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April 16, 2021

**VIA EMAIL**

Planning and Land Use Management (PLUM) Committee  
Los Angeles City Council  
Attn: Armando Bencomo, Deputy City Clerk, PLUM  
Committee  
200 N. Spring Street, Room 395  
Los Angeles, CA 90012

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**Re: Case No. CPC-2019-4908-DB-SPR; CF 20-0680 (1309-1331 South Pacific Avenue) – Applicant’s Response to Appeal**

Honorable Members of the PLUM Committee:

This firm represents RKD 13 PAC., LP (the “Applicant”), the applicant for the above-referenced project (the “Project”) located at 1309-1331 South Pacific Avenue (the “Site”). The Project is the construction of a four-story, 45-foot and five-inch residential building with 102 dwelling units (including 12 Very Low-Income affordable units).

At its meeting on April 23, 2020, the City Planning Commission (the “CPC”) approved one Density Bonus On-Menu Incentive, two Off-Menu Incentives, one Waiver of Development Standard, Site Plan Review, and conditions of approval and findings for the Project (the “Land Use Approvals”). The CPC also determined that the Project was exempt from CEQA pursuant to a Class 32 Categorical Exemption for Infill Development (CEQA Guidelines § 15332), and that none of the applicable exceptions to a Class 32 Categorical Exemption applied (the “CEQA Clearance”). To support the CEQA Clearance, the City prepared an Environmental Clearance document that included a draft Notice of Exemption pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15062 (the “NOE”), a Justification for Project Exemption, and supporting technical reports.

On May 5, 2020, the City issued a Letter of Determination specifying the findings for the Land Use Approvals and CEQA Clearance and the conditions of approval (the “LOD”).

On May 20, 2020, Citizens Protecting San Pedro (“Appellant”) and additional individual appellants appealed the Density Bonus On-Menu Incentive and Site Plan Review<sup>1</sup> and CEQA Clearance for the Project (the “Appeal”). On November 4, 2020, Appellant’s counsel sent a letter

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<sup>1</sup> As discussed below, the Project’s Density Bonus off-menu incentives and waiver under Los Angeles Municipal Code Section 12.22 A.25(g)(3) are not appealable.

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to this Committee making numerous arguments regarding the CEQA Clearance's alleged deficiency (the "Appeal Letter"). This letter rebuts each of the arguments in the Appeal Letter.

**I. The Project is Eligible for a Class 32 Categorical Exemption.**

Appellant alleges that the Project is not eligible for a Class 32 Categorical Exemption, because the Project is allegedly inconsistent with applicable General Plan and zoning regulations and policies (CEQA Guidelines § 15332(a)) and because the Project would allegedly result in significant air quality and traffic impacts (CEQA Guidelines § 15332(d)). (Appeal Letter, at 2.) Appellant also alleges that two exceptions to the use of a Class 32 exemption apply, because the Project would allegedly result in significant cumulative impacts (CEQA Guidelines § 15300.2(b)) and because "unusual circumstances" would allegedly apply to the Project (CEQA Guidelines § 15300.2(c)). (*Id.* at 3.)

Contrary to Appellant's arguments, the Project fully satisfies the requirements for a Class 32 Categorical Exemption. The Project has an accurate and stable project description (see Section II). The Project, with the requested benefits under the State of California's Density Bonus Law (California Government Code ("CGC") § 65915), is consistent with all applicable general plan and zoning regulations and policies (see Section III). The Project would not result in significant air quality and traffic impacts (see Section IV).

In addition, neither of the alleged exceptions to the use of a Class 32 Categorical Exemption apply. There is no reasonable possibility that the Project would result in a significant environmental effect due to unusual circumstances (see Section V). The Project would not result in significant cumulative environmental impacts (see Section VI).

**II. The Project Has an Accurate and Stable Project Description.**

Appellant alleges that the Project lacks an accurate and stable project description, both in terms of the project characteristics and the requested approval. (Appeal Letter, at 3.) For the reasons discussed below, the project description was accurate and stable.

**A. The NOE Is Consistent with the Technical Appendices.**

Appellant alleges that the NOE for the Project is inconsistent with certain of the underlying technical appendices and that those alleged inconsistencies affect the impact analyses. (Appeal Letter, at 3–5.) Appellant is incorrect.

***I. Transportation Analysis***

Appellant alleges certain discrepancies among the Project's transportation analysis, the LOD, and the October 16, 2020 hearing notice. (Appeal, at 4.) Linscott, Law & Greenspan Engineers ("LLG"), the Project's expert transportation consultant, provided the following expert response (see LLG, 1331 South Pacific Avenue Residential Project – Responses to Comments, April 15, 2021, attached as Exhibit A):

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Response to Comment 1: The commenter correctly notes the project description (i.e., a total of 109 apartment units) as assessed in the transportation impact analysis. The transportation impact analysis also notes that 12 of the units will be designated as affordable units. As a point of clarification, the City of Los Angeles Department of Transportation (LADOT) approved the transportation impact assessment Scope of Work by executing a formal Memorandum of Understanding (MOU) which was prepared on July 22, 2019. It is important to note that the MOU outlines all parameters for the transportation impact assessment (e.g., vehicle trip generation forecast, traffic distribution and circulation pattern for purposes of studying impacts at off-site intersections, a listing of other cumulative development in the area, etc.) based on the available project information at the time of MOU preparation. The MOU also outlines the specific locations of study and analysis methodology that is consistent with the latest LADOT guidelines in effect at that time. The MOU was formally signed on July 26, 2019. While the formal, and later, Notice of Exemption (dated April 23, 2020) notes a smaller total number of apartment units, the transportation analysis can be considered conservative in that a larger number of units was assessed for potential project-related significant transportation impacts. Further, as LADOT issued new City of Los Angeles *Transportation Assessment Guidelines (TIS)*<sup>2</sup> in response to Senate Bill 743 after issuance of the above clearance letter (i.e., which changed the way transportation impacts are evaluated for CEQA and shifts from driver delay, or level of service [LOS], to reduction of vehicle miles traveled [VMT]), LLG prepared a supplemental VMT assessment for inclusion as part of the administrative record and is summarized within Response to Comment 10, below.

The commenter is correct with respect to the quoted number of parking spaces in LLG's September 26, 2019 transportation impact assessment (i.e., 65 spaces), however, the specific language contained in the assessment notes, "a total of 65 vehicular parking spaces, including three accessible spaces, will be provided in the intermediate parking level." Thus, the number of spaces referred to relates specifically to the *intermediate* parking level only. It is acknowledged, however, that the later Notice of Exemption indicates that the project is planned to include 127 parking spaces on two subterranean levels. Having stated the above, the fact remains that the project's vehicular trip generation forecast is based on the total and type of apartment units and not on the number of parking spaces provided. Parking spaces, in and of themselves, do not generate vehicle trips, it is the land uses associated with those spaces that do. Therefore, the comment, while correct, does not result in the need to reassess the project's anticipated traffic impacts. The transportation analysis remains valid, as evidenced by the Los Angeles Department of Transportation's (LADOT's) issuance of their interdepartmental clearance letter

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<sup>2</sup> City of Los Angeles *Transportation Assessment Guidelines*, Chapter 2, CEQA Analysis of Transportation Impacts, July 2019.

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on October 22, 2019. In addition, the fact that the Notice of Exemption and October 16, 2020 Hearing Notice made no mention of bicycle spaces does not constitute a significant omission. The Applicant will be required to comply with the City's bicycle parking requirements and intends to comply with these provisions.

See also Response to Comments 2 and 5 in Exhibit A (regarding the transportation analysis's alleged deficient discussion of affordable housing) and Comment 3 in Exhibit A (regarding the Project's trip generation credit for existing uses).

Appellant has not provided any evidence that the alleged discrepancies discussed above would change the Project's transportation impact analysis.

## **2. *Noise Analysis***

Appellant alleges that the NOE is inconsistent with the Noise Analysis, because the Noise Analysis states that the Project would include 65 parking spaces, rather than the Project's actual number of parking spaces (127). (Appeal Letter, at 5.)

Douglas Kim + Associates, LLC ("DKA"), the Project's expert noise and air quality consultant, provided the following expert response (see DKA, 1331 Pacific Avenue Responses to Comments, March 22, 2021, attached as Exhibit B):

The noise analysis estimated impacts from the parking garage based on the number of vehicle[s] entering and exiting the subterranean garage throughout the day. Each vehicle that uses the garage generates noise from parking activities in the underground garage that are totally shielded with no line of sight to off-site sensitive receptors. Each vehicle trip would also generate noise at the entrance to the garage that is a function of the number of vehicles passing, not the number of parking spaces. As such, the noise analysis evaluated vehicle trips throughout the day which peaked at 39 A.M. and 62 net P.M. peak hour residential trips entering and exiting the garage. This was the anticipated trip generation associated with 109 residences at this location, as memorialized in the October 22, 2019 memo from the City of Los Angeles. Therefore, the analysis accurately reflects auto and parking-related noise impacts from 109 residences and would also address[] the Project's current reduced scope of 102 residential units.

Appellant has not provided any evidence that providing 127, rather than 65, parking spaces would change the Project's operational noise impact analysis.

## **3. *Air Quality Technical Report***

Appellant alleges certain inconsistencies between the Project's air quality analysis and the NOE. (Appeal Letter, at 5.) DKA provided the following expert air quality response (see Exhibit B):

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The technical air quality analysis has been updated to reflect the trips generated from the proposed 102 residential units and the 127 on-site parking spaces in the garage. (See Attachment A – Updated Air Quality Model Worksheets.) As illustrated in the attached air quality modeling worksheets, construction emissions of ROG (6.1 lb/day), NO<sub>x</sub> (82.3 lb/day), CO (44.8 lb/day), PM<sub>10</sub> (5.8 lb/day), and PM<sub>2.5</sub> (2.7 lb/day) would not exceed the SCAQMD’s regional thresholds of 75, 100, 550, 150, and 55 lb/day, respectively.

The commenter is incorrect that the published Air Quality Technical Report (November 2019) did not include site grading and soil export. The Technical Report factored in grading of the entire project site and the export of up to 23,348 cubic yards of soil to an off-site landfill up to 41 miles away. (See page 2-3 of the CalEEMod Technical Appendix of the Air Quality Technical Report: Acres of grading—0.72; Material Exported—23,348 cubic yards; Haul Trip Length—41 miles; the same is reflected on pages 2 and 3 of Attachment A (Updated Air Quality Modeling Worksheets).) The results from the updated analysis, consistent with the published Air Quality Technical Report, demonstrate less than significant air quality emission impacts from Project construction and operation.

Appellant has not provided any evidence that these alleged discrepancies would change the Project’s air quality impact analysis.

#### **4. Conclusion**

As the Project’s expert analysis shows, none of the alleged inconsistencies between the technical reports and the approval materials would change the underlying environmental impact analysis, or result in an overall unstable or inaccurate Project description.

#### **B. The Draft NOE Project Description Is Accurate and Consistent with the LOD.**

Appellant also alleges that the draft NOE’s project description is inaccurate and inconsistent with the LOD. (Appeal Letter, at 5.)

A Notice of Exemption must contain a “brief description of the project.” (CEQA Guidelines § 15062.) Generally, a project description must be accurate. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 188, 199.). However, a project description in a Notice of Exemption is not required to meet the specific requirements for a project description in an Environmental Impact Report (“EIR”). (See CEQA Guidelines § 15124.) Even the project description in an EIR is not required to “supply excessive detail beyond that needed for evaluation and review of the environmental impact.” (*Id.* § 15124(a) [emphasis added].) CEQA requires only a “general description” of a project’s technical characteristics: its “main features . . . rather than details or particulars.” (*Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20, 28 [citing CEQA Guidelines § 15124(c)].)

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An EIR project description must include, among other things, a “list of permits and other approvals required to implement the project.” (CEQA Guidelines § 15124(d)(1)(B).) However, as noted above, this requirement does not apply to the brief project description in a Notice of Exemption. Moreover, even the failure to include a required approval in an EIR project description is not per se reversible; prejudice must be shown. (*Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 925–27 [EIR’s incomplete project description, in failing to identify development agreement as an approval required to implement the project, was not prejudicial, since it did not preclude informed public participation and decision-making concerning the project].)

Here, the draft NOE project description was accurate and consistent with the LOD. The NOE and LOD both accurately describe a 102-unit, 45-foot, five-inch residential project with 83,158 square feet of floor area and a floor area ratio (“FAR”) of 2.65:1; 127 parking spaces on two subterranean levels; and approximately 2,500 cubic yards of grading and 20,000 cubic yards of soil export.

The one-paragraph project description in the draft NOE does not mention the Project’s benefits under the Density Bonus Law. However, the draft NOE does list “Density Bonus” under Entitlements Approved, and the Justification for Project Exemption attached to the NOE discusses the Density Bonus Law benefits in several places. In any event, as noted above, a Notice of Exemption is required only to include a “brief” project description, not the level of detail required in an EIR. (Compare CEQA Guidelines §§ 15062 and 15124.) Moreover, a project description need only include the level of detail needed for evaluation and review of a project’s “environmental impact.” (*Id.* § 15124(a).)

The draft NOE project description accurately describes the key features of the Project that impact the environment. The specific means of approving the Project (i.e., utilizing State Density Bonus Law benefits) are irrelevant to its environmental impact. As such, the City is not required to specifically note the Project’s State Density Bonus Law benefits in the one-paragraph NOE project description.

### **C. The LOD Adequately Describes the Density Bonus Incentives.**

As stated in the LOD, the Project includes both on- and off-menu density bonus incentives. (LOD, at 1.) Appellant claims that the LOD fails to identify which of the three incentives are on-menu, and which are off-menu. (Appeal Letter, at 6.) To the contrary, the findings clearly state this information:

- FAR: “The applicant has requested an Off-Menu Incentive for an FAR of 2.65:1 in lieu of the otherwise allowable 1.5:1 FAR.” (LOD, at F-1.)
- Open Space: “The applicant has requested a 20 percent reduction to allow 8,381 square feet of open space through an On-Menu Incentive.” (LOD, at F-2.)

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- Rear Yard: “The Applicant has requested an Off-Menu Incentive for a reduced yard, and proposes a 5-foot rear yard setback in lieu of the 16 feet otherwise required.” (LOD, at F-2.)

In any event, the categorization of on-menu and off-menu incentives is irrelevant to the Project’s development characteristics, approval process, and legal standards for approval. As discussed in Section III.B. below, the City must make the same findings under the State Density Bonus Law to approve or disapprove each of the requested incentives, regardless of whether it is “on-menu” or “off-menu” for purposes of the City’s local ordinance implementing the State Density Bonus Law (Los Angeles Municipal Code (“LAMC”) § 12.22 A.25). State law makes no distinction between on-menu and off-menu incentives.

As discussed below, pursuant to LAMC Section 12.36, because the Applicant requests Off-Menu Incentives and a Waiver of Development Standard, which require CPC approval, the CPC was required to hear all the Land Use Approvals as the initial decision-maker. Thus, as noted, the individual categorization of each incentive was irrelevant to the approval process. The LOD accurately and stably described the Project characteristics and approval requirements.

Moreover, even if the LOD were imprecise in its categorization of each incentive, any defect would be *de minimis* and would not be fatal to the CEQA Clearance. In *Rialto*, an EIR project description that failed to mention a required development agreement was found not to be prejudicial. (*Rialto, supra.*, 208 Cal.App.4th at 925–27.) Here, any deficiency in the discussion on on-menu versus off-menu incentives did not preclude informed public participation and decision-making concerning the project, as it had no impact on the Project’s physical characteristics, environmental impacts, or the approval process.

**D. No Financial Proforma or Third-Party Review Is Required for a State Density Bonus Law Project.**

Appellant alleges that the LOD failed to provide documentation of a required financial proforma and third-party review, showing that the off-menu incentives are required to make the affordable units economically feasible. (Appeal Letter, at 6.) However, Appellant cites outdated City policy regarding these alleged requirements. Appellant references a “City Guidance” document last revised on June 28, 2016. In 2017, however, the City expressly eliminated these requirements in response to changes to the State Density Bonus Law (Assembly Bill 2501). (See Memorandum re: Implementation of State Density Bonus Law, January 18, 2017, attached as Exhibit C [“Financial pro-formas and third party reviews will no longer be required for any . . . new density bonus case filings.”].)

Therefore, no proforma or third-party review was required in connection with the Project’s Density Bonus Law application.

As discussed in Section III.B. below, the State Density Bonus Law requires negative findings, based upon substantial evidence, to disapprove a requested incentive or concession. As

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such, the burden is on Appellant, not the Applicant, to show that the City can make the findings required to disapprove the Project's requested Density Bonus Law benefits. Appellant has not provided any evidence in the record that the City can make these findings.

In addition, as discussed in Section III.C.4. below, the CPC found based upon substantial evidence that the requested height waiver met the State Density Bonus Law's legal standard for approval. Appellant has not provided any evidence to rebut the CPC's finding.

**E. No CUP Is Required for the Project's FAR Increase.**

Appellant alleges that the Project requires a Conditional Use Permit ("CUP") due to the FAR increase request above the maximum allowed as an on-menu incentive. (Appeal Letter, at 6-7.) However, Appellant improperly conflates the concepts of density and FAR. "Density" refers to the permitted number of dwelling units on a lot, expressed in terms of the minimum lot area per dwelling unit. "FAR" is a ratio establishing a relationship between a property and the amount of development square footage permitted for that property, expressed as a percentage or ratio of buildable area or lot size. (LAMC § 12.03.)

Any increase in density above the limits specified in LAMC Section 12.22 A.25 (i.e., 35%) requires a CUP approved by the CPC. (LAMC § 12.24 U.26.) Appellant correctly notes this. (Appeal Letter, at 7.) However, as Appellant later admits, the Applicant is requesting a density increase of less than 35% (i.e., the Project only includes 102 units, whereas a 35% density bonus would permit up to 107 units). (See Appeal Letter, Table 1, at 10.) Therefore, the CUP for a density bonus above 35% is irrelevant to the Project.

The Area Planning Commission may also approve a CUP for a mixed-use project that allows for an FAR of up to 3 to 1 in a site located in Height District No. 1, which includes the Site. (LAMC § 12.24 V.) Applicant appears to suggest that any increase in FAR above 35% requires this CUP. However, this CUP is an entirely different process from an applicant's request for off-menu incentives under LAMC Section 12.22 A.25(g)(3).

Moreover, State law would prohibit such a CUP requirement for a Density Bonus Law application. As City Planning staff noted in its October 29, 2020 transmittal to PLUM, the Density Bonus Law expressly provides that the granting of a density concession or incentive shall not require or be interpreted, in and of itself, to require a discretionary approval such as a CUP. (CGC § 65915(j)(1).) Requiring a new CUP for an FAR incentive greater than 35%, as Appellant asks the City to do, would violate this provision of State law.

**F. The LOD Is Not Inconsistent with the Hearing Notice.**

Appellant also alleges certain deficiencies with respect to the Project's initial PLUM public hearing notice. (Appeal Letter, at 8.) However, the description of the Project in the hearing notice is accurate and consistent with the LOD and NOE. The October 16, 2020 hearing notice, like the LOD and NOE, describes the key Project details, including the proposed 102 total units, with 12

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affordable units, in a four-story, 45-foot and five-inch building with a floor area ratio of 2.65 to 1 and providing 127 vehicular parking spaces.

Although the hearing notice does not specifically mention the Project's 20,000 cubic yards of soil export, or each specific requested density bonus incentive/concession, this omission has no impact on the required Project approvals or the overall description of the Project. Moreover, the Environmental Clearance materials do account for the soil export and analyze its environmental effects.

The hearing notice does not conflict with the LOD or NOE. Minor differences in details among them do not detract from the overall accuracy and stability of the project description or the Project's environmental impact analysis.

**G. The LOD Accurately Describes the Project's Affordable Housing Requirements.**

Appellant alleges that the Project is "routinely misleading" in its description of the percentage of affordable units on-site. (Appeal Letter, at 8.) Appellant alleges that the Project is misleading because the LOD calculates the on-site affordable housing requirement based upon the site's "base density," rather than based upon the project's "total units" as allegedly required. (*Id.*) Again, however, Appellant misinterprets the LOD and misstates the law.

The State Density Bonus Law provides that the affordable housing requirement is calculated based upon a site's base density. Although the State Density Bonus Law uses the term "total units" (and the LAMC provisions that the appellant cites echo this usage), the Density Bonus Law expressly provides that "For the purposes of this section, "total units" . . . does not include units added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus." (CGC § 65915(b)(3).) The Project complies with the Density Bonus Law and is consistent with every other Density Bonus Law project in the City and State by calculating the affordable housing requirement based upon the site's base density of 79 units and describing the affordable housing requirement as a percentage of base density.

Requiring the Project to include a higher percentage of affordable housing units than required by the Density Bonus Law to obtain a density bonus would impermissibly conflict with the Density Bonus Law. (*Latinos Unidos Del Valle De Napa Y Solano v. County of Napa* (2013) 217 Cal.App.4th 1160, 1169 [county ordinance that failed to credit affordable units required under county inclusionary requirement towards satisfying the density bonus requirements violated the Density Bonus Law].) As in *Latinos Unidos*, requiring that affordable housing be calculated based on anything other than the "base density" would violate State law.

Therefore, the project description accurately describes the Project's affordable housing requirements. The Project approval materials accurately and consistently describe the Project's 12 affordable housing units.

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**H. The Project Qualifies for Redevelopment Plan Project Administrative Review and Does Not Require a Separate Redevelopment Plan Approval.**

Appellant cites Case No. DIR-2020-5031-RDP and alleges that there is another application associated with the Site that was filed due to the community's concern that the Project was not consistent with the Pacific Corridor Redevelopment Plan. (Appeal Letter, at 8-9.)

Again, Appellant mischaracterizes the facts. On August 25, 2020, the Applicant filed Case No. DIR-2020-5031-RDP for Redevelopment Plan Project Compliance to confirm that the Project did conform to the Pacific Corridor Redevelopment Plan and to provide a mechanism and documentation for that clarification. (See application form attached as Exhibit D, at 1.) However, on October 20, 2020, the Planning Department issued an Administrative Review and Referral form for the Project (attached as Exhibit E) that concluded: "The proposed project generally conforms to the objectives of the Pacific Corridor Redevelopment and DFD. Administrative Review only."

Because the Planning Department concluded that the Project qualifies for Redevelopment Plan Project Administrative Review, the Project does not require Redevelopment Plan Project Compliance and the Applicant withdrew Case No. DIR-2020-5031-RDP. (See withdrawal letter dated November 4, 2020, attached as Exhibit F.)

The Project approval materials accurately describe the Project, including the Redevelopment Plan clearance.

**I. Conclusion**

As discussed above, the City accurately described the Project. Appellant misreads the Project approval documents and misconstrues the LAMC and the Density Bonus Law. The Land Use Approvals and CEQA materials have an accurate and stable project description.

**III. The Project Is Consistent with all Applicable Zoning and Land Use Regulations and Policies.**

Appellant alleges that the Project is not consistent with the General Plan and the Zoning Ordinance, and is, therefore, not eligible for a Class 32 Categorical Exemption. (Appeal Letter, at 9–10.) For the reasons discussed below, the Project, including the requested Density Bonus Law benefits, is consistent with all applicable General Plan and zoning regulations and policies.

**A. The Project's Density Bonus Law Benefits Do Not Disqualify It from a Class 32 Categorical Exemption.**

Appellant appears to allege that, because the Project uses the Density Bonus Law to qualify for deviations from certain General Plan and zoning standards, it is not eligible for a Class 32 Categorical Exemption. (Appeal Letter, at 10, 20.) This argument directly contradicts applicable case law.

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To be eligible for a Class 32 Categorical Exemption, a project must be “consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.” (CEQA Guidelines § 15332(a) [emphasis added].) The California Court of Appeal has held that a project that included waivers of development standards under the Density Bonus Law for height, FAR, and setbacks was still eligible for a Class 32 categorical exemption. (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1347–50.) The court held that, due to the application of the Density Bonus Law waivers, the general plan and zoning regulations in question were not “applicable” to the site, and, therefore, the project still met the criterion for a Class 32 categorical exemption. (*Id.* at 1349.)

Here, the requested off-menu incentives and waiver that Appellant erroneously alleges make the Project ineligible for a Class 32 categorical exemption—for height, FAR, and one setback—are virtually identical to those upheld in *Wollmer*. As discussed below, the CPC approved the Project’s Density Bonus Law benefits consistently with the LAMC and State law.

**B. An Applicant May Request Relief from a Development Standard as an Off-Menu Incentive or Waiver, Even if that Standard Is Also on the City’s Menu of Incentives.**

Appellant alleges that the Project cannot request off-menu incentives or waivers of development standards to provide relief from any development standard that is also addressed in the menu of incentives codified in LAMC Section 12.22 A.25(f). (Appeal Letter, at 10.)

The State Density Bonus Law does not distinguish between on-menu and off-menu incentives. (See CGC § 65915(k) [“[C]oncession or incentive means . . . [a] reduction in site development standards or a modification of zoning code requirements . . . .”].) Under State law, the same legal standard applies to all requested concessions or incentives—the City may not disapprove the concession or incentive unless it makes a written finding, based upon substantial evidence, of one of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of [CGC] Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

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(*Id.* § 65915(d)(1).) (These findings are collectively referred to in this letter as the “Incentive Findings”.)

Section 12.22 A.25(f) of the LAMC enumerates a menu of eight incentives which a project may request via a Density Bonus application filed pursuant to the procedures in Section 12.22 A.25(g)(2). If a project seeks relief from a development standard not on the menu, or seeks greater relief from a specified development standard than the menu of incentives permits, a project may seek an off-menu incentive or a waiver of development standard pursuant to the procedures in Section 12.22 A.25(g)(3). The State Density Bonus Law does not limit the number of waivers that a project may request in addition to its allotted incentives, although as discussed below the Density Bonus Law establishes a different legal standard for waivers as opposed to incentives. (See CGC § 65915(e) [the City shall not apply “any development standard” that would physically preclude construction of the Project “at the densities or with the concessions or incentives permitted by this section”] [emphasis added].)

As noted, the process in LAMC Section 12.22 A.25(g)(3) applies to projects requesting incentives or waivers “not included” on the menu of incentives in Section 12.22 A.25(f). These incentives or waivers are not required to adhere to the menu of incentives. Even if the menu of incentives in LAMC Section 12.22 A.25(f) includes specified relief from a zoning or land use regulation, an applicant may still request an off-menu incentive or waiver under the State Density Bonus Law to provide different or greater relief than what would be otherwise permitted.

The only difference between on-menu and off-menu incentives is the City approval process that applies to each. For applications seeking only on-menu incentives, the Planning Director is the initial decision-maker, with appeal to the City Planning Commission. (LAMC § 12.22 A.25(g)(2)(i)c., f.) For applications seeking off-menu incentives or waivers of development standards, by contrast, the City Planning Commission is the initial decision-maker and there is no appeal. (*Id.* § 12.22 A.25(g)(3)(i)b.) If a project requests multiple discretionary actions, the procedures set forth in LAMC Section 12.36 apply. (*Id.* § 12.22 A.25(g)(2)(ii), (g)(3)(ii)a.)

LAMC Section 12.36 C.1. provides:

If a project requires any approval or recommendation separately decided by . . . the Director, as the initial decision-maker, and also requires any approval or recommendation by the City Planning Commission as the initial decision-maker, then the City Planning Commission shall have initial decision-making authority for all of the approvals and/or recommendations.

Here, because the Applicant requested off-menu incentives and a waiver requiring CPC approval as the initial decision-maker, pursuant to LAMC Section 12.36, the CPC appropriately heard all the requested incentives as the initial decision-maker.

Moreover, as noted above, the State Density Bonus Law provides that the granting of a density bonus, concession, or incentive shall not require or be interpreted, in and of itself, to require

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a general plan amendment, zoning change, or other discretionary approval. (CGC § 65915(f)(5), (j)(1).) In addition, the Housing Accountability Act (“HAA”), another State law, also provides that “the receipt of a density bonus” under the State Density Bonus Law is not a valid basis on which to find a proposed housing project is not in conformity with applicable zoning or land use plans. (*Id.* § 65589.5(j)(3).) The State Department of Housing and Community Development confirmed that for purposes of this provision, a “density bonus” includes “a bonus in the number of units, incentives, concessions, or waivers to development standards allowed under Density Bonus Law.” (HAA Technical Assistance Advisory, September 15, 2020, attached as Exhibit G.) The mere fact that the Project qualifies for a density bonus, incentives, and a waiver of development standards does not make the Project inconsistent with applicable zoning. And, consistent with the holding in *Wollmer*, the Project’s Density Bonus Law benefits do not make it ineligible for a Class 32 categorical exemption.

**C. The Project, with the Requested Density Bonus Incentives and Waiver, Is Consistent with all Applicable Zoning and Land Use Regulations and Policies.**

Appellant alleges that the Project is inconsistent with several specific zoning and land use regulations and policies. (Appeal Letter, at 10-20.) For the reasons discussed below, the Project is consistent with all these regulations and policies.

**1. Front Yard Setback**

Appellant claims that the Project does not comply with an alleged front yard setback requirement of 15 feet. (Appeal Letter, at 11.)

The Project is situated on a corner lot with 210 feet of frontage on Pacific Avenue and 150 feet of frontage on 14<sup>th</sup> Street. The LAMC defines a Front Lot Line for a corner lot as the “line separating the narrowest street frontage of the lot from the street.” (LAMC § 12.03.) Therefore, the southern lot line adjoining 14<sup>th</sup> Street is the Front Lot Line.

The Project Site is wholly located in the C2 Zone. The appellant appears to suggest that the R4 front yard requirement applies to residential projects in the C2 Zone. However, front yards are not required in the C2 Zone. (LAMC § 12.14 C.1 [“**Front Yard** – Not required.”].) Only the side and rear yards of residential buildings in the C2 Zone must conform to R4 development standards, as discussed below. (See LAMC § 12.14 C.2.) Thus, the Project has no front yard setback requirement.

**2. Rear Yard Setback**

Appellant claims that the Project does not comply with a rear yard setback requirement of 16 feet. (Appeal Letter, at 11.)

The LAMC defines a Rear Lot Line as “a lot line which is opposite and most distant from the front lot line.” (LAMC § 12.03.) As discussed above, the Project’s Front Lot Line is the lot

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line which adjoins 14<sup>th</sup> Street. Therefore, the Project's Rear Lot Line is the lot line adjoining the commercially zoned parcel to the north of the Site.

In the C2 Zone, “for all portions of buildings erected and used for residential purposes, side and rear yard conforming to the requirements of the R4 Zone . . . shall be provided and maintained” at the lowest residential level. (LAMC § 12.14 C.2.) In turn, the R4 zone requires “a rear yard of not less than 15 feet in depth. For a building more than three stories in height, one foot shall be added to the depth of such rear yard for each additional story above the third story, but such rear yard need not exceed 20 feet.” (*Id.* § 12.11 C.3.) The Project is four stories tall, and, therefore, strict compliance with the Zoning Ordinance would require a rear yard of 16 feet.

The City's menu of incentives would permit a rear yard reduction of up to 20%, to 12.8 feet. (LAMC § 12.22 A.25(f)(1).) However, the Applicant has requested a five-foot rear yard as an off-menu incentive pursuant to LAMC Section 12.22 A.25(g)(3). As discussed in Section III.B., the Applicant may request additional relief from the rear yard requirement as an off-menu incentive, even if the City's menu of incentives includes specified relief from rear yard requirements.

As discussed above, the CPC could only disapprove the requested rear yard setback incentive if it made one of the Incentive Findings based upon substantial evidence. As stated in the LOD, the CPC could not make any of these findings:

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested on- and off-menu incentives are not necessary to provide for affordable housing costs per State Law.

. . . Strict compliance with the rear yard requirement would reduce the buildable lot area by 11 feet for the rear yard, thereby limiting the buildable area for new development and reducing the number and range of units that could be developed. The requested incentive allows the developer to reduce setback requirements so the affordable housing units can be constructed and the overall space dedicated to residential uses is increased.

. . . There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact.

. . . There is no evidence in the record that the proposed incentives are contrary to state or federal law.

(LOD, at F-2–F-3.)

As the CPC found, the rear yard incentive would expand the building envelope and permit additional residential units and floor area, thereby decreasing the marginal cost of constructing the Project's affordable housing units. As such, the CPC was required to approve the rear yard setback incentive under the State Density Bonus Law. The CPC's decision is final and non-appealable.

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(LAMC § 12.22 A.25(g)(3)(i)b.) Therefore, the rear yard setback incentive is consistent with the LAMC and the State Density Bonus Law.

### 3. *Unit Size*

Appellant appears to allege that the Project must adhere to a minimum unit size of 400 square feet per residential dwelling unit. (Appeal Letter, at 11–12.)

Appellant cites LAMC Section 12.22 A.25 (c)(i)(10). (*Id.*, at 11.) This section of the Zoning Ordinance does not exist. If Appellant intended to cite Section 12.22 A.25 (c)(10), that subsection is inapplicable, because the Project is not utilizing the alternative compliance method specified in that subsection, and because the Project is not utilizing Low Income Housing Tax Credit financing.

Neither the Zoning Ordinance nor the State Density Bonus Law imposes any minimum unit size requirement. Appellant again appears to be conflating two concepts: in this case, “density” versus “unit size.” In the C2 Zone, the density standards of the R4 Zone apply. (LAMC § 12.14 C.3 [“The lot area requirements of the R4 Zone . . . shall apply to all portions of buildings used for residential purposes.”].) In the R4 Zone, “[t]he minimum lot area per dwelling unit shall be 400 square feet.” (LAMC § 12.10 C.4.) This development standard limits density expressed in terms of minimum lot area per dwelling unit; it does not state that the minimum unit size must be 400 square feet. The Zoning Ordinance has never been interpreted as imposing a minimum unit size requirement.

### 4. *Height*

Appellant alleges that the Project’s height is inconsistent with zoning requirements and inconsistent with the City’s menu of incentives. (Appeal Letter, at 12–13.)

The Site is in Height District 1XL. In Height District 1XL, buildings constructed entirely for residential purposes are limited to a maximum height of 30 feet. (LAMC § 12.21.1 A.1.) Appellant alleges that the Project can only seek an on-menu incentive to increase height from 30 feet to 41.5 feet. (See LAMC § 12.22 A.25(f)(5).)

The Applicant requested a 15-foot, five-inch waiver or reduction of development standards pursuant to LAMC Section 12.22 A.25(g)(3) to permit a building height of 45 feet and five inches. The State Density Bonus Law provides that an applicant may request a waiver or reduction of “any development standard that will have the effect of physically precluding the construction of a development . . . at the densities or with the concessions or incentives permitted by” the Density Bonus Law. (CGC § 65915(e)(1).) If the City finds that applying a particular development standard would be so physically preclusive, it must approve the requested waiver or reduction unless it finds that the waiver or reduction:

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[1] would have a specific, adverse impact . . . upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact . . .

[2] would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or . . .

[3] would be contrary to state or federal law.

*(Id.)*

As discussed in Section III.B., the Applicant may request additional building height relief as a waiver, even if the City’s menu of incentives includes specified relief from height requirements. Thus, Appellant’s discussion of the Project’s specific inconsistencies with the on-menu height incentive set forth in LAMC Section 12.22 A.25(f)(5) is irrelevant.

In addition, contrary to Appellant’s argument, requesting the height increase as a waiver is not a “way for the project to get four, rather than three incentives.” (Appeal Letter, at 10.) As the State Density Bonus Law permits, the Applicant is requesting three incentives and one waiver. The Density Bonus Law provides that a request for a waiver or reduction of development standards does not reduce or increase the number of incentives to which an applicant is entitled. (CGC § 65915(e)(2).)

As stated in the LOD, the CPC found that the application of the LAMC height requirement “would preclude development of the proposed density bonus units and project amenities”:

The limitation on the height would remove one (1) story from the proposed building which contains 27 dwelling units, and will limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable Units which are of a sufficient size. This development standard would have the effect of physically precluding construction of a development providing 102 dwelling units, of which 12 units will be set aside for Very Low Income households. As proposed, the additional height will allow for the construction of the affordable residential units. The requested waiver will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

(LOD, at F-3–F-4.) In addition, the CPC could not make any of the other findings required to disapprove the height waiver:

There is no evidence in the record that the proposed incentives are contrary to state or federal law.

. . . [N]one of the potential environmental effects of the proposed Project would cause substantial adverse effects on human beings, the physical environment, on

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public health and safety, or on property listed in the California Register of Historic Resources.

*(Id.)*

The CPC found, based upon evidence provided by the Applicant, that applying the Zoning Ordinance height requirement would physically preclude construction of the Project at the density and with the incentives permitted under the Density Bonus Law, because it would eliminate one story of the building and, therefore, prevent the Project from constructing the permitted number of residential units at the permitted FAR of 2.65 to 1. Thus, the CPC appropriately approved the requested waiver of building height development standards. The CPC's decision is final and non-appealable. (LAMC § 12.22 A.25(g)(3)(i)b.) Nevertheless, Appellant has not—and could not have—provided any evidence to rebut the CPC's findings, because the record clearly demonstrates the need for the extra height envelope as a basic physical and architectural fact. As such, the height waiver is consistent with the LAMC and the State Density Bonus Law.

## 5. FAR

Appellant alleges that the Project's FAR is inconsistent with zoning requirements and inconsistent with the City's menu of incentives. (Appeal Letter, at 14–15.)

The Site is in Height District 1XL and in the C2 Zone. Commercially zoned lots in Height District 1XL are limited to an FAR of 1.5 times the buildable area of the lot. (LAMC § 12.21.1 A.1.)

The Applicant requested an off-menu incentive pursuant to LAMC Section 12.22 A.25(g)(3) to permit an FAR of 2.65 to 1. As discussed in Section III.B., the Applicant may request the FAR increase as an off-menu incentive, even if the City's menu of incentives includes specified relief from FAR requirements. Thus, Appellant's discussion of the Project's specific inconsistencies with the on-menu FAR incentive set forth in LAMC Section 12.22 A.25(f)(4) is irrelevant.

As discussed above, the CPC could only disapprove the requested FAR incentive if it made one of the Incentive Findings based upon substantial evidence. As stated in the LOD, the CPC could not make any of these findings:

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested on- and off-menu incentives are not necessary to provide for affordable housing costs per State Law.

. . . The project includes many larger-sized dwelling units (including 53 studios, 19 one-bedroom units, and 30 two-bedroom units). The requested increase in FAR will allow 35,908 square feet of additional floor area, and will allow for the construction of affordable units in addition to larger-sized dwelling units.

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. . . There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact.

. . . There is no evidence in the record that the proposed incentives are contrary to state or federal law.

(LOD, at F-2–F-3.)

As the CPC found, the requested FAR incentive would expand the permitted building envelope, thereby permitting the construction of additional residential units and larger market-rate units that will decrease the marginal cost of constructing the Project’s affordable housing units. As such, the CPC was required to approve the FAR incentive under the State Density Bonus Law. The CPC’s decision is final and non-appealable. (LAMC § 12.22 A.25(g)(3)(i)b.) Therefore, the FAR incentive is consistent with the LAMC and the State Density Bonus Law.

#### **6. *San Pedro Community Plan Implementation Overlay (“CPIO”)***

Appellant alleges that the Project is inconsistent with the height and FAR limitations set forth in the San Pedro CPIO. (Appeal Letter, at 15–17.)

The height and FAR limitations applicable to the Site set forth in the CPIO are identical to those in the Zoning Ordinance: 30 feet and 1.5 to 1, respectively. (CPIO § IV-2 A.2.(a), B.1.) As discussed above, the Applicant has requested a waiver or reduction of development standards to increase the Project’s permitted building height, and an off-menu incentive to increase the Project’s permitted FAR.

Appellant appears to allege that, because the Zoning Ordinance and CPIO both impose a height and FAR limit, each is a discrete development standard, and two waivers or incentives are required for each. However, a Density Bonus Law incentive or waiver applies to a particular development standard, regardless of the number of underlying zoning and land use regulations addressing that standard. (See CGC § 65915(o)(1).) Moreover, the Density Bonus Law findings in the LOD reference both the Zoning Ordinance and CPIO standards, making clear that the Site’s “Height District No. 1XL and CPIO designation” impose the development standards from which the Project seeks relief. (LOD, at F-1, F-3 [emphasis added].)

As discussed in Sections III.C.4. and III.C.5. of this letter, the requested height waiver and FAR incentive comply with the requirements of the CPIO, the Zoning Ordinance, and the State Density Bonus Law. This incentive and waiver apply to both the Zoning Ordinance standards and the identical requirements under the CPIO.

#### **7. *General Plan Policies***

Appellant alleges that the Project is inconsistent with certain General Plan policies, including policies set forth in the General Plan Framework Element, General Plan Housing Element, and San Pedro Community Plan. (Appeal Letter, at 17–20.)

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Appellant alleges that the Project is inconsistent with these policies because the Project does not adhere to the height and FAR standards set forth in the CPIO. (*Id.*) However, as discussed above, the Project is eligible for these deviations under the State Density Bonus Law and the City's local implementing ordinance. (LAMC Section 12.22. A.25.) The Density Bonus Law permits the Applicant to request a reduction of "development standards," including any "site or construction condition . . . that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation." (CGC § 65915(o)(1).) "Development standards" includes any standards set forth in the General Plan, Community Plan, CPIO, Zoning Ordinance, or otherwise.

Moreover, as discussed above, the Density Bonus Law provides that the granting of a density bonus, concession, or incentive shall not require or be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval. In addition, under the HAA, receipt of a density bonus, incentives, concessions, and waivers of development standards does not render a proposed housing project inconsistent with applicable zoning or land use plans. The Project's density bonus, incentives, and waiver do not make the project inconsistent with applicable zoning and do not constitute a valid basis on which to find the Class 32 categorical exemption inapplicable. (See *Wollmer*, 193 Cal.App.4th at 1347–50.)

Appellant also alleges that the Project is inconsistent with the specified General Plan policies because it does not adhere to the goals and policies for commercial and Neighborhood Commercial areas in the Community Plan. (Appeal Letter, at 17–20.) However, the CPC as the discretionary decision-maker found that the Project was consistent with the Community Plan's policies, to the extent applicable as modified by Density Bonus Law benefits. The LOD states that the Site's zoning is consistent with the Neighborhood Commercial land use, and that the zoning allows for R4 land uses. (LOD, at F-6.) The LOD also found that the Project "aligns with the intent of the 2017 San Pedro Community Plan," citing several Community Plan policies. (*Id.* at F-6–F-7.) Among other things, the LOD states that the Site is along a Mixed-Use Boulevard and cites to Community Plan Policy LU3.2: "Incorporate multi-family housing in areas targeted for mixed use." (*Id.*) Contrary to Appellant's assertions, new residential-only uses in Neighborhood Commercial areas are "discourage[d]," not prohibited. (Appeal Letter, at 19 – 20; see Community Plan Policy LU6.5.) Here, the CPC approved a residential-only project because it found that the Project would redevelop an "underutilized site that includes 3 vacant commercial structures" with a new project that "will result in the net increase of 102 dwelling units which will include 12 Very Low Income units . . . within walking distance of public transit and local and regional amenities." (LOD, at F-7.) The CPC also found that the Project would "reinforce an existing mixed-use corridor by providing an array of housing options, streetscape, and landscaping opportunities, that would be inviting to nearby residents and pedestrians along Pacific Avenue." (LOD, at F-9.) Therefore, the CPC found, based upon substantial evidence, that the Project complied with the Community Plan.

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**D. Conclusion**

For the reasons discussed above, the Project is consistent with the applicable regulations and policies of the Zoning Ordinance, General Plan, San Pedro Community Plan, and CPIO.

**IV. The Project Would Not Result in Significant Air Quality or Traffic Impacts.**

Appellant alleges that the Project is not eligible for a Class 32 Categorical Exemption because it would result in potentially significant air quality and traffic impacts. (Appeal Letter, at 20.) However, as the Project’s expert analysis shows, there was substantial evidence to support the City’s determination that the Project would not cause significant environmental impacts.

**A. Air Quality Technical Report**

The Appeal Letter attaches a letter from SWAPE and supporting materials alleging certain deficiencies in the Project’s Air Quality Technical Report. (Appeal Letter, at 20–21.)

As demonstrated in the previously submitted Air Quality Technical report, and as further supplemented in the DKP Response to Comments Memorandum (see Exhibit B), when correct project specific data and assumptions are used, as opposed to generic default values, there are no air quality significant impacts.

**B. Transportation**

Appellant alleges a variety of deficiencies in the Project’s transportation analysis that Appellant alleges have resulted in an underestimate of the Project’s traffic impacts. (Appeal Letter, at 20–29.) LLG, the Project’s expert transportation consultant, prepared a point-by-point response to each of Appellant’s comments regarding the transportation analysis. (See Exhibit A, Responses to Comment 4–10.) LLG also prepared a Supplemental Transportation Analysis which concluded, among other things, that the Project would not result in a significant Vehicle Miles Travelled (“VMT”) impact. (See LLG, 1331 South Pacific Avenue Project – Supplemental Transportation Analysis, April 15, 2021, attached as Exhibit H.) As LLG’s expert analysis shows, whether under the old level of service analysis or the current VMT methodology, the Project results in no significant traffic impacts.

**V. There is No Reasonable Possibility that the Project would Result in a Significant Environmental Effect Due to Unusual Circumstances.**

Appellant alleges that the NOE “incorrectly states that there are no unusual circumstances that would result in significant project impacts” and alleges there are several “unusual circumstances” associated with the Project. (Appeal Letter, at 29–44.)

The Project’s size and height are not unusual. (See Appeal Letter, at 20.) The CPC found that the Project’s height and bulk/massing would be compatible with the existing and future

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development on adjacent and neighboring properties (including in part due to the Project's side yards and compliance with the CPIO's transitional height requirements). (See LOD, at F-9–F-10.)

Appellant also alleges unusual circumstances associated with increased cancer and health risks, increased pedestrian and bicycle accident risks, and increased risk of sewer pipe leaks. (Appeal Letter, at 30.) However, Appellant fundamentally misunderstands what constitutes an unusual circumstance. An unusual circumstance is a project characteristic that distinguishes the Project from other typical projects eligible for a Class 32 Categorical Exemption. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 231 Cal.App.4th 943, 955.) An unusual circumstance is not a characteristic that, for example, applies to the entire air quality basin (as alleged), or surrounding roadways or sewer lines that service many properties. (See *id.* at 955–56 [City's approval of use permits for construction of a large house to be built on a steep hillside lot was not within the "unusual circumstances" exception, where a site-specific study revealed no landslide hazard was present, the planned house was a single-family residence in a residential zone, and it was in-fill development]; *San Francisco Beautiful v. City & County of San Francisco* (2014) 226 Cal.App.4th 1012, 1025 [city's decision to allow utility boxes in urban environment that already contains thousands of such structures is not unusual in context of city's urban environment]; *Wollmer, supra.*, 193 Cal.App.4th at 1351 [rejecting claims that location of infill project at crowded intersection was unusual circumstance, noting that this type of circumstance is expected in infill development context].)

As DKA's expert analysis shows, there are no unusual circumstances associated with the Project's location in an area with poor air quality, increased cancer risk, or environmental hazards. (See Exhibit B.) In addition, Air Quality Dynamics ("AQD") prepared a Health Risk Assessment Evaluation which rebuts the cancer risk analysis prepared by SWAPE and concludes that "construction of the proposed project will not result in unacceptable localized impacts." (See AQD, 1309-1331 South Pacific Avenue Project – Health Risk Assessment Evaluation, March 29, 2021, attached as Exhibit I).

As LLG's expert analysis shows, there are no unusual circumstances associated with alleged pedestrian or bicycle injury risks. (See Exhibit A, Response to Comment 11.)

In addition, there are no unusual circumstances associated with the Project's utilization of the existing sewer lines. The Project, like other typical in-fill development projects utilizing the Class 32 Categorical Exemption, would obtain will-serve letters from local utility providers and connect to the existing utility lines. The CPC specifically found that the Project can be adequately served by all required utilities, an eligibility requirement for a Class 32 Categorical Exemption:

The project site will be adequately served by all public utilities and services given that the construction of a multi-family residential building will be on a site which has been previously developed and is consistent with the General Plan.

(LOD, at F-14.) Appellant has not even challenged this determination, much less put forward any evidence to rebut it. Appellant cannot challenge the Project's allegedly inadequate sewer lines as

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an unusual exception, where the City found exactly the opposite based upon substantial evidence as one of the primary eligibility criteria for the Class 32 Categorical Exemption. (See *Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego* (2006) 139 Cal.App.4th 249, 281 [court refused to reach the issue of whether traffic conditions created by project were unusual, because “the City correctly determined that there is no reasonable possibility of a significant effect on traffic from the Project”].) Appellant has not provided any evidence that connecting to existing sewer lines in an established community constitutes an unusual circumstance for an in-fill development project qualifying for a Class 32 Categorical Exemption.

#### **VI. The Project Would Not Result in Cumulative Environmental Impacts.**

Appellant alleges potentially significant cumulative impacts associated with construction air quality, air toxic emissions and cancer risk, greenhouse gas emissions, increased pedestrian and bicyclist accident risk, and cumulative infrastructure impacts. (Appeal Letter, at 45–47.) However, Appellant provides no substantial evidence regarding any of these alleged potential cumulative impacts. DKA's and LLG's expert analyses address the various incorrect allegations of cumulative impacts. (See Exhibit A and Exhibit B.) In addition, as discussed in Section V, above, the Project must obtain will-serve letters from local utility providers prior to connecting to existing utility lines. The CPC found, based upon substantial evidence, that the Project can be adequately served by all required utilities, and Appellant has not challenged this determination. Appellant cannot challenge as a cumulative impact exception what it did not challenge as one of the primary eligibility criteria for the Class 32 Categorical Exemption. (See *Banker's Hill, supra.*, 139 Cal.App.4th at 281.)

#### **VII. The Project Would Not Result in Significant Environmental Impacts.**

Appellant submitted no credible evidence that the Project would result in significant environmental impacts. Specifically, SWAPE's air quality analysis and screening level health risk assessment contained numerous errors and failed to follow appropriate methodologies. Moreover, per the State CEQA Guidelines and the City's related guidance, a Class 32 Categorical Exemption analysis is not required to evaluate impacts associated with greenhouse gas emissions. (Department of City Planning, Infill Development Projects – Class 32 Categorical Exemption Special Requirement Criteria, July 23, 2018, attached as Exhibit J.) SWAPE's analysis used incorrect Project data and, in any event, failed to follow the City's significance threshold for determining greenhouse gas impacts. Using proper methodologies and Project specific data and assumptions, the Project does not result in any significant environmental impacts.

#### **VIII. The Project's CEQA Clearance Was Valid.**

The CPC's determination that the Project qualified for a Class 32 Categorical Exemption complied with CEQA. As set forth in this letter and in the attached supporting materials, the Project meets the requirements for a Class 32 Categorical Exemption, and none of the exceptions to a Class 32 Categorical Exemption apply.

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Thank you for your time and consideration of this matter. Please do not hesitate to contact me with any questions.

Sincerely,



Dave Rand

cc: Connie Chauv, Department of City Planning  
Michelle Singh, Department of City Planning  
Jonathan Lonner, Burns & Bouchard  
Damon Mamalakis, AGD  
Danny Mandel, AGD

Enclosures:

Exhibit A – LLG, 1331 South Pacific Avenue Residential Project – Responses to Comments, April 15, 2021  
Exhibit B – DKA, 1331 Pacific Avenue Responses to Comments, March 22, 2021  
Exhibit C – Memorandum re: Implementation of State Density Bonus Law, January 18, 2017  
Exhibit D – Application Form, Case No. DIR-2020-5031-RDP, August 25, 2020  
Exhibit E – Redevelopment Project Area – Pacific Corridor, Administrative Review and Referral, October 20, 2020  
Exhibit F – Case No. DIR-2020-5031-RDP, Withdrawal Letter, November 4, 2020  
Exhibit G – HAA Technical Assistance Advisory, September 15, 2020  
Exhibit H – LLG, 1331 South Pacific Avenue Project – Supplemental Transportation Analysis, April 15, 2021  
Exhibit I – AQD, 1309-1331 South Pacific Avenue Project – Health Risk Assessment Evaluation, March 29, 2021  
Exhibit J – Department of City Planning, Infill Development Projects – Class 32 Categorical Exemption Special Requirement Criteria, July 23, 2018

# EXHIBIT A

## MEMORANDUM

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To:	Jonathan Lonner Burns & Bouchard, Inc.	Date:	April 15, 2021
From:	Clare M. Look-Jaeger, P.E. Francesca S. Bravo Linscott, Law & Greenspan, Engineers	LLG Ref:	1-19-4335-2
Subject:	1331 South Pacific Avenue Residential Project – Responses to Comments		

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Pursuant to our coordination, Linscott, Law & Greenspan, & Engineers (LLG) has prepared the below responses to public traffic and transportation comments included in the Channel Law Group, LLP comment letter (dated November 4, 2020) associated with the 1331 South Pacific Avenue Residential Project. For ease of referencing the below responses, attached to this memorandum is a copy of the Channel Law Group, LLP comment letter which contains annotations in the margin noting the LLG-assigned comment reference number. Additional supplemental materials, as referenced in the below responses, are also attached to this memorandum.

### Response to Comment 1

The commenter correctly notes the project description (i.e., a total of 109 apartment units) as assessed in the transportation impact analysis. The transportation impact analysis also notes that 12 of the units will be designated as affordable units. As a point of clarification, the City of Los Angeles Department of Transportation (LADOT) approved the transportation impact assessment Scope of Work by executing a formal Memorandum of Understanding (MOU) which was prepared on July 22, 2019. It is important to note that the MOU outlines all parameters for the transportation impact assessment (e.g., vehicle trip generation forecast, traffic distribution and circulation pattern for purposes of studying impacts at off-site intersections, a listing of other cumulative development in the area, etc.) based on the available project information at the time of MOU preparation. The MOU also outlines the specific locations of study and analysis methodology that is consistent with the latest LADOT guidelines in effect at that time. The MOU was formally signed on July 26, 2019. While the formal, and later, Notice of Exemption (dated April 23, 2020) notes a smaller total number of apartment units, the transportation analysis can be considered conservative in that a larger number of units was assessed for potential project-related significant transportation impacts. Further, as LADOT issued new City of Los Angeles *Transportation Assessment Guidelines (TIS)*<sup>1</sup> in response to Senate Bill 743 after issuance of the above clearance letter (i.e., which changed the way transportation impacts are evaluated for CEQA and shifts from driver delay, or level of service [LOS], to reduction of vehicle miles traveled [VMT]), LLG prepared a supplemental VMT assessment for inclusion as part of the administrative record and is summarized within Response to Comment 10, below.

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<sup>1</sup> City of Los Angeles *Transportation Assessment Guidelines*, Chapter 2, CEQA Analysis of Transportation Impacts, July 2020.

The commenter is correct with respect to the quoted number of parking spaces in LLG's September 26, 2019 transportation impact assessment (i.e., 65 spaces), however, the specific language contained in the assessment notes, "a total of 65 vehicular parking spaces, including three accessible spaces, will be provided in the intermediate parking level." Thus, the number of spaces referred to relates specifically to the *intermediate* parking level only. It is acknowledged, however, that the later Notice of Exemption indicates that the project is planned to include 127 parking spaces on two subterranean levels. Having stated the above, the fact remains that the project's vehicular trip generation forecast is based on the total and type of apartment units and not on the number of parking spaces provided. Parking spaces, in and of themselves, do not generate vehicle trips, it is the land uses associated with those spaces that do. Therefore, the comment, while correct, does not result in the need to reassess the project's anticipated traffic impacts. The transportation analysis remains valid, as evidenced by the Los Angeles Department of Transportation's (LADOT's) issuance of their interdepartmental clearance letter on October 22, 2019. In addition, the fact that the Notice of Exemption and October 16, 2020 Hearing Notice made no mention of bicycle spaces does not constitute a significant omission. The Applicant will be required to comply with the City's bicycle parking requirements and intends to comply with these provisions.

#### Response to Comment 2

Refer to Response to Comment 1 for a full discussion of the transportation impact assessment Scope of Work, MOU, and guidelines in effect at the time of assessment preparation. LLG as the consultant employed LADOT's published affordable housing trip generation rates in effect at the time of MOU execution. The City's then current affordable housing trip generation rates were categorized into three (3) distinct types of affordable housing developments (i.e., senior, family, and permanent supportive housing). While the project was envisioned at that time to provide some supportive on-site services for future residential tenants, LLG employed the most conservative (highest) of the affordable vehicle trip generation rates, which were the "Family Housing" category. In addition, the fact that the October 16, 2020 Hearing Notice or Letter of Determination made no mention of on-site supportive services does not constitute a significant omission as the City's then current and adopted affordable housing rates specifically for the Permanent Supportive Housing category were lower than those associated with the affordable Family Housing category. Refer also to Response to Comment 5 for further discussion of the trip generation rates employed in transportation impact assessment.

#### Response to Comment 3

Existing uses on the project site at the time of commencement of the transportation impact study included 2,400 square feet of warehouse space, 4,000 square feet of light industrial space and a 1,600 square-foot bar. Based on the guidelines set forth in LADOT's *TIS Guidelines*, an existing use trip generation credit may be applied to a project's trip generation forecast (i.e., in order to account vehicle trips already on the

street system) if the existing use has been occupied for at least six (6) consecutive months within the past two years. The application of the existing use trip generation credit was confirmed and validated by LADOT with the execution of the MOU for the transportation impact study on July 26, 2019. In addition, as the existing warehouse space, light industrial space and bar were occupied and operational at the time of conduct of the intersection traffic counts, a trip generation credit for the existing uses is appropriate for purposes of forecasting the net new project trip generation.

#### Response to Comment 3A (Noise Impact Analysis)

Refer to Response to Comments 1, 2, and 3 for a full discussion of the vehicular trip generation rates and forecasts employed in the City-approved transportation impact study.

#### Response to Comment 4

Refer to Response to Comment 3 for a full discussion of the appropriateness of an existing use trip generation credit for the project's trip generation forecast. Therefore, the commenter's claim that the project's trip generation forecast is underestimated by 205 daily trips, 3 AM peak hour trips and 21 PM peak hour trips is not substantiated. In addition, the project trip generation forecast as employed in the traffic analysis overestimates trip generation as a total of 109 dwelling units were analyzed versus the currently proposed total of 102 dwelling units.

#### Response to Comment 5

The resource typically used by traffic engineers (including the City of Los Angeles) to forecast trip generation for development projects is the Institute of Transportation (ITE) *Trip Generation Manual* document. However, in this instance, the ITE manual does not provide trip rates for the affordable housing residential dwelling units proposed as part of the project. Thus, it was deemed appropriate to forecast the trips expected to be generated by the affordable housing land use component using the LADOT-published trip generation rates in effect at the time of MOU execution. The LADOT trip generation rates for affordable housing projects were published in December 2016, and developed based on vehicle trip count data collected at affordable housing sites in the City of Los Angeles during year 2016. LADOT's then current affordable housing trip rates included three different housing type categories: affordable family housing; affordable seniors housing, and affordable special needs and permanent supportive housing and were not determined by location within Transit Priority Areas. The most conservative (highest) of the affordable vehicle trip generation rates, which were the "Family Housing" category, were employed for the project transportation impact analysis in order to provide a "worst case" review of potential transportation impacts associated with the proposed project. As outlined in the approved transportation impact study, the proposed project is not anticipated to result in significant transportation impacts at any of the study intersections.

#### Response to Comment 6

According to LADOT's *TIS Guidelines*, the current edition of the *ITE Trip Generation Manual* document for trip generation rates and formulas in effect at the time of MOU execution should be used to estimate a Project's vehicular trip generation. Traffic volumes expected to be generated by the 97 apartment units proposed as part of the proposed project during the weekday AM and PM peak hours, as well as on a daily basis, were estimated using trip generation rates published in the current *ITE Trip Generation Manual* document, 10<sup>th</sup> Edition, 2017. The ITE Land Use Code 221 (Multi-Family/Apartment) trip generation average rates were used to forecast the traffic volumes expected to be generated by 97 apartment units proposed as part of the proposed project. The ITE definition for multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units, which is applicable to the proposed project. The project trip generation forecast was reviewed and approved by LADOT as part of the MOU process, and was executed on July 26, 2019. Refer also to Response 5 for a full discussion of the appropriateness of the vehicular trip generation rates applied to the affordable housing component of the project. These rates were applicable at the time of transportation impact study commencement and MOU execution.

#### Response to Comment 7

Refer to Response to Comments 3, 4, 5, and 6 for a full discussion of the vehicular trip generation rates and forecasts employed in the City-approved transportation impact study. Although not required, in order to illustrate and clarify further the validity of the findings associated with the prior analysis, a supplemental analysis has been prepared which reflects the incorporation of the commenter's suggested project trip generation forecast. The four (4) off-site study intersections evaluated in the approved traffic impact study were re-evaluated based on the calculated trip generation forecasts outlined in Table 3 (page 24) of the Channel Law Group, LLP's November 4, 2020 comment letter, without application of the existing use trip generation credit. The relative impact of the added project traffic volumes to be generated by the proposed project during the AM and PM peak hours was evaluated based on analysis of existing and future operating conditions at the study intersections, without and with the proposed project. The same capacity analysis procedures utilized in the approved transportation impact study were utilized to evaluate the future *v/c* relationships and service level characteristics at each study intersection. The significance of the potential impacts of project-generated traffic at each study intersection was identified using criteria set forth in the *LADOT TIS Guidelines*. As summarized in the attached *Table 1*, incremental but not significant impacts are noted at the study intersections. Therefore, based on the commenter's suggested project trip generation forecasts and application of the City's threshold criteria, it is concluded that the proposed project is still not expected to result in significant transportation impacts at any of the four (4) study intersections and the previously identified conclusions in the approved transportation impact study remain valid.

