

## Steinkruger, Tracy

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**From:** Louis [gg360@hotmail.com]  
**Sent:** Monday, September 24, 2012 7:50 PM  
**To:** Steinkruger, Tracy  
**Cc:** City Council  
**Subject:** Burbank2035 Section 1 Policies 1.1-2.5

September 24, 2012

Tracy Steinkruger  
Senior Planner  
Community Development  
Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

In my last email I indicated that I would have questions regarding Section 1 of Burbank2035. However, I came up with more general questions as I went through Section 1. So pardon the additional general questions and I will probably come up with more as I address the balance of Burbank2035 policies. Also, I was unable to get through all the policies in Section 1 and have only covered Policies 1.1 to 2.5. I will address policies 3.1 to 4.2 from Section 1 in my next email.

### General questions:

1. What is the projected Burbank population in 2035?
2. What is the projected Burbank population in 2035 if Burbank2035 passes?
3. Describe any downside to 'shared Parking'.
4. Which Burbank roadways are under the jurisdiction of Caltrans.
5. Will any of the environmental regulations in Burbank2035 cause the City's sewer and refuse rate to increase?
6. Would the City's current sewer infrastructure have the capacity to handle the intended/projected growth set forth in B2035?
7. Would the City's current refuse landfill requirements be able to handle the intended/projected growth set forth in B2035?
8. If the City does not have the existing capacity to handle increased sewer/refuse demands, what would the projected fixed and recurring costs be to meet increasing capacity?
9. Each policy in B2035 will require a set of regulations. Will those regulations be drafted by the City alone, the City in collaboration with some outside entities or will they simply come from some outside source and what source would that be? Provide an estimate of costs to produce or pay and outside source for these regulations.
10. Assuming no outside funding sources, provide a global estimate of annual City administrative costs to implement, maintain and enforce B2035 through 2035. If possible, please break these down by department.
11. Will there be any scenario resulting from the passing and implementation of B2035 where the City of Burbank would be involved in any carbon trading schemes?

This following addresses Burbank2035 Section 1 Policies 1.1 to 2.5.

## **AIR QUALITY AND CLIMATE CHANGE GOALS AND POLICIES**

***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 1.1 Questions:**

1. Does B2035 require that the City of Burbank sign agreements with local, regional, state, and federal agencies or independent non-profits in order to implement this 'Coordination'?
2. What proposed plans and development projects is this referring to?
3. Will this policy require additional administrative City personnel to 'coordinate' with these agencies? How many? At what cost?
4. Air quality planning requires experts. Where will this expertise come from? Will the City of Burbank hire in-house or outsource experts? At what cost?
5. If the Air Quality Planning will be shared with other entities, government or otherwise what will Burbanks share of the cost be? How is that share determined? Who determines Burbanks Share?
6. If the Air Quality Planning will be shared with other entities, what if these other entities determine that Burbank is contributing a greater amount to pollution than they do. Will Burbank be penalized? How?

***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 1.2 Questions:**

1. Do you have any examples of the regulations that would be needed to implement this policy.
2. Which has the more stringent standards State or Federal government regulations?
3. Are State and Federal standards tailored by region or is it one size fits all?
4. What would the strategies and tactics need be to implement this policy?
5. Would this policy be equally applied to all of Burbank or would these policies apply more aggressively to the 'heat islands'.

### **Policy 1.3**

***Continue to participate in the Cities for Climate Protection Program, South Coast Air Quality Management District's (SCAQMD's) Flag Program, SCAQMD's Transportation Programs (i.e., Rule 2202, Employee Rideshare Program), and applicable state and federal air quality and climate change programs.***

### **Policy 1.3 Questions**

1. Is Burbanks participation with these entities mandatory or voluntary. Does B2035 change that?

### **Policy 1.4**

***Cooperate with the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and the SCAQMD to measure air quality at emission sources (including transportation corridors), and enforce the provisions of the Clean Air Act, as well as state and regional policies and established standards for air quality.***

### **Policy 1.4 Questions**

1. Identify the 'Transportation Corridors' in Burbank.
2. Do transportation corridors include the 5 and 134 freeways?
3. Does enforcement of the provisions of the Clean Air Act require additional Burbank personnel?

4. If Burbank personnel is tasked with enforcement of the Clear Air Act. Would they have "Police Powers"?
5. How is the aircraft emission generated by the Bob Hope Airport factored into this?

#### **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 1.5 Questions

1. Describe Burbank projects (past, present or future) that would fall into the category of "generating significant levels of air pollutants".
2. Will this policy include properties owned or leased by outside Governmental entities such as L.A. City, County, State, Federal located in Burbank?
3. Define ' large construction projects '.
4. Does this policy expect greenhouse gas mitigation during construction or after completion?
5. Who determines that a project will 'generate potentially significant levels of air pollutants'?
6. Who bears the cost to determine that a project will or will not 'generate potentially significant levels of air pollutants'?
7. Do you have an example of the regulations needed to implement this policy.

**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 1.6 Questions

1. Do you have an example of what these 'Require measures' would be?
2. What is the criteria that these 'measures' are required? (e.g., how many trees would have to be planted in a single landscaping project for requirement adherence to be applied).
3. Would this apply to a typical Burbank residence? If a typical Burbank residence is excluded, will that be in writing?

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

#### Policy 1.7 Questions

1. No question here for now, however if this could be extended to reducing the idle work habits of certain city employees that would be great.

**Policy 1.8 Continue to acquire alternative fuel vehicles like hybrid, natural gas, electric, or hydrogen-powered vehicles when adding to the City's vehicle fleet.**

#### Policy 1.8 Questions

1. If this is a policy we already have, why does it need to be reiterated in a B2035? Will the existing stand alone policy be rescinded upon the passing of B2035?

**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 1.9 Questions

1. Can a private developer refuse to cooperate with this policy? Without penalty?
2. Would this infrastructure require charging stations?
3. What would the estimated additional infrastructure costs be to the developer?
4. Would this infrastructure for these additional types of vehicles require the integration of ADA requirements?
5. Would this infrastructure requirement be in addition to existing parking ratio requirements?
6. Does a developer have to allow for ALL of the above vehicles?
7. What is the calculation (parking ratio) for each type of vehicle?
8. Please define the word "encourage" as it is used here.
9. What does a property owner do if patrons and or residents in the project refuse to ride a bike when a portion of the traffic mitigation is that a certain percentage will ride bikes?
10. What will be the means of measurement for compliance with requirements for project at time of approval?
11. If this infrastructure is implemented and the property owner is able to prove over time that the space (square footage) required for this infrastructure is substantially unused, would to property owner be able to petition the City to convert this infrastructure to regular parking spaces?

***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.***

## Policy 1.10 Questions

1. Please define a 'sustainable operation'. Not the dictionary definition, the eco-nut version.
2. Who in the Burbank Government checks for 'sustainable' practices?
3. How is a 'sustainable operation' measured?
4. Who determines if a contractor has a 'sustainable operation'?
5. Is there a standard scale on how to determine a 'preferred' 'sustainable operation'?
6. Are there different factors used in determining a 'sustainable operation'? What are they?
7. If an 'operation' purchases carbon credits and yet uses high emission equipment, is that considered an offset for 'sustainable' evaluation purposes?
8. What happens to a contractor if his 'sustainability' status is reduced during construction. (e.g., the reduced-emission equipment breaks down and high emission equipment is used in its place). Is there a penalty for that?

## ***Policy 1.11***

***Offer incentives for all City employees to use means other than a single-occupant vehicle for their daily work commute. Require large employers, defined with the City's Transportation Demand Management program to offer similar incentives to reduce employee vehicle trips.***

## Policy 1.11 Questions

1. What gives the government the Right to 'require' that private businesses offer certain incentives to its employees?
2. Describe what these 'required' incentives should be.
3. Who in the Government is charged with enforcement of these 'required' incentives?
4. What is the penalty for not offering 'required' incentives?

5. What is the penalty for offering the 'required' incentives, but not actually delivering on them?
6. What would the incentives be for the City employees?
7. What will the ongoing cost to the City be to enforce this policy and how will that be funded?

***Policy 1.12 Provide public information describing air quality standards, health effects, and efforts that residents and businesses can make to improve regional air quality. Encourage businesses and residents to participate in SCAQMD's public education programs.***

Policy 1.12 Questions

1. What would the cost to provide this information be?
2. How often would it be provided?
3. Who provides it?
4. Define 'regional'.

***Burbank is committed to reducing the exposure of sensitive receptors to toxic air contaminants and odors. Policy 2.1 Mitigate emissions from retail food grilling and barbequing (indoor and outdoor) through the use of industry-specific equipment.***

Policy 2.1 Questions

This policy seems to allow the government pick on these types businesses or even deny a new one to open in Burbank, if it so chooses.

1. What are sensitive receptors? People, animals, trees, plants?
2. Does this policy apply to existing or new businesses?
3. What are the current emission standards for these types of business.
4. Do you have an example of the regulations that would result from this policy.
5. What type of penalties would a non-compliant business suffer?
6. Could non-compliance result in the City forcing a business to close?
7. Who would enforce the policies?
8. Does this apply to permanent non-portable fixtures only?
9. How does this apply to Handy Market on Magnolia? Does the Saturday Barbeque activity increase the exposure of 'sensitive receptors' to toxic air contaminants and odors? What is the City going to do about this?
10. Would this policy apply to food trucks?
11. Would this policy be applied to residential homes and units with regard to outdoor grilling?
12. If residential homes and units are excluded, will that exclusion be in writing?

