



## **8.0 Effects Found Not To Be Significant**





## 8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

An analysis of the proposed Project's effect on specific environmental topic areas, included as part of the Environmental Checklist form presented in the California Environmental Quality Act (CEQA) Guidelines Appendix G, was conducted as part of the preparation of this EIR. During this evaluation, certain impacts of the Project were found to be less than significant or less than significant with mitigation due to the inability of a project of this scope to create such impacts or the absence of Project characteristics producing effects of this type. The effects determined not to be significant are not required to be included in primary analysis sections of the Draft EIR. In accordance with CEQA Guidelines §15128, the following section provides a brief description of potential impacts found to be less than significant or less than significant with mitigation.

### AESTHETICS

#### *Have a substantial adverse effect on a scenic vista?*

**No Impact.** The *Burbank2035 General Plan* (Burbank2035) Open Space and Conservation Element identifies scenic vistas in the City as those including views of the Verdugo Mountains to the northeast or of the eastern Santa Monica Mountains to the south. Downslope views from hillside development in the Verdugo Mountains toward the City and the Santa Monica Mountains beyond are also considered to be a valued resource. The Project site is not located within an area identified as having a Scenic Vista Orientation by the Burbank2035 Open Space and Conservation Element. The Project site and surrounding area are predominantly flat and built out as part of the Media Studios campus. No publicly accessible long-range views toward the Verdugo Mountains or Santa Monica Mountains are available in the Project area due to the height of commercial office buildings and ornamental mature trees along nearby roadways. There are no scenic vistas from public parks or plazas; however, development of the Phase 6 site would include a landscape plan that connects to the existing garden features and outdoor dining areas on the Media Studios campus. Overall, Project development would be consistent with the land uses anticipated for the Project site and would not have a substantial adverse effect on a scenic vista.

**Mitigation Measures:** No mitigation is required.

#### *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** There are no officially-designated State scenic highways within proximity to the Project site.<sup>1</sup> The closest State scenic highway is Interstate 210 (designated as eligible for listing), which is located approximately 5.6 miles north of the Project site near the Verdugo Mountains foothills, outside the Project's viewshed.<sup>2</sup> Therefore, development of the Phase 6 site would not substantially damage scenic resources within a State scenic highway. No impact would occur in this regard.

**Mitigation Measures:** No mitigation is required.

<sup>1</sup> California Department of Transportation, *California Scenic Highway Mapping System Los Angeles County*, [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/), accessed January 11, 2018.

<sup>2</sup> For the purposes of this analysis, a "viewshed" is defined as all the surface areas visible from the Project site. Typical obstructions that limit the Project's viewshed include topography, structures, and vegetation (particularly trees).



***Substantially degrade the existing visual character or quality of the site and its surroundings?***

**Less Than Significant Impact.**

**Short-Term Impacts**

Short-term construction activities associated with development of the Phase 6 site would temporarily influence the Project area's visual character and quality, as viewed from the commercial uses surrounding the Project site, as well as motorists traveling along North Avon Street. During construction of the Phase 6 site, various construction activities would intermittently alter the Project area's character. Graded surfaces, construction debris, construction equipment, and truck traffic would be visible. Soil would also be stockpiled and equipment for grading activities would be staged on the Project site. Construction-related visual impacts would not be constant over the approximately 24-month construction period. Most heavy grading equipment would only be on-site for the period needed to complete the subterranean parking excavation and grading. Upon completion of construction, these short-term visual impacts would cease. Project conditions of approval would require the use of screening to buffer views of construction equipment and material per *Burbank Municipal Code* (BMC) Section 9-1-1-3302.4, that would, in addition to preventing unauthorized access, reduce potential impacts to sensitive viewers in the area (e.g., public street users) to less than significant levels.

**Long-Term Impacts**

The Media Studios campus is in an urbanized area of Burbank and is currently developed with several office buildings. Exhibits 3-4a and 3-4b, *Site Photographs*, illustrates the Project area's existing urban environment. Within the campus, PD 89-7 is developed with four office buildings (622,553 adjusted gross square feet), a large surface parking lot, and a central garden area. Amendment of the Development Agreement would allow for construction of the Phase 6 site with a five-story, 160,447- adjusted gross square foot office building on a vacant lot in the northeastern quadrant of PD 89-7 to complete the Media Studios campus. As illustrated on Exhibit 3-5, *Conceptual Building Design – View from Avon Street*, and Exhibit 3-6, *Conceptual Building Design – View from Central Plaza*, the proposed building would be designed as a steel frame building with contemporary designs consistent with the other Media Studios campus buildings, including metal spandrel panels and vision and spandrel glass.

Upon completion of Phase 6, the building would be surrounded by multistory office and hotel buildings to the north, east, and south, with street frontage to the west onto North Avon Street. The Marriot hotel to the north of the Phase 6 site is ten stories, the office building to the east is three stories and the office building to the south is five stories. The proposed office building and associated landscaping features would "fill in" a partially excavated and vacant lot on the Media Studios property that currently detracts from the overall campus environment. The proposed landscaping features include ornamental trees along the building and site perimeter, a landscaped outdoor dining and gathering area to the east and south of the building (within the interior of the campus) and a landscaped pathway connecting to the Media Studios central garden; refer to Exhibit 3-6. The Phase 6 office building would also include a landscaped setback along North Avon Street adjacent to the existing sidewalk. Thus, Phase 6 site development would improve the Media Studios campus' visual character and would be aesthetically consistent with its neighboring office buildings.

Development of Phase 6 is also subject to the City's Development Review process. As part of the Development Review process, Phase 6 would be reviewed to ensure surrounding properties are protected



from adverse effects associated with setbacks, building height, walls, landscaping, and lighting. Thus, upon compliance with City standards and regulations, Project implementation would not degrade the site's visual character or quality compared to existing conditions. Amendment of the Development Agreement and Phase 6 site development would complete the Media Studios campus consistent with Burbank2035's intent for the Project site and impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

**Less Than Significant Impact.**

### **Short-Term Impacts**

Short-term light and glare impacts are anticipated to be minimal, since no nighttime construction would be required for Project implementation. Construction of the Phase 6 site would comply with BMC Section 9-1-1-105.8, *Construction Hours*, that limits construction hours between 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Construction is not allowed on Sundays and City holidays. Therefore, short-term light and glare impacts associated with construction activities would be less than significant.

### **Long-Term Impacts**

Currently, the Phase 6 site is vacant and partially excavated with no sources of light or glare on-site. Existing light sources in the Project area include lighting from neighboring office buildings on the Media Studios campus; a Marriot Hotel, office buildings and surface parking lots to the north; a large parking structure to the west; and street lighting along North Hollywood Way, West Empire Avenue, North Avon Street, and North Ontario Street. Vehicular traffic along surrounding roadways also generate sources of light. Thus, nighttime views of the Project site and surrounding area are comprised of lighting consistent with urban, built out environments.

Light spillover is typically defined as unwanted illumination from light fixtures on adjacent properties. Perceived glare is the unwanted and potentially objectionable result from looking directly into a light source of a luminaire. Sensitive uses (i.e., residential uses) could be impacted by light and glare; however, the closest residential uses are located across North Ontario Street and are blocked by existing Media Studios office buildings. Project-related lighting would be seen from the ground level by people entering the proposed building or by drivers along North Avon Street. Lit building and parking signage, security lighting, and landscape lighting on-site would be visible. Development of the Phase 6 site would be required to comply with BMC Section 10-1-2713.5, *Lighting Standards*, that requires lighting in all parking structures, outdoor seating and dining areas, outdoor walkways, and other areas routinely used by pedestrians. Pedestrian-scaled lighting is also required to be used throughout the Project site. All lighting is required to be directed and/or shielded to illuminate only the intended area of illumination and is prohibited from spilling onto adjacent lots or create off-site glare. Compliance with the BMC requirements would reduce potential impacts associated with Project lighting to a less than significant level.

Vehicular access to the Phase 6 site would primarily occur from North Avon Street (although vehicles may continue to access any of the parking areas within the campus). The access driveway and ramp leading



to the proposed building's subterranean parking entrance would be located at the southwestern corner of the Phase 6 site along North Avon Street. The proposed access driveway is just south of another existing driveway utilized as a fire lane/service road on-site. Headlights from vehicles exiting the Phase 6 site from the subterranean parking garage would shine onto the vacant lot across North Avon Street. Thus, vehicle headlights would not intrude onto sensitive uses. In general, the adjoining areas already receive lighting from neighboring uses and development of the Phase 6 site is not expected to result in a significant increase in lighting conditions associated with vehicles accessing the Project site.

Interior lighting associated with the proposed office building may be visible from surrounding uses. However, these lighting conditions would appear similar in character to the existing office and commercial uses to the south and east and would not create a substantial source of light adversely affecting views in the area. Impacts would be less than significant in this regard.

Given the Project area's urban environment, reflective materials and surfaces are present throughout. Potential reflective daytime glare, as viewed from motorists traveling along North Hollywood Way, West Empire Avenue, and North Avon Street, may result from the proposed office building. The proposed five-story office building would be designed as a steel frame building with a building exterior featuring a contemporary design of metal spandrel panels, and vision and spandrel glass consistent with the existing Media Studios commercial office buildings. The building's glass surface color, level of reflectivity, and transparency would be governed by the view angle and speed by which one passes the building, and external light levels and sun angles. However, as stated above, the Project's reflective glare would be similar in character to the existing glare sources from surrounding structures in the area. Thus, resultant glare from the proposed structure would be less than significant in this regard and would not substantially increase glare in the Project area.

