances, accommodates this practical reality and should not be replaced with inflexible deemed granted remedies that would eliminate beneficial cooperative extensions.

B. Primary Sources of Delay: Applicant-Caused Incompleteness

Burbank's experience demonstrates that the primary source of wireless application processing delay is applicant-caused incompleteness rather than municipal obstruction. Despite the City's appointment-based intake system designed to identify deficiencies immediately, applications frequently arrive with missing technical radiofrequency ("RF") data necessary for interference analysis, incomplete application forms lacking basic information about facility specifications, coverage maps of insufficient quality to evaluate network need, and inaccurate site photographs making it impossible to assess existing conditions.

These deficiencies stem largely from carrier reliance on third-party expediter firms that often transmit incomplete or misunderstood information between carriers and local governments.

When City staff identify specific data gaps and request supplemental information, carriers typically provide it quickly and processing proceeds efficiently. The delay occurs in the initial submission and subsequent iterative exchanges, not in municipal processing once complete information is received.

This reality is critical to the Commission's consideration of deemed granted remedies. If shot clock violations resulted primarily from municipal bad faith or obstruction, deemed granted might be justified as an enforcement mechanism. However, when violations result from incomplete applications that prevent staff from conducting legally required analysis, deemed granted would inappropriately punish cities for applicant failures and potentially approve facilities that violate legitimate safety or zoning requirements.

On rare occasions, the City will facilitate the review of controversial small cell proposals, where community opposition is based primarily on perceived radiofrequency health concerns and aesthetic impacts. Despite federal preemption of RF-based objections under Section 332(c)(7)(B)(iv), residents will direct their concerns to the City and appear at public hearings demanding denial or an overturning of an approved application.[2]

When this happens, City staff works closely with the carriers to navigate the appeals process and develop accurate information, including education of the public and decision makers regarding federal RF preemption, the limits of local authority, and the legal standards governing wireless facility review.

The City also coordinates with applicants to identify minor design modifications to addressed legitimate aesthetic concerns within federal parameters while maintaining the technical functionality required for network coverage.

[2] Section 332(c)(7)(B)(iv) of the Communications Act of 1934, as amended, 47 U.S.C. § 332(c)(7)(B)(iv)

C. Proper Application of Section 6409(a) Standards

Burbank's good-faith implementation of federal law is further demonstrated by the City's proper application of Section 6409(a) substantial change standards.[3] In several instances, applicants initially characterized proposed modifications as eligible facilities requests when City review determined they would substantially change physical dimensions under applicable criteria. Rather than improperly denying expedited review based on pretext, City staff will provide applicants with detailed explanations of why the proposed modifications exceeded Section 6409(a) thresholds, cite specific regulatory provisions and measurements supporting that determination, and offer alternative designs that would qualify for expedited approval. These experiences demonstrate Burbank's fidelity to federal law and willingness to apply substantial change rules objectively rather than as tools for obstruction. The City's transparent analysis and constructive engagement with applicants exemplify the collaborative approach that best serves deployment goals.

IV. RESPONSES TO SECTION 6409(a) PROPOSALS

A. Concealment Elements: Support for Clarification with Request for Additional Guidance

The Commission proposes to codify the 2020 Declaratory Ruling's clarification that concealment elements are "elements of a stealth-designed facility intended to make the facility look like something other than a wireless tower or base station," and that a modification defeats concealment when it would "cause a reasonable person to view the structure's intended stealth design as no longer effective after the modification."[4] Burbank supports these proposed definitions as providing useful clarity and reducing potential disputes.

[3] Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified at 47 U.S.C. § 1455(a).
[4] FCC 25-67, ¶¶ 20-21.

The proposed "reasonable person" standard for determining when concealment is defeated provides an objective framework superior to purely subjective aesthetic judgments. The distinction between concealment elements (e.g., features making facilities look like something other than wireless infrastructure) and aesthetic siting conditions (e.g., features minimizing visual impact of acknowledged wireless facilities) appropriately addresses the Ninth Circuit's concerns in *League of California Cities v. Federal Communications Commission* (9th Cir. 2024) while providing workable guidance for local implementation.[5]

Burbank also supports the Commission's proposal to codify specific examples illustrating application of these standards, such as the guidance that placing coaxial cable on the outside of a stealth facility would be unlikely to defeat concealment given the typically small size of such cables, and that color changes defeat concealment only if they would cause a reasonable person to view the intended stealth design as no longer effective.[6] These concrete examples enable staff to apply standards consistently and provide applicants with predictability regarding likely outcomes.

However, Burbank requests additional clarification regarding application of these standards to legacy installations approved in the 1980s and 1990s when concealment technologies and community aesthetic expectations differed substantially from current practices. The City hosts several rooftop facilities approved decades ago with concealment elements reflecting the technology and design approaches available at that time. Determining whether proposed modifications to these legacy installations would defeat concealment requires staff to make difficult judgment calls about whether historical stealth designs remain effective after modification.

