

BURBANK2035

Final Environmental Impact Report



November 2012



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Final Environmental Impact Report



November 2012

Prepared for:

City of Burbank, Community Development Department
Planning and Transportation Division
150 N. Third St.
Burbank, CA 91502

Prepared by:

AECOM

2020 L Street, Suite 400
Sacramento, CA 95811

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1 INTRODUCTION

In accordance with Section 15088 of the State California Environmental Quality Act (CEQA) Guidelines, the City of Burbank, as the lead agency, has reviewed the comments received on the Draft Environmental Impact Report (Draft EIR) for *Burbank2035* and has prepared written responses to the comments received.

The Draft EIR (SCH # 2010021004) was received by the State Clearinghouse, which established a review and comment period that ended on September 13, 2012. No state agencies submitted comments to the State Clearinghouse, but letters from local agencies and individuals were received.

Chapter 2 of the Final EIR includes the written comments received on the Draft EIR and presents responses to significant environmental issues raised in these comments (as required by State CEQA Guidelines Section 15088(c)).

The focus of the responses to comments is on the adequacy of the environmental analysis presented in the Draft EIR, as specified by Section 15088(c) of the State CEQA Guidelines. Detailed responses are not provided for comments addressing the merits of the proposed project.

In some instances, responses to comments may warrant modification of the text of the Draft EIR. In those cases, the text of the Draft EIR is revised and the changes are presented in Chapter 3, Corrections and Revisions to the Draft EIR. The text deletions are shown in strikeout (~~strikeout~~) and additions are shown in underline (underline).

This document and the Draft EIR together constitute the Final EIR that is being considered by the City of Burbank.

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2 COMMENTS AND RESPONSES ON THE DRAFT EIR

This section of the Final EIR contains comment letters received during the public review period for the Draft EIR. In conformance with State CEQA Guidelines Section 15088(a), written responses to comments on environmental issues received from reviewers of the Draft EIR were prepared.

2.1 LIST OF COMMENTS ON THE DRAFT EIR

Table 2-1 identifies a number for each comment letter received, the author of the comment letter, and the comment letter date.

Table 2-1 Comments Received on the Draft EIR			
Letter #	Agency/Affiliation	Commenter	Date
1	California Public Utilities Commission	Rosa Muñoz, PE, Senior Utilities Engineer	8/10/12
2	Airport Land Use Commission	Carmen Sainz, Section Head	9/10/12
3	Burbank-Glendale-Pasadena Airport Authority	Dan Feger, Executive Director	9/13/12
4	Burbank Association of Realtors	Brian Paul, CEO	9/4/12
5	Individual	Louis Altobelli	9/3/12
6	Individual	Louis Altobelli	9/9/12
7	South Coast Air Quality Management District	Ian MacMillan, Program Supervisor	9/21/12

2.2 COMMENTS AND RESPONSES ON THE DRAFT EIR

The written comments received on the Draft EIR and the responses to those comments are provided in this section.

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

August 10, 2012

Tracy Steinkruger
City of Burbank
150 N. Third Street
Burbank, CA 91502

Dear Ms. Steinkruger:

Re: SCH# 2010021004; Burbank 2035 General Plan Update

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission Rail Crossings Engineering Section (RCES) is in receipt of the *Draft Environmental Impact Report (DEIR)* from the State Clearinghouse for the proposed City of Burbank (City) 2035 General Plan Update and Greenhouse Gas Reduction Plan.

RCES recommends that the City add language to the General Plan Update so that any future development adjacent to or near the shared railroad/light rail right-of-way is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way and compliance with the Americans with Disabilities Act.

1-1

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

1-2

If you have any questions, please contact Ken Chiang, Utilities Engineer at (213) 576-7076 or ykc@cpuc.ca.gov, or me at (213) 576-7078 or rxm@cpuc.ca.gov.

Sincerely,

Rosa Muñoz, PE
Senior Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: State Clearinghouse

- 1-1 *The comment suggests that the City add language requiring that future development adjacent to the shared railroad/light rail right-of-way be planned with the safety of the rail corridor in mind, including consideration of traffic volumes for at-grade crossings and pedestrian circulation.*

The City currently has only three at-grade crossings, and access to railroad rights-of-way is generally restricted by fencing and buildings. With implementation of *Burbank2035*, pedestrian circulation, including circulation related to Metrolink, is generally expected to be similar to existing conditions. Although additional population is expected in Burbank over the life of *Burbank2035*, no new rail transit stops are expected, and the rail lines will continue to function as neighborhood and district “edges,” with little reason for pedestrians to cross except at stations and designated crossings. Traffic volumes would increase near the locations of current grade crossings, including two Buena Vista Street crossings at San Fernando Boulevard and Empire Avenue, but Program M-13 of *Burbank2035* describes the actions that the City will take to monitor progress of the Buena Vista/San Fernando grade crossing design as part of the Empire Interchange Project, provide at-grade improvements to the Buena Vista Street crossing, and pursue feasibility of a new railroad grade separation to provide a continuous connection between Vanowen Street and Empire Avenue. Rail corridor safety will be considered during project-level CEQA analysis for projects implementing *Burbank2035*. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No further response is required.

- 1-2 *The comment suggests that the City consider mitigation measures to plan for grade separations at busy crossings, improvements to at-grade crossings, and fencing or barriers to limit access to the railroad right-of-way.*

Access to railroad rights-of-way is currently widely restricted in Burbank, and these access restrictions are expected to continue. There are three existing at-grade crossings in Burbank. Program M-13 of *Burbank2035* describes the actions that the City will take to monitor progress of the Buena Vista/San Fernando grade crossing design as part of the Empire Interchange Project, provide at-grade improvements to the Buena Vista Street crossing, and pursue feasibility of a new railroad grade separation to provide a continuous connection between Vanowen Street and Empire Avenue. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No further response is required.

PLANNING DIVISION

2012 SEP 10 AM 10:52
Commissioners
Curt Pedersen, *Chair*
David W. Louie, *Vice Chair*
Esther L. Valadez
Harold V. Helsley
Pat Modugno

August 30, 2012

Tracy Steinkruger, Senior Planner
City of Burbank
Planning and Transportation Division
150 N. Third Street
Burbank, CA 91502

**SUBJECT: CITY OF BURBANK GENERAL PLAN UPDATE 2035 DRAFT ENVIRONMENTAL IMPACT
REPORT NOTICE OF AVAILABILITY**

Thank you for the opportunity to comment on the City of Burbank General Plan Update 2035 Draft Environmental Impact Report. Staff of the Los Angeles County Airport Land Use Commission (ALUC) has reviewed the documents and has the following comments.

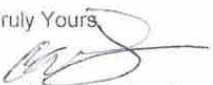
In accordance with the Public Utilities Code (PUC), Section 21676, the Airport Land Use Commission (ALUC) has the responsibility of reviewing local jurisdiction actions for compatibility with the adopted Airport Land Use Plan (ALUP). The type of project requiring ALUC review includes the update of a General Plan within the airport influence area for an existing public-use airport. Therefore, the City of Burbank General Plan Update 2035 project will require review by the ALUC.

Pursuant to the above PUC provision, the City of Burbank, as lead agency for the project, must submit the proposed project materials to the ALUC for a determination of consistency/inconsistency. The timing of submission of materials for review by the ALUC should be after the City of Burbank has taken preliminary action such as through Planning Commission initial approval, but before the City Council has considered the project for final approval. All project information should be filed with the Department of Regional Planning.

An appointment for submittal of materials is required. To schedule an appointment for project submittal, please call (213) 974-6438. For additional information on project submittal materials, please visit our webpage at: <http://planning.lacounty.gov/aluc>

If you have any questions, please call David McDonald at (213) 974-6425 or email at dmcdonald@planning.lacounty.gov, Monday through Thursday between 7:30 a.m. and 5:30 p.m. We are closed on Fridays.

Very Truly Yours,


Carmen Sainz, Section Head
Community Studies East

CS:DM

Richard J. Bruckner
Director
Dept. of Regional Planning

Rosie Ruiz
Secretary to the Commission

320 West Temple Street, Los Angeles, California 90012 Telephone (213) 974-6409 or TDD (213) 617-2292

2-1 *The comment states that the project will require review by the Airport Land Use Commission (ALUC) for compatibility with the Airport Land Use Plan (ALUP).*

The City acknowledges that review of *Burbank2035* by the ALUC is required. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No further response is required.

2-2 *The comment states that the City must submit the project materials to the ALUC for a determination regarding consistency with the ALUP. The comment states that this submission should occur after the City has taken preliminary action (at the Planning Commission level) but before the City Council considers the project for final approval. The comment then provides information about scheduling an appointment to submit materials.*

The City acknowledges that ALUC review of *Burbank2035* for consistency with the ALUP is required. The City proposes to schedule this review between Planning Commission action and final approval of *Burbank2035* by the City Council, and will contact the ALUC to arrange the submission of the plan for review. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No further response is required.



September 13, 2012

Via Email; Original via Hand Delivery

Ms. Tracy Steinkruger
Senior Planner
City of Burbank, Community Development Department
150 N. Third Street
Burbank, CA 91502

Dear Ms. Steinkruger:

The Burbank-Glendale-Pasadena Airport Authority (the "Authority") submits the following comments with regard to the Noise Element of the Burbank 2035 General Plan (the "Project") and the City of Burbank's (the "City's") Draft Environmental Impact Report ("DEIR") analyzing the proposed Project.

As a general matter, the Authority has two broad concerns with the DEIR and the Noise Element of the 2035 General Plan as more fully addressed below. First, to the extent the text, goals or policies in the General Plan or the discussion and mitigation measures in the EIR purport to cause an eventual modification of any general plan designation applicable to the Adjacent Property or Trust Property located next to the Bob Hope Airport (the "Airport"), the Authority states for the record that modification, if enacted, may be in violation of the current Development Agreement between the City and the Authority. See, Development Agreement at Section 3.1. Second, to the extent any modification or policy or program cited in the DEIR or the 2035 General Plan purports to impact aircraft operations, if enacted or implemented, it may be in violation of federal law. See, *City of Burbank v. Lockheed Air Terminal, Inc.*, 411 U.S. 624 (1973); see also, *Burbank-Glendale-Pasadena Airport Authority v. City of Los Angeles*, 976 F.2d 736 (1992).

3-1

3-2

The Authority's more specific comments are as follows:

Burbank 2035 General Plan Noise Element

First, the Authority has concerns regarding footnote 2 to Table N-3 in the Noise Element of the Burbank 2035 General Plan. This Table N-3 is used throughout the DEIR in analyzing the potential noise impacts from the Project. In general, the Authority believes the language contained in this footnote is confusing and requests that the City clarify the impact of this footnote on development in areas of the City exposed to transportation noise sources. The language as currently written appears to suggest that a developer can build a single-family home in an area with a 70 dBA CNEL/Ldn noise exposure from transportation sources, but cannot include an exterior living area. The footnote also appears to suggest that properties in the Los Angeles County Airport Land Use Plan's ("ALUP") Airport Influence Area shown in Exhibit N-3 are subject to unacceptable noise levels if there is any exterior living area incorporated into the

3-3

development. The Authority is concerned that the wording of this footnote could be falsely construed as a basis for a claim against the Authority. See, *Baker v. Burbank-Glendale-Pasadena Airport Authority*, 39 Cal.3d 862 (1985).

3-3
cont.

Draft Environmental Impact Report

With regard to the DEIR itself, the Authority expresses the following concerns:

Potential Inconsistency with General Plan Noise Element Table N-3

On page 3-17 and 3-18 of the Project Description section of the DEIR, it is indicated that “noise exposure limits for land use compatibility are generally established as 60 dBA CNEL/Ldn for exterior spaces in most sensitive land use designation (e.g., nursing homes, hospitals). Higher exterior noise levels (65 dBA CNEL/Ldn) are permitted for single-family and multiple-family housing and housing in mixed use contexts.” This statement, however, appears inconsistent with Table N-3 in the Burbank 2035 General Plan Noise Element that allows exterior noise levels for single-family and mixed-use housing to go as high as 70 dBA CNEL/Ldn.

3-4

Caltrans Comment Letter Regarding the Airport

It is indicated on page 4.13-1 of the Noise section of the DEIR that the California Department of Transportation, Division of Aeronautics (“Caltrans”) submitted a comment letter in response to the City’s issuance of its Notice of Preparation. In particular, Caltrans expressed concerns regarding the potential for future residential land uses to be subjected to elevated noise levels when located within the 65 dBA CNEL contour of the Airport. Caltrans recommended that the City avoid siting future residential uses within the 65 dBA CNEL contour or that it require design considerations such that interior noise standards (45 dBA CNEL) are maintained in all habitable rooms. It is unclear if the City provided a response to Caltrans. The Authority requests that the City make it clear that it will not permit incompatible development within the Airport Influence Area as required by the ALUP and proposed Policy 5.1 of the Noise Element.

3-5

Noise Contour Exhibit 14-2

On page 4.13-2 of the Noise section of the DEIR, it is indicated that Exhibit N-2 of the Technical Background Report (“TBR”) shows the most recent noise contours associated with Airport operations. Exhibit N-2 does not appear to exist in the TBR. However, this may be a reference to Figure 14-2 in the TBR. It does not appear that this Figure 14-2 is consistent with the current approved Noise Exposure Map or with the Noise Exposure Map currently being reviewed as part of the on-going Part 150 update.

3-6

Noise Contour Area Statistics

On page 4.13-2 and page 4.13-22 of the Noise section of the DEIR, it is indicated “that by 2015, the noise sensitive area within the 65 dBA CNEL contour is projected to increase to 383 acres due to increased aircraft operations at the airport. Additionally, an estimated 4,825 people currently reside within the 65 dBA CNEL contour, and this number is projected to increase to

3-7

8,217 by 2015 ... due to land intensification and redevelopment near the airport.” The Authority recommends that the City clarify this statement by indicating that any land intensification and redevelopment near the Airport should not result in additional residential or sensitive noise receptors living within the Airport 65 dBA CNEL contour.

3-7
cont.

Program N-4

On page 4.13-6 through 4.13-7 of the Noise section of the DEIR, Program N-4 is discussed. Program N-4 would require an acoustical analysis for future discretionary projects in areas where the existing or projected noise level exceeds or would exceed the maximum allowable levels identified in Table N-3 in the Noise Element for transportation sources. Program N-4 would also require an acoustical analysis when a project includes a noise sensitive land use that is located within the existing or future 65 dBA CNEL/Ldn contour for transportation noise sources. As stated previously, to the extent that Program N-4 is used by the City as an attempt to directly or indirectly impact aircraft operations, it could be a violation of federal law.

3-8

Program N-8

On page 4.13-8 through 4.13-9 of the Noise section of the DEIR, Program N-8 indicates the City will work to reduce noise associated with aircraft overflights and helicopter operations through certain regulations. These regulations will regulate the siting and operation of heliports and helistops through the conditional use permit process allowing the City discretionary review over these locations. Additionally, the City will implement flight profiles, tracks, and operating parameters for noise control with heliport and helistop operators. Finally, the City indicates it will work with the Burbank-Glendale-Pasadena Airport Authority in implementing the Residential Acoustical Treatment Program. Again, to the extent Program N-8 is used by the City as an attempt to directly or indirectly impact aircraft operations, it could be a violation of federal law. Further, the City’s imposition of a conditional use permit requirement for the siting of heliports and helistops on Authority property could be in violation of Section 3.1 of the Development Agreement.