***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 2.2 Questions

1. Define feasible as it applies to this policy.
2. Would this apply to new construction only?

3. If it applies to new construction, would a building permit make this a requirement for existing construction in order to bring it up to current code?
4. Who is responsible for the site planning?
5. How many of these types of 'sensitive' situations currently exist in Burbank?
6. Would a property that that is now 'legal-conforming' potentially become 'legal-non-conforming' after this policy is passed?
7. How is the City going to determine when 'separation' is needed or required?

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

Policy 2.3 Questions

1. Does this apply to portable and non-portable equipment?
2. Does this apply to any human activities?
3. Will this apply to restaurants? Food trucks? Portable food carts?
4. Who will determine if a business is polluting?
5. Who will be enforcing this?
6. Who provides the corrective measures?
7. Do you have an example of the regulations needed to enforce, implement and administrate this policy.
8. Will businesses be expected to self test?
9. Will businesses be expected to turn themselves in? To whom?
10. Will permits be required to make alterations to polluting equipment?
11. Estimate how many businesses in Burbank will fall in this category after the passing of B2035?
12. Does the policy apply to odors?

***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.***

Policy 2.4 Questions

1. Will mixed use high density construction add to the 'Heat Island' effect?
2. Is there a way to estimate the 'Heat Island' effect prior to high density construction?
3. What is the city going to do to offset the 'Heat Island' effect in new high density construction.
4. What is the relationship between high density construction and green house gases?
5. How will this policy be applied to future growth at the Bob Hope Airport?

***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.***

Policy 2.5 Questions

1. This Handbook has over 90 pages of regulations that would be added on to B2035. Is this Correct?
2. Using the Handbook cited in this policy, please provide an inventory of all properties in Burbank that would currently be considered 'sensitive land use'.

Thank you in advance for your time and I look forward to your comprehensive responses to my questions. The quantity of questions may be a bit over whelming, however B2035 is a huge regulatory document that will permanently change our city in many ways and deserves serious attention.

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Louis Altobelli  
Burbank Rancho Resident

cc: City Council  
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## Steinkruger, Tracy

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**From:** Hubsch, Allen W. [allen.hubsch@hoganlovells.com]  
**Sent:** Thursday, September 27, 2012 6:02 PM  
**To:** Steinkruger, Tracy  
**Cc:** Karla Y. Pleitéz (khowell@publiccounsel.org)  
**Subject:** Burbank General Plan Update - Follow-Up on 4/3/12 Conference Call

Tracy,

I have had an opportunity to review the revised draft General Plan that was circulated this summer. Although I signed up through E-Notify to receive notices about the General Plan process, I did not receive notice of publication of this revised draft. Please include me on future notices, especially regarding any further revisions or public hearing dates. Please also make sure that Public Counsel's comments (including the August 30, 2011 letter and attachments and my April 23, 2012 e-mail) are included in the staff reports for any public hearings.

The County-wide childcare needs assessment included with the August 30 letter, prepared by the Office of Child Care of the Chief Executive Office of Los Angeles County, demonstrates a substantial shortfall in the availability of childcare services in Burbank. As stated in my April 23 e-mail, I appreciate the modest change made. But the City can and should do more in its guiding document through 2035 to address this shortfall. I would welcome the opportunity to discuss further revisions with you, or to work with the City through the public hearing process to address these issues.

Allen

### Allen Hubsch

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*Please consider the environment before printing this e-mail*

**From:** Hubsch, Allen W.  
**Sent:** Monday, April 23, 2012 12:07 PM  
**To:** 'Steinkruger, Tracy'  
**Cc:** Karla Y. Pleitéz (khowell@publiccounsel.org)  
**Subject:** RE: Follow-Up on 4/3/12 Conference Call

Tracy,

Thank you for the revision to Goal 6. That's good.

But I think you can and should do more. Moreover, the needs assessment I provided to you, which was prepared by the Office of Childcare Services, suggests that Burbank is not currently doing enough. Burbank's draft general plan is intended to be the guiding document through 2035. The general plan's land use element should provide guidance on the subject. Instead of the language I originally suggested, how about adding the following at the end of the words in quotes below: "Consider changes to the zoning code and to permit fees that may be appropriate to meet such needs." That would leave Burbank with flexibility, and not leave the subject so silent.

Thanks very much.

Allen

**Allen Hubsch**

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*Please consider the environment before printing this e-mail*

**From:** Steinkruger, Tracy [<mailto:TSteinkruger@ci.burbank.ca.us>]  
**Sent:** Thursday, April 19, 2012 5:51 PM  
**To:** Hubsch, Allen W.  
**Subject:** Follow-Up on 4/3/12 Conference Call

Allen:

Wanted to touch base with you and follow-up on our 4/3/12 conference call.

After further review, we have elected to include the following policy (with modifications). This policy will be located in the Land Use Element as part of Goal 6 – Economic Vitality and Diversity.

"Encourage the development of a range of childcare facilities, including infant care, pre-school care, and after-school care, to serve the needs of working families."

Please note that we are omitting the language regarding commercial land use designations. Given its location in the document, this policy would encourage the development of childcare facilities in ALL land use designations, not necessarily commercial only.

Given our discussion about childcare services being permitted and/or permitted with discretionary review in most zones, and our fees (which are low in contrast to jurisdictions in the area), we do not believe that a second policy is needed to address barriers to childcare services.

Please note that this policy language will be included in the next draft of Burbank2035, which is slated to be released in July 2012, and is subject to additional review and modification by the Planning Board and City Council. When this draft is presented to both the Board and Council, we will note this inclusion and the dialogue which led to it.

Should you have any additional questions, please do not hesitate to contact me. Thank you for participating in the development of Burbank2035.

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## Steinkruger, Tracy

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**From:** Louis [gg360@hotmail.com]  
**Sent:** Tuesday, October 02, 2012 1:35 PM  
**To:** Steinkruger, Tracy  
**Cc:** City Council  
**Subject:** Burbank2035 Section 1 Policies 3.1-4.2  
**Attachments:** rubegoldberg.jpg

October 2, 2012

Tracy Steinkruger  
Senior Planner  
Community Development  
Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

Thank you for your invite to sit and chat. However, after what happened to the Planning Department at the last City Council meeting with the ZTA, I would prefer to get the answers to my questions in writing. Plus, once you complete the questions I will then very likely have follow up questions. Also, I work during the day and it would be difficult for me to get away. My email of 9/3/2012 had 27 general questions which you never answered. If you wouldn't mind, please start there.

On an observatory note: It was quite amazing the way Vice Mayor Gabel-Luddy took apart the ZTA at the last council meeting. Wow! 2 years worth of work by the Planning Dept. was completely decimated in less than 5 minutes. It was the single most impressive cross examination I have witnessed by her to date. Based on that performance and her knowledge of planning, if she ever turns that laser focus and professional acumen against Burbank2035, it's my guess that Burbank2035 would be permanently confined to the ash heap of history. However, I do not see her actually doing that, but I now know that she could do it with relative ease if she chose to.

In my last email I indicated that I would complete my questions on Section 1 of Burbank2035 and below they start with Policy 3.1.

### **More General questions:**

1. Is it possible that the City would become involved in a Cap and Trade scheme if B2035 if passed?
2. Since B2035 is a model plan, does the Planning dept already have the model laws, ordinances, regulations, etc. required to go along with B2035. Can I get a copy of them?
3. If no model laws, ordinances, regulations, etc. are ready to go, please estimate the time and cost required to draft all of them? Also, will they be drafted by the City, an outside organization(s) or both? ( just a thought, but If the City has to create this stuff from scratch, it would probably take until 2035 just to complete them).
4. From what I can tell, AECOM is effectively a general plan factory and has been cranking out these model 2035 plans for other cities for years. Shouldn't they be able to supply us with samples, examples, exemplars, specimens, prototypes, (or whatever you want to call it) of every regulation, publication, presentation, ordinance, law, report, handbook, illustration, mitigation measure, how-to manual, milestone, benchmark, flow

chart, pie chart, etc. that we are going to need to administrate and implement B2035?  
(Maybe they have a whole library of do-it-yourself, fill-in-the-blanks model regulations with places in the documents that reads "Your City Here").

5. There is a maxim used often by Council members "if ain't broke don't fix it". What is so broke about Burbank that we need B2035? What exactly are we fixing or preventing with B2035?
6. Has anyone from the Planning Department ever called another California City that has implemented one of these 2035 general plans to see how it's working out?
7. Please define stakeholder.

**This following addresses Burbank2035 Section 1 Policies 3.1 to 4.2.**

## **AIR QUALITY AND CLIMATE CHANGE GOALS AND POLICIES (Cont)**

### **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 communitywide greenhouse gas emissions within Burbank by at least 15% from current levels by 2020.***

Policy 3.1 Questions:

1. For what purpose would The City of Burbank voluntarily bind itself to this?
2. Please define 'binding' as it applies to this policy.
3. Would this policy be legally binding? If not legally, than what?
4. In conjunction with this policy, would Burbank have to be 'bound' with any outside third parties, governmental or otherwise?
5. What is the makeup of the greenhouse gases that B2035 refers to?
6. Why do we need to reduce greenhouse gases?
7. How does B2035 propose to reduce GHG emissions?
8. Does Burbank already know what it's 'current levels' of GHG's are? As of what date?
9. Where does the 15% come from? Can the City self adjust this target? At any time?
10. How is the 15% calculated? Who calculates it?
11. Is the 15% an aggregate measurement or does each GHG emission need to be reduced by 15%?
12. Burbank2035 has been in the works for years now and the 15% reduction target has remained the same since the first draft. Shouldn't it be prorated since we have less time to accomplish this?
13. Are there penalties for not meeting the targets? What are they?
14. Are the 5 and 134 freeways and the airport included as part of the target?
15. How and where are measurements taken? Who takes them? At what cost?
16. Describe and list typical "mitigation measures".
17. What are the 'mitigation measures' that other Cities have used to attempt to meet their targets?
18. What happens if the City Council or the People do not trust the GHG measurements?
19. Can you point to any other California cities that have met or are meeting these targets?
20. Are there statistics on Cities that have or have not met their targets?
21. Does Burbank currently have any greenhouse gas monitoring stations?
22. Will Burbank have to install permanent greenhouse gas monitoring stations? How many? Where will they be placed? At what cost? Please provide an estimate of fixed, recurring, installation and maintenance costs.