[5] *League of California Cities v. Federal Communications Commission*, 118 F.4th 995 (9th Cir. 2024).
[6] FCC 25-67, ¶ 21.

Burbank requests additional guidance addressing how to evaluate concealment defeat for facilities approved 30-40 years ago. Should the analysis focus on whether the stealth design was effective when originally approved and would remain effective after modification? Or should it consider whether the original design concept remains effective by current standards? The NPRM's monopine example provides helpful guidance for one scenario, but additional examples addressing vintage rooftop installations, old monopole tree designs, and other legacy concealment approaches would assist local governments in consistent application.[7]

Burbank also seeks clarification regarding the appropriate evidentiary standard for demonstrating that particular features were "concealment elements" included in the original approval. In some cases, permits approved decades ago contain limited documentation of specific concealment requirements, making it difficult to determine with certainty whether particular features were conditions of approval intended to provide stealth design. The Commission should clarify what evidence suffices to establish that features qualify as concealment elements—original permit conditions, staff reports, design drawings, or other documentation—and how to resolve ambiguities when historical records are incomplete.

With the clarifications requested above, the City believes these proposed rule changes would help spur wireless facilities deployment by providing clarity and reducing permitting disputes. Clear definitions reduce disputes by enabling both staff and applicants to predict outcomes. However, the benefits of clarity depend on the Commission providing sufficient detail and examples to address the full range of scenarios municipalities encounter, particularly regarding legacy installations that constitute a significant portion of existing wireless infrastructure.

[7] FCC 25-67, ¶ 21.

B. Conditions Associated with Siting Approval: Support for Codification

Burbank supports the Commission's proposal to codify the 2020 Declaratory Ruling's determinations regarding siting approval conditions, clarifying that such conditions—including aesthetics-related conditions designed to address visual impact—cannot be used to prevent modifications specifically allowed under Section 1.6100(b)(7)(i)-(iv).[8] This clarification appropriately implements Section 6409(a)'s mandate for expedited approval of non-substantial modifications while preserving local authority to enforce reasonable conditions that do not conflict with federal parameters.

The proposed guidance regarding shroud requirements exemplifies a workable approach: if a locality imposed a condition requiring a three-foot shroud for a three-foot antenna, the locality could not prevent replacement with a four-foot antenna permitted under the rules, but could enforce the shrouding requirement by requiring a four-foot shroud to cover the new antenna if such shroud could be reasonably installed.[9] This balanced approach respects both federal preemption of substantial change determinations and legitimate local authority to enforce reasonable design conditions that do not prohibit allowed modifications.

Similarly, the Commission's proposed treatment of walls and fences around non-stealth facilities as aesthetic conditions rather than concealment elements provides helpful clarification. The guidance that localities may require reasonable efforts to extend such barriers if there was express evidence they were conditions of approval intended to obscure equipment from view appropriately balances federal and local authority.[10]

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[8] FCC 25-67, ¶ 23.
[9] FCC 25-67, ¶ 24.
[10] FCC 25-67, ¶ 25.

Burbank requests that the Commission emphasize in any final rules that enforcement of existing, reasonable siting conditions that do not prevent modifications allowed under the substantial change criteria remains permissible and serves legitimate purposes. These conditions frequently reflect site-specific factors such as structural load limitations, setback requirements based on property line locations, electrical service capacity constraints, and other technical factors unrelated to improper aesthetic preferences. Local governments should retain authority to enforce such reasonable conditions even when facilities undergo Section 6409(a) modifications.

C. Time-Limited Permits and Renewals: Critical Need for Clarification

The NPRM asks whether the Commission should adopt a rule providing that once a deployment is found to be an eligible facilities request and a permit is granted, the state or local jurisdiction may not seek to impose new conditions as part of a permit renewal process.[11] This question raises issues of critical importance to Burbank and requires careful analysis distinguishing between different scenarios.

As an initial matter, Burbank's wireless facility conditional use permits are issued for ten-year terms, and the City has not yet reached the first renewal cycle for most facilities permitted under the current framework. Burbank's renewal requirements are intended to serve several legitimate purposes distinct from the threshold eligibility determination addressed by Section 6409(a): ensuring that obsolete or abandoned facilities are removed or remain structurally safe; evaluating whether technological advances enable improved concealment while maintaining equivalent functionality; confirming continued compliance with original permit conditions; and addressing changed circumstances such as alterations in surrounding development patterns or natural events affecting site conditions.

[11] FCC 25-67, ¶ 27.

Section 6409(a) addresses modifications, not renewals. The statute requires approval of "any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station."[12] This language plainly addresses changes to existing facilities, not periodic renewals of permits authorizing unchanged facilities to remain in place. Reading Section 6409(a) to prohibit all conditions at renewal would improperly extend the statute beyond its text and Congressional intent.