3-9

Table 4.13-2 Stationary Noise Standards

On page 4.13-9 of the Noise section of the DEIR, it is indicated that stationary noise sources standards are articulated in Table 4.13-2. These stationary noise standards limit maximum allowable noise from stationary sources to typically 55 dBA at exterior spaces in the daytime and 45 dBA at exterior spaces at night, with a potential maximum being 75 dBA during the daytime and 65 dBA in the night. Although it does not appear the Airport would be considered a stationary source of noise, the Authority requests that clarification or language be included to affirmatively state the Airport will not be treated as a stationary source of noise subject to the noise source standards contained in Table 4.13-2.

3-10

Airport Land Use Commission Procedural Policies

On page 4.13-22 through 4.13-23 of the Noise section of the DEIR, it is acknowledged that exposure of noise sensitive receptors to aircraft noise is a significant and unavoidable impact.

3-11

The EIR details that the Airport is governed by the Los Angeles Regional Planning Commission/Airport Land Use Commission's guidelines. It is also specified that potential land development under the Burbank 2035 General Plan will be evaluated for compatibility with airport operations, using criteria set forth in the Airport Land Use Commission Procedural Policies contained in the Airport Land Use Compatibility document. Additionally, it is specified that Noise Element policies 5.1 through 5.3, and Programs N-2, N-3, N-4, and N-8 are designed to prevent and mitigate sources of excessive noise, including those from aircraft operations. The Authority notes that the intent behind the Airport Land Use Commission Procedural Policies is not to constrain the Airport operations in any manner. Rather, the intent is to ensure that proper land use zoning occurs adjacent to the Airport. As such, and as stated in the Procedural Policies, the Airport Land Use Commission has the power under state law to review any amendment to a general plan or zoning ordinance that affects property in the Airport Influence Area. Finally, and as stated previously, to the extent any policy or program cited above is an attempt to directly or indirectly impact aircraft operations, it could be a violation of federal law.

3-11
cont.

Alternative 3 – Golden State Area Increased Density

Alternative 3 discussed on pages 6-6 through 6-8 of the DEIR is of concern as it appears to contemplate a change in the land use designation in the Golden State Area located to the south and east of the Airport. Alternative 3 would change the uses in the Golden State Area from the Airport and Golden State designations to Regional Commercial and Corridor Commercial designations. This change would convert industrial land to commercial use and allow for mixed use development including niche residential uses such as lofts and live-work spaces. We recommend that the Alternative be clarified that it is not intended nor would it allow inclusion of land uses easterly or southerly of the Airport that would be incompatible with aircraft operations. In addition, to the extent that Alternative 3 could cause the modification of any zoning applicable to Adjacent Property or Trust Property (as those terms are defined in the Development Agreement between the City and the Authority), it could be in violation of Section 3.1 of the Development Agreement.

3-12

Technical Background Report

With regard to the Technical Background Report or TBR, the Authority has the following concerns:

Nighttime Curfew Statement

On page 14-11 of the TBR, it is indicated that the Airport has a voluntary curfew in effect from 10:00 p.m. to 7:00 a.m. The Authority notes that although this statement is correct, the voluntary nighttime curfew is focused on scheduled passenger air carrier service.

3-13

Table 14-7 Potential Inconsistency with General Plan Noise Element Table N-3

On page 14-21 of the TBR, and in Table 14-7 of the TBR, General Plan Noise Element compatibility standards are addressed. It is unclear if these standards are those contained in the City's current General Plan or are meant to be the standards proposed for the Burbank 2035

3-14

Ms. Tracy Steinkruger
September 13, 2012
Page 5 of 5

General Plan. Either way, the standards appear inconsistent and more stringent than those proposed in Table N-3 of the Noise Element. The Authority requests that the City clarify the applicability of these standards.

↑ 3-14
cont.

Please let us know if you should have any questions.

Very truly yours,



Dan Feger
Executive Director

- 3-1 *The comment states that changes that purport to cause an eventual modification of any general plan designation applied to the Adjacent Property or Trust Property located next to the Bob Hope Airport may be in violation of the Development Agreement between the City and the Authority.*

Land outside of the Airport land use designation, but south and east of the Bob Hope Airport, is within the Golden State Commercial/Industrial area. This area is currently developed with a variety of commercial uses complimentary to the airport and media related businesses. As described on page 3-17 of *Burbank2035*, “The City seeks to introduce additional commercial uses that serve the airport, protect remaining industrial spaces, and introduce the possibility of niche residential (e.g., lofts, live-work spaces) that are compatible with the industrial character of the area.” Development within the Golden State Commercial/Industrial area would be capped at a maximum floor area ratio (FAR) of 1.25 and the maximum density would be 27 dwelling units per acre with discretionary approval. The maximum non-residential square footage in the Golden State Commercial/Industrial area would be 7,530,222 square feet in 2035.

As discussed in Chapter 4.11, “Land Use,” on pages 4.11-9 and 4.11-10 of the DEIR, “Development within the airport influence area is subject to development standards and height regulations to ensure the safety and integrity of airport functions. *Burbank2035* maintains existing land use designations and policies within the airport influence area to ensure safety and consistency with the ALUP [Los Angeles County Airport Land Use Plan]. Building and structure height limits within the airport influence area are required to be consistent with the BMC [Burbank Municipal Code] and will remain static through the *Burbank2035* planning horizon. Implementation of *Burbank2035* would not alter development standards, including building/structure heights; practices consistent with FAR [Federal Aviation Regulations] Section 77.13; or real estate notification practices consistent with State regulations.”

The comment generally summarizes comments identified more specifically in comments 3-9 and 3-12. Please refer to the responses to these comments below. No further response is required.

- 3-2 *The comment states that any general plan changes that would affect aircraft operations may be in violation of federal law.*

The comment generally summarizes comments identified more specifically in comments 3-8, 3-9, and 3-11. Please refer to the responses to these comments below. No further response is required.

- 3-3 *The comment requests that the City clarify footnote 2 in Table N-3 in the Burbank2035 Noise Element. The comment expresses a concern that the wording of the footnote could be construed as a basis for a claim against the Authority.*

The text of footnote 2 in Table N-3 states, “Possibly acceptable means that land uses should be established in areas with the stated ambient noise level only when exterior areas are omitted from the project or noise levels in exterior areas can be mitigated to the normally acceptable level.” The footnote text indicates that these standards are to be used when establishing new land uses. As stated on page 5-7 of the Noise Element, “The City’s land use compatibility standards are based on the existing or intended future use of the property. The standards are purposefully general, and not every specific land use is identified. Application of the noise standards will vary on a case-by-case basis according to location, development type, and associated noise sources.”

These standards are identical to the current standards in the existing General Plan Noise Element. Adoption of *Burbank2035* would not change the maximum allowable noise exposure standards. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No further response is required.

- 3-4 *The comment states that text concerning acceptable exterior noise levels on pages 3-17 and 3-18 of the DEIR appears inconsistent with Table N-3 in the Burbank2035 Noise Element.*

In response to this comment, the City proposes the following text change to the first paragraph on page 3-18 in Chapter 3, “Project Description,” of the DEIR:

Higher exterior noise levels (65 dBA CNEL/L_{dn}) are normally acceptable ~~permitted~~ for single-family and multiple-family housing and housing in mixed-use contexts.

No further response is required.

- 3-5 *The comment requests that the City clarify that it will not permit incompatible development within the Airport Influence Area as required by the ALUP and Policy 5.1 of the Noise Element.*

Burbank2035 Noise Element Policy 5.1 requires that the City “Prohibit incompatible land uses within the airport noise impact area.” Upon adoption of *Burbank2035*, this will be the City’s official policy with respect to the airport noise impact area. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-6 *The comment states that Figure 14-2 in the TBR is not consistent with the current approved Noise Exposure Map or with the Noise Exposure Map being considered as part of the ongoing Part 150 update.*

The noise contours illustrated for Bob Hope Airport in Figure 14-2 of the TBR were based on “Figure B-12: Noise Exposure for Existing and Forecast Baseline Conditions” for the FAR Part 161 Study for Bob Hope Airport. Figure B-12 was prepared by Jacobs Consultancy for the Authority and is dated January 2009. If the updated Noise Exposure Map is approved before the adoption of *Burbank2035*, the City will incorporate the new Noise Exposure Map into *Burbank2035*.

In response to this comment, the City proposes the following text change to the first paragraph on page 4.13-2 in Chapter 4.13, “Noise,” of the DEIR:

Exhibit 14-2 ~~N-2~~ of the TBR shows the most recent noise contours (i.e., 65, 70, 75 dBA CNEL) associated with Bob Hope Airport operations.

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-7 *The comment requests that the City clarify statements on page 4.13-2 and 4.13-22 of the DEIR to indicate that land intensification and redevelopment near the Airport should not result in additional residential or sensitive noise receptors within the 65 dbA CNEL contour.*

The quoted text in the comment identifying the 2015 population within the 65 CNEL contour as 8,217 reflects text from page 4 of the 2009 report, “Revised Documentation in Support of a NEPA Categorical Exclusion Determination for a Proposed Curfew at Bob Hope Airport,” prepared by Jacobs Consultancy for the Authority. The City proposes the following edit to the last

sentence in the first paragraph on page 4.13-2 in Chapter 4.13, “Noise,” of the DEIR in response to this comment:

Additionally, an estimated 4,825 people currently reside within the 65 dBA CNEL contour, and this number is projected to increase to 8,217 by 2015 (Burbank-Glendale-Pasadena Airport Authority 2009:4) ~~due to land use intensification and redevelopment near the airport.~~

As described on page 3-17 of *Burbank2035*, residential densities near the airport, within the Golden State Commercial/Industrial area, or in areas with noise in excess of 65 dBA CNEL would not increase under *Burbank2035*. Any residential development in this area would be compatible with the industrial character of the area and would be subject to discretionary approval by the City Council. The intensity of commercial and industrial development (1.25 FAR) in this area is also intended to remain relatively consistent with existing conditions.

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-8 *The comment asserts that to the extent that Program N-4 is used by the City as an attempt to affect aircraft operations, it could be a violation of federal law.*

Program N-4 does not address aircraft operations nor does it seek to affect aircraft operations. Program N-4 addresses the acoustical treatment of development proposals in areas where the existing or projected noise level exceeds or would exceed the maximum allowable levels identified in Table N-3 in the Noise Element, or when specified conditions apply. Program N-4 would require an acoustical analysis for discretionary projects if a project proposes a noise-sensitive land use within existing or future 65-dBA CNEL transportation noise contours. These acoustical analyses are a part of the City’s effort to avoid introducing new land uses which would be incompatible with the noise generated by transportation sources. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-9 *The comment asserts that to the extent that Program N-8 is used by the City as an attempt to affect aircraft operations, it could be a violation of federal law. The comment also states that a conditional use permit requirement for siting heliports and helistops on Authority property could be in violation of the Development Agreement.*

Program N-8 is not intended to apply to aircraft (airplane or helicopter) operations within the Airport Zone. The text in Program N-8 calling for the City to implement flight profiles, tracks, and operating parameters for noise control at helipads and heliports is intended to address helipads and heliports elsewhere in Burbank, and is not intended to be applied to helicopter traffic at Bob Hope Airport. Helipads are currently regulated in most zones, except in the Airport Zone, and Program N-8 intends to further existing City regulatory powers to the extent of the City’s authority under federal law regarding heliports/helistops outside of the Airport Zone. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-10 *The comment requests that the City add text to affirmatively state that the Airport will not be treated as a stationary source of noise subject to the standards in Table 4.13-2 of the DEIR.*

The City proposes the following text edit to the first paragraph following “Existing Stationary Source Noise” on page 4.13-2 in Chapter 4.13, “Noise,” of the DEIR:

Activities associated with commercial, recreational, and public service facilities can also produce noise that affects adjacent sensitive land uses. Operation of aircraft arriving at or departing from the Bob Hope Airport is not considered to be a stationary source of noise.

Although the arrival and departure of aircrafts from the Bob Hope Airport is not considered stationary noise, noise from the airport terminal itself or onsite baggage trucks, for example, could be considered stationary noise sources. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-11 *The comment states that the intent behind ALUC policies is not to constrain Airport operations in any manner, but rather to ensure that appropriate zoning occurs adjacent to the airport. The comment states that the ALUC has the power to review any amendment to a general plan or zoning ordinance that affects property within the Airport Influence Area. The comment asserts that to the extent that policies and programs in the general plan are used by the City as an attempt to affect aircraft operations, this use could be a violation of federal law.*

The comment provides a description of the intent of the ALUC procedural policies. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-12 *The comment requests that the City clarify that incompatible uses would not be permitted in areas easterly or southerly of the Airport in Alternative 3 – Golden State Area – Increased Density. The comment also states that if Alternative 3 caused the modification of any zoning applicable to Adjacent Property or Trust Property, it could be in violation of the Development Agreement.*

The text of *Burbank2035* Noise Element Policy 5.1 requires that the City “Prohibit incompatible land uses within the airport noise impact area.” Upon adoption of *Burbank2035*, this will be the City’s official policy with respect to the airport noise impact area. If City Council proceeded with the adoption of Alternative 3 – Golden State Area – Increased Density, Noise Element Policy 5.1 would be adopted as well because the placement of incompatible land uses within the airport noise impact area would be in violation of the Development Agreement. Alternative 3 – Golden State Area – Increased Density would not increase density in a manner that would violate any height limits or place too many people in one location at one time for the types of uses currently permitted or would be allowable in the future. Land use designations and policies within the airport influence area would still be in place to ensure safety and consistency with the ALUP. Building and structure height limits within the airport influence area are required to be consistent with the BMC and would remain static through the planning horizon, even if Alternative 3 is adopted. Implementation of Alternative 3, if adopted by the City Council, would not alter development standards, including building/structure heights; practices consistent with FAR Section 77.13; or real estate notification practices consistent with State regulations. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 3-13 *The comment clarifies that the voluntary nighttime curfew is focused on scheduled passenger air carrier service.*

The City acknowledges the comment’s clarification of the voluntary nighttime curfew. The comment does not suggest any changes to the DEIR, and no further response is required.

- 3-14 *The comment states that standards on page 14-21 and Table 14-7 of the TBR appear inconsistent and more stringent than those proposed in Table N-3 of the Noise Element. The comment requests that the City clarify the applicability of these standards.*

The text on page 14-21 of the TBR refers to the Governor's Office of Planning and Research's (OPR) General Plan Guidelines for noise standards (provided in Table 14-7), and also summarizes the policy in the City's existing General Plan. Upon adoption of *Burbank2035*, these existing general plan policies will be replaced by the standards in the *Burbank2035* Noise Element, including those listed in Table N-3. The OPR guidelines are provided for background reference only. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

From: Brian Paul [mailto:Brian.Paul@burbankrealtors.org]
Sent: Tuesday, September 04, 2012 9:23 AM
To: Steinkruger, Tracy
Cc: Christopher Rizzotti (christopher@rizzotti.com)
Subject: 2035

Dear Ms. Steinkruger:

Thank you for providing the information for the 2035 plan that includes the General Plan, Green House Gas Reduction, Environmental Impact Report and Technical Background Report. On review of the material, we note that the nexus to real estate is tenuous and although we would like to be part of the process going forward, we think there may be groups with expertise in the areas of "Green House Gas" and Environmental Impact that would be more valuable partners for the City in this instance. Our Association would like to help in any way and in every instance on matters that are real estate related. If there is a specific section you would like us to focus on, please let us know.