### Response to Comment 8

As a point of clarification, the project traffic volumes illustrated in Figures 9 and 10 show the resultant project traffic volumes during the AM and PM peak hours due to the development of the proposed project. Therefore, the represented traffic volumes show the “net new” traffic volumes attributable to the project and also reflect the reduction in existing volumes due to the planned removal of the existing uses. Refer to Response to Comments 3 and 4 for a full discussion of the applicable existing use trip generation credit. Thus, these “net new” traffic volumes are utilized in the analysis for the purposes of determining significant impacts attributable to the project. Figures 9 and 10, with amended and clarifying titles, are attached for reference. No further revisions are necessary since these traffic volume figures show the net new traffic volumes assessed for purposes of identifying the potential significance of the effects of the proposed project at the LADOT-required study locations (i.e., which only include signalized intersections pursuant to the LADOT’s transportation impact study guidelines in effect at the time of study preparation and consistent with the approved MOU). In addition, although not required, refer to Response to Comment 7 for a full discussion of a supplemental impact analysis that was prepared excluding the existing use trip generation credit and employment of the commenter’s suggested project trip generation forecast. As summarized above, it is concluded that the proposed project is still not expected to result in significant transportation impacts at any of the four (4) study intersections and the previously identified conclusions in the approved transportation impact study remain valid.

No formal street segment analysis was required by LADOT, since 14<sup>th</sup> Street, the roadway that the proposed project is planned to take access from, is a designated Local Street per the City’s Mobility Plan 2035. The intent of the City’s neighborhood street segment analysis and associated thresholds was not to preclude residential projects from being developed on designated Local/residential roadways, but rather the criteria was developed and intended to assess the potential increases in cut-through vehicle trips associated with larger commercial projects, and measure the “diversion” of commercial project-generated vehicle trips through residential areas due to congestion levels on arterials. Thus, the neighborhood street segment analysis criteria does not apply in this circumstance since a residential project proposed on a local residential street has a right to project access. Therefore, the analysis and conclusions provided within this comment are not applicable and no further analysis is required.

The comments pertaining to the assumed traffic distribution pattern to and from the site, as shown in Figure 8 of the transportation impact study, are correct. As summarized above, while no formal street segment and/or unsignalized intersection analyses were required by the City, further research was conducted to verify the baseline average daily traffic (ADT) volume on 14<sup>th</sup> Street. While LLG was able to confirm the existing 14<sup>th</sup> Street ADT is below 1,000 vehicles per day, it is important

to note that Local Streets commonly carry up to a range of 2,000 - 2,500 vehicles per day.

#### Response to Comment 9

Refer to Response to Comment 1 for a full discussion of the approval of the transportation impact study MOU, which outlined the parameters and Scope of Work for the analysis of potential project-related traffic impacts. Per the MOU, LADOT required analysis of the below signalized study intersections:

- 1) Gaffey Street/13<sup>th</sup> Street
- 2) Gaffey Street/15<sup>th</sup> Street
- 3) South Pacific Avenue/13<sup>th</sup> Street
- 4) South Pacific Avenue/15<sup>th</sup> Street

It is important to note that at the time the transportation impact study was being prepared, LADOT did not require analysis of non-signalized intersections closest to the project site (i.e., the unsignalized intersections of South Pacific Avenue/14<sup>th</sup> Street and Grand Avenue/14<sup>th</sup> Street). As further described as part of Response to Comment 11 below, 14<sup>th</sup> Street, west of South Pacific Avenue and along the project frontage, is a designated Local roadway. Local roadways by their functional classification are intended to distribute traffic within a neighborhood, or similar adjacent neighborhoods, and are typically not intended for use as a through-street. Local roadways are fronted by residential uses and do not typically serve commercial uses. Having stated this, 14<sup>th</sup> Street (east of South Pacific Avenue) and Grand Avenue (which is located just west of the project site), are both Collector roadways, which by their functional classification are intended to serve as streets that provide access and traffic circulation within residential and non-residential (e.g., commercial and industrial) areas. Collector roadways connect Local streets to arterial roadways and are typically designed with two through travel lanes (i.e., one through travel lane in each direction) and may accommodate on-street parking. They may also provide access to abutting properties.

No formal street segment analysis was required by LADOT, since 14<sup>th</sup> Street, the roadway that the proposed project is planned to take access from, is a designated Local roadway per the City's Mobility Plan 2035. The intent of the City's neighborhood street segment analysis and associated thresholds was not to preclude residential projects from being developed on designated Local/residential roadways, but rather the criteria was developed and intended to assess the potential increases in cut-through vehicle trips associated with larger commercial projects, and measure the "diversion" of commercial project-generated vehicle trips through residential areas. Thus, the neighborhood street segment analysis criteria and thresholds do not apply since a residential project proposed on a residential street has a right to access. Therefore, the analysis and conclusions provided within this comment are not applicable and no further analysis is required.

### Response to Comment 10

As an introduction, on September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 (Steinberg, 2013). Among other things, SB 743 created a process to change the way analysis of transportation impacts under the California Environmental Quality Act (CEQA) is conducted. The Governor's Office of Planning and Research (OPR) was tasked to amend the CEQA Guidelines<sup>2</sup> to provide an alternative to the traditional metric of automobile delay which would promote three statutory goals: the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Under SB 743, the focus of transportation analysis pursuant to CEQA shifts from driver delay, or level of service, to reduction of vehicle miles traveled (VMT), reduction in greenhouse gas emissions, creation of multimodal networks and promotion of mixed-use developments. In December 2018, the California Natural Resources Agency certified and adopted amendments to the CEQA Guidelines implementing SB 743 with an implementation date of July 1, 2020.

The City of Los Angeles had not yet adopted guidelines or significance thresholds for VMT analyses at the time of commencement of the transportation assessment, as the formal MOU was prepared and submitted to LADOT on July 22, 2019, prior to the City's adoption of VMT for purposes of assessing transportation impacts under CEQA. As such, the transportation impact study utilized existing, long-established protocols in accordance with current City guidelines. Refer to Response to Comment 1 for a full discussion of the transportation impact study timeline.

CEQA Guidelines Section 15007(c) states that CEQA documents that meet requirements in effect when the document is sent out for public review do not need to be revised to include new requirements taking effect before the document is fully approved. (Guidelines, § 15007(c).) Because the effective date for statewide implementation of the VMT metric was July 1, 2020, agencies that had published CEQA documents for public review prior to July 1 using an LOS metric did not need to revise these documents to include a VMT analysis.

On July 30, 2019, after execution of the formal MOU with LADOT, the Los Angeles Department of City Planning (LADCP) and LADOT updated the Transportation Section of the City's CEQA Thresholds Guide to comply with and implement Senate Bill 743. In the course of this update, LADOT has developed a VMT Calculator tool to "screen" projects if a VMT analysis is required, and if so, then to estimate project-specific daily household VMT per capita and daily work VMT per employee for land use development projects. This tool is intended to be used for development projects within the City of Los Angeles, and the VMT methodology is tailored to the TAG.

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<sup>2</sup> California Code of Regulations Title 14 "Natural Resources", Division 6 "Resources Agency", Chapter 3 "Guidelines for Implementation of the California Environmental Quality Act".

### Screening Criteria

Per the TAG, if the project requires discretionary action, and the answer is no to either T-2.1-1 or T-2.1-2 below, further analysis will not be required for CEQA Threshold T-2.1, and a “no impact” determination can be made for that threshold:

- T-2.1-1: Would the land use project generate a net increase of 250 or more daily vehicle trips?

The TAG states that for purposes of screening the daily vehicle trips, a proposed project’s daily vehicle trips should be estimated using the City’s VMT Calculator tool or the most recent edition of the ITE *Trip Generation Manual*. TDM strategies that are to be applied as mitigation measures should not be considered for the purposes of screening. If existing land uses are present on the project site or there were previously terminated land uses that meet the criteria for trip credits described in the trip generation methodology discussion (refer to Subsection 3.3.4.1 of the TAG), the daily vehicle trips generated by the existing or qualified terminated land uses can be estimated using the VMT Calculator tool and subtracted from the proposed project’s daily vehicle trips to determine the net increase in daily vehicle trips.

- Using the City’s VMT Calculator tool, the proposed Project is forecast to generate 484 daily vehicle trips. It should be noted that this estimate conservatively does not account for the existing uses on-site: 2,400 square feet of warehouse space, 4,000 square feet of light industrial space and a 1,600 square-foot bar. Therefore, the project exceeds the screening criteria set forth in T-2.1-1.
- T-2.1-2: Would the project generate a net increase in daily VMT?

The TAG states that for the purpose of screening the VMT, a project’s daily VMT should be estimated using the City’s VMT Calculator tool or the City’s Travel Demand Forecasting (TDF) model. TDM strategies should not be considered for the purpose of screening. If existing land uses are present on the project site or there were previously terminated land uses that meet the criteria for trip credits description in the trip generation methodology discussion (refer to Subsection 3.3.4.1 of the TAG), the daily VMT generated by the existing or qualified terminated land uses can be estimated using the City VMT Calculator tool and subtracted from the project’s daily VMT to determine the net increase in daily VMT.

- Using the City’s VMT Calculator tool, the proposed project is forecast to generate 4,164 daily VMT. As noted previously, this estimate conservatively does not account for the existing uses on-site. Therefore, the project exceeds the screening criteria set forth in T-2.1-2.

### Impact Criteria and Methodology

For residential development projects, the proposed project will have a potential VMT impact if the project meets the following:

“For residential projects, the project would generate household VMT per capita exceeding 15% below the existing average household VMT per capita for the Area Planning Commission (APC) area in which the project is located.”

The project’s estimated work VMT is compared to the average work VMT per employee for the corresponding APC. Different VMT significance thresholds have been established for each APC boundary area as the characteristics of each are distinct in terms of land use, density, transit availability, employment, etc. The City of Los Angeles significance thresholds (i.e., provided on a daily household VMT per capita basis) for each of the seven (7) APC boundary areas are presented in *Table 2*. As the project is located in the Harbor APC, the VMT impact criteria (i.e., 15% below APC average) applicable to the proposed project is 9.2 daily household VMT per capita.

Based on the City’s VMT Calculator, the estimated household VMT per capita for the proposed project is 9.2 VMT per capita, which is equal to the Harbor APC significance threshold of 9.2 VMT per capita which only an exceedance would result in a significant impact. The estimated work VMT per employee for the proposed project is “N/A” since the Project does not include a commercial component and is therefore presumed to be less than significant. Thus, based on the above analyses, the project is not expected to result in a significant VMT impact. Copies of the detailed City of Los Angeles VMT Calculator worksheets for the project are attached.

#### Response to Comment 11

Starting on pages 29 and 30 of Channel Law Group, LLP’s November 4, 2020 comment letter (and continuing on pages 40, 41, and 42), the claim is made that due to “unusual circumstances”, including the project’s location on the City’s High Injury Network and its adjacency to both the Enhanced Pedestrian District in the 2035 Mobility Plan and Mobility Plan 2035 Bicycle network, the proposed project has the potential to result in a significant project and cumulative impacts. More specifically, the commenter states that this unusual circumstance has the potential to result in a significant project and cumulative impact, including increased pedestrian and bicycle accident risks.

Prior to responding to the above comment, further description of the existing circulation system surrounding the project site is provided for informational and clarification purposes:

- South Pacific Avenue is designated as an Avenue II facility in the Citywide General Plan Circulation System (Map A9 Harbor Subarea – Generalized Circulation) as is 13<sup>th</sup> Street to the north of the proposed project. By

functional classification, Avenue II roadways are arterials that are intended to primarily serve through-traffic and provide access to abutting properties as a secondary function. Avenue II roadways are generally designed with two travel lanes in each direction and their major intersections are signalized. A formal bicycle lane is also provided along South Pacific Avenue, as this extent of South Pacific Avenue is included in the City's backbone bicycle network.

- 14<sup>th</sup> Street, east of South Pacific Avenue, is a designated Collector roadway as is Grand Avenue (i.e., the next north-south roadway west of the project site). By functional classification, Collector roadways are streets that provide access and traffic circulation within residential and non-residential (e.g., commercial and industrial) areas. Collector roadways connect Local streets to arterials and are typically designed with two through travel lanes (i.e., one through travel lane in each direction) that may accommodate on-street parking. They may also provide access to abutting properties.
- 14<sup>th</sup> Street, west of South Pacific Avenue and along the project frontage, is a designated Local roadway which by its functional classification is intended to distribute traffic within a neighborhood, or similar adjacent neighborhoods, and are typically not intended for use as a through-street. Local roadways are fronted by residential uses and do not typically serve commercial uses. This portion of 14<sup>th</sup> Street is not included, and is not planned to be, as part of the City's designated bicycle network.

While it is correct that the proposed project is located along a roadway (i.e., South Pacific Avenue) that is included on the City's High Injury Network corridor, the commenter does not acknowledge that no formal vehicular access is proposed along South Pacific Avenue. Vehicular access to/from the proposed project is via 14<sup>th</sup> Street. Also, no specific evidence is provided that notes a deficient design and/or demonstrates that a pedestrian and bicycle accident trend exists on South Pacific Avenue in the direct vicinity of the project. Several additional points are important to note in direct response to the comment/claim that development of the proposed project has the potential to result in increased pedestrian and bicycle accident risks:

- Under existing conditions, the project site includes a total of two driveway/curb cuts, one (1) on South Pacific Avenue north of 14<sup>th</sup> Street and one (1) on 14<sup>th</sup> Street. With development of the proposed project, the existing driveway/curb cut on South Pacific Avenue (a corridor included as part of the City's High Injury Network [HIN]) will be eliminated. Thus, the potential for future pedestrian/vehicle/bicycle conflicts along this HIN would likely be reduced in the future.

- The proposed project is being designed to comply with the City’s standards with respect to the project driveway, frontage sidewalks, and right-of-way. It is important to note that a three (3)-foot right-of-way dedication is planned to be provided along the South Pacific Avenue project frontage which will result in a 3-foot expansion to the existing sidewalk width. This increased width will further support and enhance pedestrian circulation along this corridor, as South Pacific Avenue in the project vicinity is near the City’s Mobility Plan 2035 Neighborhood Enhanced Network for the Harbor Subarea (Map C5 Harbor Subarea – Neighborhood Enhanced Network of the City’s Mobility Plan 2035) where Grand Avenue, located just one block to the west of the project site, is part of the designated Neighborhood Enhanced Network.
- Pursuant to the State of California’s Vehicle Code, the following provisions are noted pertaining to Division 11 (Rules of the Road):
  - Chapter 1 (Obedience to and Effect of Traffic Laws), Article 4 (Operation of Bicycles):

Operation on Roadway, Section 21202:

(a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

    - (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.
    - (2) When preparing for a left turn at an intersection or into a private road or driveway.
    - (3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For purposes of this section, a “substandard width lane” is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within a lane.
  - Chapter 4 (Right-of-Way):

Intersections, Section 21800:

(a) The driver of a vehicle approaching an intersection shall yield the right-of-way to any vehicle which has entered the intersection from a different highway.

(b) (1) When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left

shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

- Chapter 5 (Pedestrians' Rights and Duties):

Right-of-Way at Crosswalks, Section 21950:

(a) The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

(b) This section does not relieve a pedestrian from the duty of using due care for his or her safety. No pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard. No pedestrian may unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.

(c) The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the vehicle or take any other action relating to the operation of the vehicle as necessary to safeguard the safety of the pedestrian.

Vehicles Stopped for Pedestrians, Section 21951:

Whenever any vehicle has stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

Section 21952 (Right-of-Way on Sidewalk):

The driver of any motor vehicle, prior to driving over or upon any sidewalk, shall yield the right-of-way to any pedestrian approaching thereon.

Thus, given the above characteristics of the surrounding street system, the location of the project's planned access point, the Applicant's planned right-of-way dedication along the project's South Pacific Avenue frontage, and the provisions with respect to the Rules of Road per the State's Vehicle Code, it can be concluded that no evidence exists that infers there is an increased risk to pedestrians and bicyclists as a result of the proposed project development and the project-generated vehicle trips.

Response to Comment 12

Given the characteristics of the surrounding street system, the location of the project's planned access point, the Applicant's planned right-of-way dedication along the project's South Pacific Avenue frontage, and the provisions with respect to the Rules of Road per the State's Vehicle Code, it can be concluded that no evidence exists that infers there is an increased risk to pedestrians and bicyclists as a result of the proposed project development and the project-generated vehicle trips. Refer to Response 11 for further discussion of the above points.

Please feel free to call us at (626) 796-2322 if you have any questions regarding the above responses to the comments.

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November 4, 2020

## VIA ELECTRONIC MAIL

Members of the Planning Land Use Management (PLUM) Committee  
Ms. Connie Chauv, City Planner and,  
Leyla Campos, Legislative Assistant, City Clerk's staff  
City of Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012

**RE: 1309 - 1331 South Pacific Avenue, CF 20-0680, CPC-2019-4908-DB-SPR, DIR-2020-5031-RDP, ENV-2019-4909-CE<sup>1</sup>**

Dear Members of the Planning Land Use Management (PLUM) Committee

This firm represents Citizens Protecting San Pedro. The City is improperly processing the proposed project using an Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 15332, Article 19 (Class 32 Infill Development). This letter demonstrates that the proposed project is not eligible for a Categorical Exemption under CEQA. As detailed herein, an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) must be prepared for the project, in conformance with the requirements of the CEQA. This letter is in addition to, and augments, comments submitted during the administrative process and information in the appeal justification previously submitted by Citizens Protecting San Pedro, and others. That information is incorporated herein by reference.<sup>2</sup>

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<sup>1</sup> Council file for this project available at:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-0680>

<sup>2</sup> Public comments and the appeal justifications for this project are available in the project files located in the offices of the Department of Regional Planning and Los Angeles Department of Transportation, located at City of Los Angeles Department of City Planning 200 North Spring Street, Los Angeles, CA 90012, and in the Council file for this project available at:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-0680>

The full project files are incorporated herein by reference.

## I. CEQA STANDARD FOR USE OF A CATEGORICAL EXEMPTION

As indicated in the Hearing Notice and the Director's Determination for the project dated May 5, 2020, rather than prepare and EIR or MND for the project, the City is improperly processing the project using an Exemption from CEQA pursuant to CEQA Guidelines, Section 15332, Article 19 (Class 32 – In-fill Development Projects). This letter provides substantial evidence demonstrating that the project is not eligible for a Class 32 – Infill Development Exemption. Additional substantial evidence has been previously submitted and is contained in the project files. As detailed in CEQA Guidelines Section 15332, to use a Class 32 Exemption, a project must meet the following conditions:

### **15332. IN-FILL DEVELOPMENT PROJECTS**

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation **and all** applicable general plan policies as well as with applicable zoning designation and regulations. (Emphasis added)
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result **in any** significant effects relating to traffic, noise, air quality, or water quality. (Emphasis added)
- (e) The site can be adequately served by all required utilities and public services.

**Note:** Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code.

As detailed in **Section III** of the letter, the proposed project is not consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations, and therefore does not comply with CEQA Guidelines Section 15332(a). In addition, as detailed in **Sections IV** and **Section V** of this letter, the proposed project would result in significant construction air quality and air toxics impacts, and in significant traffic impacts and therefore does not comply with CEQA Guidelines Section 15332(d), which precludes use of a Class 32 Exemption for projects that would result in significant effects relating to traffic, noise, air quality, or water quality.

In addition, as detailed in CEQA Guidelines Section 15300.2, there are exceptions to when a Categorical Exemption may be used:

### **15300.2. EXCEPTIONS**

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical

concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

As detailed in this letter, the proposed project is not eligible for a Categorical Exemption pursuant to CEQA Guidelines Sections 15332(b) and 15332(c) due to both impacts associated with unusual circumstances and the potential for cumulative impacts. The City cannot act on the project until the appropriate environmental documentation has been prepared for the project.

## **II. THE PROPOSED PROJECT – LACK OF AN ACCURATE AND STABLE PROJECT DESCRIPTION**

The administrative record for the proposed project lacks an accurate and stable project description for the project, both in terms of the project characteristics and the approvals sought. As a result, members of the public have been left feeling that the applicant is engaged in a shell game aimed at hiding the impacts of the project, and its lack of consistency with zoning code requirements.

The proposed project is located on the west side of Pacific Avenue, between 13<sup>th</sup> and 14<sup>th</sup> Streets in the San Pedro Community Plan Area, of the City of Los Angeles. According to the project plans, the project would be located on four parcels with the following Assessor's Parcel Numbers: 7454-026-011, 7454-026-012, 7454-026-013 and 7454-026-014. The City's Zimas records for each of these parcels is included in **Attachment A1**.

According to the Notice of Exemption<sup>3</sup>:

The project is the construction of a 4-story, 45-foot and 5-inch tall residential building comprised of 102 dwelling units (including 12 Very Low Income units). The project will be approximately 83,158 square feet in floor area with a Floor Area Ratio (“FAR”) of 2.65:1. The project will provide 127 parking spaces in 2 subterranean levels. The site is currently improved with 3 vacant commercial structures, with 26 trees on the subject site and 4 trees along the public right-of-way, all of which will be removed to clear the lot. The project will also involve the grading of approximately 2,500 cubic yards of soil, and export of approximately 20,000 cubic yards of soil.

This description is at odds with some of the assumptions and descriptions provided in the technical studies attached to the Notice of Exemption on which the findings in the Notice of Exemption that the proposed project will not result in any significant effects relating to traffic, noise, air quality or water quality, are based. Some of these discrepancies are itemized below:

- **Traffic Impact Analysis** – The Traffic Analysis included as Attachment D3 to the Notice of Exemption is based on a project that is a 109-unit apartment complex rather than a 102-unit residential building. According to the Traffic Analysis “a total of 65 vehicular parking spaces, including three accessible spaces, will be provided in the intermediate parking level. In addition, 81 long-term bicycle spaces and 8 short-term bicycle spaces are planned to be provided as part of the proposed project.”<sup>4</sup> However, the Notice of Exemption indicates that the project includes 127 parking spaces on two subterranean levels. The Notice of Exemption makes no mention of bicycle spaces, nor does the October 16, 2020 Hearing Notice. The Traffic Analysis makes use of LADOT trip generation rates for the affordable units, noting:

In this instance, the affordable family housing category is directly applicable to **the proposed project which will provide housing for permanent long-term tenants with supportive services** designed to enable homeless persons and individuals/families at risk of homelessness to ensure that they remain housed and live as independently as possible. (Emphasis added).

Nothing about provision of on-site supportive services being provided for the residents of the affordable housing units, appears in either the Hearing Notice or the Letter of Determination for the project.

<sup>3</sup> The Notice of Exemption is available at: [https://clkrep.lacity.org/onlinedocs/2020/20-0680\\_misc\\_4\\_06-01-2020.pdf](https://clkrep.lacity.org/onlinedocs/2020/20-0680_misc_4_06-01-2020.pdf)

It includes the following: D1- Notice of Exemption & Justification for Categorical Exemption; D-2 Tree Report; D-3 Traffic Impact Analysis; D4 - Noise Impact Analysis; D5 – Air Quality Technical Report; D6 – Phase I and Phase II Environmental Assessments; and, D7 – Historical Resource Evaluation Report.

<sup>4</sup> Page 2, Memorandum from Linscott Law & Greenspan, dated September 26, 2019.

The Notice of Exemption, Hearing Notice and Letter of Determination **correctly** indicate that the project site is currently occupied by “3 vacant commercial structures.” However, the Traffic Study inappropriately treated the structures as occupied, and calculated trip generation for the vacant structures as if they were occupied.<sup>5</sup> This resulted in a severe underestimate of project trip generation, as detailed later in this letter, which renders the Traffic Analysis on which the City relied, inaccurate. The City’s finding that the project will not result in significant traffic impacts is thus not supported by substantial evidence.

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- **Noise Impact Analysis** – The Noise Analysis included as Attachment D4 to the Notice of Exemption is similarly inaccurate, as it based its analysis of operational noise on an inaccurate number of project parking spaces, stating on page 19:

The Project would generate on-site noise from auto activities associated with the 65 parking spaces in two levels of subterranean parking. This noise would include driving to and from the entrances to underground garages, parking, door slamming, and occasional car alarms. Vehicles accessing the Project Site would enter off 14<sup>th</sup> Street. Residents would access and exit the parking garage from a mid-block entrance, the garage entrance for which faces south toward an apartment building across the street.

3a

This resulted in an underestimate of project trip generation which renders the Noise Analysis on which the City relied, inaccurate. The City’s finding that the project will not result in significant noise impacts is thus not supported by substantial evidence due to errors in the Noise Analysis.

- **Air Quality Technical Report** – Page 17 of the Air Quality Technical Report included as Attachment D5 to the Notice of Exemption incorrectly assumes that there are existing uses on the site generating 205 daily vehicle trips. It also incorrectly assumed that there would be a total of only 65 parking spaces in the project’s parking garage. Furthermore, it does not appear that the Air Quality Report accounted for the grading of approximately 2,500 cubic yards of soil, and export of approximately 20,000 cubic yards of soil. It thus relies on an inaccurate project description. This has resulted in an underestimate of project air emissions, as detailed later in this letter, which renders the Air Quality Report on which the City relied, inaccurate. The City’s finding that the project will not result in significant air quality impacts is thus not supported by substantial evidence due to errors in the Air Quality Report.

The Notice of Exemption is at odds with descriptions provided in the Letter of Determination and Hearing Notice for the project. The Notice of Exemption fails to note the density bonuses and waivers required for the project, which are important to a determination of whether the proposed project is consistent with zoning and land use Plans.

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<sup>5</sup> Page 5, Memorandum from Linscott Law & Greenspan, dated September 26, 2019.

According to the Letter of Determination dated May 05, 2020, case CPC-2019-4908-DB-SRP<sup>6</sup> and CPC-2019-4908-DB-SRP-1A<sup>7</sup> for the project, these bonuses and waivers include (emphasis added):

- Pursuant to Section 12.22 A.25(g)(3) of the Los Angeles Municipal Code (LAMC), a Density Bonus Compliance Review for a project totaling 102 dwelling units and reserving 15 percent of the base dwelling units, or 12 dwelling units, for Very Low Income Household occupancy for a period of 55 years, with the following three **On- and Off- Menu Incentives**:
  - A 2.65:1 FAR in lieu of the 1.5:1 otherwise permitted by the C2-1XL-CPIO Zone and San Pedro Community Plan Implementation Overlay (CPIO) Section IV-2.B;
  - A 20 percent reduction in the required open space, to allow 8,831 square feet in lieu of the 10,950 square feet otherwise required by LAMC Section 12.21 G; and
  - A 5-foot rear yard setback in lieu of the 16 feet otherwise required by the C2-1XL-CPIO Zone;
- Pursuant to LAMC Section 12.22 A.25(g)(3), the following one Waiver of Development Standard:
  - a. A 45-foot and 5-inch building height in lieu of the 30 feet otherwise permitted by the C2-1XL-CPIO Zone and CPIO Section IV-2.A.2.

The Letter of Determination for the project thus fails to identify which of the three bonuses are on-menu and which are off-menu bonuses and to provide documentation that the required pro forma has been received showing that the requested off-menu bonus is required to make the affordable units economically feasible. Requests from Citizens Protecting San Pedro to obtain a copy of the pro forma from the City have been unsuccessful. As noted in City Guidance included in **Attachment A2**:<sup>8</sup>

- **Density Bonus with Off-Menu Incentive Items:** LAMC 12.22 A.25(g)(3) – Provide a pro forma or other documentation to show that the waiver or modification is needed in order to make the Restricted Affordable Units economically feasible in addition to the items listed above. A third-party peer review of the pro-forma is also required.

In addition, the Letter of Determination, Hearing Notice and Notice of Exemption fails to note that the project requires approval of a Conditional Use Permit due to a FAR increase request

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<sup>6</sup> <https://planning.lacity.org/pdiscaseinfo/caseid/MjMxNjU10>

<sup>7</sup> <https://planning.lacity.org/pdiscaseinfo/caseid/MjM4MTQ00>

<sup>8</sup> [https://planning.lacity.org/odocument/a05bd87a-06a6-4861-a338-4bb88921c123/Conditional\\_Use\\_-\\_35pct\\_Density\\_Bonus.pdf](https://planning.lacity.org/odocument/a05bd87a-06a6-4861-a338-4bb88921c123/Conditional_Use_-_35pct_Density_Bonus.pdf)

that exceeds the on-menu allowed amount of 35%, as explained in City Guidance included in **Attachment A2:**<sup>9</sup>

The Department of City Planning (DCP) offers several processes intended to facilitate affordable housing in the City of Los Angeles. Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC) authorizes the Director of Planning to approve applications for Density Bonus requesting up to three (3) on-menu incentive items; and the City Planning Commission to approve applications for Density Bonus requesting any off-menu items. Section 12.24 U.26 of the LAMC authorizes the City Planning Commission to approve a Conditional Use Permit for applications requesting a density bonus increase greater than the maximum permitted in Section 12.22 A.25. Section 14.00 A.2 authorizes the Director to approve Public Benefit Projects where otherwise not permitted by right or by Conditional Use and which meet specific performance standards or alternative compliance measures.

None of the project descriptions mention an application for a Conditional Use Permit. If off-menu bonuses are being requested by the proposed project, then the project descriptions in the Hearing Notice, Letter of Determination and its attached findings are inaccurate, as is the Notice of Exemption which fails to provide any disclosure of off-menu bonuses and only mentions a FAR increase as an on-menu bonus.<sup>10</sup>

Section 12.22 A.25(f) of the LAMC contains the list of eight on-menu incentives. All three of the requested incentives are on-menu incentives, so it is unclear why any mention is made of off-menu incentives. Perhaps it is because two of the requested deviations from code are not consistent with what is allowed by the LAMC incentives menu as discussed in **Section III** of this letter. In addition, an increase in height is also an on-menu incentive, so the requested Waiver of Development Standard to allow for the increase in height appears to be a way for the project to get four, rather than three incentives allowed by code, as detailed more fully in **Section III**. It should be noted that the proposed project is not eligible for a Waiver of Development Standards pursuant to Section 12.22 A.25(g)(3) of the LAMC, since as detailed in this letter the required findings in Subparagraph (g)(2)(i)c cannot be made because: “(ii) The Incentive will have a Specific Adverse Impact upon public health and safety or the physical environment . . . for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households.” As detailed in this comment letter, the proposed project will have unavoidable project and cumulative public health and neighborhood intrusion impacts that cannot be mitigated without a reduction in the number of housing units in the proposed project. The project is therefore not eligible for a Waiver of Development Standards.

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<sup>9</sup> [https://planning.lacity.org/odocument/a05bd87a-06a6-4861-a338-4bb88921c123/Conditional\\_Use\\_-\\_35pct\\_Density\\_Bonus.pdf](https://planning.lacity.org/odocument/a05bd87a-06a6-4861-a338-4bb88921c123/Conditional_Use_-_35pct_Density_Bonus.pdf)

<sup>10</sup> See page 5 of the Notice of Exemption.

The Letter of Determination project description is somewhat different in respect to how the bonuses and waivers are described in the Hearing Notice, which does not include a full accounting of the requested bonuses and waivers and says the following:

1) a Density Bonus Compliance Review for a project totaling 102 dwelling units and reserving 15 percent of the base dwelling units, or 12 dwelling units, for Very Low Income Household occupancy for a period of 55 years, with the following On-Menu Incentive: A 20 percent reduction in the required open space, to allow 8,831 square feet in lieu of the 10,950 square feet otherwise required by Los Angeles Municipal Code Section 12.21 G; 2) one Waiver of Development Standard for a 45-foot and 5-inch building height in lieu of the 30 feet otherwise permitted by the C2- 1XL-CPIO Zone and CPIO Section IV-2.A.2; and 3) a Site Plan Review for a development project which creates, or results in an increase of, 50 or more dwelling units; for the construction of a four-story, 45-foot and five-inch tall residential building comprised of 102 dwelling units (including 12 Very Low Income units) with the Project being approximately 83,158 square feet in floor area with a Floor Area Ratio of 2.65:1, providing 127 parking spaces in two subterranean levels, with the site currently improved with three vacant commercial structures, 26 trees on the subject site and four trees along the public right-of-way, all of which will be removed to clear the lot, with the Project also involving the grading of approximately 2,500 cubic yards of soil, for the properties located at 1309-1331 South Pacific Avenue, subject to Conditions of Approval.

The Hearing Notice also fails to note the export of approximately 20,000 cubic yards of soil.

In addition, the project is routinely misleadingly described as: “a project totaling 102 dwelling units and reserving **15 percent** of the base dwelling units, or 12 dwelling units, for Very Low Income Household occupancy for a period of 55 years.” (Emphasis added). This is misleading, as 12 dwelling units represents only 11.7 percent of the total dwelling units, and the calculation of percent affordable is based on total units, per the zoning code regulations included in the Los Angeles Municipal Code (LAMC).<sup>11</sup> The Notice of Exemption and administrative process has thus misleadingly overstated the share of project units reserved for Very Low Income Households.

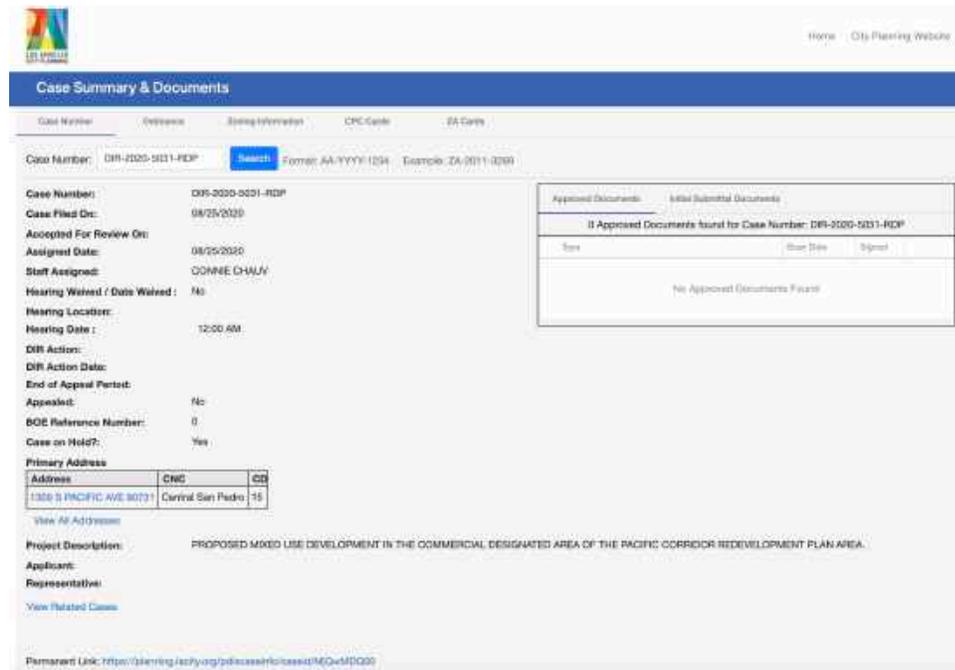
Furthermore, there is another case number for the project address listed in the City’s files: case DIR-2020-5031-RDP.<sup>12</sup> As shown in **Figure 1**, a screen shot of the City’s record for this

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<sup>11</sup> Per LAMC Section 12.22 A.25(c)(1), density bonuses are calculated based on the percent of total units that are restricted affordable units: “**For Sale or Rental Housing with Low or Very Low Income Restricted Affordable Units.** A Housing Development Project that includes 10% **of the total units** of the project for Low Income households or 5% **of the total units** of the project for Very Low Income households, either in rental units or for sale units, shall be granted a minimum Density Bonus of 20%, which may be applied to any part of the Housing Development Project. The bonus may be increased according to **the percentage of affordable housing units provided**, as follows, but shall not exceed 35%:”

<sup>12</sup> <https://planning.lacity.org/pdiscaseinfo/caseid/MjQwMDQ00>

case, this project is a “proposed mixed use development in the commercial designated area of the Pacific Corridor Redevelopment Plan Area.” This case was filed on August 25, 2020, after members of Citizens Protecting San Pedro commented on the fact the project was not consistent with allowable land use on the site as specified in the Pacific Corridor Redevelopment Plan, which is in effect through 2033.<sup>13</sup> No details about the nature of the mixed use development are available, despite efforts from members of the group to obtain that information (see **Attachments B1-B6**).



**FIGURE 1 – CASE SUMMARY – MIXED USE DEVELOPMENT ON PROJECT SITE - CASE DIR-2020-5031-RDP**

The administrative record for the project thus contains an inconsistent, inaccurate and unstable project description which has led to confusion among the public and those participating in the administrative process. The inaccurate and unstable project description has also led to inaccuracies in the assessment of potential project impacts contributing to an inaccurate conclusion that the proposed project is eligible for a Class 32 Exemption.

### **III. FAILURE TO MEET REQUIREMENTS OF 15332(A) – DUE TO LACK OF CONSISTENCY WITH GENERAL PLAN POLICIES AS WELL AS WITH APPLICABLE ZONING DESIGNATION AND REGULATIONS**

The parcels are zoned C2-1XL-CPIO. As explained in **Attachment A3**<sup>14</sup>, the C2 zoning allows for C1.5 Uses; Retail w/ Limited Manufacturing, Service Stations and Garages, Retail Contr. Business, Churches, Schools, Auto Sales, R4 Uses. The 1XL designation indicates the

<sup>13</sup> <https://planning.lacity.org/plans-policies/overlays/pacific-corridors>

<sup>14</sup> Also available at: [https://planning.lacity.org/odocument/eadc225-a16b-4ce6-bc94-c915408c2b04/Zoning\\_Code\\_Summary.pdf](https://planning.lacity.org/odocument/eadc225-a16b-4ce6-bc94-c915408c2b04/Zoning_Code_Summary.pdf)

project parcels are in a height district that allows for a maximum of: Height - 30 ft and FAR - 1.5:1. The CPIO designation indicates the project parcels are in the San Pedro Community Plan Implementation Overlay area (CPIO).<sup>15</sup> The current San Pedro Community Plan (Community Plan) was adopted October, 2017. The parcels are also in the City’s Pacific Corridor Redevelopment Plan Area.<sup>16</sup> The project applicant is seeking a density bonus, incentives and a waiver pursuant to LAMC Section 12.22 A.25 as a result of the project’s provision of 12 Very Low Income housing units.

The proposed project is not eligible for a Class 32 exemption because it is not consistent with regulations, the applicable zoning designation, and with General Plan and Community Plan policies.

**Consistency With C2-1XL-CPIO Zoning Designation and LAMC Section 12.22 A.25**

**Table 1** provides a comparison of the proposed project with what is allowed under the C2-1XL-CPIO zoning designation and LAMC Section 12.22 A.25. Section 12.22 A.25(f) of the LAMC contains the list of eight on-menu incentives for affordable housing provision. All three of the requested incentives are on-menu incentives, so it is unclear why there is any mention made of off-menu incentives. In addition, an increase in height is also an on-menu incentive, so the requested Waiver of Development Standard to allow for the increase height appears to be a way for the project to get four, rather than three incentives.

As shown in the table, the project applicant’s requested deviations from code are excessive. The project is only eligible for three of the affordable housing incentives, given the project only includes 12% Very Low Income units, not 15%. (See Section 12.22 A.25(e) included in **Attachment A3**). In addition, the project does not comply with the prerequisites for some of the requested incentives.

<b>TABLE 1</b>	
<b>ANALYSIS OF PROJECT’S COMPLIANCE WITH ZONING REQUIREMENTS</b>	
<b>ZONING CODE REQUIREMENTS /1/</b>	<b>PROPOSED PROJECT</b>
Allowed Density is 31,500 (lot size)/400 = 79 units  Very Low Income Units – Density Bonus Allowed per Section 12.22 A.25(c)	<b>Consistent</b>  Very Low Income Units = 12 Total Units =102 Very Low Income as Percent of Total = 12%  Project is entitled to a 35% density bonus. This would allow for 107 units. The project includes 102 units.
Very Low Income Units – Incentive Allowed per Section 12.22 A.25(e) from menu in Section 12.22 A.25(f)	<b>Consistent</b>  Very Low Income Units = 12 Total Units =102

<sup>15</sup> The Community Plan is available at: <https://planning.lacity.org/plans-policies/community-plan-area/san-pedro>

Ordinance 185539 enacting the Overlay District is included in **Attachment A5**, and available at: <https://planning.lacity.org/odocument/213bd163-9baf-45f3-aa8a-01b4a2adbb2d>

<sup>16</sup> <https://planning.lacity.org/plans-policies/overlays/pacific-corridors>

<b>TABLE 1 ANALYSIS OF PROJECT'S COMPLIANCE WITH ZONING REQUIREMENTS</b>	
<b>ZONING CODE REQUIREMENTS /1/</b>	<b>PROPOSED PROJECT</b>
	<p>Total Non-Affordable Units = 90 Allowed Units Without Density Bonus = 79</p> <p>Very Low Income as Percent of Total = 12% Very Low Income as Percent of Non-Affordable Units = 13.33% or 14% with rounding up Very Low Income as Percent of Non-Density Units = 12/79 = 15.18%</p> <p>LAMC Section 12.22 A.25(e) provides for two incentives with provision of 10% Very Low Income Units (excluding density bonus units) or three incentives with provision of 15% very low income units (excluding density bonus units).</p> <p>The proposed project is thus eligible for three incentives. However, more than three on-menu incentives are required given the design of the proposed project.</p>
<p>Yards:</p> <p>None for commercial uses; same as R4 Zone for residential uses at lowest residential story</p> <p>R4 = Front Yard: 15 ft; 10 ft for key lots</p>	<p><b>Inconsistent</b></p> <p>Front Yard Setback (South) Provided = 0 feet</p>
<p>Side Yard: 5ft; 10% lot width when lot width is &lt; 50 ft; 3 ft min; +1 ft for each story over 2nd, not to exceed 16 ft</p>	<p><b>Consistent</b></p> <p>West Side Yard Required – 7 feet; provided = 15 feet East Side Yard Required per CPIO is 0 feet; provided is 0 feet.</p>
<p>Rear Yard: 15ft;+1ft for each story over 3rd; 20 ft max</p>	<p><b>Inconsistent and Inconsistent With Requirements of Requested Incentive Menu Item 1</b></p> <p>The proposed project is 4-stories requiring a 16 ft rear yard setback. The proposed project only provides a 5-foot rear yard setback.</p> <p>A 20 percent reduction in yard/setback is menu item 1 in LAMC Section 12.22 A.25(f). However, the proposed 5-foot rear yard setback in lieu of the 16 feet otherwise required by the C2-1XL-CPIO Zone exceeds the allowed 20 percent reduction, since it represents a 73% reduction.</p>
<p>The minimum area per dwelling unit is 400 sq-ft; 200 sq-ft per guest room</p>	<p><b>Inconsistent</b></p> <p>Per project plans: Studio units 207, 210, 216, 221, 222, 316, 319, 321, 322, 323, 326, 385,416, and 421 are less than 400 square feet in size. There</p>

<b>TABLE 1 ANALYSIS OF PROJECT'S COMPLIANCE WITH ZONING REQUIREMENTS</b>	
<b>ZONING CODE REQUIREMENTS /1/</b>	<b>PROPOSED PROJECT</b>
	has been no showing the project is consistent with LAMC Section 12.22 A.25(c)(i)(10)
Minimum Lot area = 5,000 sq ft.	<b>Consistent</b>  The lot size is 31,500 sq. ft.
Minimum lot width = 50 ft.	<b>Consistent</b>  The lot width is greater than 50 feet.
Height: 30 ft	<p><b>Inconsistent and Inconsistent With Requirements of Incentive Menu Item 4; Applicant is Requesting a Waiver of This Development Standard Which Would Appear to be an Attempt to Circumvent the Number of Allowable Incentive Menu Items</b></p> <p>The project height is 45-foot and 5-inch building height in lieu of the 30 feet otherwise permitted by the C2- 1XL-CPIO Zone and CPIO Section IV-2.A.2.</p> <p>Section 12.22 A.25(f) Menu Incentive item 5 allows for a percentage increase in the height requirement in feet equal to the percentage of Density Bonus for which the Housing Development Project is eligible. This percentage increase in height shall be applicable over the entire parcel regardless of the number of underlying height limits.</p> <p>The proposed project would thus be eligible for a 35% increase in height from 30 feet to 40 feet 6 inches.</p> <p>This menu item further provides:</p> <p style="padding-left: 40px;">(i) In any zone in which the height or number of stories is limited, this height increase shall permit a maximum of eleven additional feet or one additional story, whichever is lower, to provide the Restricted Affordable Units.</p> <p style="padding-left: 40px;">(a) No additional height shall be permitted for that portion of a of a building in a Housing Development Project that is located within fifteen feet of a lot classified in the R2 Zone.</p> <p style="padding-left: 40px;">(b) For each foot of additional height the building shall be set back one horizontal foot.</p>

<b>TABLE 1</b>	
<b>ANALYSIS OF PROJECT'S COMPLIANCE WITH ZONING REQUIREMENTS</b>	
<b>ZONING CODE REQUIREMENTS /1/</b>	<b>PROPOSED PROJECT</b>
	<p>(ii) No additional height shall be permitted for that portion of a building in a Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.</p> <p>(iii) No additional height shall be permitted for any portion of a building in a Housing Development Project located on a lot sharing a common lot line with or across an alley from a lot classified in an R1 or more restrictive zone. This prohibition shall not apply if the lot on which the Housing Development Project is located is within 1,500 feet of a Transit Stop but no additional height shall be permitted for that portion of a building in the Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.</p> <p>Item (i) would allow for a maximum height of 41 feet. The proposed project exceeds this height. Furthermore, as shown in the Zimas records for the project parcels, the project site shares a western property line with parcels zoned R1.5.</p> <p>The proposed project is thus inconsistent with what is allowable under this menu item. The project is not eligible for a waiver due to adverse impacts upon public health and safety as detailed herein.</p>
Open Space - 10,950 square feet otherwise required by LAMC Section 12.21 G	<p><b>Inconsistent, But Consistent With Requirements of Requested Incentive Menu Item 6</b></p> <p>A 20 percent reduction in the required open space is available via menu item 6. The requested reduction in open space - 8,831 square feet in lieu of the 10,950 square feet otherwise required by LAMC Section 12.21 G – is allowed under this menu item, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines “O”.</p> <p>The requested reduction is a roughly 19% which is consistent with menu item 6. The project is</p>

<b>TABLE 1</b>	
<b>ANALYSIS OF PROJECT'S COMPLIANCE WITH ZONING REQUIREMENTS</b>	
<b>ZONING CODE REQUIREMENTS /1/</b>	<b>PROPOSED PROJECT</b>
	consistent, with demonstration of the required number of landscape points.
FAR: 1.5:1	<p><b>Inconsistent and Inconsistent With Requirements of Requested Incentive Menu Item 4</b></p> <p>The project's FAR is 2.65:1 This represents a 76 percent increase over the allowable FAR.</p> <p>Per Menu Incentive item 4 the project is entitled to:</p> <p>(i) A percentage increase in the allowable Floor Area Ratio equal to the percentage of Density Bonus for which the Housing Development Project is eligible, not to exceed 35%;</p> <p>(ii) In lieu of the otherwise applicable Floor Area Ratio, a Floor Area Ratio not to exceed 3:1, provided the parcel is in a commercial zone in Height District 1 (including 1VL, 1L and 1XL), <b>and</b> fronts on a Major Highway as identified in the City's General Plan, <b>and</b></p> <p>a. the Housing Development Project includes the number of Restricted Affordable Units sufficient to qualify for a 35% Density Bonus, <b>and</b></p> <p>b. 50% or more of the commercially zoned parcel is located in or within 1,500 feet of a Transit Stop/Major Employment Center.</p> <p>A Housing Development Project in which at least 80% of the units in a rental project are Restricted Affordable Units or in which 45% of the units in a for- sale project are Restricted Affordable Units shall be exempt from the requirement to front on a Major Highway.</p> <p>The proposed project is located in height district IXL and includes 12% Very Low Income units which is sufficient to qualify for a 35% density bonus. However, the proposed project does not front on a Major Highway, as identified in the City's General Plan. Pacific Avenue is identified as Avenue II Modified on the San Pedro Community Plan Circulation Map, which is an arterial, not a Major Highway per page 18 of the</p>

<b>TABLE 1 ANALYSIS OF PROJECT'S COMPLIANCE WITH ZONING REQUIREMENTS</b>	
<b>ZONING CODE REQUIREMENTS /1/</b>	<b>PROPOSED PROJECT</b>
	<p>2035 Mobility Plan.<sup>17</sup> It is therefore not eligible for a FAR of 3:1 as a height incentive.</p> <p>Per Section 12.22 A.25(f) the project only qualifies for 35% increase in FAR, which would be a FAR of 2.02:1 if a FAR increase was one of the on-menu incentives sought.</p>
<p>/1/ Zoning Code Summary included as <b>Attachment X</b> and Available at:  <a href="https://planning.lacity.org/odocument/eacdb225-a16b-4ce6-bc94-c915408c2b04/Zoning_Code_Summary.pdf">https://planning.lacity.org/odocument/eacdb225-a16b-4ce6-bc94-c915408c2b04/Zoning_Code_Summary.pdf</a>            A copy of LAMC Section 12.22 A.25 is also included in <b>Attachment X</b>.</p>	

**Consistency with CPIO**

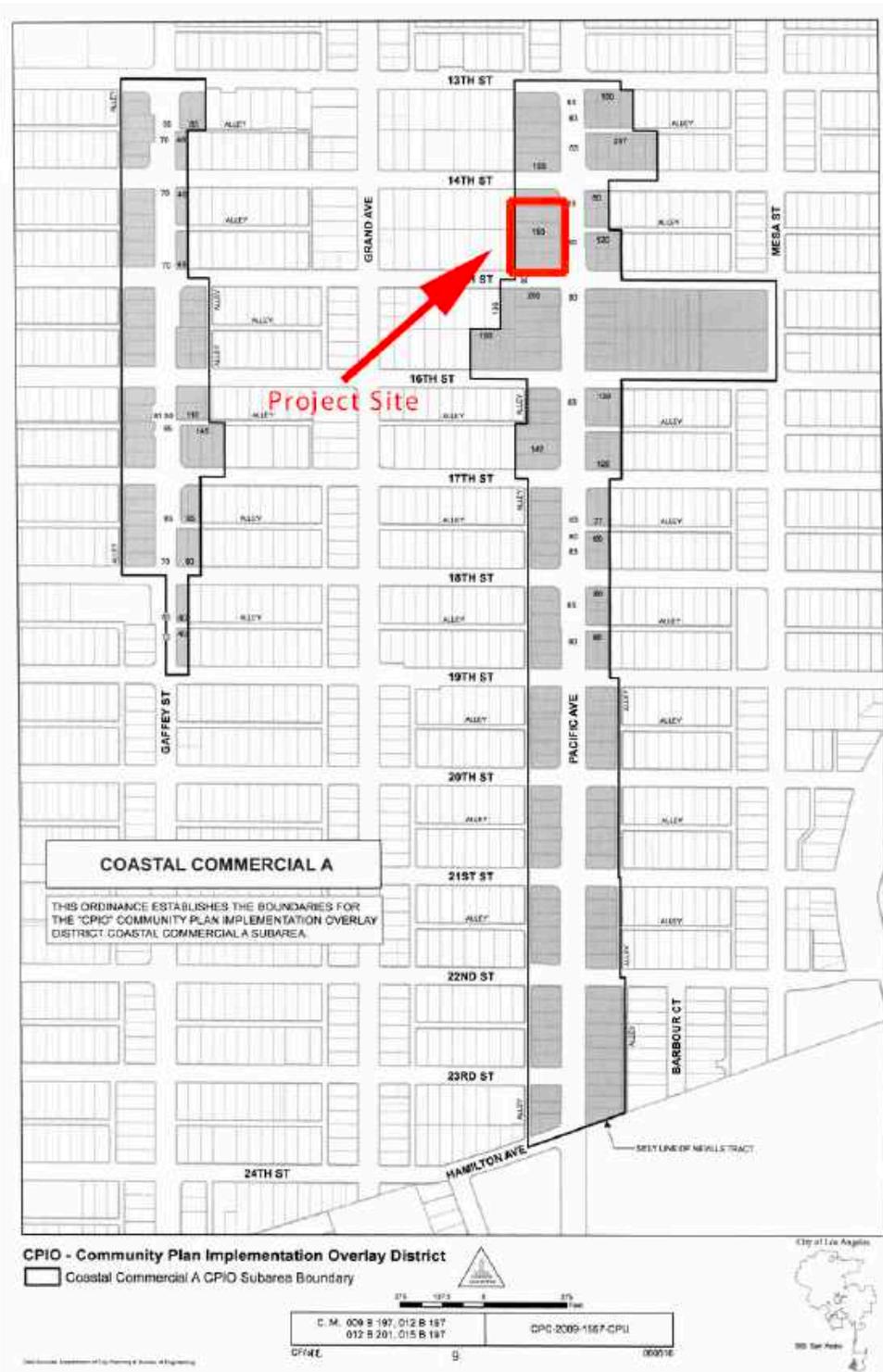
As shown in **Figure 2**, which is reproduced from the CPIO, project site is within Coastal Commercial Subarea A of the San Pedro Community Plan Implementation Overlay District (CPIO).<sup>18</sup> A copy of the CPIO is included as **Attachment A5**.

Chapter IV of the CPIO addresses the development standards for developments within this subarea. As noted on page 28 of the CPIO:

The intent of the supplemental development regulations in this Chapter IV is to create a small- scale pedestrian-friendly corridor that serves the daily needs of residents and employees. These supplemental development regulations create compatible infill development through transitions, scale, massing, and landscaping. Projects within the Coastal Commercial Subareas A and B (see Figure IV) **shall** comply with the applicable supplemental development regulations in this Chapter IV. (Emphasis added).

<sup>17</sup> The 2035 Mobility Plan is available at: [https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility\\_Plan\\_2035.pdf](https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf)

<sup>18</sup> Available at: <https://planning.lacity.org/odocument/213bd163-9baf-45f3-aa8a-01b4a2adbb2d>



Source: Page 8, LA City Ordinance 185539 enacting the Overlay District  
**FIGURE 2 – PROJECT’S LOCATION IN CPIO SUBAREA COASTAL COMMERCIAL A**

The proposed project is inconsistent with both the letter and intent of the CPIO for this area. As shown in **Table 2**, the proposed project exceeds the building height and building density and intensity standards for the area included in the CPIO.

<b>TABLE 2 ANALYSIS OF PROJECT'S COMPLIANCE WITH CPIO REQUIREMENTS FOR SUBAREA /1/</b>	
<b>CPIO REQUIREMENTS FOR SUBAREA</b>	<b>PROPOSED PROJECT</b>
<p><b>A. Building Height.</b> In addition to any regulations set forth by the underlying zone and the LAMC, Projects <b>shall</b> comply with the following building height regulations:</p> <p>2. Maximum Height:</p> <p>(a) The maximum height for Height District 1XL <b>shall</b> be 30 feet.</p>	<p><b>Inconsistent</b></p> <p>The proposed project is 45-feet 5-inches in height.</p>
<p><b>B. Building Density &amp; Intensity.</b> In addition to any regulations set forth by the underlying zone and the LAMC, Projects <b>shall</b> comply with the following building density and intensity regulations:</p> <p>1. The maximum FAR <b>shall</b> be 1.5:1.</p>	<p><b>Inconsistent</b></p> <p>The project's FAR is 2.65:1. This represents a 76 percent increase over the allowable FAR. This is also in excess of any density bonus provided in LAMC Section 12.22 A.25(f) for project's providing Very Low Income Housing Units.</p>
<p>/1/ Pages 30-34 CPIO Ordinance available at: <a href="https://planning.lacity.org/odocument/213bd163-9baf-45f3-01b4a2adb2d">https://planning.lacity.org/odocument/213bd163-9baf-45f3-01b4a2adb2d</a> It is included as <b>Attachment A5</b>.</p>	

As noted on Table IV-1 - Coastal Commercial Subareas Land Use Regulation in the CPIO, 100% residential uses are allowed in this area. Project are encouraged but not required to comply with multi-family residential guidelines in Appendix B of the CPIO. Therefore, consistency with those guidelines is not analyzed in this letter.

### **Inconsistency With General Plan Policies**

The proposed project is inconsistent with the following General Plan policies, including:

#### **General Plan Framework**

The General Plan Framework, adopted in December 1996, provides long term guidance on land use issues for the entire City.

***Policy 3.1.8** Consider the formulation of plans that facilitate the local community's identification of precise uses, densities, and design characteristic for development and the public streetscape for neighborhood areas smaller than the community plans, provided that the Framework Element's differentiation and relationship among land use districts are generally maintained, there is no significant change in the population and employment*

*'capacity of the neighborhood, and there is no significant reduction in overall housing capacity.*

The standards in the Community Plan and CPIO address issues raised by stakeholders in the community while balancing the need to retain housing capacity. Site plan and building design regulations mitigate impacts of massing on the shade, scale, shadow, aesthetics, and public streetscape. The proposed project is inconsistent with the standards included in the CPIO.

***Objective 5.1** Translate the Framework Element's intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood's attributes, emphasizes quality of development and provide or advocate "proactive" implementation programs.*

The Community Plan and CPIO standards are tailored to the community and respond to the local context. The proposed project is inconsistent with those standards.

### **General Plan Housing Element**

***Policy 2.8.1.** Establish individual community visions that retain and enhance community character through the Community Plan Update Program and the Framework Element.*

The standards within the Community Plan and CPIO were developed to specifically address the needs of the area. The proposed project is inconsistent with the standards established in the Community Plan and CPIO.

### **San Pedro Community Plan**

As detailed on page 3-24 of the Community Plan, the project site is within the area designed as Neighborhood Commercial:

#### **Neighborhood Commercial Districts**

Several Neighborhood Commercial Districts are located throughout the community providing daily convenience services to people living in nearby residential areas. Typical establishments found in these areas include markets, barber and beauty shops, laundromats and dry cleaners, restaurants, convenience stores, coffee shops and small professional offices. These districts contain mostly small-scaled, 1 to 2 story buildings with local businesses that provide goods and services to the adjacent neighborhoods and community at large. Neighborhood Commercial Districts include the following:

- Gaffey Street between 5<sup>th</sup> and 19<sup>th</sup> Streets
- 9<sup>th</sup> Street between Meyler Street and Pacific Avenue

- Pacific Avenue and “Welcome Gateway”
- Western Avenue and 25th Street
- Weymouth Corners
- Park Plaza and Harbor Cove

Page 3-25 of the Community Plan describes the Neighborhood Commercial area containing the project as follows:

**Pacific Avenue and “Welcome Gateway”**

Pacific Avenue between 9th and 25th Streets is a mixed-use area with street-fronting retail, restaurants, bars, banks and auto-related uses. A prevailing two-to three-story street wall at 9th Street gradually loses consistency as it heads away from the Downtown core, with several corner shopping malls, parking lots and auto repair businesses located between 14th Street and 19th Street. The district also includes a public elementary school and some multi-family residential uses. Between Oliver and 3rd Streets, the mix of uses is similar to those found along the southern portion of Pacific Avenue. This area is also one of the primary entry points into the community from north of San Pedro as well as Long Beach. Thus, this area provides an opportunity to better identify a key entryway into San Pedro beginning at about Oliver Street and extending into Downtown.

A copy of the San Pedro Community Plan is included as **Attachment A6**. The proposed project, due to its mass, height and scale in excess of the 30 foot height and FAR of 1.5:1 for the Community Plan subarea, its adjacency to residential uses, and its exclusive residential use, is inconsistent with the following land use policies in the San Pedro Community Plan for commercial areas, including Neighborhood Commercial areas, such as the project area:

**LU 5.4 Appropriate transitions.** New development should respect and complement the architectural and building patterns of surrounding existing residential areas. New buildings that abut residential zones or are adjacent to residential neighborhoods that have lower development intensities and building heights should ease the scale of transition through use of downsizing scale, massing, heights, or setbacks. (P1)

**LU. 5.5 Complementary residential uses.** Residential uses in commercial areas should complement and enhance commercial districts with compatible design, entrances, scale, massing and continuation of the streetwall. (P1)

**LU 5.7 Strategically locate new large projects.** Allow large projects in appropriate locations, and provided that projects do not interrupt community fabric, the street grid, designated public views, or the viability of commercial areas, and that those facilities are designed to be compatible in scale and character with surrounding uses. (P1)

**Goal LU6: Attractive, pedestrian-friendly Neighborhood Districts that serve surrounding neighborhoods and businesses as local gathering places where people shop and socialize.**

**LU6.1 Neighborhood services.** Encourage the retention of existing and the development of new commercial uses that are primarily oriented to the residents of adjacent neighborhoods and promote the inclusion of community services (e.g., childcare and community meeting rooms). (P1)

**LU 6.2 Mix of uses.** Encourage the vertical and horizontal integration of a complementary mix of commercial, service and other non-residential uses that address the needs of households living in urban neighborhoods. Such uses may include retail and services, entertainment, childcare facilities, daycare and school facilities, public meeting rooms, recreation, cultural facilities, and public open spaces, which enhance neighborhood activity. (P1)

**LU 6.5 Limit new stand-alone residential uses.** Discourage new residential only uses in Neighborhood Commercial designated areas to maintain an adequate level of neighborhood commercial services.

Because the project is not consistent with the Community Plan standards specifically adopted in order to ensure compliance with these policies and objectives, it is not consistent with the General Plan and San Pedro Community Plan policies and objectives, and would result in a land use impact. It therefore does not qualify for a Class 32 Exemption, which requires that a project be consistent with the applicable general plan designation **and all** applicable general plan policies as well as with applicable zoning designation and regulations. (Emphasis added).

**IV. FAILURE TO MEET REQUIREMENT OF 15332(D) – DUE TO POTENTIALLY SIGNIFICANT AIR QUALITY AND TRAFFIC IMPACTS**

The proposed project is not eligible for a Class 32 Exemption due to its potential to result in significant air quality and traffic impacts, and/or lack of substantial evidence supporting the conclusion that it will not result in significant air quality, traffic or noise impacts.