Burbank requests that the Commission distinguish between two distinct renewal scenarios with different legal implications. First, renewals that seek to impose entirely new conditions unrelated to the original permit approval and not justified by changed circumstances. For example, if a facility was approved subject to certain concealment conditions, and at renewal the locality seeks to impose different concealment requirements based solely on changed aesthetic preferences, such action would be problematic. This scenario essentially treats renewal as an opportunity to revisit the original approval and impose conditions that should have been addressed initially.

Second, renewals that seek to ensure continued compliance with original conditions or address changed circumstances. For example, if original approval required the facility to maintain certain structural specifications, and renewal review identifies deterioration requiring remediation, conditioning renewal on bringing the facility into compliance serves a legitimate safety purpose. Similarly, if a natural disaster has altered terrain around the facility such that original setback requirements are no longer met, conditioning renewal on addressing the changed circumstances is appropriate.

[12] 47 U.S.C. § 1455(a)(1).

Burbank urges the Commission to adopt a framework that: (1) prohibits localities from using renewal as a pretext to impose new conditions unrelated to original approval criteria or changed circumstances; (2) preserves local authority to condition renewal on continued compliance with original permit conditions; (3) permits reasonable new conditions when justified by changed circumstances including natural disasters, alterations in surrounding development, or technological obsolescence creating safety concerns; and (4) requires any new conditions at renewal to satisfy the same standards applicable to initial permit approval, including non-discrimination and reasonable relationship to legitimate governmental interests.

A facility approved as an eligible facilities request under Section 6409(a) because it did not substantially change physical dimensions could subsequently lose compliance with original permit conditions due to natural disasters, structural deterioration, changed surrounding conditions, or other factors. In such circumstances, renewal conditioned on returning to compliance or addressing changed circumstances is appropriate and does not conflict with Section 6409(a).

For example, if a facility was approved as an eligible facilities request based on specific height, width, and equipment volume measurements, and subsequent inspection reveals that additional equipment has been added without authorization exceeding the parameters that supported expedited approval, conditioning renewal on removing the unauthorized equipment serves a legitimate enforcement purpose. Similarly, if a hillside facility was approved subject to certain structural bracing requirements, and a subsequent earthquake or soil movement calls into question whether those requirements remain adequate, conditioning renewal on updated structural analysis is appropriate safety oversight.

Therefore, Burbank requests that the Commission provide guidance making clear that permit renewals, when properly used to ensure continued safety and compliance rather than as pretexts for imposing new aesthetic requirements, serve legitimate purposes and do not conflict with Section 6409(a)'s mandate for expedited approval of non-substantial modifications. Creating absolute immunity from all renewal conditions after initial Section 6409(a) approval would eliminate necessary local oversight and create safety risks.

D. Shot Clock Start and Completeness Determinations

The Commission seeks comment on whether there is a need to further clarify when the timeframe for review is deemed to have begun and on issues regarding shot clock tolling for incomplete applications.[13] Burbank's experience demonstrates that the existing framework functions well when properly implemented, but that certain practices deserve Commission recognition and endorsement.

Burbank's appointment-based intake system has proven highly effective at preventing shot clock disputes and improving application quality. By requiring applicants to schedule appointments for application submission, the City enables staff to conduct real-time completeness review during the submission process. Staff can immediately identify missing information, explain exactly what additional materials are needed, and in many cases enable applicants to provide supplemental information on the spot or withdraw and resubmit complete applications. This approach prevents applications from being formally filed in incomplete condition, avoids shot clock tolling disputes, and eliminates the iterative back-and-forth that characterizes many jurisdictions' review processes.

[13] FCC 25-67, ¶ 28.

Despite the clear benefits of this approach, some industry representatives have characterized appointment requirements as improper barriers to filing. The Commission should explicitly recognize that appointment-based intake systems, when operated reasonably with adequate appointment availability, represent good-faith efforts to improve efficiency rather than improper obstacles. Burbank has received no carrier complaints about appointment availability, and applications are typically scheduled within days of initial contact.

Burbank requests that the Commission also address the problematic practice of applicants submitting draft-level or intentionally incomplete applications for the purpose of starting shot clocks while continuing to develop necessary technical information. This practice forces local governments to issue incompleteness determinations to preserve shot clock tolling rights, creates administrative burden, and undermines the purpose of completeness requirements. The Commission should clarify that shot clocks begin only when applications contain the basic information necessary for staff to conduct required analysis, and that submission of placeholder applications lacking essential technical data does not trigger shot clock obligations.

V. RESPONSES TO SECTIONS 253 AND 332(c)(7) PROPOSALS

A. Macro Towers and Other Wireless Facilities

The Commission seeks comment on whether to extend Small Cell Order reforms to macro cell towers and other wireless facilities, and on potential barriers to such extension.[14] Burbank recognizes the continued importance of macro facilities to wireless network infrastructure while noting that such facilities present different considerations than small cells that may warrant tailored approaches.

[14] FCC 25-67, ¶¶ 30-32.