**Mitigation Measures:** No mitigation is required.

## **AGRICULTURE AND FORESTRY RESOURCES**

***Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

**No Impact.** The Project site and surrounding area are completely developed with urbanized uses. No farmland exists within the site vicinity. Based on the *Los Angeles County Important Farmland 2016 Map* prepared by the California Department of Conservation, the Project site is not located on land designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.<sup>3</sup> Thus, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

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<sup>3</sup> California Department of Conservation Farmland Mapping and Monitoring Program, *Los Angeles County Important Farmland 2016*, published July 2017, <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/los16.pdf>, accessed January 10, 2018.



***Conflict with existing zoning for agricultural use, or a Williamson Act contract?***

**No Impact.** As stated above, the Project site and surrounding area are developed and urbanized, and no agricultural land exists within the site vicinity. The Project site is zoned PD 89-7, *Planned Development*, except the 3100 Thornton site (not a part of Project/PD 89-7), which is zone M-2, *General Industrial*. According to BMC Section 10-1-19119, the PD Zone allows for an alternate process to accommodate unique developments for residential, commercial, and/or professional uses. The M-2 Zone is intended for development related to manufacturing process, fabrication, and assembly of goods and materials.

Further, based on the *Los Angeles County Williamson Act FY 2015/2016 Map* prepared by the California Department of Conservation, the Project site is not under any Williamson Act contract.<sup>4</sup> Thus, the proposed Project would not affect any land zoned for agricultural use and would not conflict with a Williamson Act contract. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

***Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?***

**No Impact.** The Project site is completely developed and urbanized. The Project site is zoned PD 89-7 and M-2 and would not conflict with any areas zoned for forest or timberland. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

***Result in the loss of forest land or conversion of forest land to non-forest use?***

**No Impact.** Refer to Agriculture and Forestry Resources Response (c).

**Mitigation Measures:** No mitigation is required.

***Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

**No Impact.** As stated in Agriculture and Forestry Resources Responses (a) through (d), the Project site is developed and is void of agricultural or forest resources. Thus, there would be no potential for the conversion of these resources and no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

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<sup>4</sup> California Department of Conservation Division of Land Resources Protection, *Los Angeles County Williamson Act FY 2015/2016 Map*, published 2016, [ftp://ftp.consrv.ca.gov/pub/dlrp/wa/LA\\_15\\_16\\_WA.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/wa/LA_15_16_WA.pdf), accessed January 10, 2018.



## BIOLOGICAL RESOURCES

*Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**No Impact.** The *Burbank2035 Environmental Impact Report* (Burbank2035 EIR) identifies special-status wildlife species and plant species concentrated within open space areas of the Verdugo Mountains. The Phase 6 site consists of partially excavated vacant property containing a gravel/asphalt ramp, surface parking lot, and vegetation covering the existing hillside. The Project site does not contain habitat supportive of special status plant or wildlife species. The entire Media Studios site is highly disturbed and located in a fully developed and urban area of the City. Project implementation would not result in a substantial adverse effect, either directly or through habitat modifications, on any sensitive species. Thus, no impacts in this regard would occur.

**Mitigation Measures:** No mitigation is required.

*Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**No Impact.** As stated in Biological Resources Response (a), the entire Media Studios site is developed and disturbed. The Project site and surrounding area does not support riparian habitat or sensitive natural communities. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

*Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**No Impact.** Refer to Biological Resources Responses (a) and (b). The Phase 6 site is partially excavated and surrounded by commercial and office buildings, parking lots, and roadways; the site is void of sensitive plants, wildlife, and habitats (including wetlands). Thus, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

*Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**No Impact.** The Project site is currently developed and is located within an urbanized portion of the City. Due to the lack of quality biological habitat within and immediately surrounding the Project site, amendment of the Development Agreement and construction of the Phase 6 site would not interfere with the movement of fish or wildlife or impact wildlife corridors. The Project site and surrounding properties contain minimal ornamental landscaping and do not provide opportunities for the movement of wildlife. Thus, no impacts would occur in this regard.



**Mitigation Measures:** No mitigation is required.

***Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

**Less Than Significant Impact.** As discussed in Biological Resources Responses (a) and (b), the Project would not result in impacts to sensitive biological resources and it would not conflict with local policies or ordinances regarding the protection of such resources. The Media Studios Project site is a commercial office campus developed with several buildings and associated hardscape improvements. Ornamental landscaping is provided throughout the Project site to create a cohesive campus environment with gathering spaces. The Phase 6 site consists of a partially excavated vacant property with no sensitive biological resources. Development of the Phase 6 site into an approximately 160,447-adjusted gross square-foot office building may require the removal of existing non-native ornamental trees; tree removal would be implemented in accordance with the City's tree regulations in BMC Section 7-4-111. As stated in the BMC, the City would require the Project to replace any removed trees with trees of similar size and species, or that fees be paid to cover such costs. The Project also includes developing a landscaped gathering area that would connect with the existing Media Studios' garden features and outdoor dining areas. Thus, the proposed Project would not conflict with any local policies or ordinances protecting biological resources, and impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

**No Impact.** The Project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan.<sup>5</sup> Thus, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

## **CULTURAL RESOURCES**

***Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?***

**No Impact.** Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or having a historically significant style, design, or achievement. Damage to or demolition of such resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and through indirect impacts, such as a change in the setting of a historic resource.

As discussed, the Media Studios Project site is a commercial office campus developed with several buildings and associated hardscape improvements. The existing office buildings are considered modern and are not identified as historic properties in the City of Burbank, or as resources Listed or Eligible for

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<sup>5</sup> California Department of Fish and Wildlife, *California Regional Conservation Plans*, October 2017, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>, accessed January 10, 2018.



Listing on the National Register of Historic Places or California Register of Historic Resources.<sup>6</sup> Thus, Project implementation would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.

**Mitigation Measures:** No mitigation is required.

***Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?***

**Less Than Significant Impact With Mitigation Incorporated.** Archaeological sites are locations that contain resources associated with former human activities and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

As discussed, the Phase 6 site has been partially excavated to a depth of 60 feet from prior development associated with the Media Studios campus. For this reason, the potential discovery of any unidentified archaeological resources would be minimal. Construction of the Phase 6 site would require some additional excavation associated with the subterranean parking which may uncover previously unknown archaeological resources. As such, implementation of Mitigation Measure CUL-1 would ensure proper procedures are taken if subsurface archaeological resources are identified during construction. Excavation and other construction activity in that area would be required to cease and the City of Burbank Community Development Department would be notified. An archaeologist certified by the County of Los Angeles would be retained to evaluate the discovery prior to resuming grading in the immediate vicinity of the find to determine the significance of the resource. The City would also be required to consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resource, beyond that which is scientifically important, are considered. Thus, implementation of Mitigation Measure CUL-1 would ensure impacts to archaeological resources are reduced to less than significant levels.

**Mitigation Measures:**

CUL-1 In the event of the unanticipated discovery of archaeological materials during construction activities, the Project Applicant shall immediately cease all work activities in the area (within approximately 100 feet) of the discovery until it can be evaluated by a qualified archaeologist. Construction shall not resume until the qualified archaeologist has conferred with the City on the significance of the resource.

If it is determined that the discovered archaeological resource constitutes a historical resource or unique archaeological resource pursuant to CEQA, avoidance and preservation in place shall be the preferred manner of mitigation. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is determined to be infeasible

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<sup>6</sup> City of Burbank Website, *Historic Properties in Burbank*, <http://www.burbankca.gov/about-us/burbank-history/historic-properties-in-burbank>, accessed January 23, 2018.



and data recovery through excavation is the only feasible mitigation available, an Archaeological Resources Treatment Plan shall be prepared and implemented by the qualified archaeologist in consultation with the City that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The City shall consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resource, beyond that which is scientifically important, are considered.

***Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

***No Impact.*** Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium-grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils (paleosols). Such resources are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Additionally, fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion. In contrast, archaeological and historic resources are often recognized by surface evidence of their presence.

As noted above, the entire Media Studios Project site exists within a highly-developed area and the Phase 6 site has been previously disturbed from prior development. Previous geotechnical investigations were completed on the Phase 6 site as part of the overall Media Studios North development plans and no paleontological resources were identified.<sup>7</sup> Further, the Phase 6 site has been previously excavated to a depth of 60 feet. Although the proposed subterranean parking would require further excavation, the subsurface soil conditions are common to the region and show signs of previous mechanical modification. Thus, Project implementation would not impact paleontological resources.

***Mitigation Measures:*** No mitigation is required.

***Disturb any human remains, including those interred outside of formal cemeteries?***

***Less Than Significant Impact With Mitigation Incorporated.*** Due to the level of past disturbance on-site, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or disturbance activities. However, if human remains are found, those remains would require proper treatment, in accordance with applicable laws, including State of California Public Resources Health and Safety Code Sections 7050.5-7055 and California Public Resources Code Section 5097.98. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site, and Section 5097.98 requires notification of the County Coroner, notification of the Native American Heritage Commission (NAHC), and consultation with the individual identified by the NAHC to be the “most likely descendant.” Following compliance with existing State regulations detailed in Mitigation Measure CUL-2 would ensure appropriate actions are taken in the event human remains are encountered. As such, impacts in this regard would be considered less than significant with mitigation incorporated.