4-1

Thank you,

BAOR President, Christopher John Rizzotti
CEO, Brian Paul
Burbank Association of REALTORS
2006 W. Magnolia Blvd.,
Burbank, CA 91506
818 845 7643

4-1

The comment thanks the City for providing information on Burbank2035. The comment expresses interest in being involved in the process going forward, but does not include specific issues or questions related to the environmental analysis.

The City acknowledges receipt of the comment, and intends to continue to involve the Association of Realtors as the *Burbank2035* process moves forward. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

From: Louis [mailto:gg360@hotmail.com]
Sent: Monday, September 03, 2012 5:02 PM
To: Steinkruger, Tracy
Cc: City Council
Subject: Burbank2035

September 3, 2012

Tracy Steinkruger
 Senior Planner
 Community Development
 Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

Thank you for talking to me at the Burbank Planning counter other day (8/27/2012). You indicated that if I had any questions about Burbank2035 (B2035) I should email you. You also stated that there will be no more public outreach. This greatly disappointed me.

5-1

You suggested that I should review the Burbank2035 Blog. I did and I was very disappointed at the lack of seriousness from many of the entries. With an all encompassing document like B2035 there was not one legal question, not one financial question, not one on the contradiction between higher density and reducing green house gases. I expected to find at least one question or statement by someone wondering how any government could possibly implement such complicated plan. Frankly, many of the blog responses seemed phony, contrived, comical and some bordering on the absurd. It's my opinion that the blog should have been remained open for comments until B2035 was passed by the council.

5-2

Although B2035 easily lends itself to many questions per policy, for now I kept to general questions that I think many Burbank residents, including myself might want to know the answers to.

GENERAL QUESTIONS

1. B2035 indicates that B2035 is a "state-required" policy. Where can I find that policy?
2. Are General Plans mandated by the State of California?
3. Does the State of California mandate that Burbank have a Green House Gas (GHG) reduction plan? If so, is it implementation mandatory or voluntary?
4. AECOM drafted B2035 and included GHG reduction policies. Did they arbitrarily include it or did the Council or Planning Dept request it to be included?
5. Why is B2035 involved in GHG reductions?
6. What is the basis for GHG reductions? Why do we need to do this?
7. There are costs to measuring green house gases, how much per annum is it?
8. Are GHG reduction policies in B2035 mandatory or voluntary?
9. Many cities have passed GHG reduction laws and most fail to meet their targets. What happens if we do not meet the targets set forth in B2035?

5-3

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5-11

10. Will the new B2035 GHG regulations increase electricity rates?	I	5-12
11. What is the BWP's official position on B2035? Is it in writing?	I	5-13
12. Many residents use lawnmowers, leaf blowers, generators, etc., that burn gasoline, do the GHG reductions in B2035 have any jurisdiction over these types of activities?	I	5-14
13. In an era of shrinking state and local Governments throughout the country, B2035 seems very much about growing Government. Can you direct me to any policies in B2035 that restrains or limits the Burbank Government?	I	5-15
14. According to one of the Planning Dept attempts at B2035 online outreach at la.curbed.com, B2035 is considered 'Progressive' what does that mean?	I	5-16
15. B2035 seems to be based on Sustainable Development. Many cities and one entire state have outlawed Sustainable Development. Why is this? What is in Sustainable Development that they are objecting to?	I	5-17
16. Do you expect to get funding from the LA City/County, State and Federal government to help implement B2035?	I	5-18
17. Assuming no Federal /State grants or outside funding sources of any kind, if Burbank had to fund all of B2035 including Complete Streets, GHG reductions, administrative, etc., what would the total cost be through 2035?	I	5-19
18. How much does a 'Complete Street' cost? Per foot / per mile?	I	5-20
19. Is there an example of a 'Complete Street' in Burbank or any other local city that I can go look at?	I	5-21
20. It is my understanding that the airport is exempt from GHG Reductions and falls under some other jurisdiction. Are the 5 and 134 freeways also exempt?	I	5-22
21. Are you aware of any adverse impacts to adjacent cities to Burbank if B2035 is passed or fails to pass?	I	5-23
22. Can you point to any specific B2035 policies that encourage businesses to move to Burbank?	I	5-24
23. Why do we need mixed use zoning?	I	5-25
24. Can you point to any studies that indicate that mixed use zoning is warranted or desired in Burbank?	I	5-26
25. Do any of the policies in B2035 have any cost benefit analysis associated with them?	I	5-27
26. Do you believe that B2035 is in keeping with the Councils goals on long term fiscal responsibility?	I	5-28
27. In the event of a conflict, do the master plans take precedence over B2035?	I	5-29
If it's not too much trouble, I would like a list of all B2035 past public outreach attempts by the City of Burbank.	I	5-30

Thank you in advance for your timely and comprehensive responses.

Louis Altobelli
Burbank Rancho Resident

cc: City Council
tsteinkruger@ci.burbank.ca.us; CityCouncil@ci.burbank.ca.us

5-1

The comment expresses disappointment that no additional public outreach is planned for Burbank2035.

The *Burbank2035* General Plan Update was initiated in January 2010. The City has conducted extensive outreach, including:

- ▶ Development of *Burbank2035* Website – www.burbank2035.com.
- ▶ Development of *Burbank2035* Facebook Page.
- ▶ 2011-2012 Meeting Calendar: Boards & Commissions, Neighborhood Organizations & Philanthropic Groups, etc.
- ▶ *Burbank2035* Virtual Town Hall (Fall 2010) – Report available on the City’s website.
- ▶ Planning Board Study Session (June 20, 2011) – Video and report available on the City’s website.
- ▶ City Council Study Session (June 21, 2011) – Video and report available on the City’s website.
- ▶ City Council Study Session (July 19, 2011) Video and report available on the City’s website.
- ▶ Planning Board Study Session (July 20, 2011) – Video and report available on the City’s website.
- ▶ *Burbank2035* Virtual Town Hall (Summer 2011) – Report available on the City’s website.
- ▶ “Meet *Burbank2035*” Community Workshop (July 6, 2011) – Presentation available on the City’s website.
- ▶ “Meet *Burbank2035* Community Workshop (July 27, 2011) – Presentation same as above.
- ▶ “Meet *Burbank2035* Community Workshop (August 13, 2011) – Presentation same as above.
- ▶ Build-a-Burbank Kids Workshops #1-#4 (Summer 2011) – More information available on the City’s website.
- ▶ Planning Board Update on *Burbank2035* (October 24, 2011) – Video and report available on the City’s website.
- ▶ City Council Staff Report (October 25, 2011) Video and report available on the City’s website.
- ▶ Public Correspondence (and staff response) – *Burbank2035* Preliminary Draft & Revised Preliminary Draft - Available on the City’s website.

- ▶ Planning Board Public Hearing (December 12, 2011) – Video and report available on the City’s website.
- ▶ City Council Public Hearing (December 13, 2011) – Video and report available on the City’s website.
- ▶ City Council Study Session (February 7, 2012) – Video and report available on the City’s website.
- ▶ Joint Planning Board-City Council Study Session (July 31, 2012) – Video and report available on the City’s website.

Copies of the draft documents are available for review at the following locations:

- ▶ City Clerk’s Office
- ▶ Planning & Transportation Division
- ▶ Buena Vista Library
- ▶ Central Library
- ▶ Tuttle Senior Center
- ▶ Joslyn Senior Center
- ▶ Burbank Chamber of Commerce
- ▶ Burbank Association of Realtors
- ▶ Online at: www.burbank2035.com

City staff members have distributed posters and fliers to a variety of businesses in the community. The City has advertised *Burbank2035* on the BurbankBus fleet. The City has mailed *Burbank2035* postcards and handouts to residents and businesses. The City has handed out *Burbank2035* recyclable shopping bags and handouts to shoppers at the Farmers Market. The City has met with representatives from the Burbank Association of Realtors and Burbank Chamber of Commerce. The *Burbank2035* project has also been profiled in the Burbank Leader newspaper, in the Burbank Business Journal, on the Curbed LA website, and on KPCC radio.

Burbank2035 is tentatively scheduled for Planning Board consideration in November; and for consideration by the City Council in December. At the public hearings, any person may address the Planning Board or City Council and provide comments on *Burbank2035*. There are no community meetings scheduled at this time; however, City staff is always available to sit down and answer questions, explain key concepts, and receive feedback. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-2

The comment expresses disappointment with the comments on the Burbank2035 blog and opines that the blog should have been left open until the City Council votes on Burbank2035.

The *Burbank2035* Town Hall website (www.burbanktownhall.com) was one part of the City’s comprehensive outreach strategy during the development of *Burbank2035*. Please refer to the response to Comment 5-1 for a summary of the City’s outreach efforts for *Burbank2035*, and a description of opportunities for public comment, input, and questions. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-3 *The comment asks for a reference to the State requirement for Burbank2035.*

Burbank2035 is the update of Burbank's General Plan. State law requires that every city and county in California adopt a general plan. The required contents for each jurisdiction's general plan document may be found in Section 65302 of the Government Code. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-4 *The comment asks whether General Plans are mandated by the State.*

As stated in the response to Comment 5-3, State law requires that every city and county in California adopt a general plan. The required contents for each jurisdiction's general plan document may be found in Section 65302 of the Government Code. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-5 *The comment asks whether a GHG reduction plan is mandatory under State law.*

State CEQA Guidelines Section 15183.5 allows jurisdictions to analyze and mitigate the significant effects of greenhouse gases (GHGs) at a programmatic level, by adopting a plan for the reduction of GHG emissions. Later, as individual projects are proposed, project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review in their cumulative impacts analysis. Project-specific environmental documents prepared for projects consistent with *Burbank2035* and the GGRP may rely on the programmatic analysis of GHGs contained in the EIR certified for *Burbank2035* and the GGRP, a CEQA tool known as tiering. Tiering allows future development projects that are consistent with *Burbank2035* and incorporate GHG emission reduction measures described in the GGRP within their project designs to skip certain steps in the CEQA process, reducing project costs and streamlining City permit processes. The GGRP meets standards for a plan for the reduction of greenhouse gas emissions under the State CEQA Guidelines, which in turn affords future project applicants the ability to tier from the City's GGRP and the *Burbank2035* Program EIR. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-6 *The comment asks whether GHG reduction policies and the GGRP were arbitrarily included, or whether the City Council or Planning Department requested that they be included.*

The City made the decision to include GHG reduction policies in *Burbank2035* and to prepare a GGRP to meet the State-mandated requirement to reduce GHG emissions. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-7 *The comment asks why Burbank2035 is involved in GHG reductions.*

Burbank2035, the GGRP, and the Program EIR are all important to enable CEQA streamlining for GHG analysis. A binding GHG reduction target, goals, and strategies to reduce communitywide GHG emissions are incorporated into *Burbank2035*. The GGRP identifies strategies for achieving these targets, and the EIR summarizes the analysis and establishes GHG mitigation measures which may be incorporated by subsequent projects. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-8 *The comment asks why the City needs to achieve GHG reductions.*

In 2006, California adopted a statewide GHG reduction target through AB 32. This law requires that statewide emissions be reduced to 1990 levels by 2020. AB 32 resulted in the 2008 adoption by the California Air Resources Board (ARB) of a Climate Change Scoping Plan (Scoping Plan), outlining the State's plan to achieve emission reductions through a mixture of direct regulations, alternative compliance mechanisms, various incentives, voluntary actions, market-based mechanisms, and funding. The Scoping Plan identifies local governments as "essential partners" in the State's efforts to reduce GHG emissions. It addresses similar areas to those contained in Burbank's GGRP, including transportation, building energy efficiency, water conservation, waste reduction, and green infrastructure. The GHG reductions identified in *Burbank2035* and the GGRP are necessary to help the City comply with AB 32. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-9 *The comment asks what the per-annum costs of GHG reductions will be.*

Although many of the GHG reduction measures incorporated into the GGRP are based on existing City programs, there are new GHG reduction measures proposed. Because of uncertainties related to technological, economic, and regulatory changes that may occur between now and 2035, the City has not estimated the costs of implementing the GGRP's GHG reduction measures over the next 23 years. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-10 *The comment asks whether the GHG reduction policies in Burbank2035 are mandatory or voluntary.*

Burbank2035 includes policies that generally describe the City's approach to reducing GHG emissions. The approach documented in *Burbank2035* is implemented by applying the mandatory measures outlined in the GGRP. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-11 *The comment asks what happens if the City fails to meet targets set forth in Burbank2035.*

The GGRP includes metrics to evaluate the City's performance on individual GHG reduction measures. If the City does not achieve these metrics, the City will need to make changes to the proposed measures, or add new measures to achieve the reduction target identified in Policy 3.1 in the Air Quality and Climate Change Element of *Burbank2035*. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-12 *The comment asks whether the GHG reduction measures will increase electricity rates.*

Preparation and adoption of the GGRP is not anticipated to result increased electricity rates. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-13 *The comment asks what is BWP's position on Burbank2035, and if it is in writing.*

Burbank Water and Power (BWP) has not taken a position on *Burbank2035*. BWP staff provided information for the drafts of *Burbank2035*, reviewed the draft documents, and provided feedback to City staff. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 5-14 *The comment asks whether the GHG reduction measures in Burbank2035 have jurisdiction over use of lawnmowers and other small engines that burn gasoline.*
- The GGRP does not include measures directed at lawnmowers or other small engines that burn gasoline (e.g., leaf blowers). The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.
- 5-15 *The comment asks whether any policies or programs in Burbank2035 restrain or limit the City's government.*
- Burbank2035* does not include measures intended to limit the jurisdiction of City government. Information about the city government and its priorities can be found in the Burbank Strategic Plan, which is available online at www.burbankusa.com. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.
- 5-16 *The comment asks what the City meant in describing Burbank2035 as progressive.*
- Some media coverage of *Burbank2035* has described the plan as progressive. The City is not aware of any instances where the City or City representatives have used this word in describing *Burbank2035*. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.
- 5-17 *The comment states that several cities and one state have outlawed sustainable development, and asks what would have resulted in these bans.*
- The City has no direct knowledge of what jurisdictions have made such conclusions, and cannot speculate about the reasons behind other jurisdictions' policy decisions. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.
- 5-18 *The comment asks whether the City expects to receive funding from other government entities to help implement Burbank2035.*
- Implementation of *Burbank2035* could include applications to other government entities for grant or other funding related to actions called for in the plan. However, *Burbank2035* does not depend on the receipt of funding from other government bodies. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.
- 5-19 *The comment asks what the cost of implementing Burbank2035 through 2035 would be.*
- The City has not commissioned a study to identify the cost of implementing *Burbank2035* through 2035. Because *Burbank2035* serves as a guiding document which identifies overall priorities at a high level, it is difficult to attach costs to specific portions of the plan. Furthermore, *Burbank2035* represents an incremental change to the existing General Plan, and many of the policies are similar to those in the existing General Plan, making it difficult to estimate cost changes associated with implementation of *Burbank2035*. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

The comment asks what the cost of a complete street is per foot or per mile.

The cost of implementing a complete street varies widely depending on the street and the context. For instance, changes associated with improvements that are already programmed into the City's maintenance budget (e.g., repaving, restriping) might not result in an increase in cost over the project without consideration of complete street guidelines. Changes to a street with current deficiencies (e.g., narrow width, lack of pedestrian facilities) could be costly, depending on what particular improvements were included and whether these improvements occurred outside the City's planned maintenance cycle. Any roadway improvements, including implementation of complete streets, would be within the City's allotted budget. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

The comment asks for an example of a complete street to look at.