Macro facilities typically involve greater height, larger equipment volumes, more substantial visual impacts, greater structural engineering requirements, and potentially greater land use conflicts than small cells. These differences may justify different procedural frameworks and standards. However, the fundamental principles underlying the Small Cell Order—that fees must reasonably approximate costs, that processing must occur within reasonable timeframes, and that aesthetic requirements must be reasonable, objective, and published in advance—apply equally to macro facilities.

Burbank's existing CUP and AUP framework for macro facilities has functioned effectively. The City processes most macro applications as collocations on existing structures, which present fewer concerns than new tower construction. The Conditional Use Permit process for new towers enables evaluation of site-specific factors while providing clear approval criteria and timelines. The Commission should recognize that this type of flexible framework, when implemented in good faith with objective standards, facilitates deployment without requiring federal micromanagement.

The Commission should not assume that all macro facility regulations mirror the problematic small cell fees and requirements that prompted the Small Cell Order. Many jurisdictions, including Burbank, already apply reasonable cost-based fees, process applications within federal shot clocks, and impose only objective aesthetic requirements to macro facilities. Extending prescriptive Small Cell Order reforms to macro facilities risks disrupting functioning local systems and should be undertaken only after careful evaluation of whether problems actually exist and whether federal intervention is necessary.

B. Shot Clocks: Existing Framework Functions Effectively

The Commission asks whether the codified shot clocks have helped expedite service delivery and whether additional shot clocks would improve efficiency.[15] Burbank's experience demonstrates that the existing shot clock framework functions effectively when both parties act in good faith. The City consistently meets applicable shot clocks, and in the rare instances where circumstances justify additional review time, staff and applicants cooperatively negotiate short extensions through mutual tolling agreements.

The Commission's existing framework properly balances deployment speed with adequate time for necessary review. The 60-day shot clock for Small Wireless Facility collocations, 90-day shot clock for Small Wireless Facility new construction and non-Small collocation applications, and 150-day shot clock for non-Small new facilities provide sufficient time for competent review of complete applications while preventing indefinite delay. Shortening these timeframes would create unnecessary pressure and increase error rates without corresponding deployment benefits.

The more significant issue is application quality and completeness rather than shot clock duration. When applications arrive complete with all necessary technical data, Burbank processes them efficiently within applicable shot clocks. When applications arrive incomplete or require multiple rounds of supplemental information, processing time extends regardless of shot clock duration. The Commission should focus on improving application quality—potentially through industry best practices guidance or standardized submittal requirements—rather than further shortening shot clocks.

Regarding completeness determinations and tolling, Burbank respectfully disagrees with any suggestion that local governments improperly request multiple rounds of supplements or

[15] FCC 25-67, ¶¶ 34-36.

issue late incompleteness determinations. The City's appointment-based intake system prevents these issues by identifying deficiencies immediately. When localities do issue late incompleteness determinations, this typically reflects the complexity of reviewing highly technical wireless applications with limited staff resources rather than bad faith. The Commission should preserve existing tolling provisions that enable reasonable incompleteness determinations while preventing abuse through the requirement that such determinations be specific regarding needed information.

C. Deemed Granted Remedies: Strong Opposition

The Commission seeks comment on whether to reconsider its prior decision not to adopt deemed granted remedies for shot clock violations.[16] Burbank strongly opposes adoption of deemed granted remedies for wireless facility applications. Such remedies would create significant safety risks, undermine legitimate local authority, punish cities inappropriately when delays stem from applicant-caused incompleteness, and increase public distrust and litigation.

Safety Risks in Burbank's Unique Environment. Automatic approval of wireless facilities without regard to site-specific safety concerns would create serious risks in Burbank's environment. The City's proximity to Bob Hope Airport and established flight paths requires careful coordination with FAA requirements for any structure that might penetrate imaginary surfaces or create interference with navigation systems. Deemed granted approval could result in facilities that violate FAA requirements, creating aviation safety hazards.

Burbank's major film and television production studios conduct highly sensitive audio and video recording that can be disrupted by improperly designed wireless facilities. While carriers generally work cooperatively to address these concerns, automatic approval without

[16] FCC 25-67, ¶¶ 38-39.

review could authorize facilities that interfere with production activities worth billions of dollars annually to the regional economy. Similarly, automatic approval could authorize facilities in locations that interfere with existing utility infrastructure, creating service disruption risks.

The City's hillside neighborhoods present significant seismic and structural concerns. Facilities sited without proper geotechnical review could be located on unstable slopes or designed with inadequate structural bracing for seismic loads. Automatic approval of such facilities could create public safety hazards and property damage risks that far exceed any deployment speed benefits.

Inappropriate Punishment of Local Governments. Deemed granted remedies would punish local governments even when shot clock delays stem entirely from applicant-caused incompleteness or other factors beyond municipal control. Burbank's experience demonstrates that most processing delays result from incomplete applications, third-party expediter errors, or the need for applicants to provide supplemental technical data required for proper evaluation. Automatically approving applications under these circumstances would punish cities for applicant failures.