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<sup>7</sup> Rincon Consultants, *Media Studios North Planned Development Amendment Final Initial Study – Mitigated Negative Declaration*, page 41, April 2013.



**Mitigation Measures:**

CUL-2 If human remains are encountered, the Project Applicant shall halt work in the vicinity (within 100 feet) of the discovery and contact the Los Angeles County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the County Coroner determines that the remains are Native American, the Native American Heritage Commission (NAHC) shall be notified in accordance with Health and Safety Code Section 7050.5(c) and Public Resources Code Section 5097.98 (as amended by Assembly Bill 2641). The NAHC will designate a “most likely descendent (MLD)” for the remains per Public Resources Code Section 5097.98. Until the landowner has conferred with the MLD, the contractor shall ensure that the immediate vicinity where the discovery occurred is not disturbed by further activity, is adequately protected according to generally accepted cultural or archaeological standards or practices, and that further activities take into account the possibility of multiple burials.

**GEOLOGY AND SOILS**

***Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:***

***Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

**Less Than Significant Impact.** Southern California, including the Project area, is in a seismically active region prone to occasional damaging earthquakes. The hazard of fault-rupture is associated with a relatively narrow zone along well-defined pre-existing active or potentially active faults. According to the *Earthquake Zones of Required Investigation Burbank Quadrangle Map*, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone.<sup>8</sup> The only active fault in the City is the Verdugo Fault, just south of the Verdugo Mountains and approximately one mile north of the Project site.<sup>9</sup> Given the distance to the nearest active fault, the potential for on-site ground rupture and damage due to faulting is less than significant.

**Mitigation Measures:** No mitigation is required.

***Strong seismic ground shaking?***

**Less Than Significant Impact.** Southern California has numerous active seismic faults subjecting people to potential earthquake and seismic-related hazards. Seismic activity poses two types of potential hazards for people and structures, categorized either as primary or secondary hazards. Primary hazards include: ground rupture, ground shaking, ground displacement, subsidence, and uplift from earth movement. Primary hazards can also induce secondary hazards such as: ground failure (lurch cracking, lateral spreading, and slope failure), liquefaction, water waves (seiches), movement on nearby faults (sympathetic fault movement), dam failure, and fires.

<sup>8</sup> California Geologic Survey, *Earthquake Zones of Required Investigation Burbank Quadrangle*, January 1, 1979, [http://gmnw.conservation.ca.gov/SHP/EZRIM/Maps/BURBANK\\_EZRIM.pdf](http://gmnw.conservation.ca.gov/SHP/EZRIM/Maps/BURBANK_EZRIM.pdf), accessed January 10, 2018.

<sup>9</sup> City of Burbank, *Burbank2035 General Plan*, page 7-12, February 19, 2013.



The Project site would be subject to ground motion from occasional earthquakes in the region. Although some structural damage is typically not avoidable during a large earthquake, the proposed Phase 6 office building would be constructed to meet existing local construction and seismic regulations, including the California Building Code (CBC) to protect against building collapse and major injury during a seismic event. The CBC includes specific design measures, which are based on the determination of Site Classification and Seismic Design Categories specific to the Project site. These design measures are intended to maximize structural stability in the event of an earthquake. Adherence to these building requirements would minimize risks related to seismic shaking to a less than significant level.

**Mitigation Measures:** No mitigation is required.

#### ***Seismic-related ground failure, including liquefaction?***

**Less Than Significant Impact.** Liquefaction is a seismic phenomenon in which saturated cohesionless soils (sands) lose strength when severely shaken and develop excess pore pressures. To be susceptible to liquefaction, potentially liquefiable soils should be saturated or nearly saturated with the most severe liquefaction hazards in the upper 50 feet of the surface.

The California Geologic Survey *Earthquake Zones of Required Investigation Burbank Quadrangle Map* and the Burbank2035 Safety Element, Exhibit S-4, *Liquefaction Zones*, indicate that the Project site is not located within an area mapped as potentially liquefiable.<sup>10,11</sup> Thus, the potential for liquefaction to occur at the Project site is considered low.

Although liquefaction is not anticipated to occur on the Project site, as a “Condition of Approval,” the Project applicant would be required to prepare a Soils/Geotechnical Engineering Report that implements design parameters regarding site preparation, basement (subterranean parking level) excavation, soil expansiveness, foundation, slabs on-grade, concrete placement and cracking soil corrosivity, subterranean drainage, permanent (basement) retaining walls, site drainage, and any recommendations identified by the City Building Official. In addition, a Grading Plan would be required to incorporate all engineering recommendations contained within the Soils/Geotechnical Engineering Report. Potential impacts associated with seismic-related ground failure, including liquefaction, would be reduced to a less than significant level.

**Mitigation Measures:** No mitigation is required.

#### ***Landslides?***

**No Impact.** The Project site and surrounding area are relatively flat, making the possibility for landslides extremely remote. As a result, there is no potential for landslides to occur on or near the Project site due the development of the Phase 6 site. Additionally, the Project site is not located within an area mapped as potentially affected by earthquake-induced landslide, or as having the potential for slope instability by the California Geologic Survey *Earthquake Zones of Required Investigation Burbank Quadrangle Map* and

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<sup>10</sup> California Geologic Survey, *Earthquake Zones of Required Investigation Burbank Quadrangle*, January 1, 1979, [http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BURBANK\\_EZRIM.pdf](http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BURBANK_EZRIM.pdf), accessed January 10, 2018.

<sup>11</sup> City of Burbank, *Burbank2035 General Plan*, page 7-15, February 19, 2013.



the Burbank2035 Safety Element, Exhibit S-5, *Earthquake-Induced Landslide Zones*.<sup>12,13</sup> Therefore, Project implementation would have no impact related to exposing people or structures to potential substantial adverse effects involving landslides.

**Mitigation Measures:** No mitigation is required.

***Result in substantial soil erosion or the loss of topsoil?***

**Less Than Significant Impact.** Grading and earthwork activities associated with Phase 6 site construction activities would expose soils to potential short-term erosion by wind and water. All demolition and construction activities within the City are subject to compliance with the CBC. Further, the Project would be subject to compliance with the requirements set forth in the Los Angeles Regional Water Quality Control Board (RWQCB) Stormwater Quality Management Plan (SQMP), City of Burbank Standard Urban Stormwater Mitigation Plan (SUSMP) pertaining to stormwater runoff during construction activities, and BMC Section 9-3-407 requiring erosion control and site stabilization measures (refer to Hydrology and Water Quality Response (a)). In compliance with the SQMP, SUSMP, and BMC Section 9-3-407, the Project would be required to implement Best Management Practices (BMPs) to reduce water quality impacts, including specific erosion and sediment control BMPs to be implemented during construction activities to protect stormwater runoff. Compliance with the CBC, SQMP, SUSMP, and BMC Section 9-3-407 provisions would minimize effects from erosion and ensure consistency with the Los Angeles RWQCB Water Quality Control Plan. Thus, Project implementation would result in a less than significant impact regarding soil erosion.

Further, substantial soil erosion or loss of topsoil is not expected to occur during long-term operations. The entire Media Studios Project site, including the Phase 6 site, would be developed with hardscape improvements and any pervious areas would be landscaped to minimize potential impacts in this regard to a less than significant level.

**Mitigation Measures:** No mitigation is required.

***Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

**Less Than Significant Impact.** As stated under Geology and Soils Responses (a)(3) and (a)(4), the Project site is not identified in an area susceptible to liquefaction or landslide hazards, and therefore, would not be susceptible to lateral spreading. In addition, the Project site and surrounding area are not located within a known area of ground subsidence. A geotechnical investigation was conducted by Smith-Emery GeoServices on the property directly adjacent to the Phase 6 site, which confirmed that the potential for on-site liquefaction, subsidence, and landslides would be negligible.<sup>14</sup> Therefore, impacts related to liquefaction, lateral spreading, or subsidence would be less than significant.

**Mitigation Measures:** No mitigation is required.

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<sup>12</sup> California Geologic Survey, *Earthquake Zones of Required Investigation Burbank Quadrangle*, January 1, 1979, [http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BURBANK\\_EZRIM.pdf](http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/BURBANK_EZRIM.pdf), accessed January 10, 2018.

<sup>13</sup> City of Burbank, *Burbank2035 General Plan*, page 7-16, February 19, 2013.

<sup>14</sup> Rincon Consultants, *City of Burbank Media Studios North Planned Development Amendment Final Initial Study-Mitigated Negative Declaration*, page 44, April 2013.



***Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?***

**Less Than Significant Impact.** During inclement weather and/or excessive landscape watering, moisture infiltrates the soil and causes the soil to heave (expansion). When drying occurs the soils will shrink (contraction). Repeated cycles of expansion and contraction of soils can cause pavement, concrete slabs on grade and foundations to crack. Expansive soils are primarily comprised of clays, which increase in volume when water is absorbed and shrinks when dry. However, most of the underlying soils within the City are sandy alluvial soils, which are considered to have limited potential for expansion.<sup>15</sup> Development of the Phase 6 site would also be required to adhere to CBC provisions to reduce any potential impacts from expansive soils that may require the removal of any expansive soils and filling/compacting of appropriate soils. Thus, Project implementation would result in a less than significant impact in this regard.