**Significant Air Quality Impacts**

**Attachment C**, contains a letter from SWAPE, which provides a detailed critique of the Air Quality Technical Report prepared for the proposed project by DKA Planning dated November 2019 which is attached to the City’s Notice of Exemption. The City relied on the Air Quality Technical Report when determining project air quality impacts would not be significant. As detailed more fully in the letter from SWAPE and SWAPE’s supporting documentation contained in **Attachments C1-C3**, there were a number of errors made in the Air Quality Technical Report, including the fact that project emissions were discounted as a result of an improper assumption that existing buildings on the project site were still in use. These errors

have resulted in an underestimate of project air emissions. As noted on page 11 of SWAPE’s analysis:

When correct, site-specific input parameters are used to model emissions, we find that the Project’s construction-related reactive organic gas/volatile organic compound (“ROG”/“VOC”) and nitrogen oxides (“NO<sub>x</sub>”) emissions increase when compared to the AQ Report’s model. Furthermore, we find that the Project’s construction-related ROG/VOC and NO<sub>x</sub> emissions exceed the 75- and 100-pounds per day (“lbs/day”) thresholds set by the SCAQMD, respectively (see table below).<sup>19</sup>

<b>Maximum Daily Construction Emissions (lbs/day)</b>		
<b>Model</b>	<b>VOC/ROG</b>	<b>NOX</b>
AQ Report	8.14	72.45
SWAPE	139.58	852.50
<b>Percent Increase</b>	<b>1615%</b>	<b>1077%</b>
<b>SCAQMD Regional Threshold (lbs/day)</b>	<b>75</b>	<b>100</b>
<b>Threshold Exceeded?</b>	<b>Yes</b>	<b>Yes</b>

Given the project’s exceedance of SCAQMD Regional Thresholds for VOC/ROG and NO<sub>x</sub>, the project is not eligible for a Class 32 Exemption. (See also discussion of significant cancer risk impact in **Section V** of this letter and the discussion of Greenhouse Gas Impacts in **Section VI** of this letter).

**Significant Traffic Impacts**

There are a number of problems with the Traffic Impact Analysis prepared for the project, which have resulted in an underestimate of impacts.

The Notice of Exemption, Hearing Notice, and Letter of Determination correctly indicate that the project site is currently occupied by “3 vacant commercial structures.” These structures have been vacant for a number of years. However, the Traffic Analysis inappropriately treated the structures as occupied, and calculated trip generation for the vacant structures as if they were occupied,<sup>20</sup> thus underestimating project trips by only calculating a net increase, as shown in Table 3 from the Traffic Analysis, reproduced below:<sup>21</sup>

4

<sup>19</sup> “South Coast AQMD Air Quality Significance Thresholds.” SCAQMD, April 2019, available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>.

<sup>20</sup> Page 5, Memorandum from Linscott Law & Greenspan, dated September 26, 2019.

<sup>21</sup> PDF page 34 – Attachments Environmental Reports, available at: [https://clkrep.lacity.org/onlinedocs/2020/20-0680\\_misc\\_4\\_06-01-2020.pdf](https://clkrep.lacity.org/onlinedocs/2020/20-0680_misc_4_06-01-2020.pdf)

**Table 3  
PROJECT TRIP GENERATION [1]**

LAND USE	SIZE	DAILY TRIP ENDS [2] VOLUMES	AM PEAK HOUR VOLUMES [2]			PM PEAK HOUR VOLUMES [2]		
			IN	OUT	TOTAL	IN	OUT	TOTAL
<i>Proposed Use</i>								
Apartments [3]	97 DU	528	9	26	35	26	17	43
Affordable Housing [4]	12 DU	49	2	4	6	2	2	4
<i>Subtotal Proposed Use</i>		<b>577</b>	<b>11</b>	<b>30</b>	<b>41</b>	<b>28</b>	<b>19</b>	<b>47</b>
<i>Existing Uses</i>								
Warehouse [5]	(2,400) GSF	(4)	0	0	0	0	0	0
Light Industrial [6]	(4,000) GSF	(20)	(3)	0	(3)	0	(3)	(3)
Bar [7]	(1,600) GSF	(181)	Nom.	Nom.	Nom.	(12)	(6)	(18)
<i>Subtotal Existing Uses</i>		<b>(205)</b>	<b>(3)</b>	<b>0</b>	<b>(3)</b>	<b>(12)</b>	<b>(9)</b>	<b>(21)</b>
<b>NET INCREASE</b>		<b>372</b>	<b>8</b>	<b>30</b>	<b>38</b>	<b>16</b>	<b>10</b>	<b>26</b>

[1] Source: Transportation Impact Study Guidelines, City of Los Angeles Department of Transportation (LADOT), December 2016 and ITE "Trip Generation Manual", 10th Edition, 2017.

[2] Trips are one-way traffic movements, entering or leaving.

[3] ITE Land Use Code 221 (Multifamily Mid-Rise [General Urban/Suburban]) trip generation average rates.

- Daily Trip Rate: 5.44 trips/dwelling unit; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.36 trips/dwelling units; 26% inbound/74% outbound
- PM Peak Hour Trip Rate: 0.44 trips/dwelling units; 61% inbound/39% outbound

[4] LADOT trip generation average rates for affordable housing type Family Housing.

- Daily Trip Rate: 4.08 trips/dwelling unit; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.50 trips/dwelling unit; 40% inbound/60% outbound
- PM Peak Hour Trip Rate: 0.34 trips/dwelling unit; 55% inbound/45% outbound

[5] ITE Land Use Code 150 (Warehouse) trip generation average rates.

- Daily Trip Rate: 1.74 trips/1,000 SF of floor area; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.17 trips/1,000 SF of floor area; 77% inbound/23% outbound
- PM Peak Hour Trip Rate: 0.19 trips/1,000 SF of floor area; 27% inbound/73% outbound

[6] ITE Land Use Code 110 (General Light Industrial) trip generation average rates.

- Daily Trip Rate: 4.96 trips/1,000 SF of floor area; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.70 trips/1,000 SF of floor area; 88% inbound/12% outbound
- PM Peak Hour Trip Rate: 0.63 trips/1,000 SF of floor area; 13% inbound/87% outbound

[7] ITE Land Use Code 925 (Drinking Place [General Urban/Suburban]) trip generation average rates.

- Daily Trip Rates not provided. PM peak hour volume was estimated to represent 10% of the daily totals.
- PM Peak Hour Trip Rate: 11.36 trips/1,000 SF of floor area; 66% inbound/34% outbound

By discounting the trip generation by assuming traffic from the three vacant commercial buildings on the project site, the Traffic Analysis under estimated project trip generation by 205 daily trips, 3 am peak hour trips and 21 pm peak hour trips.

The Traffic Study also underestimated trips due to the 12 affordable units. According the Traffic Study, the following trip generation rates were used for the calculation of trips from the 12 low income units<sup>22</sup> based on the LADOT trip generation rates for affordable housing projects published in December, 2016:

#### Affordable Family Housing

- Average Daily Trip Rate: 4.08 trips per dwelling unit
- Average AM Peak Hour Trip Rate: 0.50 trips per dwelling unit; 40% inbound and 60% outbound

<sup>22</sup> Page 5, Memorandum from Linscott Law & Greenspan, dated September 26, 2019.

- Average PM Peak Hour Trip Rate: 0.34 trips per dwelling unit; 55% inbound and 45% outbound

However, these are not the rates published by LADOT in LADOT’s February 2019 VMT Calculator Documentation,<sup>23</sup> which includes as Appendix B an April 20, 2017 Memorandum from Fehr Peers containing the Affordable Housing Trip Generation Study. As shown in Table 2 from that study reproduced below, and based on the guidance in the LADOT’s VMT Calculator Documentation, the trip generation rate for family affordable housing units located outside<sup>24</sup> a Transit Priority Area should have been:

### Affordable Family Housing

- Average Daily Trip Rate: 4.15 not 4.08 trips per dwelling unit
- Average AM Peak Hour Trip Rate: 0.55 not 0.50 trips per dwelling unit; 40% inbound and 60% outbound
- Average PM Peak Hour Trip Rate: 0.43 not 0.34 trips per dwelling unit; 55% inbound and 45% outbound

TABLE 2  
Vehicle Trip Rates for Affordable Housing Sites in Los Angeles  
(By Transit Priority Area and Affordable Housing Type)  
Counts conducted May, June, and November 2016

TPA Area	Affordable Housing Type	Bin	Sample Size	Daily Rate (Trips per DU)	Average AM Peak Hour Rate (Trips per DU)	AM Percent In	AM Percent Out	Average PM Peak Hour Rate (Trips per DU)	PM Percent In	PM Percent Out
Inside	-	-	20	2.32	0.26	40%	60%	0.20	56%	44%
Outside	-	-	22	2.48	0.75	46%	54%	0.24	52%	48%
-	Family	-	14	4.15	0.52	38%	62%	0.38	55%	45%
-	Seniors	-	13	1.72	0.12	38%	62%	0.15	52%	48%
-	Special Needs	-	8	1.49	0.17	43%	57%	0.11	54%	46%
-	Permanent Supportive	-	7	1.23	0.08	67%	33%	0.13	51%	47%
Inside	Family	Inside, Family	8	4.15	0.49	37%	63%	0.35	56%	44%
Inside	Seniors	Inside, Seniors	5	1.31	0.13	38%	62%	0.13	47%	53%
Inside	Special Needs	Inside, Special Needs	4	1.00	0.10	30%	70%	0.05	67%	33%
Inside	Permanent Supportive	Inside, Permanent Supportive	3	0.87	0.08	62%	38%	0.09	59%	41%
Outside	Family	Outside, Family	6	4.15	0.55	40%	60%	0.43	55%	45%
Outside	Seniors	Outside, Seniors	8	1.97	0.11	38%	62%	0.17	55%	45%
Outside	Special Needs	Outside, Special Needs	4	1.98	0.24	54%	46%	0.16	44%	56%
Outside	Permanent Supportive	Outside, Permanent Supportive	4	1.50	0.09	71%	29%	0.16	49%	51%

**ITE for Comparison**

ITE Record Number	Description	Sample Size	Daily Rate (Trips per DU)	Average AM Peak Hour Rate (Trips per DU)	AM Percent In	AM Percent Out	Average PM Peak Hour Rate (Trips per DU)	PM Percent In	PM Percent Out
ITE 220	Apartment	78-90	6.65	0.51	20%	80%	0.62	65%	35%
ITE 222	High-Rise Apartment	9-17	4.20	0.30	25%	75%	0.35	61%	39%
ITE 252	Senior Adult Housing-Attached	5-10	3.44	0.20	34%	66%	0.25	54%	46%
ITE 253	Congregate Care Facility	2-3	2.02	0.06	59%	41%	0.17	55%	45%
ITE 255	Continuing Care Retirement Community	4-6	2.40	0.14	65%	35%	0.16	39%	61%

<sup>23</sup> [https://planning.lacity.org/odocument/3717c045-9ac2-48ff-9dfc-b2c97a59f07c/VMT\\_Calculator\\_Documentation\\_20190228.pdf](https://planning.lacity.org/odocument/3717c045-9ac2-48ff-9dfc-b2c97a59f07c/VMT_Calculator_Documentation_20190228.pdf)

<sup>24</sup> And, the rate for projects inside a Transit Priority Area are: Affordable Family Housing

- Average Daily Trip Rate: 4.16 not 4.08 trips per dwelling unit
- Average AM Peak Hour Trip Rate: 0.49 not 0.50 trips per dwelling unit; 37% inbound and 63% outbound
- Average PM Peak Hour Trip Rate: 0.35 not 0.34 trips per dwelling unit; 56% inbound and 44% outbound

The Traffic Analysis also underestimated trip generation by using Institute of Traffic Engineers (ITE) rates for multifamily dwellings. As noted on page 8 of the City’s VMT Calculator Documentation:

- Multi-Family Dwelling: Use 2002 Multi Family Trip Rates from the San Diego Association of Governments (SANDAG) of six trips per unit<sup>25</sup>. This Southern California based rate more closely matches rates that were observed in Los Angeles.

Based on the LADOT’s VMT Calculator Documentation, and thus LADOT Trip Generation guidance, the project would result in the following trip generation as shown in **Table 3**:

<b>TABLE 3 PROJECT TRIP GENERATION PER CURRENT LADOT VMT CALCULATOR DOCUMENTATION</b>									
LAND USE	SIZE		DAILY TRIP ENDS VOLUMES	AM PEAK HOUR			PM PEAK HOUR VOLUMES		
				IN	OUT	TOTAL	IN	OUT	TOTAL
Apartments /1/	90	DU	540	8.64	34.56	43.20	34.02	14.58	48.60
Affordable Housing /2/	12	DU	49.92	10.98	16.47	27.46	11.81	9.66	21.47
<b>TOTAL</b>	<b>102</b>	<b>DU</b>	<b>590</b>	<b>20</b>	<b>51</b>	<b>71</b>	<b>46</b>	<b>24</b>	<b>70</b>
/1/ San Diego Association of Governments Rate for Apartments, per LADOT VMT Calculator Documentation									
/2/ Per LADOT VMT Calculator Documentation									

The Traffic Analysis for the project thus substantially understates project trip generation, as shown in **Table 4**, even after correcting for the number of units (102 not 109) and regardless of whether trip generation is calculated using rates in the LADOT VMT Calculator Documentation or using the more conservative LADOT Transportation Assessment Guidelines and within Transit Priority rates.

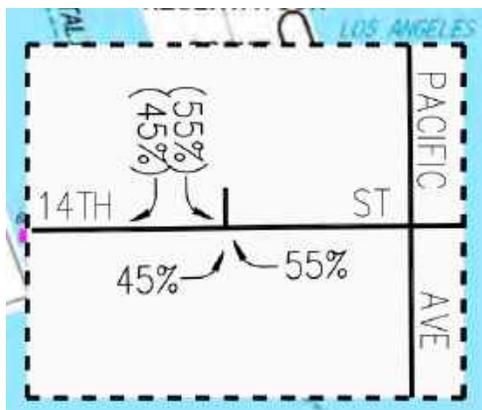
<sup>25</sup> San Diego Association of Governments, (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002, available at: [https://www.sandag.org/uploads/publicationid/publicationid\\_1140\\_5044.pdf](https://www.sandag.org/uploads/publicationid/publicationid_1140_5044.pdf)

TABLE 4 UNDER CALCULATION OF PROJECT TRIP GENERATION							
LAND USE	DAILY TRIP ENDS VOLUMES	AM PEAK HOUR			PM PEAK HOUR VOLUMES		
		IN	OUT	TOTAL	IN	OUT	TOTAL
Total Per LADOT Transportation Assessment Guidelines /1/	540	17	39	57	38	20	57
Total Per LADOT VMT Calculator Documentation/2/	<b>590</b>	<b>20</b>	<b>51</b>	<b>71</b>	<b>46</b>	<b>24</b>	<b>70</b>
Per Project Traffic Study /3/	372	8	30	38	16	10	26
<b>Difference – Amount of Underestimate of Trip Generation in Project Traffic Study /4/</b>	<b>168</b>	<b>9</b>	<b>9</b>	<b>19</b>	<b>22</b>	<b>10</b>	<b>31</b>

/1/ Per LADOT Transportation Assessment Guidelines, July 2019, available at: [https://planning.lacity.org/odocument/0ce2cd84-9034-4874-80d9-10d1cebcd9e9/ta\\_guidelines\\_-\\_20190731\\_0.pdf](https://planning.lacity.org/odocument/0ce2cd84-9034-4874-80d9-10d1cebcd9e9/ta_guidelines_-_20190731_0.pdf) Based on within Transit Priority Zone rates for affordable family housing.  
/2/ See Table A in this letter, Per LADOT VMT Calculator Documentation available at: [https://planning.lacity.org/odocument/3717c045-9ac2-48ff-9dfc-b2c97a59f07c/VMT\\_Calculator\\_Documentation\\_20190228.pdf](https://planning.lacity.org/odocument/3717c045-9ac2-48ff-9dfc-b2c97a59f07c/VMT_Calculator_Documentation_20190228.pdf)  
/3/ Per Page 5, Memorandum from Linscott Law & Greenspan, dated September 26, 2019 – Project Traffic Study.  
/4/ Equals /1/ - /3/

7

Access to and from the project site is from 14<sup>th</sup> Street, as shown in this detail from Figure 8 of the Traffic Study:



8

Source: Figure 8 Traffic Study attached to Notice of Exemption

**FIGURE 3 – PROJECT TRIP DISTRIBUTION FROM TRAFFIC STUDY**

This means that all of the project traffic will travel through the unsignalized intersections at 14<sup>th</sup> and Pacific Avenue or 14<sup>th</sup> and Grand Avenue. However, no analysis of the impact of the project on the functioning and safety of these two intersections was addressed in the Traffic Analysis for the project. Figure 9 from the Traffic Analysis shows the assignment of Weekday

AM Peak Hour Project Traffic. Figure 10 from the Traffic Study shows the Weekday PM Peak Hour Traffic Volumes for the project. These figures and the analysis need to be corrected to account for the correct peak hour traffic volumes that will result from the project.

### Neighborhood Intrusion Impact

The Traffic Analysis failed to analyze neighborhood intrusion impacts associated with project traffic. According to the City’s Complete Threshold Guide<sup>26</sup>, Section L4 – Neighborhood Intrusion Impacts:

This issue involves impacts of traffic generated by the project, and/or traffic diverted or shifted due to the project, on local streets in residential neighborhoods. Such impacts may result from increased traffic volumes on neighborhood streets or increased delays for vehicles exiting the neighborhood. Traffic conditions are typically expressed in terms of daily volume of traffic. . .

#### C. Screening Criteria

Would the proposed project:

- Generate more than 120 daily vehicle trips to a local residential street?

A "yes" response to the preceding question indicates that further study in an expanded Initial Study, Negative Declaration, Mitigated Negative Declaration, or EIR may be required. Refer to the Significance Threshold for Neighborhood Intrusion Impacts, and review the associated Methodology to Determine Significance, as appropriate. A "no" response to the preceding question indicates that there would normally be no significant impact on Neighborhood Intrusion from the proposed project.

The proposed project includes 102 dwelling units in a 4-story tall building. As shown in the **Table 4** above, the project has the potential for result in 540-590 daily vehicle trips, well over the 120 daily vehicle trips threshold for requiring analysis of impacts to a local residential street. The potential for neighborhood intrusion impacts, needs to be evaluated in the environmental document for the proposed project.

Page L.4-2 of the City’s Complete Threshold Guide<sup>27</sup> provides the following significance thresholds for neighborhood intrusion impacts:

<sup>26</sup> Available at: <https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/A07.pdf>

<sup>27</sup>

### A. Significance Threshold

A project would normally have a significant neighborhood intrusion impact if project traffic increases the average daily traffic (ADT) volume on a local residential street in an amount equal to or greater than the following:

ADT increase  $\geq 16\%$  if final ADT\*  $< 1,000$   
 ADT increase  $> 12\%$  if final ADT\*  $> 1,000$  and  $< 2,000$  ADT increase  
 $> 10\%$  if final ADT\*  $> 2,000$  and  $< 3,000$  ADT increase  $> 8\%$  if final ADT\*  
 $> 3,000$

\* “Final ADT” is defined as total projected future daily volume including project, ambient, and related project growth.

While Final ADT volumes are not available, since the Traffic Study failed to assign trips to 14<sup>th</sup> Street, recent traffic counts (10/2020) are available for the segment of 14<sup>th</sup> Street on which the project access is located through NavigateLA (see **Attachment D1**; the location of the counts is shown in **Attachment D2**). The street is residential. The project trip distribution (see **Attachment D3**) shows 45 percent of project traffic using the segment of 14<sup>th</sup> west of the project access and east of Grand Avenue. **Table 5** provides a calculation of ADT increase resulting from the project, on this residential street segment. Since existing plus project ADT on the segment would be less than 1,000 ADT, an impact would occur if project ADT represents more than 16% of future with project ADT. As shown in **Table 5**, project ADT would represent a 24.8 percent increase in ADT. The project would result in a significant neighborhood intrusion traffic impact.

9

<b>TABLE 5 SCREENING FOR NEIGHBORHOOD INTRUSION IMPACT</b>			
<b>LOCATION</b>	<b>ADT WESTBOUND</b>	<b>ADT EASTBOUND</b>	<b>TOTAL</b>
Total Project ADT /1/			540
45% Project ADT			243
Existing - 14th Street East of Grand /1/	347	388	735
45% Project Plus Existing			978
45% Project Traffic as Percent of Existing			33.06%
45% Project Traffic as Percent of Existing plus Project			24.85%
/1/ Per LADOT Transportation Assessment Guidelines, July 2019, available at: <a href="https://planning.lacity.org/odocument/0ce2cd84-9034-4874-80d9-10d1cebcd9e9/ta_guidelines_-20190731_0.pdf">https://planning.lacity.org/odocument/0ce2cd84-9034-4874-80d9-10d1cebcd9e9/ta_guidelines_-20190731_0.pdf</a>			
/2/ Counts taken on Wednesday 10/21/20 - See <b>Attachment D1</b>			

## Lack of VMT Analysis

In addition, the Traffic Study is deficient because it does not address VMT. According to the City's August 2019, on CEQA Transportation Analysis Update, Frequently Asked Questions, included as **Attachment D4**.<sup>28</sup>

### SUMMARY

In 2013, the State of California signed Senate Bill (SB) 743 into law, which requires a shift in the way cities measure environmental impacts. The Los Angeles Departments of City Planning (DCP) and Transportation (LADOT) updated the City's California Environmental Quality Act (CEQA) Transportation Thresholds to comply with and implement SB 743. LADOT also revised its Transportation Assessment Guidelines for evaluating project-level transportation review outside of the requirements under CEQA.

### BACKGROUND

On July 30, 2019, the Los Angeles City Council unanimously voted to update the City of Los Angeles CEQA Transportation Thresholds to comply with SB 743 and implement the policies of the Mobility Plan 2035 and LA's Green New Deal. . . .

### **How does this affect projects that have initiated their transportation analysis process and/or are going through the entitlement process?**

As previously described during the project open houses and public hearings and at City Planning Commission on February 28, 2019, upon adoption by City Council the updated transportation thresholds became effective and a transition period started. During this transition, projects that already have a signed memorandum of understanding (MOU) with LADOT and have filed an application with DCP may continue analyzing transportation impacts with level of service (LOS), **as long as the project will be adopted and through any appeal period prior to the State deadline of July 1, 2020**. It is strongly recommended that these projects analyze transportation impacts with VMT, or at a minimum complete a parallel review process with both LOS and VMT, in the case that they are not able to complete approval prior to the State deadline. All land use development projects must measure transportation-related CEQA impacts with VMT starting on July 1, 2020, as required by state legislation. (Emphasis added).

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<sup>28</sup> Available at: [https://appladotwebprod.azurewebsites.net/sites/default/files/2020-04/faq\\_transportation-section-update\\_aug2019\\_0.pdf](https://appladotwebprod.azurewebsites.net/sites/default/files/2020-04/faq_transportation-section-update_aug2019_0.pdf) See **Attachment D4**.

The Traffic Analysis on which the City relied when concluding traffic impacts would be less than significant fails to comply with the City's required standards for a Traffic Analysis for projects that have not completed their appeal period by July 1, 2020. Conclusions in the Traffic Analysis are inaccurate and the Traffic Analysis fails to provide the required substantial evidence that traffic impacts will be less than significant. Given the potential for significant neighborhood intrusion impacts, the project is not eligible for a Class 32 exemption.

#### V. **FAILURE TO MEET 153002(C) - POTENTIAL FOR SIGNIFICANT EFFECTS DUE TO UNUSUAL CIRCUMSTANCES**

Page 4-5 of the Notice of Exemption for the proposed project incorrectly states that there are no unusual circumstances that would result in significant project impacts, stating:

*(b) Significant Effect Due to Unusual Circumstances. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The project proposes a multi-family building in an area zoned and designated for such development. All adjacent lots are developed with multi-family and single-family residential and commercial uses, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 2.65:1 on a site that is permitted to have an FAR of 1.5:1 by the site's zoning and 3:1 through an On-Menu Density Bonus Incentive. The project size and height is not unusual for the vicinity of the subject site, and is similar in scope to other existing multi-family dwellings and proposed future projects in the area. Furthermore, there is no substantial evidence in the administrative record that this project will cause a significant impact. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

First, the statement is incorrect that the project's size and height is not unusual for the vicinity of the subject site, and is similar in scope to other existing multi-family dwellings and proposed future projects in the area. That is not true. Other commercial and multi-family dwellings are consistent with height limits for the subarea.

More importantly, the Notice of Exemption fails to adequately recognize the following unusual circumstances, which in combination with the proposed project have the potential to result in significant impacts:

- The project area is an area with poor air quality, increased cancer risk, and high environmental hazards scores from several agencies.
- Project's location on the City's High-Injury Network and adjacency to both the Enhanced Pedestrian District in the 2035 Mobility Plan and Mobility Plan 2035 Bicycle Network
- The fact the project site is served by aging sewer lines.

These unusual circumstances have the potential to result in a number of potentially significant project and cumulative impacts, including:

- Increased cancer and health risks
- Increased pedestrian and bicyclist accident risks 11
- Increased risk of sewer pipe leaks

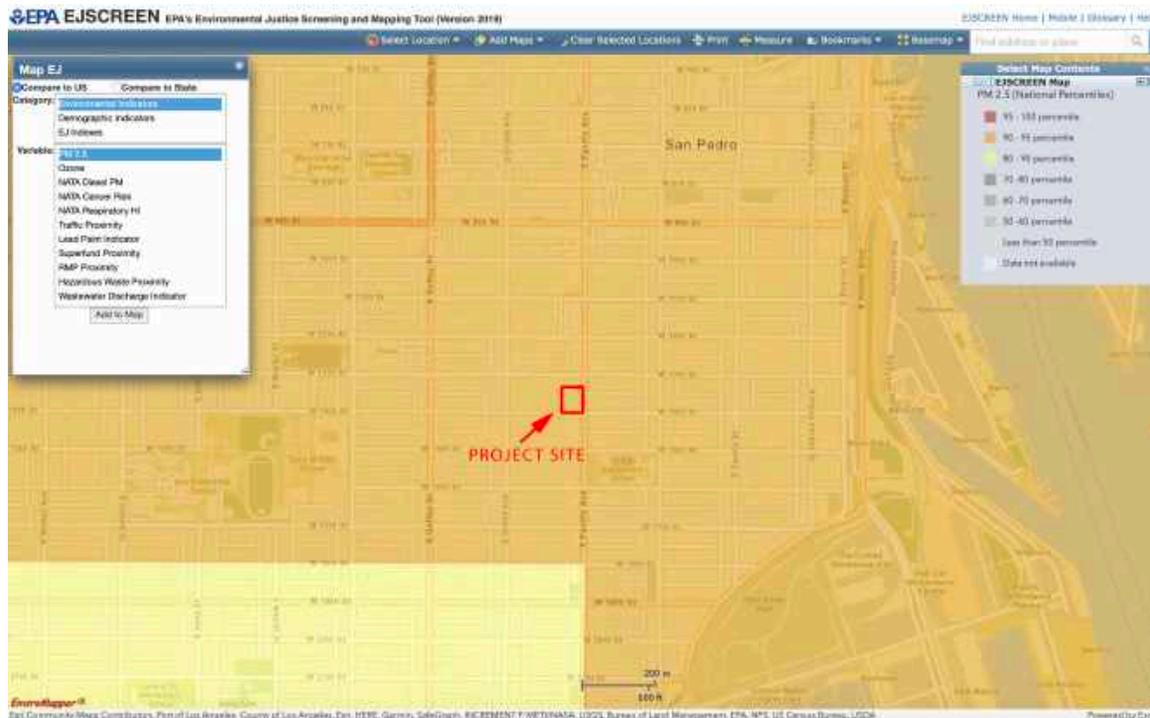
Each of these unusual circumstances is described below, along with a discussion of significant impacts associated with each of these unusual circumstances.

### **Impacts Associated The Unusual Circumstance Of Project’s Location In An Area With Poor Air Quality Increased Cancer Risk, And High Environmental Hazards Scores**

#### **Documentation of The Unusual Circumstances**

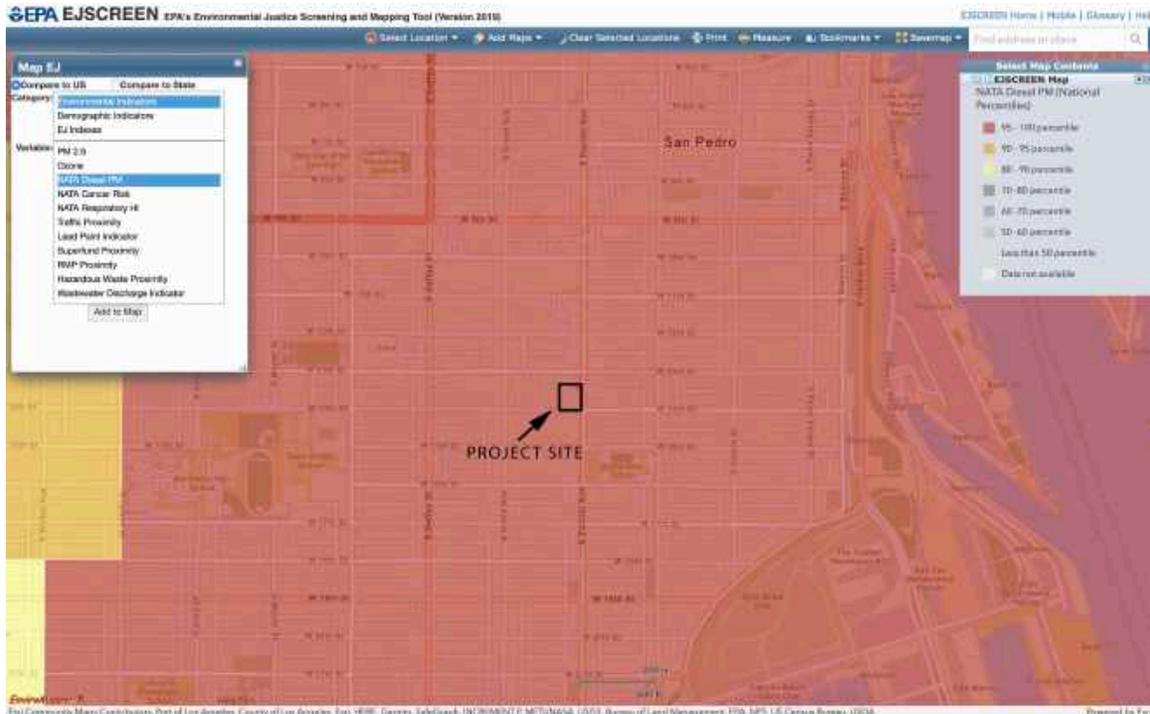
The project area is an area with poor air quality, increased cancer risk, and high environmental hazards scores from several agencies, specifically:

1. Existing PM2.5 levels in the project area are in the 90-95 percentile nationally per the Federal Environmental Protection Agency, as shown in **Figure 4**.

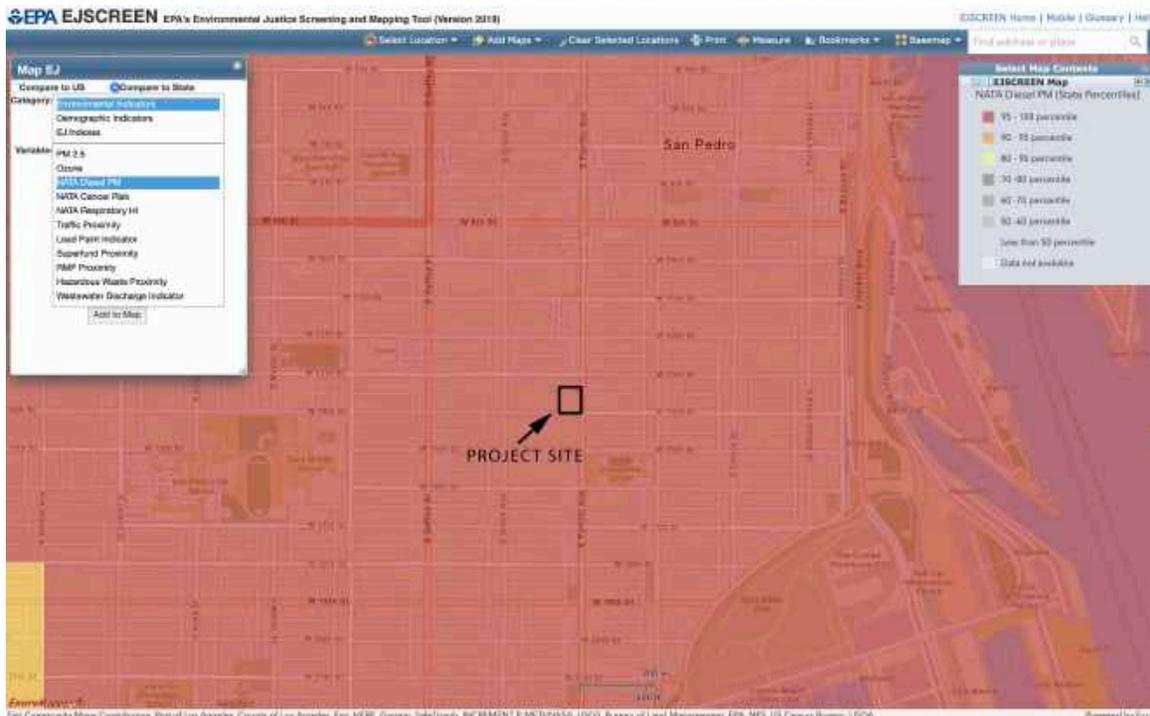


Source: <https://ejscreen.epa.gov/mapper/>  
**FIGURE 4 –PM2.5 - COMPARED TO US**

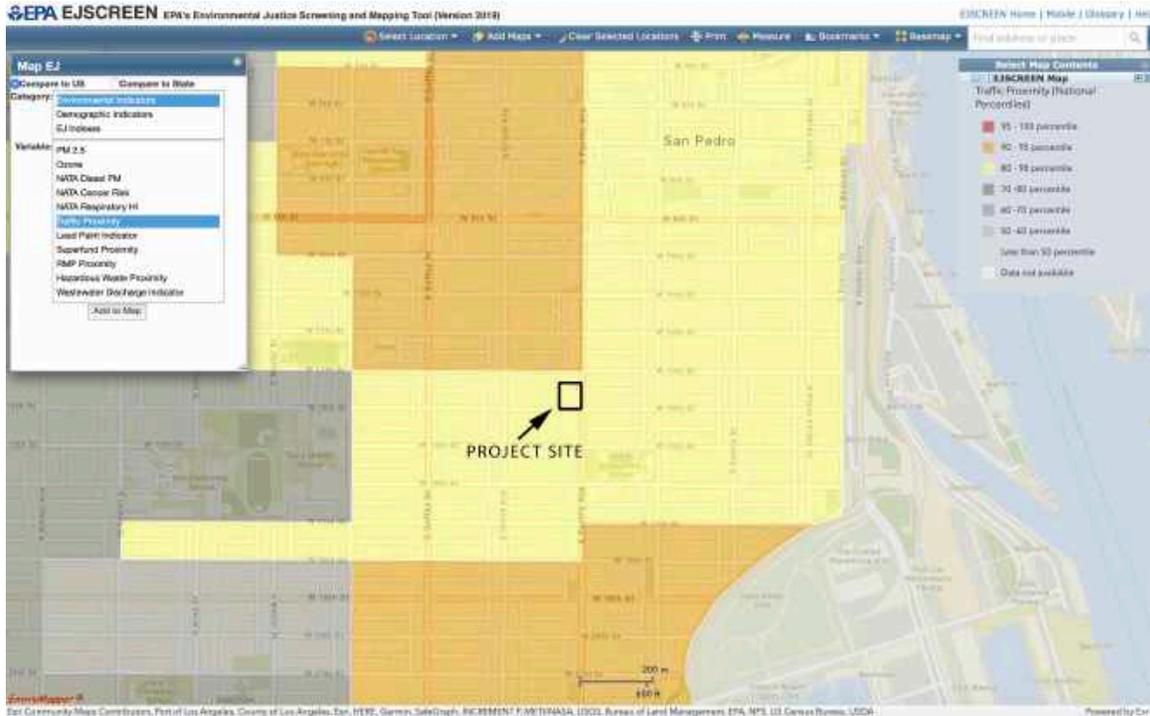
2. Diesel particulate emissions are in the 95-100<sup>th</sup> percentile nationally (see **Figure 5**), and in 95-100<sup>th</sup> percentile for the State (see **Figure 6**) due, in part, to high traffic proximity (see **Figure 7**) per the EPA.



Source: <https://ejscreen.epa.gov/mapper/>  
**FIGURE 5 –NATA DIESEL PM - COMPARED TO US**



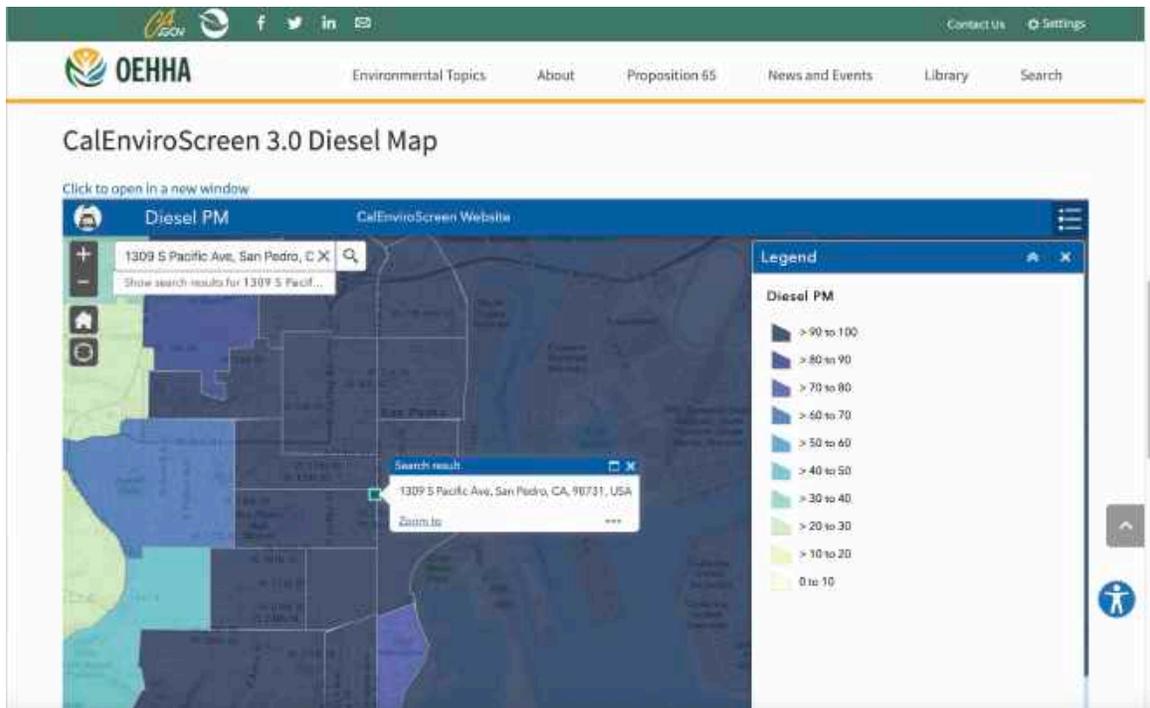
Source: <https://ejscreen.epa.gov/mapper/>  
**FIGURE 6 –DIESEL PM - COMPARED TO STATE**



Source: <https://ejscreen.epa.gov/mapper/>

**FIGURE 7 –TRAFFIC PROXIMITY - COMPARED TO US**

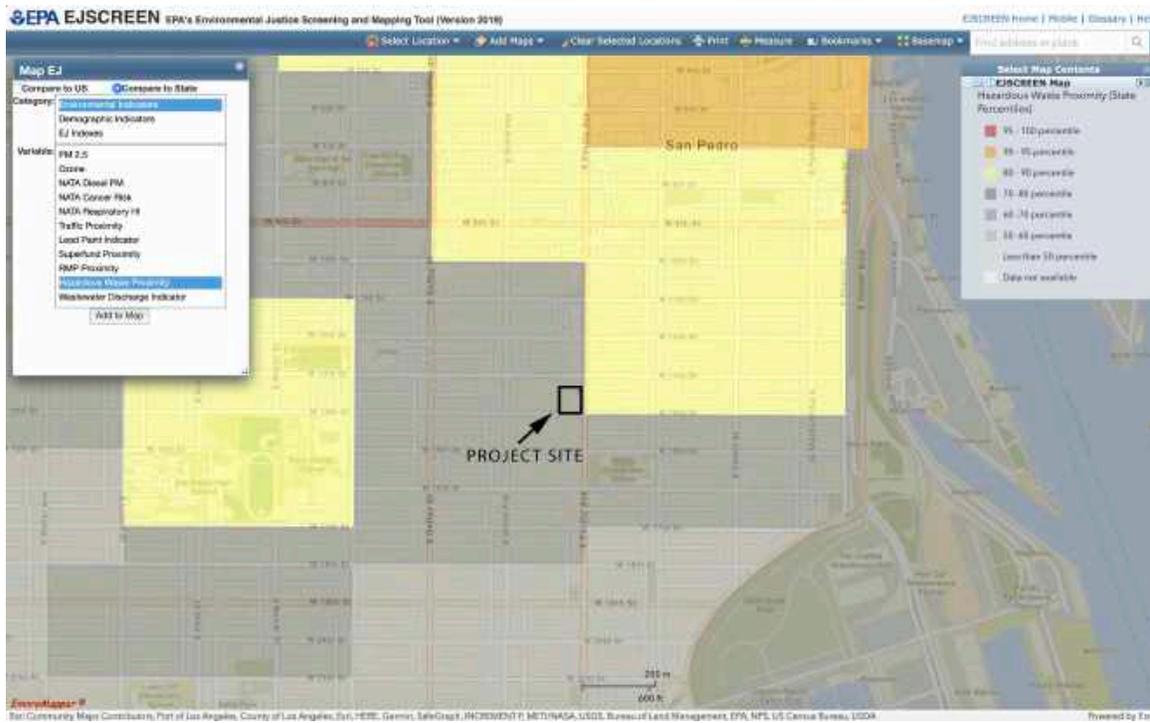
3. The California State Office of Environmental Hazards Assessment (OEHA) has also documented high diesel emission levels in the project vicinity (see **Figure 8**).



Source: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

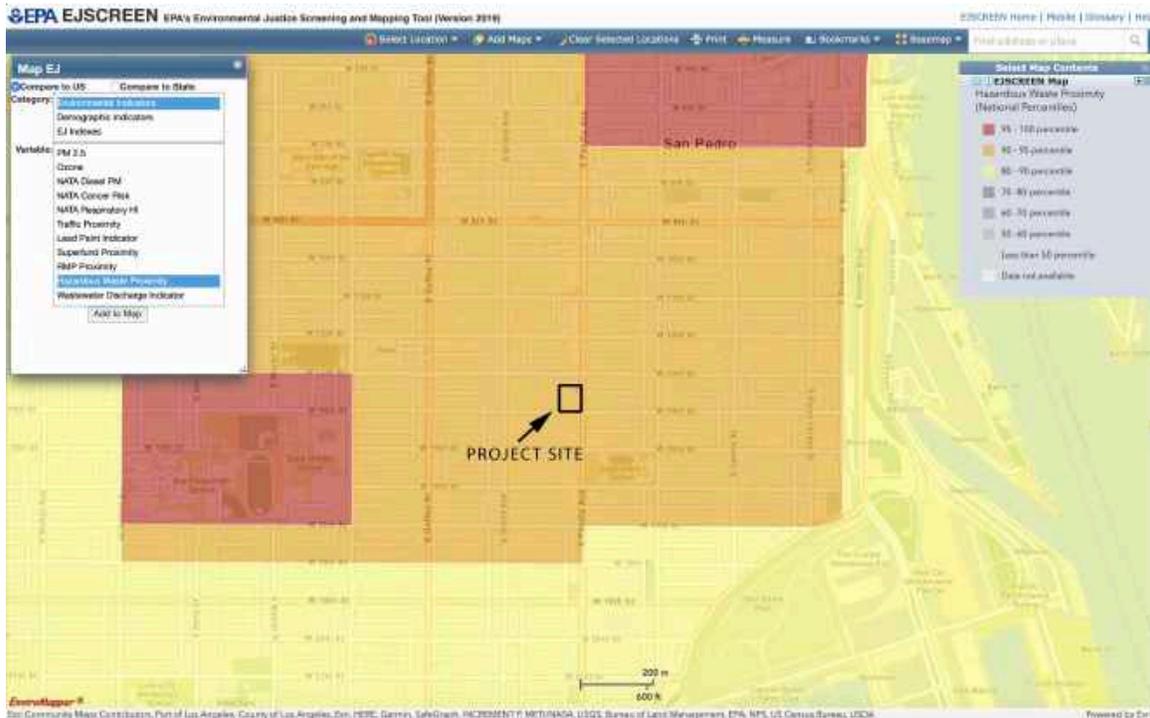
**FIGURE 8 – CalEnviroScreen DIESLE PM MAP**

- The EPA has given the project area a hazardous waste proximity score in the 70-80<sup>th</sup> percentile on a state level (see **Figure 9**) and the 90-95<sup>th</sup> percentile nationally (see **Figure 10**).



Source: <https://ejscreen.epa.gov/mapper/>

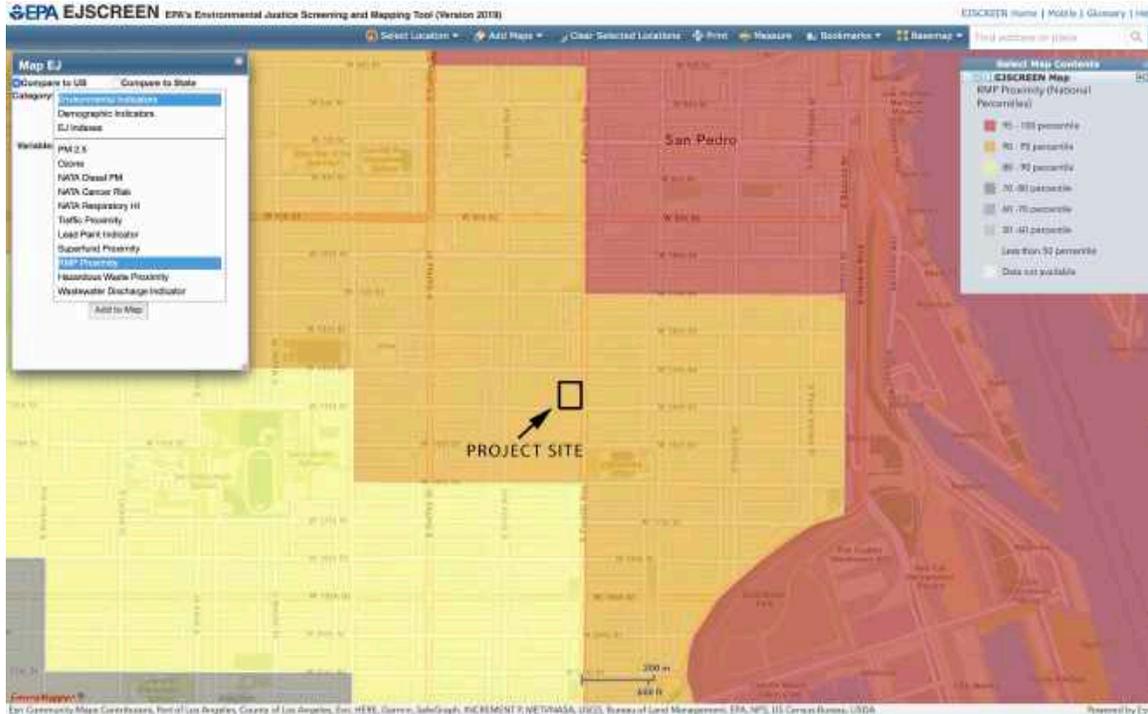
**FIGURE 9 –HAZARDOUS WASTE PROXIMITY- COMPARED TO STATE**



Source: <https://ejscreen.epa.gov/mapper/>

**FIGURE 10 –HAZARDOUS WASTE PROXIMITY- COMPARED TO US**

- As a result, the project area has receive a Risk Management Plan (RMP) proximity score from the EPA in the 90-95 percentile nationally (see **Figure 11**) and the 80-90<sup>th</sup> percentile based on State levels (se **Figure 12**).<sup>29</sup>



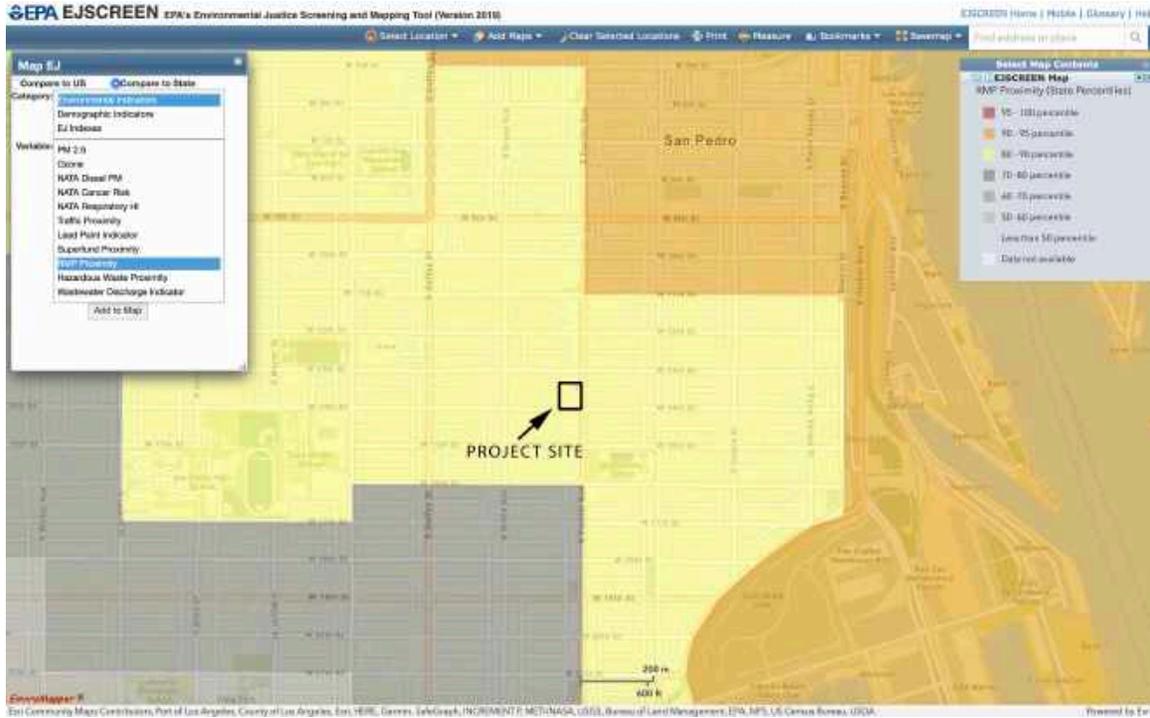
Source: <https://ejscreen.epa.gov/mapper/>

**FIGURE 11 –RISK MANAGEMENT PLAN PROXIMITY- COMPARED TO US**

<sup>29</sup> **Proximity to Risk Management Plan (RMP) Facilities**

Count of RMP (potential chemical accident management plan) facilities within 5 km (or nearest one beyond 5 km), each divided by distance in km. Calculated from EPA RMP database.

See: <https://www.epa.gov/ejscreen/glossary-ejscreen-terms> Section 112(r) of the Clean Air Act Amendments requires EPA to publish regulations and guidance for chemical accident prevention at facilities that use certain hazardous substances. These regulations and guidance are contained in the Risk Management Plan (RMP) rule. The RMP rule requires facilities that use extremely hazardous substances to develop a Risk Management Plan.

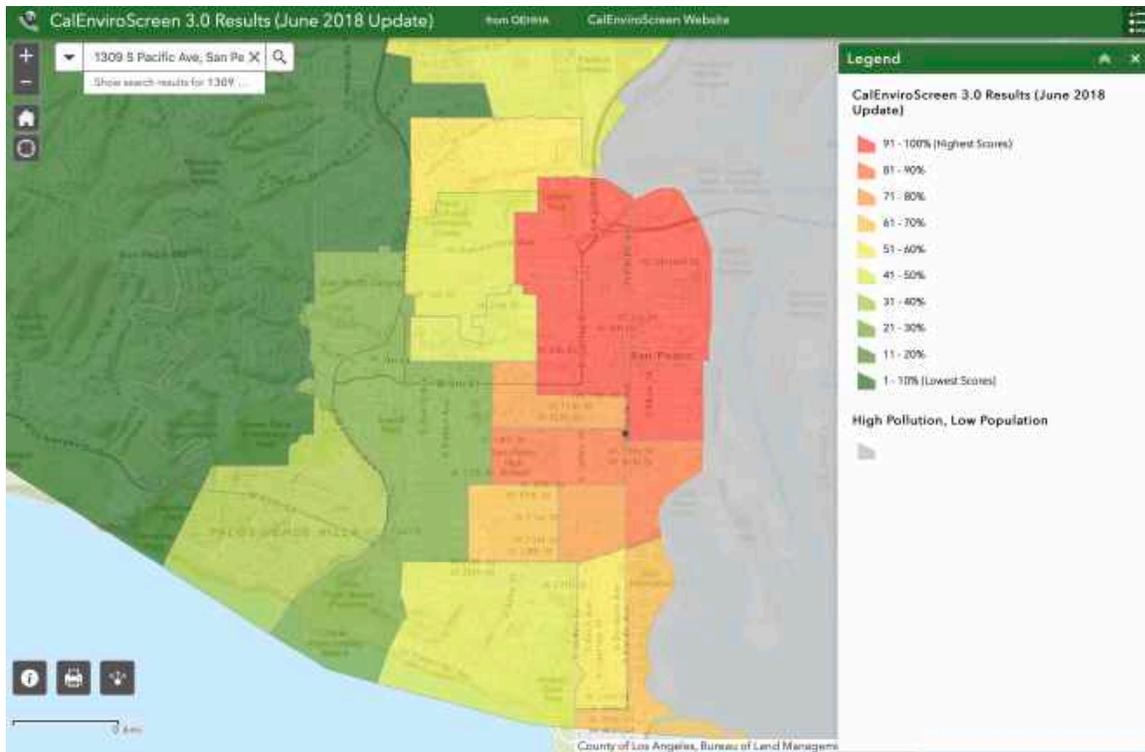


Source: <https://ejscreen.epa.gov/mapper/>

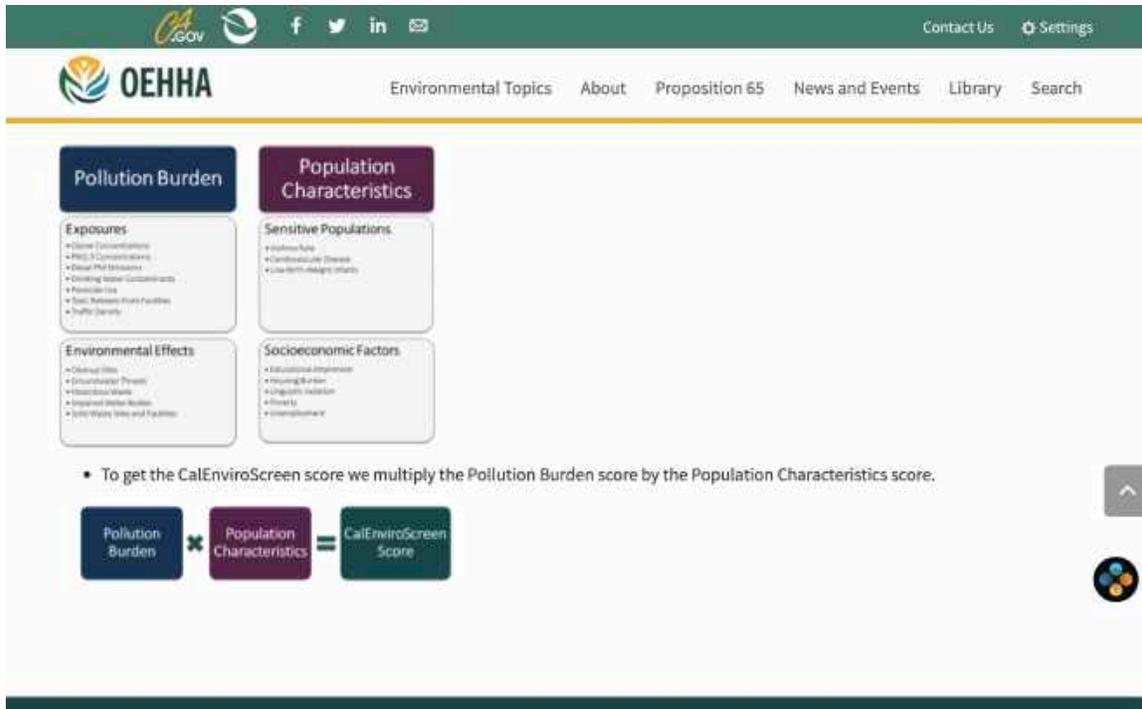
**FIGURE 12 –RISK MANAGEMENT PLAN PROXIMITY- COMPARED TO STATE**

6. As a result, the project vicinity has received a high hazards risk score from California State Office of Environmental Hazards Assessment (OEHA), as shown in **Figure 13**. The CalEnviroScreen 3.0 scores are a function of pollution burden and population characteristics, as shown in **Figure 14**.<sup>30</sup>

<sup>30</sup> <https://oehha.ca.gov/calenviroscreen/scoring-model>

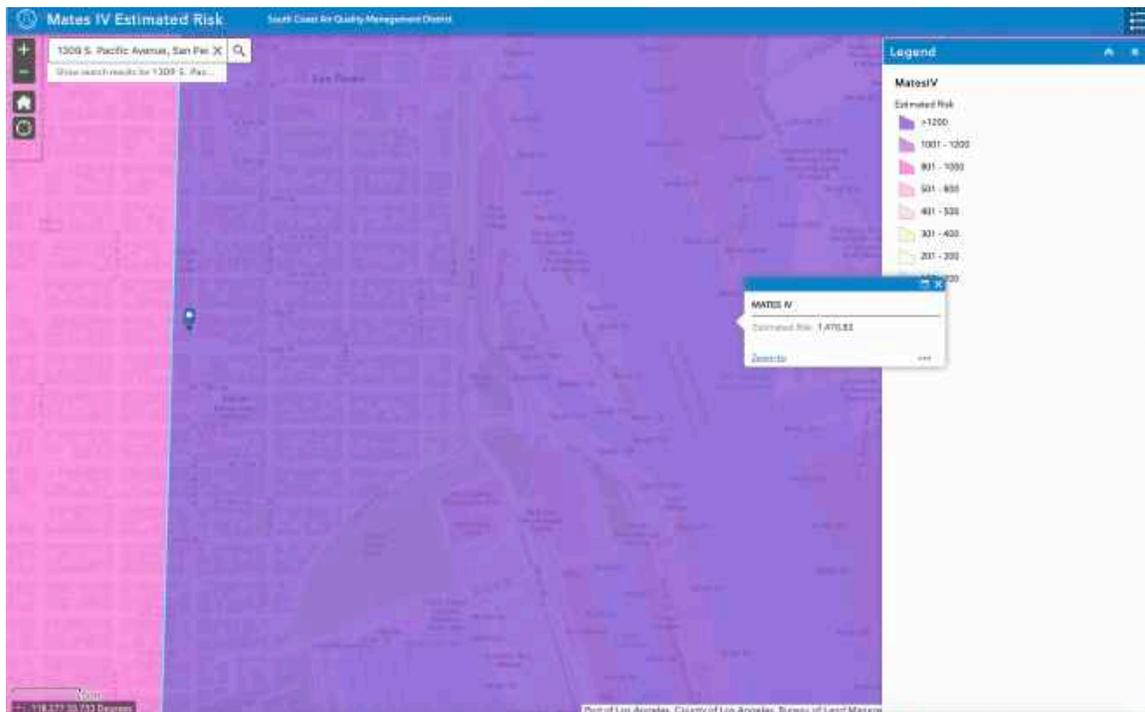


Source: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>  
**FIGURE 13 – OEHA ENVIRONMENTAL HAZARDS RISK ASSESSMENT SCORE**



Source: <https://oehha.ca.gov/calenviroscreen/scoring-model>  
**FIGURE 14 – OEHA ENVIRONMENTAL HAZARDS RISK ASSESSMENT SCORE FACTORS**

7. The presence of toxic air contaminants in project vicinity has resulted in an area with a high cancer risk, per the South Coast Air Quality Management District's Mates IV modeling (see **Figure 15**).<sup>31</sup>



Source: <https://www.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>

**FIGURE 15 – MATES IV ESTIMATED CANCER RISK SCORE**

### **Significant Air Toxics Impact – Increased Cancer Risk**

The Air Quality Analysis prepared for the project recognized the unusual circumstances associated with the project's location in with an increased cancer risk, noting on page 16 of the Air Quality Analysis included as Attachment D5 to the Notice of Determination:

#### **(c) Existing Heath Risk in the Surrounding Area**

Based on the MATES-IV model, the calculated cancer risk in the Project area is approximately 1,471 in a million. The cancer risk in this area is

<sup>31</sup> As explained by SCAQMD at: <https://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-iv>

“The Multiple Air Toxics Exposure Study IV (MATES IV) is a monitoring and evaluation study conducted in the South Coast Air Basin (Basin). The study is a follow up to previous air toxics studies in the Basin.”

“The MATES IV Study includes a monitoring program, an updated emissions inventory of toxic air contaminants, and a modeling effort to characterize risk across the Basin. The study focuses on the carcinogenic risk from exposure to air toxics but does not estimate mortality or other health effects from particulate exposures. An additional focus of MATES IV is the inclusion of measurements of ultrafine particle concentrations.”

predominately related to nearby sources of diesel particulate matter (e.g., SR-110 freeway to the north, Ports of Long Beach and Los Angeles to the east). In general, the risk at the Project Site is higher than the average across the South Coast Air Basin.

The Office of Environmental Health Hazard Assessment, on behalf of CalEPA, provides a screening tool called CalEnviroScreen that can be used to help identify California communities disproportionately burdened by multiple sources of pollution. According to CalEnviroScreen, the Project site is located in the 80-85<sup>th</sup> percentile, which means the Project site is higher than average in comparison to other communities within California.