23. There are many devices that measure green house gases. Will the specifications of these devices be provided to the Burbank public? What is the cost of the devices?
24. This greenhouse gas stuff is really complicated and relying strictly on outside help is potentially risky. Is the City going to hire at least one staff GHG expert to help us with it?
25. Who are the experts on greenhouse gases that Burbank will be looking to for answers on greenhouse gases?
26. If one or more of those GHG experts that Burbank employs concludes sometime in the future that there is no man-made Globalwarmingclimatechange, do we look for other experts that still believe in man-made Globalwarmingclimatechange or should we repeal B2035?

***Policy 3.2 Establish a goal and strategies to reduce communitywide greenhouse gas emissions by at least 30% from current levels by 2035.***

Policy 3.2 Questions:

1. Why is Policy 3.1 binding and enforceable and this policy is only a goal?
2. Will the specifics of this goal be developed internally or will any outside regional, state, and federal agencies or independent non-profits be used to implement this? At what cost?
3. Please provide any example of what these strategies might be?
4. Other 2035Cities (Cities that have passed similar model plans like B2035) must have produced strategies to meet this goal, can you get a copy of those strategies from one of those cities?

***Policy 3.3 Continue to participate in the Cities for Climate Protection program and applicable state and federal climate change programs.***

[In my research of this policy I found this:

**Cities for Climate Protection** is a program was initiated by ICLEI – Local Governments for Sustainability in the early 1990s. CCP focuses on the greenhouse gas emissions that local governments contribute to global warming directly of around 1–2% and their indirect influence and leverage over 50% of emissions from their communities.

Source: <http://www.iclei.org/index.php?id=10315> ]

[The Planning Department has routinely denied any connection to ICLEI. This policy alone negates that. Deceit seems to be something the Planning Department is disturbingly comfortable with.]

Policy 3.3 Questions:

1. In light of this policy, please explain why the Planning Department denied any connection or knowledge of ICLEI?
2. Please provide the estimated annual cost of participation in this program.
3. What does the participation in this program entitle Burbank to? Software? Training?
4. ICLEI's ideas include this thing called 'social justice'. What is this? Is there some sort of Social injustice taking place in Burbank? Describe how the City of Burbank accomplish this?
5. Are the individual residents or the Burbank community as a whole somehow inherently unjust?
6. ICLEI pushes this thing called a 'sustainable urban future'. What is this and why does Burbank need it?
7. Can you provide any costs, funding, statistics, results or case studies from other California cities that have implemented this 'Cities for Climate Protection'?
8. All this ICLEI stuff sounds expensive. How much is it? How will it be funded?
9. Other 2035Cities that are implementing this ICLEI stuff must be budgeting for this. Is it possible for someone in the Planning Dept. to get another city on the phone and ask them what it is costing them?

10. This whole ICLEI organization seems a bit creepy. Why would we voluntarily subject ourselves to an international organizations ideas of how we should run Burbank?

***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.***

Policy 3.4 Questions:

1. Please provide an example of the strategies and tactics on how the City would implement this promotion.
2. Who is the target of this promotion?
3. What is Burbanks current job/housing ratio? What is it projected to be in 2035? What is it projected to be in 2035 if B2035 is passed?
4. Estimate the fixed, recurring and administrative costs of this promotion.
5. Will this promotion continue through 2035?
6. Will additional City employees be required to properly implement this promotion?
7. Estimate how much time and labor per annum will be required to implement this promotion.
8. According to Policy 3.1 Burbank is going 'bind' itself to reduce its GHG emissions by 15%. How will any new developments referred to in this policy aid in that goal?
9. Should Burbank stop or put moratorium on all new developments in order to achieve the 15% GHG reduction goal?
10. How are we going to achieve the 15% reduction in GHG's if Burbank keeps allowing new developments?

***Policy 3.5 Submit an annual report on implementation of the Greenhouse Gas Reduction Plan, in conjunction with the annual report to the City Council regarding implementation of Burbank2035.***

Policy 3.5 Questions:

1. Other 2035Cities must have similar reporting requirements, can you get a copy of one of those reports? Maybe AECOM can provide a sample report?
2. Provide a potential list of the entities (inside and outside of Burbank) that will be involved in the creation of this report?
3. What will the estimated cost be to produce the report?

***Policy 3.6 Reduce greenhouse gas emissions by encouraging the retrofit of older, energy inefficient buildings.***

Policy 3.6 Questions:

1. Please define 'encourage' as it applies to this policy.
2. What will be done to 'encourage'.

***Policy 3.7 Update Burbank's communitywide greenhouse gas emissions inventory every 3–5 years.***

Policy 3.7 Questions:

1. What is this inventory?
2. How is this inventoried?
3. What exactly is inventoried?
4. Why does this need to be inventoried?

5. What are the costs to provide this inventory?
6. Will inventory this be done internally? or by outside parties? At what cost? Who will fund this?
7. Other 2035 Cities must have similar inventory requirements, can you get a sample of this report from one of those cities?

***Policy 3.8 Transition all economic sectors, new development, and existing infrastructure and development to low- or zero-carbon energy sources. Encourage implementation and provide incentives for low- or zero-carbon energy sources.***

Policy 3.8 Questions:

1. Every time I read this policy, I have no idea what it is. Can you provide a detailed and comprehensive explanation as to what this policy is?

***Policy 3.9 Continue efforts to diversify Burbank Water and Power's energy portfolio beyond 2020.***

Policy 3.9 Questions:

1. The BWP is a separate entity from the Burbank government. The City provides oversight to a certain degree of the BWP. What gives the City the Right to impose any demands on how the BWP supplies water and power to the residents of Burbank?
2. Has the BWP been informed of this policy? If so, what is the BWP's official position on this policy? Is it in writing?
3. Can the BWP refuse to cooperate with this policy? Will there be a penalty if they do?
4. Has BWP indicated how this policy might affect the cost of our utilities?
5. Please define 'diversify' as it applies to this policy.

#### **GOAL 4 CLIMATE CHANGE**

**Prepare for and adapt to anticipated effects of climate change.**

***Policy 4.1 Evaluate the potential effects of climate change on Burbank's human and natural systems and prepare strategies that allow the City to appropriately respond.***

Policy 4.1 Questions:

1. This seems to be a virtually impossible task. Did Ken Lewis have anything to do with this policy? Please explain how this policy will be accomplished.

***Policy 4.2 Consult with state resource and emergency management agencies regarding updates to climate change science and development of adaptation priorities.***

Policy 4.2 Questions:

1. Please provide an estimate of the cost for this 'consulting'. Where will the funding come from?
2. How often will this be needed through 2035?
3. What are 'adaptation priorities'?
4. Will the consulting be provided by the State of California or through recommended third parties?
5. Can we choose our own experts?
6. Other 2035 Cities must have similar consulting requirements, can you find out who they used to obtain these reports? I would like to take a look at one of these reports, can you get one?

Every policy in B2035 is more insane than the last and I have only completed Section 1! Has anybody in the City actually read Burbank2035? Please don't tell me that you really buying into all of this impractical eco-gobbledygook.

Did you happen to see the "Urban Tree Canopy Grading System" presentation and testimony at that last City Council meeting? The level of complexity created for something so simple was astounding. Quite the dog and pony show, if you ask me. This is what the City of Burbank is about to experience on an exponential level with the administration and implementation of B2035 (except B2035 is anything but simple).

Everybody wants clean air, water and to keep pollution to a minimum, but this general plan has little basis in reality. No matter how much funding may be available, I just don't see how this 'Rube Goldberg' leviathan of a general plan could possibly be administrated let alone implemented. (See attached jpg)

I will keep going on this and move on the Section 2, but I respectfully request that you call for an immediate rejection of Burbank2035 by the City Council and bring this suicide pact to an end.

Louis Altobelli  
Burbank Rancho Resident

cc: City Council  
[tsteinkruger@ci.burbank.ca.us](mailto:tsteinkruger@ci.burbank.ca.us); [CityCouncil@ci.burbank.ca.us](mailto:CityCouncil@ci.burbank.ca.us)

**From:** Steinkruger, Tracy [mailto:TSteinkruger@ci.burbank.ca.us]  
**Sent:** Tuesday, September 25, 2012 5:41 PM  
**To:** 'gg360@hotmail.com'  
**Cc:** City Council  
**Subject:** RE: Burbank2035 Section 1 Policies 1.1-2.5

Thanks for your message.