**Mitigation Measures:** No mitigation is required.

***Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

**No Impact.** No septic tanks or alternative wastewater systems exist, nor would any be constructed as part of the Project. Thus, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

## **HAZARDS AND HAZARDOUS MATERIALS**

***Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

**Less Than Significant Impact.**

### **Construction**

The Project involves construction activities associated with site preparation, grading, and construction of the proposed Phase 6 office building. Generally, the exposure of persons to hazardous materials could occur in the following manners: 1) improper handling or use of hazardous materials or hazardous wastes during construction or operation of future development, particularly by untrained personnel; 2) an accident during transport; 3) environmentally unsound disposal methods; or 4) fire, explosion or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or wastes present, and the proximity of sensitive receptors.

Hazardous materials such as fuels, greases, paints, and cleaning materials would be used during construction of the Phase 6 site. On-site construction equipment might require routine or emergency maintenance that could result in the release of oil, diesel fuel, transmission fluid, or other materials. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. These activities would also be short term or one time in nature.

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<sup>15</sup> Ibid.



Additionally, the Project applicant and construction contractor would be required to comply with existing Federal, State, and local regulations of several agencies, including the Department of Toxic Substances Control (DTSC), the US Environmental Protection Agency (EPA), the Occupational Safety & Health Administration (OSHA), and the Los Angeles County Fire Department Health Hazardous Materials Division. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Therefore, hazards to the public or the environment arising from the routine use, transport, or storage of hazardous materials during Phase 6 construction would not occur, and impacts would be less than significant.

### **Operations**

Operational activities associated with the Project would involve the continued use of small amounts of hazardous materials for cleaning, maintenance, and landscaping purposes within the Media Studios campus. Any commercial-grade chemicals would be required to be transported, used, and disposed of consistent with current local, State and Federal laws and regulations of several agencies, including DTSC, EPA, and OSHA. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Therefore, hazards to the public or the environment arising from the routine use, transport, or storage of hazardous materials during Project operation would not occur, and impacts would be less than significant.

Overall, construction and operational activities associated with the Project would not cause a significant hazard to the public or environment through the routine use, transport, or disposal of hazardous materials. Impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

**Less Than Significant Impact.** As discussed above, construction and operational activities associated with the Project may require use of hazardous materials, such as fuels, greases, paints, and cleaning materials, consistent with existing uses. Compliance with existing State and federal laws and regulations of the DTSC, EPA, and OSHA would ensure any reasonably foreseeable upset and accident conditions are properly addressed. For example, OSHA has regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and prepared emergency action/prevention plans. Thus, compliance with existing regulations would ensure construction and operation of the Phase 6 site does not create a significant hazard to the public or environment through an accidental release of hazardous materials. Impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***



**Less Than Significant Impact.** The closest school to the Project site is Providencia Elementary School approximately 0.25-mile to the south. As stated in Hazards and Hazardous Materials Response (a), the Phase 6 site would use a range of typical hazardous materials (e.g., fuels, greases, paints, and cleaning agents) during construction and operations, similar to existing uses with the Media Studios campus. Compliance with measures established by Federal, State, and local regulatory agencies would minimize the potential effects related to hazardous materials use. Thus, impacts would be less than significant impact in this regard.

**Mitigation Measures:** No mitigation is required.

***Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

**No Impact.** Government Code Section 65962.5 requires the DTSC and SWRCB to compile and update a regulatory sites listing (per the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code. Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Project site is not listed pursuant to Government Code Section 65962.5.<sup>16</sup> Thus, no impact would result in this regard.

**Mitigation Measures:** No mitigation is required.

***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?***

**Less Than Significant Impact.** The Project site is approximately 0.4-mile southeast of the Hollywood-Burbank (Burbank) Airport and is located just outside of its Airport Influence Area.<sup>17</sup> However, according to the *City of Burbank Federal Aviation Administration (FAA) Filing Requirement Map*, the site is designated Zone 2, which requires FAA noticing for all new structures and additions that increase structure height.<sup>18</sup> Zone 2 areas are subject to BMC Section 10-1-1308 requiring all applicants to file a Notice of Proposed Construction or Alteration with the FAA pursuant to Part 77 of the Federal Aviation Regulations. The FAA would then determine whether the proposed structure would be an obstruction or hazard to air navigation prior to the issuance of any building permits by the City. The Project is also required to comply with any FAA-imposed requirements that include, but are not limited to, lighting or painting requirements. The Project proposes amendment of the Development Agreement and construction of a five-story office building 70 feet in height on the Phase 6 site, consistent with the existing Media Studios campus development. Development of the Phase 6 site would not introduce any new hazards or increased height

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<sup>16</sup> California Environmental Protection Agency, *Cortese Listing*, <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed on January 26, 2018.

<sup>17</sup> Los Angeles County Airport Land Use Commission, *Burbank/Glendale/Pasadena Airport Influence Area*, [http://planning.lacounty.gov/assets/upl/project/aluc\\_airport-burbank.pdf](http://planning.lacounty.gov/assets/upl/project/aluc_airport-burbank.pdf), accessed April 9, 2018.

<sup>18</sup> City of Burbank, *City of Burbank FAA Filing Requirement Map*, February 1, 2005, <http://www.burbankca.gov/home/showdocument?id=2621>, accessed January 11, 2018.



conditions to the site that have not already been addressed by standard BMC or FAA requirements. Compliance with BMC Section 10-1-1308 and FAA requirements would ensure impacts related to airport hazards are less than significant.

**Mitigation Measures:** No mitigation is required.

***For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?***

**Less Than Significant Impact.** The Project site is not located within the vicinity of a private airstrip; refer to Hazards and Hazardous Materials Response (e).

**Mitigation Measures:** No mitigation is required.

***Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

**Less Than Significant Impact.** The Project involves amendment of the Development Agreement and construction and operation of a commercial office building on the existing Media Studios campus (Phase 6 site), consistent with the site's land use designation and zoning. Development of the Phase 6 site would provide an additional access point to the campus that would increase emergency access to and from the Project site. Burbank2035's Safety Element identifies evacuation routes in the City; refer to Exhibit S-2, *Evacuation Routes*.<sup>19</sup> No major roadways in the Project area, including North Hollywood Way and West Empire Avenue are identified as evacuation routes. Additionally, all construction staging would occur within the Project site's boundaries and would not interfere with circulation along North Hollywood Way or West Empire Avenue. There is the potential for North Avon Street to be partially blocked during construction activities; however, this would be temporary and would not impair implementation of or physically interfere with an emergency response plan or identified evacuation routes. Impacts in this regard would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?***

**No Impact.** According to the California Department of Forestry and Fire Protection *Burbank Very High Fire Hazard Severity Zones in LRA Map* and Burbank2035 Safety Element Exhibit S-1, *Fire Zones*, two Mountain Fire Zones are designated by the Burbank Fire Department as areas susceptible to wildfire hazards.<sup>20, 21</sup> One zone is located near the Verdugo Mountains foothills and the other zone is in the City's southwestern portion near the Warner Brothers Studios approximately 1.5 and 3.0 miles from the Project site, respectively. Thus, the Project site and surrounding areas are not located within an area identified as having the potential for wildland fires. No impacts would occur in this regard.

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<sup>19</sup> City of Burbank, *Burbank2035 General Plan*, Exhibit S-2, *Evacuation Routes*, page 7-11, February 19, 2013.

<sup>20</sup> California Department of Forestry and Fire, *Burbank Very High Fire Hazard Severity Zones in LRA Map*, September 2011, [http://www.fire.ca.gov/fire\\_prevention/fhsz\\_maps/FHSZ/los\\_angeles/Burbank.pdf](http://www.fire.ca.gov/fire_prevention/fhsz_maps/FHSZ/los_angeles/Burbank.pdf), accessed August 1, 2018.

<sup>21</sup> City of Burbank, *Burbank2035 General Plan*, page 7-9, February 19, 2013.



***Mitigation Measures:*** No mitigation is required.

## **HYDROLOGY AND WATER QUALITY**

### ***Violate any water quality standards or waste discharge requirements?***

***Less Than Significant Impact.*** Urban runoff (both dry and wet weather) discharges into storm drains and, in most cases, flows directly to creeks, rivers, lakes, and the ocean. Polluted runoff can have harmful effects on drinking water, recreational water, and wildlife. Urban runoff pollution includes a wide array of environmental, chemical, and biological compounds from both point and non-point sources. In the urban environment, stormwater characteristics depend on site conditions (e.g., land use, impervious cover, pollution prevention, types and amounts of BMPs), rain events (duration, amount of rainfall, intensity, and time between events), soil type and particle sizes, multiple chemical conditions, the amount of vehicular traffic, and atmospheric deposition. Major pollutants typically found in runoff from urban areas include sediments, nutrients, oxygen-demanding substances, heavy metals, petroleum hydrocarbons, pathogenic, and bacteria.

Urban runoff can be divided into two categories; dry and wet weather urban runoff:

- Dry weather urban runoff occurs when there is no precipitation-generated runoff. Typical sources include landscape irrigation runoff; driveway and sidewalk washing; noncommercial vehicle washing; groundwater seepage; fire flow; potable water line operations and maintenance discharges; and permitted or illegal non stormwater discharges.
- Wet weather urban runoff refers collectively to non-point source discharges that result from precipitation events. Wet weather runoff includes stormwater runoff. Stormwater discharges are generated by runoff from land and impervious areas such as paved streets and parking lots, building rooftops.

Wet- and dry-weather runoff typically contains similar pollutants of concern. However, except for the first flush concentrations following a long period between rainfall, the concentration levels found in wet weather flows are typically lower than levels found in dry weather flows because the larger wet weather flows dilute the amount of pollution in runoff waters. Most urban stormwater discharges are considered non-point sources and are regulated by a National Pollutant Discharge Elimination System (NPDES) Municipal General Permit or Construction General Permit.