Moreover, deemed granted remedies would eliminate the beneficial practice of cooperative shot clock extensions. When both parties agree that circumstances justify additional review time—for example, when complex technical issues require expert consultation or when applicants need time to revise designs to address legitimate concerns—mutually agreed extensions enable superior outcomes. Deemed granted would eliminate this flexibility and force either rushed denials or automatic approvals of potentially problematic facilities.

Increased Public Distrust and Litigation. Automatic approval over community objections would exacerbate public opposition to wireless facilities by eliminating any

perception that local concerns receive consideration. This would increase organized opposition campaigns, encourage frivolous litigation attempting to overturn deemed granted approvals, and undermine public trust in both local government and wireless carriers. Burbank's collaborative approach demonstrates that local engagement and problem-solving produce better long-term outcomes than steamrolling community input.

Alternative Approaches. Rather than deemed granted remedies that assume all local governments are bad actors, the Commission should focus enforcement on demonstrated obstruction. The existing framework enabling carriers to seek judicial relief for shot clock violations, combined with the rebuttable presumption that violations constitute failure to act, provides adequate remedies against truly recalcitrant localities while preserving necessary flexibility for good-faith delays.

If the Commission concludes that additional enforcement mechanisms are necessary, it should consider targeted remedies such as requiring localities that repeatedly violate shot clocks to implement corrective action plans, providing for FCC review of patterns of violations rather than case-by-case automatic approvals, or creating expedited dispute resolution procedures that address specific problematic provisions while preserving local authority over legitimate concerns. These alternatives would address genuine obstruction without the collateral damage created by broad deemed granted remedies.

D. Fees and Cost Recovery: Preserve Cost-Based Standard While Recognizing Legitimate Variations

The Commission seeks comment on whether to codify Small Cell Order findings regarding fees, adopt additional safe harbors, and further define reasonable costs.[17] Burbank

[17] FCC 25-67, ¶¶ 43-50.

supports the fundamental principle that fees must reasonably approximate actual costs and be non-discriminatory, but opposes rigid national fee caps that fail to account for legitimate cost variations among jurisdictions.

Burbank's Cost-Based Fee Structure. The City's wireless facility fees derive from a formal cost study conducted by independent consultants analyzing actual staff time requirements for different application types. The study documented time spent by planning, building and safety, public works, and other departments reviewing applications, conducting site inspections, preparing staff reports, and administering permits. Fees are set to recover only direct staff costs and do not include overhead allocations or profit margins.

Third-party radiofrequency review is charged through refundable deposits only in the rare circumstances where applications raise complex technical issues requiring expert consultation beyond staff expertise. These costs are actual expenses invoiced by qualified RF engineers, not marked-up charges. The City has received no carrier complaints regarding fee reasonableness, and fees have not deterred deployment.

Legitimate Cost Variations Among Jurisdictions. The Commission must recognize that wireless facility review costs vary legitimately based on numerous factors beyond municipal control. High-cost urban areas such as Southern California have substantially higher labor costs than rural regions, directly affecting the staff time costs that constitute the majority of review expenses. Jurisdictions in seismically active regions require more extensive structural engineering review than areas without seismic concerns. Complex urban environments with dense existing infrastructure require more coordination with utility providers, transportation agencies, and other entities than simple deployments in greenfield locations.

Rigid national fee caps that work in low-cost rural areas would fail to cover actual review costs in high-cost urban regions, forcing cities either to subsidize wireless deployment from general revenues (effectively requiring all taxpayers to pay for private infrastructure that benefits carrier shareholders) or to curtail necessary review creating safety risks. Neither outcome serves the public interest

Preserve Flexibility While Preventing Abuse. The Commission should maintain the cost-based standard from the Small Cell Order while providing flexibility for localities to document higher costs when justified by local conditions. The burden-shifting framework from the Verizon Clark County Dismissal Order—requiring localities to demonstrate why fees above safe harbors are reasonable—provides appropriate discipline while recognizing legitimate variations.[18]

The Commission should clarify that reasonable costs include direct staff time for all departments involved in review (planning, building, public works, fire, utilities, airport coordination), actual costs for necessary expert consultants when specialized expertise exceeds staff capabilities, and direct costs for site inspections and monitoring. The Commission should also clarify that joint and common costs not directly attributable to wireless facility review—such as general municipal overhead, facility costs, or administrative expenses unrelated to application processing—cannot be recovered through wireless fees.