Complete streets are those that accommodate all roadway users regardless of age or mode. Segments of several streets in Burbank have been configured to accommodate multimodal use, and can be characterized as complete streets. The goal of *Burbank2035* is to expand use of these treatments when streets are reconstructed or modified. The following is a list of complete street segments in Burbank, and the attributes of that street that make it a complete street:

1. West Victory between Mariposa and western city limits (bike lanes, transit routes, wider parkways);
2. Magnolia Boulevard in Magnolia Park (bike parking, transit amenities, bicycle arterial crossing treatments, wide sidewalks, pedestrian curb extensions, streetscape);
3. San Fernando Boulevard and other streets in Downtown Burbank (bike racks, pedestrian crossing treatments, streetscape, slow vehicles speeds w/ angled parking, transit amenities);
4. Various collector and local streets in the Rancho neighborhood (neighborhood protection items to reduce speeds such as intersection medians, curb extensions, etc.); and
5. Riverside Drive in the Rancho neighborhood (bike/equestrian lanes, wide parkways, gateway islands, reduced travel lanes, signal timing to reduce speeds).

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

The comment states that the Bob Hope Airport is exempt from GHG reductions and falls under another jurisdiction. The comment asks whether the I-5 and SR-134 freeways are also exempt.

The Bob Hope Airport is under the jurisdiction of the Burbank-Glendale-Pasadena Airport Authority, and the I-5 and SR-134 freeways are under the jurisdiction of the California Department of Transportation (Caltrans). Certain airport operations (i.e., aircraft takeoffs and landings) are not counted in the City's GHG inventory, and there are no measures in the GGRP to address these operations. Automobile trips that begin and/or end in Burbank and travel on the I-5 and SR-134 freeways are included in the GHG inventory based on an origin/destination analysis. The GGRP does include vehicle miles traveled (VMT) reduction measures that could reduce VMT on the I-5 and SR-134 freeways. However, the City of Burbank does not have the authority to direct either the Airport Authority or Caltrans to take specific actions, including actions related

to GHG emission reductions. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 5-23 *The comment asks whether the City is aware of adverse impacts to other cities if Burbank2035 is or is not passed.*

Each of the environmental topic sections of the DEIR (Chapters 4.1 through 4.16) includes an analysis of cumulative impacts, including impacts affecting nearby cities and unincorporated areas. Furthermore, Alternative 1, considered in Chapter 6, “Alternatives,” describes cumulative effects (including the effects on surrounding cities) if *Burbank2035* is not adopted and the existing General Plan continues to govern land use and transportation policy in Burbank. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 5-24 *The comment asks whether there are specific Burbank2035 policies to encourage businesses to move to Burbank.*

Burbank2035 includes Land Use Element Goal 6 – Economic Vitality and Diversity, and several related policies. Land Use Element Policy 6.1 is a particularly strong example of the policies under this goal:

Policy 6.1 – Recruit and attract new businesses. Use these businesses to act as catalysts to attract other businesses. Continue to utilize public-private partnerships and other incentives to enhance economic vitality.

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 5-25 *The comment asks why the City needs mixed-use zoning.*

Mixed-use zoning provides more flexibility to allow individual property owners to develop their properties with a wider variety of uses while also encouraging more active, diverse, and vibrant neighborhoods and districts and potentially reducing travel time and distance by placing more people in closer proximity to a wider variety of destinations. Mixed-use zoning has the potential to place housing closer to retail and commercial services, thereby reducing vehicle use and associated greenhouse gas emissions. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 5-26 *The comment asks whether there are studies to show that mixed-use zoning is needed or desired in Burbank.*

The City is not aware of studies on mixed-use zoning particular to Burbank. However, mixed-use zoning is already present in Burbank. The Burbank Municipal Code allows for mixed-use projects in most commercial zones with a Conditional Use Permit. Additionally, there are existing mixed-use projects (such as buildings with retail shops on the ground floor and apartments or offices above) in most commercial zones, some of which date back to the 1940s. *Burbank2035* envisions streamlining permitting processes to enable projects to include mixed-use components that could be permitted under existing zoning rules, but with simpler regulatory requirements. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-27 *The comment asks whether the policies of Burbank2035 have cost-benefit analysis associated with them.*

The City has not completed a cost-benefit analysis associated with *Burbank2035*, and does not anticipate completing a comprehensive analysis. As described in response 5-19, *Burbank2035* serves as a guiding document which identifies overall priorities at a high level and it is difficult to attach costs to specific portions of the plan. Furthermore, *Burbank2035* represents an incremental change to the existing General Plan, and many of the policies are similar to those in the existing General Plan, making it difficult to estimate cost changes associated with implementation of *Burbank2035*. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-28 *The comment asks whether City believes that Burbank2035 is consistent with the Council's long term fiscal goals.*

In developing the policies and programs of *Burbank2035*, the City considered the City's fiscal conditions and resources, and *Burbank2035* is intended to be the tool to implement the Council's long term fiscal goals. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-29 *The comment asks whether master plans take precedence over Burbank2035.*

Master plans must be consistent with the general plan. Future development in master plan areas must comply with master plan requirements, as well as *Burbank2035* requirements. In the event that there is conflict between any provision of a master plan and *Burbank2035*, *Burbank2035* would take precedence. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

5-30 *The comment asks for a list of past outreach efforts associated with Burbank2035.*

Please refer to the response to Comment 5-1 for a list of the City's outreach efforts for *Burbank2035*, and a description of opportunities for public comment, input, and questions. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

From: Louis [mailto:gg360@hotmail.com]
Sent: Sunday, September 09, 2012 7:05 PM
To: Steinkruger, Tracy
Cc: City Council
Subject: RE: Burbank2035

Tracy:

Thank you for taking the time to respond to my email.

All your links are greatly appreciated and I did review nearly all of them. I really did not know if you would address my questions directly. My engagement with my Government is very new to me and was unsure on what to expect.

I knew nothing of B2035 until December of 2011. I found it completely by accident after a Rancho meeting at the Lincoln library and then later went to the Burbank website for more information. I believe that any resident who would take the time to understand B2035 the way I now do would be skeptical about passing it. How many property owners actually know what a 'Complete Street' is. Let alone why we need them, what their cost is and what the future ramifications might be.

6-1

One of the many weaknesses inherent to B2035 is the phony foundation on which it is built. Once the premise that man-made Globalwarmingclimatechange is called into question, the basis for most of B2035 becomes untenable and collapses like a house of cards. Lucky for the Planning Dept., 4 members of the City Council are not going to make you prove it!

One example of B2035's vulnerabilities was revealed in one of the videos when Dr. Gordon was questioning the AECOM guy and in a matter of 4 questions got him to admit that the reason 'Complete Streets' are necessary is because 'everybody else is doing it'. Wow! That was really, really weak! It was obvious that he was not used to being questioned in an adversarial manner and very much used to the typical California passive and progressive City Councils (like the four others on the Burbank Council).

6-2

The interchange made it clear to me that neither the Planning Dept or AECOM could withstand, in full public view, a true and legitimate cross examination of B2035. If not for the four City Council members covering for the Planning Departments weak arguments trying to justify B2035, it would have had a stake driven through it years ago.

I think the assumption that what appears to be a lack of interest in B2035 by the public at large (online or otherwise) is not proof, in and of itself that the residents do not care about B2035. Most are still completely unaware of it. Furthermore, whatever the interest level may be in any public matter, it does not automatically provide a license to the Government to make any changes they want. If you were to ask yourself the question, would a fully

6-3

informed Burbank resident approve of B2035? I think we both know that answer to that. As a public servant leader, the result of your thinking and work should be to represent and consider all Burbank residents, not just the vocal progressive few that may happen to coincide with your own leanings and biases.

So to make the assumption that everyone in Burbank wants 'Complete Streets' just because they did not show up at a public meeting, did not send an email or make a comment on an internet blog, is not only wrong, it is violation of public trust. Most people do not have the time or energy after working long days to come home (or maybe their 'bike ride' home is just too exhausting) and read a nearly 200 page monster of a document that is filled with legal terms, no fiscal estimates and a bunch of incomprehensible eco-mush, let alone act upon it.

After reviewing the links you provided me, it reinforced the necessity of the general questions that I asked. However, this needs to be a public dialogue. Not I submit questions, maybe they get answered and it's over. Once my questions are answered, I very likely will have follow up questions. Because of the vagueness of many parts of B2035, it becomes a moving target and hard to nail down (it's like playing Whack-a-Mole - which is great if you are a Government trying to get away with something). How can any business, developer, or homeowner make future plans and decisions if policies cannot be counted on to remain stable and consistent or even worse, subject to the interpretations of Government officials.

One of the bits of information the videos revealed was the dominance of responses from public outreach by non-residents that may not even work here anymore and yet have a lasting effect. I can't put my finger on it, but this non-resident input is just one more of those things going on with B2035 that leaves me feeling a bit uneasy. Considering ideas from outside sources are acceptable just as long as they are weighted properly. A recommendation from a Burbank resident should always be given the highest priority, importance and weight. No one will make better decisions, as a group for Burbank than actual residents and property owners (the people who stand to potentially lose the most) in any potential property use changes.

It was interesting in one of the videos to watch Two Council members and the City Manager covering for the specious nature of non-resident feedback, but it was all too obvious to the even the most untrained and casual observer that they were running interference for B2035 and the Planning Dept.

The internet (blogstwitterfacebook) may be convenient and cool, however it is not ready for prime time and should not be a replacement for proper public outreach and fewer and fewer people read newspapers anymore. Right now direct mail is still the most effective way to reach out to residents. If I recall from one of the videos correctly, the planning Dept had sent out a total 8,000 postcards to residents about B2035. That is only a fraction of the amount that should have been sent. With a General Plan that is the size and scope of B2035, it is my opinion that postcards should have gone out to every household and business in Burbank.

If the City is going to send B2035 postcards out again, I would like to participate in the drafting of that communication or at a minimum, the Council should approve the artwork and text as an agenda item. I know it sounds tedious, but your result of public outreach did

6-3
cont.

not get the response it should have. Did you ever occur to you that the lack of response was the fault of the Planning Dept? If you sent out 50,000 post cards entitled "The City of Burbank has a new General Plan that is about to add over 300 regulations that may affect your real estate", it would not take a genius to figure out that you would get a significant response.

6-3
cont.

In the 10/25/2011 video, you made a comment that that ICLEI was not on your mind when drafting B2035. However the creator of B2035, AECOM is directly involved with ICLEI and so is the American Planning Association in which most of the Planning Dept are members. So your attempt to distance yourself from ICLEI or it's ideology was disingenuous at best. If you still claim to know little about ICLEI, you should read their literature, because it just so happens that when it comes to General Plans like B2035, you both have near identical ideas. What a coincidence!

Starting with the 12/12/2011 planning board meeting I did notice that your descriptive language of B2035 drastically changed. It may be just coincidental, but you just happen to be mimicking the recommendations set forth in the in the "Communications Boot Camp" offered by the American Planning Association to sell and market these types of general plans to Government officials and the public. In addition, the City Council meeting held on 12/13/2011, The AECOM representative also changed his language to make B2035 more acceptable and palatable to the public. Sorry to say this, but it comes across as deceit.

6-4

My overall impression of the Planning Department and AECOM presentations of B2035 feels like something deceptive is happening here. Partly facts and partly gut feel, but it's reeks of dishonesty. It is my opinion that deceiving the public, which has been made clear by having to change the language to 'sell' B2035 in order force feed a 'progressive' general plan on a relatively conservative Burbank populous, is a trespass that may not be forgivable. Lucky for the progressives in the planning department, you have 4 progressives on the Council (weather they know it about themselves or not, and was confirmed when they recently reaffirmed their support for sustainability) that will very likely pass B2035 very close to its recent draft.

Generally speaking, I'm not against general plans and I think that they may have their place. But once we create a new general plan the City becomes, in part, subject to the State of California's requirements of what the plan should be. Why should we subject ourselves to this? Other than a few progressivesustainableeco-nuts, no one is clamoring for tree canopies, bike lanes, smart growth, complete streets, mixed-use, GHG reductions, etc.

The reality seems to be that NOT passing a general plan of any kind actually acts as a protective barrier from outside demands, influences and regulations that for the most part are totally unnecessary anyway.

6-5

Even in the face of apparent overwhelming odds and little help from other residents, I cannot let four Council Members and an intractable Planning Dept radically change the City of Burbank without some form of objective response. Starting in a few days I will begin to address the individual policies of B2035. I will send you emails as I complete the sections.

Sorry for the length of the email, but you did give me a lot to take in with all the links and I only addressed a small portion of the voluminous information.

Respectfully,

Louis Altobelli
Burbank Rancho Resident

cc: City Council
tsteinkruger@ci.burbank.ca.us; CityCouncil@ci.burbank.ca.us

From: Steinkruger, Tracy [mailto:TSteinkruger@ci.burbank.ca.us]
Sent: Wednesday, September 05, 2012 3:45 PM
To: 'gg360@hotmail.com'
Cc: City Council; Herrmann, Greg; Prescott, Patrick
Subject: FW: Burbank2035

Mr. Altobelli-

Thank you for submitting a comment letter on the Burbank2035 General Plan, Greenhouse Gas Reduction Plan, and Environmental Impact Report. Your comment letter has been inventoried; all comments and/or questions received (and staff response) will be included in Final EIR which will be released this fall. The Planning Board and City Council will have all comments received, staff response, and the final documents ahead of the public hearings for this project.

The Burbank2035 General Plan Update was initiated in January 2010. I've provided a summary of our outreach efforts to date.

- Development of Burbank2035 Website – www.burbank2035.com
- Development of Burbank2035 Facebook Page
- 2011-2012 Meeting Calendar: Boards & Commissions, Neighborhood Organizations & Philanthropic Groups, Etc.
<http://www.burbankusa.com/Modules/ShowDocument.aspx?documentid=16041>
- Burbank2035 Virtual Town Hall (Fall 2010) – Report available here:
<http://www.burbankusa.com/Modules/ShowDocument.aspx?documentid=12758>
- Planning Board Study Session (June 20, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=3123&meta_id=111866
- City Council Study Session (June 21, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=3181&meta_id=111998
- City Council Study Session (July 19, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=3714

- Planning Board Study Session (July 20, 2011) – Video and report available here:
http://burbank.granicus.com/GeneratedAgendaViewer.php?view_id=6&clip_id=2481
- Burbank2035 Virtual Town Hall (Summer 2011) – Report available here:
<http://www.burbankusa.com/Modules/ShowDocument.aspx?documentid=12759>
- “Meet Burbank2035” Community Workshop (July 6, 2011) – Presentation available here:
<http://www.burbankusa.com/Modules/ShowDocument.aspx?documentid=11548>
- “Meet Burbank2035 Community Workshop (July 27, 2011) – Presentation same as above.
- “Meet Burbank2035 Community Workshop (August 13, 2011) – Presentation same as above.
- Build-a-Burbank Kids Workshop #1 (Summer 2011) – More information available here:
<http://www.burbankca.gov/index.aspx?page=1118>
- Build-a-Burbank Kids Workshop #2 (Summer 2011) – See link provided above.
- Build-a-Burbank Kids Workshop #3 (Summer 2011) – See link provided above.
- Build-a-Burbank Kids Workshop #4 (Summer 2011) – See link provided above.
- Planning Board Update on Burbank2035 (October 24, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4058
- City Council Staff Report (October 25, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4059
- Public Correspondence (and staff response) – Burbank2035 Preliminary Draft & Revised Preliminary Draft:
<http://www.burbankusa.com/Modules/ShowDocument.aspx?documentid=11665>
- Planning Board Public Hearing (December 12, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4214
- City Council Public Hearing (December 13, 2011) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4217
- City Council Study Session (February 7, 2012) – Video and report available here:
http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4345
- Joint Planning Board-City Council Study Session (July 31, 2012) – Video and report available here:

http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4849

Copies of the draft documents are available for review at the following locations:

- City Clerk's Office
- Planning & Transportation Division
- Buena Vista Library
- Central Library
- Tuttle Senior Center
- Joslyn Senior Center
- Burbank Chamber of Commerce
- Burbank Association of Realtors
- Online at: www.burbank2035.com

Planning & Transportation Division staff have distributed posters and fliers to a variety of businesses in the community. We've advertised Burbank2035 on the BurbankBus fleet. We've mailed Burbank2035 postcards and handouts to residents, businesses, etc. We've handed out Burbank2035 recyclable shopping bags and handouts to shoppers at the Farmers Market. We've met with representatives from the Burbank Association of Realtors and Burbank Chamber of Commerce. As you mentioned, the Burbank2035 project has also been profiled in the Burbank Leader newspaper, in the Burbank Business Journal, on the Curbed LA website, and on KPCC radio. None of the media attention was solicited by the Planning & Transportation Division, but we welcome any opportunity to make the community more aware of our work.

