ATTACHMENT 13 - 1

2500 N. HOLLYWOOD WAY – DUAL BRAND HOTEL PROJECT

PUBLIC REVIEW DRAFT ENVIRONMENTAL IMPACT REPORT

Lead Agency:

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Community Development Department
Planning Division
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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

2500 N. Hollywood Way – Dual Brand Hotel Project

Public Review Draft Environmental Impact Report

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1.0 EXECUTIVE SUMMARY

1.1 Project Location

The 2500 N. Hollywood Way – Dual Brand Hotel Project (Project) site is located in the northwestern portion of the City of Burbank (City), and approximately 12 miles north of downtown Los Angeles within Los Angeles County (County). The Project site encompasses approximately 11.76 acres (APN 2464-004-015) generally bounded by Thornton Avenue on the north, Hollywood Way on the west, Avon Street on the south and a commercial office campus (Media Studios), comprised primarily of office uses with various onsite support amenities, on the south and east.

Access to the site occurs from three driveways, one at Thornton Avenue, one at Hollywood Way (i.e., Marriott Drive), and one at Avon Street.

1.2 Project Summary

The Project proposes development of a new seven-story dual brand hotel (the Hotel), consisting of approximately 262,338 square feet and a separate, detached four-story parking garage (the Garage). The Garage would consist of 208,040 square feet of valet-only parking, providing up to 766 parking spaces, with an additional 285 parking spaces at grade. The proposed Hotel and Garage would be located within the same parcel as the existing Marriott Hotel. No changes to the existing Marriott Hotel are proposed; existing uses would remain in operation during construction and upon Project completion. Additionally, the existing reciprocal parking and access agreement with the adjacent parcel would remain in effect. However, parking requirements for the Project do not rely on the parcel at 2550 N. Hollywood Way.

Project construction would require demolition and regrading of the existing surface parking lot pavement in the northeastern portion of the parcel. The surface parking of the SE Lot and behind the convention center would also be demolished, regraded, repaved, and restriped as part of the Project. Except for the small security booths located at the parking controls on the existing driveway off Thornton Avenue, no other structures would require demolition as part of the Project.

The primary entrance to the new Hotel would occur from Thornton Avenue, with curb cuts at both the east and west sides of the frontage connecting to the porte cochere in between them. The porte cochere covers the drop-off area and features widened drive aisles separated by a guest drop-off ‘island’ to optimize valet operations in both the east and west directions for Hotel guests during check-in/check-out. The east curb cut from Thornton Avenue would also serve the main north-south driveway for the Project (the Driveway). The west curb cut would serve as the primary ingress to the porte-cochere drop-off and valet area and would connect to the Driveway for north-south circulation on the site and exiting onto Thornton Avenue from the east curb cut.

Between the Hotel and the convention center, Marriott Drive would be widened to maintain existing access to the Office Parcel parking lot, as well as optimizing the drive aisles in front of the convention center for loading and unloading guests and to facilitate more efficient parking management during events.

Electrical service would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend from the intersection into the Project site. The electrical service would then

extend through the Project site from Thornton Avenue south to the Avon Street driveway. From there, the service would extend in the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the "loop."

Fire water and domestic water would have lateral connections to the existing mains in Thornton Avenue (approximately 50 feet north of the property line). Recycled water service would connect to the main near the Thornton Avenue and Hollywood Way intersection (approximately 500 feet from the property line).

Sanitary sewer services would connect to the existing onsite main. Phone and cable services would be provided from existing telecommunications infrastructure in the Project vicinity.

In addition to onsite and offsite improvements discussed above, additional offsite improvements would be required, to provide upgrades to existing pedestrian, bicycle, and vehicle facilities, as well as the City's existing sewer main.

1.3 Project Objectives

Pursuant to CEQA Guidelines Section 15124(b), the EIR project description must include "[a] statement of objectives sought by the proposed project… [which] should include the underlying purpose of the project". The following Project objectives are established for the proposed Project:

- Enhance the continued economic revitalization and urbanization of the Hollywood Burbank Airport area with premium lifestyle and extended stay hotel brands catering to the modern business and leisure traveler.
- Construct and operate a Marriott-branded, business- and leisure-oriented urban hotel reflecting the character of Burbank and integrated into the overall site design of the existing onsite hotel facilities, immediately adjacent to and complementing the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel for those visiting Burbank.
- Construct and operate additional conference/meeting/entertainment/dining space, fitness facilities for hotel guests and other patrons, and a ground-floor central open courtyard with pool and deck space amenity area to provide additional outdoor space.
- Contribute to the economic health and well-being of Burbank through the development of a Project that would generate new construction and long-term jobs and provide additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transit occupancy tax.
- Redevelop a portion of the surface parking lot area that is underutilized into a more economically productive use that complements the existing development on the property and is consistent with the City's ongoing re-envisioning efforts within the Golden State Specific Plan.
- Support environmentally conscious alternative modes of travel by constructing two new hotels within a half mile of two existing Metrolink stations, a planned high speed rail station, and the Hollywood Burbank Airport, and by promoting ride-sharing services and transportation demand management strategies in efforts to reduce local vehicle trips into and out of the City.
- Support and enhance statewide decarbonization efforts through the development of an all-electric Project free from fossil-fuel reliance; on-site generation and use of power through solar panels and battery storage; reducing vehicle emissions through an efficient guest drop-off and pick-up porte cochere design and by operating a valet-only parking garage for more efficient

parking of guest's vehicles; and encouraging the replacement of gas-fueled cars with electric vehicles by providing hundreds of EV charging stations and EV ready plug-ins.

1.4 Environmental Issues/Mitigation Summary

Table 1-1, *Summary of Environmental Impacts and Mitigation Measures*, summarizes the environmental impacts of the proposed Project, mitigation measures, if relevant, and the impact level of significance after mitigation identified and analyzed in this Draft EIR. Refer to the appropriate section for detailed information.

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Table 1-1
Summary of Environmental Impacts and Mitigation Measures

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
5.1 Air Quality		
AQ-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?	No mitigation measures are required.	Less Than Significant Impact.
AQ-2: Would the project result in a cumulative considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No mitigation measures are required.	Less Than Significant Impact.
AQ-3: Would the project expose sensitive receptors to substantial pollutant concentrations?	No mitigation measures are required.	Less Than Significant Impact.
AQ-4: Would the project result in other emissions such as those leading to odors adversely affecting a substantial number of people?	No mitigation measures are required.	Less Than Significant Impact.
Would the project, combined with other related projects, conflict with or obstruct implementation of the applicable air quality plan	No mitigation measures are required.	Less Than Significant Impact.
Would the project, combined with other related projects, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No mitigation measures are required.	Less Than Significant Impact.
Would the project, combined with other related projects, expose sensitive receptors to substantial pollutant concentrations?	No mitigation measures are required.	Less Than Significant Impact.
Would the project, combined with other related projects, result in other emissions such as those leading to odors adversely affecting a substantial number of people?	No mitigation measures are required.	Less Than Significant Impact.
5.2 Cultural and Tribal Cultural Resources		
CUL-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	No mitigation measures are required.	Less Than Significant Impact.
CUL-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	**CUL-1** The Applicant shall be required to retain the services of one or more monitor(s) who are qualified in the identification of archaeological and Native American resources. The monitor(s) shall meet the Secretary of the Interior's Professional Qualification Standards for	Less Than Significant Impact with Mitigation Incorporated.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	archaeology, and shall be present during construction related ground disturbance activities including, but not limited to, site clearing (such as pavement removal, grubbing, tree removals) and/or excavation to depths greater than artificial fill (including boring, grading, excavation, drilling, potholing or auguring, and trenching) within the Project site and offsite sewer improvement area. A copy of the executed contract shall be submitted to the City of Burbank Community Development Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Archaeological Monitor shall complete monitoring logs daily, providing descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when grading and excavation activities of native soil (i.e., previously undisturbed) are completed, or when the Archaeological Monitor has indicated that the site has a low potential for cultural resources, whichever occurs first. The Applicant shall also be required to make the Project site available to native tribe(s) that have ancestral ties to the region during ground disturbance activities for monitoring on their own behalf, if requested – including the Gabrieleño Band of Mission Indians-Kizh Nation, the Fernandeño Tataviam Band of Mission Indians and any other tribe with ancestral ties to the region, as established by the Native American Heritage Commission. **CUL-2** If an archaeological or Native American resource is inadvertently discovered during ground disturbing activities, work shall be halted in the immediate vicinity of the find (a 60-foot buffer around the find) until the find can be evaluated by the Archaeological and Native American Monitor(s) to determine if any discovered potential resource meets the CEQA definition of historical (State CEQA Guidelines 15064.5(a)) and/or unique resources (Public Resources Code	

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	21083.2(g)). The City of Burbank Community Development Department shall be immediately notified. If the resource is determined to be potential a tribal cultural resource, the Applicant shall retain the services of a Native American Monitor to work in consultation with the Archaeological Monitor to delineate the resource. Work on areas outside of the buffered area may continue during the assessment period. The Applicant shall, in good faith, consult with the Tribe(s) on the disposition and treatment of any tribal cultural resource encountered during all ground disturbing activities. If the find is considered an "tribal cultural resource" the Archaeological Monitor, in cooperation with Native American Monitor, shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If a tribal cultural resource cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the Project Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation in an established accredited professional repository. If the resource is determined to be non-Native in origin, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be eligible for the CRHR and cannot be avoided by the Project, additional work such as data recovery, excavation, and archaeological mitigation may be warranted to mitigate any significant impacts.	
CUL-3: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?	**CUL-3** In the event that human remains are discovered during onsite construction activities, the Archaeological Monitor shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location.	Less Than Significant Impact with Mitigation Incorporated.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	The Archaeological Monitor shall then notify the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. The City of Burbank Community Development Department shall also be immediately notified. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with State CEQA Guidelines Section 15064.5(e).	
Would the Project, combined with other related projects, cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, disturb any human remains, including those interred outside of dedicated cemeteries?	No mitigation measures are required.	Less Than Significant Impact.
5.3 Energy		
EN-1: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No mitigation measures are required.	Less Than Significant Impact.
EN-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No mitigation measures are required.	Less Than Significant Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
Would the project, combined with other related projects, result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No mitigation measures are required.	Less Than Significant Impact.
Would the project, combined with other related projects, conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No mitigation measures are required.	Less Than Significant Impact.
5.4 Geology & Soils		
GEO-1: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?	No mitigation measures are required.	Less Than Significant Impact.
GEO-2: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?	No mitigation measures are required.	Less Than Significant Impact.
GEO-3: Would the project result in substantial soil erosion or the loss of topsoil?	No mitigation measures are required.	Less Than Significant Impact.
GEO-4: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and/or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No mitigation measures are required.	Less Than Significant Impact.
GEO-5: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**GEO-1** Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Burbank Community Development Department.	Less Than Significant Impact With Mitigation Incorporated.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	GEO-2 Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances (including grading, trenching, foundation work, and other excavations) in previously undisturbed sediments that exceed 10 feet in depth. The duration and timing of the monitoring shall be determined by the qualified paleontologist and the location and extent of the proposed ground disturbance. If the qualified paleontologist determines that fulltime monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the qualified paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring shall not be required in artificial fill or for activities that do not reach 10 feet in depth. **GEO-3** In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The qualified paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources: • Salvage of Fossils. The qualified paleontologist (or paleontological monitor) shall recover significant fossils following standard field procedures for collecting paleontological resources, as described by the Society of Vertebrate Paleontology standards. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require	

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. • Preparation and Curation of Recovered Fossils. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the qualified paleontologist.	
Would the Project, combined with other related projects, directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking? Would the Project, combined with other related projects, directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction? Would the Project, combined with other related projects, be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and/or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, result in substantial soil erosion or the loss of topsoil?	No mitigation measures are required.	Less Than Significant Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
Would the Project, combined with other related projects, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	No mitigation measures are required.	Less Than Significant Impact.
5.5 Greenhouse Gas Emissions		
GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	**GHG-1** Prior to the issuance of building permits, the Project applicant shall provide documentation (e.g., building plans, site plans) to the City of Burbank Community Development Department to verify implementation of the design requirements specified in this mitigation measure. Prior to the issuance of the certificate of occupancy, the City shall verify implementation of these design requirements: • The Project applicant shall prepare a Transportation Management Plan with the help of certified Traffic Engineer which includes voluntary and mandatory trip reduction measures such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation such as carpooling, taking transit, walking, and biking, implementing employee parking cash-outs, thereby reducing VMT and GHG emissions. The Transportation Management Plan shall grant all employees located within the Project site eligibility to participate. The Transportation Management Plan shall be reviewed and approved by the Transportation Planning Division. • The Project applicant shall join the Burbank Transportation Management Organization (TMO), which helps provide services to employees that encourages the use of public transit, carpooling, vanpooling, walking, and biking. • The Project applicant shall demonstrate to the Planning Division that new vehicles owned and operated by the Project operators that provide transport between the Hollywood Burbank Airport and the Project will be clean-fuel vehicles.	Significant and Unavoidable Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	• No wood-burning or gas-powered fireplaces shall be installed in the proposed development. • All major appliances provided/installed (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) shall be electric-powered EnergyStar-certified or of equivalent energy efficiency, where applicable.	
GHG-2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Refer to Mitigation Measure GHG-1.	Less Than Significant Impact With Mitigation Incorporated.
Would the project, combined with other related projects, generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment? Would the project, combined with other related projects, conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?	Refer to Mitigation Measure GHG-1.	Significant and Unavoidable Impact.
5.6 Hazards and Hazardous Materials		
HAZ-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No mitigation measures are required.	Less Than Significant Impact.
HAZ-2: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	**HAZ-1** Prior to the issuance of building permits, the Applicant shall include on the building plans an appropriate vapor intrusion mitigation system using a VOC-compatible vapor barrier that is incorporated into the design of new onsite structures, where there may be a potential for vapor intrusion risk to occupants. The elements of the vapor intrusion mitigation system shall include the design of an appropriate vapor barrier compatible with known VOCs, installation oversight to ensure compliance with VOC barrier manufacturers' warranty requirements, and subsequent post-installation VOC barrier integrity testing.	Less Than Significant Impact with Mitigation Incorporated.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	The Applicant shall incorporate all requirements in the design of the Project as set forth by the applicable regulatory oversight agency for issuance of building permits, including the following measures: The proposed design of the vapor barrier shall be pre-approved by the applicable regulatory oversight agency (e.g., DTSC, the LARWQCB, or other appropriate local regulatory agency). The design of a physical vapor barrier beneath the structure(s) foundation shall prevent soil gas from seeping into breathing spaces inside the structure. The system shall include a passive or powered vapor mitigation system layer that draws soil gas out of the under-foundation base rock and directs that soil gas to a treatment system to prevent people from being exposed outdoors. Any contaminants found in shallow soil vapor shall be mitigated to levels that are protective of human health for the proposed commercial uses. Upon completion, the Project Applicant shall prepare a report documenting the testing results and installed vapor mitigation method and submit the report to the regulatory agency with jurisdiction. An Operations, Maintenance, and Monitoring (OMM) Plan shall be prepared and implemented to maintain the vapor barrier system and confirm that the vapor barrier system continues to be protective of human health. The OMM Plan shall include details of methods for monitoring the vapor barrier system, provide monitoring frequencies and maintenance procedures for the system components and provide for post construction indoor air quality monitoring. The OMM Plan shall be approved by the regulatory agency with jurisdiction. **HAZ-2** Prior to the issuance of a grading permit, the Applicant shall submit a Soils Management Plan (SMP) to the City of Burbank Public Works Department that addresses the proper characterization and handling of potential VOC-impacted soils, and other contaminants of concern that may	

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	be present. The SMP shall require that, as grading, excavation, and trenching are performed, exposed soil shall be monitored for stained or discolored soil, wet or saturated soils, or odors. If impacted soil is encountered, the soil shall be analyzed to identify and characterize the impact and determine if soil remediation is required. Soil samples shall be analyzed by an appropriate State-certified laboratory using appropriate methods based on the parameters to be analyzed. When a new area of contamination is identified, it shall be characterized to assess its lateral and vertical extent. The likely excavation of impacted soil shall be followed by segregated stockpiling or direct-loading, waste profiling, and offsite disposal or recycling, which shall be performed in accordance with applicable federal, State, and local regulations.	
HAZ-3: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?	No mitigation measures are required.	Less Than Significant Impact.
HAZ-4: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Would the Project, combined with other related projects, be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a	Refer to Mitigation Measures HAZ-1 and HAZ-2.	Less Than Significant Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
result, would it create a significant hazard to the public or the environment?		
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project, combined with other related projects, result in a safety hazard or excessive noise for people residing or working in the project area?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No mitigation measures are required.	Less Than Significant Impact.
5.7 Hydrology and Water Quality		
HWQ-1: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	No mitigation measures are required.	Less Than Significant Impact.
HWQ-2: Would the Project Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in a substantial erosion or siltation on- or off-site; ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. Impede or redirect flood flows?	No mitigation measures are required.	Less Than Significant Impact.
HWQ-3: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, substantially alter the existing drainage pattern of the site or	No mitigation measures are required.	Less Than Significant Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in a substantial erosion or siltation on- or offsite; ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. Impede or redirect flood flows?		
Would the Project, combined with other related projects, conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No mitigation measures are required.	Less Than Significant Impact.
5.8 Land Use and Planning		
LU-1: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No mitigation measures are required.	Less Than Significant Impact.
5.9 Noise		
NOI-1: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	**NOI-1** The Project Applicant and/or Contractor shall implement the following noise-attenuating measures during construction of the proposed Project: • Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. • A sign, legible at 50 feet from the property line shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by	Significant and Unavoidable Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	the City of Burbank Community Development Department's Planning and Transportation Planning Divisions, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints. • The project Applicant shall provide, to the satisfaction of the City of Burbank Community Development Department's Planning and Transportation Planning Divisions, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Burbank Community Development Department's Planning and Transportation Planning Divisions. All signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator. • Prior to issuance of any Grading or Building Permit, the project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between	

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
	construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools. • Construction haul routes shall be reviewed and approved by the City's Building Official and City Traffic Engineer and shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.	
NOI-2: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?	**NOI-2** The following measure shall be incorporated on all grading and building plans and specifications subject to approval of the City's Building Division prior to issuance of a grading permit: • Sonic pile drivers shall be used as an alternative to impact pile drivers to reduce groundborne vibration levels. Impact pile driver operations shall be prohibited.	Less Than Significant Impact With Mitigation.
NOI-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels	No mitigation measures are required.	Less Than Significant Impact
Would the Project, combined with other related projects, result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Refer to Mitigation Measure NOI-1.	Significant and Unavoidable Impact
Would the Project, combined with other related projects, result in generation of excessive groundborne vibration or groundborne noise levels	Refer to Mitigation Measure NOI-2.	Less Than Significant Impact With Mitigation.
For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted,	No mitigation measures are required.	Less Than Significant Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
within two miles of a public airport or public use airport, would the Project, combined with other related projects, expose people residing or working in the project area to excessive noise levels?		
5.10 Public Services and Recreation		
PS-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or need new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?	No mitigation measures are required.	Less Than Significant Impact.
PS-2: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?	No mitigation measures are required.	Less Than Significant Impact.
5.11 Transportation		

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
TR-1: Would the Project conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No mitigation measures are required.	Less Than Significant Impact.
TR-2: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	No mitigation measures are required.	Less Than Significant Impact.
TR-3: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No mitigation measures are required.	Less Than Significant Impact.
5.12 Tribal Cultural Resources		
TCR-1: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: 1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k)? 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall	Refer to Mitigation Measures CUL-1 and CUL-2.	Less Than Significant Impact with Mitigation Incorporated.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
consider the significance of the resource to a California Native American tribe?		
Would the Project, combined with other related projects, cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: 1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	No mitigation measures are required.	Less Than Significant Impact.
5.13 Utilities and Service Systems		
UTIL-1: Would the Project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects? Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No mitigation measures are required.	Less Than Significant Impact.
UTIL-2: Would the Project require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects? Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it	Refer to Mitigation Measure NOI-1 in Section 5.9, Noise.	Significant and Unavoidable Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		
UTIL-3: Would the Project require or result in the relocation or construction of new or expanded stormwater facilities, the construction or relocation of which could cause significant environmental effects?	Refer to Mitigation Measure NOI-1 in Section 5.9, Noise.	Significant and Unavoidable Impact.
UTIL-4: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No mitigation measures are required.	Less Than Significant Impact.
Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects? Would the Project, combined with other related projects, have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Refer to Mitigation Measure NOI-1 in Section 5.9, Noise.	Significant and Unavoidable Impact.
Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects? Would the Project, combined with other related projects, result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Refer to Mitigation Measure NOI-1 in Section 5.9, Noise.	Significant and Unavoidable Impact.
Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunications facilities, the	Refer to Mitigation Measure NOI-1 in Section 5.9, Noise.	Significant and Unavoidable Impact.

EIR Section and Environmental Impact Statement	Mitigation Measures	Significance/ Significance After After Mitigation
construction or relocation of which could cause significant environmental effects?		
Would the Project, combined with other related projects, generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? Would the Project, combined with other related projects, comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No mitigation measures are required.	Less Than Significant Impact.

1.5 Summary of Project Alternatives

Alternatives Considered But Rejected

"Alternative Site" Alternative

The Alternative Site Alternative would involve developing the Project on another site within the City. This alternative would generally retain the same characteristics (e.g., proposed land uses, square footage, site plan, amenities, etc.) of the Project. In order to achieve the Project's objectives, the site would need to be located within proximity to the Hollywood Burbank Airport, Metrolink station, and planned high speed rail station. With the exception of the existing site, no other sites in the area are under the Project Applicant's control; thus, no other sites were considered. Development of the proposed Hotel and Garage on another site would not reduce the Project's significant and unavoidable impact associated with GHG emissions. There is the potential that the significant and unavoidable impacts relative to construction noise, including construction noise associated with the offsite sewer and electrical improvements, may be reduced or eliminated. However, this would be dependent upon the location of the alternative site and ambient noise conditions, and whether offsite infrastructure improvements would be required. In addition, development of the proposed Project on another site would not substantially lessen any of the Project's less than significant impacts, including those requiring mitigation. For example, an alternative site within the area would also likely require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). As the Project Applicant does not own another appropriately sized parcel with existing convention, hotel and restaurant that are supportive amenities and uses and similarly accessible and underutilized within proximity to the Hollywood Burbank Airport, Metrolink station, and planned high speed rail station that could be developed to meet most of the Project objectives, the Alternative Site Alternative was rejected from further analysis within this EIR.

"Office" Alternative

The Office Alternative would involve development of an office building on the existing surface parking lot within the Project site. This alternative would not achieve a majority of the Project's objectives as an office use would not provide for a hotel catering to the business and leisure traveler in proximity to the Hollywood Burbank Airport, which continues to be in high demand and will only increase with the completion of the new airport terminal project; provide for a Marriott-branded urban hotel that complements the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; provide additional meeting/entertainment/dining spaces; or provide for transit occupancy tax. Additionally, the Applicant is a hotel developer and operator and is not an office developer. Moreover, the current economic outlook and viability of successful development of additional office space and the ability to attract close to 100% occupancy post-Covid with the push for remote work is not favorable.

Development of an office is not anticipated to significantly reduce or eliminate the Project's significant and unavoidable impacts relative to construction noise, since construction activities and equipment would be similar and offsite sewer and electrical improvements would still be required to serve the use. Additionally, new employees and associated vehicle trips would result in mobile source emissions, similar to the Project. It is not anticipated that the Project's significant and unavoidable impact relative to

greenhouse gas emissions would be significantly reduced or eliminated. Development of an office would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of an office use on the site would also require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). As the Project Applicant is not an office developer and development of the site with an office use would not meet most of the Project objectives, the Office Alternative was rejected from further analysis within this EIR.

"Residential Mixed-Use" Alternative

A Residential Mixed-Use Alternative would involve development of residential uses with ground-floor residential amenities and retail/commercial tenant spaces on the Project site. The Residential Mixed-Use Alternative would maintain the same scale and height as the proposed Hotel with the potential for 192 dwelling units and approximately 30,000 square feet of residential amenities and ground floor retail space. This alternative would not achieve a majority of the Project's objectives as a residential mixed-use development would not provide for a hotel catering to the business and leisure traveler in proximity to the Hollywood Burbank Airport; provide for a Marriott-branded urban hotel that complements the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; provide additional meeting/entertainment/dining spaces; or provide for transit occupancy tax. Additionally, the Applicant is a hotel developer and operator and is not a residential developer. Moreover, uncertainty in the lending industry for multifamily market, rising labor and construction costs, and the decrease in rents for multifamily create a high level of uncertainty even for the most seasoned multifamily developer, let alone the uncertainty that it would bring to a hotel developer seeking to make a housing project pencil out at the Project site.

Development of a residential mixed-use alternative would not significantly reduce or eliminate the Project's significant and unavoidable impacts relative to construction noise, since construction activities and equipment would be similar and offsite sewer and electrical improvements would still be required to serve the use. It is not anticipated that the Project's significant and unavoidable impact relative to greenhouse gas emissions would be significantly reduced or eliminated. Development of residential mixed-use would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of residential mixed-use on the site would also require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). Due to the site's recognized environmental conditions associated with elevated VOCs in soil-gas (specifically PCE and TCE) beneath the Project site that may present a vapor intrusion risk, more extensive mitigation would be required to provide for residential development to occur. As previously noted, the Project Applicant is not a residential developer and development of the site with residential mixed-use would not meet the Project objectives, the Residential Mixed-Use Alternative was rejected from further analysis within this EIR.

"Reduced Parking" Alternative

A Reduced Parking Alternative would be the same as the proposed Project with regard to the Hotel but would reduce the parking garage in scale. A smaller/reduced garage would result in less construction and materials used, reducing construction impacts. This alternative would not reduce the Project's significant and unavoidable impact associated with GHG emissions. The Project's significant and unavoidable impact relative to onsite construction noise would be reduced in terms of the duration of construction but the noise levels would be similar, and therefore, the impact would not be eliminated. Further, the Project's offsite construction noise impact associated with the sewer and electrical infrastructure improvements would not be reduced. Development of this alternative would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of a smaller/reduced garage on the site would still require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). Further, this alternative would not be consistent with the Parking Study or the Parking Management Plan for the proposed Hotel and, therefore, would not be consistent with the BMC. Thus, this alternative was rejected from further analysis within this EIR.

Alternatives Considered For Further Analysis

Alternative 1 – No Project Alternative

In accordance with the CEQA Guidelines, "the no project analysis shall discuss the existing conditions …, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." The CEQA Guidelines continue to state that "in certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained." In essence, the No Project Alternative is described and analyzed to enable the decision-makers to compare the impacts of approving the Project with the impacts of not approving the Project.

The Project site is currently developed with the Marriott Hotel and 763 surface parking spaces. The existing Marriott Hotel is comprised of 488 hotel rooms, 5,200 square feet of restaurant space, and 46,500 square feet of meeting/banquet and convention space. The Marriott Hotel consists of one eight-story building (East Tower) and one nine-story building (West Tower), connected by a single-story structure on the ground level, totaling 277,600 square feet. The convention center portion of the Marriott Hotel consists of one single-story building with a mezzanine level totaling 39,000 square feet. Access to the site occurs from three driveways, one at Thornton Avenue, one at Hollywood Way, and one at Avon Street.

The No Project Alternative would retain the site in its current condition. The proposed Hotel and Garage, including all onsite and offsite improvements, would not be developed.

Alternative 2 – Reduced Intensity Alternative

The Reduced Intensity Alternative would include the same uses (i.e., hotel, hotel-related amenities, and garage structure) as the proposed Project; however, the number of guestrooms, parking spaces in the garage, and electric vehicle (EV) parking spaces (chargers and EV ready) would be reduced by 25 percent.

Ground floor and sixth floor guest amenities would remain the same as proposed under the Project. All additional onsite and offsite improvements would continue to occur under this alternative.

The Reduced Intensity Alternative would provide 315 total guestrooms (164 Residence Inn, 151 Aloft), 661 parking spaces in the garage structure and 337 total EV spaces (121 chargers, 216 EV ready). The Reduced Intensity Alternative would result in 61 employees. The Hotel building would be six stories, but the sixth level floor area would be approximately half of the area of the floors below it, resulting in a total hotel floor area of 206,083 square feet. The Garage would remain the same size as the proposed Project. Overall, Alternative 2 would provide 25 percent reduced development when compared to the Project.

"Environmentally Superior" Alternative

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed Project.

A comparative analysis of the proposed Project and each of the Project alternatives is provided below. Based on the analysis provided above, the No Project Alternative is the environmentally superior alternative because it would avoid or lessen most the impacts associated with development of the proposed Project.

As discussed above, if the "No Project" Alternative is identified as the environmentally superior alternative, an environmentally superior alternative must also be selected amongst the other alternatives. Accordingly, the Reduced Intensity Alternative is identified as the environmentally superior alternative among the other alternatives and is discussed below.

In comparison to the proposed Project, the Reduced Intensity Alternative would have similar impacts in all environmental topic areas except for air quality, energy, GHG emissions, noise, and public services. Although noise impacts would be reduced when compared to the proposed Project, the significant and unavoidable project and cumulative construction noise impacts, which include onsite and offsite infrastructure improvements, would not be eliminated. Additionally, the GHG impact would be slightly greater due to the increased $MTCO_2e$ per service population associated with the alternative. As with the proposed Project, the Reduced Intensity Alternative would meet all the Project objectives; however, the objectives under this alternative would not be met to the same extent as the proposed Project.

Environmental Issue	Alternative 1 No Project	Alternative 2 Reduced Intensity Alternative
Air Quality	⮟	⮟
Cultural Resources	⮟	=
Energy	⮟	⮟
Geology and Soils	⮟	=
Greenhouse Gas Emissions	⮟*	⮝*
Hazards and Hazardous Materials	⮟	=
Hydrology and Water Quality	⮝	=
Land Use and Planning	=	=
Noise	⮟*	⮟*
Public Services	⮟	⮟
Transportation	⮝	=
Tribal Cultural Resources	⮟	=
Utilities and Services Systems	⮟*	=*

Notes:
⮝ Indicates an impact that is greater than the Project.
⮟ Indicates an impact that is less than the Project.
= Indicates an impact that is the same as or similar to the Project.
* Indicates a significant and unavoidable impact.

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2.0 INTRODUCTION AND PURPOSE

The California Environmental Quality Act (CEQA) specifies that before a public agency decides to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the Project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment. The State CEQA Guidelines are located within the California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, Sections 15000-15387, while the CEQA Statute is codified as Public Resources Code (PRC) Sections 21000-21189.91.

2.1 Purpose of the EIR

The purpose of this Environmental Impact Report (EIR) is to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to avoid or lessen the Project's potentially significant effects. This EIR addresses the Project's environmental effects, in accordance with CEQA Guidelines Section 15161. As referenced in the CEQA Guidelines Section 15121(a), as an information document, the EIR will:

- Inform decision-makers and the public generally of the significant environmental effects of a project;
- Identify possible ways to minimize the significant effects of a project; and
- Describe reasonable alternatives to a project.

In addition, this EIR is the primary reference document in the formulation and implementation of a mitigation monitoring and reporting program for the Project. The City of Burbank (which is the lead agency and has the principal responsibility for processing and approving the Project) and other public (i.e., responsible and trustee) agencies that may use this EIR in the decision-making or permit issuance process will consider the information in this EIR, along with other information that may be presented during the CEQA process.

Environmental impacts are not always able to be mitigated to a level considered less than significant; in those cases, impacts are considered significant unavoidable impacts. In accordance with CEQA Guidelines Section 15093(b), when the lead agency approves a project that will result in significant effects that cannot be avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and any other information in the public record for the project. CEQA Guidelines Section 15093 requires a "statement of overriding considerations" to be adopted where the agency specifies the findings and public benefits for the project that outweigh the significant impacts.

This EIR analyzes the Project's environmental effects to the degree of specificity appropriate to the proposed actions, as required by CEQA Guidelines Section 15146. The analysis considers the activities associated with the Project to determine the short- and long-term effects associated with their implementation. This EIR discusses the Project's direct and indirect impacts, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

2.2 Compliance with CEQA

Public Review of the Draft EIR

In accordance with CEQA Guidelines Sections 15087 and 15105, this Draft EIR is circulated for a 45-day public review period. The public is invited to comment in writing on the information contained in this document. Persons and agencies commenting are encouraged to provide information that they believe is missing from the Draft EIR within the purview of CEQA and the CEQA Guidelines. All comment letters received during the review period will be responded to in writing, and the comment letters, together with the responses to those comments, will be included in the Final EIR.

Comment letters should be sent to:

City of Burbank Community Development Department
Planning Division
Attn: Mr. Daniel Villa, Principal Planner
150 North Third Street
Burbank, California 91502
dvilla@burbankca.gov

Final EIR

The Final EIR will consist of the Draft EIR, revisions to the Draft EIR (if any), and responses to all written comments addressing environmental concerns raised in the comments of responsible trustee agencies, the public, and any other reviewing parties. After the Final EIR is completed, and at least ten days prior to the certification hearing, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the commenting agencies and parties.

2.3 EIR Scoping Process

In compliance with CEQA Guidelines Section 15082, the City of Burbank provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various federal, State, regional, and local government agencies, and other interested parties to solicit comments on the scope of review in this document.

2019 Notice of Preparation and EIR Scoping Meeting

A Notice of Preparation (NOP) (State Clearinghouse Number 2019110032) was distributed to various responsible agencies, trustee agencies, and interested parties. The NOP was distributed on November 4, 2019, with the 30-day public review period concluding on December 4, 2019. The NOP provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR. In addition, notice of a joint Community Meeting and EIR Scoping Meeting for the Project was included in the NOP.

A joint Community Meeting and EIR Scoping Meeting was held on November 20, 2019 at 6:00 p.m. in the Community Room (Room 104) on the first floor of the Community Services Building at 150 North Third Street in Burbank. The intent of the meeting was to provide interested individuals, groups, and public agencies information regarding the proposed Project and a forum in which to orally present input directly to the Lead Agency to assist in further refining the intended scope and focus of the EIR, as described in the NOP. The NOP is provided as Appendix A, Notice of Preparation and Recirculated Notice of

Preparation, and the NOP comment letters are provided as Appendix B, Notice of Preparation/Recirculated Notice of Preparation Comment Letters.

A summary of the primary environmental issues raised during the 2019 NOP review period and Scoping Meeting and where the environmental topical areas are addressed in the Draft EIR, are as follows:

- Potential impacts to unknown or undiscovered cultural and tribal cultural resources (refer to Section 5.2, Cultural Resources, and Section 5.12, Tribal Cultural Resources).
- Potential environmental impacts associated with all CEQA Appendix G topical areas, including, air quality, archaeological resources, historic resources, biological resources, parking, drainage/absorption, economic/jobs, flood plain/flooding, fire hazard, geologic/seismicity, mineral resources, noise, population/housing, jobs/housing balance, public services, recreation/parks, schools/universities, sewer capacity, soil erosion/compaction/grading, waste, solid waste, toxic/hazardous materials, traffic circulation, vegetation, water quality, water supply, land use, cumulative effects, aesthetics/visual, growth inducing, and legal uses of real estate under the zoning regulation of the City (refer to Environmental Analysis Sections 5.1 through 5.13, Section 6.0, Other CEQA Considerations, and Section 8.0, Effects Found Not To Be Significant).
- Potential transportation impacts (refer to Section 5.11, Transportation).
- Comments related to the methodology of the air quality analysis and potential adverse air quality impacts from the proposed Project during construction and operation (refer to Section 5.1, Air Quality).

2024 Recirculated Notice of Preparation and EIR Scoping Meeting

Subsequent to distribution of the 2019 NOP and initiation of the Draft EIR, modifications to the proposed Project occurred, including revisions to the site plan and proposed on- and off-site improvements. A Recirculated NOP was distributed directly to public agencies (including the State Clearinghouse Office of Planning and Research), special districts, and members of the public, who had requested such notice on March 6, 2024, with the 30-day public review period concluding on April 4, 2024.

The purpose of the Recirculated NOP was to provide an updated description of the proposed Project and formally reannounce the preparation of a Draft EIR for the proposed Project and that, as the Lead Agency, the City was soliciting input regarding the scope and content of the environmental information to be included in the EIR. The City requested that individuals and agencies provide comment letters and/or input on the Recirculated NOP, which provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR. In addition, notice of a joint Informational Meeting and EIR Scoping Meeting for the Project was included in the Recirculated NOP.

A joint Informational Meeting and EIR Scoping Meeting was held via webinar on March 20, 2024 at 6:00 p.m. The intent of the meeting was to provide interested individuals, groups, and public agencies information regarding the updated proposed Project and a forum in which to orally present input directly to the Lead Agency in an effort to assist in further refining the intended scope and focus of the EIR, as described in the Recirculated NOP. The Recirculated NOP is provided as Appendix A and the Recirculated NOP comment letters are provided as Appendix B.

A summary of the primary environmental issue areas applicable to the CEQA analysis and where the environmental topical areas are addressed in the Draft EIR, are as follows:

- Comments related to the methodology of the air quality analysis and potential adverse air quality impacts from the proposed Project during construction and operation (refer to Section 5.1, Air Quality).
- Changes in egress from Thornton Avenue and reduction of parking specific to the Burbank Municipal Code (BMC) (refer to Section 3.0, Project Description, Section 5.8, Land Use and Planning, and Section 5.11, Transportation).
- Construction impacts (refer to Environmental Analysis Sections 5.1 through 5.13, Section 6.0, Other CEQA Considerations, and Section 8.0, Effects Found Not To Be Significant).
- View and light impacts (refer to Section 8.0, Effects Found Not To Be Significant).
- Energy consumption compared to energy generation (refer to Section 5.3, Energy).
- Potential impacts to unknown or undiscovered tribal cultural resources (refer to Section 5.12, Tribal Cultural Resources).
- Consideration of a mixed-use housing/hotel alternative (refer to Section 7.0, Alternatives to the Proposed Project).
- Assess all modes, including reducing single occupancy vehicle trips, ensuring safety, reducing vehicle miles traveled, supporting accessibility, and reducing greenhouse gas emissions (refer to Section 5.5, Greenhouse Gas Emissions, and Section 5.11, Transportation).
- Analysis of vehicle miles traveled (VMT) and consideration of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications, and traffic safety impact analysis (refer to Section 5.5, Greenhouse Gas Emissions, and Section 5.11, Transportation).
- Analysis of the Project's compliance with SB 1383 (refer to Section 5.13, Utilities and Service Systems).

2.4 Format of the EIR

The Draft EIR is organized into the following sections:

Section 1.0, Executive Summary, provides summaries of the Project description, environmental impacts, and mitigation measures.

Section 2.0, Introduction and Purpose, provides CEQA compliance information.

Section 3.0, Project Description, provides a detailed Project description indicating Project location and setting, Project characteristics, objectives, phasing, and associated discretionary actions required.

Section 4.0, Basis of Cumulative Analysis, describes the approach and methodology for the cumulative analysis.

Section 5.0, Environmental Analysis, contains a detailed environmental analysis of the existing conditions, potential Project impacts, recommended mitigation measures, and possible unavoidable adverse impacts for the following environmental topic areas:

- Air Quality
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Section 6.0, Other CEQA Considerations, discusses the potential long-term implications of the proposed action and irreversible changes to the environment that would be caused by the proposed Project, should it be implemented. The Project's growth-inducing impacts, including the potential for economic or population growth are also discussed.

Section 7.0, Alternatives to the Proposed Action, describes a reasonable range of alternatives to the Project or its location that could avoid or substantially lessen the Project's significant impacts and still feasibly attain the Project's basic objectives.

Section 8.0, Effects Found Not To Be Significant, provides an explanation of potential impacts that have been determined not to be significant and are therefore not discussed in detail in the EIR.

Section 9.0, Organizations and Persons Consulted, identifies all federal, State, and local agencies, other organizations, and individuals consulted.

Appendices, contains the Project's technical documentation.

2.5 Incorporation By Reference

Pertinent documents relating to this EIR have been cited in accordance with CEQA Guidelines Section 15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. Copies of these documents are available for review at the City of Burbank, Planning Division, located at 150 North Third Street, Burbank, California 91502, and on the City's website: https://www.burbankca.gov/web/community-development/planning

A brief synopsis of the scope and content of these documents is provided below.

- *Burbank2035 General Plan*, adopted February 19, 2013. The Burbank2035 General Plan (Burbank2035) is a "blueprint" policy document, designed to provide guidance on the City's future physical form and character of development. Burbank2035 includes the following elements: Air Quality and Climate Change; Land Use; Mobility; Noise; Open Space and Conservation; Safety; and

Plan Realization. The Housing Element which was integrated into the Burbank2035 General Plan on January 7, 2014, was recently updated. On September 27, 2022, the City Council adopted the 2021-2029 (6th cycle) Housing Element which was subsequently certified by the Department of Housing Authority on October 7, 2022. The Safety Element and Environmental Justice General Plan updates were also adopted on September 27, 2022. For each General Plan element, Burbank2035 describes the focus and purpose of the element and its relationship with other Burbank2035 elements and provides a comprehensive list of planning goals and policies. All development projects including subdivisions, public works, redevelopment projects, zoning decisions, and other various implementation tools must be consistent with the General Plan.

- *Burbank2035 General Plan Environmental Impact Report*, certified February 19, 2013. The Burbank2035 General Plan Environmental Impact Report (Burbank2035 EIR) is intended to provide decision-makers and the public with information concerning the environmental effects of implementation of Burbank2035. The Burbank2035 EIR includes background data, analyzes potential environmental impacts, identifies Burbank2035 policies and implementation plans that serve as mitigation, and identifies additional mitigation measures to reduce potentially significant effects due to implementation of Burbank2035. The Burbank2035 EIR determined that implementation of the General Plan would result in various irreversible environmental changes in the area, including the alteration of the human environment as a consequence of the development process; increased usage of public services and utilities during and after construction; temporary and permanent commitment of energy and water resources as a result of construction, operation, and maintenance of new developments; utilization of various new raw materials for construction; and incremental increased vehicular activity within the City. Other significant environmental effects include increased air quality and noise pollution emissions, potential impacts to historic and archaeological resources, substantial population growth, increased demand for water supplies, and additional traffic and circulation impacts.

- *Burbank Greenhouse Gas Reduction Plan Update*, adopted May 3, 2022. The Burbank Greenhouse Gas Reduction Plan (GGRP) Update is a long-range planning document that builds off of the 2013 GGRP and guides the City towards long-term emission reductions in accordance with the State's goals. The GGRP Update analyzes current (2019) emission sources within the City, forecasts future (2030, 2035, and 2045) emissions, and establishes emission reduction targets that align with California's long-term goals. The GGRP Update is Burbank's roadmap to achieving the City's 2030 target and the State-mandated goal of 40 percent below 1990 levels by 2030. The GGRP Update demonstrates substantial progress towards achieving carbon neutrality by 2045, and also includes a framework for implementation and monitoring emission reduction activities and further promotes adaptation and resilience. The GGRP Update is intended to be a qualified GHG Reduction Plan and meets the requirements of CEQA Section 15183.5(b).

- *Burbank Municipal Code, codified through* Ordinance 24-4,0010, passed February 27, 2024. The BMC provides regulations for governmental operations, development, infrastructure, public health and safety, and business operations within the City. BMC Title 10, Zoning, Articles 2 through 27, are known as the Zoning Ordinance of the City. The Zoning Ordinance is established to promote the public health, safety, peace, comfort, convenience, prosperity, and welfare of the City and its inhabitants. The Zoning Ordinance regulates the use of land, density of population,

uses and locations of structures, the height and bulk of structures, the open spaces about structures, the appearance of certain uses and structures, the areas and dimensions of sites, the location, size and illumination of signs and displays, requirement for off-street parking and loading facilities, and procedures for administering and amending such regulations and requirements.

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3.0 PROJECT DESCRIPTION

3.1 Project Location and Existing Setting

Project Location

The 2500 N. Hollywood Way – Dual Brand Hotel Project (herein referred to as 2500 N. Hollywood Way or the Project) site is in the northwestern portion of the City of Burbank (City), approximately 12 miles north of downtown Los Angeles within Los Angeles County (County); refer to Figure 3-1, *Regional Vicinity Map*. The Project site encompasses approximately 11.76 acres (APN 2464-004-015) generally bounded by Thornton Avenue on the north, Hollywood Way on the west, Avon Street on the south and a commercial office campus (Media Studios), comprised primarily of office uses with various onsite support amenities, on the south and east; refer to Figure 3-2, *Proposed Project Site and Offsite Improvement Areas*.

Existing Setting

Access to the site occurs from three driveways, one at Thornton Avenue, one at Hollywood Way (i.e., Marriott Drive), and one at Avon Street. Photos of the Project site and surrounding area are depicted in Figures 3-3a and 3-3b, *Site Photos*.

The Project site is currently developed with the Los Angeles Marriott Burbank Airport (Marriott Hotel) and 763 surface parking spaces. The existing Marriott Hotel is comprised of 488 hotel rooms, 5,200 square feet of restaurant space, and 46,500 square feet of meeting/banquet and convention space. The Marriott Hotel consists of one eight-story building (East Tower) and one nine-story building (West Tower), connected by a single-story structure on the ground level, totaling 277,600 square feet. The convention center portion of the Marriott Hotel consists of one single-story building with a mezzanine level, totaling 39,000 square feet.

Approximately four times per year, the Marriott Hotel hosts large events on the property, resulting in the expansion of the convention center area using event tents that are placed on the surface parking lot at the southeastern portion of the Project site (the SE Lot). The largest event (a media event that occurs annually) utilizes an event tent that is approximately 19,000 square feet. Sufficient parking capacity is provided for these events through the implementation of parking management plans and/or the securing of offsite parking during the days of each event.

A multi-tenant office building and associated surface parking are located at the southeastern corner of Thornton Avenue and Hollywood Way (2550 N. Hollywood Way), which shares its southern and eastern property lines with the Project site; refer to Figures 3-1 and Figure 3-2. This property is not a part of the proposed Project. A reciprocal parking and access agreement exists between the owners of the Project site and 2550 N. Hollywood Way; however, parking requirements for the Project do not rely on the parcel at 2550 N. Hollywood Way.

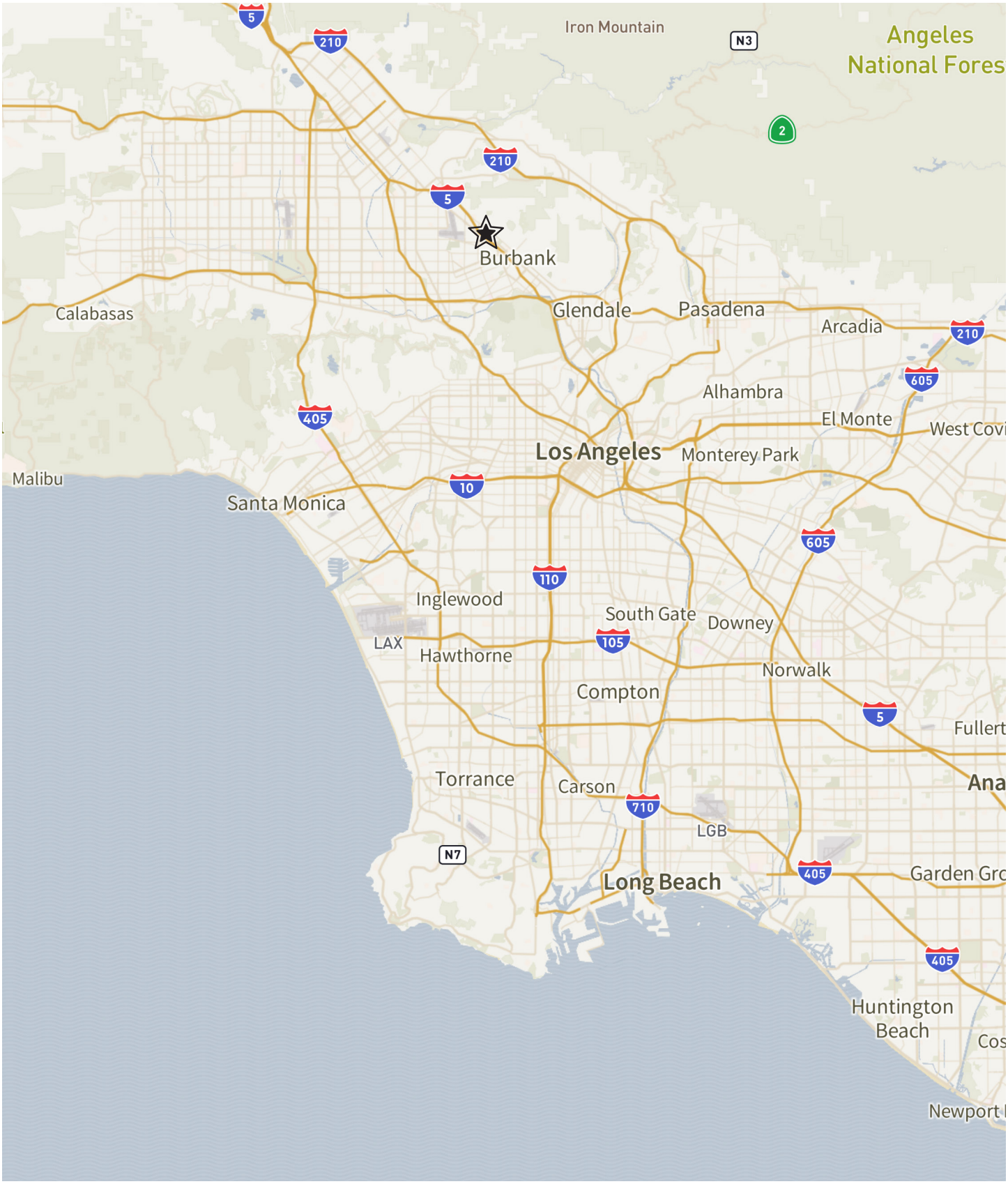


Figure 3-1: Regional Vicinity Map

Project Location



Figure 3-2: Proposed Project Site and Offsite Improvement Areas

Environmental Impact Report | Dual Brand Hotel
2500 N. Hollywood Way | Burbank, CA

- Project Site
- Striping and Bike Lane Improvements
- Right-of-Way, Bike, and Road Improvements
- Right-of-Way Curb Improvements
- Recycled Water Extension
- Electrical
- Sewer

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View from the northeastern portion of the Project Site looking southeast at the office buildings to the east and south



View of the land uses north of the Project Site across Thornton Avenue looking northeast



View of the dome south of the Project Site from the eastern side of Avon Drive looking west toward Hollywood Way with the southern portion of the Project Site shown on the right-hand side of the photo



View from the southeastern corner of Thornton Avenue and Hollywood Way looking northwest at the entrance of Hollywood Burbank Airport

Figure 3-3a: Site Photos



View of the Marriott Hotel arrival area from the entrance at Hollywood Way



View of the Marriott Hotel looking south from the northwestern portion of the Project Site



View from the eastern portion of the Project Site looking west across the Project Site



View of the Marriott Hotel and Convention Center looking southwest from the eastern portion of the Project Site

Figure 3-3b: Site Photos

General Plan and Zoning

General Plan Land Use

According to Burbank2035 General Plan (Burbank2035) Exhibit LU-1, Land Use Diagram, the Project site is designated Regional Commercial (Maximum 1.25 Floor Area Ratio, 58 units per acre with discretionary approval). The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities. These regional centers provide a variety of employment opportunities and services that address regional needs for retail, service, dining, entertainment, and conventions. The subject property, Marriott Hotel, is explicitly identified as a commercial center within the narrative of the General Plan's Regional Commercial land use designation. These regional centers also play a key role in supporting the media industry and other sectors of the local economy.

Zoning

The City of Burbank Zone Map (last amended by Ordinance No. 3802, effective 2019) identifies the zoning for the Project site as PD 89-1, Planned Development. According to BMC Section 10-1-19119, the PD Zone allows for an alternate process to accommodate unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards that would create a desirable, functional, and community environment under controlled conditions of a development plan. Ordinance No. 3164, adopted on September 12, 1989, approved the Planned Development (PD) along with a related Development Agreement (DA) for the development of a 250-room, eight-story hotel tower and a 39,200-square-foot convention center at the Project site. The DA identified specific restrictions on development, including permitted uses, density, and maximum height and size of the hotel tower and convention center. These specific restrictions in development, in addition to zoning classification, include the following:

- Permitted Uses and Density: The property may be used only for such uses and purposes as are permitted under this DA, including general office, bank, hotel, convention center.
- Maximum Height and Size: The maximum height of the eight-story Hotel/Tower is approximately 118 feet in height and 144,000 square feet in area, with a maximum of 250 rooms. The area of the proposed convention center is approximately 39,200 square feet in area. The main banquet rooms are approximately 15,984 square feet in area; and four meeting rooms each with an area of approximately 655 square feet.

Since the approval of the DA in 1989, its terms have expired and are no longer enforceable, but the zoning of PD 89-1 remains on the property. Redevelopment of the property would require rezoning.

Surrounding Land Uses

Land uses surrounding the 2500 N. Hollywood Way site are as follows:

- North: The Project site is bounded by the adjacent office use and Thornton Avenue to the north. North of Thornton Avenue is primarily surface parking (V.S.P. Parking and Hollywood Burbank Airport Economy Parking Lot C). V.S.P. Parking offices and Midway Car Rental are located at the northeastern corner of Thornton Avenue and Hollywood Way. Northwest of the Project site (west of Hollywood Way) is the Hollywood Burbank Airport.

- East: To the east of the Project site is the northeastern portion of the Media Studios Campus. Media Studios is a commercial office campus comprised primarily of office uses with various onsite support amenities.
- South: To the south of the Project site is the southwestern portion of the Media Studios Campus and the extension of Avon Street. A spherical geodesic dome that serves as a prototype facility for Madison Square Gardens (MSG) Entertainment's creative teams, is located on the property located south of Avon Street, bounded by Avon Street, Empire Avenue, and Hollywood Way. The Hollywood Burbank Airport Regional Intermodal Transportation Center (RITC) is located west of Hollywood Way, southwest of the Project site. Southern California Regional Rail Authority (SCRRA) railway is located south of Empire Avenue.
- West: To the west of the northern portion of the Project site is the adjacent office building and Hollywood Way. West of Hollywood Way is a shopping center with a variety of restaurant uses, including Denny's, Del Taco, Panda Express, and McDonald's.

3.2 Background and History

The approximately 11.76-acre site was developed with the current Marriott Hotel in two stages. In 1981, the Marriott Hotel's nine-story West Tower was constructed, and, in 1990, the Marriott Hotel's eight-story East Tower and the single-story convention center were constructed. The site currently operates as a full-service Marriott Hotel.

The adjacent office building (located at 2550 N. Hollywood Way) was constructed in 1981. A reciprocal parking and maintenance agreement was recorded on December 24, 1997, which currently exists between the owners of the Project site and this property. The agreement included, but is not limited to, an easement to each of the respective property owners allowing vehicular and pedestrian access across the driveways (including exiting and entering the properties) and within the parking areas located on both the office and hotel parcels.

3.3 Project Objectives

Pursuant to CEQA Guidelines Section 15124(b), the EIR project description must include "[a] statement of objectives sought by the proposed project… [which] should include the underlying purpose of the project". The following Project objectives are established for the proposed Project:

- Enhance the continued economic revitalization and urbanization of the Hollywood Burbank Airport area with premium lifestyle and extended stay hotel brands catering to the modern business and leisure traveler.
- Construct and operate a Marriott-branded, business- and leisure-oriented urban hotel reflecting the character of Burbank and integrated into the overall site design of the existing onsite hotel facilities, immediately adjacent to and complementing the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel for those visiting Burbank.
- Construct and operate additional conference/meeting/entertainment/dining space, fitness facilities for hotel guests and other patrons, and a ground-floor central open courtyard with pool and deck space amenity area to provide additional outdoor space.
- Contribute to the economic health and well-being of Burbank through the development of a Project that would generate new construction and long-term jobs and provide additional long-

term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transit occupancy tax.

- Redevelop a portion of the surface parking lot area that is underutilized into a more economically productive use that complements the existing development on the property and is consistent with the City's ongoing re-envisioning efforts within the Golden State Specific Plan.
- Support environmentally conscious alternative modes of travel by constructing two new hotels within a half mile of two existing Metrolink stations, a planned high speed rail station, and the Hollywood Burbank Airport, and by promoting ride-sharing services and transportation demand management strategies in efforts to reduce local vehicle trips into and out of the City.
- Support and enhance statewide decarbonization efforts through the development of an all-electric Project free from fossil-fuel reliance; on-site generation and use of power through solar panels and battery storage; reducing vehicle emissions through an efficient guest drop-off and pick-up porte cochere design and by operating a valet-only parking garage for more efficient parking of guest's vehicles; and encouraging the replacement of gas-fueled cars with electric vehicles by providing hundreds of EV charging stations and EV ready plug-ins.

3.4 Project Characteristics

The Project proposes development of a new seven-story dual brand hotel (the Hotel), consisting of approximately 262,338 square feet and a separate, detached four-story parking garage (the Garage). The Garage would consist of 208,040 square feet of valet-only parking, providing up to 766 parking spaces, with an additional 285 parking spaces at grade. Based on the proposed net new total development area, the floor to area ratio (FAR) would be 1.13:1, which is below the permitted maximum FAR of 1.25:1.[1] The proposed Hotel and Garage would be located within the same parcel as the existing Marriott Hotel; refer to Figure 3-4, *Proposed Site Plan*. No changes to the existing Marriott Hotel are proposed; existing uses would remain in operation during construction and upon Project completion. The larger events that occur approximately four times per year on the property are anticipated to continue to occur under the proposed condition, as site availability and construction conditions warrant. These events would occur on the southeastern corner of the property, within the parking area east of the convention center. Sufficient parking capacity would be provided for these events through the implementation of parking management plans and/or the securing of offsite parking during the days of each event. Additionally, the existing reciprocal parking and access agreement with the adjacent parcel would remain in effect. However, parking requirements for the Project do not rely on the parcel at 2550 N. Hollywood Way.

Project construction would require demolition and regrading of the existing surface parking lot pavement in the northeastern portion of the parcel. The surface parking of the SE Lot and behind the convention center would also be demolished, regraded, repaved, and restriped as part of the Project. Except for the small security booths located at the parking controls on the existing driveway off Thornton Avenue, no other structures would require demolition as part of the Project.

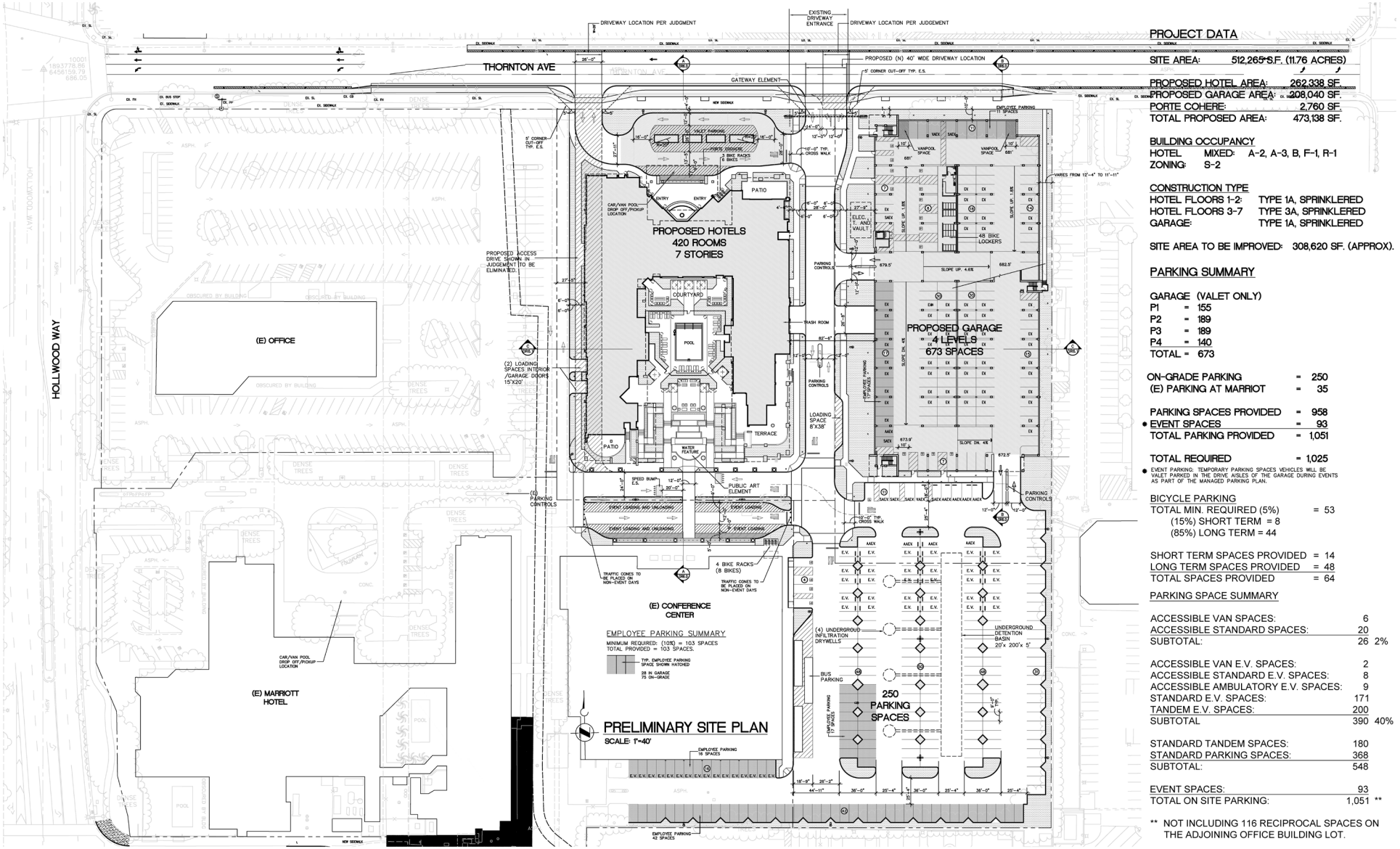
[1] An FAR of 1.25:1 on the proposed Project site would equate to approximately 640,331 square feet. The Project site lot size is approximately 512,265 square feet, and it has an existing developed area of 316,800 square feet. When added to the proposed new hotel area of approximately 262,338 square feet, the new total developed area under the proposed Project would be approximately 579,138 square feet, for a total FAR of 1.13:1.

The Hotel

The proposed seven-story dual brand Hotel would consist of two hotel uses (Aloft and Residence Inn) with a total of 420 hotel rooms and shared amenities. The dual brand hotel uses would provide opportunities for both short- and long-term (extended) lodging with 203 short-term stay guest rooms (Aloft) and 217 long-term stay guest rooms (Residence Inn). The Hotel's seven-story structure would measure approximately 84.5 feet in height from the finished grade to the top of the roof. Therefore, the proposed Hotel and Garage structures would be lower in height than the existing onsite hotel buildings. The floor area breakdown would consist of approximately 30,240 square feet for the first floor, approximately 38,440 square feet for the second floor, approximately 40,035 square feet each for floors three through six, and approximately 33,518 square feet for floor seven, resulting in a total of 262,338 square feet of building area.

The primary entrance to the Hotel would be from Thornton Avenue with a 2,760-square-foot porte cochere providing a covered drop-off area, as well as valet parking service for guest arrival at the front of the building, where each of the Hotel brands would offer separate entrances for their guests. The floor plan for the first floor would reflect the respective brand-specific elements and standards to functionally distinguish between the short-term (Aloft) hotel from the long-term (Residence Inn) hotel space. This would consist of separate signage and entrances from the porte cochere to each hotel's respective reception desk and elevator lobbies, as well as distinct entrances for each at the Hotel's south entrance. Other brand-specific features include a dining and lounge area that is exclusive to long-term hotel guests, with a pantry and kiosks, a den, and living room space. Back-of-house office spaces for each of the brands would mostly be bifurcated, with the exception of the laundry room, a trash and recycling room on the east side of the building, and a service and loading area on the west side of the building, that would serve both brands.

The south end of the Hotel would be designed as a primary entrance (the South Entrance) to help visually and functionally connect the Hotel to the existing Marriott Hotel. This entrance concept would be accomplished by creating a two-story grand opening across from the convention center to connect the outside to the Hotel's interior courtyard. A water feature would be at the center of the South Entrance opening, as well as a proposed location for public art installation. The South Entrance would have secondary entrances on either side of it to access the respective Hotel brands. Guestrooms would occupy the "bridge" above the grand opening, starting from the third floor to the seventh floor. The interior courtyard would also be the location for the Hotel's 880-square-foot pool that would include a large deck to provide outdoor seating and lounge area for guests. Planters would outline the courtyard, providing landscaping on all sides, as well as providing supplemental stormwater treatment for the Project.



PROJECT DATA

SITE AREA:	512,265 S.F. (11.76 ACRES)
PROPOSED HOTEL AREA:	262,338 SF.
PROPOSED GARAGE AREA:	208,040 SF.
PORTE COHERE:	2,760 SF.
TOTAL PROPOSED AREA:	473,138 SF.

BUILDING OCCUPANCY
HOTEL MIXED: A-2, A-3, B, F-1, R-1
ZONING: S-2

CONSTRUCTION TYPE

HOTEL FLOORS 1-2:	TYPE 1A, SPRINKLERED
HOTEL FLOORS 3-7	TYPE 3A, SPRINKLERED
GARAGE:	TYPE 1A, SPRINKLERED

SITE AREA TO BE IMPROVED: 308,620 SF. (APPROX).

PARKING SUMMARY

GARAGE (VALET ONLY)

P1	= 155
P2	= 189
P3	= 189
P4	= 140
TOTAL =	673

ON-GRADE PARKING	= 250
(E) PARKING AT MARRIOT	= 35
PARKING SPACES PROVIDED	= 958
● EVENT SPACES	= 93
TOTAL PARKING PROVIDED	= 1,051
TOTAL REQUIRED	= 1,025

● EVENT PARKING: TEMPORARY PARKING SPACES VEHICLES WILL BE VALET PARKED IN THE DRIVE AISLES OF THE GARAGE DURING EVENTS AS PART OF THE MANAGED PARKING PLAN.

BICYCLE PARKING
TOTAL MIN. REQUIRED (5%) = 53
(15%) SHORT TERM = 8
(85%) LONG TERM = 44

SHORT TERM SPACES PROVIDED	= 14
LONG TERM SPACES PROVIDED	= 48
TOTAL SPACES PROVIDED	= 64

PARKING SPACE SUMMARY

ACCESSIBLE VAN SPACES:	6	
ACCESSIBLE STANDARD SPACES:	20	
SUBTOTAL:	26	2%
ACCESSIBLE VAN E.V. SPACES:	2	
ACCESSIBLE STANDARD E.V. SPACES:	8	
ACCESSIBLE AMBULATORY E.V. SPACES:	9	
STANDARD E.V. SPACES:	171	
TANDEM E.V. SPACES:	200	
SUBTOTAL	390	40%
STANDARD TANDEM SPACES:	180	
STANDARD PARKING SPACES:	368	
SUBTOTAL:	548	
EVENT SPACES:	93	
TOTAL ON SITE PARKING:	1,051	**

** NOT INCLUDING 116 RECIPROCAL SPACES ON THE ADJOINING OFFICE BUILDING LOT.

Figure 3-4: Proposed Site Plan

Source: Architectural Dimensions, 1/30/2024

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The Hotel's first floor amenities would include a bar area, the interior courtyard with swimming pool and deck, additional outdoor patios, a smaller executive-style conference room, and a large 1,500-square-foot meeting room that adjoins an outdoor terrace that can become an indoor-outdoor event space to complement the other facilities; refer to Figure 3-5, *Ground Level Floor Plan*. With Hotel guestrooms from the second to seventh floors, the fitness center and guest laundry facilities are located on the sixth floor. The rooftop would include up to 6,600 square feet of solar collectors; refer to Figure 3-6, *Level 2 Floor Plan*, Figure 3-7, *Levels 3 to 5 Floor Plans*, Figure 3-8, *Level 6 Floor Plan*, Figure 3-9, *Level 7 Floor Plan*, and Figure 3-10, *Roof Floor Plan*. The Hotel would operate 24 hours per day, 365 days per year and is anticipated to employ approximately 85 full-time equivalent jobs to operate the Hotel, Garage, and related services.

The Garage, SE Lot, and Parking Plans

The Garage would consist of two entry/exit points for vehicles, with one from the main driveway on the Garage's west side and northern half of the structure, and the other from the SE Lot at the Garage's southeastern corner. Both access points would include parking control devices to prevent self-parking. The Garage would be fully managed and valet-only at all times, with Hotel and valet staff having exclusive control of the Garage parking controls.

The Garage would consist of four levels with a maximum height of 43.5 feet from the finished grade to the top of the roof and stair tower elements that would extend up an additional nine feet five inches (9'5"), for a total height of 52 feet 11 inches (52'11"). The Garage façade fronting Thornton Avenue would be set back 10 feet from the northern property line. Vertically, the Garage would be set back from Thornton Avenue on three planes, each of which extends to the southern end of the structure. The lower plane would consist of three levels, reaching 25 feet in height and representing the 10-foot setback on the Thornton Avenue frontage. The Garage would then increase in height to 30 feet across the three levels, with the middle plane set back an additional 15 feet from the lower plane, or 25 feet from Thornton Avenue. The upper plane would reach a height of approximately 40 feet 10 inches (40'10") and would be setback 111 feet from Thornton Avenue (86 feet from the middle level and 71 feet from the lower level).

The Garage would consist of approximately 208,040 square feet of total building area. Levels 1 through 3 would be 55,350 square feet each, and Level 4 would be 41,990 square feet. Most of Level 4 would be covered by a roof, providing the structural foundation to support solar collection panels. Batteries for energy storage from the solar panels would be located in various locations in the Garage.

The Garage would provide 673 permanent parking spaces, with room for 93 additional planned event spaces that would stack in the drive aisles for supplemental parking when needed, providing a total capacity for 766 cars. Within the garage, 20 accessible standard parking spaces and six accessible van spaces would be provided; refer to Figure 3-11, *Garage Level 1*, Figure 3-12, *Garage Level 2*, Figure 3-13, *Garage Level 3*, Figure 3-14, *Garage Level 4*, and Figure 3-15, *Garage Roof*.

In addition to the Garage, the existing SE Lot, including the area behind the convention center, would be regraded, repaved, restriped, and landscaped for a more efficient parking layout and to accommodate a new underground stormwater detention basin to serve the Project. Four additional accessible parking spaces would be provided adjacent to the convention center. The stormwater detention basin would be located roughly under the center-right portion of the SE Lot and would be approximately 20 feet by 200 feet by five feet. The improved SE Lot would accommodate 250 on-grade parking spaces available for self-

parking for Hotel and/or convention center guests under normal conditions. When required by special events, the SE Lot would also be operated as valet only for the duration of those events. Parking controls for self-parking in the SE Lot would be located on the driveway between the Hotel and the Garage, as well as the existing parking controls near the Marriott Hotel entrance from Hollywood Way.

In total, the Garage and SE LOT would provide up to 1,016 parking spaces, with 923 of these permanent spaces. With the addition of 35 existing (non-Project) parking spaces at the Marriott Hotel, the total parking for the Project would be 1,051 spaces, or 958 permanent spaces. In addition, the Hotel would have two dedicated loading areas along its western façade, a trash/recycling space on the Hotel's east side, and an uncovered third loading area adjacent to the west side of the Garage.

Of the 958 permanent spaces at the Garage, SE Lot, and Marriott Hotel, 140 spaces would be equipped with electric vehicle (EV) chargers, and 250 spaces would be EV-ready, providing a total of 390 EV charger and EV ready spaces, pursuant to City requirements. This includes four existing EV charger spaces, and four EV ready spaces (eight total) located behind the convention center. The new EV spaces would be located throughout the Garage and SE Lot.

The Project would also provide 14 short-term bicycle parking spaces and 48 long-term bicycle parking spaces (62 total) for both Project guest and employee use. The short-term bicycle parking racks would be located near the main entrances for each of the Hotel brands and the convention center, and 48 long-term bicycle lockers would be located at the ground floor of the Garage.

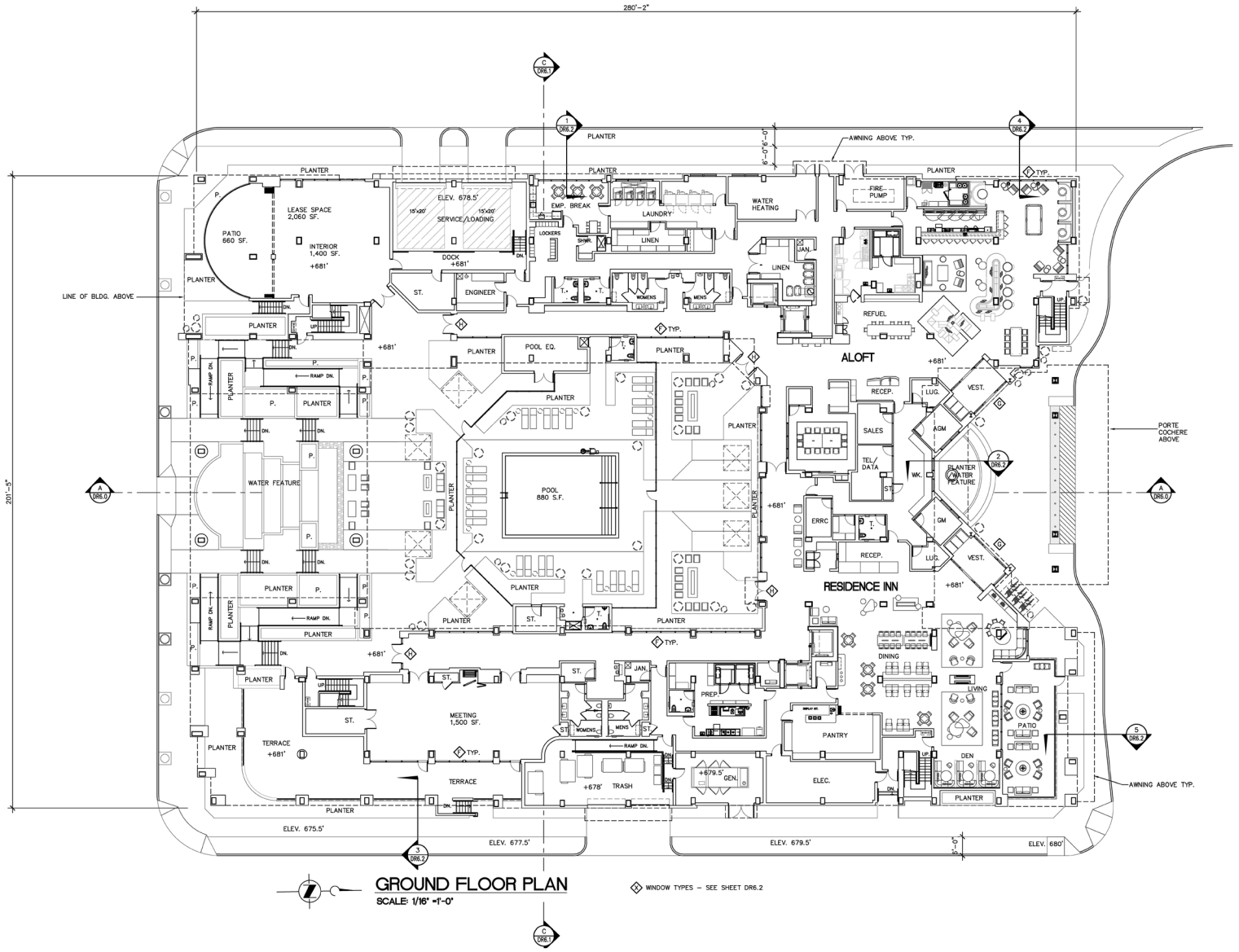


Figure 3-5: Ground Level Floor Plan

Source: Architectural Dimensions, 1/30/2024

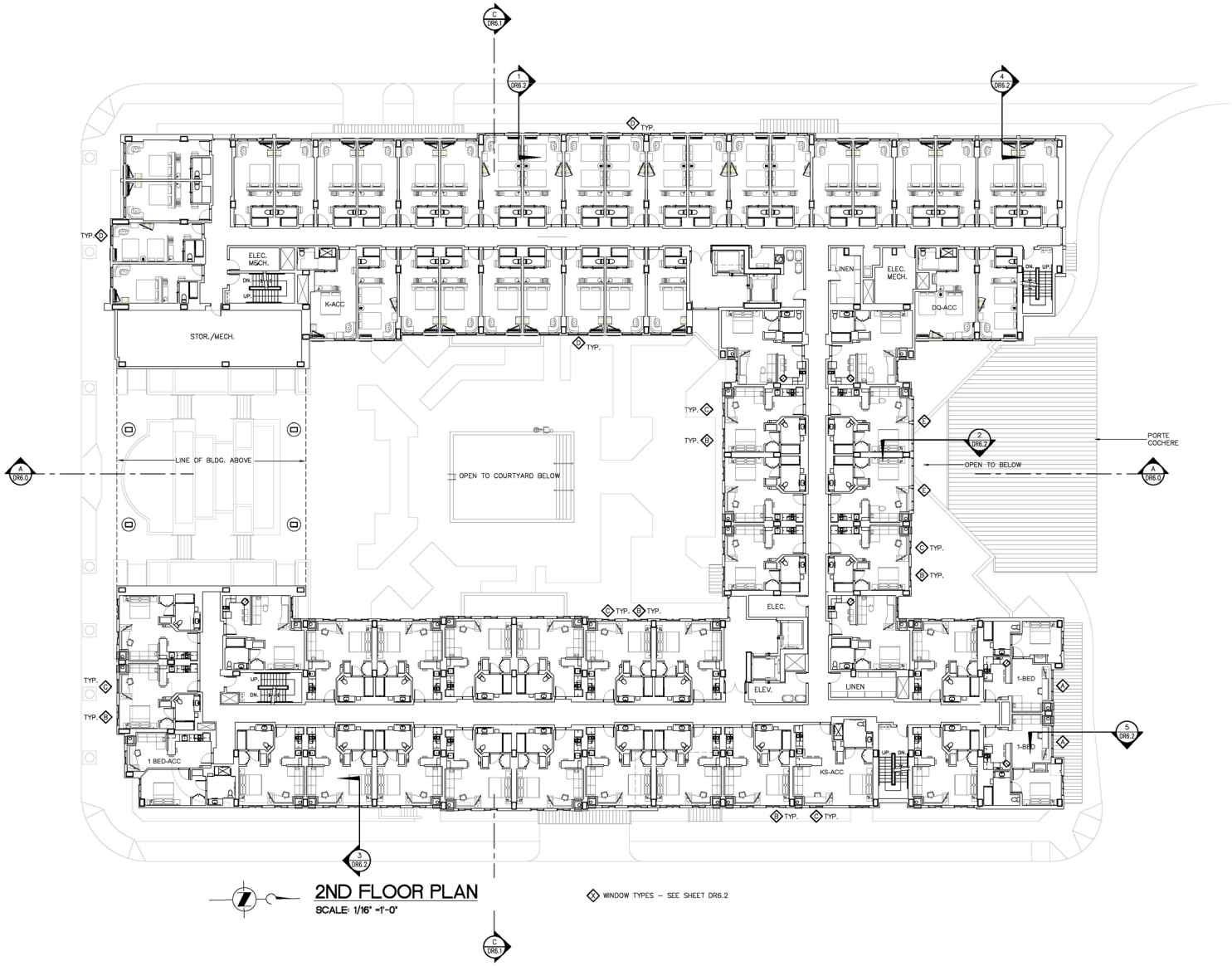


Figure 3-6: Level 2 Floor Plan

Source: Architectural Dimensions, 1/30/2024

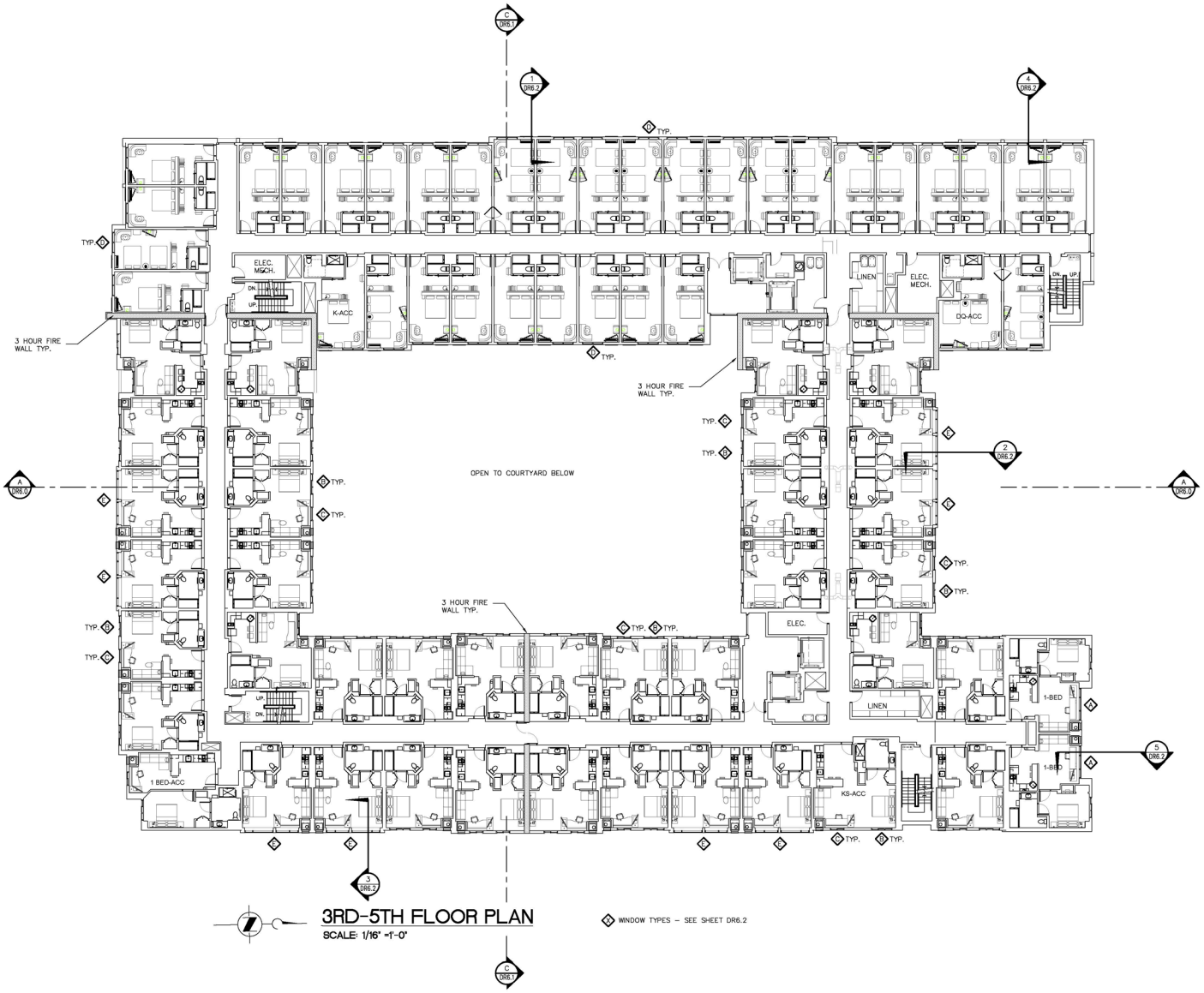


Figure 3-7: Levels 3 to 5 Floor Plans

Source: Architectural Dimensions, 1/30/2024

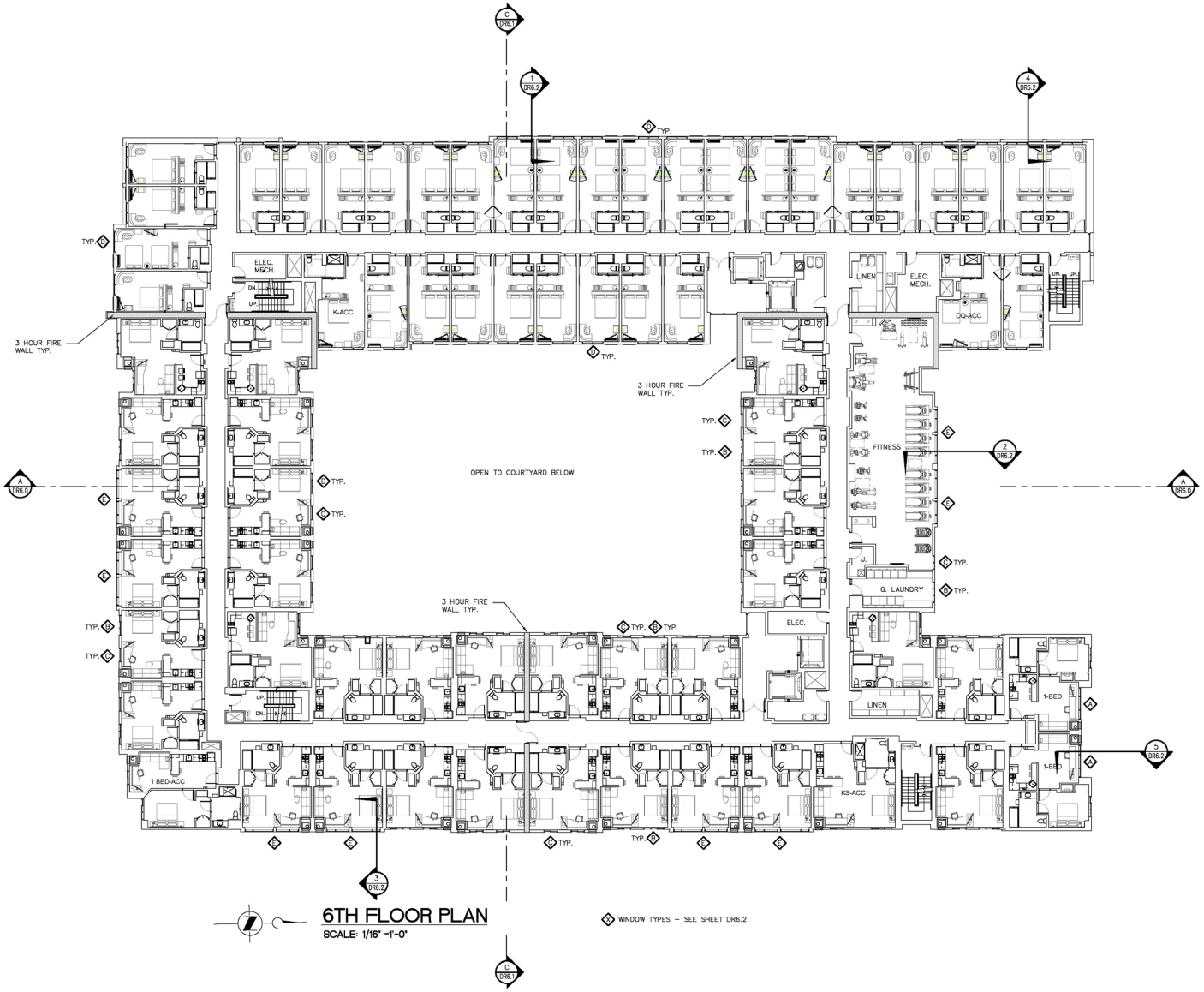


Figure 3-8: Level 6 Floor Plan

Source: Architectural Dimensions, 1/30/2024

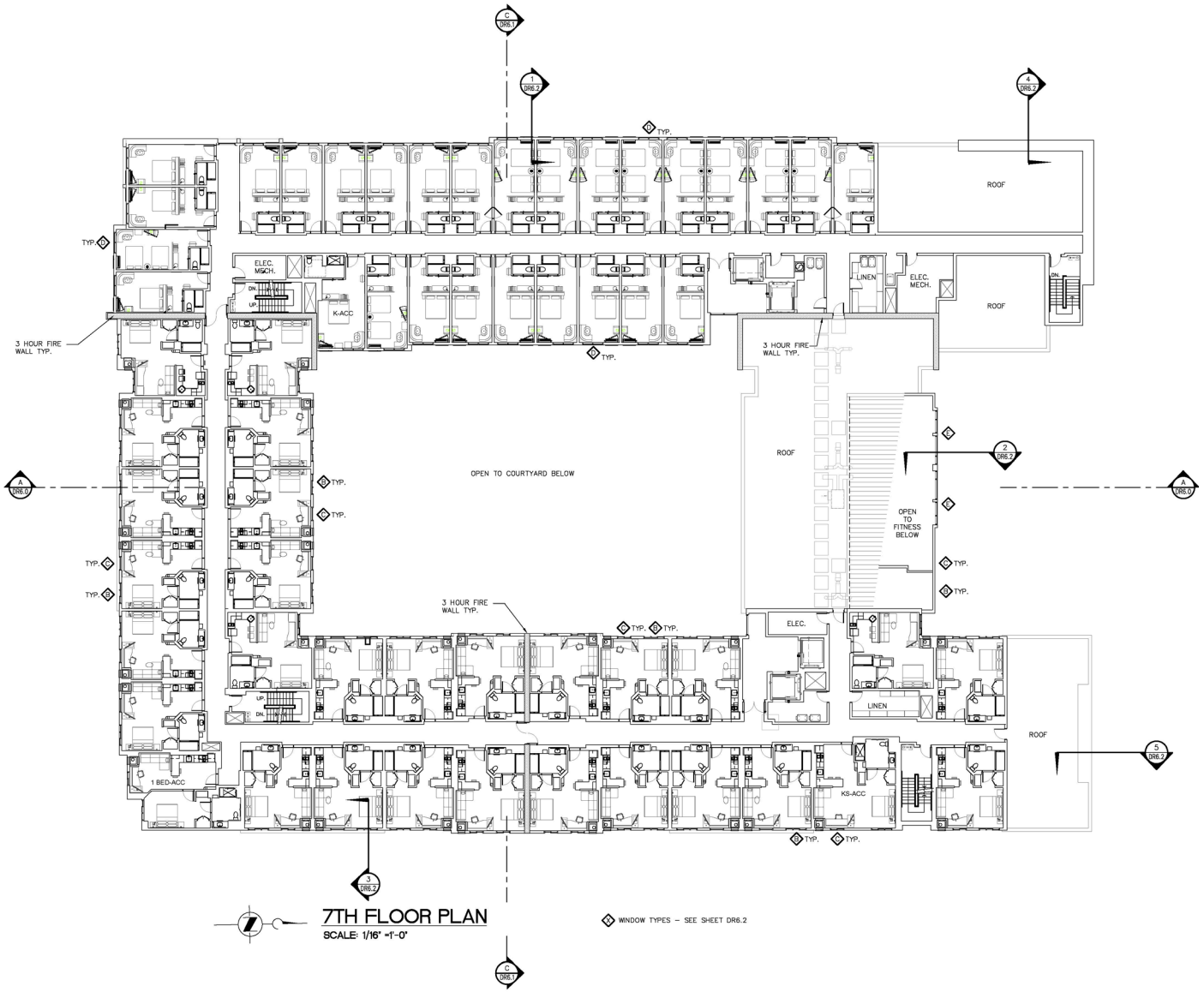


Figure 3-9: Level 7 Floor Plan

Source: Architectural Dimensions, 1/30/2024

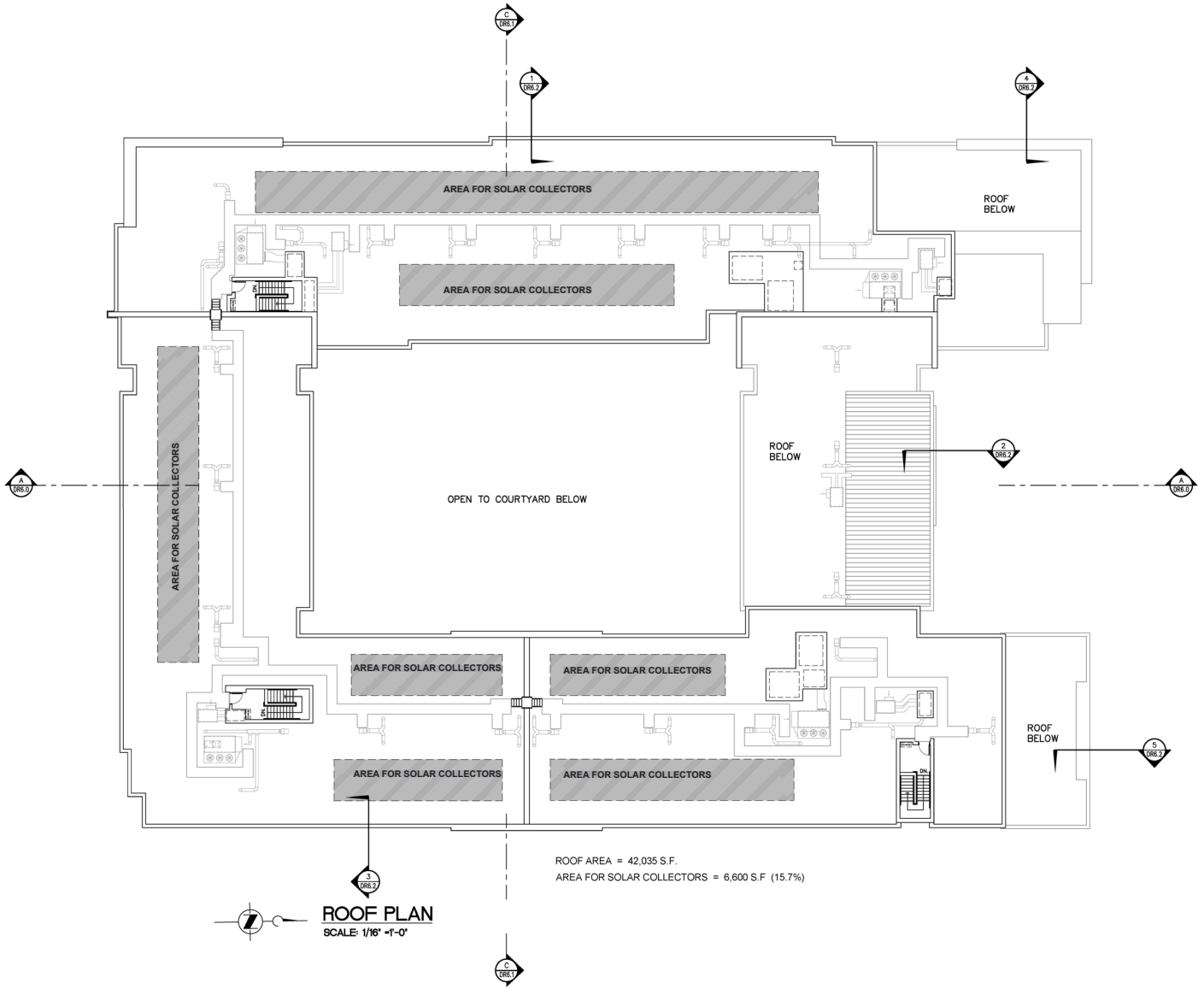
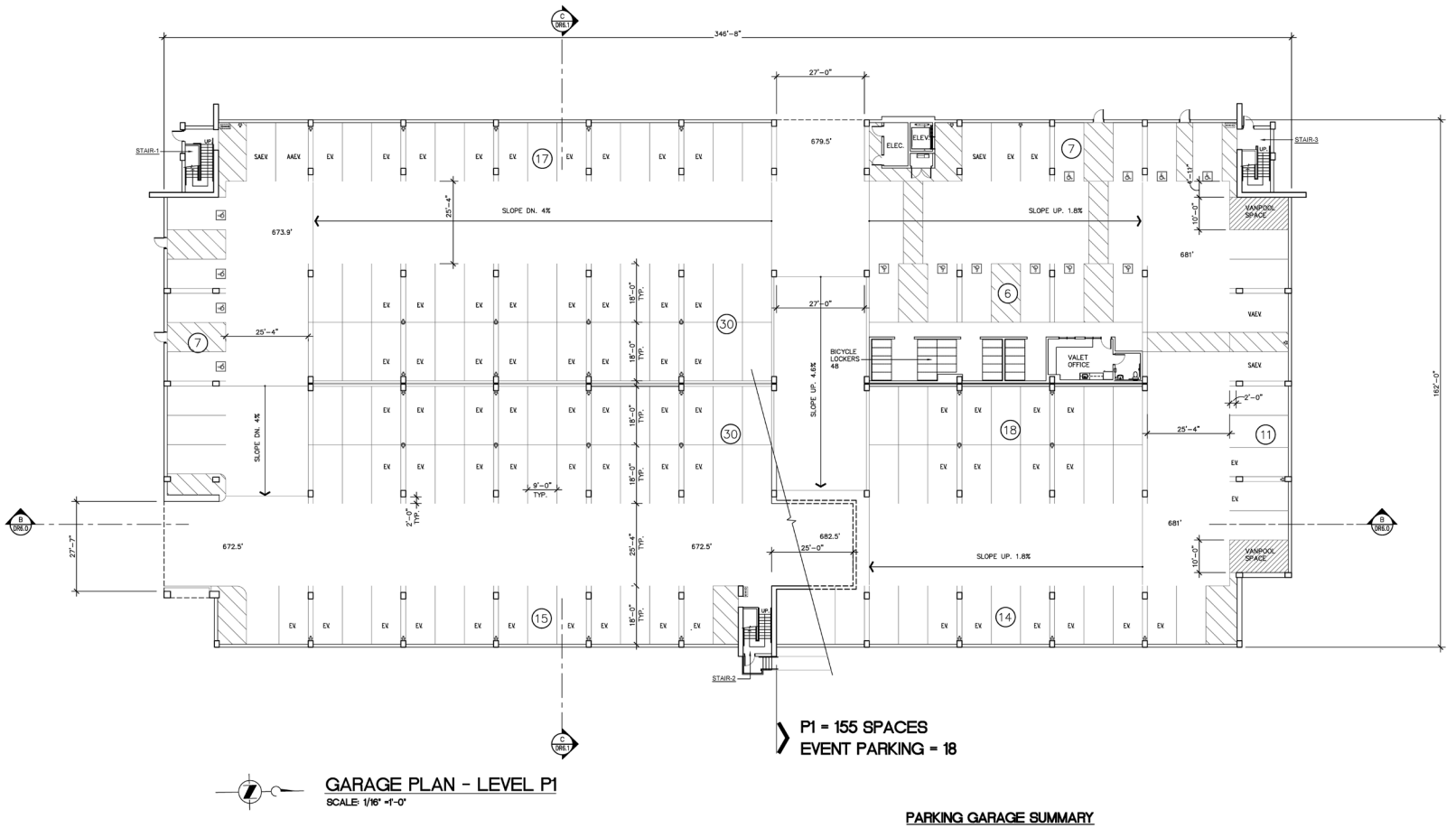


Figure 3-10: Roof Floor Plan

Source: Architectural Dimensions, 1/30/2024



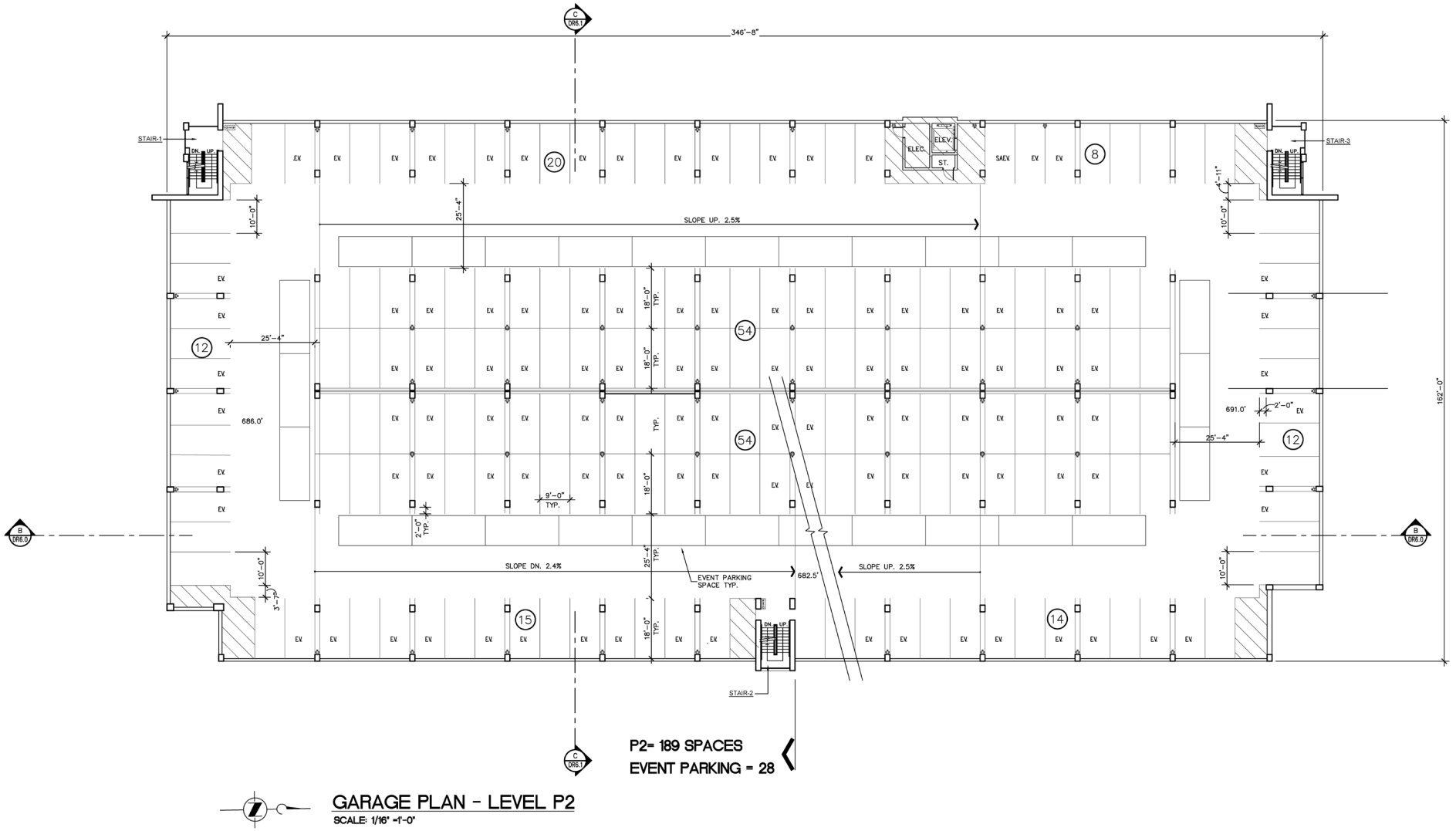
GARAGE PLAN - LEVEL P1
SCALE: 1/16" =1'-0"

PARKING GARAGE SUMMARY

LEVEL	STANDARD SPACE	TANDUM SPACE	ACC. SPACE	TOTAL	EVENT SPACE	TOTAL
P1	64	78	14	155	18	174
P2	81	108	0	189	28	217
P3	81	108	0	189	28	217
P4	58	82	0	140	19	159
TOTAL	284	376	14	673	93	767

Figure 3-11: Garage Level 1

Source: Architectural Dimensions, 1/30/2024



GARAGE PLAN - LEVEL P2
SCALE: 1/16" =1'-0"

Figure 3-12: Garage Level 2

Source: Architectural Dimensions, 1/30/2024

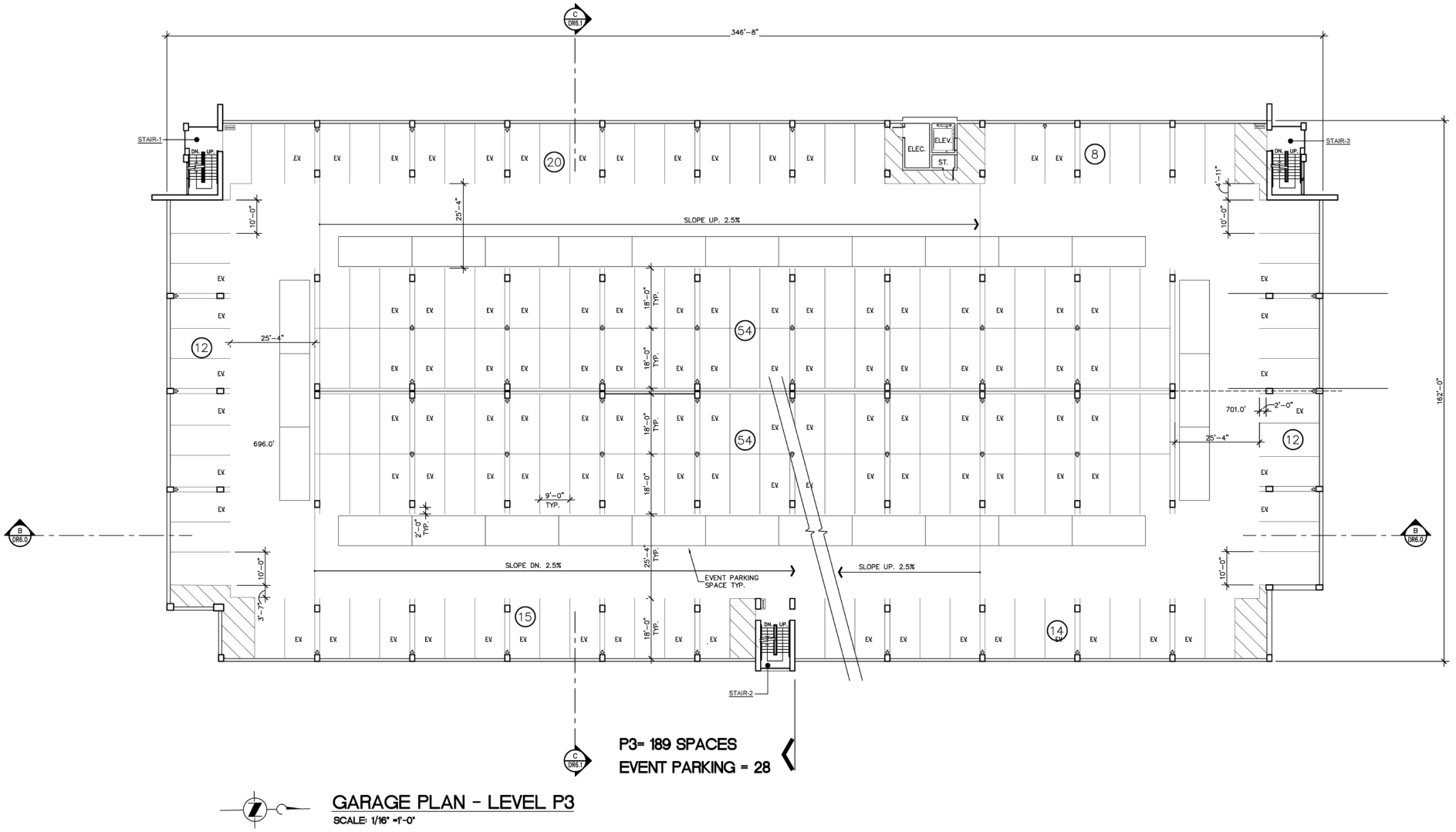


Figure 3-13: Garage Level 3

Source: Architectural Dimensions, 1/30/2024

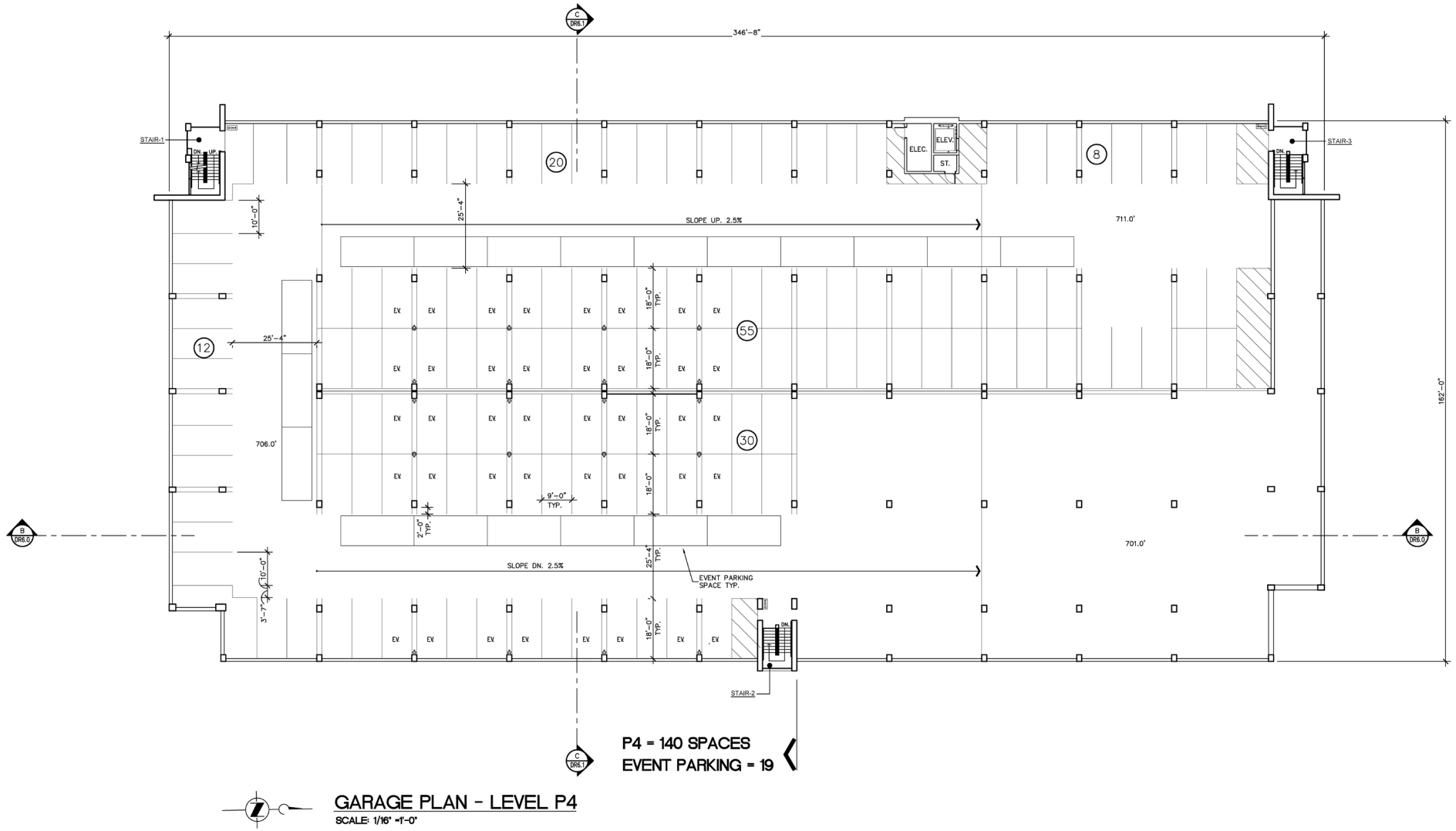


Figure 3-14: Garage Level 4

Source: Architectural Dimensions, 1/30/2024

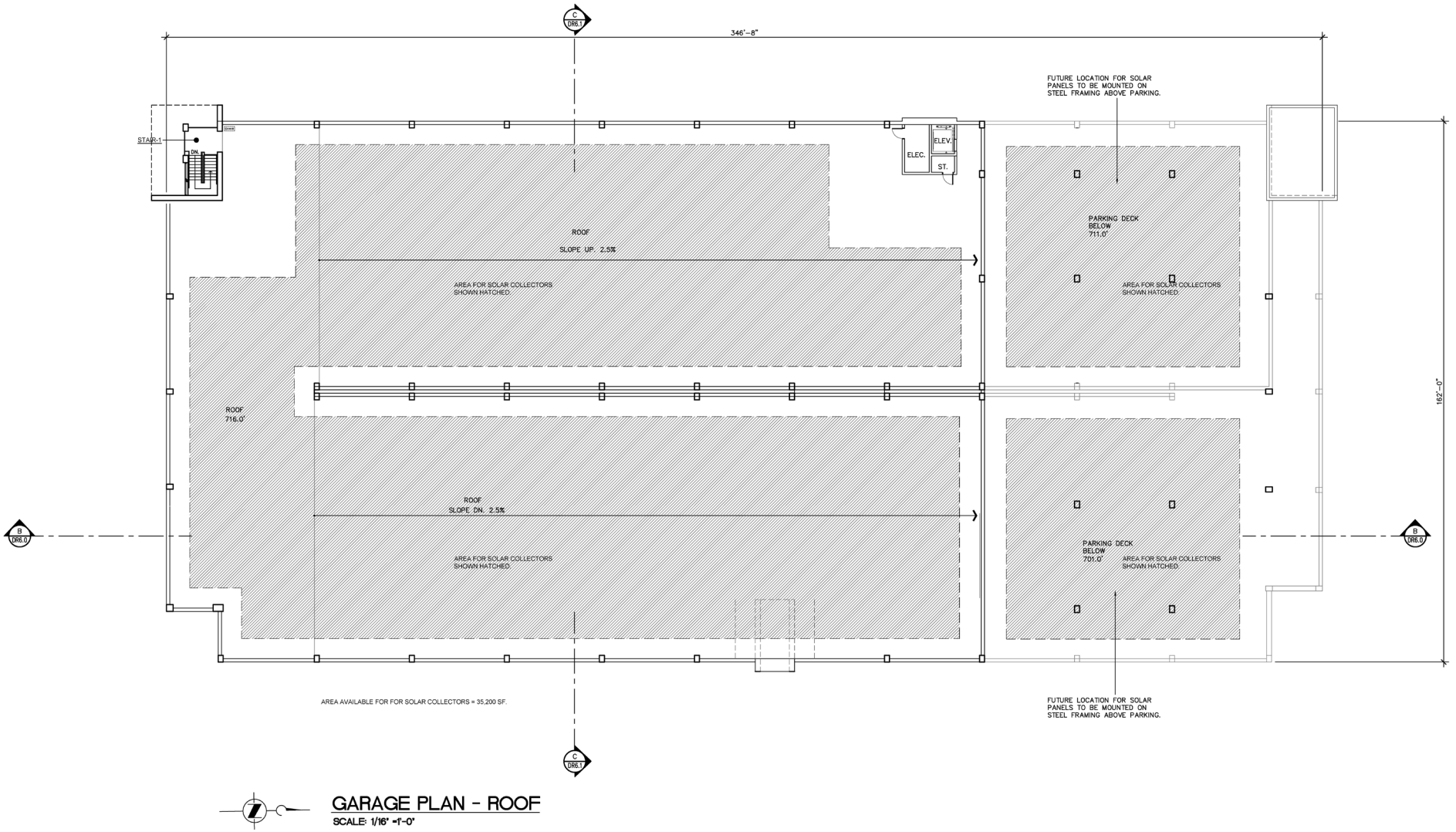


Figure 3-15: Garage Roof

Source: Architectural Dimensions, 1/30/2024

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Parking Space Compatibility

According to BMC Section 10-1-1408, the addition of the Hotel to the Project site should result in a total parking space requirement of 1,183 spaces (763 existing spaces for the Marriott Hotel and 420 new spaces for 420 new guestrooms requiring one space per guestroom). However, according to BMC Section 10-1-1415, "[S]hared parking may be counted towards code required off-street parking upon compliance with this section." The primary requirement to be eligible for such a shared parking arrangement is "[D]etailed parking studies prepared by a licensed traffic engineer to justify shared parking."