E. Aesthetic Standards: Current Framework Provides Sufficient Guidance

The Commission seeks comment on whether to clarify standards for unreasonable discrimination regarding aesthetic requirements and whether to adopt rules addressing aesthetic

[18] Petition for Declaratory Ruling that Clark County, Nevada Ordinance No. 4659 is Unlawful Under Section 253 of the Communications Act as Interpreted by the Federal Communications Commission and is Preempted, WT Docket No. 19-230, Order, 36 FCC Rcd 278 (2021).

regulations.[19] Burbank submits that the Ninth Circuit's decision in *City of Portland* provides sufficient guidance and that additional Commission rulemaking is unnecessary.[20]

Burbank's aesthetic requirements are objective, codified in municipal ordinances, published in advance, and applied consistently to all carriers. The requirements include concealment standards requiring facilities to blend with surrounding streetscape elements, spacing rules preventing excessive clustering in residential areas, and design criteria addressing equipment enclosure appearance, antenna configuration, and cable routing. These requirements are calibrated to minimize visual impact while permitting all technically feasible deployments.

Applicants generally appreciate the clarity provided by objective standards. Rather than subjective case-by-case aesthetic judgments creating uncertainty and delay, Burbank's codified requirements enable carriers to design facilities meeting known criteria and receive predictable approvals. This approach exemplifies how reasonable aesthetic regulation facilitates rather than impedes deployment.

The *City of Portland* framework—requiring aesthetic regulations to be reasonable and permitting comparisons only to functionally equivalent services rather than all infrastructure—provides workable standards.[21] The decision appropriately recognizes that Section 332(c)(7) permits some differentiation in treatment as long as it is reasonable and non-discriminatory.[22] Additional Commission rulemaking attempting to define "reasonable" more precisely risks creating rigid rules that fail to account for legitimate local variations in community character, development patterns, and aesthetic values.

VI. REGULATORY IMPEDIMENTS

[19] FCC 25-67, ¶¶ 58-59.
[20] *City of Portland v. United States* (9th Cir. 2020) 969 F.3d 1020.
[21] *Ibid.*
[22] 47 U.S.C. § 332(c)(7)

A. Radiofrequency Emissions: Support for Continued Federal Preemption and Enhanced Public Education

Burbank strongly supports the Commission's exclusive jurisdiction over radiofrequency emissions standards and agrees that localities may not use placement regulations as pretexts for RF emissions regulation. The City scrupulously respects federal RF preemption and does not base siting decisions on RF emissions concerns for facilities certified as compliant with Commission standards.

However, Burbank's experience demonstrates that RF health concerns remain the primary source of public opposition to wireless facilities despite federal preemption. The Commission can assist local governments and improve deployment outcomes by developing enhanced public education materials regarding RF safety. Current FCC resources are technical documents designed for scientific audiences rather than concerned residents. The Commission should develop plain-language explanations of RF safety standards, accessible summaries of research findings, visual materials illustrating exposure levels in context, and fact sheets addressing common misconceptions. These materials would enable local officials to educate communities, facilitate more informed public dialogue, and reduce opposition based on misunderstanding.

B. Conditional Use Permits: Time-Limited Permits Serve Legitimate Purposes

The Commission seeks comment on whether time-limited Conditional Use Permits effectively prohibit service.[23] Burbank respectfully submits that time-limited permits serve legitimate purposes and do not prohibit service when renewal is not used as a pretext for imposing new aesthetic requirements unrelated to safety or changed circumstances.

[23] FCC 25-67, ¶¶ 63-65.

Time-limited permits enable periodic review ensuring that facilities remain structurally safe, that obsolete or abandoned facilities are identified and removed, and that technological advances enabling improved concealment while maintaining functionality can be evaluated. These reviews serve legitimate public interests in safety, efficient spectrum use, and urban design that do not conflict with deployment goals.

Burbank requests that the Commission distinguish between improper use of renewal to revisit aesthetic preferences and legitimate renewal conditions addressing safety, structural integrity, or changed circumstances. The framework outlined in Section IV.C above would appropriately preserve beneficial aspects of time-limited permits while preventing abuse.

C. Moratoria: Support for Preemption of Specific Examples

Burbank does not impose express or de facto moratoria on wireless deployment and supports Commission preemption of the specific examples identified in the NPRM.[24] Jurisdictions that entirely prohibit wireless facilities for extended periods clearly violate federal law and should face preemption. The Commission should act decisively to preempt identified moratoria while recognizing that well-functioning jurisdictions like Burbank should not be subject to prophylactic restrictions based on other localities' violations.

VII. REGULATORY CLARITY AND PRACTICAL IMPLEMENTATION

A. Clear Federal Definitions as Solution to Real Impediments

The Commission asks whether additional actions would clarify the permitting process and improve efficiency.[25] Burbank submits that the most significant impediment to efficient wireless deployment is not local process but rather shifting federal definitions, inconsistent industry practices, and incomplete applications.

[24] FCC 25-67, ¶ 67.
[25] FCC 25-67, ¶ 28.

When the Commission issues orders providing one interpretation of "collocation," "base station," or "substantial change," then subsequent orders or declaratory rulings provide different interpretations, localities must repeatedly consult legal counsel, revise internal procedures, and retrain staff and decisionmakers. This regulatory instability creates delay and cost far exceeding any burden imposed by reasonable local requirements. Burbank requests that the Commission prioritize definitional stability and clarity over additional preemption.