Looks like you have a lot of questions about Burbank2035, specifically the goals and policies in the Burbank2035 Air Quality & Climate Change Element. It might work best to set up a meeting where we can talk through all of your questions. Probably need to budget an hour or two for our discussion. If there are some specific days and/or times that work for you, we should be able to get something scheduled for next week. I am wide open next Monday, Tuesday, and Thursday afternoon. Looking forward to our conversation. Thanks,  
Tracy

**Tracy Steinkruger - Senior Planner**  
City of Burbank Planning & Transportation Division  
150 North Third Street  
Burbank, CA 91502  
818.238.5250 (p) | 818.238.5150 (f)



**From:** Steinkruger, Tracy  
**Sent:** Wednesday, October 03, 2012 2:58 PM  
**To:** 'Hubsch, Allen W.'  
**Cc:** Karla Y. Pleitéz (khowell@publiccounsel.org)  
**Subject:** RE: Burbank General Plan Update - Follow-Up on 4/3/12 Conference Call

Allen-

Thanks for your message. You did sign up for E-Notify. There was a typographical error in the email address; I have remedied this and, in the future, you should receive notifications regarding meetings, public hearings, etc.

All comments from the public are available for download on the Burbank2035 website and were previously forwarded to the City Council for their consideration. Additional correspondence will be uploaded this week.

On July 31, 2012, the Burbank Planning Board and City Council held a study session to discuss the public review drafts of Burbank2035 et al. A link to this meeting has been provided below:

[http://burbank.granicus.com/MediaPlayer.php?view\\_id=6&clip\\_id=4849&meta\\_id=150874](http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=4849&meta_id=150874)

The July 31, 2012 staff report highlighted changes made to the document based on our dialogue. I have provided an excerpt below.

*Goal 6 – Economic Vitality and Diversity has been modified consistent with input provided by the Land Use Coalition of Public Counsel’s Early Care and Education Law Project (Exhibit F). Their August 30, 2011 correspondence recommended that two additional policies related to the provision of childcare be added to Burbank2035. Staff believes that it is appropriate to include their first policy recommendation, to allow a range of childcare facilities in commercial land use designations. However, staff does not believe it is necessary to include their second recommendation regarding elimination of barriers to childcare services due to zoning regulations and expensive permit requirements. Staff believes the permitting requirements for childcare services are not excessively burdensome, nor are the costs involved, and this additional policy language is not merited for Burbank2035.*

At that time, we received no direction from the City Council to add additional policy language to Burbank2035 regarding the elimination of barriers to the development of childcare services resulting from zoning regulations and/or permit requirements.

We understand the continued desire to have language included in Burbank2035 regarding child care facilities. However, staff does not believe that the City’s zoning requirements (or associated permit fees), merit adjustment. Small family day care homes are allowed in all residential zones by-right. Large family day care homes are allowed with an Administrative Use Permit (\$548.00) in all residential zones. Child day care

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facilities are allowed by-right in most commercial zones unless residentially adjacent (within 150-feet of a residentially-zoned property); an Administrative Use Permit is required (\$1,060.00) if residentially adjacent. Approval or denial of an Administrative Use Permit is made by the Community Development Director; no public hearing is required. Because of this, they generally take only 2-3 months to process in comparison to a Conditional Use Permit, which requires a public hearing and generally takes 4-6 months to process. The City Council is protective of single-family neighborhoods; many commercial uses in close proximity to residential zones are discretionary because of this. Based on current practice, we do not believe the Council would be receptive to altering the permit process.

The public hearings for Burbank2035 are tentatively scheduled to begin in November. A memorandum will be provided to the Planning Board and City Council detailing recommended changes. At that time, we will note your continued desire to have language inserted into the document regarding the elimination of barriers to childcare services due to zoning regulations and permit requirements.

Please do not hesitate to contact me if you have additional questions.

**Tracy Steinkruger - Senior Planner**

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

**From:** Hubsch, Allen W. [mailto:allen.hubsch@hoganlovells.com]  
**Sent:** Thursday, September 27, 2012 6:02 PM  
**To:** Steinkruger, Tracy  
**Cc:** Karla Y. Pleitéz (khowell@publiccounsel.org)  
**Subject:** Burbank General Plan Update - Follow-Up on 4/3/12 Conference Call

Tracy,

I have had an opportunity to review the revised draft General Plan that was circulated this summer. Although I signed up through E-Notify to receive notices about the General Plan process, I did not receive notice of publication of this revised draft. Please include me on future notices, especially regarding any further revisions or public hearing dates. Please also make sure that Public Counsel's comments (including the August 30, 2011 letter and attachments and my April 23, 2012 e-mail) are included in the staff reports for any public hearings.

The County-wide childcare needs assessment included with the August 30 letter, prepared by the Office of Child Care of the Chief Executive Office of Los Angeles County, demonstrates a substantial shortfall in the availability of childcare services in Burbank. As stated in my April 23 e-mail, I appreciate the modest change made. But the City can and should do more in its guiding document through 2035 to address this shortfall. I would welcome the opportunity to discuss further revisions with you, or to work with the City through the public hearing process to address these issues.

Allen

**Allen Hubsch**

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www.hoganlovells.com

*Please consider the environment before printing this e-mail.*

**From:** Hubsch, Allen W.  
**Sent:** Monday, April 23, 2012 12:07 PM  
**To:** 'Steinkruger, Tracy'  
**Cc:** Karla Y. Pleitéz (khowell@publiccounsel.org)  
**Subject:** RE: Follow-Up on 4/3/12 Conference Call

Tracy,

Thank you for the revision to Goal 6. That's good.

But I think you can and should do more. Moreover, the needs assessment I provided to you, which was prepared by the Office of Childcare Services, suggests that Burbank is not currently doing enough. Burbank's draft general plan is intended to be the guiding document through 2035. The general plan's land use element should provide guidance on the subject. Instead of the language I originally suggested, how about adding the following at the end of the words in quotes below: "Consider changes to the zoning code and to permit fees that may be appropriate to meet such needs." That would leave Burbank with flexibility, and not leave the subject so silent.

Thanks very much.

Allen

**Allen Hubsch**

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*Please consider the environment before printing this e-mail.*

**From:** Steinkruger, Tracy [<mailto:TSteinkruger@ci.burbank.ca.us>]  
**Sent:** Thursday, April 19, 2012 5:51 PM  
**To:** Hubsch, Allen W.  
**Subject:** Follow-Up on 4/3/12 Conference Call

Allen:

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Wanted to touch base with you and follow-up on our 4/3/12 conference call.

After further review, we have elected to include the following policy (with modifications). This policy will be located in the Land Use Element as part of Goal 6 – Economic Vitality and Diversity.

“Encourage the development of a range of childcare facilities, including infant care, pre-school care, and after-school care, to serve the needs of working families.”

Please note that we are omitting the language regarding commercial land use designations. Given its location in the document, this policy would encourage the development of childcare facilities in ALL land use designations, not necessarily commercial only.

Given our discussion about childcare services being permitted and/or permitted with discretionary review in most zones, and our fees (which are low in contrast to jurisdictions in the area), we do not believe that a second policy is needed to address barriers to childcare services.

Please note that this policy language will be included in the next draft of Burbank2035, which is slated to be released in July 2012, and is subject to additional review and modification by the Planning Board and City Council. When this draft is presented to both the Board and Council, we will note this inclusion and the dialogue which led to it.

Should you have any additional questions, please do not hesitate to contact me. Thank you for participating in the development of Burbank2035.

**Tracy Steinkruger - Senior Planner**  
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## Potter, Martin

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**From:** Steinkruger, Tracy  
**Sent:** Monday, January 28, 2013 5:32 PM  
**To:** Potter, Martin  
**Subject:** FW: Burbank2035 Element 3 Policies 1.1-2.8

**From:** Louis [mailto:gg360@hotmail.com]  
**Sent:** Tuesday, October 16, 2012 2:48 PM  
**To:** Steinkruger, Tracy  
**Cc:** City Council  
**Subject:** Burbank2035 Element 3 Policies 1.1-2.8

October 16, 2012

Tracy Steinkruger  
Senior Planner  
Community Development  
Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

I'm touched by your insistence to want to meet rather than answer my questions in writing. Your reluctance to answer questions in writing is curious, certainly puzzling and a bit suspicious.

After the planning dept's ZTA disaster at the 9/18/2012 Council Meeting, the planning department is now marked by engaging in deceptive practices and is no longer among the trusted institutions within our Government. So any verbal response is no longer an option.

Like most of B2035, this Land Use Element section contains some lofty and soaring rhetoric. Promises that would be nearly impossible to keep.

In my last email I indicated that I would continue with questions from Element 3 of Burbank2035. They start with Policy 1.1 and end with 2.8 and I did have a few more general questions, as well.

### **More General questions:**

1. How will the public be able to monitor the results and activities of B2035?
2. Will there be a set of periodic benchmarks for the public to judge the success or failure of the various B2035 elements?
3. Would the public be able request a change to B2035 if these benchmarks are not being met?
4. Are you aware of potential any levy, charge, fee, tax that will be charged to the residents of Burbank as a result of B2035?
5. Is there any prohibition on any additional levy, charge, fee or tax as a result of B2035 ?