A Parking Study for 2500 North Hollywood Way (Parking Study), dated April 2021, has been prepared by Walker Consultants for the proposed Project. The Parking Study found that based on the Project's characteristics, a total of 1,021 parking spaces would sufficiently serve the Project and existing Marriott Hotel, when provided in combination with a Parking Management Plan (PMP). Therefore, while the 1,051 parking spaces proposed by the Project would not meet the code-required total of 1,183 spaces, under BMC Section 10-1-1415, a total of 1,021 parking spaces has been determined to be acceptable for this Project, when provided in combination with a PMP.

Landscaping

Landscaping adjacent to the access driveway from Hollywood Way, adjacent to the Marriott Hotel, and between the Marriott Hotel and convention center is proposed to remain. Existing landscaping within the remainder of the Project site is proposed to be removed, and new landscaping would be provided throughout the site. New landscaping would contribute to the aesthetics of the site, as well as provide shading for approximately 52 percent of the SE Lot, in accordance with City requirements (BMC Section 10-1-1418). The shrub palette would include native and drought resistant varieties. For the total existing lot area of 512,265 square feet, 40,408 square feet of new landscape area and new irrigation would be included as part of the Project. When added to the existing landscape area that would be retained, the total landscape area would be 67,683 square feet, or approximately 13 percent of the total lot area; refer to Figure 3-16, *Existing Landscape*, Figure 3-17, *Proposed Overall Site Landscape Plan*, Figure 3-18, *Schematic Tree Plan*, Figure 3-19, *Shrub Palette*, and Figure 3-20, *Surface Parking Shade Calculations*.

Lighting and Security

Lighting would be installed throughout the Project site to illuminate the exterior of the proposed structures for safety and security, including pathways, landscaping, entrances and exits, and the parking structure stairwells. Exterior light standards would consist of energy-efficient LED pole-mounted light fixtures, bollards, flood lights and wall lights; refer to Figure 3-21, *Conceptual Lighting Plan*.

Architecture and Views

The architecture is designed in a contemporary style, consisting of a variety of materials, textures, and colors. Materials include cement board siding, aluminum composite panels in varied shades, cultured stone and wood veneers, and decorative elements with perforated panel systems in red, white and dark gray. Hotel brand signage is anticipated to be installed on the Thornton Avenue frontage and the porte cochere gateway, with unifying design elements carrying across to the Garage. All signage would be required to comply with BMC Article 10 pertaining to sign and advertising structure regulations. Project sections, elevations, design elements, views, and sections are provided in Figure 3-22, *Building Sections A-A and B-B;* Figure 3-23, *Building Section C-C and Window Sections;* Figure 3-24, *Wall Sections;* Figure 3-

25, *Hotel Elevations – North and West;* Figure 3-26, *Hotel Elevations – South and East;* Figure 3-27, *Garage Elevations – North and West;* Figure 3-28, *Garage Elevations – South and East;* Figure 3-29, *Conceptual Renderings of the Project – Thornton Avenue;* Figure 3-30, *Conceptual Renderings of the Project – Thornton Avenue and Marriott Drive;* Figure 3-31, *Conceptual Renderings of the Project – Marriott Drive and Gateway;* Figure 3-32, *Conceptual Renderings of the Project – Marriott Drive, Porte Cochere, and Water Feature;* and Figure 3-33, *Conceptual Renderings of the Project – Courtyard and Water Feature*.

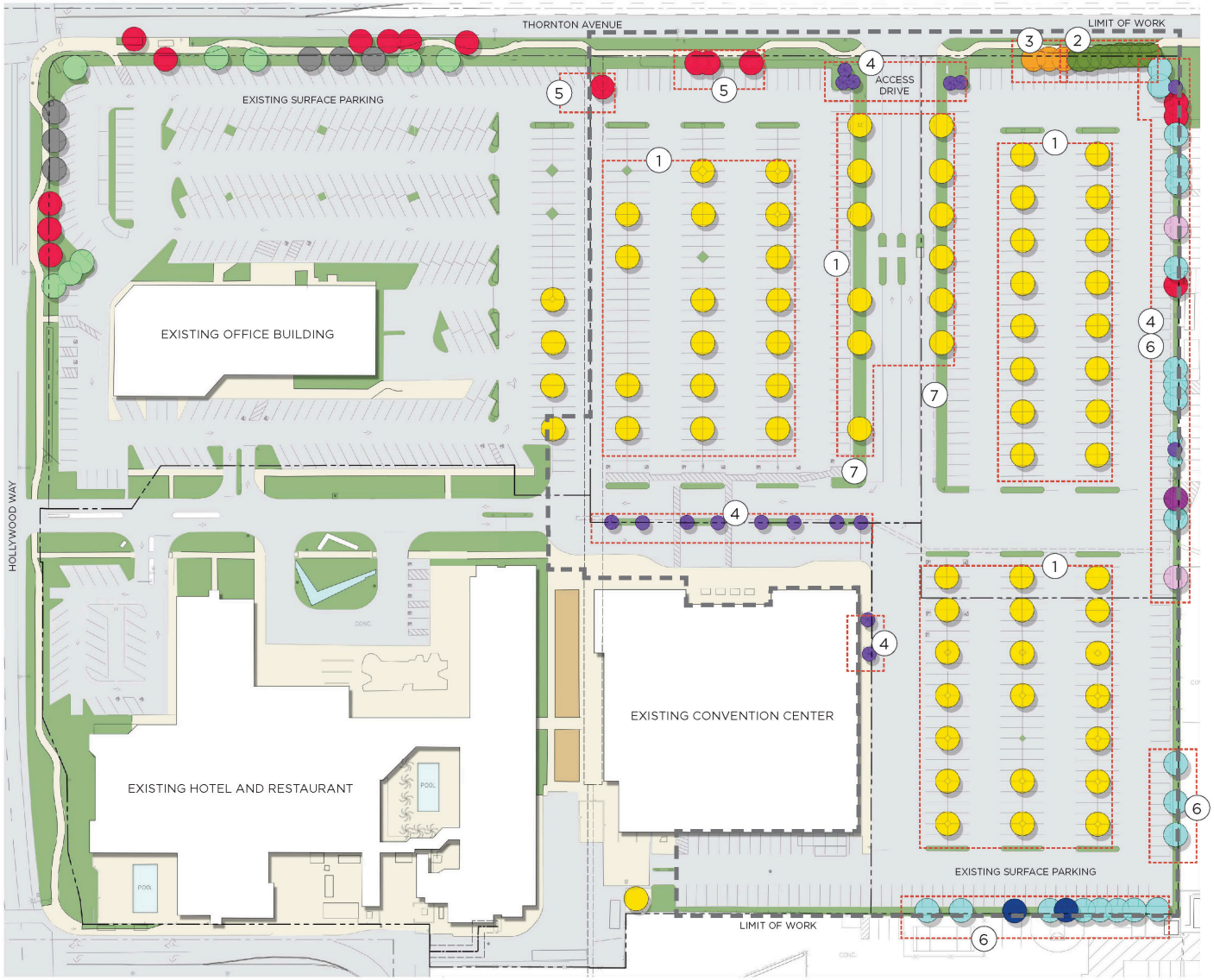
Site Access and Vehicular Circulation

The primary entrance to the new Hotel would occur from Thornton Avenue, with curb cuts at both the east and west sides of the frontage connecting to the porte cochere in between them. The porte cochere covers the drop-off area and features widened drive aisles separated by a guest drop-off 'island' to optimize valet operations in both the east and west directions for Hotel guests during check-in/check-out. The east curb cut from Thornton Avenue would also serve the main north-south driveway for the Project (the Driveway). The west curb cut would serve as the primary ingress to the porte-cochere drop-off and valet area and would connect to the Driveway for north-south circulation on the site and exiting onto Thornton Avenue from the east curb cut.

Guests entering the porte cochere from the east curb cut for drop-offs would circulate to the north side of the guest drop-off 'island' in front of the Hotel where they would unload, and the valet would then make a 180-degree turn-around at the west end of the island before proceeding to the Driveway and the Garage. The drop-off island would provide a pedestrian connection to the Hotel entrance for guests, indicated by decorative paving. The Hotel's primary right-of-way access from Thornton Avenue would provide for efficient vehicle circulation for curbside guest drop-offs, self-parking, and valet.

The Driveway would provide a drive aisle from Thornton Avenue to the rest of the Project site, connecting to the east-west drive aisle serving the existing Marriott Hotel and Office Parcel (Marriott Drive). The Driveway would also provide access to both the Garage and the SE Lot. The Driveway would consist of one southbound lane for ingress and two northbound turn lanes (one eastbound and one westbound) for egress at the east curb cut on Thornton Avenue. Parking controls would be located about 100 feet south of the west entrance to the Garage, to provide adequate queuing areas for both incoming and outgoing traffic, while still allowing access to the Garage for valets; refer to Figure 3-34, *Parking and Circulation Plan*.

Between the Hotel and the convention center, Marriott Drive would be widened to maintain existing access to the Office Parcel parking lot, as well as optimizing the drive aisles in front of the convention center for loading and unloading guests and to facilitate more efficient parking management during events.



EXISTING TREES

- BAMBUSA SPP. (BAMBOO)
- BRISBANE BOX (LOPHOSTEMON CONFERTUS)
- CAMPHORA CINNAMOMUM (CAMPHOR)
- CUPANIOPSIS ANACARDIOIDES (CARROTWOOD)
- FICUS CARICA (COMMON FIG)
- FICUS NITIDA (INDIAN LAUREL FIG)
- LIQUIDAMBAR STYRACIFLUA (LIQUIDAMBAR)
- PINUS CANARIENSIS (CANARY ISLAND PINE)
- ULMUS PARVIFLORA (CHINESE ELM)
- WASHINGTONIA ROBUSTA (MEXICAN FAN PALM)

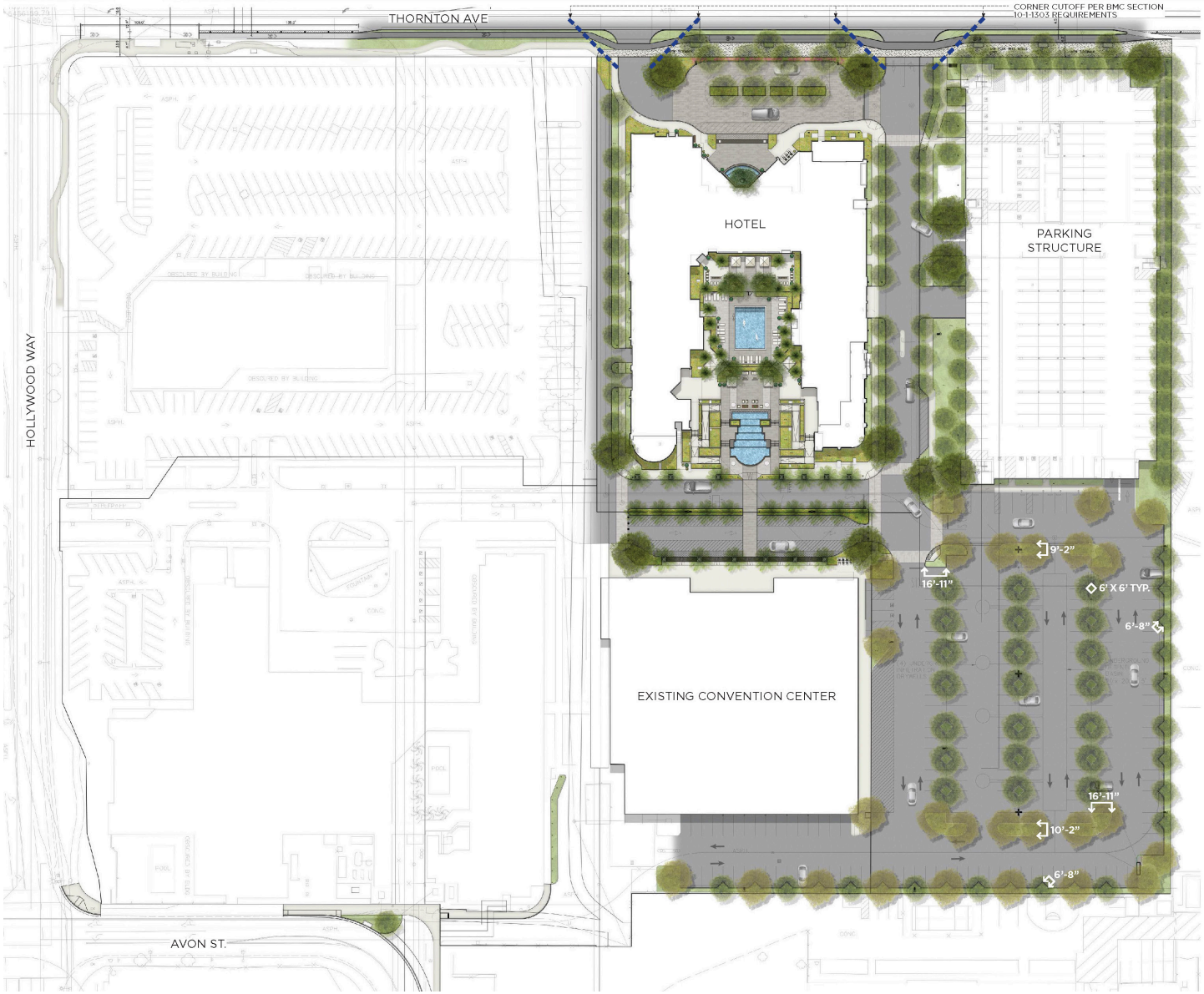
LANDSCAPE TO BE REMOVED

1. ULMUS PARVIFOLIA/EVERGREEN ELM (65)
2. FICUS MICROCARPA/INDIAN LAUREL FIG (8)
3. CUPANIOPSIS ANACARDIOIDES/CAROTWOOD TREE (3)
4. WASHINGTONIA ROBUSTA/MEXICAN FAN PALM (17)
5. LIQUIDAMBAR STYRACIFLUA/SWEET GUM (4)
6. LOPHOSTEMON CONFERTUS/BRISBANE BOX & MISC. NON-NATIVE TREES (13)
7. TURF

N

Figure 3-16: Existing Landscape

Source: Architectural Dimensions, 1/30/2024



NEW LANDSCAPED AREA:	40,408 SF
NEW IRRIGATION AREA:	40,408 SF
TOTAL LOT AREA:	512,265 SF

SITE TABULATIONS:

TOTAL LOT AREA:	512,265 SF
EXISTING LANDSCAPE AREA:	27, 275 SF
NEW LANDSCAPE AREA:	40,408 SF
TOTAL LANDSCAPE AREA:	67,683 SF
LANDSCAPE % OF TOTAL LOT:	13%

LANDSCAPE NOTES:

1. ALL AREAS REQUIRING LANDSCAPE SHALL INCLUDE THE INSTALLATION. TURF AND SHRUB IRRIGATION SYSTEMS SHALL BE IRRIGATED SEPARATELY.
2. PLANTS SHALL BE GROUPED ACCORDING TO WATER USE FACTORS PER WUCOLS ZONES
3. 3" MINIMUM DEPTH OF SHREDDED MULCH IN ALL PLANTER AREAS.
4. PLANTERS WITHIN PARKING LOT MEETS MINIMUM DIMENSION REQUIREMENTS PER MUNICIPAL CODE.

N

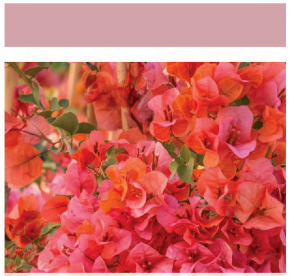
Figure 3-17: Proposed Overall Site Landscape Plan

Source: Architectural Dimensions, 1/30/2024



Figure 3-18: Schematic Tree Plan

Source: Architectural Dimensions, 1/30/2024


BOUGAINVILLEA 'ORANGE KING'
ORANGE KING BOUGAINVILLEA


CAREX DIVULSA
EUROPEAN GREY SEDGE


SALVIA GREGGII
AUTUMN SAGE


FRANGULA CALIFORNICA
COFFEEBERRY


LOMANDRA 'PLATINUM BEAUTY'
PLATINUM BEAUTY LOMANDRA

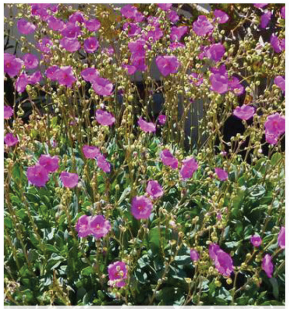

ELAEAGNUS X EBBINGEI
EBBING'S SILVERBERRY

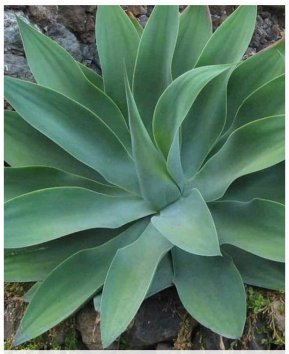

CISTUS X PULVERULENTUS 'SUNSET'
SUNSET ROCKROSE


CRASSULA ARBORESCENS SUBP. UNDULATIFOLIA
RIPPLE JADE

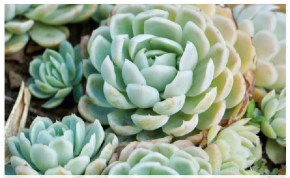

ALOE ARBORESCENS
TORCH ALOE


MUHLENBERGIA CAPILLARIS 'REGAL MIST'
PINK MUHLY


CISTANTHE GRANDIFLORA
ROCK PURSLANE


AGAVE ATTENUATA
FOXTAIL AGAVE


WESTRINGIA 'BLUE GEM'
BLUE GEM COAST ROSEMARY


ECHEVERIA SPP.
ECHVERIA VARIETIES


SALVIA LEUCANTHA
MEXICAN BUSH SAGE


SESLERIA AUTUMNALIS
AUTUMN MOOR GRASS


DIETIES BICOLOR
FORTNIGHT LILY

SHRUB PALETTE

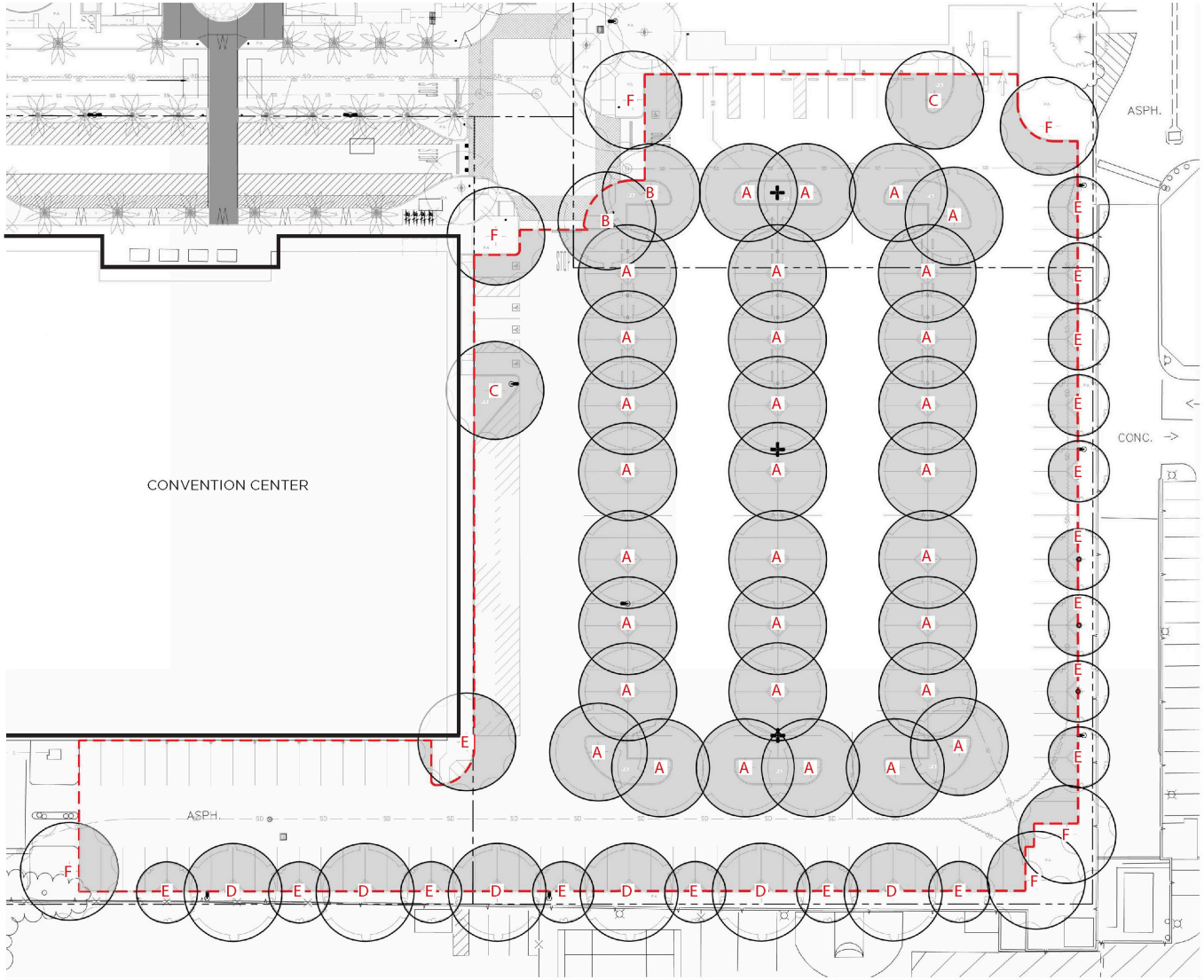
CITY OF BURBANK
USDA ZONE 10A

SHRUBS	SIZE	WUCOLS
AGAVE ATTENUATA FOXTAIL AGAVE	5 GAL.	LOW
ALOE ARBORESCENS TORCH ALOE	5 GAL.	LOW
ALOE ARBORESCENS 'LUTEA' GOLDEN TORCH ALOE	5 GAL.	LOW
ALOE BARBADENSIS ALOE VERA	5 GAL.	LOW
ARISTIDA PURPUREA PURPLE THREE-AWN	5 GAL.	LOW
BOUGAINVILLEA 'ORANGE KING' ORANGE BOUGAINVILLEA	15 GAL.	MEDIUM
CAREX DIVULSA EUROPEAN GREY SEDGE	5 GAL.	MEDIUM
CISTUS X PULVERENTUS 'SUNSET' SUNSET ROCKROSE	5 GAL.	LOW
CISTANTHE 'GOLLOM' GOLLOM JADE	1 GAL.	LOW
CISTANTHE GRANDIFLORA ROCK PURSLANE	1 GAL.	LOW
CRASSULA ARBORESCENS 'RIPPLE' RIPPLE JADE	1 GAL.	LOW
CRASSULA MULTICAVA FAIRY DUSTER	1 GAL.	LOW
DIANELLA CAERULEA 'CASSA BLUE' BLUE FLAX LILY	5 GAL.	LOW
DIETIES BICOLOR FORTNIGHT LILY	5 GAL.	MEDIUM
ECHEVERIA SPP. ECHEVERIA	1 GAL.	LOW
ELAEAGNUS X EBBINGEI EBBING'S SILVERBERRY	15 GAL.	MEDIUM
FESTUCA MAIREI ATLAS FESCUE	5 GAL.	L/M
FRANGULA CALIFORNICA COFFEEBERRY	15 GAL.	L/VL
HETEROMELES ARBUTIFOLIA TOYON	15 GAL.	LOW
KALANCHOE BEHARENSIS VELVET ELEPHANT EAR	24" BOX	LOW
LANTANA MONTEVIDENSIS TRAILING LANTANA	5 GAL.	LOW
LANTANA MONTEVIDENSIS 'ALBA' WHITE TRAILING LANTANA	5 GAL.	LOW
LOMANDRA 'PLATINUM BEAUTY' PLATINUM BEAUTY LOMANDRA	5 GAL.	LOW
MUHLENBERGIA CAPILLARIS 'REGAL MIST' PINK MUHLY	5 GAL.	LOW
NANDINA 'GULFSTREAM' DWARF HEAVENLY BAMBOO	5 GAL.	LOW
PACHIRA AQUATICA MONEY PLANT	5 GAL.	MEDIUM
SALVIA GREGGI AUTUMN SAGE	5 GAL.	LOW
SALVIA LEUCANTHA MEXICAN BUSH SAGE	5 GAL.	LOW
SANSEVIERA SPP. SNAKE PLANT	5 GAL.	LOW
SANSEVIERA 'MOONSHINE' MOONSHINE SNAKE PLANT	5 GAL.	LOW
SCHEFFLERA ARBORICOLA UMBRELLA PLANT	5 GAL.	MEDIUM
SESLERIA AUTUMNALIS AUTUMN MOOR GRASS	5 GAL.	LOW
WESTRINGIA 'BLUE GEM' BLUE GEM COAST ROSEMARY	15 GAL.	LOW

Figure 3-19: Shrub Palette

Source: Architectural Dimensions, 1/30/2024

ATTACHMENT 13 - 79



SURFACE PARKING CALCULATIONS

Symbol/Type	Plant Name	Count	% Shade
A	*Ulmus parviflora* Laceback Elm	31	100%
B	*Ulmus parviflora* Laceback Elm	2	75%
C	*Ulmus parviflora* Laceback Elm	6	50%
D	*Platanus racemosa* California Sycamore	2	75%
E	*Platanus racemosa* California Sycamore	1	50%
F	*Platanus racemosa* California Sycamore	6	25%
G	*Lophosthemon confertus* Brisbane Box	16	50%

TOTAL SHADED TREE AREA PROVIDED: 45,012 SF

(TOTAL UNSHADED PARKING AREA: 41,753 SF)

TOTAL PARKING SPACE AREA: 86,765 SF

TOTAL SHADE TREE AREA REQUIRED: **52%**

N

KEY MAP

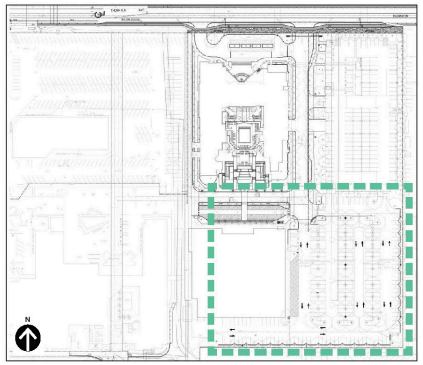


Figure 3-20: Surface Parking Shade Calculations

Source: Architectural Dimensions, 1/30/2024



LIGHTING FIXTURE LEGEND

- 1 POLE-TOP (SINGLE)
- 2 POLE-TOP (TWIN)
- 4 POLE-TOP (4X)
- BOLLARD
- FLOOD LIGHT
- WALL LIGHT

LIGHTING NOTES:
1. LIGHTING SHALL CONFORM TO STANDARDS PRESCRIBED BY THE PUBLIC WORKS DIRECTOR AND SHALL BE INSTALLED IN ALL NIGHTTIME PARKING LOTS USED FOR PUBLIC PARKING OR FOR COMMERCIAL PURPOSES.
2. ALL LIGHTING SHALL BE ARRANGED TO PREVENT GLARE OR DIRECT ILLUMINATION ON ADJOINING PROPERTIES AND STREETS.

KEY MAP

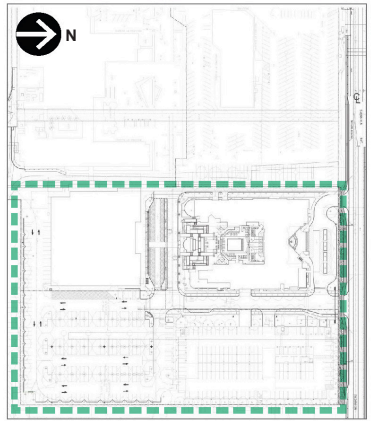
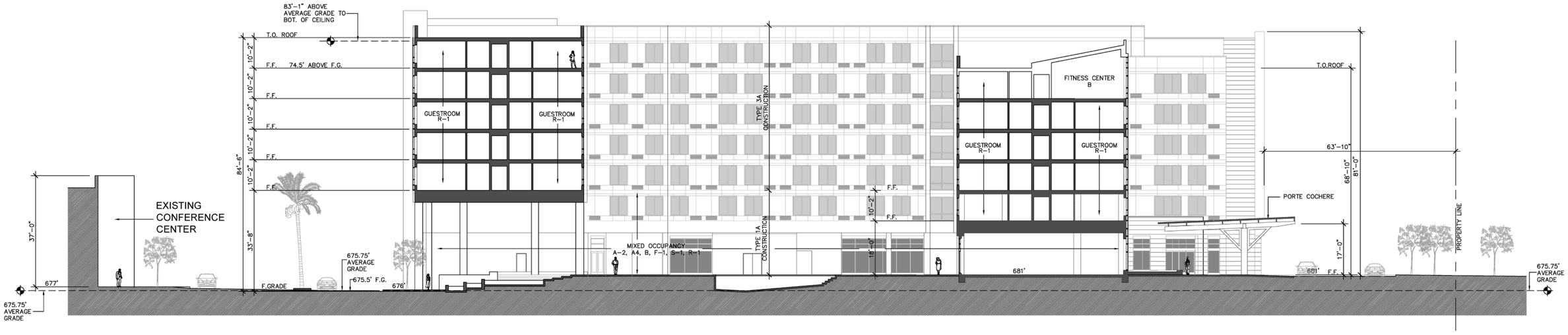


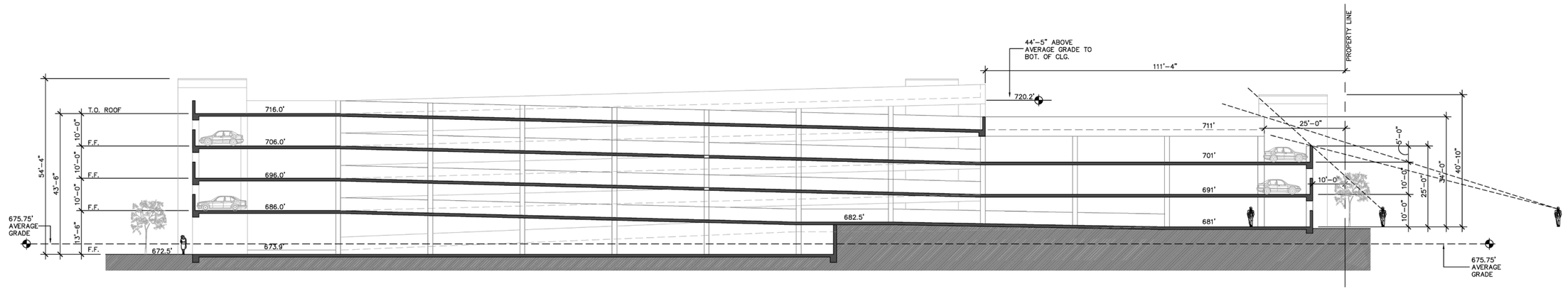
Figure 3-21: Conceptual Lighting Plan

Source: Architectural Dimensions, 1/30/2024



BUILDING SECTION A-A

SCALE: 1/16" =1'-0"



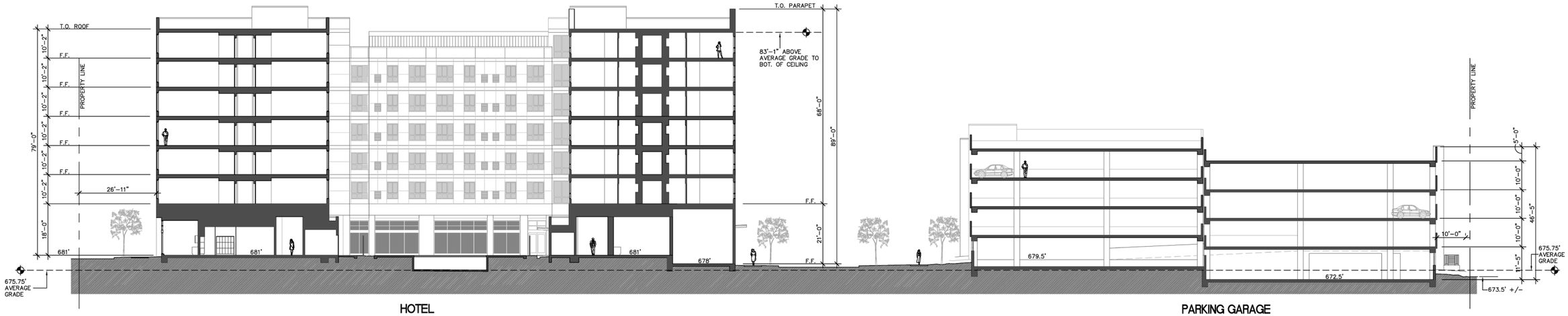
BUILDING SECTION B-B

SCALE: 1/16" =1'-0"

S-2 OCCUPANCY
CONSTRUCTION TYPE 1A W/SPRINKLERS

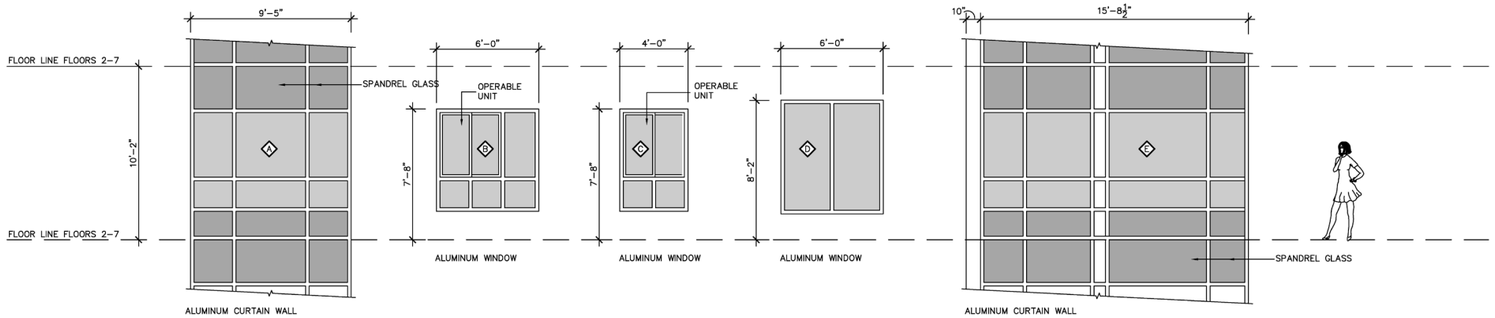
Figure 3-22: Building Sections A-A and B-B

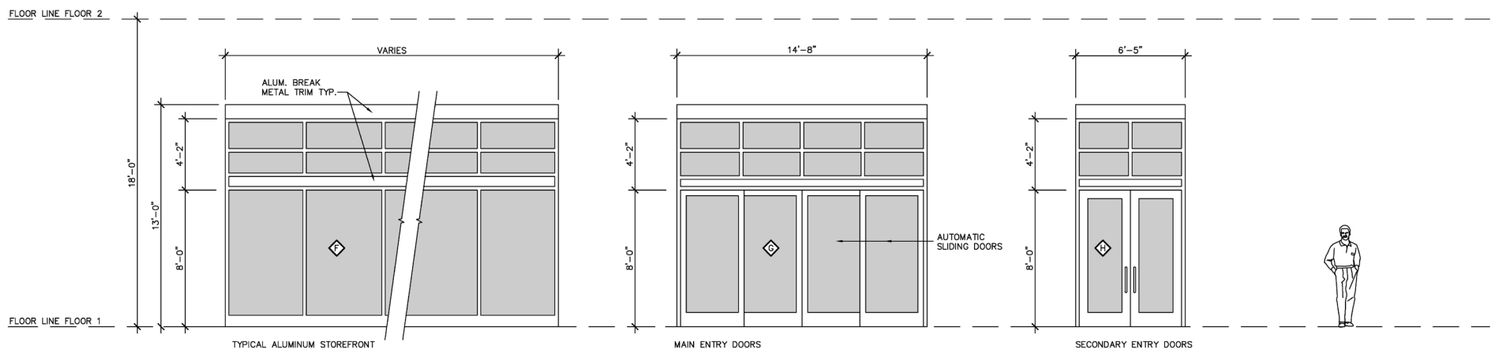
Source: Architectural Dimensions, 1/30/2024



BUILDING - SITE SECTION C-C

SCALE: 1/16" =1'-0"





TYPICAL WINDOW TYPES

SCALE: SCALE: 1/4" =1'-0"

NOTES:

1. ALL WINDOWS ARE FIXED GLAZING UNLESS NOTED OTHERWISE.

Figure 3-23: Building Section C-C and Window Sections

Source: Architectural Dimensions, 1/30/2024

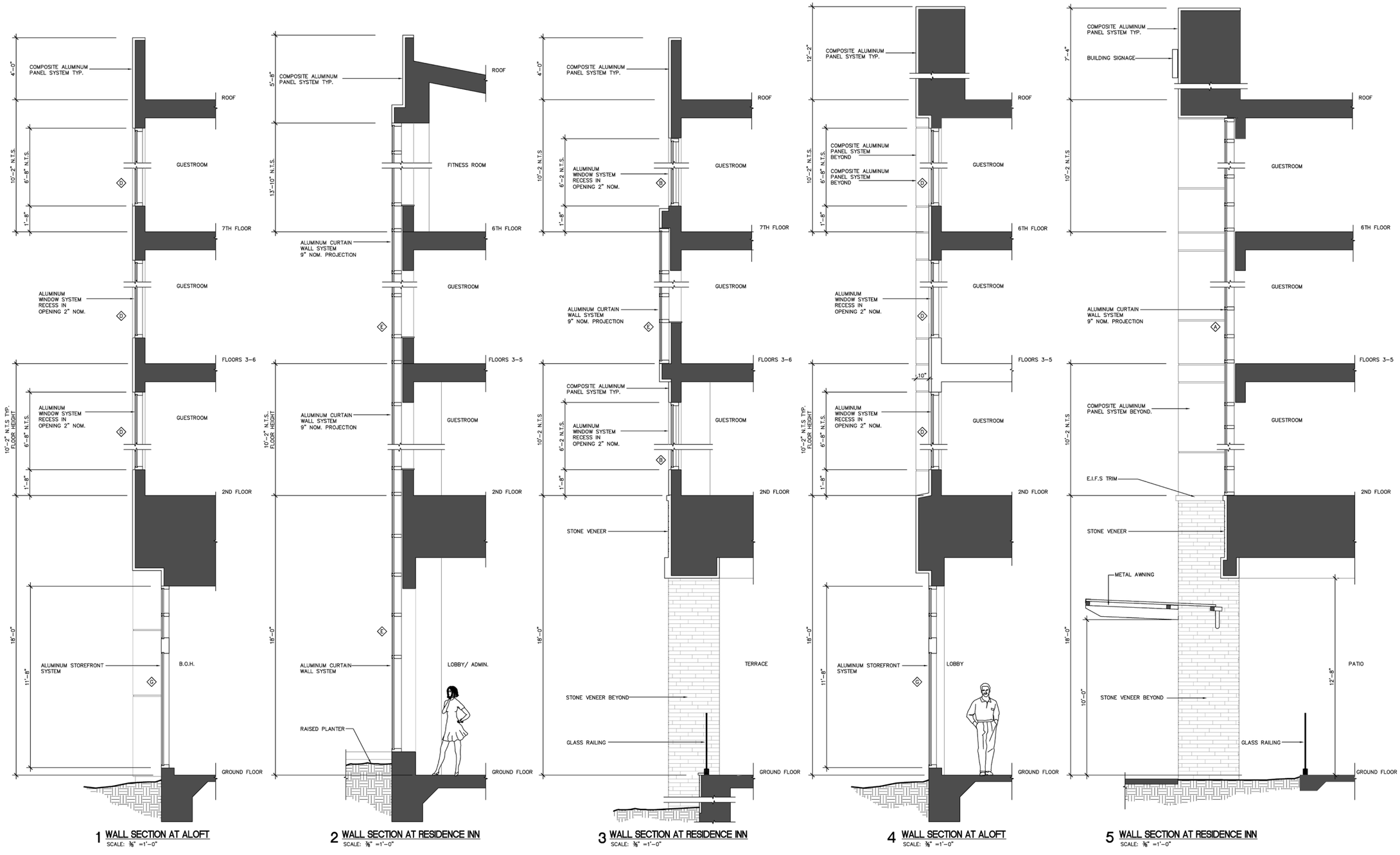
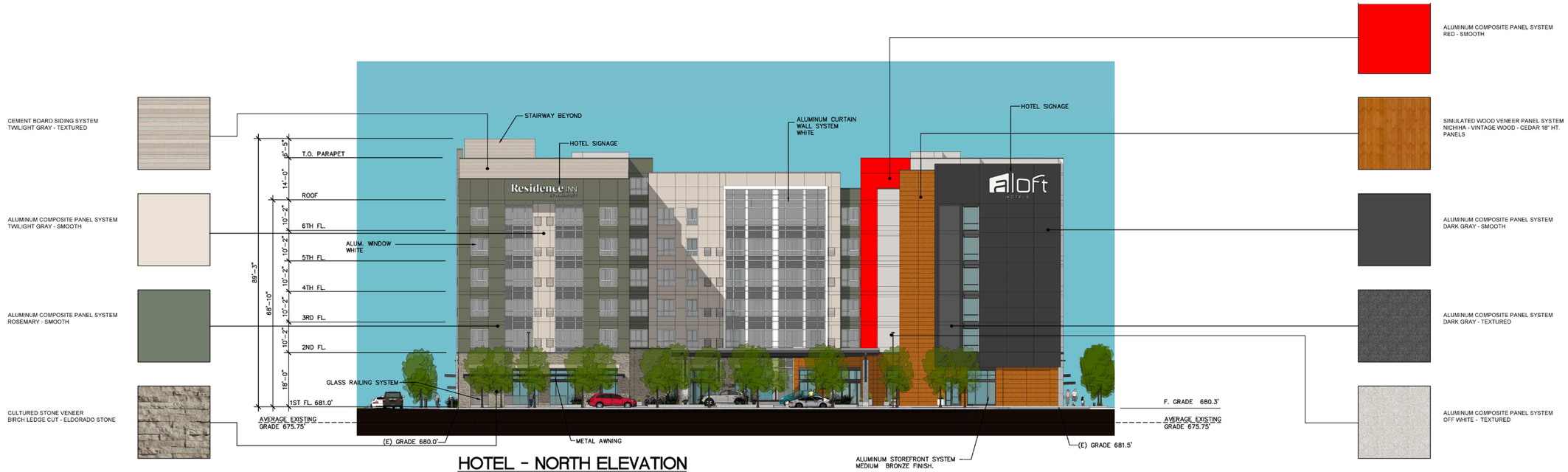


Figure 3-24: Wall Sections

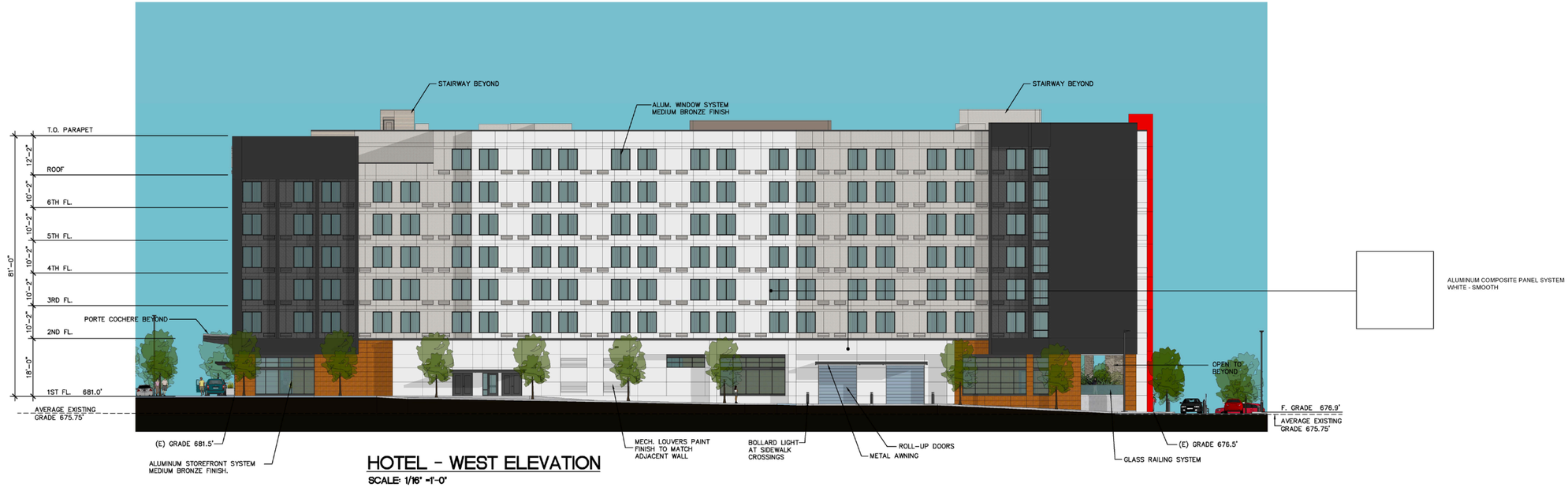
Source: Architectural Dimensions, 1/30/2024

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HOTEL - NORTH ELEVATION

SCALE: 1/16" =1'-0"



HOTEL - WEST ELEVATION

SCALE: 1/16" =1'-0"

Figure 3-25: Hotel Elevations- North and West

Source: Architectural Dimensions, 1/30/2024

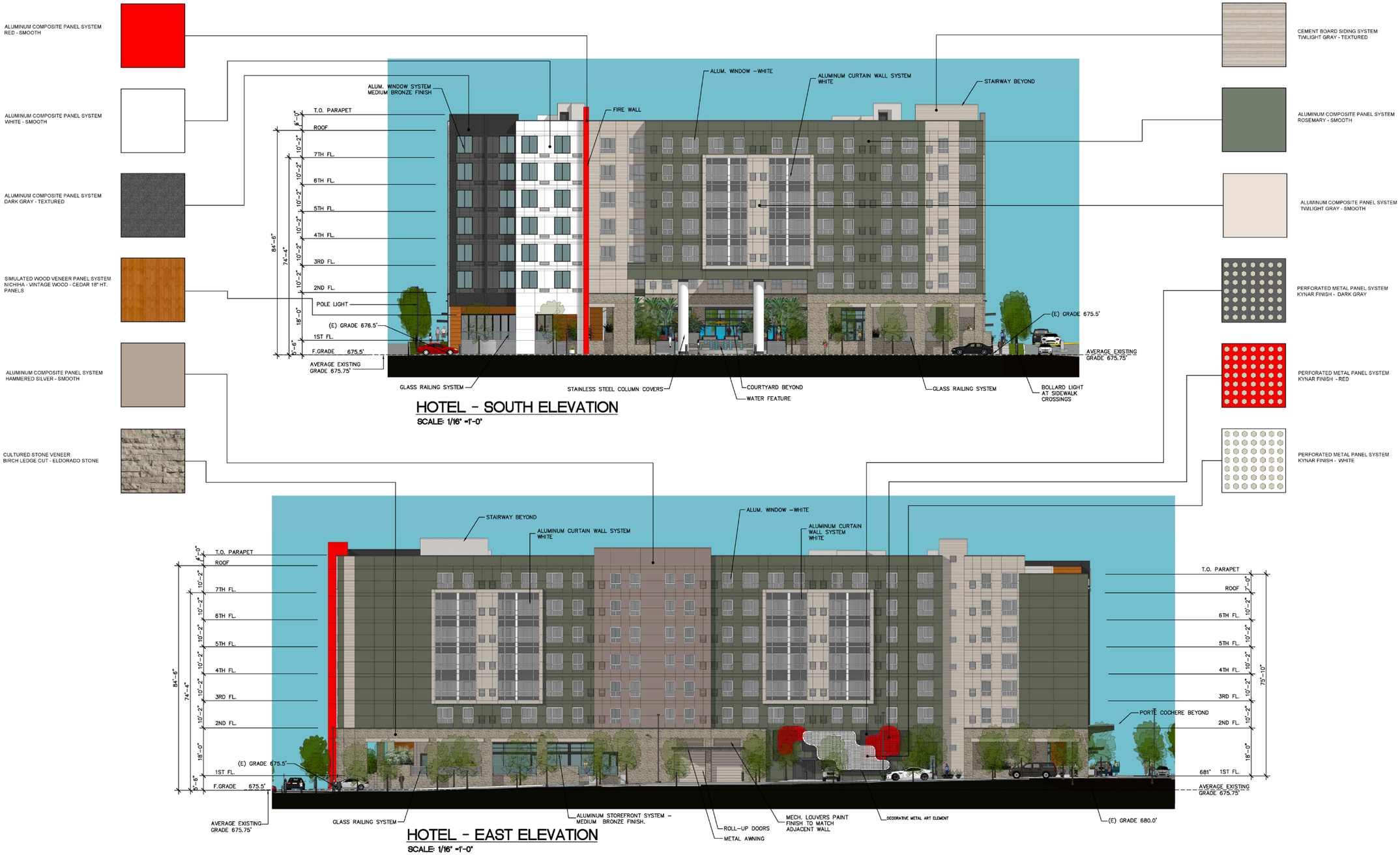


Figure 3-26: Hotel Elevations- South and East

Source: Architectural Dimensions, 1/30/2024

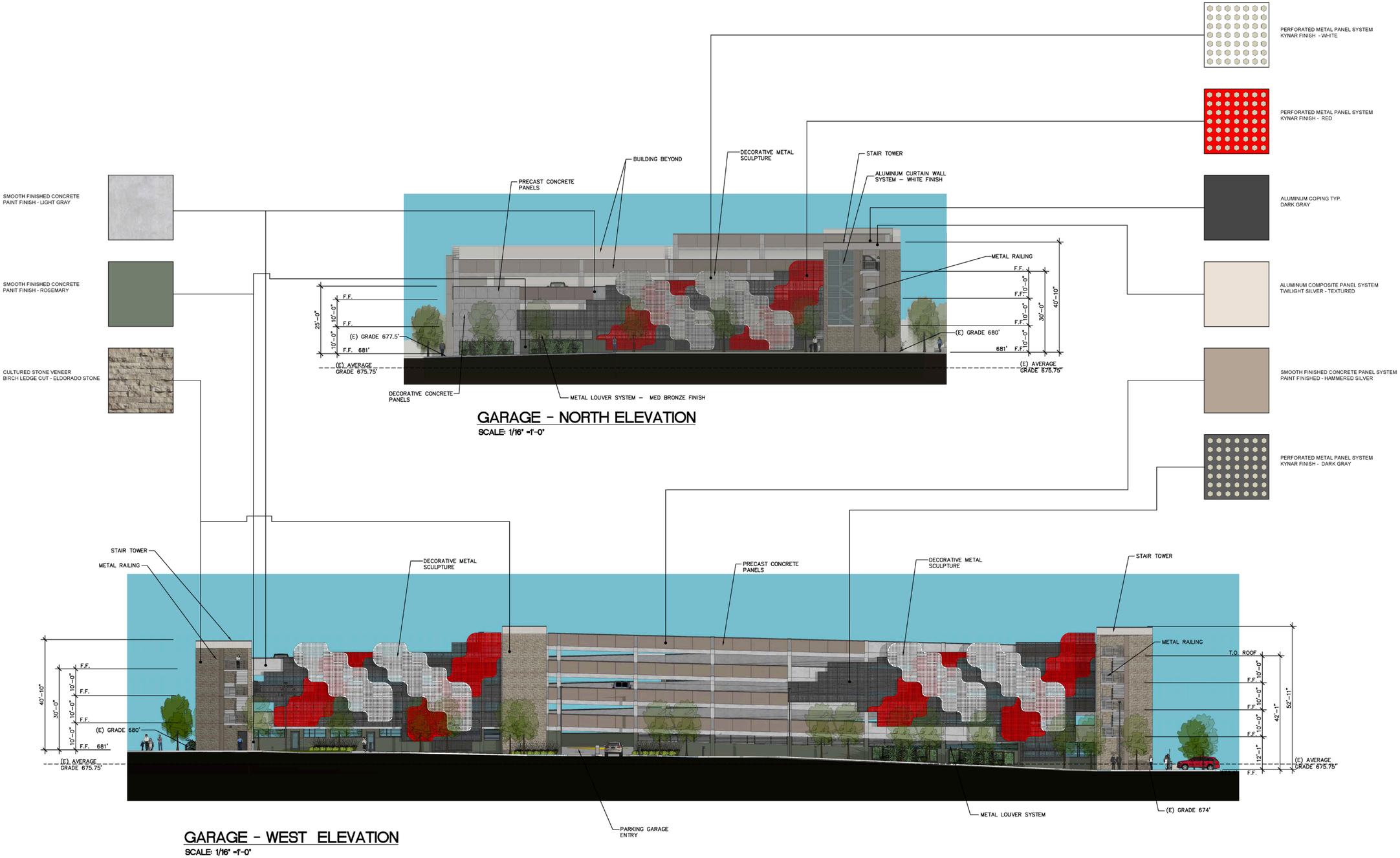


Figure 3-27: Garage Elevations- North and West

Source: Architectural Dimensions, 1/30/2024

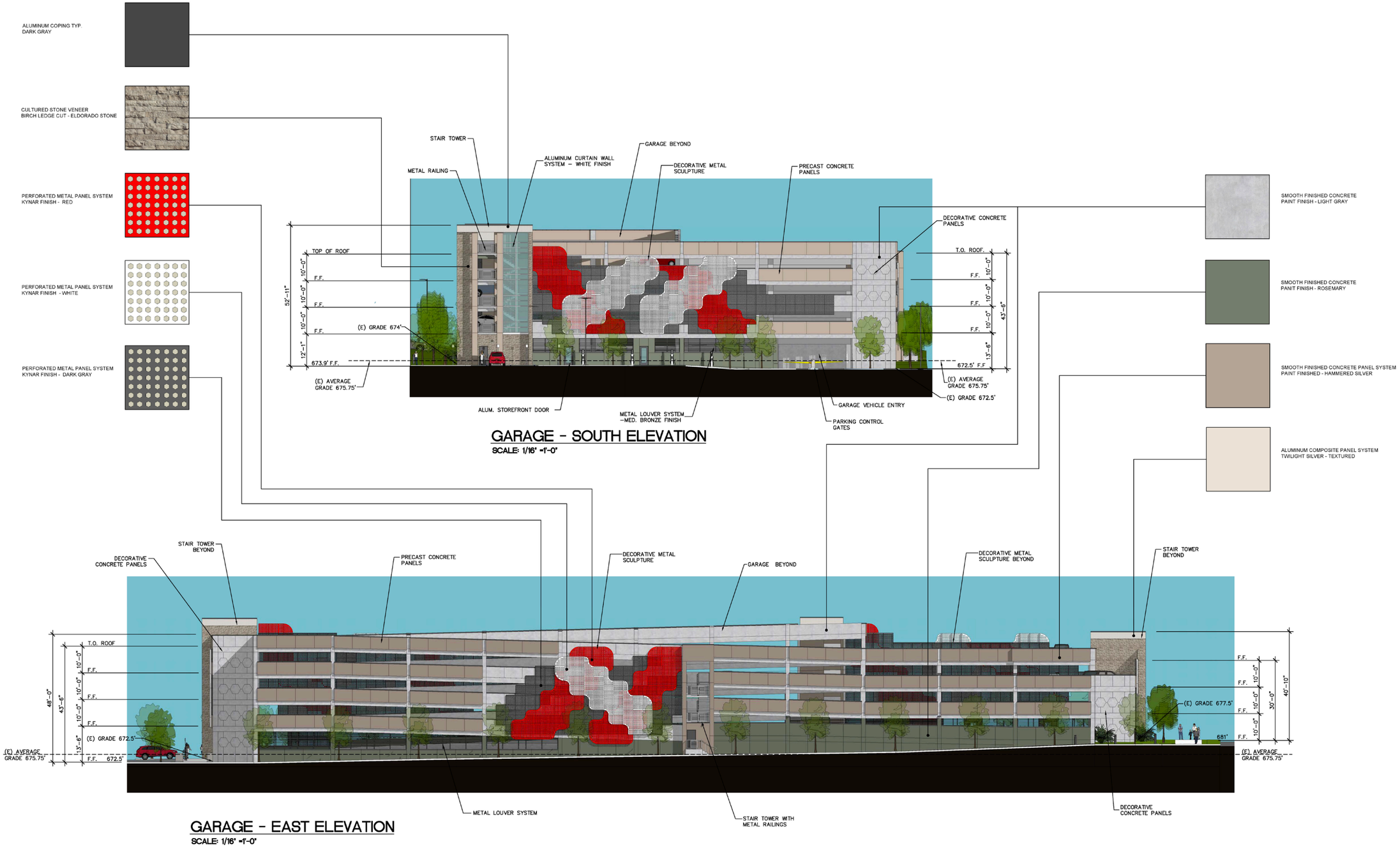
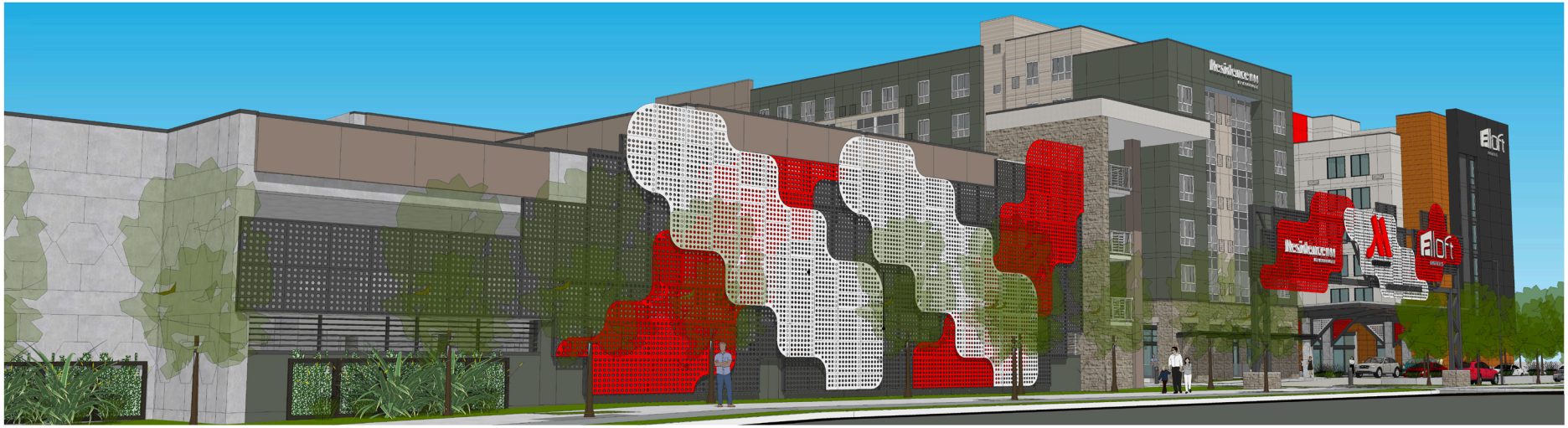


Figure 3-28: Garage Elevations- South and East

Source: Architectural Dimensions, 1/30/2024



THORNTON AVENUE – STREET VIEW – LOOKING SOUTHEAST



THORNTON AVENUE – STREET VIEW – LOOKING SOUTHWEST

Figure 3-29: Conceptual Renderings of the Project-Thornton Avenue

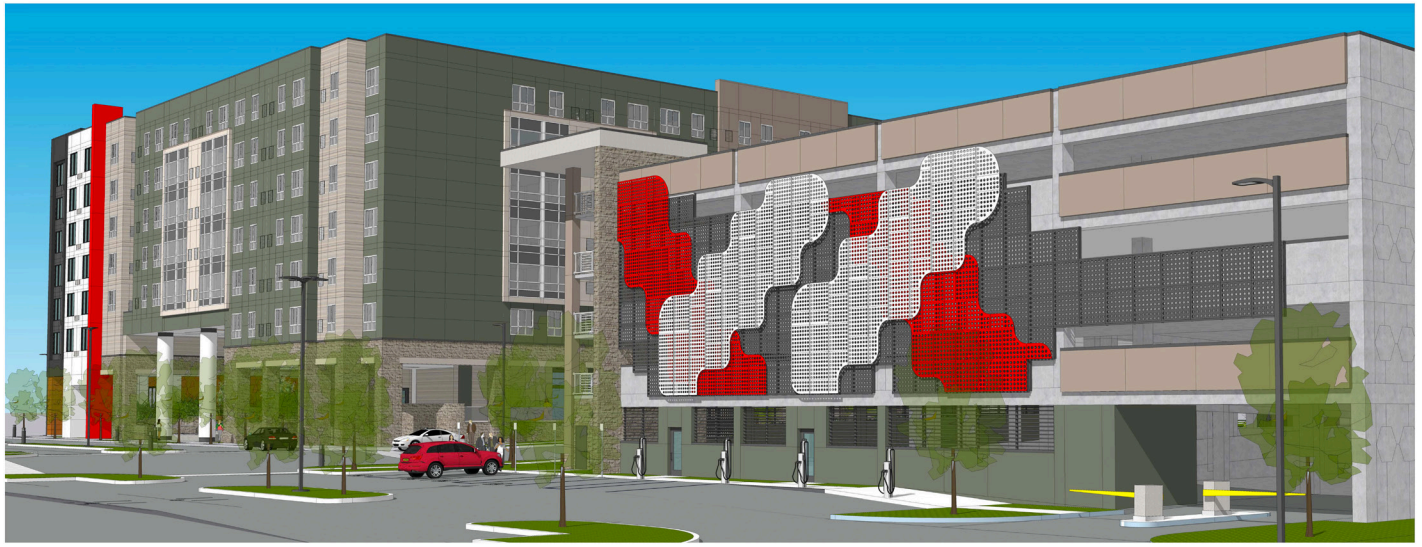
Source: Architectural Dimensions, 1/30/2024



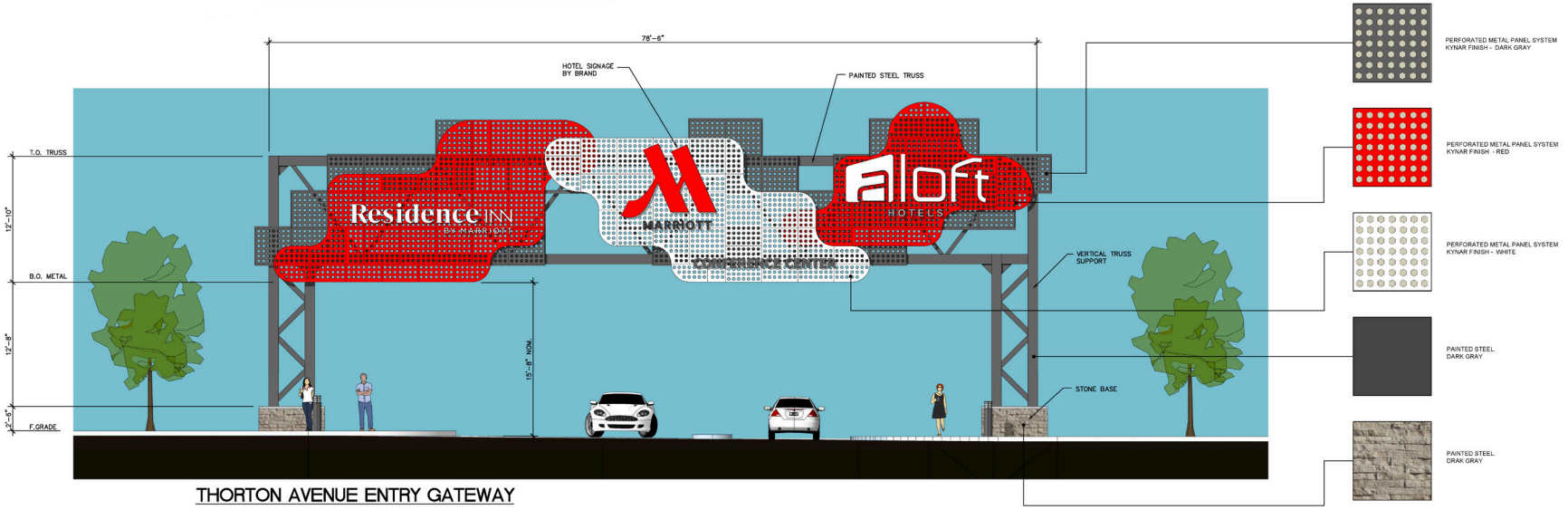


Figure 3-30: Conceptual Renderings of the Project-Thornton Avenue and Marriott Drive

Source: Architectural Dimensions, 1/30/2024



MARRIOTT DRIVE – VIEW LOOKING NORTH WEST



THORTON AVENUE ENTRY GATEWAY

Figure 3-31: Conceptual Renderings of the Project-Marriott Drive and Gateway

Source: Architectural Dimensions, 1/30/2024



MARRIOTT DRIVE – VIEW LOOKING NORTH WEST



MARRIOTT DRIVE – VIEW LOOKING AT COURTYARD ENTRY



PORTE COCHERE – VIEW LOOKING EAST



WATER FEATURE AT COURTYARD

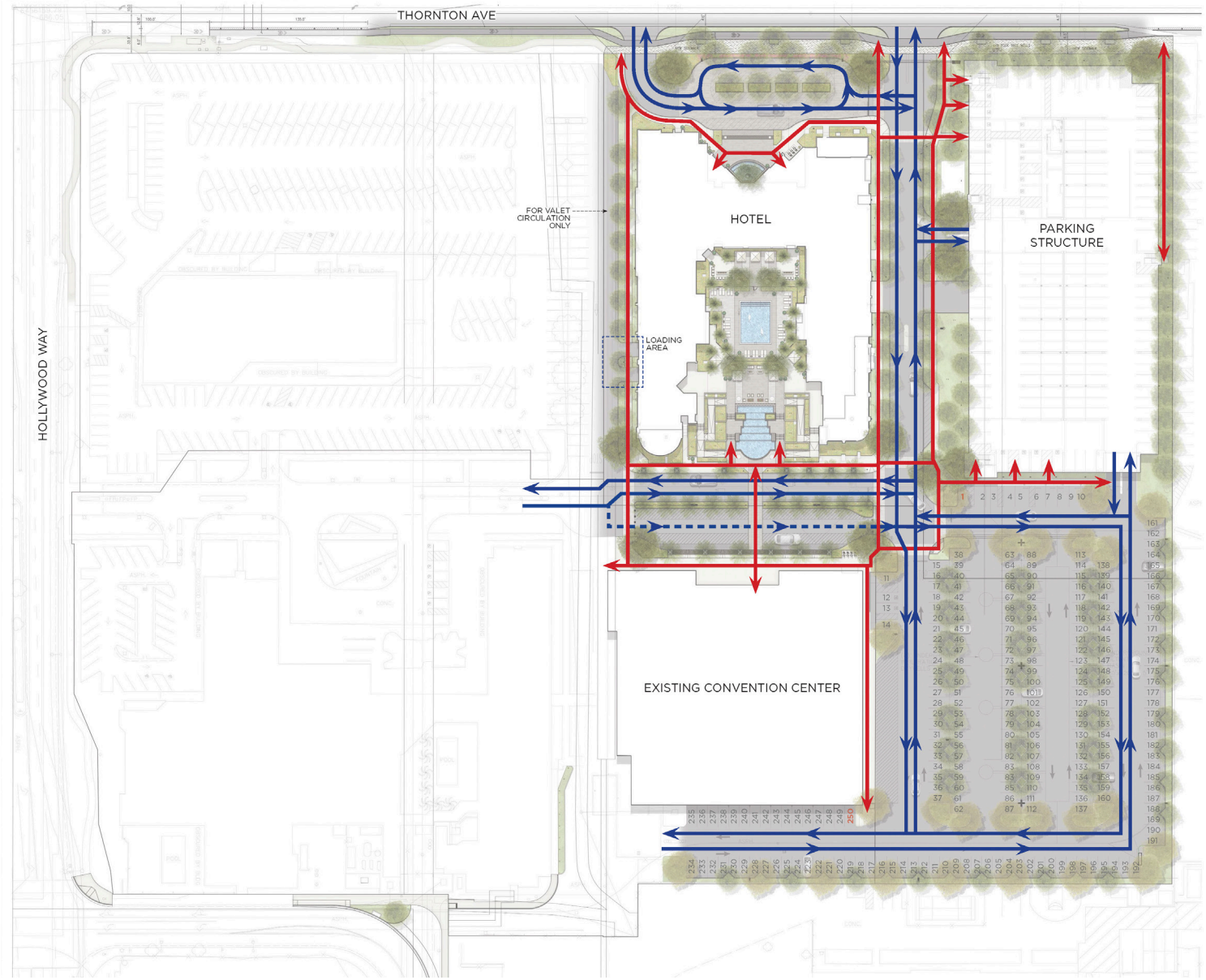
Figure 3-32: Conceptual Renderings of the Project- Marriott Drive, Porte Cochere, and Water Feature

Source: Architectural Dimensions, 1/30/2024



Figure 3-33: Conceptual Renderings of the Project- Courtyard and Water Feature

Source: Architectural Dimensions, 1/30/2024



LEGEND

- VEHICULAR CIRCULATION
- EVENT-ONLY VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- SURFACE PARKING: 250

LANDSCAPE NOTES:

1. ALL AREAS REQUIRING LANDSCAPE SHALL INCLUDE THE INSTALLATION. TURF AND SHRUB IRRIGATION SYSTEMS SHALL BE IRRIGATED SEPARATELY.
2. PLANTS SHALL BE GROUPED ACCORDING TO WATER USE FACTORS PER WUCOLS ZONES
3. 3" MINIMUM DEPTH OF SHREDDED MULCH IN ALL PLANTER AREAS.
4. PLANTERS WITHIN PARKING LOT MEETS MINIMUM DIMENSION REQUIREMENTS PER MUNICIPAL CODE.

N

0' 40' 80' 120'

Figure 3-34: Parking and Circulation Plan

Source: Architectural Dimensions, 1/30/2024

Utilities and Additional Offsite Improvements

The proposed Hotel and Garage would be a fully electric, natural gas-free development, featuring solar panels on the roofs of the Garage and Hotel connecting to onsite battery storage systems. Electrical power and domestic and recycled water would be provided by Burbank Water and Power (BWP).

Electrical service would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend approximately 820 feet from the intersection into the Project site, as shown in Figure 3-2. To create a looped electrical service system, as required by BWP, the electrical service would then extend through the Project site from Thornton Avenue south to the Avon Street driveway (approximately 750 feet). From there, the service would extend an additional 595 feet in the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the "loop."

Fire water and domestic water would have lateral connections to the existing mains in Thornton Avenue (approximately 50 feet north of the property line). Recycled water service would connect to the main near the Thornton Avenue and Hollywood Way intersection (approximately 500 feet from the property line), as shown in Figure 3-2.

Sanitary sewer services would connect to the existing onsite main; refer to Figure 3-2. Phone and cable services would be provided from existing telecommunications infrastructure in the Project vicinity.

In addition to onsite and offsite improvements discussed above, additional offsite improvements would be required, to provide upgrades to existing pedestrian, bicycle, and vehicle facilities, as well as the City's existing sewer main. The additional offsite improvements associated with the Project can be categorized into three locations: Thornton Avenue, Avon Street, and Wyoming Avenue, and each of them has distinct characteristics. As such, they are described separately below.

Thornton Avenue Improvements

The offsite improvements on Thornton Avenue are as follows:

1. As part of the Project, between the Project site's eastern boundary and western boundary, the existing curb would be relocated approximately seven feet northward to provide a 23-foot-wide parkway along the entire Project site's frontage on Thornton Avenue. This parkway would consist of a 6.5-foot wide raised, protected, Class IV bikeway with a 4.5-foot-wide raised buffer within the roadway travel lane, and a 12-foot-wide sidewalk with four-foot by eight-foot tree wells adjacent to the bike lane. The bike lane and sidewalk would be separated by a two-foot-wide landscaped buffer between the tree wells, and the raised bikeway would transition to an in-street bikeway via ramps.

2. Between the Project site's western boundary and a point approximately 260 feet east of the Hollywood Way intersection, the Project would relocate the existing curb approximately seven feet northward but maintain the existing 16-foot-wide parkway in place, including sidewalk, landscaping, and street trees. Within the new seven-foot space, a five-foot wide raised, protected Class IV bikeway with a two-foot-wide raised buffer would be constructed.

3. As part of the Project, an in-street protected five-foot wide bike lane and a two-foot-wide painted buffer with bollards would be installed at the following locations:

- Between Ontario Street and the Project site's eastern boundary (all on-street parking along eastbound Thornton Avenue would be removed).
- Between the Hollywood Way intersection and a point approximately 260 feet east of the intersection.
- On the north side of Thornton Avenue, between Ontario Street and a point 250 feet east of Hollywood Way.

Avon Street Improvements

The Avon Street offsite improvements would include improved curb, gutter, driveway, and Americans with Disabilities Act (ADA) sidewalk on the north side of the northbound to westbound "curve" of Avon Street that would connect to a new pedestrian paseo with a planter area onsite.

Wyoming Avenue Sewer Improvements

Pursuant to the Conditions of Approval, the Project would be responsible for the design and construction of 1,580 feet of sewer main infrastructure improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street. There are seven reaches of City sewer main, totaling approximately 1,580.5 feet, that the Project would be responsible for upsizing from an existing 12-inch pipe to an upgraded 15-inch pipe.

All the above improvements on Thornton Avenue, Avon Street, and Wyoming Avenue would also include restriping the travel lanes to specified dimensions to accommodate their respective new improvements. The Project would also be required to repair/reconstruct any portion of the public sidewalk, curb, or gutter fronting the Project site that is broken, uneven or uplifted at the end of the Project (irrespective of whether the damage is preexisting), and backfill/re-pave any areas where cuts for utility extensions are made in the public rights-of-way.

Sustainability Features

The Project would be designed to meet the California Green Building Standards (CALGreen) Code Tier 1 energy efficiency criteria and would incorporate a number of project design features to help offset the Project's impact on the environment and foster "green" standards of design. In keeping with the goals of the 2022 City of Burbank Greenhouse Gas Reduction Plan (GGRP), the Project would be constructed to be all-electric, with no use of natural gas in its daily operations and systems. Additionally, the Hotel's operation of the fully managed valet-only Garage would result in fewer idling vehicles and unnecessary searching and queuing of cars being driven by guests who may be unfamiliar with the Garage and site in general.

In addition, the Project would provide 390 new EV-ready parking spaces, of which 140 would be equipped with EV chargers. The number of EV spaces provided exceeds the requirements of the California Building Code and BMC Section 9-1-11-4.510 pertaining to electric vehicle charging for new construction (40-45 percent EV-ready and 15 percent with chargers).

The Project would also provide solar panels on the roofs of the Hotel and Garage to help generate energy that would be stored onsite in batteries. The Hotel proposes to accommodate up to 6,600 square feet of solar panels, and the Garage proposes to accommodate about 26,000 square feet of solar panels on its roof. An added benefit of the solar power generation and storage is that the Hotel may be able to power its backup emergency generator from these batteries, preventing the need to install a generator that is powered by natural gas or diesel that would generate emissions.

In addition to using recycled water for irrigation of the proposed Project, the irrigation for the landscaping at the existing Marriott Hotel would also be upgraded to connect to recycled water services that the Project would extend to the site.

The Project would upgrade Thornton Avenue with new protected bike lanes and narrower traffic lanes to help encourage multi-modal transportation by making it easier to travel to the Project site and within the surrounding area via bicycle. To further encourage bicycle use, 62 bicycle parking spaces are also proposed onsite. Additionally, due to its location adjacent to the Hollywood Burbank Airport, 420 additional rooms would become available within walking distance of the Hollywood Burbank Airport, providing opportunities for reduced vehicle miles travel to and from the Hollywood Burbank Airport.

3.5 Construction

The Project involves construction activities associated with grading, building construction, paving, and architectural coating applications. The Project would be constructed in a single phase, with construction anticipated to begin during the fourth quarter of 2025 and completed in the fourth quarter of 2027.

As part of the Project, the total amount of earthwork includes approximately 2,565 cubic yards of cut and 10,565 cubic yards of fill, for a total of approximately 35 days of earthwork. This would result in approximately 10,000 cubic yards of soil to be imported and approximately 2,000 cubic yards of soil to be exported. During the 35 days of earthwork, it is anticipated that approximately 20 haul truck trips per day would be required. Approximately 3.5 total acres would be paved.

Parking for construction workers would be accommodated onsite, to the extent feasible, while still providing enough parking for Marriott Hotel guests. Should the need for additional construction parking be required, arrangements would be made for additional offsite parking that cannot be accommodated onsite, subject to the City's prior approval of a construction management plan.

3.6 Agreements, Permits, and Approvals

The City of Burbank, as the Lead Agency, has discretionary authority over the proposed Project. To implement the Project, the Project Applicant would need to obtain various permits and approvals, including, but not limited to, the following:

- *Planned Development*. The Planned Development would rezone the Project site into a property and Project-specific zoning designation. The allowable permitted/conditionally permitted uses and the development standards applicable to the property would be outlined in the Planned Development.

- *Development Review*. The Development review would allow for the construction of the proposed Hotel and Garage.

- *Development Agreement*. The Development Agreement, between the Project Applicant and the City, is required in conjunction with a Planned Development request.

- *Grading and Building Permits*. The approval of grading and building permits would be required before commencement of grading or construction activity.

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4.0 BASIS OF CUMULATIVE ANALYSIS

CEQA Guidelines Section 15355 defines cumulative impacts as follows:

> *"Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

Pursuant to CEQA Guidelines Section 15130(a), an EIR shall discuss the cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in CEQA Guidelines Section 15065(a)(3). The potential cumulative impacts associated with the Project are assessed in Section 5.0, *Environmental Analysis*, of this EIR for each applicable environmental issue area to a degree that reflects each impact's severity and likelihood of occurrence.

As indicated above, a cumulative impact involves two or more individual effects. Per CEQA Guidelines Section 15130(b), the discussion of cumulative impacts is guided by the standards of practicality and reasonableness, and should include the following elements:

1. *Either method:*

   A. *A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or*

   B. *A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projects may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.*

2. *When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.*

3. *Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.*

4. *A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and*

5. *A reasonable analysis of the cumulative impacts of the relevant projects, including examination of reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.*

The cumulative impact analyses in this Draft EIR used either Method A or B. When using Method B, the analysis considered the adopted Citywide and regional growth forecasts from the Southern California Association of Governments' (SCAG) 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and Burbank2035 for land use and planning impacts, the 2020-2045 RTP/SCS and the South Coast Air Quality Management District's (SCAQMD) 2022 Air Quality Management Plan (2022 AQMP) for operational air quality and AQMP consistency impacts, or other long-range planning documents, such as the Burbank Water and Power 2020 Urban Water Management Plan (2020 UWMP) for cumulative water supply. This information was supplemented with analyses of related projects, described below.

The related projects and other possible development in the area determined as having the potential to interact with the proposed Project, to the extent that a significant cumulative effect may occur, are outlined in Table 4-1, *Related Projects List*, and shown on Exhibit 4-1, *Related Projects*. The related projects list provided in Table 4-1 was derived from data provided by the City of Burbank and the status of the identified projects are current as of August 2024.

The geographic areas, and hence the related projects, considered for the cumulative impact analyses vary according to environmental issue area and were determined based upon the Project's scope and the anticipated area in which the Project could contribute to an incremental increase in cumulatively considerable impacts (as discussed in Section 5.0). The implementation of each related project represented in Table 4-1 was determined to be reasonably foreseeable by the City.

Table 4-1
Related Projects List

Key Map	Project Name/Location	Project Description[1]	Status
1	4100, 4108, 4110 West Riverside Drive	Apartments: 72 units Retail: 17,144 SF Day Care Center: 7,447 SF	Undergoing Review
2	4201 W. Magnolia Boulevard	Day Care Center: 2,300 SF	Undergoing Review
3	129 E. Providencia	Hotel: 83 rooms	Undergoing Review
4A	Media Studios North Original Remaining Entitlement 3401 W. Empire Avenue	General Office: 73,000 SF	Entitled
4	Media Studios North Expanded Entitlement 3377 W. Empire Avenue	General Office: 87,447 SF	Entitled
5	First Street Village 315 N. First Street	Apartments: 275 units Restaurant: 9,265 SF Retail: 12,000 SF	Under Construction (partially completed)
6	AC Hotel 550 N. Third Street	Hotel: 196 rooms	Entitled
7	LaTerra 777 N. Front Street	Apartments: 573 units Retail/Gallery Space: 1,067 SF Hotel: 307 rooms Restaurant: 1,800 SF	Under Construction
8	Lycee International de Los Angeles (LILA) 1105 Riverside Drive	Increase of school enrollment from 350 to 450 students	Entitled
9	Fry's Mixed Use 2311 North Hollywood Way	Retail: 9,000 SF General Office: 151,800 SF Residential (multi-family): 862 units	Entitled
10	921 to 1001 Riverside	Residential (condominiums): 92 units	Entitled
11	910 S. Mariposa	Residential (condominiums): 30 units	Undergoing Review
12	2814 Empire	Apartments: 148 units	Under Construction
13	3700 Riverside	Apartments: 49 units	Entitled
14	601-607 Glenoaks	Adult Day Care	Undergoing Review
15	Bob Hope Site 3201 W. Olive Avenue	Apartments: 144 units	Entitled
16	3031 Thornton Avenue	Industrial: 72,080 SF	Undergoing Review
17	2801 Thornton Avenue	Industrial: 72,080 SF	Undergoing Review
18	801 S. 6th Street	Apartments: 39 units	Undergoing Review

Table 4-1 (continued)
Related Projects List

Key Map	Project Name/Location	Project Description[1]	Status
19	The Burbank Studios (formerly NBC) 3000 W. Alameda Avenue	Second Century Project: 563,091 SF Main Studio Lot Remaining Entitlement (General Office): 620,938 SF	Construction Completed 2023 Entitled
20	Warner Brothers 4000 Warner Avenue	Main Campus (General Office): 1,934,509 SF Ranch (General Office): 738,685 SF	Entitled
21	Disney Remaining Entitlement 500 S. Buena Vista Street	General Office: 681,130 SF	Entitled
22	Hollywood Burbank Airport (formerly Burbank Bob Hope) Terminal Relocation	Relocation of the existing terminal	Under Construction. On November 8, 2016, the voters of Burbank approved an agreement between the City of Burbank and the Burbank-Glendale-Pasadena Airport Authority, which granted the Airport Authority the right to build a 14-gate, 355,000-square-foot replacement passenger terminal.
23	California High Speed Rail Project	High speed rail project which would include a stop near the Hollywood-Burbank Airport	Not Available

SF = square feet

Note:
1. Slight discrepancies between buildout square footages listed in this table and those approved may occur through the development review process; however, the most conservative buildout is considered in this EIR.

Source:
City of Burbank Community Development Department Transportation Division, August 2024.



Figure 4-1: Related Projects

Project Location

*Cumulative Project

*Refer to table 4-1 for a description of the related project

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5.0 ENVIRONMENTAL ANALYSIS

The City of Burbank (City) determined that an Environmental Impact Report (EIR) would be required for the Project. A Notice of Preparation (NOP) and Recirculated NOP were prepared and circulated for the proposed 2500 N. Hollywood Way – Dual Brand Hotel Project on November 4, 2019 and March 6, 2024, respectively; refer to Section 2.0, *Introduction and Purpose*, and Appendix A, Notice of Preparation. As allowed under California Environmental Quality Act (CEQA) Guidelines Sections 15063(a) and 15081, the City did not prepare an Initial Study and instead began working directly on the EIR. Agency and public input received during the NOP and Recirculated NOP comment period and the EIR Scoping Meetings were used to inform the scope of the evaluation for the EIR.

This EIR focuses on the potentially significant and significant effects of the Project and documents the reasons for concluding that other effects will be less than significant. The following subsections of the EIR contains a detailed environmental analysis of the existing conditions, Project impacts (including direct and indirect, short-term, long-term, and cumulative impacts), recommended mitigation measures and unavoidable significant impacts for the following environmental issue areas:

5.1	Air Quality	5.8	Land Use and Planning
5.2	Cultural Resources	5.9	Noise
5.3	Energy	5.10	Public Services (Fire and Police Protection)
5.4	Geology and Soils	5.11	Transportation
5.5	Greenhouse Gas Emissions	5.12	Tribal Cultural Resources
5.6	Hazards and Hazardous Materials	5.13	Utilities and Service Systems
5.7	Hydrology and Water Quality		

Each potentially significant environmental issue area is addressed in a separate section of the EIR and is organized into the following subsections:

- "Environmental Setting" describes the physical conditions that exist at the present time (typically the time of the NOP) and that may influence or affect the issue under investigation.
- "Regulatory Setting" discusses the laws, ordinances, regulations, and standards that apply to the Project.
- "Significance Criteria and Thresholds" provides the thresholds that are the basis of conclusions of significance, which are primarily the criteria in Appendix G of the CEQA Guidelines (14 California Code of Regulations Sections 15000 – 15387).

  Primary sources used in identifying the criteria include the CEQA Guidelines; local, State, federal, or other standards applicable to an impact category; and officially established significance thresholds. "... An ironclad definition of significant effect is not possible because the significance of any activity may vary with the setting" (CEQA Guidelines Section 15064[b]). Principally, "... a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the Project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance" constitutes a significant impact (CEQA Guidelines Section 15382). The standards used to evaluate the significance of impacts are sometimes

qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

- "Impacts and Mitigation Measures" describes potential environmental changes to the existing physical conditions that may occur if the proposed Project is implemented. Evidence, based on factual and scientific data, is presented to show the cause and effect relationship between the proposed Project and the potential changes in the environment. The exact magnitude, duration, extent, frequency, range or other parameters of a potential impact are ascertained, to the extent possible, to determine whether impacts may be significant; all the potential direct and reasonably foreseeable indirect effects are considered.

  Mitigation Measures are measures that would be required of the Project to avoid a significant adverse impact; to minimize a significant adverse impact; to rectify a significant adverse impact by restoration; to reduce or eliminate a significant adverse impact over time by preservation and maintenance operations; or to compensate for the impact by replacing or providing substitute resources or environment.

- "Cumulative Impacts" describes potential environmental changes to the existing physical conditions that may occur as a result of the proposed Project together with all other reasonably foreseeable, planned, and approved future projects producing related or cumulative impacts.

- "Significant Unavoidable Impacts" describes impacts that would be significant and cannot be feasibly mitigated to less than significant, and thus would be unavoidable. To approve a project with unavoidable significant impacts, the lead agency must adopt a Statement of Overriding Considerations. In adopting such a statement, the lead agency is required to balance the benefits of a project against its unavoidable environmental impacts in determining whether to approve the project. If the benefits of a project are found to outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable" (CEQA Guidelines Section 15093[a]).

- "References" identifies the sources used in and throughout the subsection.

CEQA provides that an EIR shall focus on the significant effects on the environment and discuss potential environmental effects with emphasis in proportion to their severity and probability of occurrence. During preparation of this EIR, the City conducted an analysis of the proposed Project's effect on specific environmental topic areas, included as part of the Environmental Checklist form presented in CEQA Guidelines Appendix G. Through the course of this evaluation, certain impacts were identified as "less than significant with mitigation," "less than significant," or "no impact" due to the inability of a Project of this scope to yield such impacts or the absence of Project characteristics producing effects of this type. These effects are not required to be included in the EIR's primary environmental analysis sections (Section 5.1 through 5.13). The environmental issues related to aesthetics, agriculture and forestry resources, biological resources, geology and soils (fault rupture, landslides, septic tanks/alternative wastewater disposal), hazards and hazardous materials (hazards within one-quarter mile of a school and wildland fires); hydrology and water quality (groundwater supplies and recharge and risk of pollutants in flood hazard, tsunami, or seiche zones), land use and planning (physically divide an established community) mineral resources, population and housing, public services (schools, parks, and libraries), recreation,

transportation (emergency access) and wildfire were found to result in no impacts or less than significant impacts; refer to Section 8.0, *Effects Found Not To Be Significant*.

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5.1 AIR QUALITY

The purpose of this section is to describe the existing air quality characteristics and to identify the air pollutant emissions generated by the construction and operation of the proposed Project and address their potential impacts to air quality, including toxic air contaminants. This section is based in part upon *South Coast Air Quality Management District 2022 Air Quality Management Plan* (SCAQMD 2022 AQMP) adopted December 2, 2022 and *Hollywood Way Detailed Report* prepared by Denovo Planning Group dated March 7th, 2024 included as Appendix C, Air Quality, Energy, and Greenhouse Gas Emissions Data.

5.1.1 ENVIRONMENTAL SETTING

Regional Topography

The California Air Resources Board (CARB) divides the State of California (State) into 15 air basins that share similar meteorological and topographical features. The City is located within the South Coast Air Basin (Basin), a 6,600-square mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Gorgonio Pass area of Riverside County.

The extent and severity of the air pollution problem in the Basin is a function of the area's natural physical characteristics (weather and topography), as well as man-made influences (development patterns and lifestyle). Factors, such as wind, sunlight, temperature, humidity, rainfall, and topography, all affect the accumulation and dispersion of air pollutants throughout the Basin.

Climate

The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. As a result, the climate is mild, tempered by cool sea breezes. The climate consists of a semi-arid environment with mild winters, warm summers, moderate temperatures, and comfortable humidity. Precipitation is limited to a few winter storms. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

The average annual temperature varies little throughout the Basin, averaging 75 degrees Fahrenheit (°F). However, with a less-pronounced oceanic influence, the eastern inland portions of the Basin show greater variability in annual minimum and maximum temperatures. All portions of the Basin have had recorded temperatures over 100°F in recent years.

Although the Basin has a semi-arid climate, the air near the surface is moist due to the presence of a shallow marine layer. Except for infrequent periods when dry, continental air is brought into the Basin by offshore winds, the ocean effect is dominant. Periods with heavy fog are frequent, and low stratus clouds, occasionally referred to as "high fog," are a characteristic climate feature. Annual average relative humidity is 70 percent at the coast and 57 percent in the eastern part of the Basin. Precipitation in the Basin is typically nine to 14 inches annually and is rarely in the form of snow or hail due to typically warm weather. The frequency and amount of rainfall is greater in the coastal areas of the Basin.

The height of the inversion (i.e., a layer in the atmosphere in which air temperature increases with height) is important in determining pollutant concentration. When the inversion is approximately 2,500 feet above sea level, the sea breezes carry the pollutants inland to escape over the mountain slopes or through the passes. At a height of 1,200 feet, the terrain prevents the pollutants from entering the upper atmosphere, resulting in a settlement in the foothill communities. Below 1,200 feet, the inversion puts a tight lid on pollutants, concentrating them in a shallow layer over the entire coastal basin. Usually, inversions are lower before sunrise than during the day. Mixing heights for inversions are lower in the summer and more persistent, being partly responsible for the high levels of ozone (O_3) observed during summer months in the Basin. Smog in southern California is generally the result of these temperature inversions combining with sea breezes that carry the pollutants inland and local mountains to contain the pollutants for long periods of time, allowing them to form secondary pollutants by reacting with sunlight. The Basin has a limited ability to disperse these pollutants due to typically low wind speeds.

Criteria Air Pollutants

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by State and federal laws. These regulated air pollutants are known as "criteria air pollutants" and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_x), sulfur dioxide (SO_2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead are primary air pollutants. Of these, CO, NO_X, SO_2, PM_{10}, and $PM_{2.5}$ are criteria pollutants. ROG and NO_X are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant O_3 is formed by a chemical reaction between ROG and NO_X in the presence of sunlight. O_3 and nitrogen dioxide (NO_2) are the principal secondary pollutants.

Carbon Monoxide (CO). CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions. CO replaces oxygen in the body's red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to developing chest pains when exposed to low levels of carbon monoxide.

