
The Bond Project Revised Draft Environmental Impact Report: Part 2

3 Environmental Analysis

The following sections contain an analysis, by issue area, of the potentially significant environmental effects of the revised Bond Project (“proposed project” or “revised project”). The environmental issue areas analyzed in this chapter are as follows:

- Section 3.1, Aesthetics
- Section 3.2, Air Quality
- Section 3.3, Cultural Resources
- Section 3.4, Greenhouse Gas Emissions
- Section 3.5, Hazards and Hazardous Materials
- Section 3.6, Noise
- Section 3.7, Public Services
- Section 3.8, Transportation
- Section 3.9, Utilities and Service Systems
- Section 3.10, Energy
- Section 3.11, Land Use and Planning
- Section 3.12, Tribal Cultural Resources

The discussions of each environmental issue area include the following subsections:

- Environmental Setting
- Relevant Plans, Policies, and Ordinances
- Thresholds of Significance
- Methodology
- Impact Analysis
- Mitigation Measures
- Significance after Mitigation

As stated in the Initial Study (Appendix A), which together with the Notice of Preparation, was released in October 2016, it was found that the proposed project would have a less-than-significant impact relative to the following environmental issue areas:

- Agriculture and Forestry Resources
- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Recreation

Nonetheless, in response to comments received during the 55-day public review period for the Draft EIR, a new Land Use and Planning section, as well as a new Tribal Cultural Resources Section, is being added to the Revised Draft EIR (RDEIR).

For purposes of the analysis included within this RDEIR, the City is utilizing the thresholds of significance included within Appendix G of the CEQA Guidelines. The Initial Study was prepared and circulated prior to CEQA amendments that were adopted in December 2018. The City is now using the updated thresholds of significance included within Appendix G to comply with the comprehensive CEQA revisions from December 2018.

3.1 Aesthetics

This section describes the existing visual setting of the project site and vicinity, identifies associated regulatory requirements, evaluates potential aesthetic impacts, and identifies mitigation measures related to implementation of the revised Bond Project (“proposed project” or “revised project”).

3.1.1 Environmental Setting

3.1.1.1 Visual Character and Quality

The project site is located within the City of West Hollywood in Los Angeles County and consists of properties fronting Santa Monica Boulevard, North Orange Grove Avenue, and North Ogden Drive. The site consists of three Assessor’s Parcels, 5530-002-067, 5530-002-019, and 5530-002-027, which correspond to properties located at 7811 Santa Monica Boulevard, 1114 North Orange Grove Avenue, and 1125 North Ogden Drive, respectively. The parcel fronting North Orange Grove Avenue and the parcel fronting North Ogden Drive are both rectangular in shape, and the parcel fronting Santa Monica Boulevard is an irregular L-shaped parcel. The project site is depicted in Chapter 2, Project Description, Figure 2-3, Project Site; in this figure, the three parcels have been merged into one. Together, they encompass an approximately 0.92-acre project site.

The project site is developed with a commercial building, two surface parking lots, and two residential buildings. An L-shaped, industrial stucco concrete commercial building that currently houses a gym is located on the southern portion of the project site. As depicted in Figure 3.1-1, the single-story building fronts Santa Monica Boulevard and is adorned with a generally unfinished gray façade along the southern and eastern exterior. Limited business signage (“Brick”) is installed on the façade that features centrally located, geometric, and asymmetrical parapets along the south and east exteriors. A limited number of diagonal parking spaces are available to the immediate east of the building. The northern exterior of the building consists of creeping vine covered brick façade that fronts a rectangular surface public parking lot accessible via Orange Grove Avenue. The parking lot, depicted in Figure 3.1-2, is gated along the Orange Grove Avenue frontage and the northern, eastern, and southern boundaries are defined by existing buildings and fencing that abut the lot. The relatively narrow and rectangular parcel in the northeastern corner of the project site is developed with one- and two-story multi-family residential buildings (two buildings are located on the parcel). The one-story residential structure includes a small, densely landscaped outdoor area that fronts Ogden Drive, as shown in Figure 3.1-3. Located to the immediate west, the two-story building features a light purple painted exterior and includes a stairwell that leads to an upstairs outdoor porch constructed along the building’s south-facing exteriors and an outdoor patio constructed along the building’s east-facing exterior. A narrow driveway is located along the southern extent of the northeastern rectangular parcel.

3.1.1.2 Surrounding Area

The West Hollywood General Plan identifies the project site and surrounding area as being located in the Santa Monica/Fairfax Transit District Commercial Sub-area, which supports a significant number of transit routes and transfer points. The area is characterized by service and retail businesses oriented to the local community. Uses in the surrounding area are generally consistent with the General Plan characterization of the area and are depicted in Chapter 2, Figure 2-4, Surrounding Land Uses. The project site is bordered to the north by Fountain Day School, a preschool. The 0.5-acre Fountain Day School property consists of a two-story structure along the southern boundary, one central open area, three covered and fenced children’s play areas, as well as three one-story structures. The structure along the southern boundary is painted in light yellow on the exterior and is two stories in

height. Further to the north, the surrounding land uses consist of residential development, along Ogden Drive and Orange Grove Avenue. The developments are comprised of mostly one- and two-story multi-family residential structures featuring light colored stucco exteriors including off-white, tan, and yellow. Building roofs are generally flat and buildings are typically rectangular in shape. Further to the northwest of the project site, there is an eight-story residential structure. The structure is rectangular in shape and runs north-south along Fairfax Avenue. The structure features a white stucco exterior and flat roof.

The project site is bordered directly to the west by long and narrow commercial buildings and a gated, rectangular lot on which a modular office building and a shipping container are located. The rectangular lot contains an outdoor surface parking area and the lot and modular office building comprise an automobile repair shop, training business, and a painting business. The one-story commercial buildings are both rectangular and feature simple flat roofs. Further to the west, and west of Orange Grove Avenue, there is a commercial shopping center featuring Whole Foods Market as the anchor tenant. Other services, including dry cleaning, a bakery, and liquor store, are also available in the shopping center. From east to west, the smaller businesses in the center currently include a computer repair shop, cell phone stores, a bakery, a dry cleaners, a taqueria, and a drama school. Shopping center buildings are arranged in an L-shape, and display a generally rectangular form and simple flat roofs. The structures feature red brick exteriors along the back of the buildings, and glass exteriors along the south and west-facing façades. A large surface parking lot is also present and abuts buildings to the south and west. The center's frontage along Santa Monica Boulevard and Fairfax Avenue is landscaped with regular street trees, shrubs, and a moderately tall (approximately 5-foot) hedge installed along a masonry wall. The parking lot is accessible via Orange Grove Avenue, Santa Monica Boulevard, and Fairfax Avenue.

Directly to the east of the project site a blocky commercial building is present. The single-story building abuts the project site, features arched openings along its south-facing exterior, and is painted white/gray with blue accents in the form of awnings, lamp posts, and a continuous, thin, rectangular trim. Further along the north side of Santa Monica Boulevard to the east there is a two-story rectangular structure, which houses commercial uses on the first floor, such as grocery, pawn, and smoke shops, with residential uses on the second floor. The structures further to the east along the south side of Santa Monica Boulevard display rectangular form with exteriors adorned with muted to dark colors and house a variety of businesses including grocers, pawn, home repair and hardware, liquor, cleaners and electronics. A similar assortment of small, primarily one-story commercial buildings and occasionally, surface parking lots, continue to the east along the south side of Santa Monica Boulevard and house a wide variety of businesses including pawn, home repair and hardware, clinic, medical supplies, pharmacy, boutique, deli, jewelry, dry cleaners, and liquor shops. The structures typically abut one another and generally display a rectangular form with Santa Monica Boulevard facing building exteriors adorned with muted to bright colors.

Additional commercial structures are located to the south and southeast of the project site along the Santa Monica Boulevard corridor. These structures display a generally rectangular form, one- to two-story height, simple flat roofs, and lightly colored stucco, wood, or exposed brick exteriors. The corridor is lined with tall street trees (landscaped medians are occasionally present) and two boulevard-facing storefronts feature outdoor dining and seating areas. A large commercial development exists on the northwest corner of Santa Monica Boulevard and Fairfax Avenue. The structure's rectangular shape extends along both Fairfax Avenue and Santa Monica Boulevard and features a central circular structure at the corner of Santa Monica Boulevard and Fairfax Avenue. The structure features long glass windows and dark gray finishing.

3.1.1.3 Lighting and Glare

The project site is located within a densely developed urban environment. As such, the project site experiences and is regularly exposed to artificial lighting during evening and night hours. Regular sources of evening and nighttime illumination at the project site include interior and exterior lighting from on-site and surrounding buildings, commercial signage, traffic signals and on-street lighting (in particular along Santa Monica Boulevard), parking lot signage, and parking lot exterior lighting. The level of lighting emanating from and projecting onto the site is fairly typical of densely developed urban environments. With the exception of overhead street and parking lot lighting and glass windows and building facades, existing sources of glare in the project area are generally limited.

3.1.1.4 Shade and Shadow

Existing buildings on the project site are either one- or two-stories in height and, therefore, the shade and shadow created by existing structures and cast onto the surrounding area is relatively low. The project site is surrounded by structures to the east, north, south, and west that are of similar scale to the existing on-site one-story commercial building, two-story residential building and one-story residential building, as well as a two-story Fountain Day School. Shade/shadow sensitive uses within the vicinity of the project site include the Fountain Day School building (located directly to the north of the project site) and the residential units located to the northeast of the project site along Ogden Drive that include outdoor patio space on the second story. Further, the residential area sandwiched between the project site and an existing commercial building along Ogden Drive includes outdoor patios and gathering areas. These areas are also considered sensitive to shade and shadow.

3.1.2 Relevant Plans, Policies, and Ordinances

3.1.2.1 Federal

There are no federal plans, policies, and ordinances that are particularly relevant to the project in the context of an evaluation of aesthetic impacts.

3.1.2.2 State

SB-743

On September 27, 2013, California Governor Jerry Brown signed Senate Bill (SB) 743 into law, which creates a process to change the way that transportation impacts are analyzed under the California Environmental Quality Act (CEQA). SB 743 requires that the Governor's Office of Planning and Research (OPR) amend the CEQA Guidelines to provide a new approach for evaluating transportation impacts. SB 743 also eliminates the need to evaluate aesthetic impacts of a project in some circumstances. As stated in Public Resources Code (PRC) Section 21099(d)(1), a project's aesthetic impacts will no longer be considered significant impacts on the environment if the project is a residential, mixed-use residential, or employment center project and is located on an infill site within a transit priority area.

The proposed project is a "mixed-use residential" project, and the project site lies within an area that the City recognizes to be a transit priority area. A transit priority area is defined in PRC Section 21099 to be the area within one-half mile of a Major Transit Stop, which is defined as the intersection of two or more bus routes with a frequency of service interval of less than 15 minutes during the morning and evening peak commute times (PRC Section 21064.3). The revised project is approximately 500 feet from the intersection of Santa Monica Boulevard and

Fairfax Avenue, where the Metropolitan Transportation Authority Bus Lines 4, 217, and 218 operate. Lines 4 and 217 have a frequency of service interval of less than 15 minutes during peak commuting periods from 6:00 a.m. to 9:00 a.m. and from 3:00 p.m. to 7:00 p.m. (Metro 2022, SCAG 2020).¹ Additionally, the revised project is located at an “infill site” as defined in PRC Section 21099(a)(4) because the project is located within an urban area that has been previously developed.

As such, pursuant to PRC Section 21099(d)(1), the revised project is one of several types of projects whose aesthetic impacts shall not be considered significant impacts on the environment. Nevertheless, for informational purposes, this RDEIR includes an analysis of the project’s aesthetic impacts based on the aesthetics thresholds in Appendix G of the CEQA Guidelines. As demonstrated in Section 3.1.4, the aesthetic impacts of the revised project were determined to be less than significant.

3.1.2.3 Local

City of West Hollywood General Plan

The Land Use and Urban Form element of the General Plan sets forth goals and policies to guide the City’s urban form and land use patterns and to establish a vision for the built environment. According to the Land Use and Urban Form element, West Hollywood is physically a “corridor city” defined by its major east-west corridors of Santa Monica Boulevard and Sunset Boulevard, around which lie a rich variety of residential and commercial neighborhoods containing a mix of building types, architectural styles, land uses, and public spaces (City of West Hollywood 2011). Land uses within West Hollywood neighborhoods include residential housing, parks and streets, a small amount of light industrial activity, and commercial activity including restaurants, retail stores, offices, hotels, services, and entertainment. Within the Land Use and Urban Form element, the City’s commercial areas are divided into five sub-areas. The project site is located within the Santa Monica/Fairfax Transit District, a section of the corridor that supports diverse commercial uses that fulfill the needs of the adjacent neighborhoods and transit users. This sub-area is the current location of a significant number of transit routes and transfer points. According to the Land Use and Urban Form element, “the district is characterized by service and retail businesses oriented to the local community, including a number of Russian-oriented businesses” (City of West Hollywood 2011).

In addition to buildings and architecture, public spaces such as streets, streetscapes, parks, and plazas contribute to the City’s urban character. The Land Use and Urban Form element states that the great majority of West Hollywood’s public space is in the form of streets and sidewalks and in commercial areas, “most streets have interesting retail frontages along sidewalks with amenities such as benches, landscaping, and street trees” (City of West Hollywood 2011).

The following policies of the Land Use and Urban Form element concern the land use pattern, new development, and the urban form of West Hollywood and therefore, are applicable to the revised project:

- **Policy LU-1.2:** Consider the scale of new development within its urban context to avoid abrupt changes in scale and massing.
- **Policy LU-2.2:** Consider the scale and character of existing neighborhoods and whether new development improves and enhances the neighborhood when approving new infill development.

¹ At the time of the NOP (2016), additional Metro lines operated at Santa Monica Boulevard/Fairfax Avenue. Updated information is provided herein to reflect bus schedules at the time of this writing (2022). The project site is considered to be within a TPA regardless of whether bus schedules from 2016 or 2022 are relied upon.

- **Policy LU-4.5:** Require development projects to incorporate landscaping in order to extend and enhance the green space network of the City.
- **Policy LU-4.6:** Require commercial development projects to provide for enhanced pedestrian activity in commercial areas through the following techniques:
 - a. Minimizing vehicle intrusions across the sidewalk.
 - b. Locating the majority of a building’s frontages in close proximity to the sidewalk edge.
 - c. Requiring that the first level of the building occupy a majority of the lot’s frontage, with exceptions for vehicle access.
 - d. Allowing for the development of outdoor plazas and dining areas.
 - e. Requiring that the majority of the linear ground floor frontage be visually and physically “penetrable,” incorporating windows and other design treatments to create an attractive street frontage.
 - f. Requiring that ground floor uses be primarily pedestrian-oriented.
 - g. Discouraging new surface parking lots.
- **Policy LU-8.1:** Consider the scale and character of existing residential neighborhoods during the approval of new development.
- **Policy LU-8.3:** Encourage residential renovations and new development to complement existing buildings – including setbacks, heights, materials, colors, and forms – while allowing flexibility in architectural design and innovation.
- **Policy LU-8.6:** Encourage design of facades and frontages that foster resident views of the street to provide a positive sense of security and community.
- **Policy LU-8.7:** Encourage design of street front elevations that include occupiable space located within close proximity to the exterior grade level.
- **Policy LU-10.1:** Consider the building scale, form, and setbacks within the block when approving new single-family dwellings and additions to existing housing.
- **Policy LU-10.4 and LU-10.6:** Encourage new homes to be individually designed to integrate with the neighborhood.

City of West Hollywood Lighting Standards

Section 19.20.100, Outdoor Lighting, of the West Hollywood Municipal Code (WHMC) establishes general standards for outdoor lighting to “prevent glare, light trespass, and sky glow as much as possible (City of West Hollywood Municipal Code Section 19.20.100). Per the municipal code, “permanently installed lighting shall not blink, flash, or be of unusually high intensity or brightness” (Section 19.20.100(A)). Furthermore, exterior lighting shall:

- Be architecturally integrated with the character of the structures;
- Be directed away from adjacent properties and public rights-of-way;
- Be energy-efficient and shielded so that all glare is confined within the boundaries of the site;
- Use timers, where acceptable, to turn outdoor lights off during hours when they are not needed;
- Be appropriate in height, intensity, and scale to the uses they are serving; and
- Use no more intensity than absolutely necessary (Section 19.20.100(A)).

In addition, Section 19.20.100 requires security lighting to be provided at all structure entrances and exits (except for single-family dwellings and duplexes), and also requires lighting sources to be shielded to direct rays onto the subject parcel only.

City of West Hollywood Setback Measurement Standards

Section 19.20.150, Setback Measurement and Projections into Yards, of the WHMC establishes standards to ensure the provision of open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation, and direct sunlight; separation of incompatible land uses; and space for landscaping, privacy, and recreation. Per the WHMC, “Where a structure wall is not parallel to a side or a rear lot line, the required dimension of the site or rear yard along the line may be averaged; provided that the resulting side yard shall not be less than three feet in width, and the rear yard shall not be less than ten feet in depth, at any point” (Section 19.20.150(C)(5)). In addition, Section 19.06.40 requires minimum setbacks as explained in Section 19.20.150.

City of West Hollywood Comprehensive Sign Program

Section 19.34.070, Comprehensive Sign Program, of the WHMC is intended to integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement, provide a means for defining common sign regulations for multi-tenant projects, encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of that chapter. A comprehensive sign program shall:

- comply with the purpose of this chapter, the Sign Design Guidelines, and the overall intent of the section;
- the overall development, be in harmony with, and relate visually to other signs included in the comprehensive sign program, to the structures or developments they identify, and to surrounding development;
- accommodate future revisions that may be required because of changes in use or tenants;
- comply with the standards of the chapter, except that flexibility is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes of this chapter.

City of West Hollywood Commercial Building Façade Standards

Section 19.10.060, Commercial Building Façade Standards, of the WHMC applies to new structures and alternations to existing structures involving a change in the level of the first story or a change in the façade at the street frontage, in all commercial zoning districts. Section 19.10.060(D) requires that building design complies with the following standards:

- At least 60% of the total street frontage ground floor width shall be differentiated architecturally by façade articulations.
- Parapet extensions of a storefront façade shall be incorporated and integrated into the design of the entire building on all façades and frontages.
- Clear, untinted glass shall be used at and near the street level to allow maximum visual interaction between sidewalk areas and the interior of buildings. Mirrored, reflective glass or tinted glass shall not be used except as an architectural or decorative accent
- Any decorative railings or decorative grille work that is placed in front of or behind street level windows, shall be at least 75% open to perpendicular view and no more than six feet in height above grade. Security gates and grilles shall not be installed on the exterior of any structures.

3.1.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to aesthetics are based on Appendix G of the CEQA Guidelines. Impacts to the following Appendix G thresholds were determined to be less than significant in the October 2016 Initial Study prepared for the project:

- Would the project have a substantial adverse effect on a scenic vista?
- Would the project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

The project site is located in a highly developed urban area and is surrounded on all sides by development. Intermittent views of the Hollywood Hills can be observed by motorists and pedestrians from the north-south corridors that are formed by Orange Grove Avenue and Ogden Drive, which are located to the west and east of the project site, respectively. However, existing views of the Hollywood Hills are intermittent and have already been substantially compromised by existing development. Therefore, impacts of the project on scenic vistas, which would be comparable for the revised project, were determined to be less than significant in the October 2016 Initial Study prepared for the project. The conclusions within the 2016 Initial Study remain applicable to the revised project.

The nearest officially designated state scenic highway is a portion of State Highway 2 that extends through the San Gabriel Mountains, beginning just north of the City of La Cañada Flintridge. The portion of State Highway 2 that is officially designated as a state scenic highway is located approximately 13 miles northwest of the project site and due to the distance from designated State Scenic Highways, the project site is not within the viewshed of this state scenic highway or historic parkway. Therefore, the October 2016 Initial Study prepared for the project determined that no impact to state scenic highways would occur. The conclusions within the 2016 Initial Study remain applicable to the revised project.

As previously noted, the project is one of several types of projects whose aesthetic impacts shall not be considered significant impacts on the environment under CEQA, pursuant to PRC Section 21099. Nevertheless, for informational purposes, this RDEIR includes an analysis of the project's potential aesthetic impacts based on the aesthetics thresholds in Appendix G of the CEQA Guidelines. Additionally, since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the CEQA Guidelines.

AES-1 Would the project substantially degrade the existing visual character or quality of public views of the site and surroundings? Would the project conflict with applicable zoning and other regulations governing scenic quality?

AES-2 Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

AES-3 Would the project create a new source of shade or shadow that would adversely affect shade/shadow sensitive structures or use?

1. Pursuant to PRC Section 21099, any aesthetic impacts shall not be considered significant as part of the CEQA review for the revised project, nevertheless, as demonstrated in Section 3.1.4, the aesthetic impacts of the revised project would be less than significant.

Methodology

Due to the location of the site and the scale of the proposed hotel and residential units, several viewer groups would be afforded views of the revised project. Viewer groups currently afforded views to the project site include employees and patrons of businesses along Santa Monica Boulevard, and of businesses located in the commercial center to the west of the project site and other commercial corridors in the area, pedestrians and motorists passing the project site, as well as local residents in neighborhoods located around the project site and individuals attending the Fountain Day School directly to the north of the project site. Viewer sensitivity varies depending on viewer type, the duration of view/visual experience, the location of the viewer and angle of orientation at the time the view is experienced, the presence of intervening development or landscaping, and the number of viewers in the viewer group. A description of each viewer is provided as follows.

- Employees and patrons of businesses lining Santa Monica Boulevard, businesses located in the commercial center to the west of the project site, and other commercial corridors in the area are afforded temporary views of the project site and would be afforded temporary views of the project. These viewers are considered to have low to moderate sensitivity to changes in the visual environment as they would continue to work or shop at businesses despite the aesthetics of the surrounding urban environment. In addition, employees and patrons of local businesses have less vested interest in the visual character of the neighborhood when compared to viewers afforded long-term views.
- Motorists and pedestrians pass the project site as they travel through the area along Santa Monica Boulevard, Fairfax Avenue, Orange Grove Avenue, and Ogden Drive. Due to the fleeting and temporary nature of available views as they pass the project site, motorists and pedestrians are generally considered to have low sensitivity to changes in the visual environment. The presence of a traffic signal at the intersection of Santa Monica Boulevard and Fairfax Avenue, as well as Santa Monica Boulevard and Genesee Avenue to the east, may slightly prolong the duration of available views to the project site afforded to passing motorists and pedestrians. However, views of the project site from the intersection of Santa Monica Boulevard and Fairfax Avenue are largely obstructed by mature trees lining the commercial corridor. Views from both intersections would generally remain fleeting.
- Due to the presence of existing residential development and landscaping (i.e., mature trees) lining the Ogden Drive, residents located to the north of the project site are not currently afforded views to the project site. However, residents with unobstructed lines of sight to the air space that the upper floors of the proposed project would occupy would be presented with partially obstructed views once construction of the proposed project is complete. In addition, Fountain Day School is present immediately to the north of the project site. Due to the short distance to the project site, and the height of the proposed structure, Fountain Day School would be afforded unobstructed views of the project site. While partially obstructed views would be available to residents (orientation and the presence of intervening features would ultimately determine the availability of views), views would be relatively distant and would include surrounding elements of the urban environment. Therefore, the sensitivity of residential users is considered low to moderate, while the sensitivity of Fountain Day School users is considered moderate.

Several visual simulations were prepared from key viewing locations in the project area to support the visual character and quality impact analysis. Visual simulations depict the approximate mass, scale, and architecture of the proposed structure within the context of the existing visual setting. Lighting, landscaping, and other components proposed by the project are also included in the visual simulations.

In addition to proposed lighting fixtures and lamps, the operational characteristics of project lighting (i.e., hours of operation) were reviewed and analyzed within the context of existing nighttime lighting sources and, in general, the nighttime environment/scene in the project area. Building materials were reviewed to determine the potential for the project and commercial uses to create noticeable glare in the project area during operations.

A shadow analysis was conducted to determine the potential for the project to create shade/shadow that would be projected to surrounding buildings and areas. A series of digital building models of the project were created and used the specified building mass and scale to depict resulting shade/shadow conditions during the fall and spring equinoxes and summer and winter solstices.

3.1.4 Impacts Analysis

Threshold AES-1: Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? Would the project conflict with applicable zoning and other regulations governing scenic quality?

Construction

Construction of the project would involve the demolition of the existing 10,000 square foot one-story commercial building on the existing 7811 Santa Monica Boulevard parcel, the parking lot adjacent to the commercial building, the parking lot currently leased by the City located along Orange Grove Avenue, and the multi-family units located on the parcel along Ogden Drive, as well as two existing ornamental trees (one on Santa Monica Boulevard and one on Ogden Drive). Site preparation would involve grading of the project site and excavation of the two-level subterranean parking garage in preparation for building construction. Building construction is expected to include a variety of equipment, including forklifts, tractors, loaders, backhoes, welders, aerial lifts, and skid steer loaders.

Existing views of the project site would be altered during the construction phase. One commercial building and two residential buildings and their corresponding mass, scale, and architectural design elements would be demolished. The two surface parking lots at the project site also would be demolished. Such changes in the existing project site would alter its visual character. The site would temporarily lack verticality and mass, and proposed excavation activities would create a wide and relatively deep cut into the ground surface that would contrast with the otherwise flat terrain of the surrounding area. The demolition of the existing gym building would be partially screened by commercial buildings of similar scale located to the immediate west and east of the project site that would not be altered by the project. Similarly, although the removal of the residential uses from the northeast corner of the project site would be adjacent to residential uses along Ogden Drive, passing motorists, pedestrians, and employees along Santa Monica Boulevard are not likely to notice these demolition activities due to intervening commercial buildings. Motorists, pedestrians, and motorists along Ogden Drive are likely to be afforded brief duration views as they pass along the project site. In addition, excavation and grading activities would be partially screened from view of receptors in the surrounding area by the installation and maintenance of screening fencing around the construction area. Portions of heavy construction vehicles such as cranes, excavators, and backhoe loaders would remain visible above perimeter screening fencing and select vehicles would occasionally utilize surface streets in the surrounding area. These elements would temporarily inhabit the urban landscape during the construction phase. Construction would also involve the removal of one existing ornamental tree located along Santa Monica Boulevard and one existing ornamental tree on Ogden Drive. Two existing ornamental trees located along Santa Monica Boulevard would remain. Although visual impacts from removal of two trees would be minimal, it could contribute to the temporality and transitioning visual character of the project site. The project site and the surrounding area would also experience a temporary influx of delivery trucks, construction workers, and construction vehicles.

As previously discussed, the visual effects of construction activities would be temporarily experienced by receptors in the surrounding area. While the installation of perimeter screening fencing and the anticipated influx of delivery trucks, construction workers and construction vehicles would create temporary visual distractions, these elements would not be permanent fixtures in the landscape. Furthermore, during the construction period, the project site would appear similar to other transitioning construction sites in urban West Hollywood. The removal of the commercial and residential buildings and their corresponding mass, scale, and architectural design elements would alter the existing visual landscape; however, the mass, scale, and unique architectural design of the project would soon characterize the project site and contribute to an evolving urban fabric. In addition, and as discussed in greater detail as follows, the City of West Hollywood is marked by development and buildings of varying mass, scale, and architectural design character including buildings in the project area displaying similar characteristics as the project.

Operations

General Visual Character

The applicant proposes to construct several mixed-use structures of approximately 212,508 square feet total with a maximum height of 71.5 feet. A conceptual site plan is included on Chapter 2, Figure 2-7.

The revised project would include approximately 36,132 square feet of hotel and commercial space with a total of 45 hotel rooms, 86,722 square feet of residential space, 14,272 square feet of common area, and 74,011 square feet of parking area (145 parking spaces). The building heights of the revised project would range up to six stories above ground, up to 71.5 feet above grade in certain areas, with two subterranean levels of parking. The structure would consist of a 45-room hotel, a restaurant, 95 residential units, and an art gallery. Street level uses would include an art gallery, an outdoor common area fronting Orange Grove Avenue, and a restaurant fronting Santa Monica Boulevard. The Ogden Drive frontage at the street level would include a landscaped area, as well as a proposed fence that would be 72-inches in height. The façade would be 50% transparent and would comply with WHMC requirements. Along Ogden Drive, the project would have a maximum height of 45 feet with a total of four stories.

Elevations of the revised project are included in Chapter 2, Figures 2-8 through 2-11. As shown on the elevations, the building design would also incorporate step backs, architectural design features, and articulations so that the highest portions of the structure are set back from Ogden Drive, making the project compatible with the adjacent lower-scale residential uses along Ogden Drive. Façade articulation including smooth finish arches, differentiated wall surfaces, offset planes, and varied materials would provide visual detail and create interest for pedestrians along Santa Monica Boulevard and Orange Grove Avenue. New building materials would generally include plaster, concrete, bronze panels, board-formed concrete, wood, aluminum, and low-e vision glass. The project would use durable exterior finishes (90% of exterior area), including integral-color or uncolored unpainted stucco, fiber-cement panels or siding, metal panels or siding, composite wood panel, glass, and other similar durable finishes. The contemporary architectural style and pedestrian orientation of street level spaces of the project would be consistent with the existing mix of architectural styles and the pedestrian-oriented corridor on Santa Monica Boulevard. In addition, the project would be compatible with the variety of restaurants, retail, and entertainment businesses along Santa Monica Boulevard. Furthermore, larger-scale buildings exist in the surrounding area. Fairfax Tower Apartments is located on Fairfax Avenue to the northeast of the project site and is intermixed among lower-scale residential structures, commercial buildings, and surface parking lots. The resulting contrasts in scale and massing contribute to, and are consistent with, the existing visual character of West Hollywood.

The project would involve 5,649 square feet of landscaping on five of the six levels of the building as well as upon the roof. The project would be landscaped with climate-appropriate, drought-tolerant and native plants. At the street level, trees, large shrubs, perennials and grasses, and succulents would be installed adjacent to the public right-of way along Santa Monica Boulevard and Orange Grove Avenue. The landscaping design would incorporate two existing street trees and several additional new trees at the ground level (two on Orange Grove Avenue, in planters on the private patios), as well as additional specimen trees (aloes) in the pool deck area at level 5. Planters would be installed along the north side of the residential units as well as in the courtyard on level 4 and the pool deck on level 5. The project would also implement a vegetated roof that would include overhead vine trellis, raised planters, a small ornamental shade tree, as well as a multi-textures synthetic turf field.

Visual Simulations

To illustrate the change in existing views that would result from implementation of the project, five vantage points were selected as representative public view locations in the surrounding area where views to the project site are available. Photographs showing existing conditions as viewed from these locations were taken in the field in January 2017, and with these photographs, five conceptual visual simulations were prepared. Visual simulations show the potential changes to existing views as a result of project implementation and compare these views to existing conditions. The five view locations are shown in Figure 3.1-4, Location of Key Views. Existing conditions photographs along with the visual simulations with post-project conditions are shown on Figures 3.1-5 through 3.1-9. Existing conditions and changes to views are described by view location as follows.

View 1: Looking west towards the project site from the Santa Monica Boulevard/Genesee Avenue intersection

Figure 3.1-5 depicts the existing visual conditions of the project site and the surrounding area as viewed from the northeast corner of Santa Monica Boulevard and Genesee Avenue. View orientation is to the north-northwest across the intersection and towards Santa Monica Boulevard and the adjacent Executive Car Leasing commercial structure. View 1 is located approximately 600 feet east of the project site (see Figure 3.1-4, Location of Key Views). As shown on Figure 3.1-5, the view afforded to motorists, pedestrians, and patrons and employees of retail businesses lining Santa Monica Boulevard is dominated by the wide, asphalt lanes of Santa Monica Boulevard, movement associated with east and westbound traffic, single story commercial structures adorned with signage and a few trees exceeding the height of the one story structures. Traffic signals and streetlights of similar height add tall and narrow forms to the scene. The horizontal line created by the roofline of the proposed structure is just visible beyond the Executive Car Leasing commercial structure.

As shown in Figure 3.1-5, the project would be fairly visually prominent from View 1. Both the height and mass of the 6-story structure fronting Santa Monica Boulevard would be apparent to passing motorists, pedestrians, and employees and patrons of commercial retail and restaurants lining Santa Monica Boulevard. The structure would be taller than the existing one-story structure and existing one- and two-story commercial buildings visible from View 1. However, the rectangular form of the proposed structure, lightly colored exterior, and vertical and horizontal lines displayed by the proposed building would be consistent with the form, line, and color of the existing commercial and residential structures observed along Santa Monica Boulevard from this view. In addition, the project would activate visual interest from this vantage point. For instance, vegetation would be installed on the building facades that would break up the mass of the structure. As such, the project would not substantially degrade the visual character or quality of the site and the surrounding urban environment as viewed from this vantage point. Instead, the project would provide an added visual interest consistent with the general visual character along Santa Monica Boulevard.

View 2: Looking east towards the project site from the Santa Monica Boulevard/Fairfax Avenue intersection

Figure 3.1-6 depicts the existing visual conditions of the project site and surrounding area as viewed from the southwest corner of Santa Monica Boulevard and Fairfax Avenue. View orientation is to the north-northeast across the intersection towards the Whole Foods shopping center and Santa Monica Boulevard. View 2 is located approximately 570 feet southwest from the project site (see Figure 3.1-4, Location of Key Views). As shown in Figure 3.1-6, the view afforded to motorists, pedestrians, and patrons and employees of retail businesses lining Santa Monica Boulevard is dominated by the wide, asphalt lanes of Santa Monica Boulevard, movement associated with east and westbound traffic, and dense ornamental trees alongside Santa Monica Boulevard. Traffic signals and street lamps add tall and narrow forms to the scene. Due to intervening elements, existing buildings on the project site are obstructed from view at View 2.

As shown in Figure 3.1-6, the west-facing side of the project would be largely screened from view by intervening street trees installed on Santa Monica Boulevard. Despite being partially screened, the rectangular, geometric forms dotting the exterior of the proposed structure would be apparent to pedestrians along Santa Monica Boulevard and Fairfax Avenue. Although largely obstructed from this vantage point, the project would contribute scale and mass to previously unoccupied airspace and, as a result, would partially define the eastern skyline. In addition to the west-facing exterior of the project, the south-facing exterior fronting Santa Monica Boulevard would also be visible. However, due to the screening effect and scale of existing street and parking lot trees, the scale and mass of the building would not be out of character in the existing scene. In addition, an eight-story residential building, Fairfax Tower Apartments, is present to the west of this vantage point along Fairfax Avenue (not depicted in Figure 3.1-6). The structure is rectangular in form and displays vertical and horizontal lines. The structure establishes large building mass and scale in the area and defines the skyline from the west of this vantage point. Thus, the mass and scale of the proposed structure is consistent with the mass and scale of the existing Fairfax Tower Apartments structure. In addition, the rectangular form and primarily straight, vertical and horizontal lines displayed by the proposed project would be consistent with the form and line of the existing adjacent commercial structures in the shopping plaza visible from this vantage point. Further, the project would incorporate facades plantings partially obstructing expanses of the west- and south- facing building exterior from view. These landscaping elements would complement the existing ornamental trees alongside Santa Monica Boulevard. As a result, the project would not substantially degrade the visual character or quality of the site and the surrounding urban environment as viewed from this vantage point.

View 3: Looking southeast towards the project site from Orange Grove Avenue

The existing visual conditions and the existing setting as viewed from 1147 Orange Grove Avenue is depicted on Figure 3.1-7. View 3 is located approximately 200 feet north-northwest of the project site (see Figure 3.1-4, Location of Key Views) and view orientation is south-southeast along the primarily residential Orange Grove Avenue. Street parking is permitted along Orange Grove Avenue and ornamental trees have been planted on both east and west sides of the street. The yellow, two-story structure on the Fountain Day School property and the north- and east-facing brick exterior of the Whole Foods building are visible from View 3. As shown on Figure 3.1-7, the view afforded to motorists, pedestrians, and residents of Orange Grove Avenue is characterized by an asphalt street and wide concrete sidewalks, episodic ornamental trees, and parked vehicles on both sides of the street.

As shown on Figure 3.1-7, a portion of both the east and north facing sides of the project would be visible, but the majority of the structure would be screened from view by a cluster of tall trees located to the southeast. The proposed structure would be taller than the yellow, two-story building on the Fountain Day School property but would display a rectangular form with step backs and windows to articulate the façade. The increase in height across the

project site would be visible from View 3, and the project would create moderate scale contrast when viewed alongside existing structures adjacent to the project site. The building's mass would largely be obstructed from view due to the presence of large, intervening elements (i.e., trees) and development on the Fountain Day School property. As a result, and due to the similar rectangular form between the existing and proposed structure, the project would not substantially degrade the visual character of the site and the surrounding urban environment as viewed from this vantage point.

View 4: Looking southwest towards the project site from Ogden Drive

Figure 3.1-8 depicts the existing visual conditions of the project site and surrounding area as viewed by pedestrians located near 1160 Ogden Drive. View orientation is south-southwest and towards the project site, which is located approximately 500 feet northeast of the project site (see Figure 3.1-4, Location of Key Views). Views afforded to pedestrians and residents at this location are characterized by the wide asphalt street and sidewalks, existing multi-story residential structures, and street trees that line Ogden Drive. As viewed on Figure 3.1-8, street parking is permitted on both sides of Ogden Drive.

As viewed from View 4, the east-facing, two-story façade of the proposed residential structure would be largely obscured from view due to the presence of mature street trees. Additional stories of the residential structure would be setback from Ogden Drive to provide consistency with the surrounding one- to two-story Ogden Drive fronting residential structures. The project would comply with WHMC Section 19.20.150(c)(5) by providing a 7-foot setback from Ogden Drive. Because the project would be largely screened from view, and where visible, the east elevation of the structure would generally mimic the scale of the existing residential development along Ogden Drive, the project would not substantially degrade the visual character or quality of the site and the surrounding urban environment as viewed from this location.

View 5: Looking north towards the project site from Ogden Drive

Figure 3.1-9 depicts the existing visual condition of the project site and surrounding area as viewed by pedestrians located near 1046 Ogden Drive. View orientation is north-northwest and towards the project site, which is located approximately 400 feet southwest of the project site. Street parking is permitted along Ogden Drive and trees have been planted along the sidewalks lining the street. Two existing residential buildings can be seen from this vantage point, varying from one to two stories in height. In addition, an existing one-story commercial building adjacent to the project site is visible but partially obstructed by parked vehicles and ornamental trees. An additional two-story commercial building located south of the project site and south of Santa Monica Boulevard can be viewed from this vantage point.

As shown on Figure 3.1-9, the south facing façade of the project would be visible from this vantage point and would alter the existing available views, yet create interest for pedestrians along Ogden Drive through differentiated wall surfaces, offset planes and geometric shapes, and the use of varied materials and colors. The increase in height and scale across the project site would be evident from the View 5 location; however, three of the six stories of the proposed structure would be partially obstructed by an existing structure. As shown on Figure 3.1-9, a two-story commercial building located south of the project site displays a similar blocky form and primarily gray colored exterior; this feature would obscure nearly half of the proposed project from view at View 5. The proposed structure would contribute scale, mass, and irregular, square and rectangular windows and recessed openings, a scene currently comprised of one- to three-story structures with lightly colored exteriors and irregular, square and rectangular windows. Thus, while the proposed six-story structure would be taller than existing buildings present in the view, resulting scale contrast would be moderately low due to the presence of two- and three-story structures

exhibiting similar boxy forms, horizontal lines, and lightly colored exteriors. As a result, the project would not substantially degrade the visual character or quality of the site and the surrounding urban environment as viewed from this vantage point.

Summary

The surrounding area of the project site is occupied by commercial and residential uses. While the scale and mass of the project would be larger than existing on-site buildings and structures in the immediate surrounding area, the project is located in a densely populated, urban and residential environment. The visual character and commercial development in the area is diverse; the surrounding buildings are largely one to two- stories in height, with one eight story residential building to the northeast of the project site and north of the existing Whole Foods shopping center. Therefore, while the project would create visible contrast in height, mass, and materiality when viewed alongside existing commercial retail shops and residential structures along Santa Monica Boulevard, Fairfax Avenue, and Orange Grove Avenue, similar contrasts occur in the surrounding landscape. As previously detailed, the visual contrast in scale and mass between the project and existing structures and streetscape would be most apparent from View 3 and View 5. While the noticeably taller height and seemingly wide mass of the project would be visible and would alter existing views, the resulting view and visual experience of contrasting elements would be similar to that currently afforded to viewers as they pass through the area. As such, the style and visual character of the project is consistent with that of the existing neighborhood.

Further, the project is located in the City's Santa Monica/Fairfax Transit District Commercial Sub-area. According to the General Plan, the area supports a significant number of transit routes and transfer points. The area is also "characterized by service and retail businesses oriented to the local community, including a number of Russian-oriented businesses (City of West Hollywood 2011)." The project would be consistent with the neighborhood as characterized in City's General Plan. There are no known conflicts with applicable zoning or other regulations governing scenic quality. Several transit routes and transfer points are located within this area, and the area contains service and retail businesses generally oriented to the local community. Santa Monica Boulevard, in its entirety, is designated Pedestrian Destination Street, indicating that is a popular location for walking to shops and restaurants and for a walkable nightlife scene (City of West Hollywood 2011).

Shade and Shadows

A shade and shadow study comprised of a series of static images was conducted for the project. To approximate shade and shadow conditions in the surrounding area created by implementation of the project, shadows cast by the project were simulated for the summer solstice (June 21), fall equinox (September 23), winter solstice (December 21), and spring equinox (March 20) at 9:00 a.m., 12:00 p.m., and 3:00 p.m. To conduct the shade and shadow analysis, existing buildings were placed at zero elevation and extruded to their building heights within the 3d Studio Max software. A 3d mass model of the project structure and the maximum height of the building was used to place the proposed structures into the 3d Studio Max scene. A 3d sun system was then added to the scene to cast projected shadows at the summer and winter solstices and at the spring and fall equinoxes.

During the winter season the period of daylight is shortest (compared to spring, summer, and fall), and the sun is at its lowest angle compared to the Earth's ground surface. Therefore, shadow lengths are the longest during the winter. In terms of daylight hours, the shortest day of the year occurs on the winter solstice, which falls on December 21. Shadow lengths are the shortest during summer months when the period of daylight is the longest (more than twelve hours), and the sun is at its highest angle compared to the Earth's ground surface. In terms of daylight hours, the longest day of the year occurs on the summer solstice, which falls on June 21. Throughout the day, the direction of shadows cast by vertical forms moves with the path of the sun, resulting in different shadow lengths and

projections at different times of the day. The direction and length of shadow projections also varies throughout the seasons of the year. Shadows are projected in a westerly direction during the morning hours when the sun rises from the east; shadows move northerly during the late morning and early afternoon hours. During the late afternoon to early evening hours when the sun sets in the west, shadows are cast in an easterly direction. Shadow projections from the proposed project during summer, winter, fall, and spring are shown on Figures 3.1-10 through 3.1-13.

Summer Solstice

Shadow lengths and projections at various times on the summer solstice are depicted on Figure 3.1-10. As shown on the figure, shadows cast by the project during the summer would be shorter than those in the winter and would fall on the project site, as well as on the two western-most residential structures sandwiched between the project site and an existing commercial building along Ogden Drive (during afternoon hours), Orange Grove Avenue (during morning hours), a small portion of the two commercial structures to the west of the project (during morning hours), and on a small portion of Ogden Drive (during afternoon hours). In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Fall and Spring Equinoxes

Figures 3.1-11 and 3.1-12 depict the shadows that would be cast by the proposed project in the fall and spring, respectively. The depictions of project-generated shadows represent the median shade/shadow that would result from implementation of the project. As shown on the figures, portions of Orange Grove Avenue, adjacent commercial structures located immediately to the east and west of the project site along Santa Monica Boulevard and the two western-most residential structures between the project site and the existing commercial building along Ogden Avenue may be shaded for a few hours during the fall and spring. The duration of any new shadows would be limited to the late afternoon hours when shadow impacts are least noticeable. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Winter Solstice

Due to the low angle of the sun, shadows cast on December 21 would be the longest in length and therefore, represent the worst-case scenario. As shown on Figure 3.1-13, shadows generated by the proposed structures at 9:00 a.m. would be cast to the northwest on the project site, on the two western-most residential structures sandwiched between the project site and an existing commercial building along Ogden Drive, and a portion of the existing commercial structure to the east of the project site on Santa Monica Boulevard. By 12:00 p.m., the shadow cast by the project would increase in length and transfer north. At this time, the project would shade the two western-most residential structures sandwiched between the project site and an existing commercial building along Ogden Drive, the Fountain Day School located to the northwest of the project site, as well as the western portion of the existing residential structure to the northeast of the project site. At 3:00 p.m., shadows cast by the project would be extended further and spread northeast to incorporate all residential structures between the project site and an existing commercial building along Ogden Drive, the northwestern portion of the adjacent commercial building on Santa Monica Boulevard, most of Fountain Day School as well as the residential structure to the north of the school. While these uses would be shaded for several hours during the winter solstice, this represents a worst-case scenario. These uses would be in shadows for a limited amount of time during the year. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section,

aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Therefore, while the project would create visible contrast in height, mass, and materiality when viewed alongside existing commercial retail shops and residential structures along Santa Monica Boulevard, Fairfax Avenue, and Orange Grove Avenue, the project would be consistent with the mix of commercial and residential structures surrounding the project site and would improve the walkability and transit oriented environment characterized by the General Plan. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Threshold AES-2: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Construction

Construction would occur from 8:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday (interior construction only). No construction would occur on Sundays or holidays, as specified in the WHMC Section 9.08.050.f. As such, lighting from construction of the project would not generate substantial light during nighttime hours that could illuminate adjacent land uses and adversely affect nighttime views. In addition, the project site is located in an urban environment. Surrounding land uses are regularly subject to lighting sources typical of a nighttime environment, including lighting from the adjacent commercial, residential, roadway, and parking lot uses. As such, the lighting emitted during construction would not result in substantial changes to existing nighttime light conditions or interfere with off-site activities. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Operations

Lighting

The existing commercial buildings, residential buildings, and surface parking lots on the project site have nighttime building lighting and security lighting. Primary sources of light at the project site include lighting associated with existing commercial and residential buildings and surface parking lots including building mounted lighting, parking lot lamps, and headlights from vehicles in the surface parking lots.

While a detailed lighting schedule has yet to be prepared, implementation of the project is assumed to entail the installation and operation of the following light sources during operations:

- Outdoor lighting along building frontages
- Interior and exterior lighting from hotel and residential units, restaurant, and art gallery lighting
- Decorative planter box lighting
- General decorative lighting and illuminated signage
- Recessed down lights
- Lighting from balconies, decks, and the rooftop pool area

In accordance with the WHMC, outdoor lighting shall be designed to prevent glare, light trespass, and sky glow as much as possible. All exterior lighting would be appropriately shielded and directed away from public rights-of-way

in compliance with Section 19.20.100 of the WHMC. Further, all signage would be designed in compliance with a Comprehensive Sign Program consistent with Section 19.34.070 of the WHMC. No digital signs, billboards, or other off-site signs are proposed for this project. Because the project would comply with the WHMC requirements and the types of lighting would be consistent with other commercial uses along Santa Monica Boulevard and residential uses along Ogden Drive and Orange Grove Avenue, the project would not create a substantial source of light which would adversely affect nighttime views in the area. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Glare

The project would have the potential to result in additional sources of glare relative to buildings that already exist at the project site due to the increase of uses of reflective materials including glass in windows, decorative aluminum, bronze panels for window articulations, and minimal use of metal at the roof level. The project would also include a rooftop photovoltaic system. Low-e vision clear glass would be used for the windows to minimize the potential for glare received off site. The project would be required to comply with WHMC Section 19.10.060 regarding the use of reflective materials. Section 19.10.060(D)(3) states that mirrored, reflective glass or tinted glass shall not be used except as an architectural or decorative accent. As such, where mirrored, reflective glass is used, it would generally be recessed and shielded by façade articulations, compliant with Section 19.10.060(D)(3) of the WHMC. In addition, Section 19.10.060(D)(3) requires that glass on the façade at and near the street level be clear and un-tinted. The project would ensure compliance with this City regulation by incorporating clear, un-tinted glass at the street level commercial uses and along the facade. The use of aluminum is proposed but would be incorporated minimally as a decorative feature and would not be a prominent building material. The rooftop photovoltaic system is not anticipated to generate glare that would adversely affect daytime views. The use of metal would be incorporated minimally, as part of equipment enclosures on the roof and at the roof portion of level 5. Thus, metal would not be a prominent building material, and the small amount that is proposed would generally be obstructed from nearby receptors since the structure is designed to hide these enclosures from the view of the public. The project would comply with the WHMC requirements. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

3.1.5 Mitigation Measures

The project would adhere to and implement the WHMC requirements for lighting. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant and, therefore, this analysis makes no recommendation for mitigation measures.

3.1.6 Level of Significance After Mitigation

The project would adhere to and implement the WHMC requirements for lighting. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant and, therefore, this analysis makes no recommendation for mitigation measures.

3.1.7 References Cited

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SOURCE: Google 2019

DUDEK

The Bond Project

FIGURE 3.1-1
Existing Conditions: North View along Santa Monica Boulevard

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DUDEK

SOURCE: Google 2019

The Bond Project

FIGURE 3.1-2
Existing Conditions: East View along Orange Grove Avenue

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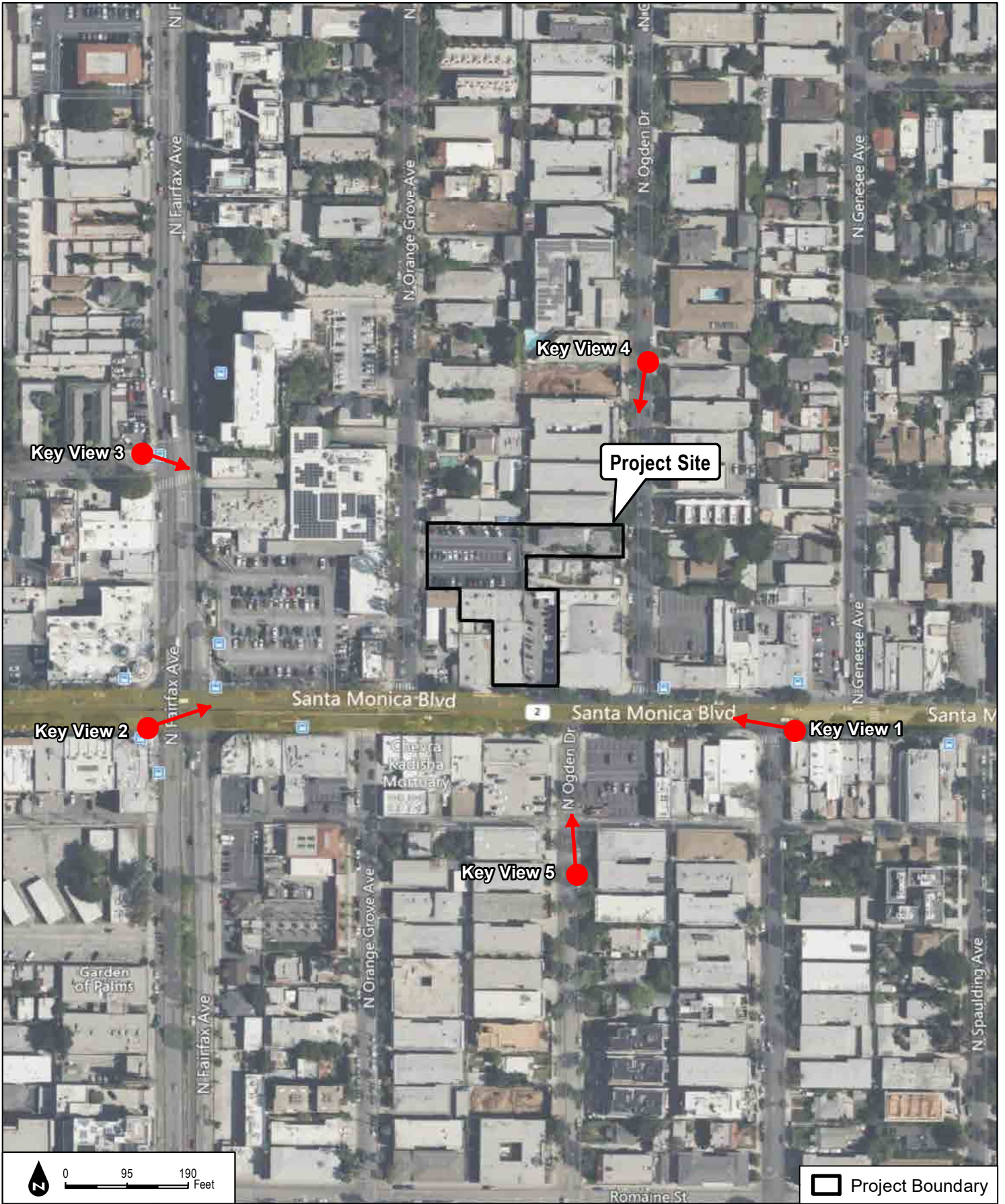
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SOURCE: Google 2019

The Bond Project

FIGURE 3.1-3
Existing Conditions: West View along Ogden Drive

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SOURCE: Bing Imagery, 2016.

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The Bond Project

FIGURE 3.1-4
Location of Key Views

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ABOVE: Existing Conditions

BELOW: Visual Simulation



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ABOVE: Existing Conditions

BELOW: Visual Simulation



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ABOVE: Existing Conditions

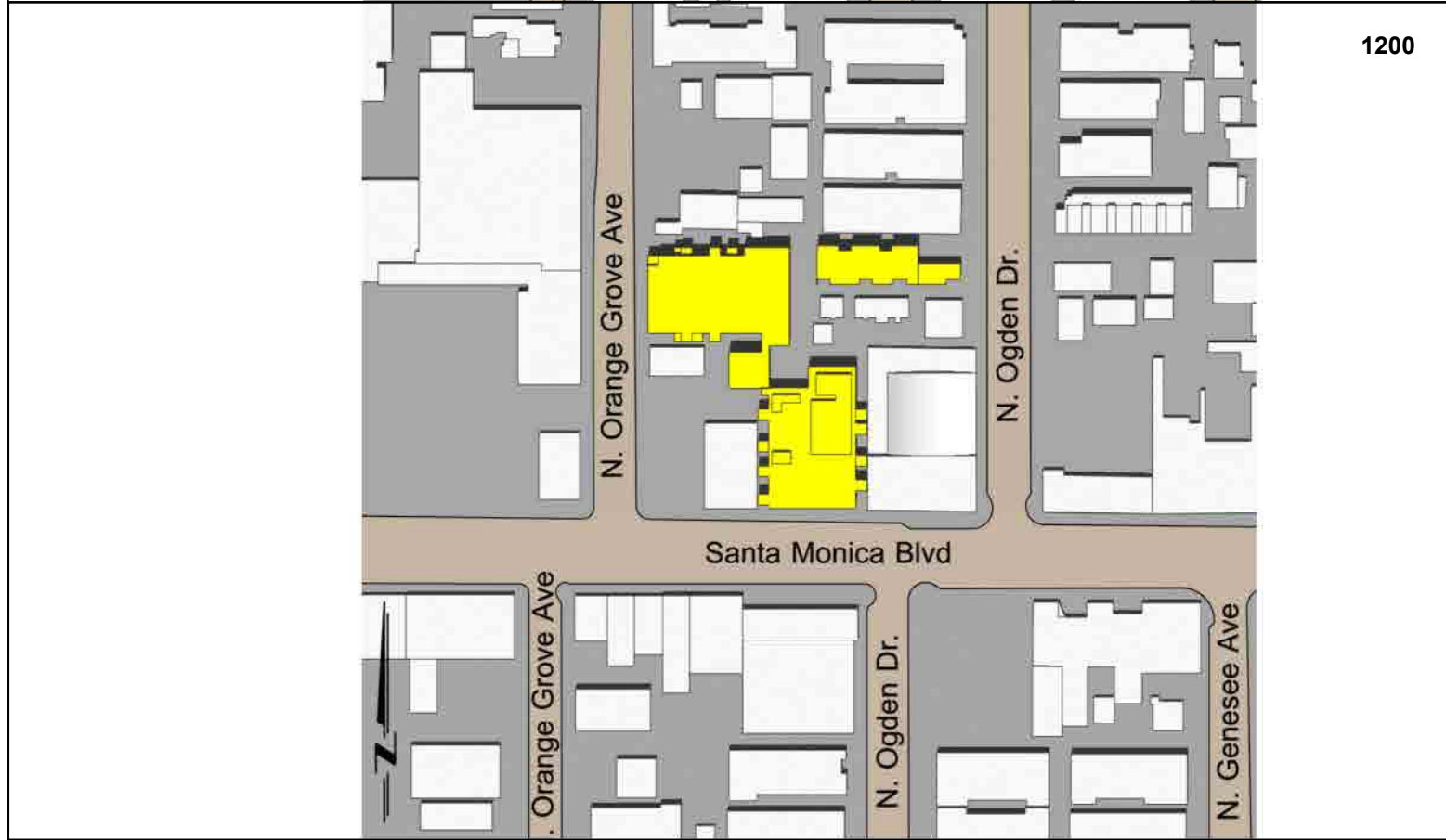
BELOW: Visual Simulation



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Site Plan



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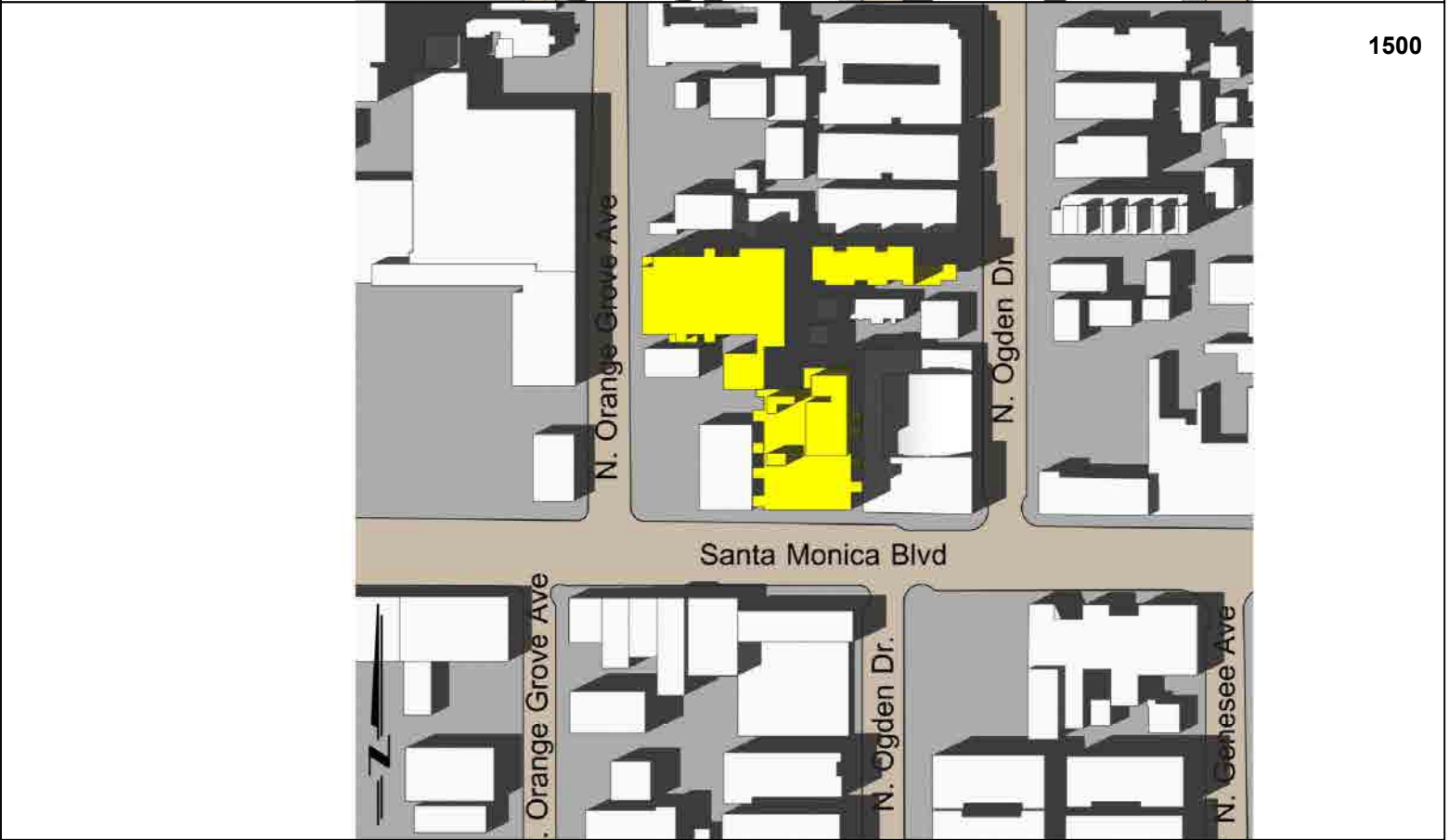
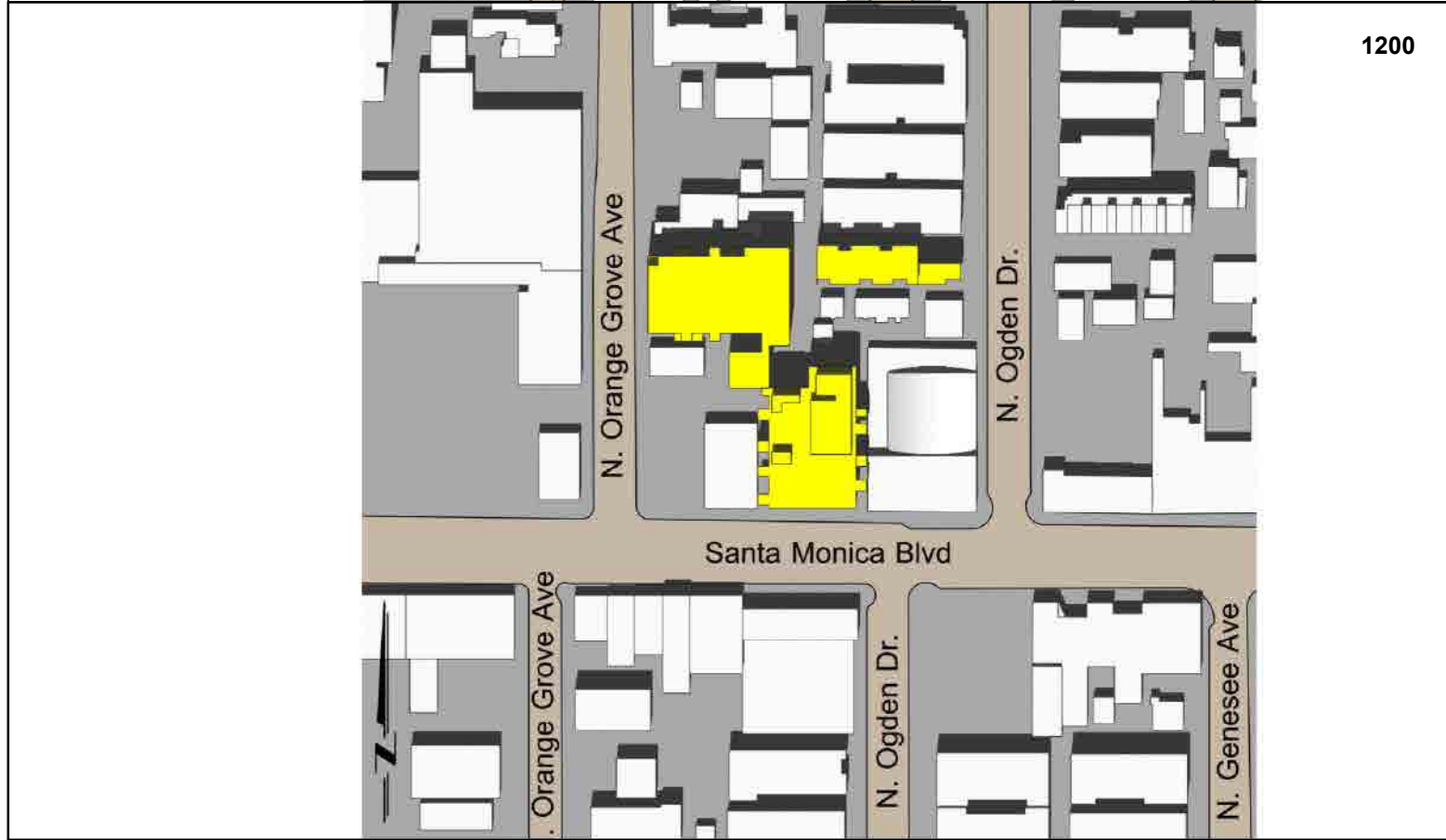
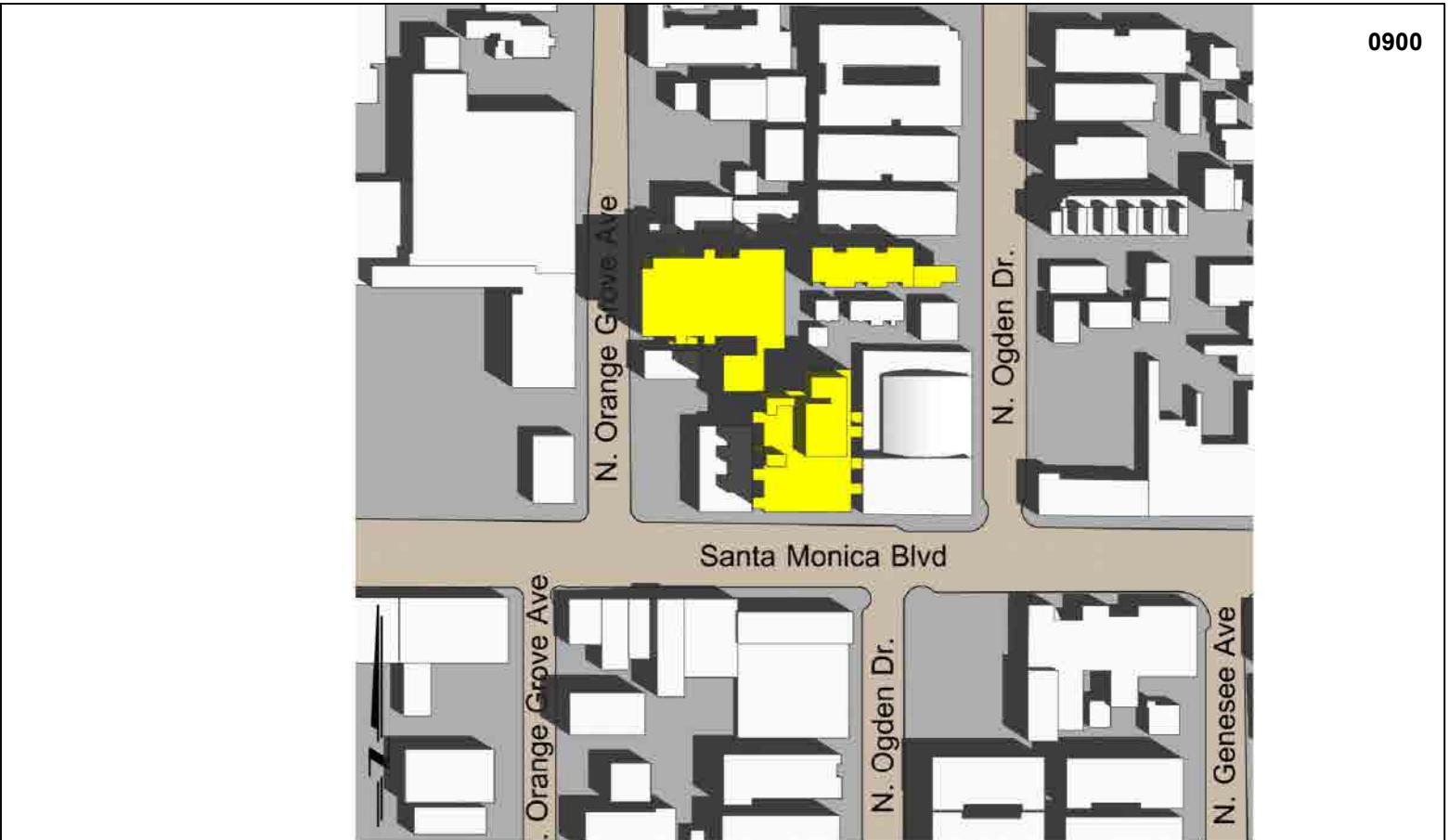


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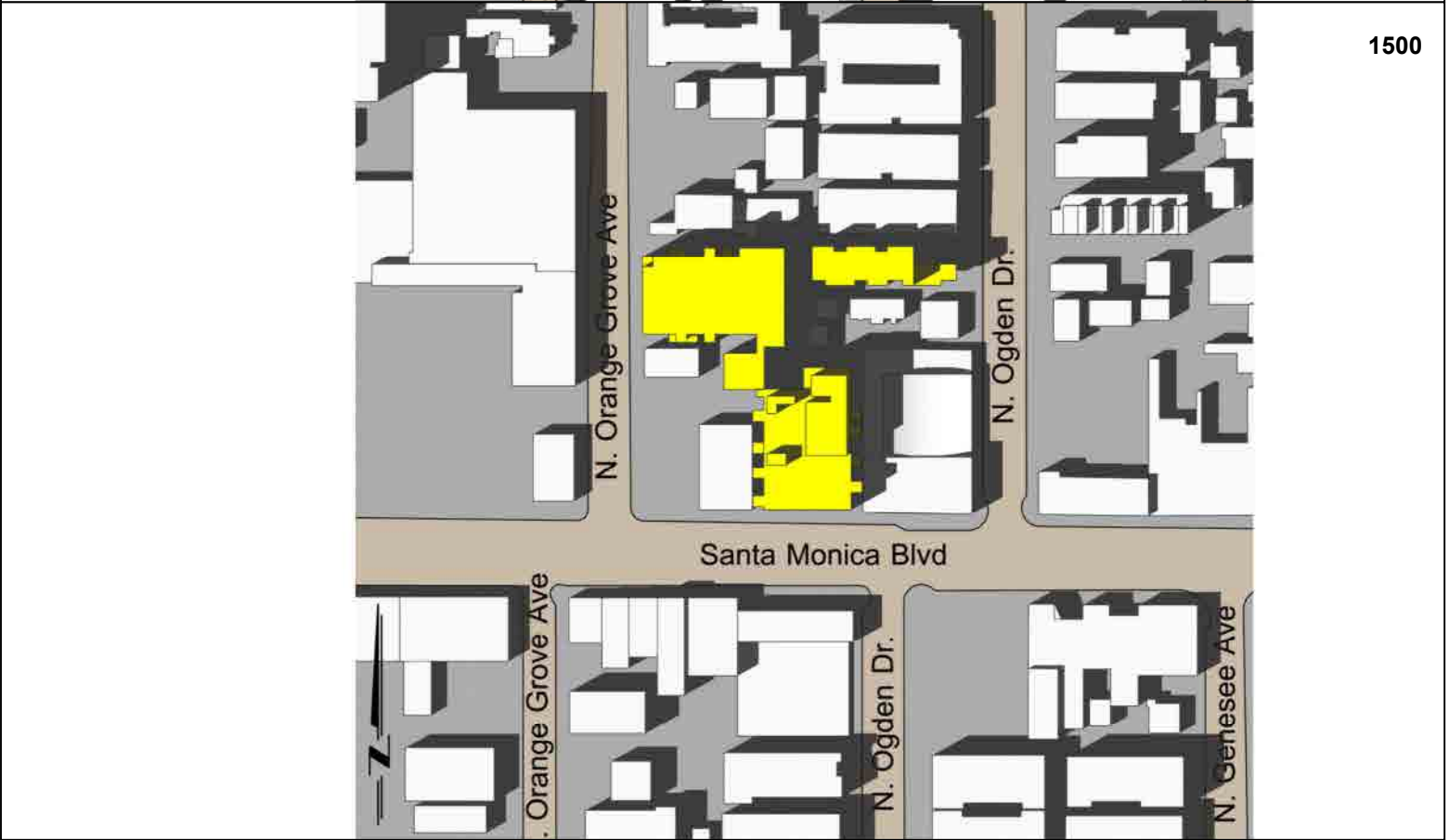
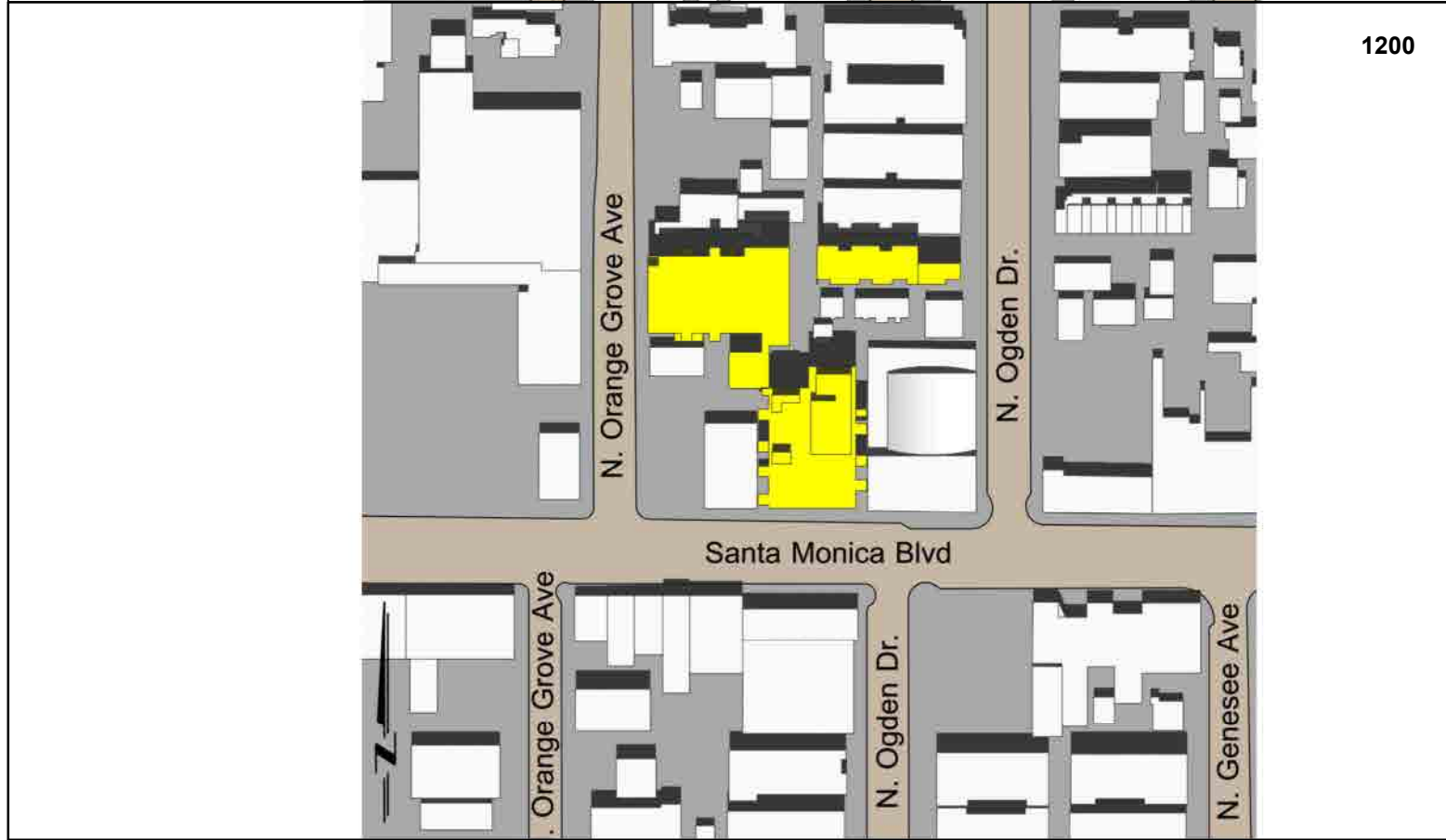
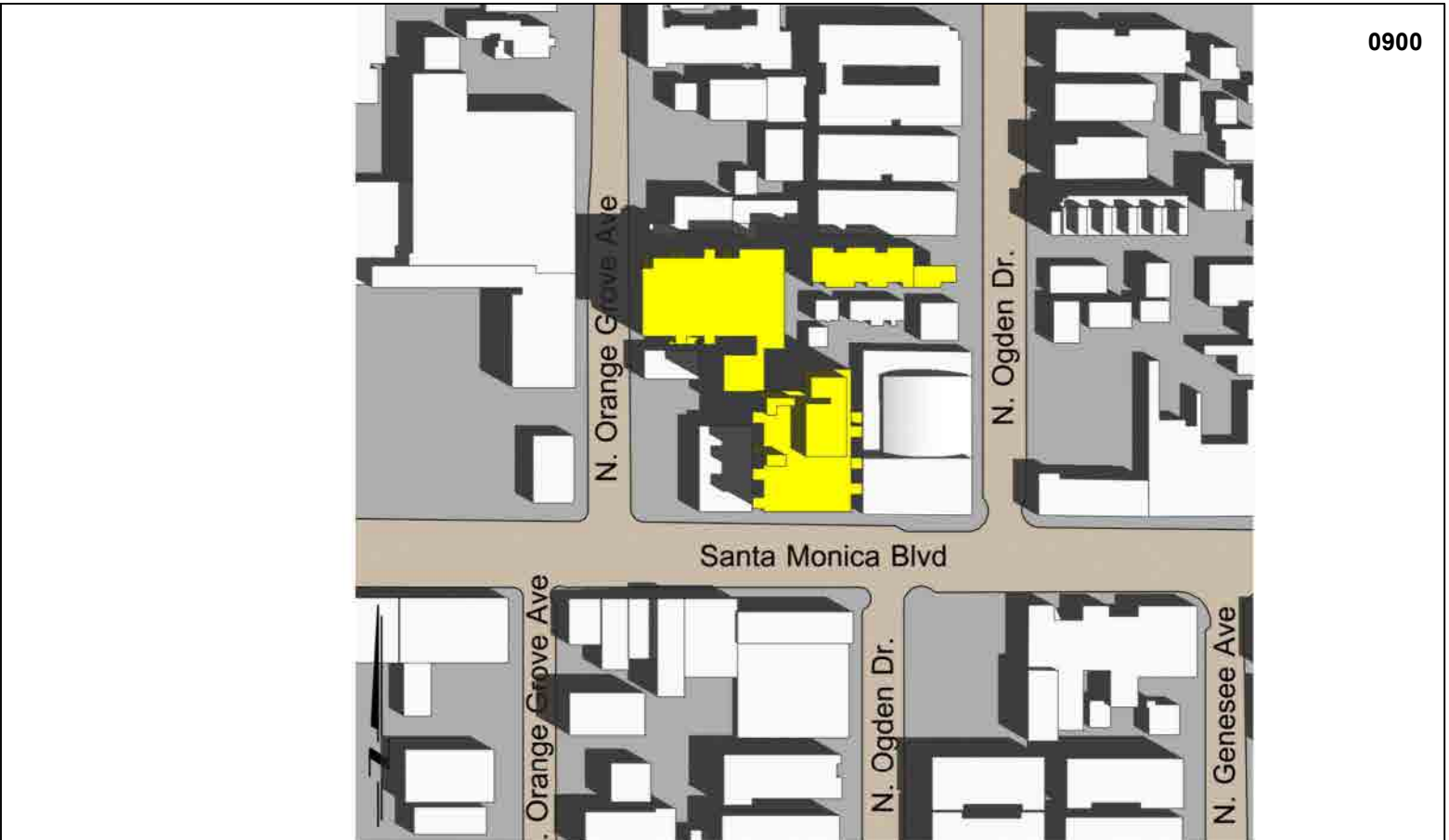


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3.2 Air Quality

This section describes the existing air quality setting of the project area; identifies associated regulatory requirements; and evaluates the project's potential to result in air quality impacts related to implementation of the revised Bond Project ("proposed project" or "revised project").

3.2.1 Environmental Setting

The project site is located within the South Coast Air Basin (SCAB), which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAB is a 6,745-square-mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The extent and severity of the air pollution problem in the SCAB is a function of the area's natural physical characteristics (e.g., weather and topography) as well as of man-made influences (e.g., development patterns and lifestyle). Factors such as wind, sunlight, temperature, humidity, rainfall, and topography all affect the accumulation and/or dispersion of pollutants throughout the SCAB, as explained below.¹

Climate, Meteorological, and Topographical Conditions

The SCAB is characterized as having a Mediterranean climate (typified as semiarid with mild winters, warm summers, and moderate rainfall). The general region lies in the semi-permanent high-pressure zone of the eastern Pacific; as a result, the climate is mild and tempered by cool sea breezes. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

Moderate temperatures, comfortable humidity, and limited precipitation characterize the climate in the SCAB. The average annual temperature varies little throughout the SCAB, averaging 75°F. However, with a less-pronounced oceanic influence, the eastern inland portions of the SCAB show greater variability in annual minimum and maximum temperatures. All portions of the SCAB have recorded temperatures over 100°F in recent years. Although the SCAB has a semiarid climate, the air near the surface is moist because of the presence of a shallow marine layer. Except for infrequent periods when dry air is brought into the SCAB by offshore winds, the ocean effect is dominant. Periods with heavy fog are frequent, and low stratus clouds, occasionally referred to as "high fog," are a characteristic climate feature. Annual average relative humidity is 70% at the coast and 57% in the eastern part of the SCAB. Precipitation in the SCAB is typically 9 to 14 inches annually and is rarely in the form of snow or hail because of typically warm weather. Most of the rainfall in Southern California occurs between late fall and early spring, with most rain typically occurring in the months of January and February. The City of West Hollywood's climate is characterized by relatively low rainfall, with warm summers and mild winters. Average temperatures range from a high of 80°F in August to a low of approximately 48°F in January. Annual precipitation averages approximately 0.5–4.4 inches, falling mostly from December through March (City-Data.com 2015).

Sunlight

The presence and intensity of sunlight are necessary prerequisites for the formation of photochemical smog. Under the influence of the ultraviolet radiation of sunlight, certain primary pollutants (mainly reactive hydrocarbons and oxides of nitrogen (NO_x)²) react to form secondary pollutants (primarily oxidants). Because this process is time-

¹ The discussion of meteorological and topographical conditions of the SCAB is based on information provided in the Final 2016 Air Quality Management Plan (SCAQMD 2017).

² NO_x is a general term pertaining to compounds of nitric oxide (NO), nitrogen dioxide (NO₂), and other oxides of nitrogen.

dependent, secondary pollutants can be formed many miles downwind of the emission sources. Southern California also has abundant sunshine, which drives the photochemical reactions that form pollutants such as ozone (O₃) and a substantial portion of fine particulate matter (PM_{2.5}, particles less than or equal to 2.5 microns in diameter). In the SCAB, high concentrations of O₃ are normally recorded during the late spring, summer, and early autumn months, when more intense sunlight drives enhanced photochemical reactions. Due to the prevailing daytime winds and time-delayed nature of photochemical smog, oxidant concentrations are highest in the inland areas of Southern California.

Temperature Inversions

Under ideal meteorological conditions and irrespective of topography, pollutants emitted into the air will mix and disperse into the upper atmosphere. However, the Southern California region frequently experiences temperature inversions in which pollutants are trapped and accumulate close to the ground. The inversion, a layer of warm, dry air overlaying cool, moist marine air, is a normal condition in coastal Southern California. The cool, damp, and hazy sea air capped by coastal clouds is heavier than the warm, clear air, which acts as a lid through which the cooler marine layer cannot rise. The height of the inversion is important in determining pollutant concentration. When the inversion is approximately 2,500 feet above mean sea level (amsl), the sea breezes carry the pollutants inland to escape over the mountain slopes or through mountain passes. At a height of 1,200 feet amsl, the terrain prevents the pollutants from entering the upper atmosphere, resulting in the pollutants settling in the foothill communities. Below 1,200 feet amsl, the inversion puts a tight lid on pollutants, concentrating them in a shallow layer over the entire coastal basin. Usually, inversions are lower before sunrise than during the daylight hours. Mixing heights for inversions are lower in the summer, resulting in inversions being more persistent during that season. This condition is partly responsible for the high levels of ozone observed during summer months in the SCAB. Smog in Southern California is generally the result of these temperature inversions combining with coastal day winds and local mountains to contain the pollutants for long periods, allowing them to form secondary pollutants by reacting in the presence of sunlight. The basin has a limited ability to disperse these pollutants due to typically low wind speeds and the surrounding mountain ranges.

As with other cities within the SCAB, the City of West Hollywood is susceptible to air inversions. This traps a layer of stagnant air near the ground where pollutants are further concentrated. These inversions produce haziness, which is caused by moisture, suspended dust, and a variety of chemical aerosols emitted by trucks, automobiles, furnaces, and other sources. Elevated concentrations of particulate matter 10 microns or less than in diameter (PM₁₀) and PM_{2.5} can occur in the SCAB throughout the year, but occur most frequently in fall and winter. Although there are some changes in emissions by day of the week and by season, the observed variations in pollutant concentrations are primarily the result of seasonal differences in weather conditions.

Pollutants and Effects

Criteria Air Pollutants

Criteria air pollutants are defined as pollutants for which the federal and state governments have established minimum ambient air quality standards, or criteria, for outdoor pollutant concentrations in order to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), PM₁₀, particulate matter with an aerodynamic diameter equal to or less than 2.5 microns (PM_{2.5}), and lead (Pb). These pollutants, as well as toxic air contaminants (TACs), are discussed as

follows.³ In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants.

Ozone. O₃ is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O₃ precursors. These precursors are mainly NO_x and volatile organic compounds (VOCs). The maximum effects of precursor emissions on O₃ concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O₃ formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. O₃ exists in the upper atmosphere O₃ layer (stratospheric O₃) and at the Earth's surface in the troposphere (ground-level O₃).⁴ The O₃ that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to the ground level, where people live, exercise, and breathe. Ground-level O₃ is a harmful air pollutant that causes numerous adverse health effects and is thus considered "bad" O₃. Stratospheric, or "good," O₃ occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O₃ layer, plant and animal life would be seriously harmed.

O₃ in the troposphere causes numerous adverse health effects; short-term exposures (lasting for a few hours) to O₃ at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes (EPA 2013).

Inhalation of O₃ causes inflammation and irritation of the tissues lining human airways, causing and worsening a variety of symptoms. Exposure to O₃ can reduce the volume of air that the lungs breathe in, thereby causing shortness of breath. O₃ in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The occurrence and severity of health effects from O₃ exposure vary widely among individuals, even when the dose and the duration of exposure are the same. Research shows adults and children who spend more time outdoors participating in vigorous physical activities are at greater risk from the harmful health effects of O₃ exposure. While there are relatively few studies on the effects of O₃ on children, the available studies show that children are no more or less likely to suffer harmful effects than adults. However, there are a number of reasons why children may be more susceptible to O₃ and other pollutants. Children and teens spend nearly twice as much time outdoors and engaged in vigorous activities as adults. Children breathe more rapidly than adults and inhale more pollution per pound of their body weight than adults. Also, children are less likely than adults to notice their own symptoms and avoid harmful exposures. Further research may be able to better distinguish between health effects in children and adults. Children, adolescents and adults who exercise or work outdoors, where O₃ concentrations are the highest, are at the greatest risk of harm from this pollutant (CARB 2019b).

Nitrogen Dioxide. NO₂ is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO₂ in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO), which is a colorless, odorless gas. NO_x plays a major role, together with VOCs, in the atmospheric reactions that produce O₃. NO_x is formed from fuel combustion under high temperature or pressure. In addition, NO_x is an

³ The descriptions of health effects for each of the criteria air pollutants associated with project construction and operation are based on the EPA's Six Common Air Pollutants (EPA 2018) and the CARB Glossary of Air Pollutant Terms (CARB 2019a).

⁴ The troposphere is the layer of the Earth's atmosphere nearest to the surface of the Earth. The troposphere extends outward about 5 miles at the poles and about 10 miles at the equator.

important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. The two major emissions sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

A large body of health science literature indicates that exposure to NO₂ can induce adverse health effects. The strongest health evidence, and the health basis for the ambient air quality standards for NO₂, results from controlled human exposure studies that show that NO₂ exposure can intensify responses to allergens in allergic asthmatics. In addition, a number of epidemiological studies have demonstrated associations between NO₂ exposure and premature death, cardiopulmonary effects, decreased lung function growth in children, respiratory symptoms, emergency room visits for asthma, and intensified allergic responses. Infants and children are particularly at risk because they have disproportionately higher exposure to NO₂ than adults due to their greater breathing rate for their body weight and their typically greater outdoor exposure duration. Several studies have shown that long-term NO₂ exposure during childhood, the period of rapid lung growth, can lead to smaller lungs at maturity in children with higher levels of exposure compared to children with lower exposure levels. In addition, children with asthma have a greater degree of airway responsiveness compared with adult asthmatics. In adults, the greatest risk is to people who have chronic respiratory diseases, such as asthma and chronic obstructive pulmonary disease (CARB 2019c).

Carbon Monoxide. CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, such as the project location, automobile exhaust accounts for the majority of CO emissions. CO is a nonreactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November to February. The highest levels of CO typically occur during the colder months of the year, when inversion conditions are more frequent.

CO is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion and reduced mental alertness, light-headedness, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects. Unborn babies, infants, elderly people, and people with anemia or with a history of heart or respiratory disease are most likely to experience health effects with exposure to elevated levels of CO (CARB 2019d).

Sulfur Dioxide. SO₂ is a colorless, pungent gas formed primarily from incomplete combustion of sulfur-containing fossil fuels. The main sources of SO₂ are coal and oil used in power plants and industries; as such, the highest levels of SO₂ are generally found near large industrial complexes. In recent years, SO₂ concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO₂ and limits on the sulfur content of fuels.

Controlled human exposure and epidemiological studies show that children and adults with asthma are more likely to experience adverse responses with SO₂ exposure, compared with the non-asthmatic population. Effects at levels near the 1-hour standard are those of asthma exacerbation, including bronchoconstriction accompanied by

symptoms of respiratory irritation such as wheezing, shortness of breath, and chest tightness, especially during exercise or physical activity. Also, exposure at elevated levels of SO₂ (above 1 parts per million [ppm]) results in increased incidence of pulmonary symptoms and disease, decreased pulmonary function, and increased risk of mortality. Older people and people with cardiovascular disease or chronic lung disease (such as bronchitis or emphysema) are most likely to experience these adverse effects (CARB 2019e).

SO₂ is of concern both because it is a direct respiratory irritant and because it contributes to the formation of sulfate and sulfuric acid in particulate matter (NRC 2005). People with asthma are of particular concern, both because they have increased baseline airflow resistance and because their SO₂-induced increase in airflow resistance is greater than in healthy people, and it increases with the severity of their asthma (NRC 2005). SO₂ is thought to induce airway constriction via neural reflexes involving irritant receptors in the airways (NRC 2005).

Particulate Matter. Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. PM_{2.5} and PM₁₀ represent fractions of particulate matter. Coarse particulate matter (PM₁₀) consists of particulate matter that is 10 microns or less in diameter, which is about 1/7 the thickness of a human hair. Major sources of PM₁₀ include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter (PM_{2.5}) consists of particulate matter that is 2.5 microns or less in diameter, which is roughly 1/28 the diameter of a human hair. PM_{2.5} results from fuel combustion (e.g., from motor vehicles and power generation and industrial facilities), residential fireplaces, and woodstoves. In addition, PM_{2.5} can be formed in the atmosphere from gases such as sulfur oxides (SO_x), NO_x, and VOCs.

PM_{2.5} and PM₁₀ pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. PM_{2.5} and PM₁₀ can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances such as lead, sulfates, and nitrates can cause lung damage directly or be absorbed into the bloodstream, causing damage elsewhere in the body. Additionally, these substances can transport adsorbed gases such as chlorides or ammonium into the lungs, also causing injury. Whereas PM₁₀ tends to collect in the upper portion of the respiratory system, PM_{2.5} is so tiny that it can penetrate deeper into the lungs and damage lung tissue. Suspended particulates also damage and discolor surfaces on which they settle and produce haze and reduce regional visibility.

A number of adverse health effects have been associated with exposure to both PM_{2.5} and PM₁₀. For PM_{2.5}, short-term exposures (up to 24-hour duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases. In addition, of all of the common air pollutants, PM_{2.5} is associated with the greatest proportion of adverse health effects related to air pollution, both in the United States and worldwide based on the World Health Organization's Global Burden of Disease Project. Short-term exposures to PM₁₀ have been associated primarily with worsening of respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits (CARB 2017).

Long-term exposure (months to years) to PM_{2.5} has been linked to premature death, particularly in people who have chronic heart or lung diseases, and reduced lung function growth in children. The effects of long-term exposure to PM₁₀ are less clear, although several studies suggest a link between long-term PM₁₀ exposure and respiratory mortality. The International Agency for Research on Cancer published a review in 2015 that concluded that particulate matter in outdoor air pollution causes lung cancer (CARB 2017).

Lead. Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phase-out of leaded gasoline reduced the overall inventory of airborne lead by nearly 95%. With the phase-out of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emission sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth. Children are highly susceptible to the effects of lead.

Sulfates. Sulfates are the fully oxidized form of sulfur, which typically occur in combination with metals or hydrogen ions. Sulfates are produced from reactions of SO₂ in the atmosphere and can result in respiratory impairment, as well as reduced visibility.

Vinyl Chloride. Vinyl chloride is a colorless gas with a mild, sweet odor, which has been detected near landfills, sewage plants, and hazardous waste sites, due to the microbial breakdown of chlorinated solvents. Short-term exposure to high levels of vinyl chloride in air can cause nervous system effects, such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation can cause liver damage, including liver cancer.

Hydrogen Sulfide. Hydrogen sulfide is a colorless and flammable gas that has a characteristic odor of rotten eggs. Sources of hydrogen sulfide include geothermal power plants, petroleum refineries, sewers, and sewage treatment plants. Exposure to hydrogen sulfide can result in nuisance odors, as well as headaches and breathing difficulties at higher concentrations.

Visibility-Reducing Particles. Visibility-reducing particles are any particles in the air that obstruct the range of visibility. Effects of reduced visibility can include obscuring the viewshed of natural scenery, reducing airport safety, and discouraging tourism. Sources of visibility-reducing particles are the same as for PM_{2.5}.

Volatile Organic Compounds. Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O₃ are referred to and regulated as VOCs (also referred to as reactive organic gases). Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint.

The primary health effects of VOCs result from the formation of O₃ and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered TACs. There are no separate health standards for VOCs as a group.

Non-Criteria Air Pollutants

Toxic Air Contaminants. A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic noncancerous health effects. A toxic substance released into the air is considered a TAC. TACs are identified by federal and state agencies based on a review of available scientific evidence. In California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics “Hot Spots” Information and Assessment Act, Assembly Bill 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years.