### **Short-Term Construction**

Short-term impacts related to water quality would occur during the earthwork and construction phase associated with the development of the Phase 6 site, when the potential for erosion, siltation, and sedimentation would be the greatest. Additionally, impacts would occur prior to the establishment of ground cover, when the erosion potential may remain relatively high. Project construction has the potential to produce typical pollutants such as nutrients, heavy metals, pesticides and herbicides, toxic chemicals related to construction and cleaning, waste materials including wash water, paints, wood, paper, concrete, food containers, and sanitary wastes, fuel, and lubricants. Impacts to stormwater quality would occur from construction and associated earth moving, and increased pollutant loadings would occur immediately off-site.



The Phase 6 site is approximately 1.73 acres within the overall 16.34-acre Media Studios Project site. Since the site is larger than 1.0 acres, it would be required to obtain coverage under the NPDES Construction General Permit. The permit requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that would include BMPs to minimize stormwater quality impacts during construction activities, such as gravel bags, silt fences, hay bales, check dams, hydro seed, mulch, and soil binders.

In addition, the Los Angeles RWQCB requires all municipalities within its jurisdiction, including the City of Burbank, to comply with the water quality objectives in its SQMP. The SQMP is designed to ensure that stormwater produced from a proposed development does not exceed the limitation of any receiving waters and water quality standards. Under the SQMP, development projects are required to obtain Municipal Separate Storm Sewer Systems (MS4) permits for water pollution generated by stormwater. These MS4 permits are part of the NPDES permit program. All development projects within Los Angeles County are required to comply with the SQMP. Further, the City of Burbank administers a SUSMP ordinance to ensure new developments comply with the SQMP.<sup>22</sup> The SUSMP ordinance requires new developments to implement BMPs to reduce water quality impacts to the maximum extent possible and submit a plan to the City demonstrating how a project would comply with the SUSMP and project-specific BMP implementation information. Pollutant sources to be addressed by these BMPs include, but are not necessarily limited to landscaped areas, trash storage locations, and storm drain inlets. The design and location of these BMPs would be subject to review and approval by the City and would generally adhere to the standards associated with the NPDES program. Implementation of these BMPs would be assured by the City Building Official prior to the issuance of grading or building permits. Thus, construction related water quality impacts would be reduced to a less than significant level.

### **Long-Term Operation**

The Project is subject to the Los Angeles County Department of Public Works requirement for the SUSMP under the “Redevelopment” category. As detailed in the SUSMP, the Project is required to include a range of permanent BMPs to control the off-site discharge of pollutants during the Project’s operational phase. The following materials are anticipated to be used in activities at the Project site that would potentially contribute to pollutants to stormwater runoff:

- Vehicle fluids, including oil, grease, petroleum, and coolants from personal vehicles;
- Landscaping materials and wastes (topsoil, plant materials, herbicides, fertilizers, mulch, pesticides); and
- General trash debris and litter.

Potential BMPs to be implemented include using permeable paving materials; directing rooftop runoff to pervious areas such as yards and vegetated areas; installing vegetated swales and strips, and utilizing storm drain inserts and catch basin inserts. Further, the Project would be required to implement the City’s Green Streets Policy per BMC Section 7-3-102, as applicable and feasible. Following compliance with NPDES requirements, long-term water quality impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

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<sup>22</sup> City of Burbank, *Municipal Storm Water and Urban Runoff Discharges & Low Impact Development Standards Manual 2015*, 2015, <http://www.burbankca.gov/home/showdocument?id=35261>, accessed January 11, 2018.



***Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?***

**Less Than Significant Impact.** Project implementation would amend the existing Development Agreement and develop a currently vacant and partially excavated site with a commercial office building, similar to the other buildings on the Media Studios campus. The Phase 6 site would be mostly impervious with some pervious landscaped areas. However, development of the Phase 6 site would not significantly deplete groundwater supplies or interfere with groundwater recharge. The Project area is not utilized for groundwater recharge or pumping. Additionally, the Project would be required to implement the City's Green Streets Policy as detailed in BMC Section 7-3-102, as applicable and feasible. Refer to Utilities and Service Systems Response (d) for an analysis of the Project's impacts to the City's water supply, including groundwater. Impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?***

**Less Than Significant Impact.** There are no streams or rivers in the Project area and the Project site does not currently drain towards a natural watercourse. All runoff generated on-site would be discharged into existing storm drain inlets within the adjacent public right-of-ways. In addition, pursuant to the City's Municipal Stormwater and Urban Runoff Discharges & Low Impact Development Standards Manual, the Project is also required to minimize post-development discharge rates, so they do not exceed pre-development conditions. To do so, the Project would be required to implement structural or treatment control BMPs that would capture and treat runoff on-site prior to being discharged into adjacent storm drain inlets. Implementation of the City's Green Street Policy per BMC Section 7-3-102 when applicable or feasible would also contribute to the reduction in treated discharge. Such BMPs may include, but are not limited to, bioretention basins, infiltration basins, permeable pavement, vegetated swales, sand filters, etc.<sup>23</sup> Compliance with the stormwater treatment BMPs would ensure development of the Phase 6 site would not substantially alter the site's existing drainage pattern to cause erosion or siltation on- and off-site. Impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.

***Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?***

**Less Than Significant Impact.** As stated in Hydrology and Water Quality Response (c), all runoff generated on-site would be discharged into existing storm drain inlets within the adjacent public right-of-ways. Pursuant to the City's Municipal Stormwater and Urban Runoff Discharges & Low Impact Development Standards Manual, development of the Phase 6 site would require implementation of structural or treatment control BMPs to ensure runoff volumes during post-development conditions are the same or

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<sup>23</sup> Ibid.



less than pre-development conditions. Further, the Project would be required to implement the City's Green Streets Policy per BMC Section 7-3-102, as applicable and feasible. Therefore, the Project would not substantially alter the existing drainage pattern on-site nor increase the rate or amount of surface runoff in a manner that could result in flooding. Impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.

***Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

**Less Than Significant Impact.** Refer to Hydrology and Water Quality Responses (a), (b), and (c).

**Mitigation Measures:** No mitigation is required.

***Otherwise substantially degrade water quality?***

**Less Than Significant Impact.** The Project is not anticipated to result in water quality impacts other than the potential short-term construction and long-term operational impacts identified in Hydrology and Water Quality Responses (a), (c), and (e). Compliance with the requirements set forth in the NPDES Construction General Permit and MS4 permit, Los Angeles RWQCB SQMP, and City of Burbank SUSMP would reduce potential water quality impacts to less than significant.

**Mitigation Measures:** No mitigation is required.

***Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?***

**No Impact.** Project implementation would not involve the construction of new housing. Thus, no impact would occur in this regard.

**Mitigation Measures:** No mitigation is required.

***Place within a 100-year flood hazard area structures which would impede or redirect flood flows?***

**Less Than Significant Impact.** According to the Federal Emergency Management Agency (FEMA), a small southeastern portion of the Phase 6 site is located within a 100-year flood hazard area. Most of the southern portion of PD 89-7 is also within a 100-year flood hazard area.<sup>24</sup> However, the City of Burbank is part of FEMA's National Flood Insurance Program (NFIP) and projects within designated flood zones are required to purchase flood insurance, unless a Letter of Map Revision is processed to remove the flood zone designation. Further, in accordance with BMC Section 9-1-1-G103.10.2, the City's Floodplain Administrator would review a project to determine whether a project is reasonably safe from flooding and may require project design requirements to further minimize flood hazard potential. Therefore, compliance with the NFIP provisions and the City's permit review process for flood hazards would ensure impacts are reduced to less than significant levels.

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<sup>24</sup> Federal Emergency Management Agency, *Flood Insurance Rate Map Los Angeles County, California and Incorporated Areas Panel 1328 of 2350, Map Number 06037C1328F*, effective September 26, 2008.



**Mitigation Measures:** No mitigation is required.

***Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?***

**Less Than Significant Impact.** As stated, a small portion of the Phase 6 site is in a 100-year flood hazard area. However, adherence to FEMA and City provisions related to flood hazards would minimize impacts. Further, according to Burbank2035, three reservoirs upstream from the City, Reservoirs #1, #4, and #5, are classified as dams by the California Department of Water Resources. The reservoirs can hold up to 50 acre-feet of water, but are not large enough to result in considerable risk of inundation in Burbank.<sup>25</sup> The *City of Burbank All-Hazard Mitigation Plan* also states that the potential inundation areas from failure of these reservoirs would largely be confined to streets, although some small areas beyond the streets could experience flooding.<sup>26</sup> The Project site is located outside of these areas and is not anticipated to expose people or structures to flooding impacts. Less than significant impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

***Inundation by seiche, tsunami, or mudflow?***

**No Impact.** A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

The Project site is not located within proximity to any enclosed or semi-enclosed bodies of water; refer to Hydrology and Water Quality Response (i). Additionally, the Project site is not located within proximity to the ocean, and therefore would not be subject to tsunami impacts. The Project site and surrounding area are relatively flat and not positioned downslope from an area of potential mudflow. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

## **LAND USE AND PLANNING**

***Physically divide an established community?***

**No Impact.** According to the Burbank2035, the Project site is designated Regional Commercial, which is intended to provide a variety of employment opportunities and services that address regional needs for retail, service, dining, entertainment, and conventions. The existing Media Studios office campus is identified in Burbank2035 as one of the large-scale projects in Burbank that supports a successful employment center. The Project site is currently developed with several commercial office buildings. The proposed amendment to the Development Agreement and development of the Phase 6 site with a

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<sup>25</sup> City of Burbank, *Burbank2035 General Plan*, page 7-18, February 19, 2013.