Ozone (O_3). O_3 occurs in two layers of the atmosphere. The layer surrounding the earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratospheric (the "good" O_3 layer) extends upward from about 10 to 30 miles and protects life on earth from the sun's harmful ultraviolet rays. "Bad" O_3 is a photochemical pollutant, and needs volatile organic compounds (VOCs), NO_X, and sunlight to form; therefore, VOCs and NO_X are O_3 precursors. To reduce O_3 concentrations, it is necessary to control the emissions of these O_3 precursors. Significant O_3 formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High O_3 concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While O_3 in the upper atmosphere (stratosphere) protects the earth from harmful ultraviolet radiation, high concentrations of ground-level O_3 (in the troposphere) can adversely affect the human respiratory system and other tissues. O_3 is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children, and people with pre-existing lung disease, such as asthma and chronic pulmonary lung disease, are the most susceptible to the health effects of O_3. Short-term exposure (lasting for a few hours) to O_3 at elevated levels can result in aggravated respiratory diseases, such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

Nitrogen Dioxide (NO_2). NO_X are a family of highly reactive gases that are a primary precursor to the formation of ground-level O_3 and react in the atmosphere to form acid rain. NO_2 (often used interchangeably with NO_X) is a reddish-brown gas that can cause breathing difficulties at elevated levels. Peak readings of NO_2 occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). NO_2 can irritate and damage the lungs and lower resistance to respiratory infections, such as influenza. The health effects of short-term exposure are still unclear. However, continued or frequent exposure to NO_2 concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO_2 may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

Coarse Particulate Matter (PM_{10}). PM_{10} refers to suspended respirable particulate matter, which is 10 microns or less in diameter. PM_{10} arises from sources, such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM_{10} scatters light and significantly reduces visibility. PM_{10} poses a serious health hazard alone or in combination with other pollutants. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract.

Fine Particulate Matter ($PM_{2.5}$). $PM_{2.5}$ refers to fine particulate matter, which is 2.5 microns or smaller in diameter. $PM_{2.5}$ is mostly produced by mechanical processes. These include automobile tire wear, industrial processes, such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities, such as construction or agriculture. $PM_{2.5}$ is also derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases, such as NO_X and SO_X combining with ammonia. $PM_{2.5}$ components from material in the earth's crust, such as dust, are also present, with the amount varying in different locations. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease.

Sulfur Dioxide (SO_2). Sulfur dioxide (SO_2) is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. Sulfur dioxide is often used interchangeably with SO_X. Exposure of a few minutes to low levels of SO_2 can result in airway constriction in some asthmatics.

Volatile Organic Compounds (VOC). VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of

carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The terms VOC and ROG, discussed below, are often used interchangeably.

Reactive Organic Gases (ROG). Similar to VOCs, ROGs are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NO_X react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant.

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances capable of causing short-term (acute) and/or long-term (chronic) or carcinogenic (i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes approximately 200 compounds, including particulate emissions from diesel-fueled engines.

Ten pollutants have been singled out through ambient air quality data as being the most substantial health risks in California. Direct exposure to these pollutants has been shown to cause cancer, birth defects, brain and nervous system damage, and respiratory disorders.

TACs often result from fugitive emissions during fuel storage and transfer activities, and from leaking valves and pipes. For example, the electronics industry, including semiconductor manufacturing, uses highly toxic chlorinated solvents in semiconductor production processes. Automobile exhaust also contains TACs, such as benzene and 1,3-butadiene.

Diesel Particulate Matter

Diesel Particulate Matter (DPM) is emitted from both mobile and stationary sources. In California, on-road diesel-fueled engines contribute approximately 24 percent of the Statewide total, with an additional 71 percent attributed to other mobile sources, such as construction and mining equipment, agricultural equipment, and transport refrigeration units. Stationary sources contribute approximately five percent of total DPM in the State. It should be noted that CARB has developed several plans and programs to reduce diesel emissions, such as the Diesel Risk Reduction Plan, the Statewide Portable Equipment Registration Program (PERP), and the Diesel Off-Road Online Reporting System (DOORS). PERP and DOORS allow owners or operators of portable engines and certain other types of equipment to register their equipment in order to operate them in the State without having to obtain individual permits from local air districts.

Diesel exhaust and many individual substances contained in it (e.g., arsenic, benzene, formaldehyde, and nickel) have the potential to contribute to mutations in cells that can lead to cancer. Long-term exposure to diesel exhaust particles poses the highest cancer risk of any TAC evaluated by Office of Environmental

Health Hazard Assessment (OEHHA). CARB estimates that about 70 percent of the cancer risk that the average Californian faces from breathing toxic air pollutants stems from diesel exhaust particles.

In its comprehensive assessment of diesel exhaust, OEHHA analyzed more than 30 studies of people who worked around diesel equipment, including truck drivers, railroad workers, and equipment operators. The studies showed these workers were more likely to develop lung cancer than workers who were not exposed to diesel emissions. These studies provide strong evidence that long-term occupational exposure to diesel exhaust increases the risk of lung cancer. Using information from OEHHA's assessment, CARB estimates that diesel particle levels measured in California's air in 2000 could cause 540 "excess" cancers in a population of one million people over a 70-year lifetime. Other researchers and scientific organizations, including the National Institute for Occupational Safety and Health, have calculated cancer risks from diesel exhaust similar to those developed by OEHHA and CARB.

Exposure to diesel exhaust can also have immediate health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and can cause coughing, headaches, lightheadedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks.

Diesel engines are a major source of fine particulate pollution. The elderly and people with emphysema, asthma, and chronic heart and lung disease are especially sensitive to fine-particle pollution. Numerous studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. Because children's lungs and respiratory systems are still developing, they are also more susceptible than healthy adults to fine particles. Exposure to fine particles is associated with increased frequency of childhood illnesses and can also reduce lung function in children. In California, diesel exhaust particles have been identified as a carcinogen.

Local Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. Air quality monitoring stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. The closest air monitoring station to the Project site that monitors CO and $PM_{2.5}$ is the Reseda Monitoring Station, the closest air monitoring station that monitors PM_{10} is the Los Angeles – North Main Street Monitoring Station, and the closest air monitoring station that monitors O_3 and NO_2 is the North Hollywood Monitoring Station. Local air quality data from 2020 to 2022 is provided in Table 5.1-1, *Summary of Air Quality Data*. This table lists the monitored maximum concentrations and number of exceedances of State/federal air quality standards for each year.

Table 5.1-1
Summary of Air Quality Data

Pollutant	California Standard	Federal Primary Standard	Year	Maximum Concentration[1]	Days (Samples) State/Federal Standard Exceeded
Ozone (O_3) (1-hour)[2]	0.09 ppm for 1 hour	NA[6]	2022 2021 2020	0.106 ppm 0.110 ppm 0.133 ppm	6 / N/A 6 / N/A 5 / N/A
Ozone (O_3) (8-hour)[2]	0.070 ppm for 8 hours	0.070 ppm for 8 hours	2022 2021 2020	0.102 ppm 0.109 ppm 0.109 ppm	24 / 13 33 / 17 65 / 50
Carbon Monoxide (CO) (1-hour)[2]	20 ppm for 1 hour	35 ppm for 1 hour	2022 2021 2020	2.197 ppm 2.603 ppm 2.036 ppm	0 / 0 0 / 0 0 / 0
Nitrogen Dioxide (NO_2)[8]	0.018 ppm for 1 hour	0.100 ppm for 1 hour	2022 2021 2020	0.053 ppm 0.065 ppm 0.060 ppm	0 / 0 0 / 0 0 / 0
Fine Particulate Matter ($PM_{2.5}$)[2, 3]	No Separate Standard	35 µg/m^3 for 24 hours	2022 2021 2020	28.2 µg/m^3 55.5 µg/m^3 80.1 µg/m^3	* / * * / * * / 8.9
Particulate Matter (PM_{10}) [3, 4, 5]	50 µg/m^3 for 24 hours	150 µg/m^3 for 24 hours[7]	2022 2021 2020	61.0 µg/m^3 138.5 µg/m^3 185.3 µg/m^3	* / * * / * * / *

ppm = parts per million; PM_{10} = particulate matter 10 microns or less in diameter; µg/m^3 = micrograms per cubic meter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter; NA = not applicable; * = insufficient data available to determine the value

Notes:
1. Maximum concentration is measured over the same period as the California Standards.
2. Data collected from the Reseda Monitoring Station located at 18330 Gault Street, Reseda, California 91335.
3. PM_{10} and $PM_{2.5}$ exceedances are derived from the number of samples exceeded, not days.
4. Data collected from the Los Angeles – North Main Street Monitoring Station located at 1630 North Main Street, Los Angeles, California 90012.
5. PM_{10} exceedances are based on State thresholds established prior to amendments adopted on June 20, 2002.
6. The federal standard for 1-hour ozone was revoked in June 2005.
7. The federal standard for average PM_{10} was revoked in December 2006.
8. Data collected from the North Hollywood Monitoring Station located at 10659 W Delano Street, California 91606.

Sources:
California Air Resources Board, *ADAM Air Quality Data Statistics*, http://www.arb.ca.gov/adam/, accessed February 28, 2024.
California Air Resources Board, *AQMIS2: Air Quality Data*, https://www.arb.ca.gov/aqmis2/aqdselect.php, accessed February 28, 2024.

5.1.2 REGULATORY SETTING

Federal

Federal Clean Air Act

The Federal Clean Air Act (FCAA) of 1963 was the first federal legislation regarding air pollution control and has been amended numerous times in subsequent years, with the most recent amendments occurring in 1990. At the federal level, the USEPA is responsible for implementation of certain portions of the FCAA including mobile source requirements. Other portions of the FCAA, such as stationary source requirements, are implemented by State and local agencies.

The FCAA establishes federal air quality standards, known as National Ambient Air Quality Standards (NAAQS) and specifies future dates for achieving compliance. The FCAA also mandates that the State submit and implement a State Implementation Plan (SIP) for areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met. The 1990 amendments to the FCAA identify specific emission reduction goals for areas not meeting the NAAQS. These amendments require both a demonstration of reasonable further progress toward attainment and incorporation of additional sanctions for failure to attain or to meet interim milestones.

In addition to criteria pollutants, Title I of the FCAA also includes air toxics provisions, which require the USEPA to develop and enforce regulations to protect the public from exposure to airborne contaminants that are known to be hazardous to human health. In accordance with Section 112 of the FCAA, the USEPA establishes National Emission Standards for Hazardous Air Pollutants. The list of hazardous air pollutants (HAPs), or air toxics, includes specific compounds that are known or suspected to cause cancer or other serious health effects.

FCAA Title II requirements pertain to mobile sources, such as cars, trucks, buses, and planes. Reformulated gasoline, automobile pollution control devices, and vapor recovery nozzles on gas pumps are a few of the mechanisms the USEPA uses to regulate mobile air emission sources. The provisions of Title II have resulted in tailpipe emission standards for vehicles which have strengthened in recent years to improve air quality. For example, the standards for NO_x emissions have been lowered substantially, and the specification requirements for cleaner-burning gasoline are more stringent.

In 1997, the U.S. Environmental Protection Agency (USEPA) announced new $PM_{2.5}$ standards. Industry groups challenged the new standard in court and the implementation of the standard was blocked. However, upon appeal by the USEPA, the United States Supreme Court reversed this decision and upheld the USEPA's new standards.

On June 20, 2002, CARB adopted amendments for Statewide annual ambient particulate matter air quality standards. These standards were revised/established due to increasing concerns by CARB that previous standards were inadequate, as almost everyone in California is exposed to levels at or above the current State standards during some parts of the year, and the Statewide potential for significant health impacts associated with particulate matter exposure was determined to be large and wide-ranging. On January 5, 2005, the USEPA published a Final Rule in the Federal Register that designates the Basin as a nonattainment area for federal $PM_{2.5}$ standards. On July 8, 2016, USEPA made a finding that the Basin has attained the 1997 24-hour and annual $PM_{2.5}$ standards based on 2011-2013 data. However, the Basin

remains in nonattainment as the USEPA has not determined that California has met the Federal Clean Air Act requirements for redesignating the Basin nonattainment area to attainment.

Mobile Source Air Toxics Rule

In 2001, the USEPA issued its first Mobile Source Air Toxics (MSAT) Rule, which identified 21 MSAT compounds as being HAPs that required regulation. A subset of six MSAT compounds were identified as having the greatest influence on health, including benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and DPM. In February 2007, the USEPA issued a second MSAT Rule that generally supported the findings in the first rule and provided additional recommendations for compounds having the greatest impact on health. The rule also identified several engine emission certification standards that must be implemented. Unlike criteria pollutants, MSATs do not have NAAQS, making evaluation of their impacts more subjective. In April 2014, the USEPA issued a third MSAT Rule that established the Tier 3 standards, which are part of a comprehensive approach to reducing the impacts of motor vehicles on air quality and public health.

National Emissions Standards for Hazardous Air Pollutants Program

Under federal law, 187 substances are listed as HAPs. Major sources of specific HAPs are subject to the requirements of the National Emissions Standards for Hazardous Air Pollutants program. The USEPA is establishing regulatory schemes for specific source categories and requires implementation of Maximum Achievable Control Technologies for major sources of HAPs in each source category. State law has established the framework for California's TAC identification and control program, which is generally more stringent than the federal program and is aimed at HAPs that are specific problems in California. The State has formally identified 244 substances as TACs and is adopting appropriate control measures for each TAC. Once adopted at the State level, each air district will be required to adopt a control measure that is equal or more stringent.

State

California Clean Air Act

California Air Resources Board (CARB) administers air quality policies for the State of California. The California Clean Air Act (CCAA), signed into law in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with the California Ambient Air Quality Standards (CAAQS) by the earliest practical date. The AQMPs also serve as the basis for the preparation of the SIP for meeting federal clean air standards for the State. Like the USEPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. The CAAQS apply to the same criteria pollutants as the FCAA but also include State-identified criteria pollutants. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a State standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events, such as wildfires, volcanoes, etc., are not considered violations of a State standard, and are not used as a basis for designating areas as nonattainment. The State standards are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, the CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates. Table 5.1-1 identifies the CAAQS and the NAAQS standards. The Basin is currently designated as a nonattainment area with respect to the State O_3, PM_{10}, and $PM_{2.5}$ standards, as well as the national 8-hour O_3 and $PM_{2.5}$

standards. The Basin is designated as in attainment or unclassified for the remaining State and federal standards.

California Air Toxics "Hot Spots" Information and Assessment Act (AB 2588)

Enacted in 1987, AB 2588 is a Statewide program that requires facilities exceeding recommended OEHHA levels to reduce risks to acceptable levels. Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the air quality management district or air pollution control district. High priority facilities are required to perform a health risk assessment (HRA) and, if specific thresholds are exceeded, required to communicate the results to the public in the form of notices and public meetings. In September 1992, AB 2588 was amended by Senate Bill 1731, which required facilities that pose a significant health risk to the community to reduce their risk by developing a risk management plan.

Diesel exhaust is mainly composed of particulate matter (PM) and gases, which contain potential cancer-causing substances. Emissions from diesel engines currently include over 40 substances that are listed by USEPA as HAPs and by CARB as TACs. On August 27, 1998, CARB identified PM in diesel exhaust as a TAC, based on data linking diesel particulate emissions to increased risks of lung cancer and respiratory disease.

Toxic Air Contaminant Identification and Control Act (AB 1807)

CARB's Statewide comprehensive air toxics program was established in 1983 with the Toxic Air Contaminant Identification and Control Act. AB 1807 created California's program to reduce exposure to air toxics and sets forth a formal procedure for CARB to designate substances as TACs. Once a TAC is identified, CARB adopts an airborne toxics control measure (ATCM) for sources that emit designated TACs. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure to below that threshold. If there is no safe threshold, the measure must incorporate toxics best available control technology to minimize emissions.

Diesel Reduction Plan

In September 2000, CARB adopted a comprehensive diesel risk reduction plan to reduce emissions from both new and existing diesel-fueled engines and vehicles. The goal of the plan is to reduce DPM emissions and their associated health risk by 75 percent in 2010 and by 85 percent by 2020. As part of this plan, CARB identified ATCM for mobile and stationary emissions sources. Each ATCM is codified in the California Code of Regulations (CCR), including the ATCM to limit diesel-fueled commercial motor vehicle idling, which puts limits on idling time for large diesel engines (13 CCR Chapter 10 Section 2485).

California Building Energy Efficiency Standards (Title 24)

In 1978, the California Energy Commission established the State's energy efficiency standards for residential and non-residential buildings in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. The 2022 Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023.

Regional

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD) is primarily responsible for planning, implementing, and enforcing air quality standards for the Basin, which is a subregion within the western portion of the SCAQMD. The SCAQMD also regulates portions of the Salton Sea Air Basin and Mojave Desert Air Basin within Riverside County. The Basin is designated non-attainment for O_3 8-hour NAAQS and nonattainment for the $PM_{2.5}$ and Pb NAAQS. The Basin is also designated non-attainment for the O_3, PM_{10}, and $PM_{2.5}$ CAAQS. The Basin is designated unclassifiable or in attainment for all other federal and State standards.

Air Quality Management Plan

The SCAQMD is required to monitor air pollutant levels to ensure that State and federal air quality standards are met and, if they are not met, to develop strategies to meet the standards. Under State law, the SCAQMD is required to prepare an AQMP for pollutants for which its jurisdiction is in non-attainment.

To meet the NAAQS and CAAQS, the SCAQMD has adopted a series of AQMPs that serve as a regional blueprint to develop and implement an emissions reduction strategy that will bring the Basin into attainment with the standards in a timely manner. The most significant air quality challenge in the Basin is to reduce NO_X emissions to meet the O_3 standard deadline for the non-Coachella Valley portion of the Basin, as NO_X plays a critical role in the creation of O_3. The 2022 AQMP, adopted by the SCAQMD's Governing Board on December 2, 2022, includes strategies to ensure the SCAQMD does its part to further its ability to reduce NO_X emissions as expeditiously as practicable but no later than the statutory attainment deadline of August 3, 2038, for the Basin and August 3, 2033, for the Riverside County portion of the Salton Sea Air Basin to meet the 2015 federal O_3 standards. The 2022 AQMP builds on the measures already in place from the previous AQMPs and includes a variety of additional strategies, such as regulation, accelerated deployment of available cleaner technology, best management practices, co-benefits from existing programs, incentives, and other CCAA measures to meet the 8-hour O_3 standard. Since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the O_3 standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of annual $PM_{2.5}$ standards.[1]

The SCAQMD's strategy to meet the NAAQS and CAAQS distributes the responsibility for emissions reductions across federal, State, and local levels and industries. Most of these emissions are from heavy-duty trucks, ships, and other State and federally regulated mobile source emissions, the majority of which are beyond SCAQMD's control. The SCAQMD has limited control over truck emissions with rules, such as Rule 1196. The 2022 AQMP is composed of stationary and mobile source emissions reductions, including traditional regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile source strategies, and reductions from federal sources (e.g., aircraft, locomotives, and ocean-going vessels). These strategies are to be implemented in partnership with CARB and USEPA. The SCAQMD will not meet the standard without significant federal action. In addition to federal action, the 2022 AQMP relies on substantial future development of advanced technologies to meet the standards, including the transition to zero- and low-emission technologies. Of the needed NO_X emissions reductions, 46 percent

[1] SCAQMD 2022 AQMP.

will come from federal actions, 34 percent from CARB actions, and 20 percent directly from SCAQMD actions.[2]

The 2022 AQMP also incorporates the transportation strategy and transportation control measures from the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. A more detailed discussion of 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy is included below.

CEQA Air Quality Handbook

The SCAQMD published the *CEQA Air Quality Handbook*, which was approved by the SCAQMD Governing Board in 1993. The *CEQA Air Quality Handbook* guides local government agencies and consultants in preparing air quality assessments for environmental documents required by CEQA. With the help of the *CEQA Air Quality Handbook*, local land use planners and other consultants can analyze and document how proposed and existing projects affect air quality and fulfill the requirements of the CEQA review process. The SCAQMD is in the process of developing an *Air Quality Analysis Guidance Handbook* to replace the current *CEQA Air Quality Handbook*.

Rules and Regulations

The SCAQMD has adopted several rules and regulations to regulate sources of air pollution in the Basin and help achieve air quality standards for land use development projects. The following rules apply to the Project:

- Rule 402 – Nuisance: This rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material, which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- Rule 403 – Fugitive Dust: This rule requires projects to prevent, reduce, or mitigate fugitive dust emissions from a site. Rule 403 restricts visible fugitive dust to a project property line, restricts the net PM_{10} emissions to less than 50 micrograms per cubic meter ($\mu g/m^3$), and restricts the tracking out of bulk materials onto public roads. Additionally, projects must utilize one or more of the best available control measures (identified in the tables within the rule). Best available control measures may include adding freeboard to haul vehicles, covering loose material on haul vehicles, watering, using chemical stabilizers, and/or ceasing all activities. Finally, a contingency plan may be required if so determined by the USEPA.
- Rule 445 – Wood-Burning Devices: This rule prohibits installation of wood-burning devices into any new development.
- Rule 1113 – Architectural Coatings: This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

[2] SCAQMD 2022 AQMP.

- Rule 1138 – Control of Emissions from Restaurant Operations: This rule specifies PM and VOC emissions and odor control requirements for commercial cooking operations that use chain-driven charbroilers to cook meat.
- Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters: This rule requires manufacturers, distributors, retailers, refurbishers, installers, and operators of new and existing units to reduce NO_X emissions from natural gas-fired water heaters, boilers, and process heaters as defined in this rule.
- Rule 1186 – PM_{10} Emissions from Paved and Unpaved Roads, and Livestock Operations: This rule applies to owners and operators of paved and unpaved roads and livestock operations. The rule is intended to reduce PM_{10} emissions by requiring the cleanup of material deposited onto paved roads, use of certified street sweeping equipment, and treatment of high-use unpaved roads (see also Rule 403).
- Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities: This rule requires owners and operators of any demolition or renovation activity and the associated disturbance of asbestos-containing materials, any asbestos storage facility, or any active waste disposal site to implement work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials.
- Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines: This rule applies to stationary compression ignition engines greater than 50 brake horsepower and sets limits on emissions and operating hours. In general, new stationary emergency standby diesel-fueled engines greater than 50 brake horsepower are not permitted to operate more than 50 hours per year for maintenance and testing.

Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy[3]

SCAG is the regional planning agency that implements the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and addresses regional issues relating to transportation, the economy, community development, and the environment. SCAG coordinates with various air quality and transportation stakeholders in Southern California to ensure compliance with the federal and State air quality requirements. Pursuant to California Health and Safety Code Section 40460, SCAG has the responsibility of preparing and approving the portions of the AQMP relating to the regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies. The 2020-2045 RTP/SCS includes transportation programs, measures, and strategies generally designed to reduce vehicle miles travelled (VMT), which are contained in the 2022 AQMP. The SCAQMD

[3] It is noted that SCAG adopted the 2024-2050 RTP/SCS on April 4, 2024. However, the 2022 AQMP utilizes growth forecasts and measures from the 2020-2045 RTP/SCS. Therefore, for purposes of this EIR and the air quality analysis, the 2020-2045 RTP/SCS is relevant and applicable to determining the Project's consistency with the 2022 AQMP.

combines its portion of the AQMP with measures prepared by SCAG.[4] The Transportation Control Measures, included as Appendix IV-C of the 2022 AQMP, are based on the 2020-2045 RTP/SCS.

The 2022 AQMP forecasts the 2037 emissions inventories ''with growth'' based on the 2020-2045 RTP/SCS. The region is projected to see a 12-percent growth in population, a 17-percent growth in housing units, an 11-percent growth in employment, and a 5-percent growth in VMT between 2018 and 2037. Despite regional growth in the past, air quality has improved substantially over the years, primarily because of air quality control programs at the local, State, and federal levels.

Since issuance of the Project's Notice of Preparation (NOP) and initiation of the analysis presented in this EIR, SCAG adopted the 2024-2050 RTP/SCS, which carries forward policy direction established in the 2020-2045 RTP/SCS, as well as more recent Regional Council actions that address emerging issues facing the region. The 2024-2050 RTP/SCS outlines a vision for a more resilient and equitable future, with investment, policies and strategies for achieving the region's shared goals through 2050. As with the previous RTP/SCS, the 2024-2050 RTP/SCS is a long-term plan for the southern California region that details investment in the transportation system and development in communities. SCAG worked closely with local jurisdictions to develop the 2024-2050 RTP/SCS, which incorporates current demographics and anticipated future population, household, and employment growth patterns based, in part, upon local growth forecasts, projects and programs, and includes complementary regional policies and initiatives. The Plan outlines a forecasted development pattern that demonstrates how the region can sustainably accommodate needed housing. In addition, the 2024-2050 RTP/SCS is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and FCAA requirements.

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies that would reduce air emissions generated by land uses within the City. The implementation programs build on the goals and policies to ensure that the overall direction set forth in Burbank2035 is translated from general ideas to actions. Programs that would reduce air emissions include Mobility Programs M-6 (Transit System), M-7 (Bicycle Master Plan and Pedestrian Master Plan), and M-10 (Transportation Demand Management). Burbank2035 also includes an Air Quality and Climate Change Element, which is an optional element (i.e., not required by State law) pursuant to California Government Code Section 65303, that is specifically designed to reduce the City's air pollutant emissions and comply with Statewide goals. The Air Quality and Climate Change Element contains the following goals and policies that reduce potential air quality impacts:

[4] SCAQMD, 2022 AQMP.

GOAL 1 REDUCTION OF AIR POLLUTION: The health and sustainability of the city, county, and Basin are improved by planning and programs that reduce air pollutants. Policies that reduce fossil fuel combustion (by reducing vehicle miles traveled and promoting conservation and use of renewable energy) lessen adverse impacts on both air quality and climate change.

Policy 1.1: Coordinate air quality planning efforts with local, regional, state, and federal agencies, and evaluate the air quality effects of proposed plans and development projects.

Policy 1.2: Seek to attain or exceed the more stringent of federal or state ambient air quality standards for each criteria air pollutant.

Policy 1.5: Require projects that generate potentially significant levels of air pollutants, such as landfill operations or large construction projects, to incorporate best available air quality and greenhouse gas mitigation in project design.

Policy 1.6: Require measures to control air pollutant emissions at construction sites and during soil disturbing or dust-generating activities (i.e., tilling, landscaping) for projects requiring such activities.

Policy 1.7: Require reduced idling, trip reduction, and efficiency routing of transportation for City departments, where appropriate.

Policy 1.9: Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles, and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities in residential developments and employment centers to accommodate these vehicles.

Policy 1.10: Give preference to qualified contractors using reduced-emission equipment for City construction projects and contracts for services, as well as businesses that practice sustainable operations.

GOAL 2 SENSITIVE RECEPTORS: Burbank is committed to reducing the exposure of sensitive receptors to toxic air contaminants and odors.

Policy 2.2: Separate sensitive uses such as residences, schools, parks, and day care facilities from sources of air pollution and toxic chemicals. Provide proper site planning and design features to buffer and protect when physical separation of these uses is not feasible.

Policy 2.3: Require businesses that cause air pollution to provide pollution control measures.

Policy 2.5: Require the use of recommendations from the California Air Resources Board's Air Quality and Land Use Handbook to guide decisions regarding location of sensitive land uses.

GOAL 3 REDUCTION OF GREENHOUSE GAS EMISSIONS: Burbank seeks a sustainable, energy-efficient future and complies with Statewide greenhouse gas reduction goals.

Policy 3.1: Develop and adopt a binding, enforceable reduction target and mitigation measures and actions to reduce community-wide greenhouse gas emissions within Burbank by at least 15 percent from current levels by 2020.

5.1.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan (refer to Impact Statement AQ-1);
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (refer to Impact Statement AQ-2);
- Expose sensitive receptors to substantial pollutant concentrations (refer to Impact Statement AQ-3); and/or
- Result in other emissions such as those leading to odors adversely affecting a substantial number of people (refer to Impact Statement AQ-4).

SCAQMD Regional Thresholds

Under CEQA, the SCAQMD is an expert commenting agency on air quality within its jurisdiction or impacting its jurisdiction. Under the FCAA, the SCAQMD has adopted federal attainment plans for O_3 and PM_{10}. The SCAQMD reviews projects to ensure that they would not: (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any air quality standard; or (3) delay timely attainment of any air quality standard or any required interim emission reductions or other milestones of any federal attainment plan.

The *CEQA Air Quality Handbook* also provides significance thresholds for both construction and operation of projects within the SCAQMD jurisdictional boundaries. If the SCAQMD thresholds are exceeded, a potentially significant impact could result. However, ultimately the lead agency determines the thresholds of significance for impacts. If a project proposes development in excess of the established thresholds, as outlined in Table 5.1-2, *South Coast Air Quality Management District Emissions Thresholds*, a significant air quality impact may occur, and additional analysis is warranted to fully assess the significance of impacts.

Table 5.1-2
South Coast Air Quality Management District Emissions Thresholds

Phase	Pollutant (lbs/day)					
	VOC[1]	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Construction	75	100	550	150	150	55
Operational	55	55	550	150	150	55
VOC = volatile organic compounds; NO_X = nitrogen oxides; CO = carbon monoxide; SO_X = sulfur oxides; PM_{10} = particulate matter up to 10 microns; $PM_{2.5}$ = particulate matter up to 2.5 microns; lbs = pounds						
Note: 1. Please note that the SCAQMD significance threshold is in terms of VOC, while CalEEMod calculates reactive organic compounds (ROG) emissions. For purposes of this analysis, VOC and ROG are used interchangeably as ROG represents approximately 99.9 percent of VOC emissions.						
Source: South Coast Air Quality Management District, *CEQA Air Quality Handbook,* November 1993.						

SCAQMD Localized Significance Thresholds

Local Significance Thresholds (LSTs) were developed in response to SCAQMD Board's Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized air quality impacts. The SCAQMD provides the LST screening lookup tables for projects that disturb/grade one, two, or five acres per day emitting CO, NO_X, $PM_{2.5}$, or PM_{10}. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The SCAQMD recommends that any project over five acres in size should perform air quality dispersion modeling to assess impacts to nearby sensitive receptors from area source emissions. For LST analysis purposes, SCAQMD is divided into 38 Source Receptor Areas (SRAs), each of which contain specific localized air quality emission thresholds for CO, NO_X, $PM_{2.5}$, and PM_{10} to determine local air quality impacts. The Project is located within the SRA 7 (East San Fernando Valley).

Cumulative Emissions Thresholds

Based on the SCAQMD guidance, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also cause a cumulatively considerable increase in emissions for those pollutants for which Basin is in non-attainment. As discussed in the SCAQMD's White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution:

> *As Lead Agency, the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR… Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and*

cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.[5]

The cumulative analysis of air quality impacts in this Draft EIR follows the SCAQMD's guidance such that construction or operational Project emissions will be considered cumulatively considerable if Project-specific emissions exceed an applicable recommended significance threshold established by the SCAQMD.

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are sometimes qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.1.4 IMPACTS AND MITIGATION MEASURES

AQ-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact Analysis: On December 2, 2022, the SCAQMD Governing Board adopted the 2022 AQMP. The 2022 AQMP incorporates the latest scientific and technical information and planning assumptions, including the latest applicable growth assumptions, updated emission inventory methodologies for various source categories. Additionally, the 2022 AQMP utilized information and data from SCAG and its 2020-2045 RTP/SCS. According to the SCAQMD's *CEQA Air Quality Handbook*, projects must be analyzed for consistency with two main criteria, as discussed below.

Criterion 1:

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

a) *Would the project result in an increase in the frequency or severity of existing air quality violations?*

Since the consistency criteria identified under the first criterion pertains to pollutant concentrations, rather than to total regional emissions, an analysis of the Project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating Project consistency. As discussed in Impact AQ-3, below, localized concentrations of CO, NO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would be less than significant during Project construction and operations. Therefore, the proposed Project would not result in an increase in the frequency or severity of existing air quality violations. Further, there is no ambient standard or localized threshold for ROGs, but due to the role ROGs play in O_3 formation, it is classified as a precursor

[5] SCAQMD, *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, August 2003.

pollutant and only a regional emissions threshold has been established. It is noted that emission of ROGs as a result of the proposed Project would not exceed the regional emissions threshold; refer to Impact AQ-2, below.

b) *Would the project cause or contribute to new air quality violations?*

As discussed below in Impacts AQ-2 and AQ-3, the proposed Project would result in emissions that would be below the SCAQMD's thresholds for regional and localized emissions. Therefore, the proposed Project would not have the potential to cause or contribute to a new violation of the ambient air quality standards.

c) *Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?*

The proposed Project would result in less than significant impacts with regard to localized concentrations during Project construction and operation. According to the SCAQMD, if localized concentrations are below localized significance thresholds and no other air quality impacts were determined to be significant, then construction and operation activities are not significant for air quality.[6]As discussed in Impact AQ-3, construction and operation of the proposed Project would not exceed applicable localized significance thresholds. Additionally, Impact AQ-1, AQ-2, and AQ-4 determined that construction and operation of the proposed Project would not result in any other significance air quality impacts.

Additionally, as discussed in Impact AQ-2, the construction and operation of the proposed Project would not result in emissions that exceed the SCAQMD adopted construction or operational thresholds for regional emissions. As the proposed Project would not result in any localized air quality violations or exceed the SCAQMD adopted construction or operational thresholds for regional emissions, the proposed Project would not result in an increase in the frequency of air quality violation at a regional level or delay the timely attainment of air quality standards. As such, the proposed Project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

Criterion 2:

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning within the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining Project consistency focuses on whether the proposed Project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three factors outlined below. The following discussion provides an analysis of each of these factors.

[6] South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology*, Revised July 2008.

a) *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

Growth projections included in the 2022 AQMP form the basis for the projections of air pollutant emissions and are based on general plan land use designations and SCAG's 2020-2045 RTP/SCS demographics forecasts. The population, housing, and employment forecasts within the 2022-2045 RTP/SCS are based on local general plans, as well as input from local governments, such as the City. The SCAQMD has incorporated these same demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment) into the 2022 AQMP.

The Project proposes the development of a Hotel (262,338 square feet) with up to 420 rooms and detached Garage (208,040 square feet) on a portion of the Project site currently used for surface parking. No changes to the existing Marriott Hotel are proposed. Based on Burbank2035, the Project site is designated Regional Commercial, which allows a maximum of 1.25 floor area ratio (FAR) and 58 units per acre with discretionary approval. The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities. Based on City of Burbank Zone Map (Effective 2019), the Project site is zoned as PD 89-1, Planned Development, which accommodates unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards that would create a desirable, functional, and community environment under controlled conditions of a development plan.

As part of the proposed Project, the Project Applicant is required to obtain a rezoning entitlement for PD 89-1 to rezone the Project site into property and project-specific Planned Development zoning designation; the allowable permitted/conditionally permitted uses and the development standards applicable to the property are outlined in the Planned Development. Upon approval, such entitlement would allow for the proposed development of the Project site. With the entitlement, the proposed Project would be consistent with the Project site's land use designation, and consistent with the types, intensity, and patterns of land use envisioned for the Project-site vicinity.

The City's population estimate as of January 1, 2023 is 104,535 persons.[7] While the Project does not involve residential development, according to the Project Applicant, the Project would generate approximately 85 full-time equivalent jobs and could indirectly induce population growth if future employees move into the City to work at the Hotel. While it is likely that future employees already live in the City or would commute from neighboring jurisdictions, this analysis conservatively assumes all 85 future employees would move into the City for employment. Based on an average household size of 2.37[8], the Project would result in an indirect population increase of approximately 202 persons (85 times 2.37).

[7] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*, May 2023.
[8] Ibid.

SCAG growth forecasts in the 2020-2045 RTP/SCS estimate the City's population to reach 115,400 persons by 2045, representing a total increase of 10,865 persons from the 2023 estimate of 104,535 individuals.[9] The Project's potential indirect population growth (202 persons) represents approximately 1.86 percent of the City's anticipated population increase by 2045, and only 0.18 percent of the City's total projected 2045 population.

Additionally, SCAG growth forecasts in the 2020-2045 RTP/SCS estimate the City's employment to reach 138,700 jobs by 2045, representing a total increase of 24,700 jobs from the baseline amount of 114,000 from 2016.[10] The approximately 85 Project-generated jobs represent 0.34 percent of the City's anticipated jobs increase by 2045, and a nominal percentage of the City's total projected 2045 employment.

Therefore, the indirectly induced population and employment growth as a result of the proposed Project would not cause the SCAG growth forecast to be exceeded. As the SCAQMD has incorporated these population, housing, and employment forecasts into the 2022 AQMP, it can be concluded that the proposed Project would be consistent with the 2022 AQMP.

b) *Would the project implement all feasible air quality mitigation measures?*

c) The proposed Project would result in less than significant air quality impacts, and mitigation would not be required; refer to Impacts AQ-2 and AQ-3. In addition, the Project would be required to comply with all applicable SCAQMD rules and regulations, including Rule 403, which requires excessive fugitive dust emissions to be controlled by regular watering or other dust prevention measures, and Rule 1113, which regulates the ROG content of paint. As such, the proposed Project meets this AQMP consistency factor.*Would the project be consistent with the land use planning strategies set forth in the AQMP?*

Land use planning strategies set forth in the 2022 AQMP are primarily based on the 2020-2045 RTP/SCS. The Project is an infill development and is located within a Transit Priority Area (TPA). Further, the Project would provide bicycle parking spaces and electric vehicle charging stations onsite to promote alternative transportation options. Therefore, the Project would be consistent with the actions and strategies of the 2020-2045 RTP/SCS. In addition, as discussed above, the Project would be consistent with Burbank2035 land use designation. As such, the proposed Project would meet this AQMP consistency factor.

Based on the analysis above, the Project would not conflict with or obstruct implementation of the 2022 AQMP, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

[9] SCAG, *Demographic and Growth Forecast*, September 3, 2020.
[10] Ibid.

AQ-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Impact Analysis:

Construction

The Project involves construction activities associated with grading, building construction, paving, and architectural coating applications. The Project would be constructed in a single phase, with construction anticipated to begin during the fourth quarter of 2025 and completed in the fourth quarter of 2027. Exhaust emission factors for typical diesel-powered heavy equipment are based on the California Emissions Estimator Model version 2022.1 (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported onsite or offsite. The analysis of daily construction emissions has been prepared using CalEEMod; refer to Appendix C for the CalEEMod outputs and results. Table 5.1-3, *Short-Term Construction Emissions*, presents the anticipated daily short-term construction emissions.

Table 5.1-3
Short-Term Construction Emissions

Construction Related Emissions	Pollutant (pounds/day)[1,2]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Year 1 (2025)	2.52	26.6	22.6	0.05	7.57	2.01
Year 2 (2026)	5.06	45.0	57.7	0.13	9.62	3.97
Year 3 (2027)	36.7	32.8	51.2	0.08	8.31	3.42
Maximum Daily Emissions	***36.7***	***45.0***	***57.7***	***0.13***	***9.62***	***3.97***
SCAQMD Thresholds	*75*	*100*	*550*	*150*	*150*	*55*
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Emissions were calculated using CalEEMod, version 2022.1. The reduction/credits for construction emissions are based on adjustments to CalEEMod and are required by the SCAQMD Rules. It should be noted that the modeling displays "Mitigated" emissions which considers regulatory compliance and Project-specific design features. The CalEEMod "Mitigated" does not equate to CEQA mitigation measures. In compliance of SCAQMD Rule 402 and 403, the adjustments applied in CalEEMod includes the following: properly maintain mobile and other construction equipment, replace ground cover in disturbed areas quickly, water exposed surfaces three times daily, cover stockpiles with tarps, and limit speeds on unpaved roads to 15 miles per hour.
2. The greater emission between summer and winter emissions is shown as a conservative analysis.

Source: Refer to Appendix C for detailed model input/output data.

Fugitive Dust Emissions

Construction activities are a source of fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project area. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill, and truck travel on unpaved roadways (including demolition, as well as construction activities). Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations, and weather conditions. Fugitive dust from demolition, site preparation, and construction is expected to be short-term and would cease upon Project completion. It should be noted that most of this material is inert silicates, rather than the complex organic particulates released from combustion sources, which are more harmful to health.

Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM_{10} generated as a part of fugitive dust emissions.

Construction activities would comply with SCAQMD Rule 402, which requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance offsite, and Rule 403, which requires that excessive fugitive dust emissions be controlled by regular watering or other dust prevention measures. Adherence to SCAQMD Rule 403 would greatly reduce PM_{10} and $PM_{2.5}$ concentrations. It should be noted that these estimated reductions were applied in CalEEMod. As shown in Table 5.1-3, total PM_{10} and $PM_{2.5}$ emissions would not exceed the SCAQMD thresholds during construction with the implementation of the SCAQMD Rules 402 and 403.

Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions (e.g., NO_x, CO, and SO_2) from construction activities include emissions associated with the transport of machinery and supplies to and from the Project site, emissions produced onsite as the equipment is used, and emissions from trucks transporting materials to/from the Project site. As presented in Table 5.1-3, NO_x, CO, and SO_2 emissions would be below the established SCAQMD thresholds during construction.

ROG Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are O_3 precursors. As required, all architectural coatings for the proposed Project structures would comply with SCAQMD Regulation XI, Rule 1113 – Architectural Coating, which provides specifications on painting practices, as well as regulates the ROG content of paint. As shown in Table 5.1-3, ROG emissions associated with the proposed Project would not exceed SCAQMD thresholds.

Total Daily Construction Emissions

In accordance with the SCAQMD Guidelines, CalEEMod was utilized to model construction emissions for ROG, NO_x, CO, SO_x, PM_{10}, and $PM_{2.5}$. As indicated in Table 5.1-3, ROG, NO_x, CO, SO_2, PM_{10}, and $PM_{2.5}$ emissions during construction of the proposed Project would not exceed the SCAQMD significance thresholds. Thus, total construction related air emissions would be less than significant.

Operation

Table 5.1-4, *Long-Term Operational Air Emissions Without Project Design Features*, presents ROG, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ emissions from the operation of the Project without project design features that have been incorporated into the Project to reduce operational emissions. CalEEMod outputs are contained within Appendix C.

Table 5.1-4
Long-Term Operational Air Emissions Without Project Design Features

Emissions Source	Pollutant (lbs/day)[1]					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Proposed Project Summer Emissions[4]						
Area Source Emissions	9.36	0.17	20.5	<0.01	0.04	0.03
Energy Emissions[3]	-	-	-	-	-	-
Mobile Emissions[2]	11.7	7.69	95.4	0.24	24.2	6.24
Total Emissions	**21.06**	**7.86**	**115.90**	**0.24**	**24.24**	**6.27**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***
Proposed Project Winter Emissions[4]						
Area Source Emissions	6.00	-	-	-	-	-
Energy Emissions[3]	-	-	-	-	-	-
Mobile Emissions[2]	11.6	8.41	88.3	0.23	24.2	6.24
Total Emissions	**17.60**	**8.41**	**88.3**	**0.23**	**24.2**	**6.24**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Emissions were calculated using CalEEMod, version 2022.1.
2. The mobile source emissions were calculated using the trip generation data provided by Fehr & Peers, dated August 2024; refer to Appendix K.
3. The Project would not result in any energy source emission as the Project would not consume natural gas.
4. The numbers are subject to rounding.

Source: Refer to Appendix C for detailed model input/output data.

Table 5.1-5, *Long-Term Operational Air Emissions With Project Design Features*, presents ROG, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ emissions from the operation of the Project with the incorporation of Project design features. Project design features modeled in CalEEMod includes photovoltaic panels for on-site renewable energy production (11 percent of the total annual consumption), exceeding the most current Title 24 standards by 10 percent, installing energy efficient lighting, installing energy efficient appliances, low flow water fixtures, water efficient landscaping, and all-electric landscaping equipment. CalEEMod outputs are contained within Appendix C.

Table 5.1-5
Long-Term Operational Air Emissions With Project Design Features

Emissions Source	Pollutant (lbs/day)[1]					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Proposed Project Summer Emissions[4]						
Area Source Emissions	6.00	-	-	-	-	-
Energy Emissions[3]	-	-	-	-	-	-
Mobile Emissions[2]	11.7	7.69	95.4	0.24	24.2	6.24
Total Emissions	**17.7**	**7.69**	**95.4**	**0.24**	**24.2**	**6.24**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***
Proposed Project Winter Emissions[4]						
Area Source Emissions	6.00	-	-	-	-	-
Energy Emissions[3]	-	-	-	-	-	-
Mobile Emissions[2]	11.6	8.41	88.3	0.23	24.2	6.24
Total Emissions	**17.5**	**8.41**	**88.3**	**0.23**	**24.2**	**6.24**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Emissions were calculated using CalEEMod, version 2022.1. This table incorporates Project design features.
2. The mobile source emissions were calculated using the trip generation data provided by Fehr & Peers, dated August 2024; refer to Appendix K.
3. The Project would not result in any energy source emission as the Project would not consume natural gas.
4. CalEEMod modeling includes the incorporation of Project design features provided by the Applicant to reduce operational emissions (i.e., exceeding the most current Title 24 standards by 10 percent, requiring energy efficient appliances, establishing onsite renewable energy production, low-flow fixtures, water-efficient landscaping, and requiring all-electric landscaping equipment). CalEEMod modeling displays "Mitigated" emissions which considers regulatory compliance and Project-specific design features. The CalEEMod "Mitigated" does not equate to CEQA mitigation.
5. The numbers are subject to rounding.

Source: Refer to Appendix C for detailed model input/output data.

As shown in Table 5.1-4 and Table 5.1-5, the proposed Project would be below SCAQMD thresholds with and without the incorporation of Project design features.

Mobile Source Emissions

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern (NO_X and ROG react with sunlight to form O_3 [photochemical smog], and wind currents readily transport SO_X, PM_{10}, and $PM_{2.5}$); however, CO tends to be a localized pollutant, dispersing rapidly at the source. The mobile source emissions were calculated using the Project's daily trip generation data provided by Fehr &

Peers, dated August 2024 (refer to Appendix K). As shown in Table 5.1-5, emissions generated by vehicle traffic associated with the Project would not exceed established SCAQMD thresholds.

Area Source Emissions

Area source emissions would be generated due to an increased demand for consumer products (e.g., cleaning supplies), area architectural coatings, and landscaping equipment associated with the development of the proposed Project. As shown in Table 5.1-5, area source emissions from the proposed Project would not exceed SCAQMD thresholds for ROG, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$.

Energy Source Emissions

Typical energy source emissions would be generated as a result of electricity usage associated with a development. The Project would not consume natural gas and would have onsite renewable energy production from photovoltaic panels. The primary use of electricity by the Project would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. As shown in Table 5.1-5, energy source emissions from the proposed Project would not exceed SCAQMD thresholds for ROG, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$.

Total Operational Emissions

As indicated in Table 5.1-5, ROG, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$ emissions during operation of the proposed Project would not exceed the SCAQMD significance thresholds. Thus, total operational air emissions would be less than significant.

Conclusion

As indicated in Table 5.1-3 and Table 5.1-5, the proposed Project would not result in short- or long-term air quality impacts, as emissions would not exceed the SCAQMD adopted construction or operational thresholds for regional emissions. Based on SCAQMD guidance, projects that do not exceed project-specific thresholds are generally not considered to be cumulatively significant. Thus, the proposed Project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

AQ-3: Would the project expose sensitive receptors to substantial pollutant concentrations?

Impact Analysis: Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases, such as asthma, emphysema, and bronchitis.

The nearest sensitive receptors are residential uses located approximately 360 feet east of the Project site. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction and operations impacts (area sources only). The CO hotspot analysis, following the LST analysis, addresses localized mobile source impacts.

Localized Significance Thresholds

Construction

The SCAQMD guidance on applying CalEEMod to LSTs specifies the number of acres a particular piece of equipment would likely disturb per day.[11] SCAQMD provides LST thresholds for one-, two-, and five-acre site disturbance areas (i.e., the size of the construction area that would likely be disturbed per day); SCAQMD does not provide LST thresholds for projects over five acres. The Project would actively disturb approximately three acres per day during the grading phase of construction. It should be noted that SCAQMD does not contain a dedicated LST threshold for site disturbance areas of three acres and as such, the Project's disturbance area has been compared to the LST threshold for two acres. The LST thresholds for two acres are more stringent (i.e., a lower threshold) compared to the LST thresholds for five-acres. As such, while the proposed Project would actively disturb three acres, utilizing LST thresholds for two acres would present a conservative analysis in which emissions are concentrated in a smaller area. Therefore, the use of the LST thresholds for two acres for the construction LST analysis represents a conservative analysis. The closest sensitive receptors, comprising multi-family residences and a child development center, are approximately 360 feet from the eastern boundary of the Project site. These sensitive land uses may be potentially affected by air pollutant emissions generated during onsite construction activities. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. According to the SCAQMD LST methodology, projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters. As the nearest sensitive receptors are located approximately 360 feet (110 meters) from the planned construction area, the LST values for 100 meters have been used. While the sensitive receptors are located 110 meters away, the use of LST values for 100 meters will present a conservative analysis in which receptors are assumed to be closer than they are. It should be noted that SCAQMD does not contain a dedicated LST threshold for sensitive receptors at 110 meters and as such, the 100 meters LST values have been used. The LST thresholds for 100 meters are more stringent (i.e., a lower threshold) compared to the LST values for 200 meters. Therefore, the use of the LST thresholds for 100 meters for the construction LST analysis represents a conservative analysis.

Table 5.1-6, *Localized Significance of Construction Emissions*, shows the localized construction-related emissions. It is noted that the localized emissions presented in Table 5.1-6 are less than those in Table 5.1-3 because localized emissions include only onsite emissions (i.e., from construction equipment and fugitive dust) and do not include offsite emissions (i.e., from worker, vendor, and hauling trips). As seen in Table 5.1-6, emissions would not exceed the LSTs for SRA 7.

[11] The number of acres represent the total acres traversed by grading equipment. To properly grade a piece of land, multiple passes with equipment may be required. The disturbance acreage is based on the equipment list and days of the grading phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday.

Table 5.1-6
Localized Significance of Construction Emissions

Construction Phase[1,2]	Pollutant (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Demolition (2025)	22.2	19.9	0.92	0.84
Maximum Daily Emissions Onsite for 2025	**22.2**	**19.9**	**0.92**	**0.84**
Localized Significance Threshold[3]	**121**	**1,594**	**34**	**10**
Thresholds Exceeded?	***No***	***No***	***No***	***No***
Grading (2026)	27.20	27.60	4.72	2.46
Building Construction (2026)	9.85	13.00	0.38	0.35
Paving (2026)	7.12	9.94	0.32	0.29
Maximum Daily Emissions Onsite for 2026	**44.17**	**50.54**	**5.42**	**3.10**
Localized Significance Threshold[3]	**121**	**1,594**	**34**	**10**
Thresholds Exceeded?	***No***	***No***	***No***	***No***
Building Construction (2027)	9.39	12.90	0.34	0.31
Architectural Coating (2027)	0.83	1.13	0.02	0.02
Sewer Main Improvement (2027)	19.20	20.80	3.99	2.12
Maximum Daily Emissions Onsite for 2027	**29.42**	**34.83**	**4.35**	**2.45**
Localized Significance Threshold[3]	**121**	**1,594**	**34**	**10**
Thresholds Exceeded?	***No***	***No***	***No***	***No***

Notes:
1. Construction phases, including grading, building construction, and paving, are expected to overlap in the year 2026. Building construction, architectural coating, and sewer main improvements are expected to overlap in the year 2027. As a conservative analysis, the different phases that would occur in the same year had their construction emissions combined. As such, maximum onsite daily emissions for CO, NOx, PM_{10} and $PM_{2.5}$ shown for each year of are the sum of all onsite emissions occurring in their respective year.
2. The reduction/credits for construction emissions are based on adjustments to CalEEMod and are required by the SCAQMD Rules. The adjustments applied in CalEEMod includes the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; and limit speeds on unpaved roads to 15 miles per hour.
3. The LSTs were determined using Appendix C of the SCAQMD *Final Localized Significant Threshold Methodology* guidance document for pollutants NO_X, CO, PM_{10}, and $PM_{2.5}$. The LSTs were based on the anticipated daily acreage disturbance for construction established for SRA 7 using the thresholds for two acres at a distance of 100 meters from the nearest sensitive receptors, which are located at a distance of approximately 110 meters.

Operations

According to SCAQMD LST methodology, the primary emissions from operational activities include combustion emissions from stationary sources (from gasoline and diesel consumption) and/or onsite mobile sources. It should be noted that the SCAQMD LST methodology states that off-site mobile emissions (travel away and from the Project site) should not be included in the emissions compared to the LST. As such, mobile sources compared to the LST refers to emissions generated by mobile equipment while on a project site. Specifically, mobile sources may result in a localized significance if a project attracts mobile sources that may spend extended periods queuing and idling at the site (e.g., warehouse or transfer facilities).[12] Additionally, the SCAQMD LST methodology states that facilities, such as landfills, may result in operational activities that generate $PM_{2.5}$ and PM_{10} emissions. The proposed Project does not include such land uses that would require extended periods of queuing or idling and is not a facility that would generate significant $PM_{2.5}$ and PM_{10} emissions. However, the Project would include major stationary equipment, such as an onsite emergency generator and a fire pump as Project design features. Per SCAQMD, all stationary equipment that emits or controls air contamination (i.e., emergency generators) would require a permit prior to installation or operation. However, it should be noted that the proposed stationary equipment (i.e., fire pump and emergency generator) would be powered by an onsite battery storage system charged by the proposed photovoltaic panels. As such, the proposed stationary equipment would utilize renewable energy as an energy source and would not include combustion emissions. Thus, due to the lack of such emissions, the proposed stationary equipment would not require a permit from SCAQMD and no long-term localized significance threshold analysis is necessary.

Carbon Monoxide Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (i.e., adversely affecting residents, school children, hospital patients, the elderly, etc.).

The SCAQMD requires a quantified assessment of CO hotspots when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (two percent) for any intersection with an existing level of service LOS D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersections.

The Basin is designated as an attainment/maintenance area for the federal CO standards and an attainment area for State standards. There has been a decline in CO emissions even though VMT on U.S. urban and rural roads have increased. Nationwide estimated anthropogenic CO emissions have decreased 68 percent between 1990 and 2014 and have continued to decline. The Basin was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD's AQMP. Three major control programs have contributed to the reduced per-vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

[12] SCAQMD, *Final Localized Significance Threshold Methodology*, June 2003, Revised July 2008.

A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan, which is the most recent AQMP that addresses CO concentrations. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin and would likely experience the highest CO concentrations. Thus, CO analysis within the CO Plan is utilized in a comparison to the proposed Project since it represents a worst-case scenario with heavy traffic volumes within the Basin.

Of these locations, the Wilshire Boulevard/Veteran Avenue intersection in Los Angeles experienced the highest CO concentration (4.6 parts per million [ppm]), which is well below the 35-ppm 1-hr CO federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in Southern California with an average daily trip (ADT) volume of approximately 100,000 vehicles per day. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection, it can be reasonably inferred that CO hotspots would not be experienced at any intersections near the Project site due to the comparatively low volume of traffic that would occur as a result of Project implementation. Based on existing ADT data on nearby roadway segments, the surrounding roadways have an existing ADT that ranges from 1,528 to 33,439 ADT; refer to Table 5.9-6 of Section 5.9. It should be noted that the Project's ADT would be distributed amongst all roadways based on trip distribution patterns obtained from Fehr and Peers using the City's most recent Travel Demand Model.[13]Based on the Project's ADT and trip distributions, ADT on nearby roadway segments with the incorporation of the proposed Project would range from 1,606 to 34,659 ADT. As these roadways do not exceed 100,000 vehicles per day, the potential for a CO hotspot is nominal. As such, the implementation of the proposed Project would not increase traffic volumes beyond the current level of service. Therefore, impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

AQ-4: Would the project result in other emissions such as those leading to odors adversely affecting a substantial number of people?

Impact Analysis:

Construction activities associated with the Project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon Project completion. In addition, the Project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. This would further reduce the detectable odors from heavy-duty equipment exhaust. The Project would also be required to comply with the SCAQMD Regulation XI, *Rule 1113 – Architectural Coating*, which would minimize odor impacts from ROG emissions during architectural

[13] Fehr & Peers, *Operations Analysis for the 2500 North Hollywood Way Project*, October 2024.

coating. Any impacts to existing adjacent land uses would be short-term and are considered less than significant.

According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed Project would not include any uses identified by the SCAQMD as being associated with odors. It should be noted that the SCAQMD does not have a quantifiable threshold relating to odors. However, the San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted a quantifiable threshold for projects that are known to produce odors.[14] SJVAPCD identified the following facilities associated with odors: wastewater treatment facilities, sanitary landfill, transfer station, composting facility, petroleum refinery, asphalt batch plant, chemical manufacturing, fiberglass manufacturing, painting/coating operations, food processing facility, feedlot/dairy, and rendering plants. Per SJVAPCD, a significant impact on odors would occur if one "confirmed" complaint or three "unconfirmed" complaint per year averaged over a three-year period was filed on a facility associated with odors. As the proposed project is not a land use or facility associated with odors, operational impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.1.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the project, combined with other related projects, conflict with or obstruct implementation of the applicable air quality plan?

Impact Analysis: Per SCAQMD guidance, the significance thresholds for cumulative impacts are the same as those for project-specific impacts. As analyzed above, the proposed Project would result in operational emissions that would be below the SCAQMD's thresholds for regional and localized emissions. Therefore, the proposed Project would not have the potential to cause or contribute to a new violation of the ambient air quality standards. Further, the proposed Project would result in less than significant impacts with regard to localized concentrations during Project construction. As such, the proposed Project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions. The Project's potential to indirectly induce population growth as a result of employees relocating to the City and the

[14] San Joaquin Valley Air Pollution Control District, *Guidance to Conduct Detailed Analysis for Assessing Odor Impacts to Sensitive Receptors, Guidance to Conduct Detailed Analysis for Assessing Odor Impacts to Sensitive Receptors, Guidance to Conduct Detailed Analysis for Assessing Odor Impacts to Sensitive Receptors,* 2016.

Project's direct growth in employment opportunities would be consistent with SCAG growth forecasts in the 2020-2045 RTP/SCS and would not cause the SCAG growth forecasts to be exceeded. As the SCAQMD has incorporated these population, housing, and employment forecasts into the 2022 AQMP, the proposed Project would be consistent with the 2022 AQMP. Therefore, the proposed Project's less than significant effects involving potential conflict with or obstructing implementation of the 2022 AQMP would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the project, combined with other related projects, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Would the project, combined with other related projects, expose sensitive receptors to substantial pollutant concentrations?

Impact Analysis: As discussed under the analyses of Impacts AQ-2 and AQ-3 above, the Project's construction- and operation-related regional and localized emissions would be less than significant. Based on the SCAQMD's guidance, construction or operational project emissions would be considered cumulatively considerable if project-specific emissions exceed an applicable recommended significance threshold established by the SCAQMD. Since the Project would not exceed any of the significance thresholds for regional and localized emissions, as further described below, the Project's contribution to cumulative air quality impacts would not be cumulatively considerable. The SCAQMD neither recommends quantified analyses of cumulative construction emissions, nor does it provide separate methodologies or thresholds of significance to be used to assess cumulative construction impacts. The SCAQMD significance thresholds for construction are intended to meet the objectives of the 2022 AQMP to ensure the NAAQS and CAAQS are not exceeded. As the Project Applicant has no control over the timing or sequencing of the related projects, any quantitative analysis to ascertain the daily construction emissions that assumes multiple, concurrent construction would be speculative. In addition, construction-related criteria pollutant emissions are temporary in nature and cease following project completion.

The proposed Project would result in less than significant impacts with regard to construction-related emissions and would be required to comply with the applicable SCAQMD rules and regulations. Per SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with adopted 2022 AQMP emissions control measures) would also be imposed on construction projects throughout the Basin, which would include each of the related projects listed in Table 4-1. Therefore, Project-related construction emissions, combined with those from other related projects in the area, would not substantially deteriorate local air quality and would not result in cumulative construction-related impacts. Thus, the Project's less than significant effects associated with a net increase in any criteria pollutant for which the project region is non-attainment would not be cumulatively considerable, and cumulative construction impacts would be less than significant.

The SCAQMD has set forth both a methodological framework and significance thresholds for the assessment of a project's cumulative operational air quality impacts. The SCAQMD's approach for

assessing cumulative impacts is based on the SCAQMD's 2022 AQMP forecasts of attainment of NAAQS in accordance with the requirements of the FCAA and CCAA. This forecast also considers SCAG's 2022 AQMP forecasted future regional growth. As such, the analysis of cumulative impacts focuses on determining whether the proposed Project is consistent with the growth assumptions upon which the SCAQMD's 2022 AQMP is based. If the project is consistent with the growth assumptions, then future development would not impede the attainment of NAAQS and a significant cumulative air quality impact would not occur.

As discussed above, the proposed Project would not result in long-term air quality impacts, as the Project's operational emissions would not exceed the SCAQMD adopted operational thresholds. Additionally, adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis and emission reduction technology, strategies, and plans are constantly being developed. As a result, the Project's less than significant effects associated with a net increase of any nonattainment criteria pollutant or exposure of sensitive receptors to potentially significant health risk impacts would not be cumulatively considerable, and cumulative operational impacts would be less than significant.

As stated above, the LST methodology assists lead agencies in analyzing localized air quality impacts. The SCAQMD provides the LST screening lookup tables for one-, two-, and five-acre projects. Because the disturbed acreages for each related project site can vary, the LST thresholds utilized vary on a project-by-project basis. Localized emissions also only affect the areas immediately adjacent to a project site. Thus, construction localized emissions associated with the proposed Project would not cumulatively contribute pollutant concentrations to the same sensitive receptors as other related projects. Additionally, CO hotspots would not be experienced at any intersections near the Project site. The Project's proximity to the Hollywood Burbank Airport does not have a cumulative health risk impact and would not exceed the threshold for onsite sensitive receptors. Thus, the Project's less than significant effects associated with exposure of sensitive receptors to substantial pollutant concentrations would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the project, combined with other related projects, result in other emissions such as those leading to odors adversely affecting a substantial number of people?

Impact Analysis: As discussed above, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Neither the proposed Project, nor any of the related projects identified in Table 4-1 include any uses identified by the SCAQMD as being associated with odors.

Construction activities associated with the Project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon Project completion. In addition, the Project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. This would further reduce the detectable odors from heavy-duty equipment exhaust.

As the Project's operational and construction activities would not result in long-term odors, the cumulative development would not have a potentially significant impact in terms of the creation of objectionable odors affecting a substantial number of people. Thus, the Project's less than significant effects related to emissions leading to odors affecting a substantial number of people would not be cumulatively considerable, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.1.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts to air quality would occur with the proposed Project.

5.1.7 REFERENCES

California Air Resources Board, *ADAM Air Quality Data Statistics*, http://www.arb.ca.gov/adam/, 2024.

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California Air Resources Board, *User Manual for the Hotspots Analysis and Reporting Program Health Risk Assessment Standalone Tool Version 2*, https://www.arb.ca.gov/toxics/harp/docs2/harp2rastuserguide.pdf, 2021.

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5.2 CULTURAL RESOURCES

The purpose of this section is to identify existing cultural (including historic and archaeological resources) resources within the Project site and vicinity and to assess the significance of such resources. This section is primarily based upon the *Cultural Resources Assessment Report* (Cultural Resources Assessment), prepared by Rincon Consultants, Inc., dated February 2020 and included as Appendix D, Cultural Resources Assessment. Project site historic information is supplemented by the *Phase I Environmental Site Assessment Report* (Phase I ESA) prepared by Partner, dated March 25, 2021, and included as Appendix F, Hazardous Materials Studies.

5.2.1 ENVIRONMENTAL SETTING

Ethnographic Overview

The Project site is located in the traditional territory of the Native American group known as the Gabrieliño. The name Gabrieliño was applied by the Spanish to those natives that were attached to Mission San Gabriel.

Gabrieliño territory included the Los Angeles basin and southern Channel Islands, as well as the coast from Aliso Creek in the south to Topanga Creek in the north. The Gabrieliño established permanent villages and smaller satellite camps throughout their territory. Gabrieliño subsistence was oriented around acorns supplemented by the roots, leaves, seeds, and fruits of a wide variety of plants. Meat sources included large and small mammals, freshwater and saltwater fish, shellfish, birds, reptiles, and insects. The Gabrieliño employed a wide variety of tools and implements to gather and hunt food. The digging stick, used to extract roots and tubers, was frequently noted by early European explorers. Other tools included the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks.

Prior to European contact, deceased Gabrieliño were either buried or cremated, with burial more common on the Channel Islands and the adjacent mainland coast and cremation on the remainder of the coast and in the interior. After pressure from Spanish missionaries, cremation essentially ceased during the post-contact period.

Historic Overview

The post-contact history of California is generally divided into three time spans: the Spanish period (1769-1822), the Mexican period (1822-1848), and the American period (1848-present). Each of these periods is briefly described below.

Spanish Period (1769 – 1822)

Spanish exploration of California began when Juan Rodriguez Cabrillo led the first European expedition into the region in 1542. For more than 200 years after his initial expedition, Spanish, Portuguese, British, and Russian explorers sailed the California coast and made limited inland expeditions, but they did not establish permanent settlements. In 1769, Gaspar de Portolá and Franciscan Father Junipero Serra established the first Spanish settlement in what was then known as Alta (upper) California at Mission San Diego de Alcalá. This was the first of 21 missions erected by the Spanish between 1769 and 1823. It was during this time that initial Spanish settlement of the Project vicinity began. Mission San Fernando Rey de España, approximately 12.7 miles to the northwest of the Project site, was founded in 1797 as the 17th

mission to be established in California. Mission San Fernando Rey de España's location closed the gap between Mission San Buenaventura on the Ventura coast, and Mission San Gabriel Arcángel in the Los Angeles interior.

Mexican Period (1822 – 1848)

The Mexican Period commenced when news of the success of the Mexican War of Independence (1810-1821) against the Spanish crown reached California in 1822. This period saw the privatization of mission lands in California with the passage of the Secularization Act of 1833, which federalized mission lands and enabled Mexican governors in California to distribute former mission lands to individuals in the form of land grants. Successive Mexican governors made approximately 700 land grants between 1833 and 1846, putting most of the State's lands into private ownership for the first time.

The Mexican Period for the Los Angeles County region ended in early January 1847. Mexican forces fought and lost to combined U.S. Army and Navy forces in the Battle of the San Gabriel River on January 8 and in the Battle of La Mesa on January 9. On January 10, leaders of the pueblo of Los Angeles surrendered peacefully after Mexican General Jose Maria Flores withdrew his forces. Shortly thereafter, newly appointed Mexican Military Commander of California Andrés Pico surrendered all of Alta California to U.S. Army Lieutenant Colonel John C. Fremont in the Treaty of Cahuenga.

American Period (1848 – Present)

The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico $15 million for conquered territory including California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming. Settlement of the Los Angeles region increased dramatically in the early American Period. The discovery of gold in northern California in 1848 led to the California Gold Rush, though the first California gold found by settlers was previously discovered in Placerita Canyon in 1842. By 1853, the population of California exceeded 300,000. Thousands of settlers and immigrants continued to immigrate to the State, particularly after the completion of the First Transcontinental Railroad in 1869. The U.S. Congress in 1854 agreed to let San Pedro become an official port of entry. By the 1880s, the railroads had established networks from the port and throughout the county of Los Angeles, resulting in fast and affordable shipment of goods, as well as a means to transport new residents to the booming region. New residents included many health-seekers drawn to the area by the fabled Southern California climate in the 1870s – 1880s.

History of Burbank

The City of Burbank developed on land that had once been part of the holdings of Dr. David Burbank, a dentist that had arrived in Southern California in 1866. Dr. Burbank acquired 9,200 acres of land, including Rancho Providencia and a portion of Rancho San Rafael in 1866. Dr. Burbank later sold a right-of-way through his property to the Southern Pacific Railroad, which constructed a new rail line that served to connect new communities to Los Angeles. Dr. Burbank became one of ten directors of the Providencia Land, Water and Development Company (PLWC). His land was surveyed and platted in 1887 and formally named Burbank. Around this time, early development in the town included hotels, a train depot, school, and residential and manufacturing buildings. PLWC began to sell tracts of land in late 1887, and buyers were primarily farmers who grew vineyards, peaches, melons, alfalfa and various other types of vegetables. A period of drought followed; the real estate bubble burst, and an economic depression occurred between 1888 and 1911.

In 1910, the town's population had reached 12,225 people; approximately 700 to 800 people lived within the town's core. The City of Burbank was formally incorporated the following year and expanded in all directions. During the 1910s and 1920s the City's commercial core strengthened, residential development increased, industry grew, and additional infrastructure was developed. As the City's population increased, land was annexed into the City, and farmland was converted to residential tracts. Film companies that had started moving to the west coast because of the favorable weather had begun establishing studios in Los Angeles County by the late 1910s. Having large areas of undeveloped land, Burbank became a prime location for these companies, including First National Pictures (a predecessor to Warner Brothers, now Warners Bros. Discovery), which developed a studio in Burbank in 1926.

Although residential development faltered during the Great Depression, the 1930s saw the development of an airport, the United Air Terminal, and continued success of the movie studios. Columbia Ranch studio was established in 1934, Warner Brothers expanded, and Disney Studios established their facility in 1938. Building construction increased by the late 1930s during a period of economic recovery. Numerous residences were constructed, a segment of the Hollywood Freeway was completed, and the population increased. By 1940, the City had over 34,000 residents. World War II brought a surge in production at companies like Lockheed; the City experienced an even larger population spike, growing to 53,899 residents by August 1942. As a result, residential, commercial, and institutional development increased.

Several small aircraft-related manufacturing facilities were developed near the airport, east of Hollywood Way and north of Empire Avenue. These were typically single-story corrugated metal buildings with gabled roofs.

Burbank experienced tremendous growth following World War II, including housing, schools, public buildings, and freeways. Studios focused on television production, and air travel grew in popularity. In 1962, the National Broadcasting Company (NBC) moved its network television headquarters to the City. The post-war boom also led to decentralization of the population, affecting the downtown commercial district. A lull in development occurred in the late 1960s to early 1970s, but, in 1978, the Burbank-Glendale-Pasadena Airport (now the Hollywood Burbank Airport) was purchased from Lockheed. In 1990, Lockheed closed its Burbank plant. Today, the City of Burbank is known as the "Media Capital of The World" in reference to its longstanding relationships with entertainment companies, such as Warner Bros. Discovery and Disney.

History of the Project Site

By 1952, several buildings were located on the Project site. Residential, restaurants, and retail uses occupied the western portion of the Project site and a portion of a large commercial/light industrial building that extended to the south, occupied the eastern portion of the Project site. The structures within the western portion of the Project site and the commercial/industrial building were removed by 1977 and 1989, respectively. A hotel (under various names) has occupied the western portion of the Project site since 1980. The existing Marriott Hotel structures and associated parking have occupied the Project site since 1990.

Existing Conditions

The Project site is currently developed with the Marriott Hotel, paved parking lots, and landscaping. The buildings that comprise the Marriott Hotel vary from one story to nine stories and are designed in a similar

style. They are capped by flat roofs and their exterior sheathing includes plain square block or tile, and rusticated block. Although the buildings have heavy, rectangular massing, verticality is emphasized as a contrast utilizing elements such as piers and bands of vertical windows. The buildings within the Project site were constructed in 1990, are less than 45 years old, and do not have exceptional importance such that they would have achieved significance within the past 50 years to be considered potential historical resources. Similarly, with the exception of one structure, located at 3100 Thornton Avenue that was constructed in 1968 and improved in 1996, structures within the surrounding area were constructed after 1979. None of the structures have exceptional importance such that they would have achieved significance within the past 50 years to be considered potential historical resources.

Records Search

On January 30, 2020, a records search of the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton was conducted. The purpose of the records search was to identify previously recorded cultural resources, as well as previously conducted cultural resources studies of the Project site and a 0.5-mile radius surrounding it. The search also included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Historical Landmarks list, the Archaeological Determination of Eligibility (ADOE) list, and the California State Built Environment Resources Directory (BERD).

Previous Cultural Resource Studies

The SCCIC records search identified 15 previously conducted cultural resources studies within a 0.5-mile radius of the Project site. Of these, none were located within the Project site, and three were located adjacent to the Project site.

Previously Recorded Cultural Resources

The SCCIC records search identified two previously recorded historic-period resources situated within a 0.5-mile radius of the Project site, neither of which was within the Project site. One of these resources (P-19-186574) was demolished in 1994. The second resource (P-19-187105) consists of the United Airport property located across North Hollywood Way from the Project site and was determined to be ineligible for NRHP listing.

Historical Maps and Aerial Imagery Review

As part of the review of historic maps, the 1860-1937 Kirkman-Harriman Pictorial and Historical Map was examined. This map depicts the approximate locations of historical events that took place in the late 19th and early 20th centuries in Los Angeles County. Within the vicinity of the Project site, the map depicts a historic road and church, along with a large unnamed wash. The map shows no known Native American village sites within the general area of the Project site. The nearest mapped village is located approximately two miles to the east, in what is now Griffith Park.

An additional review of historic maps and aerial photographs available on-line at NETRonline indicates that, by 1926, North Hollywood Way had been built running in a north-to-south direction adjacent to the Project site. By the late 1940s, a network of streets had been built, and much of the area is characterized by residential development. An aerial photograph dating to 1952 depicts several buildings on the southern

and western portion of the Project site. These buildings were demolished in the 1970s and 1990s. The existing Marriott Hotel was developed in 1990.

Field Survey

As part of the Cultural Resources Assessment, current site conditions, including the extent of exposed ground surface across the Project site, were assessed during a visit to the Project Area of Potential Effects (APE) in February 2020. Notes and photographs of the standing buildings, as well as overviews of the Project site, were taken during the visit.

Results of the field visit confirmed that the Project site is fully developed. No areas of undisturbed native ground surface were present on the Project site. Much of the ground surface is obscured by the existing buildings and a parking lot. Unpaved portions of the Project site were landscaped and covered with grass and ornamental plantings. Based on these findings, it was determined that an archaeological survey of the Project site was not possible for the Cultural Resource Assessment.

5.2.2 REGULATORY SETTING

Federal

National Historic Preservation Act of 1966

Enacted in 1966 and amended in 2000, the National Historic Preservation Act (NHPA) declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at the federal, State, and local levels. The NHPA authorized the expansion and maintenance of the NRHP, established the position of State Historic Preservation Officer (SHPO) and provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage, and created the Advisory Council on Historic Preservation (ACHP).

Section 106 Process

Through regulations associated with the NHPA, an impact to a cultural resource would be considered significant if government action would affect a resource listed in or eligible for listing in the NRHP. The NHPA codifies a list of cultural resources found to be significant within the context of national history, as determined by a technical process of evaluation. Resources that have not yet been placed on the NRHP, and are yet to be evaluated, are afforded protection under the NHPA until shown to be not significant.

Section 106 of the NHPA and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) note that for a cultural resource to be determined eligible for listing in the NRHP, the resource must meet specific criteria associated with historic significance and possess certain levels of integrity of form, location, and setting. The criteria for listing on the NRHP are applied within an analysis when there is some question as to the significance of a cultural resource. The criteria for evaluation are defined as the quality of significance in American history, architecture, archaeology, engineering, and culture. This quality must be present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- *Criterion A:* It is associated with events that have made a significant contribution to the broad patterns of our history; or
- *Criterion B:* It is associated with the lives of persons significant in our past; or
- *Criterion C:* It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- *Criterion D:* It has yielded, or may be likely to yield, information important in prehistory or history.

Criterion D is usually reserved for archaeological resources. Eligible cultural resources must meet at least one of the above criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character.

The Section 106 evaluation process does not apply to projects undertaken under City environmental compliance jurisdiction. However, should the undertaking require funding, permits, or other administrative actions issued or overseen by a federal agency, analysis of potential impacts to cultural resources following the Section 106 process would likely be necessary. The Section 106 process typically excludes cultural resources created less than 50 years ago unless the resource is considered highly significant from the local perspective. Finally, the Section 106 process allows local concerns to be voiced, and the Section 106 process must consider aspects of local significance before a significance judgment is rendered.

Secretary of the Interior's Standards for the Treatment of Historic Properties

Evolving from the Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards that were developed in 1976, the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings were published in 1995 and codified as 36 CFR 67.

Neither technical nor prescriptive, these standards are "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources." "Preservation" acknowledges a resource as a document of its history over time, and emphasizes stabilization, maintenance, and repair of existing historic fabric. "Rehabilitation" not only incorporates the retention of features that convey historic character, but also accommodates alterations and additions to facilitate continuing or new uses. "Restoration" involves the retention and replacement of features from a specific period of significance. "Reconstruction," the least used treatment, provides a basis for recreating a missing resource. These standards have been adopted, or are used informally, by many agencies at all levels of government to review projects that affect historic resources.

State

California Environmental Quality Act

CEQA requires a lead agency, in this case the City of Burbank, to determine whether a project may have a significant effect on historical resources (Public Resources Code [PRC] Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing, in the CRHR, a resource included in a local register of historical resources or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant as defined in CEQA Guidelines Section 15064.5(a)(1-3). A resource shall be considered historically significant if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required. PRC Sections 21083.2(a), (b), and (g) define a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, the probability is high that it:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
2. Has a special and particular quality, such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change." Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the criteria modeled on the NRHP criteria.

California Public Resources Code

PRC Sections 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites; identify the powers and duties of the Native American Heritage Commission (NAHC); require descendants to be notified when Native American human remains are discovered; and provide for treatment and disposition of human remains and associated grave goods.

California Health and Safety Code

The discovery of human remains is regulated in accordance with California Health and Safety Code Section 7050.5, which states:

> *In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation…until the coroner…has determined…that the remains are not subject to…provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible…. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and…has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.*

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies to protect resources, including historical and cultural resources. The Open Space and Conservation Element contains the following goals and policies specific to cultural resources:

Open Space and Conservation Element

GOAL 1 RESOURCE MANAGEMENT: The public is involved in preserving open space, conserving resources, and improving the natural environment.

Policy 1.2: Involve community groups in the identification, acquisition, and management of natural resource areas, recreation facilities, historical and cultural sites, and aesthetic and beautification programs.

GOAL 6 OPEN SPACE RESOURCES: Burbank's open space areas and mountain ranges are protected spaces supporting important habitat, recreation, and resource conservation.

Policy 6.1: Recognize and maintain cultural, historical, archeological, and paleontological structures and sites essential for community life and identity.

Burbank Municipal Code

The City of Burbank's Historic Preservation Regulations Ordinance was developed with the intent to recognize, preserve, and protect historic resources (Burbank Municipal Code [BMC] Title 10, Chapter 1, Article 9, Division 6, Sections 10-1-925 through 10-1-943). The Ordinance delineates the criteria utilized when approving a Designated Historic Resource; one or more of the following criteria must be satisfied. The resource:

A. Is associated with events that have made a significant contribution to the broad patterns of Burbank's or California's history and cultural heritage.

B. Is associated with the lives of persons important in the past.

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

D. Has yielded, or may be likely to yield, information important in prehistory or history.

The Historic Preservation Regulations Ordinance also delineates the requirements for Designation of Historic Districts. A minimum of 60 percent of the parcels in the proposed district must satisfy one or more of the criteria listed below:

1. The contributing resources embody the distinctive characteristics of a type, period, region, or method of construction, represent the work of a master, or possess high artistic values.

2. The contributing resources reflect significant geographical patterns, including those associated with different areas of settlement and growth; particular transportation modes; or distinctive examples of a park landscape, site design, or community planning.

3. The contributing resources are associated with, or are unified by, events that have made a significant contribution to the broad patterns of Burbank's history.

4. The contributing resources are associated with the lives of persons important to local, state, or national history. [Renamed and Amended by Ord. No. 3826, eff. 8/17/12.]

5.2.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

Significance Guidelines

Historical Resources

Impacts to a significant cultural resource that affect characteristics that would qualify it for the NRHP or that adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5(b)(1)). Material impairment is defined as demolition or alteration "in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register" (CEQA Guidelines Section 15064.5(b)(2)(A)).

Archaeological Resources

A significant prehistoric archaeological impact would occur if grading and construction activities result in a substantial adverse change to archaeological resources determined to be "unique" or "historic." "Unique" resources are defined in PRC Section 21083.2; "historic" resources are defined in PRC Section 21084.1 and CEQA Guidelines Section 15126.4.

PRC Section 21083.2(g) states:

> *As used in this section, "unique archaeological resource" means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:*
>
> > *1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;*

2. Has a special and particular quality, such as being the oldest of its type or the best available example of its type; or

3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 (refer to Impact Statement CUL-1);
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (refer to Impact Statement CUL-2); and/or
- Disturb any human remains, including those interred outside of dedicated cemeteries (refer to Impact Statement CUL-3).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.2.4 IMPACTS AND MITIGATION MEASURES

CUL-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Impact Analysis: The results of the Cultural Resources Assessment identified no prehistoric or historic-period cultural resources on the Project site. The SCCIC records search, conducted as part of the Cultural Resources Assessment, identified two previously recorded historic-period resources situated within a 0.5-mile radius of the Project site, neither of which was within nor adjacent to the Project site. One of these resources was demolished in 1994 and the second resource consists of the United Airport property located across North Hollywood Way from the Project site, which was determined ineligible for NRHP listing.

The Project proposes to construct a Hotel and Garage on an existing surface parking lot, including offsite improvements within the public right-of-way. The Project would not involve the removal of, or modification to, any structures within the Project site or surrounding area. According to the Cultural Resources Assessment, structures within the Project site were constructed in 1990 and do not appear to have exceptional importance such that they would have achieved significance within the past 50 years to be considered potential historical resources under CEQA. Thus, the Project would not cause a substantial

adverse change in the significance of a historical resources pursuant to CEQA Guidelines Section 15064.5, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

CUL-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Impact Analysis: The records search indicates that 15 cultural resources studies were conducted within a 0.5-mile radius of the Project site. Of these studies, none were of the Project site and three were located adjacent to the Project site. As stated, the results of the Cultural Resources Assessment identified no prehistoric or historic-period cultural resources within or adjacent to the Project site. Results of the site visit revealed that the ground surface is obscured by the existing Marriott Hotel and paved surface parking lots. According to the Cultural Resources Assessment, there is a moderate potential of encountering historic period archaeological remains dating to the early-20th century within the Project site due the native and undisturbed soils that occur within the Project site and surrounding area. Thus, development within the Project site has the potential to encounter archaeological resources, resulting in a potentially significant impact.

Offsite pedestrian and bicycle improvements are not likely to involve ground disturbance at depths having the potential to encounter archaeological remains. Although, the proposed sewer improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street would involve the design and construction of 1,580 feet of sewer main infrastructure improvements that would require ground disturbance at greater depths, the offsite improvements would connect and extend services to the Project site within existing rights-of-way and would occur within an area that has previously experienced ground disturbance activities. However, due to the proximity of the offsite improvement areas to the Project site, and the Cultural Resources Assessment's finding of moderate potential to encounter historic period archaeological remains within the Project site, there is also the potential for historic period archaeological remains to be encountered within the offsite improvement areas if construction activities extend into depths greater than artificial fill. This would result in a potentially significant impact.

To avoid and mitigate potential impacts associated with the potential discovery of archaeological resources during construction activities within the Project site and offsite improvement areas, Mitigation Measures CUL-1 and CUL-2 would require a monitor to be retained to conduct onsite monitoring during ground-disturbing activities within the Project site and the offsite sewer improvement area. If an archaeological or tribal cultural resource is inadvertently discovered during ground disturbing activities, an archaeologist, in coordination with a Native American Monitor, would be required to evaluate the find and implement protocols in accordance with the provisions of PRC Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4; refer also to Section 5.12, *Tribal Cultural Resources*. Compliance with Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to archaeological resources to a less than significant level.

Mitigation Measures:

CUL-1 The Applicant shall be required to retain the services of one or more monitor(s) who are qualified in the identification of archaeological and Native American resources. The monitor(s) shall meet the Secretary of the Interior's Professional Qualification Standards for archaeology, and shall be present during construction related ground disturbance activities including, but not limited to, site clearing (such as pavement removal, grubbing, tree removals) and/or excavation to depths greater than artificial fill (including boring, grading, excavation, drilling, potholing or auguring, and trenching) within the Project site and offsite sewer improvement area. A copy of the executed contract shall be submitted to the City of Burbank Community Development Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Archaeological Monitor shall complete monitoring logs daily, providing descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when grading and excavation activities of native soil (i.e., previously undisturbed) are completed, or when the Archaeological Monitor has indicated that the site has a low potential for cultural resources, whichever occurs first. The Applicant shall also be required to make the Project site available to native tribe(s) that have ancestral ties to the region during ground disturbance activities for monitoring on their own behalf, if requested – including the Gabrieleño Band of Mission Indians-Kizh Nation, the Fernandeño Tataviam Band of Mission Indians and any other tribe with ancestral ties to the region, as established by the Native American Heritage Commission.

CUL-2 If an archaeological or Native American resource is inadvertently discovered during ground disturbing activities, work shall be halted in the immediate vicinity of the find (a 60-foot buffer around the find) until the find can be evaluated by the Archaeological and Native American Monitor(s) to determine if any discovered potential resource meets the CEQA definition of historical (State CEQA Guidelines 15064.5(a)) and/or unique resources (Public Resources Code 21083.2(g)). The City of Burbank Community Development Department shall be immediately notified. If the resource is determined to be potential a tribal cultural resource, the Applicant shall retain the services of a Native American Monitor to work in consultation with the Archaeological Monitor to delineate the resource. Work on areas outside of the buffered area may continue during the assessment period. The Applicant shall, in good faith, consult with the Tribe(s) on the disposition and treatment of any tribal cultural resource encountered during all ground disturbing activities. If the find is considered an "tribal cultural resource" the Archaeological Monitor, in cooperation with Native American Monitor, shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If a tribal cultural resource cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the Project Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation in an established accredited professional repository. If the resource is determined to be non-Native in origin, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be eligible for the CRHR and

cannot be avoided by the Project, additional work such as data recovery, excavation, and archaeological mitigation may be warranted to mitigate any significant impacts.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

CUL-3: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

Impact Analysis: Although no conditions exist that suggest human remains are likely to be found within or adjacent to the Project site or offsite improvement areas, future development could result in the inadvertent discovery of human remains and potential impacts to these resources. Health and Safety Code Sections 7050.5 to 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by Mitigation Measure CUL-3, and as required by State law, the requirements and procedures set forth in PRC Section 5097.98 would be implemented, including notification of the County Coroner, notification of the NAHC and consultation with the individual identified by the NAHC to be the "most likely descendant (MLD)." The MLD would make recommendations to landowners for the disposition of any Native American human remains and grave goods found. Recommendations would be made for the treatment and disposition of the remains. Thus, compliance with Health and Safety Code Sections 7050.5 to 7055 and PRC Section 5097.98, and Mitigation Measure CUL-3, would ensure that in the event human remains are discovered, the remains would be handled in accordance with applicable laws, and impacts would be less than significant.

Mitigation Measures:

CUL-3 In the event that human remains are discovered during onsite construction activities, the Archaeological Monitor shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Archaeological Monitor shall then notify the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. The City of Burbank Community Development Department shall also be immediately notified. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with State CEQA Guidelines Section 15064.5(e).

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

5.2.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included

in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Impact Analysis: The Project site does not contain any historical resources, and the proposed Project would not result in a significant impact to historical resources pursuant to CEQA Guidelines Section 15064.5. Therefore, the Project's less than significant effects associated with potential impacts to historical resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Impact Analysis: There are no known archaeological resources within or adjacent to the Project site. The Cultural Resources Assessment determined there is a potential for the inadvertent discovery of archaeological resources associated with ground disturbing activities within the Project site. With implementation of Mitigation Measures CUL-1 and CUL-2, the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. Related projects could involve actions that damage known or as-yet undiscovered archaeological resources specific to those development sites. However, as with the Project, all related projects would undergo environmental and design review on a project-by-project basis pursuant to CEQA to evaluate potential impacts to cultural resources. This would include studies of historical and archaeological resources that are present or could be present within a development site. Additionally, related projects would be subject to compliance with the established federal, State, and local regulatory framework concerning the protection of cultural resources on a project-by-project basis. Where significant or potentially significant impacts are identified, implementation of all feasible site-specific mitigation would be required to avoid or reduce impacts. Therefore, the Project's less than significant effects associated with potential impacts to archaeological resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, disturb any human remains, including those interred outside of dedicated cemeteries?

Impact Analysis. Although unlikely, there is the potential that previously undiscovered human remains could be encountered during Project construction activities; however, a less than significant impact would occur in this regard following compliance with the established State regulatory framework and Mitigation Measure CUL-3. Related projects could also encounter previously undiscovered human remains during construction. However, related projects would undergo environmental review on a project-by-project basis to evaluate the site-specific archaeological sensitivity. Additionally, related projects would be subject

to compliance with the established State regulatory framework concerning the discovery of human remains on a project-by-project basis. Thus, the Project's less than significant effects associated with potential impacts to human remains would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.2.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts to cultural resources would occur with the proposed Project.

5.2.7 REFERENCES

Partner, *Phase I Environmental Site Assessment Report* March 25, 2021.

Rincon Consultants, Inc., *Aloft and Residence Inn Dual Brand Hotel Project Cultural Resources Assessment Report*, February 2020.

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5.3 ENERGY

The purpose of this section is to describe the existing environmental conditions and regulatory requirements related to energy and to evaluate the potential for implementation of the proposed Project to result in short-term construction and long-term operational energy consumption impacts. Modeling data and assumptions can be found in Appendix C, Air Quality, Energy, and Greenhouse Gas Emissions Data.

5.3.1 ENVIRONMENTAL SETTING

Electricity and Natural Gas Services

Burbank Water and Power (BWP) provides electrical services to the City. Over the past 15 years, electricity generation in California has undergone a transition. Historically, California has relied heavily on oil- and gas-fired plants to generate electricity. Spurred by regulatory measures and tax incentives, California's electrical system has become more reliant on renewable energy sources, including cogeneration, wind energy, solar energy, geothermal energy, biomass conversion, transformation plants, and small hydroelectric plants. Unlike petroleum production, electricity generation is usually not tied to the location of the fuel source and can be delivered great distances via the electrical grid. The generating capacity of a unit of electricity is expressed in kilowatts (kW) or megawatts (MW). Generation is typically measured in kilowatt-hours (kWh), megawatt-hours (MWh), or gigawatt-hours (GWh). Net generation refers to the gross amount of energy produced by a unit, minus the amount of energy the unit consumes.

The Southern California Gas Company (SoCalGas) provides natural gas services to the City. Natural gas is a hydrocarbon fuel found in reservoirs beneath the Earth's surface and is composed primarily of methane (CH_4), a potent greenhouse gas. When combusted, it is used for space and water heating, process heating and electricity generation, and as transportation fuel. Use of natural gas to generate electricity is expected to continue in coming years as it is a relatively cleaner alternative to other fossil fuels like oil and coal, which are being phased out. Nearly 45 percent of natural gas burned in California was used for electricity generation.[1] While the supply and production of natural gas in the United States have increased greatly, California produces little and imports 90 percent of its natural gas.[2]

Electricity and natural gas services are available to locations in the City where land uses could be developed. The City's ongoing development review process includes an opportunity for publicly- and privately-owned utility providers, including BWP and SoCalGas, to review and comment on all development proposals. The input facilitates a detailed review of all projects by service purveyors to assess the potential demands for utility services on a project-by-project basis. The ability of utility providers to provide services concurrently with each project is evaluated during the development review process. Utility providers are bound by contract to update energy systems to meet any additional demand.

[1] California Energy Commission, *Supply and Demand of Natural Gas in California*, https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california, February 23, 2021.
[2] California Energy Commission, *Supply and Demand of Natural Gas in California*, https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california, February 23, 2021.

Energy Usage

Energy usage, which includes electricity, natural gas, and petroleum, is typically quantified using the British Thermal Unit (BTU). Total energy usage in California was 7,359 trillion BTUs in 2021 (the most recent year for which this specific information is available), which equates to an average of 189 million BTUs per capita.[3] Of California's total energy usage, the breakdown by sector is 37.8 percent transportation, 23.2 percent industrial, 19 percent commercial, and 20 percent residential.[4] Electricity and natural gas in California are generally consumed by stationary users, such as residences, commercial, and industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use. The electricity consumption attributable to the County from 2010 to 2022 is shown in Table 5.3-1, *Electricity Consumption in Los Angeles County and Burbank Water and Power Service Area 2010-2022*. As indicated in Table 5.3-1, since 2010, electricity consumption in the County has remained relatively flat despite growth. This is primarily attributed to federal, State, and local, efficiency standards becoming more stringent over time.

As SoCalGas' service area is larger than Los Angeles County, the following analysis would utilize the Los Angeles County's natural gas consumption as a conservative analysis. The natural gas consumption attributable to the County from 2010 to 2022 is shown in Table 5.3-2, *Natural Gas Consumption in Los Angeles County 2010-2022*. Natural gas consumption in the County has also remained relatively flat over the last decade but has seen a decrease within the last two years.

[3] U.S. Energy Information Administration, *California State Energy Profile, https://www.eia.gov/state/print.php?sid=CA,* February 21, 2024.

[4] Ibid.

Table 5.3-1
Electricity Consumption in Los Angeles County and Burbank Water and Power Service Area 2010-2022

Year	Los Angeles County Electricity Consumption (in millions of kilowatt hours)	Burbank Water and Power Service Area Electricity Consumption (in millions of kilowatt hours)[1]
2010	68,184	-
2011	68,116	-
2012	69,168	-
2013	68,280	-
2014	69,860	-
2015	69,461	-
2016	69,365	-
2017	68,591	-
2018	67,834	1,151
2019	66,742	1,108
2020	65,566	1,049
2021	66,003	1,033
2022	68,485	1,079

Note:
1. Lack of data is presented with a "-".

Sources:
California Energy Commission, *Electricity Consumption by County*, http://www.ecdms.energy.ca.gov/, accessed February 21, 2024.
Burbank Power and Water, *2024 Integrated Resource Plan*, November 13, 2023.

Table 5.3-2
Natural Gas Consumption in Los Angeles County 2010-2022

Year	Natural Gas Consumption (in millions of therms)
2010	3,047.08
2011	3,055.16
2012	2,985.15
2013	3,065.44
2014	2,793.87
2015	2,761.05
2016	2,877.86
2017	2,956.04
2018	2,921.51
2019	3,048.32
2020	2,936.69
2021	2,882.77
2022	2,820.29

Source:
California Energy Commission, *Natural Gas Consumption by County*, http://www.ecdms.energy.ca.gov/, accessed February 21, 2024.

Automotive fuel consumption in the County from 2011 to 2024 is shown in Table 5.3-3, *Automotive Fuel Consumption in Los Angeles County 2011-2024*. As shown in Table 5.3-3, on-road automotive fuel consumption in the County declined from 2011 to 2013, increased from 2013 to 2016, and has been declining since. A dramatic decrease for transportation vehicle consumption occurred in 2020 due to the COVID-19 pandemic. Heavy-duty vehicle usage (i.e., bulldozers, excavators, loaders, etc.) from the construction and mining sector showcases that fuel consumption steadily rose until 2019 and dropped since.

Table 5.3-3
Automotive Fuel Consumption in Los Angeles County 2011-2024

Year	On-Road Automotive Fuel Consumption (gallons)	Heavy-Duty Vehicle/Off-Road Vehicle Fuel Consumption (Construction and Mining Sector) (gallons)
2010	4,245,230,448	29,155,294
2011	4,180,406,492	30,204,781
2012	4,145,221,612	31,226,417
2013	4,173,407,883	32,211,397
2014	4,211,469,581	33,139,514
2015	4,326,848,476	34,045,590
2016	4,480,187,933	34,045,590
2017	4,468,352,951	34,907,794
2018	4,409,152,566	35,744,520
2019	4,337,453,104	37,308,916
2020	3,873,168,111	31,161,752
2021	4,323,377,195	31,159,371
2022	4,291,007,510	31,151,077
2023	4,238,500,098	31,148,273
2024	4,160,462,341	31,017,288

Sources:
California Air Resources Board, *EMFAC2021 model, https://arb.ca.gov/emfac/emissions-inventory*, accessed February 21, 2024.
California Air Resources Board, *Off-Road EMFAC2021 model, https://arb.ca.gov/emfac/offroad/emissions-inventory*, accessed February 21, 2024.

5.3.2 REGULATORY SETTING

Federal

National Energy Conservation Policy Act

The National Energy Conservation Policy Act serves as the underlying authority for federal energy management goals and requirements. Signed into law in 1975, it has been regularly updated and amended by subsequent laws and regulations. Pursuant to the National Energy Conservation Policy Act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 Federal Register [FR] §§62624–63200). Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

Energy Policy Act of 2005

The Energy Policy Act of 2005 seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Energy Policy Act, consumers and businesses can obtain federal tax credits for purchasing fuel-efficient appliances and products, including buying hybrid vehicles, building energy-efficient buildings, and improving the energy efficiency of commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary microturbine power plants, and solar power equipment.

Energy Independence and Security Act of 2007

The Energy and Independence Security Act of 2007 sets federal energy management requirements in several areas, including energy reduction goals for federal buildings, facility management and benchmarking, performance and standards for new buildings and major renovations, high-performance buildings, energy savings performance contracts, metering, energy-efficient product procurement, and reduction in petroleum use and increase in alternative fuel use. The Energy and Independence Security Act also amends portions of the National Energy Policy Conservation Act. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the Energy and Independence Security Act includes the following other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standards (Sections 301–325)
- Building Energy Efficiency (Sections 411–441)

Construction Equipment Fuel Efficiency Standard

The U.S. Environmental Protection Agency (USEPA) sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower (hp) and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 hp and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements, which are contained in Title 40 of the Code of Federal Regulations (CFR) Parts 1039, 1065, and 1068 (originally adopted in 69 Federal Register 38958 [June 29, 2004], and most recently updated in 2014 [79 Federal Register 46356]). Emissions requirements for new off-road Tier 4 vehicles were phased in by the end of 2015.

State

California Renewables Portfolio Standard (Senate Bill X1-2, Senate Bill 350, and Senate Bill 100)

California's Renewables Portfolio Standard (RPS) required retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020. The 33-percent standard is consistent with the RPS goal established in the California Air Resources Board (CARB) 2022 Scoping Plan. The passage of Senate Bill (SB) 350 in 2015 updates the RPS to require the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50 percent by December 31, 2030. The bill will make other revisions to the RPS program and to certain other requirements on public utilities and publicly owned electric utilities. The passage of SB 100 in 2018 further requires achieving 60 percent renewable energy resources target by 2030, and a 100 percent renewable energy and zero carbon resources (60 percent RPS plus 40 percent zero carbon) target by 2045.

Senate Bill 100

SB 100 (Chapter 312, Statutes of 2018) requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours (kWh) of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; 60 percent by December 31, 2030; and 100 percent zero carbon resources by December 31, 2045. SB 100 requires the California Public Utilities Commission (CPUC), the California Energy Commission (CEC), CARB, and all other State agencies incorporate SB 100 into all relevant planning. In addition, SB 100 requires the CPUC, CEC, and CARB to utilize programs authorized under existing statutes to achieve that policy and, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every four years thereafter, that includes specified information relating to the implementation of the policy.

California Building Energy Efficiency Standards (Title 24)

The 2022 Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. Title 24 was codified in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and nonresidential buildings. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. For most new building types, the 2022 code increases on-site renewable energy generation from solar and energy storage, reduces emissions from newly constructed buildings, reduces air pollution for improved public health, encourages adoption of environmentally beneficial efficient electric technologies.

California Green Building Standards Code

California Green Building Standards (CALGreen) Code is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed the green building standards in an effort to meet the goals of California's landmark initiative Assembly Bill (AB) 32, which established a comprehensive program of cost-effective reductions of greenhouse gases (GHGs) to 1990 levels by 2020. The CALGreen Code was developed to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. The 2022 CALGreen Code (California Code of Regulations, Title 24, Part 11) went into effect on January 1, 2023. The CALGreen Code requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.[5]

[5] U.S. Green Building Council, *Green Building Costs and Savings*, https://www.usgbc.org/articles/green-building-costs-and-savings, February 21, 2024.

Local

The City of Burbank's council-adopted Greenhouse Gas Reduction Plan calls for the City of Burbank to adopt local reach codes that go above and beyond Title 24 to reduce emissions. Starting January 1, 2024, for example, all new rooftops in Burbank must be cool roofs. In addition, all new buildings must comply with CalGreen Tier 2 requirements for electric vehicle charging infrastructure.

California Public Utilities Commission Energy Efficiency Strategic Plan

The CPUC prepared an Energy Efficiency Strategic Plan (Strategic Plan) in September 2008 with the goal of promoting energy efficiency and a reduction in GHGs. In January 2011, a lighting chapter was adopted and added to the Strategic Plan. The Strategic Plan is California's single roadmap to achieving maximum energy savings in the State between 2009 and 2020, and beyond. The Strategic Plan contains the practical strategies and actions to attain significant Statewide energy savings, as a result of a year-long collaboration by energy experts, utilities, businesses, consumer groups, and governmental organizations in California, throughout the West, nationally and internationally. The plan includes the following four big strategies:

1. All new residential construction in California will be zero net energy by 2020.
2. All new commercial construction in California will be zero net energy by 2030.
3. Heating, ventilation and air conditioning (HVAC) will be transformed to ensure that its energy performance is optimal for California's climate.
4. All eligible low-income customers will be given the opportunity to participate in the low-income energy efficiency program by 2020.

California Energy Commission Integrated Energy Policy Report

In 2002, the California State legislature adopted SB 1389, which requires the CEC to develop an Integrated Energy Policy Report (IEPR) every two years. SB 1389 requires the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices, and use these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the State's economy, and protect public health and safety.

The CEC adopted the 2023 Integrated Energy Policy Report (2023 IEPR) on February 14, 2024. The 2024 IEPR provides the results of the CEC's assessments of a variety of energy issues facing California, many of which will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs. The 2023 IEPR discusses expediting connection of clean resources to the electricity grid, the potential use of clean and renewable hydrogen, and the California Energy Demand Forecast to 2040.

Burbank2035 General Plan

Burbank2035 includes goals and policies to pursue sustainability and energy conservation. The following Land Use Element and Open Space and Conservation Element goals and policies are applicable to the proposed Project:

Land Use Element

GOAL 2 SUSTAINABILITY: Burbank is committed to building and maintaining a community that meets today's needs while providing a high quality of life for future generations. Development in Burbank respects the environment and conserves natural resources.

Policy 2.1: Consider sustainability when making discretionary land use and transportation decisions, policies, regulations, and projects.

Policy 2.3: Require that new development pay its fair share for infrastructure improvements. Ensure that needed infrastructure and services are available prior to or at project completion.

Policy 2.5: Require the use of sustainable construction practices, building infrastructure, and materials in new construction and substantial remodels of existing buildings.

Policy 2.6: Design new buildings to minimize the consumption of energy, water, and other natural resources. Develop incentives to retrofit existing buildings for a net reduction in energy consumption, water consumption, and stormwater runoff.

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

Open Space and Conservation Element

GOAL 10 ENERGY RESOURCES: Burbank conserves energy, uses alternative energy sources, and promotes sustainable energy practices that reduce pollution and fossil fuel consumption.

Policy 10.1: Incorporate energy conservation strategies in City projects.