Examples of TACs include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic and non-carcinogenic effects. Non-carcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

Diesel Particulate Matter. Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases, gas and particle, both of which contribute to health risks. More than 90% of DPM is less than 1 micrometer in diameter (about 1/70 the diameter of a human hair), and thus is a subset of PM_{2.5} (CARB 2019f). DPM is typically composed of carbon particles (“soot,” also called black carbon) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (CARB 2019f). The CARB classified “particulate emissions from diesel-fueled engines” (i.e., DPM) (17 CCR 93000) as a TAC in August 1998. DPM is emitted from a broad range of diesel engines: on-road diesel engines, including trucks, buses, and cars, and off-road diesel engines, including locomotives, marine vessels, and heavy-duty construction equipment, among others. Approximately 70% of all airborne cancer risk in California is associated with DPM (CARB 2000). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (CARB 2000). Because it is part of PM_{2.5}, DPM also contributes to the same non-cancer health effects as PM_{2.5} exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies (CARB 2019f). Those most vulnerable to non-cancer health effects are children, whose lungs are still developing, and older people, who often have chronic health problems.

Odorous Compounds. Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person’s reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population, and overall how odors are experienced is subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a

phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. Facilities and structures where these air pollution-sensitive people live or spend considerable amounts of time are known as sensitive receptors. Land uses where air pollution-sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (sensitive sites or sensitive land uses) (CARB 2005). The South Coast Air Quality Management District (SCAQMD) identifies sensitive receptors as residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993).

A school and residences are located in the vicinity of the project site. The Fountain Day School (1128 Orange Grove Avenue, West Hollywood, California 90046) is located immediately north of the project site. The nearest residences are located north and northeast of the project site.

Existing Site Conditions

Emissions from the existing land uses were estimated using CalEEMod to present the net change in criteria air pollutant emissions. The estimation of operational emissions generated under existing conditions was based on approximately 10,000 square feet of gym, 7 dwelling units in mid-rise complex, and 72 surface parking spots currently on site. See Section 3.2.4, Methodology, for a description of the methodology and assumptions applied to estimate criteria air pollutant emissions from the existing use of the project site.

3.2.2 Relevant Plans, Policies, and Ordinances

The U.S. Environmental Protection Agency (EPA) at the federal level, CARB at the state level, and the SCAQMD at the regional level maintain regulatory oversight for air quality in the SCAB. Applicable laws, regulations, and standards of these three agencies are described as follows.

Federal Regulations

Criteria Air Pollutants

The federal Clean Air Act, passed in 1970 and last amended in 1990, forms the basis for the national air pollution control effort. The U.S. EPA is responsible for implementing most aspects of the Clean Air Act, including setting National Ambient Air Quality Standards (NAAQS) for major air pollutants, setting hazardous air pollutant standards, approving state attainment plans, setting motor vehicle emission standards, issuing stationary source emission standards and permits, and establishing acid rain control measures, stratospheric O₃ protection measures, and enforcement provisions. Under the Clean Air Act, NAAQS are established for the following criteria pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead.

The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. The NAAQS (other than for O₃, NO₂, SO₂, PM₁₀, PM_{2.5}, and standards based on annual averages or arithmetic

mean) are not to be exceeded more than once per year. NAAQS for O₃, NO₂, SO₂, PM₁₀, and PM_{2.5} are based on statistical calculations over 1- to 3-year periods, depending on the pollutant. The Clean Air Act requires the EPA to reassess the NAAQS at least every 5 years to determine whether adopted standards are adequate to protect public health based on current scientific evidence. States with areas that exceed the NAAQS must prepare a state implementation plan that demonstrates how those areas will attain the standards within mandated time frames.

Hazardous Air Pollutants

The 1977 federal Clean Air Act amendments required the EPA to identify National Emission Standards for Hazardous Air Pollutants (HAPs) to protect public health and welfare. HAPs include certain VOCs, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 federal Clean Air Act amendments, which expanded the control program for HAPs, 189 substances and chemical families were identified as HAPs.

State Regulations

Criteria Air Pollutants

The federal Clean Air Act delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB, which became part of the California Environmental Protection Agency in 1991, is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products.

CARB has established California Ambient Air Quality Standards (CAAQS), which are generally more restrictive than the NAAQS. The CAAQS describe adverse conditions; that is, pollution levels must be below these standards before a basin can attain the standard. Air quality is considered “in attainment” if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The CAAQS for O₃, CO, SO₂ (1-hour and 24-hour), NO₂, PM₁₀, and PM_{2.5} and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded.

California air districts have based their thresholds of significance for California Environmental Quality Act (CEQA) purposes on the levels that scientific and factual data demonstrate that the air basin can accommodate without affecting the attainment date for the NAAQS or CAAQS. Since an ambient air quality standard is based on maximum pollutant levels in outdoor air that would not harm the public’s health, and air district thresholds pertain to attainment of the ambient air quality standard, this means that the thresholds established by air districts are also protective of human health.

The NAAQS and CAAQS are presented in Table 3.2-1, Ambient Air Quality Standards.

Table 3.2-1. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards ^a	National Standards ^b	
		Concentration ^c	Primary ^{c,d}	Secondary ^{c,e}
O ₃	1 hour	0.09 ppm (180 µg/m ³)	—	Same as Primary Standard ^f
	8 hours	0.070 ppm (137 µg/m ³)	0.070 ppm (137 µg/m ³) ^f	
NO ₂ ^g	1 hour	0.18 ppm (339 µg/m ³)	0.100 ppm (188 µg/m ³)	Same as Primary Standard
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)	
CO	1 hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)	None
	8 hours	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)	
SO ₂ ^h	1 hour	0.25 ppm (655 µg/m ³)	0.075 ppm (196 µg/m ³)	—
	3 hours	—	—	0.5 ppm (1,300 µg/m ³)
	24 hours	0.04 ppm (105 µg/m ³)	0.14 ppm (for certain areas) ^g	—
	Annual	—	0.030 ppm (for certain areas) ^g	—
PM ₁₀ ⁱ	24 hours	50 µg/m ³	150 µg/m ³	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m ³	—	
PM _{2.5} ⁱ	24 hours	—	35 µg/m ³	Same as Primary Standard
	Annual Arithmetic Mean	12 µg/m ³	12.0 µg/m ³	15.0 µg/m ³
Lead ^{j,k}	30-day Average	1.5 µg/m ³	—	—
	Calendar Quarter	—	1.5 µg/m ³ (for certain areas) ^k	Same as Primary Standard
	Rolling 3-Month Average	—	0.15 µg/m ³	
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m ³)	—	—
Vinyl chloride ^l	24 hours	0.01 ppm (26 µg/m ³)	—	—
Sulfates	24 hours	25 µg/m ³	—	—
Visibility reducing particles	8 hour (10:00 a.m. to 6:00 p.m. PST)	Insufficient amount to produce an extinction coefficient of 0.23 per kilometer due to particles when the relative humidity is less than 70%	—	—

Source: CARB 2016.

Notes: ppm = parts per million by volume; µg/m³ = micrograms per cubic meter; mg/m³ = milligrams per cubic meter.

^a California standards for O₃, CO, SO₂ (1-hour and 24-hour), NO₂, suspended particulate matter—PM₁₀, PM_{2.5}, and visibility-reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. CAAQS are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

- b National standards (other than O₃, NO₂, SO₂, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The O₃ standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 micrograms per cubic meter (µg/m³) is equal to or less than one. For PM_{2.5}, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.
- c Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25° Celsius (°C) and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- d National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- e National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- f On October 1, 2015, the primary and secondary NAAQS for O₃ were lowered from 0.075 ppm to 0.070 ppm
- g To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb). Note that the national 1-hour standard is in units of ppb. California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
- h On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated nonattainment of the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
- i On December 14, 2012, the national annual PM_{2.5} primary standard was lowered from 15 µg/m³ to 12.0 µg/m³. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 µg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
- j CARB has identified lead and vinyl chloride as TACs with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- k The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m³ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807 (Tanner). The California TAC list identifies more than 700 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state list includes the (federal) HAPs. In 1987, the Legislature enacted the Air Toxics “Hot Spots” Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere. AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years. TAC emissions from individual facilities are quantified and prioritized. “High-priority” facilities are required to perform a health risk assessment, and if specific thresholds are exceeded, the facility operator is required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines (CARB 2000). The regulation is anticipated to result in an 80 percent decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000. Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-Road Diesel Vehicle Regulation, and the New Off-Road Compression-Ignition (Diesel) Engines and Equipment Program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. There

are several airborne toxic control measures that reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

California Health and Safety Code Section 41700

Section 41700 of the Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

Local

South Coast Air Quality Management District

While CARB is responsible for the regulation of mobile emission sources within the state, local air quality management districts and air pollution control districts are responsible for enforcing standards and regulating stationary sources. The SCAQMD is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in the SCAB, where the proposed project is located. The SCAQMD operates monitoring stations in the SCAB, develops rules and regulations for stationary sources and equipment, prepares emissions inventory and air quality management planning documents, and conducts source testing and inspections. The SCAQMD's Air Quality Management Plans (AQMPs) include control measures and strategies to be implemented to attain the CAAQS and NAAQS in the SCAB. The SCAQMD then implements these control measures as regulations to control or reduce criteria pollutant emissions from stationary sources or equipment.

The SCAQMD has initiated the development of the 2022 AQMP to address the attainment of the 2015 8-hour ozone standard (70 parts per billion) for the SCAB and the Coachella Valley. Preliminary rule development for the 2022 AQMP began in July 2021 including control measures developed through Residential and Commercial Buildings and Mobile Source Working Groups.

The most recently adopted AQMP is the 2016 AQMP (SCAQMD 2017), which was adopted by the SCAQMD governing board in March 2017. The 2016 AQMP is a regional blueprint for achieving air quality standards and healthful air. The 2016 AQMP represents a new approach, focusing on available, proven, and cost-effective alternatives to traditional strategies, while seeking to achieve multiple goals in partnership with other entities promoting reductions in greenhouse gases and toxic risk, as well as efficiencies in energy use, transportation, and goods movement (SCAQMD 2017). Because mobile sources are the principal contributor to the SCAB's air quality challenges, the SCAQMD has been and will continue to be closely engaged with CARB and the EPA, who have primary responsibility for these sources. The 2016 AQMP recognizes the critical importance of working with other agencies to develop funding and other incentives that encourage the accelerated transition of vehicles, buildings, and industrial facilities to cleaner technologies in a manner that benefits not only air quality but also local businesses and the regional economy. These "win-win" scenarios are key to implementation of this 2016 AQMP with broad support from a wide range of stakeholders.

Emissions that would result from mobile and stationary sources during construction and operation of the proposed project are subject to the rules and regulations of the SCAQMD. The SCAQMD rules applicable to the proposed project construction activities may include the following:

- **Rule 401 – Visible Emissions:** This rule establishes the limit for visible emissions from stationary sources.
- **Rule 402 – Nuisance:** This rule prohibits the discharge of air pollutants from a facility that cause injury, detriment, nuisance, or annoyance to the public or damage to business or property.

- **Rule 403 – Fugitive Dust:** This rule requires fugitive dust sources to implement best available control measures for all sources and prohibits all forms of visible particulate matter from crossing any property line. SCAQMD Rule 403 is intended to reduce PM₁₀ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust.
- **Rule 431.2 – Sulfur Content of Liquid Fuels:** The purpose of this rule is to limit the sulfur content in diesel and other liquid fuels for the purpose both of reducing the formation of SO_x and particulates during combustion and of enabling the use of add-on control devices for diesel-fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers such as distributors, marketers, and retailers, as well as to users of diesel, low-sulfur diesel, and other liquid fuels for stationary-source applications in the SCAQMD. The rule also affects diesel fuel supplied for mobile sources.
- **Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines:** This rule applies to stationary and portable engines rated at greater than 50 horsepower. The purpose of Rule 1110.2 is to reduce NO_x, VOCs, and CO emissions from engines. Emergency engines, including those powering standby generators, are generally exempt from the emissions and monitoring requirements of this rule because they have permit conditions that limit operation to 200 hours or less per year as determined by an elapsed operating time meter.
- **Rule 1113 – Architectural Coatings:** This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.
- **Rule 1138 – Control of Emissions From Restaurant Operations.** This rule applies to owners and operators of commercial cooking operations, preparing food for human consumption. The rule requirements currently apply to chain-driven charbroilers used to cook meat. All other commercial restaurant cooking equipment including, but not limited to, under-fired charbroilers, may be subject to future rule provisions.

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SCAG serves as the federally designated Metropolitan Planning Organization for the Southern California region and is the largest Metropolitan Planning Organization in the United States.

With respect to air quality planning and other regional issues, SCAG has prepared the *2008 Regional Comprehensive Plan: Helping Communities Achieve a Sustainable Future* (2008 RCP) for the region (SCAG 2008). The 2008 RCP is a problem-solving guidance document that directly responds to what SCAG has learned about Southern California's challenges through the annual State of the Region report card. It responds to SCAG's Regional Council directive in the 2002 Strategic Plan to develop a holistic, strategic plan for defining and solving our inter-related housing, traffic, water, air quality, and other regional challenges (SCAG 2008).

In regards to air quality, the 2008 RCP sets the policy context in which SCAG participates in and responds to the SCAQMD air quality plans and builds off the SCAQMD AQMP processes that are designed to meet health-based criteria pollutant standards in several ways (SCAG 2008). First, the 2008 RCP complements AQMPs by providing guidance and incentives for public agencies to consider best practices that support the technology-based control measures in AQMPs. Second, the 2008 RCP emphasizes the need for local initiatives that can reduce the region's greenhouse gas (GHG) emissions that contribute to climate change, an issue that is largely outside the focus of local attainment plans, which is assessed in Section 3.5, GHG Emissions. Third, the 2008 RCP emphasizes the

need for better coordination of land use and transportation planning, which heavily influences the emissions inventory from the transportation sectors of the economy. This also minimizes land use conflicts, such as residential development near freeways, industrial areas, or other sources of air pollution.

On April 7, 2016, SCAG's Regional Council adopted the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016–2040 RTP/SCS). The 2016–2040 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2016–2040 RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The 2016–2040 RTP/SCS was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders within the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. In June 2016, SCAG received its conformity determination from the Federal Highway Administration and the Federal Transit Administration indicating that all air quality conformity requirements for the 2016–2040 RTP/SCS and associated 2015 Federal Transportation Improvement Program Consistency Amendment through Amendment 15–12 have been met (SCAG 2016). As previously noted, the SCAQMD 2016 AQMP applies the updated SCAG growth forecasts assumed in the 2016–2040 RTP/SCS.

SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. Connect SoCal charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, planning strategies, and the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The SCAG 2020–2045 RTP/SCS was adopted on September 3, 2020.

City of West Hollywood General Plan 2035 Infrastructure, Resources, and Conservation

The Infrastructure, Resources, and Conservation Element of the West Hollywood General Plan 2035 (City of West Hollywood 2011) includes air quality policies intended to limit stationary and mobile sources of air pollution, and supports techniques and technologies that would reduce emissions within the City and region. The following policies of the Infrastructure, Resources, and Conservation Element are applicable to the proposed project:

Policy IRC-7.2: Support land use and transportation strategies to reduce driving rates and resulting air pollution, including pollution from commercial and passenger vehicles.

Policy IRC-7.3: Promote fuel efficiency and cleaner fuels for vehicles as well as construction and maintenance equipment by requesting that City contractors provide cleaner fleets.

Policy IRC-7.4: Prohibit combustion or gasoline powered engines in leaf blowers.

Policy IRC-7.5: Discourage the use of equipment with two-stroke engines and publicize the benefits and importance of alternative technologies.

Policy IRC-7.6: Support increased local access to cleaner fuels and cleaner energy by encouraging fueling stations that provide cleaner fuels and energy to the community.

Local Ambient Air Quality

South Coast Air Basin Attainment Designation

Pursuant to the 1990 federal Clean Air Act amendments, the EPA classifies air basins (or portions thereof) as “attainment” or “nonattainment” for each criteria air pollutant based on whether the NAAQS have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as “attainment” for that pollutant. If an area exceeds the standard, the area is classified as “nonattainment” for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as “unclassified” or “unclassifiable.” The designation of “unclassifiable/attainment” means that the area meets the standard or is expected to be meet the standard despite a lack of monitoring data. Areas that achieve the standards after a nonattainment designation are re-designated as maintenance areas and must have approved Maintenance Plans to ensure continued attainment of the standards. The California Clean Air Act, like its federal counterpart, called for the designation of areas as “attainment” or “nonattainment,” but based on CAAQS rather than the NAAQS. Table 3.2-2 depicts the current attainment status of the SCAB with respect to the NAAQS and CAAQS.

Table 3.2-2. South Coast Air Basin Attainment Classification

Pollutant	Designation/Classification	
	National Standards	California Standards
Ozone (O ₃) – 1 hour	No National Standard	Nonattainment
Ozone (O ₃) – 8 hour	Extreme Nonattainment	Nonattainment
Nitrogen Dioxide (NO ₂)	Unclassifiable/Attainment	Attainment
Carbon Monoxide (CO)	Attainment/Maintenance	Attainment
Sulfur Dioxide (SO ₂)	Unclassifiable/Attainment	Attainment
Coarse Particulate Matter (PM ₁₀)	Attainment/Maintenance	Nonattainment
Fine Particulate Matter (PM _{2.5})	Serious Nonattainment	Nonattainment
Lead	Nonattainment	Attainment
Hydrogen Sulfide	No National Standard	Unclassified
Sulfates	No National Standard	Attainment
Visibility-Reducing Particles	No National Standard	Unclassified
Vinyl Chloride	No National Standard	No designation

Sources: EPA 2020 (national); CARB 2019g (California).

Notes: Attainment = meets the standards; Attainment/Maintenance = achieve the standards after a nonattainment designation; Nonattainment = does not meet the standards; Unclassified or Unclassifiable = insufficient data to classify; Unclassifiable/Attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data

In summary, the SCAB is designated as a nonattainment area for federal and state O₃ standards and federal and state PM_{2.5} standards. The SCAB is also designated as a nonattainment area for state PM₁₀ standards; however, it is designated as an attainment area for federal PM₁₀ standards. The SCAB is designated as an attainment area for federal and state CO standards, federal and state NO₂ standards, and federal and state SO₂ standards. The Los Angeles County portion of the SCAB is the only area that has been designated as nonattainment for the federal rolling 3-month average lead standard; however, it is designated attainment for the state lead standard (EPA 2020; CARB 2019g). The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the proposed project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

Despite the current nonattainment status, air quality within the SCAB has generally improved since the inception of air pollutant monitoring in 1976. This improvement is mainly a result of lower-polluting on-road motor vehicles, more stringent regulation of industrial sources, and the implementation of emission reduction strategies by the SCAQMD. This trend toward cleaner air has occurred in spite of continued population growth. Despite this growth, air quality has improved significantly over the years, primarily because of the impacts of the region's air quality control program. PM₁₀ levels have declined almost 50% since 1990, and PM_{2.5} levels have also declined 50% since measurements began in 1999 (SCAQMD 2013). Similar improvements are observed with O₃, although the rate of O₃ decline has slowed in recent years.

Local Ambient Air Quality

CARB, air districts, and other agencies monitor ambient air quality at approximately 250 air quality monitoring stations across the state. SCAQMD monitors local ambient air quality at the project site. The project area's local ambient air quality is monitored by SCAQMD. Air quality monitoring stations usually measure pollutant concentrations 10 feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations.

The West Los Angeles - VA Hospital monitoring station, located at 11301 Wilshire Boulevard Los Angeles, California 90073, is the nearest air quality monitoring station to the project area, approximately 6.1 miles southwest of the project site. The data collected at this station are considered representative of the air quality experienced in the project vicinity. Air quality data from 2018 through 2020 for the West Los Angeles - VA Hospital monitoring station are provided in Table 3.2-3, Ambient Air Quality Data. Because SO₂, PM₁₀, and, PM_{2.5}, levels were not monitored at the West Los Angeles - VA Hospital monitoring station, reported values were taken from the Los Angeles - North Main Street location (1630 North Main Street Los Angeles, California 90012), located approximately 7.6 miles southeast of the project site or from the Los Angeles - Westchester Parkway Monitoring Station (7201 West Westchester Parkway Los Angeles, California 90045), located approximately 10.3 miles southwest of the project site.

Table 3.2-3. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2018	2019	2020	2018	2019	2020
Ozone (O₃)										
West Los Angeles – VA Hospital	ppm	Maximum 1-hour concentration	California	0.09	0.094	0.086	0.134	0	0	6
	ppm	Maximum 8-hour concentration	California	0.070	0.074	0.075	0.093	2	1	8
National			0.070	0.073	0.075	0.092	2	1	8	
Nitrogen Dioxide (NO₂)										
West Los Angeles – VA Hospital	ppm	Maximum 1-hour concentration	California	0.18	0.064	0.048	0.076	0	0	0
			National	0.100	0.0647	0.0488	0.0766	0	0	0
	ppm	Annual concentration	California	0.030	ND	0.009	0.010	N/A	N/A	N/A
			National	0.053	ND	ND	ND	N/A	N/A	N/A
Carbon Monoxide (CO)										
West Los Angeles – VA Hospital	ppm	Maximum 1-hour concentration	California	20	ND	ND	ND	ND	ND	ND
			National	35	1.6	1.9	2.0	0	0	0
	ppm	Maximum 8-hour concentration	California	9.0	ND	ND	ND	ND	ND	ND
			National	9	1.3	1.2	1.2	0	0	0
Sulfur Dioxide (SO₂)										
Los Angeles – Westchester Parkway	ppm	Maximum 1-hour concentration	National	0.075	0.012	0.008	0.006	0	0	0
	ppm	Maximum 24-hour concentration	National	0.14	0.002	0.001	0.0012	0	0	0
	ppm	Annual concentration	National	0.030	0.001	0.0003	0.0003	N/A	N/A	0
Coarse Particulate Matter (PM₁₀)^a										
Los Angeles-North Main Street	µg/m ³	Maximum 24-hour concentration	California	50	81.2	93.9	185.2	31.8 (31)	ND (15)	35.6 (34)
			National	150	68.2	62.4	83.7	0.0 (0)	0.0 (0)	0.0 (0)
	µg/m ³	Annual concentration	California	20	34	ND	33.9	N/A	N/A	N/A

Table 3.2-3. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2018	2019	2020	2018	2019	2020
Fine Particulate Matter (PM_{2.5})^a										
Los Angeles-North Main Street	µg/m ³	Maximum 24-hour concentration	National	35	61.4	43.5	175.0	6.3 (6)	1.0 (1)	12.1 (12)
	µg/m ³	Annual concentration	California	12	16.0	10.8	15.0	N/A	N/A	N/A
			National	12.0	12.8	10.8	13.7	N/A	N/A	N/A

Sources: CARB 2022; EPA 2021.

Note: O₃ = ozone; NO₂ = nitrogen dioxide; CO = carbon monoxide; SO₂ = sulfur dioxide; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter; ppm = parts per million; µg/m³ = micrograms per cubic meter; N/A = not applicable; ND = insufficient data available to determine the value.

Data taken from CARB iADAM (2022) or EPA AirData (2021) represent the highest concentrations experienced over a given year.

Exceedances of national and state standards are only shown for O₃ and particulate matter. All other criteria pollutants did not exceed either national or state standards during the years shown.

An exceedance of a standard is not necessarily related to a violation of the standard.

^a Measurements of PM₁₀ and PM_{2.5} are usually collected every 6 days and every 1 to 3 days, respectively. Number of days exceeding the standards is a mathematical estimate of the number of days concentrations would have been greater than the level of the standard had each day been monitored. The numbers in parentheses are the measured number of samples that exceeded the standard.

3.2.3 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. Based on these thresholds, implementation of the proposed project would have a significant adverse impact related to air quality if it would:

AQ-1: Conflict with or obstruct implementation of the applicable air quality plan

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

AQ-3: Expose sensitive receptors to substantial pollutant concentrations

AQ-4: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

Appendix G of the CEQA Guidelines indicates that, where available, the significance criteria established by the applicable air quality management district or pollution control district may be relied upon to determine whether the project would have a significant impact on air quality. The SCAQMD *CEQA Air Quality Handbook* (SCAQMD 1993), as revised in April 2019, sets forth quantitative emission significance thresholds below which a project would not have a significant impact on ambient air quality (SCAQMD 2015). Project-related air quality impacts estimated in this environmental analysis would be considered significant if any of the applicable significance thresholds presented in Table 3.2-4, SCAQMD Air Quality Significance Thresholds, are exceeded.

Table 3.2-4. SCAQMD Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
Pollutant	Construction (pounds per day)	Operation (pounds per day)
VOCs	75	55
NO _x	100	55
CO	550	550
SO _x	150	150
PM ₁₀	150	150
PM _{2.5}	55	55
Lead ^a	3	3
TACs and Odor Thresholds		
TACs ^b	Maximum incremental cancer risk ≥ 10 in 1 million ⁵ Cancer Burden >0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic and acute hazard index ≥ 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
Ambient Air Quality Standards for Criteria Pollutants ^c		
NO ₂ 1-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards:	

⁵ "Incremental cancer risk" is the net increased likelihood that a person continuously exposed to concentrations of TACs resulting from a project over a 9-, 30-, and 70-year exposure period will contract cancer based on the use of standard Office of Environmental Health Hazard Assessment risk-assessment methodology.

Table 3.2-4. SCAQMD Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds	
NO ₂ annual arithmetic mean	0.18 ppm (state) 0.030 ppm (state) and 0.0534 ppm (federal)
CO 1-hour average CO 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)
SO ₂ 1-hour average SO ₂ 24-hour average	0.25 ppm (state) and 0.075 ppm (federal – 99th percentile) 0.04 ppm (state)
PM ₁₀ 24-hour average PM ₁₀ annual average	10.4 µg/m ³ (construction) ^d 2.5 µg/m ³ (operation) 1.0 µg/m ³
PM _{2.5} 24-hour average	10.4 µg/m ³ (construction) ^d 2.5 µg/m ³ (operation)

Source: SCAQMD 2019.

Notes: SCAQMD = South Coast Air Quality Management District; VOC = volatile organic compounds; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter; TAC = toxic air contaminant; NO₂ = nitrogen dioxide; SO₂ = sulfur dioxides; ppm = parts per million; µg/m³ = micrograms per cubic meter.

- ^a The phase-out of leaded gasoline started in 1976. Since gasoline no longer contains lead, the proposed project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.
- ^b TACs include carcinogens and non-carcinogens.
- ^c Ambient air quality standards for criteria pollutants based on SCAQMD Rule 1303, Table A-2, unless otherwise stated.
- ^d Ambient air quality threshold based on SCAQMD Rule 403.

The evaluation of whether the revised project would conflict with or obstruct implementation of the applicable air quality plan is based on the SCAQMD CEQA Air Quality Handbook (SCAQMD 1993), Chapter 12, Sections 12.2 and 12.3. The first criterion assesses if the revised project would result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards of the interim emissions reductions specified in the AQMP, which is addressed in detail under in Section 3.2.5. The second criterion is if the revised project would exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

To evaluate the potential for the revised project to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, this analysis applies the SCAQMD's construction and operational criteria pollutants mass daily thresholds, as shown in Table 3.2-4. A project would potentially result in a cumulatively considerable net increase in O₃, which is a nonattainment pollutant, if the project's construction or operational emissions would exceed the SCAQMD VOC or NO_x thresholds shown in Table 3.2-4. These emissions-based thresholds for O₃ precursors are intended to serve as a surrogate for an "ozone significance threshold" (i.e., the potential for adverse O₃ impacts to occur). This approach is used because O₃ is not emitted directly, and the effects of an individual project's emissions of O₃ precursors (VOC and NO_x) on O₃ levels in ambient air cannot be determined through air quality models or other quantitative methods.

The assessment of the revised project's potential to expose sensitive receptors to substantial pollutant concentrations includes a localized significance threshold (LST) analysis, as recommended by the SCAQMD, to evaluate the potential of localized air quality impacts to sensitive receptors in the immediate vicinity of the project from construction and operation. For project sites of 5 acres or less, the SCAQMD LST Methodology (SCAQMD 2009) includes lookup tables that can be used to determine the maximum allowable daily emissions that would satisfy

the localized significance criteria (i.e., the emissions would not cause an exceedance of the applicable concentration limits for NO₂, CO, PM₁₀, and PM_{2.5}) without performing project-specific dispersion modeling.

The LST significance thresholds for NO₂ and CO represent the allowable increase in concentrations above background levels in the vicinity of a project that would not cause or contribute to an exceedance of the relevant ambient air quality standards, while the threshold for PM₁₀ represents compliance with Rule 403 (Fugitive Dust). The LST significance threshold for PM_{2.5} is intended to ensure that construction emissions do not contribute substantially to existing exceedances of the PM_{2.5} ambient air quality standards. The allowable emission rates depend on the following parameters:

- (a) Source-Receptor Area (SRA) in which the project is located;
- (b) Size of the project site; and
- (c) Distance between the project site and the nearest sensitive receptor (e.g., residences, schools, hospitals).

The project site is located in Source-Receptor Area 1 (Central Los Angeles County). The closest sensitive receptors are existing multi-family homes located directly north of and adjacent to the project site, and east across Ogden Drive, and the Fountain Day School located directly north and adjacent to the project site. These potential receptors would be, respectively, less than 25 meters from the project site and 25 meters from the project site (the shortest distance provided by the SCAQMD).⁶

Maximum daily emissions would be generated during the grading and excavation phase. The maximum number of acres disturbed on the peak day was estimated using the *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds* (SCAQMD 2014), which provides estimated acres per 8-hour per day per piece of earth-moving equipment. While the project site is less than one acre, based on the SCAQMD guidance, it was estimated that the maximum acres on the project site that would be disturbed by off-road equipment would be 1 acre per day for grading and site preparation; therefore, the 1-acre LST thresholds are utilized in this analysis. The thresholds are shown in Table 3.2-5.

Table 3.2-5. Localized Significance Thresholds for Source-Receptor Area 1 (Central Los Angeles County)

Pollutant	LST Threshold (pounds/day) ^a
NO ₂	74
CO	680
PM ₁₀	5
PM _{2.5}	3

Source: SCAQMD 2009, Appendix B.

Notes: LST = localized significance threshold; NO₂ = nitrogen dioxide; CO = carbon monoxide; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter.

^a Interpolated thresholds for the project site grading activity based on a 1-acre site for a receptor distance of 25 meters.

In addition to the construction LST assessment, the analysis of the potential for the revised project to expose sensitive receptors to substantial pollutant concentrations also evaluates potential health effects associated with CO hotspots, TACs, and criteria air pollutants.

⁶ Although receptors could be closer to construction than 25 meters, the SCAQMD recommends that projects with boundaries closer than 25 meters to the nearest receptors should use the LSTs for receptors located at 25 meters (SCAQMD 2009).

The potential for the revised project to result in other emissions, specifically an odor impact (Section 4.2.4), is based on the project's land use type for operation and anticipated construction activity, and the potential for the project to create an odor nuisance pursuant to SCAQMD Rule 402.

3.2.4 Methodology

The revised project includes a multi-use structure of approximately 212,508 square feet, which will include a 45-room hotel, restaurant, 95 residential units, and an art gallery. The revised project would also include a 74,011 square-foot subterranean parking garage with a total of 145 parking spaces. Construction of the revised project would involve demolition of 72 parking stalls and 13,718 square feet of existing buildings.

Emissions from construction and operation of the revised project were estimated using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0.⁷

Construction

Construction emissions were calculated for the estimated worst-case day over the construction period. Default CalEEMod values were used where detailed project information was not available.

It is anticipated that construction of the revised project would commence in April 2024 and be completed in December 2025.⁸ For purposes of estimating project construction emissions, the analysis contained herein is based on the following assumptions (duration of phases is approximate):

- Phase 1 Demolition/ Shoring and Sound Wall – April 2024
- Phase 2 Demolition / Disassembly – April 2024–May 2024
- Grading / Site Preparation – May 2024–September 2024
- Parking / Foundation – September 2024–January 2025
- Superstructure / Framing – January 2025–May 2025
- Common Areas / Shell / Roofing – May 2025–October 2025
- Exterior Finishes / Interiors / Tenant Improvements / Landscaping – October 2025–December 2025

The construction equipment mix and estimated hours of operation per day for the criteria air pollutant emissions modeling are based on information provided by the applicant (see Table 3.2-6). For this analysis, it was assumed that heavy construction equipment would be used 5 days per week (22 days per month) during project construction..

Table 3.2-6 also presents estimated worker trips, vendor (delivery) truck trips, and haul truck trips anticipated for each construction phase based on applicant provided information and using CalEEMod default values. Demolition is anticipated to generate a total of 8,100 tons of demolition debris over the two phases of demolition; however, all demolition material is anticipated to be exported offsite during Phase 2. Export of demolition material is anticipated

⁷ CalEEMod is a statewide computer model developed in cooperation with air districts throughout the state to quantify criteria air pollutant emissions associated with the construction and operational activities from a variety of land use projects, such as residential, commercial, and industrial facilities. CalEEMod input parameters, including the proposed project land use type and size and construction schedule were based on information provided by the project applicant, or default model assumptions if project specifics were unavailable.

⁸ The analysis assumes a construction start date of April 2024, which represents the earliest date construction would initiate. Assuming the earliest start date for construction represents the worst-case scenario for criteria air pollutant emissions because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years.

to require 401 haul truck round trips (802 one-way trips). During the grading and site preparation phase, approximately 55,375 cubic yards of material would be exported offsite. Assuming a haul truck capacity of 15 cubic yards per truck, based on information provided by the applicant, it is anticipated that 3,692 haul truck round trips (7,384 one-way trips) would be required to export excavated material offsite. For haul truck trips during the demolition and grading/site preparation phases, a one-way trip length of 29 miles was assumed to reflect anticipated distance to the disposal site. Vendor trucks transporting concrete, steel, and other building materials were assumed during building construction phases (i.e., superstructure/framing and common areas/shell/roofing phases). Additional vendor trucks were assumed during the parking/foundation phase and the exterior finishes/interiors/tenant improvements/landscaping phase to capture potential material deliveries. Table 3.2-6 presents the construction scenario assumptions used to estimate project-generated construction emissions.

Table 3.2-6. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Phase 1 Demolition/Shoring and Sound Wall	4	0	0	Excavator	1	7
Phase 2 Demolition/Disassembly	4	0	802	Tractors/Loaders/Back hoes	1	7
Grading/Site Preparation	16	0	7,384	Excavators	2	7
				Bore/Drill Rigs	1	7
				Forklifts	1	7
				Tractors/Loaders/Back hoes	1	7
Parking/Foundation	26	2	0	Forklifts	2	7
				Skid Steer Loaders	2	7
				Tractors/Loaders/Back hoes	4	7
				Welders	2	7
Superstructure/Framing	124	36	0	Forklifts	3	7
				Skid Steer Loaders	1	7
				Tractors/Loaders/Back hoes	2	7
				Welders	2	7
Common Areas/Shell/Roofing	124	36	0	Forklifts	3	7
				Skid Steer Loaders	1	7
				Tractors/Loaders/Back hoes	2	7
				Welders	2	7
Exterior Finishes / Interiors / Tenant Improvements / Landscaping	26	2	0	Air Compressors	2	7

Notes: Appendix B.

Operation

Emissions from the operational phase of the revised project were estimated using CalEEMod Version 2020.4.0. Operational year 2026 was assumed consistent with the construction schedule and traffic impact study (TIS) prepared for the revised project (Appendix F).

Emissions from the existing land uses were also estimated using CalEEMod to present the net change in criteria air pollutant emissions. Operational year 2022 was assumed for existing conditions.⁹ The estimation of operational emissions generated under existing conditions was based on approximately 10,000 square feet of gym, 7 dwelling units in a mid-rise complex, and 72 surface parking spots currently on site.

Area Sources

CalEEMod was used to estimate operational emissions from area sources, including emissions from consumer product use, architectural coatings, and landscape maintenance equipment. Emissions associated with natural gas usage in space heating, water heating, and stoves are calculated in the building energy use module of CalEEMod, as described in the following text. The revised project and existing scenario are assumed to not include woodstoves or fireplaces (wood or natural gas). As such, area source emissions associated with hearths were not included.

Consumer products are chemically formulated products used by household and institutional consumers, including detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. Other paint products, furniture coatings, or architectural coatings are not considered consumer products (CAPCOA 2021). Consumer product VOC emissions are estimated in CalEEMod based on the floor area of nonresidential buildings and on the default factor of pounds of VOC per building square foot per day. For the parking structure land use assumed in the revised project and the parking lot land use for the existing scenario, CalEEMod estimates VOC emissions associated with use of parking surface degreasers based on a square footage of parking surface area and pounds of VOC per square foot per day.

VOC off-gassing emissions result from evaporation of solvents contained in surface coatings such as in paints and primers using during building maintenance. CalEEMod calculates the VOC evaporative emissions from application of nonresidential surface coatings based on the VOC emission factor, the building square footage, the assumed fraction of surface area, and the reapplication rate. The VOC emission factor is based on the VOC content of the surface coatings, and SCAQMD's Rule 1113 (Architectural Coatings) governs the VOC content for interior and exterior coatings. The model default reapplication rate of 10% of area per year is assumed. Consistent with CalEEMod defaults, it is assumed that the residential surface area for painting equals 2.7 times the floor square footage, with 75% assumed for interior coating and 25% assumed for exterior surface coating. For nonresidential land uses, surface area for painting equals 2.0 times the floor square footage, with 75% assumed for interior coating and 25% assumed for exterior surface coating. For the parking garage and other asphalt surfaces assumed in the project and existing scenario, respectively, the architectural coating area is assumed to be 6% of the total square footage, consistent with the supporting CalEEMod studies provided as an appendix to the CalEEMod User's Guide (CAPCOA 2021).

⁹ For the purposes of the air quality, GHG, and energy analyses, the current year of 2022 was chosen for the purposes of modeling the existing conditions scenario. While the environmental baseline for the project was established when the NOP was published in 2016, using year 2016 as the baseline for air quality, GHG, and energy analyses would have resulted in less conservative results for calculating the project's net increase in emissions and energy demands, since increases in efficiency have been achieved (particularly for vehicle emission factors) between 2016 and 2022.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers. The emissions associated from landscape equipment use are estimated based on CalEEMod default values for emission factors (grams per residential dwelling unit per day and grams per square foot of nonresidential building space per day) and number of summer days (when landscape maintenance would generally be performed) and winter days.

Energy Sources

As represented in CalEEMod, energy sources include emissions associated with building electricity and natural gas usage. Electricity use would contribute indirectly to criteria air pollutant emissions; however, the emissions from electricity use are only quantified for greenhouse gas emissions in CalEEMod, since criteria pollutant emissions occur at the site of the power plant, which is typically off site.

The energy use from residential land uses is calculated in CalEEMod based on the Residential Appliance Saturation Study. For nonresidential buildings, CalEEMod energy intensity values (natural gas usage per square foot per year) assumptions were based on the California Commercial End-Use Survey database.

The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. The current version of CalEEMod assumes compliance with the 2019 Title 24 Building Energy Efficiency Standards (CAPCOA 2021).

Mobile Sources

Mobile sources for the revised project would primarily be motor vehicles (automobiles and light-duty trucks) traveling to and from the project site. Motor vehicles may be fueled with gasoline, diesel, or alternative fuels. The default vehicle mix provided in CalEEMod 2020.4.0, which is based on CARB's Mobile Source Emissions Inventory model, EMFAC, version 2017, was applied for both the revised project and existing scenario. Emission factors representing 2026 were used to estimate emissions associated with buildout of the revised project consistent with the TIS.

Trip generation rates for the revised project and existing scenario were based on the TIS prepared for the revised project (Appendix F). Notably, a few revisions to the CalEEMod default trip rates were incorporated. For the gym under the existing scenario, the assumed Saturday and Sunday trip rates were adjusted in proportion to the CalEEMod default weekday, Saturday and Sunday trip rates and the TIS weekday trip rate. For the proposed art gallery under the revised project, the same weekday trip rate was assumed for Saturday and Sunday.

Construction Health Risk Assessment

The greatest potential for TAC emissions during revised project construction would be DPM emissions from heavy equipment operations and heavy-duty trucks. Use of heavy-duty construction equipment is subject to a CARB Airborne Toxics Control Measure for in-use diesel construction equipment to reduce diesel particulate emissions and use of diesel trucks is also subject to an Airborne Toxics Control Measure. The Health Risk Assessment (HRA) conducted for the revised project analyzes long-term cancer and noncancer health risk from the revised project's use of diesel equipment and onsite trucks during construction. The results of the HRA are summarized in Section 3.2.5.

The most recent guidance from the Office of Environmental Health Hazard Assessment (OEHHA) is the 2015 Risk Assessment Guidelines Manual (OEHHA 2015). Cancer risk parameters, such as age-sensitivity factors, daily breathing rates, exposure period, fraction of time at home, and cancer potency factors were based on the values

and data recommended by OEHHA as implemented in Hotspots Analysis and Reporting Program Version 2 (HARP2). SCAQMD's Modeling Guidance for American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) (SCAQMD 2022), Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003b), and Risk Assessment Procedures for Rules 1401, 1401.1, and 212 (SCAQMD 2017b) provide guidance to perform dispersion modeling for use in HRAs within the SCAB.

The dispersion modeling for the HRA was performed using AERMOD (Version 22112), which is the model SCAQMD requires for atmospheric dispersion of emissions. AERMOD is a steady-state Gaussian plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of surface and elevated sources, building downwash, and simple and complex terrain.

Dispersion of DPM emissions was modeled using AERMOD, then cancer risk and noncancer health impacts were subsequently modeled using CARB's HARP2. A unit emission rate (1 gram per second) was normalized over the line of adjacent volume sources for the AERMOD run to obtain the "X/Q" values. X/Q is a dispersion factor that is the average effluent concentration normalized by source strength and is used as a way to simplify the representation of emissions from project construction. The maximum concentrations were determined for the 1-hour and Period averaging periods.

HARP2 implements the March 2015 OEHHA age-weighting methodology for assessing toxics risks. The revised project's potential cancer and noncancer construction-related health impacts were evaluated assuming an exposure duration of approximately 1 year and 9 months and starting at the third trimester of pregnancy. A construction HRA CalEEMod run was performed to estimate onsite emissions of exhaust PM₁₀, which was used as a surrogate for DPM.¹⁰ The predominant source of construction exhaust PM₁₀ is operation of offroad diesel construction equipment. However, it was conservatively assumed that emissions from heavy-duty haul and vendor trucks, which could be diesel- or gasoline-fueled, traveling 1,000 feet would occur onsite to represent potential onsite travel and nearby local offsite travel. Total exhaust PM₁₀ emissions from CalEEMod were averaged over the revised project's construction duration to estimate the annual and hourly exposure. Consistent with SCAQMD guidance, the Risk Management Policy using the Derived Method was used to estimate cancer risk and the OEHHA Derived Method was used to estimate chronic noncancer risk (SCAQMD 2017b). The cancer and noncancer risk results were then compared to SCAQMD thresholds to assess the revised project impact significance. Principal parameters of this modeling are presented in Table 3.2-7.

Table 3.2-7. Construction Health Risk Assessment American Meteorological Society/ EPA Regulatory Model Construction Principal Parameters

Parameter	Details
Meteorological Data	The latest 5-year (2012-2016) meteorological data for the USC/Downtown Los Angeles station (KCQT, Station ID 93134) from SCAQMD were downloaded, then input to AERMOD.
Urban versus Rural Option	Urban areas typically have more surface roughness as well as structures and low-albedo surfaces that absorb more sunlight—and thus more heat—relative to rural areas. According to SCAQMD guidelines, the urban dispersion option was selected.

¹⁰ Under California regulatory guidelines, DPM is used as a surrogate measure of carcinogen exposure for the mixture of chemicals that make up diesel exhaust as a whole. CalEPA has concluded that "potential cancer risk from inhalation exposure to whole diesel exhaust will outweigh the multi-pathway cancer risk from the speciated components" (OEHHA 2003).

Table 3.2-7. Construction Health Risk Assessment American Meteorological Society/ EPA Regulatory Model Construction Principal Parameters

Parameter	Details
Terrain Characteristics	Digital elevation model files were imported into AERMOD so that complex terrain features were evaluated as appropriate. Per SCAQMD guidance, the National Elevation Dataset with resolution of 1/3 arc-second was used (SCAQMD 2022).
Receptors	To ensure receptors in the nearby revised project area were adequately captured, a fine uniform Cartesian grid of receptors spaced 25 meters (82 feet) apart, 250 meters (820 feet) across, was included in the AERMOD run. A fine uniform Cartesian grid with 5 meter (16 feet) spacing was also placed on receptors adjacent to the site. To include all potential sensitive receptors in all directions of the project site that may be impacted by project construction, consistent with the SCAQMD recommendations for AERMOD (SCAQMD 2022), a coarse uniform Cartesian grid of receptors spaced 100 meters (328 feet) apart, 1,000 meters (3,281 feet) from the project site was placed around the project site. All Cartesian grid receptors were then converted to discrete receptors.
Emission Sources and Source Release Parameters	The construction equipment DPM emissions were modeled as a grid of volume sources placed over the site where construction activity is anticipated to occur, which is anticipated to cover the project site. The volume sources were assumed to have a release height of 5 meters, an initial lateral dimension of 2.33 meters, and an initial vertical dimension of 1.4 meters (SCAQMD 2008). Air dispersion modeling of construction activities was conducted using emissions generated using CalEEMod. For cancer or chronic noncancer risk assessments, the average exhaust PM ₁₀ emissions (surrogate for DPM) over each construction year modeled was used.

Source: See Appendix B for detailed results.

Notes: EPA = U.S. Environmental Protection Agency; SCAQMD = South Coast Air Quality Management District; AERMOD = American Meteorological Society/EPA Regulatory Model; DPM = diesel particulate matter; CalEEMod = California Emissions Estimator Model

3.2.5 Impact Analysis

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

As previously discussed, the project site is located within the SCAB under the jurisdiction of the SCAQMD, which is the local agency responsible for administration and enforcement of air quality regulations for the area. The SCAQMD has established criteria for determining consistency with the 2016 AQMP in Chapter 12, Sections 12.2 and 12.3 of the SCAQMD *CEQA Air Quality Handbook* (SCAQMD 1993). The criteria are:

- **Consistency Criterion No. 1:** The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards of the interim emissions reductions specified in the AQMP.
- **Consistency Criterion No. 2:** The proposed project will not exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

Consistency Criterion No. 1

Discussed under Threshold AQ-2, as follows, the revised project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations. Therefore, the revised project would not result in a delay in attainment of the NAAQS and CAAQS specified in the AQMP. As such, the revised project would not conflict with Consistency Criterion No. 1 of the SCAQMD *CEQA Air Quality Handbook*.

Consistency Criterion No. 2

While striving to achieve the NAAQS for O₃ and PM_{2.5} through a variety of air quality control measures, the Final 2016 AQMP also accommodates planned growth in the SCAB. Projects are considered consistent with, and would not conflict with or obstruct implementation of, the AQMP if the growth in socioeconomic factors (e.g., population, employment) is consistent with the underlying regional plans used to develop the AQMP (per Consistency Criterion No. 2 of the SCAQMD *CEQA Air Quality Handbook*). The future emissions forecasts are primarily based on demographic and economic growth projections provided by SCAG. Thus, demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment by industry) developed by SCAG for their 2016 RTP/SCS were used to estimate future emissions in the Final 2016 AQMP (SCAQMD 2017).

The project site is currently developed with one retail structure and seven dwelling units. The project site is located within the R3B and CC2 zoning districts. The northeastern portion of the site facing Ogden Drive, where a multi-family complex over two levels of subterranean parking is planned is located in the R3B zoning district, and the remaining portion of the site is located in the CC2 zoning district. Portions of the project site are also located within two overlay zones, the Transit Overlay Zone and the Mixed-Use Incentive Overlay Zone. The revised project would require a conditional use permit for the hotel, which would provide a modest increase in jobs. The revised project would not require a rezone to accommodate permanent population growth.

The SCAG Growth Forecast (an appendix to the 2016–2040 RTP/SCS) estimates that employment in the City would grow from 29,800 employees in 2012 to 37,300 employees in 2040, and population would grow from 34,800 people in 2012 to 41,800 people in 2040. As such, the addition of employees associated with the revised project would be minimal and would not exceed the growth projections for 2040 and later years (SCAG 2016). The 95 residential units would result in an increase of approximately 150 permanent City residents. The additional residents would not result in an increase of persons above that anticipated in the RTP/SCS. The proposed hotel use would temporarily allow visitors to stay on site in its proposed 45 guest rooms. The temporary stay of hotel guests would be minimal in comparison to the anticipated population increase of the SCAG Growth Forecast. Therefore, the revised project would not stimulate population growth or a population concentration or employment above what is assumed in local and regional land use plans, or in projections made by regional planning authorities.

Summary

As previously described, the revised project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, and would not conflict with Consistency Criterion No. 1. The revised project does not require either a general plan amendment or zone change, and would not create jobs or residences in excess of what is assumed in the SCAG 2016–2040 RTP/SCS. As such, the revised project would be consistent with the demographic growth forecasts in the SCAG 2016–2040 RTP/SCS. Therefore, the revised project would also be consistent with the SCAQMD 2016 AQMP and the revised project would not conflict with Consistency Criterion No. 2. Based on these considerations, impacts related to the revised project's potential to conflict with or obstruct implementation of the applicable air quality plan would be **less than significant**.

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

By its nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the SCAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are used in the determination of whether a project's individual emissions would have a cumulatively

considerable contribution on air quality. If a project's emissions would exceed the applied significance thresholds, it would have a cumulatively considerable contribution. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to result in a cumulatively considerable contribution to air quality impacts (SCAQMD 2003a).

In considering cumulative impacts attributed to the proposed project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the SCAB is designated as nonattainment for the CAAQS and NAAQS. As discussed previously, the SCAB has been designated as a national nonattainment area for O₃ and PM_{2.5}, and a California nonattainment area for O₃, PM₁₀, and PM_{2.5}. Construction and operation of the revised project would have the potential to result in emissions of criteria air pollutants, which may result in a cumulatively considerable net increase of any criteria pollutant the SCAB is in nonattainment under an applicable NAAQS or CAAQS. The following discussion identifies potential short-term construction impacts and operational impacts that would result from implementation of the revised project.

Construction Emissions

Construction of the revised project would result in the addition of pollutants to the local airshed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment and from worker vehicles and off-site vendor truck trips. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and for dust, and the prevailing weather conditions. Therefore, such emission levels can only be approximately estimated with a corresponding uncertainty in precise ambient air quality impacts.

As discussed under 3.2.4, criteria air pollutant emissions associated with construction activity were quantified using CalEEMod. Construction emissions were calculated for the estimated worst-case day over the construction period associated with each phase and reported as the maximum daily emissions estimated during each year of construction (2024–2025). Construction schedule assumptions, including phase type, duration, and sequencing, were based on information provided by the applicant and are intended to represent a reasonable scenario based on the best information available. Default values provided in CalEEMod were used where detailed revised project information was not available.

Implementation of the revised project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, architectural coatings, and pavement application. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM₁₀ and PM_{2.5} emissions. The revised project would be required to comply with SCAQMD Rule 403 to control dust emissions generated during the building construction and grading activities. Standard construction practices that would be employed to reduce fugitive dust emissions include watering of the active sites approximately two times daily depending on weather conditions. Internal combustion engines used by construction equipment, haul trucks, vendor trucks (i.e., delivery trucks), and worker vehicles would result in emissions of NO_x, VOCs, CO, PM₁₀, and PM_{2.5}. The application of architectural coatings, such as exterior application/interior paint and other finishes, and application of asphalt pavement would also produce VOC emissions; however, the contractor is required to procure architectural coatings from a supplier in compliance with the requirements of SCAQMD's Rule 1113 (Architectural Coatings).

Table 3.2-8, Estimated Maximum Daily Construction Emissions, presents the estimated maximum unmitigated daily construction emissions generated during construction of the revised project in each year. The values shown are the

maximum summer or winter daily emissions (i.e., worst-case) results from CalEEMod. Details of the emission calculations are provided in Appendix B.

Table 3.2-8. Estimated Maximum Daily Construction Emissions

Year	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	pounds per day					
2024	1.33	26.80	16.53	0.10	3.63	1.16
2025	21.34	9.97	15.93	0.03	1.93	0.73
Maximum daily emissions	21.34	26.80	16.53	0.10	3.63	1.16
<i>SCAQMD threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold exceeded?	No	No	No	No	No	No

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter; SCAQMD = South Coast Air Quality Management District.

See Appendix B for complete results.

The values shown are the maximum summer or winter daily emissions results from California Emissions Estimator Model (CalEEMod). These estimates reflect control of fugitive dust required by South Coast Air Quality Management District (SCAQMD) Rule 403 assuming watering of the project site two times per day and compliance with SCAQMD Rule 1113 for architectural coatings.

As shown in Table 3.2-8, daily construction emissions would not exceed the SCAQMD significance thresholds for VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} during construction in any of the construction years. Furthermore, construction-generated emissions would be temporary and would not represent a long-term source of criteria air pollutant emissions.

Operational Emissions

Operation of the revised project would generate VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions from mobile sources, including vehicle trips; area sources, including the use of consumer products, architectural coatings for repainting, and landscape maintenance equipment; and energy sources, including combustion of fuels used for space and water heating. As discussed in Section 3.2.4, pollutant emissions associated with long-term operation of the revised project and operation of the existing land uses were quantified using CalEEMod. Mobile source emissions were estimated in CalEEMod based on project-specific trip rates. CalEEMod default values were used to estimate emissions from area and energy sources for both the revised project and existing land uses.

Table 3.2-9 presents the net change maximum daily area, energy, and mobile source emissions associated with operation of the revised project in 2026 and operation of the existing land uses in 2022, and the estimated net change in emissions (revised project minus the existing scenario). The values shown are the maximum summer or winter daily emissions results from CalEEMod. Details of the emission calculations are provided in Appendix B.

Table 3.2-9. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Emission Source	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	pounds per day					
Revised Project						
Area	3.29	0.09	7.85	<0.01	0.04	0.04
Energy	0.08	0.75	0.54	<0.01	0.06	0.06
Mobile	3.04	2.96	27.69	0.06	6.71	1.82
Total	6.41	3.80	36.08	0.06	6.81	1.92

Table 3.2-9. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Emission Source	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	pounds per day					
Existing						
Area	0.33	0.01	0.59	<0.01	<0.01	<0.01
Energy	0.01	0.06	0.05	<0.01	<0.01	<0.01
Mobile	0.93	1.07	8.47	0.02	1.59	0.43
Total	1.27	1.15	9.10	0.02	1.60	0.44
Net Change in Emissions						
Net Change (Revised Project - Existing)	5.14	2.65	26.98	0.04	5.21	1.48
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold Exceeded?	No	No	No	No	No	No

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter; SCAQMD = South Coast Air Quality Management District.

See Appendix B for complete results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod.

The Revised Project emissions reflect operational year 2026. The Existing emissions reflect operational year 2022.

As shown in Table 3.2-9, the net change in combined maximum daily area, energy, and mobile source emissions would not exceed the SCAQMD operational thresholds for VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}.

As noted above, the SCAB has been designated as a federal nonattainment area for O₃ and PM_{2.5} and a state nonattainment area for O₃, PM₁₀, and PM_{2.5}. Construction and operation of the revised project would generate VOC and NO_x emissions (which are precursors to O₃) and emissions of PM₁₀ and PM_{2.5}. However, as indicated in Tables 3.2-8 and 3.2-9, project-generated construction and operational emissions, respectively, would not exceed the SCAQMD emission-based significance thresholds for VOC, NO_x, PM₁₀, or PM_{2.5} and therefore the revised project would not cause a cumulatively considerable net increase of a criteria pollutant for which the region is non-attainment.

Based on the previous considerations, the revised project would not result in a cumulatively considerable increase in emissions of nonattainment pollutants. Impacts would be **less than significant**.

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

Localized Significance Thresholds Analysis

Sensitive receptors are those more susceptible to the effects of air pollution than the population at large. The SCAQMD considers that sensitive receptors may include residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993). The closest off-site sensitive receptors are existing multi-family homes located directly north of and adjacent to the project site, and east across Ogden Drive, and the Fountain Day School located directly north and adjacent to the project site.

Construction activities associated with the revised project would result in temporary sources of on-site fugitive dust and construction equipment emissions. Off-site emissions from vendor trucks, haul trucks, and worker vehicle trips are not included in the LST analysis, per SCAQMD guidance (SCAQMD 2009). The maximum daily on-site

construction emissions generated during project construction are presented in Table 3.2-10 and compared to the applicable SCAQMD LSTs for SRA 1.

Table 3.2-10. Localized Significance Thresholds Analysis for Project Construction

Maximum On-Site Emissions	NO ₂	CO	PM ₁₀	PM _{2.5}
	Pounds per Day			
2024	12.09	15.31	2.53	0.43
2025	9.88	15.24	0.38	0.35
Maximum daily	12.09	15.31	2.53	0.43
<i>SCAQMD LST</i>	74	680	5	3
LST exceeded?	No	No	No	No

Source: SCAQMD 2009.

Notes:

NO₂ = nitrogen dioxide; CO = carbon monoxide; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter; SCAQMD = South Coast Air Quality Management District; LST = localized significance threshold.

See Appendix B for complete results.

Localized significance thresholds are shown for 1-acre project sites corresponding to a distance to a sensitive receptor of 25 meters. These estimates include compliance with SCAQMD Rule 403 regarding fugitive dust control, including watering of an active site two times per day.

As shown in Table 3.2-10, construction activities would not generate emissions in excess of site-specific LSTs; therefore, localized impacts during construction of the project would be **less than significant**.

Carbon Monoxide Hot Spots Analysis

To verify that the revised project would not cause or contribute to a violation of the CO standard, a screening evaluation of the potential for CO hotspots was conducted based on the TIS (Appendix F) results and the California Department of Transportation (Caltrans) Institute of Transportation Studies Transportation Project-Level Carbon Monoxide Protocol (CO Protocol) (Caltrans 1997).

At the time that the SCAQMD 1993 Handbook was published, the SCAB was designated nonattainment under the CAAQS and NAAQS for CO. In 2007, the SCAQMD was designated in attainment for CO under both the CAAQS and NAAQS as a result of the steady decline in CO concentrations in the SCAB due to turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities. The SCAQMD conducted CO modeling for the 2003 AQMP (Appendix V: Modeling and Attainment Demonstrations, SCAQMD 2003b) for the four worst-case intersections in the SCAB: (1) Wilshire Boulevard and Veteran Avenue, (2) Sunset Boulevard and Highland Avenue, (3) La Cienega Boulevard and Century Boulevard, and (4) Long Beach Boulevard and Imperial Highway. At the time the 2003 AQMP was prepared, the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day. As a screening analysis to determine if there would be a potential CO impact for the revised project, the maximum 1-hour and 8-hour CO concentrations from these worst-case intersections were added to the background 1-hour CO concentration in the project area. If the summed 1-hour and 8-hour CO concentrations would be less than the respective CO CAAQS, and if the revised project would not increase daily traffic volumes at any study intersections to more than 100,000 vehicles per day, then the revised project would not result in a potential CO hotspot impact.

Using CO emission factors for 2002, the peak modeled CO 1-hour concentration was estimated to be 4.6 ppm at the intersection of Wilshire Boulevard and Veteran Avenue. When added to the most recent maximum 1-hour CO

concentration of 2.0 ppm for 2020 at the West Los Angeles VA Hospital monitoring station (EPA 2021), which is the nearest station to the project site, the 1-hour CO would be 6.6 ppm, while the CAAQS is 20 ppm.

The 2003 AQMP also projected 8-hour CO concentrations at these four intersections for 1997 and from 2002 through 2005. From years 2002 through 2005, the maximum 8-hour CO concentration was 3.8 ppm at the Sunset Boulevard and Highland Avenue intersection in 2002; the maximum 8-hour CO concentration was 3.4 ppm at the Wilshire Boulevard and Veteran Avenue in 2002. Adding the 3.8 ppm to the maximum 8-hour CO concentration of 1.3 ppm at the West Los Angeles VA Hospital monitoring station (EPA 2021), the 8-hour CO would be 5.1 ppm, while the CAAQS is 9.0 ppm.

Accordingly, CO concentrations at congested intersections would not exceed the 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least over 100,000 vehicles per day. Based on traffic data obtained from the traffic consultant (KOA 2022), the maximum volume of traffic at the intersections in the project area is expected to be approximately 66,130 vehicles per day. (This accounts for revised project-related traffic plus future traffic conditions in the area.)¹¹ As such, the revised project would not increase daily traffic volumes at any intersection in the project area to more than 100,000 vehicles per day. Therefore, a CO hotspot is not anticipated to occur and associated impacts would be **less than significant**.

Health Effects

Construction Health Risk

The greatest potential for TAC emissions during construction would be DPM emissions from heavy equipment operations and heavy-duty trucks during construction of the revised project and the associated health impacts to sensitive receptors. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts; however, no short-term, acute relative exposure level has been established for DPM. The closest sensitive receptors are existing multi-family homes located directly north of and adjacent to the project site, and east across Ogden Drive, and the Fountain Day School located directly north and adjacent to the project site.

The results of the HRA for unmitigated construction of the revised project are provided in Table 3.2-11.

Table 3.2-11. Construction Health Risk Assessment Results - Unmitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
MICR (residential)	Per Million	128.05	10.0	Potentially Significant
HIC	Not Applicable	0.1734	1.0	Less than Significant

Source: See Appendix B for detailed results.

Notes: CEQA = California Environmental Quality Act; MICR = maximum individual cancer risk; HIC = chronic hazard index.

The results of the construction HRA for the revised project demonstrate that the construction emissions result in a potential Maximum Individual Cancer Risk at nearby residential receptors (adjacent receptors east of the project site) above the 10 in one million cancer risk threshold and a potential chronic hazard risk below the 1.0 Chronic

¹¹ Based on P.M. peak hour at Fairfax Avenue and Santa Monica Boulevard during the Future with Project scenario.

Hazard Index threshold. The revised project would therefore result in a potentially significant impact with regard to TAC emissions generated during construction and mitigation is required.

Accordingly, MM-AQ-1 is required to reduce diesel exhaust PM and associated cancer risk. MM-AQ-1 requires that prior to the commencement of construction activities for the revised project, the applicant shall require its construction contractor to demonstrate that all 25-horsepower or greater diesel-powered equipment is powered with CARB-certified Tier 4 Final engines and all air compressors and welders are electric-powered. Table 3.2-12 presents the HRA results after implementation of MM-AQ-1.

Table 3.2-12. Construction Health Risk Assessment Results - Mitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
MICR (residential)	Per Million	9.36	10.0	Less than Significant
HIC	Not Applicable	0.0129	1.0	Less than Significant

Source: See Appendix B for detailed results.

Notes: CEQA = California Environmental Quality Act; MICR = maximum individual cancer risk; HIC = chronic hazard index.

With implementation of MM-AQ-1, the revised project estimated construction emissions result in a potential Maximum Individual Cancer Risk at nearby residential receptors (adjacent receptors east of the project site) below the 10 in one million cancer risk threshold and a potential chronic hazard risk below the 1.0 Chronic Hazard Index threshold. The revised project would therefore result in a construction health risk impact that would be **less than significant with mitigation**.

Operational Health Risk

No residual TAC emissions and corresponding cancer risk are anticipated after construction because construction TAC emissions associated with diesel-fueled equipment operation and diesel truck travel would cease. In addition, no long-term sources of TAC emissions are anticipated during operation of the project because the project does not entail operation of a stationary source of TAC emissions or would otherwise generate TAC emissions. Thus, the project would not result in a long-term source of TAC emissions. Therefore, the exposure of project-related TAC emission impacts to sensitive receptors would be **less than significant**.

Health Effects of Other Criteria Air Pollutants

Construction and operation of the revised project would not result in emissions that would exceed the SCAQMD thresholds for VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5}.

As discussed in Section 3.2.1, health effects associated with O₃ include respiratory symptoms, worsening of lung disease leading to premature death, and damage to lung tissue (CARB 2019h). VOCs and NO_x are precursors to O₃, for which the SCAB is designated as nonattainment with respect to the NAAQS and CAAQS. The health effects associated with O₃ are generally associated with reduced lung function. The contribution of VOCs and NO_x to regional ambient O₃ concentrations is the result of complex photochemistry. The increases in O₃ concentrations in the SCAB due to O₃ precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O₃ concentrations would also depend on the time of year that the VOC emissions would occur

because exceedances of the O₃ CAAQS/NAAQS tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O₃ precursors is speculative due to the lack of quantitative methods to assess this impact. Because construction and operation of the revised project would not exceed SCAQMD thresholds for VOC or NO_x, implementation of the revised project would not contribute to regional O₃ concentrations or the associated health effects.

Health effects associated with NO_x include lung irritation and enhanced allergic responses (see Section 3.2.1; CARB 2019h). Because project construction would not generate NO_x emissions that would exceed the SCAQMD mass daily thresholds and because the SCAB is designated as in attainment of the NAAQS and CAAQS for NO₂ and the existing NO₂ concentrations in the area are well below the NAAQS and CAAQS standards, the proposed project would not contribute to exceedances of the NAAQS and CAAQS for NO₂ or result in potential health effects associated with NO₂ and NO_x.

Health effects associated with CO include chest pain in patients with heart disease, headache, light-headedness, and reduced mental alertness (See Section 3.2.1; CARB 2019h). CO tends to be a localized impact associated with congested intersections. The associated potential for CO hotspots were discussed previously and are determined to be a less-than-significant impact. Thus, the project's CO emissions would not contribute to significant health effects associated with this pollutant.

Health effects associated with PM₁₀ include premature death and hospitalization, primarily for worsening of respiratory disease (See Section 3.2.1; CARB 2019h). Construction and operation of the revised project would not exceed thresholds for PM₁₀ or PM_{2.5} and would not contribute to exceedances of the NAAQS and CAAQS for particulate matter or obstruct the SCAB from coming into attainment for these pollutants. The revised project would also not result in substantial DPM emissions during construction and operation, and therefore, would not result in significant health effects related to DPM exposure. Additionally, the revised project would implement dust control strategies and be required to comply with SCAQMD Rule 403, which limits the amount of fugitive dust generated during construction. Due to the minimal contribution of particulate matter during construction and operation, the revised project would not result in health effects associated with PM₁₀ or PM_{2.5}.

In summary, construction and operation of the revised project would not result in exceedances of the SCAQMD significance thresholds for criteria pollutants and potential health effects associated with criteria air pollutants would be **less than significant**.

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

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and to architectural coatings. Construction would occur over approximately 20 months, and therefore potential odors would be temporary. Odors would only affect the immediately surrounding land uses and would not affect a substantial number of people. Therefore, impacts associated with odors during construction would be considered **less than significant**.

Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The project entails construction of residential, hotel, restaurant, and art gallery uses and would not result in the creation of a land use that is commonly associated with odors. Therefore, project operations would result in an odor impact that is **less than significant**.

3.2.6 Mitigation Measures

The following mitigation measure would reduce potentially significant construction impacts to a less-than-significant level.

MM-AQ-1 Prior to the commencement of construction activities for the project, the applicant shall require its construction contractor to: (1) use California Air Resources Board (CARB)-certified Tier 4 Final engines for all diesel-powered equipment pieces that are 25 horsepower or greater and (2) use of electric-powered air compressors and welders.

In the event of changed circumstances (e.g., changes in the availability of specific types of construction equipment), the applicant may submit a request to the City of West Hollywood Planning and Development Services Department to apply an equivalent method of achieving project-generated construction emissions that fall below the numeric cancer risk standards established by the SCAQMD. Documentation shall be furnished to the City of West Hollywood Planning and Development Services Department demonstrating that estimated project-generated construction emissions would not exceed the applicable SCAQMD cancer risk threshold with the alternate construction methods. (This shall be demonstrated using industry-standard emission estimation methodologies.) If the documentation successfully demonstrates that project-generated construction emissions will remain below the applicable SCAQMD cancer risk threshold, then the City of West Hollywood Planning and Development Services Department Director may approve the alternate construction methods, at the Director's discretion.

Required construction equipment fleet and methodologies approved by the City shall be included in the contract specifications for the applicant's construction contractor.

3.2.7 Level of Significance After Mitigation

Implementation of MM-AQ-1 would substantially reduce the amount of DPM that is produced by the construction equipment used for the project, resulting in reductions in associated cancer risk. As demonstrated numerically in Table 3.2-12, implementation of mitigation measure MM-AQ-1 would ensure that air quality impacts are **less than significant**.

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3.3 Cultural Resources

This section describes the existing cultural resources of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the revised Bond Project (“proposed project” or “revised project”).

3.3.1 Environmental Setting

California Historical Resources Information System Records Search

Dudek requested a search of the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. Dudek received the search results on December 29, 2016. The search included any previously recorded cultural resources and investigations within a 0.5-mile radius of the project site. The CHRIS search also included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the Californian Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. A letter from the SCCIC summarizing the results of the records search, along with a bibliography of prior cultural resources studies, is provided in Appendix A of the technical report, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, which is included as Appendix C to this RDEIR.

Previously Conducted Cultural Resources Studies

The SCCIC records indicate that 28 cultural resource investigations have been conducted within the 0.5-mile search radius of the project site. Of these, two studies overlap the project site (LA-10568 and LA-11005). A brief summary of these two studies is provided as follows. There are nine unmapped general overview studies that overlap the project site (LA-02816, LA-03511, LA-03583, LA-03773, LA-03796, LA-04323, LA-07568, LA-11747, and LA-11748). These reports include broad studies of the City of Los Angeles and the Los Angeles Basin and do not specifically address the project site.

LA-10568

In 1987, Johnson Heumann Research Associates (consultants) conducted a broad built environmental resources study throughout the City of West Hollywood (City) in support of the City’s efforts to prepare a comprehensive historic preservation program for the City’s historic resources. The consultant, along with a team of volunteers, conducted a windshield survey of the entire 1.9 square miles of the City. The focus of the survey was on conducting inventories of architecture from the pre-World War II era; however, outstanding examples of post-war architecture were also considered. While the entire City, and therefore the project site, was considered in the citywide survey, the subject properties within the project site were not among the resources identified as being either listed in or potentially eligible for the NRHP. Additionally, five potential conservation zones were identified as a result of the study. The project site is neither within nor in close proximity to any of the potential conservation zones.

LA-11005

In 2010, Cogstone Resource Management Inc. (Cogstone) conducted a historic property study in support of the Los Angeles County Metropolitan Transportation Authority’s (Metro) Westside Subway Extension Project. The project proposed new transit corridors and line extensions as part of Metro’s expansion program throughout the Cities of

Los Angeles, West Hollywood, Beverly Hills, and Santa Monica, as well as within unincorporated portions of Los Angeles County near the Veteran Affairs Greater Los Angeles Healthcare System (Cogstone 2010). A number of alternatives were considered for the project. Alternatives 4 and 5 would include the Santa Monica/Fairfax Station, which would extend from just east of Fairfax Avenue to just east of Ogden Drive, essentially overlapping the current project site. The Area of Potential Effect (APE) for the Metro project included the project site and extended one parcel past it. As a result of the study, 91 historic-period properties were recorded and evaluated within the APE which appeared either eligible for listing in the NRHP and CRHR and/or contributing resources to existing or potential historic districts. The study also noted 221 non-significant historic-period properties within the APE. While the area of the current project site was included within the Metro project APE at Santa Monica/Fairfax Station, the subject properties within the current project site were not among the study's documented significant and non-significant resources.

Previously Recorded Cultural Resources

According to the SCCIC records, there are no previously recorded cultural resources located within the project site. There are 17 previously recorded resources within one-half mile of the project site. These resources consist entirely of historic period built environment resources. Included among these resources are six significant historic-period properties listed on the NRHP. These consist of three multi-family residences, a community building, and a designated historic district all constructed throughout the 1920s. Specifically, these resources are the El Greco Apartment Complex (P-19-166804), the Mi Casa Apartment Complex (P-19-176746), the Ramona Apartment Complex (P-19-190041), the Community Clubhouse building (P-19-190575), the North Harper Avenue Historic District (P-19-180739), and the Patio del Moro courtyard complex (P-19-176743) which is also a contributing element to an historic district. Five additional historic-period properties appear individually eligible for listing to the NRHP, CRHR, and/or local government. These resources consist of the Linick-Weisman House (P-19-003173), an unnamed 1920s commercial building (P-19-171024), Plummer Park, site of the Plummer House, also designated the "oldest house in Hollywood" (P-19-173142), an unnamed early twentieth century residential property (P-19-176820), and a mid-twentieth century educational building (P-19-186979). Two additional commercial buildings (P-19-187439 and P-19-188519), the Villa Rosa Apartment building (P-19-188459), and the Fairfax Substation (P-19-191945), are not eligible for the NRHP. The remaining two resources consist of commercial buildings from the 1920s, of which, neither has been evaluated for historical significance. These resources include an unnamed commercial building (P-19-171022) and the Campbell building (P-19-171023).

There are an additional 107 unmapped built environment resources included in the Californian Historic Property Data file within one-half mile of the project site. Of these, 39 resources are on or eligible for the NRHP or CRHR. There are also two unmapped built environment resources listed as Los Angeles Historic-Cultural Monuments within the one-half mile search radius surrounding the project site.

City of West Hollywood Cultural Resources

Dudek reviewed the City of West Hollywood Register of Cultural Resources (Register) and the City of West Hollywood's Cultural Resources database (database) to determine if the parcels comprising the project site (7811 Santa Monica Blvd, 1114 North Orange Grove Ave, and 1125 North Ogden Drive) have been designated or found eligible for listing in a recent historical resources survey of the City of West Hollywood. The Register includes information on designated resources within the City boundaries. None of the properties comprising the project site are listed in the Register.

The database includes information on designated properties as well as properties included in the citywide Commercial Survey of non-residential properties completed in 2016. Information on properties surveyed during historical resources surveys conducted prior to 2016 is available in individual survey reports available on the City's preservation website. 7811 Santa Monica Boulevard was surveyed as part of the citywide Commercial Survey of non-residential properties in 2016 and appears in the database. The property was assigned a status code of 6Z: Found ineligible for NRHP, CRHR or Local designation through survey evaluation. 1114 North Orange Grove Avenue is a parking lot. It does not appear in the database. 1125-1127 North Ogden Drive also does not appear in the database. It was most recently included in a historical resources survey in 2008 as part of the citywide R2, R3, R4 Multi-Family Survey. The property was part of the reconnaissance survey. It appears in the Reconnaissance Matrix of Properties Surveyed and the integrity is noted as "poor" (City of West Hollywood 2008). The multi-family property at 1125-1127 North Ogden Drive was not assigned a status code as part of the 2008 survey.

Native American Coordination

NAHC Sacred Lands File Search

As part of the process of identifying cultural resources within or near the project site, Dudek contacted the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands File (SLF) search on November 4, 2016. The NAHC emailed a response on November 9, 2016, which stated that the SLF search was completed with negative results. Because the SLF search does not include an exhaustive list of Native American cultural resources, the NAHC suggested contacting Native American individuals and/or tribal organizations who may have direct knowledge of cultural resources in or near the project site. The NAHC provided the contact list along with the SLF search results.

Dudek prepared and sent letters to each of the six persons and entities on the contact list requesting information about cultural sites and resources on or near the project site. These letters, mailed on November 15, 2016, contained a brief description of the project, a summary of the SLF search results, and reference maps. Recipients were asked to reply within 15 days of receipt of the letter should they have any knowledge of cultural resources in the area.

Dudek received one response to the initial inquiry letters. Andrew Salas, Chairman of the Gabrieleno Band of Mission Indians – Kizh Nation replied via email on December 14, 2016. Mr. Salas identified the project site as within the ancestral and traditional territories of Kizh Gabrieleno villages. Mr. Salas requested that his Tribe monitor ground-disturbing activities during project implementation. Documents related to the NAHC SLF search and initial Native American outreach efforts are included in Appendix B of the technical report, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, which is included as Appendix C of this RDEIR.

Assembly Bill 52

The project is subject to compliance with Assembly Bill (AB) 52 (Public Resource Code [PRC] 21074) which requires consideration of impacts to "tribal cultural resources" as part of the CEQA process, and requires the City of West Hollywood, the CEQA lead agency for the project, to notify any groups (who have requested notification) of the project who are traditionally or culturally affiliated with the geographic area of the project. Because AB 52 is a government-to-government process, all records of correspondence related to AB 52 notification and any subsequent consultation are on file with the City of West Hollywood. For more information about the AB 52 consultation process, please see Section 3.12, Tribal Cultural Resources, of this RDEIR.

Pedestrian Survey

Dudek Architectural Historian Kara R. Dotter, MSHP, conducted an intensive pedestrian survey of the project site on December 15, 2016. The purpose of the survey was to identify, record, and evaluate any cultural resources located within the project site.

Because the entire project site is developed, intensive archaeological survey methods (i.e., parallel transects) were not warranted. Ms. Dotter examined and photographed all built environment resources (i.e., buildings, structures, and objects) located within the project site. Detailed notes and photographs were taken to thoroughly document the condition of each property, including notes regarding any observed alterations to the buildings and documentation of any character-defining architectural features. Ms. Dotter compiled a detailed physical description of each building on the project site as part of the process of recording the current condition and physical integrity of each building. All buildings within the project site were formally recorded and evaluated for historic significance to determine whether or not they should be considered historical resources for the purposes of CEQA (see Appendix C).

Dudek documented the fieldwork using field notes, digital photography, close-scale field maps, and aerial photographs. All field notes, photographs, and records related to this study are on file at Dudek's Encinitas, California, office.

No archaeological resources were identified as a result of the survey. A total of two buildings constructed over 45 years ago were identified within the project site.

Building Development Research

On December 15, 2016, Ms. Dotter conducted research of building permits and property history related to the project site at the City of West Hollywood Planning Division. Documents reviewed included building permits, proposed change of use applications, and architectural drawings. Additional research sources included the County of Los Angeles Assessor's Office, the University of Southern California Digital Photographs Collection, the California Historical Society, Los Angeles City Directories, US Geological Survey (USGS) topographic maps, Sanborn Fire Insurance maps, and historic aerial photographs.

3.3.2 Relevant Plans, Policies, and Ordinances

Federal

The National Register of Historic Places

The NRHP is the United States' official list of districts, sites, buildings, structures, and objects worthy of preservation. Overseen by the National Park Service, under the U.S. Department of the Interior, the NRHP was authorized under the National Historic Preservation Act, as amended. Its listings encompass all National Historic Landmarks, as well as historic areas administered by the National Park Service.

NRHP guidelines for the evaluation of historic significance were developed to be flexible and to recognize the accomplishments of all who have made significant contributions to the nation's history and heritage. Its criteria are designed to guide state and local governments, federal agencies, and others in evaluating potential entries in the NRHP. For a property to be listed in or determined eligible for listing, it must be demonstrated to possess integrity and to meet at least one of the following criteria:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- a. That are associated with events that have made a significant contribution to the broad patterns of our history
- b. That are associated with the lives of persons significant in our past
- c. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction
- d. That have yielded, or may be likely to yield, information important in prehistory or history

Integrity is defined in NRHP guidance, “How to Apply the National Register Criteria,” as “the ability of a property to convey its significance. To be listed in the NRHP, a property must not only be shown to be significant under the NRHP criteria, but it also must have integrity” (NPS 1990). NRHP guidance further asserts that properties be completed at least 50 years ago to be considered for eligibility. Properties completed fewer than 50 years before evaluation must be proven to be “exceptionally important” criteria consideration to be considered for listing.

Certain properties, such as religious properties, moved properties, birthplaces and graves, cemeteries, reconstructed properties, commemorative properties, and properties achieving significance within the past fifty years are not usually considered for the NRHP, but can be considered if they meet special requirements, called Criteria Considerations, in addition to meeting the regular NRHP criteria requirements. Criteria considerations cannot be applied broadly, and only apply to individual properties.

If a property falls within one of the following categories, it may be considered under the following Criteria Considerations (CFR 36 60):

- a. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. a birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- d. a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, from association with historic events; or
- e. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- f. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- g. a property achieving significance within the past 50 years if it is of exceptional importance.

State

The California Register of Historical Resources

In California, the term “historical resource” includes “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code [PRC], Section 5020.1(j)). In 1992, the California legislature established the CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.” (PRC, Section 5024.1(a).) A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource because it meets one of more of the following criteria:

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

The CRHR requires evaluations of the significance of prehistoric and historical resources. The CRHR protects significant resources by limiting the ability to disturb listed resources and requiring additional environmental review when disturbance is proposed. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

Described as follows, the following California Environmental Quality Act (CEQA) statutes and CEQA Guidelines are relevant to the analysis of archaeological and historical resources:

- PRC Section 21083.2(g): Defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a): Define historical resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of an historical resource.
- PRC Section 21074(a), defines “tribal cultural resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b)–(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historical resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and it may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historical resources, or identified as significant in an historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is an “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(a)). The lead agency is not precluded from determining that a resource is an historical resource even if it does not fall within this presumption (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines, Section 15064.5(b)(1); PRC, Section 5020.1(q)). In turn, the significance of an historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.
4. (CEQA Guidelines, Section 15064.5(b)(2))

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any “historical resources,” then evaluates whether that project will cause a substantial adverse change in the significance of an historical resource such that the resource’s historical significance is materially impaired.

Under CEQA, an Environmental Impact Report is required to evaluate any impacts on unique archaeological resources (PRC, Section 21083.2). A “unique archaeological resource” is defined as:

[A]n archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person. (PRC, Section 21083.2(g))

An impact to a non-unique archaeological resource is not considered a significant environmental impact, and such non-unique resources need not be further addressed in the Environmental Impact Report (PRC, Section 21083.2(a); CEQA Guidelines, Section 15064.5(c)(4)).

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. Described as follows, these procedures are detailed in PRC Section 5097.98.

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner (i.e., the Los Angeles County Coroner) has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of being granted access to the site. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Local

City of West Hollywood Municipal Code

Chapter 19.58 of the City of West Hollywood's Municipal Code describes the City's Cultural Heritage Preservation Ordinance, which was adopted based on the following findings of the City Council:

- A. *Threatened Structures and Sites.* The City Council has determined that the character, history, and spirit of the City, State, and nation are reflected in the historic structures, improvements, natural features, objects, sites, and areas of significance located within the City and that in the face of ever increasing pressures of modernization and urbanization, cultural resources, cultural resource sites, and historic districts located within the City are threatened with alteration, demolition, or removal.
- B. *Preservation of Structures and Sites.* The City Council has further determined that these threatened structures, representing the City's unique cultural, historical, and social foundations, should be preserved as a living part of community life and development in order to build a greater understanding of the city's past and to give future generations the opportunity to appreciate, enjoy, and understand the city's rich heritage.
- C. *Methods of Preservation.* Recognizing that the use of historic preservation measures has become increasingly prevalent as a method for identifying and preserving cultural resources, the city joins with private concerns, the state, and the United States Congress to develop methods of preserving the city's unique aesthetic, architectural, cultural, and historical heritage, in compliance with the provisions of the National Historic Preservation Act of 1966, as amended, and state law (Government Code Section 37361).
- D. (Ord. 01-594 Section 2 (Exhibit A), 2001)

19.58.050 Criteria for Designation of Cultural Resources

The Historic Preservation Commission may approve a nomination application for and recommend designation of, and the Council may designate a cultural resource, or any portion thereof (both interior and exterior) or historic district in compliance with Sections 19.58.060 (Designation of Historic Districts) and 19.58.070 (Review and Approval of Designations) below if it finds that the cultural resource meets one or more of the following criteria.

- A. *Exemplifies Special Elements of the City.* It exemplifies or reflects special elements of the city's aesthetic, architectural, cultural, economic, engineering, political, natural, or social history and possesses an integrity of design, location, materials, setting, workmanship feeling, and association in the following manner:
 - 1. It embodies distinctive characteristics of a period, method, style, or type of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
 - 2. It contributes to the significance of an historic area by being:
 - a. A geographically definable area possessing a concentration of historic or scenic properties; or
 - b. A thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
 - 3. It reflects significant geographical patterns, including those associated with different eras of growth and settlement, particular transportation modes, or distinctive examples of community or park planning; or
 - 4. It embodies elements of architectural design, craftsmanship, detail, or materials that represent a significant structural or architectural achievement or innovation; or
 - 5. It has a unique location or singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the city; or
- B. *Example of Distinguishing Characteristics.* It is one of the few remaining examples in the city, region, state or nation, possessing distinguishing characteristics of an architectural or historical type or specimen; or
- C. *Identified with Persons or Events.* It is identified with persons or events significant in local, state, or national history; or
- D. *Notable Work.* It is representative of the work of a notable architect, builder, or designer.
(Ord. 03-663 Section 4, 2003; Ord. 02-643 Section 48, 2003; Ord. 01-594 Section 2 (Exhibit A), 2001)

19.58.060 Designation of Historic Districts

Except as outlined as follows, the criteria and procedure for designating an historic district shall be the same as for designating individual cultural resources as in Section 19.58.070 (Review and Approval of Designations).

- A. *Historic Resources Survey.* As part of the nomination for designating an historic district, an historic resources survey shall be prepared identifying all contributing resources and non-contributing resources. If not otherwise designated, all cultural resources listed in a designated historical district will be considered "contributing." The survey may also identify contributing landscaping, natural features or sites. The survey shall be reviewed in accordance to the designation procedures listed below. The survey shall identify the manner in which the

proposed district possesses a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development within the period of significance and within the context of the district.

- B. *Finding of Contribution.* Each cultural resource within a proposed historic district must be identified as a contributing resource. If a resource is individually designated, it is then automatically considered a contributing resource within the district that includes it. (Ord. 02-643 Section 49, 2003; Ord. 01-594 Section 2 (Exhibit A), 2001).

3.3.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to cultural resources are based on Appendix G of the CEQA Guidelines. Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to cultural resources would occur if the project would:

CUL-1: Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

CUL-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

CUL-3: Disturb any human remains, including those interred outside of formal cemeteries.

In addition to addressing the above three thresholds, the October 2016 Initial Study identified the potential for impacts to paleontological resources. As such, the following additional threshold is included in the analysis below.

CUL-4: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

3.3.4 Impacts Analysis

Threshold CUL-1. Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

No previously recorded historical resources were identified within the project area as a result of the records search and City of West Hollywood database search. However, two previously unrecorded built environment resources were identified within the project site: the commercial building at 7811 Santa Monica Boulevard (built in 1924), and a small multi-family property (built in 1949) located at 1125–1127 North Ogden Drive. Both resources were recorded and evaluated on the appropriate set of Department of Parks and Recreation (DPR) 523 forms. These DPR forms are provided in Appendix C of this RDEIR. The evaluation considered CRHR and City of West Hollywood historic designation criteria and integrity requirements.

7811 Santa Monica Boulevard

The property at 7811 Santa Monica Boulevard consists of two buildings and a parking lot. The building fronting onto Santa Monica Boulevard is a one-story, load-bearing, red brick commercial building oriented north-south. The roof has a low-sloped flat form surrounded by a brick parapet with decorative angular features. The second building

is attached to the north elevation of and oriented perpendicular to the first building, and exhibits the same roof and parapet characteristics, although it appears to be constructed with concrete masonry units. A portion of the north exterior wall of the first building was removed to allow access to the second building, effectively converting the two separate buildings into a unified structure.

The south (main) elevation has three evenly distributed bays; the west and east bays each contain three large fixed full-lite windows separated by narrow mullions, whereas the center bay contains two large fixed full-lite windows flanking a centered full-lite glass door with a large fixed full-lite window flanking either side. The western window of the center bay is narrower than the other windows, due to incorporation of a mail slot into the window which necessitated replacing a vertical section of glass with wood. The front façade is capped with a parapet designed in a stair-step fashion, displaying a subtle nod to Art Deco.

The subject property has undergone numerous exterior alterations that have greatly impacted the integrity of its original design and form, including a change of use from an industrial property to a commercial property. Additionally, research failed to indicate any significant historical associations.

In consideration of CRHR and NRHP criteria, the subject property is not known to be associated with any significant persons or events. Therefore, it does not appear eligible under Criteria A/1 or B/2. The property is also not significant for its architectural merits since it has been substantially altered over time and no longer reflects a distinct architectural style. Therefore, the property does not appear eligible under Criteria C/3. Finally, there is no indication the subject property will yield any information important in prehistory or history. Therefore, the property does not appear eligible under Criteria D/4.

In consideration of City of West Hollywood designation criteria, the subject property does not exemplify special elements of the City (City Criterion A), nor does it represent a rare example of an architectural type or specimen (City Criterion B). Further, background research failed to reveal any associations with the building and any significant persons or events (City Criterion C). Finally, the building is not representative of the work of a notable architect, builder, or designer (City Criterion D).

In 2016, 7811 Santa Monica Boulevard was surveyed as part of the citywide Commercial Survey of non-residential properties. The property was assigned a status code of 6Z: Found ineligible for NRHP, CRHR or Local designation through survey evaluation.

1125–1127 North Ogden Drive

The subject property consists of a one-story single-family residence attached by a one-story room to a two-story multi-family building housing six apartments. An asphalt driveway runs along the south edge of the parcel, leading to a small resident parking area at the rear.

The single-family residence is at the front of the property, facing east onto North Ogden Drive. Designed in the minimal traditional style, the building is roughly square in plan with stucco walls and a complex low-sloped hipped roof covered in composition shingles. There's also a subtle nod to the streamline modern style in the presence of a belt course located about one-third high on each exterior wall; inclusion of a small octagonal window on the south elevation; and the placement of windows at corners creating a wrap-around effect. All of the rectangular windows are covered by security bars. The east (main) elevation contains a centered front door obscured by a security door, and a one-over-one double-hung wood-framed window at the extreme north and south ends of the façade. A small concrete front stoop accessed by two steps leads to the front door, which is sheltered by the roof corner. The roof

corner is supported by two 4-inch by 4-inch wood columns. The belt course is wood, and on the north half of the front façade it is topped by a band of tiles (four rows of 1x1 in. tiles topped with a row of 1x6 in. rectangular tiles).

The subject property has undergone exterior alterations that have greatly impacted the integrity of its original design and form. Additionally, research failed to indicate any significant historical associations.

In consideration of CRHR and NRHP criteria, the subject property is not known to be associated with any significant persons or events. Therefore, it does not appear eligible under Criteria A/1 or B/2. The property is also not significant for its architectural merits and has been substantially altered from its original Minimal Traditional design. Therefore, the property does not appear eligible under Criteria C/3. Finally, the subject property is not likely to yield any information important in prehistory or history. Therefore, the property does not appear eligible under Criteria D/4.

In consideration of City of West Hollywood designation criteria, the subject property does not exemplify special elements of the City (City Criterion A), nor does it represent a rare example of an architectural type or specimen (City Criterion B). Further, background research failed to reveal any associations with the building and any significant persons or events (City Criterion C). Finally, the building is not representative of the work of a notable architect, builder, or designer (City Criterion D).

1125–1127 North Ogden Drive was most recently included in a historical resources survey in 2008 as part of the citywide R2, R3, R4 Multi-Family Survey. It appears in the Reconnaissance Matrix of Properties Surveyed and the integrity is noted as “poor” (City of West Hollywood 2008). The multi-family property at 1125-1127 North Ogden Drive was not assigned a status code as part of the 2008 survey.

Summary

As a result of the evaluations, both resources were found not eligible for the CRHR and local landmark designation due to a lack of important historical associations and architectural significance, and compromised integrity. No buildings on the project site have been identified as historical resources in the most recent citywide surveys (Commercial Resources completed in 2016 and R2, R3, R4 Multi-Family Survey completed in 2008). These buildings are not considered historical resources under CEQA and no mitigation is required. Further, none of the properties adjacent to the project site on Santa Monica Blvd were identified as eligible in the Commercial Survey 2016 and there are no identified historical resources on properties adjacent to the project site that would be indirectly impacted by the project. Therefore, construction and operation of the project would not cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5, and impacts are considered **less than significant**. No mitigation is required.

Threshold CUL-2. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

No previously recorded archaeological resources were identified within the project area as a result of the records search. Nor were any archaeological resources identified in close proximity to the project area. Further, no archaeological resources were identified within the project area as a result of the pedestrian survey (the entire project area is developed and contains no exposed ground surface). However, the potential exists for unknown archaeological resources to be inadvertently unearthed during earth-moving activities associated with construction of the project. In the unexpected event that construction activities unearth intact cultural or archaeological materials, a potentially significant impact could result, and as such, mitigation would be required. Mitigation Measure (MM)-CUL-1, which requires halting all construction work occurring within 100 feet of the discovery of cultural or archaeological materials until a qualified archaeologist, meeting the Secretary of the Interior’s

Professional Qualification Standards, evaluates the significance of the find and determines whether or not additional study is warranted, would reduce this potentially significant impact to a level of less than significant. Therefore, impacts to archaeological resources would be **less than significant with mitigation incorporated** during construction. During operations, no ground disturbing activities would occur, thus, impacts would be **less than significant** to archaeological resources.

Threshold CUL-3. Would the project disturb any human remains, including those interred outside of formal cemeteries?

No prehistoric or historic burials were identified within the project area as a result of the records search. However, the possibility of encountering human remains within the project area exists. The discovery of human remains would require handling in accordance with Public Resources Code 5097.98, which states that in the event that human remains are discovered during construction, construction activity shall be halted and the area shall be protected until consultation and treatment can occur as prescribed by law. In the unexpected event that human remains are unearthed during construction activities, impacts would be potentially significant, and as such, mitigation measures are required. With implementation of MM-CUL-2, which requires notification of the Los Angeles County Coroner if human remains are found, impacts would be **less than significant with mitigation incorporated** during construction. During operations, no ground disturbing activities would occur, thus, impacts would be **less than significant** to human remains.

Threshold CUL-4. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project area is located within the northern portion of the Los Angeles Basin, which primarily consists of marine clastic and organic sedimentary strata of the middle Miocene to recent epoch (14.5 to 1.7 million years ago). There also exists igneous rocks of the middle Miocene epoch. The lower sequence typically consists of marine sandstone, siltstone, and minor amounts of conglomerate that were deposited in a shallow marine environment. Specifically, the project area contains two recorded geologic units: Quaternary older alluvium and Pleistocene non-marine sediments, representing alluvial sediments between 5,000 to 10,000 years old that are derived from the nearby Santa Monica Mountains. Underneath the alluvial sediments lies the Upper Pleistocene Lakewood Formation, which consists of older alluvial deposits.

According to the records search results letter from the Natural History Museum of Los Angeles County (LACM), past construction-related grading and trenching activities in the area surrounding the project site encountered paleontological resources. Previously discovered fossils in the area were in older Quaternary age sedimentary deposits known as the Palos Verdes Sand. The closest localities are from the North Outfall Sewer project (LACM 2034 [=3261] and 3371). LACM 2034 [3261] is located south-southwest of the project site, near the intersection of Beverly Boulevard and Kilkea Drive, and yielded specimens of mastodon (*Mammuthus americanum*) and mammoth (*Mammuthus*) at an unknown depth. LACM 3371 is located south-southeast of the project site, near the intersection of Sierra Bonita Avenue and Oakwood Avenue, and produced specimens of prehistoric bison (*Bison antiquus*) at a depth of 12 feet below the ground surface (bgs).

Due south, during construction of The Grove, a Pleistocene age assemblage (LACM 7495) consisting of micro vertebrates (e.g., turtle, snake, rabbit, and rodent) and megafaunal (horse, bison, camel, and mammoth) remains was recovered at 10 feet bgs, with a second locality (LACM 7478) yielding additional rodent specimens (e.g., pocket gopher) at a depth of 46 feet bgs. Localities LACM 7513-7516 from the Park La Brea to the south included fossil specimens of snake, sloth, rabbit, rodent, skunk, horse, and camel at relatively shallow depths of 3 feet bgs. Near the intersection of Third Street and Edinburgh Avenue, locality LACM 1268 yielded a specimen of undetermined

elephant (e.g., Proboscidea) at a depth of 20 feet bgs. A fossil horse specimen was recovered at an unknown depth from locality LACM 7673 near the intersection of Rosewood Avenue and Westbourne Drive west-southwest of the project site. Localities LACM 7671-7672 yielded fossil specimens of mastodon and deer, also from an unknown depth, along San Vicente Avenue between Third Street and Colgate Avenue, southwest of the project site. Near the intersection of La Cienega Boulevard and Oakwood Avenue, west-southwest of the project site, locality LACM 7966 yielded an assemblage containing fossil plant, invertebrate, and vertebrate remains. It is likely that at least some fossilized remains may be encountered during grading within the project site.