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. CARB has identified the following groups who are most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and people with cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, schools, playgrounds, child care centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

#### (e) 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. CARB has identified the following groups who are most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and people with cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, schools, playgrounds, child care centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

The Project Site is located in the San Pedro neighborhood of Los Angeles, a mixed neighborhood with commercial and retail uses on Pacific Avenue. As a result, sensitive receptors within 1,000 feet of the Project Site include but are not limited to the following that are representative of receptors in the area:

- Multi-family residences, 523 West 14<sup>th</sup> Street; 10 feet west of the Project site.
- 15<sup>th</sup> Street Elementary School, 1527 South Mesa Street; 660 feet southeast of the Project site.

- Multi-family residences, 529 West 13<sup>th</sup> Street; as close as 90 feet north of the Project site to the main residence.
- Multi-family residences, 498 West 13<sup>th</sup> Street; as close as 250 feet north of the Project site.

However, the Air Quality Analysis inaccurately concluded, based on a qualitative analysis, that air toxic impacts would be less than significant. No quantitative Health Risk Assessment was prepared for the project.

SWAPE has prepared a screening-level Health Risk Assessment. That Assessment is included herein as **Attachment C**. The simple screening-level HRA prepared by SWAPE is based on SWAPE's updated CalEEMod model and calculates risk to the Maximally Exposed Individual Resident (MEIR). The results of SWAPE's assessment, as described below, demonstrate that the proposed Project may result in a significant health risk impact not previously identified or addressed in the Air Quality Analysis attached to the Notice of Exemption. As explained more fully by SWAPE in the report contained in **Attachment C1**:

We calculated the excess cancer risk to the MEIR using applicable HRA methodologies prescribed by OEHHA. Consistent with the default construction schedule, the annualized average concentration for Project construction was used for the entire third trimester of pregnancy (0.25 years) and the first 0.22 years of the infantile stage of life (0 – 2 years). The annualized averaged concentration for operation was used for the remainder of the 30-year exposure period, which makes up the remaining 1.78 years of the infantile stage of life, the entire child stage of life (2 – 16 years), and the entire the adult stage of life (16 – 30 years).

Consistent with OEHHA, as recommended by the SCAQMD, BAAQMD, and SJVAPCD guidance, we used Age Sensitivity Factors (“ASF”) to account for the heightened susceptibility of young children to the carcinogenic toxicity of air pollution. According to this guidance, the quantified cancer risk should be multiplied by a factor of ten during the third trimester of pregnancy and during the first two years of life (infant) as well as multiplied by a factor of three during the child stage of life (2 – 16 years). We also included the quantified cancer risk without adjusting for the heightened susceptibility of young children to the carcinogenic toxicity of air pollution in accordance with older OEHHA guidance from 2003. This guidance utilizes a less health protective scenario than what is currently recommended by SCAQMD, the air quality district with jurisdiction over the City, and several other air districts in the state. Furthermore, in accordance with the guidance set forth by OEHHA, we used the 95<sup>th</sup> percentile breathing rates infants. Finally, according to SCAQMD guidance, we used a Fraction of Time At Home (“FAH”) Value of 1 for the 3<sup>rd</sup> trimester and infant receptors. We used a cancer potency factor of 1.1 (mg/kg-day)<sup>-1</sup> and an averaging time of 25,550

days. . .

(t)he excess cancer risk to adults, children, infants, and during the 3<sup>rd</sup> trimester of pregnancy at the MEIR located approximately 25 meters away, over the course of Project construction and operation, utilizing age sensitivity factors, are approximately 77, 690, 620, and 23 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), utilizing age sensitivity factors, is approximately 1,400 in one million. The 3<sup>rd</sup> trimester, infant, child, adult, and lifetime cancer risks all exceed the SCAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the AQ Report. Utilizing age sensitivity factors is the most conservative, health-protective analysis according to the most recent guidance by OEHHA and reflects recommendations from the air district. Results without age sensitivity factors are presented in the table above, although we do not recommend utilizing these values for health risk analysis. Regardless, the excess cancer risk to adults, children, infants, and during the 3<sup>rd</sup> trimester of pregnancy at the MEIR located approximately 25 meters away, over the course of Project construction and operation, without age sensitivity factors, are approximately 77, 230, 62, and 2.3 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), without age sensitivity factors, is approximately 370 in one million. The infant, child, and lifetime cancer risks, without age sensitivity factors, all exceed the SCAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the AQ Report. While we recommend the use of age sensitivity factors, health risk impacts exceed the SCAQMD threshold regardless.

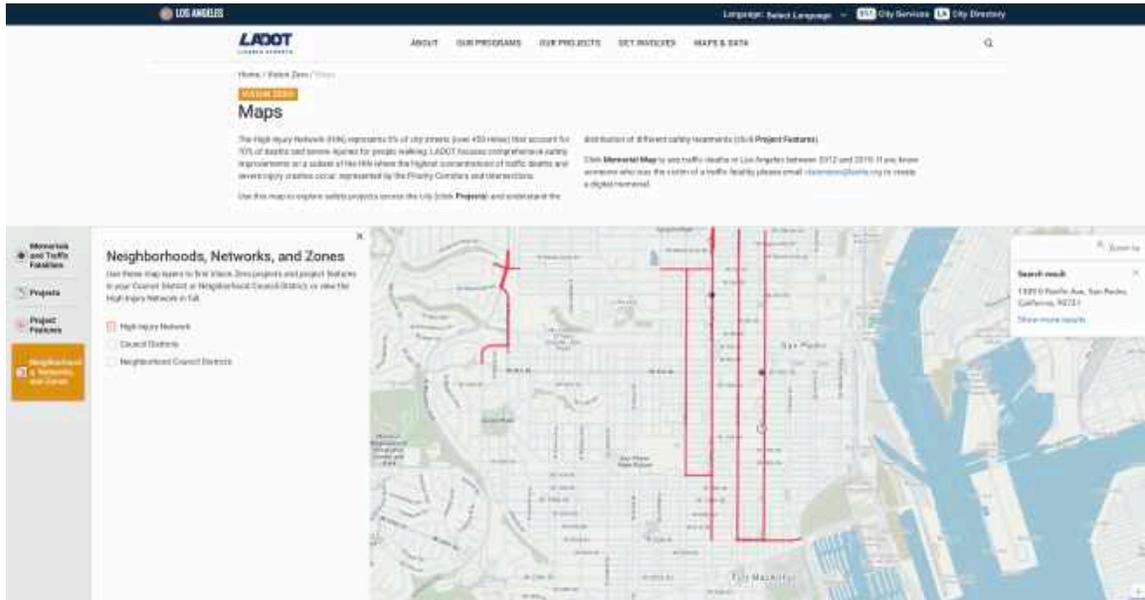
*As a result of our findings, the proposed Project does not qualify for a Class 32 Exemption under the California Environmental Quality Act (“CEQA”) and 14 Cal. Code of Regs. 1500 et seq. (“CEQA Guidelines”) and, therefore, a full CEQA analysis must be prepared to adequately assess and mitigate the potential air quality and health risk impacts that the Project may have on the surrounding environment.*

**Potential For Accident Impacts Resulting From The Unusual Circumstance Of Project’s Location On The City’s High-Injury Network And Adjacency To Both The Enhanced Pedestrian District In The 2035 Mobility Plan And Mobility Plan 2035 Bicycle Network**

**Documentation of Unusual Circumstances**

1. South Pacific Avenue in the vicinity of the project is identified by the City of Los Angeles’ Vision Zero initiative as being part of the High Injury Network (See **Figure 16**). “The High-Injury Network (HIN) represents 6% of city streets (over

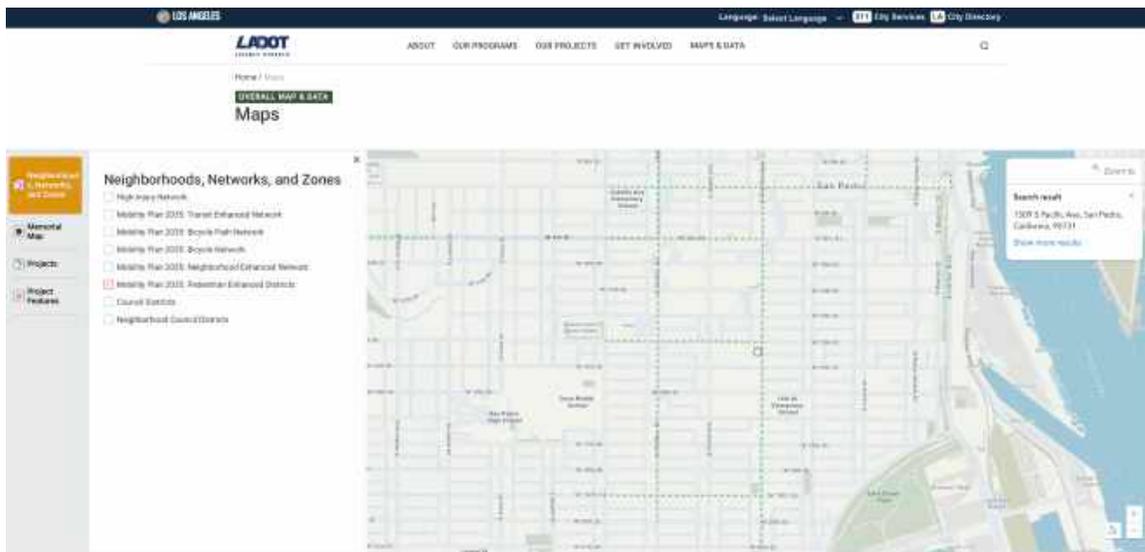
450 miles) that account for 70% of deaths and severe injuries for people walking.”<sup>32</sup>



Source: <https://ladotlivablestreets.org/programs/vision-zero/maps>

**FIGURE 16 – PROJECT’S LOCATION ON THE HIGH-INJURY NETWORK (project site shown with small open circle)**

2. In addition, both 13<sup>th</sup> Street and Pacific Avenue are identified as part of an Enhanced Pedestrian District in the 2035 Mobility Plan (see **Figure 17**).

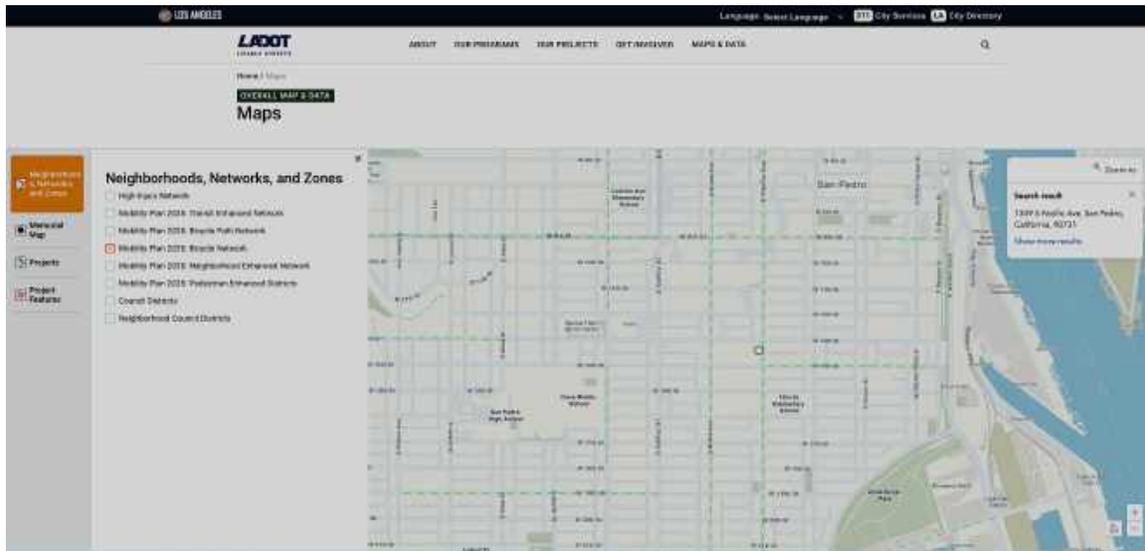


Source: <https://ladotlivablestreets.org/programs/vision-zero/maps>

**FIGURE 17 – PROJECT’S PROXIMITY TO IDENTIFIED PEDESTRIAN ENHANCED DISTRICTS (project site indicated with small circle)**

<sup>32</sup> <https://ladotlivablestreets.org/programs/vision-zero/maps>

- In addition, Pacific Avenue and portions of 14<sup>th</sup> Street east of the project site are part of the Mobility Plan 2035 Bicycle Network (see **Figure 18**).



Source: <https://ladotlivablestreets.org/overall-map/maps>

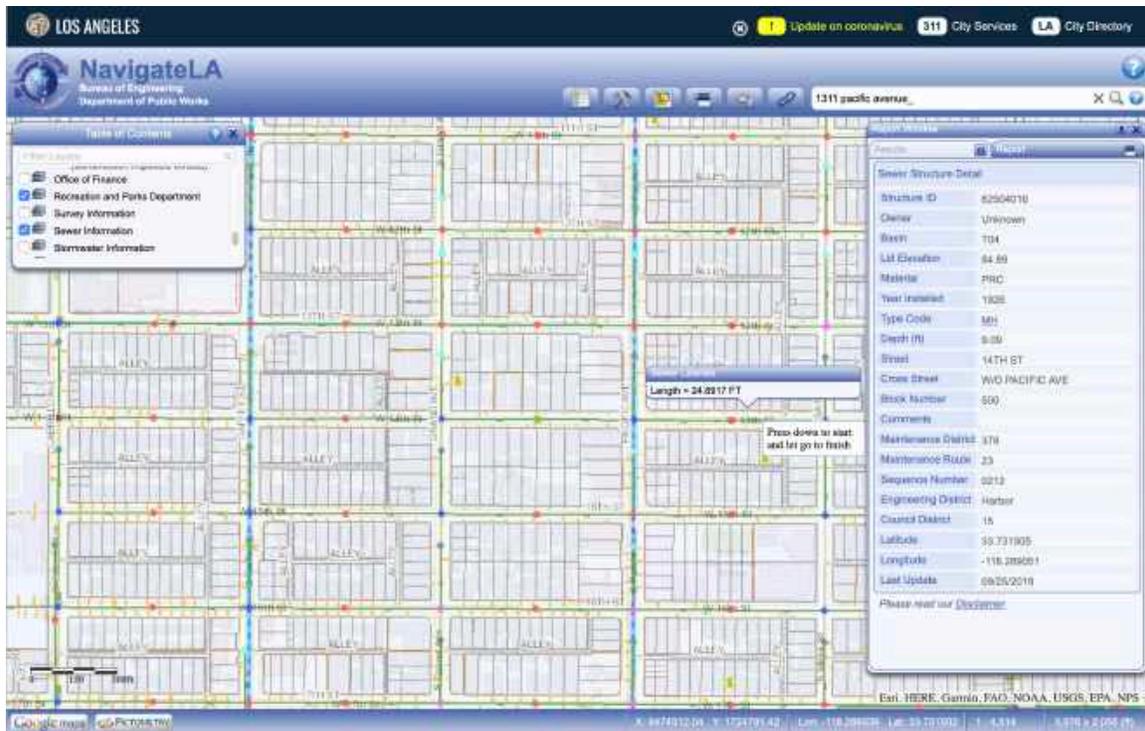
**FIGURE 18 – LOCATION OF THE MOBILITY PLAN 2035 BICYCLE NETWORK (project site indicated with small circle)**

### **Potentially Significant Impact Due To Increased Risk of Pedestrian And Bicyclist Accidents Resulting From Project Trips**

As detailed earlier in this letter, the proposed project would result in a neighborhood traffic intrusion impact due to the increase in project generated traffic on 14<sup>th</sup> Street, which is a residential street. Based on the project trip distribution shown in **Figure 3** from the Traffic Analysis attached to the Notice of Exemption, 55% of the project’s estimated 540 daily trips would exit or enter the project site on 14<sup>th</sup> Street after turning onto/off-of Pacific Avenue. This means that the project would add 297 additional daily trips and turning movements through the unsignalized intersection of Pacific Avenue and 14<sup>th</sup> Street, adding to the risk to pedestrians and bicyclists traveling along the western side of Pacific Avenue. Given that Pacific Avenue is located on the High Injury Network and is both part an identified pedestrian district and bicycle network, the additional project-generated traffic through this intersection has the potential to increase accident risk at this location. This is a potentially significant project impact, due to these unusual circumstances.

### **Potential For Infrastructure Impact Due to Unual Circumstances Of A Project Site Served By Aging Sewer Lines**

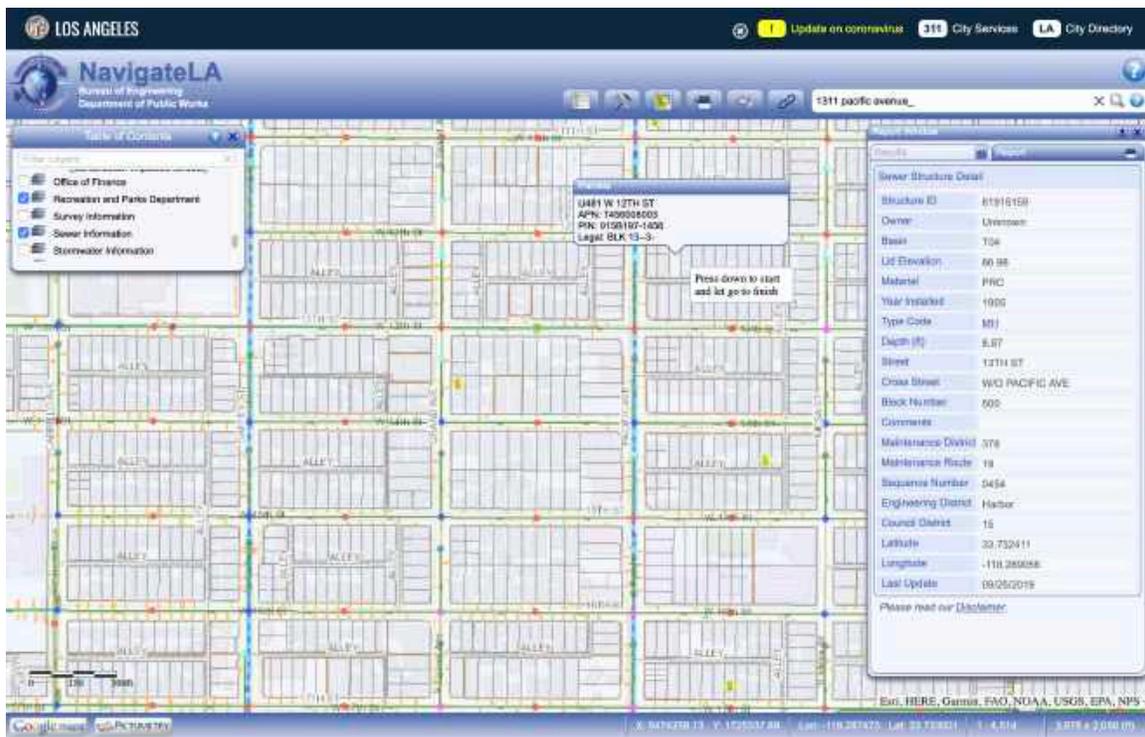
The project site is located in an area served by aging infrastructure. The sewer line on 14<sup>th</sup> Street, just south of the project site was constructed in 1926, as shown in **Figure 19**.



Source: NavigateLA: <https://navigatea.lacity.org/navigatea/>

**FIGURE 19 – AGE OF SEWER LINE ON 14<sup>TH</sup> STREET (data point indicated by green dot)**

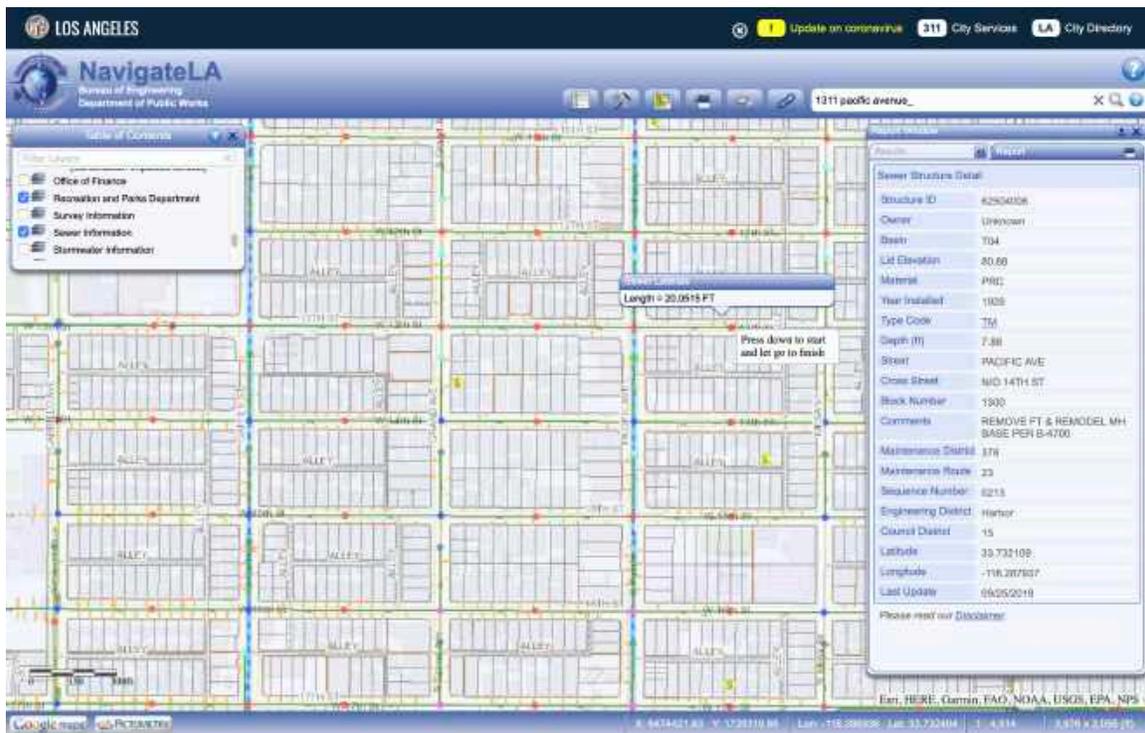
The sewer line in 13<sup>th</sup> Street was constructed in 1905, as shown on the mapping in NavigateLA, as shown on **Figure 20**.



Source: NavigateLA: <https://navigatea.lacity.org/navigatea/>

**FIGURE 20 – AGE OF SEWER LINE ON 13<sup>TH</sup> STREET (data point indicated by green dot)**

And, the sewer line on Pacific Avenue was constructed in 1926, as shown in the NavigateLA records for the area and **Figure 21**.



Source: NavigateLA: <https://navigatela.lacity.org/navigatela/>

**FIGURE 21 – AGE OF SEWER LINE ON PACIFIC AVENUE BETWEEN 13<sup>TH</sup> AND 14<sup>TH</sup> STREET (data point indicated by green dot)**

### Potential For Significant Sewer Line Impacts

The proposed project includes a change in land use limitations, which could allow greater average daily flows than could be produced based on the current land use limitations.<sup>33</sup> Based on the sewage generation rates on page M.2-5 of the City’s Complete CEQA Thresholds Guide, the project is estimated to generate 13,440 gallons per day of wastewater. Project construction, including excavation for two levels of parking, has the potential to impact aging sewer lines as a result of truck traffic on these streets and construction activity. In addition, the propose project, with its higher density, would place additional burdens on the aging pipes than anticipated when the pipes were installed. This may increase the potential for sewer line breaks, leaks or blockages. This would be a potential impact of the project resulting from the unusual circumstance of the age of sewer lines in the project area.

<sup>33</sup> The proposed project thus meets one of the screening criteria necessitating further study on page M.2-2 of the City’s Complete CEQA Thresholds Guide.

## VI. FAILURE TO MEET 153002(B) – POTENTIAL FOR CUMULATIVE IMPACTS

As detailed in this letter, the proposed project has the potential to result in significant construction air quality impacts and significant impacts associated with air toxic emissions. Given existing air quality and health hazards in the project vicinity, the proposed project will result in significant air quality, air toxic emissions and associated public health cumulative impacts.

As noted in the State of California’s Department of Justice’s Guidance on Environmental Justice:<sup>34</sup>

CEQA requires a lead agency to consider whether a project’s effects, while they might appear limited on their own, are “cumulatively considerable” and therefore significant. (Pub. Res. Code, § 21083, subd. (b)(3).) “[C]umulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” (*Id.*) This requires a local lead agency to determine whether pollution from a proposed project will have significant effects on any nearby communities, when considered together with any pollution burdens those communities already are bearing, or may bear from probable future projects. Accordingly, the fact that an area already is polluted makes it *more likely* that any additional, unmitigated pollution will be significant. Where there already is a high pollution burden on a community, the “relevant question” is “whether any additional amount” of pollution “should be considered significant in light of the serious nature” of the existing problem. (*Hanford, supra*, 221 Cal.App.3d at 661; see also *Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025 [holding that “the relevant issue ... is not the relative amount of traffic noise resulting from the project when compared to existing traffic noise, but whether any additional amount of traffic noise should be considered significant in light of the serious nature of the traffic noise problem already existing around the schools.”])

The South Coast Air Quality District similarly defines a cumulative impact for purposes of determining air quality impacts. As noted on page 35 of the Air Quality Analysis included as Attachment D5 to the Notice of Exemption: “According to the SCAQMD, individual projects that exceed the SCAQMD’s recommended daily

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<sup>34</sup> California Department of Justice, Environmental Justice at the Local and Regional Level – Legal Background, available at: [https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej\\_fact\\_sheet.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf)

thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment.”

### **Significant Cumulative Construction Air Quality Impacts**

As detailed in the SWAPE report included in **Attachment C**, the proposed project would result in construction emissions that exceed the SCAQMD’s thresholds for VOC/ROG and NOx. This would be a cumulative impact of the proposed project.

### **Significant Cumulative Air Toxics Emissions Impacts and Cancer Risk**

As detailed in SWAPE’s report summarized above, and included in **Attachment C**, the proposed project may result in a significant cancer risk to nearby sensitive receptors. Given existing air quality and cancer risk in the area, the additional air toxic emissions and cancer risk would contribute to cumulative health impacts in the project area.

### **Significant Cumulative Greenhouse Gas Impacts**

As detailed in SWAPE’s report included in **Attachment C**, the proposed project would result in a significant Greenhouse Gas impact. As detailed more fully in their report, SWAPE:

In an effort to determine the significance of the Project’s GHG impacts, conducted an analysis of the Project’s GHG emissions utilizing SWAPE’s updated CalEEMod model, as previously described. The SCAQMD provides an updated Tier 4 service population efficiency target goal of 3.0 MTCO<sub>2</sub>e/SP/year for target year 2035. The CalEEMod output files, modeled by SWAPE with Project-specific information, disclose the Project’s mitigated emissions, which include approximately 452 MT CO<sub>2</sub>e of total construction emissions and approximately 1,471 MT CO<sub>2</sub>e/year of annual operational emissions (sum of area, energy, mobile, waste, and water-related emissions). Furthermore, according to CAPCOA’s *CEQA & Climate Change* report, service population is defined as “the sum of the number of residents and the number of jobs supported by the project.” The Project’s CalEEMod output files indicate that the Project would house 312 residents. As the Project does not contain any nonresidential land uses, we assumed the Project would not employ any workers. Thus, we estimate a service population of 312 people. When dividing the Project’s GHG emission (amortized construction + operation) by the service population, we find that the Project would emit approximately 4.8 MT CO<sub>2</sub>e/SP/yr. When we compare the Project’s service population efficiency of 4.8 MT CO<sub>2</sub>e/SP/year to the SCAQMD’s updated Tier 4 service population efficiency target goal, we find a potentially significant GHG impact.

Greenhouse Gas impacts are essentially cumulative impacts, since the impact derives from project emissions in combination with State-wide emissions.

**Significant Cumulative Traffic Impact – Increase Pedestrian and Bicyclist Accident Risk**

As detailed in **Section V**, given that Pacific Avenue is located on the High Injury Network and is both part an identified pedestrian district and bicycle network, the additional project-generated traffic through this intersection has the potential to increase accident risk at this location. This is also a potentially significant cumulative project impact, resulting from a project that is not consistent with the intended land use and density for the site, specified in the San Pedro Community Plan.

**Significant Cumulative Infrastructure Impacts**

Given the aging infrastructure in the area, additional construction and the additional densification in the area has the potential to impact local infrastructure, both directly as a result of the nature and magnitude of construction activity and indirectly as a result of the additional demand generated by the significant up-zoning that is part of density bonus program. (A list of cumulative projects in the area is included in **Attachment E**, which supplements the list included in the Traffic Analysis attached to the Notice of Exemption). These potential impacts have not been assessed in an environmental document for the San Pedro Community Plan area or the TOC program. The San Pedro Community Plan and its environmental review<sup>35</sup> were based on the existing zoning, not the substantial up-zoning that is allowed under the City’s and State’s various density bonus programs. The potential for cumulative infrastructure impacts, particularly sewer infrastructure impacts, as discussed in **Section V**, therefore exists. The project would contribute to these potentially significant cumulative infrastructure impacts.

**VII. SIGNIFICANT UNMITIGATED IMPACTS**

As detailed in **Sections III, IV, and VI**, there is the potential for this project to result in a number of significant environmental impacts. In the absence of appropriate mitigation, these impacts will occur. No mitigation has been provided for potentially significant air toxics, cancer risk, neighborhood intrusion and Greenhouse Gas impacts. No Mitigation Monitoring and Reporting Program has been prepared for the proposed project. Air toxics, cancer risk and neighborhood intrusion impacts are likely to be significant and unavoidable without modification of the project to reduce density. The potential for the proposed project to result in significant unmitigated impacts and to contribute to significant cumulative impacts remains. The proposed project is therefore not eligible for either a Class 32 Exemption of a Waiver of Development Standards.

<sup>35</sup> Final San Pedro Community Plan EIR, April 2017, available at: <https://planning.lacity.org/eir/SanPedro/SanPedroCoverPg.html>

**IX. USE OF A CATEGORICAL EXEMPTION IS NOT APPROPRIATE FOR THE PROPOSED PROJECT; ADDITIONAL CEQA REVIEW IS REQUIRED**

As detailed in **Section III** of the letter, the proposed project is not consistent with the applicable general plan designation and **all** applicable general plan policies as well as with the applicable zoning designation and regulations, and therefore does not comply with CEQA Guidelines Section 15332(a). In addition, as detailed in **Section IV and Section V** of this letter, the proposed project would result in significant traffic and air quality impacts requiring mitigation, and therefore does not comply with CEQA Guidelines Section 15332(d), which precludes use of a Class 32 Exemption for projects that would result in significant effects relating to traffic<sup>36</sup>, noise, air quality, or water quality.

In addition, as detailed in **Section V and Section VI** of this letter, the proposed project is not eligible for a Categorical Exemption pursuant to CEQA Guidelines Sections 15332(b) and 15332(c) due to both impacts associated with unusual circumstances and the potential for cumulative impacts. The City cannot act on the project until the appropriate environmental documentation has been prepared for the project.

I may be contacted at 310-982-1760 or at [jamie.hall@channellawgroup.com](mailto:jamie.hall@channellawgroup.com) if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

**ATTACHMENTS**

- A. LAND USE (Attachments A1-A6)
- B. PROJECT DESCRIPTION ISSUES – PACIFIC CORRIDOR REDEVELOPMENT PLAN PROJECT (Attachments B1-B6)
- C. AIR QUALITY (Attachments C1-C3)
- D. TRAFFIC (Attachments D1-D4)
- E. CUMULATIVE PROJECTS (Attachments E1-E4)

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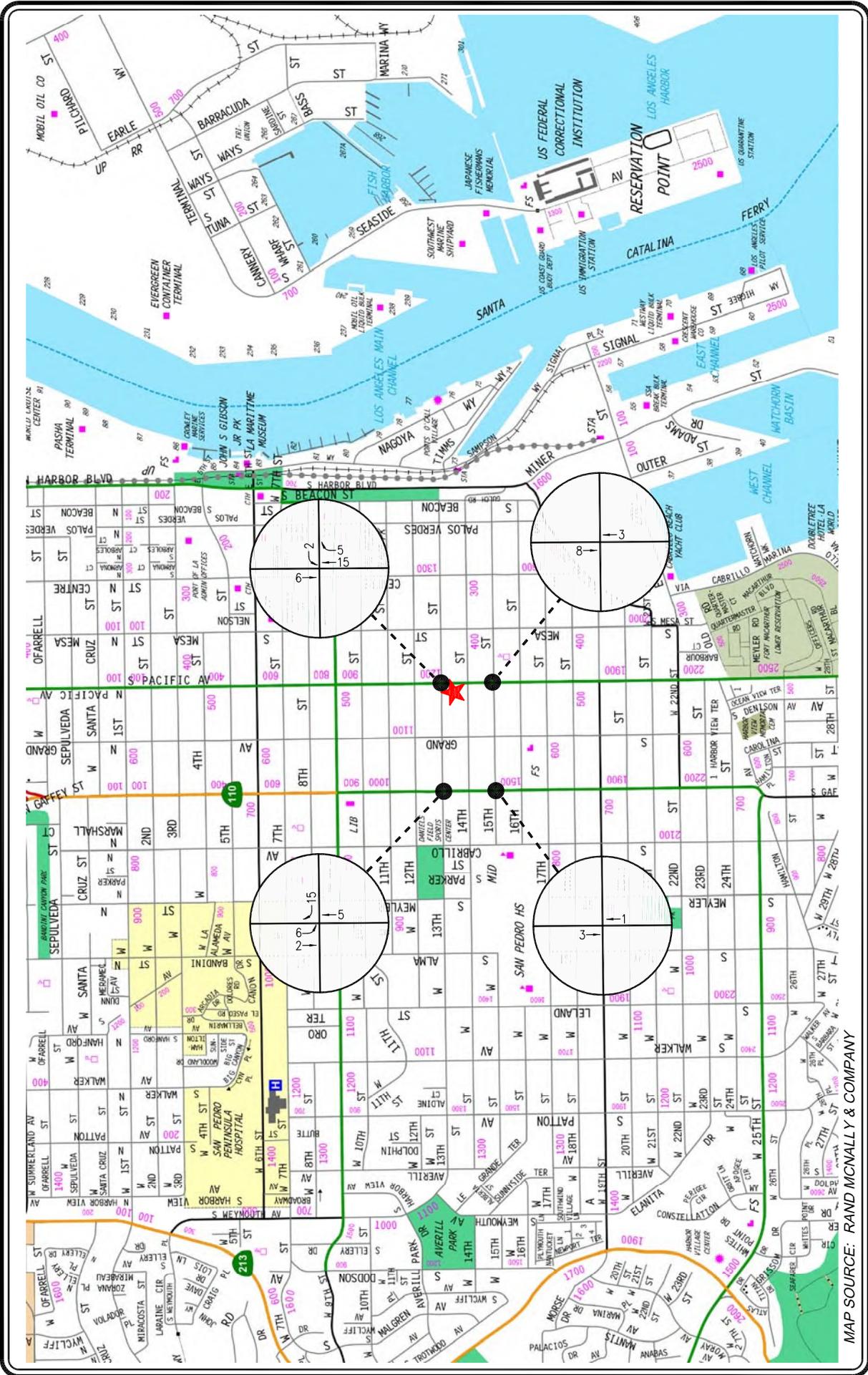
<sup>36</sup> See discussion in Section VI regarding the project's potential to result in neighborhood traffic impacts.

**Table 1**  
**SUMMARY OF VOLUME TO CAPACITY RATIOS**  
**AND LEVELS OF SERVICE**  
**WEEKDAY AM AND PM PEAK HOURS**

NO.	INTERSECTION	PEAK HOUR	[1]		[2]			[3]		[4]								
			YEAR 2019 EXISTING		YEAR 2019 EXISTING WITH PROJECT		CHANGE V/C [(2)-(1)]		SIGNIF. IMPACT [a]		YEAR 2022 FUTURE W/O PROJECT		YEAR 2022 FUTURE WITH PROJECT		CHANGE V/C [(4)-(3)]		SIGNIF. IMPACT [a]	
			V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	Gaffey Street / 13th Street	AM	0.580	A	0.596	A	0.016	A	No	0.608	B	0.624	B	0.016	No			
		PM	0.492	A	0.498	A	0.006	A	No	0.517	A	0.531	A	0.014	No			
2	Gaffey Street / 15th Street	AM	0.451	A	0.452	A	0.001	A	No	0.475	A	0.476	A	0.001	No			
		PM	0.325	A	0.325	A	0.000	A	No	0.345	A	0.345	A	0.000	No			
3	Pacific Avenue / 13th Street	AM	0.475	A	0.487	A	0.012	A	No	0.504	A	0.515	A	0.011	No			
		PM	0.440	A	0.453	A	0.013	A	No	0.467	A	0.480	A	0.013	No			
4	Pacific Avenue / 15th Street	AM	0.351	A	0.353	A	0.002	A	No	0.376	A	0.378	A	0.002	No			
		PM	0.287	A	0.290	A	0.003	A	No	0.309	A	0.312	A	0.003	No			

[a] According to LADOT's "Transportation Impact Study Guidelines," December 2016, a transportation impact on an intersection shall be deemed significant in accordance with the following table:

Final v/c	LOS	Project Related Increase in v/c
>0.701 - 0.800	C	equal to or greater than 0.040
>0.801 - 0.900	D	equal to or greater than 0.020
>0.901	E/F	equal to or greater than 0.010



MAP SOURCE: RAND MCNALLY & COMPANY



NOT TO SCALE



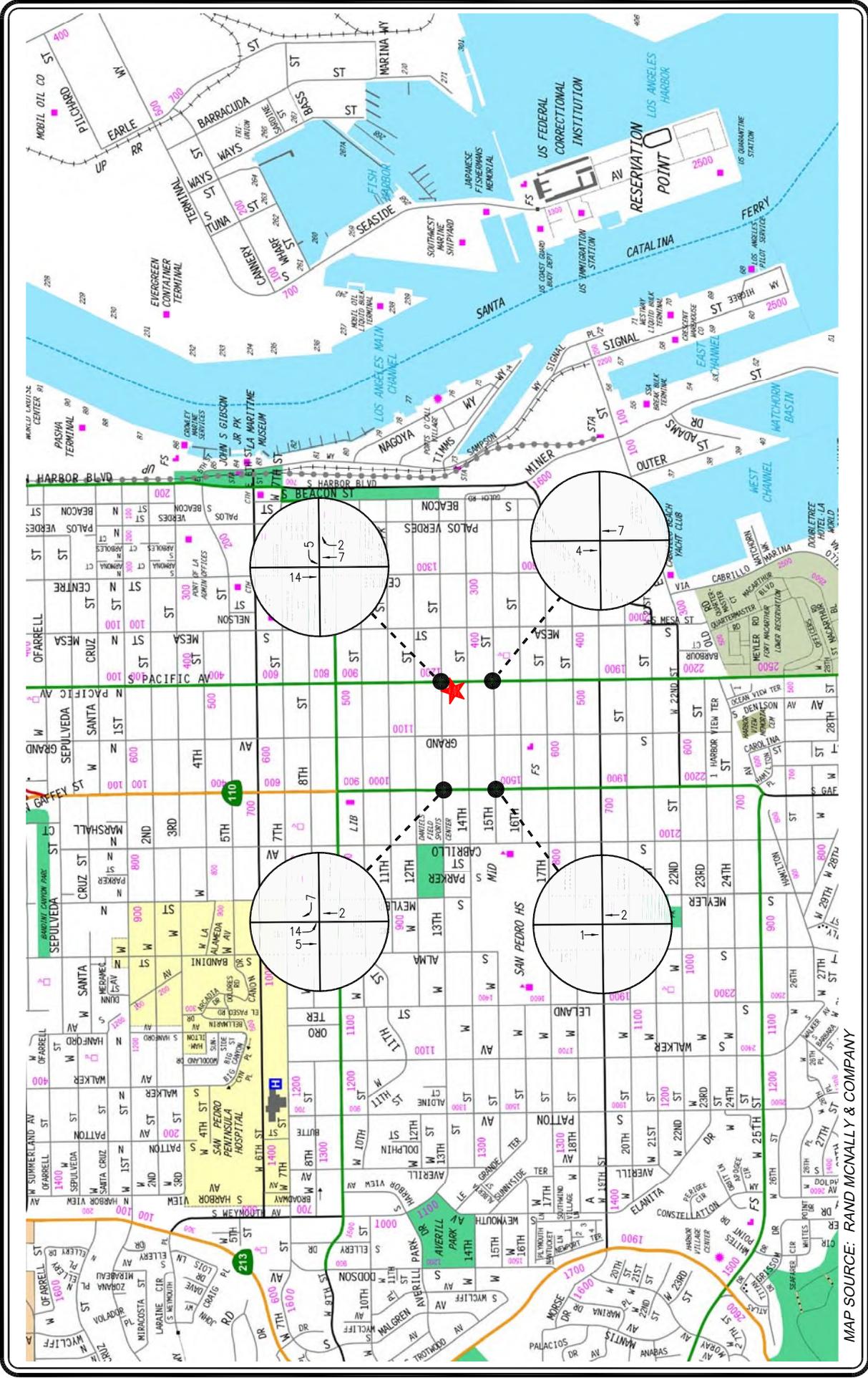
PROJECT SITE

# FIGURE 9 NET NEW PROJECT TRAFFIC VOLUMES

WEEKDAY AM PEAK HOUR

LINSCOTT, LAW & GREENSPAN, engineers

1331 S. PACIFIC AVENUE RESIDENTIAL PROJECT



**FIGURE 10**  
**NET NEW PROJECT TRAFFIC VOLUMES**  
 WEEKDAY PM PEAK HOUR  
 1331 S. PACIFIC AVENUE RESIDENTIAL PROJECT

 PROJECT SITE  
  
 NOT TO SCALE  
 LINSOTT, LAW & GREENSPAN, engineers

**Table 2**  
**CITY OF LOS ANGELES VMT IMPACT CRITERIA [1]**

AREA PLANNING COMMISSION	15 PERCENT (15%) BELOW APC CRITERIA [2]	
	DAILY HOUSEHOLD VMT PER CAPITA	DAILY WORK VMT PER EMPLOYEE
Central	6.0	7.6
East Los Angeles	7.2	12.7
Harbor	9.2	12.3
North Valley	9.2	15.0
South Los Angeles	6.0	11.6
South Valley	9.4	11.6
West Los Angeles	7.4	11.1

[1] Source: City of Los Angeles Transportation Assessment Guidelines, July 2019.

[2] The development project will have a potential impact if the project meets the following:

- For residential projects, the project would generate household VMT per capita exceeding 15% below the existing average household VMT per capita for the APC area in which the project (refer to above [source: Table 2.2-1 of the guidelines]).
- For office projects, the project would generate work VMT per employee exceeding 15% below the existing average work VMT per employee for the APC in which the project is located (refer to above [source: Table 2.2-1 of the guidelines]).
- For retail projects, the project would result in a net increase in VMT.
- For other land use types, measure VMT impacts for the work trip element using the criteria for office project above (source: Table 2.2-1 of the guidelines).

# CITY OF LOS ANGELES VMT CALCULATOR Version 1.3



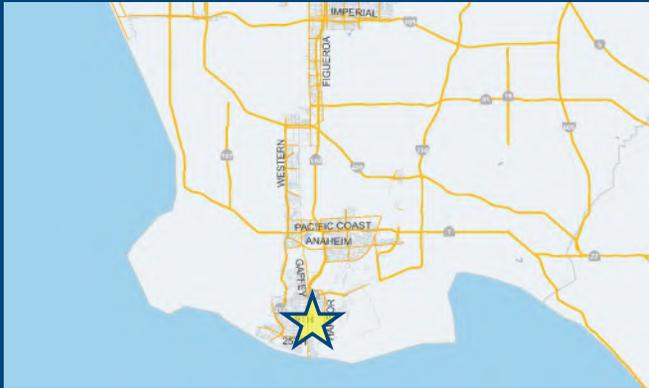
*Project Screening Criteria: Is this project required to conduct a vehicle miles traveled analysis?*

## Project Information

Project:

Scenario:

Address:



Is the project replacing an existing number of residential units with a smaller number of residential units AND is located within one-half mile of a fixed-rail or fixed-guideway transit station?

Yes  No

## Existing Land Use

Land Use Type	Value	Unit
Housing   Single Family		DU

[Click here to add a single custom land use type \(will be included in the above list\)](#)

## Proposed Project Land Use

Land Use Type	Value	Unit
Housing   Affordable Housing - Family	12	DU
Housing   Affordable Housing - Family	12	DU
Housing   Multi-Family	90	DU

[Click here to add a single custom land use type \(will be included in the above list\)](#)

## Project Screening Summary

Existing Land Use	Proposed Project
0 Daily Vehicle Trips	484 Daily Vehicle Trips
0 Daily VMT	4,164 Daily VMT
<b>Tier 1 Screening Criteria</b>	
Project will have less residential units compared to existing residential units & is within one-half mile of a fixed-rail station. <input type="checkbox"/>	
<b>Tier 2 Screening Criteria</b>	
The net increase in daily trips < 250 trips	484 Net Daily Trips
The net increase in daily VMT ≤ 0	4,164 Net Daily VMT
The proposed project consists of only retail land uses ≤ 50,000 square feet total.	0.000 ksf
<b>The proposed project is required to perform VMT analysis.</b>	



# CITY OF LOS ANGELES VMT CALCULATOR Version 1.3



## Project Information

Project:

Scenario:

Address:



Proposed Project Land Use Type	Value	Unit
Housing   Affordable Housing - Family	12	DU
Housing   Multi-Family	90	DU

## TDM Strategies

Select each section to show individual strategies  
 Use  to denote if the TDM strategy is part of the proposed project or is a mitigation strategy

	Proposed Project	With Mitigation
Max Home Based TDM Achieved?	No	No
Max Work Based TDM Achieved?	No	No
<b>A</b> Parking		
<b>B</b> Transit		
<b>C</b> Education & Encouragement		
Voluntary Travel Behavior Change Program	<input type="checkbox"/> Proposed Prj <input type="checkbox"/> Mitigation <input type="text" value="100"/> percent of employees and residents participating	
Promotions & Marketing	<input type="checkbox"/> Proposed Prj <input type="checkbox"/> Mitigation <input type="text" value="50"/> percent of employees and residents participating	
<b>D</b> Commute Trip Reductions		
<b>E</b> Shared Mobility		
<b>F</b> Bicycle Infrastructure		
<b>G</b> Neighborhood Enhancement		

## Analysis Results

Proposed Project	With Mitigation
<b>484</b> Daily Vehicle Trips	<b>484</b> Daily Vehicle Trips
<b>4,164</b> Daily VMT	<b>4,164</b> Daily VMT
<b>9.2</b> Household VMT per Capita	<b>9.2</b> Household VMT per Capita
<b>N/A</b> Work VMT per Employee	<b>N/A</b> Work VMT per Employee
<b>Significant VMT Impact?</b>	
<b>Household: No</b> Threshold = 9.2 15% Below APC	<b>Household: No</b> Threshold = 9.2 15% Below APC
<b>Work: N/A</b> Threshold = 12.3 15% Below APC	<b>Work: N/A</b> Threshold = 12.3 15% Below APC



# CITY OF LOS ANGELES VMT CALCULATOR

## Report 1: Project & Analysis Overview

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

Project Information			
Land Use Type		Value	Units
Housing	Single Family	0	DU
	Multi Family	90	DU
	Townhouse	0	DU
	Hotel	0	Rooms
	Motel	0	Rooms
Affordable Housing	Family	12	DU
	Senior	0	DU
	Special Needs	0	DU
	Permanent Supportive	0	DU
Retail	General Retail	0.000	ksf
	Furniture Store	0.000	ksf
	Pharmacy/Drugstore	0.000	ksf
	Supermarket	0.000	ksf
	Bank	0.000	ksf
	Health Club	0.000	ksf
	High-Turnover Sit-Down Restaurant	0.000	ksf
	Fast-Food Restaurant	0.000	ksf
	Quality Restaurant	0.000	ksf
	Auto Repair	0.000	ksf
	Home Improvement	0.000	ksf
	Free-Standing Discount	0.000	ksf
	Movie Theater	0	Seats
	Office	General Office	0.000
Medical Office		0.000	ksf
Industrial	Light Industrial	0.000	ksf
	Manufacturing	0.000	ksf
	Warehousing/Self-Storage	0.000	ksf
School	University	0	Students
	High School	0	Students
	Middle School	0	Students
	Elementary	0	Students
	Private School (K-12)	0	Students
Other		0	Trips

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 1: Project & Analysis Overview

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

<b>Analysis Results</b>			
Total Employees: 0			
Total Population: 240			
<b>Proposed Project</b>		<b>With Mitigation</b>	
484	Daily Vehicle Trips	484	Daily Vehicle Trips
4,164	Daily VMT	4,164	Daily VMT
9.2	Household VMT per Capita	9.2	Household VMT per Capita
N/A	Work VMT per Employee	N/A	Work VMT per Employee
<b>Significant VMT Impact?</b>			
<b>APC: Harbor</b>			
Impact Threshold: 15% Below APC Average			
Household = 9.2			
Work = 12.3			
<b>Proposed Project</b>		<b>With Mitigation</b>	
VMT Threshold	Impact	VMT Threshold	Impact
Household > 9.2	No	Household > 9.2	No
Work > 12.3	N/A	Work > 12.3	N/A

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs				
Strategy Type	Description	Proposed Project	Mitigations	
<b>Parking</b>	<i>Reduce parking supply</i>	<i>City code parking provision (spaces)</i>	0	
		<i>Actual parking provision (spaces)</i>	0	
	<i>Unbundle parking</i>	<i>Monthly cost for parking (\$)</i>	\$0	\$0
	<i>Parking cash-out</i>	<i>Employees eligible (%)</i>	0%	0%
	<i>Price workplace parking</i>	<i>Daily parking charge (\$)</i>	\$0.00	\$0.00
		<i>Employees subject to priced parking (%)</i>	0%	0%
	<i>Residential area parking permits</i>	<i>Cost of annual permit (\$)</i>	\$0	\$0
(cont. on following page)				

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs, Cont.				
Strategy Type	Description	Proposed Project	Mitigations	
<b>Transit</b>	<i>Reduce transit headways</i>	<i>Reduction in headways (increase in frequency) (%)</i>	0%	
		<i>Existing transit mode share (as a percent of total daily trips) (%)</i>	0%	
		<i>Lines within project site improved (&lt;50%, &gt;=50%)</i>	0	
	<i>Implement neighborhood shuttle</i>	<i>Degree of implementation (low, medium, high)</i>	0	0
		<i>Employees and residents eligible (%)</i>	0%	0%
	<i>Transit subsidies</i>	<i>Employees and residents eligible (%)</i>	0%	0%
<i>Amount of transit subsidy per passenger (daily equivalent) (\$)</i>		\$0.00	\$0.00	
<b>Education &amp; Encouragement</b>	<i>Voluntary travel behavior change program</i>	<i>Employees and residents participating (%)</i>	0%	
	<i>Promotions and marketing</i>	<i>Employees and residents participating (%)</i>	0%	
(cont. on following page)				

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs, Cont.				
Strategy Type	Description	Proposed Project	Mitigations	
<b>Commute Trip Reductions</b>	<i>Required commute trip reduction program</i>	<i>Employees participating (%)</i>	0%	0%
	<i>Alternative Work Schedules and Telecommute</i>	<i>Employees participating (%)</i>	0%	0%
		<i>Type of program</i>	0	0
		<i>Degree of implementation (low, medium, high)</i>	0	0
	<i>Employer sponsored vanpool or shuttle</i>	<i>Employees eligible (%)</i>	0%	0%
		<i>Employer size (small, medium, large)</i>	0	0
	<i>Ride-share program</i>	<i>Employees eligible (%)</i>	0%	0%
<b>Shared Mobility</b>	<i>Car share</i>	<i>Car share project setting (Urban, Suburban, All Other)</i>	0	0
	<i>Bike share</i>	<i>Within 600 feet of existing bike share station - OR- implementing new bike share station (Yes/No)</i>	0	0
	<i>School carpool program</i>	<i>Level of implementation (Low, Medium, High)</i>	0	0
(cont. on following page)				



TDM Strategy Inputs, Cont.				
Strategy Type		Description	Proposed Project	Mitigations
<b>Bicycle Infrastructure</b>	<i>Implement/Improve on-street bicycle facility</i>	<i>Provide bicycle facility along site (Yes/No)</i>	0	0
	<i>Include Bike parking per LAMC</i>	<i>Meets City Bike Parking Code (Yes/No)</i>	0	0
	<i>Include secure bike parking and showers</i>	<i>Includes indoor bike parking/lockers, showers, &amp; repair station (Yes/No)</i>	0	0
<b>Neighborhood Enhancement</b>	<i>Traffic calming improvements</i>	<i>Streets with traffic calming improvements (%)</i>	0%	0%
		<i>Intersections with traffic calming improvements (%)</i>	0%	0%
	<i>Pedestrian network improvements</i>	<i>Included (within project and connecting off-site/within project only)</i>	0	0

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 3: TDM Outputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

### TDM Adjustments by Trip Purpose & Strategy

Place type: Suburban Center

		Home Based Work Production		Home Based Work Attraction		Home Based Other Production		Home Based Other Attraction		Non-Home Based Other Production		Non-Home Based Other Attraction		Source
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
<b>Parking</b>	Reduce parking supply	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Unbundle parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Parking cash-out	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Price workplace parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Residential area parking permits	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
<b>Transit</b>	Reduce transit headways	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Transit sections 1 - 3
	Implement neighborhood shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Transit subsidies	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
<b>Education &amp; Encouragement</b>	Voluntary travel behavior change program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Education & Encouragement sections 1 - 2
	Promotions and marketing	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
<b>Commute Trip Reductions</b>	Required commute trip reduction program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Commute Trip Reductions sections 1 - 4
	Alternative Work Schedules and Telecommute Program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Employer sponsored vanpool or shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Ride-share program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
<b>Shared Mobility</b>	Car-share	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	TDM Strategy Appendix, Shared Mobility sections 1 - 3
	Bike share	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	School carpool program	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 3: TDM Outputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

### TDM Adjustments by Trip Purpose & Strategy, Cont.

#### Place type: Suburban Center

		Home Based Work Production		Home Based Work Attraction		Home Based Other Production		Home Based Other Attraction		Non-Home Based Other Production		Non-Home Based Other Attraction		Source
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
		<b>Bicycle Infrastructure</b>	Implement/ Improve on-street bicycle facility	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Include Bike parking per LAMC	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Include secure bike parking and showers	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
<b>Neighborhood Enhancement</b>	Traffic calming improvements	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	TDM Strategy Appendix, Neighborhood Enhancement sections 1 - 2
	Pedestrian network improvements	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

### Final Combined & Maximum TDM Effect

	Home Based Work Production		Home Based Work Attraction		Home Based Other Production		Home Based Other Attraction		Non-Home Based Other Production		Non-Home Based Other Attraction	
	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated
	<b>COMBINED TOTAL</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>MAX. TDM EFFECT</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

$$= \text{Minimum}(X\%, 1 - [(1-A) * (1-B) \dots])$$

where X%=

<b>PLACE</b>	urban	75%
<b>TYPE</b>	compact infill	40%
<b>MAX:</b>	suburban center	20%
	suburban	15%

Note:  $(1 - [(1-A) * (1-B) \dots])$  reflects the dampened combined effectiveness of TDM Strategies (e.g., A, B, ...). See the TDM Strategy Appendix (*Transportation Assessment Guidelines Attachment G*) for further discussion of dampening.

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 4: MXD Methodology

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

### MXD Methodology - Project Without TDM

	Unadjusted Trips	MXD Adjustment	MXD Trips	Average Trip Length	Unadjusted VMT	MXD VMT
Home Based Work Production	91	-14.3%	78	12.3	1,119	959
Home Based Other Production	252	-30.6%	175	7.1	1,789	1,243
Non-Home Based Other Production	117	-1.7%	115	8.8	1,030	1,012
Home-Based Work Attraction	0	0.0%	0	14.7	0	0
Home-Based Other Attraction	120	-25.8%	89	7.3	876	650
Non-Home Based Other Attraction	28	-3.6%	27	11.1	311	300

### MXD Methodology with TDM Measures

	<i>Proposed Project</i>			<i>Project with Mitigation Measures</i>		
	TDM Adjustment	Project Trips	Project VMT	TDM Adjustment	Mitigated Trips	Mitigated VMT
Home Based Work Production	0.0%	78	959	0.0%	78	959
Home Based Other Production	0.0%	175	1,243	0.0%	175	1,243
Non-Home Based Other Production	0.0%	115	1,012	0.0%	115	1,012
Home-Based Work Attraction	0.0%	0	0	0.0%	0	0
Home-Based Other Attraction	0.0%	89	650	0.0%	89	650
Non-Home Based Other Attraction	0.0%	27	300	0.0%	27	300

### MXD VMT Methodology Per Capita & Per Employee

Total Population: 240

Total Employees: 0

APC: Harbor

	<i>Proposed Project</i>	<i>Project with Mitigation Measures</i>
<i>Total Home Based Production VMT</i>	<b>2,202</b>	<b>2,202</b>
<i>Total Home Based Work Attraction VMT</i>	<b>0</b>	<b>0</b>
<i>Total Home Based VMT Per Capita</i>	<b>9.2</b>	<b>9.2</b>
<i>Total Work Based VMT Per Employee</i>	<b>N/A</b>	<b>N/A</b>

# EXHIBIT B



DOUGLASKIM+ASSOCIATES,LLC

**To: File**  
**From: Douglas Kim, AICP**  
**CC:**  
**Date: March 22, 2021**  
**Re: 1331 Pacific Avenue Response to Comments**

This memo provides responses to Air Quality, GHG, and Noise comments for the Proposed Project at 1309-1331 South Pacific Avenue in the City of Los Angeles (Project”).

Channel Law Group, LLP, November 4, 2020

Page 5, Noise Impact Analysis

- **Comment:** “The Noise Analysis included as Attachment D4 to the Notice of Exemption is similarly inaccurate, as it is based on its analysis of operational noise on an inaccurate number of project parking spaces...”
- **Response:** The noise analysis estimated impacts from the parking garage based on the number of vehicle entering and exiting the subterranean garage throughout the day. Each vehicle that uses the garage generates noise from parking activities in the underground garage that are totally shielded with no line of sight to off-site sensitive receptors. Each vehicle trip would also generate noise at the entrance to the garage that is a function of the number of vehicles passing, not the number of parking spaces. As such, the noise analysis evaluated vehicle trips throughout the day which peaked at 39 A.M. and 62 net P.M. peak hour residential trips entering and exiting the garage. This was the anticipated trip generation associated with 109 residences at this location, as memorialized in the October 22, 2019 memo from the City of Los Angeles. Therefore, the analysis accurately reflects auto and parking-related noise impacts from 109 residences and would also addresses the Project’s current reduced scope of 102 residential units.

Page 5, Air Quality Technical Report

- **Comment:** “Page 17 of the Air Quality Technical Report included as Attachment D5 to the Notice of Exemption incorrectly assumes that there are existing uses on the site generating 205 daily vehicle trips. It also incorrectly assumed that there would be a total of only 65 parking spaces in the project’s parking garage. Furthermore, it does not appear that the Air Quality Report accounted for the grading of approximately 2,500 cubic yards of soil, and export of approximately 20,000 cubic yards of soil. It thus relies on an inaccurate project description. This has resulted in an underestimate of project air emissions, as detailed later in this letter, which renders the Air Quality Report on which the City relied, inaccurate. The City’s finding that the project will not result in significant

air quality impacts is thus not supported by substantial evidence due to errors in the Air Quality Report.”

- **Response:** The technical air quality analysis has been updated to reflect the trips generated from the proposed 102 residential units and the 127 on-site parking spaces in the garage. (See Attachment A – Updated Air Quality Model Worksheets.) As illustrated in the attached air quality modeling worksheets, construction emissions of ROG (6.1 lb/day), NO<sub>x</sub> (82.3 lb/day), CO (44.8 lb/day), PM<sub>10</sub> (5.8 lb/day), and PM<sub>2.5</sub> (2.7 lb/day) would not exceed the SCAQMD’s regional thresholds of 75, 100, 550, 150, and 55 lb/day, respectively.

The commenter is incorrect that the published Air Quality Technical Report (November 2019) did not include site grading and soil export. The Technical Report factored in grading of the entire project site and the export of up to 23,348 cubic yards of soil to an off-site landfill up to 41 miles away. (See page 2-3 of the CalEEMod Technical Appendix of the Air Quality Technical Report: Acres of grading—0.72; Material Exported—23,348 cubic yards; Haul Trip Length—41 miles; the same is reflected on pages 2 and 3 of Attachment A (Updated Air Quality Modeling Worksheets).) The results from the updated analysis, consistent with the published Air Quality Technical Report, demonstrate less than significant air quality emission impacts from Project construction and operation.