Policy 10.2: Promote energy-efficient design features to reduce fuel consumption for heating and cooling.

Policy 10.4: Encourage residents and businesses to reduce vehicle use or to purchase alternative fuel vehicles.

Policy 10.7: Encourage the use of solar energy systems in homes and commercial businesses as a form of renewable energy.

City of Burbank Greenhouse Gas Reduction Plan Update

The City of Burbank's Greenhouse Gas Reduction Plan (GGRP) was adopted by the City Council in May of 2022. The GGRP is a long-range planning document that guides the City toward long-term emission reductions in accordance with the State's goals, such as SB 32, which established a statewide target to reduce greenhouse gas (GHG) emissions by 40% below 1990 levels by 2030. The GGRP includes a total of 12 strategies. Strategies are aspirational statements regarding future achievements in key sectors. From those strategies, there are 21 measures. Measures are long-range statements and goals to measure emission reduction, and 124 action items which are specific programs or steps that support GHG reduction measures.

5.3.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

CEQA Significance Criteria

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to energy if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (refer to Impact Statement EN-1); and/or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency (refer to Impact Statement EN-2).

Appendix F of the CEQA Guidelines is an advisory document that assists environmental document preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. The analysis in Impact Statement EN-1 relies upon Appendix F of the CEQA Guidelines, which includes consideration of the following environmental impact topics to determine whether this threshold of significance is met:

- **Topic 1:** The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- **Topic 2:** The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- **Topic 3:** The effects of the project on peak and base period demands for electricity and other forms of energy.
- **Topic 4:** The degree to which the project complies with existing energy standards.
- **Topic 5:** The effects of the project on energy resources.
- **Topic 6:** The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the Project's energy usage is presented and addresses Topic 1. The discussion on construction-related energy use focuses on Topics 2, 4, and 5. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses Topics 2, 4, and 6, and the building energy demand analysis discusses Topic 2, 3, 4, and 5.

Based on these significance thresholds and energy impact possibilities to be considered, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the

significance of impacts are sometimes qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.3.4 IMPACTS AND MITIGATION MEASURES

EN-1: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact Analysis: This analysis focuses on three sources of energy that are relevant to the proposed Project: electricity, natural gas, and transportation fuel for vehicle trips and off-road equipment associated with Project construction and operations. The analysis of operational electricity is based on the California Emissions Estimator Model version 2022.1 (CalEEMod) modeling results for the Project. The Project's estimated electricity consumption is based primarily on CalEEMod's default settings for the County, and consumption factors provided by BWP and SoCalGas, who are the electricity and natural gas providers for the City and the Project site.

The results of the CalEEMod and energy consumption modeling are included in Appendix C. The amount of operational fuel consumption was estimated using the CARB Emissions Factor 2021 (EMFAC2021) website platform, which provides projections for typical daily fuel (i.e. diesel and gasoline) usage in Los Angeles County, and the Project's average daily trips based on trip generation prepared by Fehr & Peers, dated August 2024; refer to Appendix K. The estimated construction fuel consumption is based on the Project's construction equipment list timing/phasing, and hours of duration for construction equipment, as well as vendor, hauling, and construction worker trips.

Additionally, CalEEMod modeling incorporates measures provided by the Applicant to reduce operational emissions (i.e., exceeding the most current Title 24 standards by 10 percent, requiring energy efficient appliances, establishing on-site renewable energy production, low-flow fixtures, water-efficient landscaping, and requiring all-electric landscaping equipment). Energy consumption with and without the Applicant provided project design features are shown in Table 5.3-4, *Project Energy Consumption*.

Table 5.3-4
Project Energy Consumption

Energy Type	Project Annual Energy Consumption With Project Design Features[1]	Project Annual Energy Consumption Without Project Design Features	Net Difference
Electricity Consumption	3,802 MWh	4,444 MWh	-644 MWh
Fuel Consumption			
- Operational Automotive Fuel Consumption[2]	669,057 gallons	669,057 gallons	0 gallons

Notes:
1. As modeled in CalEEMod version 2022.1. Project's annual electricity consumption is based on incorporation of Project design features which includes the installation energy efficient appliances, exceeding Title 24 standards by 10 percent, and on-site renewable energy generation.
2. Project fuel consumption calculated based on CalEEMod results.

Source: Refer to Appendix C for assumptions used in this analysis.

The Project's estimated energy consumption with Project design features is summarized and compared to local and regional energy supplies in Table 5.3-5, *Project and Countywide Energy Consumption*. As shown in Table 5.3-5, the Project's energy usage would constitute an approximate 0.0056 percent increase over Los Angeles County's typical annual electricity consumption. The Project would also constitute approximately 0.3206 percent of BWP's 2027 electricity consumption projections. The Project would be an all-electric development and would not involve natural gas consumption. The Project's construction off-road, construction on-road, and operational vehicle fuel consumption would increase the County's consumption by 0.1853, 0.0026, and 0.0171 percent respectively (CEQA Appendix F – Topic 1). Overall, the Project would result in a nominal energy consumption increase over the County's and BWP's existing consumption. Therefore, the Project would not result in a significant increase in construction and operational energy consumption, and, as such, impacts due to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

Table 5.3-5
Project and Countywide Energy Consumption

Energy Type	Project Annual Energy Consumption[1]	Annual Energy Consumption	Percentage Increase
Electricity Consumption	3,802 MWh	County - 68,484,956 MWh[2]	0.0056
		BWP - 1,186,000 MWh[3]	0.3206
Fuel Consumption			
- Construction Off-Road Fuel Consumption	59,336 gallons	32,027,987 gallons[2]	0.1853
- Construction On-Road Fuel Consumption	105,758 gallons	4,068,799,996 gallons[2]	0.0026
- Operational Automotive Fuel Consumption[4]	669,057 gallons	3,905,748,752 gallons[2]	0.0171

Notes:
1. As modeled in CalEEMod version 2022.1. Project's annual electricity consumption is based on incorporation of project design features which includes the installation energy efficient appliances, exceeding Title 24 standards by 10 percent, and on-site renewable energy generation. Electricity consumption without project design features would be approximately 4,444 MWh; refer to Table 5.3-4.
2. The Project increases in electricity and natural gas consumption are compared to the total consumption in Los Angeles County in 2022, the latest year consumption data are available (see Tables 5.3-1 and 5.3-2 above). The Project's off-road and on-road construction fuel consumption is compared with the projected Countywide fuel consumption in 2025 (construction start year), and the Project's operational fuel consumption is compared with the projected 2027 (first year of operation) fuel consumption.
   Los Angeles County electricity consumption data source: California Energy Commission, *Electricity Consumption by County*, http://www.ecdms. energy.ca.gov/elecbycounty.aspx, accessed February 21, 2024.
3. The Project increase in electricity is also compared to the BWP's forecasted electricity consumption in 2027 per the BWP's 2024 Integrated Resource Plan Final Report.
4. Project fuel consumption calculated based on CalEEMod results. Countywide fuel consumption is from the California Air Resources Board EMFAC2021 model.

Source: Refer to Appendix C for assumptions used in this analysis.

Construction-Related Energy

Project construction would consume energy in two general forms: (1) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials, such as lumber and glass; and (2) the fuel energy consumed by construction vehicles and equipment.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during demolition, grading, paving, building construction, architectural coatings, and linear construction (off-site improvements). Fuel energy consumed during construction would be temporary and would not represent a significant demand on energy resources. In addition, some incidental energy conservation would occur during construction through compliance with State requirements that heavy-duty diesel equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest USEPA and CARB engine emissions standards. These emissions standards require

highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Due to current gasoline and diesel prices, contractors and owners would be incentivized to reduce wasteful, inefficient, and unnecessary consumption of energy during construction (CEQA Appendix F - Topic 4).

As indicated in Table 5.3-5, the Project's fuel consumption from off-road construction equipment use would be approximately 59,336 gallons, which would increase fuel use in the County by 0.1853 percent. Also indicated in Table 5.3-5, the Project's fuel consumption from on-road construction vehicle use would be approximately 103,342 gallons, which would increase fuel use in the County by 0.0025 percent. As such, construction would have a nominal effect on the local and regional energy supplies (CEQA Appendix F – Topic 2). It is noted that construction fuel use is temporary and would cease upon completion of construction activities.

The Project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would also not substantially increase demand for energy compared to overall local and regional demand for construction materials. There are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy efficient (CEQA Appendix F – Topic 5). Therefore, construction fuel consumption would not be inefficient, wasteful, or unnecessary. As such, a less than significant impact would occur in this regard.

Operational Energy Consumption

Transportation Energy Demand

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration (NHTSA) is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. Table 5.3-5 provides an estimate of the daily fuel consumed by vehicles traveling to and from the Project site. Based on the trip generation prepared by Fehr & Peers, the proposed Project would generate 4,315 daily trips. It should be noted that the 4,315 daily trips include trips without passengers on the Project site (valet, ridesharing, etc.). As indicated in Table 5.3-5, Project operational daily trips are estimated to consume approximately 669,057 gallons of fuel per year, which would increase the County's automotive fuel consumption by 0.0171 percent. It is noted that this is a conservative analysis of transportation energy demand, as the trip generation does not include a trip credit associated with vehicle trips that may be diverted from existing hotels, including the onsite Marriott Hotel, with the construction of the proposed Project. The Project does not propose any unusual features that would result in excessive long-term operational fuel consumption (CEQA Appendix F - Topic 2).

The key drivers of transportation-related fuel consumption are job locations/commuting distance and many personal choices on when and where to drive for various purposes. Those factors are outside of the scope of the design of the proposed Project. However, the Project would include installation of 140 electric vehicle (EV) charging stations in compliance with CALGreen Code. This Project design feature would encourage and support the use of electric vehicles within the proposed Hotel development, and thus, reduce petroleum fuel consumption. Additionally, the Project would include 62 bicycle parking stalls

and would incorporate a commute trip reduction program to reduce overall VMT. All employees from the proposed Project would be eligible to partake in the commute trip reduction program which would have carpooling incentives, lower public transit fares, and online ride-matching programs. However, as a conservative analysis, the commute trip reduction program was not considered in the CalEEMod modeling as the overall reduction is not quantifiable. The Project would also be located in a Transit Priority Area (TPA), which would promote alternative transportation modes and reduce fuel consumption (CEQA Appendix F - Topics 4 and 6).

Therefore, fuel consumption associated with Project-related vehicle trips would not be considered inefficient, wasteful, or unnecessary. A less than significant impact would occur in this regard.

Building Energy Demand

The CEC developed 2024 to 2040 forecasts for energy consumption and peak demand in support of the 2023 IEPR for each of the major electricity and natural gas planning areas and the State based on the economic and demographic growth projections. CEC forecasted baseline electricity consumption grows at a rate of about 1.7 percent annually through 2040.[6] The natural gas consumption grows at a rate of about 0.2 percent annually through 2035.[7]

As shown in Table 5.3-5, operational energy consumption of the Project would represent approximately 0.0056 percent increase in electricity consumption over the current Countywide usage, which would be significantly below CEC's forecasts and the current Countywide usage. Additionally, the Project's energy consumption is also compared to the BWP's forecasted electricity consumption in 2027. As shown in Table 5.3-5, the Project's electricity consumption only represents approximately 0.3206 percent of the BWP's service area 2027 projected electricity consumption. The Project would not include natural gas consumption. Therefore, the Project would be consistent with the CEC's energy consumption forecasts. As such, the Project would not require additional energy capacity or supplies (CEQA Appendix F - Topic 2). Additionally, the Project would consume energy during the same time periods as other hotel developments and would consume energy evenly throughout the day. As a result, the Project would not result in unique or more intensive peak or base period electricity demand (CEQA Appendix F - Topic 3).

The proposed Project would be required to comply with the 2022 Title 24 standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The Title 24 standards are updated every three years and become more stringent with each update. The Project would also comply with the CALGreen Code pertaining to the installation of EV charging stations and photovoltaic panels. It should be noted that the photovoltaic panels installed would help generate electricity on-site that would help supply the electricity demand of the proposed Project. Specifically, the proposed photovoltaic panels would generate around 11 percent of the project's total demand load. The electricity production from the photovoltaic panels was considered in the CalEEMod modeling; refer to Appendix C. Compliance with

[6] California Energy Commission, *2023 Integrated Energy Policy Report, page 130*, February 14, 2024.

[7] Based on *2023 Integrated Energy Policy Report*, the gas forecast is updated every two years, in odd years. As such, the natural gas consumption shown here is based on the California Energy Commission, *Final 2022 Integrated Energy Policy Report Update, page 140*, May 10, 2023.

2022 Title 24 standards would also ensure the Project would be consistent with Burbank2035 General Plan Goal 2 (Policies 2.5 and 2.6) and Goal 10 (Policy 10.2), by incorporating sustainable building design features (CEQA Appendix F – Topic 4). Additionally, compliance with the current 2022 Title 24 standards significantly reduce energy usage.

Furthermore, the electricity provider, BWP, is subject to California's Renewable Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 60 percent of total procurement by 2030. As discussed in the BWP's *2024 Integrated Resource Plan Final Report*, the electricity provider would be on track to meet 60 percent total procurement goal by 2030. Renewable energy is generally defined as energy that comes from resources, which are naturally replenished within a human timescale, such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures that new development projects would not result in the waste of the finite energy resources. In compliance with Title 24 and CALGreen standards, the Project would install high efficiency lighting, energy efficient appliances, photovoltaic panels, and battery storage. As a result, the Project would ensure energy consumption be kept to a minimum through these components (CEQA Appendix F – Topic 5).

Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of building energy during Project operation, or preempt future energy development or future energy conservation. A less than significant impact would occur.

Conclusion

As depicted in Table 5.3-5, the Project operational energy consumption would represent an approximate 0.0056 percent increase in electricity consumption, no increase in natural gas consumption, and approximate 0.1853, 0.0026, and 0.0156 percent increase in off-road, construction on-road, and operational vehicle fuel consumption respectively over the current Countywide usage. The Project would adhere to all federal, State, and local requirements for energy efficiency, including the most current 2022 Title 24 standards. Additionally, the Project would not result in a substantial increase in demand for transmission service, and therefore would not require the need for new or expanded sources of regional energy supply or new or regional expanded energy delivery systems or infrastructure. Electrical service would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend from the intersection into the Project site. In order to create a looped electrical service system, as required by BWP, the electrical service would extend through the Project site to the Avon Street driveway and within the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the "loop." The Project would not result in the inefficient, wasteful, or unnecessary consumption of building energy. A less than significant impact would occur.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

EN-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact Analysis: The City's Greenhouse Gas Reduction Plan Update (GGRP) which was adopted by the City Council in May of 2022 includes strategies, actions, and measures to reduce emissions. Eliminating or reducing to the greatest extent feasible the use of on-site gas would be in alignment with local sustainability goals. One measure in the plan calls to codify all-electric new construction. Developing all-electric buildings has been found to be less expensive to build and operate in Burbank's Climate Zone compared to constructing buildings with both gas and electric utilities, especially when paired with solar photovoltaic and solar thermal installations. To meet the long-term goal of carbon neutrality by 2045, the direct greenhouse gas emissions from natural gas will need to be phased out. Other sample efficiency measures in the GGRP include increasing building energy efficiency through BWP's rebate and incentive programs and conducting outreach to building owners to communicate the benefits of electrification.

The City of Burbank also plans to achieve 100% GHG-free electricity generation by 2040, five years ahead of the State's Renewable Portfolio Standard.

The applicable State plans and policies for renewable energy and energy efficiency include the 2022 Title 24 standards, the 2022 CALGreen Code, CPUC's Energy Efficiency Strategic Plan, Southern California Association of Government's 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (2024-2050 RTP/SCS) and CEC's 2023 IEPR Update. The Project would be required to comply with the latest Title 24 and CALGreen standards pertaining to building energy efficiency. Compliance with 2022 Title 24 standards and 2022 CALGreen Code would ensure the Project incorporates energy-efficient windows, insulation, lighting, ventilation systems, water-efficient fixtures, and electric vehicles charging infrastructure, which are consistent with the Energy Efficiency Strategic Plan strategies, the IEPR building energy efficiency recommendations, and Burbank2035 Policy 2.6, Policy 10.1, and Policy 10.2. The Project would also comply with the 2024-2050 RTP/SCS which encourages the use of technology and sustainability policies to reduce overall energy consumption. Additionally, per the RPS, the Project would utilize electricity provided by BWP that is composed of approximately 34 percent renewable energy as of 2022 and would achieve at least 60 percent renewable energy by 2030.[8] It should be noted that the eligible renewable percentage of 34 presented by BWP does not reflect RPS compliance which is determined by another methodology. Therefore, the proposed Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

[8] Burbank Water and Power, *2021 Power Content Label*, https://www.burbankwaterandpower.com/electric/power-sources/power-content-information, February 27, 2024.

5.3.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the project, combined with other related projects, result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact Analysis: Although the Project would result in the consumption of fuel and energy during construction and operations, it would not do so in a wasteful manner. As demonstrated in Table 5.3-5, the consumption of fuel and energy would not be substantial in comparison to countywide electricity, natural gas, gasoline, and diesel demand. New capacity or supplies of energy resources would not be required. Additionally, the Project would not result in a substantial increase in demand for transmission service, and therefore would not require the need for new or expanded sources of regional energy supply or new or expanded regional energy delivery systems or infrastructure. As described above, electrical service would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and would be extended into the Project site and within the Avon Street driveway and public right of way, before connecting to the existing service from Empire Avenue in order to create a looped electrical service system, as required by BWP.

The Project and related projects would receive electricity from BWP. The proposed Project and other related projects would be subject to Title 24 standards, which include the CALGreen Code, as well as Burbank2035 goals and policies, which would ensure that energy is being used efficiently. As concluded previously, the Project would not result in significant energy consumption impacts. Specifically, the proposed Project would not result in significant energy consumption that exceeds the IEPR's forecasted annual electricity growth of 1.7 percent. The Project would not be considered inefficient, wasteful, or unnecessary regarding energy. Thus, the Project's less than significant effects associated with increased energy consumption with the potential to result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the project, combined with other related projects, conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact Analysis: Per the RPS, the Project and related projects would utilize electricity provided by BWP that is approximately 34 percent renewable energy as of 2022 and would achieve at least 60 percent

renewable energy by 2030. As discussed above, the eligible renewable percentage of 34 presented by BWP does not reflect RPS compliance which is determined by another methodology.

The City's Greenhouse Gas Reduction Plan Update (GGRP) which was adopted by the City Council in May of 2022 includes strategies, actions, and measures to reduce emissions. Eliminating or reducing to the greatest extent feasible the use of on-site gas would be in alignment with local sustainability goals. One measure in the plan calls to codify all-electric new construction. Developing all-electric buildings has been found to be less expensive to build and operate in Burbank's Climate Zone compared to constructing buildings with both gas and electric utilities, especially when paired with solar photovoltaic and solar thermal installations. To meet the long-term goal of carbon neutrality by 2045, the direct greenhouse gas emissions from natural gas will need to be phased out.

Additionally, the Project and related projects would be subject to Title 24 standards, which include the CAL Green Code, as well as Burbank2035 goals and policies, which would ensure that energy is being used efficiently. The Project would also comply with the 2024-2050 RTP/SCS which encourages the use of technology and sustainability policies to reduce overall energy consumption. Thus, the Project and related projects would comply with energy conservation plans and efficiency standards and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. As such, the Project's less than significant effects associated with a potential conflict with or obstruction of a plan for renewable energy or energy efficiency would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.3.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts related to energy would occur with the proposed Project.

5.3.7 REFERENCES

Burbank Water and Power, *2022 Power Content Label*, https://www.burbankwaterandpower.com/electric/power-sources/power-content-information, accessed February 27, 2024.

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California Air Resources Board, EMFAC2021 model, https://arb.ca.gov/emfac/emissions-inventory, accessed February 21, 2024.

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California Energy Commission, *2023 Integrated Energy Policy Report, page 130*, February 14, 2024.

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California Energy Commission, *Supply and Demand of Natural Gas in California*, https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california, February 23, 2021.

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Fehr and Peers, *Trip Generation Table*, August 2024.

U.S. Energy Information Administration, *California State Energy Profile, https://www.eia.gov/state/print.php?sid=CA,* accessed by February 21, 2024.

U.S. Green Building Council, *Green Building Costs and Savings*, https://www.usgbc.org/articles/green-building-costs-and-savings, accessed February 21, 2024.

5.4 GEOLOGY AND SOILS

The purpose of this section is to describe the existing conditions and regulatory environment related to geology and soils and identify potential impacts that could result from Project implementation. This section is based, in part, upon the *Preliminary Geotechnical Assessment* (Geotechnical Assessment), the *Addendum to the Preliminary Geotechnical Assessment* (Geotechnical Assessment Addendum), and *Update of Geotechnical Engineering Investigation* (Geotechnical Investigation), prepared by Geotechnologies, Inc., dated February 21, 2020, December 2, 2020, and September 22, 2023, respectively and included as Appendix E, Preliminary Geotechnical Assessment. These studies provide relevant information specific to onsite geotechnical conditions.

5.4.1 ENVIRONMENTAL SETTING

Project Site Description and Topography

The Project site is currently developed with an existing Marriott Hotel along the southern perimeter of the Project site. The area proposed for development is located in the northeast portion of the Project site and is developed with a paved parking lot and planter areas. The topography of the Project site descends to the southeast with an estimated elevation difference of approximately 12 feet across the site.

Regional Geology

The Project site is located in the Transverse Ranges Geomorphic Province. The Transverse Ranges are roughly identified as the east-west trending mountains, and the northern and southern boundaries are formed by reverse fault scarps. The deformed features of the Transverse Ranges are a result of north-south tectonics plates converging towards each other. This has resulted in local folding and uplift of the mountains along with the propagation of thrust faults (including blind thrusts). The intervening valleys have been filled with sediments derived from the bordering mountains.

Local Geology

Geologic mapping indicates the Project site is located in an area underlain by alluvial sediments. This geologic characterization is consistent with the earth materials encountered during previous geotechnical investigations conducted within the vicinity of the Project site.

Seismic and Geologic Hazards

Regional Faulting

Faults may be categorized as active, potentially active, or inactive. Active faults are those which show evidence of surface displacement within the last 11,000 years (Holocene-age). Potentially active faults are those that show evidence of most recent surface displacement within the last 1.6 million years (Quaternary-age). Faults showing no evidence of surface displacement within the last 1.6 million years are considered inactive for most purposes, with the exception of the design of some critical structures.

Buried thrust faults are faults without a surface expression but are a significant source of seismic activity. They are typically broadly defined based on the analysis of seismic wave recordings of hundreds of small and large earthquakes in the southern California area. Due to the buried nature of these thrust faults,

their existence is usually not known until they produce an earthquake. The risk for surface rupture potential of these buried thrust faults is inferred to be low. However, the seismic risk of these buried structures in terms of recurrence and maximum potential magnitude is not well established. Therefore, the potential for surface rupture on these surface-verging splays at magnitudes higher than 6.0 cannot be precluded.

Table 5.4-1, *Regional Faults*, lists the faults that are located within 60 miles of the Project site and include regional faults of interest, potentially active faults, blind thrust faults, and unnamed faults.

Table 5.4-1
Regional Faults

Fault Name	Proximity to Project Site	Maximum Magnitude
Active Faults		
Verdugo Fault	1.4 miles northeast	6.9
Sierra Madre Fault System	5.7 miles east	7.3
Hollywood Fault	6.0 miles south	6.7
Raymond Fault	8.7 miles southeast	6.8
Whittier-Elsinore Fault System	19 miles southeast	7.8
San Gabriel Fault System	9.3 miles north	N/A
Newport-Inglewood Fault System	10.7 miles southwest	7.5
Santa Susana Fault	12.4 miles northwest	6.9
Malibu Coast Fault	15.3 miles southwest	7.0
Palos Verdes Fault	19.6 miles southwest	7.7
San Andreas Fault System	27.9 miles northeast	8.3
Potentially Active Faults		
Santa Monica Fault	6.8 miles southwest	7.4
Anacapa-Dume Fault	16.8 miles southwest	7.2
Blind Thrusts Faults		
Puente Hills Blind Thrust Fault	11.1 miles southeast	7.0
Elysian Park Blind Thrust Fault	6.3 miles southeast	6.7
Northridge Blind Thrust Fault	8.2 miles northwest	6.9
Source: Geotechnologies, Inc., *Preliminary Geotechnical Assessment*, February 2020.		

Local Faulting

The Raymond fault, located approximately 8.7 miles southeast of the Project site, contributes significantly to the historic seismic activity of the localized region. The Northridge fault, located 8.2 miles to the west of the Project site, has demonstrated recent activity within the region and is credited with the Northridge Earthquake of 1994. Unnamed quaternary and pre-quaternary faults lie to the southeast of the Project site. The nearest projected fault, the Verdugo fault, is located approximately 1.4 miles northeast of the Project site and has been assigned a maximum magnitude of 6.9.

Surface Fault Rupture

The Alquist-Priolo Earthquake Fault Zoning Act, which was passed into law in 1972, defines "active" and "potentially active" faults utilizing the same aging criteria as that used by the California Geological Survey (CGS). However, established State policy has been to zone only those faults that have direct evidence of movement within the last 11,000 years. The CGS considers this recency of fault movement as a characteristic for faults that have a relatively high potential for ground rupture in the future. Surface rupture is defined as surface displacement, which occurs along the surface trace of the causative fault during an earthquake. Based on review of the Earthquake Fault Zones as part of the Geotechnical Assessment, the Project site is not located within an Alquist Priolo earthquake fault zone.

Liquefaction

Liquefaction is a phenomenon in which saturated silty to cohesionless soils below the groundwater table are subject to a temporary loss of strength due to the buildup of excess pore pressure during cyclic loading conditions such as those induced by an earthquake. Liquefaction-related effects include loss of bearing strength, amplified ground oscillations, lateral spreading, and flow failures.

Review of Seismic Hazards Maps as part of the Geotechnical Assessment indicates that the Project site is not located within an area designated as having a potential for liquefaction. This determination is based on groundwater depth records, soil type and distance to a fault capable of producing a substantial earthquake.

The historically highest groundwater level in the Project site vicinity is estimated at 58 feet below ground surface based on a review of the Seismic Hazard Zone Report as part of the Geotechnical Assessment. However, static groundwater was not encountered during exploration of nearby sites to a maximum explored depth of 80 feet below grade.

The State of California Department of Water Resources identifies a groundwater monitoring well approximately 0.8 mile southwest of the Project site. The well is located at a ground surface elevation of 661.4 feet, with the highest recorded water surface elevation of 101.63 feet and the lowest recorded water surface elevation at 406.1 feet. Due to the proximity of the monitoring well to the Project site and the uniform geologic conditions within the region, the Geotechnical Assessment and Geotechnical Assessment Addendum conclude that the data readings are representative of the groundwater levels underlying the Project site. The highest recorded water elevation corresponds to approximately 110 feet below the ground surface at the Project site. Therefore, the Geotechnical Assessment concluded that the historic high-water level indicated in the Seismic Hazard Zone Report is a conservative estimate of historic high and future water levels anticipated at the Project site.

Dynamic Settlement

Seismically-induced settlement or compaction of dry or moist cohesionless soils can be an effect related to earthquake ground motion. Such settlements are typically most damaging when the settlements are differential in nature across the length of structures. Although some seismically-induced settlement should be expected, due to the uniform nature of the underlying geologic materials observed in nearby site investigations, the Project site is not anticipated to experience excessive differential settlement.

Subsidence

The Project site is not located within a zone known to have experienced subsidence due to oil or other fluid withdrawal.

Landslides

The probability of seismically-induced landslides occurring on the Project site is considered to be negligible due to the general lack of substantive elevation difference across or adjacent to the Project site.

Collapsible Soils

Based on previous geotechnical investigations conducted within the vicinity of the Project site, the soils underlying the area would not be considered prone to collapse.

Expansive Soils

The geologic materials previously tested for nearby sites indicate a very low expansion potential for near-surface onsite soils. Accordingly, the geologic materials within the Project site, which are similar to that of the nearby sites, are anticipated to be in the very low to low expansion range.

Soil Erosion

The Project site and surrounding area are paved and do not have significant variations in elevation. The Project site does not possess site conditions necessarily conducive to soil erosion.

Landforms

There are no significant hills, canyons, ravines, outcrops or other geologic or topographic features on the Project site.

Paleontological Resources

Geologic mapping indicates the Project site is located in an area underlain by young alluvial fan deposits, undivided (Qyf) (Holocene to late Pleistocene). Qyf deposits consist of unconsolidated gravel, sand, and silt, with coarser-grained material closer to the mountains deposited from flooding streams and debris flows. Although Holocene (less than 11,700 years ago) deposits can contain remains of plants and animals, only those from the middle to early Holocene (4,200 to 11,700 years ago) are considered scientifically important and fossils from this time interval are not very common. These Holocene deposits overlie older Pleistocene deposits, which have produced scientifically important fossils in the region. Because there is a potential to find fossils in older sediments of this geologic unit, which may be encountered below a depth of approximately 10 feet, the Society of Vertebrate Paleontology assigns a low paleontological sensitivity to soils at the surface to a depth of 10 feet and high paleontological sensitivity to soils below a depth of 10 feet. Further, paleontological resources records searches conducted for properties within the

vicinity of the Project site indicate several nearby fossil localities for geologic units similar to those mapped in the Project site.[1]

5.4.2 REGULATORY SETTING

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program which is coordinated through the Federal Emergency Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the program is to establish and promote the adoption of measures for earthquake hazards reduction by federal, State, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

International Building Code

The purpose of the International Building Code (IBC) is to provide minimum standards to preserve the public peace, health, and safety by regulating the design, construction, quality of materials, certain equipment, location, grading, use, occupancy, and maintenance of all buildings and structures. IBC standards address foundation design, shear wall strength, and other structurally related conditions.

U.S. Geological Survey Landslide Hazard Program

The USGS Landslide Hazard Program provides information on landslide hazards, including information on current landslides, landslide reporting, real time monitoring of landslide areas, mapping of landslides through the National Landslide Hazards Map, local landslide information, landslide education, and research.

Paleontological Resources Preservation Act

The federal Paleontological Resources Preservation Act of 2002 codified the generally accepted practice of limiting collection of vertebrate fossils and other rare and scientifically significant fossils on public (federal) land. As the Project area is not located on federal lands, the provisions of the Paleontological Resources Preservation Act are not applicable to the Project.

[1] Environmental Science Associates (ESA), *Avion Project Environmental Impact Report*, August 2018; ESA, *2311 N. Hollywood Way SCEA Project*, July 2021.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code [PRC] 2621-2624, Division 2 Chapter 7.5) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act only addresses the hazard of surface fault rupture to prevent the construction of buildings used for human occupancy on the surface trace of active faults and does not address other earthquake hazards. The Alquist-Priolo Earthquake Fault Zoning Act requires the State Geologist to establish regulatory zones, known as "Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. Local agencies must regulate most development projects within these zones. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50-foot setbacks are required).

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 directs the Department of Conservation, California Geological Survey, to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the Seismic Hazards Mapping Act is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards. Staff geologists in the Seismic Hazard Zonation Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The Seismic Hazards Mapping Act requires that site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards (i.e., liquefaction and earthquake induced landslides) and formulate mitigation measures prior to permitting most developments designed for human occupancy.

California Building Standards Code

California building standards are published in the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, contains administrative regulations for the California Building Standards Commission and for all State agencies that implement or enforce building standards. Local agencies must ensure development complies with the CBSC guidelines. Cities and counties can adopt additional building standards beyond the CBSC. CCR Title 24, Part 2, referred to as the California Building Code (CBC), which is part of the CBSC, 2022 Edition, together with Appendices C, G, I, J, and P, as adopted by the California Building Standards Commission, has been adopted by the City of Burbank and made part of the Burbank Municipal Code (BMC) with certain amendments, additions and deletions, which are discussed below.

Soils Investigation Requirements

California Health and Safety Code Sections 17953–17955 and CBC Section 1802 identify requirements for soils investigations for subdivisions requiring tentative and final maps, and for other specified types of structures. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

California Public Resources Code Section 5097.5

Requirements for paleontological resource management are included in PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244. These statutes prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, local agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. PRC Section 5097.5 also establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (State, county, city, and district) lands.

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies to address seismic hazards, public safety, and paleontological resources. The following Safety Element and Open Space and Conservation Element policies are related to the environmental topic of geology and soils.

Safety Element

GOAL 5 SEISMIC SAFETY: Injuries and loss of life are prevented, critical facilities function, and property loss and damage is minimized during seismic events.

Policy 5.1 Require geotechnical reports for development within a fault area that may be subject to risks associated with surface rupture.

Policy 5.2 Require geotechnical reports for new development projects in areas with the potential for liquefaction or landslide. Include projected climate change impacts of slope stability changes after wildfires and develop mitigation strategies for areas deemed at risk to slope instability.

Policy 5.3 Enforce seismic design provisions of the current California Building Standards Code related to geologic, seismic, and slope hazards.

GOAL 6 OPEN SPACE RESOURCES: Burbank's open space areas and mountain ranges are protected spaces supporting important habitat, recreation, and resource conservation.

Policy 6.1 Recognize and maintain cultural, historical, archeological, and paleontological structures and sites essential for community life and identity.

Burbank Municipal Code

BMC Title 9, Building Regulations, Chapter 1, Building and Fire, Article 2, California Building Code, adopts CCR Title 24, Part 2, also known as the California Building Code (CBC), which is part of the CBSC, 2022 Edition, together with Appendices C, G, I, J, and P, as adopted by the CBSC with certain amendments, additions, and deletions as stated in Article 2. The CBC is the presiding building code that applies in the City for purposes of regulating the design, development, construction, alteration, repair, removal, demolition, conversions, occupancy, height, area maintenance of all structures and certain equipment therein city limits. BMC Title 9, Chapter 1, Article 11, California Green Building Standards (CALGreen) Code, adopts CCR Title 24, Part 11, which is part of the CBSC, 2022 Edition. The CALGreen Code focuses on the sustainability and environmental impact of structure construction and usage.

BMC Title 7, Public Ways and Property, Chapter 1, Excavations, Article 1, Grading, Fills and Excavations, is established to safeguard life, health, property and the public welfare by establishing minimum requirements for grading, fills and excavation. Applications for a grading permit are required to submit an engineering geological report prepared and signed by an engineering geologist and include a description of the geology of the site, conclusions and recommendations regarding the effect of geological conditions on the proposed development, and a geologic map of sufficient detail as to portray the existing field condition. Similarly, a soils engineering report is required to be submitted based upon the grading plans. The report is required to be prepared by a soils engineer and include data regarding the nature, distribution and strength of existing soils, as well as conclusions and recommendations for grading procedures, design criteria for corrective measures, or other criteria as may be necessary. Recommendations included in the engineering geological report and soils engineering report and approved by the City are required to be incorporated into the grading plans or specifications.

5.4.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to geology and soils if it would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 (refer to Section 8.0, *Effects Found Not To Be Significant*);
    - Strong seismic ground shaking (refer to Impact Statement GEO-1);
    - Seismic-related ground failure, including liquefaction (refer to Impact Statement GEO-2);
    - Landslides (refer to Section 8.0, *Effects Found Not To Be Significant*);
- Result in substantial soil erosion or the loss of topsoil (refer to Impact Statement GEO-3);

- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (refer to Impact Statement GEO-4);
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property (refer to Impact Statement GEO-4);
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water (refer to Section 8.0, *Effects Found Not To Be Significant*); and/or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (refer to Impact Statement GEO-5).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are sometimes qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.4.4 IMPACTS AND MITIGATION MEASURES

GEO-1: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Impact Analysis: Southern California is known to be susceptible to earthquakes due to the occurrence of active and potentially active faults within the region. Thus, the Project site would likely be subjected to some degree of seismic ground shaking.

Impacts concerning strong seismic ground shaking would be addressed through compliance with State and local seismic and geologic safety laws, standards, and guidelines, including the current CBC, among others. In general, the City regulates development and reduces potential seismic and geologic impacts through compliance with the CBC, as adopted by the City pursuant to BMC Title 9, Chapter 1, Division 2, Article 2, and project-specific design and construction recommendations identified in site-specific geotechnical reports reviewed and approved by the City. The CBC includes earthquake safety standards based on a variety of factors, including occupancy type, types of soils and rocks onsite, and strength of probable ground motion at the project site. In compliance with BMC Title 7, Chapter 1, Article 1, the Project Applicant would be required to submit an engineering geological report and soils engineering report prepared by a certified engineering geologist for the proposed Project. The engineering geological report and soils engineering report would require review and approval by the City, and recommendations included in the report would be required to be incorporated into the grading plans and specifications. Measures to maximize structure stability in the event of an earthquake would be required to be incorporated into Project design and construction. Overall, compliance with applicable laws, standards, and guidelines, (including the CBC and the BMC) would ensure that design and construction of the Project would not cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

GEO-2: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Impact Analysis: The Project site and offsite improvement areas are not located in an area designated as potentially liquefiable by the State and the Project is not anticipated to cause or increase the potential for any seismic related ground failure on the Project site or adjacent sites. The Geotechnical Assessment and Geotechnical Assessment Addendum concluded data readings for water surface elevations associated with the groundwater monitoring well, located approximately 0.8 mile southwest of the Project site are representative of the groundwater levels underlying the Project site. The highest recorded water elevation corresponds to approximately 110 feet below the ground surface at the Project site.

Although the Project site and surrounding area are not identified as having the potential for liquefaction, the Project Applicant would be required to submit an engineering geological report and soils engineering report prepared by a certified engineering geologist for the proposed Project in accordance with BMC Title 7, Chapter 1, Article 1. The required reports would address the potential for seismic-related ground failure, including liquefaction. As discussed above, the engineering geological report and soils engineering report would require review and approval by the City, and recommendations included in the report would be required to be incorporated into the grading plans and specifications. Overall, compliance with applicable laws, standards, and guidelines, (including the CBC and the BMC) would ensure that design and construction of the Project would not cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

GEO-3: Would the Project result in substantial soil erosion or the loss of topsoil?

Impact Analysis: The Project site and offsite improvement areas contain minimal pervious surfaces, are relatively flat, and do not possess site conditions necessarily conducive to soil erosion. The primary concern regarding soil erosion or the loss of topsoil would be associated with Project construction activities. During Project construction, soils would be exposed to short-term erosion by wind and water, increasing the potential for soil erosion compared to existing conditions. Soil disturbance would temporarily occur during earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction, and grading. In accordance with BMC Title 9, Chapter 3, Environmental Protection, Article 4, Standard Urban Storm Water and Urban Runoff Management Programs, the Project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that describes construction Best Management Practices (BMPs) that, at a minimum, address sediment control, erosion control, and general site management. Through compliance with BMC Title 9, Chapter 3, Article 4, including, but not limited to, Section 9-3-403, General Construction Permit, Section 9-3-404, Construction Priority Projects, and Section 9-3-407, Best Management Practices (BMPs), construction of the Project

would not result in substantial soil erosion or loss to topsoil. Further, at Project completion, the Project site and offsite improvement areas would be similar to existing conditions and return to a mostly impervious state (i.e., minimal exposed soils) with pervious areas consisting of only landscaped areas. Therefore, less than significant impacts regarding soil erosion and the loss of topsoil would occur.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

GEO-4: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and/or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact Analysis: The Project site and offsite improvement areas are not located within a zone of known subsidence due to oil or other fluid withdrawal. Impacts associated with subsidence would be less than significant.

As discussed in Impact Statement GEO-2, the Project site and offsite improvement areas are not located in an area designated as potentially liquefiable by the State. According to the Geotechnical Assessment, geologic materials within the Project site are anticipated to be in the very low to low expansion range. Additionally, the Geotechnical Assessment concluded that although some seismically-induced settlement of the proposed structures should be expected as a result of strong ground-shaking, excessive differential settlements are not expected to occur due to the uniform nature of the underlying geologic materials observed in nearby site investigations.

As discussed in Impact Statement GEO-1 and GEO-2, in compliance with BMC Title 7, Chapter 1, Article 1, the Project Applicant would be required to submit an engineering geological report and soils engineering report prepared by a certified engineering geologist for the proposed Project. Although the Project site and offsite improvement areas are not identified as having the potential for liquefaction, the required reports would address liquefaction and liquefaction-related effects such as lateral spreading, as well as the potential for collapsible soils, expansive soils, and dynamic settling. As discussed above, the engineering geological report and soils engineering report would require review and approval by the City, and recommendations included in the report would be required to be incorporated into the grading plans and specifications. Overall, compliance with applicable laws, standards, and guidelines, (including the CBC and the BMC) would ensure that design and construction of the Project would not cause potential substantial direct or indirect risks to life or property associated with the potential for lateral spreading and collapsible soils, expansive soils, and dynamic settlement. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

GEO-5: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Analysis: The Project site and surrounding area are underlain by young alluvial fan deposits, undivided, which have a low paleontological sensitivity at the surface to a depth of 10 feet and high paleontological sensitivity at a depth greater than 10 feet.

According to the Geotechnical Assessment, excavations on the order of five to 20 feet in depth would be required for the foundation elements and anticipated elevator pit enclosures for the proposed Hotel and Garage. Should fossil resources be present in the Project site's subsurface, ground-disturbing activities associated with excavations could directly or indirectly destroy a unique paleontological resource. This would be a potentially significant impact.

Offsite pedestrian and bicycle improvements and the offsite infrastructure improvements that would involve connecting to and extending services to the Project site within existing rights-of-way, would not involve disturbance of soils at depths of high paleontological sensitivity (i.e., greater than 10 feet). Although the proposed sewer improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street would involve replacement of an existing pipe that would require ground disturbance at greater depths, the offsite improvements would connect and extend services to the Project site within existing rights-of-way and would occur within an area having previously experienced ground disturbance activities. The potential to encounter fossil resources is considered unlikely due to this past disturbance. Thus, the potential for activities associated with the offsite improvements to directly or indirectly destroy a unique paleontological resource would be less than significant.

To avoid and mitigate potential impacts to unique paleontological resources during Project construction activities, Mitigation Measure GEO-1, requiring a qualified vertebrate paleontologist to develop a Worker Awareness and Environment Program (WEAP) Training for construction personnel, Mitigation Measure GEO-2 requiring the paleontologist to monitor ground-disturbing activities in previously undisturbed sediments that exceed 10 feet in depth, and Mitigation Measure GEO-3 detailing the appropriate steps in the event of fossil discovery, would be required. Compliance with Mitigation Measures GEO-1, GEO-2, and GEO-3 would reduce potential impacts to paleontological resources to a less than significant level.

Mitigation Measures:

GEO-1: Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Burbank Community Development Department.

GEO-2: Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances (including grading, trenching, foundation work, and other excavations) in previously undisturbed sediments that exceed 10 feet in depth. The duration and timing of the monitoring shall be determined by

the qualified paleontologist and the location and extent of the proposed ground disturbance. If the qualified paleontologist determines that fulltime monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the qualified paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring shall not be required in artificial fill or for activities that do not reach 10 feet in depth.

GEO-3: In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The qualified paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

- Salvage of Fossils. The qualified paleontologist (or paleontological monitor) shall recover significant fossils following standard field procedures for collecting paleontological resources, as described by the Society of Vertebrate Paleontology standards. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.
- Preparation and Curation of Recovered Fossils. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the qualified paleontologist.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

5.4.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, “two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts.” Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Would the Project, combined with other related projects, directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Would the Project, combined with other related projects, be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and/or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact Analysis: Due to the location and proximity of the Project site and offsite improvement areas, and related projects sites within a seismically active region of southern California, it is anticipated that the Project and related projects would generally experience similar ground shaking associated with seismic activity. However, specific site and soils conditions would vary amongst the Project and related project sites. Similar to the Project, engineering geological reports and soils engineering reports would be required to be prepared by a certified engineering geologist for the related projects in accordance with BMC Title 7, Chapter 1, Article 1. The required reports would assess the specific site's geologic and soils conditions to determine the site's susceptibility to unstable geologic units or soils and the potential for conditions related to ground failure, liquefaction, landslide, lateral spreading, subsidence, or expansive soils. The site-specific engineering geological report and soils engineering report would require review and approval by the City, and recommendations included in the report would be required to be incorporated into the grading plans and specifications for the individual projects. Overall, compliance with applicable laws, standards, and guidelines, (including the CBC and the BMC) would ensure that design and construction of the Project and related projects would reduce potential impacts associated with site-specific geology and soils conditions. Therefore, the Project's less than significant effects relative to strong seismic ground shaking, seismic-related ground failure, and unstable geologic units or soils, would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, result in substantial soil erosion or the loss of topsoil?

Impact Analysis: The Project site and offsite improvement areas contain minimal pervious surfaces, are relatively flat, and do not possess site conditions necessarily conducive to soil erosion. The primary concern regarding soil erosion or the loss of topsoil would be associated with Project construction activities. The Project and related projects have the potential for soil erosion associated with construction activities. Development in the City would be required to comply with the BMC, including preparation of a SWPPP to include BMPs to address sediment control, erosion control, and general site management. At Project completion, the Project site and offsite improvement areas would be similar to existing conditions and return to a mostly impervious state (i.e., minimal exposed soils) with pervious areas consisting of only

landscaped areas. Thus, the Project's less than significant effects associated with substantial soil erosion, or the loss of topsoil would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Analysis: The Project site has the potential to contain paleontological resources. As discussed above, implementation of Mitigation Measures GEO-1 through GEO-3 would reduce potential impacts to paleontological resources associated with proposed Project construction activities to a less than significant level. There is the potential for related project sites to have soils that contain the potential for paleontological resources. Construction activities associated with the related projects would have the potential to directly or indirectly destroy paleontological resources specific to those development sites. However, as with the Project, potential development would undergo environmental and design review on a project-by-project basis pursuant to CEQA to evaluate potential impacts to paleontological resources. All development would be subject to compliance with the established federal, State, and local regulatory framework concerning protection of paleontological resources on a project-by-project basis. Where significant or potentially significant impacts are identified, implementation of all feasible site-specific mitigation would be required to avoid or reduce impacts. Based on the above, the Project's less than significant effects related to paleontological resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.4.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with geology and soils would occur with the proposed Project.

5.4.7 REFERENCES

ESA, *2311 N. Hollywood Way Project Sustainable Communities Environmental Assessment*, July 2021.

ESA, *Avion Project Draft Environmental Impact Report*, August 2018.

Geotechnologies, Inc., *Preliminary Geotechnical Assessment*, February 21, 2020.

Geotechnologies, Inc., *Addendum to the Preliminary Geotechnical Assessment*, December 2, 2020.

Geotechnologies, Inc., *Update of Geotechnical Engineering Investigation*, September 22, 2023.

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5.5 GREENHOUSE GAS EMISSIONS

The purpose of this section is to describe the global and State-level problems associated with high levels of greenhouse gases (GHG) in Earth's atmosphere, the primary regulatory measures enacted to reduce GHG emissions from major sources, present an inventory of the Project's GHG emissions, and address their potential environmental impacts. GHG technical data are included in Appendix C, Air Quality, Energy, and Greenhouse Gas Emissions Data.

5.5.1 ENVIRONMENTAL SETTING

GLOBAL CLIMATE CHANGE – GREENHOUSE GASES

Certain gases in Earth's atmosphere classified as GHGs, play a critical role in determining Earth's surface temperature. Solar radiation enters Earth's atmosphere from space. A portion of the radiation is absorbed by Earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from Earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because Earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on Earth.

Based on the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2021, California produced 381.3 million metric tons of CO_2 equivalents ($MMTCO_2e$) in 2021, which is 12.6 $MMTCO_2e$ higher than 2020 levels.[1] The decrease in emissions during 2020 are likely due to the COVID-19 pandemic. The major source of GHG emissions in California is the transportation sector, which comprises 38.2 percent of the State's total GHG emissions. The industrial sector is the second largest source, comprising 19.4 percent of the State's GHG emissions, while electric power accounts for approximately 16.4 percent. The magnitude of California's total GHG emissions is due in part to its large size and population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions as compared to other states is its relatively mild climate. In 2016, the State of California achieved its 2020 GHG emissions reduction target of reducing emissions to 1990 levels as emissions fell below 431 $MMTCO_2e$. The annual 2030 Statewide target emissions level is 260 $MMTCO_2e$.

As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation is required to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

[1] California Air Resource Board, *California Greenhouse Gas Emissions from 2001 to 2021: Trends of Emissions and Other Indicators*, December 14, 2023.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) from before the start of industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO_2 concentrations ranged from 180 to 300 parts per million (ppm). For the period from approximately 1750 to the present, global CO_2 concentrations increased from a pre-industrialization period concentration of 280 to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range. The monthly average concentration of CO_2 in the atmosphere for July 2024 was recorded at 425.55 ppm.[2]

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide equivalent (CO_2e)[3] concentration is required to keep global mean warming below two degrees Celsius (°C), which in turn is assumed to be necessary to avoid dangerous climate change.[4]

The most abundant GHGs are water vapor and CO_2. Many other trace gases have greater ability to absorb and re-radiate longwave radiation; however, these gases are not as plentiful. For this reason, and to gauge the potency of GHGs, scientists have established a Global Warming Potential (GWP) for each GHG based on its ability to absorb and re-radiate longwave radiation. GHGs normally associated with development projects include the following[5]:

- Water Vapor. Although water vapor has not received the scrutiny of other GHGs, it is the primary contributor to the greenhouse effect. Natural processes, such as evaporation from oceans and rivers, and transpiration from plants, contribute 90 percent and 10 percent of the water vapor in our atmosphere, respectively. The primary human related source of water vapor comes from fuel combustion in motor vehicles; however, it does not contribute a significant amount (less than one percent) to atmospheric concentrations of water vapor. The IPCC has not determined a GWP for water vapor.

[2] Global Monitoring Laboratory, *Monthly Average Mauna Loa CO_2*, Global Monitoring Laboratory - Carbon Cycle Greenhouse Gases (noaa.gov), September 3, 2024.

[3] Carbon Dioxide Equivalent (CO2e) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

[4] Intergovernmental Panel on Climate Change, *Global Climate Projections*, https://www.ipcc.ch/site/assets/uploads/2018/02/ar4-wg1-chapter10-1.pdf, 2018.

[5] All GWPs are given as 100-year GWP. Generally, GWPs were obtained from the Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report (AR4), with the addition of GPWs from the IPCCs Fifth Assessment Report for fluorinated GHGs that did not have GWPs in the AR4.

- Carbon Dioxide (CO_2). CO_2 is primarily generated by fossil fuel combustion in stationary and mobile sources. Due to the emergence of industrial facilities and mobile sources in the past 250 years, CO_2 emissions from fossil fuel combustion increased by a total of 3.7 percent between 1990 and 2018.[6] CO_2 is the most widely emitted GHG and is the reference gas (GWP of 1) for determining GWPs for other GHGs.
- Methane (CH_4). CH_4 is emitted from biogenic sources, incomplete combustion in forest fires, landfills, manure management, and leaks in natural gas pipelines. The United States' top three CH_4 sources are landfills, natural gas systems, and enteric fermentation. CH_4 is the primary component of natural gas, used for space and water heating, steam production, and power generation. The GWP of CH_4 is 25.
- Nitrous Oxide (N_2O). N_2O is produced by both natural and human related sources. Primary human related sources include agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuels, adipic acid production, and nitric acid production. The GWP of N_2O is 298.
- Hydrofluorocarbons (HFCs). Typically used as refrigerants for both stationary refrigeration and mobile air conditioning, use of HFCs for cooling and foam blowing is increasing, as the continued phase out of chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) gains momentum. The 100-year GWP of HFCs range from 12 for HFC-161 to 14,800 for HFC-23.
- Perfluorocarbons (PFCs). PFCs are compounds consisting of carbon and fluorine and are primarily created as a byproduct of aluminum production and semiconductor manufacturing. PFCs are potent GHGs with a GWP several thousand times that of CO_2, depending on the specific PFC. Another area of concern regarding PFCs is their long atmospheric lifetime (up to 50,000 years). The GWP of PFCs range from 7,390 to 12,200.
- Sulfur hexafluoride (SF_6). SF_6 is a colorless, odorless, nontoxic, nonflammable gas. SF_6 is the most potent GHG that has been evaluated by the IPCC with a GWP of 22,800. However, its global warming contribution is not as high as the GWP would indicate due to its low mixing ratio compared to CO_2 (4 parts per trillion [ppt] in 1990 versus 365 ppm, respectively).

In addition to the six major GHGs discussed above (excluding water vapor), many other compounds have the potential to contribute to the greenhouse effect. Some of these substances were previously identified as stratospheric ozone (O_3) depletors; therefore, their gradual phase out is currently in effect.

The following is a listing of these compounds:

- Hydrochlorofluorocarbons (HCFCs). HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, all developed countries that adhere to the Montreal Protocol are subject to a consumption cap and gradual phase out of HCFCs. The United States is scheduled to achieve a 100-percent reduction to the cap by 2030. The 100-year GWPs of HCFCs range from 77 for HCFC-123 to 2,310 for HCFC-142b.

[6] United States Environmental Protection Agency, *Draft Inventory of United States Greenhouse Gas Emissions and Sinks 1990 to 2022*, 2024.

- 1,1,1 trichloroethane. 1,1,1 trichloroethane, or methyl chloroform, is a solvent and degreasing agent commonly used by manufacturers. The GWP of methyl chloroform is 146 times that of CO_2.
- Chlorofluorocarbons (CFCs). CFCs are used as refrigerants, cleaning solvents, and aerosols spray propellants. CFCs were also part of the U.S. Environmental Protection Agency's (USEPA) Final Rule (57 Federal Register [FR] 3374) for the phase out of O_3 depleting substances. Currently, CFCs have been replaced by HFCs in cooling systems and a variety of alternatives for cleaning solvents. Nevertheless, CFCs remain suspended in the atmosphere contributing to the greenhouse effect. CFCs are potent GHGs with 100-year GWPs ranging from 4,750 for CFC-11 to 14,400 for CFC-13.

5.5.2 REGULATORY SETTING

Federal

To date, no national standards have been established for nationwide GHG reduction targets or regulations or legislation enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the Federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding

The USEPA's authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the USEPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the USEPA's assessment of the scientific evidence that form the basis for the USEPA's regulatory actions.

Presidential Executive Order 13783

Presidential Executive Order 13783, Promoting Energy Independence and Economic Growth (March 28, 2017), orders all Federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of carbon, nitrous oxide, and methane.

State

The State of California has adopted various administrative initiatives and legislation relating to climate change, much of which set aggressive goals for GHG emissions reductions Statewide. Although lead agencies must evaluate climate change and GHG emissions of projects subject to California Environmental Quality Act (CEQA), the CEQA Guidelines do not require or suggest specific methodologies for performing an assessment or specific thresholds of significance and do not specify GHG reduction mitigation measures. Instead, the CEQA Guidelines allow lead agencies to choose methodologies and make significance determinations based on substantial evidence, as discussed in further detail below. No State agency has promulgated binding regulations for analyzing GHG emissions, determining their significance, or mitigating significant effects in CEQA documents. Thus, lead agencies exercise their discretion in determining how to analyze GHGs.

California Global Warming Solutions Act (Assembly Bill 32)

The primary act that has driven GHG regulation and analysis in California include the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32) (Health and Safety Code Sections 38500, 38501, 28510, 38530, 38550, 38560, 38561–38565, 38570, 38571, 38574, 38580, 38590, 38592–38599), which instructs CARB to develop and enforce regulations for the reporting and verifying of Statewide GHG emissions. AB 32 directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. AB 32 set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of AB 32 is the requirement that Statewide GHG emissions be reduced to 1990 levels by 2020, which has been achieved.

Senate Bill 32 (SB 32)

Signed into law in September 2016, Senate Bill (SB) 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). This bill authorized CARB to adopt an interim GHG emissions level target to be achieved by 2030. The goals outlined in SB 32 update the scoping plan requirement of AB 32 and involve increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more electric vehicles (EV) on the road, improving energy efficiency, and curbing emissions from key industries. A companion bill, AB 197, was also signed in September 2016; the provisions of AB 197 were intended to provide more legislative oversight of CARB by adding two new legislatively appointed non-voting members to the CARB Board, creating the Joint Legislative Committee on Climate Change Policies to ascertain facts and make recommendations to the Legislature and the houses of the Legislature concerning the State's programs, policies, and investments related to climate change. AB 197 also prioritizes efforts to protect the State's most impacted and disadvantaged communities.

Executive Order S-3-05

Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The executive order directed the secretary of the California Environmental Protection Agency (CalEPA) to coordinate a multi-agency effort to reduce GHG emissions to the target levels. The secretary also submits biannual reports to the governor and California Legislature describing the progress made toward the emissions targets, the impacts of global climate change on California's resources, and mitigation and adaptation plans to combat these impacts. To comply with the executive order, the secretary of CalEPA created the California Climate Action Team (CAT), made up of members from various State agencies and commissions. The CAT released its first report in March 2006. The report proposed to achieve the targets by building on the voluntary actions of California businesses, local governments, and communities and through State incentive and regulatory programs.

Executive Order B-30-15

Issued in April 2015, under Executive Order B-30-15, Governor Brown directed the following:

- Established a new interim Statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030.
- Ordered all State agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets.
- Directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of $MMTCO_2e$.

Senate Bill 100 (SB 100)

SB 100 (Chapter 312, Statutes of 2018) requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours (kWh) of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, 60 percent by December 31, 2030, and 100 percent by December 31, 2045. The bill would require the California Public Utilities Commission (CPUC), California Energy Commission (CEC), State board, and all other State agencies to incorporate that policy into all relevant planning. In addition, SB 100 would require the CPUC, CEC, and State board to utilize programs authorized under existing statutes to achieve that policy and, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every four years thereafter, that includes specified information relating to the implementation of the policy.

Executive Order B-55-18

Issued by Governor Brown in September 2018, Executive Order B-30-15 established a new Statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. Based on this executive order, CARB would work with relevant State agencies to develop a framework for implementation and accounting that tracks progress towards this goal, as well as ensuring future scoping plans identify and recommend measures to achieve the carbon neutrality goal. This goal is in addition to

the existing Statewide GHG emissions reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

2022 Update to the CARB Scoping Plan

In response to the passage of AB 1279 and the identification of the 2045 GHG emissions reduction target, CARB published the Final 2022 Climate Change Scoping Plan in November 2022 (2022 Scoping Plan). The 2022 Scoping Plan builds upon the framework established by the 2008 Climate Change Scoping Plan and subsequent updates, while identifying a new, technologically feasible, cost-effective, and equity-focused path to achieve California's climate target. The 2022 Scoping Plan includes policies to achieve a significant reduction in fossil fuel combustion, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

The 2022 Scoping Plan assesses the progress California is making toward reducing its GHG emissions by at least 40 percent below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan; addresses recent legislation and direction from Governor Newsom; extends and expands upon these earlier plans; and implements a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, as well as taking an additional step of adding carbon neutrality as a science-based guide for California's climate work. As stated in the 2022 Scoping Plan, "the plan outlines how carbon neutrality can be achieved by taking bold steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the State's natural and working lands and using a variety of mechanical approaches." Specifically, the 2022 Scoping Plan includes the following:

- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030.
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels.
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California's most impacted communities as driving principles throughout the document.
- Incorporates the contribution of natural and working lands to the State's GHG emissions, as well as their role in achieving carbon neutrality.
- Relies on the most up-to-date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration, as well as direct air capture.
- Evaluates the substantial health and economic benefits of taking action.
- Identifies key implementation actions to ensure success.

Four scenarios were extensively modeled to develop the 2022 Scoping Plan to ensure that the State remains on track to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels. New and cutting-edge modeling tools allowed quantification of forests and other landscapes to remove and store carbon under the four scenarios. Accordingly, in addition to focusing on reducing GHG emissions from transportation, energy, and industrial sectors, the 2022 Scoping Plan includes modeling and quantification of GHG emissions and carbon sequestration in natural and working lands (NWL) and explores how they contribute to long-term climate goals. The scenario that was ultimately selected as the basis of the 2022 Scoping Plan is the one that most closely aligns with existing states and executive orders and best achieves the balance of cost-effectiveness, health benefits, and technological feasibility. Under this 2022 Scoping Plan Scenario, California's 2030 emissions are anticipated to be 48 percent below 1990 levels, representing an acceleration of the current SB 32 target. GHG emissions would be reduced through the use of local actions, building decarbonization, and a policy framework to advance sustainable and equitable communities. Cap-and-trade regulation continues to play a large factor in the reduction of near-term emissions for meeting the accelerated 2030 reduction target. Every sector of the economy will need to begin to transition in the 2030s to meet these GHG emissions reduction goals and achieve carbon neutrality no later than 2045. The 2022 Scoping Plan approaches decarbonization from two perspectives, managing a phasedown of existing energy sources and technologies, as well as increasing, developing, and deploying alternative clean energy sources and technology.

California State Climate Change Legislation

Table 5.5-1, *California State Climate Change Legislation*, provides a brief overview of other California legislation relating to climate change that may affect emissions associated with the proposed Project.

Table 5.5-1
California State Climate Change Legislation

Legislation	Description
Assembly Bill 1493 and Advanced Clean Cars Program	AB 1493 ("the Pavley Standard") (Health and Safety Code Sections 42823 and 43018.5) aims to reduce GHG emissions from noncommercial passenger vehicles and light-duty trucks of model years 2009 to 2016. By 2025, when all rules will be fully implemented, new automobiles of model years beyond 2016 will emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions.
Low Carbon Fuel Standard	Executive Order S-01-07 (2007) requires a 10-percent or greater reduction in the average fuel carbon intensity for transportation fuels in California. The regulation took effect in 2010 and is codified in Title 17, California Code of Regulations (CCR), Sections 95480–95490. The Low Carbon Fuel Standard (LCFS) reduced GHG emissions by reducing the carbon intensity of transportation fuels used in California by 10 percent in 2020. On November 8, 2024, CARB has approved changes to the LCFS with targets to reduce carbon intensity of the State's transportation fuel pool by 30 percent by 2030 and 90 percent by 2045. The amendments also increase support for zero-emission infrastructure, including medium- and heavy-duty vehicles.
Renewables Portfolio Standard (Senate Bill X1-2 and Senate Bill 350)	California's Renewables Portfolio Standard (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020. The 33-percent standard is consistent with the RPS goal established in the Scoping Plan. The passage of SB 350 in 2015 updates the RPS to require the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50 percent by December 31, 2030. SB 320 will make other revisions to the RPS program and to certain other requirements on public utilities and publicly owned electric utilities.
Senate Bill 375*	SB 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 also directs each of the State's 18 major metropolitan planning organizations to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). The Southern California Association of Governments (SCAG) was assigned targets of an eight-percent reduction in GHGs from transportation sources by 2020 and a 19-percent reduction in GHGs from transportation sources by 2035. In the SCAG region, SB 375 also provides the option for the coordinated development of subregional plans by the subregional councils of governments and the county transportation commissions to meet SB 375 requirements.

Table 5.5-1 (continued)
California State Climate Change Legislation

Legislation	Description
California Building Energy Efficiency Standards	In general, the California Building Energy Efficiency Standards require the design of building shells and building components to conserve energy. The CEC updates the Building Energy Efficiency Standards every three years by working with stakeholders in a public and transparent process. The 2022 Building Energy Efficiency Standards contained in the CCR, Title 24, Part 6 (also known as the California Energy Code) took effect on January 1, 2023.
California Green Building Standards Code	Title 24, Part 11, is referred to as the California Green Building Standards (CALGreen) Code and was developed to help the State achieve its GHG emissions reduction goals under AB 32 by codifying standards for reducing building-related energy, water, and resource demand, which in turn reduces GHG emissions from energy, water, and resource demand. The CALGreen Code establishes mandatory measures for new residential and nonresidential buildings, which include energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality.
Senate Bill 375 Government Code Sections 65080, 65400, 65583, 65584.01, 65584.02, 65584.04, 65587, 65588, 14522.1, 14522.2, and 65080.01	

Regional

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, the Regional Council of the Southern California Association of Governments (SCAG) formally adopted the Connect SoCal: 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS). The SCS portion of the 2020-2045 RTP/SCS highlights strategies for the region to reach the regional target of reducing GHGs from autos and light-duty trucks by 8 percent per capita by 2020, and 19 percent by 2035 (compared to 2005 levels). Specially, these strategies are to:

- Focus growth near destinations and mobility options;
- Promote diverse housing choices;
- Leverage technology innovations;
- Support implementation of sustainability policies; and
- Promote a green region.

Furthermore, the 2020-2045 RTP/SCS discusses a variety of land use tools to help achieve the State-mandated reductions in GHG emissions through reduced per capita vehicle miles traveled (VMT). Some of these tools include center focused placemaking, focusing on priority growth areas, job centers, transit priority areas, as well as high quality transit areas and green regions.

The most recent 2024-2050 RTP/SCS was adopted by SCAG's Regional Council in April 2024. The 2024-2050 RTP/SCS outlines a vision for a more resilient and equitable future, with investment, policies, and strategies for achieving the region's shared goals through 2050. The 2024-2050 RTP/SCS sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce GHG emissions from automobiles and light-duty trucks and achieve the GHG emissions reduction target for the region set by the CARB. In addition, the 2024-2050 RTP/SCS is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and federal Clean Air Act requirements. These are articulated in a set of Regional Strategic Investments, Regional Planning Policies, and Implementation Strategies. The Regional Planning Policies are a resource for County Transportation Commissions (CTCs) and local jurisdictions, who can refer to specific policies to demonstrate alignment with the 2024-2050 RTP/SCS when seeking resources from State or federal programs. The Implementation Strategies articulate priorities for SCAG efforts in fulfilling or going beyond the Regional Planning Policies.[7] While SCAG has adopted the 2024-2050 RTP/SCS, CARB has not yet certified it or approved SCAG's GHG emissions reduction calculations.

Local

Burbank2035 General Plan

Burbank2035, adopted in 2013, includes goals, policies, and programs that would reduce GHG emissions generated by land uses within the City. The implementation programs built on the goals and policies ensure that the overall direction set forth in Burbank2035 is translated from general ideas to actions. Programs that would reduce GHG emissions include Mobility Programs M-6 (Transit System), M-7 (Bicycle Master Plan and Pedestrian Master Plan), and M-10 (Transportation Demand Management). Burbank2035 also includes an Air Quality and Climate Change Element, which is an optional element (i.e., not required by State law), pursuant to California Government Code Section 65303. The Air Quality and Climate Change Element is specifically designed to reduce the City's air pollutant emissions and comply with Statewide goals. The Air Quality and Climate Change Element contains the following goals and policies that reduce potential GHG impacts:

GOAL 1 REDUCTION OF AIR POLLUTION: The health and sustainability of the city, county, and Basin are improved by planning and programs that reduce air pollutants. Policies that reduce fossil fuel combustion (by reducing vehicle miles traveled and promoting conservation and use of renewable energy) lessen adverse impacts on both air quality and climate change.

Policy 1.5: Require projects that generate potentially significant levels of air pollutants, such as landfill operations or large construction projects, to incorporate best available air quality and greenhouse gas mitigation in project design.

[7] Southern California Association of Governments, *Connect SoCal: A Plan for Navigating to a Brighter Future (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy)*, adopted April 4, 2024.

Policy 1.7: Require reduced idling, trip reduction, and efficiency routing of transportation for City departments, where appropriate.

Policy 1.9: Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles, and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities in residential developments and employment centers to accommodate these vehicles.

Policy 1.10: Give preference to qualified contractors using reduced-emission equipment for City construction projects and contracts for services, as well as businesses that practice sustainable operations.

GOAL 3 REDUCTION OF GREENHOUSE GAS EMISSIONS: **Burbank seeks a sustainable, energy-efficient future and complies with statewide greenhouse gas reduction goals.**

Policy 3.1: Develop and adopt a binding, enforceable reduction target and mitigation measures and actions to reduce community-wide greenhouse gas emissions within Burbank by at least 15 percent from current levels by 2020.

Burbank2035 Greenhouse Gas Reduction Plan

The City prepared and adopted the *Greenhouse Gas Reduction Plan* (GGRP) on February 19, 2013; the document has since been updated as of May 3, 2022. The GGRP is an implementing document for Burbank2035. The GGRP provides an inventory of current GHG emissions in Burbank. In addition, emission reduction measures and actions presented in the GGRP implement the goals, policies, and implementation actions of the Air Quality and Climate Change Element to reduce GHG emissions and improve overall air quality and environmental health.

The GGRP identifies GHG reduction measures that would apply to different types of future projects. For each measure, the GGRP either reinforces the implementation of current codes and ordinances or directs changes to the City's codes and ordinances that would result in GHG reductions. The GGRP requires all new projects to comply with these codes and ordinances, as applicable. The updated GGRP has also adopted a quantified GHG emission threshold for future developments to determine if they would contribute to significant GHG emissions within the City. To be consistent with the GGRP, future developments must meet the GHG efficiency threshold of 3.12 $MTCO_2e$ per service person.[8] This threshold would apply for any development with a pre-2030 buildout or initial operational year. For projects that do not meet this efficiency threshold, they would be required to incorporate mitigation measures to reduce their operational emissions. For projects that exceed the efficiency threshold, even with incorporation of mitigation measures, would result in a significant and unavoidable environmental impact.

[8] Service person refers to the residential population and number of jobs the development would propose. The City of Burbank includes hotel patrons occupying a hotel in service person.

5.5.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to GHG emissions if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (refer to Impact Statement GHG-1); and/or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG (refer to Impact Statement GHG-1);

Additionally, the environmental analysis in this section uses the GHG efficiency threshold of 3.12 $MTCO_2e$ per service person outlined in the GGRP. As previously discussed, any project that exceeds this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions below the GHG efficiency threshold.

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are sometimes qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.5.4 IMPACTS AND MITIGATION MEASURES

GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact Analysis:

Project-Related Sources of Greenhouse Gases

Per the GGRP, the City has adopted a GHG efficiency threshold of 3.12 $MTCO_2e$ per service population as the significance threshold for assessing impacts related to GHG emissions.[9] The methodology for evaluating the Project's impacts related to GHG emissions focuses on the GHG efficiency threshold. Based on occupancy data for the period of June 2023 to June 2024 provided by Marriott Hotel, the average occupancy rate is 1.4 persons per reservation. This data is specific to the Los Angeles Marriott Burbank Airport Hotel. As such, the proposed 420 rooms would have an occupancy rate of approximately 588 persons. With the 85 proposed employees, the proposed Project would have a service population of 673 individuals.

[9] According to the GGRP, service population refers to residential population plus employment. (See GGRP, Appendix G, p. 36.) The City of Burbank includes hotel patrons occupying a hotel in the service population. As the proposed Project is a hotel, the occupancy of hotel rooms and employees would reflect the service population.

The analysis also calculates the amount of GHG emissions that would be attributable to the Project using recommended emissions calculations models, as described below. The primary purpose of quantifying the Project's GHG emissions is to compare the Project's GHG efficiency ratio with the GGRP's GHG efficiency threshold. The estimated emissions inventory is also used to determine if there would be a reduction in the Project's incremental contribution of GHG emissions as a result of compliance with regulations and requirements adopted to implement plans for the reduction or mitigation of GHG emissions.

The proposed Project would result in direct and indirect emissions of CO_2, N_2O, and CH_4 and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct Project-related GHG emissions include emissions from construction activities, area sources, mobile sources, and refrigerants, while indirect sources include emissions from energy consumption, water demand, and solid waste generation. The most recent version of the California Emissions Estimator Model (CalEEMod), version 2022.1.1, was used to calculate direct and indirect Project-related GHG emissions. Table 5.5-2, *Estimated Greenhouse Gas Emissions Without Project Design Features*, presents the estimated CO_2, N_2O, and CH_4 emissions of the proposed Project without the incorporation of GHG reducing Project design features. Construction emissions would be required to comply with applicable regulations (i.e., SCAQMD Rule 402, Rule 403, etc.). However, it should be noted that the trip generation provided by Fehr & Peers, dated August 2024, (refer to Appendix K) has trip credits due to the site's location to transit, biking, and walking infrastructure. CalEEMod outputs are contained within Appendix C.

Table 5.5-2
Estimated Greenhouse Gas Emissions Without Project Design Features

Source	CO_2	CH_4	N_2O	Refrigerant	CO_2e[1]
	Metric tons per year[1,2]				
Direct Emissions					
Construction (amortized over 30 years)[3]	59.58	<0.01	<0.01	0.04	60.59
Area Source	9.54	<0.01	<0.01	-	9.57
Mobile Source	3,986.00	0.19	0.17	3.95	4,044.00
Refrigerants	-	-	-	67.90	67.90
Total Direct Emissions	***4,055.12***	***0.19***	***0.17***	***71.89***	***4,182.06***
Indirect Emissions					
Energy Consumption	471.00	0.07	0.01	-	475.00
Solid Waste	20.5	2.05	0.00	-	71.80
Water Demand	11.6	0.35	0.01	-	22.80
Total Indirect Emissions	***503.1***	***2.47***	***0.02***	***0.00***	***569.6***
Total Project-Related Emissions[4]	***4,751.66 $MTCO_2e$ per year***				
GGRP GHG Efficiency Threshold[5]	***3.12 $MTCO_2e$ per Service Population***				
Project's Unmitigated GHG Emission Per Service Population[6]	***7.06 $MTCO_2e$ per Service Population***				
Thresholds Exceeded?	***Yes***				

Notes:
1. Carbon dioxide equivalent = CO2e; metric tons of carbon dioxide equivalent per year = MTCO2e per year.
2. The total CO2e is based on the combined global warming potential of all pollutants (CO2, CH4, N2O, and refrigerants). It should be noted that CH4 and N2O does not have a one-to-one conversion to CO2e. For example, 1 kilogram of CH4 is equivalent to 29.8 kilograms of CO2.
3. Total Project construction GHG emissions equate to 1,801.8 MTCO2e. Value shown is amortized over the lifetime of the Project (assumed to be 30 years). Construction includes compliance with regulatory requirements (i.e., SCAQMD Rule 403, Rule 402, etc.)
4. Project emissions were calculated using CalEEMod version 2022.1.2. Totals may be slightly off due to rounding.
5. Service person refers to the residential population and number of jobs the development would provide.
6. The Project has a service population of 673 individuals. As such the Project's GHG emissions were divided by 673.

Source: Refer to Appendix C, for detailed model input/output data.

Table 5.5-3, *Estimated Greenhouse Gas Emissions With Project Design Features*, presents the estimated CO_2, N_2O, and CH_4 emissions of the proposed Project with the incorporation of GHG reducing Project design features. Project design features modeled in CalEEMod includes photovoltaic panels for on-site renewable energy production (11 percent of the total annual consumption), exceeding the most current Title 24 standards by 10 percent, installing energy efficient lighting, installing energy efficient appliances, low flow water fixtures, water efficient landscaping, and all-electric landscaping equipment. CalEEMod outputs are contained within Appendix C.

Table 5.5-3
Estimated Greenhouse Gas Emissions With Project Design Features

Source[7]	CO_2	CH_4	N_2O	Refrigerant	CO_2e[1]
	Metric tons per year[1,2]				
Direct Emissions					
Construction (amortized over 30 years)[3]	59.58	<0.01	<0.01	0.04	60.59
Area Source	-	-	-	-	-
Mobile Source	3,986.00	0.19	0.17	3.95	4,044.00
Refrigerants	-	-	-	67.90	67.90
Total Direct Emissions	***4,045.58***	***0.19***	***0.17***	***71.89***	***4,172.49***
Indirect Emissions					
Energy Consumption	404.00	0.06	0.01	-	407.00
Solid Waste	20.5	2.05	0.00	-	71.80
Water Demand	10.3	0.31	0.01	-	20.20
Total Indirect Emissions	***434.80***	***2.42***	***0.02***	***0.00***	***499.00***
Total Project-Related Emissions[4]	***4,671.49 $MTCO_2e$ per year***				
GGRP GHG Efficiency Threshold[5]	***3.12 $MTCO_2e$ per Service Population***				
Project's Unmitigated GHG Emission Per Service Population[6]	***6.94 $MTCO_2e$ per Service Population***				
Thresholds Exceeded?	***Yes***				

Notes:
1. Carbon dioxide equivalent = CO2e; metric tons of carbon dioxide equivalent per year = MTCO2e per year.
2. The total CO2e is based on the combined global warming potential of all pollutants (CO2, CH4, N2O, and refrigerants). It should be noted that CH4 and N2O does not have a one-to-one conversion to CO2e. For example, 1 kilogram of CH4 is equivalent to 29.8 kilograms of CO2.
3. Total Project construction GHG emissions equate to 1,801.8 MTCO2e. Value shown is amortized over the lifetime of the Project (assumed to be 30 years). Construction includes compliance with regulatory requirements (i.e., SCAQMD Rule 403, Rule 402, etc.)
4. Project emissions were calculated using CalEEMod version 2022.1.2. Totals may be slightly off due to rounding.
5. Service person refers to the residential population and number of jobs the development would provide.
6. The Project has a service population of 673 individuals. As such the Project's GHG emissions were divided by 673.
7. Project design features include photovoltaic panels for on-site renewable energy production (11 percent of the total annual consumption), exceeding the most current Title 24 standards by 10 percent, installing energy efficient lighting, low flow water fixtures, water efficient landscaping, and all-electric landscaping equipment.

Source: Refer to Appendix C, for detailed model input/output data.

As the proposed Project would exceed the GGRP efficiency threshold of 3.12 $MTCO_2e$ per service population even with incorporation of Project design features, the Project would be required to implement Mitigation Measure GHG-1; refer to Table 5.5-3. Mitigation Measure GHG-1 would require the incorporation of Tier 2 requirements of the 2022 CALGreen Code. Per the CALGreen Code, Tier 2 requirements are typically voluntary tiers that add additional requirements beyond the mandatory measures. Mitigation Measure GHG-1 includes the following features: preparation of a Transportation Management Plan, joining the Burbank Transportation Management Organization, owning a clean-fuel

vehicle fleet, and no wood-burning or gas-powered fireplaces. However, it should be noted that these features are not quantifiable in CalEEMod.

Direct Project-Related Source of Greenhouse Gases

Construction Emissions. Construction GHG emissions are amortized (i.e., total construction emissions divided by the lifetime of the Project, assumed to be 30 years),[10,11] then added to the operational emissions. As seen in Table 5.5-2 and Table 5.2-3, construction of the proposed Project would result in a total of 60.59 $MTCO_2e$ (amortized over 30 years).

Area Sources. Area source emissions would be generated due to an increased demand for fuel associated with the development of the proposed Project. The primary use of fuel that produces area source emissions by the Project would be for landscaping. As indicated in Table 5.5-2, the proposed Project without Project design features would directly result in 9.57 $MTCO_2e$ per year. However, the Project would utilize all electric landscaping equipment (e.g., lawnmowers, hedge trimmers, leaf blowers). As such, with incorporation of Project design features, the Project would not result in GHG emissions from area source emissions; refer to Table 5.5-3.

Mobile Source Emissions. According to the trip generation provided by Fehr & Peers, the proposed Project would generate 4,315 daily trips. As previously stated, the trip generation provided by Fehr & Peers considers trips without passengers (valet, ridesharing, etc.). As such, the Project would result in approximately 4,044.00 $MTCO_2e$ per year of mobile source generated GHG emissions; refer to Table 5.5-2 and Table 5.5-3.

However, as discussed, the proposed Project would incorporate Mitigation Measure GHG-1 which includes the following features: preparation of a Transportation Management Plan, joining the Burbank Transportation Management Organization, and owning a clean-fuel vehicle fleet. These features would help reduce GHG emissions relating to mobile sources. Specifically, the Transportation Management Plan and the Burbank Transportation Management Organization would provide incentives to employees such as employee carpooling programs, reduced public transit fares, and ridesharing opportunities. Additionally, the clean-fuel vehicle fleet would reduce GHG emissions from vehicles used by employees for work. However, as discussed above, the GHG reduction potential of these features are not quantifiable in CalEEMod. Even though these features are not quantifiable in CalEEMod, the incorporation of Mitigation Measure GHG-1 would reduce GHG emissions for mobile sources below 4,044.00 $MTCO_2e$ per year. However, this reduction would likely not reduce emissions to a less than significant impact.

Refrigerants. Refrigerants are substances used in equipment for air conditioning and refrigeration. Most of the refrigerants used today are HFCs or blends thereof, which can have high GWP values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a GWP that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over

[10] In accordance with the SCAQMD guidance, projected GHGs from construction have been quantified and amortized over 30 years, which is the number of years considered to represent the life of the Project. The amortized construction emissions are added to the annual average operational emissions.

[11] South Coast Air Quality Management District, *Interim CEQA Greenhouse Gas Significance Threshold*, October 2008.

the equipment lifetime, and then derives average annual emissions from the lifetime estimate. The proposed Project includes land uses that would have air conditioning and refrigeration onsite. The Project would directly result in a 67.90 $MTCO_2e$ per year from refrigerants; refer to Table 5.5-2 and Table 5.5-3.

Indirect Project-Related Source of Greenhouse Gases

Energy Consumption. Energy consumption emissions were calculated using the CalEEMod model and Project-specific land use data. Electricity would be provided to the Project site via Burbank Water and Power (BWP). As shown in Table 5.5-2, the proposed Project's energy consumption without Project design features would result in approximately 475.00 $MTCO_2e$ per year of GHG emissions. Table 5.5-3 considers the incorporation of various design features such as exceeding the most recent Title 24 Building Energy Efficiency Standards by 10 percent, generating approximately 11 percent of the total annual energy consumption from onsite photovoltaic panels, installing high efficiency lighting, and requiring energy efficient appliances. The Project would indirectly result in 407.00 $MTCO_2e$ per year of GHG emissions due to energy consumption with Project design features; refer to Table 5.5-3.

Water Demand. The proposed Project would consume approximately 11.6 million gallons of water per year. As shown in Table 5.5-2, the proposed Project's water consumption without Project design features would result in approximately 22.80 $MTCO_2e$ per year of GHG emissions. However, it should be noted that the Project would include Project design features such as installing low-flow fixtures, designing water efficient landscaping, and including water efficient irrigation. Emissions from indirect energy consumption due to extraction, treatment, and transmission of water supply would result in 20.20 $MTCO_2e$ per year with incorporation of Project design features; refer to Table 5.5-3.

Solid Waste. Solid waste disposal at landfills associated with operations of the proposed Project would result in 71.80 $MTCO_2e$ per year; refer to Table 5.5-2 and Table 5.5-3.

Total Project-Related Sources of Greenhouse Gases

As shown in Table 5.5-2, Project-related GHG emissions from direct and indirect sources without Project design features would total 4,751.66 $MTCO_2e$ per year. However, the Project would incorporate various design features (i.e., energy efficient appliances, onsite renewable energy generation, water efficient irrigation, etc.) that would reduce GHG emissions. As such, incorporation of these design features would reduce GHG emissions to approximately 4,671.49 $MTCO_2e$ per year; refer to Table 5.5-3.

Conclusion

As shown in Table 5.5-3, the proposed Project with incorporation of Project design features would result in approximately 4,671.49 MTCO2e per year. Based on a service population of 673 individuals (588 per occupancy data and 85 employees), the proposed Project would have a GHG efficiency ratio of 6.94 $MTCO_2e$ per service population. This would exceed the GGRP efficiency threshold of 3.12 MTCO2e per service population. As previously discussed, any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible.

The primary source of Project-related emissions would be from mobile-source emissions generated by the Project-related vehicle trips, followed by energy sector emissions and solid waste sector emissions. Most of the Project-related emissions come from mobile sources, which primarily depend on the

prerogative of future employees and visitors regarding their preferred methods of transportation; refer to Table 5.5-3. In addition, fuel efficiency and emission standards are regulated at the State level, and these regulations are becoming more stringent over the years to reduce mobile source emissions. The proposed Project has development standards and design features that contribute to reducing GHG emissions. Design features include the following: all electric landscaping equipment, exceeding the most recent Title 24 standards, onsite renewable energy generation, energy efficient appliances, high efficiency lighting, drought tolerant landscaping, low flow fixtures, and water efficient irrigation. These design features would minimize GHG emissions during operation. However, it should be noted that even with the implementation of these design features, the Project's GHG emissions would be slightly reduced but would continue to exceed the GHG efficiency threshold of 3.12 $MTCO_2e$ per service population as outlined by the GGRP. As previously discussed, any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible.

Therefore, to reduce the GHG emissions to maximum extent, this analysis has used the *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers* (Handbook), prepared by California Air Pollution Control Officers Association (CAPCOA), dated December 2021. CAPCOA is a non-profit association of the Air Pollution Control Officers from all 35 local air quality agencies (including SCAQMD) throughout California. This Handbook was given an Award of Excellence for Best Practices by the California American Planning Association and is integrated into CalEEMod to quantify GHG emission reduction from feasible measures. The Handbook provides methods to quantify GHG emission reductions from a specified list of measures, primarily focused on project-level actions. The Handbook also includes a method to assess potential benefits of different climate vulnerability reduction measures, as well as measures that can be implemented to improve health and equity, again at the project level. CAPCOA included a wide range of measures in the Handbook that are frequently used to reduce GHG emissions. Table 5.5-4, *Applicable CAPCOA GHG Emission Reduction Measures*, shows the applicable GHG reduction measures for the proposed Project.

Table 5.5-4
Applicable CAPCOA GHG Emission Reduction Measures

GHG Reduction Measure	Applicability	Implementation
Transportation		
Land Use: T-3. Provide Transit-Oriented Development. T-17. Improve Street Connectivity	The Project is located within a Transit Priority Area (TPA). TPAs are defined as the 0.5-mile radius around an existing or planned major transit stop or an existing stop along a High-Quality Transit Corridor (HQTC). The Project is also located near existing Metro bus stops along Thornton Avenue. Further, the Project site is located within an urbanized area that provides pedestrian circulation opportunities, given that it fronts existing sidewalks to the north and west providing connection and access to existing commercial and neighborhood-serving retail uses.	Incorporated into Project Description. No additional implementation required.
Trip Reduction Programs: T-5. Implement Commute Trip Reduction Program (Voluntary). T-6. Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring). T-7. Implement Commute Trip Reduction marketing. T-8. Provide Ridesharing Program. T-9. Implement Subsidized or Discounted Transit Program. T-10. Provide End-of-Trip Bicycle Facilities. T-11. Provide Employer-Sponsored Vanpool.	The Project is required to implement Mitigation Measure GHG-1 that requires the Project to implement voluntary and mandatory trip reduction measures. The proposed Project would join the Burbank Transportation Management Organization which would include the Metro Employer Pass Program. The Metro Employer Pass Program would allow for discounted employee public transportation commuting passes. Participation in the Burbank Transportation Management Organization would also allow the Project to participate in commute trip reduction marketing and outreach opportunities. The proposed Project would also include bike parking that would serve cyclists who are traveling to the site for retail or visiting purposes.	Prior to issuance of occupancy permits for the Project, the Project applicant shall prepare a Transportation Management Plan, subject to the review and approval of the Transportation Planning Division, which includes voluntary and mandatory trip reduction measures, such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, including, but not limited to, carpooling/vanpooling, taking transit, walking, and biking, implementing employee parking cash-outs, thereby reducing VMT and GHG emissions.

Table 5.5-4 (continued)
Applicable CAPCOA GHG Emission Reduction Measures

GHG Reduction Measure	Applicability	Implementation
T-13. Implement Employee Parking Cash-Out.		
Parking or Road Pricing/Management: T-14. Provide Electric Vehicle Charging Infrastructure.	Incorporated into Project Description. The Project would provide 390 new EV-ready parking spaces, of which 140 would be equipped with EV chargers. The number of EV spaces provided would exceed the requirements of the California Building Code, as well as exceed the number required under BMC Section 9-1-11-4.510 (40-45 percent EV-ready and 15 percent with chargers).	Incorporated into Project Description. No additional implementation required.
Neighborhood Design: T-18. Provide Pedestrian Network Improvement. T-19-A. Construct or Improve Bike Facility. T-19-B. Construct or Improve Bike Boulevard. T-20. Expand Bikeway Network.	Incorporated into Project Description. The Project would provide sidewalk improvements and construction of a new raised, protected bikeway; refer to Section 3. Additionally, the proposed project would include bicycle parking, which would encourage the use of cycling as an alternative mode of transportation. Additionally, sidewalk improvements and landscaping throughout the site would encourage a pedestrian friendly neighborhood.	Incorporated into Project Description. No additional implementation required.
Transit: T-25. Extend Transit Network Coverage or Hours. T-26. Increase Transit Service Frequency. T-27. Implement Transit-Supportive Roadway Treatments. T-28. Provide Bus Rapid Transit. T-29. Reduce Transit Fares.	Not applicable. While the Project is located within a TPA and in proximity to existing Metro bus stops along Thornton Avenue providing opportunity to use alternative mode of transportation, it would not create an independent funding source for transit, which is the responsibility of Metro and other transit providers beyond the scope of the Project.	Not Applicable.

Table 5.5-4 (continued)
Applicable CAPCOA GHG Emission Reduction Measures

GHG Reduction Measure	Applicability	Implementation
Clean Vehicles and Fuels: T-30. Use Cleaner-Fuel Vehicles	The Project is required to implement Mitigation Measure GHG-1 that requires the Project to use a cleaner-fuel vehicle fleet. Cleaner-fuel vehicles addressed in this measure include EVs, natural gas and propane vehicles, and vehicles powered by biofuels, such as composite diesel (blend of renewable diesel, biodiesel, and conventional fossil diesel), ethanol, and renewable natural gas.	Prior to issuance of occupancy permits for the Project, the Project applicant shall demonstrate that any new vehicles owned and operated by the Project to provide transport between the Hollywood Burbank Airport and the proposed Project shall be clean-fuel vehicles, thereby reducing GHG emissions. It should be noted, the proposed Project would share the existing shuttle fleet from the existing hotel. Sharing the fleet would ensure that existing vehicles are utilized through their end of the life cycle.
Energy		
Energy Efficiency Improvements: E-1. Buildings Exceed Title 24 Building Envelope Energy Efficiency Standards. E-2. Require Energy Efficient Appliances. E-3-B. Require Energy Efficient Commercial Packaged Boilers. **Renewable Energy Generation:** E-10-B. Establish Onsite Renewable Energy Systems – Solar Power. **Building Decarbonization:** E-13. Install Electric Ranges in Place of Gas Ranges. E-15. Require All-Electric Development.	Incorporated into Project Description. The Project would exceed the most recent Title 24 Building Energy Efficiency Standards by approximately 10 percent and would include onsite solar renewable energy generation, energy efficient appliances, and high efficiency lighting.	Incorporated into Project Description. No additional implementation required.

Table 5.5-4 (continued)
Applicable CAPCOA GHG Emission Reduction Measures

GHG Reduction Measure	Applicability	Implementation
Water		
W-4. Require Low-Flow Water Fixtures. W-5. Design Water-Efficient Landscapes. W-6. Reduce Turf in Landscapes and Lawns. W-7. Adopt a Water Conservation Strategy.	Incorporated into Project Description. The Project would include drought tolerant landscaping, low flow fixtures, and water efficient irrigation as a part of water conservation strategy.	Incorporated into Project Description. No additional implementation required.
Lawn and Landscaping		
LL-1. Replace Gas Powered Landscape Equipment with Zero-Emission Landscape Equipment.	Incorporated into Project Description. The Project would include all electric landscaping equipment.	Incorporated into Project Description. No additional implementation required.
Source: California Air Pollution Control Officers Association, *Handbook for Local Governments, Communities, and Project Developers for Assessing Greenhouse Gas Emissions Reductions, Climate Vulnerabilities, and Health and Equity: Designed for Local Governments, Communities, and Project Developers,* dated December 2021.		

Based on Table 5.5-4, the Project would incorporate a majority of the GHG reduction measures as a part of the Project's description. However, the Project would be required to implement Mitigation Measure GHG-1, which requires the Project applicant to implement additional features in the Project that would reduce GHG emissions, including preparing a Transportation Management Plan, which includes voluntary and mandatory trip reduction measures, such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, including, but not limited to, carpooling, taking transit, walking, and biking, implementing employee parking cash-outs and purchasing carbon offsets, thereby reducing VMT and GHG emissions to the maximum extent feasible. Pursuant to Mitigation Measure GHG-1, the Project applicant would also be required to join the Burbank Transportation Management Organization (TMO), which is a private-sector, non-profit organization that gathers employers, developers, building owners, and employees to develop policies, programs, and services to reduce transportation use and improve air quality. The Burbank TMO would require the Applicant to become a paying member to fund services that reduce single-occupancy automotive travel and encourages participating members to use public transit, carpooling, vanpooling, walking, and biking to work. Participating members would allow employees to access the following services:

- Metro Employer Pass Program: Metro would offer Employer Pass Programs, which would allow participating members to reduce the cost of employee commuting passes and act as a tax benefit for the employers.
- Online Vanpool and Ride-matching: Participating with the Burbank TMO would encourage the use of online matching programs, which help commuting employees match with other commuting employees to a similar destination.

- Bike and Walk to Workday: Metro would offer free commuting passes for the week, which would encourage the use of clean alternative modes of transportation. Additionally, participating members may include incentives and programs, which would reward participating employees.

Additionally, the Burbank TMO would also keep participating members updated about transit, bike, and carpool resources within the City; relevant construction and closures that may impact commutes; and transit route/fare changes. The Burbank TMO collects surveys from participating employees, utilization data, and commute trip lengths, which would help the City develop better future transportation plans and programs. As discussed above, these GHG reducing features that address mobile source emissions are not quantifiable in CalEEMod. However, even with the implementation of GHG reducing design features and Mitigation Measure GHG-1, Project-related GHG impacts would still exceed the City's GGRP thresholds and result in a significant and unavoidable impact.

Nevertheless, the proposed Project would result in a GHG efficiency ratio of 6.94 $MTCO_2e$ per service population even after the incorporation of design features that would reduce GHG emissions. As previously discussed, incorporation of Mitigation Measure GHG-1 is not quantifiable within CalEEMod. Nevertheless, incorporation of Mitigation Measure GHG-1 would reduce GHG emissions below 6.94 $MTCO_2e$ per service population but would still result in emissions that exceed the applicable threshold. Thus, the Project's GHG emissions would still exceed the GGRP's GHG efficiency threshold of 3.12 $MTCO_2e$ per service population. As such, impacts in this regard would be significant and unavoidable.

Mitigation Measures:

GHG-1 Prior to the issuance of building permits, the Project applicant shall provide documentation (e.g., building plans, site plans) to the City of Burbank Community Development Department to verify implementation of the design requirements specified in this mitigation measure. Prior to the issuance of the certificate of occupancy, the City shall verify implementation of these design requirements:

- The Project applicant shall prepare a Transportation Management Plan with the help of certified Traffic Engineer which includes voluntary and mandatory trip reduction measures such as discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation such as carpooling, taking transit, walking, and biking, implementing employee parking cash-outs, thereby reducing VMT and GHG emissions. The Transportation Management Plan shall grant all employees located within the Project site eligibility to participate. The Transportation Management Plan shall be reviewed and approved by the Transportation Planning Division.

- The Project applicant shall join the Burbank Transportation Management Organization (TMO), which helps provide services to employees that encourages the use of public transit, carpooling, vanpooling, walking, and biking.

- The Project applicant shall demonstrate to the Planning Division that new vehicles owned and operated by the Project operators that provide transport between the Hollywood Burbank Airport and the Project will be clean-fuel vehicles.

- No wood-burning or gas-powered fireplaces shall be installed in the proposed development.

- All major appliances provided/installed (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) shall be electric-powered EnergyStar-certified or of equivalent energy efficiency, where applicable.

Level of Significance: Significant and Unavoidable Impact.

GHG-2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Analysis:

Consistency with Applicable GHG Plans, Policies, or Regulations

The following analysis focuses on the Project's consistency with Statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions. Several plans and policies have been adopted to reduce GHG emissions in the Southern California region. The following discussion analyzes the Project's consistency with the GGRP, 2020-2045 RTP/SCS, and 2022 Scoping Plan. Some Statewide GHG regulations, including SB 32 and Executive Order S-3-05, are not analyzed because these regulations are focused on Statewide GHG emission reduction targets and are not applicable to individual development projects. In addition, the 2022 Scoping Plan includes all the actions that need to be taken to achieve the targets established in SB 32 and Executive Order S-3-05. Therefore, projects that are consistent with 2022 Scoping Plan could demonstrate consistency with SB 32 and Executive Order S-3-05 and contribution of their fair share of GHG emission reductions. The GGRP was adopted to guide the City in reducing GHG emissions consistent with the targets set out by AB 32. Additionally, the GGRP fulfills the requirements of CEQA Guidelines Section 15183.5, and consistency with the GGRP allows for the CEQA analysis to be streamlined by presuming that a project's GHG emissions would not be significant. As discussed above, the Project's GHG emissions would exceed the GGRP significance threshold of 3.12 $MTCO_2e$ per service population, and impacts would remain significant even with the incorporation of Mitigation Measure GHG-1.

Burbank2035 Greenhouse Gas Reduction Plan

The GGRP identifies GHG reduction measures that would apply to different types of future projects. The GGRP requires all new projects to comply with these codes and ordinances, as applicable. Project consistency with the mandatory GGRP measures is discussed in Table 5.5-5, *Consistency with the City's Greenhouse Gas Reduction Plan*.

Table 5.5-5
Consistency with the City's Greenhouse Gas Reduction Plan

GGRP Measures	Project Consistency
Strategy BE-1: Building Energy	
Measure BE-1.1: Electrify 100% of new construction in the City by 2023.	Consistent. As previously discussed, the proposed Project would be an all-electric development that would not have any natural gas consumption. Additionally, the proposed Project would have onsite photovoltaic panels that would generate approximately 425 kWh of renewable energy per year. The Project would also be built to exceed the most recent Title 24 Build Energy Efficiency Standards by 10 percent which includes the installation of photovoltaic panels that would generate 11 percent of the Project's annual electricity consumption), installation of energy efficient appliances, and installation of energy efficient lighting. Exceeding the most recent Title 24 Build Energy Efficiency Standard would reduce overall energy consumption. The Project would also include the installation of high efficiency light emitting diode (LED) lighting and energy efficient appliances. Thus, the Project would incorporate energy efficiency practices and would be consistent with these measures. Based on the Business Rebate Program, new construction are provided incentives that are paid at a rate of 0.05 cents per kWh of annual saving in excess of Title 24 standards. As the Project exceeds the Title 24 standards, the proposed development is eligible to participate in this rebate program that incentivizes energy efficiency.
Measure BE-1.3: Continue to increase building energy efficiency through BWP's rebate and incentive programs to reduce annual customer energy use by a collective 63 GWh by 2030.	

Table 5.5-5 (continued)
Consistency with the City's Greenhouse Gas Reduction Plan

GGRP Measures	Project Consistency
Strategy T-2: Transportation Demand Management	
Measure T-2.1: Continue Transportation Management Organization (TMO) Expansion, reaching 60% of employees by 2030 and 90% by 2045.	Consistent. This measure requires participation of all new businesses with 25 or more employees located within the City's Transportation Management Organization (TMO) boundary to participate in the TMO program to reduce VMT. The proposed Project is not located within the mandatory TMO boundary; as such, the Project is not required to participate in the City's TMO. However, participation in the TMO is required per Mitigation Measure GHG-1. Prior to the issuance of building permits, the Project applicant shall provide documentation to the City of Burbank Community Development Department that the Project applicant joined the TMO program. Joining the Burbank TMO would require the Applicant to become a paying member, which would then be used to fund services that would reduce single-occupancy automotive travel and encourage the use of alternative modes of transportation for employees. Such services include, but is not limited to, a carpooling matching program, which would match nearby riders to a shared destination and a vanpool group subsidy program. Additionally, the Project is an infill development and is located within 0.29 mile of a transit station. Further, the Project would provide bicycle racks in the covered terrace area of the Hotel which would be an end-of-trip bicycle facility that would promote an alternative transportation option. As such, the proposed Project would participate in the Burbank TMO which would allow for all eligible employees to participate, reducing overall single occupancy vehicle trips. Additionally, the Project's location to nearby transit stations and installation of bicycle facilities would encourage the use of other transportation options besides single-occupancy travel. As such, the Project is consistent with these measures.
Measure T-2.2: Update the TMO program and ordinance to increase compliance with the City's 1.61 Average Vehicle Ridership (AVR) Goal to reduce employees commuting to Burbank via single occupancy vehicle. Require 30% of TMO businesses achieve the 1.61 AVR target by 2030, and 60% by 2045.	
Strategy T-3: Zero Emission Vehicles	
Measure T-3.1: Increase zero-emission vehicle adoption to 23% of all passenger vehicles by 2030 and 100% by 2045.	Consistent. The proposed Project would include 390 new EV-ready parking spaces, of which 140 would be equipped with EV chargers. The number of EV spaces provided would exceed the requirements of the California Building Code, as well as the number required under BMC Section 9-1-11-4.510 (40-45 percent EV-ready and 15 percent with chargers). As such, the proposed Project would be consistent with this measure.

Table 5.5-5 (continued)
Consistency with the City's Greenhouse Gas Reduction Plan

GGRP Measures	Project Consistency
Strategy W-1 Water-Energy Nexus	
Measure W-1.1: Reduce per capita water consumption from current levels of 132 GPCD (gallons per capita per day) to 124 GPCD by 2030 (a 6.1% reduction) and to 120.5 GPCD by 2045 (an 8.7% reduction).	Consistent. As previously discussed, the Project would incorporate design features that would help minimize excessive water consumption. These design features include water efficient irrigation, drought tolerant landscaping, and low flow fixtures. In addition to using recycled water for irrigation of the proposed Project, the irrigation for the landscaping at the existing Marriott Hotel would also be upgraded to connect to recycled water services that the Project would extend to the site. The Project would be consistent with this measure.
Strategy CS-1: Carbon Sequestration Strategy	
Measure CS-1.1: Plant 2,000 net new trees by 2030 and 5,000 net new trees by 2045 to sequester carbon and create urban shade to reduce the urban heat island effect.	Consistent. The Project would provide a mix of trees onsite as part of the landscaping. Further, new trees would be incorporated. New landscaping would provide shading for approximately 52 percent of the surface parking lot (SE Lot). Overall, the proposed landscaping and existing landscaped area that would be retained would total approximately 13 percent of the total lot area. The proposed Project would be consistent with this measure.
Strategy SW-1: Organic Waste Diversion	
Measure SW-1.1: Meet SB 1383 organics and recycling requirements, reducing organic waste disposal 75% by 2025.	Consistent. Senate Bill (SB) 1383 establishes targets to achieve a 50-percent reduction in the level of Statewide organic waste disposal from 2014 levels by 2020 and a 75-percent reduction by 2025. The law establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. The related restaurant uses from the proposed Project would comply with local and regional regulations and recycle or compost 75 percent of waste by 2025 pursuant to SB 1383. The Project would be consistent with this measure.
Source: City of Burbank, *Greenhouse Gas Reduction Plan Update*, adopted May 3, 2022.	

As depicted in Table 5.5-5, the proposed Project would be consistent with the City of Burbank's GGRP, and impacts would be less than significant in this regard.