The project site is located within an area that has been previously developed and is likely underlain by fill materials, at least in part. While the site has been heavily disturbed by urban development over the years, intact paleontological resources may be present below the original layer of fill material. Given the proximity of past fossil discoveries in the surrounding area and the underlying alluvial fan deposits, the project site is moderately to highly sensitive for supporting paleontological resources. In the event that intact paleontological resources are located on the project site, ground-disturbing activities associated with construction of the project, such as grading during site preparation, have the potential to destroy a unique paleontological resource or site. Without mitigation, the potential damage to paleontological resources during construction would be a significant impact. However, upon implementation of mitigation measure MM-CUL-3, which requires that the Paleontology Monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources in the event of a find, impacts would be reduced to below a level of significance. Therefore, impacts are considered **less than significant with mitigation incorporated** during construction.

3.3.5 Mitigation Measures

The following mitigation measures would reduce potentially significant impacts to archaeological resources, paleontological resources, and human remains to a less-than-significant level.

MM-CUL-1 Inadvertent Discovery of Archaeological Resources

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted. The purpose of an archaeological treatment plan is to outline a program of treatment and mitigation as well as the proper protocols and procedures to be followed in the case of an inadvertent discovery of cultural resources. Pursuant to CEQA and standard archaeological practice, should an archaeological resource be discovered, both the horizontal and vertical extent should be delineated through subsurface testing as well as determining the significance of the resource as defined by CEQA. If the resource is determined significant in accordance with CEQA criteria and the resource cannot be feasibly avoided, mitigation will be necessary and may include data recovery excavations to recover a representative sample of data from the resource.

MM-CUL-2 Inadvertent Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

MM-CUL-3 Paleontological Mitigation Program

Prior to commencement of any grading activity on site, the applicant shall retain a qualified paleontologist or their representative, subject to the review and approval of the City's Building Official or qualified designee, to serve as the Paleontological Monitor. The qualified paleontologist shall attend the preconstruction meeting and be on site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths of 5 to 10 feet below the ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the Paleontology Monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the Paleontological Monitor will remove the rope and allow grading to recommence in the area of the find. The Paleontological Monitor shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).

3.3.6 Level of Significance After Mitigation

Implementation of mitigation measures MM-CUL-1 through MM-CUL-3 would ensure that all cultural resources impacts after mitigation are **less than significant**. These are industry standard mitigation measures applied in many similar projects on similar properties in urban and built out areas, and based on past experience, have proven effective. Should any unanticipated archaeological or paleontological discoveries be made during project construction, MM-CUL-1 through MM-CUL-3 provide adequate protection for the affected resources by ensuring that construction work will halt, and professional resource specialists will be consulted to investigate the discovery prior to any additional ground-disturbing work taking place in the vicinity of the find.

3.3.7 References Cited

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3.4 Greenhouse Gas Emissions

This section describes existing climate change and greenhouse gas (GHG) emissions issues, identifies associated regulatory requirements, evaluates potentially adverse impacts related to GHG emissions during construction and operation of the project related to implementation of the revised Bond Project (“proposed project” or “revised project”).

3.4.1 Environmental Setting

Climate Change Overview

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, lasting for an extended period of time (decades or longer). The Earth’s temperature depends on the balance between energy entering and leaving the planet’s system. Many factors, both natural and human, can cause changes in Earth’s energy balance, including variations in the sun’s energy reaching Earth, changes in the reflectivity of Earth’s atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth’s atmosphere (EPA 2017a).

The greenhouse effect is the trapping and build-up of heat in the atmosphere (troposphere) near the Earth’s surface. The greenhouse effect traps heat in the troposphere through a threefold process as follows: Short-wave radiation emitted by the Sun is absorbed by the Earth, the Earth emits a portion of this energy in the form of long-wave radiation, and GHGs in the upper atmosphere absorb this long-wave radiation and emit it into space and toward the Earth. The greenhouse effect is a natural process that contributes to regulating the Earth’s temperature and creates a pleasant, livable environment on the Earth. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the Earth’s surface temperature to rise.

The scientific record of the Earth’s climate shows that the climate system varies naturally over a wide range of time scales and that, in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by natural causes, such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. Recent climate changes, in particular the warming observed over the past century, however, cannot be explained by natural causes alone. Rather, it is extremely likely that human activities have been the dominant cause of that warming since the mid-twentieth century and are the most significant driver of observed climate change (IPCC 2014; EPA 2017a). Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system (IPCC 2014). The global atmospheric concentrations of GHGs have increased to levels unprecedented in the last 800,000 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2014). Continued emissions of GHGs will cause further warming and changes in all components of the climate system on a global level, which is discussed further in the subsequent section titled “Potential Effects of Climate Change.”

Greenhouse Gases

A GHG is any gas that absorbs infrared radiation in the atmosphere; in other words, GHGs trap heat in the atmosphere. As defined in California Health and Safety Code section 38505(g), for purposes of administering many of the state’s primary GHG emissions reduction programs, GHGs include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen

trifluoride (NF₃) (see also State of California Environmental Quality Act (CEQA) Guidelines, Section 15364.5).¹ Some GHGs, such as CO₂, CH₄, and N₂O, occur naturally and are emitted into the atmosphere through natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Manufactured GHGs, which have a much greater heat-absorption potential than CO₂, include fluorinated gases, such as HFCs, PFCs, and SF₆, which are associated with certain industrial products and processes. The following paragraphs provide a summary of the GHGs and their sources that are evaluated in this analysis.²

Carbon Dioxide. CO₂ is a naturally occurring gas and a by-product of human activities and is the principal anthropogenic (human-caused) GHG that affects the Earth's radiative balance. Natural sources of CO₂ include respiration of bacteria, plants, animals, and fungus; evaporation from oceans; volcanic out-gassing; and decomposition of dead organic matter. Human activities that generate CO₂ are from the combustion of fuels such as coal, oil, natural gas, and wood, and changes in land use.

Methane. CH₄ is produced through both natural and human activities. CH₄ is a flammable gas and is the main component of natural gas. Methane is produced through anaerobic (without oxygen) decomposition of waste in landfills, flooded rice fields, animal digestion, decomposition of animal wastes, production and distribution of natural gas and petroleum, coal production, and incomplete fossil fuel combustion.

Nitrous Oxide. N₂O is produced through natural and human activities, mainly through agricultural activities and natural biological processes, although fuel burning and other processes also create N₂O. Sources of N₂O include soil cultivation practices (microbial processes in soil and water), especially the use of commercial and organic fertilizers, manure management, industrial processes (such as in nitric acid production, nylon production, and fossil-fuel-fired power plants), vehicle emissions, and using N₂O as a propellant (such as in rockets, racecars, and aerosol sprays).

Global Warming Potential

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, or when a gas affects atmospheric processes that alter the radiative balance of the Earth (e.g., affect cloud formation or albedo) (EPA 2018b). The Intergovernmental Panel on Climate Change (IPCC) developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of 1 kilogram of a trace substance relative to that of 1 kilogram of a reference gas (IPCC 2014). The reference gas used is CO₂; therefore, GWP-weighted emissions are measured in metric tons of CO₂ equivalent (MT CO₂e).

The current version of California Emissions Estimator Model (CalEEMod) (version 2020.4.0) assumes that the GWP for CH₄ is 25 (so emissions of 1 MT of CH₄ are equivalent to emissions of 25 MT of CO₂), and the GWP for N₂O is 298, based on the IPCC Fourth Assessment Report (IPCC 2007). While this GHG analysis uses a spreadsheet model because CalEEMod is the industry standard emission estimator model, the GWP values identified in CalEEMod were applied to the Project.

¹ Climate-forcing substances include GHGs and other substances such as black carbon and aerosols. This discussion focuses on the three GHGs that are estimated in the California Emissions Estimator Model (CalEEMod) as impacts associated with other climate-forcing substances are not evaluated herein.

² The descriptions of GHGs are summarized from the Intergovernmental Panel on Climate Change (IPCC) Second Assessment Report (IPCC 1995), IPCC Fourth Assessment Report (IPCC 2007), CARB's "Glossary of Terms Used in GHG Inventories" (CARB 2018), and EPA's "Glossary of Climate Change Terms" (EPA 2016).

Sources of Greenhouse Gas Emissions

National and State Inventories

Per the U.S. Environmental Protection Agency (EPA) Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2019 (EPA 2021), total United States GHG emissions were approximately 6,558.3 million metric tons (MMT) CO_{2e} in 2019 (EPA 2021). The primary GHG emitted by human activities in the United States was CO₂, which represented approximately 80.1% of total GHG emissions (5,255.8 MMT CO_{2e}). The largest source of CO₂, and of overall GHG emissions, was fossil-fuel combustion, which accounted for approximately 92.4% of CO₂ emissions in 2019 (4,856.7 MMT CO_{2e}). Relative to 1990, gross United States GHG emissions in 2019 were 1.8% higher; however, the gross emissions were down from a high of 15.6% above 1990 levels in 2007. GHG emissions decreased from 2018 to 2019 by 1.7% (113.1 MMT CO_{2e}) and overall, net emissions in 2019 were 13% below 2005 levels (EPA 2021).

According to California’s 2000–2019 GHG emissions inventory (2021 edition), California emitted 418 MMT CO_{2e} in 2019, including emissions resulting from out-of-state electrical generation (CARB 2021a). The sources of GHG emissions in California include transportation, industry, electric power production from both in-state and out-of-state sources, residential and commercial activities, agriculture, high GWP substances, and recycling and waste. The California GHG emission source categories and their relative contributions in 2019 are presented in Table 3.4-1.

Table 3.4-1. Greenhouse Gas Emissions Sources in California

Source Category	Annual GHG Emissions (MMT CO _{2e})	Percent of Total ^a
Transportation	166.1	39.7%
Industrial	88.2	21.1%
Electric power	58.8	14.1%
Commercial and Residential	43.8	10.5%
Agriculture	31.8	7.6%
High global-warming potential substances	20.6	4.9%
Recycling and waste	8.9	2.1%
Total	418.2	100%

Source: CARB 2021a.

Notes: GHG = greenhouse gas; MMT CO_{2e} = million metric tons of carbon dioxide equivalent. Emissions reflect the 2018 California GHG inventory.

^a Percentage of total has been rounded, and total may not sum due to rounding.

Local Inventory

In December 2021, the City adopted “WeHo Climate Action,” which is the Climate Action and Adaptation Plan (2021 CAAP) for the City; it outlines the City’s intended path to achieve carbon neutrality by the year 2035 and maintain net-negative emissions thereafter. The 2021 CAAP community-scale inventory includes emissions that are generated due to activities within the City’s boundaries, which are organized into six categories: Stationary Energy, Transportation, Waste and Wastewater, Product Use, Urban Forestry, and other Scope 3 Emissions (from electricity use for water and wastewater treatment) summarized in Table 3.4-2.

Table 3.4-2. City of West Hollywood Baseline Greenhouse Gas Emissions Inventory (2018)

Emissions Sector	Scope	Annual GHG Emissions (MT CO ₂ e/year)	Percent of Total ^a
Stationary Energy (Electricity)	2 and 3	73,712	33%
Stationary Energy (Gas)	1	54,112	24%
On-road Transportation	1,2 and 3	66,194	30%
Product Use	1	13,090	6%
Solid Waste	3	7,021	3%
Wastewater Treatment	3	676	.5%
Urban Trees	1	-255	N/A
Total	—	214,551	—
Water Supply and Treatment	3	—	3%
Wastewater Treatment	3	—	.5%
Total (with other Scope 3)^a	—	221,361	100%

Source: City of West Hollywood 2021.

Notes: GHG = greenhouse gas; MT CO₂e = metric tons of carbon dioxide equivalent per year.

^a Total may not sum due to rounding.

As shown on Table 3.4-2, the primary generators of GHGs in the City were attributed to stationary energy and transportation uses, accounting for 57% and 30% of the City's GHG emissions in 2018, respectively. Product uses accounted for approximately 6%, and wastewater treatment, solid waste, and water supply accounted for the remaining 6% of the City's GHG emissions.

Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through uncertain impacts related to future air temperatures and precipitation patterns. The 2014 *Intergovernmental Panel on Climate Change Synthesis Report* indicated that warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. Signs that global climate change has occurred include warming of the atmosphere and ocean, diminished amounts of snow and ice, rising sea levels, and ocean acidification (IPCC 2014).

In California, climate change impacts have the potential to affect sea-level rise, agriculture, snowpack and water supply, forestry, wildfire risk, public health, frequency of severe weather events, and electricity demand and supply. The primary effect of global climate change has been a rise in average global tropospheric temperature. Reflecting the long-term warming trend since pre-industrial times, observed global mean surface temperature for the decade 2006–2015 was 0.87 °C (likely between 0.75 °C and 0.99 °C) higher than the average over the 1850–1900 period (IPCC 2018). Scientific modeling predicts that continued emissions of GHGs at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Human activities are estimated to have caused approximately 1.0 °C (1.8 degrees Fahrenheit (°F)) of global warming above pre-industrial levels, with a likely range of 0.8 °C to 1.2 °C (1.4 °F to 2.2 °F) (IPCC 2018). Global warming is likely to reach 1.5 °C (2.7 °F) between 2030 and 2052 if it continues to increase at the current rate (IPCC 2018).

Although climate change is driven by global atmospheric conditions, climate change impacts are felt locally. A scientific consensus confirms that climate change is already affecting California. The Office of Environmental Health

Hazard Assessment identified various indicators of climate change in California, which are scientifically-based measurements that track trends in various aspects of climate change. Many indicators reveal discernable evidence that climate change is occurring in California and is having significant, measurable impacts in the state. Changes in the state's climate have been observed including an increase in annual average air temperature with record warmth from 2012 to 2016, more frequent extreme heat events, more extreme drought, a decline in winter chill, an increase in cooling degree days and a decrease in heating degree days, and an increase in variability of statewide precipitation (OEHHA 2018).

Warming temperatures and changing precipitation patterns have altered California's physical systems – the ocean, lakes, rivers and snowpack – upon which the state depends. Winter snowpack and spring snowmelt runoff from the Sierra Nevada and southern Cascade Mountains provide approximately one-third of the state's annual water supply. Impacts of climate on physical systems have been observed such as high variability of snow-water content (i.e., amount of water stored in snowpack), decrease in snowmelt runoff, glacier change (loss in area), rise in sea levels, increase in average lake water temperature and coastal ocean temperature, and a decrease in dissolved oxygen in coastal waters (OEHHA 2018).

Impacts of climate change on biological systems, including humans, wildlife, and vegetation, have also been observed including climate change impacts on terrestrial, marine, and freshwater ecosystems. As with global observations, species responses include those consistent with warming: elevational or latitudinal shifts in range, changes in the timing of key plant and animal life cycle events, and changes in the abundance of species and in community composition. Humans are better able to adapt to a changing climate than plants and animals in natural ecosystems. Nevertheless, climate change poses a threat to public health as warming temperatures and changes in precipitation can affect vector-borne pathogen transmission and disease patterns in California as well as the variability of heat-related deaths and illnesses. In addition, since 1950, the area burned by wildfires each year has been increasing.

The California Natural Resources Agency (CNRA) has released four California Climate Change Assessments (2006, 2009, 2012, and 2018), which have addressed the following: acceleration of warming across the state, more intense and frequent heat waves, greater riverine flows, accelerating sea level rise, more intense and frequent drought, more severe and frequent wildfires, more severe storms and extreme weather events, shrinking snowpack and less overall precipitation, and ocean acidification, hypoxia, and warming. To address local and regional governments need for information to support action in their communities, the Fourth Assessment (2018) includes reports for nine regions of the state, including the Los Angeles Region, where the project is located. Key projected climate changes for the Los Angeles Region include the following (CNRA 2018):

- Continued future warming over the Los Angeles region. Across the region, average maximum temperatures are projected to increase around 4 °F to 5 °F by the mid-century, and 5 °F to 8 °F by the late-century.
- Extreme temperatures are also expected to increase. The hottest day of the year may be up to 10 °F warmer for many locations across the Los Angeles region by the late-century under certain model scenarios. The number of extremely hot days is also expected to increase across the region.
- Despite small changes in average precipitation, dry and wet extremes are both expected to increase. By the late 21st century, the wettest day of the year is expected to increase across most of the Los Angeles region, with some locations experiencing 25% to 30% increases under certain model scenarios. Increased frequency and severity of atmospheric river events are also projected to occur for this region.
- Sea levels are projected to continue to rise in the future, but there is a large range based on emissions scenario and uncertainty in feedbacks in the climate system. Roughly 1 foot to 2 feet of sea level rise is

projected by the mid-century, and the most extreme projections lead to 8 feet to 10 feet of sea level rise by the end of the century.

- Projections indicate that wildfire may increase over southern California, but there remains uncertainty in quantifying future changes of burned area over the Los Angeles region.

Existing Site Conditions

Emissions from the existing land uses were estimated using CalEEMod to present the net change in GHG emissions. The estimation of operational emissions generated under existing conditions was based on approximately 10,000 square feet of gym, 7 dwelling units in a mid-rise complex, and 72 surface parking spots currently on site. See Section 3.4.4, Methodology, for a description of the methodology and assumptions applied to estimate GHG emissions from the existing use of the project site.

3.4.2 Relevant Plans, Policies, and Ordinances

International

United Nations Framework Convention on Climate Change, Kyoto Protocol, and Paris Agreement

In 1992, numerous countries joined an international treaty, the United Nations Framework Convention on Climate Change (UNFCCC), as a framework for international cooperation to combat climate change by limiting average global temperature increases and the resulting climate change, and coping with associated impacts. Currently, there are 197 Parties (196 States and 1 regional economic integration organization) in the UNFCCC (UNFCCC 2019).

By 1995, countries launched negotiations to strengthen the global response to climate change, and, two years later, adopted the Kyoto Protocol, which was the first international agreement to regulate GHG emissions. The Kyoto Protocol legally binds developed country Parties to emission reduction targets. The Protocol's first commitment period started in 2008 and ended in 2012. The second commitment period began on January 1, 2013 and ended in 2020. More than 160 countries signed the Kyoto Protocol (UNFCCC 2019). In 2001, President George W. Bush indicated that he would not submit the treaty to the United States of America (U.S.) Senate for ratification, which effectively ended the U.S. involvement in the Kyoto Protocol.

The 2015 Paris Agreement, adopted in Paris on December 12, 2015, marks the latest step in the evolution of the UN climate change regime and builds on the work undertaken under the Convention. The Paris Agreement charts a new course in the global effort to combat climate change. The Paris Agreement central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5°C (UNFCCC 2019). The Paris Agreement also aims to strengthen the ability of countries to deal with the impacts of climate change. The Paris Agreement requires all Parties to put forward their best efforts through nationally determined contributions and to strengthen these efforts in the years ahead.

The Paris Agreement entered into force on November 4, 2016, thirty days after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total global GHG emissions have deposited their instruments of ratification, acceptance, approval or accession with the Depository (UNFCCC 2019). On June 2, 2017 President Donald Trump announced his intention to withdraw from the Paris Agreement, which was formally recognized on November 4, 2019. President Joe Biden re-joined the Paris Agreement on January 21, 2021, which was accepted by the United Nations; the United States was formally re-entered into the Paris Agreement on February 29, 2021.

Federal

Massachusetts v. U.S. Environmental Protection Agency

On April 2, 2007, in *Massachusetts v. U.S. Environmental Protection Agency*, the U.S. Supreme Court ruled that CO₂ was a pollutant and directed the EPA administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In making these decisions, the EPA administrator is required to follow the language of Section 202(a) of the Clean Air Act. On December 7, 2009, the administrator signed a final rule with two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act:

- The elevated concentrations of GHGs—CO₂, CH₄, N₂O, hydrofluorocarbons, perfluorocarbons, and SF₆—in the atmosphere threaten the public health and welfare of current and future generations. This is referred to as the “endangerment finding.”
- The combined emissions of GHGs—CO₂, CH₄, N₂O, and hydrofluorocarbons—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is referred to as the “cause or contribute finding.”

These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the Clean Air Act.

Energy Independence and Security Act

On December 19, 2007, President George W. Bush signed the Energy Independence and Security Act of 2007. Among other key measures, the act would do the following to aid in the reduction of national GHG emissions:

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

EPA and National Highway Traffic Safety Administration Joint Final Rule for Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, the Bush Administration issued Executive Order (EO) 13432 in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the National Highway Traffic Safety Administration (NHTSA) issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011; and, in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016 (75 FR 25324–25728).

In 2010, President Obama issued a memorandum directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The

proposed standards projected to achieve 163 grams per mile of CO₂ in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021 (77 FR 62624–63200). On January 12, 2017, EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks (EPA 2017b).

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO₂ emissions by approximately 1.1 billion MT and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program (EPA and NHTSA 2016).

In August 2018, EPA and NHTSA proposed to amend certain fuel economy and GHG standards for passenger cars and light trucks and establish new standards for model years 2021 through 2026. Compared to maintaining the post-2020 standards now in place, the 2018 proposal would increase U.S. fuel consumption by about half a million barrels per day (2%–3% of total daily consumption, according to the Energy Information Administration) and would impact the global climate by 3/1000th of one degree Celsius by 2100 (EPA and NHTSA 2018). California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. Thus, the timing and consequences of the 2018 federal proposal are speculative at this time.

On September 27, 2019, the EPA and NHTSA published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program (84 FR 51310), which became effective November 26, 2019. The Part One Rule revokes California’s authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the EPA and NHTSA issued the Part Two Rule, which went into effect 60 days after being published in the Federal Register. The Part Two Rule sets CO₂ emissions standards and corporate average fuel economy standards for passenger vehicles and light-duty trucks for model years 2021 through 2026. On January 20, 2021, President Joe Biden issued an Executive Order (EO) 13990 on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, which includes review of the Part One Rule by April 2021 and review of the Part Two Rule by July 2021 (The White House 2021).

In response to Executive Order 13990, on December 21, 2021, NHTSA finalized the CAFE Preemption rulemaking to withdraw its portions of the Part One Rule. The final rule concluded that the Part One Rule overstepped the agency’s legal authority and established overly broad prohibitions that did not account for a variety of important state and local interests.

Then, in March 2022, NHTSA established new fuel economy standards that would require an industry-wide fleet average of approximately 49 mpg for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8% annually for model years 2024 and 2025, and 10% annually for model year 2026..

The Inflation Reduction Act of 2022

The Inflation Reduction Act was signed into law by President Biden in August 2022. The bill includes specific investment in energy and climate reform and is projected to reduce GHG emissions within the U.S. by 40% as compared to 2005 levels by 2030. The bill allocates funds to boost renewable energy infrastructure (e.g., solar

panels and wind turbines), includes tax credits for the purchase of electric vehicles, and includes measures that will make homes more energy efficient.

State

The statewide GHG emissions regulatory framework is summarized as follows by category: state climate change targets, building energy, renewable energy and energy procurement, mobile sources, solid waste, water, and other state regulations and goals. The following text describes EOs, assembly bills (ABs), senate bills (SBs), and other regulations and plans that would directly or indirectly reduce GHG emissions. The State's adoption and implementation of various legislation demonstrates California's leadership in addressing the critical challenge of addressing climate change. Of importance, the proposed project and/or users of the proposed project would be required to comply with the various regulatory measures that would reduce GHG emissions, which would reduce the proposed project's contribution to cumulative GHG emissions and associated climate change impacts.

State Climate Change Targets

The state has taken a number of actions to address climate change. These include EOs, legislation, and the California Air Resources Board (CARB) plans and requirements. These are summarized as follows.

EO S-3-05. EO S-3-05 (June 2005) established California's GHG emissions reduction targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels
- By 2020, reduce GHG emissions to 1990 levels
- By 2050, reduce GHG emissions to 80% below 1990 levels

AB 32. In furtherance of the goals established in EO S-3-05, the Legislature enacted AB 32 (Núñez and Pavley). The bill is referred to as the California Global Warming Solutions Act of 2006 (September 27, 2006). AB 32 provided initial direction on creating a comprehensive multiyear program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the state's long-range climate objectives.

EO B-18-12. EO B-18-12 (April 2012) directed state agencies, departments, and other entities under the governor's executive authority to take action to reduce entity-wide GHG emissions by at least 10% by 2015 and 20% by 2020, as measured against a 2010 baseline. EO B-18-12 also established goals for existing state buildings for reducing grid-based energy purchases and water use.

EO B-30-15. EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in EO S-3-05. To facilitate achieving this goal, EO B-30-15 called for CARB to update its Climate Change Scoping Plan: A Framework for Change (Scoping Plan) to express the 2030 target in terms of MMT CO₂e. The EO also called for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets.

SB 32 and AB 197. SB 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030.

EO B-55-18. EO B-55-18 (September 2018) establishes a statewide policy for California to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter. The goal is an addition to the existing statewide targets of reducing the state's GHG emissions. CARB will work with relevant state agencies to ensure that future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.

Assembly Bill 1279. The Legislature enacted AB 1279, the California Climate Crisis Act, in September 2022. The bill declares the policy of the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. Additionally, the bill requires that by 2045, statewide anthropogenic GHG emissions be reduced to at least 85% below 1990 levels.

CARB's Climate Change Scoping Plan. One specific requirement of AB 32 is for CARB to prepare a "scoping plan" for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (Health and Safety Code, Section 38561(a)), and to update the plan at least once every 5 years. In 2008, CARB approved the first scoping plan. The *Climate Change Scoping Plan: A Framework for Change (Scoping Plan)* included a mix of recommended strategies that combined direct regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs calculated to meet the 2020 statewide GHG emission limit and initiate the transformations needed to achieve the state's long-range climate objectives.

In 2014, CARB approved the first update to the Scoping Plan. The *First Update to the Climate Change Scoping Plan: Building on the Framework (First Update)* defined the state's GHG emission reduction priorities for the next 5 years and laid the groundwork to start the transition to the post-2020 goals set forth in EOs S-3-05 and B-16-2012. The *First Update* concluded that California is on track to meet the 2020 target but recommended a 2030 mid-term GHG reduction target be established to ensure a continuum of action to reduce emissions (CARB 2014).

In 2015, as directed by EO B-30-15, CARB began working on an update to the Scoping Plan to incorporate the 2030 target of 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in S-3-05.

In December 2017, CARB adopted the *2017 Climate Change Scoping Plan Update (2017 Scoping Plan)* (CARB 2017). The 2017 Scoping Plan builds on the successful framework established in the initial Scoping Plan and First Update, while identifying new, technologically feasible and cost-effective strategies that will serve as the framework to achieve the 2030 GHG target as established by SB 32 and define the state's climate change priorities to 2030 and beyond.

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and the EOs and establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. A project is considered consistent with the statutes and EOs if it meets the general policies in reducing GHG emissions to facilitate the achievement of the state's goals and does not impede attainment of those goals. As discussed in several cases, a given project need not be in perfect conformity with each and every planning policy or goals to be consistent. A project would be consistent, if it will further the objectives and not obstruct their attainment.

In July 2021, Governor Gavin Newsom directed CARB to accelerate efforts to achieve the state’s climate stabilization and GHG reduction goals, including to “identify a pathway for achieving carbon neutrality a full decade earlier than the existing target of 2045.”

CARB released the *Final 2022 Scoping Plan for Achieving Carbon Neutrality* in November 2022, which outlines the state’s plan to reach carbon neutrality by 2045 or earlier, while also assessing the progress the state is making toward reducing GHG emissions by at least 40 percent below 1990 levels by 2030, as is required by SB 32 and laid out in the Second Update. The carbon neutrality goal requires CARB to expand proposed actions from only the reduction of anthropogenic sources of GHG emissions to also include those that capture and store carbon (e.g., through natural and working lands, or mechanical technologies). The carbon reduction programs build on and accelerate those currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen³ (CARB 2022).

The *2022 Scoping Plan* also emphasizes that there is no realistic path to carbon neutrality without carbon removal and sequestration, and to achieve the state’s carbon neutrality goal, carbon reduction programs must be supplemented by strategies to remove and sequester carbon. Strategies for carbon removal and sequestration include carbon capture and storage (CCS) from anthropogenic point sources, where CO₂ is captured as it leaves a facility’s smokestack and is injected into geologic formations or used in industrial materials (e.g., concrete); and carbon dioxide removal (CDR) from ambient air, through mechanical (e.g., direct air capture with sequestration [DACs]) or nature-based (e.g., management of natural and working lands) applications.

The 2022 Scoping Plan included Appendix D, Local Actions, which includes recommendations intended to build momentum for local government actions that align with the State’s climate goals, with a focus on local GHG reduction strategies (commonly referred to as climate action planning) and approval of new land use development projects, including through environmental review under CEQA. The recommendations provided in Appendix D are non-binding and should not be interpreted as a directive to local governments, but rather as evidence-based analytical tools to assist local governments with their role as essential partners in achieving California’s climate goals. Appendix D recognizes consistency with a CEQA-qualified GHG reduction plan such as a Climate Action Plan as a preferred option for evaluating potential GHG emission impacts under CEQA. Absent a qualified GHG reduction plan, Appendix D provides recommendations for key attributes that residential and mixed-use projects should achieve that would align with the State’s climate goals (CARB 2022). Additional potential threshold options identified when a CEQA-qualified GHG reduction plan is not available included a net-zero threshold and use of air district recommended thresholds of significance.⁴

CARB’s Regulations for the Mandatory Reporting of Greenhouse Gas Emissions. CARB’s Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (17 CCR 95100–95157) incorporated by reference certain requirements that EPA promulgated in its Final Rule on Mandatory Reporting of Greenhouse Gases (40 CFR Part 98). Specifically, Section 95100(c) of the Mandatory Reporting Regulation incorporated those requirements that

³ Green hydrogen refers to hydrogen that is generated by renewable energy or from low-carbon power, and has significantly lower associated carbon emissions than grey hydrogen, which is produced using natural gas and makes up the majority of hydrogen production today. For the purposes of the *Draft 2022 Scoping Plan*, the term “green hydrogen” is not limited to only electrolytic hydrogen produced from renewables.

⁴ The threshold approaches outlined in the 2022 Scoping Plan, Appendix D, are recommendations only and are not requirements; they do not supplant lead agencies’ discretion to develop their own evidence-based approaches for determining whether a project would have a potentially significant impact on GHG emissions.

EPA promulgated in the Federal Register on October 30, 2009; July 12, 2010; September 22, 2010; October 28, 2010; November 30, 2010; December 17, 2010; and April 25, 2011. In general, entities subject to the Mandatory Reporting Regulation that emit more than 10,000 MT CO₂e per year are required to report annual GHGs through the California Electronic GHG Reporting Tool. Certain sectors, such as refineries and cement plants, are required to report regardless of emission levels. Entities that emit more than the 25,000 MT CO₂e per year threshold are required to have their GHG emission report verified by a CARB-accredited third party.

SB 605 and SB 1383. SB 605 (2014) requires CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants (SLCPs) in the state, and SB 1383 (2016) required CARB to approve and implement that strategy by January 1, 2018. SB 1383 also establishes specific targets for the reduction of SLCPs (40% below 2013 levels by 2030 for CH₄ and HFCs, and 50% below 2013 levels by 2030 for anthropogenic black carbon) and provides direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, CARB adopted its SLCP Reduction Strategy in March 2017. The SLCP Reduction Strategy establishes a framework for the statewide reduction of emissions of black carbon, CH₄, and fluorinated gases (CARB 2017b).

AB 1757. AB 1757 (September 2022) requires the CNRA to determine a range of targets for natural carbon sequestration, and for nature-based climate solutions that reduce GHG emissions for future years 2030, 2038, and 2045. These targets are to be determined by no later than January 1, 2024, and are established to support the state's goals to achieve carbon neutrality and foster climate adaptation and resilience.

Building Energy

Title 24, Part 6. Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to ensure new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These regulations are carefully scrutinized and analyzed for technological and economic feasibility (California Public Resources Code, Section 25402(d)) and cost effectiveness (California Public Resources Code, Sections 25402(b)(2) and (b)(3)). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment.

The current Title 24 standards are the 2019 Title 24 Building Energy Efficiency Standards, which became effective January 1, 2020. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2018a). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2018a).

Title 24, Part 11. In addition to the CEC's efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11 of Title 24) is commonly referred to as CALGreen, and establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The 2019 CALGreen standards are the current applicable standards. For nonresidential projects (which the residential portion of the project is subject to), some of the key mandatory CALGreen 2019 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle (EV) charging stations, shade trees, water conserving plumbing fixtures

and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, excavated soil and land clearing debris, and commissioning (24 CCR Part 11).

Title 20. Title 20 of the California Code of Regulations requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. The CEC certifies an appliance based on a manufacturer's demonstration that the appliance meets the standards.

Renewable Energy and Energy Procurement

SB 1078, EO S-14-08, SBX1-2, SB 350, SB 100, and SB 1020. SB 1078 (Sher) (September 2002) established the Renewable Portfolio Standard (RPS) program, which required an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. EO S-14-08 (November 2008) required that all retail suppliers of electricity in California serve 33% of their load with renewable energy by 2020. SB X1 2 expanded the RPS by establishing a renewable energy target of 20% of the total electricity sold to retail customers in California per year by December 31, 2013, and 33% by December 31, 2020, and in subsequent years. SB 350 (October 2015) further expanded the RPS by establishing a goal of 50% of the total electricity sold to retail customers in California per year by December 31, 2030. SB 100 (2018) increased the standards set forth in SB 350 establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030, be secured from qualifying renewable energy sources. SB 100 states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. SB 1020 (September 2022) revises the standards from SB 100, requiring the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035, 95% by December 31, 2040, and 100% by December 31, 2045.

Mobile Sources

State Vehicle Standards (AB 1493 and EO B-16-12). AB 1493 (July 2002) was enacted in a response to the transportation sector accounting for more than half of California's CO₂ emissions. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles that are primarily used for noncommercial personal transportation in the state. The bill required that CARB set GHG emission standards for motor vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004. EO B-16-12 (March 2012) required that state entities under the governor's direction and control support and facilitate the rapid commercialization of zero-emissions vehicles. It ordered CARB, CEC, California Public Utilities Commission, and other relevant agencies to work with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve benchmark goals by 2015, 2020, and 2025. On a statewide basis, EO B-16-12 established a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050. This directive did not apply to vehicles that have special performance requirements necessary for the protection of the public safety and welfare. As explained under the "Federal Vehicle Standards" description above, EPA and NHTSA approved the SAFE Vehicles Rule Part One and Two, which revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. As President Biden issued EO 13990 to review Part One and Part Two of the SAFE Vehicles Rule, this analysis continues to utilize the best available information at this time, as set forth in EMFAC and assumed in CalEEMod.

Heavy Duty Diesel. CARB adopted the final Heavy Duty Truck and Bus Regulation, Title 13, Division 3, Chapter 1, Section 2025, on December 31, 2014, to reduce particulate matter and NO_x emissions from heavy-duty diesel

vehicles. The rule requires particulate matter filters be applied to newer heavier trucks and buses by January 1, 2012, with older vehicles required to comply by January 1, 2015. The rule will require nearly all diesel trucks and buses to be compliant with the 2010 model year engine requirement by January 1, 2023. CARB also adopted an Airborne Toxic Control Measure to limit idling of diesel-fueled commercial vehicles on December 12, 2013. This rule requires diesel-fueled vehicles with gross vehicle weights greater than 10,000 pounds to idle no more than 5 minutes at any location (13 CCR 2485).

EO S-1-07. EO S-1-07 (January 2007, implementing regulation adopted in April 2009) sets a declining LCFS for GHG emissions measured in CO_{2e} grams per unit of fuel energy sold in California. The initial target of the LCFS was to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020 (17 CCR 95480 et seq.). In September 2018, CARB approved amendments for the LCFS that require a 20% reduction in carbon intensity by year 2030.

SB 375. SB 375 (Steinberg) (September 2008) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 requires CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035 and to update those targets every 8 years. SB 375 requires the state's 18 regional metropolitan planning organizations (MPOs) to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP) that will achieve the GHG reduction targets set by CARB.

Advanced Clean Cars Program and Zero-Emissions Vehicle Program. The Advanced Clean Cars (ACC) I program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package of regulations: the Low-Emission Vehicle (LEV) regulation for criteria air pollutant and GHG emissions and a technology forcing regulation for zero-emission vehicles (ZEV) that contributes to both types of emission reductions (CARB 2021b). The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75 percent less smog-forming pollution than the average new car sold in 2015. The ZEV program will act as the focused technology of the ACC I program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018 to 2025 model years.

CARB adopted the ACC II program in August 2022, which establishes the next set of LEV and ZEV requirements for model years after 2025 to contribute to meeting federal ambient air quality ozone standards and California's carbon neutrality standards (CARB 2021b). The main objectives of ACC II are:

1. Maximize criteria and GHG emission reductions through increased stringency and real-world reductions.
2. Accelerate the transition to ZEVs through both increased stringency of requirements and associated actions to support wide-scale adoption and use.

The ACC II rulemaking package also considers technological feasibility, environmental impacts, equity, economic impacts, and consumer impacts. The ACC II regulations were approved by the California Office of Administrative Law (OAL) and became effective on November 30, 2022.

AB 1236. AB 1236 (October 2015) required a city, county, or city and county to approve an application for the installation of EV charging stations, as defined, through the issuance of specified permits, unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily

mitigate or avoid the specific, adverse impact. The bill provided for appeal of that decision to the planning commission, as specified. The bill provided that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of EV charging stations is a matter of statewide concern. The bill required EV charging stations to meet specified standards. The bill required a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017.

EO N-79-20. EO N-79-20 (September 2020) requires CARB to develop regulations as follows: (1) Passenger vehicle and truck regulations requiring increasing volumes of new ZEVs sold in the State towards the target of 100% of in-state sales by 2035; (2) medium- and heavy-duty vehicle regulations requiring increasing volumes of new zero-emission trucks and buses sold and operated in the State towards the target of 100% of the fleet transitioning to zero-emission vehicles by 2045 everywhere feasible and for all drayage trucks to be zero emission by 2035; and (3) strategies, in coordination with other State agencies, the EPA and local air districts, to achieve 100% zero-emission from off-road vehicles and equipment operations in the State by 2035. EO N-79-20 called for the development of a Zero-Emissions Vehicle Market Development Strategy, which was released February 2021, to be updated every 3 years, that ensures coordination and implementation of the EO and outlines actions to support new and used ZEV markets. In addition, the EO specifies identification of near-term actions, and investment strategies, to improve clean transportation, sustainable freight, and transit options; and calls for development of strategies, recommendations, and actions by July 15, 2021, to manage and expedite the responsible closure and remediation of former oil extraction sites as the State transitions to a carbon-neutral economy.

Advanced Clean Trucks (ACT) Regulation. The purpose of the ACT Regulation (June 2020) is to accelerate the market for zero-emission vehicles in the medium- and heavy-duty truck sector and to reduce emissions NO_x, fine particulate matter, TACs, GHGs, and other criteria pollutants generated from on-road mobile sources (CARB 2021c). Requiring medium- and heavy-duty vehicles to transition to zero-emissions technology will reduce health risks to people living in and visiting California and is needed to help California meet established near- and long-term air quality and climate mitigation targets.

Water

EO B-29-15. In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives have become permanent water-efficiency standards and requirements. The EO includes specific directives that set strict limits on water usage in the state.

EO B-37-16. Issued May 2016, EO B-37-16 directed the State Water Resources Control Board (SWRCB) to adjust emergency water conservation regulations through the end of January 2017 to reflect differing water supply conditions across the state. The SWRCB also developed a proposal to achieve a mandatory reduction of potable urban water usage that builds off the mandatory 25% reduction called for in EO B-29-15. The SWRCB and Department of Water Resources will develop new, permanent water use targets that build upon the existing state law requirements that the state achieve 20% reduction in urban water usage by 2020. EO B-37-16 also specifies that the SWRCB permanently prohibit water-wasting practices such as hosing off sidewalks, driveways, and other hardscapes; washing automobiles with hoses not equipped with a shut-off nozzle; using non-recirculated water in a fountain or other decorative water feature; watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and irrigating ornamental turf on public street medians.

EO N-10-21. In response to a state of emergency due to severe drought conditions, EO N-10-21 (July 2021) called on all Californians to voluntarily reduce their water use by 15% from their 2020 levels. Actions suggested in EO N-10-

21 include reducing landscape irrigation, running dishwashers and washing machines only when full, finding and fixing leaks, installing water-efficient showerheads, taking shorter showers, using a shut-off nozzle on hoses, and taking cars to commercial car washes that use recycled water.

Solid Waste

AB 939, AB 341, AB 1826, and SB 1383. In 1989, AB 939, known as the Integrated Waste Management Act (California Public Resources Code, Sections 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. AB 939 mandated a reduction of waste being disposed where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by the year 2000. AB 341 (Chapter 476, Statutes of 2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75% of solid waste generated be source-reduced, recycled, or composted by the year 2020, and annually thereafter. AB 1826 (Chapter 727, Statutes of 2014, effective 2016) requires businesses to recycle their organic waste (i.e., food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste) depending on the amount of waste they generate per week. SB 1383 (Chapter 395, Statutes Of 2016) establishes targets to achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. CalRecycle was granted the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20% of currently disposed edible food is recovered for human consumption by 2025. (CalRecycle 2019)

Regional

South Coast Air Quality Management District

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to estimate emissions and assess impacts, and mitigations for potentially significant impacts. Although air districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues (SCAQMD 2008).

In October 2008, the SCAQMD proposed recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects as presented in its *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold* (SCAQMD 2008). The draft interim CEQA thresholds guidance document was not adopted or approved by the Governing Board. However, in December 2008, the SCAQMD adopted an interim 10,000 MT CO₂e per-year screening level threshold for stationary source/industrial projects for which the SCAQMD is the lead agency (see SCAQMD Resolution No. 08-35, December 5, 2008). However, the SCAQMD has yet to adopt a GHG significance threshold for land use development projects (e.g., residential/commercial projects); therefore, commercial/residential thresholds have not been formally adopted.

Southern California Association of Governments

As noted above, California's 18 MPOs have been tasked with creating SCSs in an effort to reduce the region's vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing, and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the state's 18 MPOs. For the Southern California Association of Governments (SCAG), the state's initial mandated

reductions were set at 8% by 2020 and 13% by 2035. In March 2018, CARB updated the SB 375 targets for SCAG to require 8% reduction by 2020 and a 19% reduction by 2035 in per-capita passenger vehicle GHG emissions.

Pursuant to Government Code Section 65080(b)(2)(B), the SCS must “set forth forecasted development pattern for the region which when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets.” To that end, SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which complies with CARB’s updated emissions reduction targets and meets the requirements of SB 375 by achieving per-capita GHG emissions reductions relative to 2005 of 8% by 2020 and 19% by 2035 (SCAG 2020). In addition, the plan anticipates a 25.7% decrease in time spent in traffic delay per capita and a 5% decrease in daily miles driven per capita from 2016 to 2045. The 2020–2045 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals, and charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for southern Californians. Connect SoCal embodies a collective vision for the region’s future and is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The following are the 2020-2045 RTP/SCS goals (SCAG 2020):

1. Encourage regional economic prosperity and global competitiveness;
2. Improve mobility, accessibility, reliability, and travel safety for people and goods;
3. Enhance the preservation, security, and resilience of the regional transportation system;
4. Increase person and goods movement and travel choices within the transportation system;
5. Reduce GHG emissions and improve air quality;
6. Support healthy and equitable communities;
7. Adapt to a changing climate and support an integrated regional development pattern and transportation network;
8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel;
9. Encourage development of diverse housing types in areas that are supported by multiple transportation options;
10. Promote conservation of natural and agricultural lands and restoration of habitats.

On September 3, 2020, the Regional Council approved of the 2020–2045 RTP/SCS in its entirety (SCAG 2020).

Local

City of West Hollywood General Plan 2035 Infrastructure, Resources, and Conservation

The Infrastructure, Resources, and Conservation Element of the West Hollywood General Plan 2035 (City of West Hollywood 2011b) includes GHG policies intended to reduce the effects of climate change in the City. Key policies include Policy IRC-4.2, which calls for promoting land use patterns and mobility decisions that result in reduced vehicle trips and therefore reduced overall energy use from the transportation sector, and Policy IRC-6.9, which encourages a shift in travel from single-occupant autos to walking, biking, public transit, and ride-sharing.

City of West Hollywood Climate Action and Adaptation Plan

In 2011, the City adopted its first Climate Action Plan (2011 CAP) as part of an implementation measure from the 2035 General Plan. The 2011 CAP set an emissions reduction target of 20% to 25% below 2008 emission levels

by 2035. By 2017, the City implemented 75% of the action items from the 2011 CAP, and by 2018, the City reduced its GHG emissions by 31%, surpassing the 2035 target outlined in the 2011 CAP years ahead of schedule.

The City of West Hollywood's 2021 CAAP recommends a series of 20 climate measures and 60 sub-actions, organized into five areas of focus (City leadership and Governance, Energy, Transportation and Mobility, Zero Waste and Climate Resilience), to enable the City to achieve carbon neutrality by 2035. The five areas of focus set the vision for a sustainable, resilient, and equitable City. Measures define the direction the City will take to realize this vision. Sub-actions identify the specific steps City staff, decision-makers, and stakeholders will take over time in pursuit of these measures.

City of West Hollywood's Green Building Ordinance

On October 1, 2007, the City adopted one of the nation's first mandatory green building ordinances. A key component of the City's Green Building Program was the Green Building Point System for new construction, which offers incentives for projects that achieve exemplary status across a range of sustainable measures. The City's 2021 CAAP includes actions which both strengthen and update the Green Building Ordinance within the Energy section.

3.4.3 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. Based on these thresholds, implementation of the proposed project would have a significant adverse impact related to GHG emissions if it would:

- GHG-1 Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment

- GHG-2 Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

Section 15064.4 of the CEQA Guidelines recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, which include: the extent to which the project may increase or reduce GHG emissions; whether the project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs.

Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), as long as any threshold chosen is supported by substantial evidence (see CEQA Guidelines Section 15064.7(c)). The CEQA Guidelines also clarify that the effects of GHG emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see CEQA Guidelines Section 15130(f)).

As discussed above, the SCAQMD does not currently have an adopted bright line quantitative threshold to measure GHG impacts for non-industrial projects. However, SCAQMD identified, but did not formally adopt, a screening criterion of 3,000 MT CO₂e per year for mixed-use projects under Tier 3, Option 1, of their proposed 2010 guidance, and 3,000 MT CO₂e per year for all non-industrial projects under Tier 3, Option 2. If a land use project is below this

screening criterion, then it is presumed to have a less-than-significant GHG impact. The screening criterion is not intended to be the sole determination of significance. In addition, CARB and the City have yet to adopt project-level significance thresholds for GHG emissions that would be applicable to the revised project.

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not to be cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem within the geographic area of the project. To qualify, such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. Examples of such programs include a "water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservations plan, natural community conservation plans [and] plans or regulations for the reduction of greenhouse gas emissions." Put another way, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of less than significant for GHG emissions if a project complies with adopted programs and/or other regulatory schemes to reduce GHG emissions. The City's CAAP is considered a qualified plan.

In the absence of any adopted numeric threshold, the significance of the proposed project's GHG emissions is evaluated herein consistent with CEQA Guidelines Section 15064.4(b) by considering whether the proposed project complies with applicable regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. For land use development projects, such as the proposed project, the most directly applicable adopted regulatory plan to reduce GHG emissions is the City's CAAP, which is designed to achieve GHG reductions from land uses in the City as required by the state's long-term climate goals. This analysis also considers consistency with state GHG reduction goals as articulated in SB 32, the 2030 Scoping Plan, and the SCAG 2020-2045 RTP/SCS. The CAAP's decarbonization target of 2035 is more aggressive than the statewide target of 2045, outpacing the statewide target by 10 years.

3.4.4 Methodology

Construction Emissions

CalEEMod Version 2020.4.0 was used to estimate project-generated GHG emissions during construction. Construction of the project would result in GHG emissions primarily associated with use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. All details for construction criteria air pollutants discussed in Section 3.2.4, Methodology (Construction Emissions), are also applicable for the estimation of construction-related GHG emissions. As such, see Section 3.2.4 for a discussion of construction emissions calculation methodology and assumptions used in the GHG emissions analysis.

Operational Emissions

Emissions from the operational phase of the revised project were estimated using CalEEMod Version 2020.4.0. Operational year 2026 was assumed consistent with the construction schedule and the traffic impact study prepared for the project (see Appendix F).

Emissions from the existing land uses were also estimated using CalEEMod to present the net change in criteria air pollutant emissions. Operational year 2022 was assumed for the existing scenario.⁵

Potential project-generated and existing operational GHG emissions were estimated for area sources (landscape maintenance), energy sources (natural gas and electricity), mobile sources, solid waste, and water supply and wastewater treatment. Emissions from each category are discussed in the following text. For additional details, see Section 3.2.4, Methodology (Operational Emissions), for a discussion of operational emission calculation methodology and assumptions, specifically for area, energy (natural gas), and mobile sources.

Area

CalEEMod was used to estimate GHG emissions from the project's and existing scenario area sources, which include operation of gasoline-powered landscape maintenance equipment, which produce minimal GHG emissions. See Section 3.2.4 for a discussion of landscaping equipment emissions calculations. Consumer product use and architectural coatings result in VOC emissions, which are analyzed in air quality analysis only, and little to no GHG emissions.

Energy

The estimation of operational energy emissions was based on CalEEMod land use defaults and units or total area (i.e., square footage) of the project's land uses. The energy use from residential land uses is calculated in CalEEMod based on the Residential Appliance Saturation Study. For nonresidential buildings, CalEEMod energy intensity value (electricity or natural gas usage per square foot per year) assumptions were based on the California Commercial End-Use Survey database. Emissions are calculated by multiplying the energy use by the utility carbon intensity (pounds of GHGs per kilowatt-hour for electricity or 1,000 British thermal units for natural gas) for CO₂ and other GHGs (CAPCOA 2021).

The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. The current version of CalEEMod assumes compliance with the 2019 Title 24 Building Energy Efficiency Standards (CAPCOA 2021).

CalEEMod default energy intensity factors (CO₂, CH₄, and N₂O mass emissions per kilowatt-hour) for SCE, which are based on 2021 data, were applied to the analysis for both the existing and proposed project scenarios. However, as explained in Section 3.4.2, SB 100 calls for further development of renewable energy, with a renewable energy target of 44% by December 31, 2024; 52% by December 31, 2027; and 60% by December 31, 2030. As such, GHG emissions associated with project electricity demand would continue to decrease over time.

Mobile Sources

All details for criteria air pollutants discussed in Section 3.2.4 are also applicable for the estimation of operational mobile source GHG emissions. Regulatory measures related to mobile sources include AB 1493 (Pavley) and related federal standards. AB 1493 required that CARB establish GHG emission standards for automobiles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. In addition, the NHTSA and EPA have established corporate fuel economy

⁵ For the purposes of the air quality, GHG, and energy analyses, the current year of 2022 was chosen for the purposes of modeling the existing conditions scenario. While the environmental baseline for the project was established when the NOP was published in 2016, using year 2016 as the baseline for air quality, GHG, and energy analyses would have resulted in less conservative results for calculating the project's net increase in emissions and energy demands, because increases in efficiency have been achieved (particularly for vehicle emission factors) between 2016 and 2022.

standards and GHG emission standards, respectively, for automobiles and light-, medium-, and heavy-duty vehicles. Implementation of these standards and fleet turnover (replacement of older vehicles with newer ones) will gradually reduce emissions from the project's motor vehicles. The effectiveness of fuel economy improvements was evaluated by using the CalEEMod emission factors for motor vehicles in 2026 for the project to the extent it was captured in EMFAC 2017.

Solid Waste

The project would generate solid waste, and therefore, result in CO₂e emissions associated with landfill off-gassing, as occurring under the existing scenario. CalEEMod default values for solid waste generation were used to estimate GHG emissions associated with solid waste for the project and existing land uses. No diversion was assumed; however, it should be noted that this is a conservative assumption, as AB 939, Integrated Waste Management Act requires a 50% solid waste diversion rate and the goal for the state is 75% diversion by 2020 in accordance with AB 341.

Water and Wastewater Treatment

Supply, conveyance, treatment, and distribution of water for the project and existing land uses require the use of electricity, which would result in associated indirect GHG emissions. Similarly, wastewater generated by the project and existing land uses requires the use of electricity for conveyance and treatment, along with GHG emissions generated during wastewater treatment. The indoor and outdoor water use and electricity consumption from water use and wastewater generation were estimated using CalEEMod default values for the project and existing scenario.

Comparison to SCAQMD Screening Criteria

SCAQMD does not currently have an adopted bright line quantitative threshold to measure GHG impacts for non-industrial land use projects. However, as noted above, SCAQMD identified, but did not adopt, a screening criteria of 3,000 MT CO₂e per year for all non-industrial projects and for mixed-use projects. If a land use project is below this screening criteria, then it is presumed to have a less-than-significant GHG impact. The screening criterion is not intended to be the sole determination of significance. Accordingly, the analysis below assesses the proposed project against this screening criterion and also analyzes whether the proposed project is consistent with the applicable regulatory programs designed to reduce GHGs. A quantitative comparison of project emissions is evaluated below against the SCAQMD screening criterion.

Consistency with Applicable Plans and Policies

A consistency analysis is provided, which describes the proposed project's compliance with or exceedance of performance-based standards included in the regulations outlined in the applicable portions of the City's CAAP, the 2030 Scoping Plan, and the SCAG 2020-2045 RTP/SCS.

3.4.5 Impact Analysis

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

Threshold GHG-2. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Construction Emissions

Construction of the revised project would result in GHG emissions, which are primarily associated with use of off-road construction equipment, on-road haul trucks, on-road vendor trucks, and worker vehicles.

CalEEMod was used to calculate the annual GHG emissions based on the construction scenario described in Section 3.2, Air Quality. It is anticipated that construction of the revised project would commence in April 2024 and reach completion in December 2025.⁶ On-site sources of GHG emissions include off-road equipment and off-site sources including haul trucks, vendor trucks and worker vehicles. Table 3.4-3 presents construction emissions for the revised project in 2024 and 2025 from on-site and off-site emission sources. Emissions of CO₂, CH₄, N₂O, and CO₂e are presented consistent with the CalEEMod output. As discussed in Section 3.4.1, CO₂e is a measure used to compare the emissions from CO₂, CH₄, and N₂O based upon their GWP.

Table 3.4-3. Estimated Annual Construction Greenhouse Gas Emissions

Year	CO ₂	CH ₄	N ₂ O	CO ₂ e
	Metric Tons per Year			
2024	533.66	0.08	0.05	551.64
2025	321.13	0.04	0.01	325.70
Total	854.79	0.12	0.06	877.34
Amortized Emissions	—	—	—	29.24

Notes: CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂e = carbon dioxide equivalent.

See Appendix B for complete results.

Amortized construction GHG emissions represent total construction GHG emissions divided 30 years, which is the assumed project operational lifetime consistent with SCAQMD guidance (SCAQMD 2008).

As shown in Table 3.4-3, the estimated total GHG emissions during construction would be approximately 877 MT CO₂e over the construction period.

Estimated project-generated construction emissions amortized over 30 years would be approximately 29 MT CO₂e per year. As with project-generated construction air pollutant emissions, GHG emissions generated during construction of the revised project would be short-term in nature, lasting only for the duration of the construction period, and would not represent a long-term source of GHG emissions. Because there is no separate GHG threshold for construction, the evaluation of significance is discussed in the following operational emissions analysis.

⁶ The analysis assumes a construction start date of April 2024, which represents the earliest date construction would initiate. Assuming the earliest start date for construction represents the worst-case scenario for GHG emissions because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years.

Operational Emissions

Operation of the revised project and operation under the existing scenario would generate GHG emissions through motor vehicle trips; landscape maintenance equipment operation (area source); energy use (natural gas and electricity); solid waste disposal; and water supply, treatment, and distribution and wastewater treatment. CalEEMod was used to calculate the annual GHG emissions based on the operational assumptions described in Section 3.4.4, Methodology.

The estimated operational project-generated and existing GHG emissions from area sources, energy usage, motor vehicles, solid waste generation, and water usage and wastewater generation, and the net change in emissions (Revised Project minus Existing) are shown in Table 3.4-4. As with the construction emission estimates, operational emissions of CO₂, CH₄, N₂O, and CO₂e are presented consistent with the CalEEMod output.

Table 3.4-4. Estimated Annual Operational GHG Emissions

Emission Source	CO ₂	CH ₄	N ₂ O	CO ₂ e
	Metric Tons per Year			
Revised Project				
Area	1.61	0.00	0.00	1.64
Energy	379.58	0.02	0.00	381.65
Mobile	933.07	0.07	0.04	947.46
Solid waste	14.86	0.88	0.00	36.82
Water supply and wastewater	25.58	0.32	0.01	35.86
Total	1,354.70	1.29	0.05	1,403.43
Existing				
Area	0.12	0.00	0.00	0.12
Energy	38.75	0.00	0.00	38.96
Mobile	250.84	0.02	0.01	255.03
Solid waste	12.22	0.72	0.00	30.28
Water supply and wastewater	4.03	0.03	0.00	5.14
Total	305.97	0.78	0.01	329.54
Net Change in Emissions				
Net Change (Revised Project – Existing)	1,048.73	0.51	0.04	1,073.89
	<i>Amortized construction emissions</i>			<i>29.24</i>
Total net operational + amortized construction GHGs				1,103.13

Notes: GHG = greenhouse gas; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂e = carbon dioxide equivalent.

See Appendix B for complete results.

Totals may not sum due to rounding.

The Revised Project emissions reflect operational year 2026. The Existing emissions reflect operational year 2022.

SCAQMD Screening Criteria Analysis

As noted above, SCAQMD identified, but did not adopt, a screening criterion of 3,000 MT CO₂e per year for all non-industrial land-use projects and for mixed-used projects to determine whether a land use project could presumptively have less than significant GHG impacts if it produced less than the screening criterion. As shown in Table 3.4-4, estimated net annual project-generated GHG emissions would be approximately 1,074 MT CO₂e per

year as a result of project operation. Estimated net annual project-generated operational emissions in 2026 and amortized project construction emissions would be approximately 1,103 MT CO_{2e} per year. As such, annual operational GHG emissions with amortized construction emissions would not exceed the SCAQMD screening criterion of 3,000 MT CO_{2e} per year. Under the SCAQMD’s proposed screening criteria, projects that emit fewer than 3,000 MT CO_{2e} per year would be assumed to have a less than significant impact on climate change.

An analysis of the proposed project’s consistency with applicable plans and policies is also provided below.

Project Consistency with the City’s Climate Action and Adaptation Plan

The City adopted its CAAP on December 20, 2021. The City’s 2021 CAAP recommends a series of 20 climate measures and 60 sub-actions, organized into five areas of focus (City leadership and Governance, Energy, Transportation and Mobility, Zero Waste and Climate Resilience), to enable the City to achieve carbon neutrality by 2035. The five areas of focus set the vision for a sustainable, resilient, and equitable City. Measures define the direction the City will take to realize this vision. Sub-actions identify the specific steps City staff, decision-makers, and stakeholders will take over time in pursuit of these measures.

Table 3.4-5 describes the revised project’s consistency with the City’s applicable 2021 CAAP measures.

Table 3.4-5. Project Consistency with Applicable City of West Hollywood Climate Action and Adaptation Plan Measures

Measures	Project Consistency
Climate Leadership and Governance	
<p>CLG-4A: Establish a WeHo Green Business Program to promote energy and water efficiency, waste reduction, green building materials, and sustainable and/or local purchasing with the City’s business community.</p>	<p>Consistent. The revised project would comply with any applicable green business policies or requirements once established by the City. As currently proposed, the project would include a variety of sustainability measures, such as vegetated roof terraces, space for collection and storage of recyclables, diversion of construction and demolition waste, low-flow plumbing fixtures, weather-based irrigation control systems, a 5-kilowatt photovoltaic system, and compliance with energy efficiency requirements (namely, the City’s Green Building Ordinance and the California Green Building Standards Code).</p>
Energy	
<p>EN-2A: Continue to promote and support the Go Solar WeHo program and encourage the pairing of solar systems with battery energy storage systems.</p>	<p>Consistent. The revised project would promote and encourage use of solar by incorporating a rooftop solar photovoltaic system.</p>
<p>EN-2B: Leverage Clean Power Alliance and Southern California Edison programs to encourage the adoption of solar, battery energy storage, smart inverters, and smart thermostats.</p>	<p>Consistent. The revised project would be required to subscribe to the Clean Power Alliance, with 100% Green Power being the default option selected by the City. The project would promote and encourage use of solar by incorporating a rooftop solar photovoltaic system. The project would also comply with all applicable energy efficiency requirements (namely, the City’s Green Building Ordinance and the California Green Building Standards Code).</p>

Table 3.4-5. Project Consistency with Applicable City of West Hollywood Climate Action and Adaptation Plan Measures

Measures	Project Consistency
<p>EN-3A: Adopt energy reach codes and/or resiliency codes that exceed State requirements.</p>	<p>Consistent. The revised project would comply with all applicable local and state energy requirements and would also achieve Leadership in Energy and Environmental Design (LEED) Silver certification for the buildings within the project site.</p>
<p>EN-3B: Develop educational resources and guidelines for sustainable construction material selection.</p>	<p>Consistent. The project would incorporate recycled content mulch in the landscaping design, recycled-content base or backfill material in the building foundation, and fly ash or slag ash in concrete. Engineered lumber or steel would be used for a minimum of 90% of subfloors, sheeting, floor joists, beams, headers, and trusses. Engineered vertical wood studs and FSC-certified wood for framing would also be used. The structure’s roof would be durable and would either be a cool roof or an Energy Star roof. Exterior finishes would be durable, and outdoor flooring materials would have recycled content or would be FSC certified. As such, the project would incorporate a variety of sustainable construction materials.</p>
<p>EN-3C: Develop educational resources and guidelines around electric vehicle chargers, battery energy storage, and all-electric appliances.</p>	<p>Consistent. The revised project would be subject to the minimum required number and type of electric vehicle charging stalls outlined in the CalGreen requirements applicable at the time of building permit issuance, which would encourage use of electric vehicles for employees and visitors at the project site. The project would also include installation of Energy Star–labeled products and appliances where appropriate, as well as energy-efficient heating and cooling equipment.</p>
<p>EN-5A: Increase access to electric vehicles through shared mobility services, expanded options for public and shared charging, and continued advocacy and support for the conversion of private vehicle fleets.</p>	<p>Consistent. The revised project would be subject to the minimum required number and type of electric vehicle charging stalls outlined in the CalGreen requirements applicable at the time of building permit issuance, which would encourage use of electric vehicles for employees, visitors, and residents at the project site.</p>
<p>EN-5C: Incentivize EV charging infrastructure, prioritizing publicly accessible areas and existing parking spaces, in partnership with Southern California Edison and the Clean Power Alliance.</p>	<p>Consistent. The revised project would be subject to the minimum required number and type of electric vehicle charging stalls outlined in the CalGreen requirements applicable at the time of building permit issuance, which would encourage use of electric vehicles for employees, visitors, and residents at the project site.</p>
<p>Transportation, Mobility, and the Public Realm</p>	
<p>TM-1A: Increase pedestrian mode share in West Hollywood by creating convenient and attractive street environments, including seating and shading infrastructure to support universal access and use of the sidewalk network.</p>	<p>Consistent. The revised project is a pedestrian-oriented mixed-use building that would provide hotel, residential, restaurant, and other commercial uses on the project site. The site is located in the Mixed-Use Incentive Overlay Zone and is consistent with the applicable goals and standards of that designation. The project would enhance the pedestrian experience on Santa Monica Boulevard by providing both housing and commercial</p>

Table 3.4-5. Project Consistency with Applicable City of West Hollywood Climate Action and Adaptation Plan Measures

Measures	Project Consistency
	uses near transit and other mixed-use development, which would provide additional commercial and social activity. Locating businesses that can be accessed and patronized by the public on the lower level of the building fronting Santa Monica Boulevard and Orange Grove Avenue would help support a pedestrian-oriented environment along the project’s street frontages.
<p>TM-1D: Accelerate implementation of the multi-modal improvements to the pedestrian and bicycle networks as recommended in the Pedestrian & Bicycle Mobility Plan, Rail Integration Study, Vision Zero, and future mobility planning efforts.</p>	<p>Consistent. The project is consistent with the City’s Pedestrian & Bicycle Mobility Plan. The project would not conflict with the City’s efforts towards a Rail Integration Study or Vision Zero.</p>
<p>TM-2B: Expand publicly accessible on-street and off-street EV charging infrastructure (for light, medium, and heavy-duty vehicles).</p>	<p>Consistent. The revised project would be subject to the minimum required number and type of electric vehicle charging stalls outlined in the CalGreen requirements applicable at the time of building permit issuance, which would encourage use of electric vehicles for employees, residents, and visitors at the project site.</p>
Natural Environment	
<p>NE-2A: Explore opportunities to re-establish natural and green spaces on parcels, streets, alleys, and interstitial spaces, collaborating with the Tongva and environmental nonprofits to incorporate soil restoration and native and climate-adaptive vegetation as opportunities are identified.</p>	<p>Consistent. The revised project would incorporate landscaping throughout the site, and landscaping would include climate-appropriate, drought-tolerant, and native plants.</p>
<p>NE-2D: Explore opportunities to create and maintain NWF Certified Wildlife Habitat gardens and gardens that support monarchs and other local pollinators.</p>	<p>Consistent. The revised project would incorporate landscaping throughout the site, and landscaping would include native plantings, which could help support local pollinators.</p>
<p>NE-2E: Pilot permeable and cool surfaces, such as permeable walkways and high-albedo road and parking lot surfaces.</p>	<p>Consistent. The project would include rooftop gardens and planter boxes to reduce the amount of impermeable pavement on the site. The project would also include an Energy Star or cool roof, and a portion of ground-level setback areas would have permeable surfaces.</p>
<p>NE-3A: Continue to promote water conservation measures (e.g., rain barrels, cisterns, limited outdoor water use) that reduce dependency on imported water, including stormwater reuse.</p>	<p>Consistent. The irrigation systems installed on the project site would include a weather-based control system. Landscaping would consist of climate-appropriate, drought-tolerant, and native plants, which would also reduce water demands when compared with traditional landscaping.</p>
<p>NE-4A: Create a communitywide green infrastructure plan that is integrated with other relevant local plans and includes:</p>	<p>Consistent. The revised project would incorporate landscaping throughout the site, including on rooftops and terraces and along street frontages. Landscaping would include native plantings.</p>

Table 3.4-5. Project Consistency with Applicable City of West Hollywood Climate Action and Adaptation Plan Measures

Measures	Project Consistency
<ul style="list-style-type: none"> ▪ Upgraded public spaces, public buildings, green streets, green parking lots, green alleys and interstitial spaces based upon locally adopted or recognized best practices in green infrastructure ▪ Creation of partnerships with key community groups and other stakeholders to encourage green infrastructure practices ▪ Working with the Tongva to restore native plants alongside other improvements to public spaces, and cultivate spaces where the Tongva and West Hollywood can grow food ▪ Incentive programs to encourage landowners to adopt interconnected green infrastructure practices <p>A green infrastructure monitoring program and follow-up reports on the status of desired outcomes</p>	

Source: City of West Hollywood 2021.

Notes: FSC = Forest Stewardship Council

As presented in Table 3.4-5, the revised project is consistent with the applicable 2021 CAAP measures; therefore, the revised project would be consistent with the City’s climate action measures and would not conflict with the adopted CAAP.

Additionally, the revised project would be required to implement Mitigation Measure 3.15-1 from the Final Program EIR for the City’s General Plan and 2011 CAP (City of West Hollywood 2010). This measure states that to further reduce construction generated-GHG emissions, the project applicant(s) of all project phases shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of a site undergo construction.

Prior to releasing each request for bid to contractors for the construction of each development phase, the project applicant would be required to obtain the most current list of GHG reduction measures that are recommended by the City and stipulate that these measures be implemented in the respective request for bid as well as the subsequent construction contract with the selected primary contractor.

The project applicant(s) for any particular development phase may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular GHG reduction measures, shall be approved by the City prior to the release of a request for bid by the project applicant(s) for seeking a primary contractor to manage the construction of each development. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.

The City's recommended measures for reducing construction-related GHG emissions at the time of writing this EIR (2022) are listed as follows. The list will be updated as new technologies or methods become available. The project applicant shall, at a minimum, be required to implement the following to the extent feasible:

- Improve fuel efficiency of construction equipment:
 - Reduce unnecessary idling (modify work practices, install auxiliary power for drive comfort);
 - Perform equipment maintenance (inspections, detect failures early, correction);
 - Train equipment operators in proper use of equipment;
 - Use the proper size of equipment for the job; and
 - Use equipment with new technologies (repowered engines, electric drive trains).
- Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.
- Use an CARB-approved low-carbon fuel, such as biodiesel, or renewable diesel for construction equipment.
- Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes.
- Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Recycle or salvage nonhazardous construction and demolition debris (goal of at least 75% by weight).
- Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).
- Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option.
- Produce concrete on site if determined to be less emissive than transporting ready mix.
- Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available from CARB's Heavy-Duty Vehicle Greenhouse Gas Measure and EPA.
- Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source.

The revised project would be designed and constructed in accordance with the City's Green Building Ordinance, which would include implementing energy efficient systems and appliances, installing energy efficient lighting, and using water-efficient landscaping, irrigation systems, and water conserving plumbing and fixtures.

Project Consistency with SCAG's 2020–2045 RTP/SCS

The SCAG 2020–2045 RTP/SCS is a regional growth management strategy that targets per-capita GHG reduction from passenger vehicles and light trucks in the southern California region pursuant to SB 375. In addition to demonstrating the region's ability to attain the GHG emission-reduction targets set forth by CARB, the 2020–2045 RTP/SCS outlines a series of actions and strategies for integrating the transportation network with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. Thus, successful implementation of the 2020–2045 RTP/SCS would result in more complete communities with a variety of transportation and housing choices, while reducing automobile use.

The following strategies are intended to be supportive of implementing the 2020–2045 RTP/SCS and reducing GHGs: focus growth near destinations and mobility options; promote diverse housing choices; leverage technology

innovations; support implementation of sustainability policies; and promote a green region. The strategies that pertain to SCAG's support of local jurisdiction sustainability efforts would not apply to the proposed project. The project's compliance with the remaining applicable strategies is presented below.

- **Focus Growth Near Destinations and Mobility Options.** The proposed project's compliance with this strategy of the 2020–2045 RTP/SCS is demonstrated via the project's land use characteristics and features that would reduce vehicular trips and VMT, as well as the project's consistency with the regional growth forecast assumed in the 2020–2045 RTP/SCS for the City. As discussed in Section 5.4 of this RDEIR (Growth-Inducing Impacts), planned development for the project site is concluded to have been anticipated in the SCAG 2020–2045 RTP/SCS growth projections for the City. Regarding VMT reduction characteristics, the project is an infill, mixed-use development located within the Transit Overlay Zone and the Mixed-Use Incentive Overlay Zone. The nature of the project's land use mix and site location would reduce VMT and associated GHG emissions by being in proximity to complimentary land uses and employment centers, which could encourage use of alternative transportation methods such as transit, walking, or biking, or would result in shorter vehicle trips. In addition, the increase in density compared to average residential development density is associated with VMT reductions. The City's VMT guidance, adopted in November 2020, further supports that projects located within high-quality-transit areas would not have a significant VMT impact.
- **Promote Diverse Housing Choices.** The proposed project would comply with this strategy of the 2020–2045 RTP/SCS since it would result in the development of new market-rate and affordable residential units to increase the housing supply with a mix of options.
- **Leverage Technology Innovations.** One of the technology innovations identified in the 2020–2045 RTP/SCS that would apply to the proposed project is the promotion and support of low emission technologies for transportation, such as alternative fueled vehicles to reduce per capita GHG emissions. The project would provide at minimum the total number of EV charging spaces consistent with the EV charging station requirements in effect at the time of building permit issuance. In addition, the project would designate additional spaces as EV charging spaces capable of supporting future electric vehicle supply equipment in conformance with the WHMC at the time of plan check submittal.
- **Promote a Green Region.** Another applicable strategy within the 2020–2045 RTP/SCS, for individual developments such as the proposed project, involves promoting a green region through efforts such as supporting local policies for renewable energy production and promoting more resource efficient development (e.g., reducing energy consumption) to reduce GHG emissions. The project would implement green building design and construction practices capable of achieving LEED Silver certification for the buildings within the project site. The project would promote sustainability, including measures to increase the efficient use of water and energy and the use of renewable resources while decreasing use of nonrenewable energy. As explained in Section 2.0, Project Description, the revised project is subject to the City's green building program and has completed the required green building checklist. Included in the green building checklist, the project would install photovoltaic panels, install Energy Star lighting, install Energy Star or cool roofs, and provide daylighting. In addition, as also explained in Section 2.0, the project would be subject to various mandatory green building measures per City code, including installing Energy Star appliances and providing tenants with a Green Features/Benefits Manual.

Based on the analysis above, the proposed project would be consistent with the SCAG 2020–2045 RTP/SCS.

Project Consistency with the CARB Scoping Plan, SB 32, EO S-3-05, and AB 1279

The Scoping Plan, approved by CARB on December 12, 2008, provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. As such, the Scoping Plan is not directly applicable to specific projects. Relatedly, in the Final Statement of Reasons for the Amendments to the CEQA Guidelines, the CNRA observed that "[t]he [Scoping Plan] may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan" (CNRA 2009b). Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high-GWP GHGs in consumer products) and changes to the vehicle fleet (i.e., hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., LCFS), among others. The proposed project will comply with all applicable regulations adopted in furtherance of the Scoping Plan to the extent required by law.

As discussed in Section 3.5.2, EO S-3-05 established a goal to reduce statewide GHG emissions to the 1990 level by 2020, and to reduce statewide GHG emissions to 80% below the 1990 level by 2050.⁷ SB 32 establishes a statewide GHG emissions reduction target whereby CARB, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions, shall ensure that statewide GHG emissions are reduced to at least 40% below 1990 levels by 2030. AB 1279 requires the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and requires that by 2045, statewide anthropogenic GHG emissions be reduced to at least 85% below 1990 levels.

Although the proposed project's emissions level in 2045 or 2050 cannot be reliably quantified, statewide efforts are underway to facilitate the State's achievement of that goal, and it is reasonable to expect the proposed project's net emissions level to decline as the regulatory initiatives identified by CARB are implemented, and other technological innovations occur. In addition, the proposed project would support achievement of the SB 32, EO S-3-05, and AB 1279 goals through the project's compliance with the City's 2021 CAAP (see Table 3.4-5 for a discussion of the project's consistency with the applicable CAAP reduction measures), and consistency with the strategies identified in SCAG's 2020-2045 RTP/SCS to reduce per capita GHG emissions. For instance, the proposed project includes design features that optimize energy use and efficiency. As explained in Section 2.0, Project Description, the revised project is subject to the City's green building program and has completed the required green building checklist and achieved exemplary status based on the extent of measures to be incorporated into the project design. Included in the green building checklist, the project would install photovoltaic panels, install Energy Star lighting, install Energy Star or cool roofs, and provide daylighting. In addition, as also explained in Section 2.0, the project would be subject to various mandatory green building measures per City code, including installing Energy Star appliances and providing tenants with a Green Features/Benefits Manual. Further, the proposed project would optimize water use and efficiency by installing low-flow plumbing fixtures in kitchens and bathrooms consistent with CALGreen building standards and the City's Green Building Ordinance, such as water efficient faucets, toilets, urinals. As a result of these design features, the proposed project would not only meet the requirements of California's Building Energy Efficiency Standards, it would also achieve LEED Silver or equivalent green building standards. The proposed project also has committed to exceed Title 24 energy requirements by 5%.

⁷ In adopting AB 32, the legislature did not adopt the 2050 horizon-year goal from EO No. S-3-05, and in the last legislative session (2013–2014), the legislature rejected bills proposing to enact the EO's 2050 goal (*Cleveland National Forest Foundation v. SANDAG* 2014; *Professional Engineers in California Government et al. v. Schwarzenegger and Chiang* 2010; OPR 2004).

As such, given the reasonably anticipated decline in project emissions as the proposed project becomes operational, the proposed project would be consistent with AB 1279 and EO S-3-05's horizon-year goal.

As discussed above, the 2017 Scoping Plan that addressed SB 32 involves increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more electric cars on the road, improving energy efficiency, and curbing emissions from key industries. The revised project's design features advance these goals by reducing VMT, providing facilities to increase the use of electric vehicles, improving energy efficiency, and reducing water usage.

In addition, as discussed above, the proposed project is the type of land use development that is encouraged by the 2020-2045 RTP/SCS to reduce VMT and expand multi-modal transportation options in order to achieve the GHG reductions from the land use and transportation sectors. By furthering implementation of SB 375, the project supports regional land use and transportation GHG reductions consistent with State climate targets for 2030 and beyond.

For the reasons described above, the proposed project's post-2030 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Order S-3-05.

The proposed project would support achievement of the SB 32, EO S-3-05, and AB 1279 goals through the project's compliance with the City's 2021 CAAP (see Table 3.4-5 for a discussion of the project's consistency with the applicable CAAP reduction measures) and consistency with the strategies identified in SCAG's 2020-2045 RTP/SCS to reduce per capita GHG emissions.

Conclusion

In summary, the regulatory compliance analysis provided above demonstrates that the proposed project complies with or exceeds the regulations and GHG reduction actions/strategies outlined in the City's 2021 CAAP, the SCAG 2020-2045 RTP/SCS, and the 2030 Scoping Plan. Consistent with CEQA Guidelines Sections 15064(h)(3) and 15064.4, the proposed project's consistency with these applicable plans and regulations adopted for the purpose of reducing the emissions of GHGs demonstrates that the project-related GHG impacts would be **less than significant**.

3.4.6 Mitigation Measures

Impacts would be less than significant. Although no project-specific mitigation measures are required, the project would be required to implement mitigation measure 3.15-1 from the Final Program EIR for the City's General Plan and 2011 CAP. This measure states that to further reduce construction-generated GHG emissions, the project applicant(s) of all project phases shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction. The City's recommended measures for reducing construction-related GHG emissions at the time of writing this EIR (2022) are listed as follows. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following to the extent feasible:

- Improve fuel efficiency of construction equipment:
 - Reduce unnecessary idling (modify work practices, install auxiliary power for drive comfort);
 - Perform equipment maintenance (inspections, detect failures early, correction);
 - Train equipment operators in proper use of equipment;

- Use the proper size of equipment for the job; and
- Use equipment with new technologies (repowered engines, electric drive trains).
- Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.
- Use a CARB-approved low-carbon fuel, such as biodiesel, or renewable diesel for construction equipment.
- Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes.
- Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Recycle or salvage nonhazardous construction and demolition debris (goal of at least 75% by weight).
- Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).
- Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option.
- Produce concrete on site if determined to be less emissive than transporting ready mix.
- Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available from CARB's Heavy-Duty Vehicle Greenhouse Gas Measure and EPA.
- Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source.

3.4.7 Level of Significance After Mitigation

Impacts would be less than significant, and no mitigation beyond what is included in the Final Program EIR for the City's General Plan and 2011 CAP is required.

3.4.8 References Cited

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3.5 Hazards and Hazardous Materials

This section describes the existing hazardous materials within the vicinity of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the revised Bond Project (“proposed project” or “revised project”).

In the evaluation of potential impacts, this section discusses the potential for the project to expose people to hazards and hazardous materials. The analysis contained within this section is based on the California Environmental Geologists & Engineers Inc. (California Environmental), *Screening Soil Gas Evaluation – Phase II for Commercial Properties, 7811 Santa Monica Blvd & 1114 N Orange Grove Ave West Hollywood, California 90046*, dated November 2014, the California *Environmental Site Assessment – Phase I for Commercial Properties, APNs 5530-002-067 and -019, 7811 Santa Monica Blvd & 1114 N Orange Grove, West Hollywood, California 90046* dated May 2014, and the AEI Consultants *Environmental Site Assessment – Phase I for 1125 Ogden Drive, West Hollywood, California 90046* dated March 2017. These reports are included as Appendix D of this Revised Draft Environmental Impact Report (RDEIR).

3.5.1 Environmental Setting

The approximately 0.92-acre project site is currently developed with one commercial building currently used as a gym, two surface parking lots, and one multi-family residential building with seven residential units and surface parking. The existing building at 7811 Santa Monica Boulevard was built in 1924. The surface parking lot located at 1114 North Orange Grove Avenue was constructed at approximately the same time. The current multi-tenant residential structure located at 1127 North Ogden Drive was constructed in 1949 and has been occupied by residential tenants since that time.

In May 2014, a Phase I Environmental Site Assessment (ESA) was conducted for the 7811 Santa Monica Boulevard and 1114 North Orange Grove Avenue sites by California Environmental to identify preliminary indications of hazardous material use, storage or disposal at the property. During the preparation of the Phase I ESA, state and federal hazardous material databases were searched to determine if project site contains/contained hazardous materials as a result of existing or past uses. An environmental database records (EDR) report was prepared for the subject properties as part of the Phase I ESA. In addition, California Environmental contacted several agencies, including the California Department of Toxic Substances Control (DTSC), the California Regional Water Quality Control Board – Los Angeles Region (RWQCB), and the Los Angeles County Department of Public Health (LACDPH) for records connected to the subject properties.

No evidence of use, storage, disposal or generation of hazardous substances were observed at the 7811 Santa Monica Boulevard and 1114 North Orange Grove Avenue site, in support of the California Environmental Phase I ESA (Appendix D). The subject properties are not identified in the EDR US Historical Dry Cleaners databases. There are no underground storage tank files or industrial records maintained at the Los Angeles County Department of Public Works Environmental Programs Division. The nearest listed contaminated site to the subject property is the Los Angeles County Fire Department Station No. 8, located approximately 1,000 feet to the east. The station is a former leaking tank site that received case closure in October 2003. It is considered unlikely the project site has been impacted by this off-site cross-gradient source because the former leaking tank site has been case closed, cleaned up, and is located distant enough from the project site so as not to affect soil conditions at the site (GeoTracker 2022).

However, the California Environmental Phase I ESA does reveal evidence of recognized environmental concerns (RECs) in connection with the project site. The former presence of a neon sign manufacturing facility, clothes cleaning/pressing facility and a cleaning/dyeing facility are considered RECs in connection with the subject property. These facilities historically utilized solvents. Former mercury use is also a potential issue in connection with the former neon sign manufacturing facility. These RECs were evaluated through subsurface assessment consisting of soil and soil gas sampling and analysis. In addition, one of the potential sources for indoor air contamination is degassing of solvents and other compounds from underlying contaminated soil or groundwater. Therefore, subsurface assessment activities were recommended for the project site to determine if the subsurface has been impacted by the historical on-site use of solvents (Appendix D).

Due to the age of the subject property building, there is a potential that asbestos containing materials (ACMs) are present. All observed suspect ACMs at the subject property (possible roofing materials and possible floor tiles) were in good condition at the time of the site reconnaissance. Additionally, due to the age of the building, there is a potential that lead-based paint (LBP) is present. During the site inspection, the paint coatings of the structures were in good condition at the time of the site reconnaissance. The Phase I ESA recommends that the property owner consult with a certified asbestos consultant and certified Lead Risk Assessor to determine options for control of possible ACM and LBP hazards prior to renovation or demolition of the building.

In November 2014, as a result of the findings in the Phase I ESA, a Phase II ESA was conducted for the properties at 7811 Santa Monica Boulevard and 1114 North Orange Grove Avenue by California Environmental and implemented a screening soil gas evaluation at the subject property. The assessment obtained and analyzed soil samples for volatile organic compounds (VOCs) in general accordance with the DTSC and RWQCB guidelines. In addition, a soil sample was obtained and analyzed for heavy metals. The detections of VOCs and metals found were consistent with regional background concentrations of metals in soil. California Environmental identified low concentrations of tetrachloroethylene (TCE) in several of the soil gas samples obtained from the property. However, as discussed in the Screening Soil Gas Evaluation, included in Appendix D, all detected VOCs were below the California Human Health Screen Levels for commercial and residential properties. As a result, future indoor air mitigation is not required (see Appendix D for details regarding these measurements).

Soil gas testing beneath the subject site revealed concentrations of TCE in four samples, ethylbenzene in two samples, and xylenes in three samples. The levels detected confirm that a reportable release from the former on-site cleaning and dyeing facilities has not occurred. The on-site soil gas concentrations are at or below the CalEPA-DTSC advisory risk-based concentrations (CHHSLs) for VOCs in shallow soil gas for commercial properties. As such, further assessment is not recommended in the Phase II ESA (Appendix D).

In March 2017, a Phase I ESA was conducted by AEI Consultants for the remaining portion of the project site, located at 1125 North Ogden Drive, to identify the presence of any hazardous materials at this subject property. During the preparation of this Phase I ESA reports, state, federal, tribal, and local hazardous material databases were searched to determine if the project site contains/contained hazardous materials as a result of existing or past uses. A Regulatory Database report was prepared for the subject property at 1125 North Ogden Drive and is included in the 2017 Phase I ESA. Based on a review of available resources, AEI did not identify significant on-site concerns and/or regulated listings from nearby sites which suggest that a vapor-phase migration concern currently exists at the subject property.

Due to the age of the subject property building, there is a potential that asbestos containing materials (ACMs) are present. All observed suspect ACMs at the subject property were in good condition at the time of the site reconnaissance. Additionally, due to the age of the multi-family residential building, there is a potential that lead-based

paint (LBP) is present. During the site inspection, damaged and peeling paint was observed throughout the interior and exterior of the subject property building. The Phase I ESA recommends that the property owner consult with a certified asbestos consultant and certified Lead Risk Assessor to determine options for control of possible ACM and LBP hazards prior to renovation or demolition of the building.

3.5.2 Relevant Plans, Policies, and Ordinances

Federal

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as “Superfund,” was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priorities List, which is a list of contaminated sites warranting further investigation by the EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) of 1976

The Federal Toxic Substances Control Act of 1976 and RCRA (1976) established a program administered by the EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act.

National Emission Standards for Hazardous Air Pollutants

The Environmental Protection Agency’s (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP) requires that a thorough asbestos survey be performed prior to demolition or renovation activities that may disturb ACMs. This requirement may be enforced by federal, state, and local regulatory agencies, and specifies that all suspect ACMs be sampled to determine the presence or absence of asbestos prior to any renovation or demolition activities which may disturb them to prevent potential exposure to workers, building occupants, and the environment.

State

Title 22 of the California Code of Regulations and Hazardous Waste Control Law, Chapter 6.5

The Department of Toxic Substances Control (DTSC) regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose “cradle to grave” regulatory systems for handling hazardous waste in a manner that protects human health and the

environment. CalEPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other Certified Unified Program Agencies.

California Safety and Health Code

In California, the handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95 of the California Health and Safety Code. Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a Hazardous Materials Business Plan. Hazardous Materials Business Plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state.

Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for Hazardous Materials Business Plans. Each business shall prepare a Hazardous Materials Business Plan if that business uses, handles, or stores a hazardous material (including hazardous waste) or an extremely hazardous material in disclosable quantities greater than or equal to the following:

- 500 pounds of a solid substance
- 55 gallons of a liquid
- 200 cubic feet of compressed gas
- A hazardous compressed gas in any amount (highly toxic with a threshold limit value of 10 parts per million or less)
- Extremely hazardous substances in threshold-planning quantities

In addition, in the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by the California Health and Safety Code, facilities are also required to prepare a Risk Management Plan and California Accidental Release Plan. The Risk Management Plan and Accidental Release Plan provide information on the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and to mitigate potential impacts.

California Occupational Safety and Health Act

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

Local

City of West Hollywood General Plan – Safety and Noise Element

According to the Safety Element, West Hollywood is susceptible to fire, earthquakes, flooding, landslides and mudslides, subsurface gas, as well as potential exposure to hazardous materials. The City sits at the base of the Hollywood Hills where significant vegetation and brush drape the undeveloped areas between homes and neighborhoods and the City and surrounding Southland is located in a seismically active area. Lastly, the Safety Element discloses that common hazardous materials used in urbanized areas and prevalent throughout the City

may include petroleum, fertilizers, pesticides, motor oil and lubricants, cleaning products, high VOC paint and paint thinners, old batteries and other chemicals and products (City of West Hollywood 2011).

3.5.3 Thresholds of Significance

The October 2016 Initial Study (Appendix A) for the proposed project included an analysis of the following significance criteria based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.). It was concluded in the Initial Study, that there were less than significant impacts for the following significance criteria. Therefore, the following significance criteria are not included as part of this RDEIR:

1. 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 result, would create a significant hazard to the public or the environment.
2. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area.
3. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
4. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The following significance criteria were determined to be potentially significant in the 2016 Initial Study and are therefore evaluated in this RDEIR. Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards and hazardous material would occur if the project would:

- HAZ-1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- HAZ-2. 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.
- HAZ-3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

3.5.4 Impacts Analysis

Threshold HAZ-1. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The project includes the development of a mixed-use structure consisting of a hotel, restaurant, residential units, and an art gallery with two levels of subterranean parking. Construction of the project would involve demolition of the existing 10,000-square foot commercial building located on the existing 7811 Santa Monica Boulevard parcel, the parking lot adjacent to the commercial building, the parking lot leased by the City and located along Orange Grove Avenue, and one multi-family residential building located along Ogden Drive.

During construction, hazardous materials such as fuels and lubricants would be transported to and used on site in construction vehicles and equipment; however, the potential for use of these materials to result in significant hazards to the public or environment would be low. The project contractor and construction crews would be required to comply with all applicable regulations, including the Federal Toxic Substances Control Act of 1976, the Resource Conservation and Recovery Act of 1976, Title 22 of the California Code of Regulations and Hazardous Waste Control Law, and the California Safety and Health Code governing the use of hazardous materials. In addition, compliance with existing environmental regulations would ensure that the public and environment are protected through sound construction training programs and practices and through the installation of environmental protective measures/best management practices (BMPs) on the construction site.

During operations, the project would involve very little transport, storage, use, or disposal of hazardous materials associated with janitorial, maintenance, and repair activities (i.e., commercial cleaners, lubricants, or paints), and household cleaning supplies. Use of these materials would be limited, and transport, storage, use, and disposal of these materials would be subject to federal, state, and local health and safety requirements. Therefore, impacts associated with the routine transport, use, or disposal of hazardous materials during construction and operation of the project would be **less than significant**.

Threshold HAZ-2. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As previously discussed under Threshold HAZ-1, construction and operation of the project would not 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. Compliance with existing environmental regulations would ensure that the public and environment are protected through sound construction training programs and practices and through the installation of environmental protective measures/BMPs on the construction site.

As described in Section 3.5.1, on-site soils at the 7811 Santa Monica Boulevard and 1114 North Orange Grove Avenue properties on the project site were evaluated for the potential presence of contamination from former uses at the site. While low concentrations of TCE and several types of VOCs were present, they were below the action level for commercial and residential properties and were not detected in concentrations that exceed state health standards, as outlined in detail in the Screening Soil Gas Evaluation, included in Appendix D. As such, excavation activities on the project site are not anticipated to result in releases of hazardous materials into the environment. In the unlikely event that unexpected contaminated soils are encountered during excavation at the project site, soils would be tested, removed, and disposed of in accordance with applicable local, state, and federal regulations for proper treatment of contaminated soils.

For the multi-family residential building located along Ogden Drive, due to the age of the building, there is the potential to encounter ACMs and LBPs during demolition activities. A preconstruction survey would be required to determine the presence or absence of ACM and LBP. All ACM and LBP would be removed prior to the start of demolition activities in accordance with USEPA requirements for LBP and the SCAQMD requirements for ACM (Rule 1403). Per state law, the applicant must obtain proof of satisfaction of state and regional requirements prior to the start of demolition and renovation activities. As such, this impact would be **less than significant**.

During project operation, use of commercial cleaners, lubricants, or paints associated with janitorial, maintenance, and repair activities during hotel operations as well as household cleaning supplies associated with the residential component of the project, would be relatively limited and would be subject to federal, state, and local health and safety

requirements. As such, during operations, by adhering to existing requirements and regulations, impacts associated with reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment would be **less than significant**.

Threshold HAZ-3. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project site is immediately adjacent to and south of Fountain Day School along Orange Grove Avenue. Other schools in the surrounding vicinity, but further than one-quarter mile from the project site, include Laurel Span Elementary School, Beverly Hills Montessori School, ABC Little School, Larchmont Charter School, and Fairfax Senior High School. As previously discussed in Threshold HAZ-2, the project would adhere to all existing requirements and regulations during construction and operations. Additionally, prior to demolition of the multi-family residential building located along Ogden Drive, a preconstruction survey shall be completed to determine the presence or absence of ACM and LBP. In the event that ACM and/or LBP are found to be present in the residential building, all ACM and LBP would be removed prior to the start of demolition and renovation activities in accordance with USEPA requirements for LBP and the SCAQMD requirements for ACM (Rule 1403). USEPA requires that a state-certified lead professional complete an assessment, and if LBP is found, a certified professional shall complete the LBP abatement to ensure that LBP is properly handled and disposed of in order to prevent exposure to surrounding uses. Similarly, for the removal of ACM, SCAQMD Rule 1403 outlines requirements for ACM surveying, notification, ACM removal procedures, and ACM handling and disposal procedures. Per state law, the applicant must obtain proof of satisfaction of state and regional requirements prior to the start of demolition activities.

Operation of the project would involve limited use of commercial cleaners, lubricants, or paints associated with janitorial, maintenance, and repair activities during hotel operations as well as household cleaning supplies associated with the residential and commercial components of the project. These uses are normal, non-hazardous, would be relatively limited, and would be subject to federal, state, and local health and safety requirements. By adhering to existing requirements and regulations, impacts associated to hazardous emissions within one-quarter mile of a school would be **less than significant**.

3.5.5 Mitigation Measures

Impacts would be less than significant. No mitigation measures are required.

3.5.6 Level of Significance After Mitigation

Impacts related to the routine transport, use, or disposal of hazardous materials as well as use of hazardous materials in proximity of a school would be less than significant.

3.5.7 References Cited

City of Hollywood. 2011. City of West Hollywood General Plan 2035 – Land Use and Urban Form Element. September 2011.

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3.6 Noise

This section describes the existing noise conditions in the project vicinity for the revised Bond Project (“proposed project” or “revised project”) identifies associated regulatory requirements, evaluates potential noise impacts, and identifies mitigation measures related to implementation of the project.

3.6.1 Environmental Setting

The project site is located in an urbanized environment and is subject to typical urban noises, such as noise generated by traffic, machinery, and other outdoor activities. The predominant noise sources at the project site include transportation activities and stationary sources. “Transportation noise” typically refers to noise from automobile use, trucking, aircraft, and rail operations. “Stationary noise” typically refers to noise from sources such as heating, ventilation, and air conditioning (HVAC) systems, compressors, landscape maintenance equipment, on-site construction activities or machinery associated with local industrial or commercial activities. Site-specific ambient noise measurements are discussed later in this section.