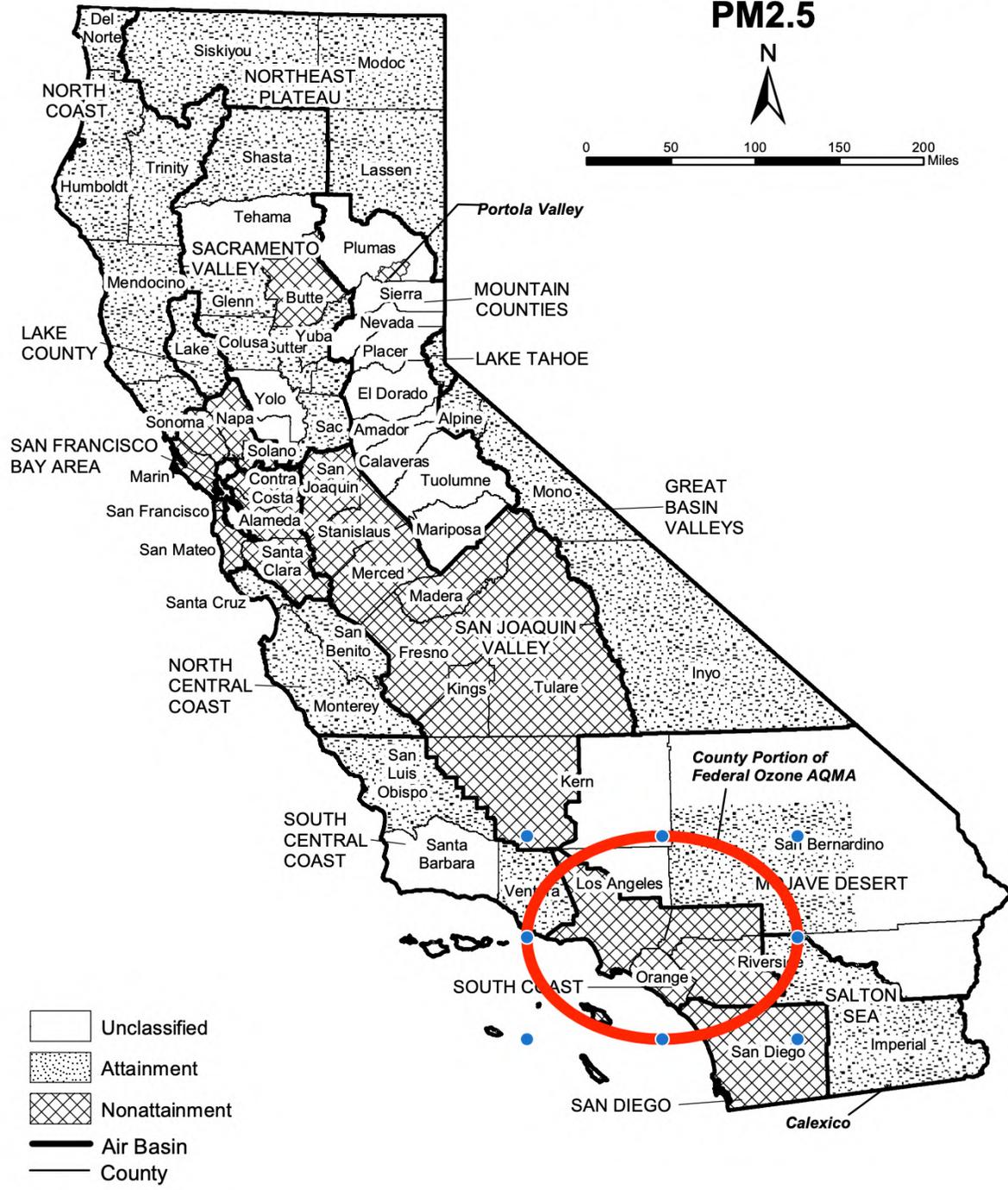
#### Page 20, Significant Air Quality Impacts

- **Comment:** “...there were a number of errors made in the Air Quality Technical Report, including the fact that project emissions were discounted as a result of an improper assumption that existing buildings on the projects site were still in use.”
- **Response:** The Technical Report accurately accounts for existing emissions from land uses on the Project Site. The commenter is incorrect that the existing buildings are vacant; the existing buildings at the time of the original Air Quality Assessment were in use. See above response regarding updated construction air quality emissions analysis to account for increased number of parking spaces (still less than significant impacts). See responses below to the referenced SWAPE critiques.

#### Page 29, Failure to Meet 153002(C). Potential for Significant Effects Due to Unusual Circumstances

- **Comment:** “...the Notice of Exemption fails to adequately recognize the following unusual circumstances, which in combination with the proposed project have the potential to result in significant impacts: The project area is in an area with poor air quality...”
- **Response:** The commentor notes that the Project area does not meet ambient air quality standards for particulate matter. The fact that ambient air quality at the Project site does meet federal and State ambient air quality standards is not a project-specific circumstance, but rather one that applies to the entire air basin. Specifically, both USEPA and CARB have designated the entire Basin, which is 6,745 square miles, as a non-attainment area. These designations encompass Orange County and the non-desert portions of Los Angeles, San Bernardino, and Riverside counties (for example, see CARB designations for PM<sub>2.5</sub> below). There are no higher nonattainment designations for subregions or areas within the air basin. As such, the fact that the entire air basin is in nonattainment for particulate matter cannot be a Project specific unusual circumstance. (See *Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809, 819 [“the unusual circumstances relate to some feature of the project that distinguishes the project from other features in the exempt class.”].)

# Area Designations for State Ambient Air Quality Standards PM2.5



Last Updated: August 2019  
Air Quality Planning and Science Division, CARB

#### Page 46, Significant Cumulative Construction Air Quality Impacts

- **Comment:** “As detailed in the SWAPE report included in Attachment C, the proposed project would result in construction emissions that exceed the SCAQMD’s thresholds for VOC/ROG and NOx. This would be a cumulative impact of the proposed project.
- **Response:** As demonstrated below, SWAPE’s analysis is riddled with errors. When the correct Project details are used for the construction emissions modeling, the results demonstrate that all Project construction emissions are below SCAQMD’s thresholds.

#### SWAPE, October 30, 2020

#### Page 3, Use of an Underestimated Land Use Size

- **Comment:** “...the AQ Report should have modeled 127 parking spaces.”
- **Response:** The air quality technical analysis has been updated to reflect the trips generated from the proposed 127 on-site parking spaces in the garage. The update did not change the impact conclusion of less than significant impacts.

#### Page 3, Unsubstantiated Changes to Individual Construction Phase Lengths

- **Comment:** “...the model includes several changes to the Project’s anticipated construction phase lengths...”
- **Response:** The changes to the model’s default duration of each construction phase was based on the project-specific schedule proposed as provided by the Project Applicant directly to DKA Planning. (See Attachment C: Original Air Quality Data Needs Worksheet and Attachment D: Updated Data Needs Worksheet.) When project specific information is available it is appropriate to revise the CalEEMod default values. SWAPE incorrectly suggests that the “potential” construction schedule is not “accurate.” SWAPE has no basis to assume that the Applicant provided construction schedule is inaccurate. The schedule provided is the most accurate schedule that can be provided at this time and is appropriate for air quality construction modeling. It should be noted that all of the phase lengths are considerably longer than the default values thus more emissions were considered over time. As to SWAPE comments about the potential for increased daily emissions from a shorter phase period, there is basis to assume that, for example 112 days of architectural coating work could be compressed into 5 days. Again, the phase lengths are the best estimates by the Project Applicant for construction of this Project. SWAPE has provided no basis, reasonable or otherwise, to revert to CalEEMod default values that are not specific to this Project.

#### Page 4, Unsubstantiated Changes to Individual Construction Phase Lengths

- **Comment:** “...the construction schedule included in the model omits both the site preparation and paving phases of construction...”
- **Response:** The updated air quality modeling worksheets include the site preparation phase. (See Attachment A, Page 6 (3.0 Construction detail, Construction Phase).) The inclusion of 12 days of site preparation construction air quality emission still resulted in less than significant construction air quality emissions, consistent with the original air quality emissions impact determination. The modeling does not include a paving phase, as the proposed project’s design with underground parking and vehicle circulation does not generally include surface-level improvements that meet the CalEEMod model’s

definition of “...laying concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.” Emissions from the construction of underground garage levels and ramps, however, are included in the building construction phase of analysis so these emissions were fully accounted for.

#### Page 5, Unsubstantiated Reductions to Number of Fireplaces and Woodstoves

- **Comment:** “...by incorrectly assuming that the Project would not include any woodstoves or fireplaces, the model may underestimate the Project’s area-source operational emissions...”
- **Response:** The Project is not anticipated to include woodstoves, as all wood-burning devices are banned by South Coast Air Quality Management District Rule 445 (Wood-Burning Devices). Further, the analysis notes that no fireplaces, whether wood-burning or reliant on natural gas or other fuel combustion, are proposed for the development as shown on the submitted Project Plans and which has been reconfirmed with the Project Applicant. As a result, emissions from such area sources were not assumed as to have assumed to the contrary would have been inappropriate and not Project specific. SWAPE’s modeling makes the unsubstantiated assumption that the project would have fireplaces, artificially inflating area source emissions for project operations in 2021 and beyond. When the proper parameters of the project are input into the model, emissions are consistent with the project’s published air quality analysis.

#### Page 6, Unsubstantiated Reductions to Worker Trips

- **Comment:** “...the number of worker trips was reduced by a total of 20 trips...”
- **Response:** The changes to the model’s default number of construction worker trips was based on the project-specific details of the anticipated workforce based on the scope of work during those phases on a given day given constraints of the relatively small project site. When Project specific information is available it is appropriate to revise the CalEEMod default values, which are conservative rules of thumb for these types of phases. Moreover, the reduction of 20 trips from the default assumptions is de minimis.

#### Page 7, Incorrect Application of Construction-Related Mitigation Measures

- **Comment:** “...mitigation measures are not part of the original project design...”
- **Response:** Compliance with the SCAQMD’s Rule 403, which is a legal mandate and specifically called out as a Regulatory Compliance Measure, is not considered a mitigation measure. The impact of regulatory compliance was included in this module of the model because CalEEMod does not currently accommodate regulatory compliance with these fugitive dust regulations in the Unmitigated module of the model. Rather, the only module of the model that can be utilized to capture this mandatory measure is 3.1 Mitigation Measures Construction; thus the use of the title “Mitigation Measures Construction” is but an artifact of the model as the Project’s construction air quality emissions are all below significance thresholds and no mitigation is necessary or required. The emissions benefits of Rule 403 have been accurately represented in the technical report’s assessment of unmitigated construction emissions.

SWAPE makes much to do about the options for compliance with Rule 403 stating that because of the options there is no commitment to comply with the Rule and thus compliance with Rule 403 should not be accounted for in the model. This is nonsensical.

Rule 403 requires mandatory compliance and this is reiterated with its inclusion as an express regulatory compliance measure. Moreover, the options for compliance all go to the same emissions reductions of particulate matter (fugitive dust). Inclusion of the reductions of particulate matter emissions from compliance with Rule 403 was entirely appropriate.

#### Page 9, Incorrect and Unsubstantiated Analysis of Emissions

- **Comment:** "...the AQ Report underestimates the net increase in operational emissions resulting from the proposed Project..."
- **Response:** SWAPE is incorrect that page 1 of the Air Quality Technical Report states the existing land uses at the Project site are vacant. Moreover, the operational air quality analysis is consistent with the traffic study's credit of existing land uses on the Project Site as at the time of both the air quality assessment and traffic analysis, the existing land uses were occupied. Regardless, even if existing emissions are not considered, gross emissions from the Proposed Project without crediting existing land uses would still be substantially below regional and localized significance thresholds. Specifically, Table 7 on page 35 of the Air Quality Technical Report confirms that the Project's gross daily emissions of 4 lb/day of VOC, 6 lb/day of NO<sub>x</sub>, 24 lb/day of CO, <1 lb/day of SO<sub>x</sub>, 4 lb/day of PM<sub>10</sub>, and 1 lb/day of PM<sub>2.5</sub> would not exceed the SCAQMD's daily mass thresholds of 55, 55, 550, 150, 150, and 55 lb/day, respectively, for these criteria pollutants. As is shown, the existing land use daily emissions are de minimis in any event -- 1 lb/day of VOC, 2 lb/day of NO<sub>x</sub>, 4 lb/day of CO, <1 lb/day of SO<sub>x</sub>, 1 lb/day of PM<sub>10</sub>, and <1 lb/day of PM<sub>2.5</sub>.

Similarly, as also shown on Table 7, the Project's emissions of localized pollutants would not exceed the SCAQMD's localized significance thresholds. Specifically, the on-site localized emissions of <1 lb/day of NO<sub>x</sub>, 7 lb/day of CO, and less than 1 lb/day of PM<sup>10</sup> and PM<sub>2.5</sub> would not exceed the LSTs for these pollutants of 57, 585, 1, and 1 lb/day, respectively.

#### Page 11, Updated Analysis Indicates Significant Air Quality Impact

- **Comment:** "When correct, site-specific input parameters are used to model emissions, we find that the Project's construction-related...emissions increase when compared to the AQ Report's model."
- **Response:** SWAPE's emissions analysis is based on arbitrary manipulation of the air quality model, particularly with regard to the construction schedule for the grading and architectural coatings phase.
  - SWAPE's analysis inexplicably shortens the construction of this Project to five months, rather than the 17 months proposed for the Project. This key assumption is not based on any facts, but this random speculation distorts the remainder of the air quality analysis in several key ways.
  - SWAPE's modeling assumes just two days of grading to export 23,348 cubic yards of soil. This is a random, artificial assumption that is not physically possible and is not consistent with the proposed 31 days of grading of this Project site. The result of SWAPE's distorted grading schedule is to artificially inflate NO<sub>x</sub> hauling emissions to 814.6 lb/day and VOC/ROG to 27 lb/day.
  - SWAPE's modeling assumes just five days to apply architectural coatings to the development. There is no basis to this random assumption. The Project's air quality analysis properly assumes the phased application of coatings as the

construction and finishing of the structures are completed. The result of SWAPE's distorted architectural coatings assumption is to inflate VOC/ROG emissions to 139.4 lb/day.

- These and other arbitrary manipulations of the model further distorts the actual construction schedule and is not based on any Project specific facts.
- In addition, SWAPE's analysis is based on 109 dwelling units, not 102 as currently proposed.
- SWAPE's arbitrary five-month construction process results in an operational date of 2021, which artificially raises operational emissions from the vehicle fleet. The Project is anticipated to be operational no earlier than late 2022.

When the proper construction schedule and project parameters are used in the CalEEMod air quality model, the project's emissions neither exceed the SCAQMD's regional or localized significance thresholds, as disclosed in the published air quality analysis.

#### Page 16, Failure to Evaluate Greenhouse Gas Impacts

- **Comment:** "...a full CEQA analysis should be prepared for the proposed Project, including an evaluation of the Project's GHG impacts."
- **Response:** First, SWAPE's estimate of project GHG emissions is artificially high because of unsubstantiated, artificial assumptions about the duration of project construction. As noted above in the response to comments on Page 11, SWAPE's analysis inexplicably distorts construction emissions of NOx during the grading phase and VOC/ROG during the architectural coatings phase that are random assumption not substantiated in any way. This results in an inflation of construction GHG emissions. Further, as noted earlier, SWAPE's assumption of fireplaces that use natural gas and/or other fuels is not substantiated and not proposed by the Project. This artificially inflates operational GHG emissions.

Second, this comment states that the Project's potential GHG emissions must be compared to a numeric threshold that is based on service population thresholds from the SCAQMD. Under CEQA, a lead agency has broad discretion to establish thresholds of significance, so long as the thresholds are supported by substantial evidence. (See CEQA Guidelines Section 15064.7(c).) Specifically, with respect to a project's potential greenhouse gas emissions under CEQA, a lead agency has discretion to evaluate a project's potential greenhouse gas emissions either by using a model or methodology to quantify greenhouse gas emissions or by relying on a qualitative analysis or performance based standards. (CEQA Guidelines Section 15064.4(a).) In 2015, the California Supreme Court reviewed the acceptable methodology to analyze GHG emissions in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204 (*CBD v. CDFW or Newhall Ranch* case). In that case, the Supreme Court held there are "potential pathways" to reviewing a project's GHG impacts under CEQA. First, a lead agency may compare a project's potential GHG emissions with a "business-as-usual" scenario, provided a lead agency can show what level of reduction from a "business-as-usual" scenario would be required for a particular project at a proposed location to comply with statewide GHG reduction goals. Second, a lead agency may assess a project's consistency with AB 32's goals in whole or in part and with the California Air Resources Board 2008 Climate Change Scoping Plan that implements AB 32 by evaluating a project's compliance with regulatory programs designed to reduce GHG emissions from

particular activities. Third, a lead agency may rely on existing numerical thresholds of significance for GHG emissions reductions.

Neither the City nor the SCAQMD has adopted numeric thresholds for greenhouse gas emissions for land use development projects (e.g., residential/commercial projects). Further, neither agency has endorsed the use of any service population-based metric for judging the significance of development projects. And as explained below, GHG emissions impacts were not required to be studied as the Project qualifies for a Class 32 Exemption.

In any event, even if a GHG analysis were required to be prepared (which it is not), in the absence of any quantitative threshold adopted by the City or the SCAQMD, the City, exercising its lawful discretion chooses the second pathway to compliance that the Supreme Court identified in the Newhall Ranch case and has a project's potential GHG impacts evaluated by reviewing a project's consistency with applicable regulatory plans and polices to reduce GHG emissions. The City's approach is consistent with the Supreme Court's ruling in the Newhall Ranch case and the guidance set forth in the CEQA Guidelines. (See CEQA Guidelines Section 15064.4.)

Finally, the guidance from the State and City on Class 32 Categorical Exemptions does not require the preparation of GHG analyses for projects eligible for exemptions. SWAPE tacitly admits this by stating that as a result of the Project qualifying for a Class 32 exemption, "the Project's potential greenhouse gas ("GHG") impacts have not been evaluated." Specifically, Article 19 of the State's CEQA Guidelines states that eligible projects that qualify for categorical exemptions are deemed to not have a significant effect on the environment. Under Section 15332, the Class 32 exemption that governs in-fill development projects identifies the conditions under which a project can qualify, noting that "[a]pproval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality..." There are no requirements to make findings about a project's effects on GHG. Further, the City issued guidance in 2018 (CP-7828) that clarify the special requirement criteria for projects that seek to use the Class 32 exemption. In this guidance, they clarify that projects that qualify must provide supporting documents to demonstrate eligibility for the Class 32 exemption, including an air quality study. However, the "[p]urpose of this assessment is to evaluate the regional significance of criteria pollutant emissions from both the construction and operation of a proposed project." Indeed, an assessment of criteria pollutant emission has been prepared, but there are no requirements for preparation of GHG analyses to validate the Class 32 exemption.

As such, the air quality analysis meets State and City guidance on the preparation of air quality analyses for Class 32-eligible projects and the SWAPE analysis is flawed in its use of GHG criteria that have not been sanctioned for use by the SCAQMD, City, or any other entity.

# AIR QUALITY EMISSIONS ANALYSIS

1331 South Pacific Avenue Future - Los Angeles-South Coast County, Summer

**1331 South Pacific Avenue Future**  
**Los Angeles-South Coast County, Summer**

**1.0 Project Characteristics**

**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Enclosed Parking with Elevator	127.00	Space	0.00	50,800.00	0
Apartments Mid Rise	102.00	Dwelling Unit	0.72	83,158.00	245

**1.2 Other Project Characteristics**

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	11	Operational Year	2022		

Utility Company Los Angeles Department of Water & Power

CO2 Intensity (lb/MMWhr)	1227.89	CH4 Intensity (lb/MMWhr)	0.029	N2O Intensity (lb/MMWhr)	0.006
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**1.3 User Entered Comments & Non-Default Data**

Project Characteristics -

Land Use - Developer information

Construction Phase - Developer information

Off-road Equipment - Consultant assumptions

Off-road Equipment - Developer information

Off-road Equipment - Developer information

Off-road Equipment - Developer information

Trips and VMT - Developer information. Assumes 14 CY haul truck capacity

Demolition - Developer information

Grading - Developer information

Vehicle Trips - Pro-ration of trip generation rates from October 22, 2019 memo from City of Los Angeles

Woodstoves - Developer information

Construction Off-road Equipment Mitigation - Assumes SCAQMD Rule 403 control efficiencies

Off-road Equipment - Developer information

Table Name	Column Name	Default Value	New Value
tblConstrDustMitigation	CleanPavedRoadPercentReduction	0	46
tblConstructionPhase	NumDays	10.00	32.00
tblConstructionPhase	NumDays	2.00	31.00
tblConstructionPhase	NumDays	100.00	112.00
tblConstructionPhase	NumDays	5.00	110.00
tblConstructionPhase	NumDays	1.00	12.00
tblConstructionPhase	PhaseEndDate	6/28/2021	8/15/2021
tblConstructionPhase	PhaseEndDate	6/30/2021	8/28/2021
tblConstructionPhase	PhaseEndDate	11/17/2021	2/1/2022
tblConstructionPhase	PhaseEndDate	11/24/2021	11/1/2022
tblConstructionPhase	PhaseStartDate	6/15/2021	7/1/2021
tblConstructionPhase	PhaseStartDate	6/29/2021	7/16/2021
tblConstructionPhase	PhaseStartDate	7/1/2021	8/30/2021
tblConstructionPhase	PhaseStartDate	11/18/2021	6/1/2022
tblFireplaces	Number Gas	86.70	0.00
tblFireplaces	Number NoFireplace	10.20	109.00
tblFireplaces	Number Wood	5.10	0.00
tblGrading	Acres Of Grading	0.00	1.24
tblGrading	Material Exported	0.00	23,348.00
tblLandUse	LandUseSquareFoot	102,000.00	83,158.00
tblLandUse	LotAcreage	1.14	0.00
tblLandUse	LotAcreage	2.68	0.72
tblLandUse	Population	292.00	245.00



lb/Woodstoves	Number Catalytic	5:10	0.00
lb/Woodstoves	Number Noncatalytic	5:10	0.00

## 2.0 Emissions Summary

### 2.1 Overall Construction (Maximum Daily Emission)

#### Unmitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
2021	5.2555	82.3192	44.8479	0.2368	7.8617	1.5950	9.4568	2.0532	1.5163	3.5694	0.0000	24,855.2478	24,855.2478	2.4900	0.0000	24,917.4984
2022	6.1405	16.4534	20.2683	0.0426	1.1835	0.7770	1.9605	0.3166	0.7464	1.0631	0.0000	4,140.0345	4,140.0345	0.5045	0.0000	4,152.6473
Maximum	6.1405	82.3192	44.8479	0.2368	7.8617	1.5950	9.4568	2.0532	1.5163	3.5694	0.0000	24,855.2478	24,855.2478	2.4900	0.0000	24,917.4984

#### Mitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
2021	5.2555	82.3192	44.8479	0.2368	4.1967	1.5950	5.7917	1.1571	1.5163	2.6734	0.0000	24,855.2478	24,855.2478	2.4900	0.0000	24,917.4984
2022	6.1405	16.4534	20.2683	0.0426	0.7190	0.7770	1.4960	0.2026	0.7464	0.9490	0.0000	4,140.0345	4,140.0345	0.5045	0.0000	4,152.6473
Maximum	6.1405	82.3192	44.8479	0.2368	4.1967	1.5950	5.7917	1.1571	1.5163	2.6734	0.0000	24,855.2478	24,855.2478	2.4900	0.0000	24,917.4984

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
2021	5.2555	82.3192	44.8479	0.2368	4.1967	1.5950	5.7917	1.1571	1.5163	2.6734	0.0000	24,855.2478	24,855.2478	2.4900	0.0000	24,917.4984
2022	6.1405	16.4534	20.2683	0.0426	0.7190	0.7770	1.4960	0.2026	0.7464	0.9490	0.0000	4,140.0345	4,140.0345	0.5045	0.0000	4,152.6473
Maximum	6.1405	82.3192	44.8479	0.2368	4.1967	1.5950	5.7917	1.1571	1.5163	2.6734	0.0000	24,855.2478	24,855.2478	2.4900	0.0000	24,917.4984

Percent Reduction	0.00	0.00	0.00	0.00	45.65	0.00	36.17	42.62	0.00	21.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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## 2.2 Overall Operational

### Unmitigated Operational

Category	lb/day															
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	2.0666	0.0973	8.4372	4.5000e-004		0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
Energy	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192	0.0192	0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Mobile	0.9727	4.6567	13.2445	0.0482	3.9184	0.0388	3.9573	1.0486	0.0362	1.0849		4,903.6887	4,903.6887	0.2452		4,909.8178
<b>Total</b>	<b>3.0671</b>	<b>4.9913</b>	<b>21.7827</b>	<b>0.0502</b>	<b>3.9184</b>	<b>0.1046</b>	<b>4.0230</b>	<b>1.0486</b>	<b>0.1020</b>	<b>1.1506</b>	<b>0.0000</b>	<b>5,221.8915</b>	<b>5,221.8915</b>	<b>0.2657</b>	<b>5.5600e-003</b>	<b>5,230.1886</b>

### Mitigated Operational

Category	lb/day															
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	2.0666	0.0973	8.4372	4.5000e-004		0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
Energy	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192	0.0192	0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Mobile	0.9727	4.6567	13.2445	0.0482	3.9184	0.0388	3.9573	1.0486	0.0362	1.0849		4,903.6887	4,903.6887	0.2452		4,909.8178
<b>Total</b>	<b>3.0671</b>	<b>4.9913</b>	<b>21.7827</b>	<b>0.0502</b>	<b>3.9184</b>	<b>0.1046</b>	<b>4.0230</b>	<b>1.0486</b>	<b>0.1020</b>	<b>1.1506</b>	<b>0.0000</b>	<b>5,221.8915</b>	<b>5,221.8915</b>	<b>0.2657</b>	<b>5.5600e-003</b>	<b>5,230.1886</b>

Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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### 3.0 Construction Detail

#### Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days/Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	6/15/2021	6/30/2021	5	12	
2	Demolition	Demolition	7/1/2021	8/15/2021	5	32	
3	Grading	Grading	7/16/2021	8/28/2021	5	31	
4	Building Construction	Building Construction	8/30/2021	2/1/2022	5	112	
5	Architectural Coating	Architectural Coating	6/1/2022	11/1/2022	5	110	

Acres of Grading (Site Preparation Phase): 6

Acres of Grading (Grading Phase): 1.24

Acres of Paving: 0

Residential Indoor: 168,395; Residential Outdoor: 56,132; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 3,048

#### OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Dumpers/Tenders	2	8.00	16	0.38
Site Preparation	Graders	1	8.00	187	0.41
Demolition	Dumpers/Tenders	5	8.00	16	0.38
Demolition	Excavators	1	8.00	158	0.38
Grading	Bore/Drill Rigs	1	8.00	221	0.50
Grading	Dumpers/Tenders	5	8.00	16	0.38
Grading	Excavators	2	8.00	158	0.38
Building Construction	Air Compressors	2	8.00	78	0.48
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Building Construction	Generator Sets	1	8.00	84	0.74
Architectural Coating	Air Compressors	2	8.00	78	0.48

Architectural Coating	Generator Sets	2	8:00	84	0.74
Demolition	Concrete/Industrial Saws	1	8:00	81	0.73
Grading	Concrete/Industrial Saws	1	8:00	81	0.73
Building Construction	Cranes	1	4:00	231	0.29
Building Construction	Forklifts	2	6:00	89	0.20
Demolition	Rubber Tired Dozers	1	1:00	247	0.40
Grading	Rubber Tired Dozers	1	1:00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8:00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6:00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6:00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8:00	97	0.37

### Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	4	8:00	0:00	0:00	14.70	6:30	20.00	ID_Mix	HDT_Mix	HHD
Demolition	10	15:00	0:00	347.00	14.70	6:30	41.00	ID_Mix	HDT_Mix	HHD
Grading	12	20:00	0:00	3,335.00	14.70	6:30	41.00	ID_Mix	HDT_Mix	HHD
Building Construction	10	95:00	19:00	0:00	14.70	6:30	20.00	ID_Mix	HDT_Mix	HHD
Architectural Coating	4	19:00	0:00	0:00	14.70	6:30	20.00	ID_Mix	HDT_Mix	HHD

### **3.1 Mitigation Measures Construction**

- Replace Ground Cover
- Water Exposed Area
- Clean Paved Roads

### **3.2 Site Preparation - 2021**

#### Unmitigated Construction On-Site

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.5303	0.0000	0.5303	0.0573	0.0000	0.0573			0.0000			0.0000
Off-Road	0.7857	8.7309	4.5235	0.0112		0.3338	0.3338		0.3099	0.3099		1,062.4302	1,062.4302	0.3173		1,070.3621
<b>Total</b>	<b>0.7857</b>	<b>8.7309</b>	<b>4.5235</b>	<b>0.0112</b>	<b>0.5303</b>	<b>0.3338</b>	<b>0.8641</b>	<b>0.0573</b>	<b>0.3099</b>	<b>0.3672</b>		<b>1,062.4302</b>	<b>1,062.4302</b>	<b>0.3173</b>		<b>1,070.3621</b>

**Unmitigated Construction Off-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000	0.0000		0.0000
Worker	0.0343	0.0236	0.3222	9.1000e-004	0.0894	7.2000e-004	0.0901	0.0237	6.7000e-004	0.0244		91.1016	91.1016	2.6800e-003		91.1687
<b>Total</b>	<b>0.0343</b>	<b>0.0236</b>	<b>0.3222</b>	<b>9.1000e-004</b>	<b>0.0894</b>	<b>7.2000e-004</b>	<b>0.0901</b>	<b>0.0237</b>	<b>6.7000e-004</b>	<b>0.0244</b>		<b>91.1016</b>	<b>91.1016</b>	<b>2.6800e-003</b>		<b>91.1687</b>

**Mitigated Construction On-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.1965	0.0000	0.1965	0.0212	0.0000	0.0212			0.0000			0.0000
Off-Road	0.7857	8.7309	4.5235	0.0112		0.3338	0.3338		0.3099	0.3099		0.0000	1,062.4302	1,062.4302	0.3173	1,070.3621
<b>Total</b>	<b>0.7857</b>	<b>8.7309</b>	<b>4.5235</b>	<b>0.0112</b>	<b>0.1965</b>	<b>0.3338</b>	<b>0.3338</b>	<b>0.0212</b>	<b>0.3099</b>	<b>0.3099</b>		<b>0.0000</b>	<b>1,062.4302</b>	<b>1,062.4302</b>	<b>0.3173</b>	<b>1,070.3621</b>

Total	0.7857	8.7309	4.5235	0.0112	0.1965	0.3338	0.5303	0.0212	0.3099	0.3311	0.0000	1.0624302	1.0624302	0.3173	1.0703621
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**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0343	0.0236	0.3222	9.1000e-004	0.0537	7.2000e-004	0.0544	0.0149	6.7000e-004	0.0156		91.1016	91.1016	2.6800e-003		91.1687
<b>Total</b>	<b>0.0343</b>	<b>0.0236</b>	<b>0.3222</b>	<b>9.1000e-004</b>	<b>0.0537</b>	<b>7.2000e-004</b>	<b>0.0544</b>	<b>0.0149</b>	<b>6.7000e-004</b>	<b>0.0156</b>		<b>91.1016</b>	<b>91.1016</b>	<b>2.6800e-003</b>		<b>91.1687</b>

**3.3 Demolition - 2021**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Fugitive Dust					2.3479	0.0000	2.3479	0.3555	0.0000	0.3555			0.0000			0.0000
Off-Road	1.3941	11.7404	12.1114	0.0209		0.5997	0.5997	0.5726	0.5726	0.5726		1,954.8283	1,954.8283	0.4091		1,965.0564
<b>Total</b>	<b>1.3941</b>	<b>11.7404</b>	<b>12.1114</b>	<b>0.0209</b>	<b>2.3479</b>	<b>0.5997</b>	<b>2.9476</b>	<b>0.3555</b>	<b>0.5726</b>	<b>0.9281</b>		<b>1,954.8283</b>	<b>1,954.8283</b>	<b>0.4091</b>		<b>1,965.0564</b>

**Unmitigated Construction Off-Site**



Hauling	0.1673	4.9019	1.2676	0.0161	0.2553	0.0179	0.2712	0.0733	0.0171	0.0904		1,751,4640	1,751,4640	0.1100		1,754,2133
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0643	0.0442	0.6042	1.7100e-003	0.1006	1.3500e-003	0.1020	0.0280	1.2500e-003	0.0293		170.8155	170.8155	5.0300e-003		170.9413
<b>Total</b>	<b>0.2316</b>	<b>4.9461</b>	<b>1.8717</b>	<b>0.0179</b>	<b>0.3539</b>	<b>0.0192</b>	<b>0.3731</b>	<b>0.1013</b>	<b>0.0184</b>	<b>0.1197</b>		<b>1,922,2795</b>	<b>1,922,2795</b>	<b>0.1150</b>		<b>1,925,1546</b>

### 3.4 Grading - 2021

#### Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Fugitive Dust					0.8804	0.0000	0.8804	0.4313	0.0000	0.4313			0.0000			0.0000
Off-Road	1.8839	16.9424	17.4839	0.0356		0.7968	0.7968		0.7539	0.7539		3,374,1440	3,374,1440	0.8682		3,395,8480
<b>Total</b>	<b>1.8839</b>	<b>16.9424</b>	<b>17.4839</b>	<b>0.0356</b>	<b>0.8804</b>	<b>0.7968</b>	<b>1.6771</b>	<b>0.4313</b>	<b>0.7539</b>	<b>1.1851</b>		<b>3,374,1440</b>	<b>3,374,1440</b>	<b>0.8682</b>		<b>3,395,8480</b>

#### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	1.6601	48.6314	12.5754	0.1601	3.8538	0.1775	4.0314	1.0562	0.1699	1.2260		17,376,242	17,376,242	1.0910		17,403,517
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0857	0.0589	0.8056	2.2900e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		227,7540	227,7540	6.7100e-003		227,9217
<b>Total</b>	<b>1.7458</b>	<b>48.6903</b>	<b>13.3809</b>	<b>0.1624</b>	<b>4.0774</b>	<b>0.1793</b>	<b>4.2567</b>	<b>1.1155</b>	<b>0.1715</b>	<b>1.2870</b>		<b>17,603,996</b>	<b>17,603,996</b>	<b>1.0977</b>		<b>17,631,439</b>

**Mitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Fugitive Dust					0.3262	0.0000	0.3262	0.1598	0.0000	0.1598			0.0000			0.0000
Off-Road	1.8839	16.9424	17.4839	0.0356		0.7968	0.7968		0.7539	0.7539	0.0000	3,374.1440	3,374.1440	0.8682		3,395.8480
<b>Total</b>	<b>1.8839</b>	<b>16.9424</b>	<b>17.4839</b>	<b>0.0356</b>	<b>0.3262</b>	<b>0.7968</b>	<b>1.1229</b>	<b>0.1598</b>	<b>0.7539</b>	<b>0.9136</b>	<b>0.0000</b>	<b>3,374.1440</b>	<b>3,374.1440</b>	<b>0.8682</b>		<b>3,395.8480</b>

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	1.6601	48.6314	12.5754	0.1601	2.5126	0.1775	2.6901	0.7270	0.1699	0.8968		17,376.242	17,376.242	1.0910		17,403.517
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0857	0.0589	0.8056	2.2900e-003	0.1342	1.8100e-003	0.1360	0.0373	1.6600e-003	0.0390		227.7540	227.7540	6.7100e-003		227.9217
<b>Total</b>	<b>1.7458</b>	<b>48.6903</b>	<b>13.3809</b>	<b>0.1624</b>	<b>2.6467</b>	<b>0.1793</b>	<b>2.8261</b>	<b>0.7643</b>	<b>0.1715</b>	<b>0.9358</b>		<b>17,603.996</b>	<b>17,603.996</b>	<b>1.0977</b>		<b>17,631.439</b>

**3.5 Building Construction - 2021**

**Unmitigated Construction On-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	1.8336	15.9591	16.4119	0.0273		0.8948	0.8948		0.8590	0.8590		2,577.8111	2,577.8111	0.4506		2,589.0759
<b>Total</b>	<b>1.8336</b>	<b>15.9591</b>	<b>16.4119</b>	<b>0.0273</b>		<b>0.8948</b>	<b>0.8948</b>		<b>0.8590</b>	<b>0.8590</b>		<b>2,577.8111</b>	<b>2,577.8111</b>	<b>0.4506</b>		<b>2,589.0759</b>

**Unmitigated Construction Off-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0578	1.8447	0.4823	4.8900e-003	0.1216	3.7700e-003	0.1254	0.0350	3.6100e-003	0.0386		522.2732	522.2732	0.0308		523.0424
Worker	0.4072	0.2799	3.8264	0.0109	1.0619	8.5800e-003	1.0705	0.2816	7.9000e-003	0.2895		1,081.8314	1,081.8314	0.0319		1,082.6283
<b>Total</b>	<b>0.4650</b>	<b>2.1246</b>	<b>4.3086</b>	<b>0.0158</b>	<b>1.1835</b>	<b>0.0124</b>	<b>1.1959</b>	<b>0.3166</b>	<b>0.0115</b>	<b>0.3282</b>		<b>1,604.1046</b>	<b>1,604.1046</b>	<b>0.0627</b>		<b>1,605.6707</b>

**Mitigated Construction On-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	1.8336	15.9591	16.4119	0.0273		0.8948	0.8948		0.8590	0.8590	0.0000	2,577.8111	2,577.8111	0.4506		2,589.0759

Total	1.8336	15.9591	16.4119	0.0273	0.8948	0.8948	0.8590	0.8590	0.0000	2,577.8111	2,577.8111	0.4506	2,589.0759
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**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0578	1.8447	0.4823	4.8900e-003	0.0818	3.7700e-003	0.0856	0.0252	3.6100e-003	0.0288		522.2732	522.2732	0.0308		523.0424
Worker	0.4072	0.2799	3.8264	0.0109	0.6372	8.5800e-003	0.6458	0.1774	7.9000e-003	0.1853		1,081.8314	1,081.8314	0.0319		1,082.6283
<b>Total</b>	<b>0.4650</b>	<b>2.1246</b>	<b>4.3086</b>	<b>0.0158</b>	<b>0.7190</b>	<b>0.0124</b>	<b>0.7314</b>	<b>0.2026</b>	<b>0.0115</b>	<b>0.2141</b>		<b>1,604.1046</b>	<b>1,604.1046</b>	<b>0.0627</b>		<b>1,605.6707</b>

**3.5 Building Construction - 2022**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																
Off-Road	1.6792	14.4463	16.2818	0.0273	0.7654	0.7654	0.7654	0.7356	0.7356	0.7356		2,578.5347	2,578.5347	0.4460		2,589.6844
<b>Total</b>	<b>1.6792</b>	<b>14.4463</b>	<b>16.2818</b>	<b>0.0273</b>	<b>0.7654</b>	<b>0.7654</b>	<b>0.7654</b>	<b>0.7356</b>	<b>0.7356</b>	<b>0.7356</b>		<b>2,578.5347</b>	<b>2,578.5347</b>	<b>0.4460</b>		<b>2,589.6844</b>

**Unmitigated Construction Off-Site**



Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0542	1.7543	0.4563	4.8400e-003	0.0818	3.3000e-003	0.0851	0.0252	3.1500e-003	0.0284	517.7232	517.7232	0.0297	518.4659					
Worker	0.3815	0.2528	3.5302	0.0105	0.6372	8.3100e-003	0.6455	0.1774	7.6600e-003	0.1850	1,043.7767	1,043.7767	0.0288	1,044.4969					
<b>Total</b>	<b>0.4357</b>	<b>2.0071</b>	<b>3.9865</b>	<b>0.0153</b>	<b>0.7190</b>	<b>0.0116</b>	<b>0.7306</b>	<b>0.2026</b>	<b>0.0108</b>	<b>0.2134</b>	<b>1,561.4999</b>	<b>1,561.4999</b>	<b>0.0585</b>	<b>1,562.9629</b>					

### 3.6 Architectural Coating - 2022

#### Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Archit. Coating	4.8588					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	1.2054	9.6125	12.1881	0.0211	0.5117	0.5117	0.5117	0.5117	0.5117	0.5117		1,996.5973	1,996.5973	0.1081		1,999.2989
<b>Total</b>	<b>6.0642</b>	<b>9.6125</b>	<b>12.1881</b>	<b>0.0211</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>		<b>1,996.5973</b>	<b>1,996.5973</b>	<b>0.1081</b>		<b>1,999.2989</b>

#### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Worker	0.0763	0.0506	0.7060	2.1000e-003	0.2124	1.6600e-003	0.2140	0.0563	1.5300e-003	0.0579		208.7553	208.7553	5.7600e-003		208.8994
<b>Total</b>	<b>0.0763</b>	<b>0.0506</b>	<b>0.7060</b>	<b>2.1000e-003</b>	<b>0.2124</b>	<b>1.6600e-003</b>	<b>0.2140</b>	<b>0.0563</b>	<b>1.5300e-003</b>	<b>0.0579</b>		<b>208.7553</b>	<b>208.7553</b>	<b>5.7600e-003</b>		<b>208.8994</b>

**Mitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Archit. Coating	4.8588					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	1.2054	9.6125	12.1881	0.0211		0.5117	0.5117		0.5117	0.5117	0.0000	1,996.5973	1,996.5973	0.1081		1,999.2989
<b>Total</b>	<b>6.0642</b>	<b>9.6125</b>	<b>12.1881</b>	<b>0.0211</b>		<b>0.5117</b>	<b>0.5117</b>		<b>0.5117</b>	<b>0.5117</b>	<b>0.0000</b>	<b>1,996.5973</b>	<b>1,996.5973</b>	<b>0.1081</b>		<b>1,999.2989</b>

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Worker	0.0763	0.0506	0.7060	2.1000e-003	0.1274	1.6600e-003	0.1291	0.0355	1.5300e-003	0.0370			208.7553			208.8994
<b>Total</b>	<b>0.0763</b>	<b>0.0506</b>	<b>0.7060</b>	<b>2.1000e-003</b>	<b>0.1274</b>	<b>1.6600e-003</b>	<b>0.1291</b>	<b>0.0355</b>	<b>1.5300e-003</b>	<b>0.0370</b>			<b>208.7553</b>			<b>208.8994</b>

**4.0 Operational Detail - Mobile**

**4.1 Mitigation Measures Mobile**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Mitigated	0.9727	4.6567	13.2445	0.0482	3.9184	0.0388	3.9573	1.0486	0.0362	1.0849	14,903.6887	4,903.6887	4,903.6887	0.2452		4,909.8178
Unmitigated	0.9727	4.6567	13.2445	0.0482	3.9184	0.0388	3.9573	1.0486	0.0362	1.0849	14,903.6887	4,903.6887	4,903.6887	0.2452		4,909.8178

#### 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT		Mitigated Annual VMT	
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT	Annual VMT	Annual VMT
Apartments Mid Rise	539.58	539.58	539.58	1,842,711	1,842,711	1,842,711	1,842,711
Enclosed Parking with Elevator	0.00	0.00	0.00				
Total	539.58	539.58	539.58	1,842,711	1,842,711	1,842,711	1,842,711

#### 4.3 Trip Type Information

Land Use	Miles						Trip %						Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by
Apartments Mid Rise	14.70	5.90	8.70	40.00	19.00	41.00	86	11	3						
Enclosed Parking with Elevator	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0						

#### 4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.546501	0.044961	0.204016	0.120355	0.015740	0.006196	0.020131	0.030678	0.002515	0.002201	0.006142	0.000687	0.000876
Enclosed Parking with Elevator	0.546501	0.044961	0.204016	0.120355	0.015740	0.006196	0.020131	0.030678	0.002515	0.002201	0.006142	0.000687	0.000876

#### 5.0 Energy Detail

Historical Energy Use: N

## 5.1 Mitigation Measures Energy

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																
Natural Gas	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Mitigated Natural Gas	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Unmitigated																

## 5.2 Energy by Land Use - Natural Gas

### Unmitigated

Land Use	Natural Gas Use	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																	
Apartment Mid Rise	2575.69	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>0.0278</b>	<b>0.2374</b>	<b>0.1010</b>	<b>1.5200e-003</b>		<b>0.0192</b>	<b>0.0192</b>		<b>0.0192</b>	<b>0.0192</b>		<b>303.0227</b>	<b>303.0227</b>	<b>5.8100e-003</b>	<b>5.5600e-003</b>	<b>304.8234</b>

### Mitigated

Land Use	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e	
Apartment's Mid Rise	2.57569	0.0278	0.2374	0.1010	1.5200e-003	0.0192	0.0192	0.0192	0.0192	0.0192	0.0192	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	304.8234
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>0.0278</b>	<b>0.2374</b>	<b>0.1010</b>	<b>1.5200e-003</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>			<b>303.0227</b>	<b>303.0227</b>	<b>5.8100e-003</b>	<b>5.5600e-003</b>	<b>304.8234</b>

## 6.0 Area Detail

### 6.1 Mitigation Measures Area

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Mitigated	2.0666	0.0973	8.4372	4.5000e-004	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
Unmitigated	2.0666	0.0973	8.4372	4.5000e-004	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474

### 6.2 Area by SubCategory

#### Unmitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day															

Architectural	0.1464					0.0000				0.0000									0.0000
Coating																			
Consumer	1.6645					0.0000				0.0000									0.0000
Products																			
Hearth	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.2557	0.0973	8.4372	4.5000e-004		0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
<b>Total</b>	<b>2.0666</b>	<b>0.0973</b>	<b>8.4372</b>	<b>4.5000e-004</b>		<b>0.0466</b>	<b>0.0000</b>	<b>15.1801</b>	<b>15.1801</b>	<b>0.0147</b>	<b>0.0000</b>	<b>15.5474</b>							

### Mitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Architectural	0.1464					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Coating																
Consumer	1.6645					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Products																
Hearth	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.2557	0.0973	8.4372	4.5000e-004		0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
<b>Total</b>	<b>2.0666</b>	<b>0.0973</b>	<b>8.4372</b>	<b>4.5000e-004</b>		<b>0.0466</b>	<b>0.0466</b>	<b>0.0466</b>	<b>0.0466</b>	<b>0.0466</b>	<b>0.0000</b>	<b>15.1801</b>	<b>15.1801</b>	<b>0.0147</b>	<b>0.0000</b>	<b>15.5474</b>

### 7.0 Water Detail

#### 7.1 Mitigation Measures Water

### 8.0 Waste Detail

#### 8.1 Mitigation Measures Waste

### 9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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## 10.0 Stationary Equipment

### Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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### Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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### User Defined Equipment

Equipment Type	Number
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## 11.0 Vegetation

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Demolition - Developer information

Grading - Developer information

Vehicle Trips - Pro-ration of trip generation rates from October 22, 2019 memo from City of Los Angeles

Woodstoves - Developer information

Construction Off-road Equipment Mitigation - Assumes SCAQMD Rule 403 control efficiencies

Off-road Equipment - Developer information

Table Name	Column Name	Default Value	New Value
tblConstrDustMitigation	CleanPavedRoadPercentReduction	0	46
tblConstructionPhase	NumDays	10.00	32.00
tblConstructionPhase	NumDays	2.00	31.00
tblConstructionPhase	NumDays	100.00	112.00
tblConstructionPhase	NumDays	5.00	110.00
tblConstructionPhase	NumDays	1.00	12.00
tblConstructionPhase	PhaseEndDate	6/28/2021	8/15/2021
tblConstructionPhase	PhaseEndDate	6/30/2021	8/28/2021
tblConstructionPhase	PhaseEndDate	11/17/2021	2/1/2022
tblConstructionPhase	PhaseEndDate	11/24/2021	11/1/2022
tblConstructionPhase	PhaseStartDate	6/15/2021	7/1/2021
tblConstructionPhase	PhaseStartDate	6/29/2021	7/16/2021
tblConstructionPhase	PhaseStartDate	7/1/2021	8/30/2021
tblConstructionPhase	PhaseStartDate	11/18/2021	6/1/2022
tblFireplaces	NumberGas	86.70	0.00
tblFireplaces	NumberNoFireplace	10.20	109.00
tblFireplaces	NumberWood	5.10	0.00
tblGrading	AcresOfGrading	0.00	1.24
tblGrading	MaterialExported	0.00	23,348.00
tblLandUse	LandUseSquareFeet	102,000.00	83,158.00
tblLandUse	LotAcres	1.14	0.00
tblLandUse	LotAcres	2.68	0.72

tblAndUse	Population	292.00	245.00
tblOffroadEquipment	LoadFactor	0.41	0.41
tblOffroadEquipment	LoadFactor	0.38	0.38
tblOffroadEquipment	LoadFactor	0.50	0.50
tblOffroadEquipment	LoadFactor	0.38	0.38
tblOffroadEquipment	OffroadEquipmentType		Dumpers/Tenders
tblOffroadEquipment	OffroadEquipmentType		Graders
tblOffroadEquipment	OffroadEquipmentType		Dumpers/Tenders
tblOffroadEquipment	OffroadEquipmentType		Excavators
tblOffroadEquipment	OffroadEquipmentType		Bore/Drill Rigs
tblOffroadEquipment	OffroadEquipmentType		Dumpers/Tenders
tblOffroadEquipment	OffroadEquipmentType		Excavators
tblOffroadEquipment	OffroadEquipmentType		Air Compressors
tblOffroadEquipment	OffroadEquipmentType		Cement and Mortar Mixers
tblOffroadEquipment	OffroadEquipmentType		Generator Sets
tblOffroadEquipment	OffroadEquipmentType		Air Compressors
tblOffroadEquipment	OffroadEquipmentType		Generator Sets
tblOffroadEquipment	OffroadEquipmentType		Generator Sets
tblOffroadEquipment	UseageHours	6.00	8.00
tblTripsAndVMT	HaulingTriplength	20.00	41.00
tblTripsAndVMT	HaulingTriplength	20.00	41.00
tblTripsAndVMT	HaulingTriplength	2.919.00	3.335.00
tblTripsAndVMT	WorkerTriplNumber	10.00	8.00
tblTripsAndVMT	WorkerTriplNumber	25.00	15.00
tblTripsAndVMT	WorkerTriplNumber	30.00	20.00
tblVehicleTrips	HO_TTP	40.60	41.00
tblVehicleTrips	HS_TTP	19.20	19.00
tblVehicleTrips	HW_TTP	40.20	40.00
tblVehicleTrips	ST_TR	6.39	5.29
tblVehicleTrips	SU_TR	5.86	5.29

lbVehicleTrips	WD_TR	6.65	5.29
lbWoodstoves	NumberCatalytic	5.10	0.00
lbWoodstoves	NumberNoncatalytic	5.10	0.00

## 2.0 Emissions Summary

### 2.1 Overall Construction

#### Unmitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
2021	0.1909	2.1891	1.6553	5.6600e-003	0.1780	0.0679	0.2459	0.0463	0.0649	0.1111	0.0000	524.8299	524.8299	0.0581	0.0000	526.2814
2022	0.3611	0.7135	0.9276	1.7300e-003	0.0242	0.0368	0.0610	6.4600e-003	0.0364	0.0429	0.0000	150.4002	150.4002	0.0107	0.0000	150.6676
Maximum	0.3611	2.1891	1.6553	5.6600e-003	0.1780	0.0679	0.2459	0.0463	0.0649	0.1111	0.0000	524.8299	524.8299	0.0581	0.0000	526.2814

#### Mitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
2021	0.1909	2.1891	1.6553	5.6600e-003	0.0983	0.0679	0.1662	0.0271	0.0649	0.0919	0.0000	524.8297	524.8297	0.0581	0.0000	526.2812
2022	0.3611	0.7135	0.9276	1.7300e-003	0.0147	0.0368	0.0514	4.1200e-003	0.0364	0.0406	0.0000	150.4000	150.4000	0.0107	0.0000	150.6675
Maximum	0.3611	2.1891	1.6553	5.6600e-003	0.0983	0.0679	0.1662	0.0271	0.0649	0.0919	0.0000	524.8297	524.8297	0.0581	0.0000	526.2812

Percent Reduction	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
0.00	0.00	0.00	0.00	0.00	44.15	0.00	29.09	40.81	0.00	13.97	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	6-15-2021	9-14-2021	1.5604	1.5604
2	9-15-2021	12-14-2021	0.6644	0.6644
3	12-15-2021	3-14-2022	0.3372	0.3372
4	3-15-2022	6-14-2022	0.0790	0.0790
5	6-15-2022	9-14-2022	0.5193	0.5193
6	9-15-2022	9-30-2022	0.0903	0.0903
			Highest	1.5604

## 2.2 Overall Operational

### Unmitigated Operational

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	0.3625	0.0122	1.0547	6.0000e-005	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631
Energy	5.0700e-003	0.0433	0.0184	2.8000e-004	3.5000e-003	3.5000e-003	3.5000e-003	3.5000e-003	3.5000e-003	3.5000e-003	0.0000	440.9420	440.9420	0.0102	2.8300e-003	442.0399
Mobile	0.1680	0.8845	2.3175	8.4600e-003	0.6994	7.0700e-003	0.7065	0.1875	6.6000e-003	0.1941	0.0000	781.4787	781.4787	0.0402	0.0000	782.4833
Waste						0.0000	0.0000		0.0000	0.0000	9.5243	0.0000	9.5243	0.5629	0.0000	23.5961
Water						0.0000	0.0000		0.0000	0.0000	2.1084	74.1211	76.2295	0.2183	5.4800e-003	83.3187
<b>Total</b>	<b>0.5355</b>	<b>0.9400</b>	<b>3.3906</b>	<b>8.8000e-003</b>	<b>0.6994</b>	<b>0.0164</b>	<b>0.7158</b>	<b>0.1875</b>	<b>0.0159</b>	<b>0.2034</b>	<b>11.6327</b>	<b>1,298.2633</b>	<b>1,309.8960</b>	<b>0.8332</b>	<b>8.3100e-003</b>	<b>1,333.2011</b>

### Mitigated Operational

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
tons/yr											MT/yr					
Area	0.3625	0.0122	1.0547	6.0000e-005	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631
Energy	5.0700e-003	0.0433	0.0184	2.8000e-004	3.5000e-003	3.5000e-003	3.5000e-003	3.5000e-003	3.5000e-003	3.5000e-003	0.0000	440.9420	440.9420	0.0102	2.8300e-003	442.0399
Mobile	0.1680	0.8845	2.3175	8.4600e-003	0.6994	7.0700e-003	0.7065	0.1875	6.6000e-003	0.1941	0.0000	781.4787	781.4787	0.0402	0.0000	782.4833
Waste						0.0000	0.0000		0.0000	0.0000	9.5243	0.0000	9.5243	0.5629	0.0000	23.5861
Water						0.0000	0.0000		0.0000	0.0000	2.1084	74.1211	76.2295	0.2183	5.4800e-003	83.3187
<b>Total</b>	<b>0.5355</b>	<b>0.9400</b>	<b>3.3906</b>	<b>8.8000e-003</b>	<b>0.6994</b>	<b>0.0164</b>	<b>0.7158</b>	<b>0.1875</b>	<b>0.0159</b>	<b>0.2034</b>	<b>11.6327</b>	<b>1,298.2633</b>	<b>1,309.8960</b>	<b>0.8332</b>	<b>8.3100e-003</b>	<b>1,333.2011</b>

Percent Reduction	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

### 3.0 Construction Detail

#### Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	6/15/2021	6/30/2021	5	12	
2	Demolition	Demolition	7/11/2021	8/15/2021	5	32	
3	Grading	Grading	7/16/2021	8/28/2021	5	31	
4	Building Construction	Building Construction	8/30/2021	2/1/2022	5	112	
5	Architectural Coating	Architectural Coating	6/1/2022	11/1/2022	5	110	

Acres of Grading (Site Preparation Phase): 6

Acres of Grading (Grading Phase): 1.24

Acres of Paving: 0

Residential Indoor: 168,395; Residential Outdoor: 56,132; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 3,048

**OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Dumpers/Tenders	2	8.00	16	0.38
Site Preparation	Graders	1	8.00	187	0.41
Demolition	Dumpers/Tenders	5	8.00	16	0.38
Demolition	Excavators	1	8.00	158	0.38
Grading	Bore/Drill Rigs	1	8.00	221	0.50
Grading	Dumpers/Tenders	5	8.00	16	0.38
Grading	Excavators	2	8.00	158	0.38
Building Construction	Air Compressors	2	8.00	78	0.48
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Building Construction	Generator Sets	1	8.00	84	0.74
Architectural Coating	Air Compressors	2	8.00	78	0.48
Architectural Coating	Generator Sets	2	8.00	84	0.74
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	231	0.28
Building Construction	Forklifts	2	6.00	89	0.20
Demolition	Rubber Tired Dozers	1	1.00	247	0.40
Grading	Rubber Tired Dozers	1	1.00	247	0.40
Building Construction	Tractor/s/Loaders/Backhoes	2	8.00	97	0.37
Demolition	Tractor/s/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractor/s/Loaders/Backhoes	2	6.00	97	0.37
Site Preparation	Tractor/s/Loaders/Backhoes	1	8.00	97	0.37

**Trips and VMT**





Worker	2.1000e-004	1.6000e-004	1.8200e-003	1.0000e-005	3.2000e-004	0.0000	3.2000e-004	9.0000e-005	0.0000	9.0000e-005	0.0000	0.4747	0.4747	1.0000e-005	0.0000	0.4750
Total	2.1000e-004	1.6000e-004	1.8200e-003	1.0000e-005	3.2000e-004	0.0000	3.2000e-004	9.0000e-005	0.0000	9.0000e-005	0.0000	0.4747	0.4747	1.0000e-005	0.0000	0.4750

### 3.3 Demolition - 2021

#### Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
Fugitive Dust					0.0376	0.0000	0.0376	5.6900e-003	0.0000	5.6900e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0223	0.1879	0.1938	3.3000e-004		9.6000e-003	9.6000e-003		9.1600e-003	9.1600e-003	0.0000	28.3743	28.3743	5.9400e-003	0.0000	28.5227
Total	0.0223	0.1879	0.1938	3.3000e-004	0.0376	9.6000e-003	0.0472	5.6900e-003	9.1600e-003	0.0149	0.0000	28.3743	28.3743	5.9400e-003	0.0000	28.5227
	MT/yr															

#### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
Hauling	2.6900e-003	0.0818	0.0205	2.6000e-004	6.1100e-003	2.9000e-004	6.4000e-003	1.6800e-003	2.7000e-004	1.9500e-003	0.0000	25.3255	25.3255	1.6100e-003	0.0000	25.3657
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0300e-003	8.0000e-004	9.0800e-003	3.0000e-005	2.6300e-003	2.0000e-005	2.6500e-003	7.0000e-004	2.0000e-005	7.2000e-004	0.0000	2.3734	2.3734	7.0000e-005	0.0000	2.3752
Total	3.7200e-003	0.0826	0.0296	2.9000e-004	8.7400e-003	3.1000e-004	9.0500e-003	2.3800e-003	2.9000e-004	2.6700e-003	0.0000	27.6989	27.6989	1.6800e-003	0.0000	27.7409
	MT/yr															

#### Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Fugitive Dust					0.0139	0.0000	0.0139	2.1100e-003	0.0000	2.1100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0223	0.1879	0.1938	3.3000e-004		9.6000e-003	9.6000e-003		9.1600e-003	9.1600e-003	0.0000	28.3742	28.3742	5.9400e-003	0.0000	28.5227
<b>Total</b>	<b>0.0223</b>	<b>0.1879</b>	<b>0.1938</b>	<b>3.3000e-004</b>	<b>0.0139</b>	<b>9.6000e-003</b>	<b>0.0235</b>	<b>2.1100e-003</b>	<b>9.1600e-003</b>	<b>0.0113</b>	<b>0.0000</b>	<b>28.3742</b>	<b>28.3742</b>	<b>5.9400e-003</b>	<b>0.0000</b>	<b>28.5227</b>

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Hauling	2.6900e-003	0.0818	0.0205	2.6000e-004	3.9900e-003	2.9000e-004	4.2800e-003	1.1600e-003	2.7000e-004	1.4300e-003	0.0000	25.3255	25.3255	1.6100e-003	0.0000	25.3657
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0300e-003	8.0000e-004	9.0800e-003	3.0000e-005	1.5800e-003	2.0000e-005	1.6000e-003	4.4000e-004	2.0000e-005	4.6000e-004	0.0000	2.3734	2.3734	7.0000e-005	0.0000	2.3752
<b>Total</b>	<b>3.7200e-003</b>	<b>0.0826</b>	<b>0.0296</b>	<b>2.9000e-004</b>	<b>5.5700e-003</b>	<b>3.1000e-004</b>	<b>5.8800e-003</b>	<b>1.6000e-003</b>	<b>2.9000e-004</b>	<b>1.8900e-003</b>	<b>0.0000</b>	<b>27.6989</b>	<b>27.6989</b>	<b>1.6800e-003</b>	<b>0.0000</b>	<b>27.7409</b>

**3.4 Grading - 2021**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															

Fugitive Dust						0.0137	0.0000	0.0137	6.6800e-003	0.0000	6.6800e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0292	0.2626	0.2710	5.5000e-004		0.0124	0.0124	0.0124	0.0117	0.0117	0.0117	0.0000	47.4451	47.4451	0.0122	0.0000	47.7503	
<b>Total</b>	<b>0.0292</b>	<b>0.2626</b>	<b>0.2710</b>	<b>5.5000e-004</b>		<b>0.0137</b>	<b>0.0124</b>	<b>0.0260</b>	<b>6.6800e-003</b>	<b>0.0117</b>	<b>0.0184</b>	<b>0.0000</b>	<b>47.4451</b>	<b>47.4451</b>	<b>0.0122</b>	<b>0.0000</b>	<b>47.7503</b>	

### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0259	0.7857	0.1972	2.4700e-003	0.0587	2.7600e-003	0.0615	0.0161	2.6400e-003	0.0188	0.0000	243.4020	243.4020	0.0155	0.0000	243.7888
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.3300e-003	1.0400e-003	0.0117	3.0000e-005	3.4000e-003	3.0000e-005	3.4200e-003	9.0000e-004	3.0000e-005	9.3000e-004	0.0000	3.0656	3.0656	9.0000e-005	0.0000	3.0679
<b>Total</b>	<b>0.0272</b>	<b>0.7867</b>	<b>0.2089</b>	<b>2.5000e-003</b>	<b>0.0621</b>	<b>2.7900e-003</b>	<b>0.0649</b>	<b>0.0170</b>	<b>2.6700e-003</b>	<b>0.0197</b>	<b>0.0000</b>	<b>246.4677</b>	<b>246.4677</b>	<b>0.0156</b>	<b>0.0000</b>	<b>246.8567</b>

### Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					5.0600e-003	0.0000	5.0600e-003	2.4800e-003	0.0000	2.4800e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0292	0.2626	0.2710	5.5000e-004		0.0124	0.0124	0.0117	0.0117	0.0117	0.0000	47.4450	47.4450	0.0122	0.0000	47.7502
<b>Total</b>	<b>0.0292</b>	<b>0.2626</b>	<b>0.2710</b>	<b>5.5000e-004</b>	<b>5.0600e-003</b>	<b>0.0124</b>	<b>0.0174</b>	<b>2.4800e-003</b>	<b>0.0117</b>	<b>0.0142</b>	<b>0.0000</b>	<b>47.4450</b>	<b>47.4450</b>	<b>0.0122</b>	<b>0.0000</b>	<b>47.7502</b>