2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

As mentioned above, the latest 2024-2050 RTP/SCS was adopted on April 4, 2024. However, CARB concluded that the technical methodology SCAG used to quantify the GHG emission reductions for the

2024-2050 RTP/SCS does not operate accurately.[12] SCAG resubmitted the Sustainable Communities Strategy (SCS) Submittal Package for CARB's review in June 2024. CARB will have 60 business days to evaluate it and make its determination. Review by CARB is limited to acceptance or rejection of SCAG's determination that its SCS would, if implemented, achieve the region's GHG emission reduction target. If CARB rejects SCAG's determination of meeting the GHG emission target, SCAG will need to revise the SCS or adopt an alternative planning strategy demonstrating the ability to achieve the target. As such, until CARB makes the decision, the 2024-2050 RTP/SCS is not a fully adopted document and is potentially subject to further updates, especially from the GHG reduction perspective relative to the methods and assumptions of the calculation of Auto Operating Costs (AOC)[13], induced travel, electric vehicle incentives, job center parking and parking deregulation, off-model strategy assumptions, and emissions factors. As CARB has not made the decision at the time of preparation of this document, the consistency analysis relies upon the 2020-2045 RTP/SCS.

Table 5.5-6, *Consistency with the 2020-2045 RTP/SCS*, shows the Project's consistency with these five strategies found within the 2020-2045 RTP/SCS. As shown in Table 5.5-6, the proposed Project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

[12] California Air Resources Board, *RE: CARB Review of Southern California Association of Governments' 2024 SCS Senate Bill 375 Greenhouse Gas Emissions Draft Technical Methodology*, March 29, 2024, https://ww2.arb.ca.gov/sites/default/files/2024-04/SCAG%20memo%20final.pdf, accessed September 3, 2024.

[13] AOC is used as key variable across several major model components of the travel demand model, such as vehicle ownership, destination choice, and mode choice. This parameter represents the expenses associated with the usage of vehicles, expressed in cents per mile or dollar per mile. AOC plays a pivotal role as a fundamental parameter within the travel demand model.

Table 5.5-6
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
Focus Growth Near Destinations and Mobility Options		
• Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations.	**Center Focused Placemaking, Priority Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region, Urban Greening.**	Consistent. The proposed Project would create a Hotel near existing residential and commercial developments. This development would create employment opportunities for nearby residents. TPAs are defined as the 0.5-mile radius around an existing or planned major transit stop or an existing stop along a High-Quality Transit Corridor (HQTC). A HQTC is defined as a corridor with fixed route bus service frequency of 15 minutes (or less) during peak commute hours. The Project site is located less than 0.5-mile of the Metrolink Ventura County Line Station at the Burbank Hollywood Airport which constitutes a major transit stop.
• Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets.		Consistent. The proposed Project is located 0.29 miles of an existing transit station. Additionally, the proposed development is located near North Hollywood Way. As such, the Project would increase the surrounding job supply near existing transit stations and main streets.
• Plan for growth near transit investments and support implementation of first/last mile strategies.		Consistent. As discussed, the proposed Project is located 0.29 miles from an existing transit station. This is within walking and cycling distance of the proposed Project. The proximity and the Project's design features (street improvements and bicycle facilities) provide improved opportunities for guests and/or employees to use public transportation.

Table 5.5-6 (continued)
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses.		Consistent. The proposed Project would redevelop an existing surface parking lot with a new Hotel and associated parking garage.
• Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods.		Consistent. As discussed above, the proposed Project would redevelop an existing surface parking lot with a new Hotel and associated parking garage. The proposed Project would include amenities such as a bar area, interior courtyard with swimming pools, outdoor patios, and restaurant space. The Project would provide pedestrian and bicycle improvements, improving connectivity to the surrounding area.
• Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).		Consistent. The Project would provide a Hotel in proximity to existing commercial and employment uses and near the Hollywood Burbank Airport and RITC, reducing the reliance on the necessity for solo car trips. The Project would also include pedestrian improvements and bicycle facilities which would encourage walking and cycling as an alternative mode of transportation. The Project would also include amenities as part of the hotel, such as a bar space, pool space, and restaurant uses which would provide guests with necessary entertainment on-site, reducing the need to travel off-site to acquire such amenities. As discussed in Mitigation Measure GHG-1, the proposed Project would participate in the Burbank TMO which would provide the Project's employees with discounted public transportation fare, incorporating a carpooling program, and provide rideshare services.

Table 5.5-6 (continued)
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Identify ways to "right size" parking requirements and promote alternative parking strategies (e.g. shared parking or smart parking).		Consistent. The proposed parking structure would have a total of 673 permanent parking spaces and an additional 93 event spaces that would be stacked along drive aisles for supplemental parking, as needed.
Promote Diverse Housing Choices		
• Preserve and rehabilitate affordable housing and prevent displacement.	**PGA, Job Centers, HQTAs, NMA, TPAs, Livable Corridors, Green Region, Urban Greening.**	Not Applicable. The proposed Project would not involve residential development; as such, this emissions reduction strategy would not be applicable to the Project.
• Identify funding opportunities for new workforce and affordable housing development.		
• Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply.		

Table 5.5-6 (continued)
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
Leverage Technology Innovations		
• Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space.	**HQTA, TPAs, NMA, Livable Corridors.**	Consistent. The Project would be required to install EV charging stations, as well as bike parking and storage in accordance with the 2022 Title 24 standards. The Project would provide 390 new EV-ready parking spaces, of which 140 would be equipped with EV chargers. The number of EV spaces provided would exceed the requirements of the California Building Code, as well as the number required under BMC Section 9-1-11-4.510 (40-45 percent EV-ready and 15 percent with chargers). To encourage bicycle use, the Project would provide 62 bicycle parking spaces onsite. The Project would also include features, such as carpool parking and a commute trip reduction plan to reduce VMT and GHG emissions. Additionally, the Project would include a dedicated pick-up and drop area that would be accessible to rideshare vehicles.
• Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a "mobility wallet," an app-based system for storing transit and other multi-modal payments.		Not Applicable. The proposed Project would not be capable of supporting telework as the proposed Hotel use is not conducive to telework.
• Identify ways to incorporate "micro-power grids" in communities, for example solar energy, hydrogen fuel cell power storage and power generation		Consistent. As previously discussed, the proposed Project would install photovoltaic panels that would generate approximately 11 percent of the Project's annual electricity consumption on-site. Additionally, any excess electricity produced by this system would be routed into batteries that could be used at night or in emergencies.

Table 5.5-6 (continued)
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
Support Implementation of Sustainability Policies		
• Pursue funding opportunities to support local sustainable development implementation projects that reduce greenhouse gas emissions	**Center Focused Placemaking, PGA, Job Centers, HQTAs, TPA, NMAs, Livable Corridors, SOIs, Green Region, Urban Greening.**	Consistent. While this strategy is focused on local governments, agencies, and organizations' actions to support the implementation of sustainability policies, the Project would participate in opportunities provided by these agencies that would support sustainability. Specifically, the Project would participate in the BWP's rebate program that provides an incentive of 0.05 cents per kWh of annual savings in excess of Title 24 standards. Additionally, the Project would join the Burbank TMO which would reduce employee's single-occupancy vehicle travel.
• Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations		Not Applicable. This strategy focuses on SCAG's support on Statewide legislation.
• Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space		Not Applicable. This strategy focuses on SCAG's support on Statewide legislation.
• Work with local jurisdictions/ communities to identify opportunities and assess barriers to implement sustainability strategies		Consistent. The Project would work alongside the City and BWP in implementing sustainability programs and Project design features. The Project is an all-electric development that would include a variety of GHG reducing features that align with the City's GGRP goals.

Table 5.5-6 (continued)
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region		Not Applicable. This strategy focuses on SCAG's support with local planning organizations.
• Continue to support long range planning efforts by local jurisdictions		Not Applicable. This strategy focuses on SCAG's support with local planning organizations.
Promote a Green Region		
• Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards	**Green Region, Urban Greening, Greenbelts and Community Separators.**	Not Applicable. This strategy focuses on SCAG's support with local planning organizations.
• Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration		Consistent. As discussed above, the Project would include photovoltaic panels that would generate up to 11 percent of the Project's annual electricity consumption. The Project would also incorporate 67,683 square feet of landscaping, including trees and shrubs, which would reduce the urban heart island effect.
• Integrate local food production into the regional landscape		Not Applicable. This strategy focuses on incorporation of food production (community gardens).
• Promote more resource efficient development focused on conservation, recycling and reclamation		Consistent. As discussed, the proposed Project would incorporate a variety of Project design features focused on sustainability such as on-site energy production, low flow water fixtures, and drought tolerant landscaping. The Project would also comply with local and regional regulations for recycling and composting; refer to Table 5.5-5
• Preserve, enhance and restore regional wildlife connectivity		Not Applicable. The Project is located within an urbanized and built environment.

Table 5.5-6 (continued)
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Reduce consumption of resource areas, including agricultural land		Not Applicable. The Project is located within an urbanized and built environment. Project development would not remove any agricultural land.
• Identify ways to improve access to public park space		Consistent. The Project would include street improvements that would encourage a more pedestrian friendly neighborhood. These improvements would include sidewalk improvements and bicycle lanes. The incorporation of these improvements would encourage the use of sustainable modes of transportation to nearby parks such as Robert E. Gross Park, located approximately 1,200 feet to the southeast.
Source: Southern California Association of Governments, *2020-2040 Regional Transportation Plan/Sustainable Communities Strategy – Connect SoCal*, September 3, 2020.		

Consistency with the 2022 CARB Scoping Plan

The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each AB 32 inventory sector. Provided in Table 5.5-7, *Consistency with the 2022 Scoping Plan*, is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the Project would be consistent with or exceed reduction actions/strategies outlined in the 2022 Scoping Plan.

Table 5.5-7
Consistency with the 2022 Scoping Plan

Actions and Strategies	Project Consistency
Smart Growth / Vehicles Miles Traveled (VMT)	
Reduce VMT per capita to 25 percent below 2019 levels by 2030, and 30 percent below 2019 levels by 2045	Consistent. As discussed in Section 5.11, Transportation, the Project is located less than 0.5-mile from the Metrolink Ventura County Line Station at the Burbank Hollywood Airport which constitutes a major transit stop. Therefore, the Project could be presumed to have a less than significant VMT impact. The Project would install a total of 62 bicycle parking spaces in accordance with California Building Standards Code (CBC). Additionally, as previously discussed, the Project would install offsite bicycle improvements, such as a protected Class IV bikeway and in-street protected five-foot wide bike lanes, which would encourage the use of bicycles. Further, the Project site is located within an area that provides pedestrian circulation opportunities given that it fronts existing sidewalks to the north and west, and there are existing Metro bus stops along Thornton Avenue within the Project area. As such, this Project would encourage alternative modes of transportation that would help reduce the Project's total VMT. Thus, the Project would be consistent with this action.
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed Statewide by 2030	Consistent. As previously discussed, the proposed Project would not consume natural gas; only electricity would be used for appliances. Additionally, the Project would exceed the most recent Title 24 standards by 10 percent; refer to Table 5.5-5. Exceeding the Title 24 standards would ensure that the proposed development would surpass energy efficiency standards and reduce overall energy consumption, consistent with this measure. Thus, the Project would be consistent with this action.

Table 5.5-7 (continued)
Consistency with the 2022 Scoping Plan

Actions and Strategies	Project Consistency
Construction Equipment	
Achieve 25 percent of energy demand electrified by 2030 and 75 percent electrified by 2045	Consistent. The City of Burbank has not adopted an ordinance or program requiring electricity-powered construction equipment. However, if adopted, the Project would be required to comply with the applicable regulation requiring the use of electric construction equipment in the future. The Project would be consistent with this action.
Non-Combustion Methane Emissions	
Divert 75 percent of organic waste from landfills by 2025	Consistent. As discussed in Measure SW-1.1 of Table 5.5-5, the Project would comply with local and regional regulations regarding recycling and/or composting. The Project would be consistent with this action.
Source: California Air Resources Board, *2022 Scoping Plan*, November 16, 2022.	

Conclusion

In summary, the plan consistency analysis provided above demonstrates that the proposed Project is generally consistent with or would not conflict with strategies outlined in the GGRP, 2020-2045 RTP/SCS, and 2022 Scoping Plan. As discussed above, the proposed Project would exceed the GGRP Efficiency Threshold of 3.12 per service population. According to the GGRP, any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible. As discussed in Table 5.5-5, the proposed Project would require the incorporation of Mitigation Measure GHG-1. Upon incorporation of Mitigation Measure GHG-1, the Project would mitigate the GHG emissions to the maximum extent feasible and as such, would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As such, the impacts would be less than significant with the incorporation of Mitigation Measure GHG-1.

Mitigation Measures: Refer to Mitigation Measure GHG-1.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

5.5.5 CUMULATIVE IMPACTS

Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur. Per the Council of Environmental Quality, GHG emissions contribute to real-world physical change and GHG impacts are inherently cumulative in nature.[14]

Would the project, combined with other related projects, generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Would the project, combined with other related projects, conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?

Impact Analysis: Project-related GHG emissions are not confined to a particular air basin; instead, GHG emissions are dispersed worldwide. No single project is large enough to result in a measurable increase in global concentrations of GHG emissions. The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and, therefore, GHG emissions should be analyzed in the context of CEQA's requirements for cumulative impact analyses (see CEQA Guidelines Section 15064(h)(3)).[15] A project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements to avoid or substantially lessen the cumulative problem within the area of the project.[16]

As discussed in Impact Statement GHG-1, the proposed Project would exceed the City's GGRP GHG efficiency threshold of 3.12 $MTCO_2e$ per service population and would require the implementation of Mitigation Measure GHG-1. Mitigation Measure GHG-1 would require the Project applicant to implement features in the Project that would reduce GHG emissions, including preparing a Transportation Management Plan, joining the Burbank TMO, owning a clean-fuel vehicle fleet for the proposed Project, installing energy efficient appliances, and exceeding Title 24 by 10 percent. As the Project would exceed the City's GGRP GHG efficiency threshold, impacts would be significant. Any projects that exceed this GHG efficiency threshold would result in a significant impact and would be required to mitigate the GHG emissions to a maximum extent feasible. As such, the proposed Project would incorporate Mitigation Measure GHG-1. However, even with the implementation of GHG reducing design features and Mitigation

[14] Council on Environmental Quality, Council on Environmental Quality [CEQ-2022-0005] RIN 0331-AA06, https://www.federalregister.gov/documents/2023/01/09/2023-00158/national-environmental-policy-act-guidance-on-consideration-of-greenhouse-gas-emissions-and-climate#:~:text=All%20types%20of%20GHG%20emissions,is%20inherently%20cumulative%20in%20nature., accessed November 21, 2024.

[15] See Generally California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (December 2009), pp. 11-13, 14, 16; see also Letter from Cynthia Bryant, Director of the Office of Planning and Research to Mike Chrisman, secretary for Natural Resources, April 13, 2009. Available at https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/C01.pdf, accessed March 18, 2024.

[16] 14 CCR Section 15064(h)(3).

Measure GHG-1, Project-related GHG impacts would still exceed the City's GGRP GHG efficiency thresholds and result in a significant and unavoidable impact. As such, the Project's incremental effects to GHG emissions would be cumulatively considerable, and cumulative GHG impacts would be significant and unavoidable. However, even with the implementation of GHG reducing design features and Mitigation Measure GHG-1, Project-related GHG impacts would still exceed the City's GGRP GHG efficiency thresholds and result in a significant and unavoidable impact. As such, the Project's incremental effects to GHG emissions would be cumulatively considerable, and cumulative GHG impacts would be significant and unavoidable.

Mitigation Measures: Refer to Mitigation Measure GHG-1.

Level of Significance: Significant and Unavoidable Impact.

5.5.6 SIGNIFICANT UNAVOIDABLE IMPACTS

A significant and unavoidable impact would result from the Project's contribution to greenhouse gas emissions as a result of the exceedance of the threshold developed by the City's GGRP on a project and cumulative basis.

If the City of Burbank approves the Project, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decision makers in accordance with CEQA Guidelines Section 15093.

5.5.7 REFERENCES

California Air Pollution Control Officers Association, *Handbook for Local Governments, Communities, and Project Developers for Assessing Greenhouse Gas Emissions Reductions, Climate Vulnerabilities, and Health and Equity: Designed for Local Governments, Communities, and Project Developers*, dated December 2021.

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South Coast Air Quality Management District, *Interim CEQA Greenhouse Gas Significance Threshold*, October 2008.

U.S. Environmental Protection Agency, *Draft Inventory of United States Greenhouse Gas Emissions and Sinks 1990 to 2022*, 2024, https://www.epa.gov/system/files/documents/2024-02/us-ghg-inventory-2024-main-text.pdf, 2024.

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5.6 HAZARDS AND HAZARDOUS MATERIALS

The purpose of this section is to describe the existing conditions and regulatory setting related to hazards and hazardous materials and identify potential impacts that could result from Project implementation. This section is based, in part, upon the *Phase I Environmental Site Assessment Report* (Phase I ESA) and the *Phase II Subsurface Investigation Report* (Phase II SIR) prepared by Partner, dated March 25, 2021, and April 7, 2022, respectively, and included as Appendix F, Hazardous Materials Studies.

5.6.1 ENVIRONMENTAL SETTING

Current Use of the Project Site

The Project site is currently developed with the existing Marriott Hotel along the southern perimeter of the property. Activities taking place at the Project site are typical of a hotel, convention center, and surface parking lot and do not include any environmentally hazardous operations, as existing structures on the Project site include the following ancillary uses and amenities: two restaurants, two swimming pools, and interior amenities, including meeting rooms, lounges, and a fitness center. Only a portion of the existing Project Site is being proposed for development, specifically the 6.17-acre area located in the northeast portion of the Project site that is currently developed with a paved parking lot and planter areas.

Historic Use of the Project Site and Related Soil and Groundwater Contamination

Research was conducted during the Phase I ESA to identify the likelihood of past uses onsite to have created a recognized environmental condition (REC). The Phase I ESA's review of historical sources found that the Project site was undeveloped as early as 1894; developed with what appears to have been a large commercial/industrial building associated with Lockheed Martin Corporation between circa 1952 to circa 1983 (eastern portion); developed with light industrial facilities and auto repair facilities from the 1950s to 1960s (western portion); and developed with the current structures in 1982 (Marriott Hotel west tower) and 1990 (Marriott Hotel east tower and convention center).

The eastern portion of the Project site was part of the historical Lockheed Martin Corporation facilities, which was identified to be used for assembling, shipping and crating, offices, painting, and a test laboratory. In addition, what appears to have been a historical subject property address of 3220 West Thornton Avenue, under the name Lockheed A-1, B85, Lots 16, 16A, was identified on the Cleanup Program Sites-Spills, Leaks, Investigations, and Cleanups (CPS-SLIC), and Well Investigation Program (WIP) databases. As part of the historical Lockheed Martin Facilities, the status for property identified as 2500 North Hollywood Way is listed as case closed as of April 27, 1990. In addition, a historical address of 3220 Thornton is listed as "Open-Site Assessment," with a release report date of January 2, 1965, and a current status date of January 3, 1990.

Portions of this parcel were investigated with 3110 Thornton Avenue (offsite structure, former Lockheed Building 90). The 3110 Thornton Avenue property was provided a soil only closure in 2003 by the Los Angeles Regional Water Quality Control Board (LARWQCB) via a letter to Lockheed Martin Corporation dated February 7, 2003, which referenced the presence of a former 15,000-gallon above ground storage tank (AST) at the location where elevated tetrachloroethylene (PCE) and trichloroethylene (TCE) concentrations were detected. Both TCE and PCE were widely used for dry cleaning and degreasing machinery, as discussed below. The remainder of the Lockheed Building 90 site "had low to nondetectable

concentrations of contaminants in soil matrix and soil gas" per the letter. The LARWQCB exercised its discretion to allow the use of performance-based criteria (Tier 2 evaluation), which would confirm the effectiveness of onsite treatment for vapor extraction system closure noting that "the residual (volatile Organic Compound) VOC that remain in the vadose zone do not appear to pose a significant threat to groundwater quality and human health."[1] Of note, the WIP listing, identified as active, is a database that is no longer in use and existing WIP cases that are still being assessed or remediated are now overseen under the Cleanup Program Sites/Spills, Leak, Investigations, and Cleanups (CPS-SLIC) program. According to information obtained from the GeoTracker website, these listings are associated with the San Fernando Valley (Area 1) North Hollywood Superfund Site (Area 1 site), described below.

The Area 1 site is an approximately 20-square-mile area of contaminated groundwater located primarily in North Hollywood and Burbank and is one of four Superfund sites in the San Fernando Valley. The Area 1 site is divided into two Operable Units—Burbank Operable Unit (primarily in Burbank and south of the Hollywood Burbank airport) and North Hollywood Operable Unit (west of the Burbank Operable Unit). The Project site is within the Burbank Operable Unit. Site contamination sources include, but are not limited to, the former Lockheed Martin Corporation facilities near the Hollywood Burbank Airport and many other known sources throughout Area 1. TCE and PCE were reported to be widely used in the San Fernando Valley beginning in the 1940s for dry cleaning and for degreasing machinery. The disposal of these chemicals was not well regulated during this time (from the 1940s and throughout operation of Lockheed Martin facilities during the 1950s and 1960s, and, as a result, releases from a large number of facilities throughout the eastern portions of the Area 1 site have resulted in a large plume of volatile organic compound (VOC)-contaminated groundwater, which begins in the Area 1 site and extends southeast, down-gradient. While not believed to be a contributor to the regional groundwater contamination plume, operations at the former Lockheed facility may have resulted in surficial releases to the soil, particularly in areas identified on Sanborn maps as a testing laboratory and painting area with dip tanks. As such, the former operations at the Lockheed facility represent a REC.

The Area 1 site is being addressed through federal, State, municipal, and potential responsible party (PRP) actions, including the temporary remedy of extraction and treatment of groundwater. BWP receives groundwater from the site blended with treated groundwater to reduce nitrate levels and then distributes it to the public water supply system. Operation of this remedy commenced in 1996 and has since treated approximately 36 billion gallons of VOC-contaminated water. Contaminants of concern are reported to be TCE; PCE; 1,4-dioxane; hexavalent chromium; and 1,2,3-TCP. Although use of contaminated groundwater in this area is considered the greatest human health risk, the extraction of groundwater is strictly regulated; therefore, no unauthorized use is anticipated.

The western portion of the site was improved with a small single-story battery manufacturing facility, as well as a small single-story repair facility for automobile electronic systems, in the 1960s. These types of facilities typically generate various wastes, such as chlorinated solvents and lead, as part of their operations. However, based on the small size scale of these facilities, it is not suspected that any significant manufacturing/generation of hazardous wastes occurred at these locations. This portion of the

[1] The vadose zone is the area beneath the Earth's surface extending down to the groundwater table.

Project site has since been redeveloped into the existing restaurant portion, which is connected to the west tower of the Marriott Hotel.

Site Reconnaissance

The information presented below is limited to the area of the Marriott Hotel buildings and does not include the parking lots where the proposed Project would be located.

Storage/Use of Hazardous Substances and Petroleum Products

Varying quantities of hazardous substances, used for maintenance, janitorial, housekeeping, and laundry purposes, were identified at several locations through the Project site. The hazardous materials were found to be properly labeled and stored at the time of the assessment with no signs of leaks, stains, or spills; however, secondary containment is not provided. Based on the nature of use, overall quantities observed, and lack of violations on-file with the local fire department, these materials are not expected to represent a significant environmental concern.

Aboveground & Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs/USTs)

Two ASTs that hold 100 and 75 gallons each are associated with the emergency generators. The ASTs are located at each tower adjacent to each emergency generator. Dates of installation were not available, but they are equipped with secondary containment. Minimal staining was observed at the base of the emergency generator at the West Tower.

No evidence of current underground storage tanks (USTs) was observed during the site reconnaissance. Two 10,000-gallon diesel UST and one 10,000-gallon Stoddard Solvent UST were documented on what appears to be the proposed development site. According to the Phase I ESA, both of the diesel USTs were apparently abandoned and filled with sand per the notes on the Plot Plan.

The Burbank Fire Department did not have records on the abandonment of USTs or closure of Stoddard Solvent tank. From the location shown on the Lockheed Martin Corporation Plant A-1 Site Plan, both USTs would have been removed when the current improvements were constructed or sooner. Neither one of the former USTs represents a vapor intrusion concern at this point, considering likely removal by 1982. No documentation of the sampling and closure of Stoddard Solvent tank was obtained in regulatory or other records; the Phase I ESA concluded this UST was most likely removed during redevelopment of western portion of the Project site in the 1980s and not likely to pose vapor intrusion concern given the proposed development plans.

Polychlorinated Biphenyls (PCBs)

The Phase I ESA onsite reconnaissance addressed indoor and outdoor transformers that may contain PCBs. One pad-mounted transformer was observed on the Project site. The transformer is not labeled indicating PCB content; however, it appears newer. No staining or leakage was observed in the vicinity of the transformer. Burbank Water and Power (BWP) maintains ownership and operational responsibility for the transformer, and it was confirmed that the units do not contain PCBs. Based on the good condition of the equipment, the transformer is not expected to represent an environmental concern.

Two hydraulic trash compactors are located on the subject property and are believed to be less than 10 years old. As such, the use of PCB-containing oil is not likely, and the trash compactors are not expected to represent an environmental concern.

No other potential PCB-containing equipment (interior transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, balers, etc.) was observed on the subject property during Partner's reconnaissance. Eight elevators are present; however, they are cable operated.

Asbestos-Containing Materials (ACMs)

The east tower building was constructed in 1990. As such, the presence of ACMs within interior building materials is considered unlikely. The west tower building was constructed in 1982; therefore, there is the possibility for ACMs to exist. Readily visible suspect ACMs, including, but not limited to, drywall systems, mastics, caulking, and roofing materials, were observed to be overall in good condition in the existing structures.

Lead-Based Paint (LBP)

It is unlikely that LBP is present in buildings constructed after 1977. Therefore, due to the age of the subject property buildings, it is unlikely that LBP is present and does not represent an environmental concern in the location of the proposed Project.

Adjoining Properties

As part of the Phase I ESA, a review of neighboring properties was performed. Immediately adjacent properties included:

- North: Concentra Medical Center and Thornton Avenue;
- South: Vacant land and a multi-tenant office building;
- East: Kaiser Permanente and a multi-tenant office building to the east; and
- West: Denny's, Del Taco, and McDonald's to the west across Hollywood Way.

The adjacent property to the north was identified as an ENVIROSTOR, Resource Conservation Recovery Act (RCRA) NonGen/NLR, RCRA-Small Quantity Generator (SQG), Emissions Inventory Data (EMI), HAZNET, WIP, CERS, UST, AST, CERS HAZ WASTE; and the property to the east was identified as an AST, CERS TANKS, HAZNET, and CERS site. The adjacent property reconnaissance consisted of observing the adjacent properties from the Project site. No items of environmental concern were identified on the adjacent properties during the site assessment, including hazardous substances, petroleum products, ASTs, USTs, evidence of releases, PCBs, strong or noxious odors, pools of liquids, sumps or clarifiers, pits or lagoons, stressed vegetation, or any other potential environmental hazards.

Phase II Investigation

Based on the finding of RECs identified in the Phase I ESA, a Subsurface Investigation (Phase II) was conducted to assess the presence of VOCs. The Phase II scope included a geophysical survey and nine borings to collect representative soil and soil gas samples. Soil samples were analyzed for VOCs. Based on the results of this subsurface investigation, there is evidence of elevated VOCs in soil-gas (specifically PCE and TCE) beneath the Project site that may present a vapor intrusion risk to future property development. These VOCs are considered to be the result of a regional groundwater VOC plume (Area 1 site) in the region, as noted from the Phase I ESA, and previously described.

Proximity to Schools

There are no schools located within 0.25 mile of the Project site. The Project site is located approximately 0.32 mile north of Providencia Elementary School (1919 North Ontario Street), 0.75 mile southwest of George Washington Elementary School (2322 North Lincoln Street), 0.9 mile north of Bret Harte Elementary School (3200 Jeffries Avenue), and 0.91 mile north of Luther Burbank Middle School (3700 West Jeffries Avenue).

Proximity to Airports

The nearest airport to the Project site is the Hollywood Burbank Airport, located approximately 500 feet to the northwest of the Project site. According to the Los Angeles County Airport Land Use Commission's (ALUC) Comprehensive Land Use Plan, the western portion of the Project site, which includes the western tower of the existing Marriott Hotel is located within the Airport Influence Area boundaries.[2] However, the eastern portion of the site, where the proposed Project would be developed, is not located within the Airport Influence Area boundaries. The Project site is not located within the runway protection zones of the Hollywood Burbank Airport. However, according to the City of Burbank Federal Aviation Administration (FAA) Filing Requirement Map, the Project site is within Zone 2, which requires FAA notice for all new structures and additions that increase structure height (see additional information in the discussion of regulatory setting below regarding Par 77 of the Federal Aviation Regulation [FAR] and Title 10 of the Burbank Municipal Code [BMC]). Additionally, there are no other airports or airstrips within two miles of the Project site.

Disaster and Evacuation Routes

When a major emergency or disaster occurs, the City's Emergency Operations Center (EOC) is activated to coordinate response by staff members and representatives from various City departments who are assigned emergency management responsibilities. The Disaster Preparedness Division of the Burbank Fire Department coordinates most disaster responses in the City. The Burbank Police Department assists in many phases of disaster response, especially traffic control and controlling civil disturbances. The City's emergency evacuation routes, in the event of citywide evacuation, are shown in Burbank2035 Safety Element Exhibit S-3, *Evacuation Routes*. Victory Boulevard, which runs in an east-west direction approximately 0.6 mile south of the Project site, and San Fernando Road, which runs in a northwest-southeast direction approximately 0.6 mile north of the Project site, are the closest designated evacuation routes near the Project site.[3] Emergency vehicles primarily use main streets during an emergency. In the event of an evacuation, the primary routes used within the area of the Project site are North Hollywood Way, Thornton Avenue, Ontario Street, San Fernando Boulevard, Empire Avenue, Victory Boulevard, and Burbank Boulevard.

Disaster routes are transportation routes, such as freeway, highway, or arterial routes, that are pre-identified for use during times of crisis. These routes are used to bring in emergency personnel, equipment, and supplies to impacted areas, to save lives, protect property, and minimize environmental impacts. During a disaster, these routes have priority for clearing, repairing, and restoration over all other

[2] Los Angeles County Airport Land Use Commission, *Comprehensive Land Use Plan*, adopted December 19, 1991, and revised December 1, 2004.
[3] City of Burbank, *Burbank2035 General Plan,* Chapter 7: Safety Element, Exhibit S-3: Evacuation Routes, September 27, 2022.

roads. Evacuation routes depend on the nature and location of the emergency or disaster. The County of Los Angeles designates Interstate 5 (Golden State Freeway), which runs in a northwest-southeast direction with ramps located approximately 1.0 and 1.25 miles north and east, respectively, of the Project site, as a primary disaster route and North Hollywood Way immediately adjacent to the west of the Project site, Victory Boulevard, San Fernando Road as secondary disaster routes within one mile of the Project site.[4]

Wildland Fires

The California Department of Forestry and Fire Protection (CalFire) prepares maps that identify fire hazard severity zones in state and local responsibility areas for fire protection. The Project site is not within an area designated as a Very High Fire Hazard Severity Zone.[5] Further, Burbank2035 identifies Mountain Fire Zones designated by the Burbank Fire Department. The Project site is not within an area designated as a Mountain Fire Zone.[6]

5.6.2 REGULATORY SETTING

Federal

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The Toxic Substances Control Act of 1976 (TSCA) and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. Environmental Protection Agency (USEPA) for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes. Under TSCA, the USEPA enacted strict requirements on the use, handling, and disposal of ACMs. TSCA also established USEPA's Lead Abatement Program regulations, which provide a framework for lead abatement, risk assessment, and inspections. Those performing these services are required to be trained and certified by the USEPA. Under RCRA, generators of hazardous waste must register and obtain a hazardous waste activity identification number. RCRA allows individual states to develop their own programs for the regulation of hazardous waste as long as they are at least as stringent as those established by RCRA.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) is a law developed to protect the water, air, and soil resources from the risks created by past chemical disposal practices. This law is also referred to as the Superfund Act and regulates sites on the National Priority List (also known as Superfund sites). This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous

[4] County of Los Angeles Department of Public Works, *Map of Disaster Routes with Road Districts for North Los Angeles County,* September 24, 2012.

[5] California Department of Forestry and Fire Protection (CAL FIRE), *Fire Hazard Severity Zones Map*, https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-maps, accessed April 12, 2024.

[6] City of Burbank, *Burbank2035 General Plan,* Chapter 7: Safety Element, Exhibit S-1: Fire Zones, September 27, 2022.

waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified.

Emergency Planning and Community Right-to-Know Act

The federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored onsite to both State and local agencies. EPCRA requires the USEPA to maintain and publish a digital database list of toxic chemical releases and other waste management activities reported by certain industry groups and federal facilities. This database, known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

Clean Water Act

The Clean Water Act (CWA) is a 1977 amendment to the Federal Water Pollution Control Act of 1972. The CWA is the principal statute governing water quality. It establishes the basic structure for regulating discharges of pollutants into the waters of the United States and gives the USEPA the authority to implement pollution control programs, such as setting wastewater standards for the industry. Under the CWA, the USEPA has developed national water quality criteria recommendations for pollutants in surface waters. The statute's goal is to end all discharges entirely and to restore, maintain, and preserve the integrity of the nation's waters. The CWA regulates both the direct and indirect discharge of pollutants into the nation's waters. The CWA sets water quality standards for all contaminants in surface waters and makes it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit is obtained under its provisions. The CWA mandates permits for wastewater and stormwater discharges, requires states to establish site-specific water quality standards for navigable bodies of water, and regulates other activities that affect water quality, such as dredging and the filling of wetlands. The CWA also funded the construction of sewage treatment plants and recognized the need for planning to address nonpoint sources of pollution.

Hazardous Waste Operations and Emergency Response Standards

The Occupational Safety and Health Administration (OSHA) issued the Hazardous Waste Operations and Emergency Response (HAZWOPER) standards, 29 Code of Federal Regulations (CFR) 1910.120 and 29 CFR 1926.65, to protect workers and enable them to handle hazardous substances safely and effectively. The latter standard is for the construction industry and is similar to 29 CFR 1910.120. The HAZWOPER standard covers employers performing the following general categories of work operations: hazardous waste site cleanup operations; operations involving hazardous waste that are conducted at treatment, storage, and disposal (TSD) facilities; and emergency response operations involving hazardous substance releases. The HAZWOPER standards provide information and training criteria to employers, emergency response workers, and other workers potentially exposed to hazardous substances to improve workplace safety and health and reduce workplace injuries and illnesses from exposures to hazardous substances. It is critical that employers and their workers understand the scope and application of HAZWOPER and can determine which sections apply to their specific work operations.

United States Department of Transportation

Established by an act of Congress on October 15, 1966, the US Department of Transportation's (USDOT) top priorities are to keep the traveling public sage and secure, increase their mobility and have the transportation system contribute to the nation's economic growth. USDOT administers the National

Highway Traffic Safety Administration (NHTSA), the Federal Aviation Administration (FAA), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and several other agencies, bureaus and organizations. The US Secretary of Transportation oversees the formulation of national transportation policy and promotes intermodal transportation, the negotiation and implementation of international transportation agreements, assuring the fitness of US airlines, enforcing airline consumer protection regulations, and other legislative and policy actions related to the safe transport of goods and people.

Title 40 Code of Federal Regulations, Section 61 Subpart M

Title 40 CFR Section 61 Subpart M, National Emissions Standards for Asbestos, sets forth emissions standards for asbestos from demolition and renovation activities, and for waste disposal from such activities.

Title 40 Code of Federal Regulations, Section 761.61

Title 40 CFR Section 761.61, PCB Remediation Waste, provides cleanup and disposal options for PCB remediation waste. Any person cleaning up and disposing of PCBs managed under Title 40 CFR Section 761.61 is required to do so based on the concentration at which the PCBs are found. This section does not prohibit any person from implementing temporary emergency measures to prevent, treat, or contain further releases or mitigate migration to the environment of PCBs or PCB remediation waste.

Title 29 Code of Federal Regulations, Section 1926.62

Title 29 CFR Section 1926.62, Lead, sets standards for occupational health and environmental controls for lead exposure in construction, regardless of the lead content of paints and other materials. The standards include requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation and monitoring.

U.S. Environmental Protection Agency's Lead Renovation, Repair and Painting Program Rules

USEPA's 2008 Lead-Based Paint (LBP) Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011) aims to protect the public from LBP hazards associated with renovation, repair, and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting professionals to be USEPA-certified.

Federal Air Regulations, Part 77

The FAA is charged with the review of construction activities that occur in the vicinity of airports. Their role in reviewing these activities is to ensure new structures do not result in hazards to navigation and, thus, derogate the safety of the National Airspace System. The regulations contained in FAR Part 77 are designed to ensure no hazards are allowed to exist that would endanger the public. Proposed structures are also evaluated against Terminal Instrument Procedures (TERPS), which ensure a structure does not adversely impact flight procedures. The construction of tall structures, such as buildings, construction cranes, and cell towers, in the vicinity of an airport can be hazardous to the navigation of airplanes. The FAA, through FAR Part 77, established a method of identifying surfaces that should be free from penetration by obstructions in order to maintain sufficient airspace around airports. FAR Part 77, in effect, identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. The extent of the off-airport coverage needing to be evaluated for tall-structure

impacts can extend miles from an airport facility. In addition, FAR Part 77 establishes standards for determining whether objects constructed near airports would be considered obstructions in navigable airspace, sets forth notice requirements of certain types of proposed construction or alterations, and provides for aeronautical studies to determine the potential impacts of a structure on the flight of aircraft through navigable airspace.

State

Department of Toxic Substances Control

The Department of Toxic Substances Control (DTSC) has primary regulatory responsibility for the management of hazardous materials and the generation, transport, and disposal of hazardous waste under the authority of the Hazardous Waste Control Law. The DTSC takes enforcement action against violators of hazardous waste laws and regulations; oversees cleanup of hazardous wastes on contaminated properties; makes decisions on permit applications from companies that want to store, treat or dispose of hazardous waste; and protects consumers from toxic ingredients in products.

Enforcement is generally delegated to local jurisdictions that enter into agreements with DTSC. California's Secretary of Environmental Protection established a unified hazardous waste and hazardous materials management regulatory program, as required by the California Health and Safety Code (Chapter 6.11). The unified program consolidates and coordinates the following six programs:

- Hazardous Waste Generations and Hazardous Waste On-site Treatment
- Underground Storage Tanks
- Hazardous Materials Release Response Plans and Inventories
- California Accidental Release Prevention Program
- Above Ground Storage Tanks (spill control and countermeasure plans only)
- Uniform Fire Code Hazardous Material Management Plans and Inventories

The statute requires all counties to apply to the California Environmental Protection Agency (CalEPA) Secretary for certification of a local uniform program agency. Qualified cities are also permitted to apply for certification. The local Certified Uniform Program Agency (CUPA) is required to consolidate, coordinate, and make consistent the administrative requirements, permits, fee structures, and inspection and enforcement activities for these six program elements within each county. Most CUPAs have been established as a function of a local environmental health of fire department. The Office of the State Fire Marshall participates in all levels of the CUPA program, including regulatory oversight, CUPA certifications, evaluations of approved CUPAs, training and education. The Health and Hazardous Materials Division of the Los Angeles County Fire Department is the CUPA for the City of Burbank. The Burbank Fire Department serves as a Participating Agency that implements the requirements of the CUPA, including disclosure of hazardous materials and UST regulation requirements.

California Department of Occupational Safety and Health

The California Department of Occupational Safety and Health (Cal/OSHA) protects and improves the health and safety of workers and the safety of passengers riding on elevators, amusement park rides and tramways by setting and enforcing standards; providing outreach, education and assistance; and issuing permits, licenses, certifications, registrations and approvals. Cal/OSHA investigates complaints of workplace hazards filed by employees and employee representatives, reports of serious violations from law enforcement, and accidents resulting in serious injury, illness or death.

Local

Burbank2035 General Plan

Burbank2035 includes goals, policies and programs to reduce threats to public health and safety due to hazards and hazardous materials. The Safety Element contains the following policies specific to hazards and hazardous materials:

Safety Element

GOAL 1 EMERGENCY RESPONSE AND PREPARATION: Burbank is prepared to respond to emergency situations.

Policy 1.1: Regularly update all hazard mitigation plans, disaster preparedness and emergency response plans.

Policy 1.2: Coordinate disaster preparedness and emergency response with appropriate agencies, neighboring cities, and the Burbank-Glendale-Pasadena Airport Authority.

Policy 1.3: Sponsor and support public education programs for emergency preparedness and disaster response.

Policy 1.4: Promote the development of community or neighborhood disaster relief groups and workplace self-help groups to improve the effectiveness of local emergency response teams.

Policy 1.5: Establish designated emergency response and evacuation routes throughout the city, for each climate hazard (e.g., flooding, fire, etc.), focusing on the most vulnerable populations.

GOAL 7 AIRPORT HAZARDS: Threats to public safety, lives, and property resulting from an airport-related incident are reduced.

Policy 7.1: Maintain consistency with the Los Angeles County Airport Land Use Plan as it pertains to Bob Hope Airport.

Policy 7.2: Ensure that land uses, densities, and building heights within Airport Land Use Compatibility Zones, including those in disadvantaged communities, are compatible with safe operation of Bob Hope (Hollywood Burbank) Airport.

Policy 7.3: Review and update City procedures for responding to airport and aircraft-related emergencies.

Policy 7.4: Coordinate disaster response with the Hollywood Burbank Airport Fire Department.

GOAL 8 HAZARDOUS MATERIALS: Hazardous materials threats to public health and safety are reduced.

Policy 8.1: Review proposed projects involving the use or storage of hazardous materials.

Policy 8.2: Encourage businesses and organizations that store and use hazardous materials to improve planning and management procedures.

Policy 8.3: Encourage and promote practices that will reduce the use of hazardous materials and the generation of hazardous waste at its source, recycle the remaining hazardous wasted for reuse, and treat those wastes that cannot be reduced at the source or recycled.

Policy 8.4: Maintain a hazardous materials response capability that will adequately handle Burbank's hazardous materials safety needs.

Policy 8.5: Consult with appropriate agencies regarding hazardous materials regulations.

Policy 8.6: Provide the residents of Burbank with information on the proper storage and disposal of hazardous materials and e-waste and encourage the use of City disposal facilities.

Policy 8.7: Include information on soil contamination and storage of hazardous materials in the City's Geographic Information System.

Policy 8.8: Advocate the continued review and mitigation of the effects of operation of natural gas and petroleum pipelines, and other pipelines used to transport hazardous substances.

Policy 8.9: Reduce the loss of life, property, and injuries incurred as a result of hazardous materials spills by offering comprehensive spill prevention information to businesses using hazardous materials, public education, and emergency response programs. Focus outreach and emergency response on vulnerable populations.

Burbank Municipal Code

Burbank Municipal Code (BMC) Title 9, Building Regulations, Chapter 1, Building and Fire, Article 9, California Fire Code, adopts by reference Part 9 of Title 24 of the California Code of Regulations (CCR), also known as the "California Fire Code," which is part of the California Building Standards Code (CBSC), 2022 Edition, including the table of contents, all annexes, appendices, and the index, as adopted by the CBSC with certain amendments, additions, and deletions.

BMC Title 5, Police and Public Safety, Chapter 2, Disasters, Article 1, Organization and Functions, creates the Burbank Disaster Council, which is empowered to develop and recommend for adoption by the City Council emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements.

BMC Title 10, Zoning Regulations, Chapter 1, Zoning, Article 13, General Height Standards, Division 2, Heights Surrounding Bob Hope [Hollywood Burbank] Airport, Section 10-1-1308, Proof of FAA Notification of Intent to Construct, requires that all applicant for structures subject to the terms of the section file a Notice of Proposed Construction of Alternation to the FAA pursuant to Part 77 of the Code of Federal Regulations (14 CFR Part 77). No building permit shall be issued for any structure subject to this section of the BMC until the building permit applicant submits to the Director proof of submission of the Notice of Proposed Construction or Alteration and copies of all documentation received from the FAA in response to such Notice, including the determination and any final decision of the FAA as to whether the proposed structure would be an obstruction or hazard to air navigation.

City of Burbank Multi-Hazard Functional Plan

The City of Burbank Multi-Hazard Functional Plan addresses the City of Burbank's planned response to emergencies associated with natural disasters and technological incidents, including both peacetime and wartime nuclear defense operations.

Burbank Fire Department Strategic Plan

The Burbank Fire Department Strategic Plan defines the mission and goals of Burbank Fire Department and includes actions to increase responsiveness and resiliency of the Burbank Fire Department in response to all-hazard emergency services.

5.6.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

CEQA Significance Criteria

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to hazards and hazardous materials if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (refer to Impact Statement HAZ-1);
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (refer to Impact Statement HAZ-2);
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (refer to Section 8.0, *Effects Found Not to be Significant*).
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment (refer to Impact Statement HAZ-2);
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area (refer to Impact Statement HAZ-3);
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (refer to Impact Statement HAZ-4); and/or
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (refer to Section 8.0, *Effects Found Not to be Significant*).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.6.4 IMPACTS AND MITIGATION MEASURES

HAZ-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact Analysis:

Construction

The Project involves construction activities, which would involve the demolition of an existing surface parking lot and construction and operation of a Hotel and Garage, including associated offsite improvements. Generally, the exposure of persons to hazardous materials could occur in the following manners: (1) improper handling or use of hazardous materials or hazardous wastes during construction or operation of future development, particularly by untrained personnel; (2) an accident during transport; (3) environmentally unsound disposal methods; or (4) fire, explosion, or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous materials or wastes present, and the proximity of sensitive receptors.

Construction activities associated with the proposed Project may involve the routine transport, use, or disposal of hazardous materials, such as petroleum-based fuels or hydraulic fluid used in construction equipment. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for hazards associated with the transport and use of hazardous materials. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and federal law.

The use, storage, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable State and local regulations for the cleanup and disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility. As such, the Project's construction impacts in this regard would be less than significant.

Operation

Operation of the Project would involve the use of small amounts of hazardous materials, such as cleaners, paints, fertilizers, and pesticides for cleaning and maintenance purposes. However, the proposed land uses are not associated with uses that utilize, generate, store, or transport large quantities of hazardous materials; such uses generally include manufacturing, industrial, medical (e.g., hospital), and other similar uses.

Additionally, the use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including Department of Toxic Substances (DTSC), USEPA, U.S. Department of Transportation (US DOT), California Division of Occupational Health and Safety (Cal/OSHA),

and Los Angeles County Certified Unified Program Agency (CUPA). Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Therefore, substantial hazards to the public or the environment arising from the routine use, storage, transport, and disposal of hazardous materials during long-term operation of the proposed Project would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

HAZ-2: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Impact Analysis:

Construction

Construction of the proposed Project would involve demolition/removal of surface parking, grading, and construction of new buildings. The existing Marriott Hotel would remain; modifications to the existing structures are not proposed as part of the Project. Potentially hazardous materials used during construction include substances, such as paints, sealants, lubricants, solvents, adhesives, cleaners, and diesel fuel. There is potential for these materials to spill or to create hazardous conditions. The materials used, however, would not be in such quantities or stored in such a manner as to pose a significant safety hazard, as their storage and use would be in accordance with all applicable regulations. These activities would also be short-term and would cease upon completion of construction.

Nonetheless, to prevent hazardous conditions, existing local, State, and federal laws, such as those listed under Section 5.6.2, Regulatory Setting, are required to be enforced at the construction sites. For example, compliance with existing regulations would ensure construction workers and the general public are not exposed to any risks related to hazardous materials during demolition and construction activities. Cal/OSHA has regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and preparation of emergency action/prevention plans. All spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable State and local regulations for the cleanup and disposal of that contaminant. All contaminated waste encountered would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility.

Based on the results of the Phase II Subsurface Investigation, there is evidence of elevated VOCs in soil-gas (specifically PCE and TCE) beneath the Project site that may present a vapor intrusion risk to the proposed Project. These VOCs are considered to be the result of a regional groundwater VOC plume as noted from the Phase I REC findings. Mitigation Measure HAZ-1 requires that an appropriate vapor

intrusion mitigation system using a VOC-compatible vapor barrier be incorporated into the design of the proposed onsite structures where there may be a potential for vapor intrusion risk to occupants. The vapor barrier shall be pre-approved by the applicable regulatory oversight agency and provide for mitigation of soil vapor to levels that are protective of human health for the proposed use. Methods for monitoring the vapor barrier system to confirm that the vapor barrier system continues to be protective of human health shall also be required subject to approval by the regulatory agency with jurisdiction.

Excavation and related utility operations would potentially encounter hazardous materials, based on the results of the Phase II Subsurface Investigation, which determined there are potential VOC-impacted soils on the Project site. Impacts related to releases of hazardous substances would be potentially significant during the construction phase. Implementation of Mitigation Measure HAZ-2, which requires that the Applicant prepare and submit a soils management plan to address the proper characterization and handling of potential VOC-impacted soils and other contaminants of concern (reported to be TCE, PCE, 1,4, dioxane, hexavalent chromium, and 1,2,3-TCP), that may be present prior to the issuance of a grading permit, would reduce potential significant impacts to less than significant levels. With implementation of Mitigation Measures HAZ-1 and HAZ-2, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving soil and groundwater contamination. With the incorporation of mitigation, impacts would be less than significant.

The Project site is located within the Area 1 site in the Burbank Operable Unit, and as such, it is on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Releases from a large number of facilities throughout eastern portions of Area 1 have resulted in a large plume of VOC-contaminated groundwater, which begins in the Area 1 site and extends southeast, down-gradient. Potential remedies for Area 1 are being addressed through federal, State, municipal, and potential responsible party (PRP) actions. The current site status of the BOU area includes the temporary remedy of extraction and treatment of groundwater. BWP receives groundwater from the site blended with treated groundwater to reduce nitrate levels and then distributes it to the public water supply system.

According to the Burbank Water and Power (BWP) 2020 Urban Water Management Plan (2020 UWMP), the BOU is an EPA-led project to clean up groundwater impacted by historical industrial releases, primarily by Lockheed-Martin. The BOU project consisted of drilling eight extraction wells and constructing a state-of-the-art treatment plant using Best Available Technology (Air Stripping Towers and Granular Activated Carbon Filters) to remove and stabilize the VOC plumes within the aquifer. Completion of this project restored a major component to the City's water supply. The Consent Decree for the project was “entered” on March 25, 1992. Lockheed-Martin started construction on June 23, 1993, and the project began operation in January 1996. The eight wells and the VOC removal treatment plant were operated by Lockheed-Martin until March 2001, when the City of Burbank took over operation. Through compliance with applicable regulations and implementation of Mitigation Measures HAZ-1 and HAZ-2, impacts related to the hazards to the public and the Project site being on a list of hazardous materials sites compiled through Government Code Section 65962.5 would be less than significant.

Operation

As discussed above, under Impact HAZ-1, operation of the proposed Project would involve the use of small amounts of hazardous materials, such as cleaners, paints, fertilizers, and pesticides for cleaning and maintenance purposes. However, the proposed land uses are not associated with uses that use, generate,

store, or transport large quantities of hazardous materials; such uses generally include manufacturing, industrial, medical (e.g., hospital), and other similar uses.

The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including DTSC, USEPA, U.S. Department of Transportation, Cal/OSHA, and Los Angeles County CUPA. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts.

Although highly unlikely and not anticipated, should the Project require storage of hazardous substances exceeding regulatory thresholds, a Hazardous Materials Business Plan (HMBP) would be required, and hazardous materials permits would need to be obtained from the CUPA. These permits would include preventative requirements and best practices for the use of hazardous materials related to the Project. As required by CUPA, the HMBP would detail the location and quantities of hazardous materials stored onsite, accompanied by the appropriate Materials Safety Data Sheets. That information would be made available to emergency responders, such as firefighters and medical personnel, who would, in part, use such information to contain the hazardous materials and avoid the creation of a significant hazard. Therefore, substantial hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during long-term operation of the proposed Project would be less than significant.

Mitigation Measures:

HAZ-1 Prior to the issuance of building permits, the Applicant shall include on the building plans an appropriate vapor intrusion mitigation system using a VOC-compatible vapor barrier that is incorporated into the design of new onsite structures, where there may be a potential for vapor intrusion risk to occupants. The elements of the vapor intrusion mitigation system shall include the design of an appropriate vapor barrier compatible with known VOCs, installation oversight to ensure compliance with VOC barrier manufacturers' warranty requirements, and subsequent post-installation VOC barrier integrity testing.

The Applicant shall incorporate all requirements in the design of the Project as set forth by the applicable regulatory oversight agency for issuance of building permits, including the following measures: The proposed design of the vapor barrier shall be pre-approved by the applicable regulatory oversight agency (e.g., DTSC, the LARWQCB, or other appropriate local regulatory agency). The design of a physical vapor barrier beneath the structure(s) foundation shall prevent soil gas from seeping into breathing spaces inside the structure. The system shall include a passive or powered vapor mitigation system layer that draws soil gas out of the under-foundation base rock and directs that soil gas to a treatment system to prevent people from being exposed outdoors. Any contaminants found in shallow soil vapor shall be mitigated to levels that are protective of human health for the proposed commercial uses. Upon completion, the Project Applicant shall prepare a report documenting the testing results and installed vapor mitigation method and submit the report to the regulatory agency with jurisdiction.

An Operations, Maintenance, and Monitoring (OMM) Plan shall be prepared and implemented to maintain the vapor barrier system and confirm that the vapor barrier system continues to be protective of human health. The OMM Plan shall include details of methods for monitoring the

vapor barrier system, provide monitoring frequencies and maintenance procedures for the system components and provide for post construction indoor air quality monitoring. The OMM Plan shall be approved by the regulatory agency with jurisdiction.

HAZ-2 Prior to the issuance of a grading permit, the Applicant shall submit a Soils Management Plan (SMP) to the City of Burbank Public Works Department that addresses the proper characterization and handling of potential VOC-impacted soils, and other contaminants of concern that may be present. The SMP shall require that, as grading, excavation, and trenching are performed, exposed soil shall be monitored for stained or discolored soil, wet or saturated soils, or odors. If impacted soil is encountered, the soil shall be analyzed to identify and characterize the impact and determine if soil remediation is required. Soil samples shall be analyzed by an appropriate State-certified laboratory using appropriate methods based on the parameters to be analyzed. When a new area of contamination is identified, it shall be characterized to assess its lateral and vertical extent. The likely excavation of impacted soil shall be followed by segregated stockpiling or direct-loading, waste profiling, and offsite disposal or recycling, which shall be performed in accordance with applicable federal, State, and local regulations.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

HAZ-3: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?

Impact Analysis: The nearest airport to the Project site is the Hollywood Burbank Airport, approximately 500 feet to the northwest. As identified in the environmental setting above, the western portion of the Project site is located within the Airport Influence Area boundaries but not the eastern portion of the Project site, where the proposed Project would be developed. However, the Project site is within Zone 2 of the City's FAA Filing Requirement Map, which requires FAA notice for all new structures and additions that increase structure height. Accordingly, the construction and operation of the proposed Project would be required to comply with regulatory requirements described above regarding building heights, the use of tall construction equipment, and the maintenance of sufficient airspace. Therefore, the Project would not result in a safety hazard for people residing or working in the Project area, and impacts would be less than significant.

Based on current noise monitoring conducted by the Hollywood Burbank Airport, the Project site is not located within the 65 dB CNEL noise contour.[7] Refer also to Section 5.9, *Noise*. As such, Hollywood Burbank Airport noise would not exceed the City's normally acceptable exterior noise standard (65 dBA CNEL) for transient lodging. Additionally, the Project site is not located within the vicinity of a private airstrip. Thus, the Project would not expose substantial numbers of people to excessive noise levels from airports, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

[7] Acoustical Analysis Associates, Inc, *Quarterly Noise Monitoring at Hollywood Burbank Airport Fourth Quarter 2020*, https://www.hollywoodburbankairport.com/wp-content/uploads/2021/04/4QTR-2020-Quarterly-Noise-Report.pdf, March 2021.

Level of Significance: Less Than Significant Impact.

HAZ-4: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact Analysis: According to Burbank2035, the Disaster Preparedness Division of the Burbank Fire Department coordinates most of the disaster response in the City. As shown in Exhibit S-3, *Evacuation Routes*, of the Burbank2035 Safety Element, the nearest designated emergency evacuation route is San Fernando Boulevard and Victory Boulevard, located approximately 0.8 mile east of the Project site. Project implementation would not impair or physically interfere with these evacuation routes or an adopted emergency response or evacuation plan for the reasons discussed below.

While temporary lane closures may be required during Project construction activities, travel along surrounding roadways would remain open and would not interfere with emergency access in the site vicinity. As discussed in Section 5.11, *Transportation*, due to the current conceptual level of design for the Project, the exact times or durations of temporary lane closures or the specific lane closure lengths, design, or phasing approach cannot be determined at this time. In general, roadway/lane closures would include, but may not be limited to, temporary closure(s) of Thornton Avenue, as well as a portion of Wyoming Avenue associated with offsite sewer improvements and Avon Street associated with proposed curb, gutter, driveway, and sidewalk improvements. Worksite traffic control plans would be prepared for any temporary vehicle lane, bicycle lane, or sidewalk closures in accordance with applicable City and Manual of Uniform Traffic Control Devices (MUTCD) guidelines. As a condition of approval, the Applicant or contractor would be required to develop a traffic control plan (TCP) for approval by the City of Burbank Public Works Director or their designee prior to construction of the Project. In part, the plan would require the Project contractor to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project site and neighboring land uses. Given that the Project would be required to comply with local standard conditions of approval to minimize the impact associated with potential temporary roadway lane closures on emergency evacuation, the Project would result in a less-than-significant construction impact.

The Project proposes permanent modifications to the commercial driveways serving the Project site and to Thornton Avenue associated with new protected bike lanes and narrower traffic lanes. As discussed in Section 5.11, *Transportation*, these modifications are consistent with City design standards. The Project would be required to comply with applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the Burbank Police Department and Burbank Fire Department. The Project would also be required to comply with all applicable Building and Fire Code requirements and would submit construction plans to the City's Building and Safety Division for review and approval prior to issuance of any building permit. The proposed Project would not involve the development of structures or improvements that would alter emergency response or evacuation plans or otherwise potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.6.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact Analysis: Similar to the Project, construction activities associated with the related projects may involve the routine transport, use, or disposal of hazardous materials, such as petroleum-based fuels or hydraulic fluid used for construction equipment. However, all development within the City would be required to comply with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Thus, the Project's less than significant effect associated with the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Would the Project, combined with other related projects, be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Impact Analysis: Development of the proposed Project in combination with the related projects may have the potential to increase the risk for an accidental release of hazardous materials. However, similar to the Project, site-specific development would be reviewed at the project-level to determine whether any development sites associated with the related projects are listed on a hazardous materials site. Any development activities from future related projects that may occur on documented hazardous materials sites or determined to contain hazardous materials would be required to undergo individualized, site-specific remediation and cleanup under the supervision of the regulatory agencies, such as DTSC and the LARWQCB, prior to construction. Projects that would require the use and/or storage of large quantities of hazardous materials would be required to prepare an HMBP and obtain the required permits from the CUPA in order to do so.

Through compliance with existing regulations and specifically with implementation of Mitigation Measures HAZ-1 and HAZ-2, the Project would not create a significant hazard to the public or the

environment through reasonably foreseeable upset and accident conditions, involving soil and groundwater contamination. Thus, the Project's incremental effects involving hazardous materials sites and hazards to the public or environment associated with the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, or projects located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project, combined with other related projects, result in a safety hazard or excessive noise for people residing or working in the project area?

Impact Analysis: Similar to the Project, related projects within the Airport Influence Area would also be reviewed on a project-by-project basis to determine if the development of the related projects would result in a safety hazard or excessive noise for people residing or working in the specific site. Individual projects would be required to mitigate potential safety and noise impacts on a project-by-project basis. Additionally, pursuant to BMC Title 10, Zoning Regulations, Chapter 1, Zoning, Article 13, General Height Standards, Division 2, Heights Surrounding Bob Hope [Hollywood Burbank] Airport, related projects within the Airport Influence Area would be reviewed relative to the City of Burbank FAA Filing Requirement Map to determine the zone in which the specific site is located and the associated FAA requirements. Related projects within specific zones and/or exceeding specific heights would be required to provide FAA notice in compliance with 14 CFR Part 77 to ensure the related project development would not result in an obstruction or hazard to air navigation. Thus, the Project's less than significant effects associated with a potential for a safety hazard or excessive noise for people residing or working in the Project area would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact Analysis: Related projects having the potential to combine with the Project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan would likely be those related project sites within the immediate surrounding area. As with the proposed Project, related projects with the potential to result in temporary lane closures would be required to prepare worksite traffic control plans for any temporary vehicle lane, bicycle lane, or sidewalk closures in accordance with applicable City and MUTCD guidelines. Additionally, a TCP, approved by the City of Burbank Public Works Director or their designee, would be required prior to construction to include coordination with the City and emergency service providers to ensure adequate access is maintained to the related project site and neighboring land uses.

Individual related projects would be reviewed on a project-by-project basis to ensure that any modifications or construction of driveways or alterations to roadways are consistent with City design standards. The Project and related projects would be required to comply with applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the Burbank Police Department and Burbank Fire Department. The Project and related projects would also be required to comply with all applicable Building and Fire Code requirements and would submit construction plans to the City's Building and Safety Division for review and approval prior to issuance of any building permit. Thus, the Project's less than significant effects relative to the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.6.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts related to hazards and hazardous materials would occur with the proposed Project.

5.6.7 REFERENCES

California Department of Forestry and Fire Protection (CAL FIRE), *Fire Hazard Severity Zones Map*, https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-maps, 2024.

City of Burbank, *Burbank2035 General Plan,* Chapter 7: Safety Element, September 27, 2022.

County of Los Angeles Department of Public Works, *Map of Disaster Routes with Road Districts for North Los Angeles County*, https://dpw.lacounty.gov/dsg/DisasterRoutes/, 2024.

Acoustical Analysis Associates, Inc, *Quarterly Noise Monitoring at Hollywood Burbank Airport Fourth Quarter 2020*, https://www.hollywoodburbankairport.com/wp-content/uploads/2021/04/4QTR-2020-Quarterly-Noise-Report.pdf, March 2021.

Los Angeles County Airport Land Use Commission, *Comprehensive Land Use Plan*, adopted December 19, 1991, and revised December 1, 2004.

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5.7 HYDROLOGY AND WATER QUALITY

The purpose of this section is to describe the existing hydrology and water quality conditions and regulatory environment and to identify potential impacts that could result from Project implementation. This section is primarily based upon the *Hydrology and Water Quality Technical Memorandum* (Hydrology Memorandum), prepared by Fuscoe Engineering, dated March 2020, revised April 2024, September 2024, and November 2024, and included as Appendix G, Hydrology and Water Quality, of this EIR. The Hydrology Memorandum addresses the 6.14-acre portion of the Project site where proposed improvements and disturbances would primarily occur. The remaining portion of the site, which consists of the existing Marriott Hotel and convention center, would not be disturbed.

5.7.1 ENVIRONMENTAL SETTING

Regional Environmental Setting

Receiving Waters

The Project site is located within the Los Angeles River Watershed, which covers over 830 square miles. The watershed includes the western portion of the San Gabriel Mountains, the Santa Susana Mountains, the Verdugo Hills, and the northern slope of the Santa Monica Mountains. The Los Angeles River flows from the western San Fernando Valley, crosses the San Fernando Valley and the central portion of the Los Angeles Basin, and outlets in San Pedro Bay near Long Beach. The watershed's terrain consists of mountains, foothills, valleys, and the coastal plain. The major tributaries or sub-watersheds of the Los Angeles River include the Burbank Western Channel, Pacoima Wash, Tujunga Wash, and Verdugo Wash in the San Fernando Valley; and the Arroyo Seco, Rio Hondo, and Compton Creek in the Los Angeles Basin. The Project site is located within the Burbank Western Channel sub-watershed.

Water Quality Objectives and Impaired Water Bodies

As described above, the Project site is tributary to the Burbank Western Channel sub-watershed that, in turn, drains to Los Angeles River Reach 4 and Reach 3. Based on the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, the proposed beneficial uses of the Burbank Western Channel are municipal and domestic water supply, warm freshwater habitat, and wildlife habitat.

CWA 303(d) List of Water Quality Limited Segments

Under Section 303(d) of the Clean Water Act (CWA), states are required to identify water bodies that do not meet their water quality standards. Biennially, the Los Angeles Regional Water Quality Control Board (LARWQCB) prepares a list of impaired waterbodies in the region, referred to as the 303(d) list. The 303(d) list outlines the impaired waterbody and the specific pollutant(s) for which it is impaired. All waterbodies on the 303(d) list are subject to the development of a total maximum daily load (TMDL).

According to the State Water Resources Control Board (SWRCB), Los Angeles River Reach 3, which is located southeast of the Project site, is listed as an impaired water body. Impairments for Los Angeles River Reach 3 include the following: Ammonia, Copper, Indicator Bacteria, Nutrients (Algae), Toxicity, and Trash (see Attachment F of Appendix G).

Total Maximum Daily Loads (TMDLs)

Once a water body has been listed as impaired on the 303(d) list, a TMDL for the constituent of concern (pollutant) must be developed for that water body. A TMDL is an estimate of the daily load of pollutants that a water body may receive from point sources, non-point sources, and natural background conditions (including an appropriate margin of safety), without exceeding its water quality standard. Those facilities and activities that are discharging into the water body, collectively, must not exceed the TMDL. In general terms, municipal, small municipal separate storm sewers (MS4), and other dischargers within each watershed are collectively responsible for meeting the required reductions and other TMDL requirements by the assigned deadline.

Regional Groundwater Supplies and Quality

The City of Burbank overlies the San Fernando Valley Groundwater Basin (Basin). Replenishment of the Basin occurs primarily through percolation of rainfall throughout the watershed via permeable surfaces, spreading grounds, and groundwater migration from adjacent basins. Groundwater within the Basin generally flows towards the middle of the Basin from the edges and then southerly towards the Coastal Plain of the Los Angeles Groundwater Basin.

The Basin is managed by the Upper Los Angeles River Area (ULARA) Watermaster. In a 1975 ruling by the California Supreme Court, the Pueblo Water Rights of the City of Los Angeles to all water in the Basin were upheld. The Cities of Burbank and Glendale were given rights to all groundwater in the Basin derived from "return water" imported by the Cities from outside ULARA but delivered and utilized within ULARA.

The ULARA Watermaster submits an Annual Watermaster Report that identifies groundwater supplies, quality, and demand projections. Increases in demand as a result of redevelopment within the Basin are planned for as part of ULARA long-term supply and demand planning.

Local Drainage and Hydrology

Onsite Drainage

The portion of the Project site proposed for development is currently a surface parking lot that serves the Airport Marriott Hotel. The majority of onsite runoff sheet flows across the surface parking lot towards the southeast. Surface flows are captured by a series of five grate or curb inlet catch basins located throughout the parking lot that outflow to a private 30-inch diameter line that extends south along the southern portion of the eastern property line and then west near the southern property line, south of the convention center. This private line then connects to the City storm drain infrastructure that runs north-south directly to the west of the Project site. The onsite private storm drain infrastructure was mapped using an ALTA/ACSM Land Title Survey, dated December 2014, associated CAD files, and in-person site walks. Attachment C of Appendix G identifies the existing drainage pattern of the surface flow, the interior pipe flow, and the existing hydrology of the Project site.

Local Storm Drain Infrastructure

After onsite flows drain through the private storm drain infrastructure, they connect to the Lockheed storm drain, a 60-inch reinforced concrete pipe maintained by the City of Burbank. The Lockheed storm drain runs south before draining to the Lockheed storm drain channel. The Lockheed storm drain channel is a 12-foot channel maintained by the City of Burbank that outlets to the Burbank Western Flood Control Channel. According to the City of Burbank Public Works Department, the Lockheed storm drain channel is at capacity.

All runoff from the Project site is ultimately discharged into the Los Angeles River (Reach 4) and ultimately into the Pacific Ocean. Reach 4, which represents the Glendale Narrows, is approximately 10 miles long and spans the area that encompasses portions of the cities of Glendale, Burbank, and Los Angeles.

Existing Hydrology Conditions

In accordance with the Urban Flood and storm drain design requirements set forth in the Los Angeles County Department of Public Works Hydrology Manual, the 10-year and 25-year storms were analyzed for existing and proposed conditions. Table 5.7-1, *Existing Hydrology Conditions*, provides the existing 10-year and 25-year storm frequency analysis for the Project site's existing conditions. The existing imperviousness was obtained from Appendix D (Proportion Impervious Data) of the Los Angeles County Public Works Hydrology Manual (2006). The Hydrology Manual calls for an imperviousness of 91 percent for all parking lot land uses and was used to determine peak flows. Output calculations are provided in Attachment D.

Table 5.7-1
Existing Hydrology Conditions

Drainage Area	Area (acres)	% Imperviousness	Q_{10} (cfs)	Q_{25} (cfs)
A	2.52	91	5.9	8.0
B1	2.45	91	5.4	7.1
B2	1.20	91	3.1	3.8
Existing Total	**6.17**	**91 (average)**	**14.4**	**18.9**

Notes: cfs = cubic feet per second.

Source:
Hydrology and Water Quality Technical Memorandum (Hydrology Memorandum), prepared by Fuscoe Engineering, dated March 2020 and revised April 2024, September 2024, and November 2024, and included as Appendix G, Hydrology and Water Quality.

Onsite Groundwater Conditions

A site-specific geotechnical investigation was performed on February 21, 2020, to determine the most appropriate Low Impact Development (LID) features to be incorporated into the Project's design and the feasibility of implementing infiltration Best Management Practices (BMPs). The investigation included a review of prior exploratory soil borings and site investigations to determine composition of soil and presence of groundwater (refer to Section 5.4, *Geology and Soils*). No groundwater was encountered to depths of 80 feet below the surface.

Flood Zones

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) No. 06037C1328F, dated September 26, 2008, the Project site is located within Zone X, which depicts areas determined to be outside the 0.2-percent (500-year) annual chance floodplain (see Attachment E of Appendix G for the floodplain map.

5.7.2 REGULATORY SETTING

Federal

Clean Water Act

Controlling pollution of the nation's receiving water bodies has been a major environmental concern for more than three decades. In 1972, growing public awareness of the impacts of water pollution in the United States culminated in the establishment of the Federal Clean Water Act (CWA), also referred to as the Federal Water Pollution Control Act of 1972, which provided the regulatory framework for surface water quality protection.

The United States Congress amended the CWA in 1987 to specifically regulate discharges to waters of the United States from public storm drain systems and storm water flows from industrial facilities, including construction sites, and require such discharges be regulated through permits under the National Pollutant Discharge Elimination System (NPDES). Rather than setting numeric effluent limitations for storm water and urban runoff, CWA regulation calls for the implementation of BMPs to reduce or prevent the discharge of pollutants from these activities to the Maximum Extent Practicable (MEP) for urban runoff and meeting the Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) standards for construction storm water. Regulations and permits have been implemented at the federal, state, and local level to form a comprehensive regulatory framework to serve and protect the quality of the nation's surface water resources.

In addition to reducing pollution with the regulations described above, the CWA also seeks to maintain the integrity of clean waters of the United States – in other words, to keep clean waters clean and to prevent undue degradation of others. As part of the CWA, the Federal Anti-Degradation Policy [40 Code of Federal Regulations (CFR) Section 131.12] states that each state "shall develop and adopt a statewide anti-degradation policy and identify the methods for implementing such policy…" [40 CFR Section 131.12(a)]. Three levels of protection are defined by the federal regulations:

> *Existing uses must be protected in all of the Nation's receiving waters, prohibiting any degradation that would compromise those existing uses;*
>
> *Where existing uses are better than those needed to support propagation of aquatic wildlife and water recreation, those uses shall be maintained, unless the state finds that degradation is "…necessary to accommodate important economic or social development" [40 CFR Section 131.12(a)(2)]. Degradation, however, is not allowed to fall below the existing use of the receiving water; and*
>
> *States must prohibit the degradation of Outstanding National Resource Waters, such as waters of national and state parks, wildlife refuges, and waters of exceptional recreation or ecological significance.*

Federal Anti-Degradation Policy

The Federal Anti-Degradation Policy (40 CFR 131.12) requires states to develop statewide antidegradation policies and identify methods for implementing them. Pursuant to the CFR, state antidegradation policies and implementation methods shall, at a minimum, protect and maintain (1) existing in-stream water uses; (2) existing water quality, where the quality of the waters exceeds levels necessary to support existing beneficial uses, unless the state finds that allowing lower water quality is necessary to accommodate

economic and social development in the area; and (3) water quality in waters considered an outstanding national resource.

State

Porter-Cologne Water Quality Act

In the State of California, the SWRCB and local Regional Water Quality Control Boards (RWQCBs) have assumed the responsibility of implementing the U.S. Environmental Protection Agency's (USEPA) NPDES Program and other programs under the CWA, such as the Impaired Waters Program and the Anti-Degradation Policy. The primary water quality control law in California is the Porter-Cologne Water Quality Act (California Water Code (CWC) Sections 13000 et seq.). Under the Porter-Cologne Act, the SWRCB issues joint federal NPDES Storm Water permits and State Waste Discharge Requirements (WDRs) to operators of MS4s, industrial facilities, and construction sites to obtain coverage for the storm water discharges from these operations.

California Anti-Degradation Policy

The California Anti-Degradation Policy, otherwise known as the Statement of Policy with Respect to Maintaining High Quality Water in California, was adopted by the SWRCB (State Board Resolution No. 68-16) in 1968. Unlike the Federal Anti-Degradation Policy, the California Anti-Degradation Policy applies to all waters of the State, not just surface waters. The policy states that, whenever the existing quality of a water body is better than the quality established in individual Basin Plans, such high quality shall be maintained and discharges to that water body shall not unreasonably affect present or anticipated beneficial use of such water resource.

California Toxic Rule

In 2000, the USEPA promulgated the California Toxic Rule, which establishes water quality criteria for certain toxic substances to be applied to waters in the State. The USEPA promulgated this rule based on its determination that the numeric criteria are necessary in the State to protect human health and the environment. The California Toxic Rule establishes acute (i.e., short-term) and chronic (i.e., long-term) standards for bodies of water such as inland surface waters and enclosed bays and estuaries that are designated by the LARWQCB) as having beneficial uses protective of aquatic life or human health.

NPDES Permit Program

The NPDES permit program was first established under authority of the CWA to control the discharge of pollutants from any point source into the waters of the United States. In California, the NPDES stormwater permitting program is administered by the SWRCB through its nine RWQCBs. This NPDES permit, General Permit for Stormwater Discharges from Construction Activities by the SWRCB (Construction Permit) establishes a risk-based approach to stormwater control requirements for construction projects by identifying three project risk levels (i.e., Risk Level (RL) 1, 2 or 3 with Level 1 being the lowest and Level 3 being the highest). The RL is calculated in two parts: (1) Project Sediment Risk, and (2) Receiving Water Risk. The Construction General Permit RL determination quantifies sediment and receiving water characteristics and uses these results to determine the project's overall RL. Refer to the "Regional" section for additional regulatory discussion relative to the NPDES Permit Program.

California Groundwater Sustainability Act

On September 16, 2014, California Governor Jerry Brown signed into law a three-bill legislative package, known as the Sustainable Groundwater Management Act of 2014 (SGMA). The SGMA provides a

framework for sustainable management of groundwater supplies by local authorities, with a limited role for state intervention only if necessary to protect the resource.

The SGMA requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. The act provides substantial time – 20 years – for GSAs to implement plans and achieve long-term groundwater sustainability. It protects existing surface water and groundwater rights and does not impact current drought response measures.

The California Water Commission requires a statewide prioritization of California's groundwater basins using the following eight criteria:

- Overlying population;
- Projected growth of overlying population;
- Public supply wells;
- Total wells;
- Overlying irrigated acreage;
- Reliance on groundwater as the primary source of water;
- Impacts on the groundwater—including overdraft, subsidence, saline intrusion, and other water quality degradation;
- Any other information determined to be relevant by the Department.

CWC Section 10720.8 identifies adjudicated areas in SGMA, which have an existing defined entity administering the adjudication. Under SGMA, adjudicated portions of basins are exempt from developing a groundwater sustainability plan (GSP) and forming a groundwater sustainability agency (GSA). However, the entities administering the adjudications are subject to submitting annual reports to DWR by April 1 each year. SGMA specifically states:

“By April 1, 2016, and annually thereafter, submit to the department a report containing the following information to the extent available for the portion of the basin subject to the adjudication:

a) Groundwater elevation data unless submitted pursuant to CWC Section 10932
b) Annual aggregated data identifying groundwater extraction for the preceding water year
c) Surface water supply used for or available for use for groundwater recharge or in-lieu use
d) Total water use
e) Change in groundwater storage
f) The annual report submitted to the court”

The San Fernando Valley Groundwater Basin is adjudicated and managed by the ULARA Watermaster and is, therefore, exempted from developing a GSA and GSP.

California Water Plan

The California Water Plan provides a framework for water managers, legislators, and the public to consider options and make decisions regarding California’s water future. The California Water Plan, which is updated every five years, presents basic data and information on California’s water resources including water supply evaluations and assessments of agricultural, urban, and environmental water uses to quantify the gap between water supplies and uses. The California Water Plan also identifies and evaluates

existing and proposed statewide demand management and water supply augmentation programs and projects to address the State's water needs.

The goal for the California Water Plan Update is to meet the California Water Commission requirements, to receive broad support among those participating in California's water planning and to be a useful document for the public, water planners throughout the State, and legislators and other decision-makers.

Regional

County of Los Angeles Hydrology Manual

The Project Site is located within the Los Angeles River Watershed, which covers over 830 square miles. The Los Angeles County Flood Control District (LACFCD) is responsible for providing flood protection, water conservation, recreation, and aesthetic enhancement within this entire watershed. LACFCD is governed, as a separate entity, by the County of Los Angeles Board of Supervisors.

LACFCD consists of more than 3,000 square miles, 85 cities, and approximately 2.1 million land parcels. It includes the vast majority of drainage infrastructure within incorporated and unincorporated areas in every watershed, including 500 miles of open channel, 2,800 miles of underground storm drain, and an estimated 120,000 catch basins. The Los Angeles County Department of Public Works (LACDPW) and LACFCD are responsible for the development of a hydrology manual for consistent hydrologic design throughout the County.

The LACDPW Hydrology Manual (dated January 2006) establishes the LACDPW hydrologic design procedures based on historic rainfall and runoff data collected within the County. The hydrologic techniques in the manual apply for the design of local storm drains, retention and detention basins, pump stations, and major channel projects.

The Project is required to utilize the 2006 Hydrology Manual and accompanying hydrologic tools, including HydroCalc Calculator to calculate existing and proposed discharges and volumes from the Project.

Board Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties

As required by the CWC, the LARWQCB has adopted a plan entitled "Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties" (Basin Plan). Specifically, the Basin Plan designates beneficial uses for surface and groundwaters, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's anti-degradation policy, and describes implementation programs to protect all waters in the Los Angeles Region. In addition, the Basin Plan incorporates (by reference) all applicable State and regional board plans and policies and other pertinent water quality policies and regulations. Those of other agencies are referenced in appropriate sections throughout the Basin Plan. The Basin Plan is a resource for the LARWQCB and others who use water and/or discharge wastewater in the Los Angeles Region. Other agencies and organizations involved in environmental permitting and resource management activities also use the Basin Plan. Finally, the Basin Plan provides valuable information to the public about local water quality issues.

NPDES Permit Program and Los Angeles Regional Water Quality Control Board

As described above, in California, the NPDES stormwater permitting program is administered by the SWRCB through its nine RWQCBs. The City of Burbank is within the LARWQCB.

Construction: Stormwater Pollution Prevention Plan

California mandates requirements for all construction activities disturbing more than one acre of land to develop and implement Stormwater Pollution Prevent Plans (SWPPPs). The SWPPP documents the selection and implementation of BMPs to prevent discharges of water pollutants to surface or groundwater. The SWPPP also charges owners with stormwater quality management responsibilities. A developer or contractor for a construction site subject to the Construction General Permit must prepare and implement a SWPPP that meets the requirements of the Construction General Permit. The purpose of an SWPPP is to identify potential sources and types of pollutants associated with construction activity and list BMPs that would prohibit pollutants from being discharged from the construction site into the public stormwater system. BMPs typically address stabilization of construction areas, minimization of erosion during construction, sediment control, control of pollutants from construction materials, and post-construction stormwater management (e.g., the minimization of impervious surfaces or treatment of stormwater runoff). The SWPPP is also required to include a discussion of the proposed program to inspect and maintain all BMPs.

A site-specific SWPPP could include, but not be limited to the, following BMPs:

- Erosion Control BMPs—to protect the soil surface and prevent soil particles from detaching. Selection of the appropriate erosion control BMPs would be based on minimizing areas of disturbance, stabilizing disturbed areas, and protecting slopes/channels. Such BMPs may include, but would not be limited to, use of geotextiles and mats, earth dikes, drainage swales, and slope drains.
- Sediment Control BMPs—are treatment controls that trap soil particles that have been detached by water or wind. Selection of the appropriate sediment control BMPs would be based on keeping sediments on-site and controlling the site boundaries. BMPs may include, but would not be limited to, use of silt fences, sediment traps, and sandbag barriers, street sweeping and vacuuming, and storm drain inlet protection.
- Wind Erosion Control BMPs—consist of applying water to prevent or minimize dust nuisance.
- Tracking Control BMPs—consist of preventing or reducing the tracking of sediment off-site by vehicles leaving the construction area. These BMPs include street sweeping and vacuuming. Project sites are required to maintain a stabilized construction entrance to prevent off-site tracking of sediment and debris.
- Non-Stormwater Management BMPs—also referred to as “good housekeeping practices,” involve keeping a clean, orderly construction site.
- Waste Management and Materials Pollution Control BMPs—consist of implementing procedural and structural BMPs for handling, storing, and disposing of wastes generated by a construction project to prevent the release of waste materials into stormwater runoff or discharges through the proper management of construction waste.

SWRCB Order No. 2009-0009-DWQ known as the “Construction General Permit” was adopted on September 2, 2009, and was last amended on September 8, 2022, by Order No 2022-0057-DWQ, General NPDES Permit No. CAS000002). The Construction General Permit regulates construction activity, including clearing, grading, and excavation of areas one acre or more in size, and prohibits the discharge of materials other than stormwater, authorized non-stormwater discharges, and all discharges that contain a hazardous substance, unless a separate NPDES permit has been issued for those discharges.

To obtain coverage under the Construction General Permit, a developer is required to file a Notice of Intent (NOI) with the appropriate RWQCB and provide proof of the NOI prior to applying for a grading or building permit from the local jurisdiction and must prepare a State SWPPP that incorporates the minimum BMPs required under the permit as well as appropriate project-specific BMPs. The SWPPP must be completed and certified by the developer and BMPs must be implemented prior to the commencement of construction and may require modification during the course of construction as conditions warrant. When project construction is complete, the developer is required to file a Notice of Termination with the RWQCB certifying that all the conditions of the Construction General permit, including conditions necessary for termination, have been met.

NPDES Permit for Discharges of Groundwater from Construction and Project Dewatering

Dewatering operations are practices that discharge non-stormwater, such as groundwater, that must be removed from a work location to proceed with construction into the drainage system. Discharges from dewatering operations can contain high levels of fine sediments, which if not properly treated, could lead to exceedance of the NPDES requirements. An NPDES Permit for dewatering discharges was adopted by the LARWQCB and was last amended on December 21, 2023 (Order No. R4-2023-0429, General NPDES Permit No. CAG994004. Similar to the Construction General Permit, to be authorized to discharge under this permit, the developer must submit a NOI to discharge groundwater generated from dewatering operations during construction in accordance with the requirements of this Permit and shall continue in full force until it expires March 21, 2029. In accordance with the NOI, among other requirements and actions, the discharger must demonstrate that the discharges shall not cause or contribute to a violation of any applicable water quality objective/criteria for the receiving waters, perform reasonable potential analysis using a representative sample of groundwater or wastewater to be discharged. The discharger must obtain and analyze (using appropriate methods) a representative sample of the groundwater to be treated and discharged under the Order. The analytical method used shall be capable of achieving a detection limit at or below the minimum level. The discharger must also provide a feasibility study on conservation, reuse, and/or alternative disposal methods of the wastewater and provide a flow diagram of the influent to the discharge point.

The County of Los Angeles and Burbank are two of the Co-Permittees under the Los Angeles County MS4 Permit (Order No. R4-2021-0105, NPDES Permit No. CAS004004). The Los Angeles County MS4 Permit has been determined by the SWRCB to be consistent with the requirements of the Clean Water Act and the Porter-Cologne Act for discharges through the public storm drains in Los Angeles County to statutorily-defined waters of the U.S. (33 United States Code [USC] §1342(p); 33 CFR Part 328.11). Last amended on July 23, 2021, the LARWQCB amended the Los Angeles County MS4 Permit to incorporate modifications consistent with the revised Ballona Creek Watershed Trash Total Maximum Daily Load (TMDL) and the revised Los Angeles River Watershed Trash TMDL, among other TMDLs incorporated into the Los Angeles County MS4 Permit and the Basin Plan for the Coastal Waters of Los Angeles and Ventura Counties.

Under the amended Los Angeles County MS4 Permit, permittees are required to implement a development planning program to address stormwater pollution. This program requires project applicants for certain types of projects to implement a Low Impact Development (LID) Plan. The purpose of the LID Plan is to reduce the discharge of pollutants in stormwater by outlining BMPs, which must be incorporated into the design of new development and redevelopment. These treatment control BMPs must be

sufficiently designed and constructed to treat or retain the greater of an 85th percentile rain event or first 0.75 inch of stormwater runoff from a storm event.

The Los Angeles County MS4 Permit (Part VI.D.7.c, New Development/Redevelopment Project Performance Criteria) includes design requirements for new development and substantial redevelopment. These requirements apply to all projects that create or replace more than 5,000 square feet of impervious cover. Where redevelopment results in an alteration to more than 50 percent of impervious surfaces of a previously existing development and the existing development was not subject to post-construction stormwater quality control requirements, the entire project would be subject to post-construction stormwater quality control measures.

This Enhanced Watershed Management Program for the Upper Los Angeles River (ULAR EWMP) describes a customized compliance pathway that participating agencies will follow to address the pollutant reduction requirements of the Los Angeles County MS4 Permit. By electing the optional compliance pathway in the MS4 Permit, the Upper Los Angeles River Watershed Management Group (EWMP Group) has leveraged this EWMP to facilitate a robust, comprehensive approach to stormwater planning for the Upper Los Angeles River watershed. The objective of the EWMP Plan is to determine the network of control measures (BMPs) that will achieve required pollutant reductions while also providing multiple benefits to the community and leveraging sustainable green infrastructure practices.

The Permit requires the identification of Watershed Control Measures, which are strategies and BMPs that will be implemented through the EWMP, individually or collectively, at watershed-scale to address the Water Quality Priorities. The EWMP Implementation Strategy is used as a recipe for compliance for each jurisdiction to address Water Quality Priorities and comply with the provisions of the MS4 Permit.

The EWMP Implementation Strategy includes individual recipes for each of the 18 jurisdictions and each watershed/assessment area—Los Angeles River above Sepulveda Basin, Los Angeles River below Sepulveda Basin, Compton Creek, Rio Hondo, Verdugo Wash, Arroyo Seco, Burbank Western Channel, Tujunga Wash, Bull Creek, Aliso Wash, Bell Creek, McCoy-Dry Canyon, and Browns Canyon Wash. Implementation of the EWMP Implementation Strategy will provide a BMP-based compliance pathway for each jurisdiction under the MS4 Permit. The permit specifies that an adaptive management process will be revisited every two years to evaluate the EWMP and update the program. The EWMP strategy will evolve based on monitoring results by identifying updates to the EWMP Implementation Plan to increase its effectiveness.

The Los Angeles County MS4 Permit contains provisions for implementation and enforcement of the Stormwater Quality Management Program. The objective of the Stormwater Quality Management Program is to reduce pollutants in urban stormwater discharges to the “maximum extent practicable,” to attain water quality objectives and protect the beneficial uses of receiving waters in Los Angeles County. Special provisions are provided in the Los Angeles County MS4 Permit to facilitate implementation of the Stormwater Quality Management Program. In addition, the Los Angeles County MS4 Permit requires that permittees implement a LID Plan, as discussed above, that designates BMPs that must be used in specified categories of development projects to infiltrate water, filter, or treat stormwater runoff; control peak flow discharge; and reduce the post-project discharge of pollutants into stormwater conveyance systems. In response to the Los Angeles County MS4 Permit requirements, and because the City of Burbank is a co-

permittee to both the regional ULAR EWMP and the State issued MS4 municipal requirements, it must comply.

As a co-permittee, the City supports the requirements of the Los Angeles County MS4 Permit through both the June 2015 ULAR EWMP document and the City of Burbank's Stormwater Quality Management Program pamphlet, which provides guidance to developers to ensure the post-construction operation of newly developed and redeveloped facilities comply with the Developing Planning Program regulations of the City's Stormwater Program. These documents assist developers with the selection, design, and incorporation of stormwater source control and treatment control BMPs into project design plans and provides an overview of the City's plan review and permitting process.

The City implements the requirement to incorporate stormwater BMPs, including LID BMPs, through the City's plan review and approval process. During the review process, project plans are reviewed for compliance with the City's General Plan, zoning ordinances, and other applicable local ordinances and codes, including stormwater requirements. Plans and specifications are reviewed to ensure that the appropriate BMPs are incorporated to address stormwater pollution prevention goals.

Stormwater Program – Los Angeles County MS5 Permit Citywide Implementation

The City's Stormwater section under the joint purview of the departments of Public Works and Building Safety is responsible for stormwater pollution control throughout the City in compliance with the Los Angeles County MS4 Permit. The Stormwater section administers the City's Stormwater Program. The City enforces the February 2014 Los Angeles County Low Impact Development Manual (LID Handbook). The LID Handbook assists developers with the selection, design, and incorporation of stormwater source control and treatment control BMPs into project design plans. The LID Handbook addresses the need for frequent and/or regular inspections of infiltration facilities in order to ensure on-site compliance of BMP standards, soil quality, site vegetations, and permeable surfaces. These inspections are required to guarantee that facilities follow all proprietary operation and maintenance requirements.

Low Impact Development Plans

Under the current Los Angeles County Municipal NPDES Permit, permittees are required to implement a development planning program to address storm water pollution. These programs require project applicants for certain types of projects to implement Low Impact Development (LID) Plans throughout the operational life of their projects. The purpose of LID plans is to reduce the discharge of pollutants in storm water by outlining BMPs, which must be incorporated into the design plans of new development and redevelopment.

The Project falls within the definition of "redevelopment" under the MS4 Storm Water Permit, which requires compliance with the LID requirements.

Low Impact Development

LID is a stormwater strategy that is used to mitigate the impacts of runoff and stormwater pollution as close to its source as possible. Urban runoff discharged from municipal storm drain systems is one of the principal causes of water quality impacts in most urban areas. Stormwater may contain pollutants, such as trash and debris, bacteria and viruses, oil and grease, sediments, nutrients, metals, and toxic chemicals, that can negatively affect the ocean, rivers, plant and animal life, and public health.

LID encompasses a set of site design approaches and BMPs that are designed to address runoff and pollution at the source. These LID practices can effectively remove nutrients, bacteria, and metals, while reducing the volume and intensity of stormwater flows.

The Project is subject to compliance with LARWQCB Order No. R4-2012-0175-A01, which became effective on November 8, 2012, and most recently modified in June 2018. The main purpose of this law is to ensure that development and redevelopment projects mitigate runoff in a manner that captures or treats rainwater at its source, while utilizing natural resources.

In accordance with LARWQCB Order No. R4-2012-0175-A01, stormwater runoff shall be infiltrated, evapotranspired, captured and used, or treated through high removal efficiency BMPs, onsite, through stormwater management techniques. The LARWQCB has a BMP Hierarchy which the project must follow when selecting the type or types of BMPs to be constructed on site. The following is the BMP Hierarchy, per LARWQCB Order No. R4-2012-0175 as amended by SWRCB Order WQ 2015-0075 and NPDES NO. CAS004001:

- Onsite infiltration,
- Onsite bioretention and/or harvest and use,
- Onsite biofiltration, offsite ground water replenishment, and/or offsite retrofit

Hydromodification

In addition to the LID requirements listed in the MS4 Permit (LARWQCB Order No. R4-2012-0175-A01), the Permit also addresses requirements for Hydromodification as pertaining to the project. Per Part VI.D.7.c.iv of the Permit:

> *Each Permittee shall require all New Development and Redevelopment projects located within natural drainage systems as described in Part VI.D.7.c.iv.(1)(a)(iii) to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems.*
>
> *The purpose of the hydrologic controls is to minimize changes in post-development hydrologic storm water runoff discharge rates, velocities, and duration. This shall be achieved by maintaining the project's pre-project stormwater runoff flow rates and durations.*

Upper Los Angeles River Watershed Enhanced Watershed Management Program

The County of Los Angeles, the City of Burbank, and all other cities in the Los Angeles Watershed are responsible for the implementation of watershed improvement plans or Enhanced Watershed Management Programs (EWMP) to improve water quality and assist in meeting the Total Maximum Daily Load (TMDL) milestones. An EWMP for the Upper Los Angeles River Watershed, prepared with the City of Los Angeles as the lead coordinating agency, was approved on March 29, 2016 by the LARWQCB. The vision of the EWMP is to utilize a multi-pollutant approach that maximizes retention and use of urban runoff as a resource for groundwater recharge and irrigation while also improving water quality and providing environmental, aesthetic, recreational, water supply and other community enhancements.

The EWMP identifies a toolbox of distributed and regional watershed control measures to address applicable stormwater quality regulations including the following:

- LID at the individual parcels
- Green Streets features within the public right-of-way and privately maintained streets
- Regional projects that retain and treat runoff from large upstream areas
- Institutional control measures to prevent transport of pollutants in the watershed

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies to protect surface waters, groundwater, and water resources throughout the City. The Land Use Element and Open Space and Conservation Element contain the following goals and policies specific to hydrology and water quality:

Land Use Element

GOAL 2 SUSTAINABILITY: Burbank is committed to building and maintaining a community that meets today's needs while providing a high quality of life for future generations. Development in Burbank respects the environment and conserves natural resources.

Policy 2.6 Design new buildings to minimize the consumption of energy, water, and other natural resources. Develop incentives to retrofit existing buildings for a new reduction in energy consumption, water consumption, and stormwater runoff.

Open Space and Conservation Element

GOAL 9 WATER RESOURCES: Adequate sources of high-quality water provide for various uses within Burbank.

Policy 9.5 Require on-site drainage improvements using native vegetation to capture and clean stormwater runoff.

Safety Element

GOAL 6 FLOOD SAFETY: Potential risks—such as injury, loss of life and property, and economic and social disruption—caused by flood and inundation are minimized.

Policy 6.3 Continue to maintain and upgrade the City-operated flood control system to ensure the system is capable of protecting existing and planned development. Include evaluation of the system under projected changes in storm frequency and intensity.

Policy 6.6 Ensure proper maintenance and improvements to storm drainage facilities. Evaluate maintenance and improvements to storm drainage facilities based on projected changes to storm frequencies and intensity.

Policy 6.7 Employ strategies and design features to reduce the area of impervious surface in new development projects.

Burbank Municipal Code

City Ordinance 3530 (passed on September 14, 1999) but not yet codified into the BMC, sets forth the City's Stormwater and Urban Runoff Pollution Control Ordinance. The Ordinance prohibits the discharge of runoff containing toxic materials, oils or chemicals, food and processing wastes, dirt and landscape debris, and concrete materials, among other constituents. The discharge prohibition is aimed at

protecting the health of the public and aquatic ecosystems, as well as preserving the natural flow of storm drain systems.

BMC Title 9, Chapter 3, Article 4, Section 9-3-414, Storm Water Pollution Control Measures for Development Planning, establishes the provisions for construction activities and facility operations of development projects to comply with Standard Urban Stormwater Mitigation Plan (SUSMP) requirements. As part of the provisions, sites are required to be designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible by minimizing impervious surface area and controlling runoff from imperviously surfaces through infiltration, evapotranspiration, bioretention and/or rainfall harvest and use. Planning Priority Projects are required to prepare a LID Plan to comply with stormwater runoff requirements.

5.7.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to hydrology and water quality if it would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (refer to Impact Statement HWQ-1);
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (refer to Section 8.0, *Effects Found Not to be Significant*);
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - Result in substantial erosion or siltation on- or off-site (refer to Impact Statement HWQ-2);
    - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (refer to Impact Statement HWQ-2);
    - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (refer to Impact Statement HWQ-2); or
    - Impede or redirect flood flows (refer to Impact Statement HWQ-2);
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation (refer to Section 8.0, *Effects Found Not to be Significant*); and/or
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (refer to Impact Statement HWQ-3).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures

are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.7.4 IMPACTS AND MITIGATION MEASURES

HWQ-1: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Impact Analysis: The Project would be required to comply with all City grading permits and local and State construction regulations and would not violate any standards, as described below.

Construction

The Project proposes development of a new Hotel and Garage within the northeastern portion of the Project site. Implementation of the proposed Project would result in construction activities that include demolition of the existing surface parking lot pavement in the northeastern portion of the Project site. Regrading would also be required. The surface parking lot in the southeastern portion of the Project site (SE Lot) and behind the convention center would also be demolished, regraded, repaved, and restriped as part of the Project. Utilities and additional offsite improvements would also occur; refer to Section 3.0, *Project Description*.

Construction activities have the potential to temporarily alter existing drainage patterns and also increase permeability based on the increased pervious surface coverage during construction. Exposed pervious surfaces also have the potential for erosion, scour, and increased sediment and associated pollutants discharging from the site during construction activities. The main pollutant of concern during construction is typically sediment and soil particles that discharge offsite due to wind, rain, and construction patterns.

As discussed above, the SWRCB has adopted the Construction General Permit that requires stormwater control requirements for construction projects. This NPDES permit establishes a risk-based approach to stormwater control requirements for construction projects by identifying three project risk levels (i.e., RL 1, 2 or 3). California mandates requirements for all construction activities disturbing more than one acre of land to develop and implement a SWPPP. Prior to commencement of construction activities, the Project Applicant would be required to prepare a SWPPP in accordance with the site-specific information, including grading limits, BMPs for each phase, schedule, and sediment risk analyses to determine the BMPs that would be required. In accordance with the Construction General Permit, the SWPPP must be made available for review upon request, shall describe construction BMPs that address pollutant source reduction, and provide measures/controls necessary to mitigate potential pollutant sources. These measures/controls include, but are not limited to, erosion controls, sediment controls, tracking controls, non-stormwater management, materials and waste management, and good housekeeping practices, including the following:

- Erosion control BMPs, such as hydraulic mulch, soil binders, and geotextiles and mats, protect the soil surface by covering and/or binding the soil particles. Temporary earth dikes or drainage swales may also be employed to divert runoff away from exposed areas and into more suitable

locations. If implemented correctly, erosion controls can effectively reduce the sediment loads entrained in stormwater runoff from construction sites.

- Sediment controls are designed to intercept and filter out soil particles that have been detached and transported by the force of water. Storm drain inlets on the Project site or within the Project vicinity (i.e., along streets immediately adjacent to the Project boundary) should be adequately protected with an impoundment (i.e., gravel bags) around the inlet and equipped with a sediment filter (i.e., fiber roll). Bags should also be placed around areas of soil disturbing activities, such as grading or clearing.
- Stabilization of construction entrance/exit points reduces the tracking of sediments onto adjacent streets. Wind erosion controls should be employed in conjunction with tracking controls.
- Non-stormwater management BMPs prohibit the discharge of materials other than stormwater, as well as reduce the potential for pollutants from discharging at their source. Examples include avoiding paving and grinding operations during the rainy season (i.e., October 1 through April 30 each year), where feasible, and performing any vehicle equipment cleaning, fueling, and maintenance in designated areas that are adequately protected and contained.
- Waste management consists of implementing procedural and structural BMPs for collecting, handling, storing and disposing of wastes generated by a construction project to prevent the release of waste materials into storm water discharges.

The phases of construction would define the maximum amount of soil disturbed, the appropriately sized sediment basins, and other control measures to accommodate all active soil disturbance areas and the appropriate monitoring and sampling plans. In the event exceedances of receiving water quality objectives are observed, measures must be taken and documented within the SWPPP to improve discharge water quality and runoff effluent. This may include, but not be limited to, increasing the size of existing BMPs, adding more BMPs to the drainage area, additional filtering, and/or a reduction in active grading areas.

Through compliance with the Construction General Permit, including the preparation of a SWPPP, implementation of BMPs appropriate for each major phase of construction, and compliance with applicable City grading regulations, construction of the Project would not adversely impact water quality standards or degrade surface or groundwater quality during construction activities. The construction of the Project would also not result in discharges that would cause (1) pollution that would impact the quality of waters of the State to a degree which negatively impacts beneficial uses of the waters; (2) contamination of the quality of the waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of diseases; or (3) nuisance that would be injurious to health, affect an entire community or neighborhood or any considerable number of persons, and occurs during or as a result of the treatment or disposal of wastes. Lastly, construction of the Project would not result in discharges that would cause regulatory impacts within the Los Angeles River. Therefore, Project construction would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, and impacts would be less than significant.

Operation

During operation, the proposed Project would potentially discharge pollutants into the City and County storm drain system. Anticipated pollutants include sediments, oils, nutrients, pesticides, trash/debris, and chemicals. However, LID design features would be included in the Project to ensure local and regional water quality is protected.

To meet the local MS4 Permit and LID requirements consistent with the City's Municipal Storm Water and Urban Runoff Discharges and Low Impact Development Standards Manual (LID Manual), stormwater management strategies would be implemented, including water quality measures to ensure the Project would not violate water quality standards or waste discharge requirements or degrade surface or groundwater quality. The Hydrology Memorandum identifies stormwater capture and re-use (i.e., water harvesting) BMP as the proposed conceptual stormwater management strategy for the Project. During the Project's final design phases, water demands for site irrigation would be quantified to allow for the final system component sizing and placement (e.g., storage gallery under the parking lot pavement surface, and associated irrigation piping and small submersible pump equipment placed inside the storage gallery BMP). Additionally, the potential for an infiltration BMP strategy may be assessed, in lieu of the capture and re-use BMP strategy. An infiltration BMP strategy may be utilized if onsite percolation testing confirms the ability of the onsite soils to percolate well enough to support an infiltration BMP strategy, based on the site-specific design values, as noted in a final geotechnical report.

To meet the local MS4 Permit and LID requirements consistent with the City's Municipal Storm Water and Urban Runoff Discharges and Low Impact Development Standards Manual, stormwater management strategies would be implemented throughout the Project Site.

Table 5.7-2, *Low Impact Development Calculations (85th Percentile)*, shows the storm water quality design volumes (SWQDv)[1], as well as water quality flow rates[2] that are required to be detained and treated for each drainage area based on an 85th percentile storm event of 1.1 inch. Refer to Attachment I of Appendix G for Los Angeles County 85th Percentile exhibit and Attachment J of Appendix G for the HydroCalc LID Results for the Project. The portion of the Project site where proposed improvements and disturbances would primarily occur currently accounts for a single LID BMP device that all flow is routed to; therefore, this portion of the Project site is calculated as a single sub-area.

Table 5.7-2
Low Impact Development Calculations (85th Percentile)

Drainage Area	Area (acres)	Qpm (cfs)	SWQDv (cf)
A	6.17	1.2	20,445
cfs = cubic feet per second; cf = cubic feet			
Source: *Hydrology and Water Quality Technical Memorandum* (Hydrology Memorandum), prepared by Fuscoe Engineering, dated March 2020 and revised April 2024 and September 2024, and included as Appendix G.			