Burbank2035 is tentatively scheduled for Planning Board consideration in November; by the City Council in December. At the public hearings, any person may address the Planning Board or City Council and provide comments on Burbank2035. There are no community meetings scheduled at this time; however, staff is always available to sit down and answer questions, explain key concepts, and receive feedback.

Thank you again for submitting a comment letter on the Burbank2035 General Plan, Greenhouse Gas Reduction Plan, and Environmental Impact Report. Responses to questions and/or comments will be provided as part of the Final EIR. Please do not hesitate to contact me if you would like to meet with our staff to discuss the contents of Burbank2035.

Tracy Steinkruger - Senior Planner

City of Burbank Planning & Transportation Division
150 North Third Street
Burbank, CA 91502
818.238.5250 (p) | 818.238.5150 (f)

From: Louis [<mailto:gg360@hotmail.com>]

Sent: Monday, September 03, 2012 5:02 PM
To: Steinkruger, Tracy
Cc: City Council
Subject: Burbank2035

September 3, 2012

Tracy Steinkruger
Senior Planner
Community Development
Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

Thank you for talking to me at the Burbank Planning counter other day (8/27/2012). You indicated that if I had any questions about Burbank2035 (B2035) I should email you. You also stated that there will be no more public outreach. This greatly disappointed me.

You suggested that I should review the Burbank2035 Blog. I did and I was very disappointed at the lack of seriousness from many of the entries. With an all encompassing document like B2035 there was not one legal question, not one financial question, not one on the contradiction between higher density and reducing green house gases. I expected to find at least one question or statement by someone wondering how any government could possibly implement such complicated plan. Frankly, many of the blog responses seemed phony, contrived, comical and some bordering on the absurd. It's my opinion that the blog should have been remained open for comments until B2035 was passed by the council.

Although B2035 easily lends itself to many questions per policy, for now I kept to general questions that I think many Burbank residents, including myself might want to know the answers to.

GENERAL QUESTIONS

1. B2035 indicates that B2035 is a "state-required" policy. Where can I find that policy?
2. Are General Plans mandated by the State of California?
3. Does the State of California mandate that Burbank have a Green House Gas (GHG) reduction plan? If so, is it implementation mandatory or voluntary?
4. AECOM drafted B2035 and included GHG reduction policies. Did they arbitrarily include it or did the Council or Planning Dept request it to be included?
5. Why is B2035 involved in GHG reductions?
6. What is the basis for GHG reductions? Why do we need to do this?
7. There are costs to measuring green house gases, how much per annum is it?
8. Are GHG reduction policies in B2035 mandatory or voluntary?
9. Many cities have passed GHG reduction laws and most fail to meet their targets. What happens if we do not meet the targets set forth in B2035?
10. Will the new B2035 GHG regulations increase electricity rates?
11. What is the BWP's official position on B2035? Is it in writing?
12. Many residents use lawnmowers, leaf blowers, generators, etc., that burn gasoline, do the GHG reductions in B2035 have any jurisdiction over these types of activities?
13. In an era of shrinking state and local Governments throughout the country, B2035 seems very much about growing Government. Can you direct me to any policies in B2035 that restrains or limits the Burbank Government?
14. According to one of the Planning Dept attempts at B2035 online outreach at

- la.curbed.com, B2035 is considered 'Progressive' what does that mean?
15. B2035 seems to be based on Sustainable Development. Many cities and one entire state have outlawed Sustainable Development. Why is this? What is in Sustainable Development that they are objecting to?
 16. Do you expect to get funding from the LA City/County, State and Federal government to help implement B2035?
 17. Assuming no Federal /State grants or outside funding sources of any kind, if Burbank had to fund all of B2035 including Complete Streets, GHG reductions, administrative, etc., what would the total cost be through 2035?
 18. How much does a 'Complete Street' cost? Per foot / per mile?
 19. Is there an example of a 'Complete Street' in Burbank or any other local city that I can go look at?
 20. It is my understanding that the airport is exempt from GHG Reductions and falls under some other jurisdiction. Are the 5 and 134 freeways also exempt?
 21. Are you aware of any adverse impacts to adjacent cities to Burbank if B2035 is passed or fails to pass?
 22. Can you point to any specific B2035 policies that encourage businesses to move to Burbank?
 23. Why do we need mixed use zoning?
 24. Can you point to any studies that indicate that mixed use zoning is warranted or desired in Burbank?
 25. Do any of the policies in B2035 have any cost benefit analysis associated with them?
 26. Do you believe that B2035 is in keeping with the Councils goals on long term fiscal responsibility?
 27. In the event of a conflict, do the master plans take precedence over B2035?

If it's not too much trouble, I would like a list of all B2035 past public outreach attempts by the City of Burbank.

Thank you in advance for your timely and comprehensive responses.

Louis Altobelli
Burbank Rancho Resident

cc: City Council
tsteinkruger@ci.burbank.ca.us; CityCouncil@ci.burbank.ca.us

- 6-1 *The comment expresses the sentiment that residents who understand Burbank2035 would be skeptical of the plan. The comment expresses opposition to Burbank2035, mentioning complete streets and climate change as weaknesses of the plan, and expresses doubt that the City Council will exercise due diligence in considering Burbank2035.*

The City acknowledges receipt of the comment. As described in the response to Comment 5-1, the City has conducted extensive outreach with the public and with stakeholder groups (including the Burbank Association of Realtors and the Burbank Chamber of Commerce), and has been vetted by the City Council in hearings and study sessions. Input from the public and from elected officials was instrumental in developing *Burbank2035*. Additional review by the Planning Board and the City Council will occur prior to adoption of the plan and certification of the EIR. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 6-2 *The comment questions what is meant by “complete streets” and expresses the sentiment that Burbank2035 has not been fully examined in public view.*

As required in Section 65302(b)(2)(A) of the Government Code, jurisdictions must “plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.” “[U]sers of streets, roads, and highways” is further defined to mean “bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.”

As described on page 4-8 of *Burbank2035*, a complete street is a roadway that accommodates vehicles, but also accommodates other modes of transportation such as walking, biking, train, and transit. Burbank’s objective is to balance the many competing roles that streets play in the lives of Burbank residents, businesses, and visitors. Complete streets help facilitate a variety of important community benefits including providing safe travel choices and give people the option to avoid traffic jams while increasing the overall capacity of the transportation network and encouraging healthy physical activity. Complete streets foster strong communities where all people feel safe and welcome on the road and where walking and bicycling are an essential part of improving public transportation and creating friendly, walkable neighborhoods. Examples of integrating multi-modal facilities into roadway design could include sidewalks, crosswalks, on- or off-street bike lanes, bus stop cut-outs, or rail crossings. Policies encouraging complete streets are embodied in *Burbank2035*’s Mobility Goal 3, Complete Streets, and Mobility Policies 3.1 through 3.5.

Burbank2035 has been highly publicized throughout the community by the City of Burbank. Please see the response to Comment 5-1 for a complete summary of public outreach efforts regarding *Burbank2035*. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 6-3 *The comment provides an opinion that the City’s public outreach process was not adequate and that input from non-City residents was too far-reaching. The comment also asserts that Burbank2035 is too broad and imposes new regulations on city residents.*

As described in the response to Comment 5-1, the City of Burbank provided extensive public outreach that included a webpage dedicated to the project and process; distribution of hard copy postcards and fliers to city residents; several interactive public workshops; presentations at public meetings including the Planning Board and City Council; outreach at regular community events such as the Farmers Market; media coverage of the document and process in the newspaper, on the radio and on the Internet; and availability of *Burbank2035*, the Draft Environmental Impact Report (DEIR), Greenhouse Gas Reduction Plan (GGRP), and Technical Background Report (TBR) for public review at several locations throughout the city. Input was solicited and gathered from both residents and non-residents alike. The City not only has solicited input from the public in a number of ways but has also incorporated that input into *Burbank2035* as appropriate.

As stated in the response to Comment 5-3, State law requires that every city and county in California adopt a general plan. The required contents for each jurisdiction's general plan document may be found in Section 65302 of the Government Code. The City of Burbank's existing general plan was adopted in 1966 and has been subsequently amended from time to time. Many of the goals, policies and implementation programs proposed in *Burbank2035* reflect goals, policies and programs in the existing general plan. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 6-4 *The comment expresses an opinion that City staff and its consultants must “sell” Burbank2035 to make the plan palatable to the public.*

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.

- 6-5 *The comment suggests that the City of Burbank should not adopt a general plan as it would subject the City to State requirements. The comment suggests that not adopting a general plan would relieve the City from any outside demands, influences, or regulations.*

Section 65302 of the Government Code requires cities and counties to adopt a general plan that is “a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals.” The comment does not raise any issue related to the adequacy of environmental analysis conducted in the DEIR. No additional response is required.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: September 21, 2012
tsteinkruger@ci.burbank.ca.us

September 21, 2012

Ms. Tracy Steinkruger
City of Burbank Planning and Transportation Division
150 N. Third Street
Burbank, CA 91502

Review of the Draft Environmental Impact Report (Draft EIR) for the Burbank 2035 Project

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Also, AQMD staff appreciates your consideration of these comments after the end of the comment period. The following comment is intended to provide guidance to the lead agency and should be incorporated into the Final Environmental Impact Report (Final EIR) as appropriate.

7-1

Based on a review of the Draft EIR the AQMD staff recognizes the potential regional air quality benefits from the proposed project that facilitates new mixed land uses. However, given the potential health risk impacts from placing sensitive land uses (e.g., residential and park uses) within close proximity to significant emissions sources, such as the I-5 Freeway the AQMD staff encourages the lead agency to focus development of these sensitive land uses as far as possible from this source of emissions. Also, the lead agency should consider additional mitigation measures to minimize the project's significant regional construction and operations-related air quality impacts pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines. Details regarding these comments are attached to this letter.

7-2

7-3

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR.

7-4

Ms. Tracy Steinkruger

2

September 21, 2012

Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

↑
7-4
cont.

Sincerely,



Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC120803-05
Control Number

Siting Criteria and Performance Standards for Sensitive Land Uses

1. The AQMD staff recognizes that the proposed project may provide regional air quality benefits compared to “traditional” development through a mix of land uses that could reduce the overall vehicle miles traveled (VMT) in the region. However, the AQMD staff is concerned that the proposed project could pose significant health risk impacts to future residents from emissions sources that have not been quantified and disclosed in the Draft EIR. Specifically, the lead agency is proposing a mix of land uses including residential uses adjacent to the I-5 Freeway which is a prominent source of toxic air contaminants (TACs). Recent research has revealed that pollutants found in close proximity to freeways are associated with a variety of adverse health effects, independent of regional air quality impacts¹. These can include reduced lung capacity and growth²; cardiopulmonary disease³; increased incidence of low birth weight, premature birth, and birth defects⁴; and exacerbation of asthma⁵.

In Exhibit 3-3 of the Draft EIR the lead agency indicates that the specific plan would allow new high density residential units to be placed adjacent to the I-5 Freeway that carries over 177,000 vehicles per day. As a result, the AQMD staff recommends that the lead agency minimize TAC exposure to the project’s sensitive land uses by revising Mitigation Measure 4.3-5 as follows:

Mitigation Measure 4.3-5: *The City of Burbank shall modify Burbank2035 Implementation Program AQCC-4 as follows to address the potential for TAC impacts:*

Program AQCC-4: Health Risk Assessments for Stationary and Mobile Sources

Require project proponents to prepare health risk assessments in accordance with SCAQMD-recommended procedures as part of environmental review when projects could have associated air emissions that have been designated by the State of California as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant.

Also require health risk assessments for projects that would place sensitive land uses near Bob Hope Airport, the UPRR rail line, or major freeways or arterials. (Major freeways, for these purposes, are those that carry more than 50,000 vehicles per day I-5 and SR 134.) ~~In general, The City shall apply the ARB Air Quality and Land Use Handbook⁶ for recommendations on siting distances for sensitive or noxious uses. Site-specific analysis may include dispersion modeling and/or a health risk assessment, consistent with applicable guidance from SCAQMD. If required to reduce potentially significant impacts, the City shall require the applicant to identify and incorporate feasible mitigation measures. Such measures could include, but are not limited to: including tiered plantings of trees to reduce particulate~~

¹ “Special Report 17. Traffic-related air pollution: A critical review of the literature on emissions, exposure, and health effects”. Health Effects Institute, May 2009; 394 p.

² “Effect of exposure to traffic on lung development from 10 to 18 years of age: a cohort study”.

Gauderman WJ et al., Lancet, February 2007; 369 (9561): 571-7.

³ “Exposure to traffic and the onset of myocardial infarction”. Peters A et al., The New England Journal of Medicine, 351(17):1721-1730

⁴ Ritz B, et al. 2002 Ambient air pollution and risk of birth defects in Southern California. Am J Epidemiology, 155:17-25

⁵ McConnell R, et al. 2006. Traffic, susceptibility, and childhood asthma. Environ Health Perspectives 114(5):766-72

⁶ California Air Resources Board. April 2005. “Air Quality and Land Use Handbook: A Community Health Perspective.” Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

7-5



matter concentrations; installing air filtration systems to reduce ambient particulate matter concentrations, and locating air intakes and windows to reduce particulate matter exposure.

7-5
cont.

Also, if buffer zones recommended in the above mentioned Air Quality and Land Use Handbook are found to be infeasible, AQMD staff recommends that the lead agency quantify the potential severity of this health impact with a health risk assessment prior to approving the project. Should risks exceed AQMD significance thresholds, potential additional measures to consider are included in the Program EIR Appendix G (e.g., AQ-19) for the recently adopted RTP.

7-6

Greenhouse Gas Emissions Analysis

2. The Draft EIR utilizes draft thresholds presented by AQMD staff to determine potential significance of GHG impacts. The threshold used was chosen from the AQMD proposed tiered system (Tier 4) and is based on an efficiency target of 6.6 MT CO₂e/year per service population (residents + employees) in the year 2020. This draft AQMD threshold is partially based upon SB 375 targets. As such, there are two efficiency targets in the AQMD draft thresholds, one each for 2020 and 2035. The 2035 draft threshold is 4.1 MT CO₂e/year per service population. While the draft AQMD threshold has not been presented to the AQMD Board for approval, AQMD staff recommends that the lead agency consider the entire draft threshold, or provide substantial evidence for utilizing only a portion of it.