6. B2035 is a very complicated and far reaching general plan, are you confident that it does not unlawfully infringe on any protected private property rights?
7. Prior to passage, will B2035 be legally reviewed by an independent Constitutional specialist?
8. The narrowing of Verdugo Avenue seems to be a conscious and deliberate creation of gridlock. Will you confirm that B2035 will not create more of this?
9. Once B2035 is passed, who will be in primary control of the process and implementation of B2035?
10. What will be expected of the residents of Burbank once B2035 is passed?
11. Please list the funding and grants that will be available to Burbank once B2035 is passed.
12. Please list the others in our region that will be a participating with this grant funding.
13. Under B2035 if a property burns down, would the property be subject to B2035 policies when rebuilding?
14. Will Burbank be issuing any bonds to implement B2035?
15. Will any of B2035 be subsidized by our transportation and property tax dollars?
16. Will B2035 allow the City of Burbank to legally pass laws tying Burbank to other Cities in the region? If so, will regional boards be able to make decisions that includes Burbank without the Burbank residents consultation and approval?
17. Could the violation of any B2035 policy (or resulting regulation) result in a business being closed down?
18. Could the violation of any B2035 policy (or resulting regulation) result in jail time for the perpetrator?
19. Could the violation of any B2035 policies including GHG reductions result in financial penalties for the City of Burbank?

This following addresses Burbank2035 Element 3 Policies 1.1 to 2.8.

## **CITYWIDE LAND USE GOALS AND POLICIES**

### **GOAL 1 QUALITY OF LIFE**

***Burbank maintains a high quality of life by carefully balancing the needs of residents, businesses, and visitors.***

Goal 1 General Questions:

1. What determines what the proper balance is?
2. Is there any public input as part of making this determination?
3. Who is responsible and accountable for balancing this?
4. How will this balance be measured?
5. Is Burbank currently in or out of 'balance'?
6. How are other 2035Cities (Cities that have passed similar model plans like B2035) balancing this?
7. Please provide the methods that will be utilized to achieve this balance.

***Policy 1.1 Accommodate a mix of residential and non-residential land uses in appropriate locations that support the diverse needs of Burbank residents, businesses, and visitors. Provide opportunities for living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.***

1. What is the justification of mixed use developments?
2. These model 2035 general plans have been implemented throughout California and have included mixed used property developments. Do you have statistics on mixed use vacancy rates in various California cities?
3. What is the availability of construction loans and permanent financing on mixed use projects.
4. Has the Planning Department contacted other 2035Citites to find out if their mixed use projects have been able to obtain financing?

5. Do lenders for mixed use projects require any Burbank City or other Government backing or guarantees?
6. What will be the extent of Government participation with mixed used projects? Please extend this answer to pre-construction, construction, post-construction and maintenance.
7. What percentage of equity is required for a builder to get loans on mixed use projects?
8. Other than Commercial Banks, what outside funding expect to participate with funding and other incentives to encourage developers with mixed used projects?
9. Please list the incentives needed to get developers to engage in a mixed use project.
10. Please provide all the variations of 'non-residential' uses.
11. Which type of mixed use properties are most likely to receive government incentives?
12. Describe 'diverse needs' as is relates to this policy.
13. Who will be assessing these 'needs'?
14. How will these 'needs' be assessed?
15. What are the fixed, recurring and administrative costs of assessing these 'needs'? How will they be funded?
16. Other 2035Cities must have produced these 'needs' reports. Can you obtain a copy of one?
17. What is the justification for the Government to be so involved with these activities? Why do they need to be codified? (This policy goes way beyond the idea of "Promoting the General Welfare" as stated in our Constitution.)
18. Describe how the Burbank government will 'Provide opportunities'.
19. What tactics and strategies will the Government use to 'Provide opportunities'?

***Policy 1.2 With discretionary approval, allow for the density and intensity limits specified in Burbank2035 to be exceeded for transit-oriented development projects within transit centers as identified in the Mobility Element. The density and intensity limits may be exceeded by no more than 25%.***

Policy 1.2 Questions:

1. What is 'transit-oriented development'?
2. Please provide examples of 'transit-oriented development'.
3. How is 'transit-oriented development' funded?
4. Please provide the locations of current and future 'transit centers' in Burbank.
5. Could this policy result in any takings by eminent domain?
6. Have other 2035Cities employed the use of eminent domain to build transit centers or to create the higher density uses in proximity to transit centers?

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

Policy 1.3 Questions:

1. Who decides what is compatible or not?  
Provide examples of any properties in Burbank that fail this encroachment standard.
2. Could the City use this policy to take properties by eminent domain if a property fails this standard? If no, will that be in writing?

***Policy 1.4 With discretionary approval, allow for the density and intensity limits to be exceeded, by no more than 25%, for exceptional projects that advance the goals and policies of Burbank2035.***

Policy 1.4 Questions:

1. Would the City Council have to approve any exceptions to the density and intensity limits?
2. What are Burbank currently density and intensity limits?
3. What will be density and intensity limits after B2035 is passed?
4. Describe an 'exceptional' project.
5. Are there any 'exceptional' projects I can go look at in Burbank?

***Policy 1.5 Carefully review and consider non-residential uses with the potential to degrade quality of life.***

Policy 1.5 Questions:

1. Do you agree that the 'quality of life' is a subjective idea?
2. How will a 'potential' degraded quality of life be assessed? By who?
3. Describe or provided examples of degraded quality of life.
4. Does this policy apply to future developments or existing properties?
5. Are there currently any properties in Burbank that would qualify as having the 'potential' degrading the quality of life?
6. Will this policy to be used in conjunction with or in addition to the term 'Blight' to justify the Governments taking of properties by eminent domain?
7. Could this policy result in any takings by eminent domain?

***Policy 1.6 Adapt economically underused and decaying buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful.***

Policy 1.6 Questions:

1. Does this policy apply to residential, commercial and industrial properties?
2. Define 'economically underused'.
3. Can you provide the locations of where some of these economically underused buildings might be?
4. Can you provide the location of where some of these decaying buildings might be?

***Policy 1.7 Ensure that building height and intensity near single-family residential neighborhoods is compatible with that permitted in the neighborhood. Use graduated height limits to allow increased height as distance from single-family properties increases.***

Policy 1.7 Questions:

1. Does this policy apply to existing situations or just new developments?

***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.***

Policy 1.8 Questions:

1. Will this policy force our Master plans to be subordinated to B2035?
2. Will it be in writing that the Master Plans are not subordinated to B2035?

**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.***

1. Is the above paragraph the definition of 'Sustainability'?

Goal 2 General Questions:

1. The first usage of the word 'Burbank' in the above paragraph is ambiguous. Is this the City of Burbank? The residents of Burbank? Or is this some sort of combination?
2. Is the use of the word 'Development' referring to the building of a structure?
3. What are the natural resources of Burbank?
4. Does Burbank have an official list of natural resources and their locations? If so, please provide that list.
5. Do any of these natural resources fall under the control or protection of the State or Federal governments?
6. Are any of these natural resources owned or under the control of private entities?

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

Policy 2.1 Questions:

1. Please define 'sustainability' as it applies to this policy.
2. How is 'sustainability' measured?
3. What exactly is being 'considered' when it comes to 'sustainability'?
4. How will the Government or Burbank residents know when 'sustainability' is properly implemented.
5. What is the difference between land use 'sustainability' and transportation 'sustainability'?
6. How does one know when 'sustainability' has been utilized?
7. What additional costs will be incurred by utilizing 'sustainability'?
8. Is there an example of land use or transportation 'sustainability' in Burbank that I can go look at?
9. Who is doing the 'considering' and at whose discretion?
10. Will the public be noticed prior to any 'discretionary land use' decision being made?

***Policy 2.2 Preserve the undeveloped portion of the Verdugo Mountains as open space. Guide new development to infill locations in other parts of the city.***

Policy 2.2 Questions:

1. Please provide currently identified infill locations in Burbank.

***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 2.3 Questions:

1. What infrastructure improvements?
2. Have these infrastructure improvements been identified? If so, what are they?
3. What percentage would be considered 'fair share'?
4. How will the 'fair share' be calculated?
5. Would there be a feasibility study associated with this policy?
6. What are 'services' referred to in this policy?

***Policy 2.4 Provide public facilities and services in the most equitable and efficient manner possible.***

Policy 2.4 Questions:

1. Who is doing the 'providing'?
2. Describe these public facilities.
3. Describe the need for public facilities.
4. Have any locations been identified for these public facilities?
5. How many of these public facilities are planned for Burbank?
6. Will the services be integrated with these public facilities?
7. What would these services be?
8. Estimate the cost of these services and how will they be funded?
9. Could this policy result in any takings by eminent domain?
10. How will facilities be built?
11. Who will operate and maintain these public facilities and services? At what cost? How will they be funded?
12. Define equitable as it applies to this policy.
13. Who determines what is equitable?
14. How can the residents of Burbank be able to tell that these public facilities and services are run efficiently?
15. Will there be regular reporting on these public facilities and services? Do you have a sample of what this report would be?

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

Policy 2.5 Questions:

1. Other 2035 Cities must have a 'sustainable construction practices' requirements handbook for builders. Can you get a copy of one?
2. Define 'substantial'.
3. Would this policy apply to residential and non-residential uses?

***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 2.6 Questions:

1. Would this policy apply to residential and non-residential uses?
2. Could this policy potentially force a builder, for example, to install solar panels in order to get a building permit?
3. Would this policy apply to any size building?
4. Would this policy apply to commercial or residential buildings?
5. Provide a list of what these 'incentives' might be?
6. What are other 2035 Cities using as 'incentives'?

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

Policy 2.7 Questions

1. Who will 'make' this policy?
2. Will any outside entities be involved in the 'making' of this policy.
3. Please provide examples of what this policy would be.
4. Other 2035Cities must have these policies in place already. Can you get a copy from one them?
5. What are the 'adverse environmental effects' referred to in this policy.
6. Is the use of the word 'environmental' in this policy meant strictly in the Globalwarmingclimatechange sense? If not, please provide the 'environments' this policy is referring to.
7. Is Burbank currently experiencing 'adverse environmental effects'? If so, what are they?
8. Describe the enforcement mechanism referred to in this policy.
9. Who will be doing the 'enforcing'?
10. How will the 'enforcing' be done?
11. Will any outside entities be involved with this enforcement?
12. If a Citizen of Burbank has identified an inequitable situation, as referred to in this policy, who should they report it to?