[1] Volume of water representative of an 85th percentile storm event for the Project site.
[2] Qpm, a flow rate representing the max flow of an 85th percentile storm event for the Project site.

Capture and reuse LID BMPs (e.g., cistern or retention chamber) are proposed for the Project site. As described, the proposed condition final stormwater treatment solution (capture and re-use or infiltration) would be based on supplemental soil testing and final irrigation demands and other possible treated stormwater effluent Project demands. The proposed conceptual BMP scheme and location can be seen in Attachment M of Appendix G. The proposed LID BMP would be required to effectively treat the pollutants of concern for the Project site and are projected to improve water quality over existing conditions. Thus, Project operations would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface water or ground water quality and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

HWQ-2: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in a substantial erosion or siltation on- or off-site;

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv. Impede or redirect flood flows?

Impact Analysis:

Construction

The Project is not anticipated to alter existing drainage patterns or cause substantial erosion or siltation on- or offsite. The Project site is located in a largely built-out, impervious area and is not expected to contribute any additional sediment to water bodies or increase the risks of erosion. The greatest onsite erosion risk would occur during construction. As discussed above, the Project would be required to comply fully with the Construction General Permit and is not expected to generate excess sediment or be at risk of erosion.

Through compliance with the Construction General Permit, including the preparation of a SWPPP, implementation of BMPs appropriate for each major phase of construction, and compliance with applicable City grading regulations, construction of the Project would not cause flooding, substantially increase or decrease the amount of surface water in a water body, or result in a permanent, adverse change to flow direction. Impacts would be less than significant in this regard.

Operation

Proposed Hydrology Conditions

Upon development of the proposed Project, drainage patterns would slightly deviate from existing conditions. Under existing conditions, there are two outfalls from the Project site to the 60-inch Lockheed

storm drain. In the proposed condition, there would be one outfall to the pipe, as all the site drainage would be routed to a LID BMP that overflows to an existing on-site private 30-inch storm drain and ultimately to the existing 60-inch outfall.

Development of the Project would result in an increase in pervious areas due to increased planter/landscaping area compared to existing conditions and would decrease the impervious surfaces from 91 percent to 85 percent, while simultaneously increasing the flow path length of incoming sheet flow as a result of the proposed Hotel and Garage structures. Table 5.7-3, *Proposed Hydrology Conditions*, provides an analysis of the 10-year and 25-year frequency design storm events following construction of the Project. Attachment G of Appendix H provides the Proposed Hydrology Map, and output calculations are provided in Attachment H of Appendix H.

Table 5.7-3
Proposed Hydrology Conditions

Drainage Area	Area (acres)	% Imperviousness	Q_{10} (cfs)	Q_{25} (cfs)
A	6.17	85	9.5	12.9
cfs = cubic feet per second				
Source: *Hydrology and Water Quality Technical Memorandum* (Hydrology Memorandum), prepared by Fuscoe Engineering, dated March 2020 and revised April 2024 and September 2024, and included as Appendix G.				

Table 5.7-4, *Existing vs. Proposed Hydrology Conditions*, provides a comparison of the existing and proposed peak flows for the 10-year and 25-year storm events. These values provide the basis for the peak flow values and pipe sizing design.

Table 5.7-4
Existing vs. Proposed Hydrology Conditions

Condition	Area (acres)	Q_{10} (cfs)	Q_{25} (cfs)
Existing	6.17	14.4	18.9
Proposed	6.17	9.5	12.9
Difference	--	-4.9	-6.0
% Increase or Decrease from Existing to Proposed Conditions	--	-34%	-32%
cfs = cubic feet per second			
Source: *Hydrology and Water Quality Technical Memorandum* (Hydrology Memorandum), prepared by Fuscoe Engineering, dated March 2020 and revised April 2024 and September 2024, and included as Appendix G.			

The above analysis includes the assumption that with the new building footprints, there would be an increase in flow path length due to the increased path of travel of stormwater around the proposed buildings. As shown in Table 5.7-4, under proposed conditions, peak flows are reduced across the design storm events for the Project.

The existing catch basins that would remain onsite would have new connections to the proposed onsite storm drain infrastructure or will continue to connect to the existing onsite storm drain infrastructure that

would remain. The segments of pipe connecting to the 60-inch Lockheed storm drain would be protected in place to the point of the overflow connection for the LID BMP; refer to the Storm Drain Capacity discussion below.

Storm Drain Capacity

Based on the above analysis, operation of the Project would not result in increased site runoff or create negative impacts to the capacity of the existing downstream storm drain system. As stated, flows are anticipated to decrease due to longer flow paths and increased pervious surfaces throughout the portion of the Project site where proposed improvements would occur. In addition, the Project would not substantially reduce or increase the amount of surface water in the local water body (Los Angeles River) or result in a permanent adverse change in the drainage pattern that would result in an incremental effect on the capacity of the existing storm drain system.

The existing 30-inch storm drain (SD) pipe running along the southern edge of the Project site would continue to serve as the Project's primary local SD outfall pipe. This existing 30-inch SD pipe runs from the southeast corner of the Project site westerly towards offsite Avon Street and ultimately connects into the existing 60-inch SD Lateral A running in Avon Street. Table 5.7-5, *Existing Capacity vs. Proposed Peak Flows*, shows the conveyance capacity of the existing 30-inch SD and how it compares to the proposed Project's 25-year peak flow rate. As shown in Table 5.7-5, the capacity of the existing 30-inch SD pipe (29 cfs) along the southern edge of the Project site would be able to convey the Project site's tributary stormwater flows during a 25-year peak flow rate with a 55 percent pipe capacity used. The overflow path would remain the same as the existing site conditions.

Table 5.7-5
Existing Capacity vs. Proposed Peak Flows

Drainage Area(s)	Pipe Size (inches)	Max Pipe Capacity (cfs)	Cumulative Q_{25} (cfs)[1]	% of Pipe Capacity Used
All	30 (South)	29	15.9	55
cfs = cubic feet per second				
Note: 1. Cumulative Q_{25} is the sum of all tributary flows in the proposed condition for a 25-year storm period.				
Source: *Hydrology and Water Quality Technical Memorandum* (Hydrology Memorandum), prepared by Fuscoe Engineering, dated March 2020 and revised April 2024 and September 2024, and included as Appendix G.				

Additionally, the Project is exempt from hydromodification requirements as runoff from the Project site is discharged directly via storm drain to a receiving water that is not susceptible to hydromodification impacts. Specifically, the Project site discharges via storm drain to the Los Angeles River, which is categorized as not susceptible to hydromodification. Therefore, the Project is not required to implement hydrologic control measures as mitigation for hydromodification impacts.

In addition, as described above, implementation of the Project would result in a reduction of peak flows and volumes as compared to existing conditions, thereby satisfying hydromodification requirements in addition to the receiving water exemption. More specifically, the proposed Project would reduce peak flows for the 10- and 25-year design storm events when compared to existing conditions based on an

increase in pervious surfaces associated with planter/landscaping area and increased flow path length due to the increased path of travel of stormwater around the proposed buildings. Additionally, capacity would be available to serve the Project's peak flows, and, as such, Project implementation would not adversely impact the capacity of existing offsite City and County storm drain systems. Therefore, operation of the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

HWQ-3: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact Analysis: The 2014 Sustainable Groundwater Management Act requires local public agencies and groundwater sustainability agencies in high- and medium-priority basins to develop and implement GSPs or prepare an alternative to a GSP. The City is located within the San Fernando Valley Groundwater Basin, which is ranked as a "very low" priority basin based on a technical process that utilizes information to classify the groundwater basins utilizing eight components identified in CWC Section 10933(b). A low or very low priority basin is not required to develop a GSP. Therefore, there is no groundwater sustainability plan established for the San Fernando Valley Groundwater Basin.

Development of the Project would result in an increase in pervious areas due to increased planter/landscaping area and would decrease the impervious surfaces from 91 percent to 85 percent, while simultaneously increasing the flow path length of incoming sheet flow. Table 5.7-3, *Proposed Hydrology Conditions*, provides an analysis of the 10-year and 25-year frequency design storm events following construction of the Project. Attachment G of Appendix G provides the Proposed Hydrology Map, and output calculations are provided in Attachment H of Appendix G.

The Project site is completely improved with approximately 91 percent of the site containing impervious surfaces. The Project site does not currently allow for significant groundwater recharge, and the Project area is not utilized for groundwater recharge or pumping. Project implementation would decrease the impervious surfaces from 91 percent to 85 percent, associated with the proposed Project's planter/landscaping areas. The introduction of new planter/landscaping areas provide increased pervious areas when compared to existing conditions and as a result, allow for increased incidental infiltration. Further, implementation of either stormwater BMP solution (capture and re-use or infiltration), in accordance with local and regional permit regulations and regional groundwater management goals, would not obstruct implementation of either a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.7.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Impact Analysis:

Construction

As analyzed above, the proposed Project would comply with the Construction General Permit regulations and would not violate water quality standards. Development of a site-specific SWPPP and implementation of required LID BMPs would be implemented during Project construction activities, reducing impacts to a less than significant level. Development of related projects may involve future construction activities that could temporarily increase runoff, erosion, and sedimentation. As with the proposed Project, future development of related projects would be required to comply with NPDES Permit regulations, which require that any construction activity disturbing one acre or more of soil complies with the Construction General Permit. The Permit requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction General Permit to control stormwater quality degradation due to potential construction-related pollutants and reduce potential water quality impacts. Related projects would be required to comply with all NPDES Permit requirements on a project-by-project basis to ensure water quality standard or waste discharge requirements would not be violated or surface and groundwater quality would not be degraded during construction activities. Thus, the Project's less than significant effects involving a violation of water quality standards or waste discharge requirements, or a substantial degradation of surface water or groundwater quality associated with construction activities, would not be cumulatively considerable, and cumulative impacts would be less than significant.

Operation

Development of related projects could increase impervious areas resulting in increased stormwater runoff when compared to existing site conditions and potentially discharge pollutants into the City and County storm drain system. As demonstrated above, to meet the local MS4 Permit and LID requirements, the Hydrology Memorandum anticipates either capture and re-use or infiltration pending site-specific tests conducted during the Project's final design phase. The proposed LID BMP would be required to effectively treat the pollutants of concern for the Project site and is projected to improve water quality over existing conditions. As with the proposed Project, future development of related projects would be required to implement stormwater management strategies to meet the local MS4 Permit and LID requirements consistent with the City's LID Manual to ensure specific project operations would not violate water quality

standards or waste discharge requirements or degrade surface or groundwater quality. Applicable LID measures are dependent upon site-specific conditions and would be determined on a project-by-project basis. Individual projects would be reviewed to ensure compliance with the requirements. Thus, the Project's less than significant effects involving a violation of water quality standards or waste discharge requirements, or a substantial degradation of surface water or groundwater quality associated with Project operation, would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in a substantial erosion or siltation on- or offsite;

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv. Impede or redirect flood flows?

Impact Analysis:

Construction

Development of related projects may involve future construction activities that could temporarily alter existing drainage patterns or cause substantial erosion or siltation on- or offsite. However, the related projects are primarily located within urbanized areas that are largely developed and impervious. Similar to the Project, the greatest onsite erosion risk associated with development of related projects would occur during construction. The Project and related projects would be required to comply with the Construction General Permit, which would include implementation of site-specific BMPs to reduce the potential for substantial erosion or siltation to occur and to ensure potential water quality impacts would be less than significant. Thus, the Project's less than significant effects involving substantial erosion or siltation on- or off-site would not be cumulatively considerable, and cumulative impacts would be less than significant.

Operation

As discussed, development of the Project would result in an increase in pervious areas due to increased planter/landscaping area and would decrease the impervious surfaces from 91 percent to 85 percent. Operation of the Project would not result in increased site runoff or create negative impacts to the capacity of the existing downstream storm drain system. The existing storm drain provides adequate capacity to serve the Project's flows. Capture and re-use or infiltration, dependent upon further testing during the final design phase, would be included in the proposed Project's final design. The proposed LID

BMP would be required to effectively treat the pollutants of concern for the Project site and is projected to improve water quality over existing conditions. Although future development of related projects has the potential to increase impervious areas, similar to the proposed Project, individual projects would be required to provide the onsite storm drain infrastructure and any offsite infrastructure improvements to ensure stormwater runoff associated with development of related projects would be adequately captured and conveyed into the City's and County's storm drain systems. Further, related projects would be required to comply with the local MS4 Permit and LID requirements, including water quality measures to ensure site-specific development would not provide substantial additional sources of polluted runoff. The required infrastructure, including site-specific BMPs would be determined on a project-by-project basis, subject to review and approval by the City. Therefore, the Project's less than significant effects involving the rate or amount of surface runoff; creation or contribution of runoff water to the existing or planned stormwater drainage systems; provision of additional sources of polluted runoff; or impeding or redirecting flood flows would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact Analysis: The City is located within the San Fernando Valley Groundwater Basin, which is ranked as a "very low" priority basin. Therefore, there is no groundwater sustainability plan established for the San Fernando Valley Groundwater Basin. Thus, the Project and related projects would not conflict with or obstruct implementation of a groundwater management plan.

Similar to the proposed Project, related projects would be required to comply with NPDES Permit regulations for construction and operation. Any construction activity disturbing one acre or more of soil would be required to comply with the Construction General Permit, including development and implementation of a SWPPP and monitoring plan to control stormwater quality degradation due to potential construction-related pollutants. Additionally, related projects would be required to comply with the LID Manual to effectively treat pollutants of concern associated with project operations. As previously demonstrated, the Project would comply with the regulatory requirements involving water quality to ensure the Project would not contribute to water quality impacts during construction or operation activities. Therefore, the proposed Project's less than significant effects involving obstruction of implementation of a sustainable groundwater management plan would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.7.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts to hydrology and water quality would occur with the proposed Project.

5.7.7 REFERENCES

Fuscoe Engineering, *Hydrology and Water Quality Technical* Memorandum, March 2020, Revised April 2024, September 2024, and November 2024.

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5.8 LAND USE AND PLANNING

The purpose of this section is to describe the existing and regulatory conditions related to land use and planning and to identify potential impacts that could result from Project implementation. Information in this section is based, in part, on the Burbank2035 General Plan (Burbank2035) and City of Burbank Municipal Code (BMC).

5.8.1 ENVIRONMENTAL SETTING

Onsite Land Uses

The Project site is currently developed with the Marriott Hotel, which is comprised of 488 hotel rooms, 5,200 square feet of restaurant space, and 46,500 square feet of meeting/banquet and convention space. The Marriott Hotel consists of one eight-story building (East Tower) and one nine-story building (West Tower), connected by a single-story structure on the ground level, totaling 277,600 square feet. The convention center consists of one single-story building with a mezzanine level totaling 39,000 square feet.

General Plan and Zoning

General Plan Land Use

According to Burbank2035 General Plan (Burbank2035) Exhibit LU-1, Land Use Diagram, the Project site is designated Regional Commercial (Maximum 1.25 Floor Area Ratio, 58 units per acre with discretionary approval). The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities. These regional centers provide a variety of employment opportunities and services that address regional needs for retail, service, dining, entertainment, and conventions. These regional centers also play a key role in supporting the media industry and other sectors of the local economy.

Zoning

The City of Burbank Zone Map (last amended by Ordinance No. 3802, effective 2019) identifies the zoning for the Project site as PD 89-1, Planned Development. According to Burbank Municipal Code (BMC) Section 10-1-19119, the PD Zone allows for an alternate process to accommodate unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards that would create a desirable, functional, and community environment under controlled conditions of a development plan. Ordinance No. 3164, adopted on September 12, 1989, approved a planned development along with a related Development Agreement (DA) for the development of a 250-room, eight-story hotel tower and a 39,200-square-foot convention center at the Project site. The DA identified specific restrictions on development, including permitted uses, density, and maximum height and size of the hotel tower and convention center. These specific restrictions in development, in addition to zoning classification, include the following:

- Permitted Uses and Density: The property may be used only for such uses and purposes as are permitted under this DA, including general office, bank, hotel, convention center, and restaurant; in accordance with the provisions of the Burbank General Plan and the zoning appliable to the property as of the date of this DA.

- Maximum Height and Size: The maximum height of the eight-story hotel/tower is approximately 118 feet in height and 144,000 square feet in area, with a maximum of 250 rooms. The area of the proposed convention center is approximately 39,200 square feet in area. The main banquet rooms are approximately 15,984 square feet in area; and four meeting rooms each with an area of approximately 655 square feet.

However, since the approval of the DA in 1989, its terms have expired and are no longer enforceable, but the zoning of PD 89-1 remains on the property.

Surrounding Land Uses

Land uses surrounding the 2500 N. Hollywood Way site are as follows:

- North: The Project site is bounded by the adjacent office use and Thornton Avenue to the north. North of Thornton Avenue is primarily surface parking (V.S.P. Parking and Hollywood Burbank Airport Economy Parking Lot C). V.S.P. Parking offices and Midway Car Rental are located at the northeastern corner of Thornton Avenue and Hollywood Way. Northwest of the Project site (west of Hollywood Way) is the Hollywood Burbank Airport.
- East: To the east of the Project site is the northeastern portion of the Media Studios North Campus. Media Studios North is a commercial office campus comprised primarily of office uses with various onsite support amenities.
- South: To the south of the Project site is the southwestern portion of the Media Studios North Campus and the extension of Avon Street. A spherical geodesic dome, which serves as a prototype facility for Madison Square Gardens (MSG) Entertainment's creative teams, is located on the property located south of Avon Street, bounded by Avon Street, Empire Avenue, and Hollywood Way. The Hollywood Burbank Airport Regional Intermodal Transportation Center (RITC) is located west of Hollywood Way, southwest of the Project site. Southern California Regional Rail Authority (SCRRA) railway is located south of Empire Avenue.
- West: To the west of the northern portion of the Project site is the adjacent office building and Hollywood Way. West of Hollywood Way is a shopping center with a variety of restaurant uses, including Denny's, Del Taco, and McDonald's.

5.8.2 REGULATORY SETTING

Regional

Southern California Association of Governments 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy

Regional planning agencies, such as the Southern California Association of Governments (SCAG), recognize that planning issues extend beyond the boundaries of individual cities. Efforts to address regional planning issues, such as affordable housing, transportation, and air pollution, have resulted in the adoption of regional plans that affect the City of Burbank.

SCAG has evolved as the largest council of governments in the United States, functioning as the Metropolitan Planning Organization (MPO) for six counties (Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial) and 191 cities. The region encompasses an area of more than 38,000 square miles. As the designated MPO, the federal government mandates SCAG to research and develop

plans for transportation, growth management, hazardous waste management, and air quality. These mandates led SCAG to prepare comprehensive regional plans to address these concerns.

SCAG is responsible for the maintenance of a continuous, comprehensive, and coordinated planning process resulting in a Regional Transportation Plan (RTP) and a Regional Transportation Improvement Program (RTIP). SCAG is responsible for the development of demographic projections and is also responsible for development of the integrated land use, housing, employment, transportation programs, measures, and strategies for the Air Quality Management Plan (AQMP).

The passage of California Senate Bill 375 (SB 375) in 2008 requires that a MPO, such as SCAG, prepare and adopt a Sustainable Communities Strategy (SCS) that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce greenhouse gas (GHG) emissions from automobiles and light duty trucks (Government Code Section 65080(b)(2)(B)). The SCS outlines certain land use and transportation strategies that provide for more integrated land use and transportation planning and maximize transportation investments. The SCS is intended to provide a regional land use policy framework that local governments may consider and build upon.

Every four years, SCAG updates its RTP/SCS, as required by federal and State regulations. On April 4, 2024, SCAG's Regional Council adopted the 2024-2050 RTP/SCS, which outlines a vision for a more resilient and equitable future, with investment, policies and strategies for achieving the region's shared goals through 2050. As with the previous RTP/SCS, the 2024-2050 RTP/SCS is a long-term plan for the southern California region that details investment in the transportation system and development in communities. SCAG worked closely with local jurisdictions to develop the 2024-2050 RTP/SCS, which incorporates current demographics and anticipated future population, household, and employment growth patterns based, in part, upon local growth forecasts, projects and programs, and includes complementary regional policies and initiatives. The 2024-2050 RTP/SCS outlines a forecasted development pattern that demonstrates how the region can sustainably accommodate needed housing. In addition, the 2024-2050 RTP/SCS is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and federal Clean Air Act requirements. These are articulated in a set of Regional Strategic Investments, Regional Planning Policies, and Implementation Strategies. The Regional Planning Policies are a resource for County Transportation Commissions (CTCs) and local jurisdictions, who can refer to specific policies to demonstrate alignment with the 2024-2050 RTP/SCS when seeking resources from State or federal programs. The Implementation Strategies articulate priorities for SCAG efforts in fulfilling or going beyond the Regional Planning Policies.[1] While SCAG has adopted the 2024-2050 RTP/SCS, CARB has not yet certified it or approved SCAG's GHG emissions reduction calculations; refer also to Section 5.5, *Greenhouse Gas Emissions*.

[1] Southern California Association of Governments, *Connect SoCal: A Plan for Navigating to a Brighter Future (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy)*, adopted April 4, 2024.

Los Angeles County Airport Land Use Commission Airport Land Use Plan

State law requires cities and counties with public use airports to establish Airport Land Use Commissions (ALUC). In Los Angeles County, the Regional Planning Commission also acts as the ALUC. The ALUC coordinates the airport planning of public agencies within the County. The purpose of the ALUC is "to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."[2] To fulfill its purpose, each ALUC has three primary responsibilities: coordinate airport land use compatibility planning efforts at the State, regional, and local levels; prepare and adopt an Airport Land Use Plan (ALUP) for each public-use airport in its jurisdiction; and review plans, regulations, and other actions of local agencies and airport operators. The ALUP sets policies to determine how a project is compatible. Although the ALUC does not control airport operations, they do review and make recommendations concerning certain projects at or near airports. The Hollywood Burbank Airport, located northwest of the Project site, is under the jurisdiction of the Los Angeles County ALUC.

Local

Burbank2035 General Plan

Burbank2035 is a policy document that provides guidance to City decision-makers on allocating resources and determining the future physical form and character of development. It is the City's official statement about the extent and types of development needed to achieve the community's physical, economic, and environmental goals. Burbank2035 is comprised of individual elements that address a specific topic and includes goals and policies that set policy direction and guidance. The following elements comprise Burbank2035:

Air Quality and Climate Change

The Air Quality and Climate Change Element addresses ways to reduce air pollution and greenhouse gas (GHG) emissions, protect people and places from toxic air contaminants (TACs) and odors, comply with Statewide GHG emission reduction goals, and adapt to changed environmental conditions caused by a changing climate.

Land Use

The Land Use Element guides future development in Burbank and designates appropriate locations for different land uses including open space, parks, residences, commercial uses, industry, schools, and other public uses. The Land Use Element establishes standards for residential density and non-residential building intensity for land located throughout the City. Appropriate planning of land uses in this element assures that sensitive uses, such as homes and schools, are not located near potentially noxious land uses that may adversely affect public health. In cases where potential land use incompatibilities may exist, the Land Use Element establishes a framework for dealing with these issues.

Mobility Element

The Mobility Element defines the transportation network and describes how people move throughout the City, including the streets, railways, transit routes, bike paths, and sidewalks. The transportation network

[2] Los Angeles County Airport Land Use Commission, *Airport Planning Government Agency Roles*, https://case.planning.lacounty.gov/assets/upl/project/aluc_agency-roles.pdf, accessed April 10, 2024.

is a major determinant of urban form and land use. Factors, such as, but not limited to, traffic patterns and congestion, access to transit, and ease and safety of walking and biking, may determine where people choose to live, work, and visit.

Noise Element

The Noise Element describes the existing noise environment in Burbank, identifies noise sources and problems affecting community safety and comfort, and establishes policies and programs that limit community exposure to excessive noise levels. The Noise Element sets standards for acceptable noise levels by various land uses and provides guidance for how to balance the noise created by an active and economically healthy community with the community's desire for peace and quiet.

Open Space and Conservation Element

The Open Space and Conservation Element describes the conservation, development, and use of natural resources and addresses Burbank's parks and recreation opportunities. The Open Space and Conservation Element also addresses preservation of renewable and non-renewable natural resources; managed production of resources, such as energy and groundwater; outdoor recreation; and trail-oriented recreation.

Safety Element

The Safety Element identifies areas prone to natural hazards and potentially hazardous conditions throughout Burbank, such as seismically induced conditions, including ground shaking, surface rupture from earthquakes, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other geologic hazards; flooding; wildland and urban fires; evacuation routes; and climate change. The Safety Element also identifies Burbank's plans for preparing for health and safety hazards, including police protection, fire protection, emergency response and preparedness, airport safety, and hazardous materials.

Plan Realization Element

The Plan Realization Element describes the means for implementing the core values expressed in Burbank2035's goals and policies and presents ways to ensure that the City's General Plan remains current and relevant.

Burbank2035 relevant goals and policies applicable to the Project are identified in Table 5.8-1, *Burbank2035 Consistency*.

Burbank Municipal Code

BMC Title 10, Chapter 1, Articles 2 through 19, referenced as the Zoning Ordinance of the City, contain the regulations that control the uses of land, the density of population, the uses and locations of structures, the height and bulk of structures, the open spaces about structures, the appearance of certain uses and structures, the areas and dimensions of sites, the location, size and illumination of signs and displays, requirement for off-street parking and off-street loading facilities, and procedures for administering and amending such regulations and requirements. The purpose of the Zoning Ordinance is to promote the public health, safety, peace comfort, convenience, prosperity, and welfare of the City and its inhabitants. The Zoning Ordinance serves as the legislative framework to implement Burbank2035. The City is divided into zones, as depicted on the City of Burbank Zone Map. The Zoning Ordinance determines the land uses permitted within each zone and associated development standards.

BMC Title 10, Article 7, explains the purpose, general plan consistency, uses, property development standards, and development review of each commercial land use zone applicable to the City.

BMC Title 10, Article 9, utilizes the same framework as Article 7 to discuss Airport Zones.

BMC Section 10-1-307, specifies appropriate heights around the Hollywood Burbank Airport based on the Federal Aviation Administration (FAA) Filing Requirement Map. BMC Section 10-1-1308, Proof of FAA Notification of Intent to Construct, requires that all applicant for structures subject to the terms of the Section file a Notice of Proposed Construction of Alternation to the FAA pursuant to Part 77 of the Code of Federal Regulations (14 CFR Part 77). No building permit shall be issued for any structure subject to this Section until the building permit applicant submits to the Director proof of submission of the Notice of Proposed Construction or Alteration and copies of all documentation received from the FAA in response to such Notice including the determination and any final decision of the FAA as to whether the proposed structure would be an obstruction or hazard to air navigation.

BMC Title 10, Article 14, elaborates on the general provisions, parking requirements, and the location and improvement of parking areas.

5.8.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to land use and planning if it would:

- Physically divide an established community (refer to refer to Section 8.0, *Effects Found Not to be Significant*); and/or
- Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect (refer to Impact Statements LU-1).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.8.4 IMPACTS AND MITIGATION MEASURES

LU-1: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact Analysis:

2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

As mentioned above and discussed in Section 5.5, *Greenhouse Gas Emissions*, the latest 2024-2050 RTP/SCS was adopted on April 4, 2024. However, CARB concluded that the technical methodology SCAG used to quantify the GHG emission reductions for the 2024-2050 RTP/SCS does not operate accurately. SCAG resubmitted the Sustainable Communities Strategy (SCS) Submittal Package for CARB's review in June 2024. If CARB rejects SCAG's determination of meeting the GHG emission target, SCAG will need to revise the SCS or adopt an alternative planning strategy demonstrating the ability to achieve the target. As such, until CARB makes the decision, the 2024-2050 RTP/SCS is not a fully adopted document and is potentially subject to further updates. As CARB has not made the decision at the time of preparation of this document, the consistency analysis relies upon the 2020-2045 RTP/SCS.

Sustainable Communities Strategy

The 2020-2045 RTP/SCS identifies strategies which are intended to be supportive of implementing the regional SCS. The Project's consistency with these strategies are provided in Table 5.5-6, *Consistency with the 2020-2045 RTP/SCS*, of Section 5.5, *Greenhouse Gas Emissions*.

Growth Projections

SCAG's 2020-2045 RTP/SCS demographics forecasts are based on local general plans, as well as input from local governments, such as the City. Based on Burbank2035, the Project site is designated Regional Commercial, which allows a maximum of 1.25 floor area ratio (FAR) and 58 units per acre with discretionary approval. The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities. The proposed Hotel would be consistent with the City's land use designation.

The City's population estimate as of January 1, 2023 is 104,535 persons.[3] While the Project does not involve residential development, according to the Project Applicant, the Project would generate approximately 85 full-time equivalent jobs and could indirectly induce population growth if future employees move into the City to work at the Hotel. While it is likely that future employees already live in the City or would commute from neighboring jurisdictions, this analysis conservatively assumes all 85 future employees would move into the City for employment. Based on an average household size of 2.37[4], the Project would result in an indirect population increase of approximately 202 persons (85 times 2.37).

SCAG growth forecasts in the 2020-2045 RTP/SCS estimate the City's population to reach 115,400 persons by 2045, representing a total increase of 10,865 persons from the 2023 estimate of 104,535 individuals.[5]

[3] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*, May 2023.
[4] Ibid.
[5] SCAG, *Demographic and Growth Forecast*, September 3, 2020.

The Project's potential indirect population growth (202 persons), represents approximately 1.86 percent of the City's anticipated population increase by 2045, and only 0.18 percent of the City's total projected 2045 population.

Additionally, SCAG growth forecasts in the 2020-2045 RTP/SCS estimate the City's employment to reach 138,700 jobs by 2045, representing a total increase of 24,700 jobs from the baseline amount of 114,000 from 2016.[6] The approximately 85 Project-generated jobs represent 0.34 percent of the City's anticipated jobs increase by 2045, and a nominal percentage of the City's total projected 2045 employment. Therefore, the proposed Project's population and employment growth would be consistent with SCAG's growth forecasts.

Burbank2035

Land Use Designation

The Burbank2035 General Plan Land Use Map designates the Project site as Regional Commercial with a maximum FAR of 1.25. The Regional Commercial land use designation provides for regional employment and shopping destinations that play an important role in the City's economy by serving both Burbank residents and residents of surrounding cities. These regional centers provide a variety of employment opportunities and services that address regional needs for retail, service, dining, entertainment, and conventions. The regional centers also play a key role in supporting the media industry and other sectors of the local economy. The large size and scale of buildings in regional commercial areas make them important, character-defining features in Burbank's landscape. The Regional Commercial land use designation is found in several large commercial centers throughout Burbank, including the Empire Center regional shopping and office center, Media Studios North office campus, Marriott Hotel, and Avion Planned Development. The Regional Commercial land use designation supports large-scale projects that would otherwise be challenging to build at other locations in the City.

The Project proposes a Hotel with an FAR of 1.13, which is consistent with the Regional Commercial land use designation for the Project site.

Goals and Policies

An analysis of the proposed Project's consistency with the relevant Burbank2035 goals and policies adopted for the purpose of avoiding or mitigating an environmental effect is provided in Table 5.8-1.

[6] Ibid.

Table 5.8-1
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Air Quality and Climate Change Element	
Policy 1.1 Coordinate air quality planning efforts with local, regional, state, and federal agencies, and evaluate the air quality effects of proposed plans and development projects.	Consistent. The proposed Project's potential air quality effects have been evaluated; refer to Section 5.1, *Air Quality*. As demonstrated in Section 5.1, construction and operation associated with the proposed Project would not result in significant air quality impacts. The Project would not conflict with or obstruct implementation of the applicable air quality management plan or result in cumulatively considerable net increase in any criteria pollutant for which the Project's region is in non-attainment. The South Coast Air Basin (Basin) is designated non-attainment for ozone (O_3) 8-hour National Ambient Air Quality Standard (NAAQS) and nonattainment for fine particulate matter ($PM_{2.5}$) and lead (Pb) NAAQS. The Basin is also designated non-attainment for the O_3, PM_{10}, and $PM_{2.5}$ California Ambient Air Quality Standards (CAAQS). The Basin is designated unclassifiable or in attainment for all other federal and State standards.
Policy 1.6 Require measures to control air pollutant emissions at construction sites and during soil- disturbing or dust-generating activities (i.e., tilling, landscaping) for projects requiring such activities.	Consistent. As discussed in Section 5.1, *Air Quality*, the proposed Project would result in less than significant air quality impacts. The Project would be required to comply with all applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including Rule 402, requiring implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance offsite, and Rule 403, requiring that excessive fugitive dust emissions be controlled by regular watering or other dust prevention measures. The Project would also be required to comply with Rule 1113, requiring specifications on painting practices and regulating the volatile organic compound (VOC) content of architectural coatings.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 1.9 Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles, and other non-motorized vehicles, and car-sharing programs. Consider requiring sufficient and convenient infrastructure and parking facilities in residential developments and employment centers to accommodate these vehicles.	Consistent. The Project would provide 14 short-term bicycle parking spaces and 48 long-term bicycle parking spaces (62 total) for both Project guest and employee use. The short-term bicycle parking racks would be located near the main entrances for each of the Hotel brands and the convention center, and 48 long-term bicycle lockers would be located at the ground floor of the Garage. In addition to providing bicycle facilities, the Project would provide bikeway improvements. The Project would provide a 23-foot-wide parkway along the entire Project site's frontage on Thornton Avenue. This parkway would consist of a 6.5-foot wide raised, protected, Class IV bikeway with a 4.5-foot-wide raised buffer within the roadway travel lane, and a 12-foot-wide sidewalk with tree wells adjacent to the bike lane. Additionally, between the Project site's western boundary and a point approximately 260 feet east of the Hollywood Way intersection, the Project would relocate the existing curb approximately seven feet northward but maintain the existing 16-foot-wide parkway in place, including sidewalk, landscaping, and street trees. Within the new seven-foot space, a five-foot wide raised, protected Class IV bikeway with a two-foot raised buffer would be constructed. As part of the Project an in-street protected five-foot wide bike lane and a two-foot-wide painted buffer with bollards would be installed between Ontario Street and the Project site's eastern boundary; between the Hollywood Way intersection and a point approximately 260 feet east of the Hollywood Way intersection; and on the north side of Thornton Avenue, between Ontario Street and a point 250 feet east of Hollywood Way. The Project would provide 390 new EV-ready parking spaces, of which 140 would be equipped with EV chargers. The number of EV spaces provided would exceed the requirements of the California Building Code, as well as exceed the number required under BMC Section 9-1-11-4.510, Electric Vehicle Charging for New Construction, (40-45 percent EV-ready and 15 percent with chargers). The Project would also include features, such as carpool parking and a commute trip reduction plan, to reduce VMT and emissions. Additionally, the Project would include a dedicated pick-up and drop area that would be accessible to rideshare vehicles. Accordingly, the Project would encourage the use of EV vehicles, bicycles, and other non-motorized vehicles, and car-sharing programs.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 2.4 Reduce the effects of air pollution, poor ambient air quality, and urban heat island effect with increased tree planting in public and private spaces.	Consistent. The Project would provide a mix of trees onsite as part of the landscaping. Further, 72 new trees would be incorporated. New landscaping would provide shading for approximately 52 percent of the surface parking lot (SE Lot). Overall, the proposed landscaping and existing landscaped area that would be retained would total approximately 13 percent of the total lot area, contributing to the reduction in the effects of air pollution and poor ambient air quality, as well as the urban heat island effect.
Policy 3.4 Reduce greenhouse gas emissions from new development by promoting water conservation and recycling; promoting development that is compact, mixed-use, pedestrian-friendly, and transit-oriented; promoting energy-efficient building design and site planning; and improving the jobs/housing ratio.	Consistent. The Project would include the installation of high efficiency light-emitting diode (LED) lighting, energy efficient appliances, low-flow fixtures, water-efficiency irrigation, and drought tolerant landscaping to contribute to the reduction in GHG emissions. In addition to using recycled water for irrigation of the proposed Project's landscaping, the irrigation system for the existing Marriott Hotel would also be upgraded to connect to recycled water services that the Project would extend to the remainder of the Project site. The Project is an infill development and is located northeast of the Hollywood Burbank Airport Regional Intermodal Transportation Center (RITC), which is located at the northwest corner of North Hollywood Way and Empire Avenue. In addition to providing direct access to the Hollywood Burbank Airport passenger terminal, the Burbank Airport RITC serves as a transit hub with access to Metro Bus and BurbankBus. The Metrolink Burbank Airport-South Train Station, which also serves Amtrak, is located on Empire Avenue, to the southwest of the Burbank Airport RITC. The Metrolink Burbank Airport-North Train Station is located less than one mile northwest of the Project site, near the intersection of Hollywood Way and San Fernando Avenue. The location of the Project site to the Hollywood Burbank Airport and several transit options reduces the need for single-occupancy vehicles. Also, refer to Response to Policy 1.9 regarding bikeway improvements.
Land Use Element	
Policy 1.5 Carefully review and consider non-residential uses with the potential to degrade quality of life, especially focusing on discouraging generators of high levels of air pollution, including toxic air contaminants that would further harm disadvantaged communities.	Consistent. As part of the development review process for the proposed Project, this EIR has been prepared to evaluate the potential environmental impacts associated with the proposed development and to identify feasible mitigation measures to reduce any environmental impacts to a less than significant level, as applicable, to minimize the degradation of the quality of life.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 1.8 Ensure that development in Burbank is consistent with the land use designations presented in the Land Use Plan and shown on the Land Use Diagram, including individual policies applicable to each land use designation.	Consistent. The Project site is designated Regional Commercial by the Burbank2035 General Plan Land Use Map. The Regional Commercial land use designation is found in several large commercial centers throughout Burbank, including the Empire Center regional shopping and office center, Media Studios North office campus, Marriott Hotel, and the Avion Planned Development. The Regional Commercial land use designation supports large-scale projects that would otherwise be challenging to build at other locations in the City. The Project proposes development of a Hotel, consistent with the land use plan.
Policy 2.3 Require that new development pay its fair share for infrastructure improvements. Ensure that needed infrastructure and services are available prior to or at project completion.	Consistent. Refer to Section 5.13, *Utilities and Service Systems*. The proposed Hotel and Garage would be a fully electric, natural gas-free development, featuring solar panels on the roofs of the Garage and Hotel connecting to onsite battery storage systems. Electrical power and domestic and recycled water would be provided by Burbank Water and Power (BWP). Electrical service would connect to existing BWP facilities and extend into the Project site. The Project would be required to create a looped electrical service system, as required by BWP. Fire water and domestic water would have lateral connection to the existing mains directly in Thornton Avenue. Recycled water service would connect to the main near the Thornton Avenue and Hollywood Way intersection. Sanitary sewer services would connect to the existing onsite main. Pursuant to the Conditions of Approval, the Project would be responsible for the design and construction of offsite sewer main infrastructure improvements. As discussed in Section 5.7, *Hydrology and Water Quality*, operation of the Project would not result in increased site runoff or create negative impacts to the capacity of the existing downstream storm drain system; adequate capacity would be available to serve the Project. The proposed Project would be served by existing utilities and/or provide the necessary improvements or pay the applicable fees in accordance with the BMC to ensure that infrastructure and services are available to serve the proposed development prior to project completion.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 2.5 Require the use of sustainable construction practices, building infrastructure, and materials in new construction and substantial remodels of existing buildings.	Consistent. During construction, the Project would be required to comply with BMC Chapter 1, Building and Fire, Article 11, California Green Building Standards Code, Division 2, Diversion of Construction and Demolition Debris, including preparation of a Waste Management Plan (WMP), certifying the minimum diversion requirement of 65 percent of the total construction and demolition debris would be met by reuse or recycling. Construction activities would utilize existing power sources onsite to avoid the use of diesel generators. Fifty percent of material used for asphalt paving would be recycled asphalt. Additionally, the aggregate would be comprised of recycled concrete material and the proposed use of PVC material for the roof would reduce the need to re-roof and provide energy savings. The Project would be an all-electric development that would not have any natural gas consumption. Proposed onsite photovoltaic panels would generate approximately 425 kWh of renewable energy per year. The Project would be built to exceed the most recent Title 24 Build Energy Efficiency Standards by 10 percent, which would reduce overall energy consumption. The Project would also include the installation of high efficiency LED lighting, energy efficient appliances, low-flow fixtures, water-efficient irrigation, and drought tolerant landscaping. In addition, the irrigation for the landscaping at the existing Marriott Hotel would also be upgraded to connect to recycled water services that the Project would extend to the remainder of the Project site. Refer also to Response to Policy 1.9.
Policy 2.6 Design new buildings to minimize the consumption of energy, water, and other natural resources. Develop incentives to retrofit existing buildings for a net reduction in energy consumption, water consumption, and stormwater runoff. Focus incentives in disadvantaged communities.	Consistent. Refer to response to Land Use Element Policy 2.5 regarding the design of the Project to minimize the consumption of energy, water, and other natural resources. The Project involves new construction of a Hotel and Garage; retrofit of existing buildings is not proposed.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 4.3 Use street trees, landscaping, street furniture, public art, and other aesthetic elements to enhance the appearance and identity of neighborhoods and public spaces.	Consistent. Refer to response to Air Quality and Climate Change Element Policy 2.4. Additional landscaping would be provided within the offsite improvements on Thornton Avenue. In accordance with BMC Title 10, Zoning Regulations, Article 11, General Property Development Regulations, the Project would be required to implement public art within the Project site or pay into the Art in Public Places Fund in lieu of committing the minimum allocation to an onsite art project. The Project includes a water feature at the center of the South Entrance opening, as well as a proposed location for public art installation. Accordingly, the Project would enhance the appearance and identity of the neighborhood and public spaces in the Project vicinity.
Policy 4.9 Improve parking lot aesthetics and reduce the urban heat island effect by providing ample shade, low-water landscaping, and trees, especially in disadvantaged communities.	Consistent. Refer to response to Air Quality and Climate Change Element Policy 2.4 and Land Use Element Policy 4.3 above.
Policy 4.10 Require new development projects to provide adequate low-water landscaping.	Consistent. Refer to response to Air Quality and Climate Change Element Policy 3.4.
Mobility Element	
Policy 5.4 Ensure that new commercial and residential developments integrate with Burbank's bicycle and pedestrian networks.	Consistent. The City's Complete Our Streets Plan identifies Hollywood Way and Thornton Avenue as pedestrian priority streets. In addition to providing bicycle parking onsite, the Project would provide bikeway and pedestrian improvements. Refer to response to Air Quality and Climate Change Element Policy 1.9. The Avon Street offsite improvements would include improved curb, gutter, driveway and Americans with Disabilities Act (ADA) sidewalk on the north side of the northbound to westbound "curve" of Avon Street that would connect to a new pedestrian paseo with a planter area onsite. The proposed improvements would ensure the integration of the Project with the City's bicycle and pedestrian networks.
Policy 5.5 Require new development to provide land necessary to accommodate pedestrian infrastructure, including sidewalks at the standard widths specified in Table M-2.	Consistent. Refer to Response to Mobility Element Policy 5.4.
Noise Element	
Policy 1.1 Ensure the noise compatibility of land uses when making land use planning decisions.	Consistent. The proposed Project's potential noise impacts have been evaluated to ensure the noise compatibility of the Project with surrounding uses; refer to Section 5.9, *Noise*. The proposed Project would not result in any significant long-term noise impacts to surrounding land uses, including sensitive receptors.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 3.3 Advocate the use of alternative transportation modes such as walking, bicycling, mass transit, and non-motorized vehicles to minimize traffic noise.	Consistent. The Project would provide opportunities for the use of alternative transportation modes, such as walking, bicycling, mass transit, and non-motorized vehicles, to contribute toward the minimization of traffic noise. The Project would result in the development of a Hotel near a transit station and in proximity to complementary land uses, such as the Hollywood Burbank Airport, Media Studios North Campus, and commercial/retail uses, that provide opportunities for Hotel patrons to use alternative transportation modes to and from the Project site and within the local and larger region, contributing to reduced vehicle traffic and, therefore, minimizing traffic noise. Additionally, the Project's proposed bicycle and pedestrian improvements that would include new protected bike lanes, narrower traffic lanes, and enhanced parkways and sidewalks would further provide opportunities for and encourage the use of walking and bicycling to other land uses within the area, contributing to reduced vehicle traffic and minimization of traffic noise.
Policy 7.2 Require project applicants and contractors to minimize noise in construction activities and maintenance operations.	Consistent. As discussed in Section 5.9, *Noise*, the Project Applicant would be required to implement Mitigation Measures NOI-1 and NOI-2 to reduce potential noise and groundborne vibration impacts associated with construction activities. General maintenance operations associated with the Hotel would primarily occur within the interior of the structure and involve the upkeep of the Hotel and Garage buildings, systems, amenities and equipment, as well as landscaping and cleaning. These activities are typical of maintenance operations associated with the existing Marriott Hotel within the Project site and other commercial and office uses within the surrounding area.
Policy 7.3 Limit the allowable hours of construction activities and maintenance operations located adjacent to noise-sensitive land uses.	Consistent. As discussed in Section 5.9, *Noise*, the nearest sensitive receptors to the Project site are the residential uses located approximately 360 feet east of the Project site. Project construction would be required to comply with BMC limitations on allowable hours of construction. Additionally, Project maintenance activities would be conducted during daytime hours and would be typical of maintenance operations associated with the existing Marriott Hotel within the Project site and other commercial and office uses within the surrounding area.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Open Space and Conservation Element	
Policy 6.1 Recognize and maintain cultural, historical, archeological, and paleontological structures and sites essential for community life and identity.	Consistent. As discussed in Section 5.2, *Cultural Resources* and Section 5.4, *Geology and Soils*, the Project site is located within an area having the potential to encounter cultural and paleontological resources. Compliance with identified mitigation measures would reduce potential impacts to such resources to less than significant.
Policy 8.5 Encourage landscaping that incorporates native plant species.	Consistent. The Project proposes landscaping throughout the site with a focus on native and drought tolerant plant species.
Policy 9.5 Require on-site drainage improvements using native vegetation to capture and clean stormwater runoff.	Consistent. As discussed in Section 5.7, *Hydrology and Water Quality*, a stormwater capture and re-use (i.e., water harvesting) BMP is the proposed conceptual stormwater management strategy for the Project. The potential for an infiltration BMP (e.g., drywell or infiltration gallery) may be utilized if onsite percolation testing confirms the ability for its use. The proposed LID BMP would effectively treat the pollutants of concern for the Project site and are projected to improve water quality over existing conditions. Additionally, Project implementation would decrease the impervious surfaces from 91 percent to 85 percent, associated with the proposed Project's planter/landscaping areas, which would also provide for infiltration. Refer also to Policy 8.5 regarding landscaping.
Safety Element	
Policy 4.7 Maintain adequate fire suppression capability in areas of intensifying urban development, as well as areas where urban uses and open spaces mix.	Consistent. Refer to response to Safety Element Policy 4.6. As discussed in Section 5.10, *Public Services and Recreation*, the proposed Project would be served by the BFD. The Project would not create a need for new or physically altered fire protection facilities to maintain acceptable service ratios, response times, or other performance objectives. The Project would be required to pay the City's community facility fee specific to fire, which, in accordance with the BMC, shall be used solely and exclusively for the purpose of funding fire station improvements. Payment of the fee would offset the incremental increase in demand for fire protection services associated with the Project to maintain the BFD's fire suppression capability. In addition, the Project site is within an urbanized area that is not located adjacent to open spaces susceptible to wildfires.

Table 5.8-1 (continued)
Burbank 2035 Consistency

Burbank2035 Policy	Project Consistency
Policy 5.3 Enforce seismic design provisions of the current California Building Standards Code related to geologic, seismic, and slope hazards.	Consistent. As discussed in Section 5.4, *Geology and Soils*, the Geotechnical Assessment determined construction of the proposed Project is feasible from a geotechnical standpoint. The City regulates development (and reduces potential seismic and geologic impacts) through compliance with the CBC, as adopted by the City pursuant to BMC Title 9, Building Regulations, Chapter 1, Building and Fire, Article 2, California Building Code, and project-specific design and construction recommendations. The CBC includes earthquake safety standards based on a variety of factors, including occupancy type, types of soils and rocks onsite, and strength of probable ground motion at the project site. In compliance with the BMC, the Project Applicant would be required to submit an engineering geological report and soils engineering report prepared by a certified engineering geologist for the proposed Project. The engineering geological report and soils engineering report would require review and approval by the City, and recommendations included in the report would be required to be incorporated into the grading plans and specifications. Measures to ensure maximum structure stability in the event of an earthquake would be required to be incorporated into Project design and construction.
Policy 6.7 Employ strategies and design features to reduce the area of impervious surface in new development projects.	Consistent. As discussed in Section 5.7, *Hydrology and Water Quality*, the Project would result in a decrease in impervious surfaces compared to existing conditions due to increased planter/landscaping area, thereby decreasing the impervious surfaces from 91 percent to 85 percent.
Source: City of Burbank, Burbank2035 General Plan, adopted May 3, 2022.	

As demonstrated in Table 5.8-1, the proposed Project would not conflict with the relevant Burbank2035 goals and policies adopted for the purpose of avoiding or mitigating an environmental effect, and, therefore, impacts would be less than significant in this regard.

Burbank Municipal Code

The Burbank Zone Map identifies the zoning for the Project site as PD 89-1, Planned Development. PD 89-1 reflects development of the Project site with the Marriott Hotel. The Project proposes an amendment to the Zone Map to rezone the Project site from the approved PD 89-1 to Planned Development to reflect the proposed development of the Hotel and Garage. The Planned Development would rezone the Project site into a property and project-specific zoning designation. The allowable permitted/conditionally permitted uses and the development standards applicable to the Project site would be outlined in the Planned Development and Associated Development Agreement.

In accordance with BMC Section 10-1-19119, the PD Zone allows for an alternate process to accommodate unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards that would create a desirable, functional, and community environment under controlled conditions of a development plan. The Planned Development is required to comply with design review criteria that includes, but is not limited to, the design being substantially consistent with the General Plan; providing for adequate open areas, circulation, off-street parking and pedestrian amenities; being compatible with existing and planned land uses on adjoining properties; being designed for efficient and safe flow of vehicles, pedestrians, bicycles and the handicapped; and demonstrating compatibility of architectural design. Processing of a Planned Development requires a Project Report be submitted to the City to include a development plan, development schedule, development program statement, and environmental information. BMC Section 10-1-19128 requires approval of a Planned Development to be subject to the applicant entering into a development agreement with the City for the provision and guarantee of the terms, conditions, and regulations of the Planned Development.

The proposed Planned Development would be considered by the Planning Commission and a recommendation made to the City Council to approve, disapprove, or modify the proposed Planned Development. The recommendation would include specific regulations applied to the proposed Planned Development, including permitted uses; conditioned uses; property development regulations; public improvement standards; special requirements, where applicable; and development plan and schedule. Prior to approval of the Planned Development, the City Council must find the Planned Development is consistent with the General Plan and that the design criteria have been satisfied. Approval would require that conditions and specific regulations be applied.

Additionally, the proposed Project would be required to comply with BMC Title 10, Chapter 1, Article 19, Division 2, Development Review. Development Review is intended to preserve stability of existing residential neighborhoods, provide suitable living environments, promote quality of design in commercial and industrial development as well as multi-family residential development, promote orderly, attractive and harmonious development, facilitate a balance of housing types and values, prevent deterioration of local air quality, and to ensure that traffic demands do not exceed the capacity of streets.

Upon approval of the proposed Planned Development, including rezone of the Project site, and Development Review approval, the proposed Project would be consistent with the BMC.

BMC Section 10-1-1305 adopts the FAA Filing Requirement Map (FAA Map) for the Hollywood Burbank Airport. The Project site is located within Zone 2. Within Zone 2, BMC Section 10-1-1307 requires all new structures and any additions to existing structures that increase the height of an existing structure to submit proof of FAA Notification of Intent to Construct. In accordance with BMC Section 10-1-1308, the Project Applicant would be required to file a Notice of Proposed Construction or Alteration (Notice) with the FAA pursuant to Part 77 of the Federal Aviation Regulations. A building permit would not be issued until proof of submission of the Notice and copies of all documentation received from the FAA in response to such Notice, including the determination of any final decision of the FAA as to whether the proposed structure would be an obstruction or hazard to air navigation is submitted to the City. Upon compliance with the BMC regarding building heights adjacent to the Hollywood Burbank Airport, the Project would not conflict with the BMC in this regard.

Thus, the Project would not conflict with provisions of the BMC adopted for the purposes of avoiding or mitigating an environmental effect.

Los Angeles County Airport Land Use Plan

The Hollywood Burbank Airport is located northwest of the Project site, just west of Hollywood Way. According to the Los Angeles County ALUP, the western portion of the Project site is within the Airport Influence Area (AIA).[7] However, the majority of the Project site, including the area proposed for development of the Hotel and Garage, is not located within the AIA. As discussed in Section 5.9, *Noise*, the proposed Hotel building would not be located within the Hollywood Burbank Airport 65 CNEL noise contour. Further, based on current noise monitoring conducted by the Hollywood Burbank Airport, the Project site is not located within the 65 dB CNEL noise contour.[8]

As discussed above, the proposed Project would be consistent with the Regional Commercial land use designation for the site. However, the Project proposes an amendment to the Zone Map to rezone the Project site from the approved PD 89-1 to Planned Development to reflect the proposed development of the Hotel and Garage. The Planned Development would rezone the Project site into a property and Project-specific zoning designation. The allowable permitted/conditionally permitted uses and the development standards applicable to the property would be outlined in the Planned Development. Although the Project would not require the approval of the ALUC, given that the Project Applicant is requesting to rezone the property to facilitate development of the Project, an administrative review with Los Angeles County Department of Regional Planning would be required. Administrative review and compliance with the ALUP would occur prior to the Project's consideration by the Burbank City Council. The Project would be required to demonstrate compliance with the ALUP, which would be confirmed as part of the review process. Further, as discussed above, the Project site is not within the 65 dB CNEL contour for the Hollywood Burbank Airport. Thus, the Project would not conflict with the ALUP adopted for the purposes of avoiding or mitigating an environmental effect.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.8.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur.

[7] Los Angeles County Airport land Use Commission, *Los Angeles County Airport Land Use Plan*, adopted December 19, 1991 and revised December 1, 2004.

[8] Hollywood Burbank Airport, *4th Quarter 2020 - 65dB CNEL*, http://hollywoodburbankairport.com/wp-content/uploads/2021/04/MapBUR40AR-Real-Estate-Disclosure-4Q20.pdf, accessed February 28, 2024.

Would the Project, combined with other related projects, cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact Analysis: The proposed Project would not conflict with any 2020-2045 RTP/SCS, Burbank2035, BMC, or Los Angeles County ALUP land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, following approval of the requested zone change to Planned Development and approval of the Development Agreement and Design Review. Development projects within the City are required to undergo a similar plan review process to determine whether the development being proposed is consistent with applicable land use plans, policies, and regulations, including SCAG's RTP/SCS, Burbank2035, BMC, and the Los Angeles County ALUP, if applicable. Related projects would be reviewed independently, in the context of their respective land use and regulatory settings, to determine potential land use policy and regulation conflicts. As part of the City's review process, related projects would also be required to demonstrate compliance with the provisions of the applicable land use designation and zoning. If a related project is inconsistent with the land use designation and zoning for the site in which development is proposed, an amendment to the General Plan land use designation and zone change would be required. Any amendment or zone change would be considered by the Planning Commission and a recommendation made to the City Council, which would require specific findings be made for approval, consistent with the City's development review process. As the Project would be consistent with relevant goals, policies and/or standards of 2020-2045 RTP/SCS, Burbank2035, BMC, and Los Angeles County ALUP, the Project's less than significant effects relative to causing a significant environmental impact due to conflicts with any land use plan, policy, or regulation adopted for purpose of avoiding or mitigating an environmental effect would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.8.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts to land use and planning would occur with the proposed Project.

5.8.7 REFERENCES

City of Burbank, FAA Filing Requirement Map, adopted by Ordinance No. 3663 on February 1, 2005.

Hollywood Burbank Airport, *4th Quarter 2020 - 65dB CNEL*, http://hollywoodburbankairport.com/wp-content/uploads/2021/04/MapBUR40AR-Real-Estate-Disclosure-4Q20.pdf, 2024.

Los Angeles County Airport Land Use Commission, *Airport Planning Government Agency Roles*, https://case.planning.lacounty.gov/assets/upl/project/aluc_agency-roles.pdf, 2024.

Los Angeles County Planning, *Los Angeles County Airport Land Use Plan*, https://planning.lacounty.gov/long-range-planning/los-angeles-county-airport-land-use-plan/, 2024.

Southern California Association of Governments, *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy – Connect SoCal*, September 3, 2020.

Southern California Association of Governments, *Connect SoCal: A Plan for Navigating to a Brighter Future (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy)*, adopted April 4, 2024.

Southern California Association of Governments, *Demographic and Growth Forecast*, September 3, 2020.

State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*, May 2023.

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5.9 NOISE

The purpose of this section is to describe the existing conditions and regulatory setting related to noise and identify potential impacts that could result from Project implementation. Modeling data and assumptions can be found in Appendix H, Noise Data.

5.9.1 ENVIRONMENTAL SETTING

Fundamentals of Sound and Environmental Noise

Sound is mechanical energy transmitted by pressure waves in a compressible medium, such as air, and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear deemphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is perceived to be twice as loud and 20 dBA higher is perceived to be four times as loud, and so forth. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud). On this scale, the human range of hearing extends from approximately 3 dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by a number of sources, including mobile sources, such as automobiles, trucks, and airplanes, and stationary sources, such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between 3 dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

There are several metrics used to characterize community noise exposure, which fluctuate constantly over time. One such metric, the equivalent sound level (L_{eq}), represents a constant sound that, over the specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period is often evaluated based on the Day-Night Sound Level (L_{dn}). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. The penalty is intended to reflect the increased human sensitivity to noise occurring during nighttime hours, particularly at times when people are sleeping and when there are lower ambient noise conditions. Typical L_{dn} noise levels for light and medium density residential areas range from 55 dBA to 65 dBA. Similarly, Community Noise Equivalent Level (CNEL) is a measure of 24-hour noise levels that incorporates a 5-dBA penalty for sounds occurring between 7:00 p.m. and 10:00 p.m. and a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively.

Fundamentals of Environmental Groundborne Vibration

Sources of earth-borne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, and landslides) or man-made causes (e.g., explosions, machinery, traffic, trains, and construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. RMS velocity is defined as the average of the squared amplitude of the signal. PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration.

Ground vibration can be a concern in instances where buildings shake, and substantial rumblings occur. However, it is unusual for vibration from typical urban sources, such as buses and heavy trucks, to be perceptible. Common sources for groundborne vibration are planes, trains, and construction activities, such as earth-moving, which requires the use of heavy-duty earth moving equipment. For the purposes of this analysis, a PPV descriptor with units of inches per second (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints.

Existing Conditions

Noise Sensitive Receptors

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses, such as parks, historic sites, cemeteries, and recreation areas, are considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places, where low interior noise levels are essential, are also considered noise-sensitive land uses.

The nearest sensitive receptors to the Project site are residential uses located approximately 360 feet east of the Project site.

Existing Stationary Noise Levels

The Project site is located within an urbanized area. The primary sources of stationary noise in the Project vicinity are urban-related activities (e.g., mechanical equipment, parking areas, and pedestrians). The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

Existing Ambient Noise Levels

To quantify existing ambient noise levels in the Project area, two noise measurements were conducted on February 25, 2021; refer to Table 5.9-1, *Noise Measurements* and Appendix H. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the Project site. The 10-minute measurements were taken between 11:00 a.m. and 12:00 p.m. Short-term (L_{eq}) measurements are considered representative of the noise levels throughout the day and relate closely with the City's noise standards, which are expressed in L_{dn}. L_{dn} values are calculated from hourly L_{eq} values with penalties for the nighttime period (10:00 p.m. to 7:00 a.m.) to reflect the greater disturbance

potential from nighttime noise. Noise sources in the Project area (e.g., traffic and mechanical equipment) become less active and generate less noise in the Project area during the nighttime period. As a result, the variance between L_{eq} and L_{dn} is typically less than one dBA in areas, such as the Project site.

Table 5.9-1
Noise Measurements

Site No.	Location	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Time
1	Robert E. Lundigan Park (at the northwestern corner of Thornton Avenue and Naomi Street)	58.7	45.5	77.3	11:13 a.m.
2	In front of residence located at 2298 N. Ontario Street	61.2	48.7	78.2	11:32 a.m.
Note: Peak noise levels represent trucks driving by.					
Source: Michael Baker International, February 25, 2021.					

Meteorological conditions consisted of clear skies, warm temperatures, with light wind speeds (0 to 2 miles per hour), and low humidity. Measured daytime noise levels ranged from 58.7 to 61.2 dBA L_{eq}. Noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type I (precision) sound level meters.

Existing Mobile Sources

Most of the existing traffic noise in the Project area is generated from vehicles traveling along Thornton Avenue, Ontario Street, Empire Avenue, Hollywood Way, and Avon Street. Table 5.9-2, *Existing Traffic Volumes*, displays the existing average daily trips (ADT) volumes for these roadways.

Table 5.9-2
Existing Traffic Volumes

Segment	Average Daily Trips
North Hollywood Way	
Thornton Avenue to Avon Street	33,011
Avon Street to Empire Avenue	33,439
South of Empire Way	33,062
Thornton Avenue	
North Hollywood Way to Ontario Street	7,335
Ontario Street to Naomi Street	6,257
Naomi Street to Buena Vista Street	6,051
East of Buena Vista Street	1,528
Empire Avenue	
West of Hollywood Way	14,343
North Hollywood Way to Avon Street	12,659
Avon Street to Ontario Street	12,959
East of Ontario Street	13,057
Source: Existing conditions traffic data was provided by Fehr & Peers, October 2024.	

5.9.2 REGULATORY SETTING

This section summarizes the laws, ordinances, regulations, and standards that are applicable to the Project. Regulatory requirements related to environmental noise are typically promulgated at the local level. However, federal and State agencies provide standards and guidelines to local jurisdictions.

Federal

Federal Transit Administration

The City of Burbank does not identify specific vibration standards for temporary construction, and therefore, the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* standards are utilized in this analysis. The *Transit Noise and Vibration Impact Assessment Manual* identifies the vibration level thresholds for potential building damage due to construction activities. The threshold identified in the FTA criteria for this analysis is a PPV of 0.3 inch-per-second for engineered concrete and masonry buildings.

State

State Office of Planning and Research

The State Office of Planning and Research's *Noise Element Guidelines* include recommended exterior and interior noise level standards for local jurisdictions to identify and prevent the creation of incompatible land uses due to noise. The *Noise Element Guidelines* contain a land use compatibility table that describes the compatibility of various land uses with a range of environmental noise levels in terms of the CNEL. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution.

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies to regulate unwanted noise throughout the City. Certain areas of Burbank are subject to high noise levels from one or more of the following sources: freeways and arterial roadways, construction activities, machinery, industrial activities, railroads, and aircraft. Noise Element goals and policies minimize the effects of noise in the community, particularly in residential areas and near noise-sensitive land uses, such as hospitals, convalescent and day care facilities, schools, and libraries. The Noise Element also describes best practices to protect residents and businesses from severe noise levels. The Noise Element contains the following goals and policies that reduce potential noise impacts:

Noise Element

GOAL 1 NOISE COMPATIBLE LAND USES: Burbank's diverse land use pattern is compatible with current and future noise levels.

Policy 1.1: Ensure the noise compatibility of land uses when making land use planning decisions.

Policy 1.2: Provide spatial buffers in new development projects to separate excessive noise-generating uses from noise-sensitive uses.

GOAL 3 VEHICULAR TRAFFIC NOISE: Burbank's vehicular transportation network reduces noise levels affecting sensitive land uses.

Policy 3.1: Support noise-compatible land uses along existing and future roadways, highways, and freeways.

Policy 3.3: Advocate the use of alternative transportation modes such as walking, bicycling, mass transit, and non-motorized vehicles to minimize traffic noise.

Policy 3.7: Where feasible, employ noise-cancelling technologies such as rubberized asphalt, fronting homes to the roadway, or sound walls to reduce the effects of roadway noise on sensitive receptors.

Policy 3.8: Within the Airport Influence Area, seek to inform residential property owners of airport-generated noise and any land use restrictions associated with high noise exposure.

GOAL AIRCRAFT NOISE: Burbank achieves compatibility between airport-generated noise and adjacent land uses and reduces aircraft noise effects on residential areas and noise-sensitive land uses.

Policy 5.1: Prohibit incompatible land uses within the airport noise impact area.

GOAL CONSTRUCTION, MAINTENANCE, AND NUISANCE NOISE: Construction, maintenance, and nuisance noise is reduced in residential areas and at noise-sensitive land uses.

Policy 7.1: Avoid scheduling city maintenance and construction projects during evening, nighttime, and early morning hours.

Policy 7.2: Require project applicants and contractors to minimize noise in construction activities and maintenance operations.

Policy 7.3: Limit the allowable hours of construction activities and maintenance operations located adjacent to noise-sensitive land uses.

Burbank2035 includes land use compatibility standards, developed based on recommended parameters from the State Office of Planning and Research. Land Use compatibility is rated using the terms normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable. Further, using these land use compatibility guidelines, the City has established interior and exterior noise standards. The City's land use compatibility standards are presented in Table 5.9-3, *Maximum Allowable Noise Exposure – Transportation Sources*.

Table 5.9-3
Maximum Allowable Noise Exposure – Transportation Sources

Land Use Category	Exterior Normally Acceptable[1] (dBA CNEL/L_{dn})	Exterior Possibly Acceptable[2] (dBA CNEL/L_{dn})	Exterior Normally Unacceptable[3] (dBA CNEL/L_{dn})	Interior Acceptable[4] (dBA CNEL/L_{dn} except where noted)
Residential, single-family	Up to 60	61-70	71 and higher	45
Residential, multi-family	Up to 65	66-70	71 and higher	45
Residential, multi-family mixed-use	Up to 65	66-70	71 and higher	45
Transient lodging	Up to 65	66-70	71 and higher	45
Hospitals; nursing homes	Up to 60	61-70	71 and higher	45
Theaters; auditoriums; music halls	Up to 60	61-70	71 and higher	35 dBA L_{eq}[5]
Churches; meeting halls	Up to 60	61-70	71 and higher	40 dBA L_{eq}
Playgrounds; neighborhood parks	Up to 70	71-75	75 and higher	--
Schools; libraries; museums[6]	--	--	--	45 dBA L_{eq}
Offices[7]	--	--	--	45 dBA L_{eq}
Retail/commercial[7]	--	--	--	--
Industrial	--	--	--	--

Notes:
1. Normally acceptable means that land uses may be established in areas with the stated ambient noise level, absent any unique noise circumstances.
2. 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.
3. Normally unacceptable means that land uses should generally not be established in areas with the stated ambient noise level. If the benefits of the project in addressing other Burbank2035 goals and policies outweigh concerns about noise, the use should be established only where exterior areas are omitted from the project or where exterior areas are located and shielded from noise sources to mitigate noise to the maximum extent feasible.
4. Interior acceptable means that the building must be constructed so that interior noise levels do not exceed the stated maximum, regardless of the exterior noise level. Stated maximums are as determined for a typical worst-case hour during periods of use.
5. dBA L_{eq} is as determined for a typical worst-case hour during periods of use.
6. Within the Airport Influence Area, these uses are not acceptable above 65 dBA CNEL if subject to the City's discretionary review procedures.
7. Within the Airport Influence Area, these uses may be acceptable up to 75 dBA CNEL following review for additional noise attenuation; in excess of 75 dBA CNEL these uses are not acceptable.

Source:
City of Burbank, *Burbank2035 General Plan, Noise Element*, February 19, 2013.

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 vary on a case-by-case basis according to location, development type, and associated noise sources. When stationary noise is the primary noise source, and to ensure that noise producers do not adversely affect noise-sensitive land uses, the City applies a second set of standards. These hourly daytime and nighttime performance standards (expressed in L_{eq}) for stationary noise sources are designed to protect noise-sensitive land uses adjacent to stationary sources from excessive noise. Table 5.9-4, *Maximum Allowable Noise Exposure – Stationary Noise Sources*, summarizes stationary-source noise standards for various land use types, which represent acceptable noise levels at exterior spaces of the sensitive receptor.

Table 5.9-4
Maximum Allowable Noise Exposure – Stationary Noise Sources

Noise Source	Noise Level Descriptor	Exterior Spaces[2] – Daytime (7 a.m. to 10 p.m.)	Exterior Spaces[2] - Nighttime (10 p.m. to 7 a.m.)
Typical	Hourly dBA L_{eq}	55[1]	45[1]
Tonal, impulsive, repetitive, or consisting primarily of speech or music	Hourly dBA L_{eq}	50[1]	40[1]
Any	dBA L_{max}	75	65

Notes:
1. The City may impose noise level standards that are more or less restrictive than those specified above based upon determination of existing low or high ambient noise levels.
2. Where the location of exterior spaces (i.e., outdoor activity areas) is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use. Where it is not practical to mitigate exterior noise levels at patio or balconies of apartment complexes, a common area such as a pool or recreation area may be designated as the exterior space.

Source:
City of Burbank, *Burbank2035 General Plan, Noise Element*, February 19, 2013.

The City's Noise Element has established non-transportation-related noise standards of 55 dBA hourly L_{eq} (L_{eq}[h]) for daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA L_{eq}[h] for nighttime hours (10:00 p.m. to 7:00 a.m.), and land use compatibility noise standards of up to 65 dBA L_{dn} for outdoor activity areas and 45 dBA L_{dn} for interior spaces for institutional land uses.[1] As noted in the Noise Element, the City exempts construction noise that occurs between the hours of 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays, and acknowledges that construction noise is an acceptable public nuisance when conducted during the least noise-sensitive hours of the day and that construction noise could cause a substantial temporary increase in the ambient noise environment at nearby noise-sensitive receptors if construction occurs during the more noise-sensitive hours (i.e., evening, nighttime, early morning), or if construction equipment is not properly equipped with noise control devices. Construction noise is held to regular noise standards outside the hours listed above and on Sundays and federal holidays.

[1] City of Burbank, *Burbank2035 General Plan Noise Element*, adopted February 19, 2013, pages 5-7 through 5-9.

Burbank Municipal Code

The City of Burbank Noise Ordinance is contained within the Burbank Municipal Code (BMC) Title 9, Building Regulations; Chapter 3, Environmental Protection; Article 2, Noise Control. The Noise Ordinance contains performance standards for the purpose of prohibiting unnecessary, excessive, and annoying sounds that, at certain levels and frequencies, are detrimental to the health and welfare of the City's residents. In addition, the BMC identifies the days and hours that construction, alteration, movement, enlargement, replacement, repair, equipment, maintenance, removal, and demolition work can take place in the City.

The following sections of the City's Noise Ordinance are applicable to the proposed Project.

9-1-1-105.10: CONSTRUCTION HOURS.

The following construction hours shall apply to all construction, alteration, movement, enlargement, replacement, repair, equipment, maintenance, removal, and demolition work regulated by this code:

Construction Hours:

Monday–Friday: 7:00 a.m. to 7:00 p.m.

Saturday: 8:00 a.m. to 5:00 p.m.

Sunday and City Holidays: None

EXCEPTIONS:

1. Single-family residential owner-builder permits when work is performed solely by the owner and family members:

   Monday–Friday: 7:00 a.m. to 7:00 p.m.

   Saturday: 8:00 a.m. to 5:00 p.m.

   Sunday and City Holidays: 8:00 a.m. to 5:00 p.m. for interior work only

2. Where work must be performed in an emergency situation, as defined in Section 9-3-204 of the Burbank Municipal Code.

3. The Community Development Director may grant exceptions wherever there are practical difficulties involved in carrying out the provisions of this section or other specific onsite activity warrants unique consideration.

4. The Planning Board or City Council may grant exceptions pursuant to land use entitlements.

   9-3-208: MACHINERY, EQUIPMENT, FANS AND AIR CONDITIONING.

   A. Decibel Limit: No person shall operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in such a manner as to cause the ambient noise level to be exceeded by more than five decibels. In the case of leaf blowers, as defined by Section 9-3-214 of this article, the ambient noise level may not be exceeded by more than twenty (20) decibels.

B. Ambient Noise Base Level: For the purposes of this section only, all ambient noise measurements shall commence at the following ambient noise base levels in the zones and during the times shown:

Base Level	Time	Zone
45 dBA	Nighttime	Residential
55 dBA	Daytime	Residential
65 dBA	Anytime	Commercial
70 dBA	Anytime	All other zones

Accordingly, and by way of illustration, the ambient noise level in commercial zones shall be deemed to be sixty five (65) dBA notwithstanding a lower reading; provided, however, that when the ambient noise base level for the property on which the machinery, equipment, pump, fan, air conditioning apparatus or similar mechanical device is located is higher than the ambient noise base level for adjacent property, the ambient noise base level for the adjacent property shall apply. Properties separated by a street shall be deemed to be adjacent to one another.

5.9.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to noise if it would result in:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (refer to Impact Statement NOI-1);
- Generation of excessive groundborne vibration or groundborne noise levels (refer to Impact Statement NOI-2); and/or
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels (refer to Impact Statement NOI-3).

Construction Significance Threshold

To evaluate whether a project will generate potentially significant temporary construction noise levels at offsite sensitive receiver locations, construction-related noise level would utilize the adopted BMC 9-3-208, *Machinery, Equipment, Fans and Air Conditioning*, significance noise threshold. Pursuant to BMC 9-3-208, a significant impact would occur if new noise sources would increase the surrounding ambient noise levels by 5 dBA. As a conservative analysis, the following analysis utilizes the adopted BMC significance threshold for construction-related noise levels.

Based on noise measurements in Table 5.9-1, the ambient noise levels near the closest sensitive receptors range from 58.7 to 61.2 dBA L_{eq}. Based on the construction methodology that utilizes the BMC significance threshold for stationary sources (increase of ambient noise levels by 5 dBA), a significant impact would

occur if construction noise levels at the closest sensitive receptors exceed 63.7 to 66.2 dBA L_{eq}. As a conservative analysis, the more stringent 63.7 dBA L_{eq} significance threshold would be utilized throughout this analysis. Thus, a significant impact would occur if construction-related noise levels exceed 63.7 dBA L_{eq} at the nearest sensitive receptor.

Operational Significance Threshold

A project would result in a significant impact if project-related operational noise levels exceed the established noise level threshold as outlined in the City's Noise Element; refer to Table 5.9-4. Additionally, the Federal Interagency Committee on Noise (FICON) determined that new noise sources that exceed the existing ambient noise level would result in an increase in annoyance for nearby sensitive receptors. The closest sensitive receptors to the Project site are the single-family residential units located approximately 360 feet east of the Project site.

However, it should be noted that the City may impose noise level standards that are more or less restrictive than those specified in Table 5.9-4 based upon determination of existing low or high ambient noise levels. Since existing ambient noise levels already exceeds the City's exterior daytime noise standards, as shown in Table 5.9-1, the proposed project would utilize FICON's significance determination for noise. As such, FICON established guidance would be used to consider the impacts of Project-generated noise. The guidance FICON utilizes are based on aircraft noise studies.

A project would result in a significant impact if the following criteria were met:

1. If the existing ambient noise levels is less than 60 dBA CNEL, a significant impact would occur if a project would increase the ambient noise levels by 5 dBA CNEL or more.
2. If the existing ambient noise levels is between 60 to 65 dBA CNEL, a significant impact would occur if a project would increase the ambient noise levels by 3 dBA CNEL or more.
3. If the existing ambient noise levels is greater than 65 dBA CNEL, a significant impact would occur if a project would increase the ambient noise levels by 1.5 dBA CNEL or more.

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.9.4 IMPACTS AND MITIGATION MEASURES

NOI-1: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Impact Analysis:

Construction Noise Impacts

Short-Term Construction Noise

Construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. Construction of the proposed Project is anticipated to start during the fourth quarter of 2025 and conclude during the fourth quarter of 2027. Construction would include demolition, grading, paving, building construction, application of architectural coatings, and linear construction (offsite improvements and sewer improvements). Ground-borne noise and other types of construction-related noise impacts typically occur during the initial grading phase, which has the potential to create the highest levels of noise. Construction equipment produces maximum noise levels when operating under full power conditions (i.e., the equipment engine at maximum speed). However, equipment used on construction sites typically operates under less than full power conditions or partial power. To more accurately characterize construction-period noise levels, the average (L_{eq}) noise level associated with each construction stage is calculated based on the quantity, type, and usage factors for each type of equipment that would be used during each construction stage. These noise levels are typically associated with multiple pieces of equipment simultaneously operating on part power.

The estimated construction noise levels at the nearest noise-sensitive receptors are presented in Table 5.9-5, *Maximum Noise Levels Generated by Typical Construction Equipment*. Noise levels from construction equipment and activities were modeled using the Federal Highway Administration's Roadway Construction Noise Model (RCNM). Construction equipment was based on CalEEMod defaults; refer to Appendix C, Air Quality, Energy, and Greenhouse Gas Emissions Data. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously. Results from RCNM also assume a clear line-of-sight and no other machinery or equipment noise that would mask Project construction noise. The shielding of buildings and other barriers that interrupt line-of-sight conditions would help further reduce noise levels than what is shown in Table 5.9-5. According to the General Noise Assessment methodology prescribed in the *FTA Transit Noise and Vibration Impact Assessment Manual*, noise can be considered as concentrated at the center of the site. In addition, construction activities would occur across the entire Project site, and, therefore, the estimated noise levels were calculated from the center of the Project site. The geographic center of the Project site is approximately 640 feet from the closest sensitive receptors to the east.[2]

[2] The distance from the center of the Project site was calculated by obtaining the shortest distance from the eastern boundary to the western boundary of the Project site divided by two (560 feet divided by two) and adding the 360 feet distance from the Project boundary to the nearest sensitive receptor.

Table 5.9-5
Maximum Noise Levels Generated by Construction Equipment

Phase	Estimated Exterior Construction Noise Level at 360 feet (Boundary of Project site) (dBA L_{eq})[1]	Estimated Exterior Construction Noise Level at 640 feet (Center of Project Site) (dBA L_{eq})[1,2]
Demolition	69.3	64.3
Grading	71.1	66.1
Building Construction	69.1	64.1
Paving	64.1	59.1
Architectural Coating	56.5	51.5

Notes:
1. These noise levels conservatively assume the simultaneous operation of all heavy construction equipment at the same precise location. Modeled heavy construction equipment includes dozers, excavators, and concrete saws during the demolition phase; grader, excavators, tractors, scrapers, and dozers during the grading phase; forklifts, generator, crane, welders, and tractors during the building construction phase; pavers, paving equipment, and rollers during the paving phase; air compressor during the architectural coating phase; and grader, excavator, tractors, scraper, dozer, and roller during the linear construction (sewer improvement) phase.
2. The distance from the center of the Project site was calculated by obtaining the shortest distance from the eastern boundary to the western boundary of the Project site divided by two (560 feet divided by two) and adding the 360 feet distance from the Project boundary to the nearest sensitive receptor.

Source:
Federal Highway Administration, *Roadway Construction Noise Model (RCNM)*, 2006, and included in Appendix H.

As shown in Table 5.9-5, construction noise at the nearest receptors surrounding the Project site could be exposed to temporary and intermittent noise levels ranging from 56.5 to 71.1 dBA L_{eq} when construction activities occur near the Project site boundary and would have the potential to exceed the significance threshold of 63.7 dBA L_{eq}. Additionally, as previously stated, construction activities would occur across the entire Project site, and, therefore, the estimated noise levels were also calculated from the center of the Project site. Therefore, as shown in Table 5.9-5, construction noise would be approximately 51.5 to 66.1 dBA L_{eq} from the center of the Project site at 640 feet and would still exceed the significance threshold of 63.7 dBA L_{eq}. Therefore, impacts would be significant.

The BMC and Burbank2035 have established allowable hours of construction (7:00 a.m. to 7:00 p.m. on weekdays, 8:00 a.m. to 5:00 p.m. on Saturdays, and exclude Sundays and holidays). Thus, pursuant to the BMC and Burbank2035, construction activities would be conducted during allowable daytime hours. These permitted hours of construction are required in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. Thus, impacts would be less than significant. As discussed above, construction of the proposed Project would exceed the 63.7 dBA L_{eq} threshold and as such, a significant impact would occur. To ensure that noise generated during construction of the Project would be lessened to the maximum extent possible, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate best management practices (BMPs) during construction and ensure nuisances do not occur. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as

it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts would remain significant. As such, impacts in this regard would be significant and unavoidable.

Sewer Main Infrastructure and Off-Site Infrastructure Improvements

As a condition of Project approval, the Project would be responsible for the design and construction of 1,580 feet of sewer main infrastructure improvements from the intersection of Wyoming Avenue and Ontario Street to the intersection of Burbank Boulevard and Frederick Street. Sewer main improvements would occur as close as 45 feet to the neighboring single-family residential units along Wyoming Avenue. As no ambient noise measurements were conducted near the proposed sewer main infrastructure improvement site, the following analysis utilizes the threshold of 63.7 dBA L_{eq}. It should be noted that the 63.7 dBA L_{eq} threshold is based on the noise measurement conducted on the northwestern corner of the Thornton Avenue and North Naomi Street intersection. This noise measurement recorded noise coming from nearby single-family residential units and traffic noise along Thornton Avenue and North Naomi Street. Based on the Burbank2035 Mobility Element, these roadways are classified as local streets. Similarly, the location of the sewer main infrastructure improvement would occur along Wyoming Avenue and Ontario Street to the intersection of Burbank Boulevard and Frederick Street. Wyoming Avenue, Ontario Street, and Fredrick Street are also classified as local streets while Burbank Boulevard is classified as a secondary arterial which has more lanes and higher traffic volumes. As such, the location of the sewer main improvements would have ambient noise levels similar or higher (due to higher traffic noise along Burbank Boulevard) than the noise measurement conducted at the northwestern corner of the Thornton Avenue and North Naomi Street intersection. Construction noise from the sewer main improvements could expose sensitive receptors to a maximum of 87.4 dBA L_{eq} (refer to Appendix H, Noise Data), which exceeds the significance threshold of 63.7 dBA L_{eq}.

However, it should be noted that sewer improvements would occur offsite as part of the Project's condition of approval and would not be concentrated at a single point but occur over 1,580 linear feet. Specifically, construction of the sewer main improvement would not have a fixed location, and construction would move as portions of the sewer main are replaced. Additionally, construction would not be concentrated at one location for an extended period of time. Additionally, it should be noted that noise levels from Table 5.9-5 assumes that construction equipment would be used concurrently as a conservative analysis. However, certain construction equipment would only be used during certain periods of construction (i.e., excavators would only be used during the excavation of the old sewer main and backfill) and would be powered down when not in use. As such, the actual noise levels from construction equipment used for the sewer main improvement would be less than the conservative noise levels of 87.4 dBA L_{eq}. Construction-related noise from the sewer main improvement would still exceed the 63.7 dBA L_{eq} significance threshold.

As part of the proposed Project, various off-site improvements would occur along North Avon Street and Thornton Avenue. Off-site improvements include the electrical connections, relocation of existing curbs, construction of Class IV bikeways, improvement of curbs, gutters, and driveways, and installation of ADA sidewalks. However, it should be noted that these improvements would occur along Thornton Avenue along the property's northeastern boundary and North Avon Street that connects to North Hollywood Way and Empire Avenue. Unlike the sewer main improvements, these off-site improvements would not occur close to existing sensitive receptors except for the electrical improvements which would connect to

existing BWP facilities at the Thornton Avenue and Ontario Street intersection. The closest residential uses are multi-family residential units located on Ontario Street, approximately 60 feet south of the Thornton Avenue and Ontario Street intersection. These off-site improvements would occur nearer to the Project site boundary and would be in areas where residences are not located nearby. Specifically, the closest residences to the proposed off-site improvements along Thornton Avenue and North Avon Street are approximately 1,000 feet to the east. As such, construction noise from off-site improvements would be less than noise levels from sewer main improvements due to the farther distance from sensitive receptors. While the off-site improvements are located 1,000 feet from sensitive receptors, as a conservative analysis, construction noise levels as shown in Table 5.9-5 would be representative of off-site improvements within the vicinity of the Project site. Additionally, off-site improvements would occur concurrently with the construction of the proposed Project. As such, off-site improvements along Thornton Avenue and North Avon Street. Thus, noise impacts from off-site improvements would also be significant.

As previously stated, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate BMPs during construction and ensure nuisances do not occur. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers which can reduce noise by up to 15 to 25 dBA.[3] However, the 15 to 25 dBA attenuation provided by mufflers relies heavily on the speed of a vehicle, engine noise, and load on a vehicle. The maximum 25 dBA reduction would not be maintained throughout the construction period. As such, construction-related noise from the sewer main improvement would still have the potential to exceed the 63.7 dBA L_{eq} significance threshold even with incorporation of Mitigation Measure NOI-1. Therefore, construction noise impacts would be significant and unavoidable in this regard.

Construction Trip Noise Impacts

Construction activities would also cause increased noise along access routes to and from the Project site due to movement of construction workers, vendors, as well as haul trucks, which would generate a maximum of 198 one-way construction worker trips (99 round trips) and 77 vendor trips per day (approximately 39 round trips).

Per Applicant provided information, earthwork during the grading period would require 20 hauling roundtrips per day (or 40 one-way trips) over a period of 35 days for a total of 1,400 one-way trips (40 one-way trips per day times 35 days). However, the grading period modeled in CalEEMod would only last a period of 20 days. As such, modeling in CalEEMod provides a more conservative modeling of 70 one-way hauling trips (35 round trips) per day during the modeled grading period for a total of 1,400 one-way trips (70 one-way hauling trips times 20 days).

[3] Donaldson Filtration Solutions, *Mufflers*, https://www.donaldson.com/en-us/engine/oem-systems/products/exhaust/system-components/mufflers/#:~:text=Sound%20Attenuation,-Attenuation%20of%20exhaust&text=Traditional%20mufflers%20use%20tubes%2C%20baffles,outer%20shell%20of%20the%20muffler., October 21, 2024.

According to the California Department of Transportation (Caltrans), a doubling of traffic (100 percent increase) on a roadway would result in a perceptible increase in traffic noise levels (3 dBA).[4] Accordingly, a significant impact would occur if a doubling of traffic occurs with the implementation of the proposed Project. As shown in Table 5.9-2, existing average daily trips (ADTs) in the Project vicinity range from 5,048 to 40,476. The combined total of the Project's maximum construction trips described above (approximately 173 trips) would be nominal and not double existing traffic volumes; thus, any increase in traffic noise levels would be imperceptible. Mobile traffic noise from construction trips would also be temporary and would cease upon Project completion. Therefore, short-term haul truck noise impacts from construction traffic would be less than significant.

Long-Term Operational Noise Impacts

Offsite Mobile Noise

Future development generated by the proposed Project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. A doubling of traffic volumes would result in a 3-dB increase in traffic noise levels, which is barely detectable by the human ear.[5] Accordingly, a significant impact would occur if a doubling of traffic occurs with implementation of the proposed Project. The proposed Project would generate 4,315 daily trips.[6]

As shown in Table 5.9-6, *Existing and Project Traffic Volumes*, existing average daily trips (ADTs) in the Project vicinity range from 1,528 to 33,439 ADT. Table 5.9-6 depicts the Project's ADT increase in traffic volumes along surrounding roadways. However, it should be noted that the Project's trip generation would be distributed amongst surrounding roadways. The Project's distributed ADTs by roadway segment, provided in Table 5.9-6, are based on trip distribution patterns obtained from Fehr and Peers using the City's most recent Travel Demand Model.[7] Based on the Project's ADTs and trip distribution, the Project's operational trip generation would not double existing traffic volumes. Thus, any increase in traffic noise along local roadways would be imperceptible (i.e., less than 3-dB increase in traffic noise levels). Impacts would be less than significant in this regard.

[4] California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol,* September 2013.

[5] U.S. Department of Transportation, *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, updated August 24, 2017, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed February 28, 2024.

[6] Fehr & Peers, *Operations Analysis for the 2500 North Hollywood Way Project*, October 2024.

[7] Ibid.

Table 5.9-6
Existing and Project Traffic Volumes

Segment	Existing ADT	Project ADT	Doubling of Existing Traffic Volumes?[2]
Daily Trips[1]			
North Hollywood Way			
Thornton Avenue to Avon Street	33,011	1,648	No
Avon Street to Empire Avenue	33,439	902	No
South of Empire Way	33,062	706	No
Thornton Avenue			
North Hollywood Way to Ontario Street	7,335	1,942	No
Ontario Street to Naomi Street	6,257	1,255	No
Naomi Street to Beuna Vista Street	6,051	1,255	No
East of Buena Vista Street	1,528	78	No
Empire Avenue			
West of Hollywood Way	14,343	412	No
North Hollywood Way to Avon Street	12,659	216	No
Avon Street to Ontario Street	12,959	137	No
East of Ontario Street	13,057	314	No
ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level			
Notes: 1. Existing Daily Trips are expressed as Average Daily Trips (ADT) along each segment and Project daily trips are distributed along surrounding roadways based on existing traffic distributions. 2. Per the United States Department of Transportation, a doubling of traffic would result in a 3 dBA increase in the ambient noise levels.			
Source: Fehr & Peers, *Operations Analysis for the 2500 North Hollywood Way Project*, October 2024.			

Stationary Noise

Stationary noise sources associated with the proposed Project would include mechanical equipment, slow moving trucks, parking activities, and outdoor gathering areas. These noise sources are typically intermittent and short in duration and would be comparable to existing sources of noise experienced in the site vicinity. The 2022 California Energy Code Section 120.2, *Required Controls for Space-Conditioning Systems*, outlines nonresidential and hotel/motel requirements for conditioning and heating. Pursuant to the 2022 California Energy Code Section 120.2(e), all space-conditioning system would be installed with controls that would automatically shut off the system during periods of nonuse. Such controls require an automatic time switch control device, an occupancy sensor, and a four-hour timer that can be manually operated. As such, heating, ventilation, and air conditioning (HVAC) units in hotel uses would only be operational when hotel rooms are occupied and would automatically shut off after a certain duration. Slow moving trucks movement would only occur during deliveries and trash collection activities, which happens occasionally. Noise from parking activities and outdoor gathering areas are dependent on hotel guests and would not be a constant noise source.

Mechanical Equipment Noise

HVAC units would be installed on the roof of the proposed Hotel building. The proposed Project would also install an electric emergency generator; however, electrical generators would not produce substantial noise levels compared to traditional diesel generators. Traditional diesel generators generate noise due to the combustion process of fossil fuels, noise from the cooling fans, and loose-fitting parts that would generate noise from vibration. At 23 feet, noise generated from traditional generators would be approximately 93 dBA.[8] The nearest sensitive receptors are the single-family residential uses located approximately 380 feet to the east of the proposed Hotel building. At this distance, noise from traditional generators would be approximately 69 dBA. However, the proposed Project would utilize an electrical generator which would not generate as much noise as a traditional generator because it does not have an internal combustion engine. Additionally, the generator would be enclosed and would be shielded from sensitive receptors. Therefore, noise generated from the electrical generator would be significantly less than traditional generators and would have noise shielding which would further reduce noise.

Typically, mechanical equipment (i.e., HVAC) would generate noise that is 55 dBA at 50 feet from the source.[9] Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source.[10] The nearest sensitive receptors are the single-family residential uses located approximately 380 feet to the east of the proposed Hotel building. At this distance, potential noise from HVAC units would be approximately 33 dBA. Therefore, HVAC noise levels would not be audible above existing ambient noise levels (61.2 dBA) near the single-family residential units to the east and would not increase the existing ambient noise levels by 3 dBA; refer to Table 5.9-1. It should be noted that intervening structures such as the proposed Garage and adjacent buildings within the Media Studios Campus would preclude direct line-of-sight of mechanical equipment from the closest sensitive receptors, further reducing noise levels. Additionally, noise levels from mechanical equipment would be consistent with BMC Section 9-3-208, which prohibits any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device from exceeding the ambient noise levels (defined by BMC Section 9-3-208 to be 65 dBA at the Project site) by more than five dBA. Therefore, the nearest residents would not be directly exposed to substantial noise from onsite mechanical equipment. Impacts in this regard would be less than significant.

Slow-Moving Trucks

The proposed Project may involve occasional deliveries and trash/recycling pickups from slow-moving trucks. Typically, a medium 2-axle truck for deliveries can generate a maximum noise level of 75 dBA at 50 feet.[11] These are levels generated by a truck that is operated by an experienced "reasonable" driver with typically applied accelerations. Noise associated with deliveries and trash/recycling pickups would be consistent with the existing noise environment, as these activities already occur at the Project site and in the surrounding area. Additionally, slow-moving truck noise would be intermittent, short in duration,

[8] CAT, *Generator Sound Pressure Level Calculations*, https://www.cat.com/en_ZA/by-industry/electric-power/Articles/White-papers/generator-sound-pressure-level-calculations.html, accessed July 18, 2024.

[9] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

[10] University of Manchester, *Inverse Square Law*, https://personalpages.manchester.ac.uk/staff/richard.baker/BasicAcoustics/4_inverse_square_law.html, accessed November 19, 2024.

[11] Measurements taken by Michael Baker International, 2006.

and would not generate excessive noise levels over an extended period of time. As discussed above, intervening structures such as the proposed Garage and adjacent buildings within the Media Studios Campus would preclude direct line-of-sight of slow-moving trucks from the closest sensitive receptors, further reducing noise levels. Impacts resulting from truck delivery activities would be less than significant.

Parking Noise

The proposed Project would construct a detached parking structure (Garage) on a portion of the site currently used for surface parking. In addition to the Garage, the existing SE Lot, including the area behind the convention center, would be regraded, repaved, restriped, and landscaped for a more efficient parking layout. However, this portion of the site is currently used for parking to serve the existing Marriott Hotel under existing conditions. Traffic associated with parking lots and garages is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale, such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance to nearby noise-sensitive receptors. Estimates of the maximum noise levels associated with the Project's parking activities are presented in Table 5.9-7, *Maximum Noise Levels Generated by Parking Activities*.

Table 5.9-7
Maximum Noise Levels Generated by Parking Activities

Noise Source	Maximum Noise Levels at 50 Feet from Source
Car door slamming	61 dBA L_{eq}
Car starting	60 dBA L_{eq}
Car idling	53 dBA L_{eq}
Source: Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.	

As shown in Table 5.9-7, parking activities can result in noise levels up to 61 dBA at 50 feet. It is noted that noise associated with parking activities are instantaneous noise levels compared to noise standards in the CNEL scale, which are averaged over time. As a result, actual noise levels over time resulting from parking activities would be far lower than those identified in Table 5.9-7. The proposed Garage would have intermittent noise due to the movement of vehicles. The nearest sensitive receptors to the proposed Garage would be located approximately 360 feet to the east of the Project site. At this distance, noise levels from parking activities would range from 36 to 44 dBA. Therefore, noise associated with parking activities would not exceed the City's noise standards or the California Land Use Compatibility Standards; refer to Table 5.9-3 and Table 5.9-4. Additionally, parking activity noise would be partially masked by background noise from traffic along Ontario Street (61.2 dBA) and would not increase the existing ambient noise levels by 3 dBA. Further, parking lot noise currently exists within the surface parking lot onsite, and at the surface parking lot to the east of the Project site. Additionally, adjacent buildings within the Media Studios Campus would preclude direct line-of-sight of parking activities from the closest sensitive receptors, further reducing noise levels. Thus, the Project would not introduce a new source of noise when compared to existing conditions. Impacts would be less than significant in this regard.

Outdoor Gathering Area Noise

Noise generated by groups of people (i.e., crowds) is dependent on several factors, including vocal effort, impulsiveness, and the random orientation of the crowd members. Crowd noise would be approximately 62 dBA at one meter (3.28 feet) from the source.[12,13] Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law.[14] Based on the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source.[15]

Within the proposed Project boundaries, crowds have the potential to gather at the event terrace and two covered patios. The proposed Project would include a pool; however, it would be located within the Hotel interior and would not generate exterior noise. The nearest sensitive receptors to the potential outdoor gathering areas are the residential uses located approximately 380 feet to the east of the proposed Hotel building. At this distance, crowd noise at the nearest sensitive receptors would be approximately 21 dBA (based on the Inverse Square Law).[16] Thus, crowd noise generated at the Project's outdoor gathering areas would not exceed the City's noise standards. Additionally, crowd noise from the proposed Project would be lower than existing ambient noise levels near the Project site (61.2 dBA) and would not increase the existing ambient noise levels by 3 dBA; refer to Table 5.9-1. As such, Project operational noise associated with outdoor gathering areas would not introduce an intrusive noise source when compared to existing conditions. Thus, impacts would be less than significant in this regard.

Conclusion

As noted in the analysis above, temporary construction-related impacts would exceed the significance threshold of 63.7 dBA L_{eq}. To ensure that noise generated during construction of the Project would be lessened to the maximum extent possible, implementation of Mitigation Measure NOI-1 would be required. However, even with incorporation of Mitigation measure NOI-1, construction-related impacts would still be significant and unavoidable.

As described above, long-term operational noise impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures:

NOI-1: The Project Applicant and/or Contractor shall implement the following noise-attenuating measures during construction of the proposed Project:

- Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

[12] Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away for raised normal speaking. This noise level would have a +5-dBA adjustment for the impulsiveness of the noise source, and a -3-dBA adjustment for the random orientation of the crowd members. Therefore, crowd noise would be approximately 62 dBA at one meter from the source.

[13] Hayne, M.J., *Prediction of Crowd Noise*, November 2006.

[14] The decay rate is the rate at which sound pressure level decreases (at a given point and at a given frequency) after a source of sound has stopped.

[15] Cyril M. Harris, *Noise Control in Buildings*, 1994.

[16] Inverse Square Law formula is $Lp(R2) = Lp(R1) - 20Log_{10}(R2/R1)$. Lp(R2) references the unknown sound level (dBA), LP(R1) references the reference sound level (dBA), R1 references the reference distance, and R2 references the distance from noise source to the second location. The filled in formula is as followed: $20.7 \text{ dBA} = 62 \text{ dBA} - 20Log_{10}(3.28/300)$.

- A sign, legible at 50 feet from the property line shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Burbank Community Development Department's Planning and Transportation Planning Divisions, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.

- The project Applicant shall provide, to the satisfaction of the City of Burbank Community Development Department's Planning and Transportation Planning Divisions, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Burbank Community Development Department's Planning and Transportation Planning Divisions. All signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.

- Prior to issuance of any Grading or Building Permit, the project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools.

- Construction haul routes shall be reviewed and approved by the City's Building Official and City Traffic Engineer and shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.

Level of Significance: Significant and Unavoidable Impact.

NOI-2: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

Impact Analysis: Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of some heavy-duty construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment Manual* identifies various vibration damage criteria for different building classes. This evaluation uses the FTA architectural damage threshold for continuous vibrations at engineered concrete and masonry buildings of 0.3 in/sec PPV. As the nearest structures to Project construction areas are commercial structures, this threshold is considered appropriate. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. The vibration produced by construction equipment is illustrated in Table 5.9-8, *Typical Vibration Levels for Construction Equipment*.

As shown in Table 5.9-8, the highest level of groundborne vibration would be generated during the building construction phase due to the potential operation of an impact pile driver. The nearest offsite structure (an office building to the east of the Project site) is located approximately 60 feet from proposed construction activities. At this distance, the maximum vibration velocities from impact pile drivers would be approximately 0.408 in/sec PPV, which would exceed the FTA significance threshold of 0.3 in/sec PPV. Therefore, groundborne vibration generated from impact pile driver operations would be considered potentially significant.

Table 5.9-8
Typical Vibration Levels for Construction Equipment

Equipment		Reference peak particle velocity at 25 feet (inch-per-second)	Approximate peak particle velocity at 60 feet (inch-per-second)[1]
Pile Driver (Impact)	*Upper Range*	1.518	0.408
	Typical	0.644	0.173
Pile Driver (Sonic)	*Upper Range*	0.734	0.197
	Typical	0.170	0.046
Vibratory Roller		0.210	0.056
Large bulldozer		0.089	0.024
Loaded trucks		0.076	0.020
Small bulldozer		0.003	0.001

Notes:
1. Calculated using the following formula:
$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$
where: PPV (equip) = the peak particle velocity in inch-per-second of the equipment adjusted for the distance
PPV (ref) = the reference vibration level in inch-per-second from Table 7-4 of the FTA *Transit Noise and Vibration Impact Assessment Manual*
D = the distance from the equipment to the receiver

Source:
Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

As groundborne vibration generated from impact pile driver operations would exceed applicable thresholds, the Project would be required to implement Mitigation Measure NOI-2. Mitigation Measure NOI-2 would require the use of sonic pile drivers as an alternative to impact pile drivers. As shown in Table

5.9-8, the maximum vibration velocities from sonic pile drivers would be approximately 0.197 in/sec PPV at the nearest offsite building. Therefore, with implementation of Mitigation Measure NOI-2, groundborne vibration levels would not exceed the FTA's significance threshold of 0.3 in/sec PPV, and impacts would be less than significant.

Mitigation Measures:

NOI-2: The following measure shall be incorporated on all grading and building plans and specifications subject to approval of the City's Building and Safety Division prior to issuance of a grading permit:

- Sonic pile drivers shall be used as an alternative to impact pile drivers to reduce groundborne vibration levels. Impact pile driver operations shall be prohibited.

Level of Significance: Less Than Significant Impact With Mitigation.

NOI-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?

Impact Analysis: The public airport nearest to the Project site is the Hollywood Burbank Airport. According to the Los Angeles County Airport Land Use Commission (ALUC), the western portion of the Project site is located within the Hollywood Burbank Airport 65 CNEL noise contour.[17] However, the proposed Hotel building would not be located within the Hollywood Burbank Airport 65 CNEL noise contour. Further, based on current noise monitoring conducted by the Hollywood Burbank Airport, the Project site is not located within the 65 dB CNEL noise contour.[18] As such, Hollywood Burbank Airport noise would not exceed the City's normally acceptable exterior noise standard (65 dBA CNEL) for transient lodging. Additionally, the Project site is not located within the vicinity of a private airstrip. Thus, the Project would not expose substantial numbers of people to excessive noise levels from airports, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.9.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

[17] Hollywood Burbank Airport, *4th Quarter 2020 - 65dB CNEL*, March 5, 2021.
[18] Ibid.

Would the Project, combined with other related projects, result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Impact Analysis:

Construction

Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. However, cumulative construction noise impacts would affect only the areas immediately adjacent to the construction site. The closest related projects are the Media Studios North Original Remaining Entitlement (Media Studios North) project, immediately southwest of the Project site, and the 3031 Thornton Avenue project, north of the Project site (refer to Section 4.0). Construction of these related projects could occur at the same time as the proposed Project. The City of Burbank has discretionary authority over the Media Studios North and 3031 Thornton Avenue projects. It should be noted that plans for the Media Studios North project have not been submitted for the City's review and the 3031 Thornton Avenue project is undergoing review. Nevertheless, if development of these sites were to occur, construction noise impacts associated with these projects would be reduced through compliance with the City's standards and ordinances, and any necessary mitigation measures would be identified through the City's development review process. As discussed above, the proposed Project would result in a significant and unavoidable impact regarding short-term construction noise even with incorporation of Mitigation Measure NOI-1. Therefore, the Project's significant effects associated with a temporary increase in ambient noise would be considered cumulatively considerable, and cumulative impacts would be significant.