7-7

Construction Equipment Mitigation Measures

3. The lead agency determined that the proposed project will exceed the CEQA regional construction significance thresholds for all criteria pollutants; therefore, AQMD staff recommends that the lead agency provide the following additional mitigation measures pursuant to CEQA Guidelines Section 15126.4.
 - Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO_x emissions requirements,
 - Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)⁷ have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:
 - ✓ Project start, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a

7-8

⁷ For example see the Metro Green Construction Policy at:
http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:
www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html

Operational Mitigation Measures

4. Given that the lead agency determined that the proposed project will exceed the CEQA regional operational significance thresholds for NO_x, VOC, PM₁₀, PM_{2.5} and CO the AQMD staff recommends that the lead agency provide the following additional mitigation measures pursuant to CEQA Guidelines Section 15126.4.

Transportation

- Require electric car charging stations for non-residential land uses. Also, provide designated areas for parking of zero emission vehicles (ZEVs) especially for car-sharing programs.
- Provide electric car charging infrastructure for multi-family residential land uses.
- Require the use of 2010 diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) upon project build-out.
- Provide an alternative fueling station for delivery trucks (e.g., natural gas or electric).
- Create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.
- Require the use of electric or alternative fueled maintenance vehicles.

7-8
cont.

7-9

Other

- Provide outlets for electric and propane barbecues in residential areas.
- Require use of electric lawn mowers and leaf blowers.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Require use of water-based or low VOC cleaning products.
- In addition to the requirements of E-2.1 and E-2.2 of the Greenhouse Gas Reduction Plan require all land uses to maximize the use of solar energy including solar panel by installing the maximum possible number of solar energy arrays on building roofs and/or on project sites to generate solar energy.

7-10

7-1 *The comment thanks the City for accepting the comment, and states that SCAQMD's comments are intended to provide guidance to the City and should be incorporated into the FEIR.*

The City acknowledges receipt of the comment. Please refer to the responses to Comment 7-2 through Comment 7-9 for detailed responses on SCAQMD's comments and guidance.

7-2 *The comment expresses concern related to potential health risk effects of placing sensitive land uses (such as residences and parks) within close proximity of emissions sources such as the I-5 freeway.*

This comment provides a general introduction to more detailed issues identified in Comment 7-5 and Comment 7-6. Please refer to the responses to Comment 7-5 and Comment 7-6 for a detailed response.

7-3 *The comment suggests that the City consider additional mitigation measures to minimize regional construction and operations-related air quality impacts.*

This comment provides a general introduction to more detailed issues identified in Comment 7-8 through Comment 7-10. Please refer to the response to Comment 7-8 through Comment 7-10 for a detailed response.

7-4 *The comment requests that the City provide written responses to all comments prior to adoption of the Final EIR, and observes that SCAQMD staff are available to answer questions.*

The City will issue the Final EIR to commenters, including SCAQMD, at least 10 days prior to adoption of *Burbank2035* and certification of the Final EIR, as required by CEQA.

7-5 *The comment acknowledges the regional air quality benefits of a mix of land uses, but expresses concerns about health risk impacts from residential uses adjacent the I-5 freeway. The comment requests specific edits to Mitigation Measure 4.3-5.*

In order to address this comment, the City will modify Mitigation Measure 4.3-5 (on page 4.3-18 of the DEIR) to compel the City to apply the ARB Air Quality and Land Use Handbook as guidance on siting distances for sensitive or noxious uses. In addition, HVAC resource information will be made available to the public at City offices. Siting sensitive receptors in buildings with perchlorethylene drycleaners will be avoided. Mitigation Measure 4.3-5 is revised as follows:

Mitigation Measure 4.3-5: *The City of Burbank shall modify Burbank2035 Implementation Program AQCC-4 as follows to address the potential for TAC impacts:*

Program AQCC-4: Health Risk Assessments for Stationary and Mobile Sources

Require project proponents to prepare health risk assessments in accordance with SCAQMD-recommended procedures as part of environmental review when projects could have associated air emissions that have been designated by the State of California as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant.

Also require health risk assessments for projects that would place sensitive land uses near Bob Hope Airport, the UPRR rail line, or major freeways or arterials. (Major freeways, for these purposes, are those that carry more than 50,000 vehicles per day I-5 and SR 134.) In general, The City will apply the ARB Air Quality and Land Use Handbook for recommendations on siting distances for sensitive or noxious uses. Site-specific analysis may include dispersion modeling and/or a health risk assessment, consistent with applicable guidance from SCAQMD. If required to reduce potentially significant impacts, the City shall require the applicant to identify and incorporate feasible mitigation measures. Such measures could include, but are not limited to: including tiered plantings of trees to reduce particulate matter concentrations; installing air filtration systems to reduce ambient particulate matter concentrations, providing HVAC resource information, avoiding siting sensitive receptors in buildings with perchlorethylene drycleaners, and locating air intakes and windows to reduce particulate matter exposure.

Agency/Department: Community Development Department
Funding Source: Development fees
Time Frame: Ongoing

- 7-6 *The comment recommends that a health risk assessment be used to quantify health impacts if the buffer zones recommended in the AQMD guidance are found to be infeasible. If mitigation is required, the comment suggests that additional measures from the RTP EIR be considered.*

Mitigation Measure 4.3-5 on page 4.3-18 in Chapter 4.3, “Air Quality,” in the DEIR requires site-specific analysis where a proposed project does not meet siting distance recommendations from the Air Quality and Land Use Handbook, including “dispersion modeling and/or preparation of a health risk assessment, consistent with guidance from SCAQMD.” To address the portion of the comment referring to additional measures from the RTP EIR, the City will make edits to Mitigation Measure 4.3-5 to incorporate additional measures from measure AQ-19 in Appendix G of the RTP EIR. Please see the response to Comment 7-5 for the revised language to Mitigation Measure 4.3-5.

- 7-7 *The comment summarizes the thresholds used in the GHG analysis, and states that SCAQMD’s draft guidance includes efficiency thresholds for both 2020 and 2035. The comment recommends that the EIR either use both the 2020 and 2035 efficiency thresholds, or provide substantial evidence for using only the 2020 threshold.*

The City did not use SCAQMD’s draft efficiency threshold for 2035. The City’s modeling indicated that implementation of *Burbank2035* and the GGRP would result in an efficiency metric of 6.3 MT CO₂e/SP/yr for 2035, and the City disclosed the modeling results in the DEIR. However, because of the likelihood that additional statewide programs will be adopted to improve energy efficiency, as well as the likelihood that new technologies and additional legislation will provide additional reductions that are not currently foreseeable, the City considers any impact conclusion based on the 6.3 MT CO₂e/SP/yr metric for 2035 to be speculative, and does not offer an impact conclusion. The uncertainty around the type and quantity of additional improvements in GHG reductions increases with the duration of time between existing, known conditions and the model year. In response to this comment, the City will make the following text edit to the first sentence in the first paragraph on page 4.4-22 of the DEIR:

For 2035, implementation of *Burbank2035* and the GGRP would result in an efficiency metric of 6.3 MT CO₂e/SP/yr. This exceeds and would not meet the proposed 2035 SCAQMD threshold of 4.1 MT CO₂e/SP/yr. ~~As previously noted, this threshold currently lacks substantial evidence.~~ However, As 2035 approaches, additional statewide programs aimed at increasing energy and transportation efficiencies are expected to help

bridge this reductions gap. New technologies and additional legislation will likely be developed between now and 2035 to assist the City in filling this gap, and the precise nature of these reductions cannot be anticipated at this time. Because of the uncertainty surrounding the type and quantity of reductions that will occur due to outside effects between now and 2035, For these reasons, defining the 2035 level of reductions necessary for Burbank to achieve to be considered less than cumulatively considerable is considered speculative at this time. Future updates to the GGRP should assess new state legislation and regulations, and quantify estimated reductions where possible.

7-8 *The comment recommends additional mitigation for construction equipment emissions.*

Impact 4.3-2 in Chapter 4.3, “Air Quality,” in the DEIR analyzes short-term construction-related air quality impacts that could result as *Burbank2035* is implemented. The comment recommends specific mitigation measures, including requiring use of 2010 and newer haul trucks, Tier 3 or higher emissions standards, and documentation of air quality certification for each vehicle used in construction efforts in the City of Burbank. The City does not consider the proposed mitigation actions to be feasible. The City can encourage the type of actions proposed in the comment, but market factors make the use of 2010 or newer diesel haul trucks difficult or impossible at the present time. Furthermore, most projects in the city require discretionary approval of some kind, and it is unclear what project approvals could be conditioned to require these mitigation actions. The City does not have the resources or mechanisms to enforce the proposed mitigation requirements – visual inspection of vehicles used in construction at each site is not feasible with existing staff and funding resources, and there is no mechanism or staff support for the City to verify that BACT documentation, and CARB or SCAQMD operating permits are provided for each vehicle. Because the additional mitigation actions proposed by the comment are not feasible, no changes to the EIR are proposed in response to this comment.

7-9 and 7-10 *The comments recommend additional mitigation for operational emissions.*

The comments identify eleven additional mitigation measures to reduce operational emissions. In Land Use Element Policy 1.4, the City establishes the concept of an “exceptional project,” which would advance the goals and policies of *Burbank2035*. Program LU-1 requires the City to establish criteria for these exceptional projects. The City may consider the following proposed measures and components which could be incorporated into exceptional projects:

- ▶ Require car charging stations for non-residential land uses, and designated areas for ZEV parking and car-sharing programs.
- ▶ Provide electric car charging infrastructure for multifamily residential uses
- ▶ Provide outlets for electric and propane barbeques in residential areas.
- ▶ Require all land uses to maximize the use of solar energy, including solar panels, by installing the maximum possible number of solar energy arrays on building roofs and/or project sites.

Although the City will consider several of the proposed measures and components for inclusion in exceptional projects, the City considers other proposed additional mitigation measures to be infeasible because the City has no current regulatory mechanism to enforce compliance for specific projects, and it is unclear what future regulatory approvals could be conditioned to require the suggested measures. These infeasible measures include the proposed requirement for 2010 or alternatively fueled delivery trucks; alternative fueling stations for delivery trucks; use of electric or alternatively-fueled maintenance vehicles, lawn mowers, leaf blowers, sweepers (with HEPA filters); and requiring use of water-based or low-VOC cleaning projects.

The City acknowledges the importance of these proposed measures and has demonstrated its commitment to water and energy conservation and environmental protection through a number of programs and initiatives. The City has Compressed Natural Gas and Hydrogen Fueling stations and has approximately a dozen publicly-available electric vehicle charging stations throughout the city. The City also promotes landscaping equipment exchange programs.

NEVs may be legally operated on roadways with speed limits of 35 mph or less, which include several of Burbank's roadways. Because of the volume of automobile traffic in Burbank, the range of roadways on which NEVs can be safely and legally operated, and the lack of available right-of-way for additional or off-street NEV travel, the City considers the development of local "light vehicle" networks to be infeasible.

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3 CORRECTIONS AND REVISIONS TO THE DRAFT EIR

This section contains changes to the text of the Draft EIR. The changes are presented in the order in which they appear in the Draft EIR and are identified by Draft EIR page number. Text deletions are shown in ~~strikeout~~ and additions are shown in underline.

CHAPTER 2, “EXECUTIVE SUMMARY”

Impact 6.2-2 was not included on the list of Significant and Unavoidable Impacts on page 2-2 of the DEIR. Under the Cultural Resources header on page 2-2, the following impact is added:

4.6-2 Substantial Change in the Significance of a Unique Archeological Resource. Adoption and implementation of Burbank2035 could result in new development and redevelopment of previously undisturbed land throughout the planning area, which could cause a substantial change in the significance of a unique archeological resource as defined in State CEQA Guidelines Section 15064.5.

CHAPTER 3, “PROJECT DESCRIPTION”

The first paragraph on page 3-18 in Chapter 3, “Project Description,” of the DEIR is revised as follows:

Higher exterior noise levels (65 dBA CNEL/L_{dn}) are normally acceptable ~~permitted~~ for single-family and multiple-family housing and housing in mixed-use contexts.

CHAPTER 4.1, “AESTHETICS”

Mitigation Measure 4.1-3 on page 4.1-8 in Chapter 4.1, “Aesthetics,” in the DEIR is revised as follows:

Mitigation Measure 4.1-3: *The City of Burbank shall modify ~~add the following measures to~~ Program LU-1 by adding the following measures to amend the Zoning Ordinance to address the potential for new structures to cause shadow impacts on shadow-sensitive uses:*

- ▶ *Require a shadow analysis for new structures proposed over 70 feet in height that would be adjacent to a shadow-sensitive public use such as, but not limited to, a park, pedestrian-oriented outdoor space, or restaurant with outdoor seating area.*
- ▶ *Establish standards to ensure new development over 70 feet in height does not shade shadow-sensitive uses for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October). Standards could include building spacing, building orientation, or step-backs.*

CHAPTER 4.3, “AIR QUALITY”

Mitigation Measure 4.3-5 on page 4.3-18 in Chapter 4.3, “Air Quality,” in the DEIR is revised as follows:

Mitigation Measure 4.3-5: *The City of Burbank shall modify Burbank2035 Implementation Program AQCC-4 as follows to address the potential for TAC impacts:*

Program AQCC-4: Health Risk Assessments for Stationary and Mobile Sources

Require project proponents to prepare health risk assessments in accordance with SCAQMD-recommended procedures as part of environmental review when projects could have associated air emissions that have been designated by the State of California as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant.

Also require health risk assessments for projects that would place sensitive land uses near *Bob Hope Airport, the UPRR rail line, or major freeways or arterials. (Major freeways, for these purposes, are those that carry more than 50,000 vehicles per day I-5 and SR 134.) In general, The City will apply the ARB Air Quality and Land Use Handbook for recommendations on siting distances for sensitive or noxious uses. Site-specific analysis may include dispersion modeling and/or a health risk assessment, consistent with applicable guidance from SCAQMD. If required to reduce potentially significant impacts, the City shall require the applicant to identify and incorporate feasible mitigation measures. Such measures could include, but are not limited to: including tiered plantings of trees to reduce particulate matter concentrations; installing air filtration systems to reduce ambient particulate matter concentrations, providing HVAC resource information, avoiding siting sensitive receptors in buildings with perchlorethylene drycleaners, and locating air intakes and windows to reduce particulate matter exposure.*

Agency/Department: Community Development Department
Funding Source: Development fees
Time Frame: Ongoing

CHAPTER 4.4, “GREENHOUSE GAS EMISSIONS”

The first sentence in the first paragraph on page 4.4-22 in Chapter 4.4, “Greenhouse Gas Emissions,” of the DEIR is revised as follows:

For 2035, implementation of *Burbank2035* and the GGRP would result in an efficiency metric of 6.3 MT CO₂e/SP/yr. This exceeds and would not meet the proposed 2035 SCAQMD threshold of 4.1 MT CO₂e/SP/yr. ~~As previously noted, this threshold currently lacks substantial evidence. However, As 2035 approaches, additional statewide programs aimed at increasing energy and transportation efficiencies are expected to help bridge this reductions gap. New technologies and additional legislation will likely be developed between now and 2035 to assist the City in filling this gap, and the precise nature of these reductions cannot be anticipated at this time. Because of the uncertainty surrounding the type and quantity of reductions that will occur due to outside effects between now and 2035, For these reasons,~~ defining the 2035 level of reductions necessary for Burbank to achieve to be considered less than cumulatively considerable is considered speculative at this time. Future updates to the GGRP should assess new state legislation and regulations, and quantify estimated reductions where possible.