Noise Characteristics

Sound can be described in terms of level or amplitude (measured in decibels (dB)), frequency or pitch (measured in hertz (Hz) or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the amplitude of sound is the decibel. Because the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against low and very high frequencies in a manner approximating the sensitivity of the human ear. Table 3.6-1 provides examples of A-weighted noise levels from common sounds.

Table 3.6-1. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dB)	Common Indoor Activities
—	110	Rock band
Jet flyover at 300 meters (1,000 feet)	100	—
Gas lawn mower at 1 meter (3 feet)	90	—
Diesel truck at 15 meters (50 feet), at 80 kph (50 mph)	80	Food blender at 1 meter (3 feet) Garbage disposal at 1 meter (3 feet)
Noisy urban area, daytime gas lawn mower at 30 meters (100 feet)	70	Vacuum cleaner at 3 meters (10 feet)
Commercial area, heavy traffic at 90 meters (300 feet)	60	Normal speech at 1 meter (3 feet)
Quiet urban daytime	50	Large business office Dishwasher, next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime	30	Library

Table 3.6-1. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dB)	Common Indoor Activities
Quiet rural night time	20	Bedroom at night, concert hall (background)
—	10	Broadcast/recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing

Source: Caltrans 2013.

Notes: kph = kilometers per hour; mph = miles per hour

Noise is defined as unwanted sound, and is known to have several adverse effects on people, including hearing loss, speech interference, sleep interference, physiological responses, and annoyance. Based on these known adverse effects of noise, the federal government, the State of California, and local agencies have established criteria to protect public health and safety, to prevent disruption of certain human activities, and to minimize annoyance.

Several descriptors of noise (noise metrics) exist to help predict average community reactions to the adverse effects of environmental noise, including traffic-generated noise, on a community. These descriptors include the equivalent noise level over a given period (L_{eq}), the statistical sound level (L_n), the day–night average noise level (L_{dn}), and the community noise equivalent level (CNEL). Each of these descriptors uses units of dBA.

L_{eq} is a sound energy level averaged over a specified time period. L_{eq} is a single numerical value that represents the amount of variable sound energy received by a receptor during a time interval. For example, a 1-hour L_{eq} measurement would represent the average amount of energy contained in all the noise that occurred in that 1 hour. L_{eq} is an effective noise descriptor because of its ability to assess the total time-varying effects of noise on sensitive receptors. L_{max} is the greatest sound level measured during a designated time interval or event. L_n is a statistical description of the sound level that is exceeded over some fraction of a given period of time. For example, the L_{50} noise level represents the noise level that is exceeded 50% of the time. L_{90} noise level represents the noise level that is exceeded 90% of the time and for environmental noise is representative of the background ambient noise level.

Unlike the L_{eq} and L_n metrics, L_{dn} and CNEL metrics always represent 24-hour periods, usually on an annualized basis. L_{dn} and CNEL also differ from L_{eq} and L_n because they apply a time-weighted factor designed to emphasize noise events that occur during the evening and nighttime hours (when speech and sleep disturbance is of more concern). “Time weighted” refers to the fact that L_{dn} and CNEL penalize noise that occurs during certain sensitive periods. In the case of CNEL, noise occurring during the daytime (7:00 a.m.–7:00 p.m.) receives no penalty. Noise during the evening (7:00 p.m.–10:00 p.m.) is penalized by adding 5 dB, while nighttime (10:00 p.m.–7:00 a.m.) noise is penalized by adding 10 dB. L_{dn} differs from CNEL in that the daytime period is defined as 7:00 a.m.–10:00 p.m., thus eliminating the evening period. L_{dn} and CNEL are the predominant criteria used to measure roadway noise affecting residential receptors. These two metrics generally differ from one another by no more than 0.5 to 1 dBA.

In the context of community noise (i.e., outside of a listening laboratory or other controlled conditions), it is generally accepted that the average healthy listener can barely perceive a noise level change of 3 dBA (Caltrans 2013). A change of 5 dBA is readily perceptible, and a change of 10 dBA is perceived as twice or half as loud. A doubling of sound energy results in a 3 dBA increase in sound, which means that a doubling of sound energy (e.g., doubling the average daily numbers of traffic on a road) would result in a barely perceptible change in sound level.

Some guidance regarding the determination of a substantial permanent increase in ambient noise levels in the project vicinity above existing levels is provided by the 1992 findings of the Federal Interagency Committee on Noise

(FICON), which assessed the annoyance effects of changes in ambient noise levels resulting from aircraft operations (FICON 1992). The FICON recommendations are based upon studies that relate aircraft and traffic noise levels to the percentage of persons highly annoyed by the noise. Annoyance is a qualitative measure of the adverse reaction of people to noise that generates speech interference, sleep disturbance, or interference with the desire for a tranquil environment.

The rationale for the FICON recommendations is that it is possible to consistently describe the annoyance of people exposed to transportation noise in terms of L_{dn} . The changes in noise exposure that are shown in Table 3.6-2 are expected to result in equal changes in annoyance at sensitive land uses. Although the FICON recommendations were specifically developed to address aircraft noise impacts, they are used in this analysis to define a substantial increase in community noise levels related to all transportation noise sources and permanent non-transportation noise sources.

Table 3.6-2. Measures of Substantial Increase for Community Noise Sources

Ambient Noise Level Without Project (L_{dn})	Significant Impact Assumed to Occur if the Project Increases Ambient Noise Levels by:
<60 dBA	+ 5 dBA or more
60-65 dBA	+ 3 dBA or more
>65 dBA	+ 2 dBA or more

Source: FICON Vibration Characteristics

Vibration Characteristics

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of vibration are trains, buses on rough roads, and construction activities, such as blasting, pile driving, and heavy earth-moving equipment.

Several different methods are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square amplitude is most frequently used to describe the effect of vibration on the human body and is defined as the average of the squared amplitude of the signal. Decibel notation (VdB) is commonly used to measure root mean square. The decibel notation acts to compress the range of numbers required to describe vibration.

High levels of vibration may cause physical personal injury or damage to buildings. However, vibration levels rarely affect human health. Instead, most people consider vibration to be an annoyance that can affect concentration or disturb sleep. In addition, high levels of vibration can damage fragile buildings or interfere with equipment that is highly sensitive to vibration (e.g., electron microscopes). Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or slamming of doors. Typical outdoor sources of perceptible vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible.

Sensitive Receptors

Noise- and vibration-sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, hospitals, guest lodging, libraries, and some passive recreation areas would be considered noise- and vibration-sensitive and may warrant unique measures for protection from intruding noise. Sensitive receptors near the project site include the following:

- Multi-family homes located directly north of and adjacent to the project site, and east across Ogden Drive
- Fountain Day School located directly north and adjacent to the project site

The above sensitive receptors represent the closest residential and educational land uses with the potential to be impacted by the project. Additional sensitive receptors are located farther from the project site in the surrounding community and would be less impacted by noise and vibration levels than the above-listed sensitive receptors.

Existing Noise Conditions

Currently, the project site generates noise associated with existing commercial, multi-family residential, and parking lot operations. Additionally, the project site is primarily subject to traffic noise associated with adjacent roadways including Santa Monica Boulevard to the south, Orange Grove Avenue to the west, and Ogden Drive to the east.

Noise measurements were conducted on and near the project site in March 2017 to characterize the existing noise environment. Table 3.6-3 provides the locations, date, and time the noise measurements were taken, and the field noise measurement data sheets are included in Appendix E. The noise measurements were made using a Rion NL-52 sound level meter equipped with a 0.5-inch, pre-polarized condenser microphone with pre-amplifier. The sound level meter meets the current American National Standards Institute (ANSI) standard for a Type 1 (Precision) sound level meter. The sound level meter was calibrated before and after the measurements, and the measurements were conducted with the microphone positioned approximately 5 feet above the ground and covered with a foam windscreen.

Six noise measurement locations that represented key potential sensitive receptors or sensitive land uses at or near the project site; these locations are depicted as Receptors 1–6 (ST1–ST6) on Figure 3.6-1. Locations ST1, ST2, ST3, and ST5 were at the project site or immediately adjacent to the project site. ST1 was along Santa Monica Boulevard approximately 10 feet from the edge of the sidewalk. ST2 was located 10 feet from the centerline of the alleyway. ST3 and ST4 were off Orange Grove Avenue. ST5 was located on the west side of Ogden Drive. ST6 was located on the east side of Ogden Drive.

Table 3.6-3. Measured Noise Levels - March 2017

Measurement Location	Location	Time	Description of Noise Sources	L_{eq} (dBA)	L_{max} (dBA)	L_{90} (dBA)
ST1	10 feet from Santa Monica Boulevard between Orange Grove Avenue and	8:47 a.m. – 8:57 a.m.	Traffic on Santa Monica Boulevard, Distant Conversations/Yelling, Distant Traffic	67	82.2	58.3
ST2	10 feet from alleyway center line	9:00 a.m. – 9:10 a.m.	Traffic, Birds, Distant Traffic	57.9	75.1	50.1

Table 3.6-3. Measured Noise Levels - March 2017

Measurement Location	Location	Time	Description of Noise Sources	L _{eq} (dBA)	L _{max} (dBA)	L ₉₀ (dBA)
ST3	10 feet from the edge of pavement of Orange Grove Avenue near parking lot	8:21 a.m. – 8:31 a.m.	Traffic on North Orange Grove Avenue, Distant Conversation, Distant Traffic	60.4	74.6	55
ST4	10 feet from the edge of pavement of Orange Grove Avenue near school	8:33 a.m. – 8:43 a.m.	Traffic on North Orange Grove Avenue, Distant Conversation, Distant Traffic, School, Truck Docking	60.1	69.6	55.1
ST5	20 feet from the edge of pavement of Ogden Drive	9:12 a.m. – 9:22 a.m.	Traffic, Birds, Distant Traffic	54.3	68	47.9
ST6	8 feet from the centerline of Ogden Drive	9:24 a.m. – 9:34 a.m.	Traffic, Birds, Rustling Leaves	57	73.8	46.7

Source: Appendix E.

Notes: L_{eq} = equivalent continuous sound level (time-averaged sound level); L_{max} = maximum sound level during the measurement interval

3.6.2 Relevant Plans, Policies, and Ordinances

State

Government Code Section 65302(g)

California Government Code Section 65302(g) requires the preparation of a Noise Element in a general plan, which must identify and appraise the noise problems in the community. The Noise Element must recognize the guidelines adopted by the Office of Noise Control in the State Department of Health Services and must quantify, to the extent practicable, current and projected noise levels for the following sources:

- Highways and freeways
- Primary arterials and major local streets
- Passenger and freight on-line railroad operations and ground rapid transit systems
- Aviation and airport-related operations
- Local industrial plants
- Other ground stationary noise sources contributing to the community noise environment.

California Code of Regulations Title 24

The State of California has adopted noise standards in areas of regulation not preempted by the federal government. State standards regulate noise levels of motor vehicles, sound transmission through buildings, occupational noise control, and noise insulation. State regulations governing noise levels generated by individual motor vehicles and occupational noise control are not applicable to planning efforts, nor are these areas typically subject to CEQA analysis. State noise regulations and policies applicable to the project include Title 24 requirements and noise exposure limits for various land use categories.

In 1974, the California Commission on Housing and Community Development adopted noise insulation standards for residential buildings (24 CCR, Part 2, Chapter 12, Section 1207.11.2). Title 24 establishes standards for interior room noise attributable to outside noise sources. Title 24 also specifies acoustical studies should be prepared whenever a residential building or structure is proposed to be located in areas with exterior noise levels 60 dB L_{dn} or greater. The acoustical analysis must show the building has been designed to limit intruding noise to an interior level not exceeding 45 dB L_{dn} for any habitable room.

Local

City of West Hollywood Noise Control Ordinance

The City's Noise Control Ordinance (Chapter 9.08 of the City's Municipal Code) serves to protect people from non-transportation noise sources such as construction activities, commercial operations, machinery, and nightlife. The City's Noise Control Ordinance outlines factors to be considered when determining whether a noise, sound or vibration is a prohibited noise source within the City (Chapter 9.08.040); provides examples of prohibited noises (Chapter 9.08.050); and discusses noise exemptions (Chapter 9.08.060).

The City's Noise Control Ordinance includes general noise regulations (Chapter 9.08.050f) that regulate noise from construction activities. Construction noise deemed to be disturbing is prohibited between the hours of 7 p.m. to 8 a.m. Monday through Friday, or at any time on Saturdays (except between the hours of 8 a.m. and 7 p.m., interior construction is permissible); or at any time on Sundays or holidays. Section 9.08.060 allows the City Manager to exempt projects from these limits if necessary to protect or promote public safety or welfare.

In addition, as part of the City's Noise Control Ordinance examples of prohibited noises (Chapter 9.08.050), the City's Noise Control Ordinance regulates noise between the hours of 10:00 p.m. and 8:00 a.m. Specifically, the City's Noise Control Ordinance prohibits between the hours of 10:00 p.m. and 8:00 a.m. using, operating or permitting to be played, used or operated any radio, musical instrument, phonograph, television set, instrument or any similar device at a volume sufficiently loud as to be plainly audible at a distance of fifty feet or more (Chapter 9.08.050a). The City's Noise Control Ordinance also prohibits continuous, repeated or sustained noise from the premises of any commercial establishment which is adjacent to residential dwelling units, that is plainly audible from the residential dwelling units between the hours of 10:00 p.m. and 8:00 a.m. (Chapter 9.08.050k).

City of West Hollywood General Plan 2035 Safety and Noise Element

The Safety and Noise Element of the West Hollywood General Plan 2035 (City of West Hollywood 2011) identifies noise standards that have been adopted by the City for the purpose of establishing standards for noise exposure. Figure 10-4 and Figure 10-5 in the West Hollywood General Plan 2035 depicts the 2010 traffic noise contours and future traffic noise contours for the City, respectively. Transportation noise impacted areas are those areas that fall within the 60 dBA CNEL or greater noise contours.

Table 10-1 of the West Hollywood General Plan 2035 (City of West Hollywood 2011) summarizes compatibility guidelines for non-transportation source noise¹ affecting noise-sensitive land uses (notably, residential properties). A project should not cause noise-sensitive land uses to be exposed to noise levels that exceed 55 dBA L_{eq} during daytime hours (8 a.m. to 10 p.m.) or 50 dBA L_{eq} for nighttime hours (10 p.m. to 8 a.m.).

Table 3.6-4 shows the land use compatibility guidelines based on the City's noise level guidance for residential properties. A project is considered to be compatible with the noise environment if the noise level generated by the project falls within

¹ Not including noise from construction activities, which is addressed in the City's Noise Control Ordinance.

Zone A (normally acceptable) or Zone B (conditionally acceptable). If the noise level of a project falls into Zone A, typically no mitigation is needed and if it falls into Zone B, noise reduction mitigation measures may be required to meet City and State Title 24 noise standards. If the noise level of a project falls within Zone C, mitigation is likely needed to meet City noise standards. Mitigation may include, but is not limited to, construction of noise barriers, and/or the inclusion of substantial building sound insulation. If noise levels of a project falls within Zone D, the project is incompatible with the noise environment. The City’s conditionally acceptable noise level for residential land uses is 55-65 dBA CNEL, and for transient lodging (hotels and motels) is 60-70 dBA CNEL; therefore, the more conservative threshold of 55 – 65 dBA CNEL is utilized for this analysis, for the habitable spaces within the project site.

Table 3.6-4. Noise/Land Use Compatibility Matrix

Land Use	Community Noise Exposure (Ldn or CNEL)						
	50	55	60	65	70	75	80
Residential	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Transient Lodging – Motel, Hotel	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Schools, Libraries, Churches, Hospitals, Nursing Homes	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Auditoriums, Concert Halls, Amphitheaters	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Sports Arena, Outdoor Spectator Sports	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Playgrounds, Parks	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Golf Course, Riding Stables, Water Recreation, Cemeteries	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
Office Buildings, Business Commercial, and Professional	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light
	Light	Light	Light	Light	Light	Light	Light

Table 3.6-4. Noise/Land Use Compatibility Matrix

Land Use	Community Noise Exposure (Ldn or CNEL)						
	50	55	60	65	70	75	80
Industrial, Manufacturing, Utilities, Agriculture							

Source: City of West Hollywood 2011.

- ZONE A - Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved meet conventional Title 24 construction standards. No special noise insulation requirements.
- ZONE B - Conditionally Acceptable: New construction or development shall be undertaken only after a detailed noise analysis is made and noise reduction measures are identified and included in the project design.
- ZONE C - Normally Unacceptable: New construction or development is discouraged. If new construction is proposed, a detailed analysis is required, noise reduction measures must be identified, and noise insulation features included in the design.
- ZONE D - Clearly Unacceptable: New construction or development should not be undertaken.

The West Hollywood General Plan 2035 (City of West Hollywood 2011) includes goals and policies that will be applied to the project related to noise. The Safety and Noise Element identifies significant noise issues in the City that include the following:

- Residential neighborhoods are located adjacent to heavily traveled arterials, some of which are exposed to high ambient noise levels;
- Traffic congestion occurs during the evening hours in and around areas containing concentrations of entertainment uses. The associated parking and noise spillover causes disturbances to residential areas;
- Noise generated by customers and operations of night clubs, restaurants, bars, and other similar uses during evening hours often impacts adjacent residences;
- The nighttime use of surface parking lots and unenclosed garages often causes noise impacts on adjacent residences;
- Increases in traffic volumes increase noise levels throughout the City;
- Commercial and residential uses are located in proximity to one another, creating potential noise conflicts between these uses; and
- Mixed-use buildings, which integrate residences above ground floor commercial uses, present potential noise conflicts from traffic noise generated from the commercial frontage street and noise generated from ground floor commercial activity.

City of West Hollywood General Plan 2035 Environmental Impact Report

The City’s General Plan EIR identifies thresholds specific to individual projects constructed throughout the City. Mitigation measure 3.9-1 in the General Plan EIR states the City shall use the following thresholds and procedures for CEQA analysis of projects, consistent with policies adopted within the General Plan:

- The City shall apply the noise standards specified in Table 10-1 and Table 10-2 of the Safety and Noise Element to projects analyzed under CEQA.

- In addition to the foregoing, an increase in ambient noise levels is assumed to be a significant noise concern if a project would cause ambient noise levels to exceed the following:
 - Where the existing ambient noise level is less than 60 dB, a project-related permanent increase in ambient noise levels of 5 dB L_{dn} or greater.
 - Where the existing ambient noise level is greater than 60 dB, a project-related permanent increase in ambient noise levels of 3 dB L_{dn} or greater.
 - A project-related temporary increase in ambient noise levels of 10 dB L_{eq} or greater.

Vibration Standards

CEQA requires the potential for any excessive groundborne noise and vibration levels to be analyzed; however, it does not define the term “excessive” vibration. Numerous public and private organizations and governing bodies have provided guidelines to assist in the analysis of groundborne noise and vibration. To date, the City has not adopted a threshold for ground-borne vibration impacts. However, the Department of Transportation (Caltrans) has adopted the vibration standards to evaluate potential impacts related to construction activities. Information from Caltrans indicates that continuous vibrations with a peak particle velocity (PPV) of approximately 0.1 inches/second begin to cause annoyance to humans. The threshold at which vibration becomes “unpleasant” for humans is from 0.4–0.5 inches/second PPV (Caltrans 2004). For standard construction buildings that do not include plaster walls, Caltrans identifies a threshold of 0.5 inches/second PPV as the lower limit where building damage is possible. For the purposes of this analysis, 0.5 inches/second PPV is used as the significance threshold for building damage and 0.4 inches/second PPV is used as the significance threshold for annoyance to building occupants.

3.6.3 Thresholds of Significance

As part of the October 2016 Initial Study, it was determined the project would have no impact relative to the exposure of people residing or working in the project area to excessive aviation-related noise (i.e., Thresholds E and F). Accordingly, these issues and thresholds are not further analyzed in the EIR.

Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds of significance in Appendix G of the CEQA Guidelines. Based on these thresholds, implementation of the project would have a significant adverse impact related to noise if it would result in:

- NOI-1 The generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- NOI-2 The generation of excessive groundborne vibration or groundborne noise levels.

Quantitative thresholds of significance have been established for the purposes of this analysis based on the local polices and regulations described in Section 3.6.2 and are listed below.

- During construction activities, a project-related temporary increase in ambient noise levels of 10 dBA L_{eq} or greater would be considered a significant noise impact, based on the West Hollywood General Plan Environmental Impact Report (City of West Hollywood 2011).
- For operational stationary sources, the exterior noise standard during daytime hours (8 a.m. to 10 p.m.) is 55 dBA L_{eq} and for nighttime hours (10 p.m. to 8 a.m.) is 50 dBA L_{eq} . Exceedance of these standards at

sensitive receptors would be considered a significant noise impact, based on the West Hollywood General Plan 2035 Safety and Noise Element (City of West Hollywood 2011).

- The City's conditionally acceptable noise level for hotels and businesses is 60 to 70 dBA CNEL. The City's conditionally acceptable noise level for residential land uses is 55 to 65 dBA CNEL. Operational noise generated by the project in excess of 55 to 60 dBA CNEL would be considered a significant noise impact, based on the West Hollywood General Plan 2035 Safety and Noise Element (City of West Hollywood 2011).
- Title 24 of the California Building Code requires that interior noise levels attributable to exterior sources shall not exceed 45 dB L_{dn} in any residential unit or hotel guest room. Exceedance of this standard within the proposed hotel rooms would be considered a significant noise impact.
- Off-site noise impacts due to project-generated traffic would be considered significant if the project-generated traffic would cause an increase of 5 dB from existing noise levels, based on the FICON recommendations for areas with ambient noise levels of less than 60 dBA without the project.

The City does not have quantitative noise limits as applied to people gathering or outdoor amplified sound systems. However, as noted above, the City's Noise Control Ordinance includes regulations on noise between the hours of 10:00 p.m. and 8:00 a.m. Therefore, to ensure compliance with the City's Noise Control Ordinance's restrictions on noise that is "plainly audible" between the hours of 10:00 p.m. and 8:00 a.m. (Chapter 9.08.050a), the significance threshold for the people gathering in the project's outdoor areas or from the project's outdoor amplified sound system between 10:00 p.m. and 8:00 a.m. would be 5 dBA below the lowest measured background sound level (L_{90}) at the property line of the affected noise sensitive receptor during the nighttime hours. This should reduce the noise to less than "plainly audible". The L_{90} noise level is generally considered to represent the true background or ambient level, as it excludes intermittent peak noise sources such as a truck passing by or dog barking. Further, the significance threshold of 5 dBA below the lowest background sound levels measured in L_{90} is a more conservative threshold than the operational stationary sources threshold listed above.

Therefore, for purposes of analyzing people gathering in the project's outdoor areas and the use of amplified sound systems in those outdoor areas, the project would result in a significant noise impact from people gathering or from outdoor amplified sound system if:

- The noise level generated at the outdoor uses, including people gathering and amplified sound systems, would increase the existing ambient noise level (L_{eq}) at noise sensitive uses by 5 dBA (where the existing ambient noise level is less than 60 dBA L_{eq}) or 3 dBA (where the existing ambient noise level is 60 dBA L_{eq} or greater), during the daytime hours between 8:00 a.m. and 10:00 p.m.; or
- The noise level generated from the outdoor uses, including people gathering and amplified sound systems, at the property line of a noise sensitive use is greater than the lowest background noise level (L_{90}) minus 5 dBA, during the nighttime hours between 10:00 p.m. and 8:00 a.m.

Finally, groundborne vibration during construction or operation of the project would be considered significant if the project would result in vibration levels of 0.5 inches/second or greater peak particle velocity at adjacent buildings, following the Caltrans threshold.

3.6.4 Methodology

Ambient noise measurements were conducted to quantify the existing daytime noise environment at six sites in L_{eq} and L_{max} . Noise levels resulting from the proposed construction activities have been calculated using data from reports prepared by the Federal Transit Administration (FTA 2006) and other field data. The noise impact

assessment utilized criteria established in the West Hollywood General Plan 2035 (City of West Hollywood 2011) and the West Hollywood Noise Control Ordinance (Chapter 9.08 of the City's Municipal Code).

The noise level associated with selected roadways was determined based on ambient noise measurements and using the Federal Highway Administration (FHWA) Traffic Noise Model (TNM) 2.5 Traffic Noise Model (FHWA 2004). Information used in the model included the Existing, Existing-plus-Project, Cumulative-without-Project, and Cumulative-with-Project traffic volumes. Traffic volumes for each of the previously mentioned scenarios were obtained from traffic consultant KOA (KOA 2022). This traffic data was used to model noise levels under those scenarios. Noise levels were modeled at representative noise-sensitive receivers. The receivers were modeled to be 5 feet above the local ground elevation.

The Federal Highway Administration's Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at the nearest occupied noise-sensitive land use. Although the model was funded and promulgated by the FHWA, the RCNM is often used for non-roadway projects because the same types of construction equipment used for roadway projects are also used for other project types. Input variables for the RCNM consist of the receiver/land use types, the equipment type and number of each (e.g., two graders, a loader, a tractor), the duty cycle for each piece of equipment (e.g., percentage of hours the equipment typically works per day), and the distance from the noise-sensitive receiver. The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty-cycle values were used for this noise analysis.

3.6.5 Impact Analysis

Threshold NOI-1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

On-site noise-generating activities associated with the project would include:

- Short-term construction
- Long-term operational noise associated with the mixed-use operations, including
 - hotel,
 - restaurant,
 - residential units,
 - art gallery,
 - proposed subterranean garage,
 - conversations from people gathering in the project's outdoor areas (pool, outdoor dining, etc.),
 - the use of amplified sound systems in the project's outdoor areas, and
 - other on-site noise sources (e.g., HVAC equipment).

The project also would generate off-site traffic noise along various roadways in the area. In addition, the proposed uses on site would be subject to traffic noise from Santa Monica Boulevard, Orange Grove Avenue, and Ogden Drive. The short-term construction-related noise impacts of the project are analyzed below, followed by a discussion of the long-term operational noise impacts of the revised project.

Construction Noise (Short-Term Impacts)

Construction activities for the project site would involve the following sequence: (1) demolition, (2) site preparation (clearing and grubbing), (3) grading and excavation, (4) building construction, (5) paving, and (6) architectural coating. The following are typical types of construction equipment that would be expected:

- Excavators
- Dozers
- Backhoes
- Forklifts
- Paving equipment
- Materials delivery trucks
- Augers
- Cranes
- Concrete trucks

The types of equipment that would be used to construct the project include standard equipment that would be employed for any routine construction project of this scale; however, construction equipment with substantially higher noise-generation characteristics (such as pile drivers, rock drills, blasting equipment) would not be necessary for construction of the multi-use hotel building, subterranean parking, and related project components.

Construction noise is difficult to quantify because of the many variables involved, including the specific equipment types, size of equipment used, percentage of time each piece is in operation, condition of each piece of equipment, and number of pieces that would operate on the site. The range of maximum noise levels for various types of construction equipment at a distance of 50 feet is depicted in Table 3.6-5. The noise values represent maximum noise generation, or full-power operation of the equipment.

As one increases the distance between equipment, or separation of areas with simultaneous construction activity, dispersion and distance attenuation reduce the effects of separate noise sources added together. In addition, typical operating cycles may involve two minutes of full-power operation, followed by three or four minutes at lower levels. The average noise level during construction activities is generally lower, since maximum noise generation may only occur up to 50% of the time.

Table 3.6-5. Typical Construction Equipment Noise Emission Levels and Usage Factors

Equipment Description	Impact Device?	Acoustical Use Factor (%)	Spec 721.560 L _{max} @ 50ft (dBA, slow)	Actual Measured L _{max} @50ft (dBA, slow) samples averaged*
All Other Equipment > 5 HP	No	50	85	-- N/A --
Auger Drill Rig	No	20	85	84
Backhoe	No	40	80	78
Bar Bender	No	20	80	-- N/A --
Blasting	Yes	-- N/A --	94	-- N/A --
Boring Jack Power Unit	No	50	80	83
Chain Saw	No	20	85	84
Clam Shovel (dropping)	Yes	20	93	87
Compactor (ground)	No	20	80	83

Table 3.6-5. Typical Construction Equipment Noise Emission Levels and Usage Factors

Equipment Description	Impact Device?	Acoustical Use Factor (%)	Spec 721.560 L _{max} @ 50ft (dBA, slow)	Actual Measured L _{max} @50ft (dBA, slow) samples averaged*
Compressor (air)	No	40	80	78
Concrete Batch Plant	No	15	83	-- N/A --
Concrete Mixer Truck	No	40	85	79
Concrete Pump Truck	No	20	82	81
Concrete Saw	No	20	90	90
Crane	No	16	85	81
Dozer	No	40	85	82
Drill Rig Truck	No	20	84	79
Drum Mixer	No	50	80	80
Dump Truck	No	40	84	76
Excavator	No	40	85	81
Flat Bed Truck	No	40	84	74
Front End Loader	No	40	80	79
Generator	No	50	82	81
Generator (<25KVA, VMS signs)	No	50	70	73
Gradall	No	40	85	83
Grader	No	40	85	-- N/A --
Grapple (on backhoe)	No	40	85	87
Horizontal Boring Hydr. Jack	No	25	80	82
Hydra Break Ram	Yes	10	90	-- N/A --
Impact Pile Driver	Yes	20	95	101
Jackhammer	Yes	20	85	89
Man Lift	No	20	85	75
Mounted Impact Hammer (hoe ram)	Yes	20	90	90
Pavement Scarafier	No	20	85	90
Paver	No	50	85	77
Pickup Truck	No	40	55	75
Pneumatic Tools	No	50	85	85
Pumps	No	50	77	81
Refrigerator Unit	No	100	82	73
Rivit Buster/ chipping gun	Yes	20	85	79
Rock Drill	No	20	85	81
Roller	No	20	85	80
Sand Blasting (Single Nozzle)	No	20	85	96

Table 3.6-5. Typical Construction Equipment Noise Emission Levels and Usage Factors

Equipment Description	Impact Device?	Acoustical Use Factor (%)	Spec 721.560 L _{max} @ 50ft (dBA, slow)	Actual Measured L _{max} @50ft (dBA, slow) samples averaged*
Scraper	No	40	85	84
Shears (on backhoe)	No	40	85	96
Slurry Plant	No	100	78	78
Slurry Trenching Machine	No	50	82	80
Soil Mix Drill Rig	No	50	80	-- N/A --
Tractor	No	40	84	-- N/A --
Vacuum Excavator (Vac-truck)	No	40	85	85
Vacuum Street Sweeper	No	10	80	82
Ventilation Fan	No	100	85	79
Vibrating Hopper	No	50	85	87
Vibratory Concrete Mixer	No	20	80	80
Vibratory Pile Driver	No	20	95	101
Warning Horn	No	5	85	83
Welder/Torch	No	40	73	74

Source: FHWA 2008.

The nearest noise-sensitive receptors to the construction site would be the residences located to the north and northeast along Ogden Drive and the Fountain Day School, located adjacent to the northern portion of the project site. The nearest residence is represented by receiver ST2 and the Fountain Day School is represented by receiver ST4 in the measurements section. Construction activities would occur both close to and far from nearby noise-sensitive uses. Noise levels from construction typically decrease at a rate of approximately 6 dB per doubling of distance from the source.

The estimated construction noise levels at nearby noise-sensitive land uses and the resulting noise level increase relative to measured ambient noise levels are summarized in Table 3.6-6, and the RCNM input / output data files are included in Appendix E. At a distance of 50 feet (the distance from the closest receptor to the project site's acoustic center²), construction noise levels would range from approximately 75 to 84 dBA.

Table 3.6-6. Short-Term (Construction) Noise Levels

Construction Phase	Measured Ambient Noise Levels (dBA L _{eq}) ¹	Estimated Construction Noise Level (dBA L _{eq})	Resulting Noise Level Increase During Construction (dBA L _{eq})
Receptor 50 feet from Acoustic Center of Project Site			
Demolition	54	83	29

² The acoustic center represents the idealized point from which the energy sum of all construction activity noise, near and far, would be centered. The acoustic center is derived by taking the square root of the product of the nearest and the farthest distances.

Table 3.6-6. Short-Term (Construction) Noise Levels

Construction Phase	Measured Ambient Noise Levels (dBA L_{eq}) ¹	Estimated Construction Noise Level (dBA L_{eq})	Resulting Noise Level Increase During Construction (dBA L_{eq})
Receptor 50 feet from Acoustic Center of Project Site			
Site Preparation	54	75	21
Grading	54	84	30
Paving	54	83	29
Building Construction	54	81	27

Source: Appendix E.

Note: Per Chapter 9.08.050(f) of the City's Municipal Code, construction noise deemed to be disturbing is prohibited between the hours of 7 p.m. to 8 a.m. Monday through Friday, or at any time on Saturdays (except, between the hours of 8 a.m. and 7 p.m., interior construction is permissible); or at any time on Sundays or holidays.

¹ Refer to Table 3.6-2 for measured ambient noise levels representative of noise-sensitive land uses. ST5 (residential land use) is used as the representative measurement location because it (similarly to ST2) is immediately adjacent to the project site and has a slightly lower ambient noise level than ST2. Documented level for ST5 is 54.3 dBA L_{eq} . That number has been rounded to 54 dBA for comparison to the construction noise levels.

As shown in Table 3.6-6, the nearest sensitive receptors would experience short-term noise level increases in the range of 21 to 30 dBA L_{eq} above ambient levels. Thus, the project would exceed the 10 dBA temporary noise increase threshold, constituting a **potentially significant impact**. Given the proximity to sensitive receptors, the applicant will implement a number of mitigation measures (summarized below and provided in further detail in Section 3.6.6) to reduce the impact of construction noise on nearby sensitive receptors.

Under Mitigation Measure (MM)-NOI-1, the Applicant will install an enhanced noise/dust barrier around portions of the project site perimeter, with shoring piles extending 15 feet above street level³, as part of the "Phase 1 Demolition/Shoring and Sound Wall construction phase (see Section 2.7, Construction Scenario, for further details regarding this construction phase). The noise barrier will include sound blankets (STC 29 or greater) which can be installed in multiple layers for improved insulation from noise for neighboring receptors. The Phase 1 Demolition / Shoring and Sound Wall process would be divided into four sub-phases to further reduce impacts upon neighboring receptors. The Applicant will coordinate with Fountain Day School so the Phase 1 Demolition / Shoring and Sound Wall construction occurs during periods when the school is closed.

Under MM-NOI-2, the Applicant will use a backhoe instead of an excavator until the sound wall is in place; the Applicant will also limit use of heavy equipment such as excavator/forklift/loader so no duplicative units are operating concurrently.

The erection of the sound barrier early in the construction process and limiting the number of heavy equipment operating simultaneously would reduce construction noise at adjacent land uses to less than the levels illustrated in Table 3.6-6. Because construction noise could still be annoying, disruptive, and exceed the 10 dBA temporary noise increase threshold, further mitigation is required.

The Municipal Code requires limited construction hours, so construction does not happen during sleeping hours. Mitigation measure MM-NOI-3 requires construction noise control efforts such as ensuring that equipment is fitted with effective mufflers, shutting off idling equipment, placing stationary equipment and staging areas as far as

³ Based upon noise barrier calculations (Appendix E), the 15-foot high temporary noise barrier would result in a noise level reduction of approximately 19 decibels.

practical from noise sensitive receptors, and using temporary barriers around individual equipment generating particularly high noise levels. These were required under the General Plan 2035 EIR as a program-level mitigation to address general construction noise for projects within the City and will be applicable to the project. The General Plan EIR concluded construction noise would be reduced to less than significant through incorporation of the mitigation measures required therein, but that additional controls could be necessary for construction immediately adjacent to noise-sensitive land uses.

Beyond the mitigation required under MM-NOI-1, MM-NOI-2, and MM-NOI-3, additional mitigation measures capture and refine the construction noise controls by carefully outlining how construction would be done to reduce impacts to adjacent noise-sensitive receptors. Per MM-NOI-4, noise from temporary electrical generators shall be minimized. MM-NOI-4 also specifies individual equipment shielding of noisy equipment at upper floors. Finally, MM-NOI-5 requires construction noise level verification reporting. Considering Municipal Code restrictions and the mitigation measures, which include the erection and maintenance of property-line temporary noise barriers during demolition and construction and also regulate the timing and location of construction activities on site in a manner that accounts for the sensitive receptors, temporary construction-related noise impacts would be reduced to **less than significant with mitigation**. Refer to Table 3.6-7.

Table 3.6-7. Short-Term (Construction) Noise Levels - Mitigated

Construction Phase	Measured Ambient Noise Levels (dBA Leq) ¹	Construction Noise Level (dBA Leq) Before MM's	Construction Noise Level (dBA Leq) With MMs ²	Construction Noise Level (dBA Leq) With MMs plus Ambient	Resulting Noise Level Increase During Construction (dBA Leq) With MMs
Receptor 50 feet from Acoustic Center of Project Site					
Demolition	54	83	61	62	8
Site Preparation	54	75	53	57	3
Grading	54	84	62	63	9
Paving	54	83	61	62	8
Building Construction	54	81	59	60	6

¹ Refer to Table 3.6-2 for measured ambient noise levels representative of noise-sensitive land uses. ST5 (residential land use) is used as the representative measurement location because it (similarly to ST2) is immediately adjacent to the project site and has a slightly lower ambient noise level than ST2. Documented level for nearest residential land use ST5 is 54.3 dBA Leq. That number has been rounded to 54 dBA for comparison to the construction noise levels.

² Estimated construction noise reduction based upon combined noise barrier performance of approximately 19 dB plus an additional 3 dB reduction from the other measures listed in Section 3.6.6 (Mitigation Measures).

Long-term operational noise associated with the mixed-use project would include noise from residences, hotel operations, retail uses (art gallery), dining, proposed subterranean garage, conversations from people gathering in the project's outdoor areas, the use of outdoor amplified sound systems in the project's outdoor areas, and other on-site noise sources (e.g., HVAC equipment). Long-term operational noise also would include project-generated traffic and overall traffic noise at the site.

Residences, Hotel Operations, Retail Uses, and Dining

Exterior

The proposed residential, hotel, retail, and dining uses would generate noise typical of these types of uses, such as conversations, music, restaurant noise, and noise from loading and unloading activities. The project includes loading spaces on ground level. All outdoor loading dock and trash/recycling areas would be partially or fully enclosed. The planned loading dock area is located approximately 90 feet from existing residences. Some shielding may be provided by other project elements.

Table 3.6-8 shows sound levels for specific events that are part of loading dock operations, based on a loading dock noise study conducted by Charles M. Salter Associates (2014).

Table 3.6-8. Loading Dock Event Noise

Event	Sound Levels (dB)	At Reference Distance (feet)
Truck Passby (arrival, departure)	65	@ 30 feet
Truck Air Breaks	72	@ 25 feet
Truck Backup Alarm	79	@ 30 feet
Brief Idle Before Engine Shutoff	70	@ 25 feet
Truck Engine Ignition and Air Breaks	71	@ 25 feet
Truck Accelerating from Stop	74	@ 25 feet

Source: Midpoint at 237, San Jose, CA Loading Dock Noise Study Prepared by Charles M. Salter Associates for Trammell Crow Company. 27 March 2014.

According to the Salter study, the truck backup alarm is the source of the highest sound levels. As a warning device, this is a critical noise source. Based on the noise levels in Table 3.6-8, the loudest loading dock noise experienced at the nearest adjacent residences is expected to be approximately 42 dBA, accounting for the acoustical shielding provided by the proposed hotel structure. Loading dock operations may occasionally be heard outdoors in the residential area adjacent to the project site, though the noise would be substantially less than the typical ambient noise levels. Assuming loading dock noise levels of 42 dBA for not more than 30 minutes and a background L_{eq} of 54 dBA (as measured at location ST5), the hourly L_{eq} would be approximately 54.1 dBA⁴ at the adjacent residences. Thus, daytime noise levels due to loading dock operations would be less than significant. However, nighttime hours (10 p.m. to 8 a.m.) have a lower noise level standard and nighttime ambient noise levels would be lower than daytime noise levels, and thus loading dock operations should be limited during nighttime hours in order to avoid potentially significant nighttime noise impacts. As such, mitigation measure MM-NOI-6 is provided to limit the hours for loading dock operations. With implementation of this mitigation, daytime and nighttime noise impacts would be **less than significant with mitigation**.

In addition, the project would include people gathering in the project's outdoor areas (pool, outdoor dining, etc.) and the use of amplified sound systems in those outdoor areas. The amplified sound system in those areas would be employed primarily to broadcast background music.

⁴ Exterior on-site noise calculations are provided in Appendix E.

The outdoor spaces would generally be shielded to the off-site uses by parapet walls and other structural parts of the project. Additionally, the outdoor speaker system would be designed so speakers aim toward the audience/guest area and away from the off-site noise sensitive receptors, as required by mitigation measure MM-NOI-7.

Noise levels associated with people gathering at outdoor areas were assumed to be 62 to 65 dBA at a distance of 3.3 feet (1 meter), for women and men speaking, respectively. To represent a typical scenario, the noise analysis assumed that up to 50% of the people (half female and half male) would be talking at the same time. The ground level outdoor portion of the restaurant is approximately 150 feet from the nearest residential receptors. Crowd noise levels were calculated to be approximately 44 dBA at the nearest residences due to crowd noise from this location. For the courtyard on Level 4, calculated crowd noise would be approximately 45 dBA at the nearest residences. Finally, for the pool deck, noise levels would be approximately 43 dBA at the nearest residences. Based on these results, the crowd noise levels at off-site noise-sensitive receptors would be below ambient noise levels and the significance threshold.

Outdoor sound systems would likely be part of the outdoor uses for these areas. At this time, the details and extent of the outdoor sound system are not known, and therefore there is the potential for the amplified sound to result in potentially significant noise impacts. MM-NOI-7, which requires that the sound system be calibrated for the outdoor uses so as to not exceed the noise level standards and be measured, verified, and documented by a qualified acoustical engineer, is provided to ensure that noise levels generated by the amplified sound systems remain below the applicable significance threshold.. As such, noise generated by the operational activities from the project would not exceed applicable standards. Therefore, based on the analysis above, the project's exterior operational noise impacts would be **less than significant with mitigation**.

Subterranean Parking Garage

Traffic associated with the subterranean parking garage would not be of sufficient volume to exceed community noise standards based on a time-averaged scale such as CNEL or L_{eq} (Mestre Greve Associates 2011). The instantaneous maximum sound levels generated by a car door slamming, an engine starting up, or cars going in and out of the subterranean garage (including any tire squeal) is not expected to cause annoyance to people at the closest sensitive receptors because the garage would be underground and therefore shielded from noise-sensitive uses. Thus, the majority of the noise would be contained within the garage and would not represent a significant impact at nearby noise-sensitive land uses. Operational noise impacts related to the proposed subterranean garage would therefore be **less than significant**.

Mechanical Noise Generators

The project would require building mechanical equipment (e.g., air handlers, exhaust fans, and pool equipment). On-site stationary mechanical equipment, including HVAC, kitchen, and pool equipment, would be located on the roof tops. The equipment would be enclosed; thus, noise-sensitive receivers (including residences and hotel guests) would not have a direct view of the units. The specific details (sizes, manufacturers, and models) of the mechanical equipment have not yet been determined. However, based upon examination of several major manufacturers' HVAC equipment specifications for representative models (details of which are provided in Appendix E), the dimensionless sound power levels were found to range from approximately 68 dBA to 92 dBA. Based upon the project's current site plan, the mechanical equipment would be located within approximately 50 feet of the nearest residences (accounting for both horizontal and vertical distance). Assuming a sound power level of 92 dBA, the noise level at a distance of 50 feet from one HVAC unit would be approximately 61 dBA L_{eq} at the nearest existing residential property in the absence of acoustical shielding. The HVAC units would be mounted atop the Project's roofs and set

back from the building’s sides, so the rooftop and building sides would provide substantial acoustical shielding to the nearby existing residential receivers. Accounting for this acoustical shielding, the resulting noise from one of the assumed HVAC units would be approximately 43 dBA L_{eq} . If additional units were operating simultaneously, the resultant noise level at the nearest existing residences would be greater – also, as stated above the specific manufacturers and models of the HVAC units as well as other exterior mechanical equipment have not yet been determined. Therefore, the mechanical equipment would have the potential to generate noise levels which could exceed City of West Hollywood municipal noise standards (55 dBA L_{eq} daytime, 50 dBA L_{eq} nighttime).

The noise levels from mechanical equipment would potentially exceed the City’s noise standards without implementation of mitigation measures. Implementation of mitigation measure MM-NOI-8(see Section 3.6.6) requires that an acoustical specialist review construction-level plans and equipment specifications and confirm that the mechanical equipment will comply with applicable noise standards prior to City approval of the plans and specifications. Therefore, noise impacts from mechanical noise sources during operation would be **less than significant with mitigation**.

To summarize with regard to on-site operational noise, mitigation measures are provided to ensure that operation of the project would not exceed applicable noise standards or otherwise result in a substantial permanent increase in ambient noise levels. Upon implementation of MM-NOI-6 through MM-NOI-8, operational noise impacts would be **less than significant with mitigation**.

Off-Site Traffic Noise Levels

The project would generate traffic along adjacent roads including Santa Monica Boulevard, Ogden Drive, Fairfax Avenue, Genesee Avenue and Orange Grove Avenue. The City does not have specific noise criterion for evaluating off-site noise impacts to residences or noise-sensitive areas from project-related traffic. For the purposes of this noise analysis, such impacts are considered significant when they cause an increase of 5 dBA from existing noise levels. An increase or decrease in noise level of at least 5 dBA is required before a noticeable change in community response would be expected (Caltrans 2013). Therefore, a clearly perceptible increase (+5 dBA) in noise exposure of sensitive receptors would be considered significant.

Based on the anticipated trip generation rates and trip distribution patterns, the existing- plus-project traffic noise would generate a noise level increase of 1 dBA CNEL or less (rounded to whole numbers) along the studied roads in the vicinity of the site as compared to existing conditions. The noise level increases associated with the additional traffic volumes are depicted in Table 3.6-9, and the TNM noise model input/output files are included in Appendix E. Increases would be below the significance threshold of 5 dBA. The additional traffic volume along the adjacent roads would not substantially increase the existing noise level in the project vicinity, and operational traffic-related noise impacts would be **less than significant**.

Table 3.6-9. Traffic Noise (Existing and Cumulative-Plus-Project Noise Levels)

Modeled Receptor	Existing	Existing with Project	Difference	Cumulative	Cumulative with Project	Difference
R1 / ST1 Project Site on Santa Monica Blvd	68	68	0	70	70	0
R2 /ST2 Residences north of Project Site	43	43	0	45	45	0

Table 3.6-9. Traffic Noise (Existing and Cumulative-Plus-Project Noise Levels)

Modeled Receptor	Existing	Existing with Project	Difference	Cumulative	Cumulative with Project	Difference
R3 / ST3 Project Site on North Orange Grove Blvd	57	57	0	58	58	0
R4 / ST4 Child care facility on North Orange Grove Blvd	54	55	1	55	56	1
R5 / ST5 Residences on North Ogden Drive north of Santa Monica Blvd	55	55	0	56	56	0
R6 / ST6 Residences on North Ogden Drive north of Santa Monica Blvd	58	58	0	59	59	0
R7 Residences on North Fairfax Avenue north of Santa Monica Blvd	63	63	0	64	64	0
R8 Residences on North Fairfax Avenue south of Santa Monica Blvd	66	66	0	67	68	1
R9 Residences on North Orange Grove Blvd south of Santa Monica Blvd	56	56	0	57	57	0
R10 Residences on North Ogden Drive south of Santa Monica Blvd	56	56	0	57	57	0
R11 Residences on North Genesee Avenue north of Santa Monica Blvd	57	57	0	58	58	0
R12 Residences on North Genesee Avenue south of Santa Monica Blvd	56	56	0	57	57	0

Threshold NOI-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction activity may generate vibration that could either damage nearby buildings or annoy people in the project vicinity. Construction activities can generate varying degrees of ground-borne vibration, depending on the construction procedures and the type of construction equipment operated. Construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effects on buildings (i.e., building damage) are dependent on the location of the buildings to the source and the characteristic of the building structure.

During construction, heavier pieces of construction equipment used at the project site would include dozers, graders, augers, cranes, loaded trucks, water trucks, and pavers. Ground-borne vibration is typically attenuated over short distances. Assuming a 10-foot distance between the project construction area and the nearest noise-

and vibration-sensitive receptors, the PPV is estimated to be up to 0.352 inches/second, which would fall below the threshold of significance of 0.5 inches/second for building damage; it would also fall below the limit of 0.4 inches/second PPV where vibration begins to be unpleasant for building occupants. Consequently, temporary vibration from construction would be **less than significant** at the closest existing structures to the project site.

Noise- and vibration-sensitive receptors located 25 feet from the construction equipment would experience vibration levels of 0.089 inches/second, well below the limit for building damage or annoyance for building occupants. The heavy construction equipment would not be in operation during the entire work day, nor would equipment operate continuously for long periods of time immediately adjacent to the noise- and vibration-sensitive receptors and thus vibration levels would not be continuous in nature.

Therefore, temporary groundborne vibration or groundborne noise levels from construction equipment would be **less than significant**.

3.6.6 Mitigation Measures

The following mitigation measures would reduce construction and operation-related noise levels to less than significant.

Construction

MM-NOI-1 Construction Noise Barriers

The City of West Hollywood shall require the Applicant's construction contractor to adhere to the following measures as a condition of approving the project:

- Prior to commencing demolition activities, an enhanced noise / dust control barrier shall be erected along the entire southern property boundary of the Fountain Day School property. The barrier shall be a minimum height of 15 feet above street level and shall consist of at least two layers of sound blankets possessing a minimum acoustic rating of STC 29 (apiece). The layers shall be installed with joints staggered between the layers, to avoid gaps in the sound blanket coverage. A single auger-style drill rig may be used for installation of the piles necessary to support the sound barrier. The construction contractor shall coordinate with Fountain Day School so, if possible, this sound wall construction occurs while the school is closed. This sound barrier shall be maintained for the duration of project construction and be removed only to allow landscape installation when all other project construction is complete.
- Prior to commencing demolition activities, an enhanced noise / dust control barrier shall be erected along the entire northern and western property boundary of the multi-family residences immediately adjacent to the south of the project site (on North Ogden Drive). The barrier shall be a minimum height of 15 feet above street level and shall consist of at least two layers of sound blankets possessing a minimum acoustic rating of STC 29 (apiece). The layers shall be installed with joints staggered between the layers, to avoid gaps in the sound blanket coverage. A single auger-style drill rig may be used for installation of the piles necessary to support the sound barrier. This sound barrier shall be maintained for the duration of project construction and be removed only to allow landscape installation when all other project construction is complete.
- As soon as the minimum amount of demolition has occurred to allow access of a drill rig for pile installation, an enhanced noise / dust control barrier shall be erected along the entire

remaining northern property boundary of the subject property. The barrier shall be a minimum height of 15 feet above street level and shall consist of at least two layers of sound blankets possessing a minimum acoustic rating of STC 29 (apiece). The layers shall be installed with joints staggered between the layers, to avoid gaps in the sound blanket coverage. A single auger-style drill rig may be used for installation of the piles necessary to support the sound barrier. This sound barrier shall be maintained for the duration of project construction and may be removed only to allow landscape installation when all other project construction is complete.

- As soon as exterior wall framing allows at each individual level of the structure, northern building facades (i.e., those facing the Fountain Day School), and portions of the eastern and southern building facades (i.e., those facing the North Ogden Drive residences) shall either be covered with temporary sound blankets possessing a minimum acoustic rating of STC 29, or the exterior sheathing of the building shall be installed on the framing.

MM-NOI-2 Construction Equipment Restrictions

The City of West Hollywood shall require the Applicant's construction contractor to adhere to the following measures as a condition of approving the project:

- The construction contractor shall use a backhoe instead of an excavator until the sound walls are in place; the construction contractor shall also limit use of heavy equipment such as excavator/forklift/loader such that no duplicative units are operating

MM-NOI-3 Construction Activity Conditions

The City of West Hollywood shall require the Applicant's construction contractor to implement the following measures as a condition of approving the project (West Hollywood General Plan EIR MM 3.9-2):

- Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (i.e. mufflers, silencers, wraps, etc.).
- Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment.
- Construction operations and related activities associated with the project shall comply with the operational hours outlined in the West Hollywood Municipal Code (WHMC) Noise Ordinance, or mitigate noise at sensitive land uses to below WHMC standards.
- Construction equipment should not be idled for extended periods of time in the vicinity of noise-sensitive receptors.
- Locate fixed and/or stationary equipment as far as possible from noise-sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers). Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment.
- Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible and break the line of sight between the source and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed of material having a minimum surface weight of 2 pounds per square foot or greater, and a demonstrated Sound Transmission Class (STC) rating of 25 or greater as defined by American Society for Testing and Materials (ASTM) Test Method E90. Placement, orientation, size, and

density of acoustical barriers shall be specified by a qualified acoustical consultant (see MM-NOI-1, which provides noise barrier specifics for the Bond Project).

- Music from a construction site shall not be audible at off-site locations.

MM-NOI-4 Stationary Construction Equipment Location/Shielding

The City of West Hollywood shall require the Applicant's construction contractor to adhere to the following measures as a condition of approving the project:

- Temporary electricity generators used for construction shall be located as far as possible from the Fountain Day School and North Ogden Drive residences, and temporary electrical power connections to the electrical utility provider shall be established at the earliest feasible point in the construction to preclude the further need for or use of generators.
- Within the second and higher building levels, until the sound blankets or exterior cladding is installed on the building facades facing the Fountain Day School and North Ogden Drive residences, stationary construction equipment (e.g., compressors, welders, etc.) that generates noise that exceeds 58 dB(A) at the property boundaries shall be individually shielded with a barrier that meets a STC rating of 29.

MM-NOI-5 Construction Noise Compliance Verification Reports

The City of West Hollywood shall require the Applicant's construction contractor to adhere to the following measures as a condition of approving the project:

- 8-hour noise measurements shall be conducted at the Fountain Day School and North Ogden Drive residences, at the ground level and behind the temporary noise barrier, not less frequently than one construction day per month. The measurement results will be presented each month to the City in a brief memorandum that compares measured noise levels to the threshold of not greater than 10 dBA L_{eq} over ambient noise levels.
- Should the verification report in any month indicate construction noise levels in excess of the allowable limit, an acoustical consultant shall be retained by the contractor to devise additional noise control methods, such methods shall be implemented, and the noise measurements shall be performed again to verify the new controls are effective.

Operation

MM-NOI-6 Loading Dock Hours

Loading dock activities shall be limited to between the hours of 8 a.m. and 10 p.m.

MM-NOI-7 Outdoor Amplification System

The outdoor speaker system shall be designed so speakers aim toward the audience/guest area and away from the off-site noise sensitive receptors.

Prior to certificate of occupancy, the restaurant and pool deck sound systems shall be calibrated for the outdoor uses so as to not exceed the noise level standards. The amplified sound system sound output

shall be measured, verified, and documented by a qualified acoustical engineer to meet the exterior noise standard during daytime hours (8 a.m. to 10 p.m.) of 55 dBA L_{eq} based on the West Hollywood General Plan 2035 Safety and Noise Element (City of West Hollywood 2011).

In addition, the project's outdoor amplified sound system shall be calibrated such that between the hours of 10:00 p.m. and 8:00 a.m. the sound levels shall be 5 dBA below the lowest measured background sound level (L_{90}) at the property line of the affected noise sensitive receptor.

MM-NOI-8 Mechanical Equipment

Prior to approval of the plans and specifications for the project, the Project applicant shall retain an acoustical specialist to review the Project's construction-level plans to ensure that the equipment specifications and plans for HVAC, kitchen and pool mechanical equipment incorporate features to ensure that operational noise will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Such features could include, but not be limited to, the specification of quieter equipment, relocation of equipment to be of greater distance from adjacent noise-sensitive uses, and/or the provision of acoustical enclosures. The acoustical specialist shall certify in writing to the City that the equipment specifications and plans will achieve the City's relevant noise standards.

3.6.7 Level of Significance after Mitigation

Mitigation measures MM-NOI-1 through MM-NOI-5 will be implemented to reduce noise from project construction: MM-NOI-1 requires installation of a construction noise barrier (15 feet above street level), performance specifications, and phasing; MM-NOI-2 details restrictions on construction equipment; specifically, the use of smaller, lower-powered equipment and restricting the use of multiple pieces of heavy equipment simultaneously; MM-NOI-3 specifies measures the construction contractor shall implement to reduce noise from construction activities, including shrouding or shielding impact tools, and muffling or shielding all intake and exhaust ports on power equipment as well as the placement of fixed / stationary equipment as far as possible from noise-sensitive receptors; MM-NOI-4 requires that stationary generators be located as far as possible from the noise-sensitive receptors to the south and that electrical connection to the utility provider be established at the earliest feasible point to minimize the further need for or use of generators. MM-NOI-4 also specifies shielding of equipment being used on upper-level floors. Finally, MM-NOI-5 specifies noise measurement / reporting requirements to ensure that construction noise levels are in compliance with City limits for construction and requires implementation of additional control measures if found to be out of compliance.

Effectiveness of these mitigation measures would vary from several decibels (which in general is a relatively small change) to 10 or more decibels (which subjectively would be perceived as a substantial change), depending upon the specific equipment and the original condition of that equipment, the specific locations of the noise sources and the receivers, etc. Installation of a noise barrier as specified in MM-NOI-1 for example would vary in effectiveness depending upon the degree to which the line-of-sight between the source and receiver is broken, but for the nearest receivers (where noise reduction would be most critical) the noise barrier is estimated to provide as much as 19 decibels of noise reduction. Installation of more effective silencers could range from several decibels to well over 10 decibels. Reduction of idling equipment could reduce overall noise levels from barely any reduction to several decibels. Cumulatively, however, these measures would result in substantial decreases in the noise from construction. As shown in Table 3.6-7, the resulting mitigated construction noise levels from these measures are

estimated to be in compliance with applicable noise standards.⁵ Therefore, with implementation of these measures, short-term construction impacts associated with exposure of persons to or generation of noise levels in excess of established standards would be less than significant.

Mitigation measures MM-NOI-6 through MM-NOI-8 shall be implemented to reduce noise from project operation: MM-NOI-6 requires limitations on loading dock hours; MM-NOI-7 details specifications and limitations on the use of outdoor sound systems; finally, MM-NOI-8 requires review and analysis of construction-level plans (once they are available) to ensure that operational noise will not exceed City noise standards at nearby noise-sensitive land uses prior to final plan approval.

Therefore, upon implementation of MM-NOI-1 through MM-NOI-8, the noise and vibration impacts of the project would be reduced to less than significant.

3.6.8 References Cited

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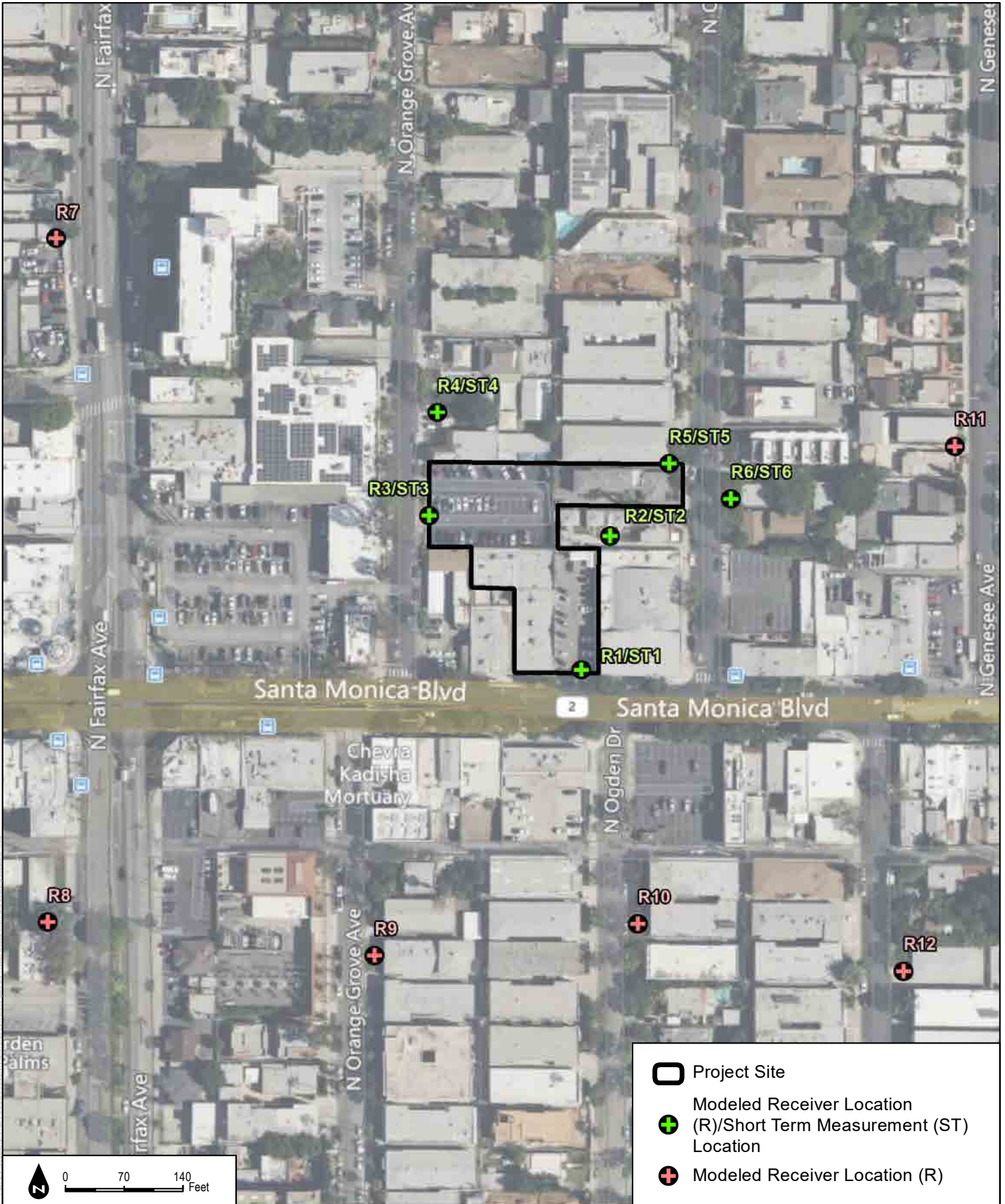
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⁵ As noted in Table 3.6-7, the assessment of the mitigated construction noise levels was based upon the 19 dB reduction from the noise barrier (MM-NOI-1) plus a conservative combined reduction estimate of 3 dB from MM-NOI-2, MM-NOI-3 and MM-NOI-4.

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SOURCE: Bing Imagery (Accessed in 2017), DUDEK2017

FIGURE 3.6-1

Noise Measurement and Modeling Locations

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3.7 Public Services

This section describes the existing setting of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the revised Bond Project (“proposed project” or “revised project”).

3.7.1 Environmental Setting

Fire Protection

Fire services in the City of West Hollywood (City) are provided by the Los Angeles County Fire Department (LACFD), also known as the Consolidated Fire Protection District of Los Angeles County. Fire protection services provided to the City include fire, emergency medical, urban search and rescue, hazardous materials prevention and response, air operations, and other emergency response resources. Two LACFD fire stations are located within the City: Fire Station No. 7, located at 864 North San Vicente Boulevard, approximately 1.8 miles from the project site and Fire Station No. 8, located at 7643 Santa Monica Boulevard, approximately 0.2 miles from the project site (City of West Hollywood 2011). The two stations within the City are staffed by 19 firefighters and a battalion chief who work 24-hour shifts. Fire Station No. 7 is staffed with a four-person paramedic engine company (one captain, one firefighter specialist, and two firefighter/paramedics) and a two-person paramedic squad (two firefighter/paramedics). Fire Station No. 8 is staffed with a four-person engine company (one captain, one firefighter specialist, one firefighter/paramedic, and one firefighter), a two-person paramedic squad (two firefighter/paramedics), and a seven-person light force (one captain, two firefighter specialists, and four firefighters). A light force consists of an engine and a truck responding as a unit. There are three shifts with a total staffing of 60 personnel. The engine and squad at Fire Station No. 7 are estimated to have an emergency response time of 1:30 minutes. There are no current plans to expand facilities, staffing, or equipment at Fire Station No. 7 or No. 8 (Appendix A). LACFD is responsible for emergency medical calls, fire response, and inspection and plan check services.

Additionally, the City adopted an Emergency Response Plan in 2017 to address the City’s planned response to emergency situations associated with natural disasters, technology incidents, and national security emergencies. The Emergency Response Plan is written in compliance with California’s Standardized Management System and the National Incident Management System. The Emergency Response Plan indicates a number of evacuation routes throughout the City. Within the vicinity of the project site, Sunset Boulevard is a mapped evacuation route (City of West Hollywood 2017).

Police Protection

Los Angeles County Sheriff’s Department (Sherriff’s Department) provides police protection services to the City. The West Hollywood’s Sheriff’s station is located at 780 North San Vincente Boulevard, approximately 1.4 miles southeast of the project site. This station has approximately 136 sworn personnel and 35 civilian personnel serving the City of West Hollywood. As such, the station has a sworn personnel-to-population ratio of 3.6 sworn personnel to 1,000 population. This ratio is considered adequate, according to the City’s 2010 General Plan EIR. As further described, the average full-time law enforcement officer-to-population ratio for cities in the western United States is 1.7 officers per 1,000 population. For cities with populations of 25,000 to 49,999 people, which is comparable to West Hollywood, the ratio is 1.4. As such, the City far exceeds these average ratios (City of West Hollywood 2010). The West Hollywood Sheriff’s station performs various law enforcement activities, including, community policing, traffic enforcement, entertainment district management, special event management, investigative functions, and various

administrative duties. The Sheriff's Department has mutual aid agreements with the City of Los Angeles and the City of Beverly Hills Police Departments. In 2019, approximately 5,381 crimes were reported in the City (Los Angeles County Sheriff's Department 2019). As such, the City had approximately 0.15 crimes per capita over the course of a year. The West Hollywood Station's citywide response time to emergency calls for service is 3.4 minutes and 6.6 minutes for priority calls for service. For routine calls, the station's goal is to respond to calls within 20 minutes. As such, the response times are within established norms for emergency and priority calls, according to the City's 2010 General Plan EIR (City of West Hollywood 2010).

Schools

The Los Angeles Unified School District (LAUSD) provides public school services to the City. Many students attend schools that are outside of the City limits but in close proximity, and some students from outside of the City attend schools within the City. Two public schools are located within City limits: one elementary school (West Hollywood Elementary) and one alternative high school (West Hollywood Community Day School). LAUSD provides a pre-kindergarten family literacy program and several early education and daycare programs. There are also a number of private schools in the City and the surrounding area. Because the public schools used by City residents are operated by LAUSD, the City does not control school programming or facilities (City of West Hollywood 2011).

The City is within LAUSD's Local District 4. The revised project is within the service area of Gardner Street Elementary (grades K-6), Hubert Howe Bancroft Middle School (grades 6-8), and Fairfax Senior High (grades 9-12) (LAUSD 2015). Table 3.7-1, below, details existing school capacity and enrollment for each school within the project site's service area.

Table 3.7-1. School Capacity and Enrollment

School	Maximum Capacity ^a	2020-21 Enrollment ^b	Remaining Capacity
Gardner Street Elementary School	618	303	315
Hubert Howe Bancroft Middle School	1,601	549	1,052
Fairfax Senior High	3,600	1,846	1,754

Source:

^a City of West Hollywood 2010.

^b Education Data Partnership 2022a,b,c.

3.7.2 Relevant Plans, Policies, and Ordinances

State

Fire Protection

California Fire Code

The California Fire Code is Chapter 9 of Title 24 of the California Code of Regulations. The California Fire Code provides regulations for safeguarding life and property from fire and explosion hazards derived from the storage, handling, and use of hazardous substances, materials, and devices. The provisions of this code apply to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location,

maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to such building structures throughout the state.

Uniform Fire Code

The Uniform Fire Code contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code include fire department access, fire hydrants, automatic storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. The code contains specialized technical regulations related to fire and life safety.

California Health and Safety Code

State fire regulations are set forth in Section 13000 et seq. of the California Health and Safety Code, including regulations for building standards (also set forth in the California Building Code), and fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training. The State Fire Marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California. The City enforces those portions of the health and safety code which it has adopted into its Municipal Code.

California Occupational Safety and Health Administration

In accordance with California Code of Regulations, Title 8, Sections 1270, Fire Prevention, and 6773, Fire Protection and Fire Equipment, the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials; fire hose size requirements; restrictions on the use of compressed air; requirements for access roads; and guidelines for testing, maintaining, and using all firefighting and emergency medical equipment.

Mutual Aid Agreements

The California Disaster and Civil Defense Master Mutual Air Agreement, as provided by the California Emergency Services Act, provides statewide mutual aid between and among local jurisdictions and the state. The statewide mutual aid system exists to ensure that adequate resources, facilities, and other supports are provided to jurisdictions whenever resources prove to be inadequate for a given situation. Each jurisdiction controls its own personnel and facilities but can give and receive help whenever needed.

Schools

California State Assembly Bill 2926 – School Facilities Act of 1986

In 1986, Assembly Bill (AB) 2926 was enacted by the State of California authorizing entities to levy statutory fees on new residential and commercial/industrial development in order to pay for school facilities.

Proposition 1A/Senate Bill 50

Senate Bill (SB) 50, or the Leroy F. Greene School Facilities Act of 1998, imposes new limitations on the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development.

SB 50 amends Section 17620 of the Education Code to authorize school districts to levy statutory developer fees at levels that may be significantly higher than those previously permitted, but also provides new and stricter standards for school districts to follow when levying fees. School Districts would continue to be authorized to charge development fees (also known as Level 1 fees) of \$1.93 per square foot on residential buildings and \$0.31 per square foot on commercial or industrial buildings. However, pursuant to Government Code Sections 65995.5 and 65995.7, SB 50 authorizes school districts to charge additional Level 2 development fees to match 50% of school construction costs of state funds, and Level 3 development fees to fund 100% of school construction costs if state funds are not available.

Government Code Section 65996

Section 65996 designates Section 17620 of the Education Code (the mitigation fees authorized by SB 50) and Section 65970 of the Government Code to be the exclusive method for considering and mitigating development impacts on school facilities.

Local

City of West Hollywood General Plan

The Safety and Noise element of the General Plan addresses fire protection and police protection, the Human Services element addresses schools and library services.

Safety and Noise Element (Police, Fire, and Emergency Services)

The Police, Fire, and Emergency Services section of this element characterizes the emergency services available in the City. Relevant General Plan goals and policies are listed as follows:

- **Goal SN-6:** Maintain adequate levels of law enforcement, fire protection, and emergency medical services.
- **SN-6.1:** Provide sufficient law enforcement, fire protection, and emergency medical services to meet the needs of a changing population.
- **SN-6.2:** Cooperate and collaborate with neighboring jurisdictions, social services, and internal departments to maximize public safety and emergency services.
- **SN-6.3:** Continue to support the County’s existing mutual aid and automatic aid agreements for additional fire and police resources needed during an emergency, as feasible.
- **Goal SN-7:** Utilize law enforcement, fire protection, and emergency medical services in a proactive and preventative way.
- **SN-7.1:** As appropriate, utilize urban design features to enhance public safety, to facilitate “eyes on the street” and to create defensible space in project design. As appropriate, utilize best practices in lighting, vegetation, active public spaces, and visual transparency in the urban landscape to achieve improved public safety in project design.
- **SN-7.5:** As feasible, require new development to incorporate appropriate safety monitoring features.

Human Services Element (Schools and Library Services)

Because the public schools used by West Hollywood are operated by LAUSD, the City does not control school programming or facilities. However, the General Plan specifies that the City supports educational programming through regular collaborative meetings, grant making, a youth scholarship program, afterschool homework clubs,

arts programming, school gardens, and support for school libraries. The City also has opportunities to coordinate with school operators on joint use of facilities. General Plan goals and policies related to public schools include collaborating with LAUSD to maximize educational quality and working with LAUSD to provide donated materials and technical expertise from the West Hollywood community.

3.7.3 Thresholds of Significance

The October 2016 Initial Study (Appendix A) for the revised project included an analysis of the following significance criteria based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.). It was concluded in the Initial Study, that there were less than significant impacts for the following significance criteria. Therefore, the following significance criteria are not included as part of this RDEIR.

1. 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:
 - a. Parks
 - b. Other public facilities

The significance criteria used to evaluate the project impacts to public services are based on Appendix G of the CEQA Guidelines. Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to public services would occur if the project would:

- PUB-1 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:
- a. Fire protection
 - b. Police protection
 - c. Schools

3.7.4 Impacts Analysis

Threshold PUB-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

a. Fire protection

Construction

Construction activities associated with the revised project may temporarily increase demand for fire protection and emergency medical services. Construction activities may involve the operation of construction equipment and machinery, storage, handling, and disposal of combustible materials, and the use of flammable or toxic materials.

To comply with California Department of Industrial Relations, Division of Occupational Safety and Health (Cal-OSHA) and Fire and Building Code requirements, construction managers and personnel would be trained in fire prevention and emergency response, and fire suppression equipment specific to construction would be maintained on site. Project construction would comply with all applicable codes and ordinances related to the maintenance of mechanical equipment, handling and storage of flammable materials, and cleanup of spills of flammable materials. City and state regulations and code requirements would, in part, require personnel to be trained in fire prevention and emergency response, maintenance for fire suppression equipment, and implementation of proper procedures for storage and handling of flammable materials. Thus, compliance with regulatory requirements would reduce the potential for construction activities to expose people to the risk of fire explosion related to hazardous materials.

Project construction could also affect the provision of LACFD services in the project vicinity as a result of construction impacts to surrounding roadways. However, a construction schedule, haul route plan, traffic and pedestrian management safety plan, and compliance with the City's Construction Management Ordinance (WHMC Chapter 9.70) would be required for the revised project as part of the City's standard conditions of approval. The construction schedule would be required to identify anticipated days and times of construction and the traffic and pedestrian management safety plan would describe the traffic controls to be implemented during construction, such as flaggers, signs, lane restrictions, safety cones, and detour signage. These provisions would minimize the effects of construction on emergency access and response. Additionally, access to all local roads would be maintained during construction. Emergency procedures or design features required by City, state, or federal regulations would be implemented as appropriate during construction. Furthermore, Section 21806 of the California Vehicle Code allows drivers of emergency vehicles to have a variety of options for avoiding traffic, such as using sirens to clear a path of travel and driving in the lanes of opposing traffic. Based on these considerations, construction of the revised project would not be considered a high-risk activity, and the LACFD is equipped and prepared to deal with construction-related traffic and fires, should they occur. Due to compliance with applicable codes and fire safety standards, project construction is not expected to adversely impact firefighting and emergency services to the extent that there would be a need for the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility in order to maintain acceptable fire protection services, the construction of which could cause significant environmental impacts, in order to maintain acceptable

service ratios, response times or other performance objectives for fire protection. Therefore, potential construction impacts would be **less than significant**.

Operation

LACFD currently provides fire protection services to the project site and surrounding area. Each additional development that provides net new square footage creates greater demand on existing resources. With project implementation, the more intense use of the project site would be expected to increase the frequency of emergency response calls. The revised project would provide emergency access to the site in accordance with the applicable fire code, which includes requirements for adequate fire flows, width of emergency access routes, turning radii, automatic sprinkler systems, fire alarms, and floor to sky height limits along emergency access routes. In their response to the Notice of Preparation (Appendix A), the Los Angeles County Fire Department indicated a number of specific fire and life safety requirements, including:

- **Fire Hydrants.** Fire hydrant spacing shall be 300 feet. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant. Additional hydrants will be required if hydrant spacing exceeds specified distances.
- **Fire flows.** The development may require fire flows up to 8,000 gallons per minute at 20 per square inch residual pressure for up to a four-hour duration, as outlined in the 2014 County of Los Angeles Fire Code Appendix B. Final fire flows will be based on the size of buildings, its relationship to other structures, property lines, and types of construction used.
- **Access.** Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.

The project site is currently served by two of LACFD's fire stations. No expansion of these facilities is currently contemplated, and expansion would not be required as a result of project implementation. The revised project would be designed and constructed in accordance with all applicable provisions of the fire code, which includes requirements for adequate fire flows, width of emergency access routes, turning radii, automatic sprinkler systems, fire alarms, and floor to sky height limits along emergency access routes. Compliance with fire code standards (including those listed above) would be ensured through the plan check process and fire review prior to the issuance of building permits. Payment of development fees by the project applicant would be used to offset the costs of increased personnel or equipment in order to maintain acceptable service ratios, response times, and other performance objectives. As such, the project would not result in significant effects on service demands, as determined by the LACFD (Appendix A). The construction or expansion of existing fire facilities would not be required as a result of the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered facilities, and impacts would be **less than significant**.

b. Police protection

Construction

There is the potential for project construction to create an increase in demand for police protection services, as construction sites can be sources of attractive nuisances, can provide hazards, and can invite theft and

vandalism when not properly secured. This could result in an increase in the demand for police protection services. Consequently, developers and construction contractors typically take precautions to prevent trespassing through construction sites. During construction, the applicant has committed to implement temporary security features including security fencing, lighting, cameras, and locked entry. These features would reduce the need for police protection services during the project's construction phase.

Project construction could also potentially impact the provision of police protection services in the project vicinity as a result of construction impacts to surrounding roadways. However, a construction schedule, haul route plan, traffic and pedestrian management safety plan, and compliance with the City's Construction Management Ordinance (WHMC Chapter 9.70) would be required for the revised project as part of the City's standard conditions of approval. The construction schedule would be required to identify anticipated days and times of construction and the traffic and pedestrian management safety plan would describe the traffic controls to be implemented during construction, such as flaggers, signs, lane restrictions, safety cones, and detour signage. These provisions would minimize the effects of construction on emergency access and response. Additionally, access to all local roads would be maintained during construction. Emergency procedures or design features required by City, state, or federal regulations would be implemented as appropriate during construction. Furthermore, Section 21806 of the California Vehicle Code allows drivers of emergency vehicles to have a variety of options for avoiding traffic, such as using sirens to clear a path of travel and driving in the lanes of opposing traffic. Based on these considerations, construction of the revised project would not substantially affect police protection services and would not result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable police protection services. Therefore, potential construction impacts would be **less than significant**.

Operation

As with fire services, increased net square footage within the Sheriff's Department service area would generate a higher demand on existing police protection resources. The increased density of development on the project site would be expected to increase the frequency of emergency and non-emergency calls to the Sheriff's Department. However, in an effort to minimize the increased demand for police protection services, the project has been designed to improve public safety for future residents and visiting guests, as well as the residents and other businesses in the surrounding neighborhood. For example, as stated in Chapter 2, the project's design focuses on activating the street frontage available with an emphasis on visually accentuating access points and placing publicly accessible restaurant and gallery spaces along sidewalks to ensure engagement with the public and walkability. Additionally, security gates would be implemented to separate ground level parking available for commercial users from basement parking utilized by hotel guests and building residents below.

As described in Section 3.7.1, the Sheriff's Department has a sworn personnel-to-population ratio of 3.6 sworn personnel to 1,000 population. This ratio is considered adequate, according to the City's 2010 General Plan EIR. As further described, the average full-time law enforcement officer-to-population ratio for cities in the western United States is 1.7 officers per 1,000 population. For cities with populations of 25,000 to 49,999 people, which is comparable to West Hollywood, the ratio is 1.4. As such, the City far exceeded these average ratios (City of West Hollywood 2010). While the "City does not use an officer-to-population ratio standard to measure the adequacy of policing levels in the City" (City of West Hollywood 2010), the project's

negligible effect on the existing officer-to-population ratio nevertheless indicates that the proposed project would have minimal effects on the service levels provided to the City by the Sheriff’s Department.

Police units are continuously mobile, and service calls are responded to by the nearest available mobile unit. As such, the location of the project site relative to the nearest station would not affect police protection. While new development places increased demand on police protection services, it is not anticipated that the project would result in the need for construction or expansion of existing police facilities. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered facilities. Impacts resulting from the project would be **less than significant**.

c. Schools

As discussed above, the City and the project site are served by LAUSD. The need for new school facilities is typically associated with a population increase that generates an increase in enrollment large enough to cause new schools to be constructed. The revised project would involve construction of 95 new residential units in the City. LAUSD utilizes the state’s Student Yield Factor for Unified School Districts, when determining the number of students associated with development projects. This factor is 0.7 students per dwelling unit (Office of Public School Construction 2009). Using this factor, the revised project would generate approximately 67 new students.

The City of West Hollywood 2035 General Plan EIR, utilizes a different approach when determining the number of students generated by a multi-family residential project. As shown in Table 3.7-2, using the methodology within the City’s General Plan, the revised project would generate approximately 39 new students.

Table 3.7-2. Students Generated by Revised Project - Residential Component

Type of Use	Quantity	Generation Factor	Students Generated
Multifamily Residential	95 units	0.19665 Elementary School Students Per Unit	19
		0.0935 Middle School Students Per Unit	9
		0.1106 High School Students Per Unit	11
Total Students			39

Source: City of West Hollywood 2010.

In order to determine the number of students generated by employees of the revised project, LAUSD utilizes generation factors for commercial development. As shown in Table 3.7-3, using the methodology within the LAUSD 2020 Developer Fee Justification Study, the revised project would generate approximately 12 new students. This ratio represents only the percentage of employees that worked in their community of residence.

Table 3.7-3. Students Generated by Revised Project - Hotel and Commercial Component

Type of Use	Total Square Footage	Employees per average square foot	Total Employees	Generation Factor	Students Generated
Hotel and Commercial Area (Lodging)	30,995	0.00113	35	0.2354 students per employee	8

Table 3.7-3. Students Generated by Revised Project - Hotel and Commercial Component

Type of Use	Total Square Footage	Employees per average square foot	Total Employees	Generation Factor	Students Generated
Art Gallery (Standard Commercial Office)	1,381	0.00479	7	0.2354 students per employee	2
Restaurant (Neighborhood Shopping Center)	3,756	0.00271	10	0.2354 students per employee	2
Total Students					12

Source: LAUSD 2020.

The revised project would be served by Gardner Street Elementary (grades K–6), Hubert Howe Bancroft Middle School (grades 6–8), and Fairfax Senior High (grades 9–12) (LAUSD 2015). As shown in Table 3.7-1 above, regardless whether the state’s Student Yield Factor for Unified School Districts or the West Hollywood General Plan EIR Generate Factor is used, the new students generated by the revised project could be accommodated within the existing assigned public schools.

While the revised project would increase the number of students, the number of students would not exceed the capacity for any of the schools to the extent that new school facilities would be required. Furthermore, per California Code Section 65995, developer fees paid to LAUSD would offset project-related impacts to schools from increased student enrollment. As such, impacts resulting from the revised project would be **less than significant**.

3.7.5 Mitigation Measures

Impacts would be less than significant. No mitigation measures are required.

3.7.6 Level of Significance After Mitigation

Impacts would be less than significant, and no mitigation is required.

3.7.7 References Cited

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3.8 Transportation

This section describes the existing transportation setting of the revised Bond Project (“proposed project” or “revised project”), identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the revised project.

Pursuant to Senate Bill (SB) 743, the City of West Hollywood adopted Guidelines for the Implementation of Vehicle Miles Traveled (VMT) including VMT Thresholds of Significance in November 2020 (City of West Hollywood 2020a). These guidelines apply to land use and transportation projects in the City that are subject to the California Environmental Quality Act (CEQA). Therefore, this section uses vehicle miles traveled as the basis for evaluating transportation impacts under CEQA. This section is based on analysis included in the Traffic Impact Study (TIS) for the revised project prepared by KOA Corporation (October 2022) included in Appendix F of this Revised Draft EIR (RDEIR).

3.8.1 Analysis Methodology

The general methodology and approach utilized in this section is consistent with the VMT guidelines adopted by the City of West Hollywood.

Vehicle Miles Traveled

The Updated CEQA Guidelines state that “...*generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts...*” and define VMT as “...*the amount and distance of automobile travel attributable to a project...*”. It should be noted that “automobile” refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT could be included for modeling convenience and ease of calculation (for example, where models or data provide combined auto and heavy truck VMT). Hence, VMT is an estimate of the distance traveled by these vehicles, which means that impacts are now based on the distance that vehicles travel to a proposed development and how many vehicles are making those trips. Other relevant considerations may include the effects of the project on transit and non-motorized travel.

The City of West Hollywood has adopted the Governor’s Office of Planning and Research (OPR) guidance and the CEQA Guidelines section 15064.3 and considers a development project not to have a significant impact on transportation if said project is located within 0.5 mile of an existing transit stop¹ or an existing high-quality-transit corridor.² Per the Southern California Association of Governments (SCAG) and Los Angeles County Metropolitan Transportation Authority (Metro), the entire City of West Hollywood is within a high-quality transit area as shown in Figure 3.8-1.³ This means that all development projects will be screened out of conducting a VMT analysis, excluding any of the following criteria:

- a) A project with a floor area ratio (FAR) of less than 0.75.
- b) A project with more than the required number of parking spaces.

¹ Per Pub. Resources Code, § 21064.3, a major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

² Per Pub. Resources Code, § 21155, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

³ Some of the transit routes shown in Figure 3.8-1 have been updated subsequent to the City's publication of its High Quality Transit Corridors map in 2020. Table 3.8-2 shows updated transit information for the project area, relying on more recent bus schedules from 2022. With this updated information, the project site is still considered to be within a high-quality transit area and a transit priority area.

- c) A project that is inconsistent with the applicable Sustainable Communities Strategy.
- d) A project that replaces affordable residential units with fewer, moderate- or high-income residential units.
- e) A project with the potential for significant regional draw.

Criteria a) through d) are consistent with OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018. Criterion e) has been included by the City for development projects that have potential for significant regional draw (i.e. projects that may require skilled and specialized workforce and as such could draw employees from greater distance in the region which would not be considered a low VMT generator). Project size is not an indication that a development project would have a significant regional draw. Projects that have a more typical work force, such as hotels, restaurants/bars, office buildings and event spaces would not be considered to have a significant regional draw. Therefore, development projects that qualify under screening criteria and are consistent with the goals envisioned in Senate Bill (SB) 743, are considered to have a less than significant VMT impact.

As mentioned in the City's resolution to include VMT in its local transportation guidelines, West Hollywood is designated as a low VMT area. The SCAG 2016 RTP data show that for residential trips, 100% of home-based trips are less than the SCAG regional average VMT and for work related trips, 86% of West Hollywood is lower than the SCAG regional average VMT. In other words, people living and/or working in West Hollywood are travelling shorter distances to get where they are going when compared to the residents and employees of other parts of the region. Taking all trip types into consideration, 92% of the City's VMT (by service population) is less than the regional average. This designation suggests that the City is performing well above average in terms of VMT. This is attributed to the dense and diverse mix of uses in the City, high walkability, and frequent transit services including Metro and local shuttle services. These data support using the above-mentioned transportation impact screening criteria that was recommended by City staff and approved by the City Council.

For projects excluded from screening, the City has adopted a local threshold of significance of 15% VMT reduction below local average consistent with OPR's guidelines and recommendations. This means that any project that falls within the exclusions to the screening based on the four criteria in the technical advisory memo, or based on propensity to be a regional draw, would be analyzed to determine the level of VMT generated. That number would be compared to the local average, based on the City's Travel Demand Model. If the number is not at least 15% below the local average VMT, the project would have a significant impact on transportation.

3.8.2 Environmental Setting

Project Location and Description

The project site is located at 7811 Santa Monica Boulevard, between Orange Grove Avenue and Ogden Drive within the City of West Hollywood. As shown on Figure 2-7 Conceptual Site Plan, three driveways would provide access to the site: one full-movement driveway on Orange Grove Avenue (with restricted outbound right-turns), one full-movement, residential-only driveway on Ogden Drive (with restricted outbound left-turns), and ingress-only driveway on Santa Monica Boulevard. Northbound/outbound movements would be restricted at both Orange Grove and Ogden driveways – vehicles exiting the site would be required to travel southbound. This northbound/outbound movement restriction of project traffic along Orange Grove Avenue driveway and Ogden Drive driveway has been included as Project Design Features PDF-TRANS-1 and PDF-TRANS-2, as detailed in Section 3.8.6 below.

The revised project would involve the construction and operation of an approximately 212,508square-foot mixed-use building on a 0.92-acre site located within the City of West Hollywood. The project would consist of a 45-room hotel,

3,756 square feet of restaurant space, 1,381 square feet of art gallery space, and 95 apartment units (at least 16 units would be affordable housing units, including eight very low-income units and eight moderate-income units).

Roadway System

Table 3.8-1 summarizes the characteristics of the major roadways within the study area.

Table 3.8-1. Roadway Descriptions

Roadway	Classification	No. of Lanes		Median Type	Parking Restrictions		Posted Speed Limit (mph)	General Land Use
		NB/B	SB/WB		North Side/ East Side	South Side/ West Side		
North-South Streets								
Fairfax Avenue	Arterial Street	2 / 3	2 / 3	TL/RM	1 hour 8 AM - 6 PM (N. of SMB), 2 Hour 8 AM - 6 PM (S. of SMB)	1 hour 8 AM - 6 PM (N. of SMB), 2 Hour 8 AM - 6 PM (S. of SMB)	35	Commercial/ Residential
Orange Grove Avenue	Local Street	1	1	NS	No Limit	No Limit	25	Residential
Ogden Drive	Local Street	1	1	NS	No Limit	No Limit	25	Residential
Genesee Avenue	Local Street	1	1	NS	No Limit	No Limit	25	Residential
East-West Streets								
Fountain Avenue	Collector Street	2	2	ST	No Limit	No Limit	35	Residential
Santa Monica Boulevard	Arterial Street	2	2	TL	2 Hour 8 AM - 12 AM (M-F); 11 AM - 8 PM (Sat)	2 Hour 8 AM - 12 AM (M-F); 11 AM - 8 PM (Sat)	35	Commercial
Romaine Street	Collector Street	1	1	NS	No Limit	No Limit	25	Residential

Notes: DY - Double Yellow; ST - Striped; RM - Raised Median, NSAT - No Stopping Any Time, TL - Center Turn Lane, NS - No Stopping
Source: Appendix F.

Transit Service

As summarized in Table 3.8-2, the project study area is served by bus transit lines operated by the City of West Hollywood and Metro.

Table 3.8-2. Bus Transit Service ¹

Agency	Line	From	To	Via	Peak Frequency & Nearest Stop
Metro	4	Downtown Los Angeles	Santa Monica	Santa Monica Boulevard	10.5 Minutes ²

Table 3.8-2. Bus Transit Service ¹

Agency	Line	From	To	Via	Peak Frequency & Nearest Stop
					Santa Monica Boulevard/Fairfax Avenue
Metro	217	Fox Hills/Culver City	East Hollywood	La Cienega Boulevard/Fairfax Avenue/Hollywood Boulevard	12 Minutes ² Santa Monica Boulevard/Fairfax Avenue
Metro	218	Studio City	Beverly Hills	Laurel Canyon Boulevard/Fairfax Avenue/Third Street	60 minutes ² Santa Monica Boulevard/Fairfax Avenue
West Hollywood	The PickUp	Robertson Boulevard/Santa Monica Boulevard	La Brea Avenue / Santa Monica Boulevard	Santa Monica Boulevard	every 15 minutes Friday and Saturday from 8:00pm-3:00am; Sunday from 2:00pm-10:00pm Santa Monica Boulevard/Fairfax Avenue
West Hollywood	CityLine Blue/Orange	Free daytime neighborhood Shuttle		Santa Monica Boulevard / San Vicente Boulevard	every 30 minutes Monday-Saturday from 9:00am-5:00pm Santa Monica Boulevard/Orange Grove Avenue

Source: Appendix F, with updates per 2022 bus schedules (Metro 2022a, Metro 2022b, Metro 2022c, City of West Hollywood 2021, City of West Hollywood 2022).

Notes:

- ¹ At the time of the NOP (2016), additional Metro lines operated at Santa Monica Boulevard/Fairfax Avenue. Updated information is provided herein to reflect bus schedules at the time of this writing (2022). The project site is considered to be within a TPA regardless of whether bus schedules from 2016 or 2022 are relied upon.
- ² Peak frequency is calculated based on methodology outlined by SCAG in its 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG 2020) and is based on weekday (Monday-Friday) timetables.

3.8.3 Relevant Plans, Policies, and Ordinances

Federal

There are no federal laws or regulations related to transportation and traffic that are applicable to the proposed project.

State

Senate Bill 743

On September 27, 2013, Governor Brown signed SB 743, which became effective on January 1, 2014. The purpose of SB 743 is to streamline the review under the CEQA process for several categories of development projects including the development of infill projects in transit priority areas and to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions. SB 743 adds Chapter 2.7: Modernization of

Transportation Analysis for Transit Oriented Infill Projects to the CEQA Statute (Public Resources Code Section 21099). Section 21099(d)(1) provides that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. In addition, SB 743 mandates that alternative metric(s) for determining impacts relative to transportation shall be developed to replace the use of level of service (LOS) in CEQA documents.

In the past, environmental review of transportation impacts focused on the delay that vehicles experience at intersections and on roadway segments, which is often measured using LOS. Mitigation for impacts on vehicular delay often involves increasing capacity such as widening a roadway or the size of an intersection, which in turn encourages more vehicular travel and greater pollutant emissions. Additionally, improvements to increase vehicular capacity can often discourage alternative forms of transportation such as biking and walking. SB 743 directed the OPR to develop an alternative metric(s) for analyzing transportation impacts in CEQA document. The alternative shall promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of multimodal transportation system, and providing clean, efficient access to destinations. Under SB 743, it was anticipated that the focus of transportation analysis will shift from vehicle delay to VMT within transit-priority areas (i.e., areas well served by transit).

Pursuant to SB 743, OPR released the draft revised CEQA Guidelines in November 2017, recommending the use of VMT for analyzing transportation impacts for all projects. Additionally, OPR released Updates to Technical Advisory on Evaluating Transportation Impacts in CEQA, to provide guidance on VMT analysis. In this Technical Advisory, OPR provides its recommendations to assist lead agencies in screening out projects from VMT analysis and selecting a significance threshold that may be appropriate for their particular jurisdictions. While OPR's Technical Advisory is not binding on public agencies, CEQA allows lead agencies to "consider thresholds of significance ... recommended by other public agencies, provided the decision to adopt those thresholds is supported by substantial evidence" (CEQA Guidelines Section 15064.7[c]).

In December 2018, the CEQA Guidelines were updated to add new Section 15064.3, Determining the Significance of Transportation Impacts, that describes specific considerations for evaluating a project's transportation impacts using the VMT methodology.

The OPR's regulatory text indicated that a public agency may immediately commence implementation of the new transportation impact guidelines, and that the guidelines must be implemented statewide by July 1, 2020. However, the OPR Technical Advisory allows local agencies to retain their congestion-based LOS standards in general plans and for project planning purposes.

Per City's Resolution No. 20-5344, this RDEIR relies on VMT as the basis for evaluating transportation impacts under CEQA.