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Hauling	0.0259	0.7857	0.1972	2.4700e-003	0.0394	2.7600e-003	0.0412	0.0111	2.6400e-003	0.0138	0.0000	243.4020	243.4020	0.0155	0.0000	243.7888
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.3300e-003	1.0400e-003	0.0117	3.0000e-005	2.0400e-003	3.0000e-005	2.0700e-003	5.7000e-004	3.0000e-005	6.0000e-004	0.0000	3.0656	3.0656	9.0000e-005	0.0000	3.0679
<b>Total</b>	<b>0.0272</b>	<b>0.7867</b>	<b>0.2089</b>	<b>2.5000e-003</b>	<b>0.0404</b>	<b>2.7900e-003</b>	<b>0.0432</b>	<b>0.0117</b>	<b>2.6700e-003</b>	<b>0.0144</b>	<b>0.0000</b>	<b>246.4677</b>	<b>246.4677</b>	<b>0.0156</b>	<b>0.0000</b>	<b>246.8567</b>

**3.5 Building Construction - 2021**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Off-Road	0.0825	0.7182	0.7385	1.2300e-003	0.0403	0.0403	0.0403	0.0387	0.0387	0.0387	0.0000	105.2348	105.2348	0.0184	0.0000	105.6947
<b>Total</b>	<b>0.0825</b>	<b>0.7182</b>	<b>0.7385</b>	<b>1.2300e-003</b>	<b>0.0403</b>	<b>0.0403</b>	<b>0.0403</b>	<b>0.0387</b>	<b>0.0387</b>	<b>0.0387</b>	<b>0.0000</b>	<b>105.2348</b>	<b>105.2348</b>	<b>0.0184</b>	<b>0.0000</b>	<b>105.6947</b>

**Unmitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
	0.0825	0.7182	0.7385	1.2300e-003	0.0403	0.0403	0.0403	0.0387	0.0387	0.0387	0.0000	105.2348	105.2348	0.0184	0.0000	105.6947
<b>Total</b>	<b>0.0825</b>	<b>0.7182</b>	<b>0.7385</b>	<b>1.2300e-003</b>	<b>0.0403</b>	<b>0.0403</b>	<b>0.0403</b>	<b>0.0387</b>	<b>0.0387</b>	<b>0.0387</b>	<b>0.0000</b>	<b>105.2348</b>	<b>105.2348</b>	<b>0.0184</b>	<b>0.0000</b>	<b>105.6947</b>



Worker	0.0184	0.0143	0.1617	4.7000e-004	0.0282	3.9000e-004	0.0286	7.8600e-003	3.6000e-004	8.2100e-003	0.0000	42.2762	42.2762	1.2400e-003	0.0000	42.3073
Total	0.0210	0.0987	0.1845	6.9000e-004	0.0318	5.6000e-004	0.0324	8.9800e-003	5.2000e-004	9.5000e-003	0.0000	63.3517	63.3517	2.5300e-003	0.0000	63.4151

### 3.5 Building Construction - 2022

#### Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	0.0185	0.1589	0.1791	3.0000e-004		8.4200e-003	8.4200e-003		8.0900e-003	8.0900e-003	0.0000	25.7313	25.7313	4.4500e-003	0.0000	25.8425
Total	0.0185	0.1589	0.1791	3.0000e-004		8.4200e-003	8.4200e-003		8.0900e-003	8.0900e-003	0.0000	25.7313	25.7313	4.4500e-003	0.0000	25.8425

#### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.1000e-004	0.0196	5.2900e-003	5.0000e-005	1.3200e-003	4.0000e-005	1.3500e-003	3.8000e-004	4.0000e-005	4.2000e-004	0.0000	5.1065	5.1065	3.1000e-004	0.0000	5.1142
Worker	4.2200e-003	3.1600e-003	0.0364	1.1000e-004	0.0115	9.0000e-005	0.0115	3.0400e-003	8.0000e-005	3.1300e-003	0.0000	9.9709	9.9709	2.7000e-004	0.0000	9.9778
Total	4.8300e-003	0.0228	0.0417	1.6000e-004	0.0128	1.3000e-004	0.0129	3.4200e-003	1.2000e-004	3.5500e-003	0.0000	15.0775	15.0775	5.8000e-004	0.0000	15.0919

#### Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	0.0185	0.1589	0.1791	3.0000e-004	8.4200e-003	8.4200e-003	8.4200e-003	8.0900e-003	8.0900e-003	8.0900e-003	0.0000	25.7313	25.7313	4.4500e-003	0.0000	25.8425
<b>Total</b>	<b>0.0185</b>	<b>0.1589</b>	<b>0.1791</b>	<b>3.0000e-004</b>	<b>8.4200e-003</b>	<b>8.4200e-003</b>	<b>8.4200e-003</b>	<b>8.0900e-003</b>	<b>8.0900e-003</b>	<b>8.0900e-003</b>	<b>0.0000</b>	<b>25.7313</b>	<b>25.7313</b>	<b>4.4500e-003</b>	<b>0.0000</b>	<b>25.8425</b>
MT/yr																

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.1000e-004	0.0196	5.2900e-003	5.0000e-005	8.9000e-004	4.0000e-005	9.2000e-004	2.7000e-004	4.0000e-005	3.1000e-004	0.0000	5.1065	5.1065	3.1000e-004	0.0000	5.1142
Worker	4.2200e-003	3.1600e-003	0.0364	1.1000e-004	6.8900e-003	9.0000e-005	6.9800e-003	1.9200e-003	8.0000e-005	2.0000e-003	0.0000	9.9709	9.9709	2.7000e-004	0.0000	9.9778
<b>Total</b>	<b>4.8300e-003</b>	<b>0.0228</b>	<b>0.0417</b>	<b>1.6000e-004</b>	<b>7.7800e-003</b>	<b>1.3000e-004</b>	<b>7.9000e-003</b>	<b>2.1900e-003</b>	<b>1.2000e-004</b>	<b>2.3100e-003</b>	<b>0.0000</b>	<b>15.0775</b>	<b>15.0775</b>	<b>5.8000e-004</b>	<b>0.0000</b>	<b>15.0919</b>
MT/yr																

**3.6 Architectural Coating - 2022**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
MT/yr																



**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.2200e-003	3.1600e-003	0.0364	1.1000e-004	6.8900e-003	9.0000e-005	6.9800e-003	1.9200e-003	8.0000e-005	2.0000e-003	0.0000	9.9709	9.9709	2.7000e-004	0.0000	9.9778
<b>Total</b>	<b>4.2200e-003</b>	<b>3.1600e-003</b>	<b>0.0364</b>	<b>1.1000e-004</b>	<b>6.8900e-003</b>	<b>9.0000e-005</b>	<b>6.9800e-003</b>	<b>1.9200e-003</b>	<b>8.0000e-005</b>	<b>2.0000e-003</b>	<b>0.0000</b>	<b>9.9709</b>	<b>9.9709</b>	<b>2.7000e-004</b>	<b>0.0000</b>	<b>9.9778</b>

**4.0 Operational Detail - Mobile**

**4.1 Mitigation Measures Mobile**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Mitigated	0.1680	0.8845	2.3175	8.4600e-003	0.6994	7.0700e-003	0.7065	0.1875	6.6000e-003	0.1941	0.0000	781.4787	781.4787	0.0402	0.0000	782.4833
Unmitigated	0.1680	0.8845	2.3175	8.4600e-003	0.6994	7.0700e-003	0.7065	0.1875	6.6000e-003	0.1941	0.0000	781.4787	781.4787	0.0402	0.0000	782.4833

**4.2 Trip Summary Information**

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	539.58	539.58	539.58	1,842,711	1,842,711
Enclosed Parking with Elevator	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>539.58</b>	<b>539.58</b>	<b>539.58</b>	<b>1,842,711</b>	<b>1,842,711</b>

### 4.3 Trip Type Information

Land Use	Miles						Trip %						Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by						
Apartments Mid Rise	14.70	5.90	8.70	40.00	19.00	41.00	86	11	3						
Enclosed Parking with Elevator	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0						

### 4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.546501	0.044961	0.204016	0.120365	0.015740	0.006196	0.020131	0.030678	0.002515	0.002201	0.005142	0.000687	0.000876
Enclosed Parking with Elevator	0.546501	0.044961	0.204016	0.120365	0.015740	0.006196	0.020131	0.030678	0.002515	0.002201	0.005142	0.000687	0.000876

### 5.0 Energy Detail

Historical Energy Use: N

### 5.1 Mitigation Measures Energy

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Electricity						0.0000	0.0000		0.0000	0.0000	0.0000	390.7732	390.7732	9.2300e-003	1.9100e-003	391.5730
Mitigated Electricity						0.0000	0.0000		0.0000	0.0000	0.0000	390.7732	390.7732	9.2300e-003	1.9100e-003	391.5730
Unmitigated Natural Gas	5.0700e-003	0.0433	0.0184	2.8000e-004		3.5000e-003	3.5000e-003		3.5000e-003	3.5000e-003	0.0000	50.1688	50.1688	9.6000e-004	9.2000e-004	50.4669
Mitigated	0.03	0.0433	0.0184	0.04		0.03	0.03		0.03	0.03	0.0000	50.1688	50.1688	0.04	0.04	50.4669



	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MTYr			
Apartment's Mid Rise	403928	224.9725	5.3100e-003	1.1000e-003	225.4329
Enclosed Parking with Elevator	297688	165.8008	3.9200e-003	8.1000e-004	166.1401
<b>Total</b>		<b>390.7732</b>	<b>9.2300e-003</b>	<b>1.9100e-003</b>	<b>391.5730</b>

**Mitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MTYr			
Apartment's Mid Rise	403928	224.9725	5.3100e-003	1.1000e-003	225.4329
Enclosed Parking with Elevator	297688	165.8008	3.9200e-003	8.1000e-004	166.1401
<b>Total</b>		<b>390.7732</b>	<b>9.2300e-003</b>	<b>1.9100e-003</b>	<b>391.5730</b>

**6.0 Area Detail**

**6.1 Mitigation Measures Area**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MTYr															

Mitigated	0.3625	0.0122	1.0547	6.0000e-005	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631								
Unmitigated	0.3625	0.0122	1.0547	6.0000e-005	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631								

## 6.2 Area by SubCategory

### Unmitigated

SubCategory	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Architectural Coating	0.0267					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3038					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Heath	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0320	0.0122	1.0547	6.0000e-005	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631
<b>Total</b>	<b>0.3625</b>	<b>0.0122</b>	<b>1.0547</b>	<b>6.0000e-005</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>0.0000</b>	<b>1.7214</b>	<b>1.7214</b>	<b>1.6700e-003</b>	<b>0.0000</b>	<b>1.7631</b>
MT/yr																

### Mitigated

SubCategory	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Architectural Coating	0.0267					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3038					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Heath	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.3625</b>	<b>0.0122</b>	<b>1.0547</b>	<b>6.0000e-005</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>5.8200e-003</b>	<b>0.0000</b>	<b>1.7214</b>	<b>1.7214</b>	<b>1.6700e-003</b>	<b>0.0000</b>	<b>1.7631</b>
MT/yr																

Landscaping	0.0320	0.0122	1.0547	6.0000e-005	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631							
Total	0.3625	0.0122	1.0547	6.0000e-005	5.8200e-003	0.0000	1.7214	1.7214	1.6700e-003	0.0000	1.7631							

### 7.0 Water Detail

#### 7.1 Mitigation Measures Water

Category	Total CO2	CH4	N2O	CO2e
Mitigated	76.2295	0.2183	5.4800e-003	83.3187
Unmitigated	76.2295	0.2183	5.4800e-003	83.3187

#### 7.2 Water by Land Use

##### Unmitigated

Land Use	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Apartments Mid Rise	6.64571 / 4.18969	76.2295	0.2183	5.4800e-003	83.3187
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>76.2295</b>	<b>0.2183</b>	<b>5.4800e-003</b>	<b>83.3187</b>

**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MTYr			
Apartments Mid Rise	6.64571 / 4.18969	76.2295	0.2183	5.4800e-003	83.3187
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>76.2295</b>	<b>0.2183</b>	<b>5.4800e-003</b>	<b>83.3187</b>

**8.0 Waste Detail**

**8.1 Mitigation Measures Waste**

**Category/Year**

	Total CO2	CH4	N2O	CO2e
	MTYr			
Mitigated	9.5243	0.5629	0.0000	23.5961
Unmitigated	9.5243	0.5629	0.0000	23.5961

**8.2 Waste by Land Use**

**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	46.92	9.5243	0.5629	0.0000	23.5961
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>9.5243</b>	<b>0.5629</b>	<b>0.0000</b>	<b>23.5961</b>

**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	46.92	9.5243	0.5629	0.0000	23.5961
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>9.5243</b>	<b>0.5629</b>	<b>0.0000</b>	<b>23.5961</b>

**9.0 Operational Offroad**

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

**10.0 Stationary Equipment**

**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

## Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

### User Defined Equipment

Equipment Type	Number
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## 11.0 Vegetation

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1331 South Pacific Avenue Future - Los Angeles-South Coast County, Winter

**1331 South Pacific Avenue Future**  
**Los Angeles-South Coast County, Winter**

**1.0 Project Characteristics**

**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Enclosed Parking with Elevator	127.00	Space	0.00	50,800.00	0
Apartments Mid Rise	102.00	Dwelling Unit	0.72	83,158.00	245

**1.2 Other Project Characteristics**

Urbanization      Urban      Wind Speed (m/s)      2.2      Precipitation Freq (Days)      33

Climate Zone      11      Operational Year      2022

Utility Company      Los Angeles Department of Water & Power

CO2 Intensity      1227.89      CH4 Intensity      0.029      N2O Intensity      0.006  
 (lb/MMWhr)      (lb/MMWhr)      (lb/MMWhr)

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics -

Land Use - Developer information

Construction Phase - Developer information

Off-road Equipment - Consultant assumptions

Off-road Equipment - Developer information

Off-road Equipment - Developer information

Off-road Equipment - Developer information

Trips and VMT - Developer information. Assumes 14 CY haul truck capacity

Demolition - Developer information

Grading - Developer information

Vehicle Trips - Pro-ration of trip generation rates from October 22, 2019 memo from City of Los Angeles

Woodstoves - Developer information

Construction Off-road Equipment Mitigation - Assumes SCAQMD Rule 403 control efficiencies

Off-road Equipment - Developer information

Table Name	Column Name	Default Value	New Value
tblConstrDustMitigation	CleanPavedRoadPercentReduction	0	46
tblConstructionPhase	NumDays	10.00	32.00
tblConstructionPhase	NumDays	2.00	31.00
tblConstructionPhase	NumDays	100.00	112.00
tblConstructionPhase	NumDays	5.00	110.00
tblConstructionPhase	NumDays	1.00	12.00
tblConstructionPhase	PhaseEndDate	6/28/2021	8/15/2021
tblConstructionPhase	PhaseEndDate	6/30/2021	8/28/2021
tblConstructionPhase	PhaseEndDate	11/17/2021	2/1/2022
tblConstructionPhase	PhaseEndDate	11/24/2021	11/1/2022
tblConstructionPhase	PhaseStartDate	6/15/2021	7/1/2021
tblConstructionPhase	PhaseStartDate	6/29/2021	7/16/2021
tblConstructionPhase	PhaseStartDate	7/1/2021	8/30/2021
tblConstructionPhase	PhaseStartDate	11/18/2021	6/1/2022
tblFireReplaces	NumberGas	86.70	0.00
tblFireReplaces	NumberNoFireReplaces	10.20	109.00
tblFireReplaces	NumberWood	5.10	0.00
tblGrading	AcresOfGrading	0.00	1.24
tblGrading	MaterialExported	0.00	23,348.00
tblLandUse	LandUseSquareFoot	102,000.00	83,158.00
tblLandUse	LotAcresage	1.14	0.00
tblLandUse	LotAcresage	2.68	0.72
tblLandUse	Population	292.00	245.00

tbOffRoadEquipment	LoadFactor	0.41	0.41	
tbOffRoadEquipment	LoadFactor	0.38	0.38	
tbOffRoadEquipment	LoadFactor	0.50	0.50	
tbOffRoadEquipment	LoadFactor	0.38	0.38	
tbOffRoadEquipment	OffRoadEquipmentType		Dumpers/Tenders	
tbOffRoadEquipment	OffRoadEquipmentType		Graders	
tbOffRoadEquipment	OffRoadEquipmentType		Dumpers/Tenders	
tbOffRoadEquipment	OffRoadEquipmentType		Excavators	
tbOffRoadEquipment	OffRoadEquipmentType		Bore/Drill Rigs	
tbOffRoadEquipment	OffRoadEquipmentType		Dumpers/Tenders	
tbOffRoadEquipment	OffRoadEquipmentType		Excavators	
tbOffRoadEquipment	OffRoadEquipmentType		Air Compressors	
tbOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers	
tbOffRoadEquipment	OffRoadEquipmentType		Generator Sets	
tbOffRoadEquipment	OffRoadEquipmentType		Air Compressors	
tbOffRoadEquipment	OffRoadEquipmentType		Generator Sets	
tbOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	2.00	
tbOffRoadEquipment	UsageHours	6.00	8.00	
tbTripsAndVMT	HaulingTriplength	20.00	41.00	
tbTripsAndVMT	HaulingTriplength	20.00	41.00	
tbTripsAndVMT	HaulingTriplength	20.00	41.00	
tbTripsAndVMT	HaulingTripNumber	2,919.00	3,335.00	
tbTripsAndVMT	WorkerTripNumber	10.00	8.00	
tbTripsAndVMT	WorkerTripNumber	25.00	15.00	
tbTripsAndVMT	WorkerTripNumber	30.00	20.00	
tbVehicleTrips	HO_TTP	40.60	41.00	
tbVehicleTrips	HS_TTP	19.20	19.00	
tbVehicleTrips	HW_TTP	40.20	40.00	
tbVehicleTrips	ST_TR	6.39	5.29	
tbVehicleTrips	SU_TR	5.86	5.29	
tbVehicleTrips	WD_TR	6.65	5.29	

lb/Woodstoves	Number Catalytic	5:10	0.00
lb/Woodstoves	Number Noncatalytic	5:10	0.00

## 2.0 Emissions Summary

### 2.1 Overall Construction (Maximum Daily Emission)

#### Unmitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
2021	5.2957	83.5707	45.1313	0.2349	7.8617	1.5965	9.4582	2.0532	1.5177	3.5709	0.0000	24,658.3185	24,658.3185	2.5130	0.0000	24,721.1447
2022	6.1493	16.4757	20.0089	0.0419	1.1835	0.7771	1.9606	0.3166	0.7465	1.0632	0.0000	4,064.81925	4,064.81925	0.5047	0.0000	4,077.43657
Maximum	6.1493	83.5707	45.1313	0.2349	7.8617	1.5965	9.4582	2.0532	1.5177	3.5709	0.0000	24,658.3185	24,658.3185	2.5130	0.0000	24,721.1447

#### Mitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
2021	5.2957	83.5707	45.1313	0.2349	4.1967	1.5965	5.7932	1.1571	1.5177	2.6748	0.0000	24,658.3185	24,658.3185	2.5130	0.0000	24,721.1447
2022	6.1493	16.4757	20.0089	0.0419	0.7190	0.7771	1.4961	0.2026	0.7465	0.9492	0.0000	4,064.81925	4,064.81925	0.5047	0.0000	4,077.43657
Maximum	6.1493	83.5707	45.1313	0.2349	4.1967	1.5965	5.7932	1.1571	1.5177	2.6748	0.0000	24,658.3185	24,658.3185	2.5130	0.0000	24,721.1447

Percent Reduction	0.00	0.00	0.00	0.00	45.65	0.00	36.16	42.62	0.00	21.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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## 2.2 Overall Operational

### Unmitigated Operational

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	2.0666	0.0973	8.4372	4.5000e-004		0.0466	0.0466		0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
Energy	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Mobile	0.9441	4.7710	12.5486	0.0458	3.9184	0.0390	3.9575	1.0486	0.0364	1.0850		4,667.7926	4,667.7926	0.2443		4,673.9005
<b>Total</b>	<b>3.0385</b>	<b>5.1057</b>	<b>21.0868</b>	<b>0.0478</b>	<b>3.9184</b>	<b>0.1048</b>	<b>4.0232</b>	<b>1.0486</b>	<b>0.1022</b>	<b>1.1508</b>	<b>0.0000</b>	<b>4,985.9954</b>	<b>4,985.9954</b>	<b>0.2648</b>	<b>5.5600e-003</b>	<b>4,994.2714</b>

### Mitigated Operational

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	2.0666	0.0973	8.4372	4.5000e-004		0.0466	0.0466		0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
Energy	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Mobile	0.9441	4.7710	12.5486	0.0458	3.9184	0.0390	3.9575	1.0486	0.0364	1.0850		4,667.7926	4,667.7926	0.2443		4,673.9005
<b>Total</b>	<b>3.0385</b>	<b>5.1057</b>	<b>21.0868</b>	<b>0.0478</b>	<b>3.9184</b>	<b>0.1048</b>	<b>4.0232</b>	<b>1.0486</b>	<b>0.1022</b>	<b>1.1508</b>	<b>0.0000</b>	<b>4,985.9954</b>	<b>4,985.9954</b>	<b>0.2648</b>	<b>5.5600e-003</b>	<b>4,994.2714</b>

Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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### 3.0 Construction Detail

#### Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days/Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	6/15/2021	6/30/2021	5	12	
2	Demolition	Demolition	7/1/2021	8/15/2021	5	32	
3	Grading	Grading	7/16/2021	8/28/2021	5	31	
4	Building Construction	Building Construction	8/30/2021	2/1/2022	5	112	
5	Architectural Coating	Architectural Coating	6/1/2022	11/1/2022	5	110	

Acres of Grading (Site Preparation Phase): 6

Acres of Grading (Grading Phase): 1.24

Acres of Paving: 0

Residential Indoor: 168,395; Residential Outdoor: 56,132; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 3,048

#### OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Dumpers/Tenders	2	8.00	16	0.38
Site Preparation	Graders	1	8.00	187	0.41
Demolition	Dumpers/Tenders	5	8.00	16	0.38
Demolition	Excavators	1	8.00	158	0.38
Grading	Bore/Drill Rigs	1	8.00	221	0.50
Grading	Dumpers/Tenders	5	8.00	16	0.38
Grading	Excavators	2	8.00	158	0.38
Building Construction	Air Compressors	2	8.00	78	0.48
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Building Construction	Generator Sets	1	8.00	84	0.74
Architectural Coating	Air Compressors	2	8.00	78	0.48

Architectural Coating	Generator Sets	2	8:00	84	0.74
Demolition	Concrete/Industrial Saws	1	8:00	81	0.73
Grading	Concrete/Industrial Saws	1	8:00	81	0.73
Building Construction	Cranes	1	4:00	231	0.29
Building Construction	Forklifts	2	6:00	89	0.20
Demolition	Rubber Tired Dozers	1	1:00	247	0.40
Grading	Rubber Tired Dozers	1	1:00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8:00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6:00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6:00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8:00	97	0.37

### Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	4	8:00	0:00	0:00	14.70	6:30	20.00	ID_Mix	HDT_Mix	HHD
Demolition	10	15:00	0:00	347.00	14.70	6:30	41.00	ID_Mix	HDT_Mix	HHD
Grading	12	20:00	0:00	3,335.00	14.70	6:30	41.00	ID_Mix	HDT_Mix	HHD
Building Construction	10	95:00	19:00	0:00	14.70	6:30	20.00	ID_Mix	HDT_Mix	HHD
Architectural Coating	4	19:00	0:00	0:00	14.70	6:30	20.00	ID_Mix	HDT_Mix	HHD

### **3.1 Mitigation Measures Construction**

- Replace Ground Cover
- Water Exposed Area
- Clean Paved Roads

### **3.2 Site Preparation - 2021**

#### Unmitigated Construction On-Site

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.5303	0.0000	0.5303	0.0573	0.0000	0.0573			0.0000			0.0000
Off-Road	0.7857	8.7309	4.5235	0.0112		0.3338	0.3338		0.3099	0.3099		1,062.4302	1,062.4302	0.3173		1,070.3621
<b>Total</b>	<b>0.7857</b>	<b>8.7309</b>	<b>4.5235</b>	<b>0.0112</b>	<b>0.5303</b>	<b>0.3338</b>	<b>0.8641</b>	<b>0.0573</b>	<b>0.3099</b>	<b>0.3672</b>		<b>1,062.4302</b>	<b>1,062.4302</b>	<b>0.3173</b>		<b>1,070.3621</b>

**Unmitigated Construction Off-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0382	0.0261	0.2946	8.6000e-004	0.0894	7.2000e-004	0.0901	0.0237	6.7000e-004	0.0244		85.7801	85.7801	2.5200e-003		85.8432
<b>Total</b>	<b>0.0382</b>	<b>0.0261</b>	<b>0.2946</b>	<b>8.6000e-004</b>	<b>0.0894</b>	<b>7.2000e-004</b>	<b>0.0901</b>	<b>0.0237</b>	<b>6.7000e-004</b>	<b>0.0244</b>		<b>85.7801</b>	<b>85.7801</b>	<b>2.5200e-003</b>		<b>85.8432</b>

**Mitigated Construction On-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.1965	0.0000	0.1965	0.0212	0.0000	0.0212			0.0000			0.0000
Off-Road	0.7857	8.7309	4.5235	0.0112		0.3338	0.3338		0.3099	0.3099		1,062.4302	1,062.4302	0.3173		1,070.3621
<b>Total</b>	<b>0.7857</b>	<b>8.7309</b>	<b>4.5235</b>	<b>0.0112</b>	<b>0.1965</b>	<b>0.3338</b>	<b>0.3338</b>	<b>0.0212</b>	<b>0.3099</b>	<b>0.3311</b>		<b>1,062.4302</b>	<b>1,062.4302</b>	<b>0.3173</b>		<b>1,070.3621</b>

Total	0.7857	8.7309	4.5235	0.0112	0.1965	0.3338	0.5303	0.0212	0.3099	0.3311	0.0000	1.062,4302	1.062,4302	0.3173	1.070,3621
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**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0382	0.0261	0.2946	8.6000e-004	0.0537	7.2000e-004	0.0544	0.0149	6.7000e-004	0.0156		85.7801	85.7801	2.5200e-003		85.8432
<b>Total</b>	<b>0.0382</b>	<b>0.0261</b>	<b>0.2946</b>	<b>8.6000e-004</b>	<b>0.0537</b>	<b>7.2000e-004</b>	<b>0.0544</b>	<b>0.0149</b>	<b>6.7000e-004</b>	<b>0.0156</b>		<b>85.7801</b>	<b>85.7801</b>	<b>2.5200e-003</b>		<b>85.8432</b>

**3.3 Demolition - 2021**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Fugitive Dust					2.3479	0.0000	2.3479	0.3555	0.0000	0.3555			0.0000			0.0000
Off-Road	1.3941	11.7404	12.1114	0.0209		0.5997	0.5997	0.5726	0.5726	0.5726		1,954,8283	1,954,8283	0.4091		1,965,0564
<b>Total</b>	<b>1.3941</b>	<b>11.7404</b>	<b>12.1114</b>	<b>0.0209</b>	<b>2.3479</b>	<b>0.5997</b>	<b>2.9476</b>	<b>0.3555</b>	<b>0.5726</b>	<b>0.9281</b>		<b>1,954,8283</b>	<b>1,954,8283</b>	<b>0.4091</b>		<b>1,965,0564</b>

**Unmitigated Construction Off-Site**



Hauling	0.1695	5.0155	1.3046	0.0160	0.2533	0.0180	0.2713	0.0733	0.0173	0.0905		1.735,5636	1.735,5636	0.1121		1.738,3672
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0715	0.0489	0.5524	1.6100e-003	0.1006	1.3500e-003	0.1020	0.0280	1.2500e-003	0.0293		160.8377	160.8377	4.7300e-003		160.9560
<b>Total</b>	<b>0.2410</b>	<b>5.0644</b>	<b>1.8570</b>	<b>0.0176</b>	<b>0.3539</b>	<b>0.0194</b>	<b>0.3733</b>	<b>0.1013</b>	<b>0.0185</b>	<b>0.1198</b>		<b>1,896.4013</b>	<b>1,896.4013</b>	<b>0.1169</b>		<b>1,899.3232</b>

### 3.4 Grading - 2021

#### Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Fugitive Dust					0.8804	0.0000	0.8804	0.4313	0.0000	0.4313			0.0000			0.0000
Off-Road	1.8839	16.9424	17.4839	0.0356		0.7968	0.7968		0.7539	0.7539		3,374.1440	3,374.1440	0.8682		3,395,8480
<b>Total</b>	<b>1.8839</b>	<b>16.9424</b>	<b>17.4839</b>	<b>0.0356</b>	<b>0.8804</b>	<b>0.7968</b>	<b>1.6771</b>	<b>0.4313</b>	<b>0.7539</b>	<b>1.1851</b>		<b>3,374.1440</b>	<b>3,374.1440</b>	<b>0.8682</b>		<b>3,395,8480</b>

#### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	1.6813	49.7583	12.9426	0.1587	3.8538	0.1789	4.0327	1.0562	0.1711	1.2273		17,218.4948	17,218.4948	1.1126		17,246.3091
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0954	0.0652	0.7365	2.1500e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		214.4502	214.4502	6.3100e-003		214.6080
<b>Total</b>	<b>1.7767</b>	<b>49.8236</b>	<b>13.6791</b>	<b>0.1608</b>	<b>4.0774</b>	<b>0.1807</b>	<b>4.2581</b>	<b>1.1155</b>	<b>0.1728</b>	<b>1.2883</b>		<b>17,432.9450</b>	<b>17,432.9450</b>	<b>1.1189</b>		<b>17,460.9171</b>

**Mitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Fugitive Dust					0.3262	0.0000	0.3262	0.1598	0.0000	0.1598			0.0000			0.0000
Off-Road	1.8839	16.9424	17.4839	0.0356		0.7968	0.7968		0.7539	0.7539	0.0000	3,374.1440	3,374.1440	0.8682		3,395.8480
<b>Total</b>	<b>1.8839</b>	<b>16.9424</b>	<b>17.4839</b>	<b>0.0356</b>	<b>0.3262</b>	<b>0.7968</b>	<b>1.1229</b>	<b>0.1598</b>	<b>0.7539</b>	<b>0.9136</b>	<b>0.0000</b>	<b>3,374.1440</b>	<b>3,374.1440</b>	<b>0.8682</b>		<b>3,395.8480</b>

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	1.6813	49.7583	12.9426	0.1587	2.5126	0.1789	2.6914	0.7270	0.1711	0.8981		17,218.4948	17,218.4948	1.1126		17,246.3091
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0954	0.0652	0.7365	2.1500e-003	0.1342	1.8100e-003	0.1360	0.0373	1.6600e-003	0.0390		214.4502	214.4502	6.3100e-003		214.6080
<b>Total</b>	<b>1.7767</b>	<b>49.8236</b>	<b>13.6791</b>	<b>0.1608</b>	<b>2.6467</b>	<b>0.1807</b>	<b>2.8274</b>	<b>0.7643</b>	<b>0.1728</b>	<b>0.9371</b>		<b>17,432.9450</b>	<b>17,432.9450</b>	<b>1.1189</b>		<b>17,460.9171</b>

**3.5 Building Construction - 2021**

**Unmitigated Construction On-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	1.8336	15.9591	16.4119	0.0273		0.8948	0.8948		0.8590	0.8590		2,577.8111	2,577.8111	0.4506		2,589.0759
<b>Total</b>	<b>1.8336</b>	<b>15.9591</b>	<b>16.4119</b>	<b>0.0273</b>		<b>0.8948</b>	<b>0.8948</b>		<b>0.8590</b>	<b>0.8590</b>		<b>2,577.8111</b>	<b>2,577.8111</b>	<b>0.4506</b>		<b>2,589.0759</b>

**Unmitigated Construction Off-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0606	1.8409	0.5335	4.7500e-003	0.1216	3.8900e-003	0.1255	0.0350	3.7200e-003	0.0388		507.9565	507.9565	0.0328		508.7763
Worker	0.4530	0.3098	3.4984	0.0102	1.0619	8.5800e-003	1.0705	0.2816	7.9000e-003	0.2895		1,018.6385	1,018.6385	0.0300		1,019.3879
<b>Total</b>	<b>0.5136</b>	<b>2.1507</b>	<b>4.0319</b>	<b>0.0150</b>	<b>1.1835</b>	<b>0.0125</b>	<b>1.1960</b>	<b>0.3166</b>	<b>0.0116</b>	<b>0.3283</b>		<b>1,526.5950</b>	<b>1,526.5950</b>	<b>0.0628</b>		<b>1,528.1642</b>

**Mitigated Construction On-Site**

Category	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	1.8336	15.9591	16.4119	0.0273		0.8948	0.8948		0.8590	0.8590	0.0000	2,577.8111	2,577.8111	0.4506		2,589.0759

Total	1.8336	15.9591	16.4119	0.0273		0.8948	0.8948		0.8590	0.8590	0.0000	2,577.8111	2,577.8111	0.4506		2,589.0759
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**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0606	1.8409	0.5335	4.7500e-003	0.0818	3.8900e-003	0.0857	0.0252	3.7200e-003	0.0290		507.9565	507.9565	0.0328		508.7763
Worker	0.4530	0.3098	3.4984	0.0102	0.6372	8.5800e-003	0.6458	0.1774	7.9000e-003	0.1853		1,018.6385	1,018.6385	0.0300		1,019.3879
<b>Total</b>	<b>0.5136</b>	<b>2.1507</b>	<b>4.0319</b>	<b>0.0150</b>	<b>0.7190</b>	<b>0.0125</b>	<b>0.7315</b>	<b>0.2026</b>	<b>0.0116</b>	<b>0.2142</b>		<b>1,526.5950</b>	<b>1,526.5950</b>	<b>0.0628</b>		<b>1,528.1642</b>

**3.5 Building Construction - 2022**

**Unmitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																
Off-Road	1.6792	14.4463	16.2818	0.0273		0.7654	0.7654		0.7356	0.7356		2,578.5347	2,578.5347	0.4460		2,589.6844
<b>Total</b>	<b>1.6792</b>	<b>14.4463</b>	<b>16.2818</b>	<b>0.0273</b>		<b>0.7654</b>	<b>0.7654</b>		<b>0.7356</b>	<b>0.7356</b>		<b>2,578.5347</b>	<b>2,578.5347</b>	<b>0.4460</b>		<b>2,589.6844</b>

**Unmitigated Construction Off-Site**



Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0569	1.7495	0.5050	4.7100e-003	0.0818	3.4100e-003	0.0852	0.0252	3.2600e-003	0.0285	503.4435	503.4435	0.0316	504.2345					
Worker	0.4255	0.2798	3.2222	9.8600e-003	0.6372	8.3100e-003	0.6455	0.1774	7.6600e-003	0.1850	982.8410	982.8410	0.0271	983.5175					
<b>Total</b>	<b>0.4824</b>	<b>2.0293</b>	<b>3.7271</b>	<b>0.0146</b>	<b>0.7190</b>	<b>0.0117</b>	<b>0.7307</b>	<b>0.2026</b>	<b>0.0109</b>	<b>0.2135</b>	<b>1,486,2845</b>	<b>1,486,2845</b>	<b>0.0587</b>	<b>1,487,7521</b>					

### 3.6 Architectural Coating - 2022

#### Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Archit. Coating	4.8588					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	1.2054	9.6125	12.1881	0.0211	0.5117	0.5117	0.5117	0.5117	0.5117	0.5117	1,996.5973	1,996.5973	1,996.5973	0.1081		1,999.2989
<b>Total</b>	<b>6.0642</b>	<b>9.6125</b>	<b>12.1881</b>	<b>0.0211</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>0.5117</b>	<b>1,996.5973</b>	<b>1,996.5973</b>	<b>1,996.5973</b>	<b>0.1081</b>		<b>1,999.2989</b>

#### Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000
Worker	0.0851	0.0560	0.6444	1.9700e-003	0.2124	1.6600e-003	0.2140	0.0563	1.5300e-003	0.0579	196.5682	196.5682	196.5682	5.4100e-003		196.7035
<b>Total</b>	<b>0.0851</b>	<b>0.0560</b>	<b>0.6444</b>	<b>1.9700e-003</b>	<b>0.2124</b>	<b>1.6600e-003</b>	<b>0.2140</b>	<b>0.0563</b>	<b>1.5300e-003</b>	<b>0.0579</b>	<b>196.5682</b>	<b>196.5682</b>	<b>196.5682</b>	<b>5.4100e-003</b>		<b>196.7035</b>

**Mitigated Construction On-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Archit. Coating	4.8588					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	1.2054	9.6125	12.1881	0.0211		0.5117	0.5117		0.5117	0.5117	0.0000	1,996.5973	1,996.5973	0.1081		1,999.2989
<b>Total</b>	<b>6.0642</b>	<b>9.6125</b>	<b>12.1881</b>	<b>0.0211</b>		<b>0.5117</b>	<b>0.5117</b>		<b>0.5117</b>	<b>0.5117</b>	<b>0.0000</b>	<b>1,996.5973</b>	<b>1,996.5973</b>	<b>0.1081</b>		<b>1,999.2989</b>

**Mitigated Construction Off-Site**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Worker	0.0851	0.0560	0.6444	1.9700e-003	0.1274	1.6600e-003	0.1291	0.0355	1.5300e-003	0.0370			196.5682			196.7035
<b>Total</b>	<b>0.0851</b>	<b>0.0560</b>	<b>0.6444</b>	<b>1.9700e-003</b>	<b>0.1274</b>	<b>1.6600e-003</b>	<b>0.1291</b>	<b>0.0355</b>	<b>1.5300e-003</b>	<b>0.0370</b>			<b>196.5682</b>			<b>196.7035</b>

**4.0 Operational Detail - Mobile**

**4.1 Mitigation Measures Mobile**

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day															
Mitigated	0.9441	4.7710	12.5486	0.0458	3.9184	0.0390	3.9575	1.0486	0.0364	1.0850		4,667.7926	4,667.7926	0.2443		4,673.9005
Unmitigated	0.9441	4.7710	12.5486	0.0458	3.9184	0.0390	3.9575	1.0486	0.0364	1.0850		4,667.7926	4,667.7926	0.2443		4,673.9005

#### 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT		Mitigated Annual VMT	
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT	Annual VMT	Annual VMT
Apartments Mid Rise	539.58	539.58	539.58	1,842,711	1,842,711	1,842,711	1,842,711
Enclosed Parking with Elevator	0.00	0.00	0.00				
Total	539.58	539.58	539.58	1,842,711	1,842,711	1,842,711	1,842,711

#### 4.3 Trip Type Information

Land Use	Miles						Trip %						Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by
Apartments Mid Rise	14.70	5.90	8.70	40.00	19.00	41.00	86	11	3						
Enclosed Parking with Elevator	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0						

#### 4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.546501	0.044961	0.204016	0.120355	0.015740	0.006196	0.020131	0.030678	0.002515	0.002201	0.005142	0.000687	0.000876
Enclosed Parking with Elevator	0.546501	0.044961	0.204016	0.120355	0.015740	0.006196	0.020131	0.030678	0.002515	0.002201	0.005142	0.000687	0.000876

#### 5.0 Energy Detail

Historical Energy Use: N

## 5.1 Mitigation Measures Energy

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																
Natural Gas	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Mitigated Natural Gas	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Unmitigated																

## 5.2 Energy by Land Use - Natural Gas

### Unmitigated

Land Use	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
lb/day																	
Apartment Mid Rise	2575.69	0.0278	0.2374	0.1010	1.5200e-003		0.0192	0.0192		0.0192	0.0192		303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>0.0278</b>	<b>0.2374</b>	<b>0.1010</b>	<b>1.5200e-003</b>		<b>0.0192</b>	<b>0.0192</b>		<b>0.0192</b>	<b>0.0192</b>		<b>303.0227</b>	<b>303.0227</b>	<b>5.8100e-003</b>	<b>5.5600e-003</b>	<b>304.8234</b>

### Mitigated

Land Use	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e		
Land Use	kBTU/yr	lb/day																	
Apartment's Mid Rise	2.57569	0.0278	0.2374	0.1010	1.5200e-003	0.0192	0.0192	0.0192	0.0192	0.0192	0.0192	0.0192	0.0192	0.0192	303.0227	303.0227	5.8100e-003	5.5600e-003	304.8234
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>0.0278</b>	<b>0.2374</b>	<b>0.1010</b>	<b>1.5200e-003</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>0.0192</b>	<b>303.0227</b>	<b>303.0227</b>	<b>5.8100e-003</b>	<b>5.5600e-003</b>	<b>304.8234</b>

## 6.0 Area Detail

### 6.1 Mitigation Measures Area

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day															
Mitigated	2.0666	0.0973	8.4372	4.5000e-004	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474
Unmitigated	2.0666	0.0973	8.4372	4.5000e-004	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147	0.0000	15.5474

### 6.2 Area by SubCategory

#### Unmitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day															

Architectural	0.1464					0.0000				0.0000									0.0000
Coating																			
Consumer	1.6645					0.0000				0.0000									0.0000
Products																			
Hearth	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.2557	0.0973	8.4372	4.5000e-004		0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147		15.5474
<b>Total</b>	<b>2.0666</b>	<b>0.0973</b>	<b>8.4372</b>	<b>4.5000e-004</b>		<b>0.0466</b>	<b>0.0000</b>	<b>15.1801</b>	<b>15.1801</b>	<b>0.0147</b>	<b>0.0000</b>	<b>15.5474</b>							

### Mitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Architectural	0.1464					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Coating																
Consumer	1.6645					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Products																
Hearth	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.2557	0.0973	8.4372	4.5000e-004		0.0466	0.0466	0.0466	0.0466	0.0466	0.0000	15.1801	15.1801	0.0147		15.5474
<b>Total</b>	<b>2.0666</b>	<b>0.0973</b>	<b>8.4372</b>	<b>4.5000e-004</b>		<b>0.0466</b>	<b>0.0466</b>	<b>0.0466</b>	<b>0.0466</b>	<b>0.0466</b>	<b>0.0000</b>	<b>15.1801</b>	<b>15.1801</b>	<b>0.0147</b>	<b>0.0000</b>	<b>15.5474</b>

### 7.0 Water Detail

#### 7.1 Mitigation Measures Water

#### 8.0 Waste Detail

#### 8.1 Mitigation Measures Waste

#### 9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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## 10.0 Stationary Equipment

### Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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### Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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### User Defined Equipment

Equipment Type	Number
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## 11.0 Vegetation

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# EXHIBIT C



## DEPARTMENT OF CITY PLANNING

City Hall • 200 N. Spring Street, Room 525 • Los Angeles, CA 90012

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January 18, 2017

TO: All Staff  
Other Interested Parties

FROM: Lisa M. Webber, AICP *LW*  
Deputy Director of Planning  
Department of City Planning

SUBJECT: **IMPLEMENTATION OF STATE DENSITY BONUS LAWS**

On September 28, 2016, Governor Brown signed AB 2501, AB 2556, AB 2442, and AB 1934 which amended the State Density Bonus Law (Government Code Section 65915). The amendments took effect on January 1, 2017. This memo will serve as interim guidance for staff and project applicants and does not create any new or additional City policies or regulations.

Additionally, this memo recognizes changes as a result of amendments made to the State Density Bonus Law through AB 2280 (2008).

### **Changes in State Law**

Numerous minor changes and clarifications were made in the five state laws discussed in this memo. Many of these changes reflect current City practice. A summary of changes in state density bonus law that will result in significant changes to City practice are listed below. Staff and applicants are encouraged to refer to state law in Government Code Section 65915, as the list below is not an exhaustive list of the changes.

#### **AB 2442**

The law expands the categories of housing that can qualify for a density bonus. The following specialized housing types now qualify for an additional density bonus, provided the specialized units are subject to a very-low income affordability restriction for 55 years:

- 10% of total units reserved for **transitional foster youth**, as defined in Section 66025.9 of the Education Code; or
- 10% of total units reserved for **disabled veterans**, as defined in Government Code Section 18541; or
- 10% of total units reserved for **homeless persons**, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

Units set aside to serve these populations will qualify for an additional density bonus of 20% of the number of specialized units (not the total project). Because these units are income restricted, the projects will also qualify for the standard density bonus.

Example: If a site allows 100 units and 10 (10%) are reserved for transitional foster youth at very low-income, then the project is granted a density bonus of 35 units so long as both conditions are satisfied. The 35 units are derived in this manner:

- ✓ **33 Density Bonus Units** - 10 units (10% of total units) set-aside at very low-income = 32.5% density rounded up to 33% = 33 total density bonus units
- ✓ **2 Density Bonus Units** - 20% density bonus multiplied by the units giving rise to a density bonus which corresponds to 10 units for very-low income transitional foster youth in this example = 2 total density bonus units

### **AB 2501**

To streamline the density bonus process, the law requires that cities adopt procedures and timelines, provide a list of all documents and information required for an application to be deemed complete, and notify the applicant whether the application is complete in a manner consistent with Section 65943.

The Department has adopted relevant procedures and timelines in Los Angeles Municipal Code Section 12.22 A.25. The list of documents and information required to be deemed complete can be found in the Master Land Use Application packet and the Affordable Housing Referral Form. More information is found in an April 15, 2012 Department memo titled "Affordable Housing Project Review Procedures." The assigned project planner notifies applicants when their application has been deemed complete in a manner consistent with Section 65943.

The law also clarifies and amends a number of the density bonus procedures as follows:

1. Density calculations that result in a fractional number are to be rounded-up to the next whole number. This applies to the following:
  - a. Base density
  - b. Number of bonus units
  - c. Number of Affordable Units required to be eligible for the density bonus
  - d. Number of replacement units
  - e. Number of required parking spaces
2. The ability of a local jurisdiction to require special studies is eliminated unless they meet the provisions of state law.

*Financial pro-formas and third party reviews will no longer be required for any entitlement cases currently pending with the Department or new density bonus case filings.*

3. The term "density bonus" is specified to mean a density increase over the maximum allowable gross residential density at the time of the date of the application.

*The density bonus provided to a project will be calculated based on the number of units permitted on the date of the density bonus application.*

4. A requested concession or incentive shall be granted pursuant to Government Code 65915 unless the City makes a written finding, based on substantial evidence, of any of the following: a) the concession or incentive "does not result in identifiable and actual cost reductions," to provide for affordable housing costs or rents for the targeted units; b) the concession or incentive has a specific adverse impact on public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable; or c) if the concession or incentive is contrary to state or federal law. Prior law allowed a concession or incentive to be denied if the City had substantial evidence that the concession or incentive was "not required in order to provide for" affordable housing costs

or rents for the targeted units, or substantial evidence in support of findings “b)” or “c)” above.

### **AB 2556**

The law clarifies the implementation of the required replacement of affordable units in density bonus projects, first introduced by AB 2222 in 2014. The law further defines “equivalent size” to mean that as a whole, the new units must contain at least the same total number of bedrooms as the units being replaced. This prevents a developer from replacing multi-family bedroom units with more units that have fewer bedrooms.

1. For any dwelling units occupied on the date of application, if the income category of the units is not known, it shall be presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy (CHAS) database.

*The current proportion of lower income renter households (defined by those earning less than 80% of AMI in the current 2009-2013 CHAS data) in the City of Los Angeles is 67.5%. This figure was last updated July 6, 2016 and changes annually based on the most recent data. The data source is located here: <https://www.huduser.gov/portal/datasets/cp.html>.*

2. For any dwelling units vacated or demolished within the five-year period preceding the application, if the income category of the units is not known, it shall be presumed that low- and very-low income renter households occupied these units in the same proportion of low- and very-low income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy (CHAS) database.

*The current proportion of low-income renter households (defined by those earning between 51%-80% of AMI in the current 2009-2013 CHAS data) in the City of Los Angeles is 18.8%, and the proportion of very low-income renter households (those earning below 50% of AMI) in the City of Los Angeles is 48.7%. These figures were last updated July 6, 2016 and change annually based on the most recent data. The data source is located here: <https://www.huduser.gov/portal/datasets/cp.html>.*

### **AB 1934**

The law provides certain development bonuses for commercial developers of non-residential floor area that partner with affordable housing developers in conjunction with their commercial projects. This law remains in effect only until January 1, 2022, unless repealed earlier.

A commercial developer of non-residential floor area, who has entered into an agreement to contribute affordable housing through a joint project (on-site) or two separate projects (off-site), shall be granted a development bonus for the non-residential floor area portion of the project. This may include any of the following incentives as approved by the Department of City Planning:

1. Up to a 20-percent increase in maximum allowable intensity;
2. Up to a 20-percent increase in maximum allowable floor area ratio;
3. Up to a 20-percent increase in maximum height requirements;
4. Up to a 20-percent reduction in minimum parking requirements;
5. Use of a limited-use/limited-application elevator for upper floor accessibility; and
6. An exception to a zoning ordinance or other land use regulation.

In order to qualify for a development bonus under this section, the provision of affordable housing must comply with the following:

1. A commercial developer shall partner with a housing developer that provides at least 30 percent of the total units for low-income households or at least 15 percent of the total units for very low-income households.
2. An affordable housing agreement between the commercial developer and the housing developer shall identify how the commercial developer will contribute affordable housing and shall be approved by the Department of City Planning and the Housing and Community Investment Department.
3. The commercial developer may directly build the units, provide land to an affordable housing developer for construction of affordable housing (on site or elsewhere), or make a payment to an affordable housing developer to be used towards the costs of constructing the affordable housing project.
4. An applicant shall be ineligible for a development bonus if the housing replacement provisions of CA Health and Safety Section 65915 (c)(3)(A) are not met.
5. If the developer of the affordable units does not commence and complete the construction of those units in accordance with timelines ascribed by the agreement described in subdivision (c), the local government may withhold certificates of occupancy for the commercial development until the developer has completed construction of the affordable units.
6. A development bonus pursuant to this section shall not include a reduction or waiver of payment of a fee for the promotion or provision of affordable housing.
7. If affordable housing is provided off-site, it must be located within the City, in close proximity to public amenities (including schools and employment centers), and within one-half mile of a Major Transit Stop.

#### **AB 2280 (2008)**

Adopted in 2008, the same year as the City's density bonus ordinance, AB 2280 made several minor clarifications, most of which are already reflected in current City practice.

To be consistent with AB 2280, the Department will evaluate requests for a waiver or reduction of development standards (distinct from requested incentives and usually processed via Requests for Waiver or Modification of any Development Standard(s) Not on the Menu pursuant to LAMC 12.22 A.25(g)(3)) based on whether applying the development standard would physically preclude the construction of the housing development project that contains the permitted densities and incentives.

The bill also deleted the requirement that an applicant for a waiver or reduction in development standards show that the waiver or modification is "necessary to make proposed housing units economically feasible."

# EXHIBIT D



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number \_\_\_\_\_

Env. Case Number \_\_\_\_\_

Application Type \_\_\_\_\_

Case Filed With (Print Name) \_\_\_\_\_ Date Filed \_\_\_\_\_

Application includes letter requesting:

- Waived hearing       Concurrent hearing       Hearing not be scheduled on a specific date (e.g. vacation hold)
- Related Case Number \_\_\_\_\_

**Provide all information requested. Missing, incomplete or inconsistent information will cause delays.**

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address<sup>1</sup> \_\_\_\_\_ 1309-1331 S. Pacific Avenue \_\_\_\_\_ Unit/Space Number \_\_\_\_\_

Legal Description<sup>2</sup> (Lot, Block, Tract) \_\_\_\_\_ Lots 11, 12, 13, 14, Block 13, Rudecinda Tract \_\_\_\_\_

Assessor Parcel Number \_\_\_\_\_ 7454-026-011, -012, -013, -014 \_\_\_\_\_ Total Lot Area \_\_\_\_\_ 31,500 sq. ft. \_\_\_\_\_

2. PROJECT DESCRIPTION

Present Use \_\_\_\_\_ Commercial and Automobile Parking \_\_\_\_\_

Proposed Use \_\_\_\_\_ Multifamily Residential \_\_\_\_\_

Project Name (if applicable) \_\_\_\_\_

Describe in detail the characteristics, scope and/or operation of the proposed project \_\_\_\_\_ Demolition of (E) commercial buildings (+/- 18,203 sq. ft.) and construction, use, and maintenance of a four-story, 102-unit multifamily residential apartment building (12-units reserved for VLI tenants) and a two-level, 127-stall subterranean automobile parking garage. \_\_\_\_\_

Additional information attached       YES       NO

Complete and check all that apply:

**Existing Site Conditions**

- Site is undeveloped or unimproved (i.e. vacant)
- Site has existing buildings (provide copies of building permits)
- Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)
- Site is located within 500 feet of a freeway or railroad
- Site is located within 500 feet of a sensitive use (e.g. school, park)
- Site has special designation (e.g. National Historic Register, Survey LA)

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)

<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

**Proposed Project Information**

(Check all that apply or could apply)

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Interior tenant improvement
- Additions to existing buildings
- Grading
- Removal of any on-site tree
- Removal of any street tree

- Removal of protected trees on site or in the public right of way
- New construction: 83,158 square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

**Housing Component Information**

Number of Residential Units: Existing 0 – Demolish(ed)<sup>3</sup> 0 + Adding 102 = Total 102  
 Number of Affordable Units<sup>4</sup> Existing 0 – Demolish(ed) 0 + Adding 12 = Total 12  
 Number of Market Rate Units Existing 0 – Demolish(ed) 0 + Adding 90 = Total 90  
 Mixed Use Projects, Amount of Non-Residential Floor Area: N/A square feet

**Public Right-of-Way Information**

Have you submitted the Planning Case Referral Form to BOE? (required)  YES  NO

Is your project required to dedicate land to the public right-of-way?  YES  NO

If so, what is/are your dedication requirement(s)? 3 ft.

If you have dedication requirements on multiple streets, please indicate: N/A

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36?  YES  NO

Authorizing Code Section 11.5.14 D.5

Code Section from which relief is requested (if any): \_\_\_\_\_

Action Requested, Narrative: Redevelopment Plan Project Compliance for a project located within the Pacific Corridor Redevelopment Plan.

Authorizing Code Section \_\_\_\_\_

Code Section from which relief is requested (if any): \_\_\_\_\_

Action Requested, Narrative: \_\_\_\_\_

Additional Requests Attached  YES  NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department

**4. RELATED DEPARTMENT OF CITY PLANNING CASES**

Are there previous or pending cases/decisions/environmental clearances on the project site?  YES  NO

If YES, list all case number(s) CPC-2019-4908-DB-SPR; ENV-2019-4909-CE

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

- Condition compliance review
- Clarification of Q (Qualified) classification
- Modification of conditions
- Clarification of D (Development Limitations) classification
- Revision of approved plans
- Amendment to T (Tentative) classification
- Renewal of entitlement
- Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?  YES  NO

Have you filed, or is there intent to file, a Subdivision with this project?  YES  NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

N/A

**5. RELATED DOCUMENTS / REFERRALS**

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

- a. Specialized Requirement Form \_\_\_\_\_ CP-3540
- b. Geographic Project Planning Referral \_\_\_\_\_ CP-3566
- c. Citywide Design Guidelines Compliance Review Form \_\_\_\_\_ CP-3567
- d. Affordable Housing Referral Form \_\_\_\_\_ N/A
- e. Mello Form \_\_\_\_\_ N/A
- f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form \_\_\_\_\_ N/A
- g. HPOZ Authorization Form \_\_\_\_\_ N/A
- h. Management Team Authorization \_\_\_\_\_ N/A
- i. Expedite Fee Agreement \_\_\_\_\_ N/A
- j. Department of Transportation (DOT) Referral Form \_\_\_\_\_ N/A
- k. Preliminary Zoning Assessment Referral Form \_\_\_\_\_ N/A
- l. SB330 Preliminary Application \_\_\_\_\_ N/A
- m. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) \_\_\_\_\_ N/A
- n. Order to Comply \_\_\_\_\_ N/A
- o. Building Permits and Certificates of Occupancy \_\_\_\_\_ Included
- p. Hillside Referral Form (BOE) \_\_\_\_\_ N/A
- q. Low Impact Development (LID) Referral Form (Storm water Mitigation) \_\_\_\_\_ N/A
- r. SB330 Determination Letter from Housing and Community Investment Department \_\_\_\_\_ N/A
- s. Are there any recorded Covenants, affidavits or easements on this property?  YES (provide copy)  NO

**PROJECT TEAM INFORMATION** (Complete all applicable fields)

**Applicant<sup>5</sup> name** \_\_\_\_\_  
Company/Firm RKD 13 PAC L.P.  
Address: 1601 N. Sepulveda Blvd. Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip Code: 90266  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_  
Are you in escrow to purchase the subject property?  YES  NO

**Property Owner of Record**  Same as applicant  Different from applicant  
Name (if different from applicant) \_\_\_\_\_  
Address \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

**Agent/Representative name** Jonathan Lonner / Josh Guyer  
Company/Firm Burns & Bouchard, Inc.  
Address: 9619 National Blvd. Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip: 90034  
Telephone 310-802-4261 E-mail: jlonner@burnsbouchard.com

**Other** (Specify Architect, Engineer, CEQA Consultant etc.) \_\_\_\_\_  
Name \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

**Primary Contact for Project Information** (select only one)  Owner  Applicant  
 Agent/Representative  Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

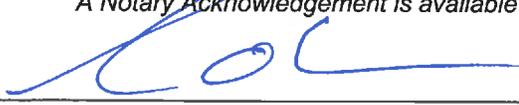
**PROPERTY OWNER**

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

Signature 

Date 8-19-2020

Print Name ADAM O'NEILL

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 8/19/2020 before me, Kristine Helin, Notary Public  
(Insert Name of Notary Public and Title)

personally appeared Adam O'Neill who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Kristine Helin  
Signature

(Seal)



Commission extended by executive order N-63-20; N-71-20

**APPLICANT**

- 8. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
  - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
  - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required. .
  - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
  - e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
  - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
  - g. I understand that if this application is denied, there is no refund of fees paid.
  - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
  - i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature: \_\_\_\_\_

Date: 8-19-2020

Print Name: ADAM O'NEILL

**OPTIONAL  
NEIGHBORHOOD CONTACT SHEET**

9. **SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

**REVIEW** of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

# EXHIBIT E



ADMINISTRATIVE REVIEW

REDEVELOPMENT PROJECT AREA – PACIFIC CORRIDOR

Administrative Review and Referral

RELATED CODE SECTION: Los Angeles Municipal Code Section (LAMC) 11.5.14 establishes the process and procedures for implementing the Redevelopment Plan.

PURPOSE: This Administrative Review and Referral form determines the appropriate review process for proposed Projects within a Redevelopment Project Area. Proposed development activity within Redevelopment Project Areas must conform to the Permitted Land Use Section of respective Redevelopment Plan.

GENERAL INFORMATION

- A Redevelopment Plan Project (Project) includes any proposed development activity within a Redevelopment Project Area with an Unexpired Redevelopment Plan, that includes the issuance of a building, grading, demolition, sign or change of use permit. Refer to 11.5.14 for the full definition.
➤ Permitted Land Uses, see Section 500 of the Pacific Corridor Redevelopment Plan. Visit Planning4LA.org to review the Pacific Corridor Redevelopment Plan.
➤ Review process options available:
• Administrative Review - Redevelopment Plan
• Administrative Review - Design for Development
• Project Compliance
• Project Adjustment

1. APPLICANT INFORMATION

Applicant Name Josh Guyer (Representative)
Address 9619 National Blvd.
City Los Angeles State CA Zip Code 90034
Telephone 310-802-4261 Email jguyer@burnsbouchard.com

2. PROJECT BACKGROUND

Project Address 1309-1331 S. Pacific Avenue
Assessor Parcel Number 7454-026-011, -012, -013, -014 Existing Zoning C2-1XL-CPIO

Project Type:

- Change of Use Addition Exterior Alteration
Interior Alteration Demolition Signs
Use of Land New Construction Grading

Project Description (include any additional requested entitlements) Demolition and clearing of (E) improvements on-site to make way for the construction of a (N) four-story, 102-unit multifamily residential apartment building. 12-units will be reserved for Very Low Income tenants. Project includes two subterranean garage levels for automobile parking with ingress and egress from 14th Street. No signage is proposed.

Eligible or Identified Historic Resource (refer to <http://zimas.lacity.org/> and <https://historicplacesla.org> check one below)

Yes  No

Lot Area 31,500 square-feet Project FAR 2.65

Current Use Office, Storage, Vacant Proposed Use Multifamily Residential

Existing Residential sq.ft. 0 sq. ft. Proposed Residential sq. ft. 83,158 sq. ft.

Existing Non-Residential sq.ft. (+/-) 31,000 sq. ft. Proposed Non-Residential sq. ft. 0 sq. ft.

Number of new residential units 102

Number of residential units to remain N/A

Number of residential units to be demolished 0

Building Permit No. (if applicable) TBD

Environmental Review  Project is Ministerial – Environmental Review Not Required

Not Yet Filed  Filed (Indicate case number) ENV-2019-4909-CE

### 3. CHECKLIST - Pacific Corridor Redevelopment Plan

Complete the following checklist using the terms listed below. To see the full list of defined terms reference LAMC Section 11.5.14. To complete the checklist please refer to the corresponding Section of the Redevelopment Plan. The Redevelopment Plans are available on the Los Angeles City Planning website at [Planning4LA.org](http://Planning4LA.org).

- **N/A - Not Applicable:** This Redevelopment Plan Section does not apply to the proposed Project. No further action is required.
- **YES - Conforms:** The proposed Project conforms to the Redevelopment Plan section. The proposed Project may require Project Compliance. Not all Redevelopment Plans require additional action.
- **NO - Does Not Conform:** The proposed Project DOES NOT conform to the Redevelopment Plan section. The proposed Project will require a Project Adjustment. Alternatively, modify the proposed Project and resubmit this form demonstrating compliance with the Redevelopment Plan.