Similarly, when different carriers or their expediter firms interpret FCC requirements differently and submit applications based on inconsistent assumptions, localities must expend resources reconciling these variations and determining which interpretation is correct. Burbank requests that the Commission develop standardized application forms, clear technical submittal requirements, and industry best practices guidance that reduce variations in application quality and interpretation.

B. Value of Objective Standards and Local Knowledge

The Commission should encourage and facilitate local adoption of objective standards through guidance, best practices, and technical assistance rather than through preemption and federal micromanagement. Objective standards benefit all parties: applicants receive predictability, staff can process applications efficiently, and communities receive assurance that legitimate concerns are addressed systematically.

Burbank's experience demonstrates that objective standards facilitate deployment when they are clear, reasonable, and consistently applied. The Commission should recognize that well-designed local frameworks deserve support and protection rather than displacement by one-size-fits-all federal mandates that fail to account for legitimate local variations in geography, development patterns, and infrastructure.

VIII. CONCLUSION

The City of Burbank strongly supports efficient deployment of advanced wireless infrastructure and has demonstrated that commitment through years of collaborative problem-solving, efficient application processing, and good-faith implementation of federal requirements. Burbank's permitting framework works because it implements clear, objective standards while preserving appropriate flexibility to address legitimate local concerns that vary based on site-specific circumstances.

Burbank requests that the Commission build upon successful local frameworks rather than presuming dysfunction and imposing categorical federal restrictions. The NPRM's proposals regarding deemed granted remedies, permit renewal restrictions, and rigid fee caps risk undermining effective local governance without corresponding deployment benefits. These proposals would create safety risks in complex urban environments like Burbank, eliminate beneficial cooperative practices between cities and carriers, and punish good actors for the sins of bad actors in other jurisdictions.

Burbank respectfully urges the Commission to:

1. **Adopt clear, stable definitions** of Section 6409(a) terms including collocation, base station, concealment elements, and defeating concealment, with sufficient examples to address legacy installations and edge cases;
2. **Distinguish between permit renewals and Section 6409(a) modifications**, recognizing that renewals serve legitimate safety and compliance purposes when not used as pretexts for new aesthetic requirements;
3. **Affirm local authority** to adopt objective, non-discriminatory aesthetic standards that facilitate deployment by providing certainty;
4. **Reject deemed granted remedies** that would create safety risks and punish cities for applicant-caused delays, focusing instead on targeted enforcement against demonstrated bad actors;

5. **Preserve cost-based fee recovery** while recognizing legitimate cost variations based on local labor rates, seismic requirements, and infrastructure complexity;
6. **Recognize appointment-based intake** and similar efficiency measures as good-faith process improvements rather than improper obstacles;
7. **Develop enhanced public education materials** regarding RF safety to assist local governments in community relations;
8. **Acknowledge in the IRFA** the cumulative burden of multiple overlapping regulatory mandates on municipal capacity; and
9. **Provide adequate transition time** for localities to update regulations in response to final rules.

The goal of federal wireless infrastructure regulation should be clarity and certainty that enable efficient deployment while preserving appropriate local authority to address legitimate concerns varying based on local conditions. Burbank's track record demonstrates that these objectives are not mutually exclusive. The Commission should adopt rules that facilitate collaborative approaches like Burbank's rather than presuming obstruction and imposing rigid mandates that would undermine effective local systems.

Respectfully submitted,

CITY OF BURBANK, CALIFORNIA

By: David Hoover

David Hoover
Principal
The Ferguson Group

December 31, 2025

CERTIFICATE OF SERVICE

I hereby certify that on this 31 day of December, 2025, a copy of the foregoing Comments was filed electronically via the FCC's Electronic Comment Filing System (ECFS) in WT Docket No. 25-276.