Regional

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (SCAG RTP/SCS)

The 2020–2045 RTP/SCS (also known as the Connect SoCal Plan) (SCAG 2020) was made available in March 2020 and presents the land use and transportation vision for the region through the year 2045, providing a long-term investment framework for addressing the region's challenges. Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern within the counties of Imperial, Los

Angeles, Orange, Riverside, San Bernardino and Ventura. The City of West Hollywood participated extensively in the development of the 2020-2045 RTP/SCS by sharing best available data to be used for the modeling of demographic projections for households, population, and employment. The SCAG RTP/SCS lays the framework for sustainable development in the SCAG region, which includes the City of West Hollywood. Priorities of the plan include increasing investment in transit and investing in transportation strategies and projects that will result in improved air quality, public health, and reduced greenhouse gas emissions. Implementation of the RTP/SCS is expected to improve environmental sustainability and public health in West Hollywood (City of West Hollywood 2020b).

The Proposed Final Connect SoCal Plan was adopted by SCAG's Regional Council on September 3, 2020.

Local

City of West Hollywood General Plan

The Mobility Element of the General Plan sets forth goals and policies to address congestion and lack of parking in the City. As described in this element, the City has high levels of traffic congestion. However, much of this traffic comes from non-City residents passing through the City on their way to and from outside areas. The City has several major east-west roadways (Santa Monica Boulevard, Sunset Boulevard, Beverly Boulevard, Fountain Avenue, and Melrose Avenue) that carry a large volume of traffic through the City to reach points to the east and west. The most severe traffic congestion problems occur during morning and evening commuting hours. The Mobility Element describes ways of addressing traffic and parking issues that are within the City's control.

A conventional way of addressing traffic congestion is to improve intersections through widening. However, these conventional methods, as explained in the Mobility Element, are often not feasible in the City as they could "negatively impact the character of the City's streets and sidewalks, which are one of the community's most important assets and serve as meeting and gathering places," and due to the built-out nature of the City. As such, the City has adopted a mobility strategy of creating a balanced and multi-modal transportation system. The Mobility Element sets forth strategies for many different components of the multi-modal transportation system, such as enhancements to the pedestrian and bicycle network, improvements to public transit, land use strategies to improve transit use, transportation demand management (TDM), and innovative parking solutions. Together, these strategies are intended to reduce traffic congestion by discouraging the use of single occupancy vehicles on city streets while creating a more efficient and healthy transportation system (City of West Hollywood 2011).

Measuring transportation impacts in terms of greenhouse gas emissions and other air pollutants related to vehicle travel is also consistent with following goals and policy mentioned in the Mobility Element and the Infrastructure, Resources and Conservation Element of the General Plan:

Goal M-2: Collaborate on regional transportation solutions that improve mobility, quality of life and environmental outcomes.

Goal M-6: Utilize Transportation Demand Management strategies to reduce auto travel with the intent to reduce VMT and vehicle trips in an effort to improve mobility, reduce greenhouse gas emissions, and maintain the quality of the physical environment through a combination of incentives and requirements.

Goal IRC-6: Reduce the City's contribution to global climate change and adapt to its effects.

Goal IRC-7: Improve air quality and reduce emissions of air pollution.

Policy IRC-7.2: Support land use and transportation strategies to reduce driving rates and resulting air pollution, including pollution from commercial and passenger vehicles.

While many of the policies in the Mobility Element primarily involve City-wide actions or coordination on regional transportation solutions and collaboration with transit agencies, there are several policies that apply to new development in the City:

Policy M-1.3: Consider requiring development projects to include transit amenities and transit incentive programs.

Policy M-3.9: Require new commercial development to provide for the construction of pedestrian rights of way to allow convenient and unimpeded circulation to, through, and within the property being developed.

Policy M-3.10: Require design measures as appropriate to accommodate access by pedestrians, bicycles, and transit within new development and to provide connections to adjacent development.

Policy M-4.2: As feasible, ensure that new development of commercial and multi-family residential uses enhance the City's bicycle network and facilities.

Policy M-5.8: Allow for the collection of fees from developers to undertake the following infrastructure projects to support new development: sidewalk improvements, landscaping, bicycle infrastructure, traffic calming devices, traffic signals, and other improvements that promote/maintain the pedestrian-oriented character of the community (i.e., traffic calming devices and TDM programs).

Policy M-5.9: Require new development to pay its share of transportation improvements necessitated by that development.

Policy M-8.3: Encourage, promote, and allow shared and off-site parking arrangements in all commercial areas.

Policy M-8.7: Encourage shared parking and seek to create a program to pool shared public and private parking spaces in key commercial districts to help create "park once" environments.

Policy M-8.8: Consider requiring new commercial developments to place their parking spaces in shared parking pools.

Policy M-8.9: Require all new development to provide adequate parking whether on-site, off-site, through shared parking or park-once strategies, or other methods.

Policy M-8.14: Maintain demand-responsive pricing of all public on- and off-street parking in commercial corridors.

Policy M-8.15: Require private parking operators in commercial areas to post information about parking prices, time restrictions, and availability in a consistent manner for all commercial parking.

Policy M-8.16: Encourage building owners and/or managers of new multi-family and commercial buildings to make parking spaces available to qualified car-share operators, and to allow public access to the car-share vehicles.

2017 Pedestrian and Bicycle Mobility Plan

The West Hollywood Pedestrian and Bicycle Mobility Plan provides a vision and set of prioritized strategies and tools to enhance the City’s streets to be more comfortable, safe, and inviting to pedestrians and bicyclists of all ages and abilities. The Plan offers a balanced strategy for providing transportation alternatives (walking, bicycling, transit riding, driving, etc.) in the public realm, by using a “Complete Network Approach.” The goal of this plan is to enhance the City’s street network to be comfortable, safe, and inviting to pedestrians and bicycles of all ages and abilities (City of West Hollywood 2017).

City of West Hollywood Municipal Code (Parking)

The City of West Hollywood provides standards within the Municipal Code for parking requirements. Parking requirements are set forth based on land use type in Sections 19.28.040 and 19.28.160. Based on these requirements, the proposed project would be required to have 183 spaces and 2 loading spaces. The proposed project would be required to have 16 bicycle parking spaces.

3.8.4 Thresholds of Significance

The significance criteria used to evaluate the revised project impacts to transportation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to transportation would occur if the project would:

- TRANS-1 Conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- TRANS-2 Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- TRANS-3 Substantially increase hazards due to a geometric design feature (e.g., sharp curves, or dangerous intersections) or incompatible uses (e.g., farm equipment).
- TRANS-4 Result in inadequate emergency access.

As part of the Initial Study (see Appendix A), it was determined that the project would have a less-than-significant effect on air traffic patterns and would have a less than significant effect on emergency access. Accordingly, these issues and thresholds are not analyzed in the EIR. Per the current CEQA Guidelines, thresholds related to congestion management programs and air traffic impacts have been removed. The threshold related to conflict with adopted policies, plans or programs regarding public transit, bicycles, or pedestrian facilities has been included in threshold TRANS-1. The City has adopted VMT as a metric for transportation impact analysis, as shown under threshold TRANS-2. Therefore, based on project’s Initial Study and the current CEQA Guidelines, analysis for thresholds TRANS-1, TRANS-2 and TRANS-3 is provided below.

City of West Hollywood Vehicle Miles Traveled Significance Thresholds

Based on OPR’s review of the applicable research, and an assessment by the California Air Resources Board, OPR recommends that a per capita or per employee VMT that is 15% below that of the existing development may be a reasonable threshold. The City of West Hollywood has adopted the following local VMT criteria:

A Local Threshold of Significance of 15% VMT reduction below local average for all projects that are excluded from screening.

3.8.5 Impact Analysis

Threshold TRANS-1. Would the project conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

City of West Hollywood General Plan

The revised project does not have the potential to conflict with the plans, programs, ordinances, and policies that focus on policies or standards adopted to protect the environment and support multimodal transportation options and reduce VMT. If the revised project does not implement a particular program, plan, or policy, it would not necessarily result in a conflict as some of these programs must be implemented by the City or other related agencies, over time. Rather, the revised project would result in a conflict if it would preclude the City from implementing adopted transportation-related programs, plans and policies. The revised project would be generally consistent with the City of West Hollywood's General Plan Mobility Element policies discussed in Section 3.8.3.

Transit

The City's mobility strategy per the West Hollywood General Plan 2035 Mobility Element is to create a balanced and multi-modal transportation system and make public transit the dominant form of travel for longer distances within and through West Hollywood. The project site is located in an area served by public transit. As shown in Table 3.8-2, Metro operates three bus lines and the City of West Hollywood operates citywide bus service near the project site. Several bus stops are located along Santa Monica Boulevard and Fairfax Avenue within a one-half-mile radius of the project site, which would allow convenient transit usage. Per the SCAG and Metro, the entire City is within a high-quality transit area (Figure 3.8-1). The revised project would add vehicle trips to existing roads, some of which contain existing transit routes. Further, for the purposes of transit system operations, the addition of trips associated with the revised project would not lead to an appreciable decrease in the effectiveness of the transit system relative to existing conditions.

2017 Pedestrian and Bicycle Mobility Plan

As mentioned in Section 3.8.3, the 2017 Bicycle and Mobility Plan provides a vision and set of prioritized strategies and tools to enhance the City's streets to be more comfortable, safe, and inviting to pedestrians and bicyclists. Currently, a signed bike route exists along Santa Monica Boulevard along the project frontage and a bike route along Fountain Avenue in the vicinity of the project site. The revised project would not interfere with any of the City's goals for enhancing the bicycle network or promoting use of bicycles. The revised project would provide bicycle parking on site pursuant to the City's Municipal Code requirements. The nearby unsignalized intersections of Santa Monica Boulevard/Orange Grove Avenue and Santa Monica Boulevard/Ogden Drive both have striped crosswalks that provide for safe pedestrian movements across the intersections. The signalized intersection of Santa Monica Boulevard/Fairfax Avenue also provides crosswalks and pedestrian-phasing that allows for safe pedestrian movements. The project would also not be adding any additional curb-cuts or driveways along Santa Monica Boulevard. Overall, the existing sidewalk network, traffic signals at major intersections, and the pedestrian-oriented nature of the project provide a safe local pedestrian travel network. As such, the project would not substantially exacerbate existing pedestrian safety issues. The existing sidewalk network, traffic signals at major intersections, and the pedestrian-oriented nature of the project were determined to provide a safe local pedestrian travel network.

City of West Hollywood Municipal Code (Parking)

The revised project would be required by Section 19.28.040 of the Zoning Code of the City of West Hollywood to have 183 parking spaces, as calculated based on the land uses proposed for the project site. However, due to the project providing affordable housing units, the required parking may be substantially reduced. The project is proposing a parking supply of 145 spaces, which exceeds the maximum reduction that could be taken for affordable housing. Of the on-site parking, 100 parking spaces would be available to serve the revised project's residences and commercial uses, with the remaining 45 flexible parking spaces included in the project to replace the spaces the City currently leases in the existing on-site parking lot that are currently available for public use. The project would also provide 2 loading spaces, which is in compliance with City parking code. The project would include 36 bicycle parking spaces. Per Chapter 2.7. Modernization of Transportation Analysis for Transit-Oriented Infill Projects 21099 (d) (1), the parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. However, the project's parking summary is included for informational purposes and has been used in the VMT screening criteria described below.

For the reasons described above, the revised project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would be **less than significant**.

Threshold TRANS-2. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

CEQA Guidelines Section 15064.3, subdivision (b), focuses on newly adopted criteria (vehicle miles traveled) for determining the significance of transportation impacts. It is further divided into four subdivisions: (1) land use projects, (2) transportation projects, (3) qualitative analysis, and (4) methodology.

Section 15064.3, subdivision (b)(1) for land use projects would apply to the project, and states that "generally, projects within one-half mile of an existing major transit stop or an existing stop along a high quality transit corridor should be presumed to have a less-than-significant impact on VMT."

As discussed in Section 2.4.3 in Chapter 2, Project Description, of this RDEIR, the project is within one-tenth of a mile of a major transit stop and would be developed with floor-area-ratio (FAR) greater than 0.75. The project is an infill, mixed-use development located within the Transit Overlay Zone and the Mixed-Use Incentive Overlay Zone. Consistent with the OPR guidelines, the City is presuming that projects proposed within one-half mile of an existing major transit stop or an existing stop along a high-quality transit, will have a less than significant impact on VMT. Per SCAG and Metro, the entire City is within a high-quality transit area, meaning that all development projects will be screened out of conducting a VMT analysis, excluding any of the following:

- a) A project with a floor area ratio (FAR) of less than 0.75 – Since the project is proposing a FAR of 3.06, it would be consistent with the City's screening criteria.
- b) A project with more than the required number of parking spaces – The project is required to provide 183 spaces under the Zoning Code but would provide only 145 parking spaces through the use of an affordable housing incentive. Since the project is using a parking reduction allowed for sites with affordable housing, it is proposing to provide less than the required number of parking spaces.
- c) A project that is inconsistent with the applicable Sustainable Communities Strategy –The proposed project is consistent with the goals of SCAG's 2020-2045 RTP/SCS (Connect SoCAL) since the City participated in the

development of the plan by providing SCAG best available data for modeling of demographic projections. Additionally, the project is a mixed-use project in a High-Quality Transit Corridor and is therefore considered to be consistent with RTP/SCS.

- d) A project that replaces affordable residential units with fewer, moderate- or high-income residential units – The project would result in the removal of 7 existing market rate housing units. However, the project would result in the development of 95 residential units, including at least 8 very low income units and 8 moderate income units. As such, while existing housing units would be removed, they are not affordable housing units and they would be more than replaced by the proposed project.
- e) A project with the potential for significant regional draw – The project proposes a mix of uses including hotel, restaurants, and residential uses and therefore would not require a skilled and specialized workforce to draw employees from greater distances in the region. More specifically, these are the types of uses that draw their employment base from the existing available workforce within the surrounding areas which results in a low VMT to access the project site due to both physical proximity and available transit options and alternate modes of transportation.

Additionally, the project would comply with the City's Transportation Demand Management (TDM) Ordinance which requires all commercial projects with 5,000 square feet or more and residential projects with 10 or more units to implement a suite of TDM strategies aimed at reducing vehicle trips encouraging use of alternative transportation options.

Based on the analysis shown above, the proposed project would not generate significant amount of VMT and can be presumed not to conflict with CEQA Guidelines Section 15064.3 and would have a **less than significant impact**.

Threshold TRANS-3. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves, or dangerous intersections) or incompatible uses (e.g., farm equipment)?

As mentioned previously, three driveways would provide access to the site: one full-movement driveway on Orange Grove Avenue, one full-movement, residential-only driveway on Ogden Drive, and an ingress-only driveway on Santa Monica Boulevard.

The Orange Grove Avenue driveway would be located approximately 250 feet north from the intersection of Santa Monica Boulevard and Orange Grove Avenue. The driveway would be located on the western side of the project site and no new striped left-turn pocket is proposed on Orange Grove Avenue for vehicles entering the project site; the travel lane would remain a shared-left-through lane. The roadway would continue to provide one traffic lane in each direction with on-street parking on both sides.

The Ogden Drive driveway would be located approximately 330 feet north from the intersection of Santa Monica Boulevard and Ogden Drive. The driveway would be located on the eastern side of the project site and no new striped left-turn pocket is proposed on Ogden Drive for vehicles entering the project site; the travel lane would remain a shared-left-through lane. The roadway would continue to provide one lane of traffic in each direction with on-street parking on both sides.

The Santa Monica Boulevard, ingress-only driveway would be located in the approximate center of the site, equidistant from both Orange Grove Avenue and Ogden Drive. The driveway would be located on the southern side of the project site, and no new striped left-turn pocket is proposed on Santa Monica Boulevard Drive for vehicles entering the project site; the travel lanes would remain in their pre-project configuration. The roadway would continue to provide two lanes of traffic in each direction with on-street parking on both sides.

The three driveways would be designed per City standards and the project would not add incompatible uses to the project area.

An analysis of vehicle queuing was conducted to measure roadway hazards that could occur due to vehicle delay and queuing at the proposed ingress/egress from the project site. The quantitative results of this study are shown in the TIS included as Appendix F. As shown in Appendix F, the vehicle queues due to project trips at all approaches are expected to be under one vehicle during the peak hours. The project-related queues are not expected to cause any severe vehicle back-ups on either street or project driveways. As such, no major queuing issues are anticipated due to project traffic.

As mentioned previously, three driveways would provide access to the site: one full-movement driveway on Orange Grove Avenue (with restricted outbound right-turns), one full-movement, residential-only driveway on Ogden Drive (with restricted outbound left-turns), and an ingress-only driveway on Santa Monica Boulevard. Northbound/Outbound movements would be restricted at both the Orange Grove Avenue and Ogden Drive driveways – vehicles exiting the site would be required to travel southbound. This northbound/outbound movement restriction of project traffic at the Orange Grove Avenue driveway and the Ogden Drive driveway has been included as Project Design Features PDF-TRANS-1 and PDF-TRANS-2.

The nearby unsignalized intersections of Santa Monica Boulevard & Orange Grove Avenue and Santa Monica Boulevard & Ogden Drive both have striped crosswalks that provide for safe pedestrian movements across the intersections (east/west). The signalized intersection of Santa Monica Boulevard & Fairfax Avenue also provides crosswalks and pedestrian-phasing that allows for safe pedestrian movements. The project would not add any additional curb-cuts or driveways along Santa Monica Boulevard. The City has improved the street block of Santa Monica Boulevard along the project frontage by replacing two crosswalks (at the west leg of Orange Grove Avenue and at the east leg of Ogden Drive) with a single marked crosswalk midblock with a signal, to improve pedestrian visibility to vehicles. The new crosswalk is augmented with a curb extension on its north end and is located equidistant between Orange Grove Avenue and Ogden Drive (south jog). The single crosswalk has not changed project's traffic circulation or access as analyzed in the TIS and improves pedestrian circulation near the project.

The applicant would be required to prepare a safety plan as part of the project's conditions of approval for the issuance of a conditional use permit for a hotel, to facilitate a safe local pedestrian network and work environment near the project site and the neighborhood.

For the reasons described above, the contribution of the project to roadway hazards associated with vehicular and pedestrian access and queuing at the project driveways would therefore be **less than significant**.

3.8.6 Mitigation Measures and Project Design Features

The project would not result in a significant impact with regards to transportation; as such, no mitigation is required.

However, the following project design features are proposed to reduce project traffic along Fountain Avenue.

PDF-TRANS-1 The proposed project will restrict northbound/outbound right-turn movement of project traffic along Orange Grove Avenue driveway such that vehicles exiting the site will be required to travel southbound during the AM and PM peak hours. This feature can be implemented by using a sign at the project driveway and would help reduce project traffic at the unsignalized intersections along Fountain Avenue and thereby not cause additional delay to some of the poorly operating movements.

PDF-TRANS-2 The proposed project will restrict northbound/outbound left-turn movement of project traffic along Ogden Drive driveway such that vehicles exiting the site will be required to travel southbound during the PM peak hour. This feature can be implemented by using a sign at the project driveway and would help reduce project traffic at the unsignalized intersections along Fountain Avenue and thereby not cause additional delay to some of the poorly operating movements.

3.8.7 Level of Significance After Mitigation

Impacts to transportation would be less than significant, and no mitigation is required.

3.8.8 References Cited

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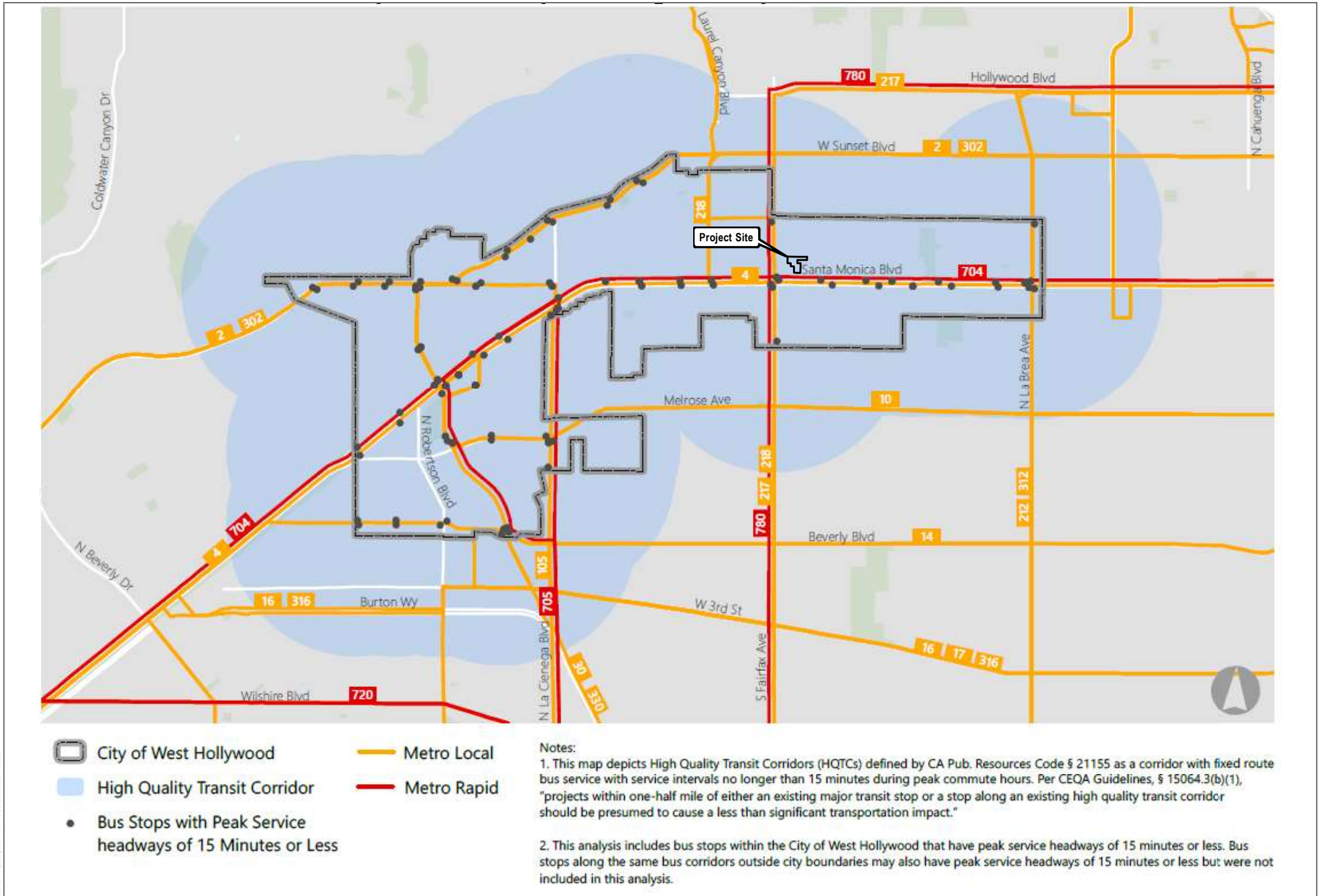
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SOURCE: City of West Hollywood/Fehr & Peers, 2020

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3.9 Utilities and Service Systems

This section describes the existing setting of the project site relative to utilities and service systems, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the revised Bond Project (“proposed project” or “revised project”). Utilities include the provision and disposition of water, wastewater (sewer), electric power, natural gas, telecommunications, or solid waste disposal needs.

3.9.1 Environmental Setting

Water

Water service throughout the east side of the City of West Hollywood, including the project site, is provided by City of Los Angeles Department of Water and Power (LADWP) (City of West Hollywood 2022). The Los Angeles Aqueduct, local groundwater, and supplemental water purchased from the Metropolitan Water District of Southern California (MWD) are the primary sources of water supply for the City of Los Angeles and thus the City of West Hollywood (City). The water purchased from MWD is delivered through the Colorado River Aqueduct and the State Water Project’s California Aqueduct. An additional water source, recycled water, is becoming a larger part of the overall water supply portfolio (LADWP 2020).

The Los Angeles Aqueduct (LAA) system extends approximately 340 miles from the Mono Basin in central eastern California, to Los Angeles. There are six reservoirs in the system with a combined storage capacity of 311,000 acre-feet (AF). At its peak in fiscal year 1983-84, the LAA delivered 531,729 AF, while very dry years can produce significantly less (LADWP 2020).

Local groundwater provides approximately 8% of the total water supply for the LADWP water service area and has provided nearly 23% of the total supply in drought years when imported supplies become less reliable. LADWP owns water rights in three Upper Los Angeles River Area (ULARA) groundwater basins: San Fernando, Sylmar, and Eagle Rock, as well as the Central and West Coast basins. On average, about 95% (46,623 AF per year [AFY]) of the water service areas’ groundwater supply is extracted from ULARA groundwater basins, while the Central Basin provides 4% (3,804 AFY). LADWP also owns 1,503 AFY of West Coast Basin groundwater rights. Groundwater entitlements amount to 109,809 AFY (LADWP 2020).

LADWP receives much of its water supplies from the MWD, which imports water from the State Water Project (SWP) and the Colorado River. LADWP projects by 2025, approximately 181,400 AF of water supplies will be purchased by MWD of a total water supply estimate of 642,600 AF (LADWP 2020). By 2045, LADWP total water supply and demand is anticipated to be 710,500 AF (LADWP 2020). Historically, water demand between 2016-2020 averaged a total of 495,685 AF (LADWP 2020).

In addition, LADWP projects 50,900 AFY of wastewater to be recycled for fiscal year 2024/2025 within its service area. Projected recycled water used by municipal and industrial (M&I) purposes is projected to be 17,300 AFY (LADWP 2020).

Existing water demanding uses at the project site consist of one commercial building occupied by Brick Fitness (a gym), and one multi-family residential building. Existing water use levels for the project site are estimated in Table 3.9-1 based on the default factors contained in the California Emissions Estimator Model (CalEEMod) version 2020.4.0.

Table 3.9-1. Existing Water Use

Existing Land Use	Square Feet	Land Use Sub Type	Water Use (gal/day)
Gym	10,000	Health Club	2,613
Residential Units	3,718	Apartments Low Rise	2,038
Totals			4,651

Source: Appendix B.

Wastewater

The City of West Hollywood collects wastewater generated within its boundaries and transmits it through the City of Los Angeles sewer system. Sewer infrastructure within West Hollywood is made up of City-owned local sewers and County sewer lines. The City of West Hollywood is under contract with the County of Los Angeles to provide routine and emergency sewer maintenance services. The sewer system within the City consists of approximately 39 miles of gravity piping. This gravity sewer system includes over 880 pipe reaches and manholes, providing local sewer service to every parcel within the City (City of West Hollywood 2013; Appendix G).

The City of Los Angeles has a contract with Sanitation District No. 4 of Los Angeles County (Sanitation Districts) to receive sewage generated in West Hollywood and transport that sewage to the City of Los Angeles Sanitation Bureau's trunk, interceptor, and outfall sewer system, which convey wastewater to the Hyperion Treatment Plant (HTP) in the Playa Del Rey area of the City of Los Angeles. The Sanitation Districts own, operate, and maintain the large trunk sewers that connect to the City of Los Angeles' regional wastewater conveyance system (City of West Hollywood 2010). The HTP is operated by the City of Los Angeles Department of Public Works, Bureau of Sanitation and is designed to process up to 450 million gallons per day (mgd) of sewage (City of Los Angeles Bureau of Sanitation 2019). The City of West Hollywood does not have a specific wastewater discharge entitlement with HTP. However, per the Sanitation Districts, no deficiencies currently exist in the Sanitation Districts' facilities that serve the City of West Hollywood (City of West Hollywood 2010).

Sewers serving the project site include the following:

- An 8-inch public sewer main that runs south on North Orange Grove Avenue; and
- A 12-inch public sewer main that runs east to west on Santa Monica Boulevard (Appendix G).

Sewer manholes on Orange Grove Avenue were examined in 2014 to determine the existing capacity of the sewer main that serves the project site. In addition, flow monitoring data was further collected for a manhole further downstream on Santa Monica Boulevard in 2019 (Appendix G). Existing sewer loads and capacity were estimated based on City of West Hollywood requirements. Table 3.9-2 summarizes the sewer capacity study results:

Table 3.9-2. Existing Sewer Capacity Study Results

Analysis	North Orange Grove Ave	Santa Monica Boulevard
Pipe Diameter	8 inches	12 inches
Slope	3.32%	0.32%
Manning N	0.013	0.013
50% Full Capacity	1.10 cfs	1.00 cfs
Monitored Daily Flow	0.020 mgd/0.031 cfs	0.150 mgd/0.232 cfs

Table 3.9-2. Existing Sewer Capacity Study Results

Analysis	North Orange Grove Ave	Santa Monica Boulevard
Existing Peak Flow	0.077 cfs	0.580 cfs
Existing % Pipe Full	12.80%	36.70%

Source: KPFF Consulting Engineers, Sewer Capacity Study (Appendix G)

Notes: mgd = million gallons per day; cfs = cubic feet per second.

The City of West Hollywood requires developers to pay a wastewater mitigation fee to offset any net increase in wastewater flow from new construction. The fee is based on net sewage unit of proposed land use for projects with new construction (Sanitation Districts 2022). The fee is used by the City to either upgrade or augment the system when necessary, thereby mitigating for any potential impacts of new development on the sewer system.

Solid Waste/Landfill

The collection, transport, and disposal of solid waste and recyclables from all business and residential uses in the City are provided by Athens Services. Athens Services collects nonrecyclable solid waste and is required to provide containers for the separation of newspaper and mixed paper, commingled recyclables, and yard and wood waste under the City's recycling program. Under the City's Solid Waste Franchise Agreement, the Athens Services guarantees sufficient disposal capacity in a permitted solid waste facility.

Solid waste generated in the City is driven to a materials recovery facility near the City of Industry. From there, solid waste is transferred by rail to the Mesquite Regional Landfill in Imperial County which is located on 4,245 acres of land (City of West Hollywood 2010). As of March 2011, the Mesquite Regional Landfill had an estimated remaining capacity of 1,100,000,000 cubic yards, had a maximum allowance of 20,000 tons/day of municipal waste, and had an approximate cease operation date of January 2122 (CalRecycle 2011).

Table 3.9-3 shows the estimated solid waste currently generated at the project site based on the default generation rates in CalEEMod.

Table 3.9-3. Existing Solid Waste Generation

Existing Land Use	Solid Waste Disposal (tons per year)	Solid Waste Disposal (pounds per day)
Gym	57.00	312.33
Residential Units	3.22	17.64
Total	60.22	329.97

Source: Appendix B.

Electric Service

Electric service is already provided to the project site by Southern California Edison (SCE). SCE provides electricity services in accordance with requirements of the California Public Utilities Commission (CPUC) and the Federal Energy Regulatory Commission.

Natural Gas

Natural gas service is already provided to the project site by Southern California Gas Company (SoCalGas). SoCalGas provides natural gas services in accordance with SoCalGas' policies and extension rules on file with the CPUC.

Telecommunications

Telecommunication services (cable, internet, and phone) in West Hollywood are provided a variety of providers, including but not limited to Direct TV, Dish TV, AT&T and Spectrum Cable.

3.9.2 Relevant Plans, Policies, and Ordinances

Federal

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (Code Fed. Regs., Title 40, Section 268, Subpart D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs that include federal landfill criteria. The federal regulations address the location, operation, design, and closure of landfills, as well as groundwater monitoring requirements.

State

Assembly Bills 939 and 341: Solid Waste Reduction

The California Integrated Waste Management (CIWM) Act of 1989 (Assembly Bill [AB] 939) was enacted as a result of a national crisis in landfill capacity, as well as a broad acceptance of a desired approach to solid waste management of reducing, reusing, and recycling. AB 939 mandated local jurisdictions to meet waste diversion goals of 25% by 1995 and 50% by 2000 and established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. AB 939 requires cities and counties to prepare, adopt, and submit to the California Department of Resources Recycling and Recovery (CalRecycle) a source reduction and recycling element to demonstrate how the jurisdiction will meet the diversion goals. Other elements included encouraging resource conservation and considering the effects of waste management operations. The diversion goals and program requirements are implemented through a disposal-based reporting system by local jurisdictions under California Integrated Waste Management Board (CIWMB) regulatory oversight. Since the adoption of AB 939, landfill capacity is no longer considered the statewide crisis it once was. AB 939 has achieved substantial progress in waste diversion, program implementation, solid waste planning, and protection of public health, safety, and the environment from landfills operations and solid waste facilities.

In 2011, AB 341 was passed, requiring CalRecycle to require that local agencies adopt strategies that will enable 75% diversion of all solid waste by 2020.

Assembly Bill 1327: California Solid Waste Reuse and Recycling Access Act of 1991

AB 1327, which was established in 1991, required CalRecycle to develop a model ordinance for the use of recyclable materials in development projects. Local agencies were then required to adopt the model ordinance, or an ordinance of their own, governing adequate areas for collection and loading of recyclable materials in development projects.

Assembly Bill 1826: Mandatory Commercial Organics Recycling

In October 2014, Governor Brown signed AB 1826 Chesbro (Chapter 727, Statutes of 2014), requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste generated per week.

(Organic waste is defined as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.) This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consists of five or more units. This law phases in the mandatory recycling of commercial organics over time. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to recycle organic waste.

Senate Bill X7-7

Senate Bill (SB) X7-7 implements water use reduction goals to achieve a 20% statewide reduction in urban per capita water use by December 31, 2020. The bill requires each urban retail water supplier to develop urban water use targets to help meet the 20% goal by 2020 and an interim 10% goal by 2015. The bill establishes methods for urban retail water suppliers to determine targets to help achieve reductions in water use. The retail agency may choose to comply with SB X7-7 as an individual or as a region in collaboration with other water suppliers. Under the regional compliance option, the retail water supplier must report the water use target for its individual service area.

Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package—AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)—collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through SGMA, the California Department of Water Resources provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins sustainably and requires those GSAs to adopt Groundwater Sustainability Plans for crucial groundwater basins in California.

Urban Water Management Plans

Urban water purveyors are required to prepare and update an Urban Water Management Plan (UWMP) every 5 years and are based upon city growth projections included within general plans. The City of Beverly Hills and LADWP, which provide water service to West Hollywood, updated their UWMPs in 2020, drawing upon the City of West Hollywood's growth projections. UWMPs are required to provide a framework for long term water planning and to inform the public of the supplier's plans to ensure adequate water supplies for existing and future demands. UWMPs are required to assess the reliability of the agency's water supplies over a 20-year planning horizon and report its progress on 20% reduction in per-capita urban water consumption by the year 2020 as required in the Water Conservation Bill of 2009. The California Department of Water Resources reviews agencies' UWMPs to make sure they have completed UWMP requirements.

Department of Resources Recycling and Recovery (CalRecycle)

CalRecycle is the home of California's recycling and waste reduction efforts. Officially known as the Department of Resources Recycling and Recovery, CalRecycle is a department within the California Natural Resources Agency and administers programs formerly managed by the state's Integrated Waste Management Board and Division of Recycling.

California Code of Regulations Title 24, Part 11

In 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code, Part 11 of Title 24, is commonly referred to as CALGreen, and establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency, water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all new construction of residential and non-residential buildings. CALGreen standards are updated periodically. The latest version (CALGreen 2019) became effective on January 1, 2020.

Mandatory CALGreen standards pertaining to water, wastewater, and solid waste include the following (24 CCR Part 11):

- Mandatory reduction in indoor water use through compliance with specified flow rates for plumbing fixtures and fittings.
- Mandatory reduction in outdoor water use through compliance with a local water efficient landscaping ordinance or the California Department of Water Resources' Model Water Efficient Landscape Ordinance.
- Diversion of 65% of construction and demolition waste from landfills.

Regional

The Metropolitan Water District of Southern California

MWD is a state-established cooperative that, along with its 26 cities and retail suppliers, provides water for 19 million people in six counties. The district imports water from the Colorado River and Northern California to supplement local supplies, and helps its members to develop increased water conservation, recycling, storage and other resource-management programs.

On June 1, 2022, MWD announced emergency drought restrictions for select communities in Los Angeles, San Bernardino, and Ventura counties. These restrictions were set in place to respond to the region's severely limited water supplies and are set to be in effect until the end of 2022. Restrictions vary by city but largely consist of limiting outdoor watering to one or two days a week or implementing water budgets for residents (MWD 2022).

Local

LADWP 2020 UWMP

On May 25, 2021, LADWP adopted the 2020 UWMP, which builds upon the goals and progress made in previous UWMPs and currently serves as the master plan for reliable water supply and resource management. LADWP's UWMP uses a service area-wide methodology in developing its water demand projections. This methodology does not rely on individual development demands to determine area-wide growth. Rather, the projected growth in water use for the entire service area was considered in developing long-term water projections to the year 2045. Long range projections are based on Southern California Association of Governments (SCAG) growth projections. The 2020 UWMP is based on projections in the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also known as Connect SoCal (LADWP 2020).

Like the previous UWMP, the 2020 UWMP takes into account a number of significant changes that have occurred. For example, in 2012, California began experiencing a multi-year drought that continued through 2016 and ended with record precipitation in 2017. In 2014, Governor Jerry Brown proclaimed a drought state of emergency. In 2019,

Los Angeles Mayor Eric Garcetti issued an update to the LA Sustainable City pLAn, which includes targets to increase local water supplies through recycled water, stormwater capture, conservation, and water efficiency. In July 2020, Governor Gavin Newsom's Water Resilience Portfolio was issued. The portfolio focused on three priorities: (1) maintaining access to safe and clean drinking water, (2) establishing voluntary agreements to collaboratively manage water resources and protect fish and wildlife, and (3) advancing the Delta Conveyance Project. The 2020 UWMP incorporates the objectives of these recent initiatives (LADWP 2020).

Included in the 2020 UWMP is Appendix I, Water Shortage Contingency Plan (WSCP), which incorporates potential actions that are used to address regional water shortages and how these actions can inform LADWP on assessing overall assessment of water demands and water supplies. As such, the WSCP outlines six levels of water shortage listed below (LADWP 2020):

- Level 1 (Permanent Mandatory Water Restrictions) consists of permanent water use restrictions that have been in place since 2009, which eliminates water waste by up to 10%. As such, Level 1 is considered as “No shortage.”
- Level 2 (Moderate Shortage) is implemented when there is a reasonable probability of supply shortage from LADWP controlled supplies in the long-term and a demand reduction of up to 20% is necessary to mitigate this long-term shortage risk.
- Level 3 (Significant Shortage) is implemented when demand must be reduced up to 30% to ensure sufficient supplies. During a Significant Shortage a new set of mandatory water conservation practices takes effect, in addition to all permanent water waste prohibitions and Levels 1 and 2 conservation practices.
- Level 4 (Severe Shortage) is implemented when demand must be reduced up to 40% to ensure sufficient supplies. During a Severe Shortage, a new set of mandatory water conservation practices takes effect, in addition to all permanent water waste prohibitions and Levels 1 through 3 conservation practices.
- Level 5 (Critical Shortage) is implemented when a water shortage emergency requires that demand must be reduced up to 50% to ensure sufficient supplies. During a Critical Shortage, a new set of mandatory water conservation practices takes effect, in addition to all permanent water waste prohibitions and Levels 1 through 4 conservation practices.
- Level 6 (Supercritical Shortage) is implemented when a water shortage emergency requires that demand must be reduced greater than 50% to ensure sufficient supplies. During a Supercritical Shortage, a new set of mandatory water conservation practices takes effect, in addition to all permanent water waste prohibitions and Levels 1 through 5 conservation practices.

To determine the appropriate water shortage level, LADWP conducts annual assessments of supply conditions. In March 2022, Governor Newsom ordered “urban water suppliers to implement more aggressive conservation measures, requiring them to activate ‘Level 2’ [Moderate Shortage] of their local drought contingency plans to prepare for shortages. The governor also directed the state water board to consider a ban on watering ‘nonfunctional’ grass at businesses and other properties” (LA Times 2022). As such, MWD and LADWP must reduce demand to 20% to mitigate long-term shortage risk. If further conservation is necessary, then regulators will increase the level of conservation. None of the water shortage levels would result in development-related constraints. Rather, conservation strategies are focused on landscape irrigation restrictions. Additionally, to reduce consumption during this level and all higher levels of conditions, LADWP may increase its public education and outreach efforts and enforcement measures to build awareness of voluntary water conservation practices and all permanent water waste prohibitions (LADWP 2020).

City of West Hollywood Climate Action Plan

In 2011, the City adopted a Climate Action Plan (CAP), which set forth strategies and performance indicators to reduce greenhouse gas emissions from municipal and communitywide activities within the City. The CAP set forth measures to promote reductions in solid waste, water use, and energy use, among other greenhouse gas reduction measures. Overall, the goal of the CAP was to reduce the City's communitywide greenhouse gas emissions by 20%–25% below 2008 emission levels by 2035 (City of West Hollywood 2011). In December 2021, the City adopted a Climate Action and Adaptation Plan (CAAP), which is an update to the 2011 CAP. The CAAP sets a target of achieving community-wide carbon neutrality by 2035. The CAAP includes 20 climate measures and 60 sub-actions, organized into five categories (City Leadership and Governance, Energy, Transportation and Mobility, Zero Waste, and Climate Resilience). As stated in the CAAP, these measures and sub-actions will enable the City to achieve carbon neutrality by 2035 and become a more climate resilient city. Applicable or partially applicable sub-actions from the adopted CAAP that pertain to utilities and service systems are listed below (City of West Hollywood 2021). While some of these actions would be undertaken by the City, such actions may still serve to reduce the effects of the project as the actions are implemented over time.

- **CLG-4A:** Establish a WeHo Green Business Program to promote energy and water efficiency, waste reduction, green building materials, and sustainable and/or local purchasing with the City's business community.
- **CLG-4C:** Coordinate with neighboring jurisdictions to adopt climate-adapted water management practices that reduce reliance upon imported water.
- **EN-2A:** Continue to promote and support the Go Solar WeHo program and encourage the pairing solar systems with battery energy storage systems.
- **EN-2B:** Leverage Clean Power Alliance and Southern California Edison programs to encourage the adoption of solar, battery energy storage, smart inverters, and smart thermostats.
- **EN-3A:** Adopt energy reach codes and/or resiliency codes that exceed State requirements.
- **EN-3B:** Develop educational resources and guidelines for sustainable construction material selection.
- **EN-3C:** Develop educational resources and guidelines around electric vehicle chargers, battery energy storage, and all-electric appliances.
- **EN-3D:** Promote and support the adoption of clean and resilient energy technologies in affordable housing, schools, and other critical facilities.
- **NE-3A:** Continue to promote water conservation measures (e.g., rain barrels, cisterns, limited outdoor water use) that reduce dependency on imported water, including stormwater reuse.
- **ZW-1A:** Develop a single-use plastics and/or reusable foodware ordinance.
- **ZW-2A:** Support educational programming on organics recycling, including the supply of materials and tools to encourage behavior change (e.g., compost bins, signage, etc.).
- **ZW-2B:** Develop and phase in organic waste reduction requirements in accordance with CalRecycle mandates (SB 1383), including municipal code updates, customer education and outreach materials, food recovery capacity, compliance & enforcement protocols, monitoring and reporting, etc.
- **ZW-2C:** Implement curbside organics collection program.

City of West Hollywood Development Conditions

A demolition and construction debris recycling plan must be approved by the City prior to issuance of any demolition permits. The City requires a minimum of 80% of all construction debris and waste to be recycled (City of West Hollywood 2014b).

City of West Hollywood General Plan

The Infrastructure, Resources, and Conservation (IRC) Element of the City General Plan states the following goals, which are applicable to the proposed project:

- IRC-2: Provide citywide access to high-quality water, gas, electricity and telecommunication services.
 - IRC-2.2 Require development projects to provide a “will serve” letter or similar proof of the availability of necessary infrastructure and services by outside service providers during the permit review process.
 - IRC-2.3 Require that development projects pay for their share of the costs of improvements to water, gas, power and other utilities.
- IRC-3: Reduce water use and ensure a long term water supply
 - IRC-3.1 Allow for construction of new development only when there is sufficient water to supply that development, as determined by the service provider.
 - RC-3.2 Require development projects with the water-use equivalent of 10 dwelling units or more to conduct a long-term water supply analysis as part of the development approval process.
 - IRC-3.3 Regularly update water conservation regulations to ensure that current best practices are utilized.
 - IRC-3.6 Require all new buildings to meet the following standards:
 - Achieve a reduction of water use of 40% less than baseline for buildings as calculated by the Energy Policy Act of 1992. Single-family homes are exempted from this requirement but must still meet the other standards of the Green Building Ordinance.
 - Reduce water consumption for outdoor landscape irrigation, consistent with the most recent City policy.
 - Comply with all prevailing state laws and City regulations regarding indoor and outdoor water conservation and efficiency in new construction.
- IRC-5: Administer an active and robust green building program
- IRC-8: Provide a wastewater system that protects the health, safety, ecology, and welfare of the community.
 - IRC-8.1 Regularly inspect, maintain, and rehabilitate the City’s sewer system.
 - IRC-8.2 Require development projects to pay for their share of wastewater system improvements necessitated by that development.
 - IRC-8.3 Require development projects with a net increase of sewage flow equivalent of 10 dwelling units to prepare a sewer capacity analysis to demonstrate available capacity.
 - IRC-8.5 Maintain an updated Sewer Master Plan.
- IRC-10: Use Best Practices to reduce and manage solid waste.
 - IRC-10.1 Aggressively seek to reduce West Hollywood’s rate of waste disposal per capita.
 - IRC-10.2 Provide services for recycling and composting and expand these services over time, where appropriate.
 - IRC-10.3 Encourage all construction projects (regardless of size) to divert 80% of the construction waste debris away from landfills.
- IRC-11: Provide high quality, safe, well-maintained, and sustainable facilities for City operations.

City of West Hollywood Municipal Code

Solid Waste

The City requires a project to be designed to incorporate solid waste and recycling operations in a convenient manner. Per Article 19 of the City of West Hollywood Zoning Ordinance, the following are required for new developments:

- Each new multi-family and non-residential project shall implement a recycling plan;
- Residential (individual dwelling units) and commercial uses shall have sufficient containers as to accommodate the amount of solid waste and recycling generated by the premises; and
- Landscape waste shall be placed in designated green waste bins

Furthermore, pursuant to the City of West Hollywood Municipal Code (WHMC) Section 19.20.060, the City requires projects to divert a minimum of 80% of all construction and demolition waste away from landfills. Prior to the issuance of a Certificate of Occupancy, a project applicant must submit a recycling manifest to the City of West Hollywood Environmental Services Specialist, which shows what type of materials were accepted and recycled.

Wastewater

Chapter 15.04 of the WHMC adopts Title 20, Utilities, Division 2, Sanitary Sewers and Industrial Waste, of the Los Angeles County Code as the Sanitary Sewer and Industrial Waste Ordinance of the City. Chapter 15.04 also identifies the penalty for violations of the City's Sanitary Sewer and Industrial Waste Ordinance.

Chapter 15.08 of the WHMC establishes the means of providing adequate sewers required for the development of the City; a charge to be collected from the owners of properties that propose to discharge to the public sewer excess quantities for which the system was designed; and a fund in which these charges may be deposited and will be available for the sanitary sewer construction program. Specifically, Section 15.08.060 of the WHMC states that a City engineer shall determine what capacity is necessary in each public sewer to provide for the proper collection of sewage in the City. In the event a lot in the City is to undergo development or redevelopment, and the anticipated sewage from the proposed use is found by the City engineer to exceed the capacity available in the public sewer, the building permit for such development or redevelopment shall not be issued until such time as capacity in the public sewer is available or can be made available before the building is occupied.

Lastly, Chapter 15.12 establishes the sewer service and maintenance service charges levied upon each parcel of real property in the City for services and facilities provided by the City.

Local Stormwater Regulations

See Section 3.7, Hydrology and Water Quality, for a list of applicable regulations related to stormwater runoff.

3.9.3 Thresholds of Significance

The October 2016 Initial Study (Appendix A) for the proposed project included an analysis of the following significance criteria based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.). The Initial Study concluded that there would be less than significant impacts for the significance criteria listed as follows:

1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
2. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction or which could cause significant environmental effects.

Therefore, the above significance criteria are not included as part of this RDEIR. The significance criteria used to evaluate the project impacts to utilities and service systems are based on Appendix G of the CEQA Guidelines. Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to utilities and service systems would occur if the project would:

- UTL-1 Require or result in the relocation or construction of new or expanded water, wastewater conveyance, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects.
- UTL-2 Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?
- UTL-3 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.
- UTL-4 Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- UTL-5 Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

3.9.4 Impacts Analysis

Threshold UTL-1. Would the project require or result in the relocation or construction of new or expanded water, wastewater, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental effects?

The revised project represents an increase in the intensity of uses on the project site and would therefore be expected to increase the demand for water, wastewater conveyance, electric power, natural gas, and telecommunication facilities at the project site.

Water

During operation, the revised project would increase water consumption compared to the existing uses on site. As shown in Table 3.9-1, the existing uses are estimated to use 4,651 gallons of water per day. According to the October 22, 2020, KPFF Civil Engineering Initial Study Data (Appendix G), the revised project would require

approximately 26,679 gallons of water per day to serve proposed land uses (see Table 3.9-4)¹. For this analysis, it is anticipated that the total water usage per day would be equal to the total sewage discharge per day for the revised project. As such, the revised project would increase water use on the site by approximately 22,028 gallons per day (26,679 gallons per day minus the existing 4,651 gallons of water per day currently used at the project site).

Table 3.9-4. Anticipated Water Demand

Facility Description	Building Program	Units	Flow (gpd) per unit	Average Load, Q _{AF} (gpd)
Restaurant (Indoor)	230	Seat	30	6,900
Restaurant (Outdoor)	21	Seat	18	378
Hotel Amenity Space	2066	Square Feet	0.5	1,033
Art Gallery	1381	Square Feet	0.02	28
Residential Lobby	1850	Square Feet	0.08	148
Studio Apartments	46	Unit	80	3,680
1-Bedroom Apartments	21	Unit	120	2,520
2-Bedroom Apartments	15	Unit	160	2,400
3-Bedroom Apartments	13	Unit	200	2,600
Hotel Lobby	1567	Square Feet	0.08	125
Hotel Rooms	45	Room	130	5,850
Hotel Back-of-House	6211	Square Feet	0.08	497
Fitness Area	650	Square Feet	0.8	520
Total				26,679

Source: Appendix G.

According to the LADWP's 2020 UWMP, the most current version of the Urban Water Management Plan, the total annual water demand in LADWP's Service Area historically (2016-2020) was approximately 495,685 AF (LADWP 2020). This equates to approximately 161.5 billion gallons per year, or 442.5 mgd. Thus, the revised project's water demand would equate to approximately 0.005% of the total annual demand generated in LADWP's service area. As such, the increased water use would be minor and incremental in the context of the total water portfolio managed by the LADWP. While the revised project would involve an intensification of uses on the site, the site is already developed with commercial uses under existing conditions. An existing 12-inch water main on Santa Monica Boulevard, which is owned and operated by LADWP, serves the project site. In addition, a 6-inch fire water service and a 6-inch domestic water service would be constructed as part of the project to connect to the existing 12-inch water main (Appendix G). According to the most recent UWMP, LADWP has sufficient capacity to meet future demands under normal, single dry year, and multiple dry year scenarios projected out to 2045 (LADWP 2020). As such, the project would not require or result in the construction of new water supply facilities. Analysis of sufficiency of water supplies (as opposed to infrastructure) is discussed under Threshold UTL-2.

¹ Note that this estimate is based on average wastewater generation rates provided by Sanitation District No. 4 and may not represent the use of the Green Building required water efficiency measures such use of low-flow showerheads, water efficient faucets, toilets, and irrigation, and tankless water heaters that the project would include into project designs.

Wastewater

Once operational, the revised project would generate conventional sanitary sewer discharges from the hotel, residential, and restaurant uses. Table 3.9-5 shows the anticipated sewer demand associated with the revised project (Appendix G).

Table 3.9-5. Anticipated Sewer Demand

Facility Description	Building Program	Units	Flow (GPD) per unit	Average Load, Qaf (GPD)	Average Load, Qaf (cfs)	Peak Flow Qpf (cfs)
Restaurant (Indoor)	230	Seat	30	6,900	0.011	0.0267
Restaurant (Outdoor)	21	Seat	18	378	0.001	0.0015
Hotel Amenity Space	2,066	SF	0.05	1,033	0.002	0.0040
Art Gallery	1,381	SF	0.02	28	0.000	0.0001
Residential Lobby	1,850	SF	0.08	148	0.000	0.0006
Studio Apartments	46	Unit	80	3,680	0.006	0.0142
1-Bedroom Apartments	21	Unit	120	2,520	0.004	0.0097
2-Bedroom Apartments	15	Unit	160	2,400	0.004	0.0093
3-Bedroom Apartments	13	Unit	200	2,600	0.004	0.0101
Hotel Lobby	1,567	SF	0.08	125	0.000	0.0005
Hotel Rooms	45	Room	130	5,850	0.009	0.0226
Hotel Back-of-House	6,211	SF	0.08	497	0.001	0.0019
Fitness Area	650	SF	0.8	520	0.001	0.0020
Totals				26,679	0.041	0.103

Source: KPFF Consulting Engineers (Appendix G)

Notes: GPD = gallons per day; Qaf = average daily flow; Qpf = peak flow; cfs = cubic feet per second; SF = single family.

Flow monitoring radars were installed in a manhole in North Orange Grove Avenue and data was collected over a one-week period, from October 25, 2014 to November 2, 2014, the results of which are included in Table 3.9-2. The City's Engineering Division confirmed no related projects with a potential substantial impact to wastewater flow have been added to this line since the conditions were evaluated in 2014. For informational purposes, in the event that a related project with the potential to substantially impact wastewater flow were to be proposed and/or approved, the City would require the related project to perform a live flow monitoring study subject to plan check review. Flow monitoring data was further collected in a manhole on Santa Monica Boulevard over a one-week period from March 20, 2019 to March 28, 2019, data from which also appears in Table 3.9-2. Based on the results of existing flows, with implementation of the revised project, Table 3.9-6 provides a summary of future condition hydraulics upon implementation of the revised project.

Table 3.9-6. Sewer Analysis Summary

Analysis	North Orange Grove Ave	Santa Monica Boulevard
Pipe Diameter	8 inches	12 inches
Slope	3.32%	0.32%
Manning N	0.013	0.013

Table 3.9-6. Sewer Analysis Summary

Analysis	North Orange Grove Ave	Santa Monica Boulevard
50% Full Capacity	1.10 cfs	1.00 cfs
Monitored Daily Flow	0.020 mgd/0.031 cfs	0.150 mgd/ 0.232 cfs
Existing Peak Flow	0.077 cfs	0.580 cfs
Existing % Pipe Full	12.80%	11,60%
Additional Generated Peak Flow ^a	0.103 cfs	0.103 cfs
Total Proposed Peak Flow ^a	0.188 cfs	0.691 cfs
Proposed % full ^a	13.13%	12.60%

Source: KPFF Consulting Engineers, Sewer Capacity Study (Appendix G)

Notes: cfs = cubic feet per second; mgd = million gallons per day.

^a Assuming entire project sewer load connects to a single sewer.

Adding the complete estimated peak flow generated from the revised project to the 8-inch sewer line on North Orange Grove Avenue would result in an estimated peak flow of 13.13%, which is below the 50% full capacity, as required by the City of West Hollywood. The 8-inch main leads into a 12-inch main located in Santa Monica Boulevard. Adding the complete estimated peak flow from the revised project to the 12-inch sewer line in Santa Monica Boulevard would result in an estimated peak flow of 12.60%, which is also below the 50% full capacity. As such, the existing sewer lines have the capacity to serve the estimated peak flow from the revised project. Therefore, the revised project would not exceed the capacity of the existing sewer lines that serve the project site.

The revised project represents an increase in the intensity of development on the project site and would therefore be expected to increase the amount of wastewater generated at the project site and treated at HTP. HTP has a capacity of 450 mgd for dry weather and 800 mgd for wet weather. On average, 275 mgd of wastewater enters the HTP on a dry weather day (City of Los Angeles Bureau of Sanitation 2019). Thus, the HTP has a remaining capacity of approximately 175 million gallons per day during dry-weather conditions. As shown in Table 3.9-5 the revised project would generate an average wastewater load of 26,679 GDP or 0.041 cubic feet per second (cfs). Thus, the increase in wastewater attributed to the revised project would account for less than 0.016% of HTP's remaining capacity. As such, the revised project would not produce wastewater that would exceed the remaining treatment capacity of the HTP. Nor would the project require or result in the construction, expansion, or relocation of wastewater infrastructure.

Electric Service

SCE provided a will-serve letter on August 6, 2019 (Appendix G) that acknowledged that that the project site is within their service territory and the process by which electricity services are provided. Specific electrical requirements for the project would be arranged in coordination with SCE's representatives and would tie into existing infrastructure available at and adjacent to the site. For more discussion on the project's impacts related to energy, see Section 3.10, Energy, of this RDEIR.

Natural Gas

SoCalGas provided a will-serve letter on July 25, 2019 (Appendix G) that acknowledged that the project site is within their service territory and the process by which natural gas services are provided. Specific natural gas requirements for the project would be arranged in coordination with SoCalGas' representatives and would tie into existing infrastructure available at and adjacent to the site. For more discussion on the project's impacts related to energy, see Section 3.10, Energy, of this RDEIR.

Telecommunications

There are a variety of telecommunications providers in West Hollywood that could provide cable, internet, and phone connections to the project site. It is anticipated that demand for telecommunications will be arranged in coordination with the developer and individual occupants, using existing infrastructure available at and adjacent to the site.

In conclusion, the project would either provide or tie into existing infrastructure for water, wastewater (sewage), electric service, natural gas, and telecommunication services; therefore, impacts would be **less than significant**.

Threshold UTL-2. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As previously discussed under Threshold UTL-1, the project would not require or result in the need to construct new potable water facilities because the project would connect into the existing water service system. To the extent that the project increases demands on the regional water system, it could indirectly contribute to the need to construct or expand water facilities. As described in Section 3.9.2, the UWMP for LADWP outlines a WSCP, a plan developed to provide for a sufficient and continuous supply of water in case of water supply shortage in the LADWP service area, including the project site. Over the last 10 years, groundwater contamination has impacted LADWP's ability to fully utilize its entitlements. Expanding urbanization, increasing impervious hardscape, and channelization of stormwater runoff have reduced natural replenishment. Aging well fields and distribution infrastructure have also inhibited the full utilization of LADWP's groundwater resources. In response to these issues, LADWP has renewed its focus on protecting and rehabilitating its local groundwater basins, including expanding the remediation efforts for the San Fernando Basin (SBF). LADWP continues to invest in stormwater and recharge projects by enhancing and enlarging existing stormwater planning facilities and investing in advanced treatment systems to produce purified recycled water for groundwater replenishment. These investments will augment LADWP's groundwater and help ensure that basin water levels remain sustainable in the future. In addition, LADWP is involved in many programs and employs multiple technologies to achieve its water conservation goals, which are implemented with state and local ordinances and plumbing code modifications. Further, in response to dry conditions affecting LADWP's imported water supplies, the City of Los Angeles prepared the Sustainable City Plan (pLAn), calling for a 20% reduction in water use by 2017 and 25% by 2035 (LADWP 2015). While this plan was prepared by the City of Los Angeles, water usage reduction requirements are applicable to the portion of the City that is served by LADWP.

The proposed project would increase water consumption compared to the existing uses on site. As shown in Table 3.9-1, the existing site land uses are estimated to use approximately 4,651 gallons of water per day. The estimated daily water demand of the proposed project is 26,679 GPD (Appendix G). As such, the revised project would increase water use on the site by approximately 22,028 gallons per day (26,679 gallons per day minus the existing 4,651 gallons of water per day currently used at the project site).

While the revised project would involve an intensification of uses on the site, the site is already developed with commercial and residential uses under existing conditions. According to the LADWP UWMP, which is based on growth projections included in the City's General Plan and SCAG's Connect SoCal, the total water demand in LADWP's Service Area in 2015 was over 500,000 AF. This equates to approximately 162 billion gallons per year, or 446 mgd. Thus, the proposed project's water demand would equate to approximately 0.005% of the total annual demand generated in LADWP's service area. As such, the increased water use would be minor and incremental in the context of the total water portfolio managed by the LADWP. Moreover, as discussed in Chapter 5, Other CEQA

Considerations, population growth associated with the project would fall well within growth projections from SCAG's Connect SoCal, on which the UWMP is based, thus indicating that the project is accounted for within the UWMP.

LADWP's integrated water resources management approach includes development of additional local supplies to reduce dependence on purchased imported supplies based on recommendations from prior program-level planning initiatives. This includes consideration of recycled water, groundwater system improvements, stormwater capture, and studies of conservation potential. As previously described, the WSCP (which includes a consecutive 3-year dry supply scenario [refer to Exhibit 11K], earthquakes, power outages) was developed to ensure a sufficient and continuous supply of water in case of a water supply shortage in the service area - due to a severe hydrologic dry period or catastrophic event. Water supply and demand projections in the UWMP also show sufficient supplies to meet projected demands in normal, single dry, and multiple dry year scenarios out to 2045. In addition to the circumstances already considered in the UWMP, the revised project would implement sustainable design features that would reduce water use during operation compared to traditional building and operational practices. The revised project would utilize water efficient plumbing fixtures, install low-flow showerheads (<2.5 gpm), water efficient kitchen and bathroom faucets (<2.5 gpm), water efficient toilets (dual-flush or <1.3 gpf), and tankless water heaters. For these reasons, no new water entitlements would be required, and the project would make only a minor and incremental increase in demand for water supplies.

As described in Section 3.9.2, the region is currently subject to emergency drought conditions, and water use restrictions have been put in place at the time of this writing in 2022. Current restrictions largely consist of limiting outdoor watering. As also described in Section 3.9.2, LADWP's WSCP outlines six levels of water conservation practices, which scale up based on drought conditions (with Level 6 implemented in the most extreme scenarios). Level 2 conservation practices are currently in place and can be increased by officials in the event of worsening drought conditions. None of the conservation practices and requirements outlined in the WSCP's levels would result in restrictions on development, such as the proposed project. If the project were to be developed during drought-related water restrictions, project operations would need to comply with any such restrictions that may be in place.

For the reasons described above, the project would not have an impact on provision for water during normal, dry, and multiple dry years and, as such, impacts would be **less than significant**.

Threshold UTL-3. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As discussed under Threshold UTL-1 above, construction and operation of the revised proposed project would result in an increase in the amount of wastewater generated by the project. Once operational, the revised project would generate conventional sanitary sewer discharges from the hotel, residential, and restaurant uses. Table 3.9-5 shows the anticipated sewer demand associated with the revised project (Appendix G).

The revised project represents an increase in the intensity of development on the project site and would therefore be expected to increase the amount of wastewater generated at the project site and treated at HTP. HTP has a capacity of 450 mgd for dry weather and 800 mgd for wet weather. On average, 275 mgd of wastewater enters the HTP on a dry weather day (City of Los Angeles Bureau of Sanitation 2019). Despite some recent issues with plant operations that involved obstructions due to debris, the HTP has a remaining capacity of approximately 175 mgd during dry-weather conditions. As shown in Table 3.9-5, the revised project would generate an average wastewater load of 26,679 GDP or 0.041 cfs. Thus, the increase in wastewater attributed to the revised project would account for less than 0.016% of HTP's remaining capacity. As such, the revised project would not produce wastewater that

would exceed the remaining treatment capacity of the HTP. Nor would the project require or result in the construction, expansion, or relocation of wastewater infrastructure. As such, existing wastewater treatment capacity exists to serve the project in addition to continuing to treat wastewater currently received at the site. Impacts would be **less than significant**.

Threshold UTL-4. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Construction of the revised project would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, and plastics. In accordance with City requirements, 80% of all demolition and construction materials would be recycled, and the applicant would prepare a Construction and Demolition Solid Waste and Recycling Plan to demonstrate compliance with this requirement (City of West Hollywood 2014b). Compliance with this requirement would reduce the effect of the proposed construction activities on regional landfills. The remaining 20% of construction and demolition material that is not required to be recycled would either be disposed of or voluntarily recycled at a solid waste facility with available capacity. Operation of the revised project would represent an increase in intensity of uses on the project site which would likely be associated with increased generation of solid waste. Solid waste services would be provided by Athens Services, which has a Solid Waste Franchise Agreement with the City (City of West Hollywood 2015). Athens Services is required to provide for recycling services, in compliance with Section 15.20.090 – Collection of Recyclables, set forth in the City’s Municipal Code.

As shown in Table 3.9-7, the revised project would increase solid waste generation by approximately 71.23 pounds per day, or 13 tons per year, compared to existing conditions. Assembly Bills 939 and 341 require state agencies, such as the City to divert at least 50% of solid waste from landfills currently and 75% of solid waste from landfills by 2020. In addition, Assembly Bill 1826 requires businesses to recycle their organic waste depending on the amount of organic waste generated. Furthermore, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. As such, it is expected that a substantial portion of the waste generated during operation of the revised project would be recycled. The remaining non-recyclable waste would be disposed of by Athens Services and transported by rail to the Mesquite Regional Landfill in Imperial County.

Table 3.9-7. Solid Waste Generated by the Revised Project

Proposed Land Use	Solid Waste Disposal (tons per year)	Solid Waste Disposal (pounds per day)
Residential Units	43.70	239.45
Enclosed Parking with Elevator	0.00	0.00
Hotel	24.64	135.01
Quality Restaurant	3.43	18.79
Strip Mall	1.45	7.95
Total¹	73.22	401.21
Existing Uses	60.22	329.97
Net Increase	13.00	71.23

Source: Appendix B.

Note:

¹ Totals may not add due to rounding.

While landfill capacity within Los Angeles County is generally limited, the incremental increase in solid waste produced during operation of the proposed project would comprise approximately 0.0009% of the total daily allotment of waste

allowed to be transferred to the Mesquite Regional Landfill. As such, the increase in waste would be negligible in a regional context. Furthermore, project operations would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, impacts would be **less than significant**.

Threshold UTL-5. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

As described above, solid waste from commercial uses in the City are brought to a waste transfer station in the City of Industry. From there, waste is taken by rail to the Mesquite Landfill in Imperial County. These facilities are regulated under federal, state, and local laws. Additionally, the City is required to comply with the solid waste reduction and diversion requirements set forth in AB 939, AB 341, AB 1327, AB 1826, and SB 1383.

Prior to issuance of the demolition permit, the applicant would submit to the City's Environmental Services Specialist a Construction and Demolition Solid Waste and Recycling Plan outlining how demolition material would be either recycled on site or at appropriate recycling facilities. When recycling materials is not possible, the plan would outline the solid waste disposal methods to be employed. Demolition and construction waste would be hauled away only by a hauler permitted to operate in the City, in accordance with City and regulatory requirements. Prior to issuance of a Certificate of Occupancy, the applicant would be required to submit to the City's Environmental Services Division all recycling manifests from the disposal sites, recycling sites, and landfills that accepted the demolition, excavation, and/or general construction waste and recycling materials from the project.

In addition, waste diversion and reduction during project construction and operations would be completed in accordance with CALGreen standards, CalRecycle standards, CAAP standards, and City General Plan ordinances. As a result, the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Impacts are considered **less than significant**, and no mitigation is required.

3.9.5 Mitigation Measures

The proposed project would not result in significant adverse impacts on utilities, and no mitigation is required.

3.9.6 Level of Significance After Mitigation

No mitigation measures are required. Impacts would remain less than significant.

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3.10 Energy

This section describes existing setting related to energy, identifies associated regulatory requirements, and evaluates energy impacts related to implementation of the revised Bond Project (“proposed project” or “revised project”). This analysis is based on emission calculations and California Emissions Estimator Model (CalEEMod) outputs provided as Appendix B to this RDEIR.

3.10.1 Environmental Setting

Electricity

According to the U.S. Energy Information Administration (EIA), California used approximately 255,224 gigawatt hours of electricity in 2018 (EIA 2020a). By sector in 2017, commercial uses utilized 46% of the state’s electricity, followed by 35% for residential uses, and 19% for industrial uses (EIA 2019). Electricity usage in California for different land uses varies substantially by the types of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. Due to the state’s energy efficiency building standards and efficiency and conservation programs, California’s electricity use per capita in the residential sector is lower than any other state except Hawaii (EIA 2020b).

Southern California Edison (SCE) provides electricity to West Hollywood residents and businesses, including those located on the project site. SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. SCE administers various energy efficiency and conservation programs that may be available to residents, businesses, and other organizations in West Hollywood (City of West Hollywood 2011a). According to the California Public Utilities Commission (CPUC), approximately 84 billion kilowatt-hours (kWh) of electricity were used in SCE’s service area in 2017.

SCE receives electric power from a variety of sources. According to CPUC’s *2019 California Renewables Portfolio Standard Annual Report*, 36% of SCE’s power came from eligible renewables, such as biomass/waste, geothermal, small hydroelectric, solar, and wind sources (CPUC 2019). SCE maintains a lower percentage of renewable energy procurement when compared with California’s two other large investor-owned utilities – Pacific Gas and Energy Company and San Diego Gas & Electric Company, both of which procured 39% and 44% of their electric power, respectively, from eligible renewables (CPUC 2019). SCE also maintains a slightly lower percentage of renewables relative to statewide procurement. Renewable resources, including hydropower and small-scale (less than 1-megawatt), customer-sited solar photovoltaics (PV), supplied almost half of California’s in-state electricity generation in 2018 (EIA 2020b). The California Renewables Portfolio Standard (RPS) Program establishes a goal for California to increase the amount of electricity generated from renewable energy resources to 20% by 2010 and to 33% by 2020. Recent legislation revised the current RPS target for California to obtain 50% of total retail electricity sales from renewable sources by 2030, with interim targets of 40% by 2024, and 45% by 2027, and 60% by 2030. In September 2017, the City joined the Clean Power Alliance, which includes more than 30 member jurisdictions in Los Angeles and Ventura Counties. Through the Alliance, all power customers in the City have the opportunity to obtain cleaner power from renewable energy sources at a competitive price. Community Choice Aggregation (also known as Community Choice Energy) is a way for government agencies to buy and/or generate cleaner electricity for residents and businesses (City of West Hollywood 2019). Community Choice Aggregation creates a partnership between the municipality and the existing utility provider, giving local governments the option to purchase up to 100% renewable electricity – such as solar, wind, bioenergy, geothermal, and hydroelectric – at competitive rates and helping communities achieve their climate action goals. The participating municipality can

buy power from cleaner sources than offered by the existing utility (e.g. SCE), while still working with SCE to deliver energy to customers.

Within Los Angeles County, annual non-residential electricity use is approximately 47 billion kWh per year, while residential electricity use is approximately 20 billion kWh per year, as reported by the state's Energy Consumption Data Management System for 2019 (CEC 2020a). More specifically, within the City of West Hollywood (City), annual electricity consumption (encompassing both residential and non-residential) is approximately 335 million kWh (City of West Hollywood 2010).

Natural Gas

According to the EIA, California used approximately 2,154,030 million cubic feet of natural gas in 2019 (EIA 2020c). Natural gas is used for cooking, space heating, generating electricity, and as an alternative transportation fuel. The majority of California's natural gas customers are residential and small commercial customers (core customers), which accounted for approximately 35% of the natural gas delivered by California utilities in 2018 (CPUC 2020). Large consumers, such as electric generators and industrial customers (noncore customers), accounted for approximately 65% of the natural gas delivered by California utilities (CPUC 2020). CPUC regulates California natural gas rates and natural gas services, including in-state transportation over transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins. Biogas (e.g. from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems, and the State has been encouraging its development (CPUC 2020).

The Southern California Gas Company (SoCalGas) provides the City of West Hollywood with natural gas service. SoCalGas' service territory encompasses approximately 20,000 square miles and more than 500 communities. A SoCalGas service yard is located within the City limits, adjacent to the West Hollywood Gateway Center (City of West Hollywood 2011a). In the California Energy Demand mid-energy demand scenario, natural gas demand is projected to have an annual growth rate of 0.03% in SoCalGas' service territory. As of 2019, approximately 7,498 million therms¹ (749.8 billion kBtu) were used in SoCalGas' service area per year (CEC 2020c). By 2020, natural gas demand is anticipated to be approximately 7,876 million therms per year in SoCalGas' service area, per the high demand estimate (CEC 2018). The total capacity of natural gas available to SoCalGas in 2019 was estimated to be 3.5 billion cubic feet per day², respectively (California Gas and Electric Utilities 2020). This amount is approximately equivalent to 3.77 and 3.67 billion thousand British thermal units (kBtu) per day, respectively, or 37.7 and 36.7 million therms per day, respectively. Over the course of a year, the available capacity would therefore be 14.5 billion therms per year, which is well above the existing and future anticipated natural gas demand in SoCalGas' service area. In 2019, SoCalGas delivered approximately 3,048 million therms (304.8 billion kBtu) to Los Angeles County (CEC 2020b). Within the City of West Hollywood, annual natural gas consumption is approximately 16,940,221 therms (SoCalGas 2009, as cited in City of West Hollywood 2010).

Petroleum

According to the EIA, California used approximately 681 million barrels of petroleum in 2018, with the majority (584 million barrels) used for the transportation sector (EIA 2020d). This total annual consumption equates to a daily use of approximately 1.9 million barrels of petroleum. There are 42 U.S. gallons in a barrel, so California consumes

¹ One Therm is equal to 100,000 Btu or 100 kBtu.

² One cubic foot of natural gas has approximately 1,020 BTUs of natural gas or 1.02 kBtus of natural gas.

approximately 78.4 million gallons of petroleum per day, adding up to an annual consumption of 28.7 billion gallons of petroleum. By sector, transportation uses utilize approximately 85.5% of the state's petroleum, followed by 11.1% from industrial, 2.5% from commercial, 0.9% from residential, and 0.01% from electric power uses (EIA 2018b). Petroleum usage in California includes petroleum products such as motor gasoline, distillate fuel, liquefied petroleum gases, and jet fuel. California has implemented policies to improve vehicle efficiency and to support use of alternative transportation, which are described in Section 3.10.2, below. As such, the CEC anticipates an overall decrease of gasoline demand in the state over the next decade.

Existing Site Conditions

Operational energy use from the existing land uses were estimated to present the net change in energy consumption. The estimation of operational energy consumption generated under existing conditions was based on approximately 10,000 square feet of gym land use, 7 dwelling units in a mid-rise complex, and 72 surface parking spots currently on site. See Section 3.10.4, Methodology, for a description of the methodology and assumptions applied to estimate energy use from the existing use of the project site.

3.10.2 Relevant Plans, Policies, and Ordinances

Federal

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration (NHTSA) is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

Energy Independence and Security Act of 2007

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased corporate average fuel economy standards for motor vehicles, the EISA includes the following other provisions related to energy efficiency:

- Renewable fuel standard (RFS) (Section 202)
- Appliance and lighting efficiency standards (Sections 301–325)
- Building energy efficiency (Sections 411–441)

This federal legislation (the RFS) requires ever-increasing levels of renewable fuels to replace petroleum (EPA 2017). The U.S. Environmental Protection Agency (EPA) is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that laid the foundation for achieving significant reductions of greenhouse gas (GHG) emissions through the use of renewable fuels, for

reducing imported petroleum, and for encouraging the development and expansion of our nation’s renewable fuels sector. The updated program (“RFS2”) includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the EPA to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green jobs.”

State

Warren–Alquist Act

The California Legislature passed the Warren–Alquist Act in 1974, which created the CEC. The legislation also incorporated the following three key provisions designed to address the demand side of the energy equation:

- It directed the CEC to formulate and adopt the nation’s first energy conservation standards for both buildings constructed and appliances sold in California.
- The act removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high-demand projections, and transferred it to a more impartial CEC.
- The CEC was directed to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

State of California Energy Action Plan

The CEC and CPUC approved the first State of California Energy Action Plan in 2003. The plan established shared goals and specific actions to ensure the provision of adequate, reliable, and reasonably priced electrical power and natural gas supplies; it also identified cost-effective and environmentally sound energy policies, strategies, and actions for California’s consumers and taxpayers. In 2005, the CEC and CPUC adopted a second Energy Action Plan to reflect various policy changes and actions of the prior 2 years.

At the beginning of 2008, the CEC and CPUC determined that it was not necessary or productive to prepare a new energy action plan. This determination was based, in part, on a finding that the state’s energy policies have been significantly influenced by the passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (discussed below). Rather than produce a new energy action plan, the CEC and CPUC prepared an “update” that examines the state’s ongoing actions in the context of global climate change.

Assembly Bill 32 (2006) and Senate Bill 32 (2016)

In 2006, the State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted Senate Bill (SB) 32, which extended the horizon year of the state’s codified GHG reduction planning targets from 2020 to 2030,

requiring California to reduce its GHG emissions to 40% below 1990 levels by 2030. In accordance with AB 32 and SB 32, the California Air Resources Board (CARB) prepares scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focused on increasing energy efficiencies, using renewable resources, and reducing the consumption of petroleum-based fuels (such as gasoline and diesel). As such, the state's GHG emissions reduction planning framework creates co-benefits for energy-related resources.

California Building Standards

Part 6 of Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. Part 6 establishes energy efficiency standards for residential and non-residential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically to incorporate and consider new energy efficiency technologies and methodologies.

The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2018a). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2018a).

Title 24 also includes Part 11, the California Green Building Standards (CALGreen). CALGreen establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The 2019 CALGreen standards are the current applicable standards. For nonresidential projects (which the residential portion of the project is subject to), some of the key mandatory CALGreen 2019 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle (EV) charging stations, shade trees, water conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, excavated soil and land clearing debris, and commissioning (24 CCR Part 11).

Senate Bill 1368

On September 29, 2006, Governor Arnold Schwarzenegger signed into law SB 1368 (Perata, Chapter 598, Statutes of 2006). The law limits long-term investments in baseload generation by the state's utilities to those power plants that meet an emissions performance standard jointly established by the CEC and the CPUC.

The CEC has designed regulations that:

- Establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, of 1,100 pounds carbon dioxide (CO₂) per megawatt-hour. This would encourage the development of power plants that meet California's growing energy needs while minimizing their emissions of GHGs;
- Require posting of notices of public deliberations by publicly owned utilities on long-term investments on the CEC website. This would facilitate public awareness of utility efforts to meet customer needs for energy over the long-term while meeting the state's standards for environmental impact; and

- Establish a public process for determining the compliance of proposed investments with the emissions performance standard (EPS) (Perata, Chapter 598, Statutes of 2006).

Assembly Bill 1493

Adopted in 2002 by the state legislature, Assembly Bill (AB) 1493 (“Pavley” regulations) required that the CARB develop and adopt, no later than January 1, 2005, regulations to achieve the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles.

The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005 and was denied by the EPA in March 2008. That decision was based on a finding that California’s request to reduce GHG emissions from passenger vehicles did not meet the Clean Air Act requirement of showing that the waiver was needed to meet “compelling and extraordinary conditions.”

The EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. On September 24, 2009, CARB adopted amendments to the Pavley regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. These amendments are part of California’s commitment to a nationwide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB’s September 2009 amendments will allow for California’s enforcement of the Pavley rule while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles.

It is expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 22% in 2012 and about 30% in 2016, all while improving fuel efficiency and reducing motorists’ costs.

Executive Order S-1-07

Issued on January 18, 2007, Executive Order (EO) S-1-07 sets a declining Low Carbon Fuel Standard for GHG emissions measured in CO₂-equivalent (CO_{2e}) grams per unit of fuel energy sold in California. The target of the Low Carbon Fuel Standard is to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020. The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered. CARB adopted the implementing regulation in April 2009. The regulation is expected to increase the production of biofuels, including those from alternative sources, such as algae, wood, and agricultural waste. In addition, the Low Carbon Fuel Standard would drive the availability of plug-in hybrid, battery electric, and fuel-cell power motor vehicles. The Low Carbon Fuel Standard is anticipated to lead to the replacement of 20% of the fuel used in motor vehicles with alternative fuels by 2020.

Senate Bill 375

In August 2008, the legislature passed, and on September 30, 2008, Governor Schwarzenegger signed, SB 375 (Steinberg), which addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. Regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035, as determined by CARB, are required to consider the emission reductions associated with vehicle emission standards (see SB 1493), the composition of fuels (see EO S-1-07), and other CARB-approved measures to reduce GHG emissions. Regional metropolitan planning organizations will be responsible for preparing a Sustainable Communities Strategy (SCS) within their Regional Transportation Plan (RTP). The goal of the SCS is to establish a development plan for the region, which, after considering transportation measures and policies, will

achieve, if feasible, the GHG reduction targets. If an SCS is unable to achieve the GHG reduction target, a metropolitan planning organization must prepare an alternative planning strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. SB 375 provides incentives for streamlining CEQA requirements by substantially reducing the requirements for “transit priority projects,” as specified in SB 375, and eliminating the analysis of the impacts of certain residential projects on global warming and the growth-inducing impacts of those projects when the projects are consistent with the SCS or alternative planning strategy.

In September 2010, CARB adopted the SB 375 targets for the regional metropolitan planning organizations. The targets for the SCAG are an 8% reduction in emissions per capita by 2020 and a 13% reduction by 2035. Achieving these goals through adoption of a SCS is the responsibility of the metropolitan planning organizations. SCAG prepared its RTP/SCS, which was adopted by the SCAG Regional Council on April 4, 2012. The plan quantified a 9% reduction by 2020 and a 16% reduction by 2035. On June 4, 2012, the CARB executive officer issued an executive order accepting SCAG’s quantification of GHG reductions and the determination that the SCS would achieve the GHG emission reduction targets established by CARB. On April 7, 2016, SCAG adopted the 2016–2040 RTP/SCS which looks to build on the success of the 2012–2035 RTP/SCS. Targets for SCAG region in the updated plan includes an 8% per capita reduction in GHG emissions from automobiles and light trucks by 2020 and a 19% reduction by 2035 compared with 2005 levels (SCAG 2018).

SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. Connect SoCal charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, planning strategies, and the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal embodies a collective vision for the region’s future and is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The SCAG 2020–2045 RTP/SCS was adopted on September 3, 2020.

Truck and Bus Regulation, On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation

On December 12, 2008, CARB approved the Truck and Bus Regulation to significantly reduce PM, and NO_x emissions from existing diesel vehicles operating in California. Amendments to this regulation were approved by CARB on April 25, 2014.

The regulation applies to nearly all diesel fueled, dual-fueled, or alternative diesel-fueled trucks and buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds that are privately or federally owned and for privately and publicly owned school buses. The purpose of this regulation is to reduce emissions of diesel PM, NO_x, and other criteria pollutants from in-use diesel-fueled vehicles.

Heavier trucks and buses with a GVWR greater than 26,000 pounds must comply with a schedule by engine model year or owners can report to show compliance with more flexible options. Starting January 1, 2012, heavier trucks were required to meet the engine model year schedule. Fleets that comply with the schedule must install the best available PM filter on 1996 model year and newer engines and replace the vehicle 8 years later. Trucks with 1995 model year and older engines must be replaced starting in 2015. Replacements with a 2010 model year or newer engines meet the final requirements, but owners can also replace with used trucks that have a future compliance date on the schedule. For example, a replacement with a 2007 model year engine complies until 2023. By 2023,

all trucks and buses must have 2010 model year engines with few exceptions. No reporting is required if complying with this schedule (CARB 2014).

Advanced Clean Cars Program

The Advanced Clean Cars (ACC) I program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package of regulations: the Low-Emission Vehicle (LEV) regulation for criteria air pollutant and GHG emissions and a technology forcing regulation for zero-emission vehicles (ZEV) that contributes to both types of emission reductions (CARB 2021a). The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75 percent less smog-forming pollution than the average new car sold in 2015. The ZEV program will act as the focused technology of the ACC I program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018 to 2025 model years.

CARB adopted the ACC II program in August 2022, which established the next set of LEV and ZEV requirements for model years after 2025 to contribute to meeting federal ambient air quality ozone standards and California's carbon neutrality standards (CARB 2021a). The main objectives of ACC II are:

1. Maximize criteria and GHG emission reductions through increased stringency and real-world reductions.
2. Accelerate the transition to ZEVs through both increased stringency of requirements and associated actions to support wide-scale adoption and use.

The ACC II rulemaking package also considers technological feasibility, environmental impacts, equity, economic impacts, and consumer impacts. The ACC II regulations were approved by the California Office of Administrative Law (OAL) and became effective on November 30, 2022.

Advanced Clean Trucks Program

The purpose of the ACT Regulation (June 2020) is to accelerate the market for zero-emission vehicles in the medium- and heavy-duty truck sector and to reduce emissions NO_x, fine particulate matter, TACs, GHGs, and other criteria pollutants generated from on-road mobile sources (CARB 2021b). Requiring medium- and heavy-duty vehicles to transition to zero-emissions technology will reduce health risks to people living in and visiting California and is needed to help California meet established near- and long-term air quality and climate mitigation targets. The regulation has two components including (1) a manufacturer sales requirement and (2) a reporting requirement:

1. Zero-emission truck sales: Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.
2. Company and fleet reporting: Large employers including retailers, manufacturers, brokers and others will be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, will be required to report about their existing fleet operations. This information will help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Executive Order B-16-12

Governor Brown issued EO B-16-12 on March 23, 2012. The EO requires that state entities under the governor's direction and control support and facilitate the rapid commercialization of ZEVs. It orders CARB, the CEC, CPUC, and other relevant agencies work with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve the following by 2015:

- The state's major metropolitan areas will be able to accommodate ZEVs, each with infrastructure plans and streamlined permitting
- The state's manufacturing sector will be expanding ZEV and component manufacturing
- The private sector's investment in ZEV infrastructure will be growing
- The state's academic and research institutions will be contributing to ZEV research, innovation and education.

CARB, the CEC, and CPUC, are also directed to establish benchmarks to help achieve the following goals by 2020:

- The state's ZEV infrastructure will be able to support up to one million vehicles
- The costs of ZEV will be competitive with conventional combustion vehicles
- ZEVs will be accessible to mainstream consumers
- There will be widespread use of ZEVs for public transportation and freight transport
- Transportation sector GHG emissions will be falling as a result of the switch to ZEVs
- Electric vehicle charging will be integrated into the electricity grid
- The private sector's role in the supply chain for ZEV component development and manufacturing will be expanding.

Benchmarks are also to be established to help achieve the following goals by 2025:

- Over 1.5 million ZEVs will be on California roads and their market share will be expanding
- Californians will have easy access to ZEV infrastructure
- The ZEV industry will be a strong and sustainable part of California's economy
- California's clean, efficient vehicles will annually displace at least 1.5 billion gallons of petroleum fuels.

On a statewide basis, the EO establishes a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050.

Cap-and-Trade Program

To achieve the goals of AB 32, the *Climate Change Scoping Plan: A Framework for Change* included an early action to develop a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system. The cap-and-trade regulation, which is a key element of California's climate plan, took effect in January 2012 and compliance obligation began in January 2013. The cap-and-trade program sets a statewide limit on sources responsible for 85% of California's GHG emissions and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The program is designed to provide covered entities the flexibility to seek out and implement the lowest-cost options to reduce emissions. The first phase of the cap-and-trade regulation included electricity generated in and imported into California, large combustion sources (i.e., generally those emitting more than 25,000 MT CO₂e per year), and certain industrial sectors. The second phase added providers of transportation fuels and other combustion fuels (e.g., natural gas,

propane) to the cap-and-trade program. The regulation requires that emissions generated by these facilities and combustion of fuels be reduced over time under a declining “cap.”

Renewable Energy Sources

Senate Bill (SB) 1078 established the California Renewables Portfolio Standard (RPS) Program and required that a retail seller of electricity purchase a specified minimum percentage of electricity generated by eligible renewable energy resources as defined in any given year, culminating in a 20% standard by December 31, 2017. These retail sellers include electrical corporations, community choice aggregators, and electric service providers. The bill relatedly required the CEC to certify eligible renewable energy resources, design and implement an accounting system to verify compliance with the RPS by retail sellers, and allocate and award supplemental energy payments to cover above-market costs of renewable energy.

SB 107 (2006) accelerated the RPS established by SB 1078 by requiring that 20% of electricity retail sales be served by renewable energy resources by 2010 (not 2017). Additionally, SB X1-2 (2011) requires all California utilities to generate 33% of their electricity from eligible renewable energy resources by 2020. Specifically, SB X1-2 sets a three-stage compliance period: by December 31, 2013, 20% had to come from renewables; by December 31, 2016, 25% had to come from renewables; and by December 31, 2020, 33% will come from renewables.

SB 350 (2015) expanded the RPS because it requires retail seller and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030, with interim goals of 40% by 2024 and 45% by 2027.

SB 100 (2018) accelerated and expanded the standards set forth in SB 350 by establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030 be secured from qualifying renewable energy sources. SB 100 also states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity resources does not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

Consequently, utility energy generation from non-renewable resources is expected to be reduced based on implementation of the 60% RPS in 2030. Therefore, any project’s reliance on non-renewable energy sources would also be reduced.

Assembly Bill 1007 (2005)

AB 1007 (2005) required the CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). The CEC prepared the plan in partnership with the CARB and in consultation with other state agencies, plus federal and local agencies. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California’s goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

Local

City of West Hollywood General Plan 2035 Infrastructure, Resources, and Conservation

The Infrastructure, Resources, and Conservation Element of the West Hollywood General Plan 2035 (City of West Hollywood 2011a) addresses topics pertinent to this section of the EIR, including energy supply and conservation, green building, water supply and conservation, recycling and solid waste, and transportation infrastructure. The element establishes policies intended to foster energy conservation and efficiency. Policies from this element that are relevant to the proposed project are listed below. While some of these policies primarily address City-wide actions or actions that would be taken by the City as opposed to the developer or owner of a specific project, the collection of these policies as a whole encourages and facilitates an environment in which energy conservation is a priority.

Policy IRC-2.3: Require that development projects pay for their share of the costs of improvements to water, gas, power and other utilities that they necessitate.

Policy IRC-2.4: On an ongoing basis, share information on projected growth in jobs and housing with service providers and regional agencies to ensure that there is sufficient infrastructure capacity to support future population growth in the City.

Policy IRC-3.1: Allow for construction of new development only when there is sufficient water to supply that development, as determined by the service provider.

Policy IRC-3.6: Require all new buildings to meet the following standards:

- Achieve a reduction of water use of 40% less than baseline for buildings as calculated by the Energy Policy Act of 1992.
- Reduce water consumption for outdoor landscape irrigation, consistent with the most recent City policy (see Chapter 15.52, Water Conservation Plan, in the City's Municipal Code).
- Comply with all prevailing state laws and City regulations regarding indoor and outdoor water conservation and efficiency in new construction.

Policy IRC-3.7: Encourage existing residential and non-residential buildings to pursue strategies for water conservation, including:

- Drought-tolerant landscaping
- Drip irrigation systems for landscaping where appropriate
- Low-flow fixtures in bathrooms and kitchens

Policy IRC-4.1: Promote building energy efficiency improvements through strategies that may include the following:

- Retrofits of existing buildings with energy efficiency technology
- Expanded public outreach in partnership with Southern California Edison on energy efficiency upgrades
- A voluntary energy audit program for residents and businesses
- Diverse incentives for energy efficiency

Policy IRC-4.2: Promote land use patterns and mobility decisions that result in reduced vehicle trips and therefore reduced overall energy use from the transportation sector.

Policy IRC-4.3: Maximize the use of renewable energy in the City through strategies that may include the following:

- A comprehensive renewable energy program that provides incentives, outreach, financing, or similar forms of assistance to residents and businesses in the City
- Incentives to encourage commercial properties to develop solar energy production systems on private property and sell the energy to the public utility system

Policy IRC-4.4: As feasible, coordinate with available energy efficiency and conservation programs – such as those administered by Southern California Edison, the United States Department of Energy, or other organizations – to reduce energy use.

Policy IRC-5.1: As appropriate, update West Hollywood’s green building regulations regularly and continue to administer a Green Building Program and/or enforce green building requirements within the City.

Policy IRC-5.3: Offer incentives for buildings to exceed the minimum Green Building Program requirements.

Policy IRC-6.9: In conjunction with policies in the Mobility Chapter of this General Plan, encourage a shift in travel from single-occupant autos to walking, biking, public transit, and ride-sharing, with a focus on policies that promote the following:

- Increase walking within the City
- Increase transit use and reduce barriers to transit ridership
- Increase ride-sharing
- Promote alternatives to automobile ownership

Policy IRC-6.10: Implement policies in the Infrastructure, Resources, and Conservation Chapter that reduce greenhouse gas emissions related to water and wastewater, energy, green building, recycling, and solid waste, and facilities for City operations, including policies that accomplish the following:

- Reduce energy associated with the use, treatment, and conveyance of water and wastewater
- Improve energy efficiency in existing buildings
- Ensure high levels of energy performance in new construction
- Maximize the use of renewable energy
- Reduce the amount of waste sent to landfills

Policy IRC-7.2: Support land use and transportation strategies to reduce driving rates and resulting air pollution, including pollution from commercial and passenger vehicles.

Policy IRC-7.3: Promote fuel efficiency and cleaner fuels for vehicles as well as construction and maintenance equipment by requesting that City contractors provide cleaner fleets.

Policy IRC-7.4: Prohibit combustion or gasoline powered engines in leaf blowers.

Policy IRC-7.5: Discourage the use of equipment with two-stroke engines and publicize the benefits and importance of alternative technologies.

Policy IRC-7.6: Support increased local access to cleaner fuels and cleaner energy by encouraging fueling stations that provide cleaner fuels and energy to the community.

Policy IRC-10.1: Aggressively seek to reduce West Hollywood's rate of waste disposal per capita.

Policy IRC-10.2: Provide services for recycling and composting and expand these services over time, where appropriate.

Policy IRC-10.3: Encourage all construction projects (regardless of size) to divert 80% of the construction waste debris away from landfills.

Policy IRC-10.4: Provide ongoing education to residents and businesses about waste reduction, composting, and recycling.

Policy IRC-10.7: Encourage the use of recycled building materials in public and private development projects.

Policy IRC-10.10: Collaborate with other government agencies to promote waste reduction.

City of West Hollywood General Plan 2035 Mobility Element

The Mobility Element of the West Hollywood General Plan 2035 (City of West Hollywood 2011a) sets forth strategies for creating a balanced and multi-modal transportation system. The policies in this element are relevant to this section of the EIR because creation of a multi-modal transportation system supports a reduction in the use of single-occupancy vehicles, which are typically associated with greater energy demand per capita when compared with alternative modes of transportation. Relevant policies are as follows:

Policy M-1.3: Consider requiring development projects to include transit amenities and transit incentive programs.

Policy M-3.9: Require new commercial development to provide for the construction of pedestrian rights of way to allow convenient and unimpeded circulation to, through, and within the property being developed.

Policy M-3.10: Require design measures as appropriate to accommodate access by pedestrians, bicycles, and transit within new development and to provide connections to adjacent development.

Policy M-4.2: As feasible, ensure that new development of commercial and multi-family residential uses enhance the City's bicycle network and facilities.

Policy M-5.8: Allow for the collection of fees from developers to undertake the following infrastructure projects to support new development: sidewalk improvements, landscaping, bicycle infrastructure, traffic calming devices, traffic signals, and other improvements that promote/maintain the pedestrian-oriented character of the community (i.e., traffic calming devices and Transportation Demand Management programs).

Policy M-5.9: Require new development to pay its share of transportation improvements necessitated by that development.

Policy M-8.16: Encourage building owners and/or managers of new multi-family and commercial buildings to make parking spaces available to qualified car-share operators, and to allow public access to the car-share vehicles.