Redevelopment Plan Section	Plan Sheet or Supplemental Document (Demonstrating Compliance)	Redevelopment Plan Conformance (Check One)			Staff Comments
		N/A	YES	NO	
<b>501. General Controls and Limitations</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>502. Redevelopment Plan Map</b> • Input the Redevelopment Plan Land Use Designation	Commercial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Commercial - Commercial District (Pacific Ave. Commercial Corridor); C2-1XL-CPIO
<b>503.1. Residential Uses</b> • Input the City Zone designation		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A proposed Mixed-Use. See Sec. 503.4
<b>503.2. Commercial Uses</b> • Input the City Zone designation	C2-1XL-CPIO	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proposed Mixed-Use. See Sec. 503.4
<b>503.3. Industrial Uses</b> • Input the City Zone designation		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<b>503.4. Residential Uses within Commercial and Industrial Areas</b> • Findings Required – Project Compliance • Refer to Criteria 1-4	See Findings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Residential uses permitted in Commercial Areas and per C2-1XL-CPIO
<b>503.5. Commercial Uses within Industrial Areas</b> • Findings Required – Project Compliance • Refer to Criteria 1-4		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<b>503.6. Restricted Commercial/Industrial Uses</b> • Reference restricted list in Section		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<b>504.1. Public and Open Space</b> • Findings Required if other use – Project Compliance • Refer to Criteria 1-4		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<b>504.2. Public Street Layout, Rights-of-Way and Easements</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>504.3. Other Open Space, Public and Quasi-Public Uses</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	N/A
<b>505. Interim Uses</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	N/A
<b>506. Nonconforming Uses</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	N/A
<b>507. New Construction and Rehabilitation of Properties</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>508. Limitation on Type, Size and Height of Buildings</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>511. Open Spaces, Landscaping, Light, Air and Privacy</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>512. Signs and Billboards</b> • Billboards prohibited • Check Sign DFD if applicable	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	N/A no sign proposed
<b>513. Utilities</b>	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance

Redevelopment Plan Section	Plan Sheet or Supplemental Document (Demonstrating Compliance)	Redevelopment Plan Conformance (Check One)			Staff Comments
		N/A	YES	NO	
<b>514.</b> Parking and Loading Facilities	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>515.</b> Setbacks	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	Shows conformance
<b>516.</b> Incompatible Uses	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	N/A
<b>517.</b> Resubdivision of Parcels	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	N/A
<b>518.</b> Variations	<i>Applicant must review this Redevelopment Plan section. Findings in this Section must be prepared for any sections of this Form checked "NO" unless the Project is modified.</i>				N/A
<b>520.</b> Design Guidelines and Development Controls	<i>Applicant must review the Design Guidelines and Development Controls Redevelopment Plan section.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shows conformance
<b>521.</b> Variances, Conditional Use Permits, Building Permits and Other Land Developments Entitlements	<i>Applicant must review this Redevelopment Plan section.</i>	-	-	-	See CPC-2019-4908-DB-SPR
<b>522.</b> Buildings of Architectural and Historic Significance	<i>Applicant must review Survey LA.</i>	-	-	-	ENV-2019-4909-CE

**4. PROJECT REVIEW REQUIREMENTS**

**SUBMITTAL PACKAGE** (check all that apply)

**A. Administrative Review for the Redevelopment Plan**

The Submittal Package includes this *Administrative Review and Referral Form*, and the *Documents and Materials* for the Administrative Review and Referral Form, listed in the Administrative Review Instruction (CP-3540).

*NOTE: For an Administrative Review clearance, the project must conform to the Permitted Land Uses section of the relevant Redevelopment Plan, and if applicable the Administrative Review and Referral Design for Development.*

**B. Administrative Review for the Design for Development (DFD)**

The Submittal Package includes this *Administrative Review and Referral Form*, and the *Documents and Materials* for Design for Development, listed in the Administrative Review Instruction (CP-3540).

**C. Project Compliance and/or Project Adjustment**

The Submittal Package includes this *Administrative Review and Referral Form*, and the *Documents and Materials* for *Project Compliance and/or Project Adjustment*, listed in the Administrative Review Instruction (CP-3540).

All forms and related materials shall be submitted to the Development Services Center public counter.

**- CITY STAFF USE ONLY -**

**NOTE:** Signature below only indicates that the Redevelopment Plan Unit staff reviewed proposed project. All official clearances are noted on the clearance summary sheet for issuance of a permit from LADBS on PCIS, including Administrative Sign-Off/Approval.

**ADDITIONAL STAFF NOTES**

Per Sec. 502 and 503.4. of the Pacific Corridor Redevelopment Plan, the proposed mixed-use development is permitted within Commercial Areas consistent with the applicable General Plan, Community Plan and any applicable City zoning ordinance. The proposed project generally conforms to the objectives of the Pacific Corridor Redevelopment and DFD. Administrative Review only.

CASE NUMBER: related to CPC-2019-4908-DB-SPR

**Section 5 - ADMINISTRATIVE REVIEW** – Project Conforms to Plan. No Referral Required – Section 6 N/A. No fee is collected.

Staff Signature	Date	Phone Number
	10/20/2020	
Print Name		Email
Giselle Corella		planning.redevelopment@lacity.org

**Section 6 - PROJECT PLANNING REFERRAL** - Choose one: If Project Compliance or Project Adjustment is required. Please collect required fee(s) prior to filing.

<input type="checkbox"/> <b>Project Compliance Required</b>	<input type="checkbox"/> <b>Project Adjustment Required</b>
---	---

<b>INITIAL REVIEW BY</b>		
Staff Signature	Date	Phone Number
Print Name		Email

**APPROVED**

CRA/LA, A DESIGNATED LOCAL AUTHORITY

(Successor Agency to the Community Redevelopment Agency of the City of Los Angeles, CA)

**REVISED**

**MEMORANDUM**

**13**

**As underlined on Attachment A**

**DATE:** JUNE 21, 2012 CI6990, CT6990, HW6990, PA6990, WK6990

**TO:** GOVERNING BOARD ROPS # N/A

**FROM:** CHRISTINE ESSEL, CHIEF EXECUTIVE OFFICER

**STAFF:** DAVID RICCITIELLO, CHIEF OPERATING OFFICER  
JOSH ROHMER, ACTING PROJECT MANAGER

**SUBJECT:** **CLARIFICATION REGARDING DISCRETIONARY LAND USE ACTIONS.**  
Resolution clarifying Redevelopment Plan language regarding CRA/LA discretionary land use actions in the City Center, Central Industrial, Hollywood, Pacific Corridor, and Wilshire Center / Koreatown Redevelopment Project Areas.  
DOWNTOWN, HOLLYWOOD/CENTRAL, AND HARBOR REGIONS (SDs 1, 2, 3, 4; CDs 1, 4, 8, 9, 10, 13, 14, 15)

**RECOMMENDATION**

That the Governing Board adopt a resolution that, for the purposes of CRA/LA review of City development applications, the land use designations on the Redevelopment Plan Map defer to and are superseded by the underlying City of Los Angeles Community Plan and Zoning Ordinance designations within the City Center, Central Industrial, Hollywood, Pacific Corridor, and Wilshire Center / Koreatown Redevelopment Project Areas. Future development permit applications will not require CRA/LA discretionary land use approvals in these Project Areas.

**SUMMARY**

This action will simplify the approval process for entitlements and building permits within five CRA/LA redevelopment project areas: City Center, Central Industrial, Hollywood, Pacific Corridor, and Wilshire Center / Koreatown. CRA/LA staff reviews all development applications within these project areas for conformance with the respective redevelopment plans (Plans), and has required CRA/LA Board approval (discretionary land use action) for projects that propose uses that vary from the land uses designated by the Plans, even when proposed projects otherwise conform with City land use controls. For sponsors of development projects, this CRA/LA discretionary land use approval has often been seen as a confusing extra step beyond the City's established approval process, and can cause delays in securing approvals or receiving entitlements.

Sections 502 of each of these Plans states that the City Community Plan and Zoning Ordinance land use designations prevail over the Redevelopment Plan map designations. This would appear to obviate the need for discretionary land use actions of this type. The proposed Resolution clarifies that future CRA/LA review of development projects shall not require discretionary land use approvals within these project areas. Permits within these project areas will continue to be reviewed for Plan conformance, and permits in other redevelopment project areas will continue as per current practice.

## **DISCUSSION & BACKGROUND**

### **Redevelopment Plan Language**

In most of the 31 existing Redevelopment Plans, Section 502 or 601 of the Plan references the Redevelopment Plan Map, an exhibit attached to each Plan that designates the intended uses for each parcel in the project area. Any proposed entitlement or building permit must conform to such designations, which are often more restrictive than what would otherwise be allowed by the City's relevant Community Plan and the Zoning Ordinance. All proposed development projects are reviewed by CRA/LA staff for conformance to the Plans, and the referenced Section, excerpted below, requires that projects proposing land uses other than those described in the Plan Map require a discretionary land use approval from the CRA/LA Board, regardless of conformance with the Community Plan and zoning. Approximately 30 to 50 such discretionary land use actions are considered by the CRA/LA Board each year. Since January 2011, the CRA/LA Board has considered 42 discretionary land use actions, 16 (or 38%) of which were located in the five project areas that are the subject of this action.

In five of the most recently adopted or amended redevelopment plans, Section 502 contains language that states that Plan land use designations shall defer to the uses identified in the Community Plan. In these project areas (City Center, Central Industrial, Hollywood, Pacific Corridor, and Wilshire Center / Koreatown), Plan language can be interpreted that CRA/LA Board discretionary actions are not required, even if proposed developments do not conform to the Plan Map designation. Although the Plans elsewhere provide procedures for making discretionary land use approvals, the Section 502 language in these Plans (see below) states that the Community Plan land use shall rule "notwithstanding." As a matter of practice, however, the Prior Agency has considered and approved discretionary land use actions in these five project areas.

Given the dissolution of the Prior Agency, the current wind-down of redevelopment activities, and the significant decrease of CRA/LA staffing resources, CRA/LA staff and the Department of City Planning are working to clarify and streamline land use approval processes. The recommended action would remove what may be considered to be a confusing, redundant hurdle in the approval process, and is in keeping with the CRA/LA's current efforts to wind down and the City's effort to streamline its project approval process.

### **Standard Redevelopment Plan Language**

#### *"Section 502. Redevelopment Plan Map*

The Redevelopment Plan Map attached hereto and incorporated herein illustrates the location of the Project Area boundaries, the immediately adjacent streets, the proposed public rights-of-way and public easements, and the land uses currently permitted in the Project Area for all public, semi-public and private land. "

### **Redevelopment Plan Language in City Center, Central Industrial, Hollywood, Pacific Corridor and Wilshire Center / Koreatown Plans**

#### *"Section 502. Redevelopment Plan Map*

The Redevelopment Plan Map, attached hereto as Exhibit No. 1 and incorporated herein, illustrates the location of the Project Area boundaries, the immediately adjacent streets, the proposed public rights-of-way and public easements, and the land uses currently permitted in the Project Area for all public, semi-public and private land. Notwithstanding anything to the contrary in this Plan, the land uses permitted in the Project Area shall be those permitted by the General Plan, the applicable Community Plan, and any applicable City zoning ordinance, all as they now exist or are hereafter amended and/or supplanted from time to time. In the event the General Plan, the

applicable Community Plan, or any applicable City zoning ordinance is amended or supplemented with regards to any land use in the Project Area, the land use provisions of this Plan, including without limitation, all Exhibits attached hereto, shall be automatically modified accordingly without the need for any formal plan amendment process.”

#### Basis for Approval

The recommended actions are consistent with and authorized by provisions of Assembly Bill 1x-26, including but not limited to the following:

Section 1 [Intent of the legislature]: It is the intent of the Legislature to do all of the following in this act: (j)(4) *“Require successor agencies to expeditiously wind down the affairs of the dissolved redevelopment agencies and to provide the successor agencies with limited authority that extends only to the extent needed to implement a winddown of redevelopment agency affairs.”*

Chapter 2, Section 34173, which provides: *“Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies under the Community Redevelopment Law, are hereby vested in the successor agencies.”*

Land use requirements of each redevelopment plan will therefore remain in effect for the duration of the effectiveness of the applicable redevelopment plan. The recommended actions will carry out the applicable provisions of the listed redevelopment plans in a manner designed to expeditiously implement a wind-down of the former redevelopment agency’s affairs.

#### SOURCE OF FUNDS

No funds are required for this action.

#### ROPS AND ADMINISTRATIVE BUDGET IMPACT

The recommended actions are consistent with AB1x-26 and consistent with the Successor Entity’s expressed goals of winding down redevelopment activities and reducing administrative costs.

#### ENVIRONMENTAL REVIEW

The proposed action does not constitute an action according to the California Environmental Quality Act (CEQA). Future proposed land use projects in these five Redevelopment Project areas will still have to conform to the applicable Community Plan land use designations, which were approved by the City following a lengthy environmental review (Environmental Impact Report) process for each Community Plan. Permits for individual development projects within these five Project Areas will still be reviewed on a case by case basis for Redevelopment Plan conformance, as well as the need for any required environmental review.

Christine Essel  
Chief Executive Officer

By:



David Riccitiello  
Chief Operating Officer

There is no conflict of interest known to me which exists with regard to any CRA/LA officer or employee concerning this action.

ATTACHMENTS

Attachment A: Resolution

RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF CRA/LA, A DESIGNATED LOCAL AUTHORITY  
(SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY  
OF THE CITY OF LOS ANGELES) REGARDING CONFORMITY OF LAND  
USE PROVISIONS OF CERTAIN REDEVELOPMENT PLANS TO CITY OF  
LOS ANGELES LAND USE REQUIREMENTS**

**WHEREAS**, the City Council of the City of Los Angeles has heretofore duly adopted redevelopment plans (collectively, the "Redevelopment Plans") for each of the following redevelopment project areas (collectively, the "Project Areas") within the City of Los Angeles pursuant to the Community Redevelopment Law of the State of California: (A) City Center Redevelopment Project; (B) Central Industrial Redevelopment Project; (C) Hollywood Redevelopment Project; (D) Pacific Corridor Redevelopment Project; and (E) Wilshire Center/Koreatown Redevelopment Project; and

**WHEREAS**, each of the Redevelopment Plans contains a redevelopment plan map and provisions setting forth land uses permitted in the applicable Project Area; and

**WHEREAS**, each of the Redevelopment Plans contains a provision designated Section 502, which provides, in part, as follows: "Notwithstanding anything to the contrary in this Plan, the land uses permitted in the Project Area shall be those permitted by the General Plan, the applicable Community Plan, and any applicable City zoning ordinance, all as they now exist or are hereafter amended and/or supplanted from time to time. In the event the General Plan, the applicable Community Plan, or any applicable City zoning ordinance is amended or supplemented with regards to any land use in the Project Area, the land use provisions of this Plan, including without limitation, all Exhibits attached hereto, shall be automatically modified accordingly without the need for any formal plan amendment"; and

**WHEREAS**, prior to the enactment of the legislation known as Assembly Bill 1x-26 ("AB 26") which dissolved redevelopment agencies in the State of California, the Community Redevelopment Agency of the City of Los Angeles (the "Former Redevelopment Agency") and its staff carried out the provisions of the Redevelopment Plans, which included, as a matter of administrative practice, reviewing all development applications in the Project Areas to determine if the proposed development conformed to the land use requirements of the respective Redevelopment Plans; and

**WHEREAS**, AB 26 (Health and Safety Code Section 34173) provides: "Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority,

rights, powers, duties and obligations previously vested with the former redevelopment agencies under the Community Redevelopment Law, are hereby vested in the successor agencies”; and

**WHEREAS**, the CRA/LA, A DESIGNATED LOCAL AUTHORITY (“CRA/LA”) is the duly established successor agency to the Former Redevelopment Agency, with all authority, rights, powers, duties and obligations to carry out the Redevelopment Plans; and

**WHEREAS**, CRA/LA has determined that it is necessary and appropriate, in winding down the affairs of the Former Redevelopment Agency, to carry out the Redevelopment Plans in such a way as to give effect to the provisions set forth in Section 502 of the Redevelopment Plans.

**NOW, THEREFORE**, the Governing Board of the CRA/LA resolves as follows:

1. The Recitals set forth above are true and correct.
2. For the purposes of determining whether land uses proposed in development applications for any property located in the Project Areas are permitted uses, it is hereby determined that any land uses permitted for such property by the applicable provisions of the City of Los Angeles General Plan, Community Plan and Zoning Ordinance, all as they now exist or are hereafter amended or supplanted from time to time, shall be permitted land uses for all purposes under the applicable Redevelopment Plan.
3. The land use designation for any property in a Project Area set forth in the Redevelopment Plan Map and the land use requirements regulations for such property set forth in the Redevelopment Plan for the applicable Project Area shall defer to and be superseded by the applicable City of Los Angeles General Plan, Community Plan and Zoning Ordinance land use designations and requirements regulations for such property, all as they now exist or are hereafter amended or supplanted from time to time.

ADOPTED:

RESOLUTION NO. 16

**A RESOLUTION OF CRA/LA, A DESIGNATED LOCAL AUTHORITY (SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES) REGARDING CONFORMITY OF LAND USE PROVISIONS OF CERTAIN REDEVELOPMENT PLANS TO CITY OF LOS ANGELES LAND USE REQUIREMENTS**

**WHEREAS**, the City Council of the City of Los Angeles has heretofore duly adopted redevelopment plans (collectively, the "Redevelopment Plans") for each of the following redevelopment project areas (collectively, the "Project Areas") within the City of Los Angeles pursuant to the Community Redevelopment Law of the State of California: (A) City Center Redevelopment Project; (B) Central Industrial Redevelopment Project; (C) Hollywood Redevelopment Project; (D) Pacific Corridor Redevelopment Project; and (E) Wilshire Center/Koreatown Redevelopment Project; and

**WHEREAS**, each of the Redevelopment Plans contains a redevelopment plan map and provisions setting forth land uses permitted in the applicable Project Area; and

**WHEREAS**, each of the Redevelopment Plans contains a provision designated Section 502, which provides, in part, as follows: "Notwithstanding anything to the contrary in this Plan, the land uses permitted in the Project Area shall be those permitted by the General Plan, the applicable Community Plan, and any applicable City zoning ordinance, all as they now exist or are hereafter amended and/or supplanted from time to time. In the event the General Plan, the applicable Community Plan, or any applicable City zoning ordinance is amended or supplemented with regards to any land use in the Project Area, the land use provisions of this Plan, including without limitation, all Exhibits attached hereto, shall be automatically modified accordingly without the need for any formal plan amendment"; and

**WHEREAS**, prior to the enactment of the legislation known as Assembly Bill 1x-26 ("AB 26") which dissolved redevelopment agencies in the State of California, the Community Redevelopment Agency of the City of Los Angeles (the "Former Redevelopment Agency") and its staff carried out the provisions of the Redevelopment Plans, which included, as a matter of administrative practice, reviewing all development applications in the Project Areas to determine if the proposed development conformed to the land use requirements of the respective Redevelopment Plans; and

**WHEREAS**, AB 26 (Health and Safety Code Section 34173) provides: "Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority,

rights, powers, duties and obligations previously vested with the former redevelopment agencies under the Community Redevelopment Law, are hereby vested in the successor agencies”; and

**WHEREAS**, the CRA/LA, A DESIGNATED LOCAL AUTHORITY (“CRA/LA”) is the duly established successor agency to the Former Redevelopment Agency, with all authority, rights, powers, duties and obligations to carry out the Redevelopment Plans; and

**WHEREAS**, CRA/LA has determined that it is necessary and appropriate, in winding down the affairs of the Former Redevelopment Agency, to carry out the Redevelopment Plans in such a way as to give effect to the provisions set forth in Section 502 of the Redevelopment Plans.

**NOW, THEREFORE**, the Governing Board of the CRA/LA resolves as follows:

1. The Recitals set forth above are true and correct.
2. For the purposes of determining whether land uses proposed in development applications for any property located in the Project Areas are permitted uses, it is hereby determined that any land uses permitted for such property by the applicable provisions of the City of Los Angeles General Plan, Community Plan and Zoning Ordinance, all as they now exist or are hereafter amended or supplanted from time to time, shall be permitted land uses for all purposes under the applicable Redevelopment Plan.
3. The land use designation for any property in a Project Area set forth in the Redevelopment Plan Map and the land use regulations for such property set forth in the Redevelopment Plan for the applicable Project Area shall defer to and be superseded by the applicable City of Los Angeles General Plan, Community Plan and Zoning Ordinance land use designations and regulations for such property, all as they now exist or are hereafter amended or supplanted from time to time.

ADOPTED: June 21, 2012

AYES: Rising, Semcken, McOsker  
NOES: 0  
ABSENT: 0



# FINAL BOARD MEMO ROUTING FORM

AUTHOR: Josh Rohmer	REGION / DEPT: Downtown	EXT: 47-4837
PRESENTER: Josh Rohmer	RA / DEPT HEAD: Jenny Scanlin	
PROJECT / ITEM NAME: DISCRETIONARY LAND USE ACTIONS		
OBJECTIVE CODE: CI6990, CT6990, HW6990, PA6990, WK6990 ERNIE ID#: N/A		

REVIEW	
AGENDA REVIEW DATE: June 5, 2012	BOARD MEETING DATE: June 21, 2012
LOAN COMMITTEE REVIEW DATE:	or <input checked="" type="checkbox"/> N/A

BOARD ITEM TITLE:
Resolution clarifying Redevelopment Plan language regarding CRA/LA discretionary land use actions in the City Center, Central Industrial, Hollywood, Pacific Corridor, and Wilshire Center / Koreatown Redevelopment Project Areas.
PROJECT AREA: City Center, Central Industrial, Hollywood, Pacific Corridor, Wilshire Center REGION: Downtown, Harbor, Hollywood CD(s): 1, 4, 8, 9, 10, 13, 14, 15

BOARD ITEM TYPE
<input checked="" type="checkbox"/> <b>RECOMMENDATIONS TO THE BOARD (Action or Consent Items)</b>
→ City Council Approval: <input type="checkbox"/> YES or <input type="checkbox"/> No (10-day List)
<input type="checkbox"/> Time Urgency for City Council Action (reason): _____
<input type="checkbox"/> <b>REPORT</b> or <input type="checkbox"/> <b>PRESENTATION</b> <span style="float: right;"><input type="checkbox"/> <b>PUBLIC HEARING</b></span>
→ Type: <input type="checkbox"/> Full Board (agendized) or <input type="checkbox"/> FYI (not agendized)

ORIGINATION SIGN-OFFS		
AUTHOR:	Josh Rohmer	Date: 6/11/2012
PROJECT MANAGER: (Regions only)	Josh Rohmer	Date: _____
RA / DEPT HEAD:	Jenny Scanlin	Date: 6/11/12

REQUIRED SIGNATURES		
BUDGETS:	Debbie Alvero	Date: _____
ENVIRONMENTAL:	Teresa Li	Date: 6/11/2012
OTHER DEPARTMENTS (as needed):	_____	Date: _____
_____	_____	Date: _____
_____	_____	Date: _____

CITY ATTORNEY (always required):	Date: 6/11/12
----------------------------------	---------------

**IMPORTANT:** The final, corrected board memo accompanied by this signed Routing Form and all attachments should be delivered to the Senior Executive Assistant no later than the close of business on the Monday following the Agenda Review.

<i>This Section to be coordinated by Senior Executive Assistant</i>	
Deputy Chief of Operations - Policy:	Date: 6/15/12



# FINAL BOARD MEMO ROUTING FORM

AUTHOR: Josh Rohmer	REGION / DEPT: Downtown	EXT: 47-4837
PRESENTER: Josh Rohmer	RA / DEPT HEAD: Jenny Scanlin	
PROJECT / ITEM NAME: DISCRETIONARY LAND USE ACTIONS		
OBJECTIVE CODE: CI6990, CT6990, HW6990, PA6990, WK6990 ERNIE ID#: N/A		

REVIEW	
AGENDA REVIEW DATE: June 5, 2012	BOARD MEETING DATE: June 21, 2012
LOAN COMMITTEE REVIEW DATE:	or <input checked="" type="checkbox"/> N/A

BOARD ITEM TITLE:
Resolution clarifying Redevelopment Plan language regarding CRA/LA discretionary land use actions in the City Center, Central Industrial, Hollywood, Pacific Corridor, and Wilshire Center / Koreatown Redevelopment Project Areas.
PROJECT AREA: City Center, Central Industrial, Hollywood, Pacific Corridor, Wilshire Center REGION: Downtown, Harbor, Hollywood CD(s): 1, 4, 8, 9, 10, 13, 14, 15

BOARD ITEM TYPE:
<input checked="" type="checkbox"/> <b>RECOMMENDATIONS TO THE BOARD (Action or Consent Items)</b>
→ City Council Approval: <input type="checkbox"/> YES or <input type="checkbox"/> No (10-day List)
<input type="checkbox"/> Time Urgency for City Council Action (reason): _____
<input type="checkbox"/> <b>REPORT</b> or <input type="checkbox"/> <b>PRESENTATION</b> <span style="margin-left: 200px;"><input type="checkbox"/> <b>PUBLIC HEARING</b></span>
→ Type: <input type="checkbox"/> Full Board (agendized) or <input type="checkbox"/> FYI (not agendized)

ORIGINATION SIGN OFFS		
AUTHOR:	Josh Rohmer	Date: 6/11/2012
PROJECT MANAGER: (Regions only)	Josh Rohmer	Date: _____
RA / DEPT HEAD:	Jenny Scanlin	Date: 6/11/12

REQUIRED SIGNATURES		
BUDGETS:		Date: 6/11/12
ENVIRONMENTAL:	Teresa Li	Date: _____
OTHER DEPARTMENTS (as needed):	_____	Date: _____
_____	_____	Date: _____
_____	_____	Date: _____

CITY ATTORNEY (always required): _____	Date: _____
--	-------------

**IMPORTANT:** The final, corrected board memo accompanied by this signed Routing Form and all attachments should be delivered to the Senior Executive Assistant no later than the close of business on the Monday following the Agenda Review.

<i>This Section to be coordinated by Senior Executive Assistant</i>	
Deputy Chief of Operations - Policy:	Date: _____

# EXHIBIT F

DEPARTMENT OF  
CITY PLANNING

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
VICE-PRESIDENT

DAVID H. J. AMBROZ  
CAROLINE CHOE  
HELEN LEUNG  
KAREN MACK  
MARC MITCHELL  
DANA M. PERLMAN  
VACANT

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

VACANT  
DEPUTY DIRECTOR

November 4, 2020

**Applicant/Owner**

RKD 13 PAC, L.P.  
1601 North Sepulveda Boulevard,  
Unit 798  
Manhattan Beach, CA 90266

**Representative**

Jonathan Lonner & Josh Guyer  
Burns & Bouchard, Inc.  
9619 National Boulevard  
Los Angeles, CA 90034

**Case No.** DIR-2020-5031-RDP

**Location:** 1309-1331 South Pacific  
Avenue

**Council District:** 15 – Buscaino

**Neighborhood Council:** Central San Pedro

**Community Plan Area:** San Pedro

**Land Use Designation:** Neighborhood Commercial

**Zone:** C2-1XL-CPIO

**Legal Description:** Lots 11-14; Block: 13;  
Rudecinda Tract

**WITHDRAWN**

This is to acknowledge your letter dated October 27, 2020 requesting withdrawal of the above-referenced application.

Case No. DIR-2020-5031-RDP is hereby withdrawn from further consideration and ordered filed.

Any portion of your filing fee, if available for refund, is subject to submittal, review, and approval of an appropriate claim refund application which is available online at the Department of City Planning's website: <http://cityplanning.lacity.org> or at the Department's public counters.

In the event that you wish to pursue this matter in the future, it will be necessary for you to file a new application and pay the required fees. The present withdrawal, however, will not adversely prejudice consideration of your new application and it may be possible to utilize some of the maps and other information in the existing case file.

Should you wish to respond to this matter, you may contact Connie Chauv at (213) 978-0016 or via email at [Connie.chauv@lacity.org](mailto:Connie.chauv@lacity.org).

Sincerely,

Connie Chauv  
City Planner

# EXHIBIT G

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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**September 15, 2020**

**MEMORANDUM FOR:** Planning Directors and Interested Parties

**FROM:** Megan Kirkeby, Deputy Director  
Division of Housing Policy Development

**SUBJECT:** **Housing Accountability Act Technical Assistance  
Advisory (Government Code Section 65589.5)**

The Housing Accountability Act (HAA), Government Code section 65589.5, establishes limitations to a local government's ability to deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards and contribute to meeting housing need. The Legislature first enacted the HAA in 1982 and recently amended the HAA to expand and strengthen its provisions as part of the overall recognition of the critically low volumes of housing stock in California. In amending the HAA, the Legislature made repeated findings that the lack of housing and the lack of affordable housing, is a critical problem that threatens the economic, environmental, and social quality of life in California. This Technical Assistance Advisory provides guidance on implementation of the HAA, including the following amendments.

Chapter 368, Statutes of 2017 (Senate Bill 167), Chapter 373, Statutes of 2017 (Assembly Bill 678) - Strengthens the HAA by increasing the documentation necessary and the standard of proof required for a local agency to legally defend its denial of low-to-moderate-income housing development projects, and requiring courts to impose a fine of \$10,000 or more per unit on local agencies that fail to legally defend their rejection of an affordable housing development project.

Chapter 378, Statutes of 2017 (Assembly Bill 1515) – Establishes a reasonable person standard for determining conformance with local land use requirements.

Chapter 243, Statutes of 2018 (Assembly Bill 3194) -Expands the meaning of zoning consistency to include projects that are consistent with general plan designations but not zoning designation on a site if that zone is inconsistent with the general plan.

Chapter 654, Statutes of 2019 (Senate Bill 330) - Defined previously undefined terms such as objective standards and complete application and set forth vesting rights for projects that use a new pre-application process. Most of these provisions sunset on January 1, 2025, unless extended by the Legislature and Governor.

If you have any questions, or would like additional information or technical assistance, please contact the Division of Housing Policy Development at (916) 263-2911.

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## What is the Housing Accountability Act?

The Housing Accountability Act (HAA) (Government Code Section 65589.5), establishes the state's overarching policy that a local government may not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards. Before doing any of those things, local governments must make specified written findings based upon a preponderance of the evidence that a specific, adverse health or safety impact exists. Legislative intent language indicates that the conditions that would give rise to such a specific, adverse impact upon the public health and safety would occur infrequently.

Subdivision (d) of the HAA describes requirements applicable to housing development projects that include units affordable to very- low, low- and moderate-income households (including transitional and supportive housing) as well as emergency shelters and farmworker housing. Subdivision (j) describes requirements applicable to all housing development projects, including both market-rate and affordable housing developments. Subdivisions (k), (l), and (m) expand the potential consequences for violations of the HAA. In 2017, the Legislature also granted the California Department of Housing and Community Development (HCD) authority to refer HAA violations to the Office of the Attorney General in Government Code section 65585.

The HAA was originally enacted in 1982 to address local opposition to growth and change. Communities resisted new housing, especially affordable housing, and, consequently, multiple levels of discretionary review often prevented or delayed development. As a result, developers had difficulty ascertaining the type, quantity, and location where development would be approved. The HAA was intended to overcome the lack of certainty developers experienced by limiting local governments' ability to deny, make infeasible, or reduce the density of housing development projects.

Recognizing that the HAA was falling short of its intended goal, in 2017, 2018, and again in 2019, the Legislature amended the HAA no less than seven times to expand and strengthen its provisions. Key restrictions on local governments' ability to take action against housing development projects are set out in Government Code section 65589.5, subdivisions (d) and (j). The law was amended by Chapter 368 Statutes of 2017 (Senate Bill 167), Chapter 373 Statutes of 2017 (Assembly Bill 678) and Chapter 378 Statutes of 2017 (Assembly Bill 1515), as part of the California 2017 Housing Package. The law was further amended by Chapter 243, Statutes of 2018 (Assembly Bill 3194) and Chapter 654, Statutes of 2019 (Senate Bill 330).

## Why Do We Need the Housing Accountability Act?

The Housing Accountability Act has been in effect since 1982. Since that time, California's housing supply has not kept up with population and job growth, and the affordability crisis has grown significantly due to an undersupply of housing, which compounds inequality and limits economic and social mobility. Housing is a fundamental component of a healthy, equitable community. Lack of adequate housing hurts millions of Californians, stifles economic opportunities for workers and businesses, worsens poverty and homelessness, and undermines the state's environmental and climate goals and compounds the racial equity gaps faced by many communities across the state.

The legislative intent of the HAA was to limit local governments' ability to deny, make infeasible, or reduce the density of housing development projects. After determining that implementation of the HAA was not meeting the intent of the statute, the Legislature has amended the HAA to expand its provisions, strengthening the law to meaningfully and effectively curb the capacity of local governments to deny, reduce the density or render housing development projects infeasible.

### Legislative Housing Accountability Act Interpretation Guidance

"It is the policy of the state that this section (HAA) should be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing." Government Code Section 65589.5 (a)(2)(L)

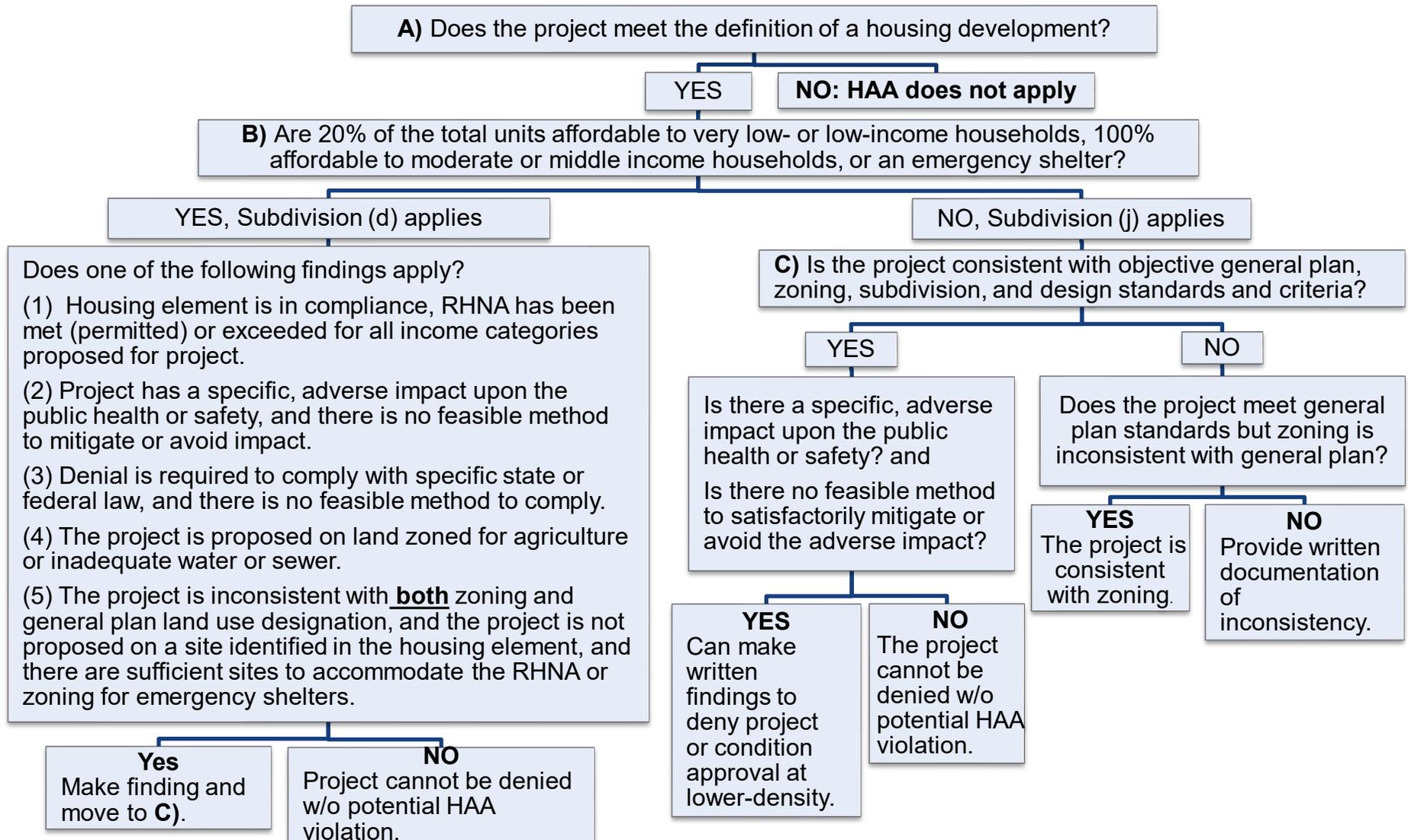
The following are findings and declarations found in the HAA pursuant to Government Code sections 65589.5(a):

- The lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California.
- California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the cost of land for housing, and require that high fees and exactions be paid by producers of housing.
- Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.
- Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing development projects, reduction in density of housing projects, and excessive standards for housing development projects.
- California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives.

- While the causes of this crisis are multiple and complex, the absence of meaningful and effective policy reforms to significantly enhance the approval and supply of housing affordable to Californians of all income levels is a key factor.
- The crisis has grown so acute in California that supply, demand, and affordability fundamentals are characterized in the negative: underserved demands, constrained supply, and protracted unaffordability.
- According to reports and data, California has accumulated an unmet housing backlog of nearly 2,000,000 units and must provide for at least 180,000 new units annually to keep pace with growth through 2025.
- California's overall homeownership rate is at its lowest level since the 1940s. The state ranks 49th out of the 50 states in homeownership rates as well as in the supply of housing per capita. Only one-half of California's households are able to afford the cost of housing in their local regions.
- Lack of supply and rising costs are compounding inequality and limiting advancement opportunities for many Californians.
- The majority of California renters, more than 3,000,000 households, pay more than 30 percent of their income toward rent and nearly one-third, more than 1,500,000 households, pay more than 50 percent of their income toward rent.
- When Californians have access to safe and affordable housing, they have more money for food and health care; they are less likely to become homeless and in need of government-subsidized services; their children do better in school; and businesses have an easier time recruiting and retaining employees.
- An additional consequence of the state's cumulative housing shortage is a significant increase in greenhouse gas emissions caused by the displacement and redirection of populations to states with greater housing opportunities, particularly working- and middle-class households. California's cumulative housing shortfall therefore has not only national but international environmental consequences.
- California's housing picture has reached a crisis of historic proportions despite the fact that, for decades, the Legislature has enacted numerous statutes intended to significantly increase the approval, development, and affordability of housing for all income levels, including this section.

## Housing Accountability Act Decision Matrix

This decision tree generally describes the components of the HAA. Both affordable and market-rate developments are protected by components of the HAA. The statute contains detailed requirements that affect the applicability of the HAA to a specific housing project based on its characteristics.



## Key Provisions of the Housing Accountability Act

The HAA sets out restrictions on local governments' ability to take action against housing development projects in Government Code section 65589.5, subdivisions (d) and (j). Subdivision (d) describes requirements applicable to housing development projects that include units affordable to very-low, low-, and moderate-income households (including transitional and supportive housing) as well as emergency shelters and farmworker housing. Subdivision (j) describes requirements applicable to all housing development projects, including both market-rate and affordable housing developments<sup>1</sup>. In sum, the HAA significantly limits the ability of a local government to deny an affordable or market-rate housing project that is consistent with planning and zoning requirements. This table describes the various component parts of the HAA for ease of reference.

Topic	Subdivisions of Government Code Section 65589.5
Declarations and legislative intent	(a), (b), (c)
Provisions for housing affordable to very low, low-, or moderate-income households, or an emergency shelter	(d), (i)
Applicability of the statute to coastal zones, local laws, and charter cities	(e), (f), (g)
Definitions	(h)
Provisions relating to all housing developments	(j)
Consequences for violation	(k), (l), (m), (n)
Vesting rights for pre-applications (SB 330)	(o)

The following is an overview of key provisions of the HAA focusing on project qualifications, applicability of local standards, provisions that relate to all housing projects, provisions that relate just to housing affordable to lower- and moderate-income households and emergency shelters, and consequences for violation of the HAA. Appendix A includes a list of definitions of terms referenced throughout the HAA and Appendix B includes information related to the Preliminary Application Process pursuant to Senate Bill 330.

### Housing Development Project Qualifications

In order for a development to qualify for the protections under the HAA it must meet the definition of a "housing development project". Furthermore, for a project to qualify for the affordable housing protections, it must also meet the definition of "Housing for very low-, low-, or moderate-income households".

<sup>1</sup> *Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, 1072-1073

### **Housing Development Project Definition**

Government Code, § 65589.5, subdivision (h)(2).

A “housing development project” means a use consisting of residential units only, mixed use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use, or transitional or supportive housing. Because the term “units” is plural, a development must consist of more than one unit to qualify under the HAA. The development can consist of attached or detached units and may occupy more than one parcel, so long as the development is included in the same development application.

### **Housing for Very Low, Low-, or Moderate-Income Households**

Government Code, § 65589.5, subdivision (h)(3).

In order to qualify as a housing development affordable to lower- or moderate- income households, the project must meet one of the following two criteria:

- At least 20 percent of the total units shall be sold or rented to lower income households. Lower-income households are those persons and families whose income does not exceed that specified by Health and Safety Code, § 50079.5, 80 percent of area median income.
- 100 percent of the units shall be sold or rented to persons and families of moderate income, or persons and families of middle income. Moderate-income households are those persons and families whose incomes are 80 percent to 120 percent of area median income (Health and Safety Code, § 50093.) Middle-income households are those persons and families whose income does not exceed 150 percent of area median income (Gov. Code, § 65008 subd. (c).)

In addition, the rental or sales prices of that housing cannot exceed the following standards:

- Housing units targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based.
- Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate-income eligibility limits are based.

### **Housing Developments Applying for the Streamlined Ministerial Approval Process Pursuant to Government Code Section 65913.4.**

To facilitate and expedite the construction of housing, Chapter 366, Statutes of 2017 (SB 35, Wiener) established the availability of a Streamlined Ministerial Approval Process for developments in localities that have not yet made sufficient progress towards their allocation of the regional housing need (RHNA). Recent amendments to the law clarified that projects utilizing the Streamlined Ministerial Approval Process qualify for the protections under the HAA (Gov. Code, § 65913.4, subd. (g)(2).)

## Applicability of Local Standards

In addition to limiting the conditions for which a housing development project can be denied, the HAA also sets parameters around aspects of the approval process. Specifically, it defines:

- The type of development standards, conditions, and policies with which a housing development or emergency shelter can be required to comply
- Parameters for fees and exactions that can be imposed
- Standards that can be applied once an application is deemed complete
- Actions by a local government that would constitute a denial of a project or impose development conditions

These requirements are intended to provide developers with greater transparency and clarity in the entitlement process.

## Objective Development Standards, Conditions, Policies, Fees, and Exactions

Government Code, § 65589.5, subdivision (f)

Local governments are not prohibited from requiring a housing development project or emergency shelter to comply with objective, quantifiable, written development standards, conditions, and policies (subject to the vesting provisions of the HAA and other applicable laws). However, those standards, conditions, and policies must meet the following criteria:

- Be appropriate to, and consistent with, meeting the local government's share of the RHNA or meeting the local government's need for emergency shelters as identified in the housing element of the general plan.
- Be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development or to facilitate and accommodate the development of the emergency shelter project.
- Meet the definition of "objective". Objective standards are those that involve no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

The intent of these provisions of the HAA is that developers are given certainty in what standards, conditions, and policies apply to their project and how those standards can be met. Local governments that deny a project due to a failure to meet subjective standards (those standards that are not objective as defined) could be in violation of the HAA. In addition, objective standards that do apply should make it feasible for a developer to build to the density allowed by the zoning and not constrain a local government's ability to achieve its RHNA housing targets.

Nothing in the statute generally prohibits a local government from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to the housing development project or emergency shelter. However, the HAA does impose limitations on the fees and exactions that can be imposed on a specific housing development project once a preliminary application is submitted (see Appendix C).

### **Determination of Application Completeness**

Government Code, § 65589.5, subdivisions (d)(5), (h)(5) and (9), and (j)(1).

The process of submitting an application for a housing development project can be iterative. For example, applications that are missing information cannot be fully evaluated by a local government for compliance with local objective standards. Therefore, an application is not typically processed until it is “determined to be complete”. The HAA currently uses two terms related to completeness, “deemed complete” and “determined to be complete.”

*Deemed Complete:* For the purposes of the HAA, until January 1, 2025, “deemed complete” means the date on which a preliminary application was submitted under the provisions of Government Code section 65941.1. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development before providing the full information required by the local government for a housing development application. Submittal of this information allows a housing developer to “freeze” the applicable standards for their project while they assemble the rest of the material necessary for a full application submittal. This ensures development requirements do not change during this time, potentially adding costs to a project. No affirmative determination by a local government regarding the completeness of a preliminary application is required. (See Appendix C).

The term “deemed complete” triggers the “freeze date” for applicable development standards, criteria, or condition that can be applied to a project. Changes to the zoning ordinance, general plan land use designation, standards, and criteria, subdivision ordinance, and design review standards, made subsequent to the date the housing development project preliminary application was “deemed complete”, cannot be applied to a housing development project or used to disapprove or condition approval of the project.

However, if the developer does not submit a preliminary application, the standards that must be applied are those that are in effect when the project is determined to be complete under the Permit Streamlining Act (Gov. Code § 65943).

*Determined to be complete:* Until January 1, 2025, the full application is “determined to be complete” when it is found to be complete under the Permit Streamlining Act (Gov. Code § 65943). This phrase triggers the timing provisions for the local government to provide written documentation of inconsistency with any applicable plan, program, policy, ordinance, standard, requirement, or other similar provision (see page 10 below for inconsistency determinations).

### **Completeness Determination of Development Application**

Government Code section 65943 states that local governments have 30 days after an application for a housing development project is submitted to inform the applicant whether or not the application is complete. If the local government does not inform the applicant of any deficiencies within that 30-day period, the application will be “deemed complete”, even if it is deficient.

If the application is determined to be incomplete, the local government shall provide the applicant with an exhaustive list of items that were not complete pursuant to the local government’s submittal requirement checklist. Information not included in the initial list of deficiencies in the application cannot be requested in subsequent reviews of the application.

A development applicant who submitted a preliminary application has 90 days to complete the application after receiving notice that the application is incomplete, or the preliminary application will expire. Each time an applicant resubmits new information, a local government has 30 calendar days to review the submittal materials and to identify deficiencies in the application.

Please note, Government Code section 65943 is triggered by an application submitted with all of the requirements on lists compiled by the local government and available when the application was submitted that specifies in detail the information that will be required from any applicant for a development project pursuant to Government Code section 65940. This is not the “preliminary application” referenced in Government Code section 65941.1.

### **Triggers for a Disapproval of a Housing Development Project**

Government Code, § 65589.5, subdivisions (h)(6)

The HAA does not prohibit a local government from exercising its authority to disapprove a housing development project, but rather provides limitations and conditions for exercising that authority. The HAA defines disapproval as when the local government takes one of the following actions:

- Votes on a proposed housing development project application and the application is disapproved. This includes denial of other required land use approvals or entitlements necessary for the issuance of a building permit. Examples include, but are not limited to, denial of the development application, tentative or final maps, use permits, or design review. If the project is using the Streamlined Ministerial Approval Process, disapproval of the application would trigger the provisions of the HAA.
- Fails to comply with decision time periods for approval or disapproval of a development application<sup>2</sup>. Until 2025, the following timeframes apply:
  - 90 days after certification of an environmental impact report (prepared pursuant to the California Environmental Quality Act) by the lead agency for a housing development project.
  - 60 days after certification of an environmental impact report (prepared pursuant to the California Environmental Quality Act) by the lead agency for a housing development project where at least 49 percent of the units in the development project are affordable to very low or low-income households<sup>3</sup>, and where rents for the lower income units are set at an affordable rent<sup>4</sup> for at least 30 years and owner-occupied units are available at an affordable housing cost<sup>5</sup>, among other conditions (see Gov Code § 65950).
  - 60 days from the date of adoption by the lead agency of a negative declaration.
  - 60 days from the determination by the lead agency that the project is exempt from the California Environmental Quality Act.

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<sup>2</sup> Timeframes are pursuant to Government Code section 65950

<sup>3</sup> As defined by Health and Safety Code sections 50105 and 50079.5

<sup>4</sup> Pursuant to Section 50053 of the Health and Safety Code

<sup>5</sup> Pursuant to Section 50052.5 of the Health and Safety Code

## Imposition of Development Conditions

Government Code, § 65589.5, subdivisions. (d), (h)(7), and (i)

Like the ability to deny a project, the HAA does not prohibit a local government from exercising its authority to condition the approval of a project, but rather provides limitations and conditions for the application of certain conditions. Specifically, the HAA limits the application of conditions that lower the residential density of the project, and, for housing affordable to lower- and moderate-income households and emergency shelters, conditions that would have a substantial adverse impact on the viability or affordability of providing those units unless specific findings are made and supported by a preponderance of the evidence in the record<sup>6</sup>.

For purposes of the HAA, “lower density” includes any conditions that have the same effect or impact on the ability of the project to provide housing. This could include a condition that directly lowers the overall number of units proposed (e.g., the development proposes 50 units, but the local government approves only 45 units). It could also include indirect conditions that result in a lower density (e.g., a development proposes 50 units at 800 square feet per unit but the local government conditions the approval on the provision of 850 square feet per unit, resulting in the project having to provide fewer units to accommodate the increase in square footage). Another example would be a reduction in building height that would result in the project being able to provide fewer units than originally proposed.

Local governments must also consider if imposed conditions of approval would have an adverse effect on a project’s ability to provide housing for very low-, low-, or moderate-income households at the affordability levels proposed in the housing development project. This includes provisions that would render the project for very low-, low-, or moderate-income households infeasible or would have a substantial adverse effect on the viability or affordability of the proposed housing. For example, project approval for an affordable housing development might be conditioned on the need to use specific materials that significantly increase the cost of the project. This additional cost could either render the project financially infeasible altogether or require substantial changes to the affordability mix of the units where fewer very low-income units could be provided. In these cases, it is possible that the conditions would violate the HAA.

Conditions that should be analyzed for their effect on density and project feasibility (for affordable projects) include, but are not limited to, the following:

- Design changes
- Conditions that directly or indirectly lower density
- Reduction of the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning.

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<sup>6</sup> See Page13 for more information on the preponderance of the evidence standard.

## Housing Accountability Act Provisions That Apply to All Housing Projects

The following provisions apply to all housing development projects regardless of affordability.

### **Determination of Consistency with Applicable Plans, Standards, or Other Similar Provision Based on the Reasonable Person Standard**

Government Code, § 65589.5, subdivision (f)(4)

A key component of the HAA is the determination as to whether or not the proposed housing development project is consistent, compliant and in conformity with all applicable plans, programs, policies, ordinances, standards, requirements, and other similar provisions.

Traditionally, this determination is made by local government, which is given significant deference to interpret its own plans, programs, policies, ordinances, standards, requirements, and other similar provisions. In most planning and zoning matters, courts traditionally uphold an agency's determination if there is "substantial evidence" to support that determination. If substantial evidence supports the agency's decision, an agency can reach a conclusion that a development project is inconsistent with applicable provisions, even if there is evidence to the contrary.

Departing from these traditional rules, the HAA sets forth its own standard for determining consistency with local government rules for housing development projects and emergency shelters. A housing development project or emergency shelter is deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that could allow *a reasonable person* to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity with applicable standards and requirements. The intent of this provision is to provide an objective standard and increase the likelihood of housing development projects being found consistent, compliant and in conformity.

### **Applicability of Density Bonus Law**

Government Code, § 65589.5, subdivision (j)(3)

The receipt of a density bonus pursuant to Density Bonus Law (Government Code § 65915) does not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision. Receipt of a density bonus can include a bonus in number of units, incentives, concessions, or waivers to development standards allowed under Density Bonus Law.<sup>7</sup>

### **General Plan and Zoning Consistency Standard**

Government Code, § 65589.5, subdivision (j)(4)

For various reasons, there is at times inconsistency between standards in a general plan and zoning standards. For example, a local government may have amended the general plan, but

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<sup>7</sup> Please note pursuant to Government Code § 65915, subd. (f) a receipt of a density bonus does not require an increase in density. An applicant can elect to ask for just the concessions, incentives, and waivers that the project qualifies for under State Density Bonus Law.

has not yet amended all of its municipal ordinances to assure vertical consistency<sup>8</sup>. Recognizing this, the HAA clarifies that if the zoning standards and criteria are inconsistent with applicable, objective general plan standards, but the development project is consistent with the applicable objective general plan standards for the site, then the housing development project cannot be found inconsistent with the standards and criteria of the zoning. Further, if such an inconsistency exists, the local agency may not require rezoning prior to housing development project approval.

However, the local agency may require the proposed housing development project to comply with the objective standards and criteria contained elsewhere in the zoning code that are consistent with the general plan designation. For example, if a site has a general plan land use designation of high density residential, but the site is zoned industrial, then a local government can require the project to comply with objective development standards in zoning districts that are consistent with the high density residential designation, such as a multifamily high density residential zone.

However, under the HAA, the standards and criteria determined to apply to the project must facilitate and accommodate development at the density allowed the general plan on the project site and as proposed by the housing development project.

### **Written Notification of Inconsistency**

Government Code, § 65589.5, subdivision (j)(2)

If a local government considers a proposed housing development project to be inconsistent, non-compliant, or not in conformity with any applicable plan, program, policy, ordinance, standard, requirement, or other similar provision, the local government must provide written notification and documentation of the inconsistency, noncompliance, or inconformity. This requirement applies to all housing development projects, regardless of affordability level. The documentation must:

- Identify the specific provision or provisions and provide an explanation of the reason or reasons why the local agency considers the housing development to be inconsistent, non-compliant, or non-conformant with identified provisions.
- Be provided to the applicant within 30 days of a project application being deemed complete for projects containing 150 or fewer housing units.
- Be provided to the applicant within 60 days of a project application being deemed complete for projects containing over 150 units.

### **Consequence for Failure to Provide Written Documentation**

If the local government fails to provide the written documentation within the required timeframe, the housing development project is deemed consistent, compliant and in conformity with applicable plans, programs, policies, ordinances, standards, requirements, or other similar provisions.

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<sup>8</sup> Pursuant to Government Code § 65860, city and county, including a charter city, zoning ordinances must be consistent with the adopted general plan. This is known as vertical consistency.

## Denial of a Housing Project that is Consistent with Applicable Plans, Standards, or Other Similar Provisions Based on the Preponderance of the Evidence Standard

Government Code, § 65589.5, subdivision (j)(1)

When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density.

A “**specific, adverse impact**” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Pursuant to Government Code section 65589.5 (a)(3) it is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety arise infrequently.

An example of a condition that does not constitute a specific, adverse impact would be criteria that requires a project to conform with “neighborhood character”. Such a standard is not quantifiable and therefore would not meet the conditions set forth under the HAA.

- There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

### Preponderance of the Evidence Standard

In most actions, a local government is tasked with making findings or determinations based on “substantial evidence.” Under the substantial evidence standard, local government is merely required to find reasonable, adequate evidence in support of their findings, even if the same or *even more* evidence supports a finding to the contrary.

Findings or determinations based on a “preponderance of the evidence” standard require that local governments weigh the evidence and conclude that the evidence on one side outweighs, preponderates over, is more than the evidence on the other side, not necessarily in the number or quantity, but in its convincing force upon those to whom it is addressed<sup>9</sup>. Evidence that is substantial, but not a preponderance of the evidence, does not meet this standard.

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<sup>9</sup> People v. Miller (1916) 171 Cal. 649, 652. Harris v. Oaks Shopping Center (1999) 70 Cal.App.4th 206, 209 (“Preponderance of the evidence’ means evidence that has more convincing force than that opposed to it.”).

## Provisions Related to Housing Affordable to Very Low-, Low-, or Moderate-Income Household, Emergency Shelters, and Farmworker Housing

### State Policy on Housing Project Approval

“It is the policy of the state that a local government not reject or make infeasible housing development projects, including emergency shelters, that contribute to meeting the need determined pursuant to this article (RHNA) without a thorough analysis of the economic, social, and environmental effects of the action and without complying with subdivision (d)” Government Code, § 65589.5, subdivision (b).

The HAA provides additional protections for projects that contain housing affordable to very low-, low- or moderate-income households, including farmworker housing, or emergency shelters. State policy prohibits local governments from rejecting or otherwise making infeasible these types of housing development projects, including emergency shelters, without making specific findings.

### Denial or Conditioning of Housing Affordable to Very Low-, Low- or Moderate-Income Households, Including Farmworker Housing, or Emergency Shelters

Government Code, § 65589.5, subdivision (d) and (i)

The HAA specifies findings that local governments must make, in addition to those in the previous section, if they wish to deny a housing development affordable to very low-, low-, or moderate-income housing (including farmworker housing) or emergency shelters. These requirements also apply when a local government wishes to condition such a project in a way that it would that render it infeasible or would have a substantial adverse effect on the viability or affordability of a housing development project for very low-, low-, or moderate-income households. In addition to the findings, described above, that apply to all housing development projects, a local government must also make specific findings based upon the preponderance of the evidence of one of the following:

- (1) The local government has an adopted housing element in substantial compliance with California’s Housing Element Law, contained in Article 10.6 of Government Code, *and* has met or exceeded development of its share of the RHNA in all income categories proposed in the housing development project. In the case of an emergency shelter, the local government shall have met or exceeded the need for emergency shelters as identified in the housing element. This requirement to meet or exceed its RHNA is in relationship to units built in the local government, not zoning. A local government’s housing element Annual Progress Report pursuant to Government Code section 65400 can be used to demonstrate progress towards RHNA goals.
- (2) The housing development project would have a specific, adverse impact upon public health or safety and there is no feasible method to mitigate or avoid the impact without rendering the housing development project unaffordable or financially infeasible. Specific to housing development projects affordable to very low-, low-, or moderate-income housing (including farmworker housing) or emergency shelters, specific, adverse impacts do not include inconsistency with the zoning ordinance or general plan land use designation or eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.
- (3) Denial of the housing development project or the imposition of conditions is required to comply with specific state or federal law, *and* there is no feasible method to comply without

rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

- (4) The housing development project is proposed on land zoned for agriculture or resource preservation that is either: (a) surrounded on two sides by land being used for agriculture or resource preservation; or (b) does not have adequate water or wastewater facilities to serve the housing development project.
- (5) The housing development project meets both the following conditions:
- Is inconsistent with both the local government's zoning ordinance and the general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete. This means this finding cannot be used in situations where the project is inconsistent with one (e.g., the general plan designation), but is consistent with the other (e.g., zoning ordinance).
  - The local government has an adopted housing element in substantial compliance with housing element Law.

Finding (5) *cannot* be used when any of the following occur:

- The housing development project is proposed for a site identified as suitable or available for very low-, low-, or moderate-income households within a housing element and the project is consistent with the specified density identified in the housing element.
- The local government has failed to identify sufficient adequate sites in its inventory of available sites to accommodate its RNHA, and the housing development project is proposed on a site identified in any element of its general plan for residential use or in a commercial zone where residential uses are permitted or conditionally permitted.
- The local government has failed to identify a zone(s) where emergency shelters are allowed without a conditional use or other discretionary permit, or has identified such zone(s) but has failed to demonstrate that they have sufficient capacity to accommodate the need for emergency shelter(s), and the proposed emergency shelter is for a site designated in any element of the general plan for industrial, commercial, or multifamily residential uses.

Any of these findings must be based on a preponderance of the evidence. For details, see "Preponderance of the evidence standard" on page 12 for further information.

### **Violations of Housing Accountability Act**

The courts are the primary authority that enforces the HAA. Actions can be brought by eligible plaintiffs and petitioners to the court for potential violations of the law. Similarly, HCD under Government Code section 65585 (j), can find that a local government has taken an action in violation of the HAA. In that case, after notifying a local government of the violation, HCD would refer the violation to the Office of the Attorney General who could file a petition against a local government in the Superior Court.

### **Eligible Plaintiffs and Petitioners**

Government Code, § 65589.5, subdivision (k)(1)(A) and (k)(2)

The applicant, a person eligible to apply for residency in the housing development project or emergency shelter, or a housing organization may bring action to enforce the HAA. A housing organization, however, may only file an action to challenge the disapproval of the housing development project and must have filed written or oral comments with the local government prior to its action on the housing development project.

**“Housing organizations”** means a trade or industry group engaged in the construction or management of housing units or a nonprofit organization whose mission includes providing or advocating for increased access to housing for low-income households. A housing organization is entitled to reasonable attorney fees and costs when prevailing in an action. Labor unions, building associations, multifamily apartment management companies, and legal aid societies are examples of housing organizations.

### **Remedies**

Government Code, § 65589.5, subdivision (k)(1)(A)

If the plaintiff or petitioner prevails, the court must issue an order compelling compliance with the HAA within 60 days. The court’s order would at a minimum require the local agency to take action on the housing development project or emergency shelter during that time period. The court is further empowered to issue an order or judgment that actually directs the local government to approve the housing development project or emergency shelter if the court finds that the local agency acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of the HAA. “Bad faith” includes, but is not limited to, an action that is frivolous or otherwise entirely without merit.

If the plaintiff or petitioner prevails, the court shall award reasonable attorney fees and costs of the suit to the plaintiff or petitioner for both affordable and market-rate housing development projects,<sup>10</sup> except in the “extraordinary circumstances” in which the court finds that awarding fees would not further the purposes of the HAA.

### **Local Agency Appeal Bond**

Government Code, § 65589.5, subdivision (m)

If the local agency appeals the judgment of the trial court, the local agency shall post a bond, in an amount to be determined by the court, to the benefit of the plaintiff if the plaintiff is the project applicant. In this provision, the Legislature has waived, to some degree, the immunity from damages that normally extends to local agencies, recognizing that the project applicant incurs costs due to the delay of its project when a local agency appeals. (Contrast Gov. Code, § 65589.5, subd. (m), with Code Civ. Proc., § 995.220, subd. (b) [local public entities do not have to post bonds].)