CHAPTER 4.6, “CULTURAL RESOURCES”

Mitigation Measure 4.6-1 on page 4.6-6 in Chapter 4.6, “Cultural Resources,” of the DEIR incorrectly infers that the City does not have an established process to designate historic districts. In July 2012, the City adopted an ordinance relating to the establishment and administration of historic districts.. Therefore, Mitigation Measure 4.6-1 has been modified as follows:

Mitigation Measure 4.6-1: *The City of Burbank shall modify Burbank2035 Implementation Program LU-4 as follows to address the potential for substantial adverse change to historical resources:*

To reduce impacts to both known and as-yet-unknown historical resources within Burbank, the City shall:

- ▶ *Review, revise, and maintain the Historic Preservation Plan to ensure that it is informed by current resource data and its goals and policies are consistent with the Land Use Element. ~~and revise as appropriate.~~*
- ▶ *Establish a list of Eligible Historic Resources to be maintained by the Community Development Director. Update the list of Eligible Historic Resources every five (5) years to identify as-yet-unknown historical resources (as defined in State CEQA Guidelines Section 15064.5) as potential resources are identified through citywide surveys and on a project-by-project basis.*
- ▶ *Periodically review and revise the ~~H~~historic ~~R~~resource ~~M~~management ~~O~~rdinance and preservation incentives to account for new resources as they are identified.*
- ▶ *~~Establish a process and criteria to locally designate historic districts identified in the City of Burbank Historic Context Report (2009).~~*
- ▶ *Require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application. If the evaluation determines that historical resources (as defined in State CEQA Guidelines Section 15064.5) would be adversely affected, the City shall require the proposed project to comply with Section 10-1-928 of the Historic Resource Management Ordinance.*
- ▶ *Require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land to identify the potential to encounter buried historical resources (as defined in State CEQA Guidelines Section 15064.5). If the assessment determines that buried resources may be present, the City shall require preparation and implementation of a treatment plan outlining measures for monitoring, data recovery, and/or handling inadvertent discoveries.*

Agency/Department: Community Development Department

Funding Source: Grant funds, general fund

Time Frame: Ongoing; ~~identify historic districts within five (5) years of Burbank2035 adoption;~~ historic resource list updates every five (5) years

The introductory text to Mitigation Measure 4.6-4 on page 4.6-9 in Chapter 4.6, “Cultural Resources,” of the DEIR is revised as follows:

Mitigation Measure 4.6-4: *The City of Burbank shall modify ~~add the following bullet item to~~ Burbank2035 Implementation Program OSC-7 by adding the following bullet item:*

CHAPTER 4.10, “HYDROLOGY AND WATER QUALITY”

The second paragraph under Impact 4.10-6 on page 4.10-13 in Chapter 4.10, “Hydrology and Water Quality,” of the DEIR is revised as follows:

Additionally, multiple *Burbank2035* policies and programs listed above reduce the potential to degrade water quality and require steps to improve water quality through actions such as limiting impervious surface area, using natural materials and drainage areas, improving drainage systems, implementing water conservation practices, and continued compliance with regulatory permitting and use of appropriate BMPs. In particular, implementation of Program OSC-7 would help manage stormwater by requiring project applicants to incorporate best management practices into project designs. The use of natural treatment systems such as wetlands and bioswales would slow runoff, increase infiltration, and naturally

treat stormwater. Controlling the velocity of runoff flows during and after construction would also increase infiltration rates while decreasing the potential for erosion and water quality pollution. Also, *Burbank2035* land use policies continue the historic patterns of development and would not result in substantial new areas of impervious surfaces that could contribute to increased stormwater runoff and associated pollutants entering local or downstream water bodies. The plan continues to preserve large areas of open space, such as the undeveloped portions of the Verdugo Mountains, to serve as natural permeable surfaces to absorb stormwater.

CHAPTER 4.13, “NOISE”

The first sentence in the first paragraph on page 4.13-2 in Chapter 4.13, “Noise,” of the DEIR is revised as follows:

Exhibit 14-2 ~~N-2~~ of the TBR shows the most recent noise contours (i.e., 65, 70, 75 dBA CNEL) associated with Bob Hope Airport operations.

The last sentence in the first paragraph on page 4.13-2 in Chapter 4.13, “Noise,” of the DEIR is revised as follows:

Additionally, an estimated 4,825 people currently reside within the 65 dBA CNEL contour, and this number is projected to increase to 8,217 by 2015 (Burbank-Glendale-Pasadena Airport Authority 2009:4) ~~due to land use intensification and redevelopment near the airport.~~

The first paragraph following “Existing Stationary Source Noise” on page 4.13-2 in Chapter 4.13, “Noise,” of the DEIR is revised as follows:

Activities associated with commercial, recreational, and public service facilities can also produce noise that affects adjacent sensitive land uses. Operation of aircraft arriving at or departing from the Bob Hope Airport is not considered to be a stationary source of noise.

CHAPTER 4.16, “TRANSPORTATION”

The text in Impact 4.16-1 on pages 4.16-17 through 4.16-24 in Chapter 4.16, “Transportation,” of the DEIR is revised to remove the word “exemptions” and replace it with “conflicts.” This change reflects the City’s policy direction as it relates to roadway level of service (LOS) standards and their relationship to proposed City policies. Neither Table 4.16-8 nor Exhibit 4.16-6 would change as a result of these text changes, and they are not included in this discussion. Therefore, Impact 4.16-1 is revised as follows:

IMPACT 4.16-1 **LOS D Performance Standard.** *Adoption and implementation of Burbank2035 would increase traffic volumes within the city, resulting in 16 out of 35 signalized intersections operating below the LOS D standard. This would be a **significant** impact.*

The City of Burbank is built-out with a limited inventory of vacant and underutilized land. Future development under *Burbank2035* would occur through infill and redevelopment activities primarily within the Media District, Downtown Burbank, and the Golden State area. These infill and redevelopment activities would result in minor residential population growth. However, increases in non-residential land uses would result in a higher number of employees and visitors to the city, with corresponding increases in traffic volumes.

The City of Burbank has established LOS D as the lowest acceptable LOS for all signalized intersections during peak hours. LOS definitions for signalized intersections are presented in Table 4.16-1.

~~Exceptions to Conflicts~~ with the City's LOS D standard ~~apply occur~~ where mitigation to increase service to LOS D is infeasible or would conflict with the goals and policies of *Burbank2035*. Mobility Element Policy 1.2 acknowledges that Burbank is built-out and wholesale changes to the street rights-of-way are infeasible. Thus, ~~exceptions~~ conflicts to the LOS D standard are as follows:

- ▶ **Right-of-Way ~~Exception~~ Conflict.** If any right-of-way acquisition would be needed to implement the proposed mitigation (assuming minimum lane widths and a minimum of 6-foot sidewalks), the improvement would conflict with Mobility Element Policies 1.2 and 3.4.
- ▶ **Scale and ~~Exception~~ Conflict.** If an improvement would not be compatible with the scale and design of the existing infrastructure or would increase the existing roadway width (measured from curb-to-curb) along a residential or mixed use area, the improvement would conflict with Mobility Element Policy 1.5.
- ▶ **Complete Streets ~~Exception~~ Conflict.** If an improvement would prevent development of complete streets by increasing the roadway width at the intersection so as to narrow existing sidewalks, decrease bike lane width, or greatly disturb transit/bus stop locations, the improvement would conflict with Mobility Element Policies 3.2 and 3.5.
- ▶ **Pedestrian Opportunities ~~Exception~~ Conflict.** If an improvement would require sidewalk widths to go below the minimum sidewalk standards specified in Table M-2 of the Mobility Element, it would conflict with Mobility Element Policies 3.3, 3.5, and 5.5.

Implementation of *Burbank2035* includes the completion of planned City transportation improvements including restriping, signal phasing, and changes to geometry at five intersections. The following intersection characteristics were assumed in evaluating future conditions in 2035 with implementation of *Burbank2035*:

- ▶ Hollywood Way and Alameda Avenue (Intersection #10). The northbound approach would be reconfigured to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. The eastbound approach would include one exclusive left-turn lane, two through lanes, and one shared through/right-turn lane. The westbound and southbound approaches would not be affected.
- ▶ Buena Vista Street and Empire Avenue (Intersection #17). The northbound approach would be reconfigured to provide a right-turn overlap phase. The eastbound, westbound, and southbound approaches would not be affected.
- ▶ Buena Vista Street and Vanowen Street (Intersection #18). The southbound approach would be reconfigured to provide two through lanes and one exclusive right-turn lane. The eastbound approach would be modified to include two exclusive left-turn lanes and one exclusive right-turn lane. The westbound and southbound approaches would not be affected.
- ▶ Victory Place and Burbank Boulevard (Intersection #25). The westbound approach would be reconfigured to provide two exclusive left-turn lanes, three through lanes, and one exclusive right turn lane. The northbound, eastbound and southbound approaches would not be affected.

- San Fernando Boulevard and Burbank Boulevard (Intersection #29). The southbound approach would be reconfigured to provide one exclusive left-turn lane, one through lane, and two exclusive right-turn lanes. The northbound, eastbound and westbound approaches would not be affected.

In accordance with the *Burbank Empire Center Environmental Impact Report* (SCH# 1997101035), the City of Burbank is obligated to make certain additional improvements to Intersection #17 and Intersection #19 if the operations of those intersections drop below LOS D. Currently, Intersection #17 is operating at LOS B in the AM and PM peak hours, and Intersection #19 is operating at LOS C in the AM peak hours and LOS D in the PM peak hours. In order to be conservative, the improvements required by the Empire Center EIR for Intersections #17 and #19 were not assumed to be in existence for this analysis. However, those requirements are not being eliminated as part of *Burbank2035* adoption.

Table 4.16-8 compares existing (2010) and 2035 LOS at the 35 study intersections in the planning area. Exhibit 4.16-6 illustrates 2035 intersection LOS with implementation and expected buildout of *Burbank2035*. Implementation of *Burbank2035* would result in a significant impact at an intersection if the LOS would be LOS E or below. Future LOS modeling accounts for implementation of the intersection improvements listed above, and implementation of the policies of the Mobility and Land Use Elements to reduce vehicle trips.

Burbank2035 Land Use and Mobility Element policies would manage growth and the transportation system to reduce vehicle trips and reduce traffic impacts. Mobility Element policies also manage transportation resources, minimize congestion, enhance traffic circulation and reduce vehicle trips connected to residential and non-residential growth. Mobility Element Policy 8.3 would leverage proximity to transit and services and promote walking to neighborhood services. Mobility Element Policies 8.1 and 8.2 would improve individual economic incentives and develop citywide demand management programs to encourage alternative transportation options, further reducing vehicle trips in the future. Mobility Element Policy 1.4 would require that future land uses be adequately served by the transportation system, thereby ensuring transportation improvements are made in step with growth. Mobility Element Policies 2.1, 2.3, and 3.2 would improve the City's alternative transportation access, promote Complete Streets that serve all transportation modes, and prioritize non-automobile transportation improvements. These policies would enhance the complete circulation system and support a reduction in vehicle trips in relation to population growth.

However, implementation of *Burbank2035* would still result in LOS E or LOS F at 16 of the analyzed 35 intersections (intersections #2, 3, 5, 6, 9, 12, 16, 17, 19, 21, 22, 25, 26, 27, 32 and 35). This impact would be **significant**.

LOS Exceptions Conflicts

At seven of these intersections, no feasible mitigation is available because the required physical widening at these locations would conflict with Mobility Element policies, triggering the LOS D ~~exceptions~~ conflicts described above. These seven intersections are described below:

- Hollywood Way and Victory Boulevard (Intersection #3). Physical improvements required to improve the service condition to LOS D or better would include striping all four approaches to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane, as well as modifying the signal phasing on all approaches from protected/permitted to protected. To accommodate the requisite widening within the 100-foot right-of-way, sidewalks would be narrowed to a width of 10 feet on all approaches. ~~An exception to~~ A conflict with the LOS D standard is permitted based on the following:

- the scale and design of this intersection would be compromised, ~~conflicting~~ inconsistent with Mobility Element Policy 1.5 ~~and triggering the scale and design exception~~; and
 - the mitigation would narrow sidewalks at transit transfer points, ~~conflicting~~ inconsistent with Mobility Element Policies 3.2 and 3.5 ~~and triggering the complete streets exception~~.
- Hollywood Way and Magnolia Boulevard (Intersection #5). Physical improvements required to improve the service condition to LOS D or better would include adding a second exclusive left-turn lane to all approaches. The widening would provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane on all approaches. ~~An exception to~~ A conflict with the LOS D standard is allowed because:
- the widening would not be able to sustain the minimum 10-foot sidewalk widths, ~~conflicting~~ inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5 ~~and triggering the pedestrian opportunities exception~~;
 - the scale and design of this intersection would be compromised, ~~conflicting~~ inconsistent with Mobility Element Policy 1.5 ~~and triggering the scale and design exception~~; and
 - the mitigation would narrow sidewalks at transit transfer points, ~~conflicting~~ inconsistent with Mobility Element Policies 3.2 and 3.5 ~~and triggering the complete streets exception~~.
- Buena Vista Street and Magnolia Boulevard (Intersection #21). Physical improvements required to improve the service condition to LOS D or better would include adding a second exclusive left-turn lane to all approaches. This intersection experiences heavy southbound and northbound through traffic volumes in the AM and PM peaks; however, adding through lane capacity would require the receiving end of the south and north leg be expanded to receive three through lanes at both legs. The current right-of-way along Buena Vista is only 80 feet. ~~An exception to~~ A conflict with the LOS D standard is permitted based on the following:
- the widening would narrow sidewalks to less than the minimum 10-foot sidewalk widths, ~~conflicting~~ inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5 ~~and triggering the pedestrian opportunities exception~~; and
 - the scale and design of this intersection would be compromised, ~~conflicting~~ inconsistent with Mobility Element Policy 1.5 ~~and triggering the scale and design exception~~.
- Victory Boulevard and Burbank Boulevard (Intersection #25). Physical improvements required to improve the service condition to LOS D or better would include restriping the northbound approach to provide two exclusive right-turn lanes, two through lanes, and two exclusive right-turn lanes. ~~An exception to~~ A conflict with the LOS D standard is permitted based on the following:
- the widening would narrow sidewalks to less than the minimum 6-foot sidewalk widths, ~~conflicting~~ inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5 ~~and triggering the pedestrian opportunities exception~~;

- the widening would require impacts to surrounding properties, ~~conflicting~~ inconsistent with Mobility Element Policy 1.2 ~~and triggering the right-of-way exception~~; and
 - the mitigation would narrow sidewalks, ~~conflicting~~ inconsistent with Mobility Element Policies 3.2 and 3.5 ~~and triggering the complete streets exception~~.
- Victory Boulevard and Magnolia Boulevard (Intersection #26). In order to bring this intersection to LOS D or better, the City would need to restripe the northbound and southbound approaches to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Adequate right-of-way is available to accommodate the required widening on both approaches assuming the sidewalk widths are 10 feet. However, conflicts are found under the scale and design and complete streets policies set forth in *Burbank2035* because the mitigation does not address the bicycle route connecting the Chandler Bikeway.
- San Fernando Boulevard and Alameda Avenue (Intersection #32). Physical improvements required to improve the service condition to LOS D or better would include providing two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. In addition, the eastbound approach would require one exclusive right-turn lane, two through lanes, and one exclusive right-of-way lane to be provided. The bus stop on the receiving end of the western leg would have to be relocated to properly accommodate this configuration. ~~An exception to~~ A conflict with the LOS D standard is permitted based on the following:
- the widening would narrow sidewalks to less than the minimum 10-foot sidewalk widths, ~~conflicting~~ inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5 ~~and triggering the pedestrian opportunities exception~~; and
 - the mitigation would narrow sidewalks and hamper transit opportunities, ~~conflicting~~ inconsistent with Mobility Element Policies 3.2 and 3.5 ~~and triggering the complete streets exception~~;
- Glenoaks Boulevard and Alameda Avenue (Intersection #35). Physical improvements required to improve the service condition to LOS D or better would include providing two exclusive left-turn lanes, one through lane, and one exclusive right-turn lane. In addition, the eastbound approach would require one exclusive right-turn lane on the eastbound approach. Restriping would require a sub-standard lane offset or, as an alternative, widening of the eastbound approach which is located in the City of Glendale. ~~An exception to~~ A conflict with the LOS D standard is permitted based on the following:
- the scale and design of this intersection would be compromised, ~~conflicting~~ inconsistent with Mobility Element Policy 1.5 ~~and triggering the scale and design exception~~; and
 - the widening would narrow sidewalks to less than the minimum 10-foot sidewalk widths, ~~conflicting~~ inconsistent with Mobility Element Policies 3.3, 3.5, and 5.5 ~~and triggering the pedestrian opportunities exception~~.