City of West Hollywood Climate Action and Adaptation Plan

The City of West Hollywood's Climate Action Plan (CAP) recommends a series of actions that the City, residents, property owners, and businesses can take to reduce their contributions to global climate change by reducing GHG emissions. Reductions in GHG emissions are generally correlated with energy savings. The City's CAP outlines a course of action to reduce municipal and communitywide GHG emissions. The City's CAP seeks to:

- Provide clear guidance to City staff and decision-makers regarding when and how to implement key actions to reduce GHG emissions.
- Place the City on a path to reduce annual communitywide GHG emissions by 20% to 25% below 2008 business-as-usual emission levels by 2035.
- Inspire residents, property owners, and businesses to participate in community efforts to reduce GHG emissions.
- Demonstrate West Hollywood's ability to respond to and comply with California GHG reduction legislation and guidelines.

The City's CAP includes strategies and performance indicators to reduce GHG emissions from both municipal and communitywide activities within the City (City of West Hollywood 2011b). In addition, the City's CAP includes an Energy Use and Efficiency strategy sector that recommends ways to increase energy efficiency in existing buildings, enhance energy performance for new construction, and increase use of renewable energy. In December 2021, the City adopted a Climate Action and Adaptation Plan (CAAP), which is an update to the 2011 CAP. Updates to the City's 2011 CAP include accelerating the City's carbon neutrality target from the year 2045 to 2035. As such, the City would need to reduce and/or offset its emissions by 8,910 MT CO₂e or 4.0% per year relative to 2018. Other revisions for the plan spanned from clarifications in the language to revisions in the document layout to reinforcing themes of high interest. The CAAP includes 20 climate measures and 60 sub-actions, organized into five categories (City Leadership and Governance, Energy, Transportation and Mobility, Zero Waste, and Climate Resilience). As stated in the CAAP, these measures and sub-actions will enable the City to achieve carbon neutrality by 2035 and become a more climate resilient city. Applicable or partially applicable sub-actions from the adopted CAAP that pertain to energy and energy efficiency are listed below (City of West Hollywood 2021). While some of these actions would be undertaken by the City, such actions may still serve to reduce the project's energy consumption as they are implemented over time.

- **CLG-4A:** Establish a WeHo Green Business Program to promote energy and water efficiency, waste reduction, green building materials, and sustainable and/or local purchasing with the City's business community.
- **EN-2A:** Continue to promote and support the Go Solar WeHo program and encourage the pairing solar systems with battery energy storage systems.
- **EN-2B:** Leverage Clean Power Alliance and Southern California Edison programs to encourage the adoption of solar, battery energy storage, smart inverters, and smart thermostats.
- **EN-3A:** Adopt energy reach codes and/or resiliency codes that exceed State requirements.
- **EN-3C:** Develop educational resources and guidelines around electric vehicle chargers, battery energy storage, and all-electric appliances.
- **EN-3D:** Promote and support the adoption of clean and resilient energy technologies in affordable housing, schools, and other critical facilities.

City of West Hollywood's Green Building Ordinance

The City adopted one of the nation's first mandatory green building ordinances, which became effective in 2007. The Green Building Ordinance addresses construction and demolition waste, requires new buildings to anticipate future solar panel installations, regulates use of materials with volatile organic compounds, requires Energy Star appliances, requires transportation demand management strategies and minimum bicycle facilities, and refers to and builds upon California Title 24 standards for energy performance. The Green Building Ordinance includes a point system for new construction with incentives for projects that achieve "exemplary" status. The point system was designed to emphasize locally available materials, encourage green elements to be incorporated early into project design, and provide flexibility to alter green elements as the project evolves (City of West Hollywood 2011a). The proposed project would be required to comply with the City's Green Building Ordinance.

2011 Bicycle Task Force Report

The Bicycle Task Force was created in 2010 upon City Council direction. The Bicycle Task Force was comprised of 18 members from a wide spectrum of community interests, including representation from City commissions. The Bicycle Task Force was charged with preparing a range of recommendations to improve bicycle mobility throughout the City and with developing recommendations for community education on bicycle safety. Other goals for the Bicycle Task Force included learning and duplicating best practices from other cities with successful bike programs, identifying local routes for various types of bike lanes to expand and modify existing routes, and educating the community on cycling and pedestrian safety. In response to these goals, the Bicycle Task Force prepared the Bicycle Task Force Report to summarize its recommendations. The four primary goals identified in this report are as follows:

- Enhance cycling as a safe, healthy, and enjoyable form of transportation and recreation
- Increase the number and types of cyclists who commute in and through the City
- Reduce auto congestion throughout the City
- Provide infrastructure improvements to increase safety and connectivity (City of West Hollywood 2011c)

2017 Bicycle and Pedestrian Mobility Plan

The West Hollywood Bicycle and Pedestrian Mobility Plan sets forth goals, objectives, policy actions, and design guidelines to improve and facilitate bicycle and pedestrian transportation (City of West Hollywood 2017). This plan creates the foundation for a pedestrian and bicycle-friendly West Hollywood that provides comfortable, safe, healthy, and convenient places to walk and bicycle within the context of a balanced, multimodal transportation network serving pedestrians, bicyclists, transit riders, and motorists, and lays out the policy framework for the implementation of an overall vision for the City that consists of the following overarching goals:

- Implement the West Hollywood General Plan and Climate Action Plan
- Comply with federal and state regulations
- Support multi-modal transportation options to reduce GHGs, congestion, and pollution
- Eliminate barriers along pedestrian routes and enhance sidewalks and crossings
- Provide a convenient and connected walking network
- Eliminate gaps in existing bicycle network and provide high-quality bicycle infrastructure to improve bicyclist comfort and safety
- Strengthen regional bicycle network connections
- Coordinate with neighboring jurisdictions to connect West Hollywood to regional destinations

- Improve City streets and sidewalks to provide enjoyable community living spaces
- Improve the end-of-trip experience for bicyclists with lockers, showers, changing areas and secure parking
- Foster educational programs to encourage safety and knowledge of rights and responsibilities
- Support the enforcement of traffic laws for all users of City streets
- Promote the City's identity as a walkable and bikeable place

3.10.3 Thresholds of Significance

Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to energy consumption would occur if the project would:

- ENG-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- ENG-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

3.10.4 Methodology

A brief overview of the methodology applied to assess the project's potential impacts is provided below:

- **Electricity:** Revised project and existing on-site electricity usage data were determined using CalEEMod Version 2020.4.0. Electricity required to supply, treat, distribute water and for wastewater treatment was also estimated using CalEEMod.
- **Natural Gas:** Revised project and existing on-site natural gas usage data were provided using CalEEMod.
- **Petroleum:** Potential impacts were assessed through projected traffic trip generation during construction and operation, as provided by the CalEEMod outputs and the traffic impact study (TIA) that was prepared for the revised project (Appendix B and Appendix F, respectively). Fuel consumption from construction equipment was estimated by converting the total CO₂ emissions from each construction phase to gallons using conversion factors for CO₂ to gallons of gasoline or diesel. The conversion factor for gasoline is 8.78 kilograms per metric ton CO₂ per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton CO₂ per gallon (The Climate Registry 2021). Heavy-duty construction equipment associated with construction activities and haul trucks involved in relocating dirt around the project site are assumed to use diesel fuel. It is assumed that construction workers would travel to and from the project site in gasoline-powered vehicles. Fuel consumption from worker and vendor trips was estimated by converting the total CO₂ emissions from the construction phase to gallons using the conversion factors for CO₂ to gallons of gasoline or diesel. Worker vehicles are assumed to be gasoline fueled, and vendor/hauling vehicles are assumed to be diesel fueled. The fuel consumption resulting from the project's operational phase would be attributable to employees and customers traveling to and from the project site. Similar to construction worker and vendor trips, fuel consumption for operation was estimated by converting the total CO₂ emissions from the project to gallons using the conversion factors for CO₂ to gallons of gasoline or diesel. The resident, employee, and customer vehicles were assumed to be approximately 96% gasoline powered and 4% diesel powered for the revised project and the existing scenario.

3.10.5 Impact Analysis

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

Implementation of the project would increase the demand for electricity and natural gas at the project site and gasoline and diesel consumption in the project area during construction and operation relative to existing uses.

Electricity

Construction Use

Temporary electric power for as-necessary lighting and electronic equipment such as computers inside temporary construction trailers would be provided by SCE. The electricity used for such activities would be temporary, would be substantially less than that required for project operation, and would therefore have a negligible contribution to the revised project's overall energy consumption.

Operational Use

Project operation would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. CalEEMod was used to estimate project emissions from electricity uses (see Appendix B for calculations). Default electricity generation rates in CalEEMod were used based on the proposed land use and climate zone. The CalEEMod land use for art gallery was based on the land use for a strip mall, since art gallery is not an available land use under CalEEMod. According to these estimations, the revised project would consume approximately 1,414,818 kWh per year. The electricity consumption at the project site under existing conditions was also calculated using CalEEMod and is estimated to be 166,355 kWh per year. As such, upon project implementation, electricity demand and consumption at the project site would increase by 1,248,463 kWh per year (or 1.2 million kWh per year) (Appendix B).

The energy demand calculations do not take into account all of the revised project's energy-saving design features that would result in exceedances of the code requirements. As such, the revised project's electricity use would be more efficient than what is required and would likely be even lower than the calculations presented above. The revised project's relationship to efficiency requirements and project-specific design features that would minimize electricity use are summarized below.

The revised project's green building features would involve participation in Energy Star (residential) or Savings by Design (commercial) programs (see Section 2.6.5 of this EIR for a complete list of the proposed project's sustainable design features). These aspects of the project design would reduce energy associated with indoor and outdoor lighting, as well as the building's climate control equipment. In addition, the revised project would install a 5-kilowatt photovoltaic system.

Peak electricity use for a typical full-service hotel occurs in the winter and summer seasons. In Southern California specifically, peak use is expected to occur during the summer months when HVAC systems are used most heavily. On a daily basis, peak electricity use in hotels typically occurs in the evenings (ACEEE 2010). For residential uses, the peak use is expected to occur during the weekday hours of 12:00 p.m. and 6:00 p.m. on a daily basis and annually during the summer months (June through September) (SCE 2014). Within SCE's service area, peak electricity use occurs in the

summer (June through September). During the day, peak use occurs between 12:00 p.m. and 6:00 p.m. during the summer, and between 8:00 a.m. and 9:00 p.m. during the winter (SCE 2017). As such, the revised project's peak electricity use is expected to align generally with typical peak use patterns in the region. The regulations and design features described above would reduce the revised project's effect on peak and base periods of electricity demand.

In summary, although electricity consumption would increase at the project site due to the implementation of the revised project, the revised project would comply with the City's mandatory green building ordinance through implementing energy-efficiency measures. For these reasons, electricity consumption of the proposed project would not be considered inefficient, wasteful, or unnecessary, and impacts would be **less than significant**.

Natural Gas

Construction Use

Natural gas is not anticipated to be required during construction of the proposed project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed below under the "petroleum" subsection. Any minor amounts of natural gas that may be consumed as a result of project construction would have a negligible contribution to the revised project's overall energy consumption.

Operational Use

The operation of the hotel use would require natural gas for various purposes, including building heating and cooling, service water heating, kitchen appliances, and laundry equipment (ACEEE 2010). Similarly, the operation of the residential units would require natural gas for space heating, water heating, and to power appliances (EIA 2010). Default natural gas usage rates in CalEEMod for the proposed land use and climate zone were used. According to these estimations, the revised project would consume approximately 2,832,446 kBtu per year. The natural gas consumption at the project site under existing conditions was also calculated using CalEEMod. Under existing conditions, it is estimated that 242,676 kBtu per year is used at the project site by the existing commercial and residential uses. As such, upon project implementation, natural gas demand at the project site would increase by 2,589,770 kBtu per year (Appendix B). This amount of natural gas is equivalent to 25,898 therms.

Project-specific sustainable design features are listed in Section 2.6.5 of this EIR and include energy-efficient heating and cooling equipment, which would minimize the revised project's natural gas use.

Peak natural gas use for full-service hotels typically occurs between March and May, although the variation in natural gas use throughout the year is not substantial (ACEEE 2010). Peak natural gas use for households typically occurs in the winter months (EIA 2016). In Southern California, peak demand occurs in winter (California Gas and Electric Utilities 2016). As such, the revised project's peak natural gas use is expected to align generally with typical peak use patterns in the region. In addition, the regulations and design features described above would reduce the revised project's effect on peak and base periods of natural gas demand.

In summary, although natural gas usage would increase due to the implementation of the revised project, the revised project's energy efficiency would exceed code requirements and would be increased through green building standards. For these reasons, the natural gas consumption of the proposed project would not be considered inefficient or wasteful, and impacts would be **less than significant**.

Petroleum

Construction Use

Heavy-duty construction equipment of various types would be used during each phase of project construction. The CalEEMod analysis discussed in Section 3.2, Air Quality, and included in Appendix B lists the assumed equipment usage for each phase of construction, and petroleum demand per phase is shown in Table 3.10-1.

Table 3.10-1. Construction Petroleum Demand

Project	Off-road Equipment (diesel)	Vendor Trucks (diesel)	Haul Trucks (diesel)	Worker Vehicles (gasoline)
	Gallons			
Phase 1 Demolition / Shoring and Sound Wall	291.87	0.00	0.00	28.47
Phase 2 Demolition / Disassembly	235.06	0.00	3,230.17	38.72
Grading / Site Preparation	10,241.92	0.00	29,739.47	656.04
Parking / Foundation	7,212.54	136.14	0.00	1,002.28
Superstructure / Framing	6,467.19	3,100.88	0.00	5,781.32
Common Areas / Shell / Roofing	6,467.19	3,100.88	0.00	5,781.32
Exterior Finishes / Interiors / TI / Landscaping	1,458.77	86.19	0.00	605.92
Total	32,374.53	6,424.09	32,969.64	13,894.08

Sources: Appendix B. The Climate Registry 2021.

Note: TI = tenant improvements

As shown in Table 3.10-1, the project is estimated to consume approximately 85,662 gallons of petroleum during construction. Notably, the project would be required to comply with CARB's Airborne Toxics Control Measure, which restricts heavy-duty diesel vehicle idling time to 5 minutes, which would minimize fuel consumption. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. Further, the petroleum consumed related to project construction would be typical of construction projects of similar types and sizes and would not necessitate new petroleum resources beyond what are typically consumed in California. While the project's impacts in the category of greenhouse gas emissions was determined to be less than significant, the project would be required to comply with mitigation measure 3.15-1 from the Final Program EIR for the City's General Plan and CAP. This measure addresses and reduces construction-related greenhouse gas emissions in the City (see Section 3.4 of this EIR for details). Implementing these measures aimed at reducing greenhouse gas emissions during construction would also result in a reduction in construction-related fuel usage. Therefore, construction worker trips and associated petroleum consumption would be expected to be reduced compared to similar construction projects in suburban locations.

Therefore, because petroleum use during construction would be temporary and relatively minimal, and would not be wasteful or inefficient, impacts would be less than significant.

Operational Use

During operations, the majority of fuel consumption resulting from the project would involve the use of motor vehicles traveling to and from the project site, as well as fuels used for alternative modes of transportation that may be used by employees, visitors, residents, and guests of the project.

Petroleum fuel consumption associated with motor vehicles traveling to and from the project site is a function of the vehicle miles traveled as a result of project operation. The annual unmitigated vehicle miles traveled (VMT) attributable to the revised project is expected to be 2,998,675 VMT (Appendix B). The revised project would result in the consumption of an estimated 102,738 gallons of gasoline per year and 3,039 gallons of diesel per year from operation of vehicle trips traveling to and from the project site, or 105,777 gallons of petroleum per year.

Under existing conditions at the project site, the commercial uses are estimated to result in 691,270 VMT per year (Appendix B). The existing scenario would consume an estimated 27,419 gallons of gasoline per year and 989 gallons of diesel per year from operation of vehicle trips traveling to and from the project site, or 28,409 gallons of petroleum per year. As such, implementation of the revised project would lead to an increase in petroleum consumption of 77,368 gallons of petroleum per year, due to the increased number of vehicles traveling to and from the project site.

Over the lifetime of the revised project, the fuel efficiency of the vehicles being used by the visitors, employees, residents, and guests of the revised project is expected to increase. As such, the amount of gasoline consumed as a result of vehicular trips to and from the project site during operation would decrease over time. As discussed under Section 3.10.2, there are numerous regulations in place that require and encourage increased fuel efficiency. For example, CARB has adopted a new approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and ZEVs in California (CARB 2021a). Additionally, in response to SB 375, CARB has adopted the goal of reducing per-capita GHG emissions from 2005 levels by 8% by the year 2020 and 19% by the year 2035 for light-duty passenger vehicles in the SCAG planning area. This reduction would occur by reducing vehicle miles traveled through the integration of land use planning and transportation (SCAG 2012). As such, operation of the revised project is expected to use decreasing amounts of petroleum over time, due to advances in fuel economy.

Note that due to the urban setting of the revised project and its location in the Santa Monica/Fairfax Transit District Commercial Sub-area, which supports a significant number of transit routes and transfer points, it is expected that visitors, guests, and employees may use transit or non-vehicular modes of transportation to travel to and from the project site. The project area is already served by a variety of bus transit lines extending along the major roadways near the project site, including Santa Monica Boulevard. The closest bus line stops to the project site include Santa Monica Boulevard/Fairfax Avenue (see Section 3.8, Transportation, for details). Also, use of transit and non-vehicular modes of transportation is anticipated to increase over time, as local and regional plans and policies facilitating increased use and development of transit and non-vehicular transportation modes are implemented. Section 3.10.2 summarizes some of these plans and policies, which include SCAG's 2016–2040 RTP/SCS, SCAG's Connect SoCal, the City of West Hollywood General Plan Mobility Element, and City of West Hollywood Bicycle and Pedestrian Mobility Plan. Additionally, project-specific sustainable design features would include EV charging electric infrastructure consistent with State and Local requirements as identified at the time of plan check submittal and other transportation features, as described in Section 2.6.5 of this EIR. Such features include preparation and implementation of a Transportation Demand Management Plan and provision of on-site bicycle storage and preferential parking for low-emission/fuel-efficient vehicles and carpools/vanpools for visitors and employees.

Additionally, the proposed project design would encourage pedestrian circulation in the project area by employing design features that improve the landscape and streetscape, making the area more pedestrian friendly.

In summary, although project implementation would result in an increase in petroleum use during construction and operation, over time vehicles would use less petroleum due to advances in fuel economy. Additionally, the revised project would include a variety of features that are expected to reduce the number of vehicles traveling to and from the site during operation. For example, the project would include implementation of a Transportation Demand Management Plan, would be accessible via a variety of major bus lines, would include on-site bicycle infrastructure, and would enhance the pedestrian-friendliness of the project area (see Section 2.6.5 of this EIR for details on the project's sustainable design features). As such, while the revised project would generate more vehicle trips when compared to existing conditions, it would add non-vehicular transportation amenities to the site that are not currently present, such as enhanced streetscape, bicycle parking and storage, and preferred parking for low-emission/fuel-efficient vehicles and carpools/vanpools. Furthermore, when viewed on a regional scale, the revised project is an urban infill project located within a major population center that serves an existing demand for hotel rooms and residential units. When compared with new development projects sited on previously undeveloped land and away from population centers, infill projects are generally expected to involve fewer vehicles miles traveled during operation.

Renewable Energy Potential

As part of the revised project's design process, the project applicant considered how the project could potentially increase its reliance on renewable energy sources to meet the project's energy demand. Renewable energy sources that were considered for their potential to be used to power the project, consistent with the CEC's definition of eligible renewables, include biomass, geothermal, solar, wind, and small hydroelectric facilities.

Given the revised project's location in an urban area and the nature of the project (i.e., a residential and hotel project on approximately 0.92 acres), there are considerable site constraints including limited land availability, incompatibility with onsite and surrounding land uses for large scale power generation facilities, unknown interconnection feasibility, compatibility with utility provider systems, and no known water or geothermal resources to harness, that would eliminate the potential for biomass, geothermal, and hydroelectric renewable energy to be installed onsite.

Regarding wind power, first, due to the urban nature of the site and surrounding land uses, wind turbines are generally not feasible as it represents an incompatible use. Specifically, a general rule of thumb is to install a wind turbine on a tower with the bottom of the rotor blades at least 30 feet above anything within a 500-foot horizontal radius and to be sited upwind of buildings and trees (APA 2011, NREL 2015), which the project site cannot accommodate. Secondly, ideal places for wind turbines are where the annual average wind speed is at least 9 miles per hour for small wind turbines and 13 miles per hour for utility-scale turbines (EIA 2022), while the yearly average windspeed at the University of Southern California/Downtown Los Angeles (KCQT) monitoring station is 2.8 miles per hour, which is determined to be the most available representative data set for the project site (SCAQMD 2017). As such, wind power was not determined to be feasible for the Project.

Regarding solar power, the revised project would install a 5-kilowatt photovoltaic system. While the Project does not propose battery storage at the time, the project does not preclude installation of battery storage in the future if determined to be a feasible and compatible land use of the site.

Given these considerations, the energy consumption associated with the revised project would not be considered inefficient or wasteful, and impacts would be **less than significant**.

Threshold ENG-2. Would the project conflict with existing or obstruct a state or local plan for renewable energy or energy efficiency?

The revised project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR, Part 6). Part 6 of Title 24 establishes energy efficiency standards for residential and non-residential buildings constructed in California in order to reduce energy demand and consumption. As such, the revised project would exceed California code requirements for energy efficiency, as demonstrated below.

Part 11 of Title 24 sets forth voluntary and mandatory energy measures that are applicable to the revised project under the California Green Building Standards Code. As discussed under the previous threshold, the revised project would result in an increased demand for electricity, natural gas, and petroleum. In accordance with CALGreen's Title 24 Part 11 Tier 2 voluntary efficiency measures, the revised project would have at least 75% of its construction and demolition waste diverted from landfills.³ In addition, the revised project is subject to the City's mandatory green building program and green building checklist (see Section 2.6.5, Sustainable Design Features, for a full list of green components incorporated into the project design).

The revised project would also be consistent with the energy use and efficiency strategies of the City's CAAP as illustrated in Section 3.4. As explained therein, the revised project would install a 5-kilowatt photovoltaic system.

Furthermore, as explained in Section 3.10.1, the City joined the Clean Power Alliance in 2017. As part of the City's commitment to protecting the environment and building resiliency, the West Hollywood City Council selected 100% Green Power as the default option for the community in February 2018, which provides 100% renewable energy. The City's residents and businesses are automatically enrolled into the default renewable energy tier selected by the City. However, understanding the diverse needs of the community, projects can change the service by selecting one of Clean Power Alliance's other two rate options: Lean Power (36% renewable energy content) or Clean Power (50% renewable energy content) (City of West Hollywood 2019). Under any of the three options, the revised project would include renewable energy as part of the power content mix and would be consistent with the City's renewable energy commitment.

Because the revised project would comply with and exceed the existing energy standards and regulations, the project would result in a **less than significant** impact associated with the potential to conflict with energy standards and regulations.

3.10.6 Mitigation Measures

Impacts would be less than significant. No mitigation measures are required.

3.10.7 Level of Significance after Mitigation

Impacts would be less than significant, and no mitigation measures are required.

³ City of West Hollywood standards for construction waste diversion are more stringent. In accordance with these local standards, the proposed project would be required to divert 80% of construction and demolition waste (City of West Hollywood 2014).

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3.11 Land Use and Planning

This section describes the existing setting related to land use and planning, identifies associated regulatory requirements, and evaluates land use and planning impacts related to implementation of the revised Bond Project ("proposed project" or "revised project"). Land Use and Planning was originally scoped out from inclusion in the Draft EIR based on the result of the Initial Study Checklist prepared for the originally proposed project (Appendix A). However, in response to comments from the City's Planning Commission and community, as part of the Revised Draft EIR (RDEIR), a chapter devoted to evaluating potential land use and planning impacts from the revised project is included herein. Information contained in this section is based primarily on the City's General Plan and the City's Zoning Ordinance.

3.11.1 Environmental Setting

Existing Land Uses

As described in Section 2.4, Environmental Setting, the project site is developed with one commercial building currently used as a gym, two surface parking lots, and one multi-family residential building with seven residential units and surface parking. The commercial building, which is approximately 10,000 square feet in size, is single-story and occupies the southwestern portion of the project site on the L-shaped parcel. The building has a largely unfinished interior and is currently occupied by Brick Crossfit training gym. The multi-family residential building is approximately 3,718 square feet in size and is accessed via Ogden Drive. One surface parking lot is located east of the gym and is used as parking for gym patrons. This lot contains 27 parking stalls. The second surface parking lot, located north of the gym, is accessed via Orange Grove Avenue and is a parking lot leased from the property owner by the City. This lot contains 45 parking stalls. Several stalls are used as monthly parking for the employees of nearby businesses through arrangements with the City.

Surrounding Land Uses

The project site is generally bordered to the north by Fountain Day School (a preschool) and multi-family residential development, with more residential development further to the north; to the east by Executive Car Leasing (a car rental agency) as well as multi-family residential development along Ogden Drive and commercial uses (fronting Santa Monica Boulevard) beyond; to the south by Santa Monica Boulevard and commercial properties on the south side of Santa Monica Boulevard; and to the west by Euro Design AutoCrafts Inc. (an automobile repair shop and painting business) as well as another commercial building that is partially occupied by Training Mate (a gym) and is partially vacant. Further west is a commercial shopping center with a Whole Foods Market as well as other smaller commercial uses.

General Plan and Zoning

As shown on Figure 2-6, Land Use and Zoning Designations, a majority of the project site (0.75 acres) is designated as Commercial, Community 2 (CC2) in the General Plan and is also within the CC2 zoning district. The CC2 land use designation and zoning district is intended to provide a wide variety of commercial opportunities to serve local community needs, as well as broader market areas. The portion of the project site currently developed with multi-family residential uses (0.17 acres) is on a parcel located along Ogden Drive that is zoned and designated in the General Plan as R3B, Residential, Multi-family Medium Density. The R3 zoning district provides for the development of a wide range of multi-family dwelling units, including apartments and condominiums (City of West Hollywood Municipal Code (WHMC), Chapter 19.10 and Chapter 19.90; City of West Hollywood 2011).

The portion of the project site within the CC2 zoning district is located within the Santa Monica/Fairfax Transit District, one of five commercial subareas identified within the City's General Plan. This district extends along Santa Monica Boulevard from Vista Street in the east to Havenhurst Drive in the west and generally includes the parcels fronting Santa Monica Boulevard. The district also includes Fairfax Avenue from Santa Monica Boulevard to the southern boundary of the City at Willoughby Avenue. As characterized in the General Plan, the Santa Monica/Fairfax Transit District is a corridor that supports diverse commercial uses serving adjacent residential neighborhoods and transit users. Santa Monica Boulevard, in its entirety, is also a designed Pedestrian Destination Street, indicating that it is a popular location for walking to shops and restaurants and for a walkable nightlife scene (City of West Hollywood 2011).

Additionally, the portion of the project site in the CC2 zone is designated as being located within the Transit Overlay Zone (TOZ). The TOZ identifies sites close to major transit nodes for which modifications to parking requirements, or other development standards may be considered when individual projects provide specified supplemental Transportation Demand Management Programs. The TOZ designation is intended to encourage mixed-use development in locations with adequate transit service to reduce the need for auto trips (City of West Hollywood 2011).

The portion of the project site in the CC2 zone is also located within the Mixed-Use Incentive Overlay Zone. The purpose of the Mixed-Use Incentive Overlay Zone is to identify commercial sites and areas within the City where height and density incentives for mixed-use development may be applied. It may also be combined with the CC2 zoning districts and is subject to the applicable development and land use standards of the CC2 zoning district. The Mixed-Use Incentive Overlay Zone, as described in West Hollywood Municipal Code Chapter 19.10.50(A)(1) may grant FAR of up to 0.5 in addition to the base FAR for a project that incorporates residential units into a commercial project. Additionally, a height bonus of up to 10 feet may accompany the 0.5 FAR bonus for residential uses.

3.11.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal regulations pertaining to land use and planning that would apply to the proposed project.

State

California Government Code Section 65583

Section 65583 of the California Government Code establishes the required components for a Housing Element. The Housing Element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. See further discussion on the City's Housing Element Update, below.

California Government Code Section 65915 et seq. (State Density Bonus Law)

California Government Code 65915 et seq. provides for Density Bonuses and Concessions. Section 19.22.050 of the WHMC implements the provisions of California Government Code Section 65915 and provides for density bonuses and regulatory concessions in order to encourage the construction of affordable housing.

Housing Accountability Act

The Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner than renders infeasible, a housing development project unless the local agency makes specified written findings based upon substantial evidence in the record.

Lead agencies may disapprove or condition approval of a housing development in a manner that reduces the density if the agency finds that the project would result in a significant, adverse impact to public health or safety.

Per the Act, a “housing development project” is defined as a project with two-thirds of the square footage designated for residential use. As such, because the project would include approximately 36,132 square feet of hotel and commercial space and approximately 86,722 square feet of residential space, more than two-thirds of the project is comprised of residential uses and the project is considered a Housing Accountability Act project.

Regional

Southern California Association of Governments Regional Housing Needs Assessment

The Regional Housing Needs Assessment (RHNA) is mandated by the State Housing Law as part of the periodic process of updating local housing elements of the General Plan. RHNA quantifies the need for housing within each jurisdiction during specified planning periods. Per the Southern California Association of Governments (SCAG), communities are encouraged, and in fact required, to use RHNA in land use planning, prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment, and household growth.

SCAG developed the sixth cycle RHNA allocation plan covering the planning period of October 2021 through October 2029 (SCAG 2021). The allocation for the City of West Hollywood is 3,933 units, which would need to be constructed between October 2021 and October 2029 (City of West Hollywood 2021).

Local

City of West Hollywood General Plan- Land Use and Urban Form Element

The City of West Hollywood General Plan identifies the location, density, and intensity of land uses, the basic design and function of circulation, and policies regarding open space, infrastructure, recreation, and public service needs for the entire City. The Land Use and Urban Form element of the General Plan sets forth goals and policies to guide the City’s urban form and land use patterns and to establish a vision for the built environment. Within the Land Use and Urban Form element, the City’s commercial areas are divided into five sub-areas. The portion of the project site within the CC2 zoning district is located within the Santa Monica/Fairfax Transit District. The characteristics of this district are described above in Section 3.11.1. The General Plan also provides land use designations and specifies allowable uses and building intensities for each designation. The land use designations and locations set forth in the General Plan are consistent with the zoning districts found in the Zoning Ordinance. The project site is designated as Commercial, Community 2 (CC2) and Residential, Multifamily Medium Density (R3B). The regulations for these zoning districts are summarized in Table 3.11-1.

As stated in the City’s General Plan, the CC2 designation allows for commercial uses and mixed-use development at key locations along major corridors. Specifically, this designation is applied to areas where increased development is possible due to the presence of high-frequency transit service with multiple routes and bus transfer

locations. This designation is intended to allow for an expansion of retail, office, and other non-residential uses in West Hollywood while allowing for an increase in the amount and diversity of housing in locations where housing would be harmonious with compatible land uses. Residential uses are not allowed on certain parcels along Santa Monica Boulevard, and certain parcels adjacent to those fronting on Santa Monica Boulevard, generally between Almont Drive and Larrabee Street, where such uses may be incompatible with existing entertainment uses. Developments within this designation are allowed to have an FAR up to 2.0 and a height up to 45 feet, without applicable bonuses (City of West Hollywood 2011). Because the project qualifies for a Mixed-Use Bonus and a density bonus of 37.5%, the allowable FAR is 3.437, and the allowable height is 71.5 feet, utilizing incentives and concessions. This is determined as follows: allowable base height is 35 feet, incorporation of affordable housing allows an additional 10 feet, the mixed-use incentive allows an additional 10 feet, and the second concession for truck loading along Santa Monica Boulevard allows for an additional 6.5 feet. The portion of the project on the CC2 parcel would be 71.5 feet and a maximum of six stories.

As stated in the City's General Plan, the R3B designation provides for the retention, maintenance, and continued development of multi-family units in areas that are characterized by a significant mix of two- and three-story apartments and condominiums. Developments within this designation are allowed to have a density of 36 units per acre, and buildings can be up to 3 stories (35 feet) in height (City of West Hollywood 2011). With the incentives and concessions noted above, the project's maximum height could be up to 71.5 feet. The portion of the project on the R3B parcels would be 45 feet and a maximum of four stories.

Applicable goals and policies from the General Plan Land Use and Urban Form Element, and an evaluation of the project's consistency with these, are listed in Table 3.11-2.

City of West Hollywood General Plan- Housing Element

The Housing Element provides a profile of the City's resident population and housing stock, projects future housing needs, and includes policies to address projected housing needs across the economic and social spectrum of the City. According to the 2013 Housing Element, Goal H-1 is to "provide affordable rental housing" and Goal H-3 is to "encourage a diverse housing stock to address the needs of all socioeconomic segments of the community" (City of West Hollywood 2022a). Applicable goals and policies from the General Plan Housing Element, and an evaluation of the project's consistency with these, are listed in Table 3.11-3.

The City adopted a Draft Housing Element for the 2021-2029 planning period on October 4, 2021. However, the California Department of Housing and Community Development (HCD) sent a letter to the City on December 3, 2021, stating the City's Housing Element is incomplete and needs to be revised (City of West Hollywood 2022b). The City resubmitted the Housing Element for state review on September 28, 2022. HCD responded with further comments, which are currently being addressed by the City.

City of West Hollywood Zoning Ordinance

Residential and Commercial Zoning Districts

The project site is designated as CC2 and R3B on the City's zoning map. The majority of the project site (0.75 acres) is within the CC2 zoning district. The portion of the project site currently developed with multi-family residential uses (0.17 acres) is on a parcel located along Ogden Drive that is zoned R3B.

The regulations set forth for zoning districts applicable to the project site are summarized in Table 3.11-1.

Table 3.11-1. Applicable Zoning Regulations

Zone	R3	CC2
APNs within zone	5530-002-027	5530-002-067 and 5530-002-019
General Purpose	The R3 zoning district provides for the development of a wide range of multi-family dwelling units, including apartments and condominiums. The standards of the R3 zoning district are intended to ensure that new residential projects are compatible with the scale and character of existing medium-density multi-family residential neighborhoods. The R3 zoning district is consistent with the R3A, R3B, R3C and R3C-C residential land use designations of the General Plan. Each of these land use designations have the same maximum allowable density; the different letters indicate height requirements, with “A” having the most stringent height limits and “C-C” having the least stringent height limits.	The CC2 zoning district is intended to provide a wide variety of commercial opportunities to serve local community needs, as well as broader market areas. The CC2 zoning district identifies areas appropriate for a variety of commercial uses including retail; professional offices; business support and personal services; entertainment uses; restaurants; specialty shops; overnight accommodations; cultural uses; and small-scale manufacturing uses related to design furnishings, galleries, motion pictures, television, music or design-related uses.
Permitted Uses^{1,2}	Art galleries; Artisan/handicraft shops; Multi-family dwellings; Personal services; Residential accessory uses and structures	Art galleries; Artisan/handicraft shops; General retail stores; Mixed-use projects; Personal services; Restaurants; Restaurants – Outdoor dining
Conditionally Permitted Uses^{1,2}	Hotels, expansion of existing; Private residential recreation facilities; and Urban inns.	Hotels; Urban inns
Allowable Floor Area Ratio (FAR)³	N/A	2.0
Base Allowable Height (not including incentives)	3 stories; 35 feet	4 stories; 45 feet
Residential Density	1 unit for each 1,210 square feet of site area	N/A

Source: WHMC, Chapter 19.06 and Chapter 19.10

Notes:

- Refer to Table 2-2 in Section 19.06.030 of the WHMC for a complete list of permitted and conditionally permitted uses in each residential zoning district.
- Refer to Table 2-5 in Section 19.10.030 of the WHMC for a complete list of permitted uses in each commercial zoning district.
- The City defines FAR as the ratio of floor area to total lot area. FAR restrictions are used to limit the maximum gross floor area allowed on a site (including all structures on the site). The maximum gross floor area of all structures permitted on a site is determined by multiplying the FAR by the total area of the site (FAR x Site Area = Maximum Allowable Gross Floor Area). Basement area is not included in calculation of FAR.

Mixed-Use Incentive Overlay Zone

The portion of the project site zoned CC2 is located in the Mixed-Use Incentive Overlay Zone. In the Mixed-Use Incentive Overlay Zone (Section 19.14.080), FAR of up to 0.5 may be granted in addition to the base FAR for a project that

incorporates residential units into a commercial project. Per Section 19.10.050, Commercial Development Incentives, a height bonus of up to 10 feet may accompany an FAR bonus of up to 0.5 for residential uses provided that:

- a. If the project is adjacent to an R1, R2, R3, or R4 residential zoning district, the 25 feet of the structure located closest to the residential zoning district, not including projections into setbacks, shall be limited to 35 feet in height, and the impact of the structure shall be mitigated to the satisfaction of the Planning Commission with architectural, or additional landscape elements; and
- b. Any square footage of the building where the height bonus is utilized shall be developed exclusively with residential units, except that the Planning Commission may authorize a hotel use in the height bonus area as part of the conditional use permit for the hotel. If hotel use is authorized in the height bonus area, the square footage that is allocated for hotel use shall be replaced with an equivalent square footage of residential uses elsewhere in the project.

For the revised project to qualify for a height bonus of up to 10 feet to accompany an FAR bonus of up to 0.5 for residential uses, the revised project would need to comply with the above criteria.

Airspace Subdivision Regulations

Chapter 19.36.100(D) of the WHMC defines and regulates airspace divisions as follows:

1. Airspace subdivisions are permitted for mixed-use projects within commercial zoning districts and may include adjacent residentially zoned parcels that are a part of the mixed-use project.
2. Legal agreements recorded with the airspace subdivision shall define how the lots, common spaces, ingress, egress, parking, and uses will function once individual components are sold. Airspace lots shall have access to appropriate public rights-of-way, common spaces, ingress, egress, parking, and other areas available for common use by means of one or more easements. Airspace subdivisions shall comply with subsection B and Section 20.04.055 by use of covenants, codes and restrictions or substantially equivalent management documents, subject to approval by the Planning and Development Services District and the City Attorney and recorded on the property. The residential and non-residential components may utilize separate management documents provided that the legal agreements recorded with the subdivision define how the lots, common spaces, ingress, egress, parking, uses, and easements will function once individual components are sold, to the satisfaction of the Planning and Development Services Director and City Attorney.
3. Minimum lot sizes, lot dimensions, and lot area requirements shall not apply to the separate airspace lots. Parking requirements, setback requirements, building density, FAR, and associated property development standards shall not apply to the individual airspace lots, but shall be applied as if all lots, buildings, or structures in the airspace subdivision were merged into the same lot, building, or structure.

Affordable Housing Requirements and Incentives

Chapter 19.22 of the WHMC provides requirements and incentives for the development of affordable housing units in conjunction with other residential, mixed-use, and commercial projects and in partnership with affordable housing providers as required under state law. For mixed-use projects in the Mixed-Use Incentive Overlay Zone, applicants are permitted to choose their residential base unit count, provided it complies with the applicable FAR limitations and any size limitations for habitable units in the Building Code (and all other applicable standards that could limit the size or number of units).

In compliance with state law, projects that request a density bonus to provide on-site affordable housing (and certain commercial projects that partner with affordable housing developers (Government Code 65915.7 as set forth in Section 19.22.020.B.3)) are eligible for concessions as follows. Under the WHMC, the number of available concessions may be combined from different categories below for a maximum of three concessions per project.

- 5% Very Low, 10% Low, or 10% Moderate; 1 concession permitted
- 10% Very Low, 20% Low, or 20% Moderate; 2 concessions permitted
- 15% Very Low, 30% Low, or 30% Moderate; 3 concessions permitted

At the time of drafting this RDEIR, the city recently updated some provisions of WHMC Chapter 19.22 to reflect recent changes in state law. These changes do not change the configuration of the proposed project.

Parking Incentive

Pursuant to California Government Code Section 65915 (p)(2), and separate from the density bonus for concessions, an applicant may request a reduction in required parking ratios if the development includes the maximum percentage of low-income or very low-income units provided in Section 65915(f) and is located within one-half mile of a major transit stop as defined in Section 21155 of the Public Resources Code and there is unobstructed access to the major transit stop from the development.

The project is located within one-half mile of the intersection of Santa Monica Boulevard and Fairfax Avenue, which is a major transit stop per Section 21155 of the Public Resources Code.

The concession allows for a vehicular parking ratio of 0.5 spaces per bedroom. The revised project contains 46 studio units, 21 one-bedroom units, 15 two-bedroom units, and 13 three-bedroom units, which require 69 residential parking spaces. No guest parking spaces are required for projects that provide on-site affordable housing. With 23 parking spaces allocated for hotel uses, seven parking spaces allocated for 3,756 square feet of restaurant use, and one parking space allocated for 1,381 square feet of art gallery use, a total of 100 parking spaces are provided to serve the project's various uses. An additional 45 flexible parking spaces would be included in the project to replace the spaces in the City leased lot that are currently available for public use.

3.11.3 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. Based on these thresholds, implementation of the proposed project would have a significant adverse impact related to land use and planning if it would:

- LU-1 Physically divide an established community; or
- LU-2 Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

3.11.4 Methodology

Land use and planning impacts are assessed based on whether the revised project would conflict with plans, policies, and regulations that have been adopted for the purpose of avoiding or mitigating an environmental effect.

The following set of documents are the land use documents that are applicable to the project site and are used to evaluate the consistency of the project with adopted plans and regulations:

- West Hollywood General Plan 2035 (adopted September 2011)
- City of West Hollywood Zoning Ordinance

Consistency with plans addressing a specific environmental resource area are addressed in the associated topical section of this EIR (e.g., consistency with the Air Quality Management Plan is addressed in Section 3.2, Air Quality, and consistency with the City's Climate Action and Adaptation Plan is addressed in Section 3.4, Greenhouse Gas Emissions).

3.11.5 Impact Analysis

Threshold LU-1: Would the project physically divide an established community?

The project site fronts Santa Monica Boulevard, a major east-west arterial within the City. Although there are residential multi-family uses north of the project site, immediately south of the parcel fronting Ogden Drive, and across Ogden Drive to the east, the uses to the immediate south along Santa Monica Boulevard and west of Orange Grove Avenue are commercial uses. The revised project would replace a commercial building, parking lot, and multi-family residential building with a 45-room hotel, a restaurant, 95 residential units, and an art gallery. The commercial portions of the project site located along Orange Grove Avenue would be located between existing commercial uses to the south and west, and Fountain Day School (a pre-school) to the north; the residential portion would be located along Ogden Drive adjacent to existing residential uses to the north and east; and the 45-room hotel would front Santa Monica Boulevard between existing commercial uses to the south, west, and east. These uses would be generally consistent with the existing land uses in the project area. As such, the revised project would not divide or remove an established neighborhood. The physical division of an established community is generally caused by the construction of a linear feature (such as a major highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community or between a community and an outlying area. Under existing conditions, the project site is not used as a connection between established communities. Instead, connectivity within the area surrounding the project site is facilitated via local roadways and pedestrian sidewalks. These uses are envisioned in the General Plan for this area and part of the type of uses expected for these parcels. For the reasons described above, land use impacts resulting from the proposed project would be **less than significant**.

Threshold LU-2: Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Development on the project site is regulated and guided by the City's General Plan and the City's Zoning Ordinance. The following discussion addresses the revised project's consistency with applicable land use goals, policies, and objectives from the General Plan Land Use and Urban Form Element and the Zoning Ordinance.

General Plan Consistency

Table 3.11-2 outlines the applicable goals and policies identified in the Land Use Element of the General Plan and the revised project's consistency with each of these goals and policies. As shown below, the revised project would be generally consistent with applicable goals and policies of the Land Use Element of the General Plan. For those Land Use Element goals and policies that do not specifically pertain to the revised project, the revised project would

not impede the City’s ability to meet those goals and policies. Table 3.11-3 outlines the applicable goals and policies identified in the 2021-2029 Draft Housing Element of the General Plan and the revised project’s consistency with each of these goals and policies.

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
Urban Form and Pattern	
<p>Goal LU-1: Maintain an urban form and land use pattern that enhances quality of life and meets the community’s vision for its future.</p>	<p><u>Consistent.</u> As described below, the revised project is generally consistent with the urban form and land use pattern of the project area. The revised project would enhance quality of life in the City through revitalization of an underutilized site within a Transit Overlay Zone, activation of Santa Monica Boulevard’s street frontage, and provision of housing (including affordable housing). Additionally, the revised project seeks to enhance the east side of West Hollywood.</p>
<p>(LU-1.1) Maintain a balanced land use pattern and buildings to support a broad range of housing choices, retail businesses, employment opportunities, cultural institutions, entertainment venues, educational institutions, and other supportive urban uses within the City.</p>	<p><u>Consistent.</u> The revised building would contain space for residences, a hotel, an art gallery, a restaurant, and outdoor dining. The revised project would expand the variety of uses available on the project site relative to existing conditions, thereby furthering the goal of providing a broad range of uses within the City.</p>
<p>(LU-1.2) Consider the scale of new development within its urban context to avoid abrupt changes in scale and massing.</p>	<p><u>Consistent.</u> While the revised project represents an increase in height on the project site, the massing of the project would be varied to provide architectural interest and to reduce the visual effect of increased heights on the site. The building design also would incorporate step backs, architectural design features, and articulations so that the highest portions of the structure are set back from Ogden Drive, making the project compatible with the adjacent lower-scale residential uses along Ogden Drive. The contemporary architectural style and pedestrian orientation of street level spaces (see LU-1.3 for further discussion on pedestrian orientation) of the revised project would be consistent with the existing mix of architectural styles and the pedestrian-oriented uses along Santa Monica Boulevard. In addition, the revised project would be compatible with the variety of restaurants, retail, and entertainment businesses along Santa Monica Boulevard. Furthermore, larger-scale buildings exist in the surrounding area. Fairfax Tower Apartments, a nine-story senior apartment is located on Fairfax Avenue to the northwest of the project site and is intermixed among lower-scale residential structures, commercial buildings, and surface parking lots. Additionally, new buildings being constructed, or recently constructed, in the eastern portion of Santa Monica Boulevard within the City, including 7530 Santa Monica Boulevard; 7320 Santa Monica Boulevard (Avalon) and 7310 Santa Monica Boulevard (Trader Joes); 7141 Santa Monica</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	<p>Boulevard (Domain); and 7111 Santa Monica Boulevard (The Dylan) and 1127 North La Brea (at the intersection of La Brea and Santa Monica Boulevard), are similar in height and massing as the proposed project. There is also a proposed 5-story mixed-use development project in plan check located at 7434 Santa Monica Boulevard. The resulting contrasts in scale and massing contribute to, and are consistent with, the existing visual character of West Hollywood.</p>
<p>(LU-1.3) Encourage new development to enhance the pedestrian experience.</p>	<p><u>Consistent.</u> The revised project would enhance the pedestrian experience by employing design features that improve the landscape and streetscape. The ground floor of the proposed building would have spaces for outdoor seating, a restaurant, and the reception lobby for the hotel. Locating businesses that can be accessed and patronized by the public on the lower levels of the building would help support a pedestrian-oriented environment along the project’s Santa Monica Boulevard street frontage. Additionally, the first level fronting Santa Monica Boulevard would be transparent to provide pedestrian interest and encourage pedestrian interaction along Santa Monica Boulevard. Further, the commercial uses including the restaurant and art gallery would be located on the ground floor for pedestrian access.</p> <p>Along Orange Grove Avenue, where the existing surface parking lot is located, access to the building’s underground parking lot would be available; as such, the pedestrian experience along Orange Grove Avenue would remain similar to existing conditions. Along Ogden Drive, where the existing multi-family residential development is located, the driveway would be expanded to provide both ingress and egress, thereby increasing the amount of driveway space along the west side of Ogden Drive. However, given the residential nature of this roadway and that driveways are common along both sides of the roadway, increasing the width of the driveway in this location would not significantly affect the pedestrian experience. Furthermore, use of this driveway would be limited solely to residents of the project; no deliveries or commercial vehicles would access the project site via Ogden Drive or the driveway along Ogden Drive.</p>
<p>(LU-1.4) Continue to maintain regulations that encourage preservation of existing housing and development of new housing that accommodates households that are diverse in size, type and income.</p>	<p><u>Consistent.</u> The revised project would not conflict with the City’s ability to maintain regulations that encourage preservation of existing housing and the development of new housing. The revised project would demolish an existing multi-family residential building with 7 units; however, the revised project</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	<p>would include 95 new residential units (8 very low-income units and 8 moderate-income units). Thus, the revised project would add to the existing housing stock within a Transit Priority Area and would contribute to diversifying households by income.</p>
<p>(LU-1.5) Encourage the retention and success of existing, and the incubation of new, commercial establishments that serve the needs of residents.</p>	<p><u>Consistent</u>. The project’s commercial components would include a 45-room hotel and a restaurant fronting Santa Monica Boulevard and art gallery space along Orange Grove Avenue. The project proposes a hybrid restaurant/lobby lounge, which would increase the project’s activity and connectivity to Santa Monica Boulevard. The proposed gallery use is intended to provide viable commercial space along the Orange Grove Avenue frontage and serve as a community resource by reflecting the eclectic and well-established arts scene and galleries present in West Hollywood.</p> <p>The project would demolish an existing 10,000 square foot commercial building and introduce 36,132 square feet of hotel and commercial space. Additionally, one of the project objectives is to maximize the site’s economic value by redeveloping and revitalizing an underperforming site. Thus, although the project would demolish an existing commercial use, it would increase the overall commercial square footage and provide greater residential and hotel opportunities within an underutilized parcel.</p>
<p>(LU-1.8) Promote the establishment, retention, and expansion of businesses that provide employment for West Hollywood’s residents and the surrounding region.</p>	<p><u>Consistent</u>. The revised project would expand job opportunities available at the project site for residents of the City and surrounding areas by including a variety of businesses at the site (art gallery, hotel, and restaurant).</p>
<p>(LU-1.10) Encourage new non-residential land uses that contribute to a strong and diversified local economy.</p>	<p><u>Consistent</u>. The revised project would include a variety of non-residential land uses (art gallery, hotel, and restaurant), which would result in an increase in the overall commercial space on the project site, as well as an increase in the variety of non-residential land uses on the project site. Currently, the commercial zone of the project site supports a gym, and two surface parking lots. As such, the revised project would help strengthen and diversify the local economy relative to existing conditions.</p>
<p>(LU-1.11) Prohibit new land uses that harm the physical health and well-being of the community.</p>	<p><u>Consistent</u>. The revised project would consist of a multi-use building that would include a hotel, residences, an art gallery, a restaurant, and outdoor dining. A second stand-alone building would be located along Ogden Drive and include solely residential uses. These uses are not considered harmful to the physical health and well-being of the community. As evaluated throughout this EIR for the project, impacts associated</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	with the project would be less than significant and not be harmful to physical health and well-being of the community.
<p>(LU-1.13) Seek to reduce the demand for motorized transportation by supporting land use patterns that prioritize pedestrian, bicycle, and transit mobility options, and mixed use development.</p>	<p><u>Consistent</u>. The revised project is a mixed-use development located within the Santa Monica/Fairfax Transit District and a Transit Overlay Zone, meaning that the project site is in the vicinity of several transit routes and transfer points. The project would provide residences, hotel guestrooms, and employment opportunities within proximity to transit services, thereby encouraging residents, employees, or visitors of the project to use transit, walking, biking, or a combination thereof in lieu of a personal vehicle. Additionally, the project would be located in proximity to numerous services (stores, restaurants, offices, entertainment venues), which would allow residents, employees, and visitors at the site to reduce their use of personal vehicles by walking or biking.</p>
<p>(LU-1.14) Support the continuation of existing and new uses that enhance the social and health needs of residents.</p>	<p><u>Consistent</u>. The pedestrian-oriented design features of the project (described above in the consistency analysis for LU-1.3) would encourage pedestrian activity in the area. Additionally, the revised project would provide 95 housing units and hospitality near alternative means of transportation, including mass transportation. This would support the continuation of accessibility for commercial patrons and residents in the project area through alternative transportation. Further, the revised project would locate additional residential units within an existing core of nearby community facilities, employment centers, retail shops, and restaurants, which would promote walking and biking in the area. The proposed art gallery and restaurant would provide gathering places to support social needs of residents. Further, the revised project would include landscaping comprised of climate-appropriate, drought-tolerant and native plants. Landscaping would be installed on the ground floor.</p>
<p>(LU-1.2) Provide for the expansion and recruitment of commercial uses that provide economic and fiscal benefits for the City, including entertainment businesses, music and entertainment venues, bars and night clubs, hotels and hospitality, and design and creative arts.</p>	<p><u>Consistent</u>. The revised project would include a hotel, an art gallery, a restaurant, and outdoor dining that would expand the commercial uses on the project site and would provide increased economic and fiscal benefits for the City.</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
<p>Goal LU-2: Maintain a balanced mix and distribution of land uses that encourage strategic development opportunities and mobility choices within the City.</p>	<p><u>Consistent.</u> The revised project would include 95 residential units, a hotel, an art gallery, a restaurant, and outdoor dining, which would expand and promote a balanced mix of uses within the Santa Monica Boulevard/Fairfax Transit District. Given the project site’s proximity to a number of alternative means of transportation, the revised project would locate commercial, entertainment, and residential land uses near several mobility options within the City. Additionally, commercial uses supporting the future residents and hotel guests are within a walkable distance from the project site.</p>
<p>(LU-2.1) Direct the majority of new development to the City’s commercial corridors served by high levels of existing or future public transit, with an emphasis on developing transit-supportive land use mixes and intensities near high frequency transit stops such as Santa Monica Boulevard near Fairfax Avenue, La Brea Avenue, and San Vicente Boulevard.</p>	<p><u>Consistent.</u> The project site fronts Santa Monica Boulevard, and is located approximately 500 feet from the intersection of Santa Monica Boulevard and Fairfax Avenue. The project area is served by bus lines operated by the City and Los Angeles County Metropolitan Transportation Authority (Metro). See Section 3.8, Transportation, for a summary of each bus line operated in proximity to the project site. The revised project contains a mix of residential and commercial uses, and its proximity to several transit stops would encourage residents, employees, and patrons to use transit.</p>
<p>(LU-2.2) Consider the scale and character of existing neighborhoods and whether new development improves and enhances the neighborhood when approving new infill development.</p>	<p><u>Consistent.</u> A portion of the revised project is located along Santa Monica Boulevard and is not situated within a residential neighborhood. Within this portion of the project site, the 45 hotel rooms would be located. The residential component of the project would be located along Ogden Drive, Orange Grove Avenue, and in the northern portion of the site adjacent to the existing neighboring residential uses. The revised project would locate the hotel, restaurant, and outdoor dining uses along the Santa Monica Boulevard and Orange Grove Avenue frontages. Additionally, the revised project would revitalize an underutilized site along Santa Monica Boulevard and would introduce visual interest, streetscape improvements, and an art gallery and a restaurant for neighborhood gathering spaces, to the site. See also the consistency analysis for LU-1.2, which describes the project’s height and massing relative to the scale of buildings in the surrounding areas.</p>
<p>(LU-2.3) Allow residential mixed-use development in commercial corridors, including as described in adopted specific plans, except in the Commercial Neighborhood 2 land use designation and in the parcels on and near Santa Monica Boulevard shown in Figure 3-5.</p>	<p><u>Consistent.</u> The revised project is a residential mixed-use development along a commercial corridor. It is not located within the Commercial Neighborhood 2 land use designation, which consists of the portion of Santa Monica Boulevard near San Vicente Boulevard. These parcels are located approximately 1.5 miles southwest of the project site.</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
<p>(LU-2.5) Allow increases to permitted density/intensity and height for projects that provide affordable housing.</p>	<p><u>Consistent</u>. Of the 95 residential units proposed, 16 units would be affordable housing units, including 8 very low-income units and 8 moderate-income units. The revised project would construct 46 studio apartments, 21 one-bedroom apartments, 15 two-bedroom apartments, and 13 three-bedroom apartments. As part of the project and because the project site is located within a Mixed-Use Incentive Overlay Zone, the applicant is requesting a 10-foot height increase. With the inclusion of affordable units in the project, an additional 10-foot height increase is also allowed for a total allowed increase of 20 feet above the base 45-foot height limit (i.e., 65 feet). A second concession for truck loading along Santa Monica Boulevard allows for an additional 6.5 feet. The portion of the project on the CC2 parcel would be 71.5 feet and a maximum of six stories. Additionally, the revised project is seeking a mixed-use bonus and an affordable housing density bonus to allow the FAR of the CC2 portion to increase from 2.0 FAR to 3.437 FAR.</p>
<p>(LU-2.6) Implement a Mixed-Use Incentive Overlay Zone that focuses and incentivizes residential mixed-use projects to locate in certain key areas of the City. Projects with a mix of residential and commercial uses located in the identified Mixed-Use Incentive Overlay Zone will be allowed up to an additional 0.5 FAR and ten (10) feet in height. The Mixed-Use Incentive Overlay Zone should be applied to certain areas of the City that have the following characteristics:</p> <ul style="list-style-type: none"> ▪ Key transit nodes along commercial corridors ▪ Areas that are encouraged to redevelop over the time horizon of the General Plan ▪ Areas where new or expanded mixed-use districts can be created. For example, areas where multiple residential mixed-use projects are or could be expected to occur in the future. 	<p><u>Consistent</u>. The project site is located in a Mixed-Use Overlay Incentive Zone. The revised project involves construction of a mix of residential and commercial uses. Per Section 19.14, of the City’s Municipal Code, a height bonus of up to 10 feet may accompany an FAR bonus of up to 0.5 for residential uses. The revised project is located along Santa Monica Boulevard, a commercial corridor. Additionally, the revised project is located approximately 500 feet from the intersection of Santa Monica Boulevard and Fairfax Avenue, with several bus lines running along both Santa Monica Boulevard and Fairfax Avenue. The revised project would be constructed beginning Spring 2024 and ending Winter 2025, and thus would be within the time horizon of the City’s 2035 General Plan. Additionally, the revised project would replace an existing gym, seven-unit residential building, and surface parking lots with a 45-room hotel, a restaurant, 95 residential units, and an art gallery. Therefore, the revised project would result in new and expanded mixed-use projects.</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
<p>(LU-2.8) Consider increases in the General Plan’s permitted FAR and height for projects in all commercial designations that provide one or more of the following:</p> <ul style="list-style-type: none"> a. Expand existing facilities or introduce new uses which are considered to be of significant importance (public benefit, historical use, socially-valued use, etc.). b. Provide significant benefits to the City. c. Offers architectural design that is of unusual merit and will enhance the City. d. Affordable Housing 	<p><u>Consistent</u>. The revised project would provide at least 16 units as affordable housing. As addressed under LU-2.5, the applicant is requesting a maximum height of 71.5 feet instead of 45 feet in the CC2 portion of the project site. Additionally, the revised project is seeking a mixed-use bonus and an affordable housing density bonus to allow the FAR of the CC2 portion to increase from 2.0 FAR to 3.437 FAR.</p>
<p>(LU-2.13) Impose limits on the number of discretionary entitlement extensions for development projects that receive bonuses and incentives for height or density.</p>	<p><u>Consistent</u>. The revised project would not prohibit the City from limiting the number of discretionary entitlement extensions.</p>
Urban Design	
<p>Goal LU-4: Provide for an urban environment oriented and scaled to the pedestrian.</p>	<p><u>Consistent</u>. The revised project would include a variety of pedestrian-oriented design elements, including landscaping along the project’s street frontages, and ground-floor retail and outdoor dining that would enhance the pedestrian experience.</p>
<p>(LU-4.1) Implement land use patterns that locate a wide range of destinations within a short walk of every West Hollywood resident in order to encourage walking as a desirable mode of transportation.</p>	<p><u>Consistent</u>. The revised project would increase the range of land uses on the project site. Additionally, the proposed hotel, restaurant, and art gallery would collectively create a destination on the site for walking and dining. Because the revised project would locate residences into an existing core of nearby community facilities, employment centers, retail shops, and restaurants, the revised project would encourage and support a pedestrian friendly environment.</p>
<p>(LU-4.2) Continue to improve the pedestrian environment through a coordinated approach to street tree planting, sidewalk maintenance and enhancement, pedestrian amenities, and a focus on human-scale frontage design for building renovations and new development projects.</p>	<p><u>Consistent</u>. The revised project would enhance the pedestrian experience by employing design features that improve the landscape and streetscape, making the area more pedestrian friendly. The revised project would accomplish this through an interesting façade articulation, with differentiated wall surfaces and varied material. Additionally, the revised project would introduce new landscaping to the street level. The ground floor of the proposed building would have spaces for outdoor seating, a restaurant, and the reception lobby for the hotel. Locating businesses that can be accessed and patronized by the public on the lower levels of the building would help support a pedestrian-oriented environment along project’s Santa Monica Boulevard street frontage. Additionally, the first level fronting Santa Monica Boulevard would be transparent to provide pedestrian interest and</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	<p>encourage pedestrian interaction along Santa Monica Boulevard.</p> <p>Along Orange Grove Avenue, where the existing surface parking lot is located, access to the building's underground parking lot would be available; as such, the pedestrian experience along Orange Grove Avenue would remain similar to existing conditions but with enhanced landscaping and improved pedestrian views. Along Ogden Drive, where the existing multi-family residential development is located, the driveway would be expanded to provide both ingress and egress, thereby increasing the amount of driveway space along the west side of Ogden Drive. However, given the residential nature of this roadway and that driveways are common along both sides of the roadway, increasing the width of the driveway in this location would not significantly affect the pedestrian experience. Furthermore, use of this driveway would be limited solely to residents of the project; no deliveries or commercial vehicles would access the project site via Ogden Drive or the driveway along Ogden Drive.</p>
<p>(LU-4.3) Continue to implement parking strategies and standards that ensure parking areas do not dominate street frontages and are screened from public views whenever possible.</p>	<p><u>Consistent.</u> The revised project would include removal of the existing surface parking lots that front Santa Monica Boulevard and Orange Grove Avenue. Parking for the revised project would be constructed underground, thereby eliminating the parking area from the street frontages of the project site. Additionally, approximately 45 flexible parking spaces would be included in the project to replace the spaces in the City leased lot that are currently available for public use.</p>
<p>(LU-4.4) Require development projects along commercial corridors to employ architectural transitions to adjoining residential properties to ensure compatibility of scale and a sense of privacy for the existing residences.</p>	<p><u>Consistent.</u> While the revised project represents an increase in height on the project site, the massing of the building would be varied to provide architectural interest and to reduce the visual effect of increased heights on the site. The building design would also incorporate step backs, architectural design features, and articulations so that the highest portions of the structure are set back from Ogden Drive, making the project compatible with the adjacent lower-scale residential uses along Ogden Drive. The contemporary architectural style and pedestrian orientation of street level spaces (see LU-1.3 for further discussion on pedestrian orientation) of the revised project would be consistent with the existing mix of architectural styles and the pedestrian-oriented uses along Santa Monica Boulevard. The portions of the project site closest to the existing residential uses would include the residences within the mixed use building as well as</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	the proposed 9-unit residential building, which is smaller in scale than the rest of the revised project; thus, ensuring a sense of privacy for existing residents.
(LU-4.5) Require development projects to incorporate landscaping in order to extend and enhance the green space network of the City.	<u>Consistent.</u> The proposed landscaping plans are shown in Figures 2-12a-e, Conceptual Landscaping Plan(s). The project would include landscaping comprised of climate-appropriate, drought-tolerant and native plants. Landscaping would be installed on five of the six levels of the proposed structure as well as on the roof.
(LU-4.6) Require commercial development projects to provide for enhanced pedestrian activity in commercial areas through the following techniques:	<u>Consistent.</u> See analysis for parts (a) through (g) below.
A. Minimizing vehicle intrusions across the sidewalk.	<p><u>Consistent.</u> The revised project would provide vehicular access to hotel guests and the public from Santa Monica Boulevard and Orange Grove Avenue, with a separate vehicle entrance for project residents along Ogden Drive. The revised project would minimize vehicle intrusion by restricting the driveway at Santa Monica Boulevard to ingress-only. Minimizing vehicle intrusions enhances the walkability of the project site’s street frontage across from the pedestrian-scale businesses that are on the north side of Santa Monica Boulevard.</p> <p>Along Orange Grove Avenue, where the existing surface parking lot is located, access to the building’s underground parking lot would be available via one curb cut. As such, the project would reduce the two curb cuts for entry into the existing surface parking lot to one. The pedestrian experience along Orange Grove Avenue would remain similar to existing conditions; however, there would be a decrease in the number of curb cuts for vehicles that a pedestrian would be required to cross. Along Ogden Drive, where the existing multi-family residential development is located, the driveway would be expanded to provide both ingress and egress, thereby increasing the amount of driveway space along the west side of Ogden Drive. However, given the residential nature of this roadway and that driveways are common along both sides of the roadway, increasing the width of the driveway in this location would not significantly affect the pedestrian experience. Furthermore, use of this driveway would be limited solely to residents of the revised project; no deliveries or commercial vehicles would access the project site via Ogden Drive or the driveway along Ogden Drive.</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
B. Locating the majority of a building's frontages in close proximity to the sidewalk edge.	<u>Consistent.</u> The building's frontages and outdoor dining would be located along the edge of the sidewalk in a manner conducive to pedestrian access.
C. Requiring that the first level of the building occupy a majority of the lot's frontage, with exceptions for vehicle access.	<u>Consistent.</u> The revised project would enhance the first level's street frontage along Santa Monica Boulevard, Orange Grove Avenue, and Ogden Drive through additional landscaping and providing new structures.
D. Allowing for the development of outdoor plazas and dining areas.	<u>Consistent.</u> The revised project would provide an outdoor dining area located along Santa Monica Boulevard.
E. Requiring that the majority of the linear ground floor frontage be visually and physically "penetrable," incorporating windows and other design treatments to create an attractive street frontage.	<u>Consistent.</u> The restaurant and art gallery would front the street and would contain transparent windows and doors to create an attractive street frontage.
F. Requiring that ground floor uses be primarily pedestrian-oriented.	<u>Consistent.</u> The ground-floor uses of the project site would consist primarily of the restaurant, the hotel lobby, art gallery, and outdoor dining. As described above, many of these uses would be visually and physically penetrable and would have street frontages and/or frontages along Santa Monica Boulevard and Orange Grove Avenue.
G. Discouraging new surface parking lots.	<u>Consistent.</u> The revised project would not include surface parking lots and would instead remove two existing surface parking lots. All parking would be located in an underground parking structure.
Goal LU-5: Encourage a high level of quality in architecture and site design in all construction and renovation of buildings.	<u>Consistent.</u> The revised project would be constructed with architectural interest, quality building materials, and thoughtful site design. The proposed building would include a variety of architectural elements and would have varied massing and heights. Façade articulation including smooth finish arches, differentiated wall surfaces, offset planes, and varied materials would provide visual detail and create interest for pedestrians along Santa Monica Boulevard and Orange Grove Avenue. Building materials would generally include plaster, concrete, bronze panels, board-formed concrete, wood, aluminum, and low-e vision glass. The project would use durable exterior finishes (90% of exterior area), including integral-color or uncolored unpainted stucco, fiber-cement panels or siding, metal panels or siding, composite wood panel, glass, and other similar durable finishes.
(LU-5.1) Continue to encourage diverse architectural styles that reflect the City's diversity and creativity.	<u>Consistent.</u> The revised project seeks to provide a contemporary, high-quality design that exemplifies thoughtful urban in-fill development and contributes to the context of existing and future development. The building design would incorporate step backs,

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	architectural design features, and articulations so that the highest portions of the structure are set back from Ogden Drive, making the project compatible with the adjacent lower-scale residential uses along Ogden Drive. The contemporary architectural style and pedestrian orientation of street level spaces of the revised project would be consistent with the existing mix of architectural styles and the pedestrian-oriented corridor of Santa Monica Boulevard.
(LU-5.3) Require that new development be designed to reflect the natural topography of the City.	<u>Consistent.</u> The project site is generally flat and is surrounded on all sides by generally flat areas. The revised project would retain the flat topography of the project site.
(LU-5.4) Encourage the use of high quality, permanent building materials that do not require excessive maintenance and utilize the design review process to evaluate such materials.	<u>Consistent.</u> Building materials would generally include plaster, concrete, bronze panels, board-formed concrete, wood, aluminum, and low-energy vision glass with minimal reflective materials. The project would use durable exterior finishes, including integral-color or uncolored unpainted stucco, fiber-cement panels or siding, metal panels or siding, composite wood panel, and other similar durable finishes to ensure the revised project does not require excessive maintenance.
Public Spaces and Streetscape	
Goal LU-6: Create a network of pedestrian-oriented, human-scale and well-landscaped streets and civic spaces throughout the City.	<u>Consistent.</u> The project’s commercial components would include the hotel and restaurant fronting Santa Monica Boulevard and art gallery space along Orange Grove Avenue. The design of these elements would focus on activating the street frontages with an emphasis on visually accentuating access points and placing publicly accessible restaurant and gallery spaces along sidewalks to ensure engagement with the public and to promote walkability. The landscaping design would incorporate two existing trees and several additional trees at the ground level. These design elements would enhance the pedestrian-oriented nature of the project area.
(LU-6.1) Where appropriate, development projects should incorporate open spaces that are accessible to the public.	<u>Consistent.</u> The project would include landscaping comprised of climate-appropriate, drought-tolerant and native plants along the street frontage to enhance the landscaping in the areas surrounding the project site. Additionally, under the existing condition, the project site is developed with a gym, two surface parking lots, and one multifamily residential building, and thus, provides little open space areas that are accessible to the public. The project proposes an outdoor dining patio for the public to access. Further, the revised project would not prevent other projects from incorporating open spaces that are accessible to the public.

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
<p>(LU-6.5) Design the streetscape of high volume corridors, including Sunset Boulevard, Santa Monica Boulevard, San Vicente Boulevard, La Cienega Boulevard, La Brea Avenue, Fountain Avenue, and Fairfax Avenue, to balance regional traffic flow with pedestrian movement and safety and the unique physical environment of the area.</p>	<p><u>Consistent</u>. The revised project is located along Santa Monica Boulevard and would improve the streetscape along its Santa Monica Boulevard frontage with trees and landscaping.</p>
<p>Goal LU-7: Seek to expand urban green spaces and sustainable landscapes.</p>	<p><u>Consistent</u>. The proposed project would include 5,649 square feet of landscaping on five of the six levels of the building as well as the roof. The project would be landscaped with climate-appropriate, drought-tolerant, and native plants. Additionally, the proposed project would plant specimen trees (aloes) in the pool deck area at level 5. Planters would be installed along the north side of the residential units as well as in the courtyard on level 4 and the pool deck on level 5. The revised project would also have a landscaped roof area that would include an overhead vine trellis, raised planters, a small ornamental shade tree, as well as a multi-textured synthetic turf field.</p>
<p>(LU-7.1) Continue to enhance the network of green, pedestrian-friendly streets that connect parks and major destinations throughout the City in accordance with the City’s Streetscape Master Plan.</p>	<p><u>Consistent</u>. See the discussion for Goal LU-7. At the street level, trees, large shrubs, perennials and grasses, and succulents would be installed adjacent to the public right-of way along Santa Monica Boulevard and Orange Grove Avenue. The landscaping design would incorporate two existing trees and several additional trees at the ground level.</p>
<p>(LU-7.3) Require development projects to install street trees consistent with the City’s street tree specifications along public sidewalks adjacent to the project site, as sidewalk width permits, where such street trees do not currently exist or where replacement is needed.</p>	<p><u>Consistent</u>. Two existing ornamental trees located along Santa Monica Boulevard would remain. The landscaping design would incorporate these two existing trees and several additional trees at the ground level. The revised project would remove one existing Chinese Elm Tree along Santa Monica Boulevard and another existing tree along Ogden Drive. The trees on the project site have not been listed under the Heritage Tree Program. Chapter 11.36 of the WHMC requires a permit to be obtained from the Director of Public Works prior to removing or otherwise altering trees and other plantings that are located on public property. Furthermore, Section 11.36.040 of this chapter states that any tree located on public property that is removed is required to be replaced with another tree, at the discretion and specification of the Director of Public Works. The revised project would comply with all applicable permit requirements prior to the removal of any trees or plantings located on public property.</p>
<p>(LU-7.5) Promote the use of drought-tolerant and native plants throughout the City.</p>	<p><u>Consistent</u>. The project would include landscaping comprised of climate-appropriate, drought-tolerant, and native plants. Landscaping would be installed on</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
	five of the six levels of the proposed structure, on the roof, and along the project site’s street frontages.
(LU-7.6) Encourage the use of permeable paving and reduce the use of impervious pavement.	<u>Consistent.</u> The project site is almost entirely developed with impervious surfaces under existing conditions. The revised project would include rooftop gardens and planter boxes to reduce the amount of impermeable surfaces on the site. The revised project would represent a decrease in amount of impervious areas on the site relative to existing conditions due to the addition of landscaped areas. Furthermore, green walls and planters would be sited to reduce surface water runoff. See Section 4.9, Hydrology and Water Quality, of the Initial Study (included as Appendix A) for more discussion.
(LU-7.7) Encourage green roofs.	<u>Consistent.</u> Planters would be installed along the north side of the residential units as well as in the courtyard on level 4 and the pool deck on level 5.
Residential Neighborhoods¹	
Goal LU-8: Maintain and enhance residential neighborhoods.	<u>Consistent.</u> The portion of the project site located in the R3B zone is applicable to this goal. Under the existing conditions, the portion of the project located in the R3B Zone is developed with a 7-unit, multi-family structure. The revised project would develop 9 two-bedroom multi-family units in a stand-alone building on this portion of the project site. The multi-family residential component of the project on the parcel fronting Ogden Drive would have a maximum height of 45 feet with a total of four stories. Overall, across the entire project site, the residential component of the project would include a total of 95 residential units as well as affordable housing units, consisting of 8 very low-income units and 8 moderate-income units. By building residential units within the existing R3 zone, the revised project is maintaining residential neighborhoods. The residential components of the project would be situated on the northern portions of the project site, thus closest to the existing neighboring residential uses. Further, by constructing contemporary, high-quality design residential units, the revised project is enhancing residential neighborhoods.

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
<p>(LU 8.1) Consider the scale and character of existing residential neighborhoods during the approval of new development.</p>	<p><u>Consistent.</u> A portion of the revised project is located along Santa Monica Boulevard and is not situated within a residential neighborhood; however, a portion of the project site does include residential uses on and adjacent to the project site. The proposed hotel, restaurant, and outdoor dining uses would be located along the project site’s Santa Monica Boulevard frontage, and residential uses would be located along Ogden Drive and Orange Grove Avenue, abutting the adjacent residential uses. The new structures, up to 71.5 feet in height, would be taller than the uses immediately surrounding the project site. However, the revised project would revitalize an underutilized site along Santa Monica Boulevard, provide additional housing, including affordable housing, and would introduce visual interest, streetscape improvements, and an art gallery and restaurant for neighborhood gathering spaces to the site. See also the consistency analysis for LU-1.2, which describes the project’s height and massing relative to the scale of buildings in the surrounding areas. As discussed therein, the project is consistent with the diversity of building heights in the vicinity of the project site and what is envisioned along the Santa Monica Boulevard corridor.</p>
<p>(LU-8.2) Consider historic lot patterns and the surrounding building fabric during the approval of new development</p>	<p><u>Consistent.</u> The R3-zoned portion of the project site is currently developed with 7 residential units. Under the revised project, the parcel zoned R3 would be redeveloped with nine residential units. The stand-alone residential building design would incorporate step backs, architectural design features, and articulations so that the highest portions of the structure are set back from Ogden Drive, making the portion of the project along Ogden Drive compatible with the adjacent lower-scale residential uses along Ogden Drive. However, the larger building located on the western portion of the project site, which includes additional housing units, the proposed hotel, and the restaurant and art gallery would be 71.5 feet in height and would be taller than the immediately adjacent land uses. As such, the overall massing of the project would be larger in scale than the surrounding building fabric; however, along the Santa Monica Boulevard corridor, as redevelopment occurs, larger scale projects similar to the proposed project are being constructed. Additionally, this project would provide much needed housing, including affordable housing. For further discussion, see also the consistency analysis for LU-1.2, which describes the project’s height and massing relative to the scale of buildings in the surrounding areas.</p>
<p>(LU-8.3) Encourage residential renovations and new development to complement existing buildings –</p>	<p><u>Consistent.</u> See discussion in LU-1.2 for a discussion on the scale of the revised project in context of the</p>

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
including setbacks, heights, materials, colors, and forms – while allowing flexibility in architectural design and innovation.	existing residential neighborhood. The revised project, along Ogden Drive, would be compatible with the adjacent lower-scale residential uses. However, the larger building located on the western portion of the project site, which includes additional housing units, the proposed hotel, and the restaurant and art gallery would be 71.5 feet in height and would be taller than the immediately adjacent land uses. As such, the overall massing of the project would be larger in scale than the surrounding building fabric; however, along the Santa Monica Boulevard corridor, as redevelopment occurs, larger scale projects similar to the proposed project are being constructed. Additionally, this project would provide much needed housing, including affordable housing.
(LU-8.4) Require that impacts related to construction, traffic, noise, and air pollution be mitigated to the greatest extent feasible.	<u>Consistent.</u> As discussed in further details in Section 3.6, Noise, and in Section 3.2, Air Quality, the revised project would mitigate impacts to a less than significant level. As discussed in Section 3.8, Transportation, the revised project would not result in potentially significant impacts, and thus, no mitigation is required.
(LU-8.6) Encourage design of building façades and frontages that foster resident views of the street to provide a positive sense of security and community	<u>Consistent.</u> Proposed residential units would include windows and roof decks looking out onto Ogden Drive and Orange Grove Avenue. Additionally, one of the residential units along Ogden Drive would have a private outdoor area fronting Ogden Drive. This outdoor area would be fenced; however, the proposed fence would be 50% transparent, thus allowing for some visibility to the street.
(LU-8.7) Encourage design of street front elevations that include occupiable space located within close proximity to the exterior grade level.	<u>Consistent.</u> The revised project would include five residential units at grade level to provide occupiable space at the exterior grade level.
(LU-8.8) Encourage the location of neighborhood-serving businesses and amenities within walking distance of all residential neighborhoods.	<u>Consistent.</u> The revised project would increase the range of land uses on the project site. Additionally, the proposed hotel, restaurant, and art gallery would collectively create a destination on the site for walking and dining. Further, the revised project would be located within an existing core of nearby community facilities, employment centers, retail shops, and restaurants. As such, the proposed residential units would be located within walking distance of neighborhood-serving businesses and amenities.
(LU-8.10) Continue to require landscaping and encourage permeable paving materials to reduce water runoff and the heat island effect.	<u>Consistent.</u> The revised project would include landscaping comprised of climate-appropriate, drought-tolerant, and native plants. Landscaping would be installed on five of the six levels of the proposed structure as well as on the roof to reduce water runoff and the heat island effect.

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
(LU-8.11) Strive for all neighborhoods to have access to healthy foods by encouraging grocery stores and other food vendors in close proximity to all neighborhoods.	<u>Consistent</u> . The revised project would be located within an existing commercial core, which includes grocery stores and restaurants. Specifically, the revised project would be located across the street from an existing Whole Foods Market and several existing restaurants.
Goal LU-9: Encourage multi-family residential neighborhoods that are well maintained and landscaped, and include a diversity of housing types and architectural styles.	<u>Consistent</u> . The revised project would construct 95 multi-family units within the City. Of the 95 residential units, 16 units would be affordable housing units, including 8 very low-income units and 8 moderate-income units. The residential units would be composed of 46 studio units, 21 one-bedroom units, 15 two-bedroom units, and 13 three-bedroom units in order to provide a variety of housing types. The revised project would include 5,649 square feet of landscaping throughout the project site. Additionally, the contemporary architectural style of the revised project would support diversity of architectural styles within the City.
(LU-9.2) Require a high level of architectural design of all new development in support of the City’s commitment to design quality and innovation.	<u>Consistent</u> . The revised project would provide a contemporary, high-quality design that exemplifies thoughtful urban in-fill development.
(LU-9.4) Encourage the creation of smaller and more affordable units via methods including average unit size and minimum density requirements.	<u>Consistent</u> . The revised project includes 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income). The revised project would construct 46 studio units, 21 one-bedroom units, 15 two-bedroom units, and 13 three-bedroom units. The proposed project thus assists the City in reaching its goal to develop more affordable units. Further, the revised project is utilizing density bonuses to maximize the number of residential units provided on-site.
(LU-9.5) Where appropriate, allow for the reconstruction or replacement of nonconforming residential buildings with an equivalent number of units and parking spaces to what was previously developed on the same parcel even if that number of units is greater than the maximum permitted density.	<u>Not applicable</u> . The existing residential building on the project site is not a nonconforming residential building.
Commercial Sub-Areas – Santa Monica/Fairfax Transit District	
Goal LU-13: Support a vibrant, high-density transit-oriented commercial district centered around the intersection of Santa Monica Boulevard and Fairfax Avenue.	<u>Consistent</u> . The revised project would introduce a mixed-use development, inclusive of a 45-room hotel, 95 residential units, a restaurant with outdoor dining, and an art gallery, approximately 500 feet from the intersection of Santa Monica Boulevard and Fairfax Avenue. The mixed-use development would support a vibrant, high-density transit-oriented district by incorporating pedestrian-friendly street frontages, constructing multi-family residential uses near

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
(LU-13.2) Allow residential uses on the upper floors of all buildings in Area 3.	existing commercial uses, and increasing density on an infill site near transit. <u>Consistent.</u> “Area 3” consists of the Santa Monica/Fairfax Transit District; as such, the commercially zoned portion of the project is located within Area 3. The revised project would include residential uses on some of the upper floors within the commercially zoned portion of the site.
(LU-13.3) Focus and encourage new mixed-use developments to locate in the Mixed-Use Incentive Overlay Zone. These parcels are located near the intersections of Santa Monica Boulevard with Crescent Heights Boulevard, Fairfax Avenue, and Gardner Street, and on the west side of Fairfax Avenue south of Santa Monica Boulevard.	<u>Consistent.</u> The revised project is a mixed-use structure within the Mixed-Use Incentive Overlay Zone. The structure would consist of a 45-room hotel, a restaurant, 95 residential units, and an art gallery.
(LU-13.4) Encourage ground-floor retail and restaurant uses in all new development. To the greatest extent feasible, the ground-floor uses should cater to the needs of West Hollywood residents.	<u>Consistent.</u> The project’s commercial components would include the hotel and restaurant fronting Santa Monica Boulevard and art gallery space along Orange Grove Avenue. The ground floor of the revised project would also have a space for outdoor restaurant seating along Santa Monica Boulevard. The art gallery would be accessible from the sidewalk along Orange Grove Avenue at the ground level. The proposed restaurant could serve existing West Hollywood residents by providing a place to gather and eat; the proposed art gallery would serve as a community resource that would reflect and support the well-established, eclectic arts scene in West Hollywood.
(LU-13.7) Require that development projects incorporate combinations of setbacks, scale transitions, and buffers, as appropriate, in relation to adjacent residential development.	<u>Consistent.</u> The building design of the revised project incorporates step backs, architectural design features, and articulations so that the highest portions of the structure are set back from Ogden Drive, thereby promoting compatibility between the project and adjacent lower-scale residential uses along Ogden Drive. However, the larger building located on the western portion of the project site, which includes additional housing units, the proposed hotel, and the restaurant and art gallery would be 71.5 feet in height and would be noticeably taller than the immediately adjacent land uses. As such, the overall massing of the project would be larger in scale than the surrounding building fabric; however, along the Santa Monica Boulevard corridor, as redevelopment occurs, larger scale projects similar to the proposed project are being constructed. Additionally, this project would provide much needed housing, including affordable housing.
(LU-13.9) As feasible, enhance pedestrian activity along Santa Monica Boulevard through the following building and streetscape improvements.	<u>Consistent.</u> See analysis for parts (a) through (d) below.

Table 3.11-2. Land Use Element Consistency Analysis

Goal/Policy	Analysis
A. Improve the streetscape with tree plantings, landscaping and public amenities such as benches.	<u>Consistent</u> . At the street level, trees and other landscaping would be installed adjacent to the public right-of way along Santa Monica Boulevard and Orange Grove Avenue. The proposed landscaping design would incorporate two existing trees and several additional trees at the ground level.
B. Locate buildings on or near the edge of sidewalks to create an attractive and interesting pedestrian environment.	<u>Consistent</u> . The building’s frontages and outdoor dining would be located along the edge of sidewalks in a manner conducive to creating an attractive pedestrian environment.
C. Support pedestrian activity and business vitality – and the overall experience of the streetscape – through active and transparent ground floor frontages with main entries that face the street	<u>Consistent</u> . The revised project would support pedestrian activity by locating the art gallery and restaurant on the ground floor. In addition, the proposed project would locate residential uses in a TOZ to facilitate active mobility within the City. Additionally, the first level fronting Santa Monica Boulevard would be transparent to provide pedestrian interest and encourage pedestrian interaction along Santa Monica. Further, the revised project would provide landscaping at the ground level to enhance the pedestrian experience.
D. Encourage projects to incorporate landscape elements into the design of building frontages or courtyards to continue the greening of the City’s public spaces.	<u>Consistent</u> . See Goal LU-6. The revised project would continue to green the City by introducing new landscaping elements along the building frontages.

Source: City of West Hollywood 2011.

Note:

¹ The policies in LU-8 and LU-9 apply to residential areas identified in Figure 3-1. The portion of the project site currently occupied by an existing multi-family residential structures is located within the R3B Zone and is identified by Figure 3-1 of the City’s General Plan Land Use and Urban Form Element as both a residential zone and multi-family residential zone.

Table 3.11-3. Housing Element Consistency Analysis

Goal/Policy	Analysis
Goal H-1: Provide affordable rental housing.	<u>Consistent</u> . The revised project would introduce 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income). The revised project would construct 46 studio units, 21 one-bedroom units, 15 two-bedroom units, and 13 three-bedroom units. The proposed project provides 16 residential units as affordable in order to help the City reach its goal in achieving more affordable units.
(H-1.2) Retain and maintain existing affordable rental housing, including affordable housing that exists naturally in the market.	<u>Consistent</u> . The revised project would result in the removal of 7 existing market-rate rental housing units in the short-term; however, upon completion of the approximately 2-year construction period, a total of 95 new residential units (an increase of 88 units over existing conditions) would be introduced at the project site. In the short-term, the project would result in the loss of 7 existing market-rate rental units; however, in the

Table 3.11-3. Housing Element Consistency Analysis

Goal/Policy	Analysis
	long-term, more rental housing (including new affordable housing units) would be provided.
(H-1.3) Work to prevent or minimize displacement of existing residents.	<u>Partially Consistent.</u> The revised project would result in the removal of 7 existing rental housing units, thereby displacing those residents, in the short-term; however, upon completion of the approximately 2-year construction period, a total of 95 new residential units (an increase of 88 units over existing conditions) would be introduced at the project site. In the short-term, the project would result in the loss of 7 existing rental units; however, in the long-term, more rental housing (including new affordable housing units) would be provided.
(H-1.4) Encourage the replacement of multi-family housing that is demolished with housing that is affordable to a wide spectrum of households.	<u>Consistent.</u> The revised project would result in the removal of 7 residential units; however, ultimately, the revised project would introduce 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income). The revised project would construct 46 studio units, 21 one-bedroom units, 15 two-bedroom units, and 13 three-bedroom units. The proposed project would thus help the City reach its goal in achieving more affordable units. This represents an increase in the number of affordable housing units, and housing types (i.e., studio, one-, two- and three-bedroom units) over existing conditions.
Goal H-2: Maintain and enhance the quality of the housing stock and residential neighborhoods.	<u>Consistent.</u> While the revised project would result in the loss of 7 housing units in the short-term, in the long term, after completion of the approximately 2-year construction period, 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income) would be added to the City’s existing housing stock thereby enhancing the quality of the housing stock.
Goal H-3: Encourage a diverse housing stock to address the needs of all socioeconomic segments of the community.	<u>Consistent.</u> The revised project would introduce 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income) would be added to the City’s existing housing stock. This mix of housing types, including the provision 16 affordable housing units, would continue to diversify the housing stock within the City to address the needs of all socioeconomic segments of the community.
(H-3.1) Facilitate the development of a diverse range of housing options including, but not limited to, single-family homes, accessory dwelling units, multi-family rental housing, condominiums and townhomes, live/work units, housing in mixed use developments, and other flexible housing types (such as co-living, microunits/efficiency units, congregate housing,	<u>Consistent.</u> The revised project would introduce 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income) would be added to the City’s existing housing stock. This mix of housing types, including the provision 16 affordable housing units, would continue to diversify the housing stock within the City to

Table 3.11-3. Housing Element Consistency Analysis

Goal/Policy	Analysis
residential and commercial subdivisions, and permanent supportive housing).	address the needs of all socioeconomic segments of the community.
(H-3.3) Continue to implement the Inclusionary Housing Ordinance to ensure that new housing developments expand affordable housing opportunities for lower and moderate income households (including extremely low income households).	<u>Consistent.</u> The revised project would include 16 affordable rental units, with 8 units set aside for very low income and 8 units set aside for moderate income households.
(H-3.6) Encourage the development of mixed-income housing that includes various household compositions to accommodate a range of ages and family types.	<u>Consistent.</u> The revised project would introduce 79 market-rate rental units and at least 16 affordable rental units (8 very low-income and 8 moderate-income) would be added to the City’s existing housing stock. This mix of housing types, including the provision 16 affordable housing units, would continue to diversify the housing stock within the City to address the needs of all socioeconomic segments of the community and providing housing compositions to accommodate a range of ages and family types.
Goal 4: Provide for adequate opportunities for new construction of housing.	<u>Consistent.</u> The City allows for height incentives for the construction of housing and affordable housing projects. These incentives are being made available to the project.
(H-4.1) Encourage and provide incentives for the development of housing in mixed use and transit-oriented developments.	<u>Consistent.</u> The City allows for height incentives for the construction of housing and affordable housing projects. These incentives are being made available to the project.

Source: City of West Hollywood 2022a

As discussed throughout Table 3.11-2, the revised project would be generally consistent with the goals and policies of the Land Use Element of the General Plan. Under the revised project, the irregularly shaped project site would provide a balance of commercial and residential uses by redeveloping underutilized parcels within the eastern portion of the City. However, the larger building located on the western portion of the project site, which includes needed additional housing units, the proposed hotel, and the restaurant and art gallery would be 71.5 feet in height and would be taller than the immediately adjacent land uses. Nonetheless, the proposed redevelopment would activate the Santa Monica Boulevard street frontage by introducing new economic opportunity through the hotel, art gallery spaces, and new housing opportunities (including 16 affordable housing units). Additionally, state law, such as the Housing Accountability Act, encourages and supports creation of new housing to address the statewide housing crisis. The project’s location within the Santa Monica/Fairfax Transit District encourages alternative transportation options for employees and residents at the project site. Further, the proposed project, as discussed in Table 3.11-3, provides much needed housing to the City and assists the City in meeting the RHNA assigned allotments of housing outlined in the Housing Element of the General Plan, including affordable housing. Therefore, the revised project would be consistent with General Plan and would not include elements that would conflict with the General Plan such that a significant environmental impact would occur.

Zoning Ordinance Consistency

The majority of the project site (0.75 acres) is within the CC2 zoning district and a Mixed-Use Incentive Overlay Zone. The portion of the project site currently developed with multi-family residential uses (0.17 acres) is on a parcel located along Ogden Drive that is zoned R3B, Residential, Multi-family Medium Density. The area zoned R3B would only contain residential uses and would not include the hotel, retail, or restaurant uses associated with the project. The resulting building site would have split zoning, which is allowed in the West Hollywood Zoning Ordinance (WHMC Section 19.36.170.A).

As explained in Section 2.6.2 of this RDEIR, the revised project is eligible for a number of density and height bonuses because the project includes affordable housing units, and is a mixed-use project located within the Mixed-Use Incentive Overlay Zone. Given the density and height bonuses that apply to the project, the project is allowed to have an FAR of 3.437 within the CC2 zone, a height of 71.5 feet (6 stories) within the CC2 zone, and the component of the revised project in the CC2 zone would not exceed 71.5 feet (6 stories) and would have an FAR of 3.367. With the density and height bonuses, the project is allowed a height of 45 feet (or 4 stories) and a density of 10 residential units within the R3B zone, and the component of the revised project in the R3B zone would not exceed 45 feet (4 stories) and would contain 9 residential units.

Pursuant to 19.14.080.E, proposed development and land use within the Mixed-Use Overlay shall be subject to all applicable development and land use standards from the primary zoning district. Therefore, the analysis below has been separated for the CC2 portion of the project site and the R3B portion of the project site.

The revised project would meet the requirements of California Government Code Section 65915 *et. seq.*, the State law that provides for density bonuses and incentives for projects that include affordable housing. The revised project includes 79 market-rate rental units and 16 affordable rental units (eight very-low income and eight moderate-income). Accordingly, the revised project is eligible for a 37.5% density bonus.¹

For the purposes of calculating the permitted density bonus in residential zones, “density” shall refer to the maximum allowable residential density per square foot of site area permitted in the zone in which the project is located. In this instance, the 7,549-square-foot parcel along Ogden Drive in the R3B zone has a base density of 6.24 units (lot area of 7,549 square feet/R3 Lot Density of 1,210 square feet = 6.24 base residential dwelling units). Any density calculation that results in a fractional number shall be rounded up to the next whole number. For the subject R3B parcel of the project site, that would mean a base density of 7 units. A 37.5% density bonus translates to a bonus of up to 3 units, or 10 total units on the R3B parcel for this project. However, the applicant is only proposing 9 units on this parcel.

In commercial zoning districts, the City uses a floor area ratio (FAR) for density calculation. The base FAR for the CC2 zoning district is 2.0. The site is also within the Mixed-Use Overlay Zone and therefore qualifies for a Mixed-Use Incentive of 0.5 FAR. The Zoning Ordinance states that the Mixed-Use Incentive is applied prior to applying any eligible affordable housing density bonuses.

The project, as a whole, qualifies for a 37.5% affordable housing density bonus pursuant to WHMC Section 19.22.050 and Government Code Section 65915. In total, this means the project is eligible to request an FAR of

¹ Pursuant to Government Code Section 65915, the project is eligible for a 32.5% density bonus for providing 10% of the baseline number of units for very low-income households, and a 5% density bonus for providing 10% of the baseline number of units for moderate income households, for a total density bonus of 37.5%, limited to 50% by the code.

up to 3.437 on the CC2 portion of the project site. The project is proposing 3.367 FAR on the CC2 portion of the site, and therefore complies with the FAR requirement for the site.

Government Code Section 65915 expresses density bonuses in terms of units. The commercial portion of the project site has a base unit density of 63 units, 14 (or 22%) of which are affordable. After the 37.5% density bonus is applied, the total number of units on the CC2 portion of the project site is 86.

WHMC Section 19.22.030 requires projects of 41 units or more to set aside 20% of the base unit count as affordable units. As described above, the base unit count for the project site totals 70 units (63 units for the CC2 portion of the site and 7 units for the R3B portion of the site). Applying the 20% affordability requirement to a base unit count of 70 units equates to 14 required affordable units. The proposed project would provide at least 16 affordable units; as such, the project would meet the requirements established in WHMC Section 19.22.030 for the required number of affordable units.