***Policy 2.8 Support the development of urban agriculture and community gardens in public and private spaces.***

Policy 2.8 Questions

1. Describe how and where this 'urban agriculture' will be supported.
2. Will new developments be expected to support this policy? How?
3. Will this policy allow any property owner to engage in commercial 'urban agricultural' operations?
4. Will this policy support for-profit, not-for-profit or non-profit gardening or 'urban agricultural' operations?
5. Are there any limitations of what can be planted?
6. Can the development of urban agriculture and community gardens be used solely to be benefit of the planter or do they have to share?
7. Are there any scenarios where a business license would be needed to operate an urban agriculture or community garden?
8. Please provide a proforma set of rules and regulations for the public to operate an urban agriculture or community garden.
9. How will the City deal with the conflict between 'sustainability' practices of requiring reduced water consumption and the urban agriculture and community garden projects need for water?

Thank you for addressing my concerns and I look forward to your written response.

Louis Altobelli  
Burbank Rancho Resident

cc: City Council  
[tsteinkruger@ci.burbank.ca.us](mailto:tsteinkruger@ci.burbank.ca.us); [CityCouncil@ci.burbank.ca.us](mailto:CityCouncil@ci.burbank.ca.us)

**From:** Steinkruger, Tracy [<mailto:TSteinkruger@ci.burbank.ca.us>]  
**Sent:** Thursday, October 04, 2012 6:28 PM  
**To:** 'gg360@hotmail.com'  
**Cc:** City Council; Herrmann, Greg; Prescott, Patrick  
**Subject:** RE: Burbank2035 Section 1 Policies 3.1-4.2

Mr. Altobelli:

On July 30, 2012 a mandatory 45-day public review of the Draft Environmental Impact Report (DEIR) was initiated. During this time, you submitted two comment letters, one on 9/3/12 and another on 9/9/12. All correspondence received during that time will be responded to, in writing, as part of the Final Environmental Impact Report (FEIR). The FEIR is *tentatively* scheduled to be released on 11/6/12.

We have since received two additional comment letters from you, one on 9/24/12 and another on 10/2/12. Many of your questions have been asked and answered previously at Planning Board or City Council meetings. My 9/5/12 e-mail (attached) listed all Planning Board or City Council meetings where Burbank2035 was discussed; the links provided allow you to watch the presentations and review the staff reports. Some questions have little to do with the contents of Burbank2035, the Greenhouse Gas Reduction Plan (GGRP), or the DEIR, but instead question the regulatory framework on which these documents are based. Your correspondence indicates that you have covered the first two chapters of Burbank2035. You will find that some of your questions will be answered as you continue reading.

I will reiterate that staff would be happy to meet with you to discuss your questions. If your schedule does not allow for a morning or afternoon meeting, we could meet with you on a weeknight if that works better. Your comment letters have been uploaded to the Burbank2035 website ([www.burbank2035.com](http://www.burbank2035.com)) and will be forwarded to the Planning Board and City Council when they consider adoption of Burbank2035.

The Planning Board is slated to consider Burbank2035 in November. The City Council is slated to consider Burbank2035 in January 2013. Staff will likely address some of your questions, concerns, etc. as part of our presentation and we expect there will be much discussion and many questions asked. I'd encourage you to attend the public hearings and voice your support or opposition to the project.

Should you have any questions, please do not hesitate to contact me. Thanks.

**Tracy Steinkruger - Senior Planner**

City of Burbank Planning & Transportation Division

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

**Sent:** Tuesday, October 02, 2012 1:35 PM

**To:** Steinkruger, Tracy

**Cc:** City Council

**Subject:** Burbank2035 Section 1 Policies 3.1-4.2

October 2, 2012

Tracy Steinkruger

Senior Planner

Community Development

Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

Thank you for your invite to sit and chat. However, after what happened to the Planning Department at the last City Council meeting with the ZTA, I would prefer to get the answers to my questions in writing. Plus, once you complete the questions I will then very likely have follow up questions. Also, I work during the day and it would be difficult for me to get away. My email of 9/3/2012 had 27 general questions which you never answered. If you wouldn't mind, please start there.

On an observatory note: It was quite amazing the way Vice Mayor Gabel-Luddy took apart the ZTA at the last council meeting. Wow! 2 years worth of work by the Planning Dept. was completely decimated in less than 5 minutes. It was the single most impressive cross examination I have witnessed by her to date. Based on that performance and her knowledge of planning, if she ever turns that laser focus and professional acumen against Burbank2035, it's my guess that Burbank2035 would be permanently confined to the ash heap of history. However, I do not see her actually doing that, but I now know that she could do it with relative ease if she chose to.

In my last email I indicated that I would complete my questions on Section 1 of Burbank2035 and below they start with Policy 3.1.

**More General questions:**

20. Is it possible that the City would become involved in a Cap and Trade scheme if B2035 if passed?
21. Since B2035 is a model plan, does the Planning dept already have the model laws, ordinances, regulations, etc. required to go along with B2035. Can I get a copy of them?
22. If no model laws, ordinances, regulations, etc. are ready to go, please estimate the time and cost required to draft all of them? Also, will they be drafted by the City, an outside organization(s) or both? ( just a thought, but if the City has to create this stuff from scratch, it would probably take until 2035 just to complete them).
23. From what I can tell, AECOM is effectively a general plan factory and has been cranking out these model 2035 plans for other cities for years. Shouldn't they be able to supply us with samples, examples, exemplars, specimens, prototypes, (or whatever you want to call it) of every regulation, publication, presentation, ordinance, law, report, handbook, illustration, mitigation measure, how-to manual, milestone, benchmark, flow chart, pie chart, etc. that we are going to need to administrate and implement B2035?  
(Maybe they have a whole library of do-it-yourself, fill-in-the-blanks model regulations with places in the documents that reads "Your City Here").
24. There is a maxim used often by Council members "if ain't broke don't fix it". What is so broke about Burbank that we need B2035? What exactly are we fixing or preventing with B2035?
25. Has anyone from the Planning Department ever called another California City that has implemented one of these 2035 general plans to see how it's working out?
26. Please define stakeholder.

**This following addresses Burbank2035 Section 1 Policies 3.1 to 4.2.**

**AIR QUALITY AND CLIMATE CHANGE GOALS AND POLICIES (Cont)**

**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 communitywide greenhouse gas emissions within Burbank by at least 15% from current levels by 2020.**

Policy 3.1 Questions:

7. For what purpose would The City of Burbank voluntarily bind itself to this?
8. Please define 'binding' as it applies to this policy.
9. Would this policy be legally binding? If not legally, than what?
10. In conjunction with this policy, would Burbank have to be 'bound' with any outside third parties, governmental or otherwise?
11. What is the makeup of the greenhouse gases that B2035 refers to?
12. Why do we need to reduce greenhouse gases?
13. How does B2035 propose to reduce GHG emissions?
14. Does Burbank already know what it's 'current levels' of GHG's are? As of what date?
15. Where does the 15% come from? Can the City self adjust this target? At any time?
16. How is the 15% calculated? Who calculates it?
17. Is the 15% an aggregate measurement or does each GHG emission need to be reduced by 15%?
18. Burbank2035 has been in the works for years now and the 15% reduction target has remained the same since the first draft. Shouldn't it be prorated since we have less time to accomplish this?
19. Are there penalties for not meeting the targets? What are they?
20. Are the 5 and 134 freeways and the airport included as part of the target?
21. How and where are measurements taken? Who takes them? At what cost?
22. Describe and list typical "mitigation measures".
23. What are the 'mitigation measures' that other Cities have used to attempt to meet their targets?
24. What happens if the City Council or the People do not trust the GHG measurements?
25. Can you point to any other California cities that have met or are meeting these targets?
26. Are there statistics on Cities that have or have not met their targets?
27. Does Burbank currently have any greenhouse gas monitoring stations?
28. Will Burbank have to install permanent greenhouse gas monitoring stations? How many? Where will they be placed? At what cost? Please provide an estimate of fixed, recurring, installation and maintenance costs.
29. There are many devices that measure green house gases. Will the specifications of these devices be provided to the Burbank public? What is the cost of the devices?
30. This greenhouse gas stuff is really complicated and relying strictly on outside help is potentially risky. Is the City going to hire at least one staff GHG expert to help us with it?
31. Who are the experts on greenhouse gases that Burbank will be looking to for answers on greenhouse gases?
32. If one or more of those GHG experts that Burbank employs concludes sometime in the future that there is no man-made Globalwarmingclimatehange, do we look for other experts that still believe in man-made Globalwarmingclimatehange or should we repeal B2035?

**Policy 3.2 Establish a goal and strategies to reduce communitywide greenhouse gas emissions by at least 30% from current levels by 2035.**

Policy 3.2 Questions:

1. Why is Policy 3.1 binding and enforceable and this policy is only a goal?
2. Will the specifics of this goal be developed internally or will any outside regional, state, and federal agencies or independent non-profits be used to implement this? At what cost?
3. Please provide any example of what these strategies might be?

4. Other 2035Cities (Cities that have passed similar model plans like B2035) must have produced strategies to meet this goal, can you get a copy of those strategies from one of those cities?