Operation

As outlined by the United States Department of Transportation, a doubling of traffic volumes would result in a perceptible noise level (i.e., 3-dBA) increase.[19] To analyze the cumulative operational traffic noise impact from the proposed Project, the combined traffic noise from the proposed Project and related projects in Burbank are analyzed. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the proposed Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project. A significant impact would result only if both the combined (including an exceedance of the applicable exterior standard at a sensitive use) and incremental effects criteria have been exceeded. Noise is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth that would occur in the Project site's general vicinity would contribute to cumulative noise impacts.

According to the City of Burbank, related projects in Burbank would generate a total of 20,321 net daily trips. The Project would generate 4,315 daily trips, which would be approximately 21 percent of the total

[19] A doubling of traffic volumes would result in a 3-dBA increase in traffic noise levels, which is barely detectable by the human ear. (Source: U.S. Department of Transportation, *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, updated August 24, 2017, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed on February 23, 2021.)

related projects' daily trips. Due to the level of Project-generated daily trips compared to the related projects' daily trips, the Project would not represent a substantial percentage of the increase in traffic, and an incremental effect would not occur. Additionally, it should be noted that Project-related trips are more likely to interact with related projects utilizing the same roadways. Trips generated from related projects further away from the proposed Project would be unlikely to interact and as such, has a low potential to result in a cumulative considerable impact. Additionally, as shown in Table 5.9-9, *Cumulative Roadway Segment Volumes*, displays the future traffic volumes utilizing the City's recommend growth rate, trips generated from nearby related projects, and trips generated from the proposed Project along North Hollywood Way and Thornton Avenue. The distribution of traffic volumes from related projects were based on various factors including the type and density of proposed land uses, geographical distribution of population from employees and patrons, and locations of related projects in relation to surrounding street system.

Table 5.9-9
Cumulative Roadway Segment Volumes

Segment	Baseline Weekday Two-Way Traffic Volumes	Future (2027) Weekday Two-Way Traffic Volumes[1]	Project ADT	Future (2027) Plus Project
North Hollywood Way between Thornton Avenue and Marriott Drive	33,011	48,183	1,648	49,831
Thornton Avenue between North Hollywood Way and North Ontario Street	7,335	9,617	1,942	11,559
ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level				
Note: 1. The future traffic base volumes in 2027 was developed by utilizing the baseline traffic volumes from 2024 and applying a 1.0% growth rate per year which is derived from the City's Transportation Demand Model. Additionally, the future traffic base volumes take into account trips generated by nearby related projects. Distribution of related project's traffic volume are dependent on various factors including the type and density of proposed land uses, geographical distribution of population from employees and patrons, and locations of related projects in relation to surrounding street system.				
Sources: Fehr and Peers, *Operation Analysis for the 2500 N Hollywood Way Project*, October 2024.				

As shown in Table 5.9-9, a doubling of traffic volumes would not occur as a result of trips from nearby related projects and trips from the proposed Project. As such, the Project would not result in significant noise impacts due to increased traffic and the Project's cumulative impact would be less than significant.

Although related projects have been identified within the Project study area, the noise generated by stationary equipment at each related project site cannot be adequately quantified due to the conceptual nature of most of the related projects. However, each related project would require separate discretionary approval and CEQA assessment that would address potential noise impacts and identify necessary attenuation measures, where appropriate. Additionally, as noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of the respective sites and their vicinities. The closest related projects are the Media Studios North project, immediately southwest of the Project site, and the 3031 Thornton Avenue project, north of the Project site. All the

existing and planned development in the Project area currently operate, or would operate, mechanical equipment and other stationary noise sources throughout the Project area. As such, the Project would not introduce new stationary noise that is not already contributing to the existing noise environment. As noted above, the proposed Project would not result in significant stationary noise impacts. The proposed Project would not result in stationary long-term equipment that would significantly affect surrounding sensitive receptors.

As demonstrated above, the Project's less than significant effects associated with a permanent increase in ambient noise would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Conclusion

As noted in the analysis above, temporary construction-related impacts would exceed the significance threshold of 63.7 dBA L_{eq}. To ensure that noise generated during construction of the Project would be lessened to the maximum extent possible, implementation of Mitigation Measure NOI-1 would be required. Nevertheless, construction impacts from the proposed Project would still exceed thresholds and as such, would be cumulatively significant. Therefore, cumulative construction-related impacts would be significant and unavoidable.

As described above, long-term operational noise impacts would not be cumulatively considerable; therefore, long-term cumulative operational noise impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1.

Level of Significance: Significant and Unavoidable Impact.

Would the Project, combined with other related projects, result in generation of excessive groundborne vibration or groundborne noise levels?

Impact Analysis: As stated above, construction activities associated with the proposed Project and related projects may overlap. Despite the potential for overlap, groundborne vibration generated at the Project site during construction would not be in exceedance of the FTA threshold of 0.30 in/sec PPV for engineered concrete and masonry buildings, following implementation of Mitigation Measure NOI-2, which requires the use of sonic pile drivers to reduce groundborne vibration levels. In addition, there would be no vibration impacts associated with operations at the Project site. The closest related projects are the Media Studios North project, immediately southwest of the Project site, and the 3031 Thornton Avenue project, north of the Project site. Although construction of the related projects could occur at the same time as the proposed Project, cumulatively significant construction vibration would generally only occur when construction activities on the sites occur near one another in a way that concentrates the vibration. The farther construction activities occur from one another on each respective project site, the quicker the vibration dissipates by the time it reaches a sensitive receptor. Additionally, because heavy construction equipment moves around a project site and would only occur for limited durations, average vibration levels at the nearest structures would diminish with increasing distance between the structures and construction activities. As such, cumulative construction vibration impacts would not occur. Both the proposed Project and related projects would be required to comply with the BMC limitations on allowable hours of construction and mitigate their respective construction vibration impacts, as required. Therefore, the Project's less than significant effects after mitigation associated with the generation of excessive

groundborne vibration or groundborne noise levels would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-2.

Level of Significance: Less Than Significant Impact With Mitigation.

For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project, combined with other related projects, expose people residing or working in the project area to excessive noise levels?

Impact Analysis: As discussed above, based on current noise monitoring conducted by the Hollywood Airport, the Project site is not located within the 65 dB CNEL noise contour.[20] The Project would not be subject to airport noise levels that exceed the City's normally acceptable exterior noise standard (65 dBA CNEL) for transient lodging or contribute to any increases in noise generated at the Hollywood Burbank Airport. As the Project is not within the Hollywood Airport 65 dB CNEL noise contours, noise generated from the Hollywood Airport would not expose people visiting or working at the proposed Project to excessive noise levels. Therefore, the Project's less than significant effects related to the exposure of people residing or working in the project area to excessive noise levels would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.9.6 SIGNIFICANT UNAVOIDABLE IMPACTS

A significant and unavoidable impact would result from the Project's contribution to noise as a result of the exceedance of the threshold established by the BMC on a project and cumulative basis. Specifically, the construction of the proposed Project and sewer main infrastructure improvements would result in noise levels that exceed the 5 dBA increase over the existing ambient noise levels pursuant to BMC 9-3-208.

If the City of Burbank approves the Project, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decision makers in accordance with CEQA Guidelines Section 15093.

5.9.7 REFERENCES

California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

CAT, *Generator Sound Pressure Level Calculations*, https://www.cat.com/en_ZA/by-industry/electric-power/Articles/White-papers/generator-sound-pressure-level-calculations.html, accessed July 18, 2024.

[20] Hollywood Burbank Airport, *4th Quarter 2020 - 65dB CNEL*, March 5, 2021.

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5.10 PUBLIC SERVICES

The purpose of this section is to identify the existing regulatory and environmental conditions related to public services that serve the Project site. Public services addressed in this section include fire protection and police protection. This section focuses on the Project's potential to cause the need for new or physically altered fire or police protection facilities that could result in significant environmental impacts.

5.10.1 ENVIRONMENTAL SETTING

Fire Protection

The Burbank Fire Department (BFD) provides fire protection services to the City. Burbank is divided into six geographical planning zones, known as fire districts. Each fire district is served by a fire station and defines the first-due response area for each station. In addition, BFD has automatic aid and mutual aid agreements with surrounding cities. The Project site is within the service boundaries of Fire Station 13, located at 2713 Thornton Avenue, which is approximately 0.35-mile northeast of the Project site. Station 13 houses an engine and a rescue ambulance.[1] The BFD employs 143 personnel (124 sworn and 19 non-sworn).[2]

BFD has seven divisions, including Fire Prevention Bureau, Fire Suppression, Emergency Medical Services, Emergency Management, Fire Apparatus and Equipment, Training and Safety, and Administration. The Fire Prevention Bureau performs preventative measures, such as checking plans for fire, life safety and environmental requirements; issuing fire permits; conducting fire, life safety and environmental inspections; managing hazardous materials as a Participating Agency of the Los Angeles County Fire Department Certified Unified Program Agency; administering the Fire Hazard Reduction Program (Brush Clearance); conducting fire investigations; providing public education programs; and overseeing the Fire Film Safety Office. The Fire Suppression division provides 24/7 personnel to protect life, property, and the environment through 24/7 firefighter response. The Emergency Medical Services (EMS) division provides paramedic and emergency services, including three rescue ambulances, throughout the City. The Emergency Management Division develops, implements and maintains a comprehensive program to ensure that the City and the community are ready for various threats including natural disasters and human-caused incidents. The Fire Apparatus and Equipment division oversees BFD's Trucks, Engines, Rescue Ambulances, Hazardous Materials vehicles, and Battalion 1 vehicle, including maintenance, repair, and service testing. The Training and Safety division provides comprehensive instruction to all BFD personnel. The Administration division manages BFD all operations.

In addition, the City of Burbank is one of the three founding members of the Verdugo Fire Communications Center, a regional dispatch center that currently serves 13 agencies. Located within the City of Glendale, it is jointly overseen and managed by the Burbank, Glendale, and Pasadena Fire Chiefs. Calls to the Verdugo Fire Communications Center are transmitted to the closest apparatus to the incident.[3]

[1] Burbank Fire Department, *Fire Stations*, https://www.burbankfire.us/divisions/fire-suppression/fire-stations, accessed April 11, 2024.
[2] Burbank Fire Department, *Administration*, https://www.burbankfire.us/divisions/administration, accessed April 11, 2024.
[3] City of Glendale, *Verdugo Fire History*, https://www.glendaleca.gov/government/departments/fire-department/verdugo-fire-communications/verdugo-fire-history, accessed April 11, 2024.

Police Protection

The Burbank Police Department (BPD) provides police protection services within the City. The police station is located at 200 N. Third Street, which is located approximately 2.3 miles southeast of the Project site. BPD has five divisions, including Patrol, Investigation, Administrative Services, Support Services, and Budget and Finance with an authorized budget for 160 sworn police officers.[4] The Patrol Division consists of Patrol, Traffic, Gang Enforcement Team, Parking Enforcement, and Air Support and receives and responds to all calls for emergency services, conducts initial investigations and appropriate follow-up, prevents crime through directed and non-directed patrols, and prepares documentation on all calls for service and police reports. The Investigations Division consists of Crimes v. Persons, Crimes v. Property, Vice/Narcotics, Juvenile, and Forensics Specialists and is responsible for follow-up investigation and the gathering of evidence to assist in the prosecution of criminal offenses. The Administrative Services Division includes the Community Outreach and Personnel Services Bureau, which handles media relations, training, applicant backgrounds, and community policing programs, as well as the office of the Chief of Police, Finance, and the Professional Standards Bureau, which incorporates property and evidence, physical plant maintenance, internal affairs investigations and departmental audits. The Support Division consists of the Records Bureau, Citation Management, Animal Shelter, Jail Support, Communications, Property/Evidence, and Computer Unit. The Budget and Finance Division is responsible for many of the fiscal functions of the BPD and includes civilian personnel.

5.10.2 REGULATORY SETTING

State

California Building Code & California Fire Code

Title 24 of the California Code of Regulations, known as the California Building Standards Code (CBSC), or just "Title 24," contains the regulations that govern the construction of buildings in California and includes the California Building Code and the California Fire Code. The California Building Code (Title 24, Part 2) is a compilation of general building design standards and construction requirements relating to fire and life safety, structural safety, and access compliance. The California Building Code provides minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures and certain equipment. The California Fire Code (Title 24, Part 9) provides regulations for safeguarding life and property from fire and explosion hazards derived from the storage, handling, and use of hazardous substances, materials, and devices. The provisions of the California Fire Code apply to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to such building structures throughout the State. Title 24, updated every three years, was last updated in 2022 and effective January 1, 2023.

California Public Resources Code Sections 4290-4299 and California Government Code Section 51178

A variety of State codes, particularly Public Resources Code Sections 4290-4299 and Government Code Section 51178, require minimum Statewide fire safety standards pertaining to: roads for fire equipment access; signage identifying streets, roads and buildings; minimum private water supply reserves for emergency fire use; and fire fuel breaks and greenbelts. They also identify primary fire suppression

[4] Burbank Police Department, *Divisions*, https://www.burbankpd.org/inside-bpd/divisions/, accessed April 11, 2024.

responsibilities among the federal, State, and local governments. In addition, any person who owns, leases, controls, operates or maintains a building or structure in or adjoining a mountainous area or forest-covered, brush-covered or grass-covered land, or any land covered with flammable material, must follow procedures to protect the property from wildland fires. This regulation also helps ensure fire safety and provides adequate access to outlying properties for emergency responders and safe evacuation routes for residents.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code Sections 13000 et seq., and include regulations concerning building standards as also set forth in the 2022 CBSC, 2022 California Residential Code (CRC), and related updated codes.

California Constitution Article XIII, Section 35

Section 35 of Article XIII of the California Constitution states that the protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provisions of adequate public safety services. In order to assist local governments in maintaining a sufficient level of public safety services, the proceeds of the tax enacted pursuant to this section are designated exclusively for public safety.

California Vehicle Code

California Vehicle Code Section 21055 exempts authorized emergency vehicles to violate certain rules of the road, including speed and right-of-way, if the driver displays a lighted red lamp as a warning to other drivers and pedestrians. Emergency vehicles include (1) vehicles driven in response to an emergency call or while engaged in rescue operations; (2) vehicles used in the immediate pursuit of an actual or suspected violator of the law; and (3) vehicles responding to, but not returning from, a fire alarm, except that fire department vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.

California Penal Code

The California Penal Code establishes the basis for the application of criminal law enforcement in California.

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies to address the City's fire and police protection needs. The following Safety Element goal and policies are relevant to the Project:

Safety Element

GOAL 2 POLICE PROTECTION: Burbank provides high-quality police protection services to residents and visitors.

Policy 2.1: Maintain an average police response time of less than 4 minutes to emergency calls for service.

Policy 2.2: Ensure adequate staffing, facilities, equipment, technology, and funding for the Burbank Police Department to meet existing and projected service demands and response times.

Policy 2.3: Provide and use up-to-date technology to improve crime prevention.

Policy 2.4: Develop and support crime prevention programs throughout the city, including the Crime Prevention Through Environmental Design (CPTED) and Neighborhood Watch programs.

Policy 2.5: Provide public education from neighborhood safety programs to encourage active participation by Burbank residents and businesses.

GOAL 4 FIRE PROTECTION: Burbank provides high-quality fire protection services to residents and visitors. Threats to public safety are reduced and property is protected from wildland and urban fire hazards.

Policy 4.1: Maintain a maximum response time of 5 minutes for fire suppression services. Require new development to ensure that fire response times and service standards are maintained.

Policy 4.2: Provide adequate staffing, equipment, technology, training, and funding for the Burbank Fire Department to meet existing and projected service demands and response times.

Policy 4.4: Maintain adequate fire breaks in areas within and adjacent to areas of the Very High Fire Hazard Severity Zone.

Policy 4.5: Coordinate firefighting efforts with local, state, and federal agencies.

Policy 4.7: Maintain adequate fire suppression capability in areas of intensifying urban development, as well as areas where urban uses and open spaces mix.

Policy 4.12: Increase the resilience of new development in Very High Fire Severity Zones in compliance with the Board of Forestry and Fire Protection Fire Safe Regulations, California Building Standards Code, and Burbank Municipal Code. Require all new development to be served by a water system that meets applicable fire flow requirements.

Policy 4.18: Require visible home and street addressing, and signage across the City.

Burbank Municipal Code

Burbank Municipal Code (BMC) Title 9, Building Regulations, Chapter 1, Building and Fire, Article 9, California Fire Code, adopts by reference Part 9 of Title 24 of the California Code of Regulations, also known as the "California Fire Code," with certain amendments, additions, and deletions.

BMC Title 10, Zoning Regulations, Chapter 1, Zoning, Article 22, Community Facility Fees, establishes development fees, also known as Community Facility Fees, imposed by the City in order to finance capital improvements within several categories, including but not limited to, police fees and fire fees. BMC Section 10-1-2206, Fee Payment Procedure, states that development fees shall be imposed on all development projects, which require a building permit, subject to certain exceptions. BMC Section 10-1-2225, Purpose, states that a Community Facilities Non-Transportation Related Fee is imposed on new non-residential development in the City of Burbank for the purpose of assuring that current level of service goals are met with respect to the additional demands placed on police and fire facilities generated from such development.

5.10.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to public services or recreation if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
    - Fire protection (refer to Impact Statement PS-1);
    - Police protection (refer to Impact Statement PS-2);
    - Schools (refer to Section 8.0, *Effects Found Not to be Significant*);
    - Parks (refer to Section 8.0, *Effects Found Not to be Significant*); and/or
    - Other public facilities (refer to Section 8.0, *Effects Found Not to be Significant*).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.10.4 IMPACTS AND MITIGATION MEASURES

PS-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or need new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Impact Analysis: The Project site is currently developed with the Marriott Hotel. The Project proposes the development of a new Hotel and Garage within the northeast portion of the Project site. The surface parking of the southeast portion of the parcel (SE Lot) and behind the convention center would also be demolished, regraded, repaved, and restriped as part of the Project. Utilities and additional offsite improvements would also occur; refer to Section 3.0, Project Description.

Construction activities, including those related to the off-site improvements, have the potential to result in accidental on-site fires by exposing combustible materials to fire risks from machinery and equipment. Therefore, construction activities associated with the Project, including off-site improvements, could temporarily result in an incrementally increased demand for BFD fire protection services. However, all construction activities would be subject to compliance with the regulations enforced by the Occupational

Safety and Health Administration and California Division of Occupational Safety and Health. Construction-related regulations would include maintaining fire suppression equipment specific to construction on-site; providing a temporary or permanent water supply of sufficient volume, duration, and pressure; and keeping storage sites free from accumulation of unnecessary combustible materials. Additionally, Project construction may result in temporary sidewalk and lane closures that may affect evacuation routes and BFD response times in the Project vicinity. As discussed in Section 5.6, *Hazards and Hazardous Materials*, temporary lane closures may be required during Project construction activities. However, travel along surrounding roadways would remain open and would not interfere with emergency access in the Project site vicinity. Moreover, Project construction would not significantly affect BFD response to the Project site and vicinity as emergency vehicles could avoid traffic by using sirens to clear a path of travel or driving in the lanes of opposing traffic, pursuant to California Vehicle Code Section 21055. As such, construction-related impacts to fire protection services from the Project would be less than significant.

Operation of the proposed Hotel, with patrons and approximately 85 full-time equivalent jobs, would result in additional people and activity at the Project site. Implementation of the Project could incrementally increase demand for fire protection services. However, as part of the City's development review process, the Project would be required to comply with BFD requirements for emergency access, fire flow, fire protection standards, fire lanes, and other site design/building standards. Further, the Project would be subject to review and approval by the BFD prior to building permit and certificate of occupancy issuance, thereby reducing fire risks associated with the proposed development.

The Project would be required to pay the community facility fee in accordance with BMC Title 10, Article 22 to offset its demand for fire protection services provided by BFD. The fee is imposed on non-residential development within the City to ensure that the current level of service goals of the City are met with respect to additional demands placed on fire facilities from such development. The City is required by California Constitution Article XIII, Section 35 to provide adequate public safety services, including fire protection.

The Project does not propose and would not create a need for new or physically altered fire protection facilities to maintain acceptable service ratios, response times, or other performance objectives. Therefore, the Project would not result in adverse physical impacts associated with such facilities. The Project would be required to pay the City's community facility fee specific to fire, which in accordance with the BMC shall be used solely and exclusively for the purpose of funding fire station improvements. Payment of the fee would offset the incremental increase in demand for fire protection services associated with the Project. As such, operational impacts would be less than significant with respect to fire protection facilities.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

PS-2: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

Impact Analysis: As discussed above, the Project site is currently developed with the Marriott Hotel and proposes development of a new Hotel and Garage; refer to Section 3.0, Project Description. The proposed Hotel, with patrons and approximately 85 full time equivalent jobs, would result in additional people and activity at the Project site. Implementation of the Project could incrementally increase demand for police protection services.

Although Project construction, including the construction activities related to the off-site improvements, would result in temporary sidewalk and lane closures that may affect evacuation routes, emergency access to the Project Site for emergency service providers, including the BPD, would be maintained at all times. Furthermore, Project construction would not significantly affect BPD response to the Project site and vicinity as emergency vehicles can avoid traffic by using sirens to clear a path of travel or driving in the lanes of opposing traffic, pursuant to California Vehicle Code Section 21055. As such, construction-related impacts to police protection services would be less than significant.

The Project would be required to pay the community facility fee in accordance with BMC Title 10, Article 22 to offset its demand on police protection services provided by BPD during Project operation. The fee is imposed on non-residential development within the City to ensure that the current level of service goals of the City are met with respect to additional demands placed on police facilities from such development. The City is required by California Constitution Article XIII, Section 35 to provide adequate public safety services, including fire protection. Additionally, the Project's security features, such as high efficiency light emitting diode (LED) lighting, including along all pedestrian pathways and parking lot areas, would be reviewed as part of the development process. Additional security features include security gates/mechanisms at all entrances to the site and at each Garage entry/exit, as well as valet-only Garage operations.

The Project does not propose and would not create a need for new or physically altered police protection facilities to maintain acceptable service ratios, response times, or other performance objectives. Therefore, the Project would not result in adverse physical impacts associated with such facilities. The Project would be required to pay the City's community facility fee specific to police, which in accordance with the BMC shall be used solely and exclusively for the purpose of funding police station improvements. Payment of the fee would offset the incremental increase in demand for police protection services associated with the Project. Impacts would be less than significant with respect to police protection facilities.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.10.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Impact Analysis: As discussed, BFD provides fire protection services to the City. In addition to the Project, related projects within the City would receive fire protection services from BFD. Development of related projects would have the potential to increase population and employment within the City, incrementally increasing demands on fire protection services and facilities. Similar to the Project, site-specific development would be required to comply with BFD requirements regarding fire safety to reduce fire risk associated with the proposed development. Additionally, development within the City is required to pay the community facilities fee in accordance with the BMC to ensure that the current level of service goals are met with respect to the additional demands placed on fire protection facilities and services generated from such development.

As demonstrated above, the Project does not propose new or physically altered fire protection facilities or require the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts. Development of related projects in the City would be reviewed to determine whether the development being proposed includes new or expanded fire facilities or would require new or expanded fire facilities with the potential for causing significant environmental impacts. Further, the provision of specific facilities or the expansion of facilities would undergo review pursuant to CEQA. Thus, the Project's less than significant effects related to fire protection services and facilities would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

Impact Analysis: As discussed, BPD provides police protection services to the City. In addition to the Project, related projects within the City would receive police protection services from BPD. Development of related projects would have the potential to increase population and employment within the City, incrementally increasing demands on police protection services and facilities. Similar to the Project, development within the City is required to pay the community facilities fee in accordance with the BMC to ensure that the current level of service goals are met with respect to the additional demands placed on police protection services and facilities generated from such development.

As demonstrated above, the Project does not propose new or physically altered police protection facilities or require the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Development of related projects in the City would be reviewed to determine whether the development being proposed includes new or expanded police facilities or would require new or expanded police facilities with the potential for causing significant environmental impacts. Further, the provision of specific facilities or the expansion of facilities would undergo review pursuant to CEQA. Thus, the Project's less than significant effects related to police protection services and facilities would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.10.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts on public services would occur with the proposed Project.

5.10.7 REFERENCES

Burbank Fire Department, *Administration*, https://www.burbankfire.us/divisions/administration, 2024.

Burbank Fire Department, *Fire Stations*, https://www.burbankfire.us/divisions/fire-suppression/fire-stations, 2024.

Burbank Police Department, *Divisions*, https://www.burbankpd.org/inside-bpd/divisions/, 2024.

Glendale, *Verdugo Fire History*, https://www.glendaleca.gov/government/departments/fire-department/verdugo-fire-communications/verdugo-fire-history, 2024.

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5.11 TRANSPORTATION

The purpose of this section is to describe existing transportation conditions within the Project site and vicinity and the regulatory setting related to transportation and assess the potential transportation impacts associated with the Project.

5.11.1 ENVIRONMENTAL SETTING

Existing Street System

The Project site is generally bounded by Thornton Avenue on the north, North Hollywood Way on the west, and Avon Street on the south. Access to the Project site occurs from four driveways, two at Thornton Avenue, one at North Hollywood Way, and one at Avon Street. The following is a brief description of the major streets serving the Project site:

North Hollywood Way – North Hollywood Way is classified as a major arterial and provides two or three lanes in each direction between the southern City limits and I-5. Parking is generally prohibited in the vicinity of the Project site. The speed limit is 40 miles per hour (mph) between San Fernando Boulevard and Valhalla Drive.

Empire Avenue – Empire Avenue is classified as a major arterial and provides two lanes in each direction. Parking is allowed on both sides of the street east of Ontario Street and on the south side of the street west of Ontario Street. The speed limit between North Hollywood Way and Ontario Street is 35 mph.

Thornton Avenue – Thornton Avenue is classified as a neighborhood collector and provides a center turn lane and one lane on each side. Parking is allowed on the south side of Thornton Avenue, along some portions of the street, between the easternmost boundary of the Project Site and the intersection at Ontario Street. The speed limit is 30 mph.

San Fernando Boulevard – San Fernando Boulevard is classified as a secondary arterial street in the City of Burbank. It runs northwest/southeast along the south side of the Union Pacific/Metrolink Valley Railroad Line, provides two lanes in each direction, and is divided by a two-way left-turn lane. Project access to/from Interstate 5 (I-5) is provided from this street. Parking is generally permitted on the south side of the street only. The speed limit ranges between 35 and 40 mph in the vicinity of the Project site.

Existing Transit System

Existing transit lines currently serving the Project site are described below and consist of Los Angeles County Metropolitan Transportation Authority (Metro) bus lines and a BurbankBus line.

Metro 165 – Line 165 is an east/west line that provides service from West Hills to Downtown Burbank via Woodland Hills, Canoga Park, Reseda, Lake Balboa, Van Nuys, and North Hollywood. Line 165 travels primarily along Empire Avenue near the Project site, with the nearest stops southwest of the Project site on Empire Avenue above the Hollywood Way underpass. Major stops include the Metro G Line Warner Center Station and the Metrolink Hollywood Burbank Airport and Downtown Burbank Stations. Service is provided seven days per week. Weekday service is provided between 4:30 AM and 11:00 PM. The peak hour headway on Line 165 is approximately 15 minutes in the morning and afternoon.

Metro 169 – Line 169 travels along San Fernando Boulevard, Saticoy Street, Vanowen Street, Valley Circle Boulevard, Mulholland Drive, and Topanga Canyon Boulevard. The stops closest to the Project site are about 400 feet west of the Project site at the intersection of Hollywood Way and Thornton Avenue. Major stops include the Regional Intermodal Transportation Center (RITC) at the Hollywood Burbank Airport. Line 169 currently provides weekday and weekend service. Weekday service is provided from 5:00 AM to 9:00 PM. The peak hour headway on Line 169 is approximately one hour in the morning and afternoon.

Metro 222 – Line 222 is a north/south line that provides service from Sun Valley to Hollywood via Burbank and Universal City. Line 222 travels along Glenoaks Boulevard, Hollywood Way, Riverside Drive, Barham Boulevard, and Cahuenga Boulevard. The stops closest to the Project site are about 400 feet west of the Project site at the intersection of Hollywood Way and Thornton Avenue. Major stops include the Hollywood Burbank Airport, and the Metro B Line Universal City/Studio City Station and the Hollywood/Vine Station. Service is provided seven days per week, with weekday service provided between 5:00 AM and 12:00 AM. The peak hour headway on Line 222 is approximately 30 minutes in the morning and afternoon.

Metro 294 - Line 294 is a north/south line that provides service from San Fernando to Burbank. Line 294 travels along San Fernando Road, Hollywood Way, and Empire Avenue. The stops closest to the Project site are about 400 feet west of the Project site at the intersection of North Hollywood Way and Thornton Avenue. Major stops include Downtown San Fernando, Downtown Burbank, and the Metrolink Sylmar/San Fernando, Sun Valley, Downtown Burbank, Hollywood Burbank Airport Stations. Service is provided seven days per week, with weekday service provided between 5:00 AM and 12:00 AM. The peak hour headway on Line 294 is approximately 30 minutes in the morning and afternoon.

BurbankBus NoHo/Airport – This line begins and ends at the Metro B Line North Hollywood Station and travels along Burbank Boulevard, Buena Vista Street, Empire Avenue, Ontario Street, Thornton Avenue, and Hollywood Way. The stops closest to the Project site are about 250 feet east of the Project site at the intersection of Ontario Street and Thornton Avenue. The NoHo/Airport Loop serves Hollywood Burbank Airport at the RITC. Service is provided on weekdays only from 5:30 AM to 10:30 PM. The headways are 15 minutes during the AM and PM commute periods, 20 minutes during mid-day, and 45 minutes in the late evening.

In addition to bus transit service at the Project site transit lines are described below and consist of two Metrolink commuter rail lines and one Amtrak commuter rail.

Metrolink Ventura County Line – The Metrolink Ventura County Line provides service from East Ventura to Los Angeles Union Station with stops in Oxnard, Camarillo, Moorpark, Simi Valley, Chatsworth, Northridge, Van Nuys, Hollywood Burbank Airport, Downtown Burbank, and Glendale. The closest station to the Project site is the Hollywood Burbank Airport – South Station about 1,500 feet southwest of the Project site on Empire Avenue. This station is shared with the Amtrak Pacific Surfliner described below and referred to as the Hollywood Burbank Airport Station by Amtrak. Service is provided on weekdays. The weekday morning and afternoon peak hour headway is approximately 30 minutes.

Metrolink Antelope Valley Line – The Metrolink Antelope Valley line provides service from Lancaster to Los Angeles Union Station, with stops in Palmdale, Santa Clarita, Sylmar, Sun Valley, Hollywood Burbank Airport, Downtown Burbank, and Glendale. The closest station to the Project site is the Hollywood Burbank Airport – North Station about 3,800 feet north of the Project site at San Fernando Boulevard and

Hollywood Way. Service is provided on weekdays and weekends. The weekday morning and afternoon peak hour headway is approximately 30 minutes.

Amtrak Pacific Surfliner – This Amtrak line provides service from San Diego to Ventura with stops in Norwalk/Santa Fe Springs, Commerce, Glendale, Hollywood Burbank Airport South, Van Nuys, and Chatsworth in Los Angeles County. The closest station to the Project site is the Hollywood Burbank Airport Station about 1,500 feet southwest of the Project site on Empire Avenue. This station is shared with the Metrolink Ventura County Line described above and referred to as the Hollywood Burbank Airport – South Station by Metrolink. Service is provided every day. There are five trains per day from the Hollywood Burbank Airport Stop.

In addition to the public transportation options, the existing Marriott Hotel within the Project site operates a shuttle from the hotel to and from the Hollywood Burbank Airport with a headway of 15 minutes.

Existing Bicycle Facilities

The following are the bikeway types per the *City of Burbank Complete Our Streets Plan*:[1]

- Class I Bikeways (Bicycle Paths or Shared-Use Paths) provide a completely separated and off-street right-of-way designated for the exclusive use of bicycles and pedestrians with cross-flow by motorists minimized.
- Class II Bikeways (Bicycle Lanes) provide a restricted right-of-way designated for the exclusive or semi-exclusive in-street use of bicycles. Through travel by motor vehicles or pedestrians is prohibited, but cross-flows may be allowed.
- Class III Bikeways (Bicycle Routes) designate shared travel of bicycles and motor vehicles denoted by signs and/or pavement markings, such as shared-lane markings (“sharrows”).
- Class IV Bikeways (Cycle Tracks or Protected Bikeways) provide a right-of-way designated exclusively for bicycle travel separated from pedestrians, vehicle traffic, and parked vehicles. Class IV Bikeways are protected and separated using grade separation, flexible posts, inflexible physical barriers, and/or on-street parking.

There is a Class II/Class IV bicycle lane along Hollywood Way between San Fernando Boulevard and Pacific Avenue, which runs adjacent to the Project driveway access on the west. There is a Class II bicycle lane along Vanowen Street between Clybourn Avenue and Hollywood Way. There are Class II bike lanes constructed on Empire Avenue between Valpreda Street and Grismer Avenue. There are no bike lanes on Avon Street, Thornton Avenue, and Ontario Street near the Project site. Within the vicinity of the Project site, there is a Class III bikeway along Pacific Avenue from Maple Street to Keystone Street. The Burbank Channel North Bike Path is a Class I bike path along I-5 from Cohasset Street to Tulare Avenue and from Buena Vista Street to Morgan Avenue/Jackson Street.

There is a proposed Class I bike path along San Fernando Boulevard between the northern City border and the downtown Burbank Metrolink Station. Along Empire Avenue, there is a proposed Class II bicycle lane between San Fernando Boulevard and Buena Vista Street and a proposed Class III bikeway between

[1] City of Burbank, *Complete Our Streets Plan*, adopted June 16, 2020.

Buena Vista Street and Clybourn Avenue. Finally, the Class II bike lanes on Hollywood Way are proposed to be upgraded to Class IV as part of the nearby Avion development. In addition, the Complete Streets Plan includes Bicycle Priority Streets, which are streets that have existing or planned bikeways, high bicycle ridership streets, and streets that close gaps and barriers to bicycle ridership, especially long first-mile/last-mile transit connections. There is a Bicycle Priority Street along Ontario Street between San Fernando Boulevard and Victory Boulevard.

5.11.2 REGULATORY SETTING

State

Senate Bill 743

In September 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, starting a process that fundamentally changes the way transportation impact analysis is conducted under CEQA. SB 743 identifies vehicle miles traveled (VMT) as the most appropriate CEQA transportation metric and eliminates auto delay, level of service (LOS), and similar measurements of vehicular roadway capacity or traffic congestion as the basis for determining significant impacts for land use projects in California. In November 2018, the California Natural Resource Agency finalized the updates to the CEQA Guidelines, which added CEQA Guidelines Section 15064.3 that relates to the determination of the significance of transportation impacts, alternatives, and mitigation measures. These updates became effective on December 28, 2018. Per the CEQA statute, the VMT guidelines shall apply Statewide beginning July 1, 2020. As such, the transportation analysis utilizes VMT as the transportation metric to evaluate the Project's potential impacts.

Regional

Regional Transportation Plan/Sustainable Communities Strategy

Regional planning agencies, such as the Southern California Association of Governments (SCAG), recognize that planning issues extend beyond the boundaries of individual cities. Efforts to address regional planning issues, such as affordable housing, transportation, and air pollution, have resulted in the adoption of regional plans that affect the City of Burbank.

SCAG has evolved as the largest council of governments in the United States, functioning as the Metropolitan Planning Organization (MPO) for six counties (Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial) and 191 cities. The SCAG region encompasses an area of more than 38,000 square miles. As the designated MPO, the federal government mandates SCAG to research and develop plans for transportation, growth management, hazardous waste management, and air quality. These mandates led SCAG to prepare comprehensive regional plans to address these concerns.

SCAG is responsible for the maintenance of a continuous, comprehensive, and coordinated planning process resulting in a Regional Transportation Plan (RTP) and a Regional Transportation Improvement Program (RTIP). SCAG is responsible for the development of demographic projections and is also responsible for development of the integrated land use, housing, employment, transportation programs, measures, and strategies for the Air Quality Management Plan (AQMP).

The passage of California Senate Bill 375 (SB 375) in 2008 requires that an MPO, such as SCAG, prepare and adopt a Sustainable Communities Strategy (SCS) that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce greenhouse gas (GHG) emissions from automobiles and light duty trucks (Government Code Section

65080(b)(2)(B)). The SCS outlines certain land use and transportation strategies that provide for more integrated land use and transportation planning and maximize transportation investments. The SCS is intended to provide a regional land use policy framework that local governments may consider and build upon.

Every four years, SCAG updates its RTP/SCS, as required by federal and State regulations. On April 4, 2024, SCAG's Regional Council adopted the 2024-2050 RTP/SCS. The 2024-2050 RTP/SCS outlines a vision for a more resilient and equitable future, with investment, policies and strategies for achieving the region's shared goals through 2050. As with the previous RTP/SCS, the 2024-2050 RTP/SCS is a long-term plan for the southern California region that details investment in the transportation system and development in communities. SCAG worked closely with local jurisdictions to develop the 2024-2050 RTP/SCS, which incorporates current demographics and anticipated future population, household, and employment growth patterns based, in part, upon local growth forecasts, projects and programs, and includes complementary regional policies and initiatives. The 2024-2050 RTP/SCS outlines a forecasted development pattern that demonstrates how the region can sustainably accommodate needed housing. In addition, the 2024-2050 RTP/SCS is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and federal Clean Air Act requirements.

Local

Burbank2035

The Burbank2035 Mobility Element focuses on establishing a dedicated transportation system that serves residents, employees, and visitors while enhancing the livability and economic vitality of the City. The Mobility Element focuses on public transit, bicycle transportation, and pedestrian transportation in addition to motor vehicles to take a multimodal approach in achieving the Mobility Element goals and policies. The Mobility Element goals and policies that pertain to the proposed Project include the following:

Goal 1 BALANCE: Burbank's transportation system ensures economic vitality while preserving neighborhood character.

Policy 1.4: Ensure that future land uses can be adequately served by the planned transportation system.

Goal 2 SUSTAINABILITY: Burbank's transportation system will adapt to changing mobility and accessibility needs without sacrificing today's community values.

Policy 2.1: Improve Burbank's alternative transportation access to local and regional destinations through land use decisions that support multimodal transportation.

Policy 2.4: Require new projects to contribute to the city's transit and/or non-motorized transportation network in proportion to its expected traffic generation.

Goal 3 COMPLETE STREETS: Burbank's complete streets will meet all mobility needs and improve community health.

Policy 3.1: Use multi-modal transportation standards to assess the performance of the City street system.

Policy 3.2: Complete city streets by providing facilities for all transportation modes.

Policy 3.3: Provide attractive, safe street designs that improve transit, bicycle, pedestrian, and equestrian connections between homes and other destinations.

Policy 3.4: All street improvements should be implemented within the existing right-of-way. Consider street widening and right-of-way acquisition as methods of last resort.

Policy 3.5: Design street improvements so they preserve opportunities to maintain or expand bicycle, pedestrian, and transit systems.

GOAL 4 TRANSIT: Burbank's convenient, efficient public transit network provides a viable alternative to the automobile.

Policy 4.7: Integrate transit nodes and connection points with adjacent land uses and public pedestrian spaces to make them more convenient to transit users.

GOAL 5 BICYCLE AND PEDESTRIAN MOBILITY: Burbank fosters pedestrian and bicycle travel as healthy, Environmentally sound methods to reduce vehicle trips and improve community character.

Policy 5.1: Maximize pedestrian and bicycle safety, accessibility, connectivity, and education throughout Burbank to create neighborhoods where people choose to walk or ride between nearby destinations.

Policy 5.2: Implement the Bicycle Master Plan by maintaining and expanding the bicycle network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer.

Policy 5.3: Provide bicycle connections to major employment centers, shopping districts, residential areas, and transit connections.

Policy 5.4: Ensure that new commercial and residential developments integrate with Burbank's bicycle and pedestrian networks.

Policy 5.5: Require new development to provide land necessary to accommodate pedestrian infrastructure, including sidewalks at the standard widths specified in Table M-2.

GOAL 8 TRANSPORTATION DEMAND MANAGEMENT: Burbank manages transportation resources to minimize congestion.

Policy 8.3: Require multi-family and commercial development standards that strengthen connections to transit and promote walking to neighborhood services.

GOAL 9 SAFETY, ACCESSIBILITY, EQUITY: Burbank's transportation network is safe, accessible, and equitable.

Policy 9.1: Ensure safe interaction between all modes of travel that use the street network, specifically the interaction of bicyclists, pedestrians, and equestrians with motor vehicles.

Policy 9.3: Provide access to transportation alternatives for all users, including senior, disabled, youth, and other transit-dependent residents.

City of Burbank Complete Streets Plan

The City of Burbank Complete Our Streets Plan (Complete Streets Plan) strives to fulfill Burbank2035 by creating an actionable long-range transportation planning document for the community. The Complete Streets Plan identifies goals, policies, guidelines, and an implementation plan for future projects. The Complete Streets Plan identifies benchmarks for new ways in which the City of Burbank can improve safety, mobility, sustainability, health, transportation equity, connectivity, and economic vitality to build better neighborhoods and develop responsibly in the future. The Plan also builds upon and updates the 2009 Bicycle Master Plan providing additional design guidance and information on suitability and type of bikeways.

The term "complete street" refers to a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all types of users, including bicyclists, pedestrians, transit vehicles, truckers, motorists, and equestrians The goal is to improve safety for all modes of travel and for all users, ages, abilities, and disabilities.

City of Burbank Bicycle Master Plan

The City adopted the *City of Burbank Bicycle Master Plan* (Bicycle Master Plan) in 2009 to encourage bicycling and ensure that adequate facilities are maintained within the City to serve bicycle riders of all ages and skill sets. The City recognizes that a safe and effective bikeway network enhances the quality of life for residents and visitors to the City. The Bicycle Master Plan incorporates the planning of routes and facilities into the circulation network, promotes bicycling as a primary form of travel to reduce traffic, and prioritizes investments in bicycle infrastructure.

Burbank Municipal Code

Burbank Municipal Code (BMC) Title 6, Motor Vehicles and Traffic, Chapter 1, Vehicles and Traffic, includes provisions for traffic control devices, restrictions, and allowances for turning movements, pedestrian crosswalks, parking restrictions, truck routes for commercial vehicles with three or more axles, public transit zones, speed limits, curb markings, bicycle parking, and many other regulations for design and traffic control features.

Road improvement plans for projects are reviewed by the City's Public Works Department for compliance with BMC requirements for street, driveway, and parking designs, and traffic control measures such as signage and signals. Traffic enforcement, as required by the BMC, is regulated by the Burbank Police Department.

5.11.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to transportation if it would:

- Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. (refer to Impact Statement TR-1);
- Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (refer to Impact Statement TR-2);

- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (refer to refer to Impact Statement TR-3); and/or
- Result in inadequate emergency access (refer to refer to Section 8.0, *Effects Found Not to be Significant*).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.11.4 IMPACTS AND MITIGATION MEASURES

TR-1 Would the Project conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Impact Analysis:

Construction

The proposed Project improvements were assessed to understand how activities associated with Project construction may affect existing pedestrian, bicycle, transit, or vehicle circulation. The Project is still at the conceptual design stage of planning and, as a result, certain aspects that pertain to detailed construction plans cannot be fully addressed at this time. The evaluation is provided at a conceptual level of analysis and is qualitatively assessed. The additional offsite improvements, as described in Section 3.0, *Project Description*, that would result in modifications to existing networks/systems would be constructed and implemented consistent with applicable design standards.

There would be daily trip activity to and from the Project site for construction activity. The City of Burbank Department of Public Works Traffic Division has an approved set of General Traffic Requirements[2] with which the Project would be required to comply. Key stipulations in this document mean that all projects must follow the guidance outlined in the following publications:

- California Manual on Uniform Traffic Control Devices Chapter 6 (California MUTCD)
- Work Area Traffic Control Handbook (WATCH)

The Project is proposed to be constructed in a single phase with a total construction duration of approximately 24 months. It is estimated that approximately 2,000 cubic yards of soil export would be hauled from the Project site during grading, with 10,000 cubic yards being imported. There are expected to be approximately 35 days of hauling activity with 20 trips per day. The haul routes would be mostly on the I-5 freeway.

[2] City of Burbank, *Public Works Department Traffic Division General Traffic Requirements*, approved March 19, 2019.

Temporary Traffic Constraints

The Project may result in temporary transportation constraints in the form of temporary roadway and/or lane closures. The current conceptual level of design for the Project does not enable the exact times or durations to be determined at this time, nor the specific lane closure lengths, design, or phasing approach. In general, roadway/lane closures would include, but may not be limited to temporary closure(s) of Thornton Avenue, as well as a portion of Wyoming Avenue associated with offsite sewer improvements and Avon Street associated with proposed curb, gutter, driveway, and sidewalk improvements. Full, intermittent closures of the sidewalks are anticipated to accommodate Project construction along the south side of Thornton Avenue. There are other nearby sidewalks that would remain open, and pedestrians are anticipated to use these sidewalks as a detour throughout the construction period. Worksite traffic control plans would be prepared for any temporary vehicle lane, bicycle lane, or sidewalk closures in accordance with applicable City and Manual of Uniform Traffic Control Devices (MUTCD) guidelines.

As a condition of approval, the Project applicant or contractor would be required to develop a Construction Management Plan with (traffic control measures) for approval by the City of Burbank Public Works Director or their designee prior to construction of the Project that follows the aforementioned publications. The plan would be required to include, but is not limited to, the following measures:

- Provide construction staging plans showing phasing of the construction, duration of each phase, construction entrance and exit, and frequency of the construction traffic at the entrance and exit.
- Provide offsite truck staging in a legal area furnished by the construction truck contractor.
- Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.
- As parking lane and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City, shall be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
- Establish requirements for loading/unloading and storage of materials on the Project site to ensure the safety of the pedestrian and access to local businesses and residences.
- Ensure that access would remain unobstructed for land uses in proximity to the Project site during Project construction.
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project site and neighboring land uses.

As a condition of approval, a Construction Employee Parking Plan would also be developed by the contractor and approved by the City of Burbank Public Works Director or their designee to ensure that parking location requirements for construction workers are strictly enforced. These include, but are not limited to, the following measures:

- During construction activities when construction worker parking cannot be accommodated on the Project site, the plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the Project site (if beyond walking distance) for approval by the City prior to commencement of construction.

- Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information would clearly state that no parking is permitted on residential streets.

Given that the Project would be required to comply with local standard conditions of approval to minimize the impact on other users of the transportation system during construction, the Project's proposed construction activities would not conflict with a program plan, ordinance, or policy addressing roadways and therefore, would result in a less than significant construction impact.

Operation

Roadways

The Project proposes modifications to the commercial driveways serving the site. These modifications are consistent with City design standard as further explained under the pedestrian and safety impact discussions. As stated, the additional offsite improvements that would result in modifications to existing networks/systems would be constructed and implemented consistent with applicable design standards. The Project would not involve changes to the existing roadway classification resulting in a conflict with the Burbank2035 Mobility Element. Refer also to Impact Statement TR-2.

Existing Transit Services

A BurbankBus line currently runs along Thornton Avenue, north of the Project site, but there are no existing stops along the Project frontage. The Project is not anticipated to impact the transit circulation on Thornton Avenue, and the existing ADA-accessible sidewalks and curb ramps that provide access to the nearby bus stops along Thornton Avenue would continue to be provided upon Project completion. Although the Project does not have frontage on North Hollywood Way, it does have access to North Hollywood Way via an existing driveway. Metro runs four transit lines along this portion of Hollywood Way, and BurbankBus runs a southbound-only bus line along this segment. As with the Thornton Avenue frontage, the existing ADA-accessible sidewalks and curb ramps that provide access to the nearby bus stops along North Hollywood Way would be maintained. Therefore, the Project would result in less than significant impacts to the existing transit system.

Planned Transit Services

The planned California High Speed Rail Burbank Station will be located just over 0.5-mile northwest of the Project site. The proposed Project would not prevent station development. The Complete Streets Plan and Burbank2035 include goals to create a new transit center in the area encompassing the Project, though an exact location is not specified. Also, per Burbank2035, at the Project driveways, North Hollywood Way is designated as a Regional Transit Corridor, and Thornton Avenue is a Local Transit Corridor. Based on this information, there are no planned transit services that would be impacted by the development of the Project site, and impacts would be less than significant.

Adopted Transit System Plans, Guidelines, Policies, or Standards

Burbank 2035 includes policies supporting the development of alternative transportation programs. Key goals and objectives described by the Mobility Element are:

> Policy 2.1: Improve Burbank's alternative transportation access to local and regional destinations through land use decisions that support multimodal transportation.

> Policy 4.7: Integrate transit nodes and connection points with adjacent land uses and public pedestrian spaces to make them more convenient to transit users.

The Complete Our Streets Plan also includes goals to promote transit use by people of all ages, abilities, and disabilities, and improve the experience for transit riders.

In addition, increased transit usage is a key goal of regional transportation plans and policies:

> Connect SoCal includes specific goals of sustainable mobility. This includes plans to improve air quality and public health, reduce greenhouse gas emissions, and promote transit-friendly development.

The Project proposes a new Hotel approximately 500 feet from the Hollywood Burbank Airport, less than 0.5-mile of the Metrolink Ventura County Line Station at the Burbank Hollywood Airport, and within proximity to several Metro bus lines. Additionally, as discussed in Section 3.0 and below, the Project would provide for bicycle network and pedestrian improvements, providing improved connectivity within the immediate area and the larger network. Thus, the Project supports multimodal transportation, and its location would provide alternative transportation options for Hotel guests and patrons to access local and regional destinations. Further, the proposed bicycle and pedestrian improvements on Thornton Avenue would provide for improved connectivity to existing transit within the area. The site's location in proximity to existing employment and commercial uses, as well as the Burbank Hollywood Airport and RITC, provides for convenient access and opportunity, which further supports sustainable mobility.

The Project would not result in any significant impacts associated with increased transit usage. Therefore, the Project would not conflict with any adopted transit system plans, guidelines, policies or standards and impacts would be less than significant.

Bicycle Network

Existing Facilities

There is an existing Class II bike lane on North Hollywood Way, and no existing bike facilities on Thornton Way. No Project features or physical improvements have been proposed on North Hollywood Way; therefore, no existing bicycle facilities would be impacted by the development of the proposed Project, and impacts to existing bicycle facilities would be less than significant.

Planned Facilities

Per the Complete Streets Plan and the Burbank2035 Mobility Element, there are no planned bicycle facilities on Thornton Way and no planned upgrades to the existing bicycle facility on North Hollywood Way. Although it is noted the Project would provide new protected bike lanes on Thornton Avenue (refer to Section 3.0, Project Description), the Project would not interfere with planned bicycle facilities, and impacts would be less than significant.

Adopted Bicycle Plans, Guidelines, Policies, or Standards

Burbank 2035 includes policies that address bicycle mobility. Key goals and objectives described by the Mobility Element are:

> Policy 5.1 Maximize pedestrian and bicycle safety, accessibility, connectivity, and education throughout Burbank to create neighborhoods where people choose to walk or ride between nearby destinations.

Policy 5.2: Implement the Bicycle Master Plan by maintaining and expanding the bicycle network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer.

Policy 5.3: Provide bicycle connections to major employment centers, shopping districts, residential areas, and transit connections.

Policy 5.4: Ensure that new commercial and residential developments integrate with Burbank's bicycle and pedestrian networks.

In June 2020, the City of Burbank adopted its Compete Streets Plan, which recognizes the importance of alternative transportation modes, including the bicycle as a viable means of transportation, and provides prioritized recommendations for facilities and programs. The Project would provide onsite bicycle parking. Additionally, the Project would upgrade Thornton Avenue with new protected bike lanes and narrower traffic lanes to help encourage multi-modal transportation by making it easier to travel to the Project site and within the surrounding area via bicycle. The Project would not conflict with adopted bicycle system plans, guidelines, policies, or standards, and impacts would be less than significant impact.

Pedestrian Network

Existing and Planned Facilities

Pedestrian sidewalks exist along both Hollywood Way and Thornton Way; these are consistent with the standard sidewalk widths per the Burbank2035 Mobility Element. The Project would not add any additional driveways to Hollywood Way. The primary entrance to the new Hotel would occur from Thornton Avenue, with curb cuts at both the east and west sides of the frontage connecting to the porte cochere in between them. The east curb cut from Thornton Avenue would also serve the main north-south driveway for the Project (the Driveway). The west curb cut would serve as the primary ingress to the porte-cochere drop-off and valet area and would connect to the Driveway for north-south circulation on the site and exiting onto Thornton Avenue from the east curb cut.

Guests entering the porte cochere from the east curb cut for drop-offs would circulate to the north side of the guest drop-off 'island' in front of the Hotel where they would unload and the valet would then make a 180-degree turn around the west end of the island before circulating their vehicle to the Driveway and the Garage. The drop-off island would provide a pedestrian connection to the Hotel entrance for guests, indicated by decorative paving. The Hotel's primary right-of-way access from Thornton Avenue would provide for efficient vehicle circulation for curbside guest drop-offs, self-parking, and valet.

The Driveway would provide a drive aisle from Thornton Avenue to the rest of the Project site, connecting to the east-west drive aisle serving the existing Marriott Hotel and Office Parcel (Marriott Drive). The Driveway would also provide access to both the Garage and the southeast portion of the parcel (the SE Lot). The Driveway would consist of one southbound lane for ingress and two northbound turn lanes (one eastbound and one westbound) for egress at the east curb cut on Thornton Avenue. Parking controls would be located about 100 feet south of the west entrance to the Garage, in order to provide adequate queuing areas for both incoming and outgoing traffic, while still allowing access to the Garage for valets.

Between the Hotel and the convention center, Marriott Drive would be widened to maintain existing access to the Office Parcel parking lot, as well as optimizing the drive aisles in front of the convention

center for loading and unloading guests and to facilitate more efficient parking management during events.

These driveways would be designed to conform with design standards per the BMC Title 10, Zoning Regulations, Chapter 1, Zoning, Article 16, General Vehicular Access Standard, Section 10-1-1602, Curb Cuts, and would provide adequate sight distance for vehicles to see pedestrians. Therefore, the Project would not result in a conflict to existing pedestrian facilities, and impacts would be less than significant.

The Complete Our Streets Plan lists the streets along the Project frontage, Hollywood Way and Thornton Avenue, as pedestrian priority streets. These streets would be prioritized for citywide pedestrian improvements, including crossing improvements and sidewalk improvements. As part of the Project, offsite improvements on Thornton Avenue would include pedestrian improvements between the property's eastern boundary and western boundary. Along the Project frontage, the sidewalk would be widened to a total of 23 feet, which includes a 4.5-foot raised buffer, a 6.5-foot sidewalk-level Class IV bikeway that transitions to an in-street bikeway before and after the Project via ramps, and a 12-foot pedestrian area. The 12-foot pedestrian area would contain four-foot by eight-foot tree wells adjacent to the bike lane, and a two-foot landscaped buffer between the tree wells. The Project would not conflict with planned pedestrian facilities, and Project impacts would be less than significant.

Adopted Pedestrian Plans, Guidelines, Policies, or Standards

Burbank 2035 includes policies that address pedestrian mobility. Key goals and objectives described by the Mobility Element are:

> Policy 5.1 Maximize pedestrian and bicycle safety, accessibility, connectivity, and education throughout Burbank to create neighborhoods where people choose to walk or ride between nearby destinations.
>
> Policy 5.4: Ensure that new commercial and residential developments integrate with Burbank's bicycle and pedestrian networks.
>
> Policy 5.5 Require new development to provide land necessary to accommodate pedestrian infrastructure, including sidewalks at the standard widths specified in Table M-2.

As discussed, the minimum and standard sidewalk widths along the Project frontage are identified as 10 feet and 15 feet, respectively, per the Burbank2035 Mobility Element. The existing sidewalks on the Hollywood Way and Thornton Avenue portions of the Project frontage are consistent with the standard sidewalk widths. The sidewalk on the north side of Avon Street between Hollywood Way and the Project's southwest driveway is 10 feet wide and meets the minimum width requirements. The Project would widen pedestrian paths to and from this sidewalk, improving internal pedestrian circulation. As described above, the Project would provide enhanced offsite improvements on Thornton Avenue between the property's eastern boundary and western boundary, including a 23-foot total sidewalk with a 4.5-foot raised buffer, a 6.5-foot sidewalk-level Class IV bikeway that transitions to an in-street bikeway before and after the Project via ramps, and a 12-foot pedestrian area, providing enhanced multi-modal facilities for bicycles and pedestrians. Additionally, the Project would provide offsite improvements on Avon Street, including Americans with Disabilities Act (ADA) sidewalk on the north side of the northbound to westbound "curve" of Avon Street that would connect to a new pedestrian paseo with planter area onsite. Therefore, the proposed Project would be consistent with the pedestrian system policies of Burbank2035.

The Complete Streets Plan outlines policy goals for future pedestrian improvements. The Plan sets goals to encourage walkability and improve pedestrian safety. The Project does not conflict with the City's adopted Complete Streets Plan plans, guidelines, policies, or standards. The Project would provide improved pedestrian facilities along the Project site's frontage, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

TR-2 Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Analysis: Under the CEQA guidelines, proposed land use projects need to assess whether they cause a substantial vehicle miles traveled (VMT) impact. The City of Burbank has developed interim guidance, the *Interim Transportation Study Guidelines*[3], on VMT impact analysis consistent with the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (California Governor's Office of Planning and Research (OPR), December 2018).

The Project has been evaluated under the VMT analysis screening options in the *Interim Transportation Study Guidelines* to determine if it may have a VMT impact and require further evaluation.

The first step of a VMT analysis is to determine what type of analysis, if any, is needed. The City's *Interim Transportation Study Guidelines* has various screening criteria to quickly identify if a proposed project is expected to cause a less-than-significant impact without conducting a detailed study. Examples of these include project size, and/or project accessibility to transit. The screening criteria used for the Project is transit accessibility. If a project qualifies under the screening criteria, that component is screened out from further consideration.

Per the CEQA guidelines, OPR's Technical Advisory, and the City's *Interim Transportation Study Guidelines*, projects located in a Transit Priority Area (TPA) or along a High-Quality Transit Corridor (HQTC) may be screened out from conducting a VMT analysis because they are presumed to have a less than significant impact absent substantial evidence to the contrary. TPAs are defined in the OPR Technical Advisory as a 0.5-mile radius around an existing or planned major transit stop or an existing stop along a HQTC. A HQTC is defined as a corridor with fixed route bus service frequency of 15 minutes (or less) during peak commute hours.

It is presumed that a project situated in a TPA will have a less than significant VMT impact unless it satisfies one or more of the following criteria:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the Burbank Municipal Code;
3. Is inconsistent with the applicable Regional Transportation Plan/Sustainable Communities Strategy; or

[3] City of Burbank, *Transportation Study Guidelines*, updated June 17, 2024.

4. Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

Based on a review of the Project location it has been determined that it is less than 0.5-mile from the Metrolink Ventura County Line Station at the Burbank Hollywood Airport which constitutes a major transit stop. Additionally, none of the four criteria listed above are satisfied. Thus, it is concluded that the Project could be presumed to have a less than significant VMT impact based on available evidence and, therefore, would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

TR-3 Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The City of Burbank works continuously to address transportation safety issues and reduce the risk of harm when walking, bicycling, or driving. The City's complete streets goals aim to deliver thoughtful design while reducing the frequencies and risk of crashes for all transportation users as outlined in the Burbank2035 Mobility Element and Complete Our Streets Plan. The additional offsite improvements that would result in modifications to existing networks/systems would be constructed and implemented consistent with applicable design standards.

The potential for the Project to cause a safety impact was evaluated based on the Project's proposed changes to the transportation network and their consistency with applicable City design standards. These design standards provide common expectations to network users to minimize conflicts and the potential for collisions. In general, the Project is similar to existing uses in the study area, such as the existing Marriott Hotel and would not represent a new use with substantially different traffic volume mix or speeds that would warrant different roadway treatments. Automobile access to the Project would be provided at the following locations.

- The existing limited access driveway on Hollywood Way (Marriott Way)
- A redesigned driveway on Thornton Avenue
- A new driveway on Thornton Avenue

The proposed driveways on Thornton Avenue would comply with the City of Burbank standards and would not require the removal or relocation of any existing transit stops or facilities to accommodate walking and bicycling. The driveway design would comply with the City of Burbank (Public Works Department) standards[4] for the design of commercial driveways that require a minimum width of 18 feet. Other relevant standards that the Project would follow are:

- Driveway Spacing - BMC 10-1-1602 states that there must be at least 20 feet between driveways on a single lot. Additionally, per the CA MUTCD 3B.19, parking should be prohibited within 6 feet of driveways where possible.

[4] City of Burbank, Public Works, Standard Plans, *BS-102 Commercial Driveway* (PDF), August 18, 1992.

- Offset Distances – BMC 10-1-1602 states that driveways must be at least 30 feet away from the curb line of an intersecting street.
- Sight Distance – Based on corner sight distances in the Caltrans Highway Design Manual[5] the following distances are applicable to the Project
    - Left or right turn onto Thornton Avenue: 275 feet
    - Right onto Hollywood Way: 440 feet
- Minimum Required Throat Depth – This should follow the methodology described in NCHRP Report 659
- Turning Movement Storage Lengths - This should follow the methodology described in the Caltrans Highway Design Manual
- Driveway lane configurations and traffic control measures:
    - Vehicular access to the Project Site would occur from the existing Marriott Driveway on N Hollywood Way (D1), one replaced driveway on Thornton Avenue (D2), one new driveway on Thornton Avenue (D3), and one existing driveway on Avon Street which would only serve delivery vehicles (D4).
    - All driveways are projected to operate at LOS D or better. Additionally, the 95th percentile queue lengths would not exceed the available queue storage and would not back up onto City streets.
- Deliveries, Loading Docks and Zones, Truck Delivery Bays:
    - The Project proposes a loading area along the west frontage of the new building, which would have two loading bays and docks to accommodate larger deliveries. The trash room would be along the east frontage of the building, with doors providing access for trucks to perform waste pickup.
- Pedestrian and Bicycle Circulation:
    - Pedestrian access to the Project site would be provided at four entry points along Thornton Avenue, with two providing direct access to the Hotel and the other to providing access to the Garage. Two crosswalks would provide connections between the Garage and the Hotel across the internal drive aisle.
    - Internal to the site, pedestrians and bicyclists can access the Hotel from the onsite parking structure and lot. Sidewalks are provided around the perimeter of the Hotel and along the parking structure (adjacent to the Hotel sidewalk).
    - Bicycles would be able to utilize the pedestrian access points, and a new raised cycle track would be installed along the Project site frontage at Thornton Avenue to facilitate bicycle circulation. Bicycle lockers would be provided on the first floor of the Garage to accommodate long-term bicycle parking, and short-term bike racks would be provided at the Hotel entrance along Thornton Avenue.
    - There are no bus stops along the Project frontage, so no bus stop improvements are proposed, and bicyclists accessing the Project site would be able to use the pedestrian walkways to access the Project.

[5] California Department of Transportation, *Highway Design Manual*, Seventh Edition, 2019

- Conformance with BMC 10-1-2301 Transportation Demand Management Ordinance
  - Per the BMC 10-1-2301 Transportation Demand Management Ordinance (TDM Ordinance), the Project is required to provide a bulletin board or other display for employees to view public transportation information, telephone numbers for rideshare and transit information, rideshare promotional materials, bicycle route and safety information, and a list of facilities available for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians at the site. The Project would include these measures.
  - The Project would set aside 103 parking spaces for employee travel, including two vanpool spaces in the Garage, as required by the TDM ordinance. There would be pedestrian walkways no more than six spaces away from the vanpool spaces to provide access to the Hotel.
  - Per the TDM Ordinance, the Project is also required to provide at least nine bicycle parking spaces, which it meets because it would provide 53 bicycle parking spaces/racks.
- Conformance with City of Burbank parking and access standards, including Americans with Disabilities Act requirements:
  - The Project would conform with the City of Burbank parking standards by providing 9-foot-wide spaces, and with the Americans with Disabilities Act requirements by providing 26 accessible spaces, greater than the 21 required, with six of those being van spaces, greater than the five required. The Project proposes tandem spaces, which is allowed per City regulations due to the presence of a valet on-site.
- Internal Circulation and Parking:
  - Parking would be provided in the new Garage on the northeast corner of the Project site. Access would be provided via a drive aisle between the Hotel and Garage, which vehicles can access via one of two driveways on Thornton Avenue or one driveway on Hollywood Way.
- Parking Design
  - The parking Garage would be required to be designed to meet City of Burbank standards, which would provide for adequate circulation. The Garage has five levels of parking (including the roof). Spaces are accessed by internal drive aisles and ramps between levels.

A final aspect of design standard compliance is the physical condition of the main roadways serving the Project site and whether the Project would cause or contribute to unacceptable conditions that could affect safety. This assessment relied on City's Pavement Management Program.[6] As documented in the report, Thornton Avenue, which provides direct access to the Project site, between Hollywood Way and Lincoln Street has a Pavement Condition Index (PCI) that ranges from 80 to 100. A PCI range of 70-100 is considered "Good to Very Good" meaning that Thornton Avenue is currently in good condition with minimal weathering and cracking. The Project is compatible with the uses and densities contemplated in

[6] City of Burbank, *Pavement Management Program*, 2021 Update Final Report, September 2021.

the Burbank2035 General Plan and would therefore not contribute to additional roadway pavement wear or damage beyond what was considered as part of the General Plan. Further, the Project's trip generation and the types of vehicles serving the Project are not expected to cause undue pavement wear or cause premature pavement failure.

Based on the evidence above, the Project would not increase hazards due to a geometric design feature or the introduction of incompatible uses to the Project site and general vicinity as the would comply with City standards and expectations related to transportation safety. In addition, the operation of the proposed Hotel would be similar to existing and surrounding uses within the area. Therefore, implementation of the Project and the proposed modifications to the transportation network, which includes maintaining the current PCI range of Good to Very Good street condition for the affected streets, would result in a less than significant impact on safety.

Freeway Queuing Analysis

The freeway queueing analysis evaluates a proposed project's potential to cause or lengthen a forecasted off-ramp queue on the freeway mainline that could lead to a potential safety impact due to speed differentials between vehicles exiting the freeway off ramps and vehicles traveling on the freeway mainline.

The City of Burbank *Interim Transportation Study Guidelines* follows the interim guidance from the Los Angeles Department of Transportation (LADOT) to establish thresholds for potential freeway queueing impacts. LADOT's Interim Guidance for Freeway Safety Analysis requires analysis of freeway off-ramps where a proposed project is projected to add 25 or more trips in either the morning or afternoon peak hour to be studied for potential queuing impacts.

The transportation staff of the City of Burbank determined the study area and identified the following freeway ramps in the vicinity of the proposed development for detailed analysis:

1. Hollywood Way & Interstate 5 Southbound (SB) Ramps
2. Hollywood Way & Interstate 5 Northbound (NB) Ramps
3. North Buena Vista St & Interstate 5 Northbound (NB) Ramps
4. North San Fernando Boulevard & Interstate 5 Southbound (SB) Ramps
5. Interstate 5 SB Ramps & West Empire Avenue
6. Interstate 5 NB Ramps & North San Fernando Boulevard/Empire Avenue

The Project is projected to generate a maximum of 108 and 137 inbound trips during the AM and PM peak hours and a maximum of 85 and 132 outbound trips during the AM and PM peak hours; refer to Appendix K, Trip Generation. Based on the trip distribution origins and destinations, the Project would not be expected to add 25 or more peak hour trips at any freeway off-ramps. The Project is not projected to cause a significant safety impact and no further analysis is required.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.11.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Impact Analysis: The proposed Project would not conflict with any program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities during construction or Project operation. Similar to the proposed Project, related projects would be reviewed to determine whether the development being proposed would be consistent with plans, ordinances, and policies identified in Burbank2035, BMC, Complete Streets Plan, and Bicycle Master Plan. The Project's less than significant effects relative to potential conflicts with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Would the Project, combined with other related projects, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Analysis: As discussed above, the proposed Project would not result in an impact to VMT. Similar to the proposed Project, related projects would be evaluated to determine their potential to increase the City's average VMT per capita/employee and total VMT in accordance with the City's adopted guidance. For cumulative conditions, a project that is below the VMT impact thresholds and does not have a VMT impact under baseline conditions would also not have a cumulative impact as long as it is aligned with long-term State environmental goals, and relevant plans, such as the 2024-2050 RTP/SCS[7]. Thus, the Project's less than significant effects relative to VMT would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

[7] Southern California Association of Governments, *Connect SoCal: A Plan for Navigating to a Brighter Future (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy)*, adopted April 4, 2024.

Would the Project, combined with other related projects, substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact Analysis: As described above, the proposed Hotel and associated operations is similar to existing and surrounding uses within the area. The Project's proposed driveway design would comply with the City's standards for the design of commercial driveways. Additionally, all offsite improvements would be constructed and implemented consistent with applicable design and safety standards. Similar to the proposed Project, any related projects would be reviewed by the City to ensure adequate ingress and egress would be provided, site distance standards would be implemented, and roadway conditions would be adequate to serve the development. Any proposed roadway modifications or new roadways would be required to comply with applicable design standards and the BMC. The Project would not contribute to an increased hazard due to a geometric design feature or an incompatible use. Thus, the Project's less than significant effects relative to increased hazards due to a geometric design feature or incompatible uses would not be considered cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.11.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts to transportation would occur with the proposed Project.

5.11.7 REFERENCES

City of Burbank, *Bicycle Master Plan*, Adopted December 15, 2009.

City of Burbank, *BurbankBus Fixed-Routes*, https://www.burbankca.gov/burbankbus, 2024.

City of Burbank, *Complete Our Streets Plan*, Adopted June 16, 2020.

City of Burbank, *Pavement Management Program*, 2021 Update Final Report, September 2021

City of Burbank, *City of Burbank Department of Public Works Traffic Division General Traffic Requirements*, approved March 19, 2019.

City of Burbank, *Standard Plans, BS-102 Commercial Driveway (PDF)*, https://www.burbankca.gov/web/public-works/standard-plans, 2024.

City of Burbank, *Transportation Study Guidelines*, Updated June 17, 2024

California Department of Transportation, Highway Design Manual, 2019

CoStar Group, *STR Report, Tab 3 – STAR Summary – My Property v. Comp Set and Industry Segments – December 2023*, January 18, 2024.

Governor's Office of Planning and Research, *Technical Advisory on Evaluating Transportation Impacts in CEQA*, December 2018.

Metro, *Metro Maps and Schedules*, https://www.metro.net/riding/guide/system-maps/ 2024.

5.12 TRIBAL CULTURAL RESOURCES

The purpose of this section is to identify existing tribal cultural resources (TCRs) within the Project site and its vicinity and to assess the significance of such resources. TCRs include landscapes, sacred places, or objects with cultural value to a California Native American Tribe. Other potential impacts to cultural resources (i.e., prehistoric, historic, and disturbance of human remains) are evaluated in Section 5.2, Cultural Resources. This section is based, in part, upon the *Cultural Resources Assessment Report* (Cultural Resources Assessment), prepared by Rincon Consultants, Inc., dated February 2020 and included as Appendix D, Cultural Resources Assessment. The *Preliminary Geotechnical Assessment* (Geotechnical Assessment), the *Addendum to the Preliminary Geotechnical Assessment* (Geotechnical Assessment Addendum), and *Update of Geotechnical Engineering Investigation* (Geotechnical Investigation), prepared by Geotechnologies, Inc., dated February 21, 2020, December 2, 2020, and September 22, 2023, respectively and included as Appendix E, Preliminary Geotechnical Assessment, were provided to the Tribes for review, as requested. Additional information to inform this section was obtained as part of the tribal consultation process. Tribal consultation correspondence is included in Appendix I, Tribal Consultation.

5.12.1 ENVIRONMENTAL SETTING

Ethnographic Overview

The Project site is located in the traditional territory of the Native American group known as the Gabrieliño. The name Gabrieliño was applied by the Spanish to those natives that were attached to Mission San Gabriel.

Gabrieliño territory included the Los Angeles basin and southern Channel Islands as well as the coast from Aliso Creek in the south to Topanga Creek in the north. Their territory encompassed several biotic zones, including Coastal Marsh, Coastal Strand, Prairie, Chaparral, Oak Woodland, and Pine Forest. The Gabrieliño language belongs to the Takic branch of the Uto-Aztecan language family, which can be traced to the Great Basin region. This language family includes dialects spoken by the nearby Juaneño and Luiseño but is considerably different from those of the Chumash people living to the north and the Diegueño (including Ipai, Tipai, and Kumeyaay) people living to the south.

Gabrieliño society was organized along patrilineal non-localized clans, a common Takic pattern. Each clan had a ceremonial leader and contained several lineages. The Gabrieliño established permanent villages and smaller satellite camps throughout their territory. Recent ethnohistoric work suggests a total tribal population of nearly 10,000, considerably more than earlier estimates of around 5,000 people. Gabrieliño subsistence was oriented around acorns supplemented by the roots, leaves, seeds, and fruits of a wide variety of plants. Meat sources included large and small mammals, freshwater and saltwater fish, shellfish, birds, reptiles, and insects. The Gabrieliño employed a wide variety of tools and implements to gather and hunt food. The digging stick, used to extract roots and tubers, was frequently noted by early European explorers. Other tools included the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks. Like the Chumash, the Gabrieliño made oceangoing plank canoes (known as a ti'at) capable of holding six to 14 people and used for fishing, travel, and trade between the mainland and the Channel Islands. Tule reed canoes were employed for near-shore fishing.

Chinigchinich, the last in a series of heroic mythological figures, was central to Gabrieliño religious life at the time of Spanish contact. The belief in Chinigchinich was spreading south among other Takic-speaking groups at the same time the Spanish were establishing Christian missions. Elements of Chinigchinich beliefs suggest it was a syncretic mixture of Christianity and native religious practices. Prior to European contact, deceased Gabrieliño were either buried or cremated, with burial more common on the Channel Islands and the adjacent mainland coast and cremation on the remainder of the coast and in the interior. After pressure from Spanish missionaries, cremation essentially ceased during the post-contact period.

Records Searches

California Register of Historical Resources

As discussed in Section 5.2, two previously recorded historic-period resources situated within a 0.5-mile radius of the Project site were identified. Neither of the resources were within the Project site. One of these resources (P-19-186574) was demolished in 1994. The second resource (P-19-187105) consists of the United Airport property located across North Hollywood Way from the Project site which was determined to be ineligible for National Register of Historic Places (NRHP) listing.

Sacred Lands File Search and Tribal Outreach

The Native American Heritage Commission (NAHC) was contacted on January 30, 2020, to request a search of the Sacred Lands File (SLF). A response dated February 13, 2020 was received from the NAHC on February 20, 2020, stating the SLF search had been completed with "negative" results. The NAHC additionally provided a list of seven Native American individuals or tribal organizations that may have knowledge of cultural resources within or near the Project site. Letters dated February 21, 2020 were sent to each of the NAHC-provided individuals or tribal organizations, requesting information regarding their knowledge of the presence of cultural resources that may be impacted by this project. No responses expressing concern for cultural resources within or near the Project site were received in response to the letters.

Field Survey

As part of the Cultural Resources Assessment, current site conditions, including the extent of exposed ground surface across the Project site, were assessed during a visit to the Project Area of Potential Effects (APE) in February 2020. Notes and photographs of the standing buildings, as well as overviews of the Project site, were taken during the visit.

Results of the field visit confirmed that the Project site is fully developed. No areas of undisturbed native ground surface were present on the Project site. Much of the ground surface is obscured by the existing buildings and a parking lot. Unpaved portions of the Project site were landscaped and covered with grass and ornamental plantings. Based on these findings, it was determined that an archaeological survey of the Project site was not possible for the Cultural Resource Assessment.

Tribal Consultation

On November 4, 2020, the City of Burbank sent notification letters to each of the tribal organizations that have requested to be notified of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated in accordance with Assembly Bill (AB) 52; refer to Appendix I. The correspondence provided information regarding the proposed Project, the results of the Cultural Resources Assessment, and requested the tribe notify the City within 30 days to request consultation on

the proposed Project. The City received requests for consultation from two tribal organizations, described below.

The Fernandeño Tataviam Band of Mission Indians responded on November 10, 2020, requesting consultation. The City and the Fernandeño Tataviam Band of Mission Indians representative, Jairo F. Avila, M.A., RPA, Tribal Historic and Cultural Preservation Officer, consulted on December 8, 2020. Mr. Avila requested a copy of the Geotechnical Assessment. Upon reviewing the requested information, Mr. Avila provided correspondence noting that although no tribal resources were identified during the records search and the tribe finds that tribal monitoring is not necessary at this time, there are significant tribal resources near the Project location that warrant taking precaution when conducting ground disturbing activities on native/undisturbed soils and requested the inclusion of mitigation measures.

The Gabrieleño Band of Mission Indians - Kizh Nation responded on November 6, 2020, requesting consultation. The City and Gabrieleño Band of Mission Indians - Kizh Nation representatives, Andy Salas, Chairman and Matthew Teutimez, Tribal Biologist, consulted on February 24, 2021. Following the meeting, the Tribe provided additional information regarding the Tribe's ancestral connection to the Project area and the high cultural sensitivity of the Project location and potential for subsurface ground disturbance activities to impact TCRs. The Tribe also requested the inclusion of mitigation measures that included retention of a Native American Monitor/Consultant; requirements to address the inadvertent discovery of human remains and associated funerary objects; resource assessment and continuation of work protocol; Kizh-Gabrieleno procedures for burials and funerary remains; treatment measures; and professional standards.

Refer to Impact Statement TCR-1 for further discussion.

5.12.2 REGULATORY SETTING

State

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change." Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the criteria modeled on the NRHP criteria.

Public Resources Code

Archaeological resources are protected pursuant to several State policies and regulations enumerated under the California Public Resources Code (PRC). In addition, cultural resources are recognized as a nonrenewable resource and, therefore, receive protection under the PRC and CEQA.

PRC 5097.9–5097.991 provides protection to Native American historical and cultural resources, and sacred sites and identifies the powers and duties of the NAHC. It also requires notification to descendants

of discoveries of Native American human remains and provides for treatment and disposition of human remains and associated grave goods.

Health and Safety Code

The discovery of human remains is regulated per California Health and Safety Code Section 7050.5, which states:

> *In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation…until the coroner…has determined…that the remains are not subject to…provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible…. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and…has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.*

Assembly Bill 52

The Native American Historic Resource Protection Act (AB 52) took effect July 1, 2015, and incorporates tribal consultation and analysis of impacts to TCRs into the CEQA process. It requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a Negative Declaration (ND) or Mitigated Negative Declaration (MND) are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

TCRs must have certain characteristics:

1. Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (PRC Section 21074(a)(1))
2. The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC Section 21074(a)(2))

The first category requires the TCR to qualify as an historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource under the conditions that it supports its determination with substantial evidence and considers the resource's significance to a California tribe. The following is a brief outline of the process (PRC Sections 21080.3.1–3.3).

1. A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.
2. Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.

3. A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.
4. The lead agency must initiate consultation within 30 days of receiving the request from the tribe.
5. Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, or a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.
6. Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and discuss feasible alternatives or mitigation that avoid or lessen the impact.

Local

Burbank2035 General Plan

Burbank2035 includes goals and policies to protect resources, including historical and cultural resources. The Open Space and Conservation Element contains the following goals and policies specific to cultural resources:

Open Space and Conservation Element

GOAL 1 RESOURCE MANAGEMENT: The public is involved in preserving open space, conserving resources, and improving the natural environment.

Policy 1.2: Involve community groups in the identification, acquisition, and management of natural resource areas, recreation facilities, historical and cultural sites, and aesthetic and beautification programs.

GOAL 6 OPEN SPACE RESOURCES: Burbank's open space areas and mountain ranges are protected spaces supporting important habitat, recreation, and resource conservation.

Policy 6.1: Recognize and maintain cultural, historical, archeological, and paleontological structures and sites essential for community life and identity.

5.12.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

CEQA Significance Criteria

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to TCRs if it would:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k) (refer to Impact Statement TCR-1); and/or

2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe (refer to Impact Statement TCR-1).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.12.4 IMPACTS AND MITIGATION MEASURES

TCR-1: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k)?

2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Impact Analysis: As described in Section 5.2, *Cultural Resources*, the records search indicates that 15 cultural resources studies were conducted within a 0.5-mile radius of the Project site. Of these studies, none were of the Project site and three were located adjacent to the Project site. As stated, the results of the Cultural Resources Assessment identified no prehistoric or historic-period cultural resources within or adjacent to the Project site. Results of the site visit revealed that the ground surface is obscured by the existing Marriott Hotel, convention center, and paved surface parking lots. According to the Cultural Resources Assessment, there is a moderate potential of encountering historic period archaeological resources dating to the early-20th century within the Project site due the native and undisturbed soils that occur with the Project site and surrounding area.

As part of the AB 52 process, letters were sent by the City of Burbank inviting tribes to consult on the Project. The Gabrieleño Band of Mission Indians-Kizh Nation and the Fernandeño Tataviam Band of Mission Indians responded requesting consultation, stating that the Project site is situated within each of the tribes' ancestorial territory. As part of the consultation process, both tribes were provided access to the Cultural Resources Assessment and the Geotechnical Assessment, Geotechnical Assessment Addendum, and Geotechnical Investigation, Preliminary Geotechnical Assessment prepared for the

Project. The City held separate meetings with both the Gabrieleño Band of Mission Indians-Kizh Nation and the Fernandeño Tataviam Band of Mission Indians to discuss the Project in greater detail. Both tribes indicated that based on the presence of significant tribal resources near the Project site, precautions were necessary when conducting ground disturbing activities on native/undisturbed soil levels. The tribes requested the inclusion of mitigation measures to address the potential for TCRs to be encountered within the Project site as a result of ground disturbing activities.

Based on the records search, literature review, field survey results, and tribal consultation results, there is the potential for unknown TCRs to be discovered onsite during site disturbance activities, resulting in the potential for a significant impact to TCRs. Mitigation Measures CUL-1 and CUL-2 in Section 5.2, *Cultural Resources*, have been identified and reviewed by the Gabrieleño Band of Mission Indians-Kizh Nation and the Fernandeño Tataviam Band of Mission Indians in order to reduce potential impacts to TCRs in the event of discovery. Implementation of Mitigation Measures CUL-1 and CUL-2 would require a monitor qualified in the identification of archaeological and Native American resources during construction related ground-disturbing activities within the Project site and offsite sewer improvement area. The Project Applicant shall also be required to make the Project site available to native tribe(s) that have ancestral ties to the region during ground disturbance activities for monitoring on their own behalf, if requested. If archaeological or Native American resources are inadvertently discovered during ground disturbing activities, the find would be evaluated by the Archaeological and Native American Monitor(s) and implement protocols in accordance with the provisions of PRC Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4; refer also to Section 5.2, *Cultural Resources*. Compliance with Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to TCRs to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures CUL-1 and CUL-2.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

5.12.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or

2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Impact Analysis: Similar to the Project, development associated with related projects could encounter TCRs during ground disturbing activities. Thus, the potential exists for cumulative development to result in the adverse modification or destruction of TCRs. Potential tribal cultural resource impacts associated with the individual developments would be specific to each site. As with the proposed Project, related projects would undergo environmental and design review on a project-by-project basis pursuant to CEQA, to evaluate the potential for impacts to TCRs. Related projects would also be subject to compliance with the existing regulatory framework concerning the protection of TCRs on a project-by-project basis, including consultation with tribes, pursuant to AB 52, to identify whether a site may contain TCRs and if so, what mitigation measures may be required. Implementation of site-specific mitigation measures would reduce potential related project impacts to unidentified TCRs to less than significant levels. As demonstrated above, with implementation of Mitigation Measures CUL-1 and CUL-2, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource. Therefore, the Project's less than significant effects with mitigation associated with potential impacts to TCRs would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.12.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts to TCRs would occur with the proposed Project.

5.12.7 REFERENCES

Fernandeño Tataviam Band of Mission Indians, Jairo F. Avila, M.A., RPA, Tribal Historic and Cultural Preservation Officer, telephone communication December 8, 2020.

Gabrieleño Band of Mission Indians - Kizh Nation, Andy Salas, Chairman and Matthew Teutimez, Tribal Biologist, telephone communication, February 24, 2021. Additional written materials were provided that are Confidential and not available for public review.

Rincon Consultants, Inc., *Aloft and Residence Inn Dual Brand Hotel Project Cultural Resources Assessment Report*, February 2020.

5.13 UTILITIES AND SERVICE SYSTEMS

The purpose of this section is to identify the existing environmental and regulatory setting related to utilities and service systems that service the Project site and assess the potential environmental impacts that could result from Project implementation. Utilities and service systems addressed in this section include water, wastewater (sewer), solid waste, electricity, natural gas, and telecommunications facilities; storm drain is discussed in Section 5.7, *Hydrology and Water Quality*. Information in this section is based in part on the *2500 N Hollywood Way – Sewer Capacity Analysis (Addendum No. 1)* (Sewer Capacity Analysis), prepared by Burbank Public Works Sewer Division, dated November 28, 2023, and included as Appendix J, Sewer Capacity Analysis.

5.13.1 ENVIRONMENTAL SETTING

Water[1]

The Project site is served by Burbank Water and Power (BWP), a local water supplier that provides potable water and recycled water to customers within the City. The City's *2020 Urban Water Management Plan* (2020 UWMP) was prepared in accordance with the California Urban Water Management Planning Act, Water Code Sections 10610 through 10657. The UWMP includes an assessment of past and future water supplies and demands, evaluation of the future reliability of Burbank's water supplies, water conservation and water management activities, discussion of water recycling activities, contingency planning for water shortages, and evaluation of distribution system water losses.

Potable water demand is met through a combination of purchased water from the Metropolitan Water District (MWD), groundwater extracted under the terms outlined in the 1979 water rights judgment for the San Fernando Basin, and non-potable recycled water. MWD delivers both treated and untreated water to southern California via two sources. Water from Northern California is imported by way of the State Water Project and water from the Colorado River reaches the region through the Colorado River Aqueduct. In 2020, BWP supplied 6,165 acre-feet (AF) of imported water from MWD, 9,997 AF of groundwater, and 3,149 AF of recycled water from the Burbank Water Reclamation Plant (BWRP). BWP also replenished the groundwater basin with 152 AF of raw imported water from MWD. Raw imported water replenishment was lower than normal due to planned improvements of the spreading grounds by Los Angeles County.[2]

Wastewater generated within the City is treated at the BWRP. This water is treated to "tertiary levels," and therefore can be used for non-potable uses. BWP currently delivers recycled water for landscape irrigation, power plant use, commercial uses, golf course irrigation, and water truck filling. In 2020, approximately 3,105 AF was recycled within the BWP service area, and 45 AF was recycled within the neighboring Los Angeles Department of Water and Power (LADWP) service area.[3]

The 2020 UWMP concludes that BWP supplies are expected to meet demands in normal-, single dry-, and multiple dry-year conditions through 2045.[4] BWP estimates that potable water demand during normal

[1] Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021.
[2] Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021, page ES-2.
[3] Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021, page ES-3.
[4] Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021, page ES-4.

year conditions will increase slightly between 2025 and 2045.[5] Regulatory orders and management agencies ensure the sustainability and reliability of water supplies currently used in the City of Burbank. The City depends heavily on MWD for its water supply. MWD projects 100 percent reliability for full-service demands through the year 2045 based on its 2020 UWMP. As a result, Burbank does not expect critical shortages during the 25-year planning period.[6]

City water utility lines are located adjacent to the Project site. A 10-inch water pipe runs east-west within Thornton Avenue.[7] A recycled water wharf hydrant is accessible on the southeast corner of Hollywood Way and Thornton Avenue.[8]

Wastewater

Wastewater generated in Burbank, including the Project site, is collected and conveyed by approximately 230 miles of pipeline ranging in diameter from six inches to 30 inches, two pump stations, and diversion manholes. The City of Burbank Public Works Department Water Reclamation and Sewer Division is responsible for operating, maintaining, and constructing capital improvements on the City's sewer system, including the BWRP. The BWRP is a tertiary wastewater treatment plan that currently treats nine million gallons per day (mgd) of sewage.[9] The BWRP produces a disinfected tertiary effluent, which meets discharge limitations contained in its National Pollutant Discharge Elimination System (NPDES) permit issued by the Los Angeles Regional Water Quality Control Board (LARWQCB). The BWRP's effluent also meets the most stringent water quality criteria for recycled water, as defined in the California Code of Regulations, Title 22, Division 4, Chapter 3 requirement as Disinfected Tertiary Recycled Water, meaning it is approved for all uses with the exception of human consumption.

The BWRP is also part of the City of Los Angeles' integrated network of facilities known as the North Outfall Sewer (NOS).[10] This network allows biosolids, solids and excess flows from the upstream plants, including the BWRP, to be diverted to the Hyperion Wastewater Treatment Plant (HTP) for treatment and disposal. The 48-inch NOS line runs from west to east through the southern portion of the City. All solids removed from the BWRP are transported out of the City in the NOS for downstream treatment at the HTP. A small number of wastewater flows would also go directly to the NOS.

An existing 8-inch sewer line is located within a 25-foot public utility easement on the western portion of the Project site.[11]

[5] Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021, Table 6-2.

[6] Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021, page 37.

[7] City of Burbank, BWP – Water Division, *Comments For Development Review*, May 2021.

[8] Samantha Miranda, Civil Engineering Assistant, Burbank Water and Power, *Memorandum: Review Comments on ADEIR, 2500 North Hollywood Way*, July 19, 2021.

[9] City of Burbank, *Burbank Water Reclamation Plan (BWRP),* https://www.burbankca.gov/web/public-works/burbank-water-reclamation-plant, accessed May 8, 2024.

[10] AECOM, *Burbank 2035 Environmental Impact Report,* adopted February 19, 2013, page 4.15-22.

[11] Daniel J. Rynn, Chief Assistant Public Works Director–City Engineer, City of Burbank Public Works, *Memorandum: Project No. Aloft/Residence INN Dual Brand Hotel (with IDRC Staff Meeting)*, July 21, 2021.

Solid Waste

The Solid Waste Division within Burbank Public Works Department operates trash and recycling services to the City, including solid waste, green waste, and recyclables. The Solid Waste Division services all single-family residences, 50 percent of multi-family residences, and approximately 10 percent of the City's commercial/industrial refuse customers.[12] Businesses and larger multifamily residences can use City solid waste and recycling services as well or hire a private waste collection and hauling company. The Project site is served by a private company, Waste Harmonics.

The City owns and operates the Burbank Landfill, located in the Verdugo Hills at the eastern edge of Burbank. The facility is located on 86 acres, 48 of which are used for disposal. At this time, Burbank Landfill has an expected closure date of 2053.[13] The City also owns the Burbank Recycle Center, which houses a materials recovery facility and drop off center. The facility also provides a used oil center, composting information, and a learning center. The Burbank Recycle Center has a private/public partnership with Burbank Recycling Inc.

According to CalRecycle, in 2019 (the most current year with available data), the City reported solid waste disposal at 19 facilities with a majority of waste being disposed at Burbank Landfill and Chiquita Canyon Sanitary Landfill.[14] The City generated approximately 90,932 tons of solid waste in 2019, with approximately 36 percent of that waste hauled to the Burbank Landfill and 40 percent to the Chiquita Canyon Sanitary Landfill, located in Castaic, California. According to CalRecycle (2024), the Burbank Landfill has a maximum permitted capacity of 5,933,365 cubic yards and the Chiquita Canyon Sanitary Landfill has a maximum permitted capacity of 110,366,000 cubic yards.[15] The *Countywide Integrated Waste Management Plan 2021 Annual Report* identifies a remaining permitted capacity of 4,309,704 cubic yards as of December 31, 2021 for the Burbank Landfill and a remaining permitted capacity of 52,367,323 cubic yards as of December 31, 2021 for the Chiquita Canyon Landfill.[16]

Electrical Power, Natural Gas, and Telecommunications

Electrical power to the area is provided by BWP, and natural gas is provided by Southern California Gas Company (SoCalGas). Various companies provide telecommunications. BWP, SoCalGas, and local telecommunications companies operate and maintain transmission and distribution infrastructure in the Project area. Existing electrical infrastructure includes underground power lines located west and south of the Project site feeding the existing buildings and northeast of the Project site near the Ontario/Thornton intersection. Existing natural gas infrastructure includes a six-inch gas line north of the Project site, within Thornton Avenue. Existing telecommunications infrastructure includes telecommunication lines north of Project site, within Thornton Avenue.[17]

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[12] City of Burbank, *Trash & Recycling*, https://www.burbankca.gov/web/public-works/trash-recycling, accessed April 11, 2024.

[13] CalRecycle, *SWIS Facility/Site Activity Details*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3561?siteID=1025, accessed August 27, 2024.

[14] CalRecycle, *Jurisdictional Disposal and Alternative Daily Cover (ADC) Tons by Facility*, https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility, accessed August 27, 2024.

[15] CalRecycle, *SWIS Facility/Site Activity Details*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3561?siteID=1025, accessed August 27, 2024.

[16] Los Angeles County Public Works, *Countywide Integrated Waste Management Plan 2021 Annual Report*, December 2022.

[17] Sven Knauth, Burbank Water and Power, June 25, 2021.

5.13.2 REGULATORY SETTING

Refer to Section 5.7, Hydrology and Water Quality for a discussion of the regulatory setting specific to stormwater.

Federal

Water

Federal Safe Drinking Water Act of 1974

The Safe Drinking Water Act authorizes the U.S. Environmental Protection Agency (USEPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. The USEPA, states, and public water systems (or agencies) then work together to make sure that these standards are met. Originally, Safe Drinking Water Act focused primarily on treatment as the means of providing safe drinking water at the tap. The 1996 amendments greatly enhanced the existing law by recognizing source water protection, operator training, funding for water system improvements, and public information as important components of safe drinking water. This approach ensures the quality of drinking water by protecting it from source to tap. The Safe Drinking Water Act applies to every public water system in the United States.

Wastewater

Federal Clean Water Act (33 USC Sections 1251, Et Seq.)

The Clean Water Act's (CWA) primary goals are to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The USEPA has delegated the responsibility for administration of CWA portions to state and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Solid Waste

Resource Conservation and Recovery Act of 1976

The Resource Conservation and Recovery Act (RCRA) of 1976 (Title 40 of the Code of Federal Regulations, Part 258) contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the Federal landfill criteria. The Federal regulations address the location, operation, design (liners, leachate collection, run-off control, etc.), groundwater monitoring, and closure of landfills.

State

Water

State of California Water Recycling Act

Enacted in 1991, the Water Recycling Act established water recycling as a State priority. The Water Recycling Act encourages municipal wastewater treatment districts to implement recycling programs to reduce local water demands.

California Code of Regulations, Title 22, Division 4, Chapter 3 Water Recycling Criteria

California regulates the wastewater treatment process and use of recycled water pursuant to California Code of Regulations (CCR) Title 22, Division 4, Chapter 3, Water Recycling Criteria. According to these regulations, recycled water to be used for irrigation of public areas must be filtered and disinfected to tertiary standards.

California Code of Regulations, Title 22, Chapter 15, Article 20, Consumer Confidence Report

California requires all public water systems to prepare a Consumer Confidence Report for distribution to its customers and to the Department of Health Services. The Consumer Confidence Report provides information regarding the quality of potable water provided by the water system. It includes information on the sources of the water, any detected contaminants in the water, the maximum contaminants levels set by regulation, violations and actions taken to correct them, and opportunities for public participation in decisions that may affect the quality of the water provided.

California Department of Health Services

The Department of Health Services, Division of Drinking Water and Environmental Management, oversees the Drinking Water Program. The Drinking Water Program regulates public water systems and certifies drinking water treatment and distribution operators. It provides support for small water systems and for improving their technical, managerial, and financial capacity. It provides subsidized funding for water system improvements under the State Revolving Fund (SRF) and Proposition 50 programs. The Drinking Water Program also oversees water recycling projects, permits water treatment devices, supports and promotes water system security, and oversees the Drinking Water Treatment and Research Fund for MTBE and other oxygenates.

California Urban Water Management Planning Act

The California Urban Water Management Planning Act (California Water Code [CWC] Division 6, Part 2.6, §§10610-10656) addresses several State policies regarding water conservation and the development of water management plans to ensure the efficient use of available supplies. The California Urban Water Management Planning Act also requires water suppliers to prepare an Urban Water Management Plan (UWMP) every five years to identify short-term and long-term water demand management measures to meet growing water demands during normal, dry, and multiple-dry years. Specifically, municipal water suppliers that serve more than 3,000 customers or provide more than 3,000 acre-feet per year (AFY) of water must adopt an UWMP.

Senate Bill 610

Senate Bill 610 (SB 610) requires that a Water Supply Assessment be prepared for any "project" which would consist of one or more of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;

- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects specified above; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

The proposed Project does not meet the conditions requiring a Water Supply Assessment pursuant to Senate Bill 610.

Senate Bill 221

Senate Bill 221 (SB 221) amended State law, effective January 1, 2002, to improve the link between information on water supply availability and land use at the tentative map preparation phase of a project. SB 610 and SB 221 are companion measures which seek to:

- Promote more collaborative planning between local water suppliers and cities and counties;
- Require detailed information regarding water availability be provided to city and county decision-makers prior to approval of specific large development projects;
- Require that this detailed information be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects; and
- Recognize local control and decision making regarding the availability of water for projects and the approval of projects.

SB 221 pertains only to residential projects and establishes the relationship between the Water Supply Assessment prepared for a project and the project approval under the Subdivision Map Act. Accordingly, the proposed Project is not subject to SB 221.

Water Efficiency Standards

The California Plumbing Code (Part 5 of CCR Title 24) promotes water conservation. In addition, a number of California laws listed below require water-efficient plumbing fixtures in structures:

- CCR Title 20 Section 1604(g) establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, sink faucets, and tub spout diverters.
- CCR Title 20 Section 1606 prohibits the sale of fixtures that do not comply with established efficiency regulations.
- CCR Title 24 Sections 25352(i) and (j) address pipe insulation requirements, which can reduce water used before hot water reaches equipment or fixtures. Insulation of water- heating systems is also required.
- Health and Safety Code Section 17921.3 requires low-flush toilets and urinals in virtually all buildings.

California Green Building Standards Code

The 2022 California Green Building Standards (CALGreen) Code sets standards for new buildings and development projects with the purpose of improving public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in several categories, including but not limited to, water efficiency and conservation. The 2022 CALGreen Code includes several amendments to the 2019 CALGreen Code, including new voluntary prerequisites

for builders to choose from, such as battery storage system controls and heat pump space, and water heating, to encourage building electrification. Local jurisdictions also retain the administrative authority to exceed the CALGreen standards. The 2022 CALGreen Code went into effect Statewide on January 1, 2023.

Solid Waste

California Integrated Waste Management Act of 1989 (AB 939)

The Integrated Solid Waste Management Act of 1989 (AB 939) (California Public Resources Code Section 40050 et seq.) established an integrated waste management system that focuses on source reduction, recycling, composting, and land disposal of waste. AB 939 requires every city and county in California to divert 50 percent of its waste from landfills whether through waste reduction, recycling, or other means. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates. Actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years of disposal capacity for all jurisdictions in the county or show a plan to transform or divert its waste.

Assembly Bill 341

Assembly Bill 341 (AB 341), which took effect on July 1, 2012, was designed to help meet California's recycling goal of 75 percent by the year 2020. AB 341 made "…a legislative declaration that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020…" AB 431 requires a business, defined to include a commercial or public entity that generates more than 4 cubic yards (CY) of commercial solid waste per week or a multifamily residential dwelling of 5 units or more to arrange for recycling services. Such business/residential development must: 1) source separate recyclable materials from the solid waste they are discarding, and either self-haul or arrange for separate collection of the recyclables; and 2) subscribe to a service that includes mixed waste processing that yields diversion results comparable to source separation.

Assembly Bill 1826

Assembly Bill 1826 (AB 1826) (California Public Resources Code Sections 42649.8 et seq.) requires recycling of organic matter by businesses generating such wastes in amounts over certain thresholds. AB 1826 also requires that local jurisdictions implement an organic waste recycling program to divert organic waste generated by businesses and multi-family developments that consist of five or more units.

Senate Bill 1383

Senate Bill 1383 (SB 1383) is a State law that aims to drastically reduce organic waste, conserve landfill space, and address climate change. SB 1383 requires the reduction of organic waste disposed of in landfills and expands on existing commercial recycling mandates of AB 341 and AB 1826. SB 1383 establishes methane emission reduction targets by reducing statewide organic waste disposal 75 percent by 2025 (based on 2014 levels) and recovering at least 20 percent of currently disposed surplus edible food by 2025. Certain food generators, identified by business category as Tier 1 or 2, are required to donate all surplus edible food to a non-profit.

Hotels with on-site food facility and 200 rooms or more are identified under Tier 2 and required to comply by January 1, 2024.

Los Angeles County Countywide Integrated Waste Management Plan

AB 939 mandates each county prepare and administer a Countywide Integrated Waste Management Plan (CIWMP). The CIWMP is comprised of the county's and its cities solid waste reduction planning documents, an Integrated Waste Management Summary Plan (Summary Plan) and a Countywide Siting Element (CSE). The County of Los Angeles Department of Public Works (LA County Public Works) is responsible for preparing the Summary Plan and CSE. The Summary Plan was approved by CalRecycle in June 1999 and describes the steps to be taken by local agencies, acting independently and together, to achieve the state mandated diversion rate by integrating strategies aimed toward reducing, reusing, recycling, diverting, and marketing solid waste generated within the County. The CSE, approved by CalRecycle in June 1998, identifies how the County and its cities would meet their long-term disposal capacity needs for a 15-year planning period to safely handle solid waste generated in the County that cannot be reduced, recycled, or composted.

Electricity, Natural Gas, and Telecommunications

California Electrical Code

The California Electrical Code is codified in Title 24, CCR, Part 3. The Electrical Code contains regulations including, but not limited to, electrical materials, electrical wiring, overcurrent protection, grounding, and installation.

Local

Water

Burbank2035 General Plan

Burbank2035 includes goals and policies to address the City's water needs. The following Land Use Element and Open Space and Conservation Element goals and policies are relevant to the Project:

Land Use Element

GOAL 2 SUSTAINABILITY: Burbank is committed to building and maintaining a community that meets today's needs while providing a high quality of life for future generations. Development in Burbank respects the environment and conserves natural resources.

Policy 2.3: Require that new development pay its fair share for infrastructure improvements. Ensure that needed infrastructure and services are available prior to or at project completion.

Policy 2.6: Design new buildings to minimize the consumption of energy, water, and other natural resources. Develop incentives to retrofit existing buildings for a net reduction in energy consumption, water consumption, and stormwater runoff. Focus incentives in disadvantaged communities.

Open Space and Conservation Element

GOAL 9 WATER RESOURCES: Adequate sources of high-quality water provide for various uses within Burbank.

Policy 9.1: Meet the goal of a 20% reduction in municipal water use by 2020.

Policy 9.2: Provide public information regarding the importance of water conservation and avoiding wasteful water habits.

Policy 9.3: Offer incentives for water conservation and explore other water conservation programs.

Policy 9.4: Pursue infrastructure improvements that would expand communitywide use of recycled water. Such improvements shall be pursued equitably throughout the City.

City of Burbank 2020 Urban Water Management Plan

In compliance with Water Code Sections 10610 through 10656 of the Urban Water Management Planning Act, the City of Burbank adopted its *2020 Urban Water Management Plan* (UWMP) in June 2021. The UWMP outlines the City's existing and future water supplies and assesses the City's forecasted water demands and supply availability through 2045.