The applicant is requesting the following three concessions for the revised project based on the project's inclusion of affordable housing units (these are also listed in Section 2.6.2 of this RDEIR):

- An additional story to allow approximately 10 feet of additional height to construct the sixth story and associated amenities.
- An increase in height of approximately 6.5 feet to allow truck loading given the elevation at the south (Santa Monica Boulevard) side of the property is approximately 6 feet higher than at the point on Orange Grove Avenue where trucks will exit the project. A minimum 14-foot truck height is required pursuant to West Hollywood Municipal Code 19.28.090 B(4).
- Allow a minimum aggregate site area of 40,186 square feet for a mixed-use project that spans both the CC2 and R3B zoning districts, in lieu of the minimum aggregate area of 50,000 square feet otherwise required by Section 19.36.170.A.1 of the West Hollywood Municipal Code.

California Government Code Section 65915(d)(2) and WHMC Section 19.22.050(E) provide that two incentives or concessions can be made for projects that include at least 20% of the total units for lower income households, at least 10% for very low income households, or at least 20% for persons and families of moderate income in a common interest development. One concession is permitted for projects that include at least 10% of the total units for lower income households, at least 5% for very low-income households, or at least 10% for persons and families of moderate income in a common interest development. Additionally, Section 19.22.050 allows available concessions to be combined from different categories for a maximum of three concessions per project. Pursuant to Government Code Section 65915(d)(2), the residential and commercial areas of the revised project could potentially be allowed two concessions for providing 10% very low income units and one concession for providing 10% moderate income units. However, the project applicant is only incorporating three concessions for the project including:

- An additional story to allow approximately 10 feet of additional height to construct the sixth story and associated amenities.
- An increase in height of approximately 6.5 feet to allow truck loading given the elevation at the south (Santa Monica Boulevard) side of the property is approximately 6 feet higher than at the point on Orange Grove where trucks will exit the project. A minimum 14-foot truck height is required pursuant to WHMC 19.28.090 B (4).
- Allow a minimum aggregate site area of 40,186 square feet for a mixed-use project that spans both the CC2 and R3B zoning districts, in lieu of the minimum aggregate area of 50,000 square feet otherwise required by Section 19.36.170.A.1 of the WHMC.

As such, given that the City does not have any evidence or information that would warrant making the findings listed in California Government Code Section 65915(d)(1) for denial of the concessions, the revised project is required under state and City law to be granted the requested concessions in exchange for providing the affordable housing. Upon granting of these concessions, the revised project would be consistent with zoning requirements for the project site. See also Table 2-2 in Chapter 2, Project Description, which shows the base density and height applicable to the project, the bonuses that can be applied to the project, and the concessions that are being requested for the project.

Environmental impacts that could be caused by aspects of the project that diverge from the base zoning requirements (i.e., increased height and the spanning of commercial and residential zones) are evaluated throughout this RDEIR. As demonstrated throughout this RDEIR, all environmental impacts are determined to be less than significant after mitigation. In summary, for the reasons described above, the revised project would be consistent with applicable land use policies upon project approval, and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect; accordingly, impacts resulting from the revised project would therefore be **less than significant**.

3.11.6 Mitigation Measures

Impacts would be less than significant. No mitigation measures are required.

3.11.7 Level of Significance after Mitigation

Impacts would be less than significant, and no mitigation is required.

3.11.8 References Cited

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City of West Hollywood. 2021. *SCAG 6th Cycle Final RHNA Allocation Plan*. Approved by HCD on March 22, 2021 and modified on July 1, 2021. Accessed January 2022. <https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-final-allocation-plan.pdf?1625161899>.

City of West Hollywood. 2022a. *City of West Hollywood 2021-2029 Housing Element*. Draft: Item 11.B. Exhibit C. February 2022. Accessed August 2022. <https://wehohousing.rinconconsultants.com/wp-content/uploads/2022/01/Draft-Housing-Element.pdf>.

City of West Hollywood. 2022b. *Housing Element Update: Status Blogs*. Accessed August 2022. <https://wehohousing.rinconconsultants.com/>.

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3.12 Tribal Cultural Resources

This section describes the existing tribal cultural resources (TCRs) of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the revised Bond Project (“proposed project” or “revised project”). This analysis is based, in part, on a review of existing resources and applicable laws, regulations, and guidelines, as well as the Cultural Resources Study prepared by Dudek in January 2017 (Appendix C, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, of this revised draft environmental impact report (RDEIR)). The analysis includes a review of the results of a South Central Coastal Information Center (SCCIC) records search, a search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF), and tribal notification completed by the lead agency, the City of West Hollywood (City), pursuant to California Assembly Bill (AB) 52.

Comments received in response to the Notice of Preparation (NOP) included instructions for complying with Assembly Bill 52 and Senate Bill 18 (tribal consultation processes) and recommendations for cultural resources assessments. These concerns are addressed and summarized in this section. A copy of the NOP and comment letters received in response to the NOP are included in Appendix A of the RDEIR.

3.12.1 Environmental Setting

California Historical Resources Information System Records Search

Dudek requested a search of the California Historical Resources Information System (CHRIS) at the SCCIC, located on the campus of California State University, Fullerton. Dudek received the search results on December 29, 2016. Dudek conducted an in-person supplemental records search on December 12, 2019. The search included any previously recorded cultural resources and investigations within a 0.5-mile radius of the project site. The CHRIS search also included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the Californian Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. The following analysis is based on findings discussed in the technical report, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, which is included as Appendix C to this RDEIR.

Previously Conducted Cultural Resources Studies

The SCCIC records indicate that 30 cultural resource investigations have been conducted within the 0.5-mile search radius of the project site between 1966 and 2012. Of these, one overlaps (LA-10568) the project site and two are adjacent (LA-10507 and LA-11005). Table 3.12-1, below, summarizes the previous cultural resources studies within the records search radius.

Table 3.12-1. Previous Cultural Resource Investigations within One-Half-Mile of the Project Site

SCCIC Report Number	Title	Author	Year	Proximity to Project Site
LA-01578	Technical Report Archaeological Resources Los Angeles Rapid Rail Transit Project Draft Environmental Impact Statement and Environmental Impact Report	Westec Services, Inc.	1983	Outside
LA-01968	Cultural Resources Literature Review of Metro Rail Red Line Western Extension Alternatives, Los Angeles, Los Angeles County, California	Bissell, Ronald M.	1989	Outside
LA-02816	Native American Placenames in the Vicinity of the Pacific Pipeline: Part 2: Gaviota to the San Fernando Valley: Draft	King, Chester	1993	General Overview
LA-03496	Draft Environmental Impact Report Transit Corridor Specific Plan Park Mile Specific Plan Amendments	Anonymous	—	Outside
LA-03511	Assessment of the Archaeological Impact by the Development of the Waste Water Facilities Plan W.O. 31389	Romani, John F.	1977	General Overview
LA-03525	UCAS-092 Route 2 Freeway Los Angeles County West, Los Angeles, Beverly Hills	Chartkoff, Kerry and Joe Chartkoff	1966	Outside
LA-03583	The Los Angeles Basin and Vicinity: a Gazetteer and Compilation of Archaeological Site Information	Bucknam, Bonnie M.	1974	General Overview
LA-03773	Preliminary Assessment of Potential Impacts and Evaluation of Cultural Resources Along Proposed Transit System Alignment Alternatives in the City of Los Angeles, Los Angeles County, California	Singer, Clay A.	1978	General Overview
LA-03796	Technical Report of Cultural Resources Studies for the Proposed WTG-West, Inc. Los Angeles to San Francisco and Sacramento, California Fiber Optic Cable Project	BioSystems Analysis, Inc.	1989	General Overview
LA-04323	Cultural Evolution in the Archaic/Mesolithic: A Research Design for the Los Angeles Basin	Hill, James N.	1985	General Overview
LA-04574	Cultural Resource Assessment for Pacific Bell Mobile Services Facility LA 454-01, in the County of Los Angeles, California	Duke, Curt	1999	Outside
LA-05090	Cultural Resource Assessment for Pacific Bell Mobile Services Facility LA 454-02, in the County of Los Angeles, California	Gray, Deborah	1999	Outside
LA-06000	Records Search Results for Sprint PCS Facility LA35XC882A (Sunset & Fairfax Site), Located in Los Angeles, Los Angeles County, California	Bonner, Wayne H.	1999	Outside

Table 3.12-1. Previous Cultural Resource Investigations within One-Half-Mile of the Project Site

SCCIC Report Number	Title	Author	Year	Proximity to Project Site
LA-07345	Historical Evaluation Report for the Sierra Bonita Air Treatment Facility, Los Angeles, California	Hirsch, Jennifer	2005	Outside
LA-07375	A Phase I Archaeological Study for 1343-1345 North Laurel Avenue the Linick-Weisman House, West Hollywood, Los Angeles County, California	Wlodarski, Robert J.	2004	Outside
LA-07568	Paleontological Resource Survey and Impact Evaluation for a Proposed Rapid Transit System in the City of Los Angeles, Los Angeles County, California	Bernor, Raymond, L.	1978	General Overview
LA-07772	Cultural Resource Assessment Cingular Wireless Facility No. SM 182-02, West Hollywood, Los Angeles County, California	Duke, Curt and Judith Marvin	2003	Outside
LA-08005	Fairfax High School in the City of Los Angeles	McKenna, Jeanette A. et al.	2003	Outside
LA-08269	Negative Archaeological Survey Report of Approximately 0.3 Acre for the Sierra Bonita Construction Project, 7530 Santa Monica Boulevard, West Hollywood, Los Angeles County, California	Maki, Mary K.	2007	Outside
LA-09538	Cultural Resources Records Search and Site Visit Results for AT&T Mobility, LLC Candidate EL0130-01 (Villa Rosa), 7850 West Sunset Blvd, Los Angeles, California	Bonner, Wayne H.	2008	Outside
LA-10386	Direct APE Historic Architectural Assessment for Clearwire Candidate CA-LOS5564C/CA5579 (Goldwyn Studios), 7494 Santa Monica Blvd., West Hollywood, Los Angeles County, California.	Bonner, Wayne and Kathleen Crawford	2010	Outside
LA-10507	Technical Report - Historical/Architectural Resources - Los Angeles Rail Rapid Transit Project "Metro Rail" Draft Environmental Impact Statement and Environmental Impact Report	Westec Services, Inc.	1983	Adjacent
LA-10568	City of West Hollywood Historic Resources Survey 1986-1987 Final Report	Johnson Heumann Research Associates	1987	Overlaps
LA-11005	Westside Subway Extension Historic Property Survey Report and Cultural Resources Technical Report	Cogstone Resource Management, Inc.	2010	Adjacent
LA-11677	Cultural Resource Records Search and Site Survey, AT&T Site EL0130, Villa Rosa 7850 West Sunset Boulevard, Los Angeles, Los Angeles County, California 90046	Loftus, Shannon	2011	Outside

Table 3.12-1. Previous Cultural Resource Investigations within One-Half-Mile of the Project Site

SCCIC Report Number	Title	Author	Year	Proximity to Project Site
LA-11747	Programmatic Agreement Compliance Report, Twenty-first Reporting Period, July 1, 2005-- March 31, 2006	Sakai, Rodney	2006	General Overview
LA-11748	Programmatic Agreement Compliance Report Fifteenth Reporting Period July 1-- December 31, 2002	Sakai, Rodney	2003	General Overview
LA-11945	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC, Candidate SV00247A (SM183 Public Storage), 6801 Santa Monica Boulevard, Los Angeles County, California	Bonner, Wayne	2012	Outside
LA-12153	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate SV00238A (SMBaklayan Bldg) 7408 Santa Monica Boulevard, West Hollywood, Los Angeles County, California	Bonner, Wayne and Kathleen Crawford	2012	Outside
LA-13073	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC, Candidate EL0130 (Villa Rosa), 7850 West Sunset Boulevard, [City of] Los Angeles, Los Angeles County, California, CASPR No. 3551455498	Wills, Carrie D. and Kathleen A. Crawford	2014	Outside

Previously Recorded Cultural Resources

According to the SCCIC records, there are no previously recorded cultural resources located within the project site. There are 19 previously recorded resources within one-half mile of the project site. These resources consist entirely of historic-period built environment resources. No previously recorded prehistoric or historic-era archaeological resources were identified within one-half mile of the project site as a result of the records search.

Native American Coordination

NAHC Sacred Lands File Search

As part of the process of identifying cultural resources within or near the project site, Dudek contacted the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands File (SLF) search on November 4, 2016, and December 13, 2019. The NAHC emailed a response on November 9, 2016, and January 3, 2020, which stated that the SLF search was completed with negative results.

Documents related to the NAHC SLF search are included in Appendix B of the technical report, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, which is included as Appendix C of this RDEIR.

Assembly Bill 52

A project that may cause a substantial adverse change in the significance of a tribal cultural resource (TCR) is a project that may have a significant effect on the environment (PRC Section 21084.2). Under AB 52, a TCR must have tangible, geographically defined properties that can be impacted by project implementation. The project is subject to compliance with AB 52. Of note, prior to the City’s notification pursuant to AB 52, a letter was received from Linda Candelaria, Councilwoman of the Gabrielino-Tongva Tribe, on August 16, 2019, in response to the City’s original Notice of Availability of a Draft EIR for the Bond Project (dated August 2019). In her letter, Councilwoman Candelaria authorized Sam Dunlap to act on the tribe’s behalf in the government-to-government consultation process.

The City sent notification of the project to all California Native American tribal representatives that have requested project notifications from the City pursuant to AB 52 and that are on file with the NAHC as being traditionally or culturally affiliated with the geographic area on October 23, 2019, including Mr. Dunlap at the request of Councilwoman Candelaria. Notification letters or emails were sent by the City to the following California Native American tribal entities/representatives:

- Michael Mirelez, Torres Martinez Desert Cahuilla Indians
- Linda Candelaria, Councilwoman, Gabrielino-Tongva Tribe
- Sam Dunlap, Gabrielino-Tongva Tribe
- Sadonne Goad, Chairperson, Gabrielino/Tongva Nation
- Anthony Morales, Chairperson, Gabrielino/Tongva San Gabriel Band of Mission Indians
- Robert Dorame, Chairperson, Gabrielino Tongva Indians of California Tribal Council
- John Valenzuela, Chairperson, San Fernando Band of Mission Indians
- Andrew Salas, Chairperson, Gabrieleno Band of Mission Indians – Kizh Nation

The notification letters included a project map and description inquiring if the tribe would like to consult to discuss the project and the potential to impact any TCRs. AB 52 allows tribes 30 days after receiving notification to request consultation. If a response is not received within the allotted 30 days, it is assumed that consultation is declined. Notification letters were sent to the contact information provided by the NAHC and may include a home, business, or P.O. Box address and/or email address for the NAHC-listed individuals; however, the information on file at the NAHC may not be representative of current mailing addresses. As such, for any letters that are returned as undeliverable, the City conducted a follow-up email to ensure the letter has been received by the intended recipient.

An account of all communication regarding tribal notification and consultation efforts in support of this project can be found in Table 3.12-2. Documents related to AB 52 consultation are on file with the City.

Table 3.12-2. Assembly Bill 52 Native American Tribal Outreach Results

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date
Michael Mirelez Torres Martinez Desert Cahuilla Indians	Standard USPS Mailing on October 23, 2019; Email follow-up on November 18, 2019	No Response received by City. On December 9, 2019, the City emailed a statement that the AB 52 process has been concluded.	As no response was received, the AB 52 process was concluded.

Table 3.12-2. Assembly Bill 52 Native American Tribal Outreach Results

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date
Linda Candelaria, Councilwoman Gabrielino-Tongva Tribe	Standard USPS Mailing on October 23, 2019; Letter returned by USPS on October 31, 2019 due to "Non Deliverable As Addressed, Unable to Forward"; Email follow-up on October 21, 2019 and November 18, 2019.	No Response received by City. No response was received to the City's follow-up efforts on October 21, 2019 and November 18, 2019. On December 9, 2019, the City emailed a Conclusion to AB 52 Letter.	As no response was received, consultation was concluded.
Sam Dunlap Gabrielino-Tongva Tribe	On October 14, 2019, the City emailed Mr. Dunlap at the email address provided by Ms. Candelaria in her August 16, 2019 letter. A follow up email was sent to Mr. Dunlap and Ms. Candelaria on October 21, 2019 and November 18, 2019.	No Response received by City to the October 14, 2019 email notification. No response was received to the City's follow-up efforts on October 21, 2019 and November 18, 2019. On December 9, 2019, the City emailed a Conclusion to AB 52 Letter.	As no response was received, consultation was concluded.
Sadonne Goad, Chairperson Gabrielino/Tongva Nation	Standard USPS Mailing on October 23, 2019	No Response received.	As no response was received, the AB 52 process was concluded.
Anthony Morales, Chairperson Gabrielino/Tongva San Gabriel Band of Mission Indians	Standard USPS Mailing on October 23, 2019	No Response received.	As no response was received, the AB 52 process was concluded.
Robert Dorame, Chairperson Gabrielino Tongva Indians of California Tribal Council	Standard USPS Mailing on October 23, 2019	No Response received.	As no response was received, the AB 52 process was concluded.
John Valenzuela, Chairperson San Fernando Band of Mission Indians	Standard USPS Mailing on October 23, 2019	No Response received.	As no response was received, the AB 52 process was concluded.
Andrew Salas, Chairperson Gabrieleno Band of Mission Indians - Kizh Nation	Standard USPS Mailing on October 23, 2019	A response from the Tribe was received by the City on November 1, 2019. The City responded to the Tribe by calling	As no response was received, despite repeated attempts to contact the Tribe both through email, USPS mail

Table 3.12-2. Assembly Bill 52 Native American Tribal Outreach Results

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date
		Chairperson Salas on November 4, 2019 and left a voicemail. No response from Mr. Salas was received. On November 18, 2019, the City contacted the Tribe through email to follow up regarding their previous request. No response from Mr. Salas was received. On December 9, 2019, the City emailed a Conclusion to AB 52 Letter.	and phone calls, consultation was concluded.

Pedestrian Survey

Due to the developed nature of the project site, the archaeological component of the pedestrian survey consisted of opportunistic examination of exposed ground surfaces. No archaeological resources were identified as a result of the survey.

3.12.2 Relevant Plans, Policies, and Ordinances

State

The California Register of Historical Resources

In California, the term “historical resource” includes “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (PRC Section 5020.1(j)). In 1992, the California legislature established the CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.” (PRC, Section 5024.1(a).) A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following criteria:

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

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

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the National Register of Historic Places (NRHP), and properties listed or formally designated as eligible for listing on the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

Described as follows, the following California Environmental Quality Act (CEQA) statutes and CEQA Guidelines are relevant to the analysis of archaeological and historical resources:

- PRC Section 21083.2(g): Defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a): Define historical resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of an historical resource.
- PRC Section 21074(a), defines “tribal cultural resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b)–(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historical resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and it may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historical resources, or identified as significant in an historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is an “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(a)). The lead agency is not precluded from determining that a resource is an historical resource even if it does not fall within this presumption (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines, Section 15064.5(b)(1); PRC, Section 5020.1(q)). In turn, the significance of an historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or

2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA. (CEQA Guidelines, Section 15064.5(b)(2).)

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any “historical resources,” then evaluates whether that project will cause a substantial adverse change in the significance of an historical resource such that the resource’s historical significance is materially impaired.

Under CEQA, an Environmental Impact Report is required to evaluate any impacts on unique archaeological resources (PRC, Section 21083.2). A “unique archaeological resource” is defined as:

[A]n archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person. (PRC, Section 21083.2(g).)

An impact to a non-unique archaeological resource is not considered a significant environmental impact, and such non-unique resources need not be further addressed in the Environmental Impact Report (PRC, Section 21083.2(a); CEQA Guidelines, Section 15064.5(c)(4)).

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed in PRC Section 5097.98.

Assembly Bill 52

Assembly Bill (AB) 52 of 2014 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that TCRs must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. Section 21074 describes a TCR as a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American Tribe and that is either:

- On or determined to be eligible for the California Register of Historical Resources or a local historic register; or
- 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 Section 5024.1.

AB 52 formalizes the lead agency-tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the project site, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

Section 1 (a)(9) of AB 52 establishes that “a substantial adverse change to a tribal cultural resource has a significant effect on the environment.” Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures “capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.” Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (PRC Section 21080.3.2(a)). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3(a)).

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner (i.e., the Los Angeles County Coroner) has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of being granted access to the site. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Local

City of West Hollywood Municipal Code

Chapter 19.58 of the City of West Hollywood’s Municipal Code describes the City’s Cultural Heritage Preservation Ordinance, which was adopted based on the following findings of the Council:

- A. *Threatened Structures and Sites.* The Council has determined that the character, history, and spirit of the City, State, and nation are reflected in the historic structures, improvements, natural features, objects, sites, and areas of significance located within the City and that in the face of ever increasing pressures of modernization and urbanization, cultural resources, cultural resource sites, and historic districts located within the City are threatened with alteration, demolition, or removal.
- B. *Preservation of Structures and Sites.* The Council has further determined that these threatened structures, representing the City’s unique cultural, historical, and social foundations, should be preserved as a living part of community life and development in order to build a greater understanding of the city’s past and to give future generations the opportunity to appreciate, enjoy, and understand the city’s rich heritage.

- C. *Methods of Preservation.* Recognizing that the use of historic preservation measures has become increasingly prevalent as a method for identifying and preserving cultural resources, the city joins with private concerns, the state, and the United States Congress to develop methods of preserving the city's unique aesthetic, architectural, cultural, and historical heritage, in compliance with the provisions of the National Historic Preservation Act of 1966, as amended, and state law (Government Code Section 37361). (Ord. 01-594 Section 2 (Exhibit A), 2001)

3.12.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts related to tribal cultural resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to tribal cultural resources would occur if the project would:

- a) 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:
 - i. 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
 - ii. 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.

3.12.4 Impacts Analysis

Threshold TCR-1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. 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?***

As described above and under Section 3.3-1, no archaeological resources were identified within the project site as a result of the CHRIS records search or Native American outreach. Further, no previously recorded TCRs listed in the CRHR or a local register were identified within the project site. Additionally, no TCRs have been identified by California Native American tribes as part of the City's AB 52 notification and consultation process. Impacts are considered **less than significant**. No mitigation is required.

- ii. *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?*

On October 23, 2019, the City mailed notification letters via USPS to all contacts provided by the NAHC as part of the City's AB 52 notification and consultation process. The Torres Martinez Desert Cahuilla Indians was also included on the list of recipients, since this tribe had previously requested to be notified.

One tribe requested consultation in response to the October 2019 notification letters: the Gabrieleno Band of Mission Indians – Kizh Nation. Specifically, the tribe responded to the City's notification letter on November 1, 2019, with a letter requesting consultation for the project. The City responded to Mr. Andrew Salas, the tribe's representative, via a phone call and voice message on November 4, 2019. No response from the tribe was received by the City. The City subsequently sent a follow up email on November 18, 2019, to the Gabrieleno Band of Mission Indians – Kizh Nation; no response was received by the City. After no response was received despite repeated attempts to contact the Gabrieleno Band of Mission Indians – Kizh Nation, the City emailed a letter to the Gabrieleno Band of Mission Indians – Kizh Nation concluding the AB 52 process on December 9, 2019. No responses have been received by the City since the December 9, 2019, email.

Prior to the October 2019 notification letters, one tribe had contacted the City regarding the project: the Gabrielino-Tongva Tribe requested formal consultation in response to the City's original Notice of Availability of a Draft EIR for the Bond Project (dated August 2019). Due to this tribe's prior communication regarding the project, the City sent email follow-ups to tribal representatives from the Gabrielino-Tongva Tribe, subsequent to the initial October 2019 notification letters. (Email follow-ups were sent on November 18, 2019.) No response was received; as such, the City emailed a letter to the tribe explaining that consultation and the AB 52 process was considered to be concluded. No further response was received.

As summarized above, no information regarding TCRs within or in the vicinity of the project site was received by the City throughout the AB 52 process. As such, the City has determined that no TCRs are present that would be adversely affected by the project. Therefore, impacts are considered **less than significant**. No mitigation is required.

3.12.5 Mitigation Measures

No mitigation is required.

3.12.6 Level of Significance After Mitigation

Impacts would be less than significant, and no mitigation is required.

3.12.7 References Cited

Cogstone (Cogstone Resource Management Inc.). 2010. *West Subway Extension Historic Property Survey Report and Cultural Resources Technical Report*.

4 Cumulative Effects

The California Environmental Quality Act (CEQA) Guidelines require that an Environmental Impact Report (EIR) discuss cumulative impacts of a project, taken together with other past, present, and probable future projects producing related impacts. The goal of this analysis is twofold: first, to determine whether the impacts of all such projects would be cumulatively significant; and, second, to determine whether the revised Bond Project (“proposed project” or “revised project”) would itself cause a “cumulatively considerable” (and thus significant) incremental contribution to any such cumulatively significant impacts. The definition of cumulatively considerable is provided in Section 15065(a)(3) of the CEQA Guidelines: “‘Cumulatively considerable’ means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

4.1 CEQA Requirements

CEQA Guidelines Section 15130(b) provides the following parameters relative to cumulative impact analysis: the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified related projects contribute, rather than the attributes of other projects that do not contribute to the cumulative impact.

CEQA Guidelines Section 15130 allows for the use of two alternative methods to determine the scope of projects to analyze cumulative impacts.

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

Projection Method: A summary of projects contained in an adopted general plan or related planning document, or in a prior environmental document, that have been adopted or certified, which describe or evaluate regional or area-wide conditions contributing to the cumulative impact.

4.2 Related Projects

The geographic area that could be affected by implementation of revised project in combination with other projects varies depending on the type of environmental resource being considered. For instance, cumulative aesthetics or noise impacts are more localized; whereas, cumulative air quality impacts occur on a broader regional scale, and cumulative greenhouse gas impacts occur on a global scale. Table 4-1 describes the geographic scope of cumulative impact analysis for each environmental resource category. Also described is the method of evaluation for each category.

Table 4-1. Geographic Scope and Method of Evaluation for Cumulative Impacts

Environmental Resource		Geographic Area	Method of Evaluation
Aesthetics		Immediate vicinity	List
Air Quality	Toxic Air Contaminants; Odors	Immediate vicinity	List and Projections
	Construction and Mobile Sources	South Coast Air Basin	
Cultural Resources		Regional	List
Greenhouse Gas Emissions		South Coast Air Basin	Projections
Hazards and Hazardous Materials		Immediate vicinity	List
Noise	Construction and Operational Sources	Immediate vicinity	List and Projections
	Operational Off-Site Traffic Noise	Regional	
Public Services		City of West Hollywood	List and Projections
Transportation		Regional	List and Projections
Utilities and Service Systems		Regional	List and Projections
Energy		Regional	List and Projections
Land Use and Planning		City of West Hollywood	List and Projections
Tribal Cultural Resources		Regional	List and Projections

Table 4-2 and Figure 4-1 include all of the approved, under construction, or proposed development projects within the vicinity of the revised project. The list of development projects is derived from lists provided by the City of West Hollywood and the City of Los Angeles. For those environmental resources that were evaluated based on the projections approach, the projections take into consideration future projects that are not included in the below list of related projects.

Table 4-2. Related Projects

Project Number	Location	Project Description - Land Use	Intensity	Units
City of West Hollywood				
1	8713 Beverly Boulevard	Multifamily Housing (Mid-Rise)	30	d.u.
		Shopping Center	5.48	k.s.f
		General Office Building	3.42	k.s.f
		Gallery	0.50	k.s.f
2	8816 Beverly Boulevard	Multifamily Housing (Mid-Rise)	35	d.u.
		Shopping Center	5.54	k.s.f
		High Turnover Sit-Down Restaurant	8.89	k.s.f
		Hotel	128	Rm
3	8899 Beverly Boulevard	Multifamily Housing (Mid-Rise)	76	d.u.
		Shopping Center	19.76	k.s.f
		Quality Restaurant	4.39	k.s.f
		General Office Building	6.32	k.s.f
4	1012 Corey Avenue	Multifamily Housing (Low-Rise)	6	d.u.
5	1048 N Curson Avenue	Multifamily Housing (Low-Rise)	5	d.u.
6	1139 Detroit Street	Multifamily Housing (Low-Rise)	5	d.u.

Table 4-2. Related Projects

Project Number	Location	Project Description - Land Use	Intensity	Units
7	1141 Detroit Street	Multifamily Housing (Low-Rise)	5	d.u.
8	1138 Detroit Street	Multifamily Housing (Low-Rise)	10	d.u.
9	1201 Detroit Street	Multifamily Housing (Low-Rise)	10	d.u.
10	1221 Detroit Street	Multifamily Housing (Low-Rise)	10	d.u.
11	1257 Detroit Street	Multifamily Housing (Low-Rise)	8	d.u.
12	1001 Fairfax Avenue	Multifamily Housing (Low-Rise) High Turnover Sit-Down Restaurant General Office Building	35 0.90 0.90	d.u. k.s.f k.s.f
13	511 Flores Street	Multifamily Housing (Low-Rise)	10	d.u.
14	528 N Flores Street	Multifamily Housing (Low-Rise)	4	d.u.
15	1216 Flores Street	Multifamily Housing (Low-Rise)	14	d.u.
16	1123 Formosa Avenue	Multifamily Housing (Low-Rise)	5	d.u.
17	1159 N Formosa Avenue	Multifamily Housing (Low-Rise)	5	d.u.
18	1227 N Formosa Avenue	Multifamily Housing (Low-Rise)	5	d.u.
19	1245 Formosa Avenue	Multifamily Housing (Low-Rise)	3	d.u.
20	8000 Fountain Avenue	Multifamily Housing (Mid-Rise)	30	d.u.
21	1000 N Gardner Street	Multifamily Housing (Low-Rise)	4	d.u.
22	938 N Genessee Avenue	Multifamily Housing (Low-Rise)	5	d.u.
23	947 N Genessee Avenue	Multifamily Housing (Low-Rise)	10	d.u.
24	1005 N Genessee Avenue	Multifamily Housing (Low-Rise)	5	d.u.
25	1046 N Genessee Avenue	Multifamily Housing (Low-Rise)	5	d.u.
26	1006 Hancock Avenue	Multifamily Housing (Low-Rise)	6	d.u.
27	1264 Harper Avenue	Multifamily Housing (Mid-Rise)	14	d.u.
28	1223 N Hayworth Avenue	Multifamily Housing (Mid-Rise)	12	d.u.
29	917 Hilldale Avenue	Multifamily Housing (Low-Rise)	9	d.u.
30	926 Hilldale Avenue	Multifamily Housing (Low-Rise)	3	d.u.
31	621 N Kings Road	Multifamily Housing (Low-Rise)	4	d.u.
32	1040 N La Brea Avenue	Multifamily Housing (Low-Rise) High Turnover Sit-Down Restaurant Hotel	8 5.24 91	d.u. k.s.f. Rm
33	1136 N La Cienega Boulevard	Multifamily Housing (Mid-Rise)	23	d.u.
34	637 La Peer Drive	Shopping Center Quality Restaurant Museum	11.51 8.58 19.35	k.s.f. k.s.f. k.s.f.
35	829 Larrabee Street	Multifamily Housing (Mid-Rise)	13	d.u.
36	1120 Larrabee Street	Multifamily Housing (Mid-Rise)	22	d.u.
37	1204 Larrabee Street	Multifamily Housing (Low-Rise)	5	d.u.
38	1016 Martel Avenue	Multifamily Housing (Mid-Rise)	11	d.u.
39	1041 N Martel Avenue	Multifamily Housing (Mid-Rise)	25	d.u.
40	1052 N Martel Avenue	Multifamily Housing (Low-Rise)	5	d.u.

Table 4-2. Related Projects

Project Number	Location	Project Description - Land Use	Intensity	Units
41	8465 Melrose Avenue	Shopping Center	4.12	k.s.f.
42	8650 Melrose Avenue	Shopping Center Multifamily Housing (Low-Rise)	14.57 7	k.s.f. d.u.
43	8116 Norton Avenue	Multifamily Housing (Low-Rise)	8	d.u.
44	901 N Ogden Drive	Multifamily Housing (Low-Rise)	4	d.u.
45	909 N Ogden Drive	Multifamily Housing (Low-Rise)	6	d.u.
46	950 N Ogden Drive	Multifamily Housing (Low-Rise)	10	d.u.
47	1008 N Ogden Drive	Multifamily Housing (Low-Rise)	7	d.u.
48	1011 N Ogden Drive	Multifamily Housing (Low-Rise)	5	d.u.
49	1032 N Ogden Drive	Multifamily Housing (Low-Rise)	14	d.u.
50	1153 N Ogden Drive	Multifamily Housing (Low-Rise)	6	d.u.
51	1019 Orange Grove Avenue	Multifamily Housing (Low-Rise)	9	d.u.
52	1150 Orange Grove Avenue	Multifamily Housing (Low-Rise)	7	d.u.
53	1200 Orange Grove Avenue	Multifamily Housing (Mid-Rise)	5	d.u.
54	923 Palm Avenue	Senior Housing - Attached	49	d.u.
55	645 Robertson Boulevard	Shopping Center High Turnover Sit-Down Restaurant Hotel Museum Drinking Place	18.13 33.30 241 10.33 3.78	k.s.f. k.s.f. Rm k.s.f. k.s.f.
56	8763 Rosewood Avenue	Shopping Center	4.92	k.s.f.
57	8804 Rosewood Avenue	Medical	3.74	k.s.f.
58	7424 Santa Monica Boulevard	Multifamily Housing (Mid-Rise) Shopping Center	31 2.00	d.u. k.s.f.
59	7617 Santa Monica Boulevard	Multifamily Housing (High-Rise) Shopping Center High Turnover Sit-Down Restaurant	71 4.00 4.42	d.u. k.s.f. k.s.f.
60	7965-7985 Santa Monica Boulevard	Shopping Center High Turnover Sit-Down Restaurant General Office Building Drinking Place	1.35 14.25 54.65 2.75	k.s.f. k.s.f. k.s.f. k.s.f.
61	8555 Santa Monica Boulevard	Multifamily Housing (Mid-Rise) General Office Building Specialty Retail High Turnover Sit-Down Restaurant Hair Salon	123 6.70 14.50 3.90 3.60	d.u. k.s.f. k.s.f. k.s.f. k.s.f.
62	9001 Santa Monica Boulevard	Multifamily Housing (Mid-Rise) Shopping Center High Turnover Sit-Down Restaurant	37.00 9.85 9.80	k.s.f. k.s.f. k.s.f.

Table 4-2. Related Projects

Project Number	Location	Project Description - Land Use	Intensity	Units
63	9040 Santa Monica Boulevard	Multifamily Housing (Mid-Rise)	16	d.u.
		Shopping Center	9.04	k.s.f.
		High Turnover Sit-Down	9.31	k.s.f.
		Restaurant	309.32	k.s.f.
		General Office Building		
64	8760 Shoreham Drive	Multifamily Housing (Mid-Rise)	11	d.u.
65	1011 N Sierra Bonita Avenue	Multifamily Housing (Low-Rise)	5	d.u.
66	1017 N Sierra Bonita Avenue	Multifamily Housing (Low-Rise)	5	d.u.
67	1030 N Sierra Bonita Avenue	Multifamily Housing (Low-Rise)	5	d.u.
68	933 N Spaulding Avenue	Multifamily Housing (Low-Rise)	5	d.u.
69	939 N Spaulding Avenue	Multifamily Housing (Mid-Rise)	22	d.u.
70	1013 N Spaulding Avenue	Multifamily Housing (Low-Rise)	5	d.u.
71	1236 N Spaulding Avenue	Multifamily Housing (Low-Rise)	3	d.u.
72	943 N Stanley Avenue	Multifamily Housing (Low-Rise)	5	d.u.
73	8850 Sunset Boulevard	Multifamily Housing (High-Rise)	41	d.u.
		Shopping Center	28.80	k.s.f.
		Hotel	115.000	Rm
		Drinking Place	4.70	k.s.f.
74	8497 Sunset Boulevard	Quality Restaurant	9.78	k.s.f. k.s.f.
		General Office Building	11.52	
75	8920 Sunset Boulevard	Shopping Center	5.24	k.s.f
		Quality Restaurant	1.77	k.s.f
		General Office Building	45.89	k.s.f
		Museum	2.19	k.s.f
		Private Club	6,745	Members
76	9034 Sunset Boulevard	Multifamily Housing (High-Rise)	107	d.u.
		Shopping Center	3.20	k.s.f.
		High Turnover Sit-Down	8.80	k.s.f.
		Restaurant	200	Rm
		Hotel		
77	545 N Sweetzer Avenue	Multifamily Housing (Low-Rise)	9	d.u.
78	1257 N Sweetzer Avenue	Multifamily Housing (Mid-Rise)	14	d.u.
79	1280 N Sweetzer Avenue	Multifamily Housing (Low-Rise)	9	d.u.
80	8553 West Knoll Drive	Multifamily Housing (Low-Rise)	5	d.u.
81	852 West Knoll Drive	Multifamily Housing (Low-Rise)	9	d.u.
82	8557 West Knoll Drive	Multifamily Housing (Low-Rise)	6	d.u.
83	618 Westbourne Drive	Multifamily Housing (Low-Rise)	4	d.u.
84	629 Westbourne Drive	Multifamily Housing (Low-Rise)	3	d.u.
85	718 Westbourne Drive	Multifamily Housing (Low-Rise)	3	d.u.
86	823 Westbourne Drive	Multifamily Housing (Low-Rise)	4	d.u.
87	916 Westbourne Drive	Multifamily Housing (Low-Rise)	8	d.u.
88	8314 Willoughby Avenue	Multifamily Housing (Low-Rise)	2	d.u.
89	910 Wetherly Drive	Affordable Housing (Family)	93	d.u.

Table 4-2. Related Projects

Project Number	Location	Project Description - Land Use	Intensity	Units
City of Los Angeles				
90	1502 N Gardner Street	Supermarket	32.44	k.s.f.
91	6831 W Hawthorn Avenue	Multifamily Housing (Mid-Rise) High Turnover Sit-Down Restaurant	140 1.21	d.u. k.s.f.
92	7000 Melrose Avenue	Multifamily Housing (Mid-Rise) Shopping Center	63 1.87	d.u. k.s.f.
93	320 N Fairfax Avenue	General Office Building	28.34	k.s.f.
94	6901 Santa Monica Boulevard	Multifamily Housing (High-Rise) High Turnover Sit-Down Restaurant Shopping Center	231 5.00 10.00	d.u. k.s.f. k.s.f.
95	7107 W Hollywood Boulevard	Multifamily Housing (High-Rise) Shopping Center High Turnover Sit-Down Restaurant	410 5.00 5.00	d.u. k.s.f. k.s.f.
96	1233 N Highland Avenue	Multifamily Housing (Mid-Rise) Shopping Center	72 17.83	d.u. k.s.f.
97	904 N La Brea Avenue	Multifamily Housing (Mid-Rise) Shopping Center	169 40.00	d.u. k.s.f.
98	7901 W Sunset Boulevard	Multifamily Housing (Mid-Rise) High Turnover Sit-Down Restaurant	62 3.00	d.u. k.s.f.
99	8150 W Sunset Boulevard	Multifamily Housing (High-Rise) High Turnover Sit-Down Restaurant Shopping Center	249 23.16 33.75	d.u. k.s.f. k.s.f.
100	6800 W Sunset Boulevard	Fast food w/ drive through	2.13	k.s.f.
101	6766 W Hawthorn Avenue	Multifamily Housing (Mid-Rise) Shopping Center	58 0.22	d.u. k.s.f.
102	1118 N McCadden Place	Assisted Living General Office Building Shopping Center	192.000 17.04 29.65	beds k.s.f. k.s.f.
103	6753 W Selma Avenue	Multifamily Housing (Mid-Rise) Shopping Center	51 0.44	d.u. k.s.f.
104	926 N Sycamore Avenue	General Office Building	70.74	k.s.f.
105	316 N La Cienega Boulevard	Multifamily Housing (Mid-Rise) Shopping Center	61 4.10	d.u. k.s.f.
106	6300 W 3rd Street	Multifamily Housing (High-Rise) Supermarket High Turnover Sit-Down Restaurant	31 63.08 7.50	d.u. k.s.f. k.s.f.
107	915 N La Brea Avenue	Multifamily Housing (High-Rise) Supermarket	179 33.50	d.u. k.s.f.

Table 4-2. Related Projects

Project Number	Location	Project Description - Land Use	Intensity	Units
108	7901 W Beverly Boulevard	Multifamily Housing (High-Rise) Supermarket	71 11.45	d.u. k.s.f.
109	7002 W Clinton Street	Day Care Center Elementary School	120 60	Students Students
110	936 N La Brea Avenue	General Office Building Shopping Center	88.75 12.00	k.s.f. k.s.f.
111	960 N La Brea Avenue	Health/Fitness Club	58.42	k.s.f.
112	6701 W Sunset Boulevard	Multifamily Housing (High-Rise) Hotel Shopping Center Quality Restaurant High Turnover Sit-Down Restaurant	950 308 120.00 35.00 35.00	d.u. Rm k.s.f. k.s.f. k.s.f.
113	7219 W Sunset Boulevard	Hotel Shopping Center	93 2.80	Rm k.s.f.
114	7219 W Sunset Boulevard	Multifamily Housing (High-Rise) Shopping Center High Turnover Sit-Down Restaurant	219 20.00 10.00	d.u. k.s.f. k.s.f.
115	7300 W Hollywood Boulevard	Synagogue	—	—
116	7900 W Hollywood Boulevard	Multifamily Housing (Mid-Rise)	50	d.u.
117	7951 W Beverly Boulevard	Multifamily Housing (Mid-Rise) High Turnover Sit-Down Restaurant Shopping Center	57 6.29 1.14	d.u. k.s.f. k.s.f.
118	8000 W Beverly Boulevard	Multifamily Housing (Mid-Rise) Shopping Center	48 7.40	d.u. k.s.f.
119	8001 W Beverly Boulevard	High Turnover Sit-Down Restaurant General Office Building	22.60 11.358	k.s.f. k.s.f.
120	431 N La Cienega Boulevard	Multifamily Housing (Low-Rise)	72	d.u.
121	6535 W Melrose Avenue	Multifamily Housing (Mid-Rise) Shopping Center High Turnover Sit-Down Restaurant	33 2.321 2.64	d.u. k.s.f. k.s.f.
122	1403 N Gardner Street	Assisted Living	44	Beds
123	750 Edinburgh Avenue	Single Family Residential	8	d.u.
124	8000 W 3rd Street	Multifamily Housing (Mid-Rise) Affordable Housing (Family) Shopping Center	45 5 6.252	d.u. d.u. k.s.f.
125	7007 W Romaine Street	General Office Building High Turnover Sit-Down Restaurant	28.486 4.694	k.s.f. k.s.f.

Sources: City of West Hollywood 2021; City of Los Angeles 2021

Notes: d.u. = dwelling unit; s.f. = square feet; k.s.f. = 1,000 square feet of floor area; Rm = rooms

4.3 Cumulative Impact Analysis

For the purposes of this Revised Draft EIR (RDEIR), the revised project would have a significant cumulative effect if:

1. The cumulative effects of related projects (past, current, and probable future projects) are already significant and implementation of the proposed project makes a considerable contribution to the effect; or
2. The cumulative effects of related projects (past, current, and probable future projects) are not significant but the incremental impact of implementing the proposed project is substantial enough, when added to the cumulative effects of related projects, that a new a new cumulatively significant impact occurs.

The analysis that follows addresses whether, after adoption of project-specific mitigation, the residual impacts of the project would (1) contribute considerably to an existing/anticipated (without the project) cumulatively significant effect or (2) cause a new cumulatively significant impact.

4.3.1 Aesthetics

As explained in Section 3.1, Aesthetics, the revised project is one of several types of projects defined by the state whose aesthetic impacts shall not be considered significant impacts on the environment (PRC Section 21099(d)(1)). Nevertheless, for informational purposes for decision-makers this RDEIR includes an analysis of the project's aesthetic impacts based on the aesthetics thresholds in Appendix G of the CEQA Guidelines.

Visual Character/Quality

Development of the identified related projects would alter the visual environment in the City and in neighboring jurisdictions. In general, visual resource impacts of the related projects would be site-specific and would not be expected to combine with other projects in separate viewsheds to create a cumulative impact. However, related projects in close proximity to the project site would potentially result in cumulative impacts to visual resources when considered in combination with the proposed project.

Several related projects are located within close proximity of the project site. These projects consist of the following:

- 901 Ogden Drive (4 dwelling units), 909 Ogden Drive (6 dwelling units), 950 Ogden Drive (10 dwelling units), 1008 Ogden Drive (7 dwelling units), 1011 Ogden Drive (5 dwelling units), 1032 Ogden Drive (14 dwelling units), and 1153 Ogden Drive (6 dwelling units)
- 1150 Orange Grove Avenue (7 dwelling units), 1019 Orange Grove Avenue (9 dwelling units), 1150 Orange Grove Avenue (7 dwelling units), and 1200 Orange Grove Avenue (5 dwelling units)
- Additionally, along Santa Monica Boulevard, several larger-scale projects are planned in both the City of West Hollywood and the City of Los Angeles, including projects located at 7424 Santa Monica Boulevard, 7617 Santa Monica Boulevard, 7965–7985 Santa Monica Boulevard, 8555 Santa Monica Boulevard, 9001 Santa Monica Boulevard, and 9040 Santa Monica Boulevard.

Within the block containing the project site, the projects planned on Ogden Drive and Orange Grove Avenue, in combination with the revised project, would visually change the existing character in the immediate vicinity of the site. However, the projects on both Ogden Drive and Orange Grove Avenue are substantially smaller in scale and similar to the existing multi-family residential character of both of these residential streets.

Along the Santa Monica Boulevard corridor in the City, larger-scale mixed-use development are being proposed and/or constructed. As these projects are implemented, this is creating a more dense and urban character along the corridor. However, these related projects are all situated in an area that has already been subject to urban development. Land use intensification at these sites would not substantially degrade the visual character or quality of the viewshed.

Additionally, Santa Monica is a major transportation corridor and an area that the City recognizes to be a transit priority area. A transit priority area is defined in PRC Section 21099 to be the area within 0.5 miles of a Major Transit Stop, which is defined as the intersection of two or more bus routes with a frequency of service interval of less than 15 minutes during the morning and evening peak commute times (PRC Section 21064.3). In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, the analysis in the RDEIR makes no judgment of the significance of any possible impacts under CEQA. Similarly, aesthetic impacts for related projects in this transit priority area cannot be considered significant under CEQA.

As such, in accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Light

Cumulative effects of lighting are visible over a wide area, due to the potential for lighting from a number of projects to create skyglow. Nearby related projects would, in most cases, create additional sources of light, since many of the related projects increase the development intensity on their respective sites. However, the revised project and the related projects are located in a highly developed and already well-lit area. Skyglow is an existing condition of the greater Los Angeles metropolitan area that would not be substantially affected by the related projects. As such, the development of the related projects would not represent a substantial change in the lighting environment of the area to the extent that nighttime views that are currently available would become unavailable. As with the related projects, the revised project would involve additional lighting on site. All proposed lighting on site would be designed in accordance with the West Hollywood Municipal Code in order to prevent glare, light trespass, and sky glow as much as possible. All exterior lighting would be appropriately shielded and directed away from public rights-of-way and all signage would be designed in compliance with a Comprehensive Sign Program consistent with Section 19.34.070 of the City's Municipal Code. It is expected that the related projects would incorporate similar practices in their lighting design as the revised project, in compliance with the City's Municipal Code. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Glare

Development of related projects has the potential to create glare from reflective surfaces and nighttime lighting to the extent that such projects may cause visual contrast between lighting and nearby darker areas, such as the night sky. The design of the project and many of the related projects would include surfaces that are potentially reflective, such as windows and metals. The revised project and related projects may also create lit surfaces that protrude above the surrounding urban context. However, unlike lighting, which can be visible over a wide area, glare is more site specific. Residential areas separate the revised project from this project and other related projects within the cumulative impact area for aesthetics. As discussed above, the revised project would be required to comply with

West Hollywood Municipal Code Section 19.10.060 regarding the use of reflective materials, by incorporating clear, un-tinted glass at the street level commercial uses and along the façade. It is expected that related projects would incorporate similar practices in their use of materials as the revised project, in compliance with the City's Municipal Code. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

Shade/Shadow

Many of the related infill development projects involve smaller-scale residential developments in the area, either on already developed or vacant sites. Increases in height and/or massing would result at vacant sites relative to the structures that previously existed on the related project sites, which have the potential to create shade and shadow effects. Such effects are highly localized, since they are limited to the boundaries of the shade and shadows created by each new structure. As such, the related projects that could produce a cumulatively significant effect when combined with the revised project are limited to those within the immediate vicinity of the project site. However, the most proximate related projects (listed under the discussion on Visual Character/Quality) involve small-scale multifamily residential buildings. The closest related projects to the project site are the multifamily residential developments located at 1153 Ogden Drive, approximately 300 feet northeast of the project site, and the development at 1150 Orange Grove Avenue, approximately 300 feet north of the project site. A comparison of the locations of these related projects (shown on Figure 4-1) to the maximum extent of the project's shadows (shown in Figures 3.1-10 through 3.1-13) reveals that the project's shadows would not overlap with these nearby related projects, indicating that a combined shade/shadow effect would not be generated. In accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area as defined by this section, aesthetic impacts cannot be considered significant, and therefore, this analysis makes no judgment of the significance of any possible impacts under CEQA.

4.3.2 Air Quality

The geographic extent for the analysis of cumulative impacts related to air quality includes the Southern California Air Basin (SCAB). In analyzing cumulative impacts from the revised project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the SCAB is designated as nonattainment for selected air pollutants under the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). If a project's emissions would exceed the South Coast Air Quality Management District (SCAQMD) significance thresholds, it would be considered to have a cumulatively considerable contribution to nonattainment status in the SCAB. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (SCAQMD 2003).

The SCAB has been designated as a federal nonattainment area for O₃ and PM_{2.5} and a state nonattainment area for O₃, PM₁₀, and PM_{2.5}. The nonattainment status is the result of cumulative emissions from various sources of air pollutants and their precursors within the SCAB including motor vehicles, off-road equipment, and commercial and industrial facilities. Construction and operation of the project would generate VOC and NO_x emissions (which are precursors to O₃) as well as PM₁₀ and PM_{2.5}.

Construction Emissions

As discussed in Section 3.2, Air Quality, regional daily construction emissions during construction of the proposed project would not exceed the SCAQMD significance thresholds for VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5}. Accordingly,

cumulative impacts involving regional daily construction emissions would be less than significant and the revised project would not have a considerable contribution to the SCAB's nonattainment designation for O₃, PM₁₀, or PM_{2.5}.

Regarding localized criteria air pollutant impacts, the project would not exceed the SCAQMD localized significance thresholds for nitrogen dioxide (NO₂), CO, PM₁₀, or PM_{2.5}. Cumulative localized impacts would potentially occur if a construction project were to occur concurrently with another off-site project. Construction schedules for potential future projects near the project site are currently unknown; therefore, potential construction impacts associated with two or more simultaneous projects would be considered speculative. However, future projects would be subject to CEQA and would require air quality analysis and, where necessary, mitigation if the project would exceed SCAQMD thresholds. Criteria air pollutant emissions associated with construction activity of future projects would be reduced through implementation of control measures required by the SCAQMD. Cumulative PM₁₀ and PM_{2.5} emissions would be reduced because all future projects would be subject to SCAQMD Rule 403 (Fugitive Dust), which sets forth general and specific requirements for all construction sites in the SCAQMD. In addition, cumulative VOC emissions would be reduced because all future projects would be subject to SCAQMD Rule 1113 (Architectural Coating), which places limits on the VOC content of paint and other coatings. Additional SCAQMD rules that future cumulative projects would be required to comply with are discussed in Section 3.2, Air Quality (3.2.2, Local).

Regarding localized toxic air contaminant emissions, the project, with the implementation of mitigation, would result in a less-than-significant construction-related health risk impact, which evaluates the project's potential incremental cancer risk and chronic risk. In addition, diesel equipment used for the proposed project and the related projects would be subject to the CARB ATCM for in-use off-road diesel fleets, which would minimize diesel particulate matter emissions. Cumulative impacts involving localized effects of construction emissions on sensitive receptors would therefore be less than significant.

Operational Emissions

The project would generate operational VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions from mobile sources, including vehicular traffic generated by residents, hotel guests, commercial users, and visitors; area sources, including the use of consumer products, architectural coatings for repainting, and landscape maintenance equipment; and energy sources, including combustion of fuels used for space and water heating and cooking appliances. The net change in combined maximum daily area, energy, and vehicular source emissions would not exceed the SCAQMD operational thresholds for VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} at build-out of the project. As such, operation of the project would not cause or contribute considerably to an existing/anticipated cumulatively significant impact. During operation, cumulative impacts would therefore be less than significant.

4.3.3 Cultural Resources

Historical Resources

Development of related projects can affect historical resources if such projects adversely alter and/or demolish historical resources that may be interrelated, such as historical resources that are part of a historic district. Because all historical resources are unique and nonrenewable members of finite classes, projects that demolish or alter certain historical resources have the potential to erode a class of historical resources that could result in a cumulatively significant effect on historical resources.

No previously recorded historical resources were identified within the project area as a result of the records search. However, two previously unrecorded built environment resources were identified within the project area: the

commercial building at 7811 Santa Monica Boulevard (built in 1924), and a small multifamily residence (built in 1949) located at 1125–1127 N. Ogden Drive. As a result of the historic resources evaluations performed, both resources were found not eligible for listing in the California Register of Historic Resources and local landmark designation due to a lack of important historical associations and architectural significance, and compromised integrity. These buildings are not considered historical resources under CEQA. Further, there are no adjacent resources that would be indirectly impacted by the proposed project. Therefore, construction and operation of the proposed project would not cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5, and impacts are considered less than significant. Because no project-specific impacts to cultural resources would occur, the project would not contribute to, or result in cumulative impacts.

Archaeological/Paleontological Resources/Human Remains

Development of related projects could affect archaeological resources, paleontological resources, and/or human remains if such projects destroy or adversely affect such resources. This could happen, for example, if ground-disturbing activities during construction uncover buried resources, and such resources are significant but become destroyed, lost, or otherwise adversely affected during construction. This is most likely to occur where buried but previously unknown resources or remains exist. Such effects are highly localized, since they are limited to the boundaries of ground disturbing activities. As such, the related projects that could produce a cumulatively significant effect when combined with the proposed project are limited to those within the immediate vicinity where ground disturbing impacts could affect similar archaeological or paleontological resources or human remains.

As discussed in Section 3.3, Cultural Resources, no known archaeological resources or human remains have been identified on the project site. However, according to the records search results letter from the Natural History Museum of Los Angeles County (LACM), past construction-related grading and trenching activities in the area surrounding the project site encountered paleontological resources. Given the proximity of past fossil discoveries in the surrounding area and the underlying alluvial fan deposits, the project site is moderately to highly sensitive for supporting paleontological resources. In the event that intact paleontological resources are located on the project site, ground-disturbing activities associated with construction of the proposed project, such as grading during site preparation, have the potential to destroy a unique paleontological resource or site. Paleontological resources were discovered south of the project site, during construction of The Grove; from Park La Brea to the south; near the intersection of Third Street and Edinburgh Avenue; along San Vicente Avenue between Third Street and Colgate Avenue, southwest of the project site; and near the intersection of La Cienega Boulevard and Oakwood Avenue, west-southwest of the project site. As such, it is possible that at least some fossilized remains could be encountered during grading within the project site and grading for the related projects in this area. Mitigation measure MM-CUL-3 requires a Paleontological Monitor to temporarily halt and/or divert grading activity to allow recovery of paleontological resources in the event of a find.

Each of the identified related projects would undergo separate CEQA review. During the CEQA process, the potential presence or absence of known archaeological resources, paleontological resources, and/or human remains would be revealed through records searches, site surveys, and communication with Native American tribes. Further, related projects involving ground disturbance have the potential to uncover previously unknown archaeological resources, paleontological resources, and/or human remains during construction. Standard measures are typically applied to most ground-disturbing projects, usually as mitigation measures or conditions of approval, which require construction to be stopped in the vicinity of any archaeological resource, paleontological resource, and/or human remains that are discovered. Such measures or conditions of approval require involvement of a qualified archaeologist, paleontologist, and/or Native American monitor. State laws also protect human remains and require certain actions be taken if resources and/or remains are discovered. These standard measures and regulations

that are generally put in place for related projects would also apply to the revised project (MM-CUL-1 and MM-CUL-2). In addition, because the project site is located in an area likely underlain by fill materials, mitigation measure MM-CUL-3 would require Paleontological Monitor to temporarily halt and/or divert grading activity to allow recovery of paleontological resources in the event of a find. It is expected that other related projects in the area would implement similar standard mitigation measures, and additional measures if located in areas of known paleontological resources. As such, cumulative impacts to archaeological resources, paleontological resources, and human remains would be less than significant with mitigation incorporated.

4.3.4 Greenhouse Gas Emissions

Under CEQA, a project would have a significant cumulative impact caused by the combined impact of past, present, and probable future projects if its incremental impact represents a “cumulatively considerable” contribution to such cumulative impacts (14 CCR 15064(h)). As GHG emissions and climate change are a global issue, any project regardless of its location has the potential to contribute to a cumulative global accumulation of GHG emissions (as opposed to the relatively temporary nature of pollutants related to air quality). The geographic extent of the cumulative contributions to GHGs and climate change is worldwide. However, lead agencies are only able to regulate GHG emissions within their respective jurisdictions; therefore, the geographic extent is primarily contingent upon the area over which lead agencies have authority. As such, the geographic extent for the purposes of the project is the City.

The SCAQMD has not adopted recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of development projects.

While the project would result in emissions of GHGs during construction and operation, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. However, it is generally the case that an individual project is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective (CAPCOA 2008). As indicated in Section 3.4, Greenhouse Gas Emissions, the project would result in an increase in GHG emissions relative to existing conditions. However, implementation of the project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Projects included in Table 4-2, Related Projects, also would be required to demonstrate compliance with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, such as the City’s Climate Action and Adaptation Plan (CAAP). The project was found to be consistent with the City’s CAAP to reduce GHG emissions. Additionally, the project would be constructed and designed in accordance with the City’s Green Building Ordinance which would include implementing energy efficient systems and appliances, installing a photovoltaic system, installing low-flow plumbing fixtures, and using water efficient irrigating systems. Furthermore, several statewide GHG reduction measures would reduce GHG emissions associated with motor vehicles and electrical generation over time. For these reasons, and as described in detail in Section 3.4, the project would not result in a significant GHG impact and would not create a considerable contribution to a cumulative impact. Cumulative GHG impacts are therefore less than significant.

4.3.5 Hazards and Hazardous Materials

Transport, Use, or Disposal of Hazardous Materials

Construction of the revised project and related projects would involve the transport, use, and disposal of hazardous materials such as fuels and lubricants, in association with construction vehicles and equipment. However, such materials are not considered acutely hazardous and are routinely used during construction throughout the City and neighboring jurisdictions. Furthermore, there are regulations governing the use of hazardous materials with which the revised project and related projects would be required to comply. As a result, development of the revised project and the related projects would occur in accordance with adopted plans and regulations. Further, none of the related projects in close proximity to the project site involve a site that is identified as containing hazardous materials. For these reasons, the transport, use and disposal of hazardous materials typical during the construction process by the project and the related projects would not result in a significant cumulative impact. Through compliance with applicable regulations, cumulative impacts would be less than significant.

Operation of the revised project and related projects would involve transport, use, and disposal of potentially hazardous materials. The related projects in the immediate vicinity of the revised project consist of residential, mixed-use, and commercial projects. As such, hazardous materials used by the revised project and related projects would generally be limited to materials associated with janitorial, maintenance, and repair activities (i.e., commercial cleaners, lubricants, or paints), and household cleaning supplies. Use of these materials would be limited, and transport, storage, use, and disposal of these materials would be subject to federal, state, and local health and safety requirements. As a result, development of the revised project and the related projects would occur in accordance with adopted plans and regulations. None of the related projects in close proximity to the project site would involve the routine use, storage or transport of hazardous materials beyond those typical of residential and business uses. For these reasons, the transport, use and disposal of hazardous materials typical during business and residential operations would not result in a significant cumulative impact. Through compliance with applicable regulations, cumulative impacts would be less than significant.

Release of Hazardous Materials

The release of hazardous materials to the environment could occur in association with the use, transport, or disposal of such materials, which is addressed above. Additionally, the release of hazardous materials can also occur during excavation of contaminated soils on site and during demolition of buildings containing asbestos-containing material (ACM), lead-based paint (LBP), and/or other hazardous building materials. Because many of the related projects are infill development, some may involve demolition and/or renovation of buildings containing hazardous building materials. As identified in Section 3.5, Hazards and Hazardous Materials, excavation activities on the project site are not anticipated to result in releases of hazardous materials into the environment. Further, existing buildings on the project site also have the potential to contain ACM and LBP. However, as discussed in Section 3.5, there are local, state, and federal laws that govern the removal of such substances and the proper treatment of contaminated soils. Compliance with these laws would prevent the release of ACM, LBP, and/or other hazardous building materials resulting from demolition on the project site, and the sites of related projects in the immediate vicinity, and prevent releases of hazardous materials from soils on the project site or related project sites into the environment. Through compliance with these applicable regulations by the revised project and related projects, cumulative impacts would be less than significant.

Hazardous Materials Near Schools

The project site is immediately adjacent to Fountain Day School, a private preschool. This school is located immediately north of the project site along Orange Grove Avenue. Other schools in the surrounding vicinity, but greater than 0.25 miles from the project site, include Laurel Span Elementary School, Beverly Hills Montessori School, ABC Little School, Larchmont Charter School, and Fairfax Senior High School. As discussed above, the revised project would adhere to all existing requirements and regulations during construction and operations. Compliance with these laws would prevent the release of ACM, LBP, and/or other hazardous building materials resulting from demolition on the project site, and the sites of related projects in the immediate vicinity, and prevent releases of hazardous materials from soils on the project site or related project sites into the environment. Through compliance with these applicable regulations by the revised project and related projects, cumulative impacts would be less than significant.

4.3.6 Noise

Due to the localized nature of noise impacts, the analysis of cumulative noise impacts focuses on the related projects located within the immediate vicinity of the project site. There are several related projects located nearby, as detailed below.

- **1150 Orange Grove Avenue** – a multifamily residential development, located 300 feet north of the proposed project site
- **1153 Ogden Drive** – a multifamily residential development project, located 300 feet northeast of the proposed project
- **1011 Ogden Drive** – a multifamily residential development project, located 650 feet south of the proposed project
- **French Market Project (7965–7985 Santa Monica Boulevard)** – a mixed-use development project located 1,300 feet west of the project site

The revised project and the related projects would all be subject to applicable noise standards (see Section 3.6, Noise, for a description of the standards applicable in the City of West Hollywood). Cumulative impacts related to temporary increases in ambient noise, permanent increases in ambient noise, and vibration impacts are discussed below.

Temporary/Periodic Increases in Ambient Noise Levels

The revised project would result in temporary noise increases during the construction period. The revised project's construction period would have the potential to overlap with the related projects' construction processes. As such, the revised project and the nearby projects listed above would have the potential to create a cumulatively significant temporary or periodic increase in ambient noise levels. However, there are physical barriers (buildings, etc.) and significant distance between most of the related projects and the project site, which would limit the potential for cumulative noise impacts during construction. The closest related projects to the project site are the multifamily residential developments located at 1153 Ogden Drive, located approximately 300 feet northeast of the project site, on the north side of Santa Monica Boulevard, and the development at 1150 Orange Grove Avenue, located approximately 300 feet north of the project site, on the north side of Santa Monica Boulevard. However, due to the distance of these projects to the project site, and the small size of these projects, limited construction-related (i.e., temporary) cumulative noise impacts are expected to occur as a result of this project in combination with the nearby projects.

As described in Section 3.6 of this RDEIR, anticipated construction noise level increases of the revised project as experienced by the nearest sensitive receptors would range between 21 to 30 dBA L_{eq} above ambient levels. Thus, the project would exceed the 10 dBA temporary noise increase threshold. With incorporation of mitigation measures MM-NOI-1 through MM-NOI-5, these construction-related noise effects of the revised project would be reduced to a level of less than significant.

Due to the type of development, construction fleet and type of activities for nearby related projects, such as 1153 Ogden Drive and 1150 Orange Grove Avenue, would be much smaller scale when compared to those of the revised project. In the event that construction of the revised project and these two nearby projects were to occur simultaneously, it is possible that sensitive receptors such as nearby residences and Fountain Day School could experience increased noise levels from simultaneous operation of construction equipment. However, the noise impacts would be localized, and the magnitude of impacts would be highly dependent on the location and type of the construction equipment at each site.

As explained in Section 3.6, mitigation measures MM-NOI-1 through MM-NOI-5 would be applied to the revised project to reduce construction-related noise effects to below a level of significance. MM-NOI-1 and MM-NOI-2 capture and refine the construction noise controls by carefully outlining how construction would be done to reduce impacts to adjacent noise-sensitive receptors, including the installation of an enhanced temporary barrier for noise and dust control. MM-NOI-3 requires construction noise control efforts such as ensuring that equipment is fitted with effective mufflers, shutting off idling equipment, placing stationary equipment and staging areas as far as practical from noise sensitive receptors, and using temporary barriers around individual equipment generating particularly high noise levels. MM-NOI-4 provides further requirements for noise reduction in regard to stationary construction equipment and the placement of temporary sound blankets or exterior sheathing at upper floors to reduce construction noise at the adjacent preschool. MM-NOI-5 specifies construction noise monitoring and reporting requirements. Considering Municipal Code restrictions, and with implementation of MM-NOI-1 through MM-NOI-5, temporary construction-related noise impacts would be reduced to less than significant with mitigation. In the event construction of the nearby residential projects were to occur simultaneously with the revised project, there is the potential for significant noise impacts. However, due to the temporary and sporadic nature of these noise impacts, and with implementation of the project's noise mitigation measures, cumulative noise impacts would be reduced to less than significant.

Permanent Increase in Ambient Noise Levels

Development of the revised project in combination with related projects would generally increase the land use intensity in the project vicinity, resulting in increased ambient noise levels. At the project site, long-term operational noise would result from operation of the revised project such as noise from residences, hotel operations, retail uses (art gallery), dining, proposed subterranean garage, conversations from people gathering in the project's outdoor areas, the use of outdoor amplified sound systems in the project's outdoor areas, and other on-site noise sources.

As discussed above, several related projects are located in proximity of the revised project. All of these projects are situated such that there are intervening buildings and major roadways between the revised project and the respective related project sites. The two closest related projects (1153 Ogden Drive and 1150 Orange Grove Avenue) are located approximately 300 feet from the project site. The project site is separated from these two nearby related projects by small intervening buildings. These intervening structures, as well as distance between the project site and these related projects, would reduce the potential for on-site noise sources from the project to combine with those from the related projects to create a cumulative effects on the nearby Fountain Day School and

adjacent residences. Further, the two related projects would consist of small residential developments in an already developed residential area and thus are not expected to add substantial noise levels above existing conditions.

To ensure that noise levels from the revised project do not exceed applicable thresholds such that significant noise impacts would occur, mitigation measures MM-NOI-6 and MM-NOI-7, which require restrictions for loading dock hours and restrictions and calibrations on the outdoor amplification system, are required. The related projects would be required to comply with City noise standards, such as compliance with the City's Noise Control Ordinance. Implementation of mitigation measures MM-NOI-6 through MM-NOI-8 would reduce the revised project's contribution to potential cumulative impacts involving a permanent increase in ambient noise levels attributable to on-site noise sources. Due to compliance with the City's Noise Control Ordinance and implementation of project-specific mitigation measures when required, cumulative impacts would be less than significant with mitigation incorporated.

Off-Site Traffic Noise

The project would generate traffic along adjacent roadways including Santa Monica Boulevard, Ogden Drive, Fairfax Avenue, Genesee Avenue and Orange Grove Avenue. Although related projects would also increase traffic, the related projects located within the closest proximity to the project site are small scale residential developments that would not contribute to a substantial increase in vehicle trips. Furthermore, as shown in Table 3.6-9, Traffic Noise (Existing and Cumulative-Plus-Project Noise Levels), in Section 3.6, Noise, of the RDEIR, cumulative with project conditions were already reflected in the impacts. As shown in this table, no significant increases in noise would result under the Cumulative-with-Project scenario. As such, increases would be below the significance threshold of 5 dB and cumulative impacts would be less than significant.

Vibration

The revised project and related projects may generate vibration during the construction process. Ground vibration generated by construction equipment spreads through the ground and diminishes greatly in magnitude with increases in distance, on the order of approximately 25 feet. Since none of the related projects are located within 25 feet of the revised project, cumulative vibration impacts would not occur. Thus, due to the distances between the project and the related projects, and the brief and sporadic nature of vibration-causing construction activities, cumulative impacts related to vibration would be less than significant.

4.3.7 Public Services

Fire and Police

Development of the revised project in combination with related projects in the City of West Hollywood would generally increase the land use intensities in the City. Incremental increases in land use intensity that would be caused as the related projects are developed could lead to incremental increases in the number of calls for fire and police protection services. As discussed in Section 3.7, Public Services, the project site would be served by Los Angeles County Fire Department (LACFD) for fire protection services and the Los Angeles County Sheriff's Department (Sheriff's Department) for police protection services. The revised project and related projects would be required to be developed in accordance with applicable fire codes and emergency access requirements (Section 3.7 includes a list with a number of these requirements that apply to the revised project). Compliance with these requirements would help prevent and/or ameliorate fire emergencies (automatic sprinkler systems and fire alarms) and would help facilitate more expedient emergency response (adequate fire flows, turning radii, width of emergency accesses). Further, the revised project and related projects are infill projects and therefore involve

replacement of existing structures with new structures. New structures are subject to modern and more stringent standards for fire protection. As such, infill projects generally result in development of structures that are less likely to cause or contribute to an urban fire hazard when compared with structures that were built in accordance with outdated fire protection requirements. Development of the revised project and related infill projects would incrementally reduce the potential for urban fire hazards within the City. Additionally, LACFD reviews fire station placement and fire services through its annual budget process, and resources are expanded or reassigned as necessary to meet increases in service demands.

Similarly, the revised project has been designed to improve public safety and alleviate any potential increases in demands for police services that may occur as a result of increasing the land use intensity of the site. As described in Section 3.7, temporary security measures would be put in place during construction at the project site. During operation, the project site would have security gates to separate ground level parking available for commercial users from basement parking utilized by hotel guests and building residents below. These aspects of the project would reduce the demand for police protection services at the project site by increasing user safety. It is expected that related projects in the City of West Hollywood would incorporate similar design elements that would reduce each project's incremental effect on police services by preventing emergencies and facilitating expedient access and response. Further, the Sheriff's Department evaluates its service needs on an annual basis to keep pace with projected growth.

In addition to facilities planning efforts routinely conducted by the Sheriff's Department and the LACFD, the City's General Plan EIR dictates that the City must coordinate with service providers to evaluate the level of fire and police service provided to the community and to continue to use state-of-the-art techniques and technology to enhance public safety, assess adequacy, and plan for upgrades during updates to the Capital Improvement Program and updates to the City's Operating Budget (see General Plan Mitigation Measure 3.12-2) (City of West Hollywood 2010). These requirements ensure that the City is evaluating service providers and ensuring that services are keeping pace with incremental infill development. There are currently no plans for new or expanded facilities.

Payment of development fees by the revised project and all related projects would offset the costs of increased service needs as necessary and would ensure that performance objectives for fire and police services are not substantially affected by incremental increases in land use intensity within service areas. Due to the facilities planning efforts of the City and the police and fire service providers, required payment of requisite development fees, and compliance with modern performance standards, cumulative impacts would be less than significant.

Schools

The need for new school facilities is typically associated with an increase in residential population and housing. The revised project would involve construction of 95 new residential units in the City. Utilizing the state's Student Yield Factor for Unified School Districts, the project is expected to generate approximately 39 new students. Utilizing the City of West Hollywood 2035 General Plan EIR, the project would generate approximately 29 new students (City of West Hollywood 2010). Several of the related projects in Table 4-2 also involve residential development. However, each related project would undergo CEQA review. In addition, per California Code Section 65995, developer fees paid to the LAUSD, the provider of school services within the City, by the revised project or related project developers would offset impacts to schools from increased student enrollment. As such, cumulative impacts would be less than significant.

4.3.8 Transportation

Conflicts with Plan, Policy, or Ordinance

As discussed in Section 3.8, Transportation, the revised project is consistent with the City's General Plan 2035 Mobility Element and 2017 Pedestrian and Bicycle Mobility Plan. Development of the revised project in combination with related projects is anticipated to increase the use of transit, bicycle, and pedestrian facilities in the area because the projects would increase land use intensity and would include design elements that encourage increased use of alternative transportation. With the adoption of Senate Bill 743 and a VMT metric for evaluating transportation impacts under CEQA, at the local and regional level, increased use and enhancement of alternative transportation modes is being encouraged and successfully implemented. Infill and redevelopment projects, such as the revised project and most if not all of the related projects, are anticipated to increase the use of alternative transportation modes by developing services and residential dwellings within the vicinity of existing and future alternative transportation facilities. Development in the area, including the revised project and related projects, would be required to comply with applicable adopted policies, plans, or programs regarding public transit, roadway, bicycle, and pedestrian facilities. Due to the infill nature of the proposed project and related projects, the urbanized nature of the project area and existing access to high-quality transit facilities, as well as required compliance with applicable plans and policies pertaining to transit, roadway, bicycle and pedestrian facilities, cumulative impacts would be less than significant.

Vehicle Miles Traveled

The City has adopted the Governor's Office of Planning and Research (OPR) guidance and the CEQA Guidelines section 15064.3 and considers a development project to not have a significant impact on transportation if said project is located within 0.5 mile of an existing transit stop¹ or an existing high-quality-transit corridor.² Per SCAG and Metro, the entire City of West Hollywood is within a high-quality transit area. Per SCAG's 2016 Regional Transportation Plan, West Hollywood is designated as a low VMT area. Due to the dense and diverse mix of uses in the City, high walkability, and frequent transit services including Metro and local shuttle services, the City is performing above average in terms of VMT and most projects in the City can be presumed to have a less than significant VMT impact. Any proposed development in the City that does not screen out for VMT analysis and has a significant impact would be required to implement VMT reduction measures to reduce its VMT by 15 percent below the existing baseline VMT. Therefore, cumulative impacts related to VMT would be less than significant.

Hazardous Design Feature or Incompatible uses

The revised project would result in an increase in the number of vehicles that enter and exit the project site. As mentioned in Section 3.8, Transportation, of this RDEIR, three driveways would provide access to the site: one full-movement driveway on Orange Grove Avenue, one full-movement, residential-only driveway on Ogden Drive, and an ingress-only driveway on Santa Monica Boulevard. The three driveways would be designed per City standards and the project would not add incompatible uses to the project area. Additionally, implementation of PDF-TRANS-1 and PDF-TRANS-2 would reduce project traffic along Fountain Avenue.

¹ Per Pub. Resources Code, § 21064.3, a major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

² Per Pub. Resources Code, § 21155, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

The proposed project and immediately adjacent projects could lead to an overall increase in pedestrian activity in the area. While the increased traffic and pedestrian activity associated with related projects may combine to increase overall pedestrian hazards in the area, the proposed project is not expected to significantly exacerbate any pedestrian hazards in the area. Overall, the existing sidewalk network, traffic signals at major intersections, and the pedestrian-oriented nature of the project and surrounding neighborhood provide a safe local pedestrian travel network. The City has also improved the street block along Santa Monica Boulevard by replacing two crosswalks (at the west leg of Orange Grove Avenue and at the east leg of Ogden Drive) with a single marked crosswalk with a signal, which improves pedestrian visibility to vehicles. The new crosswalk is augmented with a curb extension on its north end and is located equidistant between Orange Grove Avenue and Ogden Drive (south jog). In addition, the applicant would be required to prepare a safety plan as part of the project's conditions of approval for the issuance of a conditional use permit for a hotel. As such, the proposed project in combination with nearby related projects would not increase roadway hazards or add incompatible uses, and cumulative impacts would be less than significant.

4.3.9 Utilities and Service Systems

Water Supply

Development of the revised project in combination with related projects would increase land use intensities in the area, resulting in increased water usage. The revised project and related projects would be served by the Los Angeles Department of Water and Power (LADWP) or the City of Beverly Hills. Because the project site is within LADWP's service area, this analysis focuses on those related projects served by LADWP. Development of the revised project and related projects would increase the amount of water used in the LADWP's service area. The LADWP Urban Water Management Plan states that the total annual water demand in LADWP's Service Area in 2015 was over 500,000 acre-feet. This equates to approximately 162 billion gallons per year, or 446 million gallons per day. The LADWP Urban Water Management Plan states that LADWP and other water agencies in Southern California have planned for provision of regional water for the growing population, including drought scenarios for its service area. The plan includes a new water demand forecast prepared for the major categories of demand, and uses regional population, demographic projections, the dry climate, and historical water use to develop these forecasts. In addition, the revised project and many related projects are likely to be urban infill/redevelopment in nature. As such, the level of water usage for many of the related infill development projects would involve smaller-scale residential developments in the area, either on already developed or vacant sites. As such, the related projects have the potential to alter the existing land use environment due to infill development at increased densities or conversion of land uses. However, related projects would be subject to applicable zoning and land use designations and environmental review. The related projects primarily include retail/commercial, residential, hotel, office, and recreational uses within areas that, on a general basis, are already developed with such uses. As such, these related projects would occur as urban infill within the context of existing land use projects and would not be expected to substantially alter existing land use patterns in the area. Due to the revised project and related project's consistency with land use and other growth projections, such projects are not anticipated to result in significant impacts to water supply planning. Projects that are inconsistent with the applicable land use plans and/or those that exceed growth projections may require individual analysis (e.g., a water supply assessment) to determine whether adequate water supplies are available.

As such, to the extent that related projects are generally consistent with regional growth patterns and projections, the projects would not be expected to result in increased water usage causing the need for new entitlements, resources, and/or treatment facilities that are not already being planned to accommodate regional growth forecasts. The City of Los Angeles also has an Integrated Water Resources Plan (IRP), which includes capital

improvement programs for wastewater and stormwater, and a recycled water master plan. The IRP allowed the City of Los Angeles to develop a vision for meeting 2020 needs in a more cost-effective and sustainable way, by addressing and integrating all its water resources (LADWP 2015). Further, in response to dry conditions affecting the City's imported water supplies, the City of Los Angeles prepared the Sustainable City Plan (pLAn), calling for a 20% reduction in water use by 2017 and 25% by 2035 (LADWP 2015).

The revised project, in combination with cumulative development listed in Table 4-2 within LADWP's service area, would meet this 25% reduction in water use by 2035 through water conservation methods. For projects located in the City of West Hollywood, the Infrastructure, Resources, and Conservation (IRC) Element of the General Plan requires a 40% less than baseline conditions for all new buildings, with the exception of single-family homes. The IRC Element also requires a reduction in water consumption for outdoor landscape irrigation, consistent with the most recent City policy. For projects located in the City of West Hollywood and City of Los Angeles, the LADWP's integrated water resources management approach includes development of additional local supplies to reduce dependence on purchased imported supplies based on recommendations from prior program-level planning initiatives. This includes consideration of recycled water, groundwater system improvements, stormwater capture, and studies of conservation potential. In addition to the circumstances already considered in the UWMP, the revised project and related cumulative projects would implement sustainable design features that would reduce water use during operation compared to traditional building and operational practices.

Lastly, compliance with the California Green Building Code would be required for new development. For redevelopment projects, this generally indicates that newly installed appliances and plumbing would be more efficient than those used within the structures originally located on redevelopment sites. In addition, California Green Building Code standards require mandatory reduction in outdoor water use, in accordance with the California Department of Water Resources' Model Water Efficient Landscape Ordinance. This would ensure that many of the related projects, as well as the revised project, do not result in wasteful or inefficient use of limited water resources and may, in fact, result in an overall decrease in water use per person.

Due to water planning efforts, water conservation standards, and the urban infill/redevelopment nature of the revised project and many of the related projects, cumulative impacts to water supply would be less than significant.

Wastewater

The revised project and each related project listed in Table 4-2 would incrementally increase the amount of wastewater that is being generated in the area. However, as described in Section 3.9, Utilities and Service Systems, the existing sewer lines that serve the project site have the capacity to convey the estimated peak flow generated from the revised project (more than 50% inclusive of the proposed project). As described in Section 3.9, flow monitoring radars were installed to collect data and evaluate potential impacts. The City's Engineering Division confirmed no related projects with a potential substantial impact to wastewater flow have been added to this line since the conditions were evaluated in 2014. For informational purposes, in the event that a related project with the potential to substantially impact wastewater flow were to be proposed and/or approved, the City would require the related project to perform a live flow monitoring study subject to plan check review. Impacts would be less than significant.

Solid Waste

Development of the revised project in combination with related projects would increase land use intensities in the area, resulting in increased solid waste generation in the service area for landfills used by the City's waste provider. However, the revised project and related projects are urban infill and/or redevelopment projects. As such, solid

waste is already being generated at the project site and the majority, if not all, of the related project sites. Further, Assembly Bill 939, or the Integrated Waste Management Act of 1989, mandates that cities divert from landfills 50% of the total solid waste generated to recycling facilities. In order to maintain state requirements of diverting 50% of solid waste and to offset impacts associated with solid waste, the revised project and all related projects would be required to implement waste reduction, diversion, and recycling during both demolition/construction and operation. (Specifically, during construction, the City requires diversion of 80% of construction and demolition waste.)

In 2021, the City of West Hollywood adopted the CAAP, which is an update to the City's 2011 Climate Action Plan. The CAAP sets a target of achieving community-wide carbon neutrality by 2035. The CAAP includes 20 climate measures and 60 sub-actions, organized into five categories (City Leadership and Governance, Energy, Transportation and Mobility, Zero Waste, and Climate Resilience). The CAAP includes two measures aimed at reducing solid waste such as those from businesses in the City via the WeHo Green Business Program and the development of organic waste reduction requirements in accordance with CalRecycle mandates (Senate Bill 1383).

Through compliance with City and state solid waste diversion requirements and due to the recycling collection features that would be part of the revised project design and the design of many typical urban infill projects, cumulative impacts would be less than significant.

Electric Power, Natural Gas, and Telecommunication

The cities of West Hollywood and Los Angeles are built out and upgrades in electrical power, natural gas, and telecommunication capabilities are anticipated primarily due to development in the form of revitalization of outdated or underserved areas, and redevelopment of specific properties that will increase density and require more sophisticated technology, such as the proposed project. However, such upgrades would generally be confined to the lateral connections to the individual project sites and not any centralized facilities. Upgrades to centralized power, natural gas, and telecommunication facilities would be determined by each of the power, gas, and telecommunications providers, as build-out continues within the region. Individual projects would be required to provide for the needs of their projects. As a result, cumulative impacts associated with upgrades of electric, natural gas, and telecommunication facilities would not be cumulatively considerable. Impacts would be less than significant, and no mitigation is required.

4.3.10 Energy

The revised project and related projects would incrementally increase energy demand in the area. As described in Section 3.10, Energy, there are numerous requirements that apply to the proposed project and to related projects which would reduce energy demand of new development and redevelopment in the area. For example, all future projects, including the revised project, would be required to meet the applicable California Building Energy Efficiency Standards. The current California Building Energy Efficiency Standards became effective on January 1, 2020, and are referred to as the 2019 Title 24 Building Energy Efficiency Standards. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the prior 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards. Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (see Section 3.10 for details). As described in Section 3.10, although electricity and natural gas consumption would increase at the project site due to the implementation of the revised project, the project would comply with the City's mandatory green building ordinance through implementing energy-efficiency measures. It should be noted that although the revised project must meet these

standards, it also exceeds standards in certain categories. For example, the revised project is expected to exceed energy standards set by Title 24 by 5%, and the revised project is expected to result in a decrease in annual natural gas usage per square foot when compared to the existing site conditions due to increased efficiency. Due to the urbanized nature of the City and surrounding areas, many of the related projects are expected to result in a similar pattern—while the overall use of electricity and natural gas on the site increases, the energy use per square foot is expected to decrease due to compliance with modern standards and incorporation of modern technologies and design standards. A development pattern of increased density combined with increased efficiency is less energy intensive when compared with new development located on previously undeveloped land away from urban centers. As such, while the revised project and related projects would result in increasing energy consumption in the region, they would also result in increased energy efficiency. During construction, the revised project and related projects would require petroleum for off-road equipment, truck trips, and worker vehicle trips. However, construction of the revised project and related projects would be temporary. Therefore, based on the foregoing analysis, cumulative energy impacts would be less than significant.

4.3.11 Land Use and Planning

Cumulative land use impacts would result from projects that contribute to development that is inconsistent with applicable plans or incompatible with existing or planned uses. The related projects have the potential to alter the existing land use environment due to infill development at increased densities or conversion of land uses. However, related projects would be subject to applicable zoning and land use designations and environmental review. The related projects primarily include retail/commercial, residential, hotel, office and recreational uses within areas that, on a general basis, are already developed with such uses. As such, these related projects would occur as urban infill within the context of existing land use projects would not be expected to substantially alter these patterns. Therefore, the revised project and related projects would not combine to create considerable impacts related to land use plans, policies, or regulations, and impacts would be less than significant.

4.3.12 Tribal Cultural Resources

The cumulative impacts analysis on tribal cultural resources (TCRs) considers whether impacts of the revised project together with related projects within the vicinity of the project site, when taken as a whole, would substantially diminish the number of TCRs within the same or similar context. There are no known TCRs on the project site, and as such, the project site is not part of an existing or known grouping of TCRs that would be impacted as part of the cumulative impacts of other projects. It is anticipated that TCRs that are potentially affected by related projects would also be subject to the same requirements of CEQA as the revised project and any impacts would be mitigated, as applicable. These determinations would be made on a case-by-case basis, and the effects of cumulative development on TCRs would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Therefore, the revised project would not cumulatively contribute to a significant impact associated with TCRs and impacts would be less than significant.

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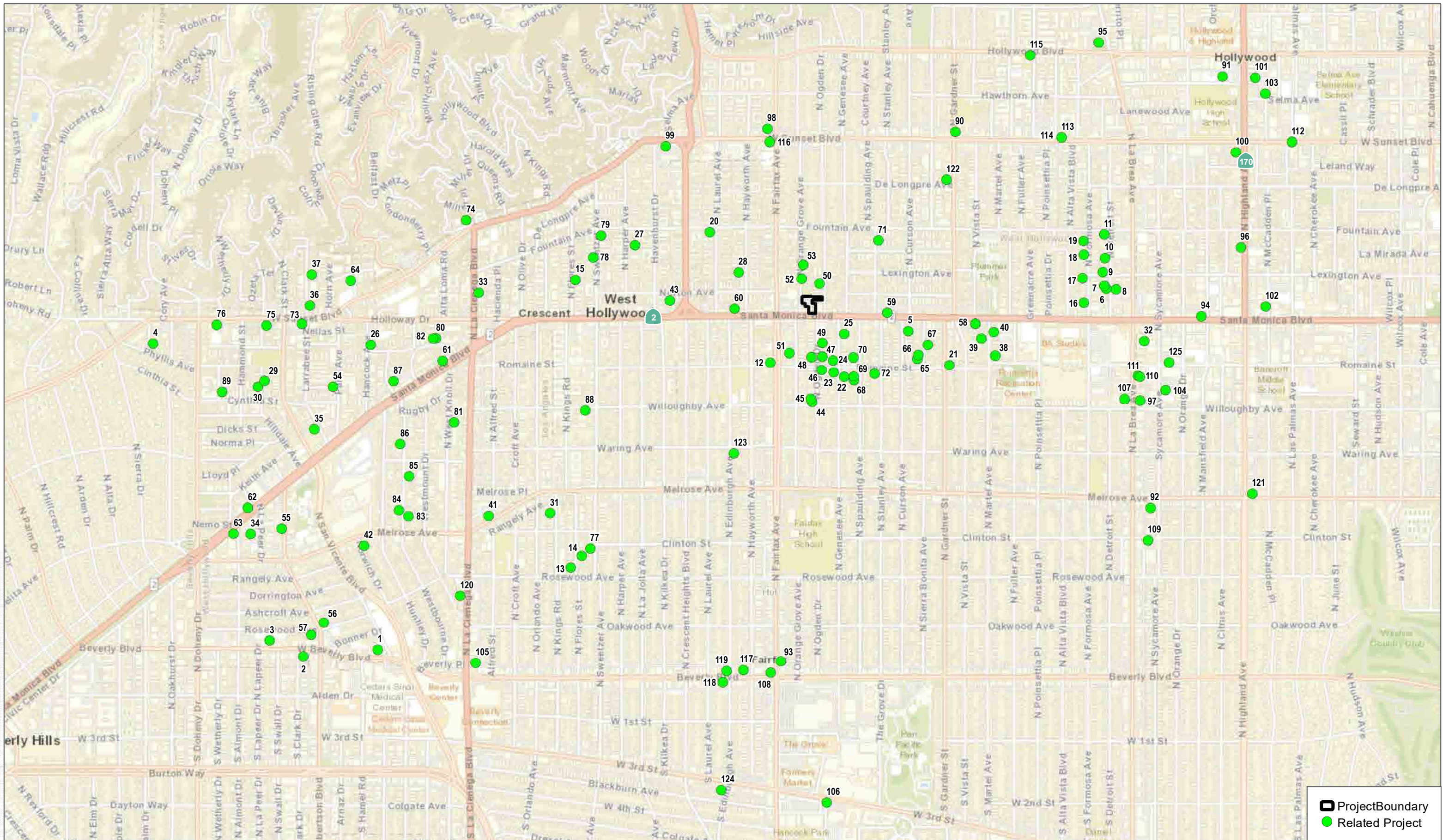
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SOURCE: Esri World Street Map 2021



FIGURE 4-1
Related Projects Locations
 The Bond Project

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5 Other CEQA Considerations

5.1 Significant Unavoidable Environmental Impacts

This section is prepared in accordance with Section 15126.2(b) of the CEQA Guidelines, which requires the discussion of any significant environmental effects that cannot be avoided if a project is implemented. These include impacts that can be mitigated but cannot be reduced to a less than significant level. An analysis of environmental impacts caused by the revised Bond Project ("proposed project" or "revised project") has been conducted and is contained in this Revised Draft EIR (RDEIR). When the Draft EIR was initially circulated for comment, ten issue areas were analyzed in detail in Chapter 3. During the 55-day circulation of the Draft EIR, a number of comments were received about land use and planning as well as tribal cultural resources and other topics. To respond to those comments additional analysis was required. Additionally, the applicant proposed certain revisions to the project that are described in Chapter 2, Project Description. Accordingly, the City determined that a revised draft EIR needed to be prepared and recirculated for public review of the updated analyses. As such, this RDEIR is being recirculated and now includes a description and analysis of the revised project as well as two new sections: 3.11, Land Use and Planning, and 3.12, Tribal Cultural Resources. No significant unavoidable impacts are identified within these two new sections. According to the environmental impact analysis presented throughout Chapter 3 of this RDEIR, the revised project would result in no significant unavoidable adverse impacts.

5.2 Effects Found Not to Be Significant

Section 15128 of the CEQA Guidelines requires a statement that briefly indicates the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. As stated in the CEQA Guidelines, such a statement may be contained in an attached copy of an Initial Study. While the project design differed in some ways at the time of the Initial Study (October 2016), the overall development parameters (project location, land use types, maximum building height, and total square footage) have remained the same or similar, such that the conclusions from the Initial Study are still applicable for the revised project.¹ Therefore, the Initial Study serves as the basis for scoping the issues evaluated in this RDEIR and is included in Appendix A to this document. As described and substantiated in Appendix A, the following issue areas were not found to be significant and are not further analyzed in this RDEIR: agriculture and forestry resources, biological resources, geology and soils, hydrology and water quality, mineral resources, population and housing, and recreation. While Appendix A also identifies land use and planning impacts as less than significant, at the request of the Planning Commission and the community, this RDEIR includes a section devoted to land use and planning. In addition, the 2016 Initial Study did not include Tribal Cultural Resources because this topic area was not included within the Appendix G checklist of the CEQA Guidelines at that time. However, the topic of Tribal Cultural Resources has since been added to the Appendix G checklist and is thus included herein, as Section 3.12, Tribal Cultural Resources.

¹ The revised project that is studied in this RDEIR is similar to the project as analyzed in the Initial Study. The same land use types are proposed, the project location remains the same, and maximum building height is the same. The revised project has a slightly reduced total building square footage relative to the version of the project analyzed in the Initial Study, which may indicate that some of the conclusions in the Initial Study are conservative.

5.3 Significant Irreversible Environmental Changes

Section 15126.2(c) of the CEQA Guidelines requires that an EIR analyze the extent to which the revised project's primary and secondary effects would impact the environment and commit nonrenewable resources to uses that future generations will not be able to reverse. Nonrenewable resources that would be used on site during construction and operation include natural gas, other fossil fuels, water, concrete, steel, and lumber. The revised project would result in the commitment of such resources. (The revised project's energy consumption is discussed in greater detail in Section 3.10 of this RDEIR.)

Electricity is provided to the project site by Southern California Edison (SCE). SCE serves approximately 180 cities in 11 counties across Central and Southern California. SCE's electrical energy generation sources include natural gas, coal, nuclear, renewable energy (geothermal, small hydroelectric, solar, and wind), and large hydroelectric facilities (City of West Hollywood 2010). The Southern California Gas Company provides the City with natural gas service. The company's service territory encompasses approximately 20,000 square miles and more than 500 communities. A gas company service yard is within the City limits, adjacent to the West Hollywood Gateway Center on Formosa Avenue at Romaine Street. Water service is provided by the Los Angeles Department of Water and Power (LADWP). The Los Angeles Aqueduct, local groundwater, and supplemental water purchased from the Metropolitan Water District of Southern California (MWD) are the primary sources of water supply for the portion of the City of West Hollywood (City) containing the project site. As stated in the City's General Plan, water supply from MWD via the LADWP is more uncertain now than in the past due to potential climate change effects and currently hydrologic conditions in northern California. These entities that supply the project site with resources are subject to a variety of policies that require reductions in resource usage and/or reductions in emissions. Examples include the California Renewables Portfolio Standard, AB 939, SB 1374, and the requirement to prepare Urban Water Management Plans.