***Policy 3.3 Continue to participate in the Cities for Climate Protection program and applicable state and federal climate change programs.***

[In my research of this policy I found this:

**Cities for Climate Protection** is a program was initiated by ICLEI – Local Governments for Sustainability in the early 1990s. CCP focuses on the greenhouse gas emissions that local governments contribute to global warming directly of around 1–2% and their indirect influence and leverage over 50% of emissions from their communities.

Source: <http://www.iclei.org/index.php?id=10315> ]

[The Planning Department has routinely denied any connection to ICLEI. This policy alone negates that. Deceit seems to be something the Planning Department is disturbingly comfortable with.]

**Policy 3.3 Questions:**

1. In light of this policy, please explain why the Planning Department denied any connection or knowledge of ICLEI?
2. Please provide the estimated annual cost of participation in this program.
3. What does the participation in this program entitle Burbank to? Software? Training?
4. ICLEI's ideas include this thing called 'social justice'. What is this? Is there some sort of Social injustice taking place in Burbank? Describe how the City of Burbank accomplish this?
5. Are the individual residents or the Burbank community as a whole somehow inherently unjust?
6. ICLEI pushes this thing called a 'sustainable urban future'. What is this and why does Burbank need it?
7. Can you provide any costs, funding, statistics, results or case studies from other California cities that have implemented this 'Cities for Climate Protection'?
8. All this ICLEI stuff sounds expensive. How much is it? How will it be funded?
9. Other 2035Cities that are implementing this ICLEI stuff must be budgeting for this. Is it possible for someone in the Planning Dept. to get another city on the phone and ask them what it is costing them?
10. This whole ICLEI organization seems a bit creepy. Why would we voluntarily subject ourselves to an international organizations ideas of how we should run Burbank?

***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.***

**Policy 3.4 Questions:**

1. Please provide an example of the strategies and tactics on how the City would implement this promotion.
2. Who is the target of this promotion?
3. What is Burbanks current job/housing ratio? What is it projected to be in 2035? What is it projected to be in 2035 if B2035 is passed?
4. Estimate the fixed, recurring and administrative costs of this promotion.
5. Will this promotion continue through 2035?
6. Will additional City employees be required to properly implement this promotion?
7. Estimate how much time and labor per annum will be required to implement this promotion.
8. According to Policy 3.1 Burbank is going 'bind' itself to reduce its GHG emissions by 15%. How will any new developments referred to in this policy aid in that goal?.

9. Should Burbank stop or put moratorium on all new developments in order to achieve the 15% GHG reduction goal?
10. How are we going to achieve the 15% reduction in GHG's if Burbank keeps allowing new developments?

***Policy 3.5 Submit an annual report on implementation of the Greenhouse Gas Reduction Plan, in conjunction with the annual report to the City Council regarding implementation of Burbank2035.***

Policy 3.5 Questions:

1. Other 2035Cities must have similar reporting requirements, can you get a copy of one of those reports? Maybe AECOM can provide a sample report?
2. Provide a potential list of the entities (inside and outside of Burbank) that will be involved in the creation of this report?
3. What will the estimated cost be to produce the report?

***Policy 3.6 Reduce greenhouse gas emissions by encouraging the retrofit of older, energy inefficient buildings.***

Policy 3.6 Questions:

1. Please define 'encourage' as it applies to this policy.
2. What will be done to 'encourage'.

***Policy 3.7 Update Burbank's communitywide greenhouse gas emissions inventory every 3–5 years.***

Policy 3.7 Questions:

1. What is this inventory?
2. How is this inventoried?
3. What exactly is inventoried?
4. Why does this need to be inventoried?
5. What are the costs to provide this inventory?
6. Will inventory this be done internally? or by outside parties? At what cost? Who will fund this?
7. Other 2035Cities must have similar inventory requirements, can you get a sample of this report from one of those cities?

***Policy 3.8 Transition all economic sectors, new development, and existing infrastructure and development to low- or zero-carbon energy sources. Encourage implementation and provide incentives for low- or zero-carbon energy sources.***

Policy 3.8 Questions:

1. Every time I read this policy, I have no idea what it is. Can you provide a detailed and comprehensive explanation as to what this policy is?

***Policy 3.9 Continue efforts to diversify Burbank Water and Power's energy portfolio beyond 2020.***

Policy 3.9 Questions:

1. The BWP is a separate entity from the Burbank government. The City provides oversight to a certain degree of the BWP. What gives the City the Right to impose any demands on how the BWP supplies water and power to the residents of Burbank?
2. Has the BWP been informed of this policy? If so, what is the BWP's official position on this policy? Is it in writing?
3. Can the BWP refuse to cooperate with this policy? Will there be a penalty if they do?
4. Has BWP indicated how this policy might affect the cost of our utilities?
5. Please define 'diversify' as it applies to this policy.

#### **GOAL 4 CLIMATE CHANGE**

**Prepare for and adapt to anticipated effects of climate change.**

***Policy 4.1 Evaluate the potential effects of climate change on Burbank's human and natural systems and prepare strategies that allow the City to appropriately respond.***

Policy 4.1 Questions:

1. This seems to be a virtually impossible task. Did Ken Lewis have anything to do with this policy? Please explain how this policy will be accomplished.

***Policy 4.2 Consult with state resource and emergency management agencies regarding updates to climate change science and development of adaptation priorities.***

Policy 4.2 Questions:

1. Please provide an estimate of the cost for this 'consulting'. Where will the funding come from?
2. How often will this be needed through 2035?
3. What are 'adaptation priorities'?
4. Will the consulting be provided by the State of California or through recommended third parties?
5. Can we choose our own experts?
6. Other 2035 Cities must have similar consulting requirements, can you find out who they used to obtain these reports? I would like to take a look at one of these reports, can you get one?

Every policy in B2035 is more insane than the last and I have only completed Section 1! Has anybody in the City actually read Burbank2035? Please don't tell me that you really buying into all of this impractical eco-gobbledygook.

Did you happen to see the "Urban Tree Canopy Grading System" presentation and testimony at that last City Council meeting? The level of complexity created for something so simple was astounding. Quite the dog and pony show, if you ask me. This is what the City of Burbank is about to experience on an exponential level with the administration and implementation of B2035 (except B2035 is anything but simple).

Everybody wants clean air, water and to keep pollution to a minimum, but this general plan has little basis in reality. No matter how much funding may be available, I just don't see how this 'Rube Goldberg' leviathan of a general plan could possibly be administered let alone implemented. (See attached jpg)

I will keep going on this and move on the Section 2, but I respectfully request that you call for an immediate rejection of Burbank2035 by the City Council and bring this suicide pact to an end.

Louis Altobelli

Burbank Rancho Resident

cc: City Council

[tsteinkruger@ci.burbank.ca.us](mailto:tsteinkruger@ci.burbank.ca.us); [CityCouncil@ci.burbank.ca.us](mailto:CityCouncil@ci.burbank.ca.us)

**From:** Steinkruger, Tracy [<mailto:TSteinkruger@ci.burbank.ca.us>]

**Sent:** Tuesday, September 25, 2012 5:41 PM

**To:** 'gg360@hotmail.com'

**Cc:** City Council

**Subject:** RE: Burbank2035 Section 1 Policies 1.1-2.5

Thanks for your message.

Looks like you have a lot of questions about Burbank2035, specifically the goals and policies in the Burbank2035 Air Quality & Climate Change Element. It might work best to set up a meeting where we can talk through all of your questions. Probably need to budget an hour or two for our discussion. If there are some specific days and/or times that work for you, we should be able to get something scheduled for next week. I am wide open next Monday, Tuesday, and Thursday afternoon. Looking forward to our conversation. Thanks, Tracy

**Tracy Steinkruger - Senior Planner**

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

**Sent:** Monday, September 24, 2012 7:50 PM

**To:** Steinkruger, Tracy

**Cc:** City Council

**Subject:** Burbank2035 Section 1 Policies 1.1-2.5

September 24, 2012

Tracy Steinkruger

Senior Planner

Community Development

Planning & Transportation Division

RE: Burbank2035 General Plan

Tracy:

In my last email I indicated that I would have questions regarding Section 1 of Burbank2035. However, I came up with more general questions as I went through Section 1. So pardon the additional general questions and I will probably come up with more as I address the balance of Burbank2035 policies. Also, I was unable to get through all the policies in Section 1 and have only covered Policies 1.1 to 2.5. I will address policies 3.1 to 4.2 from Section 1 in my next email.

**General questions:**

1. What is the projected Burbank population in 2035?
2. What is the projected Burbank population in 2035 if Burbank2035 passes?
3. Describe any downside to 'shared Parking'.
4. Which Burbank roadways are under the jurisdiction of Caltrans.
5. Will any of the environmental regulations in Burbank2035 cause the City's sewer and refuse rate to increase?
6. Would the City's current sewer infrastructure have the capacity to handle the intended/projected growth set forth in B2035?
7. Would the City's current refuse landfill requirements be able to handle the intended/projected growth set forth in B2035?
8. If the City does not have the existing capacity to handle increased sewer/refuse demands, what would the projected fixed and recurring costs be to meet increasing capacity?
9. Each policy in B2035 will require a set of regulations. Will those regulations be drafted by the City alone, the City in collaboration with some outside entities or will they simply come from some outside source and what source would that be? Provide an estimate of costs to produce or pay and outside source for these regulations.
10. Assuming no outside funding sources, provide a global estimate of annual City administrative costs to implement, maintain and enforce B2035 through 2035. If possible, please break these down by department.
11. Will there be any scenario resulting from the passing and implementation of B2035 where the City of Burbank would be involved in any carbon trading schemes?