The fourth and fifth bullets of Mitigation Measure 4.16-1b on pages 4.16-24 and 4.16-25 in Chapter 4.16, “Transportation,” of the DEIR is revised as follows:

- ▶ Buena Vista Street and San Fernando Boulevard (Intersection #16). Restripe the eastbound approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. The existing right-of-way on San Fernando Boulevard is 70 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035. This mitigation should be completed concurrently with the railroad grade separation at Buena Vista Street.
- ▶ Buena Vista Street and Olive Avenue (Intersection #22). Reconfigure the eastbound approaches to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane ~~on both approaches~~. Restripe the westbound approach to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Modify signal phasing on the eastbound and westbound approaches from protected/permitted to protected. Restrict parking along the westbound approach for 100 feet. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.

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APPENDIX A

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. It provides for the monitoring of mitigation measures required of the City of Burbank General Plan (*Burbank2035*, proposed project), as set forth in the Environmental Impact Report (EIR).

Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed project because the EIR identified potentially significant adverse impacts, and identified mitigation measures to reduce some of those impacts to a less-than-significant level.

This MMRP will be adopted by the City Council when it approves the project.

This MMRP will be kept on file at the City of Burbank Planning and Transportation Division, 150 North Third Street, Burbank, California 91502.

PURPOSE

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner throughout implementation of *Burbank2035*. Because impact conclusions for certain impacts depend on the implementation of specific policies and programs of *Burbank2035*, policies and programs that are required by the EIR to reduce or avoid environmental impacts are also included in the MMRP. The MMRP may be modified by the City in response to changing conditions or circumstances. A summary table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, and for each measure identifies monitoring/mitigation timing, responsible persons/agencies, monitoring procedures, and a record of implementation of the mitigation measures. The numbering of mitigation measures follows the sequence established in the EIR.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the City of Burbank is responsible for taking all actions necessary to implement the mitigation measures according to the provided specifications and demonstrating that each action has been successfully completed. The City, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor.

CHANGES TO MITIGATION MEASURES

Any substantive change to the MMRP shall be documented in writing. Modifications to the mitigation measures may be made by the City subject to one of the following findings and documented by evidence included in the record:

1. The mitigation measure included in the EIR and the MMRP is no longer required because the significant environmental impact identified in the EIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment, or other factors.

OR

2. The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the EIR and the MMRP.

AND

3. The modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those which were considered by the City Council in its decisions regarding the EIR and the proposed project.

AND

4. The modified or substitute mitigation measures are feasible, and the City, through measures included in the MMRP or other established City procedures, can assure their implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

SUMMARY TABLE

The table that follows should guide the City in its evaluation and documentation of implementation of mitigation measures. The columns identified in the table are described below:

- ▶ **Mitigation Measure** – provides the text of the mitigation measures identified in the EIR.
- ▶ **Timing/Schedule** – identifies the time frame in which the mitigation will take place.
- ▶ **Implementation Responsibility** – identifies the entity responsible for complying with mitigation measure requirements.
- ▶ **Implementation and Verification** – These fields are to be completed as the MMRP is implemented. The “Action” column describes the type of action taken to verify implementation. The “Date Completed” column is to be dated and initialed by City staff based on the documentation provided by qualified contractors, or through personal verification.

Burbank2035 Mitigation Monitoring and Reporting Program Summary Table				
Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
4.1 Aesthetics				
Mitigation Measure 4.1-3. The City of Burbank shall add the following measures to Program LU-1 to amend the Zoning Ordinance to address the potential for new structures to cause shadow impacts on shadow-sensitive uses: ▶ <u>Require a shadow analysis for new structures proposed over 70 feet in height that would be adjacent to a shadow-sensitive public use such as, but not limited to, a park, pedestrian-oriented outdoor space, or restaurant with outdoor seating area.</u> ▶ <u>Establish standards to ensure new development over 70 feet in height does not shade shadow-sensitive uses for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October). Standards could include building spacing, building orientation, or step-backs.</u>	Modify Implementation Program LU-1 upon adoption of Burbank2035	Community Development Department, Planning and Transportation Division		
4.3 Air Quality				
Mitigation Measure 4.3-5. The City of Burbank shall modify Burbank2035 Implementation Program AQCC-4 as follows to address the potential for TAC impacts: Program AQCC-4: Health Risk Assessments for Stationary and Mobile Sources Require project proponents to prepare health risk assessments in accordance with SCAQMD-recommended procedures as part of environmental review when projects could have associated air emissions that have been designated by the State of California as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant. Also require health risk assessments for projects that would place sensitive land uses near <u>Bob Hope Airport, the UPRR rail line, or major freeways or arterials.</u> (Major freeways, for these purposes, are those that carry more than 50,000 vehicles per day I-5 and SR 134.) <u>In general, The City will apply the ARB Air Quality and Land Use Handbook for recommendations on siting distances for sensitive or noxious uses. Site-specific analysis may include dispersion modeling and/or a health risk assessment, consistent with applicable guidance from SCAQMD. If</u>	Modify Implementation Program AQCC-4 upon adoption of Burbank2035	Community Development Department, Planning and Transportation Division		

<p>Burbank2035 Mitigation Monitoring and Reporting Program Summary Table</p>				
Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p><u>required to reduce potentially significant impacts, the City shall require the applicant to identify and incorporate feasible mitigation measures. Such measures could include, but are not limited to: including tiered plantings of trees to reduce particulate matter concentrations; installing air filtration systems to reduce ambient particulate matter concentrations, providing HVAC resource information, avoiding siting sensitive receptors in buildings with perchlorethylene drycleaners, and locating air intakes and windows to reduce particulate matter exposure.</u></p> <p>Agency/Department: Community Development Department Funding Source: Development fees Time Frame: Ongoing</p>				
4.4 Greenhouse Gas Emissions				
<p>Mitigation Measure 4.4-1a.</p> <p>To reduce construction-generated GHG emissions, projects seeking discretionary approval from the City shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction.</p> <p>The project applicant(s) for any particular discretionary project may submit a report to the City that substantiates why specific measures are considered infeasible for construction of that particular discretionary project and/or at that point in time. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.</p> <p>The recommended measures for reducing construction-related GHG emissions at the time of writing this EIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> ▶ Improve fuel efficiency of construction equipment: <ul style="list-style-type: none"> • reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort); perform equipment maintenance (inspections, detect failures early, corrections); 	Ongoing – imposed as Conditions of Approval and construction specifications	Community Development Department and Public Works Department		

Burbank2035
Mitigation Monitoring and Reporting Program
Summary Table

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none">• train equipment operators in proper use of equipment;• use the proper size of equipment for the job; and• use equipment with new technologies (repowered engines, electric drive trains).▶ Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.▶ Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. Emissions of NOX from the use of low carbon fuel must be reviewed and increases mitigated. Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program.▶ Reduce electricity use in the construction offices by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.▶ Recycle or salvage nonhazardous construction and demolition debris.▶ Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).▶ Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source.				
Mitigation Measure 4.4-1b. As a part of a contractor demolition package, require compliance with the City of Burbank Construction and Demolition Ordinance. Work with contractors to share best practices on building recycling and reuse and demolition techniques to minimize waste, dust generation, water and energy use and other impacts of construction and demolition work.	Prior to demolition package approval and during construction	Community Development Department		

Burbank2035 Mitigation Monitoring and Reporting Program Summary Table				
Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure 4.4-1c. Upgrade the BMC to incorporate California Green Building Standards Code requirements on a regular and timely manner as mainline construction practices develop and new materials and building products become available, with the goal of meeting the state's Net Zero Energy goals by 2020.	Ongoing as mainline construction practices develop and new materials and building products become available	Community Development Department		
4.6 Cultural Resources				
Mitigation Measure 4.6-1. The City of Burbank shall modify Burbank2035 Implementation Program LU-4 as follows to address the potential for substantial adverse change to historical resources: Program LU-4: Historic Preservation Plan <u>To reduce impacts to both known and as-yet-unknown historical resources within Burbank, the City shall:</u> <ul style="list-style-type: none"> ▶ Review, revise, and maintain the Historic Preservation Plan to ensure that it is informed by current resource data and its goals and policies are consistent with the Land Use Element. and revise as appropriate. ▶ Establish a list of Eligible Historic Resources to be maintained by the Community Development Director. Update the list of Eligible Historic Resources every five (5) years to identify as-yet-unknown historical resources (as defined in State CEQA Guidelines Section 15064.5) as potential resources are identified through citywide surveys and on a project-by-project basis. ▶ Periodically review and revise the Hhistoric Rresource Mmanagement Ordinance and preservation incentives <u>to account for new resources as they are identified.</u> ▶ Establish a process and criteria to locally designate historic districts identified in the City of Burbank Historic Context Report (2009). 	Modify Implementation Program LU-4 upon adoption of Burbank2035 Historic resources evaluation ongoing Archeological resources assessment ongoing Identify historic districts within five (5) years of Burbank2035 adoption Update historic resource list every five (5) years	Community Development Department, Planning and Transportation Division		

Burbank2035
Mitigation Monitoring and Reporting Program
Summary Table

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none"> Require evaluation by a qualified architectural historian for projects subject to CEQA involving buildings constructed more than 45 years prior to the project application. If the evaluation determines that historical resources (as defined in State CEQA Guidelines Section 15064.5) would be adversely affected, the City shall require the proposed project to comply with Section 10-1-928 of the Historic Resource Management Ordinance. Require assessment by a qualified archeologist for projects subject to CEQA involving ground-disturbing activities on previously undisturbed land to identify the potential to encounter buried historical resources (as defined in State CEQA Guidelines Section 15064.5). If the assessment determines that buried resources may be present, the City shall require preparation and implementation of a treatment plan outlining measures for monitoring, data recovery, and/or handling inadvertent discoveries. <p>Agency/Department: Community Development Department Funding Source: Grant funds, general fund Time Frame: Ongoing; identify historic districts within five (5) years of Burbank2035 adoption; historic resource list updates every five (5) years</p>				
Mitigation Measure 4.6-2. Implement Mitigation Measure 4.6-1.	See Mitigation Measure 4.6-1	See Mitigation Measure 4.6-1		
Mitigation Measure 4.6-4. The City of Burbank shall add the following bullet item to Burbank2035 Implementation Program OSC-7: <ul style="list-style-type: none"> If paleontological resources are discovered during earthmoving activities associated with future development projects, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan shall include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological 	Modify Implementation Program OSC-7 upon adoption of Burbank2035	Community Development Department, Planning and Transportation Division		

Burbank2035 Mitigation Monitoring and Reporting Program Summary Table				
Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<u>resources were discovered.</u>				
Mitigation Measure 4.6-5. Implement Mitigation Measure 4.6-1.	See Mitigation Measure 4.6-1	See Mitigation Measure 4.6-1		
Mitigation Measure 4.6-6. Implement Mitigation Measure 4.6-1.	See Mitigation Measure 4.6-1	See Mitigation Measure 4.6-1		
Mitigation Measure 4.6-8. Implement Mitigation Measure 4.6-4.	See Mitigation Measure 4.6-4	See Mitigation Measure 4.6-4		
4.16 Transportation				
Mitigation Measure 4.16-1a. The City of Burbank shall complete implementation of the Citywide Signal Control System (CSCS) and apply signal optimization at all the 35 key intersections identified in the Transportation Analysis Report.	Improvements will be made to maintain the City's LOS D standard. The City will measure the LOS of all study intersections every two years, or more frequently if necessary to evaluate traffic impacts of development projects. The mitigation will be implemented if this intersection monitoring shows a deterioration of	Community Development Department, Planning and Transportation Division		

<p align="center">Burbank2035 Mitigation Monitoring and Reporting Program Summary Table</p>				
Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
	intersection LOS to E or F.			
<p>Mitigation Measure 4.16-1b. The City of Burbank shall implement the following intersection improvements:</p> <ul style="list-style-type: none"> ▶ Hollywood Way and Thornton Avenue (Intersection #2). Provide one exclusive left-turn lane, two through lanes, and one shared through/right-turn lane on northbound and southbound approaches. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035. ▶ Hollywood Way and Verdugo Avenue (Intersection #6). Provide a second exclusive left-turn lane, two through lanes, and a new exclusive right-turn lane in the southbound approach. Modify signal phasing on the southbound approach from permitted to protected. The existing right-of-way on Hollywood Way is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035. ▶ Pass Avenue and Olive Avenue (Intersection #9). Widen the eastbound approach to provide two exclusive left-turn lanes and three through lanes. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed. This improvement has been previously identified as a mitigation measure in the Warner Brothers Studio Master Plan and improvements comply with the goals and policies of Burbank2035. ▶ Buena Vista Street and San Fernando Boulevard (Intersection #16). Restripe the eastbound approach to provide two exclusive left-turn lanes, <u>one through lane</u>, and one shared through/right-turn lane. The existing right-of-way on San Fernando Boulevard is 70 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035. This mitigation should be completed concurrently with the railroad grade separation at Buena Vista Street. ▶ Buena Vista Street and Olive Avenue (Intersection #22). Reconfigure the eastbound approaches to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane on both approaches. Restripe the westbound approach to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lane. Modify signal phasing on the 	Improvements will be made to maintain the City's LOS D standard. The City will measure the LOS of all study intersections every two years, or more frequently if necessary to evaluate traffic impacts of development projects. The mitigation will be implemented if this intersection monitoring shows a deterioration of intersection LOS to E or F.	Community Development Department, Planning and Transportation Division		

<p>Burbank2035 Mitigation Monitoring and Reporting Program Summary Table</p>				
Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>eastbound and westbound approached from protected/permitted to protected. Restrict parking along the westbound approach for 100 feet. The existing right-of-way on Olive Avenue is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.</p> <p>► Victory Boulevard and Olive Avenue (Intersection #27). Restripe the southbound, westbound and eastbound approaches to provide two exclusive left-turn lanes, two through lanes, and one exclusive right-turn lanes. Modify signal phasing on the southbound, eastbound and westbound approaches from protected/permitted to protected. The existing right-of-way approach is 100 feet; no additional right-of-way is needed and improvements comply with the goals and policies of Burbank2035.</p>				
<p>Mitigation Measure 4.16-7. Implement Mitigation Measures 4.16-1a and 4.16-1b.</p>	See Mitigation Measures 4.16-1a and 4.16-1b	See Mitigation Measures 4.16-1a and 4.16-1b		