While the City does not have direct jurisdiction over the utilities that serve it, use of resources within the City is inventoried within the City's General Plan, and there are numerous policies and programs in place to reduce the use of nonrenewable resources within the City as a whole. The Infrastructure, Resources, and Conservation chapter of the General Plan provides information and policy guidance for a variety of resource areas, including water and energy. The water conservation and management policies within the General Plan are designed to reduce water consumption in the City and to help manage water uncertainty. The General Plan effort also included a greenhouse gas emissions reduction target, and the City adopted a Climate Action and Adaptation Plan (CAAP) to help facilitate this target (see Section 3.9 for more discussion). The Infrastructure, Resources, and Conservation chapter of the General Plan sets forth policies to reduce the use of nonrenewable resources in the City. Several of these policies are characterized below:

- Promote walkability, ride-sharing, biking, and transit to reduce transportation-related emissions and energy use
- Support land use strategies to reduce driving rates
- Require new buildings to achieve a reduction of water use of 40% less than baselines for buildings as calculated by the Energy Policy Act of 1992
- Allow for construction of new development only when there is sufficient water to supply that development, as determined by the service provider
- Ensure high levels of energy performance in new construction
- Reduce the amount of waste sent to landfills

These policies are currently in place within the City and apply to the revised project and other development that occurs within the City. Additionally, the City has specific ordinances that address recycling and use of nonrenewable resources. These include a requirement to recycle 80% of all demolition and construction materials, which would reduce the amount of waste that would be generated during the construction process for the revised project and would help ensure that construction waste is reused and that additions to area landfills are minimized. The City also has a green building ordinance that sets forth requirements for sustainable design features and incentives for projects that include sustainable design features beyond those required. The revised project would comply with the mandatory aspects of the green building ordinance and would also implement a number of non-mandatory measures. The project's sustainable design features are summarized in Chapter 2.0, Project Description, and are further detailed in Appendix B. The revised multi-use residential and hotel building would be designed and constructed to incorporate environmentally sustainable design features equivalent to a minimum Silver certification under the U.S. Green Building Council's LEED-H® or LEED-NC® Rating System (January 1, 2011). Such LEED® features would include energy-efficient structures, a pedestrian- and bicycle-friendly site design, and water conservation measures. LEED standards or equivalent green building standards would be incorporated in order to reduce energy and water usage, and thus would minimize associated greenhouse gas emissions. The revised project would incorporate an environmentally sustainable design using green building technologies as identified in the principles for energy efficiency, water conservation, environmentally preferable building materials, and overall waste reduction.

As described above, the utilities that service the City, the City itself, and the design of the revised project are all subject to regulations that are working to reduce the amount of nonrenewable resources that are committed to development projects. Additionally, the revised project has incorporated voluntary sustainable design factors to go beyond the requirements. As such, the revised project is not anticipated to consume substantial amounts of energy in a wasteful manner (see Section 3.10 for details), and it would not result in significant impacts from consumption of utilities. Although irreversible environmental changes would result from the revised project, such changes would not be considered significant.

5.4 Growth-Inducing Impacts

According to Section 15126.2(e) of the CEQA Guidelines, growth-inducing impacts of the revised project shall be discussed in the RDEIR. Growth-inducing impacts are those effects of the revised project that might foster economic or population growth or the construction of new housing, either directly or indirectly, in the surrounding environment. According to CEQA, increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.

Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place without the implementation of the revised project. Typically, the growth-inducing potential of a project would be considered significant if it results in growth or population concentration that exceeds those assumptions included in pertinent master plans, land use plans, or projections made by regional planning authorities. However, the creation of growth-inducing potential does not automatically lead to growth, whether it would be below or in exceedance of a projected level.

The environmental effects of induced growth are secondary or indirect impacts of the revised project. Secondary effects of growth could result in significant, adverse environmental impacts, which could include increased demand on community or public services, increased traffic and noise, degradation of air and water quality, and conversion of agricultural land and open space to developed uses.

The Population and Housing section of the Initial Study discussed the potential growth inducement of the revised project (Appendix A). The revised project would involve the construction of 95 residential units, of which at least 16 units would be affordable housing units, including eight very low-income units and eight moderate-income units. The residential units would be composed of 13 three-bedroom units, 15 two-bedroom units, 46 studio units, and 21 one-bedroom units. Additionally, the revised project would modestly increase the number of jobs available at the project site through the introduction of a new hotel facility and commercial uses. According to the Department of Finance (DOF) 2016 projections, the average number of persons per household in the City of West Hollywood is 1.56, and the City had an estimated population of 35,923 individuals in 2016 (DOF 2016). As such, with the introduction of 95 new residential housing units the projected population increase associated with project implementation would be approximately 150 individuals, which represents a 0.41% increase in the City's overall population at the time of the NOP in 2016. This increase is considered minimal.

According to the latest growth estimates from the Southern California Association of Governments, the City had a population of 36,700 people in 2016, which is projected to increase to 42,600 people by 2045 (SCAG 2020). As such, the City is projected to grow in population by 5,900 people over the course of approximately 30 years (equating to the addition of about 196 people to the City per year). The project would represent about 2.5% of the total growth projected from 2016–2045, indicating that growth associated with the project would fall well within growth projections for the City. More recently, SCAG reported in 2021 that the City had a population of 36,344 people, indicating that the City has not been keeping pace with SCAG's growth projections (SCAG 2021). This further indicates that the addition of 150 people to the City would not exceed projections.

The project's commercial uses are similar to existing commercial uses in the City and the region and would not require a specialized workforce. Accordingly, it is anticipated that most of the jobs associated with the revised project would be filled by existing City residents or by residents of neighboring cities in the densely populated Los Angeles metropolitan area. Therefore, it is not anticipated that the employment generated by the revised project would lead to a substantial influx of residents to the City. Due to the ability of the existing regional population to provide an ample employment pool within proximity to the project site and due to the minor increase in employment relative to total jobs available in the City, the revised project would not generate substantial population growth.

As such, the growth-inducing impacts of the project would be minimal. The revised project would not result in significant adverse secondary effects related to induced growth.

5.5 References Cited

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6 Alternatives

The California Environmental Quality Act (CEQA) requires that an environmental impact report (EIR) describe a range of reasonable alternatives to a proposed project that would feasibly attain most of the basic objectives of the project but would avoid or lessen any significant environmental impacts. EIRs are also required to evaluate the comparative merits of the alternatives. This chapter of the RDEIR describes and evaluates alternatives for the revised Bond Project (“proposed project” or “revised project”) and implements the requirements set forth in the CEQA Guidelines for alternatives analysis. This chapter also identifies the Environmentally Superior Project Alternative as required by CEQA Guidelines Section 15126.6(e)(2).

6.1 Selection of Alternatives

The range of alternatives and methods for selection is governed by CEQA and applicable CEQA case law. As stated in CEQA Guidelines Section 15126.6(a), the lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This chapter includes the range of project alternatives that have been selected by the lead agency (in this case, the City) for examination, as well as its reasoning for selecting these alternatives.

As stated in Section 15126.6(a) of the CEQA Guidelines, there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. This rule is described in Section 15126.6(f) of the CEQA Guidelines and requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. As defined in Section 15126.6(f), the rule of reason limits alternatives analyzed to those that would avoid or substantially lessen one or more of the significant effects of a project. Of those alternatives, an EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. Other relevant provisions set forth in the CEQA Guidelines state that EIRs do not need to consider every conceivable alternative to a project, nor are they required to consider alternatives that are infeasible. Because the proposed project would not result in any significant and unavoidable effects to the environment, the range of alternatives that was selected for analysis in this RDEIR includes alternatives that would result in reduced impacts when compared to those of the proposed project, even though those impacts have been identified as less than significant or potentially significant but mitigable.

6.1.1 Proposed Project

As previously described, the project objectives and the significant impacts of a project are key determiners of the alternatives that are initially examined by the lead agency and the alternatives that are ultimately carried forward for detailed analysis in an EIR. To that end, this subsection includes (a) a summary of the proposed project’s characteristics to facilitate comparison between the proposed project and its alternatives, (b) the list of project objectives, and (c) a summary of the project’s significant impacts.

Project Summary

Table 6-1 includes a summary of the mixed-use structure that would be developed. (This table is also included in Section 2.6, Revised Project Characteristics, of this RDEIR as Table 2-1.) The structure (gross building area) would be 212,508 square feet (sf) in gross building area with a maximum height of 71.5 feet. The project would include two levels of

subterranean parking (totaling 74,011 sf), with 145 parking spaces. (The total structure size of 212,508 sf includes the square footage of the parking area.)

Table 6-1. Project Components

Hotel	
Square Footage	30,995 SF
Rooms	45 rooms
Parking	23 stalls
Amenities	Fitness area
	Pool
	Valet
	Laundry
	Housekeeping
	Outdoor common areas
Residential	
Square Footage	86,722 SF
Units	95 units
Parking	69 stalls
Unit Details	8 very low income units and 8 moderate income units
	13 three-bedroom units; 15 two-bedroom units, 21 one-bedroom units, and 46 studio units
Art Gallery	
Square Footage	1,381 SF
Parking	1 stall
Common Area	
Square Footage	14,272 SF
Parking	0 stalls
Flexible Parking	
Parking	45 stalls to replace existing parking onsite
Restaurant	
Square Footage	3,756 SF
Parking	7 stalls
Amenities	Outdoor dining

Project Objectives

As described in Chapter 2, Project Description, of this RDEIR, the underlying purpose of the revised project is to provide a mixed-use project with hotel, commercial, and residential uses, and exceptional architectural design employing environmentally friendly practices along Santa Monica Boulevard within the east side of the City of West Hollywood. The revised project would encourage pedestrian activity at the project site along Santa Monica Boulevard as well as provide flexible parking at the project site to be used by the general public similar to existing conditions. The mixed-use development would include residential, restaurant, and hotel uses, thus maximizing the efficiencies for local residents and reducing vehicle trips. In addition, the revised project would accommodate the

need for additional residential housing in the City and in the County of Los Angeles, including affordable housing, while supporting and promoting the economic vitality of the City. The following specific project objectives support the revised project's underlying purpose:

1. Create an economically viable mixed-use project along Santa Monica Boulevard in the City of West Hollywood, providing a full-service boutique hospitality use in the vicinity of complementary studio and creative office uses on the east side of the City of West Hollywood, thereby enhancing the east side's appeal as a visitor destination;
2. Provide a contemporary, high-quality design that exemplifies thoughtful urban in-fill development and contributes to the context of existing and future development;
3. Provide replacement public parking spaces in addition to required parking to serve existing community needs;
4. Provide housing and hospitality uses near alternative means of transportation, including mass transportation, with accessibility for commercial patrons arriving to the project site via a driveway on Santa Monica Boulevard in furtherance and implementation of the goals of Senate Bill (SB) 375 (Steinberg 2008);
5. Recognizing the housing crisis that exists in California as demonstrated by the recent adoption of SB 330 and recent revisions to California's Housing Accountability Act, (Government Code 6589.4) provide additional housing opportunities and contribute to the residential development of mixed-use areas by incorporating residential uses into an existing core of nearby community facilities, employment centers, retail goods and services, and restaurants to enhance the area's overall urban character;
6. Create a mixed-income development by providing market rate units of various sizes while also increasing the City's rental housing stock for very low and moderate-income families;
7. Create a consistent pattern of development and uses along Santa Monica Boulevard that serves project residents and the surrounding community by redeveloping an underutilized site;
8. Provide jobs convenient to the existing labor pool living in and around the City and maximize the number of new permanent jobs generated by the new hotel and restaurant, helping to secure a strong and continuous tax base;
9. Create temporary construction jobs necessary to build the proposed project;
10. Maximize the site's economic value to the City by redeveloping and revitalizing an underperforming site with a mixed use project containing hospitality uses;
11. Maximize new City revenues generated and contribute to its fiscal health with new sales, property and hotel occupancy taxes, thereby maximizing the direct and indirect fiscal and economic benefits for the City and the surrounding area;
12. Create a wide range of unit sizes, including affordable housing units, in close proximity to employment resources and public transportation;
13. Minimize the impact to the environment through the redevelopment of previously developed parcels;
14. Develop and encourage bicycle access and pedestrian-oriented uses by employing design features that improve the landscape and streetscape, making the area more pedestrian friendly, while ensuring necessary vehicular access in and out of the project site;
15. Provide adequate common open space and internal access within the project site to meet the needs of the proposed uses and users;
16. Provide improvements that encourage alternative and fuel-efficient forms of transportation (e.g., bicycle storage areas, preferential parking for low-emission/fuel-efficient vehicles and carpools/vanpools);

17. Promote sustainability, including measures to increase the efficient use of water and energy and the use of renewable resources while decreasing use of nonrenewable energy;
18. Implement green building design and construction practices capable of achieving Leadership in Energy and Environmental Design (LEED) Silver certification for the buildings within the project site.

Environmental Impacts of the Proposed Project

As discussed in detail in the Initial Study Checklist included in Appendix A to this RDEIR and in Chapter 3, Environmental Analysis, and Chapter 4, Cumulative Effects, the impact determinations for the proposed project are as follows:

No Impact

- Agricultural Resources
- Mineral Resources

Less-Than-Significant Impact

- Aesthetics
- Operational Air Quality
- Cultural Resources (Historical)
- Biological Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials, and Wildfire
- Hydrology and Water Quality
- Noise (Vibration)
- Land Use and Planning
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Energy

Less-Than-Significant Impact With Mitigation

- Construction Air Quality
- Cultural Resources (Archaeological, Human Remains, Paleontological)
- Noise

As previously listed and as demonstrated throughout Chapter 3 and Chapter 4 of this RDEIR, the proposed project would not result in significant, unavoidable impacts. Impacts for all environmental categories were determined to be “less than significant with mitigation incorporated,” “less than significant,” or “no impact.”

6.1.2 Alternatives Considered But Rejected

One of the requirements for alternatives analysis that is set forth in the CEQA Guidelines is identification of alternatives that were considered by the lead agency but rejected as infeasible during the scoping process. As stated in Section 15126.6(c) of the CEQA Guidelines, the EIR should briefly explain the reasons underlying this determination. Among the factors that may be used to eliminate alternatives from detailed consideration in the EIR are:

- (i) Failure to meet most of the basic project objectives,
- (ii) Infeasibility, or
- (iii) Inability to avoid significant environmental impacts (CEQA Guidelines Section 15126.6(c)).

Section 15126.6(f)(1) of the CEQA Guidelines states that “among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).” However, as stated in this subsection, no single one of these factors establishes a fixed limit on the scope of reasonable alternatives.

In accordance with 15126.6(c) of the CEQA Guidelines, a range of reasonable alternatives was considered. As described below, selection of an alternative site for the project was rejected from further analysis.

Alternative Sites

Pursuant to Section 15126.6(f)(2) of the CEQA Guidelines, the City considered the potential for alternative locations to the project, including relocation of the project to the corner of Santa Monica Boulevard and Fairfax Avenue. As stated in Section 15126.6(f)(2)(A), the key question and first step in analyzing alternative sites is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered in the EIR. While there are no significant and unavoidable impacts associated with the proposed project, the project is located directly adjacent to a preschool and residential uses. Mitigation measures are required in the categories of construction air quality and construction and operational noise to ensure that the proposed project’s air quality and noise impacts are less than significant. Moving the project to a site that is not immediately adjacent to sensitive receptors (e.g., on a site that is surrounded by commercial uses) would reduce the effects of the project on sensitive receptors, particularly in the categories of construction air quality and noise. However, the City is largely built out in nature, and a variety of sensitive receptors are present throughout the City. For example, sites at the corner of Santa Monica Boulevard and Fairfax Avenue back up onto residential uses. As such, even if an alternate site were to be identified that is not immediately adjacent to a sensitive receptor, it is unlikely that such a site would be situated far enough from nearby sensitive receptors to substantially lessen the air quality and noise effects of the project on receptors in the area. Rather, it is likely that mitigation measures similar to those required for the proposed project would be needed to address construction air quality and construction/operational noise effects at an alternate site. Furthermore, development at an alternate site would not necessarily reduce impacts to transportation, as such impacts would merely be relocated within the City.

Regardless of its location, the project would generally place similar demands on public services, utilities, and energy resources. For these reasons, while impacts to sensitive receptors in the categories of construction air quality and noise may be slightly reduced when compared to the proposed project, use of an alternative site would not likely result in a substantial reduction in the impacts of the project such that the significance determinations would change or such that mitigation measures would no longer be warranted. Alternative sites were ultimately rejected from further analysis in this RDEIR due to failure to meet project objectives, infeasibility, and inability to avoid significant environmental impacts.

Infeasibility. There are sites within the City of an approximately equivalent size to the project site that could be redeveloped with a mixed-use project; however, the project applicant does not control another commercial site within the eastern portion of the City of comparable land area that is available for development of the proposed project, including any properties on the corner of Santa Monica Boulevard and Fairfax Avenue. One of the factors for feasibility of an alternative is “whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” Because the City is highly urbanized and is largely built out, obtaining another site of a similar size in a similar location (i.e., on the east side of West Hollywood, along Santa Monica Boulevard, and within the Santa Monica/Fairfax Transit District) is not considered feasible. The project site was selected for development of a mixed-use structure due to its proximity to alternative transportation, its proximity to Santa Monica Boulevard (a City-designated Pedestrian Destination Street), its proximity to diverse neighborhood-serving commercial and community services, and its proximity to existing neighborhoods. Relocating the project outside of the Santa Monica Boulevard corridor and outside of the Santa Monica/Fairfax Transit District would undermine the function, utility, and financial viability of the project.

Failure to Meet Objectives. Use of alternative sites would fail to achieve many of the project objectives, some of which are dependent on the location of the project. If the project were not located along Santa Monica Boulevard, it would not meet the objectives of creating a mixed-use development along Santa Monica Boulevard or of contributing to a consistent pattern of development along Santa Monica Boulevard. While many areas of the City are walkable, Santa Monica Boulevard has been designated as a “Pedestrian Destination Street,” indicating that it is a popular area for walking to shops and restaurants. As such, situating the project away from Santa Monica Boulevard could diminish the project’s ability to meet the objective of developing and encouraging pedestrian-oriented uses. Further, if the project were not located on the City’s east side, it would not meet the objective of providing a full-service boutique hotel on the east side of the City and, therefore, would fail to meet the related objective of enhancing the east side’s appeal as a visitor destination. If the project were not located near existing neighborhood-serving commercial uses and alternative transportation facilities, it would not meet the objectives of providing residential and hotel uses near transit services and within existing neighborhood-serving commercial areas, and it would decrease the project’s ability to meet the objective of incorporating residential uses into an existing core of nearby community facilities, employment centers, retail goods and services, and restaurants. Conversely, if the project were not located near existing residential uses, the project would not maximize efficiencies for local residents or reduce vehicle trips to the same degree. As such, situating the project away from the confluence of commercial and residential uses would decrease its ability to achieve objectives related to pedestrian-oriented uses and development of mixed-use areas.

Environmental Impacts. The proposed project would not result in any significant environmental impacts. As such, moving the project to a different site would not avoid or substantially lessen any of the significant impacts of the project, since no significant unavoidable impacts would occur as a result of the project.

6.2 Alternatives Carried Forward for Consideration

Pursuant to Section 15126.6 of the CEQA Guidelines, the City selected a reasonable range of alternatives to the project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen one or more of the significant effects of the project. As previously discussed, the project would not result in any significant and unavoidable environmental effects, and therefore alternatives are not required to avoid or substantially lessen any such effects. Nevertheless, based on the evaluation of potential alternatives that were considered but rejected in Section 6.1.2, four alternatives have been carried forward for further analysis as follows. Pursuant to Section 15126.6(d) of the CEQA Guidelines, sufficient information about each alternative has been included in the following descriptions to allow meaningful evaluation, analysis, and comparison with the proposed project.

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of alternatives is required to focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. While no significant and unavoidable impacts have been identified in association with the proposed project, the following alternatives would generally lessen at least one of the less-than-significant impacts of the proposed project that have been identified in Chapter 3 and Chapter 4 of this RDEIR, although not to the extent that no impacts would occur.

6.2.1 Alternative 1 - No Project

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of “no project” along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. As specified in Section 15126.6(e)(3)(B) of the CEQA Guidelines, the no project alternative for a development project consists of the circumstance under which a proposed project does not proceed. Section 15126.6(e)(3)(B) further states that “in certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained.” Accordingly, Alternative 1 assumes the proposed project would not proceed, no new permanent development or land uses would be introduced within the project site, and the existing environment would be maintained. The existing uses would continue to operate as they do currently. The existing commercial and residential uses would remain in place and operational, the existing surface parking lots would be retained, no new buildings or parking areas would be constructed, and no landscaping or streetscape improvements would occur.

Ability to Meet Project Objectives

The No Project Alternative would not achieve any of the project objectives. It would not develop a mixed-use project along Santa Monica Boulevard within the east side of the City; it would not encourage additional pedestrian activity in the area; it would not include residential, restaurant, or hotel uses; and it would not maximize efficiencies or reduce vehicle trips for local residents. It would not enhance the east side’s appeal as a visitor destination, it would not accommodate the need for additional residential housing, it would not increase the housing stock for very low and moderate-income families, and it would not situate housing and hospitality uses near alternative means of transportation. It would also fail to redevelop and revitalize an underutilized site, would not provide new jobs, would not generate new tax revenues, and would not maximize the site’s economic value. Also, it would not improve the landscaping or streetscape of the site and, therefore, would not make the area more pedestrian friendly.

Comparison of Environmental Effects to the Proposed Project

Aesthetics

As discussed in Section 3.1, Aesthetics, the proposed project would result in visual changes at the project site; however, the proposed project would be consistent with the neighborhood as characterized in City's General Plan. There are no known conflicts with applicable zoning or other regulations governing scenic quality. Additionally, in accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area, which is the case for the proposed project, aesthetic impacts cannot be considered significant, and therefore, the analysis makes no judgment of the significance of any possible impacts under CEQA.

Under Alternative 1, no new construction would occur at the project site, and the site would continue to be used for commercial, residential, and parking uses. No visual changes would occur.

Air Quality

As discussed in Section 3.2, Air Quality, construction and operation of the proposed project would not result in any significant air quality impacts. All impacts would be less than significant after mitigation.

Under Alternative 1, no new construction or operational changes would occur at the project site. The air quality emissions associated with the existing uses on the project site would remain unchanged. Given that the existing commercial, residential and parking uses are less intense than the uses associated with the proposed project and that no construction would occur, air quality impacts associated with Alternative 1 would be reduced when compared to the proposed project. As baseline conditions would be retained, no impacts would occur.

Cultural Resources

As discussed in Section 3.3, Cultural Resources, construction and operational impacts to archaeological and paleontological resources, as well as human remains, can be reduced to less-than-significant levels through implementation of mitigation. Impacts to historical resources would be less than significant.

Under Alternative 1, no new construction or operational changes would occur at the project site. Because no construction would occur, the potential to disturb previously unidentified archaeological and/or paleontological resources or human remains would be reduced when compared to the proposed project. As baseline conditions would be retained, no impacts would occur.

Greenhouse Gas Emissions

As discussed in Section 3.4, Greenhouse Gas Emissions, construction and operation of the proposed project would result in less-than-significant greenhouse gas (GHG) emission impacts. All impacts would be less than significant, and no project-specific mitigation is required.

Under Alternative 1, no new construction or operational changes would occur at the project site. The GHG emissions associated with the existing uses on the project site would remain unchanged. Given that the existing commercial, residential and parking uses are less intense than the uses associated with the proposed project and that no construction would occur, GHG emissions impacts associated with Alternative 1 would be reduced when compared to the proposed project. As baseline conditions would be retained, no impacts would occur.

Hazards and Hazardous Materials

As discussed in Section 3.5, Hazards and Hazardous Materials, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset or accident conditions. Additionally, the project would not emit hazardous emissions or handle hazardous materials or substances within one-quarter mile of an existing or proposed school. All hazards impacts associated with the proposed project would be less than significant.

Under Alternative 1, no new construction or operational changes would occur at the project site. As such, use of construction-related hazardous materials would not occur, and no increases in use of operational/maintenance related materials would occur. Impacts would be reduced relative to the proposed project. As baseline conditions would be retained, no impacts would occur.

Noise

As discussed in Section 3.6, Noise, construction and operational impacts of the proposed project would be potentially significant. However, with implementation of mitigation, all construction and operational noise impacts would be reduced to less-than-significant levels. Additionally, vibration impacts would be less than significant.

Under Alternative 1, no new construction or operational changes would occur at the project site. Because no construction would occur, the potential for the project to result in noise impacts upon nearby noise-sensitive receptors would be reduced. Additionally, because no operational changes would occur, the existing and less intense commercial, residential, and parking uses would result in less operational noise than the proposed project. As baseline conditions would be retained, no impacts would occur.

Public Services

As discussed in Section 3.7, Public Services, impacts to police protection, fire protection, and schools would be less than significant. The project would not result in substantial adverse physical impacts associated with the provision of or 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.

Under Alternative 1, no new construction or operational changes would occur at the project site. Because no changes would occur to existing conditions, Alternative 1 would not change the demand for police, fire, or school services. As such, Alternative 1 would result in reduced public services impacts when compared to the proposed project. As baseline conditions would be retained, no impacts would occur.

Transportation

As discussed in Section 3.8, Transportation, construction and operation of the proposed project would result in less-than-significant transportation impacts. All impacts would be less than significant, and no mitigation is required.

Under Alternative 1, no new construction or operational changes would occur at the project site. The transportation associated with the existing uses on the project site would remain unchanged. Given that the existing commercial, residential and parking uses are less intense than the uses associated with the proposed project and that no construction would occur, transportation impacts associated with Alternative 1 would be reduced when compared to the proposed project, and because baseline conditions would be retained, no impacts would occur.

Utilities and Service Systems

As discussed in Section 3.9, Utilities and Service Systems, construction and operation of the proposed project would result in less-than-significant impacts to water, wastewater, solid waste, energy, electricity, and telecommunications services.

Under Alternative 1, no new construction or operational changes would occur at the project site. The existing demand for utility services by the commercial, residential, and parking uses would remain unchanged; as such, Alternative 1 would not result in a significant increase in demand for utilities. Alternative 1 would result in fewer utilities and service system impacts than the proposed project, and because baseline conditions would be retained, no impacts would occur.

Energy

As discussed in Section 3.10, Energy, construction and operation of the proposed project would result in less-than-significant energy impacts. All impacts would be less than significant, and no mitigation is required.

Under Alternative 1, no new construction or operational changes would occur at the project site. The energy consumption associated with the existing uses on the project site would remain generally unchanged. Given that the existing commercial, residential, and parking uses are less intense than the uses associated with the proposed project and that no construction would occur, energy impacts associated with Alternative 1 would be generally reduced when compared to the proposed project. However, given that the existing buildings were not constructed using modern building codes and methods, energy use per square footage would be greater for the existing uses than for the proposed project. Nevertheless, Alternative 1 would still result in fewer energy impacts than the proposed project given the reduced intensity of land uses and because baseline conditions would be retained. As such, no impacts would occur.

Land Use and Planning

As discussed in Section 3.11, Land Use and Planning, construction and operation of the proposed project would result in less-than-significant land use and planning impacts. All impacts would be less than significant, and no mitigation is required.

Under Alternative 1, no new construction or operational changes would occur at the project site, and the existing uses on the project site would remain unchanged. No new hotel, residential or commercial uses would be introduced and the mix of uses currently onsite would remain. As such, Alternative 1 would fail to implement certain City goals and policies for the project area, including developing mixed-use projects and developing additional housing, including affordable housing units. Nevertheless, Alternative 1 would result in decreased environmental impacts relative to the proposed project and would maintain the existing conditions at the project site. Since overall environmental impacts would be reduced and baseline conditions would be retained, no land use and planning impacts would occur.

Tribal Cultural Resources

As discussed in Section 3.12, Tribal Cultural Resources, construction and operational impacts to tribal cultural resources (TCRs) would be less than significant. No mitigation is required.

Under Alternative 1, no ground disturbing activities would occur at the project site, thereby eliminating any potential for effects to TCRs. No impacts would occur and Alternative 1 would thus result in reduced impacts to tribal cultural resources when compared with the proposed project.

6.2.2 Alternative 2 - Increased Hotel/Commercial Density Bonus

The Increased Hotel/Commercial Density Bonus Project Alternative would result in the construction of approximately 186,254 square feet of total gross building area with a maximum height of 71.5 feet. The structure would consist of a 69-room hotel, restaurant, 73 residential units, and an art gallery. Construction of Alternative 2 would involve demolition of the existing 10,000-square-foot commercial building located on the existing 7811 Santa Monica Boulevard parcel, the parking lot adjacent to the commercial building, and the City-operated parking lot located along Orange Grove Avenue. However, in contrast to the proposed project, Alternative 2 would not include demolition of the existing multifamily structure fronting Ogden Drive, which is located on the eastern portion of the project site.

The characteristics of Alternative 2 are summarized in Table 6-2, below. The proposed building would include approximately 47,274 sf of hotel space with a total of 69 hotel rooms, 45,501 sf of residential space, and 13,638 sf of common areas. Of the 73 residential units (60 studios; 13 one-bedroom), 22 units would be affordable housing units, including 11 very low-income units and 11 moderate-income units. Alternative 2 would have a Floor Area Ratio (FAR) of 3.0, slightly reduced relative to the proposed project and less than what is allowed for the project site. Approximately 118 parking spaces, at ground level and in two subterranean parking levels, would be available to serve the residential and commercial uses, with approximately 32 flexible parking spaces available for public parking, totaling 150 provided parking spaces.

Access to the project site under Alternative 2 would be available from two separate driveways: one on Santa Monica Boulevard and one on Orange Grove Avenue. Alternative 2 would be accessible for hotel guests and the public from Santa Monica Boulevard and Orange Grove Avenue. Pedestrians could access the site via Orange Grove Avenue or from Santa Monica Boulevard.

Table 6-2. Alternative 2 Components

Hotel Area	
Square Footage	47,274 sf
Rooms	69 rooms
Amenities	Fitness area
	Pool
	Valet
	Laundry
	Housekeeping
	Outdoor common areas
Residential	
Square Footage	45,501 sf
Units	73 units
Unit Details	11 very low-income units and 11 moderate-income units
	60 studios; 13 one-bedroom units; no two- and three-bedroom units
Art Gallery	
Square Footage	1,381 sf
Common Area	
Square Footage	13,638 sf

Table 6-2. Alternative 2 Components

Restaurant	
Square Footage	3,756 sf
Amenities	Outdoor dining

Note: sf = square feet.

Ability to Meet Project Objectives

Alternative 2 would generally meet the project objectives since it would establish a mixed-use building on the project site with the same land use types and design features as the proposed project. However, this alternative would decrease the extent to which the project meets objectives pertaining to parking, housing opportunities, and redevelopment. While both the proposed project and Alternative 2 would provide flexible parking for the general public, Alternative 2 would provide 13 fewer flexible parking spaces relative to the proposed project. As such, it would achieve the objective of providing public parking but to a lesser degree than the proposed project. Alternative 2 would provide 22 fewer housing units when compared to the proposed project. While Alternative 2 would still meet objectives of providing housing near alternative means of transportation, contributing to the residential development of mixed-use areas, increasing the City's rental housing stock for very low- and moderate- income families, it would not meet the objective of implementing the Housing Accountability Act to the same extent as the project. Alternative 2 would in fact meet the affordable housing objective to a greater degree, as it would provide 6 more affordable units when compared to the proposed project. However, Alternative 2 would meet the objective of providing a wide range of unit sizes to a lesser degree than the proposed project, since it would only provide studios and one-bedroom units, while the proposed project would provide studios, one-bedroom units, two-bedroom units, and three-bedroom units. Alternative 2 would not involve redevelopment of the eastern section of the project site (i.e., the parcel that fronts Ogden Drive), nor would Alternative 2 provide a separate, project-resident only access driveway along Ogden Drive because the residential parcel fronting Ogden Drive would not be included as part of this alternative. As such, Alternative 2 would not meet the objective of redeveloping an underutilized site to the same degree as the proposed project.

Comparison of the Environmental Effects to the Proposed Project

This alternative would develop a mixed-use building on the project site in a similar manner as the proposed project. The mixed-use building that would be developed under Alternative 2 would also have the same land uses, height, and design features as the building that would be developed under the proposed project. As such, the types of impacts would be similar to those of the proposed project. However, Alternative 2 would not involve construction on the eastern portion of the project site on the parcel along Ogden Drive. The existing multifamily residential structure on that portion of the project site would remain in place. The following is a detailed analysis comparing impacts from the proposed project with impacts from Alternative 2 for each environmental issue area evaluated within this RDEIR.

Aesthetics

As discussed in Section 3.1, the proposed project would result in visual changes at the project site; however, the proposed project would be consistent with the neighborhood as characterized in City's General Plan. There are no known conflicts with applicable zoning or other regulations governing scenic quality. Additionally, in accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area, which is the case

for the proposed project, aesthetic impacts cannot be considered significant, and therefore, the analysis makes no judgment of the significance of any possible impacts under CEQA.

Impacts to visual character/quality would be similar to the proposed project during construction, since the appearance of the site would be generally similar during construction (i.e., construction equipment would be present, and grading and demolition activities would occur). During operation, the appearance of the building developed on the site would also be similar to that of the proposed project, and the maximum height of the building would be the same (71.5 feet). The building developed under Alternative 2 would have slightly less mass compared to the proposed project and, therefore, may have reduced visual prominence. In particular, since the portion of the project site fronting Ogden Drive would not be developed under Alternative 2, the project's visual prominence and aesthetic effects along Ogden Drive would be reduced. As with the proposed project, Alternative 2 would be a transit-oriented project, as identified in Section 21099 of the Public Resources Code. As explained in Section 3.1.2, Relevant Plans, Policies, and Ordinances, of this RDEIR, for qualified projects in a transit priority area (such as the proposed project and Alternative 2), aesthetic impacts cannot be considered significant impacts on the environment pursuant to Section 21099(d)(1). Therefore, the aesthetics analyses for the proposed project and for this alternative make no judgment of the significance of any possible impacts under CEQA.

Air Quality

As discussed in Section 3.2, construction and operation of the proposed project would not result in any significant air quality impacts. All impacts would be less than significant after mitigation.

Impacts to construction air quality would be reduced under Alternative 2. While similar construction activities would occur, the duration of construction and the intensity of construction activities would be reduced, since the building would be smaller in size, and no construction would occur on the parcel fronting Ogden Drive. The same construction mitigation measure (MM-AQ-1) required for the project would still be required for Alternative 2 to ensure that construction health risk impacts would be less than significant.

During operation, the land use intensity of the project site would be reduced as compared to the proposed project, since the total floor area and building square footage would be reduced. This could lead to reductions in area source emissions, which are related to consumer product use, architectural coatings, and landscape maintenance equipment. (A smaller building would be anticipated to require reduced use of architectural coatings for building maintenance, reduced landscaping maintenance activity, and reduced use of cleaning products.) However, energy sources and mobile source emissions would be expected to increase under Alternative 2. As described below under "Utilities and Service Systems" and "Energy," Alternative 2 would result in increased use of energy (electricity and natural gas) due to the increase in commercial uses. Additionally, daily vehicle trips and associated daily mobile source air pollutant emissions would increase by approximately 9% under Alternative 2 as compared to the proposed project.¹ Mobile sources are the largest source of emissions for most air pollutants under the proposed project, as shown in Section 3.2. Alternative 2's increased mobile source emissions and energy-related emissions would thus represent a slight increase in daily operational air emissions. However, a slight increase would result in similar impacts to the proposed project given that the proposed project's estimated emissions are projected to be well below the SCAQMD significance thresholds. As such, the increase in emissions under Alternative 2 is not

¹ Hotel (ITE Code 310) has a daily total trip generation of 8.36 per room; Multifamily (Mid-rise) (ITE Code 221) has a daily total trip generation of 5.44 per unit. The total trip generation for the proposed project's hotel and residential components only = 376 + 517 = 893 total daily trips. Alternative 2 would have 69 hotel rooms and 73 residential units. Thus, the total trip generation = $[(69 \times 8.36) + (73 \times 5.44)] = [576.84 + 397.12] = 973.96$ total daily trips. The percent change between the proposed project and Alternative 2 = $[(973.96 - 893)/893] \times 100 = 9.06\%$

expected to result in an exceedance of thresholds, and operational impacts to air quality would increase under Alternative 2 but would remain less than significant. In balance, with a decrease in construction emissions and an increase in operational emissions, Alternative 2's air quality impacts would be considered generally comparable to those of the proposed project.

Cultural Resources

As discussed in Section 3.3, construction and operational impacts to archaeological and paleontological resources, as well as human remains, can be reduced to less-than-significant levels through implementation of mitigation. Impacts to historical resources would be less than significant.

Under Alternative 2, the structures along Ogden Drive would not be demolished. However, as explained in Section 3.3 of this RDEIR, these structures are not considered historical resources under CEQA. Impacts to historical, built-environment resources would remain less than significant under Alternative 2. Under Alternative 2, the potential to uncover buried archaeological resources, paleontological resources, or human remains at the parcel fronting Ogden Drive would be eliminated. However, effects to such resources could still occur during excavation in the remaining areas of the project site. As with the proposed project, impacts could be potentially significant in the event that unknown resources or remains were to be uncovered during excavation. The same mitigation measures provided for the proposed project (MM-CUL-1, MM-CUL-2, and MM-CUL-3) would reduce these impacts to below a level of significance. With implementation of these measures, impacts to archaeological resources, paleontological resources, and human remains would be less than significant with mitigation incorporated. Nevertheless, due to the reduction in ground-disturbing activities, Alternative 2 would result in reduced impacts relative to those of the proposed project.

Greenhouse Gas Emissions

As discussed in Section 3.4, construction and operation of the proposed project would result in less than significant GHG emission impacts. All impacts would be less than significant, and no project-specific mitigation is required.

The building developed under Alternative 2 would be smaller relative to the proposed project; as such, construction GHGs would decrease. However, operational GHG emissions would be expected to increase for Alternative 2. Specifically, vehicular trips to and from the site would increase, as described above under "Air Quality." Mobile sources are the largest contributor to GHG emissions for the proposed project, as shown in Section 3.4. Emissions associated with energy and solid waste may also increase under Alternative 2, while area source emissions and emissions associated with water/wastewater would be expected to decrease. (As described below under "Utilities and Service Systems" and "Energy," Alternative 2 would result in increased use of energy (electricity and natural gas), decreased water demand and wastewater generation, and increased solid waste generation.) However, as described in Section 3.4, the GHG emissions of the proposed project would be well below the SCAQMD screening criterion of 3,000 metric tons of carbon dioxide equivalent (MT CO_{2e}). As such, due to a slight increase for most operational emission sources combined with a slight decrease in construction emissions, Alternative 2 would be expected to remain below the screening criterion.

Nevertheless, as explained in Section 3.4, significance of the proposed project's GHG emissions is evaluated by considering whether the proposed project complies with applicable regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Key regulatory plans addressed in Section 3.4 include the City's Climate Action and Adaptation Plan (CAAP), Senate Bill 32, the California Air Resources Board 2030 Climate Change Scoping Plan, and the Southern California Association of Governments

(SCAG) 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). (See Section 3.4 for more details on each of these plans.) Similar sustainability measures identified for the proposed project would also be implemented for Alternative 2. As such, the same consistency conclusions for GHG emission reduction plans described for the proposed project in Section 3.4 would also apply to Alternative 2. For these reasons, impacts for Alternative 2 would be similar to those of the proposed project and would be considered less than significant.

Hazards and Hazardous Materials

As discussed in Section 3.5, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset or accident conditions. Additionally, the project would not emit hazardous emissions or handle hazardous materials or substances within one-quarter mile of an existing or proposed school. All hazards and hazardous materials related impacts associated with the proposed project would be less than significant.

Impacts associated with hazards and hazardous materials for Alternative 2 would be similar to those of the proposed project. The types of materials used during construction and operation would be generally the same, although slightly less volume would be required due to the decrease in construction intensity/duration and the slight decrease in operational land use intensity as compared with the proposed project. Impacts involving transport, use, and disposal of hazardous materials would remain less than significant. As identified in Section 3.5.4, Impacts Analysis, of this RDEIR, the multifamily residential building located along Ogden Drive has the potential to contain asbestos-containing materials and lead-based paints. Under Alternative 2, this building would remain in place. As such, hazardous building materials with the potential to cause hazards to the public or the environment would not be released during demolition of the multifamily residential building along Ogden Drive. While Alternative 2 would reduce the potential for upset and accident conditions involving the release of hazardous materials to the environment, impacts would not decrease to the extent that this alternative would have no impact, since hazardous materials would still be used during construction and operation of the project. Impacts would remain less than significant.

Because the project location would remain generally the same as that of the proposed project, impacts involving proximity to schools would be similar to those of the proposed project. However, effects would be slightly reduced, since the multifamily residential building along Ogden Drive, which has the potential to contain asbestos-containing materials and lead-based paints, would not be demolished under Alternative 2. Impacts to hazards and hazardous materials would remain less than significant and would be reduced when compared to the proposed project.

Noise

As discussed in Section 3.6, construction and operational impacts of the proposed project would be potentially significant. However, with implementation of mitigation, all construction and operational noise impacts would be reduced to less-than-significant levels. Additionally, vibration impacts would be less than significant.

Alternative 2 would reduce noise impacts during certain construction phases, since no construction would occur at the parcel along Ogden Drive. Additionally, the duration and intensity of construction would slightly decrease relative to the proposed project, since the project would be smaller in size under Alternative 2. However, construction would still occur adjacent to Fountain Day School and residential sensitive receptors, including the multifamily residential building along Ogden Drive that would remain under Alternative 2. While construction duration and intensity would slightly decrease under Alternative 2, the types of equipment required for the project would be the same or similar as those required for the proposed project. As such, the maximum amount of construction noise that is experienced

at Fountain Day School and adjacent residences would remain generally the same under Alternative 2. Therefore, Alternative 2 would still result in potentially significant impacts in the category of construction noise. The same construction mitigation measures (MM-NOI-1 through MM-NOI-5) would still be required and may require slight adjustments based on the change in project footprint. (For example, the noise barrier required for the parcel along Ogden Drive that is described in MM-NOI-1 would no longer be required, since that parcel would not be part of the project site under Alternative 2.) Overall, construction noise impacts may be slightly reduced for Alternative 2 but would remain less than significant with mitigation incorporated.

Operational noise impacts from off-site traffic would slightly increase along some roadways due to the overall increase in trip generation. The trip distribution would be altered in such a way that all egress trips would occur on Orange Grove Avenue, since no access would be provided to the project site via Ogden Drive, and the driveway along Santa Monica Boulevard would remain ingress-only. As such, Alternative 2 has the potential to increase traffic and associated off-site noise along Orange Grove Avenue when compared to the proposed project. Conversely, off-site noise from traffic would decrease along Ogden Drive. As with the proposed project, the same mitigation measures (MM-NOI-6, MM-NOI-7, and MM-NOI-8) would reduce potentially significant operational noise impacts to below a level of significance. As such, and similar to the proposed project, impacts would be less than significant with mitigation incorporated. In balance, with a slight decrease in construction noise impacts and a slight increase in operational noise impacts, Alternative 2's noise impacts would be considered generally comparable to those of the proposed project.

Public Services

As discussed in Section 3.7, impacts to police protection, fire protection, and schools would be less than significant. The project would not result in substantial adverse physical impacts associated with the provision of or 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.

Alternative 2 would result in 22 fewer residential units and a slight reduction in development intensity. Student generation and associated demands for school facilities would be reduced relative to the proposed project. Demands for fire protection and police protection may also be reduced, since Alternative 2 would result in reduced population growth. However, hotel occupants may also generate demands for police and fire protection services, and the total overnight occupancy of Alternative 2 would be generally similar to that of the proposed project. As such, demands for fire protection and police protection would be similar to those of the proposed project, while demands for schools would be slightly reduced as compared to the proposed project. As with the proposed project, Alternative 2 would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities. Impacts would remain less than significant and would be slightly reduced under Alternative 2 when compared to the proposed project.

Transportation

As discussed in Section 3.8, construction and operation of the proposed project would result in less-than-significant transportation impacts. All impacts would be less than significant, and no mitigation is required.

Alternative 2 would result in 22 fewer residential units and 24 additional hotel rooms. Overall, the development footprint would be reduced under Alternative 2 when compared to the proposed project because the parcel along Ogden Drive would not be included. As such, during construction, the total number of truck trips and vehicle trips

for workers would decrease since the construction duration and intensity would be slightly reduced in comparison to the proposed project.

The project and Alternative 2 would be located within one-tenth of a mile of a major transit stop and would be developed with a floor-area-ratio (FAR) greater than 0.75. The project and Alternative 2 would also be infill, mixed-use developments located within the Transit Overlay Zone and the Mixed-Use Incentive Overlay Zone. Consistent with the OPR guidelines, the City is presuming that projects proposed within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less than significant impact on Vehicle Miles Traveled (VMT). Therefore, as with the proposed project, Alternative 2 would result in similar impacts relative to VMT and would not conflict with CEQA Guidelines Section 15064.3. Additionally, the project and Alternative 2 would comply with the City's Transportation Demand Management (TDM) Ordinance which requires all commercial projects with 5,000 square feet or more and residential projects with 10 or more units to implement a suite of TDM strategies aimed at reducing vehicle trips encouraging use of alternative transportation options.

Regarding roadway hazards, impacts would be similar to the proposed project under Alternative 2. However, the driveway along Ogden Drive that would be constructed under the proposed project would not be constructed under Alternative 2. While no significant safety effects were identified at this driveway, the potential for any additional queuing or turning from a driveway along Ogden Drive would be eliminated under Alternative 2. This may be considered a benefit, since the Ogden Drive driveway is situated within a residential neighborhood, while the other two driveways (on Santa Monica Boulevard and Orange Grove Avenue) are in closer proximity to a mix of other commercial uses. However, impacts would not be reduced beyond less-than-significant, as Alternative 2 would still introduce new roadway features (e.g., driveways along Santa Monica Boulevard and Orange Grove Avenue) and because those two driveways would need to support greater volumes of vehicles. Alternative 2 would not introduce any new conflicts with adopted policies, plans, or programs regarding public transit, bicycles, or pedestrian facilities because the site would be developed and would continue to allow access to alternative forms of transportation and provide bicycle and pedestrian facilities. As such, impacts would remain less than significant but would be slightly reduced when compared to the proposed project.

Utilities and Service Systems

As discussed in Section 3.9, construction and operation of the proposed project would result in less-than-significant impacts to stormwater infrastructure, water, wastewater, solid waste, natural gas, electricity, and telecommunications services.

In comparison to the proposed project, Alternative 2 is anticipated to involve decreased water demand and wastewater generation. However, electricity demand, natural gas demand, and solid waste generation would all increase. Demand for telecommunications infrastructure would be generally similar to that of the proposed project. As demonstrated in Section 3.9, existing infrastructure and service systems would be sufficient for the proposed project; as such, Alternative 2's reduced water use and wastewater generation would also be accommodated by the existing infrastructure in the area. While electricity and natural gas demand would increase, such demands would remain negligible relative to use within the service area, and Alternative 2 would still comply with and implement a variety of energy-efficiency measures. Similarly, a minor increase in solid waste production would not result in the exceedance of landfill capacities, and Alternative 2 would still comply with and implement a variety of waste reduction measures. Impacts would remain less than significant and would be generally comparable to those of the proposed project, as demands would increase for some categories while decreasing for others.

Energy

As discussed in Section 3.10, construction and operation of the proposed project would result in less-than-significant energy impacts. All impacts would be less than significant, and no mitigation is required.

Energy consumption during construction would decrease under Alternative 2, due to the decreased intensity of construction and building square footage. During operations, however, Alternative 2 would result in increased demands for electricity and natural gas relative to the proposed project, as explained under “Utilities and Service Systems.” As explained under “Air Quality,” Alternative 2 would also result in additional vehicle trips relative to the proposed project, which would lead to increased operational petroleum use. While operational energy use would increase, such use would not be considered wasteful or inefficient, for similar reasons as set forth for the proposed project in Section 3.10, and Alternative 2 would still comply with and implement a variety of energy-efficiency measures. Impacts would increase relative to the proposed project but would remain less than significant. In balance, with a decrease in construction energy use and an increase in operational energy use, Alternative 2’s energy impacts would be considered generally comparable to those of the proposed project.

Land Use and Planning

As discussed in Section 3.11, construction and operation of the proposed project would result in less-than-significant land use and planning impacts. All impacts would be less than significant, and no mitigation is required.

Alternative 2 would result in an overall reduction in the intensity of development on the project site with the construction of a 69-room hotel, restaurant, 73 residential units, and an art gallery. Additionally, the structures along Ogden Drive would not be demolished under Alternative 2. Given this, Alternative 2 would not result in the demolition of existing residences on site and would support the City’s Housing Element policies towards retaining and maintaining housing and preventing displacement of existing residents. In addition, this alternative would include more affordable housing units as compared to the proposed project, thus further supporting land use goals for development of affordable units. Conversely, development of Alternative 2 would result in fewer market-rate housing units. As such, Alternative 2 would contribute to the City’s Regional Housing Needs Allocation to a lesser degree than the proposed project and would support land use goals associated with housing development in general to a lesser degree than the proposed project. On balance, impacts would remain less than significant, but Alternative 2 would result in fewer overall land use and planning impacts relative to the proposed project due to reduced intensification of development on the project site and based on the development of more affordable units.

Tribal Cultural Resources

As discussed in Section 3.12, construction and operational impacts to tribal cultural resources would be less than significant. No mitigation is required.

As also described in Section 3.12, the City has determined that no TCRs are present on the project site. As such, impacts under Alternative 2 would be comparable to those of the proposed project and would thus be considered less than significant.

6.2.3 Alternative 3 – No Hotel

Alternative 3 would involve construction and operation of a mixed-use structure of approximately 247,876 sf with a maximum height of 71.5 feet. The characteristics of the mixed-use building that would be developed under

Alternative 3 are listed in Table 6-3, below. As shown in this table, the building would consist of residential units, an art gallery, and restaurant uses. No hotel rooms would be constructed.

The proposed building would include approximately 122,854 sf of residential space, approximately 21,115 sf of residential common area, approximately 3,756 sf of restaurant space, and 1,381 sf of art gallery space. Of the 157 residential units (121 studios; 27 one-bedroom; nine two-bedroom), 30 units would be affordable housing units, including 15 very low-income units and 15 moderate-income units. The building heights for the No Hotel Alternative would range up to six stories above ground, up to 71.5 feet above grade in certain areas, with three subterranean levels of parking. Alternative 3 would have an FAR of 3.19, greater than the proposed project but slightly less than what is allowable for the project site. Because of the removal of the hotel component, parking requirement reductions for commercial uses would be removed; and rooftop hotel amenity space would be identified as residential lobby/recreation. Approximately 180 parking spaces, at ground level and in three subterranean levels, would be available to serve residential and commercial uses, with 44 parking spaces available for flexible parking, totaling 224 parking spaces.

Access to the project site would be available from three separate driveways: one on Santa Monica Boulevard, one on Orange Grove Avenue, and one on Ogden Drive. As with the proposed project, Alternative 3 would be accessible for residents and the public from Santa Monica Boulevard and Orange Grove Avenue with separate vehicular ingress/egress for residents only along Ogden Drive. Pedestrians could access the site via Orange Grove Avenue, Santa Monica Boulevard, or Ogden Drive.

Construction of Alternative 3 would involve demolition of the existing 10,000 sf commercial building located on the existing 7811 Santa Monica Boulevard parcel, the parking lot adjacent to the commercial building, the City-operated parking lot located along Orange Grove Avenue, and the multifamily structure located on the parcel along Ogden Drive.

Table 6-3. Alternative 3 Components

Residential	
Square Footage	122,854 sf
Units	157 units
Unit Details	15 very low-income units and 15 moderate-income units 121 studios; 27 one-bedroom; 9 two-bedroom
Art Gallery	
Square Footage	1,381 sf
Common Area	
Square Footage	21,115 sf
Restaurant	
Square Footage	3,756 sf
Amenities	Outdoor dining

Note: sf = square feet.

Ability to Meet Project Objectives

This alternative would meet some of the project objectives, since it would establish a mixed-use building along Santa Monica Boulevard and on the east side of the City. However, this alternative would fail to meet any of the objectives pertaining to providing hospitality uses in the project area, including the objectives of providing a

hospitality use in the vicinity of complementary studio and creative office uses; providing a full-service boutique hotel on the east side of the City; enhancing the east side's appeal as a visitor destination; and providing hospitality uses near alternative means of transportation. This alternative would meet the objectives pertaining to economic benefits but to a lesser degree when compared to the proposed project. Removing the hotel use and increasing the number of residential units from 95 units to 157 units would decrease the number of permanent jobs that would be available on the site and would eliminate the ability of the project to generate hotel occupancy taxes. As such, while Alternative 3 would still redevelop an underutilized site, it may not meet the objective of maximizing the site's economic value to the same degree as the proposed project, due to the absence of the hotel uses. Conversely, Alternative 3 would meet objectives pertaining to housing to a greater degree than the proposed project, since it would provide 62 more residential units than the proposed project, including 7 more very low income units and 7 more moderate income units. As such, Alternative 3 would increase the degree to which the project would accommodate the need for additional residential housing in the City and in the County of Los Angeles, including affordable housing. It would also provide more housing near alternative means of transportation and would contribute more greatly to the residential development of mixed-use areas, as compared to the proposed project.

Comparison of the Environmental Effects to the Proposed Project

This alternative would develop a mixed-use building on the project site in generally the same manner as the proposed project. The mixed-use building that would be developed under Alternative 3 would have similar land uses as the building that would be developed under the proposed project, except that the space planned for hotel use under the proposed project would be residential in nature. As such, Alternative 3 would result in 62 more residential units than the proposed project, for a total of 157 residential units. The mix of residential units under this alternative would include 121 studios, 27 one-bedroom units, and 9 two-bedroom units, which equates to 75 more studios, 6 fewer one-bedroom units, and 13 fewer three-bedroom units than the proposed project. Alternative 3 would have 79 more parking spaces than the proposed project and one less flexible parking space for general public use. The building would be slightly larger in size but would have the same maximum height as the proposed project (71.5 feet) and would involve demolition of the same existing structures as the proposed project. The types of impacts for Alternative 3 would be generally similar to those of the proposed project. The following is a detailed analysis comparing impacts from the proposed project with impacts from Alternative 3 for each environmental issue area evaluated within this RDEIR.

Aesthetics

As discussed in Section 3.1, the proposed project would result in visual changes at the project site; however, the proposed project would be consistent with the neighborhood as characterized in City's General Plan. There are no known conflicts with applicable zoning or other regulations governing scenic quality. Additionally, in accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area, which is the case for the proposed project, aesthetic impacts cannot be considered significant, and therefore, the analysis makes no judgment of the significance of any possible impacts under CEQA.

The appearance of the building developed on the site under Alternative 3 would be similar to that of the proposed project. While the building developed under Alternative 3 would increase slightly in mass, its height would remain the same relative to the proposed project (maximum of 71.5 feet). Alternative 3 would be a transit-oriented project, as identified in Section 21099 of the Public Resources Code. As explained in Section 3.1.2 of this RDEIR, for qualified projects in a transit priority area (such as the proposed project and this alternative), aesthetic impacts cannot be considered significant impacts on the environment pursuant to Section 21099(d)(1). Therefore, the aesthetics analyses for the proposed project and for this alternative make no judgment of the significance of any possible impacts under CEQA.

Air Quality

As discussed in Section 3.2, construction and operation of the proposed project would not result in any significant air quality impacts. All impacts would be less than significant after mitigation.

While similar construction activities would occur for Alternative 3, the duration of construction and/or the daily intensity of construction activities would be greater, since the building would increase in size. Additional excavation would also occur, due to the increased depth of the subterranean parking garage. The same construction mitigation measure (MM-AQ-1) would still be required and may require slight adjustments based on the increased construction intensity of Alternative 3, in order to ensure that construction health risk impacts would be less than significant.

During operation, the land use intensity of the project site would increase as compared to the proposed project, since the total floor area and building square footage would increase. This may lead to increased area source emissions, which are related to consumer product use, architectural coatings, and landscape maintenance equipment. (A larger building would be anticipated to require additional use of architectural coatings for building maintenance, increased landscaping maintenance activity, and increased use of cleaning products.) However, mobile source emissions would be expected to decrease under Alternative 3. The overall number of vehicle trips associated with Alternative 3 would be slightly reduced when compared to the proposed project as hotel uses result in a greater trip generation as compared to residential uses (see Table 4, Project Trip Generation Estimates, of Appendix F).² Daily vehicle trips and associated daily mobile source air pollutant emissions would decrease by approximately 4% under Alternative 3 as compared to the proposed project.³ Mobile sources are the largest source of emissions for most air pollutants under the proposed project, as described in Section 3.2. Alternative 3's reduced mobile source emissions would thus be expected to represent a decrease in daily operational air emissions. A slight decrease would result in similar impacts to the proposed project given that the proposed project's estimated emissions are projected to be well below the SCAQMD significance thresholds. Given that the proposed project would result in less-than-significant operational air quality impacts and that Alternative 3 would result in reduced operational emissions when compared to the proposed project, operational air quality impacts under Alternative 3 would continue to be less than significant and would be reduced when compared to the proposed project. In balance, with an increase in construction emissions and a decrease in operational emissions, Alternative 3's air quality impacts would be considered generally comparable to those of the proposed project.

Cultural Resources

As discussed in Section 3.3, construction and operational impacts to archaeological and paleontological resources, as well as human remains, can be reduced to less-than-significant levels through implementation of mitigation. Impacts to historical resources would be less than significant.

Impacts to cultural resources would be similar to those of the proposed project. The same existing structures that are proposed for demolition under the proposed project would be demolished under Alternative 3. As explained in Section 3.3, the on-site structures are not considered historical resources under CEQA. As such, impacts to historical, built-environment resources would remain less than significant under Alternative 3. Under Alternative 3,

² Hotel (ITE Code 310) has a daily total trip generation of 8.36 per room; Multifamily (Mid-rise) (ITE Code 221) has a daily total trip generation of 5.44 per unit. The total trip generation for the proposed project's hotel and residential components only = $376 + 517 = 893$ total daily trips.

³ Proposed project daily total trip generation from the hotel and residential components only = $376 + 517 = 893$ trips. Alternative 3 would have 0 hotel rooms and 157 residential units. Thus, the total trip generation = $[(0 \times 8.36) + (157 \times 5.44)] = [0 + 854.08] = 854.08$ total daily trips. The percent change between the proposed project and Alternative 3 = $[(854.08 - 893)/893] \times 100 = -4.358\%$

the potential to uncover buried archaeological resources, paleontological resources, and/or human remains would also be similar, as the footprint of ground disturbance would be the same as the proposed project. However, the increased depth of excavation required for the additional subterranean parking level may increase the potential to uncover buried resources. As with the proposed project, impacts could be potentially significant in the event that unknown resources or remains were to be uncovered during excavation. The same mitigation measures provided for the proposed project (MM-CUL-1, MM-CUL-2, and MM-CUL-3) would reduce these impacts to below a level of significance. With implementation of these measures, impacts to archaeological resources, paleontological resources, and human remains would be less than significant with mitigation incorporated, but impacts under Alternative 3 would be slightly greater than those of the proposed project due to the increased depth of excavation.

Greenhouse Gas Emissions

As discussed in Section 3.4, construction and operation of the proposed project would result in less than significant GHG emission impacts. All impacts would be less than significant, and no project-specific mitigation is required.

GHG emissions generated during construction for Alternative 3 may slightly increase relative to the proposed project due to the increase in building size. Conversely, during operation, GHG emissions would be expected to decrease. Specifically, there would be a slight reduction in the number of vehicle trips, as explained under “Air Quality.” Mobile sources are the largest contributor to GHG emissions for the proposed project, as shown in Section 3.4. Emissions associated with water supply/wastewater may also decrease under Alternative 3, while area source emissions and emissions associated with solid waste would be expected to increase, due to the increased building size and anticipated increase in solid waste generation. As described below under “Utilities and Service Systems,” Alternative 3 would result in reduced water demand and wastewater generation and increased solid waste generation. As described in Section 3.4, the GHG emissions of the proposed project would be well below the SCAQMD screening criterion of 3,000 MT CO₂e. As such, with a decrease for most operational emission sources combined with a slight increase in other emissions sources (e.g., construction and operational area-source emissions), Alternative 3 would be expected to remain below the screening criterion and would also be expected to result in overall reductions in total GHGs.

Nevertheless, as explained in Section 3.4, significance of the proposed project’s GHG emissions is evaluated by considering whether the proposed project complies with applicable regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Key regulatory plans addressed in Section 3.4 include the City’s CAAP, Senate Bill 32, the California Air Resources Board 2030 Climate Change Scoping Plan, and the SCAG 2020–2045 RTP/SCS. (See Section 3.4 for more details on each of these plans.) Similar sustainability measures identified for the proposed project would also be implemented for Alternative 3. As such, the same consistency conclusions for GHG emission reduction plans described for the proposed project in Section 3.4 would also apply to Alternative 3. For these reasons, impacts for Alternative 3 would be similar to those of the proposed project and would be considered less than significant.

Hazards and Hazardous Materials

As discussed in Section 3.5, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset or accident conditions. Additionally, the project would not emit hazardous emissions or handle hazardous materials or substances within one-quarter mile of an existing or proposed school. All hazards and hazardous materials impacts associated with the proposed project would be less than significant.

Impacts for Alternative 3 would be similar to those of the proposed project. The types of materials used during construction and operation would be generally the same, although a slightly greater volume would be required due to the increase in construction intensity/duration. Impacts involving transport, use, and disposal of hazardous materials would remain less than significant. Because similar types and quantities of hazardous materials would be used, the potential for upset and accident conditions involving the release of hazardous materials to the environment would be similar to those of the proposed project. Impacts would remain less than significant. Because the project location and the types of hazardous materials that would be used for Alternative 3 would be generally the same as the proposed project, impacts involving the use or potential release of hazardous materials near schools would remain less than significant, and impacts under Alternative 3 would be overall comparable to those of the proposed project.

Noise

As discussed in Section 3.6, construction and operational impacts of the proposed project would be potentially significant. However, with implementation of mitigation, all construction and operational noise impacts would be reduced to less-than-significant levels. Additionally, vibration impacts would be less than significant.

Construction noise for Alternative 3 would be similar to that of the proposed project, because the area of construction would be the same and the types of construction equipment required would be the same. The slight increase in building size under Alternative 3 may result in a slight increase in the duration and/or intensity of construction. However, this slight change would not likely result in a noticeable or appreciable increase in the maximum daily construction noise. As with the proposed project, construction would still occur adjacent to Fountain Day School and residential sensitive receptors, including the multifamily residential buildings along Ogden Drive. The maximum daily construction noise that is experienced at Fountain Day School and adjacent residences would remain generally the same as the proposed project. Therefore, Alternative 3 would still result in potentially significant impacts in the category of construction noise. However, as with the proposed project, the same mitigation measures (MM-NOI-1 through MM-NOI-5) would be implemented and would reduce potentially significant construction-related noise impacts to below a level of significance.

Operational noise impacts would be similar to that of the proposed project but would change to a minor degree in some categories. Specifically, the project's contribution to off-site traffic noise levels would be slightly reduced under Alternative 3, since fewer vehicle trips would be generated. Exterior noise levels are expected to be the same or similar as those of the proposed project. While the hotel outdoor areas would be removed under Alternative 3, a number of outdoor areas (including a pool for the residential uses and outdoor dining) would still be part of the project and would have the potential to produce exterior noise from amplified sound systems and/or from conversations and people gathering outdoors. Additionally, loading spaces and a loading/receiving room would still be required for Alternative 3 since the project would include commercial uses (a restaurant and an art gallery). As such, operational noise impacts would remain potentially significant yet reduced to less-than-significant levels with implementation of mitigation (MM-NOI-6, MM-NOI-7, and MM-NOI-8), similar to the proposed project. Given that overall traffic activities would be slightly reduced under Alternative 3, operational noise impacts would be slightly reduced when compared to the proposed project but would remain less than significant with mitigation. Overall, Alternative 3 would result in slightly greater construction noise impacts but slightly reduced operational noise impacts. In balance, impacts would be considered overall comparable to those of the proposed project.

Public Services

As discussed in Section 3.7, impacts to police protection, fire protection, and schools would be less than significant. The project would not result in substantial adverse physical impacts associated with the provision of or 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.

Alternative 3 would result in 62 additional residential units relative to the proposed project, for a total of 157 residential units. However, the planned 45-room hotel that would be constructed for the proposed project would not be part of Alternative 3. Overall, the on-site, overnight population at the project site would increase slightly under Alternative 3 when compared to the proposed project. The demands of Alternative 3 on fire protection or police protection would slightly increase relative to those of the proposed project. Nevertheless, the marginal increase in demand would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire or police facilities, and impacts would remain less than significant for generally the same reasons described in Section 3.7 of this RDEIR.

Replacing hotel units with residential units would, however, increase the permanent population on the project site, thereby increasing the number of students that would be generated by the project. However, as demonstrated in Section 3.7 of this RDEIR, the public schools that serve the project site are not at enrollment capacity and have sufficient capacity to accommodate the increase in students that would be generated by Alternative 3. As such, while Alternative 3 would result in more demands upon public services, the increased demand would not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, and impacts would remain less than significant for generally the same reasons described in Section 3.7 of this RDEIR.

Transportation

As discussed in Section 3.8, construction and operation of the proposed project would result in less-than-significant transportation impacts. All impacts would be less than significant, and no mitigation is required.

Alternative 3 would result in 62 additional residential units relative to the proposed project, for a total of 157 residential units. (However, the hotel component would be eliminated.) The overall building size for Alternative 3 would be slightly greater than that of the proposed project. As such, construction would increase slightly in duration and/or intensity, resulting in a slight increase in overall truck trips and worker trips when compared to the project.

The project and Alternative 3 would be located within one-tenth of a mile of a major transit stop and would be developed with an FAR greater than 0.75. The project and Alternative 3 would also be an infill, mixed-use development located within the Transit Overlay Zone and the Mixed-Use Incentive Overlay Zone. Consistent with the OPR guidelines, the City is presuming that projects proposed within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less than significant impact on VMT. Therefore, as with the proposed project, Alternative 3 would result in similar impacts relative to VMT and would not conflict with CEQA Guidelines Section 15064.3. Additionally, the project and Alternative 3 would comply with the City's TDM Ordinance, which requires all commercial projects with 5,000 square feet or more and residential projects with 10 or more units to implement a suite of TDM strategies aimed at reducing vehicle trips encouraging use of alternative transportation options.

Impacts related to roadway hazards would be similar to those of the proposed project. The same driveways would be constructed as those that are planned for the proposed project, and they would be constructed in the same configuration. Additionally, Alternative 3 would not introduce any new conflicts with adopted policies, plans, or programs regarding public transit, bicycles, or pedestrian facilities because the site would be developed and would continue to allow access to alternative forms of transportation and provide bicycle and pedestrian facilities. As such, impacts would remain less than significant and overall would be similar when compared to the proposed project.

Utilities and Service Systems

As discussed in Section 3.9, construction and operation of the proposed project would result in less-than-significant impacts to water, wastewater, solid waste, energy, electricity, and telecommunications services.

Alternative 3 would result in no hotel units, 157 residential units, and the same amount of restaurant and art gallery space as the proposed project. Alternative 3 would result in reduced water demands, reduced wastewater generation, reduced natural gas use, increased electricity use, and increased solid waste generation. Demand for telecommunications infrastructure would be generally similar to that of the proposed project. As demonstrated in Section 3.9, existing infrastructure and service systems would be sufficient for the proposed project; as such, Alternative 3 would also be accommodated by existing infrastructure in the area. While electricity demand would increase, such demands would remain negligible relative to use within the service area, and Alternative 3 would still comply with and implement a variety of energy-efficiency measures. Similarly, a marginal increase in solid waste generation would not be expected to result in the exceedance of landfill capacities, and Alternative 3 would still comply with and implement a variety of waste reduction measures. Impacts would remain less than significant and would decrease overall relative to the proposed project.

Energy

As discussed in Section 3.10, construction and operation of the proposed project would result in less-than-significant energy impacts. All impacts would be less than significant, and no mitigation is required.

Energy consumption would increase in some categories under Alternative 3 and would decrease in others. The building square footage would increase under Alternative 3, which would increase energy use during construction. During operations, natural gas use would be reduced but electricity use would increase (see the discussion under “Utilities and Service Systems.”) Operational daily vehicle trips would also decrease under Alternative 3, as described under “Air Quality,” thus reducing operational demands for petroleum. In balance, with an increase in construction energy use and operational electricity use, and a decrease in other categories of operational energy use, Alternative 3’s energy impacts would be considered generally comparable to those of the proposed project.

Land Use and Planning

As discussed in Section 3.11, construction and operation of the proposed project would result in less-than-significant land use and planning impacts. All impacts would be less than significant, and no mitigation is required.

Alternative 3 would result in an overall increase in the intensity of development on the project site with the construction of 157 residential units, a restaurant, and an art gallery. When compared to the proposed project, Alternative 3 would result in more residential units, including more affordable housing units. As such, Alternative 3 would achieve land use policies pertaining to provision of housing and affordable housing to a greater degree than the proposed project. As such, while overall development intensity would increase, Alternative 3 would also further maximize the opportunity for residential development at the site. Conversely, Alternative 3 would meet land use goals and policies for mixed-use development on the project site to a lesser degree than the proposed project, due to elimination of the hotel use. While an art gallery and restaurant would still be incorporated, the residential component would be the dominant land use at the project site under Alternative 3. On balance, impacts would be considered comparable to those of the proposed project and would thus be less than significant.

Tribal Cultural Resources

As discussed in Section 3.12, construction and operational impacts to tribal cultural resources would be less than significant. No mitigation is required.

As also described in Section 3.12, the City has determined that no TCRs are present on the project site. As such, impacts under Alternative 3 would be comparable to those of the proposed project and would thus be considered less than significant.

6.2.4 Alternative 4 – Prior Project

As discussed previously within this RDEIR, the original Draft EIR for the previous proposed project was circulated by the City for a 55-day public review and comment period from August 14, 2019, to October 7, 2019. Since the original Draft EIR was circulated, the project applicant has made several revisions to the project description, which are fully analyzed in this RDEIR. As such, the Alternative 4 has been included to represent the previous proposed project (or “Prior Project”), to allow the public and decision makers to compare the impacts of the “revised project” that is analyzed in this RDEIR to the previously analyzed “Prior Project.”

Alternative 4 would involve construction and operation of a mixed-use structure of approximately 214,483 sf with a maximum height of 71.5 feet, similar to the proposed project. The characteristics of the mixed-use building that would be developed under Alternative 4 are listed in Table 6-4. As shown in this table, the building would consist of an 86-room hotel, restaurant, art gallery, and 70 residential units. The proposed building would include approximately 63,104 sf of hotel and commercial space (i.e., restaurant and art gallery), 62,750 sf of residential space, and 14,368 sf of common areas. Of the 70 residential units (38 studios; 23 one-bedroom; nine two-bedroom; no three-bedroom units), 13 units would be affordable housing units (7 very-low income and 6 moderate-income units). The building heights for Alternative 4 would range up to six stories above ground, up to 71.5 feet above grade in certain areas, with two subterranean levels of parking. Alternative 4 would have an FAR of 3.13, greater than the proposed project but slightly less than what is allowable for the project site. Approximately 130 parking spaces would be available to serve the residential and commercial uses, with approximately 45 flexible parking spaces, totaling 175 parking spaces.

Access to the project site would be available from three separate driveways: one on Santa Monica Boulevard, one on Orange Grove Avenue, and one on Ogden Drive. Alternative 4 would be accessible for hotel guests and the public from Santa Monica Boulevard and Orange Grove Avenue with separate vehicular ingress/egress for residents only along Ogden Drive. The entrance on Santa Monica Boulevard would provide a point of ingress for commercial patrons arriving at the project site. Pedestrians could access the site via Orange Grove Avenue, Santa Monica Boulevard, or Ogden Drive.

Construction of Alternative 4 would involve demolition of the existing 10,000-sf commercial building located on the existing 7811 Santa Monica Boulevard parcel, the parking lot adjacent to the commercial building, the City-operated parking lot located along Orange Grove Avenue, and the multifamily structure located on the parcel along Ogden Drive.

Table 6-4. Alternative 4 Components

Hotel Area	
Square Footage	57,967 sf
Rooms	86 rooms
Amenities	Fitness area
	Pool
	Valet
	Laundry
	Housekeeping
	Outdoor common areas
Residential	
Square Footage	62,750 sf
Units	70 units
Unit Details	7 very low income units and 6 moderate income units
	38 studio apartments, 23 one-bedroom apartments, 9 two-bedroom apartments
Art Gallery	
Square Footage	1,381 sf
Common Area	
Square Footage	14,368 sf
Restaurant	
Square Footage	3,756 sf
Amenities	Outdoor dining

Ability to Meet Project Objectives

Alternative 4 would meet the project objectives, since it would establish a mixed-use building along Santa Monica Boulevard and on the east side of the City, with the same land use types and design features as the proposed project. This alternative would increase the extent to which the project meets objectives pertaining to hospitality, including the objectives of providing a hospitality use in the vicinity of complementary studio and creative office uses; providing a full-service boutique hotel on the east side of the City; enhancing the east side's appeal as a visitor destination; and providing hospitality uses near alternative means of transportation. Alternative 4 would result in 41 more hotel rooms when compared to the proposed project, thereby increasing the hotel size and increasing the extent to which the hospitality objectives are achieved. Alternative 4 would meet objectives pertaining to economic benefits to a greater degree than proposed project. Increasing the size of the hotel would increase the number of permanent jobs at the site and would increase revenue from hotel occupancy taxes that would be generated during project operation. Alternative 4 would still redevelop an underutilized site and it would meet the objective of maximizing the site's economic value to a greater degree as compared to the proposed project, due to the increase in hotel use. Conversely, while Alternative 4 would meet objectives pertaining to housing, it would not meet these objectives to the same degree as the proposed project since it would provide 25 fewer residential units than the proposed project, including 3 fewer affordable housing units. As such, Alternative 4 would decrease the degree to which the project would accommodate the need for residential housing in the City and in the County of Los Angeles, including affordable housing. It would also provide less housing near alternative means of

transportation and would contribute less to the proposed residential development of mixed-use areas, when compared to the proposed project.

Comparison of the Environmental Effects to the Proposed Project

Alternative 4 would develop a mixed-use building on the project site in the same manner as the proposed project. The mixed-use building that would be developed under Alternative 4 would have similar land uses as the building that would be developed under the proposed project and would be similar in size, although the square footage would be slightly greater relative to the proposed project. The building would have the same maximum height as the proposed project (71.5 feet) and would involve demolition of the same existing on-site structures as the proposed project. Alternative 4 would involve construction of 41 more hotel units and 25 fewer residential units would be constructed. The number of parking spaces would be the greater than the proposed project with a total of 175 spaces. The restaurant space and art gallery space would be the same as the proposed project. The types of impacts for Alternative 4 would be similar to those of the proposed project. The following details each environmental issue area evaluated within this RDEIR.

Aesthetics

As discussed in Section 3.1, the proposed project would result in visual changes at the project site; however, the proposed project would be consistent with the neighborhood as characterized in City's General Plan. There are no known conflicts with applicable zoning or other regulations governing scenic quality. Additionally, in accordance with Section 21099 of the Public Resources Code, for qualified projects in a transit priority area, which is the case for the proposed project, aesthetic impacts cannot be considered significant, and therefore, the analysis makes no judgment of the significance of any possible impacts under CEQA.

The appearance of the building developed on the site under Alternative 4 would be similar to that of the proposed project. While the building developed under Alternative 4 would increase slightly in mass, its height would remain the same relative to the proposed project (maximum of 71.5 feet). However, the change in building size would not result in an appreciable difference in the appearance of the structure when compared to the proposed project. Alternative 4 would be a transit-oriented project, as identified in Section 21099 of the Public Resources Code. As explained in Section 3.1.2 of this RDEIR, for qualified projects in a transit priority area (such as the proposed project and this alternative) aesthetic impacts cannot be considered significant impacts on the environment pursuant to Section 21099(d)(1). Therefore, the aesthetics analyses for the proposed project and for this alternative make no judgment of the significance of any possible impacts under CEQA.

Air Quality

As discussed in Section 3.2, construction and operation of the proposed project would not result in any significant air quality impacts. All impacts would be less than significant after mitigation.

Construction activities for Alternative 4 would be similar in duration, intensity, and footprint relative to the proposed project. While the slight increase in building size under Alternative 4 may slightly increase the duration and the intensity of construction activities relative to the proposed project, the increase would not be appreciable or necessarily noticeable. The footprint of ground disturbance would be the same as that of the proposed project, the depth of excavation would be similar, and the types of the equipment expected to be used would be the same. As such, impacts would be similar to those of the proposed project, with emissions increasing slightly for some pollutants and decreasing slightly for others, as demonstrated through a comparison of the results in this RDEIR to

those of the original Draft EIR for the project (circulated for public review in 2019), which analyzes Alternative 4 as the “proposed project.” The same construction mitigation measure (MM-AQ-1) would still be required and may require slight adjustments based on the increased construction intensity of Alternative 4, in order to ensure that construction health risk impacts would be less than significant.

During operation, the land uses on the project site would be similar to the proposed project, except that Alternative 4 would include 41 more hotel units and 25 fewer residential units. As explained in Section 3.2 of this RDEIR, operational air emissions are generated by mobile sources (vehicular traffic); area sources, such as the use of consumer products, architectural coatings for repainting, and landscape maintenance equipment; and energy sources, including combustion of fuels used for space and water heating and cooking appliances. Alternative 4 would represent an increase in vehicular traffic relative to the proposed project. Daily vehicle trips associated with daily mobile source air pollutant emissions would increase by approximately 23% under Alternative 4 as compared to the proposed project.⁴ This would represent an increase in daily operational air emissions for most pollutants. Mobile sources are the largest source of emissions for most air pollutants under the proposed project, as shown in Section 3.2, Table 3.2-8. However, a slight increase would result in similar impacts to the proposed project given that the proposed project’s estimated emissions are projected to be well below the SCAQMD significance thresholds. As such, the increase in emissions under Alternative 4 would not result in an exceedance of thresholds, and operational impacts to air quality under Alternative 4 would also be less than significant. (This is also demonstrated in the original Draft EIR for the project (circulated for public review in 2019), which analyzes Alternative 4 as the “proposed project.” While impacts would be less than significant, emissions would be slightly greater than those of the currently proposed project for most pollutants, for the reasons described above.)

Cultural Resources

As discussed in Section 3.3, construction and operational impacts to archaeological and paleontological resources, as well as human remains, can be reduced to less-than-significant levels through implementation of mitigation. Impacts to historical resources would be less than significant.

Impacts to cultural resources would be similar to those of the proposed project. The same existing structures that are proposed for demolition under the proposed project would be demolished under Alternative 4. As explained in Section 3.3, the on-site structures are not considered historical resources under CEQA. As such, impacts to historical, built-environment resources would remain less than significant under Alternative 4. The potential to uncover buried archaeological resources, paleontological resources, or human remains would also be the same, as the footprint of ground disturbance and the depth of excavation would be generally the same. As with the proposed project, impacts could be potentially significant in the event that unknown resources or remains were to be uncovered during excavation. The same mitigation measures provided for the proposed project (MM-CUL-1, MM-CUL-2, and MM-CUL-3) would reduce these impacts to below a level of significance. With implementation of these measures, impacts to archaeological resources, paleontological resources, and human remains would be less than significant with mitigation incorporated and comparable to those of the proposed project.

⁴ Proposed project daily total trip generation from the hotel and residential components only = 376 + 517 = 893 trips. Alternative 4 would have 86 hotel rooms and 70 residential units. Thus, the total trip generation = [(86 x 8.36) + (70 x 5.44)] = [718.96 + 380.8] = 1099.76 total daily trips. The percent change between the proposed project and Alternative 4 = [(1099.76 - 893)/893] x 100 = 23.15%

Greenhouse Gas Emissions

As discussed in Section 3.4, construction and operation of the proposed project would result in less than significant GHG emission impacts. All impacts would be less than significant, and no project-specific mitigation is required.

GHG emissions generated during construction for Alternative 4 would slightly increase relative to the proposed project due to the increase in building size. During operation, the number of daily vehicle trips would increase relative to the proposed project, as explained under “Air Quality.” Mobile sources are the largest contributor to GHG emissions for the proposed project, as shown in Table 3.4-4. However, as described in Section 3.4, the GHG emissions of the proposed project would be well below the SCAQMD screening criterion of 3,000 MT CO_{2e}. As such, even though emissions would increase under Alternative 4, emissions would still remain below the screening criterion. (This is also demonstrated in the original Draft EIR for the project (circulated for review in 2019), which analyzes Alternative 4 as the “proposed project.” The GHG emissions shown therein demonstrate increases relative to the currently proposed project analyzed in this RDEIR but also show that emissions would still be below the screening criterion.)

Nevertheless, as explained in Section 3.4, significance of the proposed project’s GHG emissions is evaluated by considering whether the proposed project complies with applicable regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Key regulatory plans addressed in Section 3.4 include the City’s CAAP, Senate Bill 32, the California Air Resources Board 2030 Climate Change Scoping Plan, and the SCAG 2020–2045 RTP/SCS. (See Section 3.4 for more details on each of these plans.) Similar sustainability measures identified for the proposed project would also be implemented for Alternative 4. As such, the same consistency conclusions for GHG emission reduction plans described for the proposed project in Section 3.4 would also apply to Alternative 4. For these reasons, impacts for Alternative 4 would be similar to those of the proposed project and would be considered less than significant.

Hazards and Hazardous Materials

As discussed in Section 3.5, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset or accident conditions. Additionally, the project would not emit hazardous emissions or handle hazardous materials or substances within one-quarter mile of an existing or proposed school. All hazards and hazardous materials impacts associated with the proposed project would be less than significant.

Impacts for Alternative 4 would be similar to those of the proposed project. The types of materials used during construction and operation would be generally the same, although a slightly greater volume would be required due to the slight increase in building size relative to the proposed project. Impacts involving transport, use, and disposal of hazardous materials would remain less than significant. Similar types and quantities of hazardous materials would be used for Alternative 4 during operations as for the proposed project, since the types of land uses would be generally the same (i.e., hotel, restaurant, and residential). As such, the potential for upset and accident conditions involving the release of hazardous materials to the environment would be similar to those of the proposed project. Impacts would remain less than significant. Because the project location and the types of hazardous materials that would be used for Alternative 4 would be generally the same as the proposed project, impacts involving the use or release of hazardous materials near schools would also remain less than significant and would be overall comparable to those of the proposed project.

Noise

As discussed in Section 3.6, construction and operational impacts of the proposed project would be potentially significant. However, with implementation of mitigation, all construction and operational noise impacts would be reduced to less than significant levels. Additionally, vibration impacts would be less than significant.

Construction noise for Alternative 4 would be similar to that of the proposed project. The area of construction would be the same and the types of construction equipment required would be the same. The slight increase in building size under Alternative 4 may result in a slight increase in the duration and/or intensity of construction. However, this slight change would not result in a noticeable or appreciable increase in the daily construction noise that is experienced by surrounding receptors. As with the proposed project, construction for Alternative 4 would occur adjacent to Fountain Day School and residential sensitive receptors, including the multifamily residential buildings along Ogden Drive. The maximum construction noise levels that would be experienced at Fountain Day School and adjacent residences are expected to be generally the same as the levels identified for the proposed project. Therefore, Alternative 4 would still result in potentially significant impacts in the category of construction noise. However, as with the proposed project, the same mitigation measures (MM-NOI-1 through MM-NOI-5) would be implemented and would reduce potentially significant construction-related noise impacts to below a level of significance.

Operational noise impacts would be similar to that of the proposed project but would change to a minor degree in some categories. Because the traffic generation of the project would increase, the contribution to off-site traffic noise levels would increase marginally under Alternative 4. Exterior noise levels would be the same or similar. Because the size of the hotel would be increase under Alternative 4, the noise levels from hotel outdoor areas may increase relative to those identified for the proposed project. Additionally, operation of a loading dock would still be required, since the project would include restaurant and hotel uses. As such, operational noise impacts would remain potentially significant yet with implementation of mitigation (MM-NOI-6, MM-NOI-7, and MM-NOI-8) can be reduced to less than significant levels, similar to the proposed project. (This is also demonstrated in the original Draft EIR for the project (circulated for public review in 2019), which analyzes Alternative 4 as the “proposed project.” The operational noise analysis shown therein demonstrates that operational noise would be less than significant after implementation of operational mitigation measures that are similar to those currently proposed.) Overall, noise impacts may increase marginally under Alternative 4 when compared to the proposed project but would remain less than significant with mitigation.

Public Services

As discussed in Section 3.7, impacts to police protection, fire protection and schools would be less than significant. The project would not result in substantial adverse physical impacts associated with the provision of or 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.

Alternative 4 would result in fewer residential units relative to the proposed project. However, the size of the hotel would be increased. As such, the total on-site, overnight population at the project site would increase slightly under Alternative 4 when compared to the proposed project. As such, the demands of Alternative 4 on fire protection or police protection would slightly increase relative to those of the proposed project. Nevertheless, the marginal increase in demand would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire or police facilities, and impacts would remain less than significant for generally the same reasons described in Section 3.7 of this RDEIR. (This is also demonstrated by the conclusions in the original Draft

EIR circulated for public review in 2019, which analyzes Alternative 4 as the “proposed project” and concluded that impacts to police and fire facilities would be less than significant.)

Alternative 4 would result in fewer residential units when compared to the proposed project, resulting in a decrease in the number of students that would be generated by the project. On balance, Alternative 4 would result in comparable public services impacts to those of the proposed project.

Transportation

As discussed in Section 3.8, construction and operation of the proposed project would result in less-than-significant transportation impacts. All impacts would be less than significant, and no mitigation is required.

Alternative 4 would result in 41 more hotel rooms and 25 fewer residential units than the proposed project. The size of the art gallery and restaurant uses would remain the same as the proposed project. As such, fewer residents would travel to and from the site each day; more hotel guests and hotel employees would travel to and from the site each day; and the same number of restaurant customers and employees and art gallery visitors and employees would be expected to travel to and from the site each day. The project and Alternative 4 would be located within one-tenth of a mile of a major transit stop and would be developed with an FAR greater than 0.75. The project and Alternative 4 would also be infill, mixed-use developments located within the Transit Overlay Zone and the Mixed-Use Incentive Overlay Zone. Consistent with the OPR guidelines, the City is presuming that projects proposed within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less than significant impact on VMT. Therefore, as with the proposed project, Alternative 4 would result in similar impacts relative to VMT and would not conflict with CEQA Guidelines Section 15064.3. Additionally, the project and Alternative 4 would comply with the City’s TDM Ordinance which requires all commercial projects with 5,000 square feet or more and residential projects with 10 or more units to implement a suite of TDM strategies aimed at reducing vehicle trips encouraging use of alternative transportation options.

Impacts related to roadway hazards would be similar to those of the proposed project. The same driveways would be constructed as those that are planned for the proposed project, and they would be constructed in the same configuration. Alternative 4 would not introduce any new conflicts with adopted policies, plans, or programs regarding public transit, bicycles, or pedestrian facilities because the site would be developed and would continue to allow access to alternative forms of transportation and provide bicycle and pedestrian facilities. As such, impacts would remain less than significant and overall would be similar when compared to the proposed project

Utilities and Service Systems

As discussed in Section 3.9, construction and operation of the proposed project would result in less than significant impacts to water, wastewater, solid waste, energy, electricity, and telecommunications services.

A comparison of the utilities calculations shown in the original Draft EIR (circulated in 2019) demonstrates that Alternative 4 would have greater demands for utilities in all categories. Nevertheless, as shown in the original Draft EIR, impacts would remain less than significant. As with the proposed project, Alternative 4 would not exceed wastewater treatment requirements or exceed the conveyance or treatment capacity of existing sewage systems or landfills. Impacts would remain less than significant for generally the same reasons described in Section 3.9 of this RDEIR; however, Alternative 4 would result in slightly greater impacts when compared to the proposed project.

Energy

As discussed in Section 3.10, construction and operation of the proposed project would result in less-than-significant energy impacts. All impacts would be less than significant, and no mitigation is required.

Energy consumption would increase under Alternative 4. The building square footage would increase under Alternative 4, which would increase energy use during construction. A comparison of the energy use calculations shown in the original Draft EIR (circulated in 2019) demonstrates that Alternative 4 would entail increased electricity use and natural gas use during operations. As explained under “Air Quality,” daily vehicle trips would increase relative to the proposed project. As such, operational petroleum use would increase. Nevertheless, and as demonstrated in the original Draft EIR (circulated in 2019), Alternative 4’s operational energy use would not increase such that its energy use would be considered wasteful or inefficient, for similar reasons as set forth for the proposed project in Section 3.10. Furthermore, Alternative 4 would still comply with and implement a variety of energy-efficiency measures. Impacts would increase relative to the proposed project but would remain less than significant.

Land Use and Planning

As discussed in Section 3.11, construction and operation of the proposed project would result in less-than-significant land use and planning impacts. All impacts would be less than significant, and no mitigation is required.

Alternative 4 would result in a slight increase in the intensity of development on the project site relative to the proposed project with the construction of a restaurant, an 86-room hotel, 70 residential units, and an art gallery. When compared to the proposed project, Alternative 4 would result in fewer residential units, including fewer affordable housing units. As such, Alternative 4 would achieve land use policies pertaining to provision of housing and affordable housing to a lesser degree than the proposed project. As such, overall development intensity would increase and Alternative 4 would result in reduced residential development at the site. However, these aspects would not result in inconsistencies with land use plans/policies. Impacts may be considered to slightly increase but would remain less than significant.

Tribal Cultural Resources

As discussed in Section 3.12, construction and operational impacts to tribal cultural resources would be less than significant. No mitigation is required.

As also described in Section 3.12, the City has determined that no TCRs are present on the project site. As such, impacts under Alternative 4 would be comparable to those of the proposed project and would thus be considered less than significant.

6.3 Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

A comparative summary of the environmental impacts associated with each alternative is provided in Table 6-5. As shown, Alternative 1 (No Project Alternative) would be the environmentally superior alternative, as it would result in

no new environmental impacts and would eliminate the potentially significant (but mitigable) construction impacts related to air quality, cultural resources, and noise.

Among the remaining alternatives, Alternative 4 would have impacts that are primarily comparable to or greater than those of the proposed project. As such, Alternative 4 would not be considered the environmentally superior alternative. Alternative 3 would result in reduced operational impacts in numerous categories, including air quality and traffic noise, as well as most categories within utilities and service systems and energy. This decrease is generally due to the elimination of hotel uses from Alternative 3. (Hotel uses are generally considered more intensive land uses relative to residential land uses, generally resulting in greater trip generation, water use, energy demands, etc. per unit.) Conversely, Alternative 3 would result in increased construction impacts in numerous categories, including air quality, cultural resources, noise, and energy, because Alternative 3 would result in the largest building size amongst the alternatives (and compared to the proposed project) and because Alternative 3 would require an increased depth of excavation, due to an additional level of subterranean parking. (Alternative 3 would involve a three-level subterranean garage, while the other alternatives and the proposed project would involve a two-level subterranean garage.) In contrast to Alternative 3, Alternative 2 would generally result in increased operational impacts in several categories, including air quality, traffic noise, and energy, due to the increased number of hotel rooms when compared to the proposed project and Alternative 3. However, Alternative 2 would result in decreased construction impacts in numerous categories, including air quality, cultural resources, noise, and energy, due to the reduced building size. (Alternative 2 would result in smallest building size amongst the alternatives and when compared to the proposed project.) In summary, Alternative 2 generally reduces construction impacts but increases operational impacts, and Alternative 3 generally increases construction impacts but reduces operational impacts. (One exception to this is public services, where Alternative 2 would result in reduced demands for public services relative to Alternative 3.)

Several of the proposed project's construction impacts were determined to be potentially significant (but mitigable). As such, Alternative 2 would result in the greatest reduction in the project's potentially significant impacts (although the same or similar mitigation measures would still be required for Alternative 2, as described under Section 6.2.2). However, construction impacts are temporary in nature. The operational effects of the project, which would be reduced by Alternative 3, would occur throughout the life of the project and would thus be considered longer-term and relatively permanent impacts. For this reason, Alternative 3 (which reduces the operational impacts of the project) would be considered the environmentally superior alternative. Additionally, Alternative 3 would result in other benefits associated with housing supply, as Alternative 3 would develop the greatest number of housing units (including affordable units) on the project site when compared to the other alternatives and the proposed project. A number of benefits (including environmental benefits) are associated with locating housing within an urbanized area and in proximity to existing commercial businesses and employment opportunities, including potential VMT reductions and increased use of alternative modes of transportation. Furthermore, the additional housing units and affordable housing units would result in a greater contribution to the City's Regional Housing Needs Allocation. Overall, Alternative 3 would be considered the environmentally superior alternative and also may result in secondary benefits based on the inclusion of additional residential units. However, as discussed above, Alternative 3 would fail to meet any of the objectives pertaining to providing hospitality uses in the project area, including the objectives of providing a hospitality use in the vicinity of complementary studio and creative office uses; providing a full-service boutique hotel on the east side of the City; enhancing the east side's appeal as a visitor destination; and providing hospitality uses near alternative means of transportation. As such, Alternative 3 does not meet the project objectives to the same extent as the project.

Table 6-5. Comparison of Alternatives

Impact Area	Proposed Project	Alternative 1 No Project	Alternative 2 Increased Hotel/Commercial Density Bonus	Alternative 3 No Hotel	Alternative 4 Prior Project
Air Quality	LTSM	NI / ▼	LTSM / =	LTSM / =	LTSM / ▲
Cultural Resources	LTSM	NI / ▼	LTSM / ▼	LTSM / ▲	LTSM / =
Greenhouse Gas Emissions	LTS	NI / ▼	LTS / =	LTS / =	LTS / =
Hazards & Hazardous Materials	LTS	NI / ▼	LTS / ▼	LTS / =	LTS / =
Noise	LTSM	NI / ▼	LTSM / =	LTSM / =	LTSM / ▲
Public Services	LTS	NI / ▼	LTS / ▼	LTS / ▲	LTS / =
Transportation	LTS	NI / ▼	LTS / ▼	LTS / =	LTS / =
Utilities and Service Systems	LTS	NI / ▼	LTS / =	LTS / ▼	LTS / ▲
Energy	LTS	NI / ▼	LTS / =	LTS / =	LTS / ▲
Land Use & Planning	LTS	NI / ▼	LTS / ▼	LTS / =	LTS / ▲
Tribal Cultural Resources	LTS	NI / ▼	LTS / =	LTS / =	LTS / =

Notes: Aesthetics has been omitted from this table, since the proposed project and all of the alternatives (with the exception of the “No Project Alternative”) are mixed-use residential projects located on an infill site within a transit priority area. As such, the aesthetics impacts of the proposed project and its alternatives cannot be considered significant impacts on the environment, pursuant to Public Resources Code (PRC) 21099(d)(1).

N/A = Not Applicable; NI = No Impact; LTSM = Less than Significant with Mitigation; LTS = Less than Significant
= Comparable Impacts

▼ Reduced Impacts

▲ Greater Impacts

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7 List of Preparers

The following individuals participated in the preparation of The Bond Project Revised Draft Environmental Impact Report and its associated technical studies.

City of West Hollywood

Antonio Castillo, Senior Planner
Bob Cheung, Senior Transportation Planner

Dudek

Eric Wilson, Project Director
Nicole Cobleigh, Project Manager
Michele Finneyfrock, Deputy Project Manager
Brandon Whalen-Castellanos, Environmental Planner
Josh Saunders, AICP, Visual Resources Specialist
Jennifer Reed, Air Quality Services Manager
Adam Poll, QEP, LEED AP BD+C, Air Quality and Greenhouse Gas Emissions Specialist
Matthew Morales, Air Quality and Greenhouse Gas Emissions Specialist
Allison Lyons, MSHP, Senior Architectural Historian
Heather McDaniel McDevitt, MA, RPA, Senior Archaeologist
Linda Kry, Senior Archaeologist
Jonathan Leech, AICP, INCE, Environmental Technical Group Practice Director
Mike Greene, INCE Bd. Cert., Senior Noise Specialist/Acoustician
Dennis Pascua, Transportation Planning Manager
Sabita Tewani, AICP, PTP, Transportation Planner
Curtis Battle, GIS Technician
Kara Murphy, Publications Specialist

KOA Corporation

Carlos Velasquez, AICP, Senior Transportation Planner

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