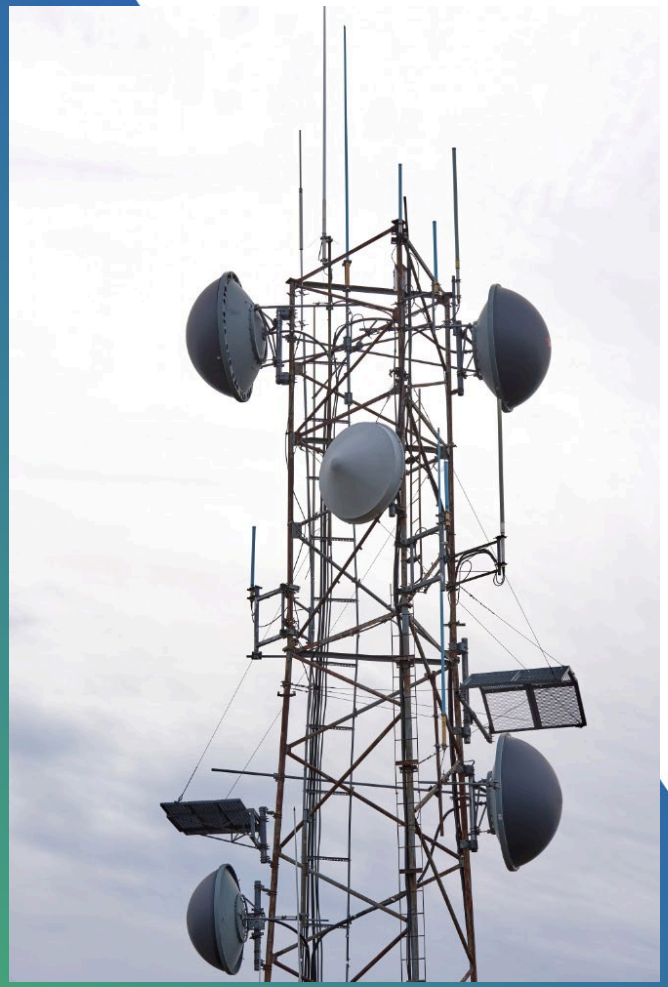
David Hoover

Update on the Initial Assessment of Wireless Telecommunication Facilities Standards and Forthcoming Recommendations

City Council
April 21, 2026

CITY OF BURBANK
COMMUNITY DEVELOPMENT

WTF Regulatory Authority



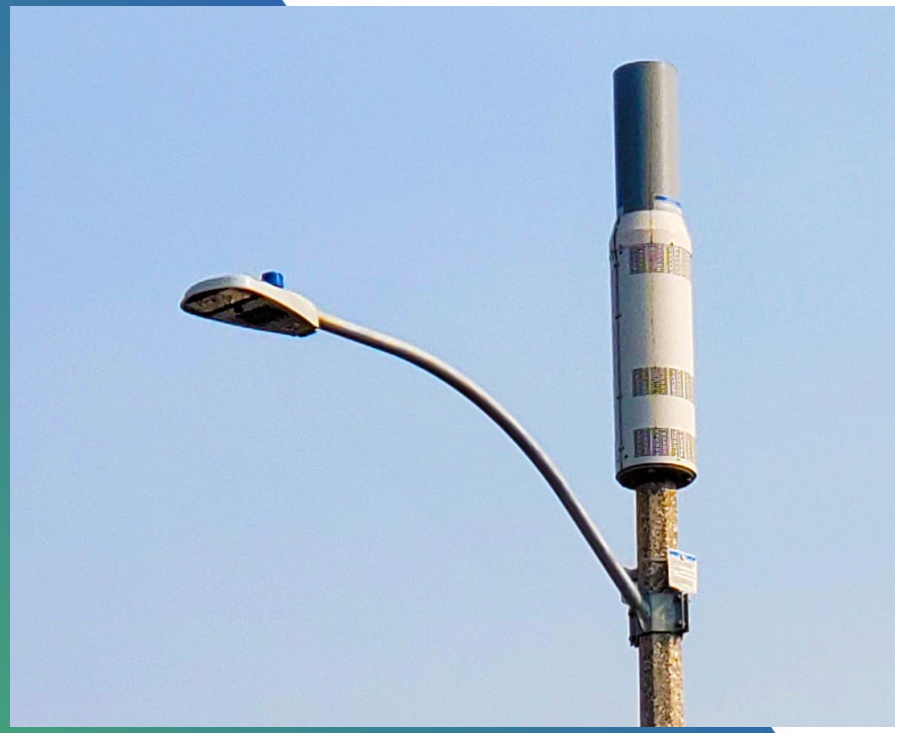
- WTFs are licensed and regulated by the Federal Communications Commission
- Local regulations may address zoning, design, aesthetics, and placement
- Local authority is limited by federal law:
  - Local jurisdictions **cannot** regulate Radio Frequency (RF) emissions
  - Local rules must not conflict with federal objectives for rapid deployment or result in an “effective prohibition”
- FCC shot clocks require timely action on applications

Why Is Local Control Limited?



- Early regulations resulted in:
  - Strong local control
  - Inconsistent rules nationwide
  - Delays in network expansion, interfered with inter-state commerce
- FCC stepped in to facilitate faster, reliable wireless deployment

City of Burbank Regulations



- WTF development standards introduced in 1996

- Updated in 2010, 2011, 2015, and 2017
  - To align with evolving federal, state, and local health and safety regulations
  - To balance community concerns

- Current Challenges:
  - Restrictive FCC shot clocks
  - Limits on regulating perceived health impacts

Regulations/ Permitting Updates



- Staff completed specialized WTF training
- City retained Best, Best & Kreiger LLP (BBK) for comprehensive review of Zoning Code and procedures
- Staff is coordinating with federal lobbyists on FCC rulemaking impacts
- Staff will return to Council with a report summarizing the findings and recommendations of the BBK analysis

Questions

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