Burbank Municipal Code

Burbank Municipal Code (BMC) Title 8, Public Utilities, Chapter 2, Utilities, Article 1, Water, establishes the regulatory requirements for connecting to an existing water main and water main extensions and construction of improvements, including requiring payment for connection to the City's water system. The customer is responsible for installing water pipes required for receiving water from the City at the point of delivery.

Wastewater

Burbank2035 General Plan

Burbank2035 includes goals and policies to address wastewater collection and treatment. The following Land Use Element and Open Space and Conservation Element goals and policies are relevant to the Project:

Land Use Element

GOAL 2 SUSTAINABILITY: Burbank is committed to building and maintaining a community that meets today's needs while providing a high quality of life for future generations. Development in Burbank respects the environment and conserves natural resources.

Policy 2.3: Require that new development pay its fair share for infrastructure improvements. Ensure that needed infrastructure and services are available prior to or at project completion.

Burbank Municipal Code

BMC Title 8, Public Utilities, Chapter 1, Sewers, establishes the regulatory requirements for discharges to the publicly owned treatment works, sewer system, and storm drain system for the City of Burbank and enables the City to comply with all applicable federal and State laws, including the Clean Water Act and the general pretreatment regulations. Article 3, Connection to Public Sewers, requires a permit to construct new public sewers, portions of building sewer within the street or connect to, repair, or tap an existing public sewer. A condition of approval may include an approved study demonstrating that sufficient capacity exists in the sewer system to handle the new connection. Additionally, no permit to connect to or tap a public sewer shall be issued until the prescribed sewer connection fee has been paid to the City.

Solid Waste

Burbank2035 General Plan

Burbank2035 includes goals and policies to address the City's solid waste needs. The following Safety Element goals and policies are relevant to the Project:

Safety Element

GOAL 8 HAZARDOUS MATERIALS: Hazardous materials threats to public health and safety are reduced.

Policy 8.6: Provide the residents of Burbank with information on the proper storage and disposal of hazardous materials and e-waste and encourage the use of City disposal facilities.

Burbank Municipal Code

BMC Title 4, Health and Sanitation, Chapter 2, Solid Waste, Weeds, and Litter, provides an overview of the City's collection, removal, and disposal requirements for solid waste, green waste, and recyclable materials. BMC Section 4-2-102, Declaration of Policy and Purpose, states that "the person responsible for the day-to-day operation of every premises in the City shall make arrangements for the collection, removal and disposal of garbage, solid waste, green waste and recyclable materials generated or accumulated on those premises in accordance with the requirements of this chapter. Each person required by this chapter to arrange for the collection, removal and disposal of garbage, solid waste, green waste and recyclable materials shall be liable for the fees and charges for such collection."

5.13.3 SIGNIFICANCE CRITERIA AND THRESHOLDS

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by Appendix G of the CEQA Guidelines, as amended, and used by the City of Burbank in its environmental review process. The issues presented in the Initial Study Checklist have been utilized as significance criteria in this section. A project would result in a significant impact related to utilities and service systems if it would:

- Require or result in the relocation or construction of new or expanded facilities, the construction or relocation of which could cause significant environmental effects? (refer to Impact Statement UTIL-1):
    - Water facilities (refer to Impact Statement UTIL-1);
    - Wastewater facilities (refer to Impact Statement UTIL-2);
    - Stormwater facilities (refer to Section 5.7, *Hydrology and Water Quality*);
    - Electrical power, natural gas, and telecommunications facilities (refer to Impact Statement UTIL-3);
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (refer to Impact Statement UTIL-1);
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (refer to Impact Statement UTIL-2);
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (refer to Impact Statement UTIL-4);
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (refer to Impact Statement UTIL-4).

Based on these significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.13.4 IMPACTS AND MITIGATION MEASURES

UTIL-1: Would the Project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact Analysis:

Water Conveyance Facilities

BWP provides water to existing development within the Project site and would provide water to the proposed Project. Fire water and domestic water would have lateral connection to the existing mains directly across from the Project site on Thornton Avenue (approximately 50 feet from the property line). Recycled water service would connect to the main near the Thornton Avenue and Hollywood Way intersection (approximately 500 feet from the property line). In addition to using recycled water for irrigation of the proposed Project, the irrigation for the landscaping at the existing Marriott Hotel would also be upgraded to connect to recycled water services that the Project would extend to the site.

Construction activities associated with water facilities would be limited to providing new water lines within the site to connect to existing mains adjacent to the site. The Project would also be required to pay a water main replacement fee as determined by the City. New or expanded off-site water conveyance facilities would not be required. The potential environmental effects associated with construction of the proposed Project, including the proposed onsite water lines to serve the proposed development, are analyzed throughout this EIR, and construction impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of mitigation measures except for construction noise, which would be significant and unavoidable; refer to Section 5.9, *Noise*. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously. Therefore, construction noise associated with activities specific to the provision of new water lines are not isolated. Results also assume a clear line-of-sight and no other machinery or equipment noise that would mask Project construction noise. The shielding of buildings and other barriers that interrupt line-of-sight conditions would help further reduce noise levels. However, since construction activities could exceed the significance threshold for noise, impacts would be significant. As discussed in Section 5.9, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate best management practices (BMPs) during construction activities. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1,

construction-noise impacts would remain significant. Since the proposed Project would result in the construction of new water facilities, which would contribute to significant environmental effects specific to construction noise, impacts would be significant and unavoidable in this regard.

Water Supply

As stated, BWP provides water to the Project site. BWP's 2020 UWMP indicates water supplies would meet the service area's water demands for normal, single-dry, and multiple dry-year conditions through 2045. The 2020 UWMP water demand forecasts are based in part on adopted general plans. Burbank2035 identifies the development capacity associated with implementation of the Burbank2035 land use designations. The Burbank2035 General Plan Land Use Map designates the Project site as Regional Commercial. The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities at a maximum floor area ratio (FAR) of 1.25. For non-residential designations, including the Regional Commercial land use designation, Burbank2035 development capacities assume development consistent with the maximum FAR. For the Regional Commercial land use designation, a 2035 development capacity of 4,643,665 square feet can be expected from implementation of land use policies established in Burbank2035.

The Project proposes development of a Hotel with 420 rooms, which would increase the potable water demand within the Project site. The Project would also use recycled water for irrigation landscaping within the Project site, including upgrading the existing Marriott Hotel to connect to recycled water services for irrigation. Recycled water would also be used during grading and construction activities.

Development, as proposed, would result in a FAR of 1.13, which is less than the 1.25 maximum FAR allowed by the Regional Commercial land use designation, and, therefore, less than the development capacity assumptions identified in Burbank2035. Thus, the Project's anticipated water demand is accounted for in the 2020 UWMP, and there would be sufficient water supplies available to serve the Project development during normal, dry and multiple dry years. Impacts to water supply would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1 in Section 5.9, *Noise*.

Level of Significance: Significant and Unavoidable Impact.

UTIL-2: Would the Project require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Impact Analysis:

Wastewater Conveyance Facilities

The City provides wastewater (sewer) service to existing development within the Project site and would provide wastewater services to the proposed Project. Sanitary sewer services would connect to the existing onsite main.

A Sewer Capacity Analysis was prepared by the City of Burbank Water Reclamation and Sewer Division to determine if offsite sewer improvement upgrades or additional treatment capacity would be required in order to serve the proposed Project. Offsite sewer improvement upgrades were determined to be needed in order to serve the proposed Project and a separate development (2311 N. Hollywood Way) that would utilize the same downstream portion of the offsite sewer. Therefore, the Project would be conditioned to design and construct approximately 1,580 feet of sewer main infrastructure improvements from the intersection of Wyoming Avenue and North Ontario Street to the intersection of West Burbank Boulevard and North Frederick Street. There are seven reaches of City sewer main, totaling approximately 1,580.5 feet, that the Project would be responsible to upsize from existing 12-inch pipe to upgraded 15-inch pipe. The Project would also be required to pay a Sewer Facilities Charge as determined by the City. With the required improvements and payment of fair share costs for improvements, adequate conveyance infrastructure would be available to serve the proposed development.

The potential environmental effects associated with construction of the proposed Project, including the required offsite sewer improvements are analyzed throughout this EIR, and construction impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of mitigation measures except for construction noise, which would be significant and unavoidable; refer to Section 5.9, *Noise*. Offsite sewer main improvements would occur as close as 45 feet to the neighboring single-family residential units along Wyoming Avenue. Construction noise from the sewer main improvements could expose sensitive receptors to maximum noise levels that would exceed the significance threshold; refer to Section 5.9. Sewer improvements would not be concentrated at a single point but occur over 1,580 linear feet. Noise levels assumes that construction equipment would be used concurrently as a conservative analysis. However, certain construction equipment would only be used during certain periods of construction (i.e., excavators would only be used during the excavation of the old sewer main and backfill) and would be powered down when not in use. As such, the actual noise levels from construction equipment used for the sewer main improvement would be less than the conservative noise levels identified in Section 5.9. As previously stated, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate best management practices (BMPs) during construction activities. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts associated with the offsite sewer improvements would remain significant. Since the proposed Project would result in construction of new wastewater facilities, which could cause significant environmental effects specific to construction noise, impacts would be significant and unavoidable in this regard.

Wastewater Treatment

Development of the proposed Project would result in increased wastewater flows requiring treatment when compared to existing conditions. Wastewater generated by the proposed Project would be treated at the BWRP. BWRP treats approximately nine mgd and has a design capacity of 12.5 mgd. Based on the Sewer Capacity Analysis prepared by the City, the proposed Project would generate a peak wastewater discharge rate of 117.8 gallons per minute (gpm) or approximately 169,632 gallons per day (gpd). The projected wastewater generated by the Project represents approximately 4.8 percent of BWRP's available capacity of 3.5 mgd. Although the Project would be required to provide improvements to the wastewater conveyance infrastructure, the Water Reclamation and Sewer Division determined adequate capacity would be available at BWRP to treat the wastewater generated from the Project. Further, the Project is

required to pay the applicable sewer fees to connect to and receive sewer service, which funds costs associated with the City's sewer system and BWRP. Thus, impacts to wastewater treatment facilities associated with the Project would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1 in Section 5.9, *Noise*.

Level of Significance: Significant and Unavoidable Impact.

UTIL-3: Would the Project require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Impact Analysis: Electrical power to the area is provided by BWP, and natural gas is provided by SoCalGas. Various companies provide telecommunications. The Project would be constructed to be all-electric, with no use of natural gas in its daily operations and systems. Therefore, natural gas connections would not be required. Local telecommunications companies operate and maintain transmission and distribution infrastructure in the Project area. The Project would not require new or upgraded telecommunication facilities.

BWP conducted a feasibility study to determine the capacity and improvements required to serve the proposed development. Electrical service would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend approximately 820 feet from the intersection into the Project site. In order to create a looped electrical service system, as required by BWP, the electrical service would then extend through the Project site from Thornton Avenue south to the Avon Street driveway (approximately 750 feet). From there, the service would extend an additional 595 feet in the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the "loop." As a Condition of Approval, the Project Applicant would be required to enter into a service agreement with BWP to pay the required fees necessary to construct the identified improvements and provide electrical infrastructure and service to the site. Payment of the required fees by the Project Applicant, and construction of the infrastructure improvements by BWP, would ensure adequate electrical service is provided to the Project.

The potential environmental effects associated with construction of the proposed Project, including the proposed electrical infrastructure improvements, are analyzed throughout this EIR, and construction impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of mitigation measures except for construction noise, which would be significant and unavoidable; refer to Section 5.9, *Noise*. Offsite electrical improvements would occur as close as 60 feet to multi-family residential units along Ontario Street. Construction noise from the electrical improvements could expose sensitive receptors to maximum noise levels that would exceed the significance threshold; refer to Section 5.9. Although construction noise from the electrical improvements would be less than noise levels from the sewer main improvements, impacts would also be significant. As previously stated, the Project would be required to implement Mitigation Measure NOI-1, which would incorporate best management practices (BMPs) during construction activities. Implementation of Mitigation Measure NOI-1 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers. Nevertheless, even with incorporation of Mitigation Measure NOI-1, construction-noise impacts associated with the offsite electrical improvements would remain significant. Since the proposed Project would result in construction of new

electrical facilities, which could cause significant environmental effects specific to construction noise, impacts would be significant and unavoidable in this regard.

Mitigation Measures: Refer to Mitigation Measure NOI-1 in Section 5.9, *Noise*.

Level of Significance: Significant and Unavoidable Impact.

UTIL-4: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Analysis: Development of the Project site would result in increased solid waste generation requiring disposal.

Project construction activities would be short-term and are not anticipated to generate significant quantities of solid waste with the potential to affect the capacity of regional landfills. All construction activities would be subject to conformance with relevant federal, State, and local requirements related to solid waste disposal. Specifically, the Project would be required to demonstrate compliance with AB 939, which requires that at least 50 percent of waste produced is recycled, reduced, or composted. The Project would also be required to demonstrate compliance with the 2022 CALGreen Code, which includes design and construction measures to reduce construction-related waste through material conservation and other construction-related efficiency measures. Compliance with these regulations would reduce the Project's construction-related solid waste impacts to less than significant.

In 2019, the City disposed of approximately 90,932 tons of solid waste with the majority (76 percent) disposed of at two landfills. Based on a hotel solid waste generation rate of two pounds per room per day, the proposed Project would generate approximately 840 pounds per day of solid waste (approximately 0.42 ton per day and 153.3 tons per year).[18] The two primary landfills currently serving the City have a combined remaining permitted capacity of 56,677,027 cubic yards and a daily throughput of 12,644 tons per day.[19] The Project's daily waste generation of 0.42 ton per day would represent a nominal (less than one percent) contribution to the combined maximum daily permitted throughput capacities of both landfills. Further, in 2019, the City disposed of solid waste at 19 landfills; thus, additional capacity would be available to serve the Project beyond the two primary landfills. The proposed Project would be required to comply with all applicable federal, State, and local statutes and regulations related to solid waste, including AB 939 and AB 341, requiring diversion of 50 percent of a jurisdiction's solid waste stream and 75-percent diversion of commercial waste, respectively. Additionally, the proposed Hotel is within the Tier 2 business category pursuant to SB 1383 and would be required to donate all surplus edible food to a non-profit. Therefore, the Project would not generate solid waste in excess of State or local standard or in excess of the capacity of local infrastructure or impair the attainment of solid waste reduction goals. The Project would be required to comply with all regulations related to solid waste and impacts would be less than significant.

[18] CalRecycle, *Estimated Solid Waste Generation Rates*, https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, accessed April 11, 2024.

[19] Los Angeles County Public Works, *Countywide Integrated Waste Management Plan 2021 Annual Report*, December 2022.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.13.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts." Table 4-1, *Related Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. The following discussions are included in order of the topical areas discussed above to determine whether a significant cumulative effect would occur.

Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project, combined with other related projects, have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact Analysis: As discussed, water service is provided by BWP. In addition to the Project, related projects within the City would receive water service from BWP.

Similar to the proposed Project, individual development projects in the City would be required to assess water demand associated with the proposed development and capacity of water conveyance systems to serve the development being proposed. Individual development projects would be required to provide on-site water infrastructure and improvements necessary to serve the development. Each applicant also must fund the costs of the water-related infrastructure needed to serve a particular site. All new facilities proposed or necessitated by related projects would be subject to applicable CEQA review and would be required to determine the potential for the construction or relocation of new or expanded water facilities to cause a significant environmental effect. Individual related projects would be required to comply with mitigation measures to reduce impacts associated with the improvements.

As discussed above, even with implementation of Mitigation Measure NOI-1, the proposed Project, which includes new onsite water infrastructure to serve the Project, would result in a significant and unavoidable impact regarding short-term construction noise. Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. Therefore, the Project's significant effects associated with a temporary increase in ambient noise resulting from construction activities, which include new water facilities would be considered cumulatively considerable, and cumulative impacts would be significant.

The proposed Project would involve an increase in demand for water supplies. Related projects would also result in the need for water supply and incrementally increase the long-term demand for water service. Similar to the proposed Project, individual development projects would be required to assess the water demand and available water supplies to serve the development being proposed. Additionally, under the provisions of SB 610, related projects meeting the statutory requirements would be required to prepare a comprehensive Water Supply Assessment (WSA). The WSA would evaluate the quality and

reliability of existing and projected water supplies, as well as alternative sources of water supply and measures to secure alternative sources if needed, on a project-by-project basis. Any new water facilities would undergo separate environmental review and require compliance with all applicable City water supply ordinances, laws, and regulations.

As stated, BWP's 2020 UWMP indicates water supplies would meet the service area's water demands for normal, single-dry, and multiple dry-year conditions through 2045. The 2020 UWMP water demand forecasts are based in part on adopted general plans. Burbank2035 identifies the development capacity associated with implementation of the Burbank2035 land use designations, including the Project site's Regional Commercial land use designation. Burbank2035 development capacities assume development consistent with the maximum FAR. Since the Project would be consistent with the development capacities assumed for the UWMP, adequate water supplies would be available to serve the Project. Thus, the Project's less than significant effects to water supplies would not be cumulatively considerable and cumulative impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1 in Section 5.9, Noise.

Level of Significance: Significant and Unavoidable Impact.

Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects?

Would the Project, combined with other related projects, result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Impact Analysis: The City provides wastewater conveyance and treatment for the Project site and related projects within the City. The proposed Project would involve an increase in wastewater generation requiring conveyance and treatment. Related projects would also result in increased wastewater generation. Similar to the proposed Project, individual development projects in the City would be required to assess the wastewater generation associated with the proposed development and capacity of conveyance systems and BWRP. Individual development projects would be required to provide on-site sewer infrastructure and improvements necessary to serve the development and pay the required Sewer Facilities Charge prior to issuance of a building permit. If upgrades to the sewer system are required, the related project would be required to provide the upgrades and/or pay its contribution toward the cost of the sewer infrastructure upgrades. All new facilities proposed or necessitated by related projects would be subject to applicable CEQA review, and related projects would be required to determine the potential for the construction or relocation of new or expanded wastewater facilities to cause a significant environmental effect. Individual related projects would be required to comply with mitigation measures to reduce impacts associated with the improvements. The Project would connect to the existing onsite main. However, as determined by the Sewer Capacity Analysis, offsite sewer improvement upgrades would be required, as the proposed Project and a related project (2311 N. Hollywood Way) would utilize the same downstream portion of the offsite sewer that necessitates improvements. Implementation of the improvements and payment of the required Sewer Facilities Charge would ensure adequate capacity is available to serve the increased wastewater resulting from the Project and related project.

As discussed above, even with implementation of Mitigation Measure NOI-1, the proposed Project, which includes offsite sewer main improvements, would result in a significant and unavoidable impact regarding short-term construction noise. Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. Therefore, the Project's significant effects associated with a temporary increase in ambient noise resulting from construction activities, which includes offsite sewer main infrastructure improvements would be considered cumulatively considerable, and cumulative impacts would be significant.

The Project and related projects would generate increased wastewater requiring treatment at BWRP. As with the proposed Project, individual development projects are reviewed by to determine that adequate wastewater capacity would be available to serve the development being proposed at that time. Additionally, development projects are required to pay the applicable sewer fees to connect to and receive sewer service. These fees are collected to fund the costs associated with the City's sewer system, and BWRP. Based on the Sewer Capacity Analysis prepared by the City, adequate capacity would be available at BWRP to treat the wastewater generated from the Project. Thus, the Project's less than significant effects associated with the wastewater infrastructure upgrades and wastewater treatment capacity would not be cumulatively considerable, and cumulative impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measure NOI-1 in Section 5.9, *Noise*.

Level of Significance: Significant and Unavoidable Impact.

Would the Project, combined with other related projects, require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Impact Analysis: The Project would not utilize natural gas and therefore would not require natural gas facilities. The Project would not impact natural gas facilities.

The Project and the related projects would result in an increased demand for electricity and telecommunications services. Similar to the Project, the related projects would be required to coordinate their respective projects, sites, and requirements with the service providers to ensure adequate service could be provided or to determine the need for infrastructure improvements. All new facilities proposed or necessitated by related projects would be subject to applicable CEQA review, and projects would be required to determine the potential for the construction or relocation of new or expanded electricity and telecommunications facilities to cause a significant environmental effect. Individual related projects would be required to comply with mitigation measures to reduce impacts associated with the improvements.

The Project would be served by existing telecommunications facilities and would not require the construction of new facilities. The Project would connect to existing BWP facilities at the Thornton Avenue and Ontario Street intersection and extend approximately 820 feet from the intersection into the Project site. Per the requirements of BWP, in order to create a looped system, electrical service would then extend through the Project site from Thornton Avenue south to the Avon Street driveway (approximately 750 feet). From there, the service would extend an additional 595 feet in the public right of way on Avon Street, before connecting to the existing service from Empire Avenue and completing the "loop." The potential environmental effects associated with the proposed Project, including the installation of electrical infrastructure to serve the proposed development, are analyzed throughout this EIR. As

discussed above, even with implementation of Mitigation Measure NOI-1, the proposed Project, which includes offsite electrical improvements, would result in a significant and unavoidable impact regarding short-term construction noise. Construction activities associated with the proposed Project and related projects may overlap, resulting in construction noise in the area. Therefore, the Project's significant effects associated with a temporary increase in ambient noise resulting from construction activities, which includes electrical infrastructure improvements would be considered cumulatively considerable, and cumulative impacts would be significant.

As a Condition of Approval, the Project Applicant would be required to enter into a service agreement with BWP to pay the required fees necessary to construct the identified improvements and provide electrical infrastructure and service to the Project site. Payment of the required fees by the Project Applicant, and construction of the infrastructure improvements by BWP, would ensure adequate electrical service is provided to the Project. Thus, the Project's incremental effects associated with the construction of telecommunication and electrical facilities would not be cumulatively considerable and cumulative impacts would be less than significant. Refer also to Section 5.3, *Energy*.

Mitigation Measures: Refer to Mitigation Measure NOI-1 in Section 5.9, *Noise*.

Level of Significance: Significant and Unavoidable Impact.

Would the Project, combined with other related projects, generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Would the Project, combined with other related projects, comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Analysis: Although the Project and related projects would result in an increase in the amount of solid waste sent to landfills, compliance with State and local waste diversion requirements would contribute to the longevity of existing and proposed landfills that would serve the projects and ensure that cumulative impacts to solid waste are less than significant. Similar to the Project, related projects would be required to comply with all applicable federal, State, and local statutes and regulations related to solid waste, including AB 939 and AB 341, requiring diversion of 50 percent of a jurisdiction's solid waste stream and 75-percent diversion of commercial waste, respectively, as well as SB 1383 requiring recycling of organics and edible food donation, as applicable. As demonstrated above, through compliance with the required regulations, the proposed Project would not generate solid waste in excess of standards or capacity, or otherwise impair attainment of solid waste reduction goals. Therefore, the Project's less than significant effects associated with solid waste would not be cumulatively considerable and cumulative impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.13.6 SIGNIFICANT UNAVOIDABLE IMPACTS

A significant and unavoidable impact would result from the Project's contribution to noise as a result of the exceedance of the threshold established by the BMC on a project and cumulative basis. Specifically, the construction of the proposed Project, which includes onsite water infrastructure and offsite sewer main and electrical infrastructure improvements would result in noise levels that exceed the 5 dBA

increase over the existing ambient noise levels pursuant to BMC 9-3-208, resulting in a significant environmental effect.

If the City of Burbank approves the Project, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decision makers in accordance with CEQA Guidelines Section 15093.

5.13.7 REFERENCES

Burbank Water and Power, *2020 Urban Water Management Plan*, June 2021.

CalRecycle, *Estimated Solid Waste Generation Rates*, https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, 2024.

CalRecycle, *Jurisdictional Disposal and Alternative Daily Cover (ADC) Tons by Facility*, https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility, 2024.

CalRecycle, *SWIS Facility/Site Activity Details*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3561?siteID=1025, 2024.

CalRecycle, *SWIS Facility/Site Activity Details*, https://www2.calrecycle.ca.gov/SolidWaste/Site/Search, 2024.

City of Burbank Public Works, *SB 1383: California's Short-Lived Climate Pollution Reduction Strategy Act*, https://www.burbankca.gov/web/public-works/sb1383, 2024.

City of Burbank, *Trash & Recycling*, https://www.burbankca.gov/web/public-works/trash-recycling, 2024.

City of Burbank Public Works, *Burbank Water Reclamation Plant (BWRP)*, https://www.burbankca.gov/web/public-works/burbank-water-reclamation-plant, 2024.

Los Angeles County Public Works, *Countywide Integrated Waste Management Plan 2021 Annual Report*, December 2022.

6.0 OTHER CEQA CONSIDERATIONS

6.1 SHORT- AND LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT

Pursuant to CEQA Guidelines Section 15126.2, the following is a discussion of short-term uses of the environment and the maintenance and enhancement of long-term productivity. If the proposed Project is approved and constructed, a variety of short- and long-term impacts would occur on a local level. During Project grading and construction, portions of the surrounding uses may be temporarily impacted by dust and noise. Short-term soil erosion may also occur during grading. There may also be an increase in air pollutant emissions caused by grading and construction activities. However, these disruptions would be temporary and would be avoided or lessened to a large degree through compliance with regulatory requirements, including, but not limited to, the Burbank Municipal Code (BMC); refer to Section 5.0, *Environmental Analysis*, and Section 8.0, *Effects Found Not To Be Significant*.

The proposed Project would potentially create long-term environmental consequences associated with the conversion of a surface parking lot to a Hotel and Garage within the existing Marriott Hotel site. Project development and the subsequent long-term effects may impact the physical and human environments. Long-term physical consequences of development include increased energy and natural resource consumption. Incremental degradation of local and regional air quality would also occur due to mobile source emissions generated by the proposed development and stationary source emissions generated from the consumption of electricity, and the Project would result in a significant contribution to greenhouse gas emissions.

6.2 IRREVERSIBLE ENVIRONMENTAL CHANGES THAT WOULD BE INVOLVED WITH THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

According to CEQA Guidelines Sections 15126(c) and 15126.2(c), an EIR is required to address any significant irreversible environmental changes that would occur should the proposed Project be implemented. As stated in CEQA Guidelines Section 15126.2(d):

> *"Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts [such as highway improvement which provides access to a previously inaccessible area] generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

The Project would consume limited, slowly renewable and non-renewable resources. Consumption would occur during the Project's construction phase and would continue throughout its operational lifetime. Project development would require a commitment of resources that would include (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project site. Project construction would require the consumption of resources that are not renewable/replenishable or which may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: lumber and other forest products, aggregate materials used in concrete and asphalt, metals, and water. Fossil fuels, such as gasoline and oil, would

also be consumed in the use of construction vehicles and equipment. The resources that would be committed during Project operation would be similar to those currently consumed within the City of Burbank. Project operations would involve consumption of energy resources, such as electricity provided by Burbank Water and Power (BWP), and petroleum-based fuels required for vehicle trips, fossil fuels, and water.

Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. Project operation would occur in accordance with Title 24, Part 6 of the California Code of Regulations, which sets forth conservation practices that would limit the Project's energy consumption. Nonetheless, the Project's energy requirements would represent a long-term commitment of essentially non-renewable resources.

Limited use of potentially hazardous materials typical of hotel uses, including minor amounts of cleaning products, chemicals for pool maintenance, paint for maintenance, and fuel for landscape equipment, along with the occasional use of pesticides and herbicides for landscape maintenance, are the extent of hazardous materials anticipated to be used onsite. The use of these materials would be in small quantities and used, handled, stored, and disposed of in accordance with the manufacturer's instructions and applicable government regulations and standards. Compliance with these regulations and standards would serve to protect against significant and irreversible environmental change resulting from the accidental release of hazardous materials.

In summary, Project construction and operation would result in the irretrievable commitment of limited, slowly renewable, and nonrenewable resources that would limit the availability of these resource quantities for future generations or for other uses during the life of the Project. However, continued use of such resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area. As such, although irreversible environmental changes would result from the Project, such changes would not be considered significant.

6.3 GROWTH INDUCING IMPACTS

As required by the CEQA Guidelines, an EIR must include a discussion of the ways in which a project could directly or indirectly foster economic development or population growth, or the construction of additional housing and how that growth would, in turn, affect the surrounding environment (CEQA Guidelines Section 15126.2(d)). Growth can be induced in many ways, including the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The discussion of removal of obstacles to growth relates directly to the removal of infrastructure limitations or regulatory constraints that could result in growth unforeseen at the time of project approval. Under CEQA, induced growth is not considered necessarily beneficial, detrimental, or of little significance to the environment.

In general, a project may foster spatial, economic, or population growth in a geographic area if it results in any of the following:

- Removal of an impediment to growth (e.g., establishment of an essential public service and provision of new access to an area);
- Fostering of economic expansion or growth (e.g., changes in revenue base and employment expansion);

- Fostering of population growth (e.g., construction of additional housing), either directly or indirectly;
- Establishment of a precedent-setting action (e.g., an innovation, a change in zoning and general plan amendment approval); or
- Development of or encroachment on an isolated or adjacent area of open space (being distinct from an infill project).

Should a project meet any one of the above-listed criteria, it may be considered growth-inducing. Generally, growth-inducing projects are either located in isolated, undeveloped, or underdeveloped areas, necessitating the extension of major infrastructure such as sewer and water facilities or roadways, or encourage premature or unplanned growth.

It is noted that while CEQA does require an EIR to "discuss the ways" a project could be growth-inducing and to "discuss the characteristics of some projects that may encourage … activities that could significantly affect the environment," CEQA does not require an EIR to predict (or speculate) specifically where such growth would occur, in what form it would occur, or when it would occur. Answering such questions would require speculation, which CEQA discourages (refer to CEQA Guidelines Section 15145).

In accordance with the CEQA Guidelines and based on the above-listed criteria, the Project's potential growth-inducing impacts are evaluated below.

Impact Analysis

Removal of an Impediment to Growth

The proposed Project would involve infill development consisting of a Hotel and Garage on a portion of a surface parking lot within a currently developed site. The Project site is served by utilities and service systems located within adjacent rights-of-way. As discussed in Section 5.12, *Utilities and Service Systems*, these facilities can be readily upgraded and/or extended to serve the proposed development. Project demands for utilities would not reduce or impair any existing or future levels of utility services, either locally or regionally, as required improvements to serve the proposed development would be implemented as part of the Project, and funding for addressing and accommodating the increased demand in utility and service systems would be provided through cooperative agreements between the proposed Project and servicing agencies. As infrastructure services and facilities are readily available with improvements to accommodate the proposed Project, the Project would not remove an impediment to growth associated with the establishment of an essential public service and is not considered growth-inducing in this regard. Further, Burbank2035 anticipates increased development within the Regional Commercial land use designation and has identified policies and programs to accommodate the growth.

The Project site is served by existing transportation systems, including transit, bicycle, and pedestrian facilities. The proposed Project would occur as infill development with access to existing transportation systems, as discussed in Section 5.11, *Transportation*. Project implementation would not provide new access to an area. Thus, the proposed Project would not remove an impediment to growth associated with the provision of new access to an area and is not considered growth-inducing in this regard.

Economic Growth

The Project would provide construction-related jobs during Project construction; however, these jobs would be temporary and would not be growth-inducing. Project operations would result in an increase in the City's employment base (approximately 85 employees[1]). The forecast employment growth would slightly increase the City's revenue base resulting from increased employment. The proposed Hotel would provide economic growth due to the long-term revenue associated with visitor operations, spending, and transient occupancy tax. Additional economic growth opportunities within the City are a beneficial impact, and the proposed Project would not conflict with Burbank2035.

Population Growth

A project could induce population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure). The Project would not involve the development of new residential uses. The Project would be served by existing transportation systems within the Project vicinity and does not involve the extension of roads or other infrastructure into undeveloped areas; refer to the *Removal of an Impediment to Growth* discussion above.

As discussed above, development of the proposed 420-room Hotel would facilitate employment growth in the short-term during construction activities and in the long-term associated with on-going Hotel operations. The City's population estimate as of January 1, 2024 is 105,603 persons.[2] While the Project does not involve residential development, the Project would generate approximately 85 full time equivalent jobs. Although unlikely, potential employment opportunities could directly increase the City's population as employees (and their families) may choose to relocate to the City. It should be noted that estimating the number of future employees, who would choose to relocate to the City, would be highly speculative since many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Further, hotels do not typically provide employment opportunities that involve substantial numbers of people needing to permanently relocate to fill the positions but, rather, would provide employment opportunities to people within the local community and surrounding areas. While it is likely that future employees already live in the City or would commute in from neighboring jurisdictions, this analysis conservatively assumes all 85 future employees would move into the City for employment. Based on an average household size of 2.36,[3] the Project could result in an indirect population increase of approximately 201 persons, a 0.2-percent increase over existing conditions.

Potential growth-inducing impacts are assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. Table 6-1, *Proposed Project Compared to Burbank2035 Growth Forecasts*, compares the proposed Project's population and housing growth to Burbank2035's population and housing forecasts for the City at the projected 2035 buildout. The City's housing stock is forecast to total approximately 50,219 dwelling units at buildout, with a resultant population of approximately 116,516 persons; refer to Table 6-1. The Project does not involve the development of new residential uses, and, therefore, the City's housing stock would remain

[1] Provided by the Project Applicant.

[2] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024.

[3] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024.

unchanged. The proposed Project would not cause the City's buildout population forecast to be exceeded. Therefore, Project implementation would not be considered growth-inducing since it would be within the population growth anticipated by Burbank2035 population forecasts.

Table 6-1
Proposed Project Compared to Burbank2035 Growth Forecasts

Description	Dwelling Units	Population
Existing 2024[1]	46,457	105,603
Proposed Project[2]	0	201
Total City (including Project)	46,457	105,804
Burbank2035[3]		
Burbank2035 Buildout Forecasts[3]	50,219	116,516
Burbank2035 Buildout Compared to City (including Project)	3,762	10,712

Notes:
1. State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024.
2. Project-related population is based on the Project generating 85 new jobs and Burbank's estimated 2.36 persons per household (State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024).
3. City of Burbank, *Burbank2035 General Plan*, Table LU-2, Burbank2035 Development Capacity, February 19, 2013.

Table 6-2, *Proposed Project Compared to SCAG Growth Forecasts*, compares the Project's forecast housing and population growth with SCAG's 2045 growth projections for the City. As indicated in Table 6-2, SCAG projects the City's housing stock would total 51,613 dwelling units, with a resultant population of approximately 115,400 persons by 2045. The City's housing stock is currently 46,457 dwelling units and would not change as a result of the proposed Project. As previously discussed, there is potential for the proposed Hotel use to generate new jobs that may result in future employees choosing to relocate to the City. If all 85 new employees associated with the Project relocate to the City, it could result in an additional 201 people with a resultant population of approximately 105,804 persons. SCAG forecasts a population of 115,400 persons by 2045; as such, the proposed Project would not cause SCAG's population forecasts to be exceeded. Therefore, Project implementation would not be considered growth-inducing since it would be within the population growth anticipated by SCAG's population forecasts.

Table 6-2
Proposed Project Compared to SCAG Growth Forecasts

Description	Dwelling Units	Population
Existing 2024[1]	46,457	105,603
Proposed Project[2]	0	201
Total City (including Project)	46,457	105,804
SCAG 2020-2040 RTP/SCS 2040 Forecasts[3,4]	51,613	115,400
Connect SoCal 2040 Compared to City (including Project)	5,156	9,596

Notes:
1. State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-20243, with 2020 Benchmark*, May 2024.
2. Project-related population is based on the Project generating 85 new jobs and Burbank's estimated 2.36 persons per household (State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024).
3. Southern California Association of Governments, *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy*, https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579.
4. Dwelling unit forecasts are based on Burbank's 2020 vacancy rate of 6.2 percent.

Precedent Setting Action

The Burbank2035 General Plan Land Use Map designates the Project site as Regional Commercial with a maximum FAR of 1.25. The Regional Commercial land use designation provides for regional employment and shopping destinations that play an important role in the City's economy by serving both Burbank residents and residents of surrounding cities. These regional centers provide a variety of employment opportunities and services that address regional needs for retail, service, dining, entertainment, and conventions. The regional centers also play a key role in supporting the media industry and other sectors of the local economy. The large size and scale of buildings in regional commercial areas make them important, character-defining features in Burbank's landscape. The Regional Commercial land use designation is found in several large commercial centers throughout Burbank, including the Empire Center regional shopping and office center, Media Studios North office campus, and Marriott Hotel. The Regional Commercial land use designation supports large-scale projects that would otherwise be challenging to build at other locations in the City.

The Project proposes a Hotel with a FAR of 1.13, which is consistent with the Regional Commercial land use designation for the site; thus, the proposed Project would not be considered growth-inducing with respect to a precedent setting action.

Development or Encroachment of Open Space

The Project site is situated within a highly urbanized area of Burbank and is currently developed with an existing Marriott Hotel and a surface parking lot. There are no open space areas within the vicinity of the Project site. Thus, the proposed Project would not be growth inducing with respect to development or encroachment into an isolated or adjacent area of open space.

Summary

Overall, Project implementation could foster economic expansion and population growth. However, it would not be growth inducing since it would not remove an impediment to growth, would not establish a precedent setting action, and would not develop or encroach into an isolated or adjacent area of open space. The proposed Project would not foster significant unanticipated growth in the Project area or region and would be consistent with Burbank2035. Development within the Project would not require substantial development of unplanned and unforeseen support uses and services. Therefore, direct and indirect growth-inducing impacts would be less than significant.

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7.0 ALTERNATIVES TO THE PROPOSED PROJECT

7.1 Introduction

Under CEQA, the identification and analysis of alternatives to a project is a fundamental part of the environmental review process. CEQA Public Resources Code Section 21002.1(a) establishes the need to address alternatives in an EIR by stating that, in addition to determining a project's significant environmental impacts and indicating potential means of mitigating or avoiding those impacts, "the purpose of an environmental impact report is ... to identify alternatives to the project."

CEQA Guidelines Section 15126.6 provides further direction regarding the definition of project alternatives:

> *An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.*

The CEQA Guidelines emphasize that the selection of project alternatives is to be based primarily on the ability to reduce significant effects relative to the proposed project, "even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." The range of alternatives is to be guided by a "rule of reason," such that only those alternatives necessary to permit a reasoned choice are addressed.

Project alternatives selected for analysis must be considered for their feasibility. Specifically, CEQA Guidelines Section 15126.6(f)(1) states that:

> *Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…*

CEQA Guidelines Section 15126.6(e) also requires the analysis of a "no project" alternative and, where the project approvals seek an amendment to the local general plan, an evaluation of alternative location(s) for the project, if feasible. Based on the alternatives analysis, an environmentally superior alternative is to be designated. If the environmentally superior alternative is the No Project Alternative, then the EIR shall identify an environmentally superior alternative among the other alternatives. In addition, CEQA Guidelines Section 15126.6(c) requires that an EIR identify any alternatives that were considered for analysis but rejected as infeasible and discuss the reasons for their rejection.

The range of potential alternatives to the proposed project shall also include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Among the factors that may be considered when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, General Plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can

reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent).

Only locations that would avoid or substantially lessen any of the project's significant effects need be considered for inclusion. An alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative need not be considered. The range of feasible alternatives shall be selected and discussed in a manner that fosters meaningful public participation and informed decision making.

Factors Guiding Selection of Alternatives

An EIR must only discuss in detail an alternative that is capable of feasibly attaining most of the basic objectives associated with an action, while at the same time avoiding or substantially lessening any of the significant effects associated with the proposed project. As described in Section 3.0, *Project Description*, the following objectives have been identified for the proposed Project:

- Enhance the continued economic revitalization and urbanization of the Hollywood Burbank Airport area with premium lifestyle and extended stay hotel brands catering to the modern business and leisure traveler.
- Construct and operate a Marriott-branded, business- and leisure-oriented urban hotel reflecting the character of Burbank and integrated into the overall site design of the existing onsite hotel facilities, immediately adjacent to and complementing the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel for those visiting Burbank.
- Construct and operate additional conference/meeting/entertainment/dining space, fitness facilities for hotel guests and other patrons, and a ground-floor central open courtyard with pool and deck space amenity area to provide additional outdoor space.
- Contribute to the economic health and well-being of Burbank through the development of a Project that would generate new construction and long-term jobs and provide additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transient occupancy tax.
- Redevelop a portion of the surface parking lot area that is underutilized into a more economically productive use that complements the existing development on the property and is consistent with the City's ongoing re-envisioning efforts within the Golden State Specific Plan.
- Support environmentally conscious alternative modes of travel by constructing two new hotels within a half mile of two existing Metrolink stations, a planned high speed rail station, and the Hollywood Burbank Airport, and by promoting ride-sharing services and transportation demand management strategies in efforts to reduce local vehicle trips into and out of the City.
- Support and enhance statewide decarbonization efforts through the development of an all-electric Project free from fossil-fuel reliance; on-site generation and use of power through solar panels and battery storage; reducing vehicle emissions through an efficient guest drop-off and pick-up porte cochere design and by operating a valet-only parking garage for more efficient parking of guest's vehicles; and encouraging the replacement of gas-fueled cars with electric vehicles by providing hundreds of EV charging stations and EV ready plug-ins.

Significant and Unavoidable Impacts

Pursuant to Section 15126.6(a) of the CEQA Guidelines, an EIR shall describe a range of reasonable alternatives to the project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. Only those impacts found significant and unavoidable are relevant in making the final determination of whether an alternative is environmentally superior or inferior to the proposed Project. Through the analysis provided within this Draft EIR, it has been determined that the proposed Project would result in significant and unavoidable impacts associated with the following environmental issue area(s):

Greenhouse Gas Emissions

- A significant and unavoidable impact would result from the Project's contribution to greenhouse gas (GHG) emissions as a result of the exceedance of the threshold developed by the City's *Greenhouse Gas Reduction Plan* (GGRP) on a project and cumulative basis.

Noise

- A significant and unavoidable impact would result from the Project's contribution to noise as a result of the exceedance of the threshold established by the Burbank Municipal Code (BMC) on a project and cumulative basis. Specifically, the construction of the proposed Project and sewer main and electrical infrastructure improvements would result in noise levels that exceed the 5 dBA increase over the existing ambient noise levels pursuant to BMC 9-3-208.

Utilities

- A significant and unavoidable impact would result from the Project's contribution to noise as a result of the exceedance of the threshold established by the BMC on a project and cumulative basis. Specifically, the construction of the proposed Project, which includes onsite water infrastructure and offsite sewer main and electrical infrastructure improvements would result in noise levels that exceed the 5 dBA increase over the existing ambient noise levels pursuant to BMC 9-3-208, resulting in a significant environmental effect.

All other impacts are less than significant or can be reduced to a less than significant level with adherence to the regulatory requirements and implementation of identified mitigation measures.

7.2 Alternatives Considered But Rejected

In accordance with CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the failure to meet most of the basic Project objectives, infeasibility, or inability to avoid significant environmental impacts. The following possible alternatives were considered but not carried forward for additional analysis since they would not accomplish most of the basic objectives of the Project or were considered infeasible.

"Alternative Site" Alternative

The Alternative Site Alternative would involve developing the Project on another site within the City. This alternative would generally retain the same characteristics (e.g., proposed land uses, square footage, site

plan, amenities, etc.) of the Project. In order to achieve the Project's objectives, the site would need to be located within proximity to the Hollywood Burbank Airport, Metrolink station, and planned high speed rail station. With the exception of the existing site, no other sites in the area are under the Project Applicant's control; thus, no other sites were considered. Development of the proposed Hotel and Garage on another site would not reduce the Project's significant and unavoidable impact associated with GHG emissions. There is the potential that the significant and unavoidable impacts relative to construction noise, including construction noise associated with the offsite sewer and electrical improvements, may be reduced or eliminated. However, this would be dependent upon the location of the alternative site and ambient noise conditions, and whether offsite infrastructure improvements would be required. In addition, development of the proposed Project on another site would not substantially lessen any of the Project's less than significant impacts, including those requiring mitigation. For example, an alternative site within the area would also likely require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). As the Project Applicant does not own another appropriately sized parcel with existing convention, hotel and restaurant that are supportive amenities and uses and similarly accessible and underutilized within proximity to the Hollywood Burbank Airport, Metrolink station, and planned high speed rail station that could be developed to meet most of the Project objectives, the Alternative Site Alternative was rejected from further analysis within this EIR.

"Office" Alternative

The Office Alternative would involve development of an office building on the existing surface parking lot within the Project site. This alternative would not achieve a majority of the Project's objectives as an office use would not provide for a hotel catering to the business and leisure traveler in proximity to the Hollywood Burbank Airport, which continues to be in high demand and will only increase with the completion of the new airport terminal project; provide for a Marriott-branded urban hotel that complements the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; provide additional meeting/entertainment/dining spaces; or provide for transit occupancy tax. Additionally, the Applicant is a hotel developer and operator and is not an office developer. Moreover, the current economic outlook and viability of successful development of additional office space and the ability to attract close to 100% occupancy post-Covid with the push for remote work is not favorable.

Development of an office is not anticipated to significantly reduce or eliminate the Project's significant and unavoidable impacts relative to construction noise, since construction activities and equipment would be similar and offsite sewer and electrical improvements would still be required to serve the use. Additionally, new employees and associated vehicle trips would result in mobile source emissions, similar to the Project. It is not anticipated that the Project's significant and unavoidable impact relative to greenhouse gas emissions would be significantly reduced or eliminated. Development of an office would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of an office use on the site would also require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area

and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). As the Project Applicant is not an office developer and development of the site with an office use would not meet most of the Project objectives, the Office Alternative was rejected from further analysis within this EIR.

"Residential Mixed-Use" Alternative

A Residential Mixed-Use Alternative would involve development of residential uses with ground-floor residential amenities and retail/commercial tenant spaces on the Project site. The Residential Mixed-Use Alternative would maintain the same scale and height as the proposed Hotel with the potential for 192 dwelling units and approximately 30,000 square feet of residential amenities and ground floor retail space. This alternative would not achieve a majority of the Project's objectives as a residential mixed-use development would not provide for a hotel catering to the business and leisure traveler in proximity to the Hollywood Burbank Airport; provide for a Marriott-branded urban hotel that complements the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; provide additional meeting/entertainment/dining spaces; or provide for transit occupancy tax. Additionally, the Applicant is a hotel developer and operator and is not a residential developer. Moreover, uncertainty in the lending industry for multifamily market, rising labor and construction costs, and the decrease in rents for multifamily create a high level of uncertainty even for the most seasoned multifamily developer, let alone the uncertainty that it would bring to a hotel developer seeking to make a housing project pencil out at the Project site.

Development of a residential mixed-use alternative would not significantly reduce or eliminate the Project's significant and unavoidable impacts relative to construction noise, since construction activities and equipment would be similar and offsite sewer and electrical improvements would still be required to serve the use. It is not anticipated that the Project's significant and unavoidable impact relative to greenhouse gas emissions would be significantly reduced or eliminated. Development of residential mixed-use would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of residential mixed-use on the site would also require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). Due to the site's recognized environmental conditions associated with elevated VOCs in soil-gas (specifically PCE and TCE) beneath the Project site that may present a vapor intrusion risk, more extensive mitigation would be required to provide for residential development to occur. As previously noted, the Project Applicant is not a residential developer and development of the site with residential mixed-use would not meet the Project objectives, the Residential Mixed-Use Alternative was rejected from further analysis within this EIR.

"Reduced Parking" Alternative

A Reduced Parking Alternative would be the same as the proposed Project with regard to the Hotel but would reduce the parking garage in scale. A smaller/reduced garage would result in less construction and materials used, reducing construction impacts. This alternative would not reduce the Project's significant and unavoidable impact associated with GHG emissions. The Project's significant and unavoidable impact relative to onsite construction noise would be reduced in terms of the duration of construction but the

noise levels would be similar, and therefore, the impact would not be eliminated. Further, the Project's offsite construction noise impact associated with the sewer and electrical infrastructure improvements would not be reduced. Development of this alternative would continue to require implementation of mitigation measures specific to the Project site and existing environmental conditions. For example, development of a smaller/reduced garage on the site would still require a vapor intrusion mitigation system and soils management plan (Mitigation Measures HAZ-1 and HAZ-2) due to regional groundwater conditions and historic industrial uses that have occurred within the area and require archaeological, paleontological, and/or tribal monitoring or worker environmental awareness training given the cultural sensitivity of the area (Mitigation Measures CUL-1 through CUL-3, and GEO-1). Further, this alternative would not be consistent with the Parking Study or the Parking Management Plan for the proposed Hotel and, therefore, would not be consistent with the BMC. Thus, this alternative was rejected from further analysis within this EIR.

7.3 Alternatives Considered for Further Analysis

Potential environmental impacts associated with the following alternatives, as described further below, are compared to the Project's impacts:

- Alternative 1 – "No Project" Alternative
- Alternative 2 – "Reduced Intensity" Alternative

Throughout the following analysis, the alternatives' impacts are analyzed in comparison to the proposed Project's impacts detailed in Section 5.0, *Environmental Analysis*. In this manner, each alternative can be compared to the Project on an issue-by-issue basis. Table 7-1, *Comparison of Alternatives*, which is provided at the end of this section, provides an overview of the alternatives analyzed and a comparison of each alternative's impact in relation to the proposed action. Section 7.4, "Environmentally Superior" Alternative, references the "environmentally superior" alternative, as required by the CEQA Guidelines.

No Project Alternative

In accordance with the CEQA Guidelines, "the no project analysis shall discuss the existing conditions …, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." The CEQA Guidelines continue to state that "in certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained." In essence, the No Project Alternative is described and analyzed to enable the decision-makers to compare the impacts of approving the Project with the impacts of not approving the Project.

Description of the Alternative

The Project site is currently developed with the Marriott Hotel and 763 surface parking spaces. The existing Marriott Hotel is comprised of 488 hotel rooms, 5,200 square feet of restaurant space, and 46,500 square feet of meeting/banquet and convention space. The Marriott Hotel consists of one eight-story building (East Tower) and one nine-story building (West Tower), connected by a single-story structure on the ground level, totaling 277,600 square feet. The convention center portion of the Marriott Hotel consists of one single-story building with a mezzanine level totaling 39,000 square feet. Access to the site occurs from three driveways, one at Thornton Avenue, one at Hollywood Way, and one at Avon Street.

The No Project Alternative would retain the site in its current condition. The proposed Hotel and Garage, including all onsite and offsite improvements, would not be developed.

Impact Comparison to the Proposed Project

The following discussion evaluates the potential environmental impacts associated with the No Project Alternative as compared to impacts from the Project.

Air Quality

The No Project Alternative would not result in any construction activities; thus, the Project's short-term construction emissions would not occur. Additionally, Project operational emissions of reactive organic gases (ROG), nitrogen oxides (NO_X), carbon monoxide (CO), sulfur oxides (SO_X), and particulate matter (PM_{10} and $PM_{2.5}$) generated by mobile, area, and energy sources and localized emissions would not occur under the No Project Alternative. This alternative would not expose people to health risk impacts associated with toxic air contaminants (TACs), including diesel particulate matter (DPM) emissions, as this alternative would not place new employees near the Hollywood Burbank Airport. Therefore, impacts on air quality under this alternative would be less when compared to the proposed Project.

Cultural Resources

The proposed Project would result in less than significant impacts to cultural resources with implementation of mitigation measures. Under the No Project Alternative, no new development with potential to impact cultural resources would occur. Therefore, impacts to cultural resources under this alternative would be less when compared to the proposed Project.

Energy

Although the Project would increase energy demand, impacts related to energy use would be less than significant. However, given that no development would occur under the No Project Alternative, the Project's energy demand associated with construction and operation would not occur. Therefore, impacts relative to energy use under this alternative would be less when compared to the proposed Project.

Geology and Soils

The proposed Project would result in less than significant impacts to geology and soils with implementation of mitigation specific to potential undiscovered paleontological resources. As no development would occur with the No Project Alternative new structures and people would not be introduced to a seismically active region. Additionally, this alternative would not involve onsite or offsite construction or ground disturbing activities with the potential to impact paleontological resources. Therefore, impacts to geology and soils under this Alternative would be less when compared to the proposed Project.

Greenhouse Gas Emissions

The primary source of Project-related emissions would be from mobile-source emissions generated by the Project-related vehicle trips, followed by energy sector emissions and solid waste sector emissions. GHG impacts associated with the Project would be significant and unavoidable even with the implementation of mitigation measures. Given that no development would occur under the No Project Alternative, all Project-generated GHG emissions from direct sources (i.e., construction emissions and area and mobile sources) and indirect sources (i.e., energy consumption, solid waste, and water demand) would not occur, and the Project's significant and unavoidable GHG emissions impact would be

eliminated. Thus, impacts relative to GHG emissions under this Alternative would be less when compared to the proposed Project.

Hazards and Hazardous Materials

Compliance with applicable laws and regulations would ensure the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or interfere with an adopted emergency response plan or emergency evacuation plan. The Project site contains soils with potential volatile organic compounds (VOCs), which could result in potentially significant impacts related to releases of hazardous substances during the construction phase. Impacts would be less than significant with implementation of mitigation measures. The Project site is not located within the 65 dB CNEL noise contour of the Hollywood Burbank Airport and noise from the airport would not exceed the City's normally acceptable exterior noise standard (65 dBA CNEL) for transient lodging.

Under the No Project Alternative, no new development would occur on the Project site. Given that construction activities would not occur, there would be no potential for the routine transport, use, or disposal of hazardous materials associated with construction activities or the exposure of soils with potential VOCs requiring mitigation, that would occur with proposed Project. Additionally, temporary closure of lanes associated with Project improvements would not occur and therefore would not impair or physically interfere with an evacuation route or an adopted emergency response or evacuation plan. Thus, impacts regarding hazards and hazardous materials under this Alternative would be less when compared to the proposed Project.

Hydrology and Water Quality

Project construction and operation would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface water or ground water quality and impacts would be less than significant. Additionally, the Project would not obstruct implementation of either a water quality control plan or sustainable groundwater management plan. Development of the Project would increase pervious areas due to increased planter/landscaping area, allowing for increased infiltration of groundwater when compared to existing conditions. The proposed Project would provide Low Impact Development (LID) design features for drainage and water quality, reducing peak flows for the 10- and 25-year design storm events and providing for improved water quality conditions when compared to existing conditions.

Under the No Project Alternative, the Project would not be implemented, and no new development would occur. Drainage and water quality conditions would remain unchanged. When compared to the proposed Project, this alternative would not provide for an increase in pervious surfaces, allowing for increased infiltration, or provide LID design features to improve water quality within the site. Thus, impacts regarding hydrology and water quality under this alternative would be greater when compared to the proposed Project.

Land Use and Planning

The proposed Project would not conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, including the goals and policies of the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), Burbank2035, the

provisions of the BMC, or the Airport Land Use Plan (ALUP). Additionally, given its nature and scope, the Project would not physically divide an established community.

Under the No Project Alternative, the Project would not be implemented, and no new development would occur. Given no changes or development would occur, the proposed entitlement request associated with the Project, including the Planned Development (PD), would not be required. As with the Project, this alternative would also be consistent with the 2020-2045 RTP/SCS, Burbank2035 goals and policies, the BMC, and the ALUP. However, as the Project would also be consistent with the applicable plans and policies, the impacts relative to land use and planning under the No Project Alternative would be similar when compared to the proposed Project.

Noise

The proposed Project would result in a significant and unavoidable construction impact even with the implementation of mitigation. Construction vibration impacts would be reduced to a less than significant impact with implementation of mitigation. Project-related operational noise impacts would be less than significant. Additionally, the Project site is not located within the 65 dB CNEL noise contour of the Hollywood Burbank Airport and noise from the airport would not exceed the City's normally acceptable exterior noise standard (65 dBA CNEL) for transient lodging.

Given that no construction would occur under the No Project Alternative, the Project's significant and unavoidable noise impact associated with onsite and offsite construction activities would be eliminated. Additionally, construction vibration noise would not occur. The No Project Alternative would not generate new trips to the site resulting in mobile noise on local roadways. Further, the No Project Alternative would not change the ambient noise environment due to onsite sources related to the proposed Project (e.g., Garage, mechanical equipment, outdoor gathering spaces). Therefore, noise impacts associated with this alternative would be less when compared to the proposed Project.

Public Services

New development would place increased demands on police and fire protection services. However, to the extent that the Project would have an incremental increase in demand on police and fire protection services, the Project would be required to pay the community facility fee in accordance with BMC Title 10, Article 22 and would not result in the need for new or physically altered fire or police facilities with the potential for significant environmental impacts.

Under the No Project Alternative, the Project would not be implemented, and no new development would occur. Demand for fire and police services would remain the same and are not anticipated to increase beyond existing conditions. Therefore, impacts to public services associated with this alternative would be less when compared to the proposed Project.

Transportation

The Project would have a less than significant VMT impact and, therefore, would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). The Project's construction-related impacts would be reduced upon compliance with local standard conditions of approval to minimize the impact on other users of the transportation system. Additionally, the Project would not conflict with plans, guidelines, policies, or standards related to roadways, transit, or the bicycle or pedestrian network and would result in less than significant impacts related to an increase in hazards due to a geometric design feature or incompatible uses.

Given that no development would occur under this alternative, Project-generated VMT would not occur. Further, onsite and offsite construction activities would not require any lane closures in proximity to the Project and improvement areas. However, when compared to the proposed Project, this alternative would not result in the Thornton Avenue improvements, including the new protected bike lanes and narrower traffic lanes to help encourage multi-modal transportation by making it easier to travel to the Project site and within the surrounding area via bicycle, or the Avon Street improvements that would provide Americans with Disabilities Act (ADA) sidewalk on the north side of the northbound to westbound "curve" of Avon Street that would connect to a new pedestrian paseo with planter area onsite. When compared to the Project, this alternative would not support the City's multi-modal transportation goals to the same extent. Thus, impacts to transportation under this alternative would be greater when compared to the Project.

Tribal Cultural Resources

The proposed Project would result in less than significant impacts to tribal cultural resources with implementation of mitigation measures. Under the No Project Alternative, no new development with the potential to impact tribal cultural resources would occur. Thus, impacts to tribal cultural resources under this Alternative would be less when compared to the proposed Project.

Utilities and Service Systems

The Project would result in less than significant impacts relating to utilities and service systems except for construction noise associated with onsite water infrastructure and offsite sewer main and electrical infrastructure improvements which would result in a significant and unavoidable construction noise impact, resulting in a significant environmental effect. Under the No Project Alternative, construction of onsite utilities and connections to offsite utilities, including offsite sewer and electrical improvements, and new demand for services associated with the proposed Hotel would not occur. However, the offsite sewer improvements would be implemented as part of the 2311 N Hollywood Way project in order to serve that development. Therefore, impacts to utilities and service systems under this alternative would be less when compared to the proposed Project.

Ability To Meet The Project Objectives

Given that no development would occur, the No Project Alternative would not meet any of the Project objectives identified above and in Section 3.0, *Project Description*.

Alternative 2 – Reduced Intensity Alternative

The Reduced Intensity Alternative would include the same uses (i.e., hotel, hotel-related amenities, and garage structure) as the proposed Project; however, the number of guestrooms, parking spaces in the garage, and electric vehicle (EV) parking spaces (chargers and EV ready) would be reduced by 25 percent. Ground floor and sixth floor guest amenities would remain the same as proposed under the Project. All additional onsite and offsite improvements would continue to occur under this alternative.

The Reduced Intensity Alternative would provide 315 total guestrooms (164 Residence Inn, 151 Aloft), 661 parking spaces in the garage structure and 337 total EV spaces (121 chargers, 216 EV ready). The Reduced Intensity Alternative would result in 61 employees. The Hotel building would be six stories, but the sixth level floor area would be approximately half of the area of the floors below it, resulting in a total hotel floor area of 206,083 square feet. The Garage would remain the same size as the proposed Project. Overall, Alternative 2 would provide 25 percent reduced development when compared to the Project.

Air Quality

The Reduced Intensity Alternative would result in reduced construction activities when compared to the Project. Although daily construction air quality emissions would be similar to the Project, the number of construction days and associated construction air quality emissions would be reduced. Compared to the Project, this alternative would also result in reduced operational emissions associated with ROG, NO_X, CO, SO_X, and particulate matter generated by mobile, area, and energy sources and localized emissions. In addition, although the Project would result in less than significant impacts related to health risk impacts associated with TACs, including DPM emissions, this alternative would place fewer new employees near the Hollywood Burbank Airport. As overall construction and operational air quality emissions would be reduced, impacts on air quality impacts under this alternative would be less when compared to the proposed Project.

Cultural Resources

The proposed Project would result in less than significant impacts to cultural resources with implementation of mitigation measures. The Reduced Intensity Alternative would require similar construction activities as the Project, including ground disturbing activities with the potential to encounter archaeological resources and/or human remains. Thus, the Reduced Intensity Alternative would also be required to implement mitigation measures to reduce potential impacts to less than significant. Impacts to cultural resources under this alternative would be similar when compared to the proposed Project.

Energy

The Reduced Intensity Alternative would result in increased energy demand, although at a reduced amount when compared to the Project. Similar to the Project, this alternative would be required to adhere to all federal, State, and local requirements for energy efficiency, including the most current 2022 Title 24 standards. Given energy demand and use associated with construction and operation of this alternative would be reduced when compared to the Project, impacts relative to energy use under this alternative would be less when compared to the proposed Project.

Geology and Soils

The proposed Project would result in less than significant impacts to geology and soils with implementation of mitigation specific to potential undiscovered paleontological resources. The Reduced Intensity Alternative would require similar construction activities as the Project, including ground disturbing activities with the potential to encounter undiscovered paleontological resources. Thus, the Reduced Intensity Alternative would also be required to implement mitigation measures to reduce potential impacts to less than significant. This alternative would place new structures and people within a seismically active region although fewer hotel rooms and associated employees would result in slightly fewer people added to the site under this alternative. Similar to the Project, this alternative would be required to adhere to applicable laws, standards, and guidelines, (including the CBC and the BMC) to ensure that new development would not cause potential substantial adverse effects related to geologic and soil conditions at the site. Impacts to geology and soils under this alternative would be similar when compared to the proposed Project.

Greenhouse Gas Emissions

The Reduced Intensity Alternative would develop a smaller Hotel with fewer rooms (315 rooms) when compared to the proposed Project (420 rooms). Construction-related GHG emissions would be slightly reduced under this alternative. Similar to the Project, the primary source of emissions associated with the

Reduced Intensity Alternative would be from mobile-source emissions generated by vehicle trips, followed by energy sector emissions and solid waste sector emissions. Operation of the Project without Project Design Features includes GHG emissions from mobile sources, amortized construction emissions, direct sources, and indirect sources. Specifically, the Project would generate approximately 4,751.66 $MTCO_2e$ per year and a service population 7.06 MTCO2e, which exceeds the 3.12 $MTCO_2e$ per service population threshold. Even with implementation of mitigation, the Project would result in a significant and unavoidable GHG impact.

The 25 percent reduction in guestrooms under the Reduced Intensity alternative would result in a lower service population. Specifically, 315 guestrooms and 61 employees under the Reduced Intensity Alternative would result in a service population of 502 individuals (315 guestrooms times 1.4 plus 61 employees).[1] Operational GHG emissions from the Reduced Intensity Alternative can be assumed to be approximately 75 percent of the proposed Project's operational GHG emissions. As a conservative analysis, amortized construction GHG emissions from this alternative were assumed to be the same as the Project. The Reduced Intensity Alternative would generate approximately 3,578.89 $MTCO_2e$ per year. The GHG per service population would be approximately 7.13 $MTCO_2e$ (3,578.89 $MTCO_2e$ divided by 502 service population). Although the GHG emissions per service population would be 0.07 $MTCO_2e$ higher than the Project, the overall amount of GHG emissions would be reduced by 1,172.77 $MTCO_2e$. Similar to the Project, the Reduced Intensity alternative would exceed the 3.12 $MTCO_2e$ per service population threshold, resulting in a significant and unavoidable impact even with the implementation of mitigation.

As with the proposed Project, this alternative would be consistent with strategies outlined in the GGRP, 2020-2045 RTP/SCS, and 2022 Scoping Plan. Although the significant and unavoidable GHG impact would also occur under the Reduced Intensity Alternative, the overall GHG emissions, including mobile-source emissions would be reduced associated with the reduction in development and associated operations when compared to the Project. However, because the $MTCO_2e$ per service population would be greater with this Alternative (7.13 $MTCO_2e$ v 7.06 $MTCO_2e$), impacts relative to GHG emissions under this alternative would be greater when compared to the proposed Project.

Hazards and Hazardous Materials

The Reduced Intensity Alternative would have similar construction and operational activities as the proposed Project. Similar to the Project, compliance with applicable laws and regulations would ensure the Reduced Intensity Alternative would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or interfere with an adopted emergency response plan or emergency evacuation plan. The Project site contains soils with potential VOCs, which could result in potentially significant impacts related to releases of hazardous substances during the construction phase of this alternative. As with the Project, the Reduced Intensity Alternative would involve construction activities and be required to implement mitigation measures to reduce potential impacts to less than significant. As the site is not located within the 65 dB CNEL noise contour of the Hollywood Burbank Airport and noise from the airport would not exceed the City's normally acceptable exterior noise standard (65 dBA CNEL) for transient lodging, this alternative would not expose people to excessive noise, similar to the Project. Construction activities associated with this alternative would similarly involve temporary lane closures requiring compliance with local standard conditions of

[1] Based on occupancy data for the period of June 2023 to June 2024 provided by Marriott Hotel, the average occupancy rate is 1.4 persons per reservation. This data is specific to the Los Angeles Marriott Burbank Airport Hotel.

approval to minimize the impact on other users of the transportation system. Impacts associated with hazards and hazardous materials under this alternative would be similar when compared to the proposed Project.

Hydrology and Water Quality

The Reduced Intensity Alternative would involve the same building footprints and resulting hydrology and drainage conditions as the Project. Similar to the Project, construction and operation would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface water or ground water quality, and impacts would be less than significant under the Reduced Intensity Alternative. Similarly, this alternative would not obstruct implementation of either a water quality control plan or sustainable groundwater management plan. As with the proposed Project, development of the Reduced Intensity Alternative would increase pervious areas due to increased planter/landscaping area, allowing for increased infiltration of groundwater when compared to existing conditions. This alternative would also provide LID design features for drainage and water quality, reducing peak flows for the 10- and 25-year design storm events and providing for improved water quality conditions when compared to existing conditions resulting in less than significant impacts. Thus, impacts regarding hydrology and water quality under this alternative would be similar when compared to the proposed Project.

Land Use and Planning

As with the proposed Project, the Reduced Intensity Alternative would not conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, including the 2020-2045 RTP/SCS, goals and policies of Burbank2035, the provisions of the BMC, or the ALUP. Additionally, given its nature and scope, this alternative would not physically divide an established community. This alternative would require the same entitlements as the Project. Similar to the Project, land use and planning impacts under this Alternative would be less than significant. Thus, land use and planning impacts under this alternative would be similar when compared to the proposed Project.

Noise

The Reduced Intensity Alternative would result in reduced construction activities when compared to the Project. Similar to the proposed Project, this alternative would result in significant and unavoidable short-term construction noise impacts even with the implementation of mitigation. Although daily construction noise levels would be similar to the Project under this alternative, the number of construction days would be reduced when compared to the proposed Project. As a result, the number of days that sensitive receptors would be exposed to significant noise impacts would be less under this alternative when compared to the proposed Project. Vibration impacts under this alternative would be less than significant with implementation of mitigation. Similar to the Project, operational noise impacts would also be less than significant. As the number of days sensitive receptors would potentially be exposed to significant construction noise impacts would be reduced, noise impacts under the Reduced Intensity Alternative, would be less when compared to the proposed Project.

Public Services

Similar to the Project, new development associated with the Reduced Intensity Alternative would place increased demands on police and fire protection services. However, to the extent that the alternative would have an incremental increase in demand on police and fire protection services, the alternative would similarly be required to pay the community facility fee in accordance with BMC Title 10, Article 22 and would not result in the need for new or physically altered fire or police facilities with the potential for

significant environmental impacts. The Reduced Intensity alternative would involve a smaller Hotel with fewer rooms, resulting in reduced demand for fire and police services when compared to the Project. Neither this alternative nor the Project would result in the need for new or physically altered fire or police facilities with the potential for significant environmental impacts. Impacts on public services under this alternative would be less when compared to the proposed Project.

Transportation

As with the Project, the Reduced Intensity Alternative would have a less than significant VMT impact and, therefore, would not conflict or be inconsistent with CEQA Guidelines Section 15064.3 (b). Similarly, construction-related impacts would be reduced upon compliance with local standard conditions of approval to minimize the impact on other users of the transportation system. Additionally, as with the Project, this alternative would not conflict with plans, guidelines, policies, or standards related to roadways, transit, or the bicycle or pedestrian network and would result in less than significant impacts related to an increase in hazards due to a geometric design feature or incompatible uses. Similar to the Project, onsite and offsite construction activities would require lane closures in proximity to the site and improvement areas. This alternative would also result in the Thornton Avenue improvements, including the new protected bike lanes and narrower traffic lanes to help encourage multi-modal transportation by making it easier to travel to the site and within the surrounding area via bicycle. In addition, the Avon Street improvements would provide an ADA sidewalk on the north side of the northbound to westbound "curve" of Avon Street that would connect to a new pedestrian paseo with planter area onsite. Thus, transportation impacts under this this alternative would be similar when compared to the Project.

Tribal Cultural Resources

The proposed Project would result in less than significant impacts to tribal cultural resources with implementation of mitigation measures. The Reduced Intensity Alternative would require similar construction activities as the Project, including ground disturbing activities with the potential to encounter tribal cultural resources. Thus, the Reduced Intensity Alternative would also be required to implement mitigation measures to reduce potential impacts to less than significant. Potential impacts to tribal cultural resources under this alternative would be similar when compared to the proposed Project.

Utilities and Service Systems

Similar to the Project, the Reduced Intensity Alternative would result in less significant impacts relating to utilities and service systems. Construction of onsite utilities and connections to offsite utilities, offsite sewer and electrical improvements, and new demand for services associated with this alternative would occur, similar to the Project. This alternative would result in a reduction in demand on utilities associated with the reduced Hotel structure and rooms. However, construction of offsite utilities would be required to serve this alternative. It is anticipated that the extent and duration of the offsite construction activities near sensitive receptors that would occur with the Project would be similar under this alternative. The significant and unavoidable impact associated with the contribution to noise as a result of the offsite infrastructure improvements would also occur under this alternative. Thus, utilities and service system impacts under this this alternative would be similar when compared to the Project.

Ability To Meet The Project Objectives

Given that the Reduced Intensity Alternative would develop the same uses as the proposed Project but at a reduced scale, this alternative would meet all the Project objectives identified above and in Section 3.0, *Project Description*. This alternative would enhance the continued economic revitalization and

urbanization of the Hollywood Burbank Airport area with premium lifestyle and extended stay hotel brands catering to the modern business and leisure traveler; construct and operate a Marriott-branded, business- and leisure-oriented urban hotel reflecting the character of Burbank, immediately adjacent to and complementing the airport, existing and planned transit stations, and the convention center to attract and enhance customer travel visiting Burbank; construct and operate additional meeting/entertainment/dining space, fitness facilities for hotel guests and other patrons, and a ground-floor central open courtyard with pool and deck space amenity area to provide additional outdoor space; contribute to the economic health and well-being of Burbank through the development of a Project that would generate new construction and long-term jobs and provide additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transient occupancy tax; redevelop a portion of the surface parking lot area that is underutilized into a more economically productive use that complements the existing development on the property and is consistent with the City's ongoing re-envisioning efforts being undertaken as part of the Golden State Specific Plan; or support environmentally conscious alternative modes of travel by constructing two new hotels within a half-mile of two existing Metrolink stations, a planned high speed rail station, and the Hollywood Burbank Airport, and by promoting ride-sharing services and transportation demand management strategies in efforts to reduce local vehicle trips into and out of the City; and support and enhance statewide decarbonization efforts through the development of an all-electric Project free from fossil-fuel reliance; on-site generation and use of power through solar panels and battery storage; reducing vehicle emissions through an efficient guest drop-off and pick-up porte cochere design and by operating a valet-only parking garage for more efficient parking of guest's vehicles; and encouraging the replacement of gas-fueled cars with electric vehicles by providing hundreds of EV charging stations and EV ready plug-ins.. However, while this alternative would achieve the Project objectives, it would not do so to the same extent as the proposed Project. Specifically, a smaller hotel would not contribute to the economic health and well-being of Burbank through the generation of long-term jobs and additional long-term revenue for the City through visitor operations, enhanced property values, new visitor spending, and transient occupancy tax to the extent of the proposed Project. Furthermore, since the reduced alternative would result in half of a sixth floor, there would be a reduction in continuous roof-top space for solar collectors, which would also be less impactful for clean-energy generation than the full Project. The reduction in required parking spaces would also result in a reduction of EV charging stations/plug-ins, which would be counter-productive to replacing gas vehicles with EVs and further reduce the sustainability advantages of the proposed Project While the Reduced Intensity alternative would involve redevelopment of a portion of the surface parking lot area that is underutilized into a more economically productive use, it would result in lower utilization of the site than can feasibly be accommodated.

7.4 "Environmentally Superior" Alternative

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed Project.

A comparative analysis of the proposed Project and each of the Project alternatives is provided in Table 7-1, *Comparison of Alternatives*. Based on the analysis provided above, the No Project Alternative is the

environmentally superior alternative because it would avoid or lessen most of the impacts associated with development of the proposed Project.

Table 7-1
Comparison of Alternatives

Environmental Issue	Alternative 1 No Project	Alternative 2 Reduced Intensity Alternative
Air Quality	⮟	⮟
Cultural Resources	⮟	=
Energy	⮟	⮟
Geology and Soils	⮟	=
Greenhouse Gas Emissions	⮟*	⮝*
Hazards and Hazardous Materials	⮟	=
Hydrology and Water Quality	⮝	=
Land Use and Planning	=	=
Noise	⮟*	⮟*
Public Services	⮟	⮟
Transportation	⮝	=
Tribal Cultural Resources	⮟	=
Utilities and Services Systems	⮟*	=*

Notes:
⮝ Indicates an impact that is greater than the Project.
⮟ Indicates an impact that is less than the Project.
= Indicates an impact that is the same as or similar to the Project.
* Indicates a significant and unavoidable impact.

As discussed above, if the "No Project" Alternative is identified as the environmentally superior alternative, an environmentally superior alternative must also be selected amongst the other alternatives. Accordingly, the Reduced Intensity Alternative is identified as the environmentally superior alternative among the other alternatives and is discussed below.

In comparison to the proposed Project, the Reduced Intensity Alternative would have similar impacts in all environmental topic areas except for air quality, energy, GHG emissions, noise, and public services. Although noise impacts would be reduced when compared to the proposed Project, the significant and unavoidable project and cumulative construction noise impacts, which include onsite and offsite infrastructure improvements, would not be eliminated. Additionally, the GHG impact would be slightly greater due to the increased $MTCO_2e$ per service population associated with the alternative. As with the proposed Project, the Reduced Intensity Alternative would meet all the Project objectives; however, the objectives under this alternative would not be met to the same extent as the proposed Project.

8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

An analysis of the proposed Project's effect on specific environmental topic areas, included as part of the Environmental Checklist form presented in the California Environmental Quality Act (CEQA) Guidelines Appendix G, was conducted as part of the preparation of this EIR. During this evaluation, the Project was found to have no impact or less than significant impact related to certain environment topics/issues due to the inability of a project of this scope to create such impacts or the absence of Project characteristics producing effects of this type. The effects found not to be significant are not required to be included in primary analysis sections of the Draft EIR. In accordance with CEQA Guidelines Section 15128, the following section provides a brief description of potential impacts found to be no impact or less than significant.

Aesthetics

Pursuant to SB 743 (Public Resources Code Section 21099(d)), "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." PRC Section 21099 defines a "transit priority area" as an area within 0.5 mile of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan." PRC Section 21064.3 defines "major transit stop" as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. PRC Section 21099 defines an infill site as a lot located within an "urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." The Project site is located within a SCAG-designated Transit Priority Area (TPA), is located approximately 0.29 mile from the Metrolink Airport South Station and is surrounded by urban uses. Thus, the Project's aesthetic impacts would not be considered a significant impact on the environment. However, the aesthetics analysis has been provided for informational purposes only.

a) Would the Project have a substantial adverse effect on a scenic vista?

No Impact. The *Burbank2035 General Plan* (Burbank2035) Open Space and Conservation Element identifies scenic vistas in the City as those including views of the Verdugo Mountains to the northeast or of the eastern Santa Monica Mountains to the south. Downslope views from hillside development in the Verdugo Mountains toward the City and the Santa Monica Mountains beyond are also considered to be a valued resource. The Project site is not located within an area identified as having a Scenic Vista Orientation by the Burbank2035 Open Space and Conservation Element. The Project site and surrounding area are predominantly flat and developed with the Marriott Hotel, commercial, office, and airport uses. Publicly accessible long-range views toward the Verdugo Mountains are available from Thornton Avenue in the Project area and would remain with development of the Project. There are no scenic vistas from public parks or plazas. Overall, development of the site with a hotel use would be consistent with the land uses currently on the site and would not have a substantial adverse effect on a scenic vista, and no impact would occur in this regard.

b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact. There are no officially designated State scenic highways within proximity to the Project site.[1] The closest State scenic highway is Interstate 210 (designated as eligible for listing), which is located approximately four miles north of the Project site near the Verdugo Mountains foothills, outside the Project's viewshed. Therefore, development of the Project would not substantially damage scenic resources within a State scenic highway, and no impact would occur in this regard.

c) In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. The Project is located in an urbanized area of Burbank, and the Project site is currently developed with the Marriott Hotel and surface parking. The offsite improvement areas primarily occur adjacent to the development site and within the public rights-of-way.

Construction

Short-term construction activities associated with development of the Project, including offsite improvements, would temporarily influence the visual character of the construction area. Graded surfaces, construction debris, construction equipment, and truck traffic would be visible. Soil would also be stockpiled, and equipment for grading activities would be staged on the Project site and temporarily offsite associated with the offsite improvement areas. The Project would be required to use screening to buffer views of construction equipment and material pursuant to Burbank Municipal Code (BMC) Section 9-1-2-3302.4 that would, in addition to preventing unauthorized access, reduce potential impacts to sensitive viewers in the area (e.g., public street users). Thus, Project construction activities would not conflict with applicable zoning and other regulations governing scenic quality, and no impact would occur in this regard.

Operation

The City does not have objective standards or policies governing scenic quality outside of the City's hillside areas. The proposed Hotel use would be consistent with the Regional Commercial General Plan land use designation and floor area ratio (FAR) for the site; refer to Section 5.8, Land Use and Planning. The Project requests a Planned Development (PD) that would rezone the Project site into a property and Project-specific zoning designation. According to BMC Section 10-1-19119, the PD Zone allows for an alternate process to accommodate unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards that would create a desirable, functional, and community environment under controlled conditions of a development plan. The allowable permitted/conditionally permitted uses and the development standards applicable to the property would be outlined in the PD.

[1] California Department of Transportation, *List of Eligible and Officially Designated State Scenic Highways*, updated August 2019.

Development of the Project would be subject to the City's Development Review process, as detailed in BMC Division 10. As part of the Development Review process, the proposed Project would be reviewed to ensure surrounding properties are protected from adverse effects associated with setbacks, building height, walls, landscaping, and lighting. Compatibility of architectural design and appearance, including signage, would be reviewed to ensure harmony with the surrounding neighborhoods, in accordance with BMC Section 10-1-19124.

The Project site is currently surrounded by multi-story office and commercial buildings. The existing Marriot Hotel, within the Project site, consists of one eight-story building and one nine-story building; the office buildings within the Media Studios North Campus to the east and south of the Project site are two to five stories; the office building to the west of the northern portion of the Project site is six stories. Development of the site, as proposed, would be consistent with the uses and scale of development immediately adjacent to and within the surrounding area.

Additionally, the Project proposes to retain landscaping adjacent to the access driveway from Hollywood Way, adjacent to the Marriott Hotel, and between the Marriott Hotel and convention center. New landscaping would be provided throughout the Project site. New landscaping would contribute to the aesthetics of the Project site, as well as provide shading for approximately 52 percent of the surface parking lot at the southeast portion of the Project site (SE Lot), in accordance with City requirements (BMC Section 10-1-1418). The shrub palette would include native and drought resistant varieties. For the total existing lot area of 512,265 square feet, 40,408 square feet of new landscape area and new irrigation would be included as part of the Project. When added to the existing landscape area that would be retained, the total landscape area would be 67,683 square feet, or approximately 13 percent of the total area of the Project site. Thus, upon compliance with City standards and regulations, Project implementation would not conflict with applicable zoning and other regulations governing scenic quality, and no impact would occur in this regard.

d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact.

Construction

Short-term light and glare impacts are anticipated to be minimal since no nighttime construction would be required for Project implementation. Construction of the Project would comply with BMC Section 9-1-1-105.10 that limits construction hours to 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Construction is not allowed on Sundays and City holidays. Therefore, the Project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, and no impact would occur in this regard.

Operation

Nighttime views of the Project site and surrounding area are comprised of lighting consistent with urban, built out environments. The Project site is currently developed with the Marriott Hotel and surface parking. Lighting within the Project site occurs from the interior of onsite buildings and security lighting around the buildings, within walkways, and within the surface parking areas. The site does not experience substantial glare. Existing light sources within the Project area include lighting from office buildings within

the Media Studios North Campus and immediately adjacent to the Project site; commercial and surface parking uses to the north and west; the airport to the northwest; and street lighting along Hollywood Way, Thornton Avenue, and Avon Street. Vehicular traffic along surrounding roadways also generate sources of light.

Light impacts are typically associated with the use of artificial light during the evening and nighttime hours and when light spillover, typically defined as unwanted illumination from light fixtures on adjacent properties, occurs. Glare is generally a daytime occurrence caused by reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials that may interfere with the safe operation of motor vehicles on adjacent streets. Daytime glare is more common in urban areas, typically emanating from mid- to high-rise buildings with exterior facades largely or entirely comprising highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point source lighting that contrasts with existing low ambient light conditions. Sensitive uses (i.e., residential uses) could be impacted by light and glare; however, the closest residential uses are located across Ontario Street, and views from the residential uses are blocked by existing development within the Media Studios North Campus to the east of the Project site.

Project lighting would be installed throughout the Project site to illuminate the exterior of the proposed structures for safety and security, including pathways, landscaping, entrances and exits, and the Garage stairwells. Exterior light standards would consist of energy-efficient light-emitting diode (LED) pole-mounted light fixtures, bollards, flood lights, and wall lights. Project-related lighting would be seen from uses within the Project site and adjacent uses. Drivers along Hollywood Way, Thornton Avenue, and Avon Street would continue to have views into the Project site. Lit building and parking signage, security lighting, and landscape lighting onsite would be visible. As stated, development of the Project is subject to the City's Development Review process, as detailed in BMC Division 10. Development of the Project site would be required to ensure that all lighting is directed and/or shielded to illuminate only the intended area of illumination and is prohibited from spilling onto adjacent lots or creating offsite glare. As part of the Development Review process, the proposed Project is reviewed to ensure surrounding properties are protected from adverse effects, including lighting. Compatibility of architectural design and appearance would be reviewed to ensure harmony with the surrounding neighborhoods, in accordance with BMC Section 10-1-19124.

Interior lighting associated with the proposed Hotel and Garage may be visible from surrounding uses. However, these lighting conditions would appear similar in character to the existing Marriott Hotel within the Project site and office, commercial, and airport uses in the surrounding area and would not create a substantial source of light adversely affecting views in the area. Further, the intervening office building within the Media Studios North Campus would limit views of the Hotel and Garage from residential uses located east of Ontario Street. No other sensitive uses are located within the immediate area.

Vehicular access to the Project site would continue to occur from the existing driveways on Hollywood Way and Avon Street. Thus, no new light intrusion associated with vehicle headlights on uses in proximity to these driveways would occur.

The primary entrance to the new Hotel would occur from Thornton Avenue, with curb cuts at both the east and west sides of the frontage connecting to the porte cochere in between them. The east curb cut from Thornton Avenue would also serve the main north-south driveway for the Project (the Driveway).

The west curb cut would serve as the primary ingress to the porte-cochere drop-off and valet area and would connect to the Driveway for north-south circulation on the site and exiting onto Thornton Avenue from the east curb cut. The proposed location of the porte-cochere drop-off and valet area, along the northern property boundary with Thornton Avenue, would generally direct vehicle headlights from vehicles toward the existing surface parking west of the Hotel, the Hotel entrance, and the Garage. The driveways would be located across from surface parking located north of Thornton Avenue. Thus, headlights from vehicles entering and exiting the driveways would not intrude onto sensitive uses.

The proposed Garage would be located within the eastern portion of the Project site with direct access from the driveway on Thornton Avenue. The driveway and primary entrance/exit to the Garage would be located within the interior of the Project site between the proposed Hotel and Garage. Thus, vehicle headlights entering and exiting the parking structure would not intrude onto neighboring uses. An additional entrance/exit from the Garage to access the SE Lot would occur at the Garage's southeast corner. An office building and surface parking within the Media Studios North Campus are located to the east of the Project site. Although headlights from vehicles within the SE Lot could intermittently shine onto the Media Studios Campus, they would not intrude onto sensitive uses and would be consistent with exiting conditions.

The parking structure would consist of four levels. There is the potential for vehicle headlights accessing the upper levels of the parking structure to be visible from surrounding uses. However, the intervening office building within the Media Studios North Campus and landscaping would prohibit vehicle headlights from intruding into residential uses located east of Ontario Street. No other sensitive uses are located within the immediate area.

Given the Project area's urban environment, reflective materials and surfaces are present throughout. The Project's potential for glare would primarily be associated with windows and would be similar in character to the existing glare sources from surrounding structures in the area. The Project does not propose the use of highly reflective materials, including large expanses of glass, and, as a result, potential reflective daytime glare, as viewed from motorists traveling along Thornton Avenue, would be minimal. Further, as part of the Development Review process, the Project's building materials would be reviewed to ensure neighboring uses are not exposed to substantial daytime glare. Thus, upon compliance with City standards and regulations, the Project would not create a new source of substantial glare that would adversely affect day or nighttime views in the area, and no impact would occur in this regard.

Agriculture and Forestry Resources

a) Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

e) Would the Project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The Project site and surrounding area are completely developed with urbanized uses. No farmland, agricultural uses, forest land, or timberland exists within the Project site vicinity. Based on the *Los Angeles County Important Farmland 2016 Map* prepared by the California Department of Conservation, the Project site is not located on land designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[2] The Project site is not under any Williamson Act contract. The Project site is zoned PD 89-1, *Planned Development.* Thus, development of the Project site as proposed would not affect any land zoned for agricultural use, forest land, or timberland, and there would be no potential for the conversion of these resources. No impacts would occur in this regard.

Biological Resources

a) Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The Project site is currently developed with a Marriott Hotel and surface parking spaces. The entire site and offsite improvement areas are highly disturbed and located in a fully developed and urbanized area of the City. Ornamental landscaping occurs along the site perimeter and within the parking area. The Project site and offsite improvement areas do not contain habitat supportive of special status plant or wildlife species or support riparian habitat or sensitive natural communities; the Project site is void of sensitive plants, wildlife, and habitats (including wetlands). The *Burbank2035 Environmental Impact Report* (Burbank2035 EIR) identifies special-status wildlife species and plant species concentrated within open space areas of the Verdugo Mountains, located more than one mile at the nearest point of the foothills to the Project site. The U.S. Fish and Wildlife Services National Wetlands Inventory Mapper does not identify any wetlands within the Project site or surrounding area.[3] Project implementation would not result in a substantial adverse effect, either directly or through habitat modifications, on any sensitive

[2] California Department of Conservation, *California Important Farmland Mapper*, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed May 25, 2021.

[3] U.S. Fish and Wildlife Service, *National Wetlands Inventory*, https://www.fws.gov/wetlands/Data/Mapper.html, accessed April 12, 2024.

species, riparian habitat or other sensitive natural community, or federally protected wetlands, and no impact would occur in this regard.

d) Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. The Project site and offsite improvement areas are currently developed and located within an urbanized portion of the City. Due to the lack of quality biological habitat within and immediately surrounding the Project site, development of the proposed Project would not interfere with the movement of fish or wildlife or impact wildlife corridors. The Project site and surrounding properties contain minimal ornamental landscaping and do not provide opportunities for the movement of wildlife.

Mature trees within the Project site could provide habitat for migratory birds during nesting seasons. Development of the Project would require the removal of ornamental vegetation onsite, including trees along the Project site's perimeter and distributed within the surface parking area. Thus, the Project could result in potential impacts to nesting birds protected by the Migratory Bird Treaty Act (MBTA). The MBTA prohibits activities that result in the direct take (defined as killing or possession) of a migratory bird. Project construction activities have the potential to impact nesting birds if construction activities occur during the nesting season. However, As a condition of approval, the Project would be required to comply with the MBTA to avoid disturbance of nesting birds and to protect nesting birds if they are present onsite during construction. Specifically, in conformance with the MBTA, tree removal activities would take place outside of the nesting season (February 15 to September 15) to the greatest extent practicable. To the extent that vegetation removal activities must occur during the nesting season, a biological monitor would be present during the removal activities to ensure that no active nests would be impacted, or a pre-construction nesting bird survey is to be completed within three days prior to construction to document all active bird nests. If active nests are found, a 300- foot buffer (500 feet for raptors) would be established until the fledglings have left the nest. Therefore, with regulatory compliance, impacts to native resident or migratory avian species would be less than significant.

e) Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact. Development of the Project would occur on a portion of the Project site currently used for surface parking or within public rights-of-way (for the offsite improvements); refer to Section 3.0, Project Description. As part of the Project, trees and landscaping would be removed. Offsite improvements on Thornton Avenue would be required in order to provide upgrades to existing pedestrian, bicycle, and vehicle facilities. BMC Chapter 4 of Title 7 regulates the planting, care, and removal of trees, shrubs, and plants in the streets and on other property under the control of the City. Specifically, BMC Section 7-4-108 provides for the protection of landmark trees, trees of outstanding size and beauty, and dedicated trees. The Project does not propose removing any trees having special protection in accordance with BMC Section 7-4-108. Compliance with BMC Chapter 4 would ensure any removal of trees, shrubs, and plants within City property would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant in this regard.

f) Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

No Impact. The Project site is not located within an area that has an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan.[4] Thus, no impacts would occur in this regard.

Geology and Soils

a)(i) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. According to the California Geologic Survey (CGS) Geologic Hazards mapping, there are no known active faults that cross the Project site, and the Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone.[5] Therefore, the potential for surface rupture onsite is considered very low. No impact would occur in this regard.

a)(iv) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

No Impact. According to CGS Geologic Hazards mapping, [6] the Project site is not located within a landslide zone. Further, the Project site is relatively flat and does not contain any landforms onsite or within the immediate area with the potential to experience landslides. Further, the *Preliminary Geotechnical Assessment* (Geotechnical Assessment) prepared for the Project site (refer to Appendix I) concluded that the probability of seismically induced landslides occurring on the Project site is considered to be negligible due to the general lack of substantive elevation difference across or adjacent to the Project site. No impact would occur in this regard.

e) Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. No septic tanks or alternative wastewater systems exist or are proposed to be constructed as part of the Project. Thus, no impacts would occur in this regard.

[4] California Department of Fish and Wildlife, *California Natural Community Conservation Plans*, August 2023, https://wildlife.ca.gov/Conservation/Planning/NCCP, accessed April 12, 2024.
[5] California Geologic Survey, *Geologic Hazards*, https://maps.conservation.ca.gov/geologichazards/, accessed April 12, 2024.
[6] California Geologic Survey, *Geologic Hazards*, https://maps.conservation.ca.gov/geologichazards/, accessed April 12, 2024.

Hazards and Hazardous Materials

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

No Impact. The Project site is located approximately 0.32-mile northwest of Providencia Elementary School, at 1919 North Ontario Street, which is the nearest school to the Project site. Therefore, there would be no impacts related to the emission or handling of hazardous materials within 0.25-mile of an existing school.

g) Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The Project site and surrounding area are not located within a Very High Fire Hazard Severity Zone as mapped by the California Department of Forestry and Fire Protection (CAL FIRE).[7] Burbank2035 Safety Element Exhibit S-1, *Fire Zones*, identifies two Mountain Fire Zones designated by the Burbank Fire Department as areas susceptible to wildfire hazards. One zone is located near the Verdugo Mountains foothills, and the other zone is in the City's southwestern portion near the Warner Brothers Studios. Thus, the Project site and surrounding areas are not located within an area identified as having the potential for wildland fires. No impacts would occur in this regard.

Hydrology and Water Quality

b) Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. The Project site is completely improved with approximately 91 percent of the site containing impervious surfaces. The Project site does not currently allow for significant groundwater recharge, and the Project area is not utilized for groundwater recharge or pumping. The geotechnical investigation conducted within the Project area indicated groundwater occurs at approximately 110 feet beneath the Project site, and soil conditions may be favorable to infiltration. The Project proposes to develop a portion of the Project site, currently used as surface parking, with a Hotel and Garage. Development, as proposed, would increase pervious areas due to increased planter/landscaping area, allowing for increased infiltration of groundwater when compared to existing conditions. Thus, the Project would not interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin, and impacts would be less than significant in this regard.

d) In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

No Impact. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) No. 06037C1328F, dated September 26, 2008, the Project Site is located within Zone X, which

[7] California Department of Forestry and Fire Protection (CAL FIRE), *Fire Hazard Severity Zones Map*, https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-maps, accessed April 12, 2024.

depicts areas determined to be outside the 0.2% (500-year) annual chance floodplain. Thus, the Project site is not located within a flood hazard area.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance, such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The Project site is not located within proximity to any enclosed or semi-enclosed bodies of water. Additionally, the Project site is not located within proximity to the ocean and, therefore, would not be subject to tsunami impacts. Therefore, the Project would not risk the release of pollutants due to site inundation. No impacts would occur in this regard.

Land Use and Planning

a) Would the Project physically divide an established community?

No Impact. Examples of projects that could physically divide an established community include a new freeway or highway that traverses an established neighborhood. The Project proposes a Hotel and Garage on a site currently used for surface parking. The Project is consistent with development and land uses around the Project site and does not propose any new streets or other physical barriers, which could physically divide an established community. Given its nature and scope, the Project would not physically divide an established community. Therefore, no impact would occur in this regard.

Mineral Resources

a) Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

b) Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

***No Impact*.** The State Mining and Geology Board establishes Mineral Resources Zones (MRZs) to designate lands that contain mineral deposits. The classifications used by the State to define MRZs are as follows:

- MRZ-1: Areas where the available geologic information indicates no significant likelihood of significant mineral deposits.
- MRZ-2: Areas where the available geologic information indicates that there are significant mineral deposits or that there is a likelihood of significant mineral deposits.
- MRZ-3: Areas where the available geologic information indicates that mineral deposits exist or are likely to exist; however, the significance of the deposit is undetermined.
- MRZ-4: Areas where there is not enough information available to determine the presence or absence of mineral deposits.

Burbank2035 Exhibit OSC-2, Mineral Resource Zones, identifies the Project site as located within an area mapped as MRZ-2. Although MRZ-2 areas could contain significant mineral deposits, the Burbank2035 EIR concluded that future mining activities would not occur in these areas since mining activities could not occur without destroying large built-out areas of the City. Given the Project site is situated in an urban area, Project implementation would not result in the loss of availability of a known mineral resource that

would be of value to the region and residents of the State or a locally-important mineral resource recovery site, and no impact would occur in this regard.

Population and Housing

a) Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. The proposed Project is not anticipated to induce substantial population growth in the area, either directly or indirectly. The Project site is located within an urbanized area of the City served by existing roadways and infrastructure. The proposed Project does not involve a residential component and, thus, would not directly result in population growth in the City. The proposed Project would not indirectly induce population growth through the extension of roads or other infrastructure. Development of the proposed 420-room Hotel would facilitate employment growth in the short-term during construction activities and in the long-term associated with on-going Hotel operations. The City's population estimate as of January 1, 2024 is 105,603 persons.[8] While the Project does not involve residential development, the Project would generate approximately 85 full time equivalent jobs.

Although unlikely, potential employment opportunities could directly increase the City's population as employees (and their families) may choose to relocate to the City. It should be noted that estimating the number of future employees, who would choose to relocate to the City, would be highly speculative since many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Further, hotels do not typically provide employment opportunities that involve substantial numbers of people needing to permanently relocate to fill the positions but, rather, would provide employment opportunities to people within the local community and surrounding areas. While it is likely that future employees already live in the City or would commute from neighboring jurisdictions, this analysis conservatively assumes all 85 future employees would move into the City for employment. Based on an average household size of 2.37,[9] the Project could result in an indirect population increase of approximately 202 persons, a 0.2-percent increase over existing conditions. Burbank2035 Land Use Element Table LU-2 identifies an anticipated population of 116,516 by 2035 based upon the realistic expected number of parcels that would be developed or redeveloped. Thus, the potential increase in population of 202 persons would be within the growth projections anticipated by Burbank2035, and impacts would be less than significant in this regard.

b) Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project site is developed with the Marriott Hotel. The Project proposes to develop a Hotel and Garage on a portion of the site currently used for surface parking. The Project would not displace

[8] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024.

[9] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2020 Benchmark*, May 2024.

people or housing, necessitating the construction of replacement housing elsewhere. No impact would occur in this regard.

Public Services

a)(3) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?

No Impact. The Project site is located within the service area of the Burbank Unified School District (BUSD). BUSD provides educational services for 14,432 students in grades Kindergarten through 12, as well as one adult program.[10] Currently, BUSD operates 11 elementary schools, three middle schools, three high schools, and five alternative schools. The Project site is located closest to Providencia Elementary School at 1919 North Ontario Street, Luther Burbank Middle School at 3700 West Jeffries Avenue, and Burbank High School at 902 North Third Street. The Project site is currently developed with a Marriott Hotel and Convention Center and does not include any residential uses resulting in students attending schools within BUSD.

The Project does not propose new or physically altered school facilities. Furthermore, the Project does not include any residential land uses that would directly increase demand for school services. However, California Government Code Section 65995 authorizes school districts to collect impact fees from developers of new residential and commercial/industrial building space. Section 65995 was established under the School Facilities Act of 1986 and refined and amended by the Leroy F. Greene School Facilities Act of 1998 (SB 50) to provide further guidance and restrictions on fee limits and fee types. The maximum fees authorized under SB 50 apply to zone changes, general plan amendments, zoning permits and subdivisions. The payment of school impact fees by developers is deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other State or local laws. The State Allocation Review Board (SAB) reviews and may adjust the maximum authorized School Fees every January in even-numbered years. Based on the Burbank Unified School District School Justification Study (March 4, 2020), BUSD is able to collect the amount equal to the maximum authorized Level 1 school fees for residential and commercial/industrial development.[11] These fees are collected by school districts at the time of issuance of building permits. Therefore, although the Project would not directly increase demand for school services, the Project Applicant would be required to pay school impact fees under SB 50 in place at the time, which would fully mitigate school facilities impacts. As such, no impact would occur in this regard.

[10] Ed Data, *Student Demographics,* http://www.ed-data.org/district/Los-Angeles/Burbank-Unified, accessed April 12, 2024.
[11] Koppel & Gruber Public Finance, *Burbank Unified School District School Justification Fee Study*, March 4, 2020.

a)(4) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?

Less Than Significant Impact. According to Burbank2035, the City of Burbank currently operates and maintains more than 700 acres of park space. A total of 42 parks and facilities are located within the City, including two public pools, a BMX/skate park, Sough Canyon Nature Center, and the Starlight Bowl.[12] The closest public parks to the Project site are the Robert E. Gross Park, located approximately 0.42 mile southeast of the Project site at 2800 W. Empire Avenue; the Robert E. Lundigan Park, located approximately 0.43 mile northeast the Project site at 2701 Thornton Avenue; and the Larry L. Maxam Memorial Park, located approximately 0.43 mile southwest of the Project site at 3715 Pacific Avenue.

The Project proposes a Hotel and does not include any residential land uses. Although Hotel visitors would potentially use nearby regional parks or recreational facilities, implementation of the Project would not require new or physically altered park facilities, the construction of which could cause significant environmental impacts.

In addition, the Quimby Act (Government Code Section 66477) states that the legislative body of a city or county may, by ordinance, require the dedication of land or impose a requirement of the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative map or parcel map, provided certain requirements are met. This section further states that "the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide three acres of park area per 1,000 persons residing within a subdivision subject to this section." Pursuant to this section, BMC Title 10, Article 22 establishes development fees, also known as Community Facility Fees, imposed by the City in order to finance capital improvements, including but not limited to park and recreation fees (except fees charged in lieu of park land dedication pursuant to Government Code Section 66477. More specifically, BMC Section 10-1-2206 states that development fees shall be imposed on all Development Projects which require a building permit, subject to certain exceptions. In addition, BMC Section 10-1-2225 states that a Community Facilities Non-Transportation Related Fee is imposed on new non-residential development in the City of Burbank for the purpose of assuring that current level of service goals are met with respect to the additional demands placed on the City's community facilities, including parks and recreation space, generated from such development. In accordance with Burbank2035 and BMC Article 22, the Project Applicant would be required to pay development impact fees to offset impacts to park and recreation facilities and services. Impacts would be less than significant in this regard.

[12] City of Burbank, *Parks and Recreation*, https://www.burbankca.gov/web/parks-recreation, accessed April 12, 2024.

a)(5) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?

Less Than Significant Impact. The Burbank Public Library provides services at three locations, including the Burbank Central Library, located at 110 N. Glenoaks Boulevard; the Buena Vista Branch Library, located at 300 N. Buena Vista Street; and the Northwest Branch Library at 3323 W. Victory Boulevard. The Burbank Public Library provides the community with books, computers, free public internet access, research assistance, print and copy services, meeting room rentals, Metro TAP cards, access to workforce development resources, online public access catalogs, and children and teen services. The closest library to the Project site is the Northwest Branch Library, located approximately 0.62 mile south of the Project site.

Although Hotel visitors may potentially use governmental facilities, such as libraries, the Project would not require new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. As stated, BMC Title 10, Article 22 establishes development fees imposed by the City in order to finance capital improvements, which include the construction of new or expansion of existing library facilities. The fee is imposed on new non-residential development in the City of Burbank for the purpose of ensuring that current level of service goals are met with respect to the additional demands placed on the City's community facilities, including library space, generated from such development. In accordance with Burbank2035 and BMC Article 22, the Project Applicant would be required to pay development impact fees to offset impacts to library facilities. Impacts would be less than significant in this regard.

Recreation

a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. Refer to Public Services Response (a)(4).

Transportation

d) Would the project result in inadequate emergency access?

Less Than Significant Impact. The Project site would continue to be accessible from Hollywood Way, Avon Street, and Thornton Avenue. As discussed above, the primary entrance to the new Hotel would occur from Thornton Avenue. The proposed driveway and driveway modifications, as well as interior driveways and access to the Hotel and Garage would be constructed and designed to meet the City and BFD design and fire safety standards, including those related to fire truck turn radii and fire lane width requirements. Project implementation would not result in inadequate emergency access, and impacts would be less than significant in this regard.

Wildfire

If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. According to CAL FIRE Fire Hazard Severity Zone Maps, the Project site is not located within or near a State Responsibility Area or within lands classified as very high fire hazard severity zones.[13] No impact associated with wildfires would occur in this regard.

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