<sup>26</sup> City of Burbank, *All-Hazard Mitigation Plan*, page 9-10 and Figure 9.4, Potential Inundation Areas from Failures of Burbank Reservoirs 1, 4 and 5, <http://www.burbankfire.us/divisions/emergency-management/hazard-mitigation-plan-2011>, accessed January 11, 2018.



160,447-adjusted gross square-foot office building would complete the last phase of development for the Media Studios Project site and utilize the remaining 160,447 adjusted gross square feet of previously approved entitlements for PD 89-7. Therefore, development of the office building would not physically divide an established community, instead it would complete the Media Studios campus site. Further, the proposed office building would be designed as a steel frame building with a building exterior featuring contemporary designs consistent with the existing Media Studios commercial office buildings. A landscaped plaza is planned at street level, which would provide visual screening and employee gathering areas and connect to the campus' existing central garden features and outdoor dining areas at the site's southeast corner. Overall, Project implementation would not physically divide an established community and no impacts would occur.

**Mitigation Measures:** No mitigation is required.

***Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?***

**No Impact.**

### **Burbank2035 General Plan**

Burbank2035 designates the Media Studios Project site as Regional Commercial (Maximum 1.25 Floor Area Ratio, 58 units per acre with discretionary approval). The Regional Commercial land use designation provides for regional employment and shopping destinations that serve both Burbank residents and residents of surrounding cities. These regional centers provide a variety of employment opportunities and services that address regional needs for retail, service, dining, entertainment, and conventions. The centers also play a key role in supporting the media industry and other sectors of the local economy.

The Project would amend the Development Agreement and develop the currently vacant 1.73-acre Phase 6 site with a 160,447-adjusted gross square foot commercial office building to complete the Media Studios campus. The proposed use is permitted under the existing Burbank2035 land use designation and currently entitled under the existing Development Agreement. The buildout of a 160,447-adjusted gross square foot office building on the Project site would be designed consistent with the existing Media Studios commercial office buildings. Landscaping proposed on-site would also connect to the campus' existing garden features and outdoor dining areas. Subterranean parking under the proposed office building would connect with the four-level subterranean parking structures to the south and east within the Media Studios campus. Therefore, Project development would be consistent with the land uses anticipated for the site by Burbank2035.

### **Burbank Zoning Ordinance**

According to the BMC Title 10, Burbank Zoning Ordinance (Zoning Ordinance), the Project site is zoned PD 89-7, *Planned Development*, except for the 3100 Thornton site (not a part of PD 89-7), which is zoned M-2, *General Industrial*. BMC Section 10-1-19119 defines the PD Zone as one that accommodates an alternate process for unique developments with a combination of residential, commercial, and professional uses. PD 89-7 was originally approved in 1991 and has been subsequently modified, the latest modification occurring in 2013, which extended the Development Agreement an additional five years from May 2013 to May 2018 and allowed an increase in allowable building area to the currently



permitted 783,000 adjusted gross square feet. Currently PD 89-7 is developed with four buildings with a total adjusted gross square footage of 622,553, leaving a remaining 160,447 adjusted gross square feet approved under PD 89-7 available for development. Project implementation would amend the Development Agreement for PD 89-7 to extend the term to May 10, 2028. The proposed amendment would secure the previously approved entitlements for the remaining 160,447 adjusted gross square feet of PD 89-7 and would not allow for any additional or more intensified uses beyond those currently allowed. Thus, the Project is consistent with and would not conflict with the existing zoning under PD 89-7.

#### Off-Street Parking

BMC Article 14, *General Off-Street Parking Standards, Division 2, Parking Requirements*, identifies the number of off-street parking spaces required based on land use. According to the BMC, development of the Phase 6 site, as proposed, would require 481 parking spaces (3 spaces per 1,000 adjusted gross square feet for commercial office uses outside of the City's Central Business District Downtown Parking Area). As detailed in *Section 3.0, Project Description*, the Media Studios Project site is currently required to provide 2,268 parking spaces; however, the campus currently provides 2,672 spaces with an excess supply of 404 spaces. A total of 162 parking spaces are proposed in the P1 level below the Phase 6 site and the balance (319 spaces) would be accommodated utilizing the excess parking in the adjacent and interconnected four-level subterranean parking structure within the Media Studio Project site. Thus, the Project would not conflict with the Zoning Ordinance regarding required off-street parking.

**Mitigation Measures:** No mitigation is required.

#### ***Conflict with any applicable habitat conservation plan or natural community conservation plan?***

**No Impact.** As stated in Biological Resources Response (f), the Project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan. Thus, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

## **MINERAL RESOURCES**

#### ***Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

**No Impact.** The State Mining and Geology Board establishes Mineral Resources Zones (MRZs) to designate lands that contain mineral deposits. The classifications used by the State to define MRZs are as follows:

- **MRZ-1:** Areas where the available geologic information indicates no significant likelihood of significant mineral deposits.
- **MRZ-2:** Areas where the available geologic information indicates that there are significant mineral deposits or that there is a likelihood of significant mineral deposits.
- **MRZ-3:** Areas where the available geologic information indicates that mineral deposits exist or are likely to exist; however, the significance of the deposit is undetermined.



- **MRZ-4:** Areas where there is not enough information available to determine the presence or absence of mineral deposits.

According to the California Department of Conservation Division of Mine and Geology's *Generalized Aggregate Resource Classification Map, San Fernando Valley and Adjacent Production-Consumption Regions* and the Burbank2035 Exhibit OSC-2, *Mineral Resource Zones*, the Project site is located within an area mapped as MRZ-2.<sup>27,28</sup> Although MRZ-2 areas could contain significant mineral deposits, the Burbank2035 EIR concluded that future mining activities would not occur in these areas since mining activities could not occur without destroying large built-out areas of the City. Given the Project site is situated in an urban area, Project implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State and no impact would occur.

**Mitigation Measures:** No mitigation is required.

**Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**No Impact.** Refer to Mineral Resources Response (a).

**Mitigation Measures:** No mitigation is required.

## POPULATION AND HOUSING

**Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**Less Than Significant Impact.** The proposed Project is not anticipated to induce substantial population growth in the area, either directly or indirectly. Construction of the Project's proposed 160,447 square-foot office building would facilitate employment growth which could result in population growth within the City, as future employees (and their families) may choose to relocate to the City. Upon development of the proposed office building, the number of employees is anticipated to consist of up to 503 persons.<sup>29</sup> Conservatively assuming all 503 new employees relocate to Burbank, Project implementation would result in a potential population increase of approximately 1,258 persons; refer to [Section 6.3, Growth-Inducing Impacts](#).<sup>30</sup> As concluded in [Section 6.3](#), the Project is consistent with Burbank2035, does not involve development of unplanned or unforeseen public services or utility/service systems, and would not change the City's existing jobs/housing ratio. Project implementation would amend the Development Agreement for PD 89-7 to extend the term ten additional years, from May 10, 2018 to May 10, 2028. The proposed amendment would secure the previously approved entitlements for the remaining 160,447 adjusted gross square feet of PD 89-7 and would not allow for any additional or more intensified uses beyond those

<sup>27</sup> California Department of Conservation Division of Mine and Geology, *Generalized Aggregate Resource Classification Map, San Fernando Valley and Adjacent Production-Consumption Regions*, 1979, [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR\\_143/PartII/Plate\\_2-1.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_143/PartII/Plate_2-1.pdf), accessed August 1, 2018.

<sup>28</sup> City of Burbank, Burbank2035 General Plan, page 6-14, February 19, 2013.

<sup>29</sup> Rincon Consultants, *Media Studios North Planned Development Amendment Final Initial Study – Mitigated Negative Declaration*, Table 12 (Proposed Project Employment Generation), page 67, April 2013.

<sup>30</sup> State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2017 with 2010 Census Benchmark*, January 30, 2018.



currently allowed and anticipated. Thus, the Project's growth-inducing impacts are considered less than significant.

**Mitigation Measures:** No mitigation is required.

***Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?***

**No Impact.** The Media Studios campus is developed with commercial office uses. The Phase 6 site is partially developed as a surface parking lot and is proposed to be developed with a commercial office use, consistent with the remaining campus. Thus, Project implementation would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. No impact would occur in this regard.

**Mitigation Measures:** No mitigation is required.

***Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?***

**No Impact.** Refer to Population and Housing Response (b).

**Mitigation Measures:** No mitigation is required.

## **PUBLIC SERVICES**

***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

***Fire protection?***

**Less Than Significant Impact.** The Burbank Fire Department (BFD) provides fire protection services to the City. The nearest fire station is Fire Station 13 (located at 2713 Thornton Avenue), which is located approximately 0.35-mile northeast of the Project site. Development of the Phase 6 site would incrementally increase demands for fire protection services beyond existing conditions. However, development of the Phase 6 site would be consistent with the land uses anticipated for the area and would not result in a substantial increase in demand on fire services provided by BFD. Project implementation would amend the Development Agreement for PD 89-7 to extend the term ten additional years and would secure the previously approved entitlements for the remaining 160,447 adjusted gross square feet of PD 89-7. Thus, development of the Phase 6 site would not involve additional or more intensified uses beyond those previously allowed and anticipated. The proposed development would be required to comply with BFD requirements for emergency access, fire flow, fire protection standards, fire lanes, and other site design/building standards. Impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.