**This following addresses Burbank2035 Section 1 Policies 1.1 to 2.5.**

**AIR QUALITY AND CLIMATE CHANGE GOALS AND POLICIES**

***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 1.1 Questions:**

1. Does B2035 require that the City of Burbank sign agreements with local, regional, state, and federal agencies or independent non-profits in order to implement this 'Coordination'?
2. What proposed plans and development projects is this referring to?
3. Will this policy require additional administrative City personnel to 'coordinate' with these agencies? How many? At what cost?
4. Air quality planning requires experts. Where will this expertise come from? Will the City of Burbank hire in-house or outsource experts? At what cost?
5. If the Air Quality Planning will be shared with other entities, government or otherwise what will Burbank share of the cost be? How is that share determined? Who determines Burbank's Share?

6. If the Air Quality Planning will be shared with other entities, what if these other entities determine that Burbank is contributing a greater amount to pollution than they do. Will Burbank be penalized? How?

***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 1.2 Questions:

1. Do you have any examples of the regulations that would be needed to implement this policy.
2. Which has the more stringent standards State or Federal government regulations?
3. Are State and Federal standards tailored by region or is it one size fits all?
4. What would the strategies and tactics need be to implement this policy?
5. Would this policy be equally applied to all of Burbank or would these policies apply more aggressively to the 'heat islands'.

***Policy 1.3***

***Continue to participate in the Cities for Climate Protection Program, South Coast Air Quality Management District's (SCAQMD's) Flag Program, SCAQMD's Transportation Programs (i.e., Rule 2202, Employee Rideshare Program), and applicable state and federal air quality and climate change programs.***

Policy 1.3 Questions

1. Is Burbank's participation with these entities mandatory or voluntary. Does B2035 change that?

***Policy 1.4***

***Cooperate with the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and the SCAQMD to measure air quality at emission sources (including transportation corridors), and enforce the provisions of the Clean Air Act, as well as state and regional policies and established standards for air quality.***

Policy 1.4 Questions

1. Identify the 'Transportation Corridors' in Burbank.
2. Do transportation corridors include the 5 and 134 freeways?
3. Does enforcement of the provisions of the Clean Air Act require additional Burbank personnel?
4. If Burbank personnel is tasked with enforcement of the Clean Air Act. Would they have "Police Powers"?
5. How is the aircraft emission generated by the Bob Hope Airport factored into this?

***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 1.5 Questions

1. Describe Burbank projects (past, present or future) that would fall into the category of "generating significant levels of air pollutants".
2. Will this policy include properties owned or leased by outside Governmental entities such as L.A. City, County, State, Federal located in Burbank?
3. Define ' large construction projects '.
4. Does this policy expect greenhouse gas mitigation during construction or after completion?
5. Who determines that a project will 'generate potentially significant levels of air pollutants'?

6. Who bears the cost to determine that a project will or will not 'generate potentially significant levels of air pollutants'?
7. Do you have an example of the regulations needed to implement this policy.

***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 1.6 Questions

1. Do you have an example of what these 'Require measures' would be?
2. What is the criteria that these 'measures' are required? (e.g., how many trees would have to be planted in a single landscaping project for requirement adherence to be applied).
3. Would this apply to a typical Burbank residence? If a typical Burbank residence is excluded, will that be in writing?

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

Policy 1.7 Questions

1. No question here for now, however if this could be extended to reducing the idle work habits of certain city employees that would be great.

***Policy 1.8 Continue to acquire alternative fuel vehicles like hybrid, natural gas, electric, or hydrogen-powered vehicles when adding to the City's vehicle fleet.***

Policy 1.8 Questions

1. If this is a policy we already have, why does it need to be reiterated in a B2035? Will the existing stand alone policy be rescinded upon the passing of B2035?

***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 1.9 Questions

1. Can a private developer refuse to cooperate with this policy? Without penalty?
2. Would this infrastructure require charging stations?
3. What would the estimated additional infrastructure costs be to the developer?
4. Would this infrastructure for these additional types of vehicles require the integration of ADA requirements?
5. Would this infrastructure requirement be in addition to existing parking ratio requirements?
6. Does a developer have to allow for ALL of the above vehicles?
7. What is the calculation (parking ratio) for each type of vehicle?
8. Please define the word "encourage" as it is used here.
9. What does a property owner do if patrons and or residents in the project refuse to ride a bike when a portion of the traffic mitigation is that a certain percentage will ride bikes?
10. What will be the means of measurement for compliance with requirements for project at time of approval?

11. If this infrastructure is implemented and the property owner is able to prove over time that the space (square footage) required for this infrastructure is substantially unused, would the property owner be able to petition the City to convert this infrastructure to regular parking spaces?

***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.***

#### Policy 1.10 Questions

1. Please define a 'sustainable operation'. Not the dictionary definition, the eco-nut version.
2. Who in the Burbank Government checks for 'sustainable' practices?
3. How is a 'sustainable operation' measured?
4. Who determines if a contractor has a 'sustainable operation'?
5. Is there a standard scale on how to determine a 'preferred' 'sustainable operation'?
6. Are there different factors used in determining a 'sustainable operation'? What are they?
7. If an 'operation' purchases carbon credits and yet uses high emission equipment, is that considered an offset for 'sustainable' evaluation purposes?
8. What happens to a contractor if his 'sustainability' status is reduced during construction. (e.g., the reduced-emission equipment breaks down and high emission equipment is used in its place). Is there a penalty for that?

#### ***Policy 1.11***

***Offer incentives for all City employees to use means other than a single-occupant vehicle for their daily work commute. Require large employers, defined with the City's Transportation Demand Management program to offer similar incentives to reduce employee vehicle trips.***

#### Policy 1.11 Questions

1. What gives the government the Right to 'require' that private businesses offer certain incentives to its employees?
2. Describe what these 'required' incentives should be.
3. Who in the Government is charged with enforcement of these 'required' incentives?
4. What is the penalty for not offering 'required' incentives?
5. What is the penalty for offering the 'required' incentives, but not actually delivering on them?
6. What would the incentives be for the City employees?
7. What will the ongoing cost to the City be to enforce this policy and how will that be funded?

***Policy 1.12 Provide public information describing air quality standards, health effects, and efforts that residents and businesses can make to improve regional air quality. Encourage businesses and residents to participate in SCAQMD's public education programs.***

#### Policy 1.12 Questions

1. What would the cost to provide this information be?
2. How often would it be provided?
3. Who provides it?
4. Define 'regional'.

***Burbank is committed to reducing the exposure of sensitive receptors to toxic air contaminants and odors. Policy 2.1 Mitigate emissions from retail food grilling and barbecuing (indoor and outdoor) through the use of industry-specific equipment.***

#### Policy 2.1 Questions

This policy seems to allow the government pick on these types businesses or even deny a new one to open in Burbank, if it so chooses.

1. What are sensitive receptors? People, animals, trees, plants?
2. Does this policy apply to existing or new businesses?
3. What are the current emission standards for these types of business.
4. Do you have an example of the regulations that would result from this policy.
5. What type of penalties would a non-compliant business suffer?
6. Could non-compliance result in the City forcing a business to close?
7. Who would enforce the policies?
8. Does this apply to permanent non-portable fixtures only?
9. How does this apply to Handy Market on Magnolia? Does the Saturday Barbeque activity increase the exposure of 'sensitive receptors' to toxic air contaminants and odors? What is the City going to do about this?
10. Would this policy apply to food trucks?
11. Would this policy be applied to residential homes and units with regard to outdoor grilling?
12. If residential homes and units are excluded, will that exclusion be in writing?

***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 2.2 Questions

1. Define feasible as it applies to this policy.
2. Would this apply to new construction only?
3. If it applies to new construction, would a building permit make this a requirement for existing construction in order to bring it up to current code?
4. Who is responsible for the site planning?
5. How many of these types of 'sensitive' situations currently exist in Burbank?
6. Would a property that that is now 'legal-conforming' potentially become 'legal-non-conforming' after this policy is passed?
7. How is the City going to determine when 'separation' is needed or required?

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

#### Policy 2.3 Questions

1. Does this apply to portable and non-portable equipment?
2. Does this apply to any human activities?
3. Will this apply to restaurants? Food trucks? Portable food carts?
4. Who will determine if a business is polluting?

5. Who will be enforcing this?
6. Who provides the corrective measures?
7. Do you have an example of the regulations needed to enforce, implement and administrate this policy.
8. Will businesses be expected to self test?
9. Will businesses be expected to turn themselves in? To whom?
10. Will permits be required to make alterations to polluting equipment?
11. Estimate how many businesses in Burbank will fall in this category after the passing of B2035?
12. Does the policy apply to odors?

***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.***

Policy 2.4 Questions

1. Will mixed use high density construction add to the 'Heat Island' effect?
2. Is there a way to estimate the 'Heat Island' effect prior to high density construction?
3. What is the city going to do to offset the 'Heat Island' effect in new high density construction.
4. What is the relationship between high density construction and green house gases?
5. How will this policy be applied to future growth at the Bob Hope Airport?

***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.***

Policy 2.5 Questions

1. This Handbook has over 90 pages of regulations that would be added on to B2035. Is this Correct?
2. Using the Handbook cited in this policy, please provide an inventory of all properties in Burbank that would currently be considered 'sensitive land use'.

Thank you in advance for your time and I look forward to your comprehensive responses to my questions. The quantity of questions may be a bit over whelming, however B2035 is a huge regulatory document that will permanently change our city in many ways and deserves serious attention.

Louis Altobelli  
Burbank Rancho Resident

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