### ***Police protection?***

***Less Than Significant Impact.*** The Burbank Police Department (BPD) provides police protection services within the City. The BPD operates out of a central police station located at 200 North Third Street, approximately 2.25 miles southeast of the Project site. Development of the Phase 6 site would incrementally increase demands for police protection services beyond existing conditions. However, it is not anticipated that this increase would have the capability to result in a substantial adverse impact to police services or require the need for new or additional police facilities. As discussed Public Services Response (a)(1), development of the Phase 6 site would not involve additional or more intensified uses beyond those previously allowed and anticipated as part of PD 89-7. The proposed development would be consistent with the land uses anticipated for the area and would not result in a substantial increase in demand on police services provided by BPD. Thus, impacts would be less than significant in this regard.

***Mitigation Measures:*** No mitigation is required.

### ***Schools?***

***Less Than Significant Impact.*** The Project does not propose new or physically altered school facilities. Furthermore, the Project does not include any residential land uses that would directly increase demand for school services. Senate Bill 50 (SB 50) requires the payment of school impact fees, which are intended to fully mitigate impacts per California Government Code §65995(h). SB 50 establishes a per-pupil funding formula for new school construction, requires local districts to match State funds for new construction, allows school districts to establish reimbursement agreements with developers to cover their fees, and authorizes an Affordable Housing Assistance Program. These fees are collected by school districts at the time of issuance of building permits. Development of the Phase 6 site would be required to pay school impact fees under SB 50. As discussed in Public Services Response (a)(1), development of the Phase 6 site would not involve additional or more intensified uses beyond those currently allowed and anticipated as part of PD 89-7. As such, impacts in this regard would be less than significant.

***Mitigation Measures:*** No mitigation is required.

### ***Parks?***

***Less Than Significant Impact.*** The City of Burbank currently operates and maintains more than 700 acres of parkland within the City, including 41 public parks and facilities as well as a public golf course.<sup>31</sup> The closest park facilities to the Project site are Robert E. Lundigan Park, located approximately 0.35-mile to the northwest and Robert E. Gross Park, located approximately 0.30-mile to the southwest. The proposed commercial office building would not involve residential land uses that would directly increase the demand for park facilities. Development of the Phase 6 site would be consistent with the land uses anticipated for the area and would not result in a substantial increase in demand for park facilities. Any population increase associated with development of the Phase 6 site would not exceed forecasted growth projections for the City of Burbank; refer to the “Population and Housing” discussion above. As discussed in Public Services Response (a)(1), development of the Phase 6 site would not involve additional or more intensified uses beyond those currently allowed and anticipated as part of PD 89-7. Thus, Project implementation would not require new or physically altered park facilities, the construction of which

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<sup>31</sup> City of Burbank Website, *Parks and Recreation*, <http://www.burbankca.gov/departments/parks-and-recreation>, accessed January 16, 2018.



could cause significant environmental impacts. In accordance with Burbank2035 and the BMC, the Project Applicant would be required to pay development impact fees to offset impacts to park and recreation facilities and services. Impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.

***Other public facilities?***

**No Impact.** As indicated in Public Services Responses (a)(1) through (a)(4), the Project would not result in significant impacts on public services or facilities. No other public facilities are anticipated to be affected by the Project. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

## RECREATION

***Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

**Less Than Significant Impact.** As stated in Public Services Response (a)(4), the Project would not result in a substantial increase in demand for park facilities or result in the physical deterioration of these facilities. In accordance with the Burbank2035 and the BMC, the Project Applicant would be required to pay development impact fees to offset impacts to park and recreation facilities and services associated with development of the Phase 6 site. Impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.

***Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

**No Impact.** Amendment of the Development Agreement and development of the Phase 6 site with a commercial office building would not directly increase the demand for recreational facilities. The Phase 6 site is part of the larger Media Studios campus that provides open space and recreational amenities for employees of the campus. Furthermore, the Project does not include the construction of public recreational facilities. As stated in Public Services Response (a)(4), the Project would not result in a substantial increase in demand on parks or other recreational facilities and would not result in an adverse physical effect on the environment. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

## TRANSPORTATION/TRAFFIC

***Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?***

**Less Than Significant Impact.** The Project site is approximately 0.4-mile southeast of the Burbank Airport and is located just outside of its Airport Influence Area. Due to the nature of the Project, construction and



operations of a commercial office building on the Media Studios campus would not result in a change in air traffic patterns, either through increased traffic levels or a change in location that results in substantial safety risks. As such, impacts would be less than significant in this regard and no mitigation measures are required.

**Mitigation Measures:** No mitigation is required.

## TRIBAL CULTURAL RESOURCES

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to “begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project.” Section 21074 of AB 52 also defines a new category of resources under CEQA called “tribal cultural resources.” Tribal cultural resources are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is either listed on or eligible for the California Register of Historical Resources or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource.

In compliance with AB 52, the City of Burbank distributed letters on January 25, 2018 (to those Native American tribes that have requested notification for consultation the purposes of AB 52) notifying each tribe of the opportunity to consult with the City regarding the proposed Project; refer to Appendix F, AB 52 Consultation. The tribes had 30 days to respond to the City’s request for consultation.

***Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:***

***Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or***

**No Impact.** As discussed in Response 4.5(a), the Project site and surrounding properties are not identified as Recorded Cultural Resources in the City of Burbank, or as resources identified as Listed or Eligible for Listing.<sup>32</sup> Therefore, Project implementation would not cause a substantial adverse change in the significance of a listed resource and no impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

***A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

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<sup>32</sup> City of Burbank Website, *Historic Properties in Burbank*, <http://www.burbankca.gov/about-us/burbank-history/historic-properties-in-burbank>, accessed January 23, 2018.



**Less Than Significant Impact With Mitigation Incorporated.** Pursuant to Public Resources Code §21080.3.1 and in compliance with AB 52, the City of Burbank, as Lead Agency, distributed letters on January 20, 2018, to the Fernandeano Tatavium Band of Mission Indians and San Gabriel Band of Mission Indians notifying the tribes of the proposed Project and the City's initiation of the environmental review process. The tribes had 30 days to respond to the City's notification and request additional consultation. As of the publication of this Draft EIR, no request for consultation has been received.

The Project site and surrounding area is primarily developed and urbanized. As discussed, the Phase 6 site has been partially excavated to a depth of 60 feet from prior development associated with the Media Studios campus. For this reason, the potential discovery of any unidentified tribal cultural resources would be minimal. Construction of the Phase 6 site would require some additional excavation associated with the subterranean parking. Based on the Project site's disturbed condition as well as the City's AB 52 consultation efforts, the City has determined that there are no known tribal cultural resources present at the Project site.

However, if evidence of subsurface tribal cultural resources is found during construction, excavation, and/or other construction activities in that area, implementation of Mitigation Measure CUL-1 would ensure construction activities cease and an archaeologist certified by the County of Los Angeles is retained to evaluate the discovery prior to resuming grading in the immediate vicinity of the find. The City would also be required to consult with appropriate Native American representatives in determining treatment for potential tribal cultural resources to ensure cultural values ascribed to the resource, beyond that which is scientifically important, are considered. As such, implementation of Mitigation Measure CUL-1 would ensure potential impacts are reduced to less than significant levels.

**Mitigation Measures:** Refer to Mitigation Measure CUL-1.

## UTILITIES AND SERVICE SYSTEMS

### ***Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

**Less Than Significant Impact.** Wastewater collection and treatment within the Project site vicinity are provided by the City of Burbank. The City is responsible for safely collecting, treating, and disposing the wastewater generated by users in its service area. The City's wastewater is treated at the Burbank Water Reclamation Plant (BWRP), which is a tertiary wastewater treatment plant that currently treats nine million gallons of sewage per day and has a design capacity of 12.5 million gallons per day (mgd).<sup>33,34</sup> The BWRP was built in 1966 to meet the wastewater and sewer needs of the growing residential population and expanding commercial uses in the City. The City upgraded the BWRP in 1971, 2000, and 2002.

The proposed Project includes the construction of 160,447 adjusted gross square feet of office uses. Table 8-1, *Estimated Wastewater Generation*, summarizes the Project's estimated wastewater generation.

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<sup>33</sup> City of Burbank Website, *Burbank Water Reclamation Plant*, <http://www.burbankca.gov/departments/public-works/water-reclamation-and-sewer/burbank-water-reclamation-plant>, accessed January 24, 2018.

<sup>34</sup> Burbank Water and Power, *2015 Urban Water Management Plan*, page 5-1, June 2016.



**Table 8-1**  
**Estimated Wastewater Generation**

| Land Use   | Proposed Buildout                  | Wastewater Generation Factor              | Wastewater Generation  |
|--|------------------------------------|---|------------------------|
| Office   | 160,447 adjusted gross square feet | 150 gallons per day per 1,000 square feet | 24,067 gallons per day |
| Source: City of Los Angeles, L.A. CEQA Thresholds Guide, Exhibit M.2-12, Sewage Generation Factors, page M.2-24, 2006. |                                    |   |                        |

As indicated in [Table 8-1](#), Project implementation would generate approximately 24,067 gallons of wastewater per day, representing approximately 0.7 percent of the BWRP's remaining capacity of 3.5 mgd. Thus, Project implementation would not exceed wastewater treatment capacities at the BWRP. Amendment of the Development Agreement for PD 89-7 and construction of the Phase 6 site would not involve additional or more intensified uses beyond those currently allowed and anticipated as part of PD 89-7. Further, the City is responsible for meeting all State and Federal wastewater treatment requirements. As part of any new development project, the City would charge a standard sewer connection fee that would assist the City in ensuring that sufficient capacity is available and that the wastewater treatment requirements of the Los Angeles RWQCB are met. Thus, impacts in this regard would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

**Less Than Significant Impact.** Project implementation would not exceed wastewater treatment capacities at the BWRP nor require construction of new wastewater treatment facilities; refer to Utilities and Services Response (a). The Project site is served by the City of Burbank water system. Water demand is met through a combination of local groundwater and purchased water from the Metropolitan Water District (MWD), which is imported from the Colorado River and the State Water Project in northern California. As stated, amendment of the Development Agreement for PD 89-7 and construction of the Phase 6 site would not involve additional or more intensified uses beyond those currently allowed and anticipated as part of PD 89-7. Growth consistent with the full development potential of these land uses have been anticipated in the BWP's 2015 *Urban Water Management Plan* (2015 UWMP). According to the 2015 UWMP, BWP supplies are expected to meet demands in normal-, single dry-, and multiple dry-year conditions through 2040. Because the 2015 UWMP accounts for future growth in the Burbank area, it is expected that the City has adequate water supplies to serve the Project. Impacts in this regard would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

**Less Than Significant Impact.** As discussed, the Project would involve the construction of a 160,447-adjusted gross square foot office building and associated hardscapes that would tie into the existing development. The Phase 6 site is currently developed with a gravel/asphalt ramp, surface parking lot, and vegetation covering the existing hillside. Project implementation would result in similar drainage patterns



as existing conditions, as most of the Project site would remain impervious. Development of the Phase 6 site would be required to incorporate appropriate post-construction Best Management Practices (BMPs) into on-site drainage features that collect and treat stormwater runoff in compliance with the BMC and *Burbank Municipal Stormwater and Urban Runoff Discharge Manual (BSM)*, and all proposed stormwater drainage facilities would be subject to City review and approval as part of the City's plan check process. All runoff generated by the Project would be discharged to existing stormwater drainage facilities located approximately 100 feet south within North Avon Street. As the Project is considered to be relatively limited in size and would be serviced by existing stormwater drainage facilities, construction or expansion of off-site or regional existing facilities would not be required. Impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.

***Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?***

**Less Than Significant Impact.** Refer to Utilities and Service Systems Response (b). According to the 2015 UWMP, BWP has adequate water supplies to meet future water demands under normal, single dry-, and multiple dry-year conditions through 2040. Because development of the Phase 6 site is accounted for in the 2015 UWMP, the Project would be adequately served by available water supplies from existing entitlements and resources and would not require new or expanded entitlements. Thus, impacts in this regard would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

**Less Than Significant Impact.** Refer to Utilities and Service Systems Response (a). Project implementation would generate approximately 24,067 gallons of wastewater per day, representing approximately 0.7 percent of the BWRP's remaining capacity of 3.5 mgd. Impacts would be less than significant.

**Mitigation Measures:** No mitigation is required.

***Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?***

**Less Than Significant Impact.** According to the Burbank2035 EIR, the City of Burbank collects and deposits solid waste into 16 primary landfills in Southern California. In 2016, the City of Burbank disposed approximately 85,058 tons of solid waste; refer to [Table 8-2, Landfills Summary](#). As concluded in [Table 8-2](#), the 16 permitted landfills serving Burbank have a total permitted capacity of approximately 1.3 billion cubic yards plus an additional 107,308 tons per day permitted capacity and a remaining capacity of 915,013,399 cubic yards.

Site preparation and construction activities would generate typical construction debris (i.e., wood, paper, glass, plastic, metals, and green wastes) and potentially hazardous waste products. Construction waste would result in an incremental and intermittent increase in solid waste disposal at the landfills identified



in Table 8-2. In compliance with the California Green Building Code (CalGreen), the Project would be required to divert 50 percent of its construction waste from landfills. The remaining construction demolition material would be transported to one or more of the landfills identified in Table 8-2. Based on the Project's limited construction activities and the excess capacity identified in Table 8-2, construction related impacts would be considered less than significant.

Development of the Phase 6 site would result in increased solid waste generation from the Project site. Based on a generation factor of 0.006 pounds per square foot per day for office uses, Phase 6 operations are estimated to generate approximately 175.6 tons of solid waste per year (962 pounds per day).<sup>35</sup> The amount of solid waste requiring disposal at local landfills would be reduced through compliance with CalGreen, which requires that areas are provided for depositing and collecting non-hazardous materials for recycling. Waste and recycling bins would be located on-site. The daily contribution (0.481 tons/day) to the landfills associated with the Phase 6 site, represents less than one percent of the daily capacities identified in Table 8-2. Operational impacts would be less than significant in this regard.

**Mitigation Measures:** No mitigation is required.

***Comply with federal, state, and local statutes and regulations related to solid waste?***

**No Impact.** Refer to Utilities and Service Systems Response (f). The proposed Project would comply with all Federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act and City recycling programs. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation is required.

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<sup>35</sup> California Department of Resources Recycling and Recovery Website, *Estimated Solid Waste Generation Rates (Commercial Sector Generation Rates)*, <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Commercial>, accessed January 25, 2018.



**Table 8-2  
Landfills Summary**

| Facility <sup>1</sup>  | Permitted Through Date | Amount Disposed from Burbank in 2016 (tons/year) | Permitted Throughput (tons/day) | Permitted Capacity (cubic yards) | Remaining Capacity (cubic yards) |
|--|------------------------|--|---------------------------------|----------------------------------|----------------------------------|
| Antelope Valley Public Landfill  | 1/1/2042               | 2,947  | 3,564.00                        | N/A                              | 18,303,272                       |
| Azusa Land Reclamation Co. Landfill  | 1/1/2045               | 1,247  | 8,000.00                        | 80,571,760                       | 51,512,201                       |
| Burbank Landfill Site No. 3  | 1/1/2053               | 33,864   | 240                             | 5,933,365                        | 5,174,362                        |
| Chiquita Canyon Sanitary Landfill  | 11/24/2019             | 33,542   | 6,000                           | 63,900,000                       | 8,617,126                        |
| El Sobrante Landfill   | 1/1/2045               | 51   | 16,054.00                       | 184,930,000                      | 145,530,000                      |
| Frank R. Bowerman Sanitary Landfill  | 12/31/2053             | 462  | 11,500.00                       | 266,000,000                      | 205,000,000                      |
| Kettleman Hills – B18 Nonhazardous Codisposal  | N/A                    | 1  | 8,000.00                        | 10,700,000                       | 6,000,000                        |
| Lancaster Landfill and Recycling Center  | 3/1/2044               | 230  | 5,100.00                        | 27,700,000                       | 14,514,648                       |
| McKittrick Waste Treatment Site  | 12/31/2059             | 1,257  | 3,500.00                        | 5,474,900                        | 769,790                          |
| Mid-Valley Sanitary Landfill   | 4/1/2033               | 1,760  | 7,500.00                        | 101,300,000                      | 67,520,000                       |
| Monterey Peninsula Landfill  | 2/28/2107              | 7  | 3,500.00                        | 49,700,000                       | 48,560,000                       |
| Olinda Alpha Sanitary Landfill   | 12/31/2021             | 1,843  | 8,000.00                        | 148,800,000                      | 34,200,000                       |
| San Timoteo Sanitary Landfill  | 1/1/2043               | 13   | 2,000.00                        | 20,400,000                       | 11,402,000                       |
| Simi Valley Landfill and Recycling Center  | 1/31/2052              | 192  | 9,250.00                        | 119,600,000                      | 119,600,000                      |
| Sunshine Canyon City/County Landfill   | 12/31/2037             | 7,636  | 12,100                          | 140,900,000                      | 96,800,000                       |
| Victorville Sanitary Landfill  | 1/1/2047               | 6  | 3,000.00                        | 83,200,000                       | 81,510,000                       |
| <b>TOTAL</b>   |                        | <b>85,058</b>                                    | <b>107,308</b>                  | <b>1,309,110,025</b>             | <b>915,013,399</b>               |
| Notes:   |                        |  |                                 |                                  |                                  |
| 1. Burbank solid waste disposal facilities exclude Commerce Refuse-to-Energy, Covanta Stanislaus, Inc., and Southeast Resource Recovery Facility.  |                        |  |                                 |                                  |                                  |
| Sources:   |                        |  |                                 |                                  |                                  |
| CalRecycle Website, <i>Solid Waste Information System</i> , <a href="http://www.calrecycle.ca.gov/swfacilities/directory/search.aspx">http://www.calrecycle.ca.gov/swfacilities/directory/search.aspx</a> , accessed January 24, 2018. |                        |  |                                 |                                  |                                  |
| CalRecycle Website, <i>Disposal Reporting System (DRS): Jurisdiction Disposal and Alternative Daily Cover (ADC) Tons by Facility</i> , <a href="http://www.ciwmb.ca.gov">www.ciwmb.ca.gov</a> , accessed January 24 and 25, 2018.      |                        |  |                                 |                                  |                                  |



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