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<sup>10</sup> / *Honchariw v. County of Stanislaus* (2013) 218 Cal.App.4th 1019, 1023–1024, which ruled to the contrary, was superseded by statutory changes in Senate Bill 167 (Stats. 2017, ch. 368, § 1), Assembly Bill 678 (Stats. 2017, ch. 373, § 1), and Senate Bill 330 (Stats. 2019, ch. 654, § 3).

### Failure to Comply with Court Order

Government Code, § 65589.5, subdivision (k)(1)(B)(i), (k)(1)(C), and (l)

If the local government fails to comply with the order or judgment within 60 days of issuance, the court must impose a fine on the local government. The *minimum* fine that may be imposed is \$10,000 per housing unit in the housing development project as proposed on the date the application was deemed complete. Please note, the use of the term “deemed complete” in this instance has the same meaning as “determined to be complete” as referenced on page 7. The monies are to be deposited into the State’s Building Homes and Jobs fund or the Housing Rehabilitation Loan fund. In calculating the amount of the fine in excess of the minimum, the court is directed to consider the following factors:

- The local government’s progress in meeting its RHNA and any previous violations of the HAA.
- Whether the local government acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of the HAA. If the court finds that the local government acted in bad faith, the total amount of the fine must be multiplied by five.

The court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled, including, but not limited to, an order to vacate the decision of the local agency and an order to approve the housing development project.

### Court-Imposed Fines

Court-imposed fines begin at \$10,000 per housing unit and could be much higher. If the court determines the local government acted in bad faith, the fine is multiplied by five. This equates to a minimum fine of \$50,000 per unit.

Bad faith includes, but is not limited to, an action that is frivolous or otherwise entirely without merit. For example, in a recent Los Altos Superior Court order, the court issued an order directing the local agency to approve the housing development project and found that the local agency acted in bad faith when it disapproved the housing development because its denial was entirely without merit. The city’s denial letter did not reflect that the city made a benign error in the course of attempting, in good faith, to follow the law by explaining to the developer how the project conflicted with objective standards that existed at the time of application; instead, the city denied the application with a facially deficient letter, employed strained interpretations of statute and local standards, and adopted a resolution enumerating insufficient reasons for its denial<sup>11</sup>. Bad faith can be demonstrated through both substantive decisions and procedural actions. In the Los Altos case, the court found that demanding an administrative appeal with less than a days’ notice revealed bad faith. Repeated, undue delay may likewise reveal bad faith.

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<sup>11</sup> Order Granting Consolidated Petitions for Writ of Mandate, 40 Main Street Offices, LLC v. City of Los Altos et al. (Santa Clara Superior Court Case No. 19CV349845, April 27, 2020), p. 38

## APPENDIX A: Frequently Asked Questions

### **What types of housing development project applications are subject to the Housing Accountability Act (HAA)?**

The HAA applies to both market rate and affordable housing development projects. (*Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, 1073.) It applies to housing development projects that consist of residential units and mixed-use developments when two-thirds or more of the square footage is designated for residential use. It also applies to transitional housing, supportive housing, farmworker housing, and emergency shelters. (Gov. Code, § 65589.5, subs. (d) and (h)(2).)

### **Does the Housing Accountability Act apply to charter cities?**

Yes, the HAA applies to charter cities (Gov. Code, § 65589.5, subd. (g).)

### **Does the Housing Accountability Act apply to housing development projects in coastal zones?**

Yes. However, local governments must still comply with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code) (Gov. Code, § 65589.5, subd. (e).)

### **Are housing developments still subject to the California Environmental Quality Act (CEQA) if they qualify for the protections under the Housing Accountability Act?**

Yes. Jurisdictions are still required to comply with CEQA (Division 13 (commencing with Section 21000) of the Public Resources Code) as applicable to the project. (Gov. Code, § 65589.5, subd. (e).)

### **Does the California Department of Housing and Community Development have enforcement authority for the Housing Accountability Act?**

Yes. HCD has authority to find that a local government's actions do not substantially comply with the HAA (Gov. Code, § 65585, subd. (j)(1).) In such a case, HCD may notify the California State Attorney General's Office that a local government has taken action in violation of the HAA.

### **If approval of a housing development project triggers the No-Net Loss Law, may a local government disapprove the project?**

No. Triggering a required action under the No-Net Loss Law is not a valid basis to disapprove a housing development project. (Gov. Code, § 65863, subd. (c)(2).) The only valid reasons for disapproving a housing development project are defined in the HAA under subdivisions (d) and (j). Subdivision (j) contains requirements that apply to all housing development projects; subdivision (d) contains additional requirements for housing development projects for very low-, low- or moderate-income households or emergency shelters.

### **Does the Housing Accountability Act apply to a residential development project on an historic property?**

Yes. The HAA does not limit the applicability of its provisions based on individual site characteristics or criteria. The local government may apply objective, quantifiable, written development standards, conditions, and policies related to historic preservation to the housing development project, so long as they were in effect when the application was deemed

complete<sup>12</sup>. The standards should be appropriate to, and consistent with, meeting the local government's regional housing need and facilitate development at the permitted density. (Gov. Code, § 65589.5, subd. (f)(1).) However, it should be noted that compliance with historic preservation laws may otherwise constrain the approval of a housing development.

**Under the Housing Accountability Act, is the retail/commercial component of a mixed-use project subject to review when the housing component must be approved?**

Yes. The local government may apply objective, quantifiable, written development standards, conditions and policies to the entirety of the mixed-use project, so long as they were in effect when the application was deemed complete. (Gov. Code, § 65589.5, subd. (f)(1).)

**Does the Housing Accountability Act apply to subdivision maps and other discretionary land use applications?**

Yes. The HAA applies to denials of subdivision maps and other discretionary land use approvals or entitlements necessary for the issuance of a building permit (Gov. Code, § 65589.5, subd (h)(6).)

**Does the Housing Accountability Act apply to applications for individual single-family residences or individual Accessory Dwelling Units (ADUs)?**

No. A “housing development project” means a use consisting of residential units only, mixed use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use, or transitional or supportive housing. Because the term “units” is plural, a development has to consist of more than one unit to qualify under the HAA (Gov. Code, § 65589.5, subd. (h)(2).)

**Does the Housing Accountability Act apply to an application that includes both a single-family residence and an Accessory Dwelling Unit?**

Yes. Since an application for both a single-family residence and an ADU includes more than one residential unit, the HAA applies (Gov. Code, § 65589.5, subd. (h)(2).)

**Does the Housing Accountability Act apply to an application for a duplex?**

Yes. Since an application for a duplex includes more than one residential unit, the HAA applies. (Gov. Code, § 65589.5, subd. (h)(2).)

**Does the Housing Accountability Act apply to market-rate housing developments?**

Yes. Market-rate housing developments are subject to the HAA (Gov. Code, § 65589.5, subd. (h)(2).) In *Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, the court found the definition of “housing development project” was not limited to projects involving affordable housing and extended to market-rate projects. Market-rate housing development projects are subject to the requirements of paragraph (j) (Gov. Code, § 65589.5, subd. (j).)

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<sup>12</sup> For purposes of determination of whether a site is historic, “deemed complete” is used with reference to Government Code §65940. See Government Code § 65913.10.

**Under the Housing Accountability Act, if a housing development project is consistent with local planning rules, can it be denied or conditioned on a density reduction?**

Yes. However, a local government may deny a housing development that is consistent with local planning rules, or condition it on reduction in density, only under very specific circumstances. (Gov. Code, § 65589.5, subds. (j)(1)(A), (B).) The local government must make written findings based on a preponderance of the evidence that both:

- (1) The housing development project would have a specific, adverse impact upon public health or safety unless disapproved or approved at a lower density; and
- (2) There is no feasible method to satisfactorily mitigate or avoid the impact.

(See definition of and specific requirements for finding of “specific, adverse impact” discussed below.)

**Under the Housing Accountability Act, can a housing development project affordable to very low-, low-, or moderate-income households (including farmworker housing) or emergency shelter that is inconsistent with local planning requirements be denied or conditioned in a manner that renders it infeasible for the use proposed?**

Yes, but only under specific circumstances. The local government must make written findings based on a preponderance of the evidence as to specific criteria. However, inconsistency with zoning does not justify denial or conditioning if the project is consistent with the general plan. (See Page 11 for more details). See also Gov. Code, § 65589.5, subds. (d)(1)-(5).)

**Is there a definition for “specific, adverse impact” upon public health and safety?**

Yes. The HAA provides that a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation is not such a specific, adverse impact upon the public health or safety. (Gov. Code, § 65589.5, subds. (d)(2) and (j)(1)(A).)

The HAA considers that such impacts would be rare: “It is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety, as described in paragraph (2) of subdivision (d) and paragraph (1) of subdivision (j), arise infrequently.” (Gov. Code, § 65589.5, subd. (a)(3).)

## Appendix B: Definitions

**Area median income** means area median income as periodically established by the HCD pursuant to Section 50093 of the Health and Safety Code. The developer shall provide sufficient legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of this subdivision for 30 years. (Gov. Code, § 65589.5, subd. (h)(4).)

**Bad faith** includes, but is not limited to, an action that is frivolous or otherwise entirely without merit. (Gov. Code, § 65589.5, subd. (l).) This definition arises in the context of the action a local government takes when it disapproved or conditionally approved the housing development or emergency shelter in violation of the HAA.

**Deemed complete** means that the applicant has submitted a preliminary application pursuant to Government Code section 65941.1 (Gov. Code, § 65589.5, subd. (h)(5).) However, in Government Code section 65589.5(k)(1)(B)(i) deemed complete has the same meaning as “Determined to be Complete”.

**Determined to be complete** means that the applicant has submitted a complete application pursuant to Government Code section 65943 (Gov. Code, § 65589.5, subd. (h)(9).)

**Disapprove the housing development project** means a local government either votes on a proposed housing development project application and the application is disapproved, including any required land use approvals or entitlements necessary for the issuance of a building permit, or fails to comply with specified timeframes in the Permit Streamlining Act. (Gov. Code, § 65589.5, subd. (h)(5).)

**Farmworker housing** means housing in which at least 50 percent of the units are available to, and occupied by, farmworkers and their households.

**Feasible** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. (Gov. Code, § 65589.5, subd. (h)(1).)

**Housing development project** means a use consisting of any of the following: (1) development projects with only residential units, (2) mixed-use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use, (3) transitional or supportive housing.

**Housing organization** means a trade or industry group whose local members are primarily engaged in the construction or management of housing units or a nonprofit organization whose mission includes providing or advocating for increased access to housing for low-income households and have filed written or oral comments with the local agency prior to action on the housing development project. (Gov. Code, § 65589.5, subd. (k)(2).) This definition is relevant to the individuals or entities that have standing to bring an HAA enforcement action against a local agency.

**Housing for very low-, low-, or moderate-income households** means that either:

- At least 20 percent of the total units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or

- One hundred (100) percent of the units shall be sold or rented to persons and families of moderate income as defined in Section 50093 of the Health and Safety Code, or persons and families of middle income, as defined in Section 65008 of this code.

Housing units targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based. Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate-income eligibility limits are based. (Gov. Code, § 65589.5, subd. (h)(3).)

**Lower density** (as used in the sense of “to lower density”) means a reduction in the units built per acre. It includes conditions that directly lower density and conditions that effectively do so via indirect means. (Gov. Code, § 65589.5, subd. (h)(7).)

**Mixed use** means a development consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use. (Gov. Code, § 65589.5, subd. (h)(2)(B).)

**Objective** means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official. (Gov. Code, § 65589.5, subd. (h)(2)(B).)

**Regional housing needs allocation (RHNA)** means the share of the regional housing needs assigned to each jurisdiction by income category pursuant to Government Code section 65584 through 65584.6.

**Specific adverse impact** means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety. (Gov. Code, § 65589.5, subds. (d)(2), (j)(1)(A).) This definition is relevant to the written findings that a local agency must make when it disapproves or imposes conditions on a housing development project or an emergency shelter that conforms with all objective standards. It is the express intent of the Legislature that the conditions that would give rise to a specific, adverse impact upon the public health and safety occur infrequently. (Gov. Code, § 65589.5, subd. (a)(3).)

## Appendix C: Preliminary Application (Senate Bill 330, Statutes of 2019)

The Housing Crisis Act of 2019 (Chapter 654, Statutes of 2019 (SB 330)) strengthens protections for housing development projects under the Housing Accountability Act (HAA), Planning and Zoning Law, and the Permit Streamlining Act. The provisions set forth under SB 330 sunset in 2025.

Among other provisions, to increase transparency and certainty early in the development application process, SB 330 allows a housing developer the option of submitting a “preliminary application” for any housing development project. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development before providing the complete information required by the local government. Upon submittal of an application and a payment of the permit processing fee, a housing developer is allowed to “freeze” the applicable standards to their project early while they assemble the rest of the material necessary for a full application submittal. This ensures development requirements do not change during this time, adding costs to a project due to potential redesigns due to changing local standards.

### Benefits of a Preliminary Application

Government Code, § 65589.5, subdivision (o)

The primary benefit of a preliminary application is that a housing development project is subject only to the ordinances, policies, standard, or any other measure (standards) adopted and in effect when a preliminary application was submitted. “Ordinances, policies, and standards” includes general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and any other rules, regulations, requirements, and policies of a local agency, as defined in Section 66000, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions.

However, there are some circumstances where the housing development project can be subjected to a standard beyond those in effect when a preliminary application is filed:

- In the case of a fee, charge, or other monetary exaction, an increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or other monetary exaction.
- A preponderance of the evidence in the record establishes that the standard is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.
- The standard is necessary to avoid or substantially lessen an impact of the project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- The housing development project has not commenced construction within two and a-half years following the date that the project received final approval. “Final approval” means that the housing development project has received all necessary approvals to be eligible to apply for, and obtain, a building permit or permits and either of the following is met:
  - The expiration of all applicable appeal periods, petition periods, reconsideration periods, or statute of limitations for challenging that final approval without an appeal, petition,

request for reconsideration, or legal challenge have been filed. If a challenge is filed, that challenge is fully resolved or settled in favor of the housing development project.

- The housing development project is revised following submittal of a preliminary application pursuant to Section 65941.1 such that the number of residential units or square footage of construction changes by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision. “Square footage of construction” means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations). However, a local government is not prevented from applying the standards in effect at the time of the preliminary application submittal.
- Once a residential project is complete and a certificate of occupancy has been issued, local governments are not limited in the application of later enacted ordinances, policies, and standards that regulate the use and occupancy of those residential units, such as ordinances relating to rental housing inspection, rent stabilization, restrictions on short-term renting, and business licensing requirements for owners of rental housing.

### **Contents of a Preliminary Application**

Government Code, § 65941.1

Each local government shall compile a checklist and application form that applicants for housing development projects may use for submittal of a preliminary application. However, HCD has adopted a standardized form that may be used to submit a preliminary application if a local agency has not developed its own application form. The preliminary application form can be found on HCD’s [website](#).

The following are the items that are contained in the application form. Local government checklists or forms cannot require or request any information beyond these 17 items.

1. The specific location, including parcel numbers, a legal description, and site address, if applicable.
2. The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
3. A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
4. The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
5. The proposed number of parking spaces.
6. Any proposed point sources of air or water pollutants.
7. Any species of special concern known to occur on the property.
8. Whether a portion of the property is located within any of the following:
  - A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
  - Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

- A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code.
  - A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
  - A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
  - A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code.
9. Any historic or cultural resources known to exist on the property.
10. The number of proposed below market rate units and their affordability levels.
11. The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
12. Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
13. The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.
14. For a housing development project proposed to be located within the coastal zone, whether any portion of the property contains any of the following:
- Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.
  - Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.
  - A tsunami run-up zone.
  - Use of the site for public access to or along the coast.
15. The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
16. A site map showing a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code and an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.
17. The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way.

## **Timing Provisions from Filing of a Preliminary Application to Determination of Consistency with Applicable Standards under the Housing Accountability Act**

### **Step 1: Preliminary Application Submittal GC 65941.1**

- Applicant submits preliminary application form.
- Applicant pays permit processing fees.
- No affirmative determination by local government regarding the completeness of a preliminary application is required.

### **Step 2: Full Application Submittal**

- Applicant submits full application within 180 days of preliminary application submittal.
- Application contains all information required by the local government application checklist pursuant to Government Code Sections 65940, 65941, and 65941.5<sup>13</sup>.

### **Step 3: Determination of Application Completeness GC 65943**

- Local government has 30 days to determine application completeness and provide in writing both the determination of whether the application is complete and, when applicable, a list of items that were not complete. This list is based on the agency's submittal requirement checklist. If written notice is not provided within 30 days, the application is deemed complete.
- An applicant that has submitted a preliminary application has 90 days to correct deficiencies and submit the material needed to complete the application<sup>14</sup>.
- Upon resubmittal, local government has 30 days to evaluate. Evaluation is based on previous stated items and the supplemented or amended materials. If still not correct, the local agency must specify those parts of the application that were incomplete and indicate the specific information needed to complete the application.
- Upon a third determination of an incomplete application, an appeals process must be provided.

### **Step 4: Application Consistency with Standards (HAA) GC 65589.5**

- Identify the specific provision or provisions and provide an explanation of the reason or reasons why the local agency considers the housing development to be inconsistent, non-compliant, or non-conformant with identified provisions.

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<sup>13</sup> Government Codes § 65940, 65941, and 65941.5 require, among other things, a local government to compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project. Copies of the information shall be made available to all applicants for development projects and to any person who requests the information.

<sup>14</sup> The statute is silent on applications that did not use the preliminary application process. There is no statutory timeline for resubmittal in those instances.

- 30 days of a project application being deemed complete for projects containing 150 or fewer housing units.
- 60 days of a project application being deemed complete for projects containing over 150 units.

#### **Step 5: Other Entitlement Process Requirements Pursuant to SB 330**

- Pursuant to Government Code section 65905.5, if a proposed housing development project complies with the applicable, objective general plan and zoning standards, the local government can conduct a maximum of five hearings, including hearing continuances, in connection with the approval of the project. Compliance with applicable, objective general plan and zoning standards has the same meaning and provisions as in the HAA, including circumstances when there is inconsistency between the general plan and zoning.

A “hearing” includes any public hearing, workshop, or similar meeting conducted by the local government with respect to the housing development project, whether by the legislative body of the city or county, the planning agency, or any other agency, department, board, commission, or any other designated hearing officer or body of the city or county, or any committee or subcommittee thereof. A “hearing” does not include a hearing to review a legislative approval required for a proposed housing development project, including, but not limited to, a general plan amendment, a specific plan adoption or amendment, or a zoning amendment, or any hearing arising from a timely appeal of the approval or disapproval of a legislative approval.

However, it should be noted nothing in this requirement supersedes, limits, or otherwise modifies the requirements of, or the standards of review pursuant to CEQA.

- Pursuant to Government Code section 65950, a local government must make a final decision on a residential project within 90 days after certification of an environmental impact report (or 60 days after adoption of a mitigated negative declaration or an environment report for an affordable housing project).

## Appendix D: Housing Accountability Act Statute (2020)

### GOVERNMENT CODE - GOV

#### TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]

#### DIVISION 1. PLANNING AND ZONING [65000 - 66301]

#### CHAPTER 3. Local Planning [65100 - 65763]

#### ARTICLE 10.6. Housing Elements [65580 - 65589.11]

##### **65589.5.**

(a) (1) The Legislature finds and declares all of the following:

(A) The lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California.

(B) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the cost of land for housing, and require that high fees and exactions be paid by producers of housing.

(C) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(D) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing development projects, reduction in density of housing projects, and excessive standards for housing development projects.

(2) In enacting the amendments made to this section by the act adding this paragraph, the Legislature further finds and declares the following:

(A) California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives.

(B) While the causes of this crisis are multiple and complex, the absence of meaningful and effective policy reforms to significantly enhance the approval and supply of housing affordable to Californians of all income levels is a key factor.

(C) The crisis has grown so acute in California that supply, demand, and affordability fundamentals are characterized in the negative: underserved demands, constrained supply, and protracted unaffordability.

(D) According to reports and data, California has accumulated an unmet housing backlog of nearly 2,000,000 units and must provide for at least 180,000 new units annually to keep pace with growth through 2025.

(E) California's overall homeownership rate is at its lowest level since the 1940s. The state ranks 49th out of the 50 states in homeownership rates as well as in the supply of housing per

capita. Only one-half of California's households are able to afford the cost of housing in their local regions.

(F) Lack of supply and rising costs are compounding inequality and limiting advancement opportunities for many Californians.

(G) The majority of California renters, more than 3,000,000 households, pay more than 30 percent of their income toward rent and nearly one-third, more than 1,500,000 households, pay more than 50 percent of their income toward rent.

(H) When Californians have access to safe and affordable housing, they have more money for food and health care; they are less likely to become homeless and in need of government-subsidized services; their children do better in school; and businesses have an easier time recruiting and retaining employees.

(I) An additional consequence of the state's cumulative housing shortage is a significant increase in greenhouse gas emissions caused by the displacement and redirection of populations to states with greater housing opportunities, particularly working- and middle-class households. California's cumulative housing shortfall therefore has not only national but international environmental consequences.

(J) California's housing picture has reached a crisis of historic proportions despite the fact that, for decades, the Legislature has enacted numerous statutes intended to significantly increase the approval, development, and affordability of housing for all income levels, including this section.

(K) The Legislature's intent in enacting this section in 1982 and in expanding its provisions since then was to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for, or render infeasible housing development projects and emergency shelters. That intent has not been fulfilled.

(L) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing.

(3) It is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety, as described in paragraph (2) of subdivision (d) and paragraph (1) of subdivision (j), arise infrequently.

(b) It is the policy of the state that a local government not reject or make infeasible housing development projects, including emergency shelters, that contribute to meeting the need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without complying with subdivision (d).

(c) The Legislature also recognizes that premature and unnecessary development of agricultural lands for urban uses continues to have adverse effects on the availability of those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development should be guided away from prime agricultural lands; therefore, in implementing this section, local governments should encourage, to the maximum extent practicable, in filling existing urban areas.

(d) A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following:

(1) The local government has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the local government has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the local government has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the local government shall be calculated consistently with the forms and definitions that may be adopted by HCD pursuant to Section 65400. In the case of an emergency shelter, the local government shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.

(2) The housing development project or emergency shelter as proposed 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 without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety:

(A) Inconsistency with the zoning ordinance or general plan land use designation.

(B) The eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.

(3) The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

(4) The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(5) The housing development project or emergency shelter is inconsistent with both the local government's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the local government has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

(A) This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the local government's housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the local government's zoning ordinance and general plan land use designation.

(B) If the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and are sufficient to provide for the local government's share of the regional housing need for all income levels pursuant to Section 65584, then this paragraph shall not be utilized to disapprove or conditionally approve a housing development project proposed for a site designated in any element of the general plan for residential uses or designated in any element of the general plan for commercial uses if residential uses are permitted or conditionally permitted within commercial designations. In any action in court, the burden of proof shall be on the local agency to show that its housing element does identify adequate sites with appropriate zoning and development standards and with services and facilities to accommodate the local agency's share of the regional housing need for the very low, low-, and moderate-income categories.

(C) If the local agency has failed to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, has failed to demonstrate that the identified zone or zones include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7) of subdivision (a) of Section 65583, or has failed to demonstrate that the identified zone or zones can accommodate at least one emergency shelter, as required by paragraph (4) of subdivision (a) of Section 65583, then this paragraph shall not be utilized to disapprove or conditionally approve an emergency shelter proposed for a site designated in any element of the general plan for industrial, commercial, or multifamily residential uses. In any action in court, the burden of proof shall be on the local agency to show that its housing element does satisfy the requirements of paragraph (4) of subdivision (a) of Section 65583.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the congestion management program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f) (1) Except as provided in subdivision (o), nothing in shall be construed to prohibit a local agency from requiring the housing development project to comply with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the local government's share of the regional housing need pursuant to Section 65584. However, the development standards, conditions, and policies shall be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development.

(2) Except as provided in subdivision (o), nothing in shall be construed to prohibit a local agency from requiring an emergency shelter project to comply with objective, quantifiable, written development standards, conditions, and policies that are consistent with paragraph (4) of subdivision (a) of Section 65583 and appropriate to, and consistent with, meeting the local government's need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. However, the development standards, conditions, and policies shall be applied by the local agency to facilitate and accommodate the development of the emergency shelter project.

(3) Except as provided in subdivision (o), nothing in this section shall be construed to prohibit a local agency from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to the housing development project or emergency shelter.

(4) For purposes of this section, a housing development project or emergency shelter shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.

(g) This section shall be applicable to charter cities because the Legislature finds that the lack of housing, including emergency shelter, is a critical statewide problem.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(2) "Housing development project" means a use consisting of any of the following:

(A) Residential units only.

(B) Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.

(C) Transitional housing or supportive housing.

(3) "Housing for very low, low-, or moderate-income households" means that either (A) at least 20 percent of the total units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or (B) 100 percent of the units shall be sold or rented to persons and families of moderate income as defined in Section 50093 of the Health and Safety Code, or persons and families of middle income, as defined in Section 65008 of this

code. Housing units targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based. Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate-income eligibility limits are based.

(4) “Area median income” means area median income as periodically established by the HCD pursuant to Section 50093 of the Health and Safety Code. The developer shall provide sufficient legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of this subdivision for 30 years.

(5) Notwithstanding any other law, until January 1, 2025, “deemed complete” means that the applicant has submitted a preliminary application pursuant to Section 65941.1.

(6) “Disapprove the housing development project” includes any instance in which a local agency does either of the following:

(A) Votes on a proposed housing development project application and the application is disapproved, including any required land use approvals or entitlements necessary for the issuance of a building permit.

(B) Fails to comply with the time periods specified in subdivision (a) of Section 65950. An extension of time pursuant to Article 5 (commencing with Section 65950) shall be deemed to be an extension of time pursuant to this paragraph.

(7) “Lower density” includes any conditions that have the same effect or impact on the ability of the project to provide housing.

(8) Until January 1, 2025, “objective” means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

(9) Notwithstanding any other law, until January 1, 2025, “determined to be complete” means that the applicant has submitted a complete application pursuant to Section 65943.

(i) If any city, county, or city and county denies approval or imposes conditions, including design changes, lower density, or a reduction of the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning in force at the time housing development project’s the application is complete, that have a substantial adverse effect on the viability or affordability of a housing development for very low, low-, or moderate-income households, and the denial of the development or the imposition of conditions on the development is the subject of a court action which challenges the denial or the imposition of conditions, then the burden of proof shall be on the local legislative body to show that its decision is consistent with the findings as described in subdivision (d), and that the findings are supported by a preponderance of the evidence in the record, and with the requirements of subdivision (o).

(j) (1) When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(2) (A) If the local agency considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity as follows:

(i) Within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 or fewer housing units.

(ii) Within 60 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains more than 150 units.

(B) If the local agency fails to provide the required documentation pursuant to subparagraph (A), the housing development project shall be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

(3) For purposes of this section, the receipt of a density bonus pursuant to Section 65915 shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision.

(4) For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan. If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and

accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.

(k) (1) (A) (i) The applicant, a person who would be eligible to apply for residency in the housing development project or emergency shelter, or a housing organization may bring an action to enforce this section. If, in any action brought to enforce this section, a court finds that any of the following are met, the court shall issue an order pursuant to clause (ii):

(I) The local agency, in violation of subdivision (d), disapproved a housing development project or conditioned its approval in a manner rendering it infeasible for the development of an emergency shelter, or housing for very low, low-, or moderate-income households, including farmworker housing, without making the findings required by this section or without making findings supported by a preponderance of the evidence.

(II) The local agency, in violation of subdivision (j), disapproved a housing development project complying with applicable, objective general plan and zoning standards and criteria, or imposed a condition that the project be developed at a lower density, without making the findings required by this section or without making findings supported by a preponderance of the evidence.

(III) (ia) Subject to sub-subclause (ib), the local agency, in violation of subdivision (o), required or attempted to require a housing development project to comply with an ordinance, policy, or standard not adopted and in effect when a preliminary application was submitted.

(ib) This subclause shall become inoperative on January 1, 2025.

(ii) If the court finds that one of the conditions in clause(i) is met, the court shall issue an order or judgment compelling compliance with this section within 60 days, including, but not limited to, an order that the local agency take action on the housing development project or emergency shelter. The court may issue an order or judgment directing the local agency to approve the housing development project or emergency shelter if the court finds that the local agency acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of this section. The court shall retain jurisdiction to ensure that its order or judgment is carried out and shall award reasonable attorney's fees and costs of suit to the plaintiff or petitioner, except under extraordinary circumstances in which the court finds that awarding fees would not further the purposes of this section.

(B) (i) Upon a determination that the local agency has failed to comply with the order or judgment compelling compliance with this section within 60 days issued pursuant to subparagraph (A), the court shall impose fines on a local agency that has violated this section and require the local agency to deposit any fine levied pursuant to this subdivision into a local housing trust fund. The local agency may elect to instead deposit the fine into the Building Homes and Jobs Fund, if Senate Bill 2 of the 2017–18 Regular Session is enacted, or otherwise in the Housing Rehabilitation Loan Fund. The fine shall be in a minimum amount of ten thousand dollars (\$10,000) per housing unit in the housing development project on the date the application was deemed complete pursuant to Section 65943. In determining the amount of fine to impose, the court shall consider the local agency's progress in attaining its target allocation of the regional housing need pursuant to Section 65584 and any prior violations of this section. Fines shall not be paid out of funds already dedicated to affordable housing, including, but not limited to, Low and Moderate Income Housing Asset Funds, funds dedicated

to housing for very low, low-, and moderate-income households, and federal HOME Investment Partnerships Program and Community Development Block Grant Program funds. The local agency shall commit and expend the money in the local housing trust fund within five years for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households. After five years, if the funds have not been expended, the money shall revert to the state and be deposited in the Building Homes and Jobs Fund, if Senate Bill 2 of the 2017–18 Regular Session is enacted, or otherwise in the Housing Rehabilitation Loan Fund, for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households.

(ii) If any money derived from a fine imposed pursuant to this subparagraph is deposited in the Housing Rehabilitation Loan Fund, then, notwithstanding Section 50661 of the Health and Safety Code, that money shall be available only upon appropriation by the Legislature.

(C) If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled, including, but not limited to, an order to vacate the decision of the local agency and to approve the housing development project, in which case the application for the housing development project, as proposed by the applicant at the time the local agency took the initial action determined to be in violation of this section, along with any standard conditions determined by the court to be generally imposed by the local agency on similar projects, shall be deemed to be approved unless the applicant consents to a different decision or action by the local agency.

(2) For purposes of this subdivision, “housing organization” means a trade or industry group whose local members are primarily engaged in the construction or management of housing units or a nonprofit organization whose mission includes providing or advocating for increased access to housing for low-income households and have filed written or oral comments with the local agency prior to action on the housing development project. A housing organization may only file an action pursuant to this section to challenge the disapproval of a housing development by a local agency. A housing organization shall be entitled to reasonable attorney’s fees and costs if it is the prevailing party in an action to enforce this section.

(l) If the court finds that the local agency (1) acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of this section and (2) failed to carry out the court’s order or judgment within 60 days as described in subdivision (k), the court, in addition to any other remedies provided by this section, shall multiply the fine determined pursuant to subparagraph (B) of paragraph (1) of subdivision (k) by a factor of five. For purposes of this section, “bad faith” includes, but is not limited to, an action that is frivolous or otherwise entirely without merit.

(m) Any action brought to enforce the provisions of this section shall be brought pursuant to Section 1094.5 of the Code of Civil Procedure, and the local agency shall prepare and certify the record of proceedings in accordance with subdivision (c) of Section 1094.6 of the Code of Civil Procedure no later than 30 days after the petition is served, provided that the cost of preparation of the record shall be borne by the local agency, unless the petitioner elects to prepare the record as provided in subdivision (n) of this section. A petition to enforce the provisions of this section shall be filed and served no later than 90 days from the later of (1) the effective date of a decision of the local agency imposing conditions on, disapproving, or any

other final action on a housing development project or (2) the expiration of the time periods specified in subparagraph (B) of paragraph (5) of subdivision (h). Upon entry of the trial court's order, a party may, in order to obtain appellate review of the order, file a petition within 20 days after service upon it of a written notice of the entry of the order, or within such further time not exceeding an additional 20 days as the trial court may for good cause allow, or may appeal the judgment or order of the trial court under Section 904.1 of the Code of Civil Procedure. If the local agency appeals the judgment of the trial court, the local agency shall post a bond, in an amount to be determined by the court, to the benefit of the plaintiff if the plaintiff is the project applicant.

(n) In any action, the record of the proceedings before the local agency shall be filed as expeditiously as possible and, notwithstanding Section 1094.6 of the Code of Civil Procedure or subdivision (m) of this section, all or part of the record may be prepared (1) by the petitioner with the petition or petitioner's points and authorities, (2) by the respondent with respondent's points and authorities, (3) after payment of costs by the petitioner, or (4) as otherwise directed by the court. If the expense of preparing the record has been borne by the petitioner and the petitioner is the prevailing party, the expense shall be taxable as costs.

(o) (1) Subject to paragraphs (2), (6), and (7), and subdivision (d) of Section 65941.1, a housing development project shall be subject only to the ordinances, policies, and standards adopted and in effect when a preliminary application including all of the information required by subdivision (a) of Section 65941.1 was submitted.

(2) Paragraph (1) shall not prohibit a housing development project from being subject to ordinances, policies, and standards adopted after the preliminary application was submitted pursuant to Section 65941.1 in the following circumstances:

(A) In the case of a fee, charge, or other monetary exaction, to an increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or other monetary exaction.

(B) A preponderance of the evidence in the record establishes that subjecting the housing development project to an ordinance, policy, or standard beyond those in effect when a preliminary application was submitted is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, as defined in subparagraph (A) of paragraph (1) of subdivision (j), and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.

(C) Subjecting the housing development project to an ordinance, policy, standard, or any other measure, beyond those in effect when a preliminary application was submitted is necessary to avoid or substantially lessen an impact of the project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(D) The housing development project has not commenced construction within two and one-half years following the date that the project received final approval. For purposes of this subparagraph, "final approval" means that the housing development project has received all necessary approvals to be eligible to apply for, and obtain, a building permit or permits and either of the following is met:

(i) The expiration of all applicable appeal periods, petition periods, reconsideration periods, or statute of limitations for challenging that final approval without an appeal, petition, request for reconsideration, or legal challenge having been filed.

(ii) If a challenge is filed, that challenge is fully resolved or settled in favor of the housing development project.

(E) The housing development project is revised following submittal of a preliminary application pursuant to Section 65941.1 such that the number of residential units or square footage of construction changes by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision. For purposes of this subdivision, "square footage of construction" means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations).

(3) This subdivision does not prevent a local agency from subjecting the additional units or square footage of construction that result from project revisions occurring after a preliminary application is submitted pursuant to Section 65941.1 to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted.

(4) For purposes of this subdivision, "ordinances, policies, and standards" includes general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and any other rules, regulations, requirements, and policies of a local agency, as defined in Section 66000, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions.

(5) This subdivision shall not be construed in a manner that would lessen the restrictions imposed on a local agency, or lessen the protections afforded to a housing development project, that are established by any other law, including any other part of this section.

(6) This subdivision shall not restrict the authority of a public agency or local agency to require mitigation measures to lessen the impacts of a housing development project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(7) With respect to completed residential units for which the project approval process is complete and a certificate of occupancy has been issued, nothing in this subdivision shall limit the application of later enacted ordinances, policies, and standards that regulate the use and occupancy of those residential units, such as ordinances relating to rental housing inspection, rent stabilization, restrictions on short-term renting, and business licensing requirements for owners of rental housing.

(8) This subdivision shall become inoperative on January 1, 2025.

(p) This section shall be known, and may be cited, as the Housing Accountability Act.

# EXHIBIT H

MEMORANDUM

To: Pedro Ayala Date: April 15, 2021  
City of Los Angeles Dept. of Transportation

From: Clare M. Look-Jaeger, P.E. *CL-Jaeger* LLG Ref: 1-19-4335-1  
Francesca S. Bravo *FSB*  
Linscott, Law & Greenspan, Engineers

Subject: **1331 South Pacific Avenue Project – Supplemental Transportation Analysis**

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Linscott, Law & Greenspan, Engineers (LLG) has prepared this memorandum to summarize the supplemental transportation analysis conducted for the proposed 1331 South Pacific Avenue project (proposed project). LLG previously prepared the traffic impact study dated September 26, 2019 for a prior project development program. The findings of the traffic study report were confirmed based on the City of Los Angeles Department of Transportation (LADOT) assessment letter dated October 22, 2019.

**DESCRIPTION OF REDUCED PROJECT**

The proposed project site is located at 1309-1337 Pacific Avenue in the San Pedro Community Plan area of the City of Los Angeles (consisting of APN 7454-026-011, -012, -013, and -014). The reduced project consists of the construction of a 102-unit apartment complex, including 12 affordable housing dwelling units (Project). Construction of the proposed Project is planned to begin in year 2021 and be completed by year 2023 (i.e., project build-out year 2023). The modified Project site plan is shown in *Figure 1*. A breakdown of the residential components and their corresponding unit counts are shown below:

Land Use	Prior Project	Modified Project
Apartments	97 DU	90 DU
Affordable Housing	12 DU	12 DU

As shown above, the reduced Project has been reduced by seven (7) apartment dwelling units when compared to the prior project analyzed in the traffic study. The site access and circulation scheme for the Project remains the same as previously analyzed in the traffic study. The proposed site driveway on 14<sup>th</sup> Street is planned to be located approximately 190 feet west of the Pacific Avenue/14<sup>th</sup> Street intersection (i.e., as measured approximately from centerline of the intersection to centerline of the driveway).

A total supply of 127 parking spaces is planned to be provided on-site per the Density Bonus Parking Option 1 Los Angeles Municipal Code (LAMC) Section 12.22 A.25(d)(1), which allows up to 10 percent reduction from the required total of 132 parking spaces, although only a 4 percent reduction is proposed (i.e., a reduction of

five [5] vehicular parking spaces). As part of the parking supply, a total of four handicap accessible spaces will be provided. A total of 98 bicycle parking spaces is planned to be provided on-site, including 8 short-term and 90 long-term bicycle spaces.

### **CONSISTENCY WITH THE CITY'S ADOPTED PLANS AND POLICIES (THRESHOLD T-1)**

The City of Los Angeles aims to achieve an accessible and sustainable transportation system that meets the needs of all users. The City's adopted transportation-related plans and policies affirm that streets should be safe and convenient for all users of the transportation system, including pedestrians, bicyclists, motorists, public transit riders, disabled persons, senior citizens, children, and movers of commercial goods. Therefore, the transportation requirements and mitigations for proposed developments should be consistent with the City's transportation goals and policies.

Proposed projects shall be analyzed to identify potential conflicts with adopted City plans and policies and, if there is a conflict, improvements that prioritize access for and improve the comfort of people walking, bicycling, and riding transit in order to provide safe and convenient streets for all users should be identified. Projects should be designed to encourage sustainable travel help to reduce vehicle miles traveled. This section provides a review of the screening criteria outlined in the City's *Transportation Assessment Guidelines*<sup>1</sup> (TAG) to determine if further analysis is required.

#### **Screening Criteria**

If the project requires a discretionary action, and the answer is yes to any of the following questions, further analysis is required to assess whether the proposed project would conflict with adopted City plans, programs, ordinances, or policies that establish the transportation planning framework for all travel modes:

- Does the project require a discretionary action that requires the decision-maker to find that the decision substantially conforms to the purpose, intent and provisions of the General Plan?
  - ▣ Yes, the project requires a discretionary action.
- Is the project known to directly conflict with a transportation plan, policy, or program adopted to support multimodal transportation options or public safety?
  - ▣ No.

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<sup>1</sup> *Transportation Assessment Guidelines*, Chapter 2, CEQA Analysis of Transportation Impacts, City of Los Angeles Department of Transportation, July 2020.

- Is the project required to or proposing to make any voluntary modifications to the public right-of-way (i.e., dedications and/or improvements in the right of way, reconfigurations of curb line, etc.)?
  - Yes. Per coordination with the City's Bureau of Engineering (BOE), a 3-foot dedication is being planned along the Pacific Avenue frontage. No roadway widenings (i.e., curb line modifications) are currently proposed or required along Pacific Avenue.

As the answer is yes to at least one of the screening criteria (here, the Project requires a discretionary action and roadway dedication along Pacific Avenue), further analysis is required to assess whether the proposed project would conflict with adopted City plans, programs, ordinances, or policies.

### **Impact Criteria and Methodology**

The impact criteria set forth in the City's TAG for conflicts with plans, programs, ordinances, or policies (referred to a Threshold T-1) is defined as follows:

- Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?

The threshold test is to assess whether a project would conflict with an adopted program, policy, plan, or ordinance that is adopted to protect the environment. In general, transportation policies or standards adopted to protect the environment are those that support multimodal transportation options and a reduction in VMT. Conversely, a project would not be shown to result in an impact merely based on whether a project would not implement a particular program, plan, policy, or ordinance. Many of these programs must be implemented by the City itself over time, and over a broad area, and it is the intention of this threshold test to ensure that proposed development projects and plans do not preclude the City from implementing adopted programs, plans and policies. This determination may require consultation with LADCP and LADOT.

The methodology for determining project impacts associated with conflicts with plans, programs, ordinances, or policies is defined per the City's TAG as follows:

- A project that generally conforms with, and does not obstruct the City's development policies and standards will generally be considered to be consistent. The Project Applicant should review the documents and ordinances identified in the TAG (refer to Table 2.1-1 on pages 2-3 and 2-11) for City plans, policies, programs, ordinances and standards relevant to determining project consistency. The list highlights City documents that establish the regulatory framework. Attachment D of TAG contains a Plan Consistency Worksheet which provides a specific list of questions that must be answered in order to help guide whether the project conflicts with City

circulation system policies. A ‘yes’ or ‘no’ answer to these questions does not determine a conflict. Rather, as indicated in Attachment D of the TAG, the Project Applicant must provide substantiating information to help determine whether the proposed project precludes the City’s implementation of any adopted policy and/or program that was adopted to protect the environment. A mere conflict with adopted transportation-related policies, or standards that requires administrative relief or legislative change does not in itself constitute an impact.

- If vacation of a public right-of-way, or relief from a required street dedication is sought as part of a proposed project, an assessment should be made as to whether the right-of-way in question is necessary to serve a long-term mobility need, as defined in the Mobility Plan 2035, transportation specific plan, or other planned improvement in the future.
- The analysis of cumulative impacts may be quantitative or qualitative. Each of the plans, ordinances and policies reviewed to assess potential conflicts with proposed projects should be reviewed to assess cumulative impacts that may result from the proposed project in combination with other development projects in the study area. In addition, the cumulative analysis should also consider known development projects and planned transportation system improvements within the study area as identified in consultation with LADOT.

As noted in Subsection 2.1.4 of the TAG, related projects considered in the cumulative analysis are known development projects located within one-half mile (2,640-foot) radius of the Project site. Please refer to the list of related projects identified in *Table 2* and *Figure 7* of the transportation impact study for the location of the related projects in relation to the proposed Project site.

### **Review of Project Consistency**

This section provides a summary of the consistency review comparing the characteristics of the proposed project and site design features (i.e., including the site access and circulation scheme) with the City’s adopted plans and policies. The following paragraphs provide more detail with respect to the documents listed in Table 2.1-1 of the TAG, which are the series of City documents or plans that establish the regulatory framework for development in the City. Each of the documents listed in Table 2.1-1 of the TAG was reviewed for applicability to the Project, and the relevant transportation-related policies are summarized below, along with the Project’s conformance.

### **Mobility Plan**

The Mobility Plan combines “complete street” principles with the following goals and objectives that define the City’s mobility priorities:

- **Safety First:** Design and operate streets in a way that enables safe access for all users, regardless of age, ability, or transportation mode choice.
- **World Class Infrastructure:** A well-maintained and connected network of streets, paths, bikeways, trails, and more provides Angelenos with the optimum variety of mode choices.
- **Access for all Angelenos:** A fair and equitable system must be accessible to all and must pay particularly close attention to the most vulnerable users.
- **Collaboration, Communication, and Informed Choices:** The impact of new technologies on our day-to-day mobility demands will continue to become increasingly important to the future.
- **Clean Environments and Healthy Communities:** Active transportation modes such as bicycling and walking can significantly improve personal fitness and create new opportunities for social interaction, while lessening impacts on the environment.

The Project is being designed to be consistent with these mobility goals. The site is located along a portion of Pacific Avenue that is designated by the Mobility Plan as a Tier 2 Bicycle Lane in the Bicycle Lane Network, and is also within the designated Pedestrian Enhanced District. The Mobility Plan 2035 Networks in the project study area are shown in *Figure 2*. The pedestrian facilities provided within the project vicinity are shown in *Figure 3*. In summary, the Project provides direct pedestrian access to the Project site from sidewalks along Pacific Avenue and 14<sup>th</sup> Street. The Project does not propose modifying, removing, or otherwise affecting existing bicycle infrastructure, and the Project driveways are not proposed along streets with existing bicycle facilities. The Project would maintain the designated driveway and roadway width requirements indicated in the Mobility Plan. Pacific Avenue is designated as a Modified Avenue II roadway in the Mobility Plan. This standard requires a 43-foot half right-of-way width, a 28-foot half roadway width, and a 15-foot sidewalk width. Pacific Avenue currently has a 40-foot half right-of-way width, a 28-foot half roadway width, and a 12-foot sidewalk width. As such, a 3-foot dedication is being planned along the entire Pacific Avenue project frontage (APN 7454-026-011, -012, -013, and -014) to bring the 40-foot half right-of-way width into compliance with the City's 43-foot half right-of-way standard for Avenue II classification roadways. No roadway widenings (i.e., curb line modifications) are currently proposed on Pacific Avenue, however, an expansion to the existing sidewalk would occur as a result of the 3-foot roadway dedication. 14<sup>th</sup> Street west of South Pacific Avenue and along the project frontage is designated as a Local Street in the Mobility Plan. This standard requires a 30-foot half right-of-way width, an 18-foot half roadway width, and a 12-foot sidewalk width. 14<sup>th</sup> Street currently consists of a 30-foot half right-of-way width, a 20-foot half roadway width, and a 10-foot sidewalk width.

The Project encourages non-motorized travel through provision of short- and long-term bicycle parking. A total of 98 bicycle parking spaces is planned to be provided on-site, including 8 short-term and 90 long-term bicycle spaces. Any sidewalks, if required/proposed and curb ramps along the Project frontage would be designed in compliance with ADA standards. The Project would also provide sufficient off-street parking to accommodate the Project's typical daily parking demand. The Project does not hinder other goals and policies identified in the Mobility Plan. Therefore, the Project is consistent with and would not obstruct the implementation of the Mobility Plan.

### Plan for a Healthy Los Angeles

Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan (Los Angeles Department of City Planning, March 2015) introduces guidelines for the City to follow to enhance the City's position as a regional leader in health and equity, encourage healthy design and equitable access, and increase awareness of equity and environmental issues.

The Project will be consistent with the Plan for a Healthy Los Angeles by prioritizing safety and access for all individuals utilizing the Project Site by complying with all ADA requirements and providing clearly distinct pedestrian and vehicular access points. Further, the Project supports healthy lifestyles by providing a gym, recreation space, bicycle parking and enhancing the pedestrian environment by providing trees and landscaped plazas internal to the site to create a more comfortable environment for pedestrians. Based on the current Pacific Avenue street designation as an Avenue II roadway, a 3-foot dedication is being planned along the Pacific Avenue frontage. No roadway widenings (i.e., curb line modifications) are currently proposed on Pacific Avenue nor are they required, however, an expansion to the existing sidewalk would occur as a result of the 3-foot roadway dedication. In addition, the Project is expected to result in increased safety as the existing driveway on Pacific Avenue is planned for deletion, resulting in fewer potential conflicts points along this Avenue II roadway. Thus, the Project would be consistent with the goals of Plan for a Healthy Los Angeles.

### Land Use Element of the General Plan

The City General Plan's Land Use Element contains 35 Community Plans that establish specific goals and strategies for the various neighborhoods across Los Angeles. The Project site is located in the San Pedro Community Plan, and is designated for Neighborhood Commercial land uses. The property is located in the Harbor Gateway State Enterprise Zone, Los Angeles County Metropolitan Transportation Authority (Metro) Right-of-Way Project Area, and Pacific Corridor Redevelopment Project Area. The site is also located within the San Pedro Community Plan Implementation Overlay ("CPIO") District Coastal Commercial A Subarea (Subarea No. 150). The Project is consistent with the circulation standards

and criteria of the San Pedro Community Plan as the transportation system adjacent to the Project Site, principally including Pacific Avenue, would adequately serve the traffic generated by the Project without major congestion, as demonstrated by the Project's transportation assessments. Therefore, the Project would be consistent with the Community Plan. It should be noted that consultation with Metro would occur prior to the issuance of any building permit to ensure safe access to, and operations of, transportation services and facilities.

#### Los Angeles Municipal Code (LAMC) Section 12.21A.16

LAMC Section 12.21A.16 details the bicycle parking requirements for new developments. As described in the Project Description, construction of the proposed Project would include 8 short-term and 90 long-term bicycle spaces. The Project's bicycle parking supply would comply with LAMC requirements.

#### LAMC Section 12.26.J

LAMC Section 12.26.J is the City's Transportation Demand Management (TDM) Ordinance, which establishes trip reduction requirements for non-residential projects in excess of 25,000 sf. The Project is a residential development and therefore LAMC Section 12.26J would not apply to the Project. The Project would not conflict with the requirements of LAMC Section 12.26.J.

#### LAMC Section 12.37

LAMC Section 12.37 states that a project must dedicate and improve adjacent streets to half- right-of-way standards consistent with street designations from the Mobility Plan. As noted in the Mobility Plan section above, adjacent to the Project, 14<sup>th</sup> Street is adequately dedicated and improved, while a 3-foot dedication is proposed for Pacific Avenue in compliance with the Mobility Plan. The Project is being designed to also comply with applicable Fire Department requirements as it relates to the internal roadway system. Thus, the Project would be consistent with LAMC Section 12.37.

#### Vision Zero Action and Corridor Plans

Vision Zero implements projects that are designed to increase safety on the most vulnerable City streets. The City has identified a number of streets as part of the High Injury Network (HIN) where City projects will be targeted. South Pacific Avenue is identified as part of the HIN in the project vicinity. While the proposed Project is located along a roadway (i.e., South Pacific Avenue) that is included on the City's High Injury Network corridor, no formal vehicular access is proposed along South Pacific Avenue. In addition, the existing Project site includes a total of two driveway/curb cuts, one (1) on South Pacific Avenue north of 14<sup>th</sup> Street and one (1) on 14<sup>th</sup> Street. With development of the proposed project, the existing driveway/curb cut on South Pacific Avenue (a corridor included as part of the City's HIN) will be

eliminated. Thus, the potential for future pedestrian/vehicle/bicycle conflicts along this HIN would likely be reduced in the future. Further, the three (3)-foot right-of-way dedication planned to be provided along the South Pacific Avenue project frontage would result in a 3-foot expansion to the existing sidewalk width. This increased width will further support and enhance pedestrian circulation along this corridor, as South Pacific Avenue in the project vicinity is near the City's Mobility Plan 2035 Neighborhood Enhanced Network for the Harbor Subarea (Map C5 Harbor Subarea – Neighborhood Enhanced Network of the City's Mobility Plan 2035) where Grand Avenue, located just one block to the west of the project site, is part of the designated Neighborhood Enhanced Network. Moreover, the Project improvements to the pedestrian environment would not preclude future Vision Zero safety improvements by the City, should they be deemed necessary. Thus, the Project does not conflict with Vision Zero.

#### Streetscape Plans

There are no streetscape plans adjacent to the Project site and, therefore, streetscape plans do not apply to the Project. The Project will comply with any applicable landscaping and street tree requirements of the San Pedro Community Plan.

#### Citywide Design Guidelines

Citywide Design Guidelines (Los Angeles City Planning Urban Design Studio, October 2019) identifies urban design principles to guide architects and developers in designing high-quality projects that meet the City's functional, aesthetic, and policy objectives and help foster a sense of community. The design guidelines are organized around the following approaches:

- *Pedestrian-first Design*

Guideline 1: Promote a safe, comfortable, and accessible pedestrian experience for all.

Guideline 2: Carefully incorporate vehicular access such that it does not degrade the pedestrian experience.

Guideline 3: Design projects to actively engage with streets and public space and maintain human scale.

The Project would be consistent with the Design Guidelines. Adequate sidewalks will be provided in accordance with the City's Living Streets design considerations. Based on the current Pacific Avenue street designation as an Avenue II roadway, a 3-foot dedication is also being planned along the Pacific Avenue frontage. No roadway widenings (i.e., curb line modifications) are currently proposed on Pacific Avenue, however, an expansion to the existing sidewalk would occur as a result of the 3-foot roadway dedication. In addition, the project is expected to result in increased safety as the existing driveway on Pacific Avenue is planned for deletion, resulting in fewer potential conflicts points along this Avenue II roadway. Additionally, street trees

would be incorporated to provide shade for a more comfortable mobility environment for pedestrians. Therefore, the Project would align with Citywide Design Guidelines to provide a safe, comfortable, and accessible experience for all transportation modes.

As shown above, the proposed Project has been found to be consistent with the relevant City plans, policies and programs and does not include any features that would preclude the City from completing and complying with these guiding documents and policy objectives. Further, the Applicant will comply with existing, applicable requirements pursuant to the City's Municipal Code.

### **VMT ANALYSIS (THRESHOLD T-2.1)**

On July 30, 2019, the Los Angeles Department of City Planning (LADCP) and Department of Transportation (LADOT) updated the Transportation Section of the City's California Environmental Quality Act (CEQA) Thresholds Guide to comply with and implement Senate Bill 743. On September 27, 2013, Governor Brown signed Senate Bill (SB) 743. Under SB 743, the focus of transportation analysis pursuant to CEQA will shift from driver delay, or level of service (LOS), to reduction of vehicle miles traveled, reduction in greenhouse gas emissions, creation of multimodal networks and promotion of mixed-use developments. In December 2018, the California Natural Resources Agency certified and adopted amendments to the CEQA Guidelines implementing SB 743 with a target implementation date of July 1, 2020. City staff presented the CEQA Appendix G environmental checklist update to the City Council, which led to the adoption of new Vehicle Miles Traveled (VMT)-based significance thresholds and its subsequent incorporation into the City's CEQA Threshold Guide. In the course of this update, LADOT has developed a VMT Calculator tool to estimate project-specific daily household VMT per capita and daily work VMT per employee for land use development projects. This tool is intended to be used for development projects within the City of Los Angeles, and the VMT methodology is tailored to the City of Los Angeles *Transportation Assessment Guidelines (TAG)*.

### **Screening Criteria**

If the project requires discretionary action, and the answer is no to either T-2.1-1 or T-2.1-2 below, further analysis will not be required for CEQA Threshold T-2.1, and a "no impact" determination can be made for that threshold:

- T-2.1-1: Would the land use project generate a net increase of 250 or more daily vehicle trips?

The TAG states that for purposes of screening the daily vehicle trips, a proposed project's daily vehicle trips should be estimated using the City's VMT Calculator tool or the most recent edition of the ITE *Trip Generation Manual*. TDM strategies that are to be applied as mitigation measures should not be considered for the purposes of screening. If existing land uses are present on the project site or there were

previously terminated land uses that meet the criteria for trip credits described in the trip generation methodology discussion (refer to Subsection 3.3.4.1 of the TAG), the daily vehicle trips generated by the existing or qualified terminated land uses can be estimated using the VMT Calculator tool and subtracted from the proposed project's daily vehicle trips to determine the net increase in daily vehicle trips.

- Using the City's VMT Calculator tool, the proposed Project is forecast to generate 484 daily vehicle trips. It should be noted that this estimate conservatively does not account for the existing uses on-site: 2,400 square feet of warehouse space, 4,000 square feet of light industrial space and a 1,600 square-foot bar. Therefore, the project exceeds the screening criteria set forth in T-2.1-1.
- T-2.1-2: Would the project generate a net increase in daily VMT?

The TAG states that for the purpose of screening the VMT, a project's daily VMT should be estimated using the City's VMT Calculator tool or the City's Travel Demand Forecasting (TDF) model. TDM strategies should not be considered for the purpose of screening. If existing land uses are present on the project site or there were previously terminated land uses that meet the criteria for trip credits description in the trip generation methodology discussion (refer to Subsection 3.3.4.1 of the TAG), the daily VMT generated by the existing or qualified terminated land uses can be estimated using the City VMT Calculator tool and subtracted from the project's daily VMT to determine the net increase in daily VMT.

- Using the City's VMT Calculator tool, the proposed project is forecast to generate 4,164 daily VMT. As noted previously, this estimate conservatively does not account for the existing uses on-site. Therefore, the project exceeds the screening criteria set forth in T-2.1-2.

### **Impact Criteria and Methodology**

For development projects, the proposed project will have a potential VMT impact if the project meets the following:

- For residential projects, the project would generate household VMT per capita exceeding 15% below the existing average household VMT per capita for the Area Planning Commission (APC) area in which the project is located.
- For office projects, the project would generate work VMT per employee exceeding 15% below the existing average work VMT per employee for the APC in which the project is located.
- For regional serving projects including retail projects, entertainment projects, and/or event centers, the project would result in a net increase in VMT.
- For other land use types, measure VMT impacts for the work trip element using the criteria for office projects above.

The project's estimated household VMT is compared to the average household VMT per capita for the corresponding APC and the project's estimated work VMT is compared to the average work VMT per employee for the corresponding APC. Different VMT significance thresholds have been established for each APC boundary area as the characteristics of each are distinct in terms of land use, density, transit availability, employment, etc. The City of Los Angeles significance thresholds (i.e., provided on a daily household VMT per capita basis and a daily work VMT per employee basis) for each of the seven (7) APC boundary areas are presented in **Table I**. As the project is located in the Harbor APC, the VMT impact criteria (i.e., 15% below APC average) applicable to the proposed project is 9.2 daily household VMT per capita.

### **Summary of Project VMT Analysis**

The daily vehicle trips and VMT expected to be generated by the proposed project were forecast using the City's VMT Calculator tool. As indicated in the summary VMT Calculator worksheets, the proposed project is forecast to generate the following:

- The proposed project is estimated to generate a total of 484 daily vehicle trips.
- The proposed project is estimated to generate a total of 4,164 daily VMT.
- The estimated household VMT per capita for the proposed project is 9.2 VMT per capita, which is equal to the Harbor APC significance threshold of 9.2 VMT per capita.
- The work VMT per employee for the proposed project is not applicable ("N/A") since the project does not include a commercial component and is therefore presumed to be less than significant.

As noted previously, the VMT analysis conservatively does not account for the existing uses on-site.

Thus, based on the above analyses, the project is not expected to result in a significant VMT impact. Therefore, no mitigation is necessary as it relates to VMT. Copies of the detailed City of Los Angeles VMT Calculator worksheets for the proposed project are attached.

### **GEOMETRIC DESIGN (THRESHOLD T-3)**

As stated in the City's TAG document (refer to page 27 of the TAG), impacts regarding the potential increase of hazards due to a geometric design feature generally relate to the design of access points to and from the project site, and may include safety, operational, or capacity impacts. Impacts can be related to vehicle/vehicle, vehicle/bicycle, or vehicle/pedestrian conflicts as well as to operational delays caused by vehicles slowing and/or queuing to access a project site. These conflicts may be created by the driveway configuration or through the placement of project

driveway(s) in areas of inadequate visibility, adjacent to bicycle or pedestrian facilities, or too close to busy or congested intersections. Evaluation of access impacts require details relative to project land use, size, design, location of access points, etc. These impacts are typically evaluated for permanent conditions after project completion, but can also be evaluated for temporary conditions during project construction. Project access can be analyzed in qualitative and/or quantitative terms, and in conjunction with the review of internal site circulation and access to parking areas. All proposed site access points should be evaluated.

### **Screening Criteria**

If the project requires a discretionary action, and the answer is “yes” to either of the following questions, further analysis will be required to assess whether the project would result in impacts due to geometric design hazards or incompatible uses:

- Is the project proposing new driveways, or introducing new vehicle access to the property from the public right-of-way?
  - No, the existing driveway on 14<sup>th</sup> Street will be retained as part of the proposed project.
- Is the project proposing to, or required to make any voluntary or required, modifications to the public right-of-way (i.e., street dedications, reconfigurations of curb line, etc.)?

As stated in the City’s TAG document (refer to page 28 of the TAG), for the purpose of the screening for projects that are making physical changes to the public right-of-way, determine the street designation and improvement standard for any project frontage along streets classified as an Avenue or Boulevard (as designated in the City’s General Plan) using the Mobility Plan 2035, or Navigate LA. If any street fronting the project site is an Avenue or Boulevard and it is determined that additional dedication, or physical modifications to the public right-of-way are proposed or required, the answer to this question is yes. For projects not subject to dedication and improvement requirements under the Los Angeles Municipal Code, though the project does propose dedications or physical modifications to the public right-of-way, the answer to this question is yes. Based on a review of the proposed project, the following answer is provided:

- Yes. Per coordination with the City’s BOE, a 3-foot dedication is being planned along the Pacific Avenue frontage. No roadway widenings (i.e., curb line modifications) are currently proposed or required on Pacific Avenue or 14<sup>th</sup> Street.

As the answer is yes to at least one of the screening criteria (i.e., project requires a discretionary action and roadway dedication along Pacific Avenue), further analysis of geometric design is required.

### **Impact Criteria and Methodology**

The impact criteria set forth in the City's TAG for substantially increasing hazards due to a geometric design feature or incompatible use (referred to a Threshold T-3) is defined as follows:

- Threshold T-3: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
  - No, the proposed Project would not substantially increase hazards due to a geometric design feature. No sharp curves, incompatible uses, new intersections or roadways are proposed. The Project's impact on roadways and intersections in the area was evaluated in a Transportation Impact Study. As such, the forecast vehicle trips generated by the Project would not increase potentially hazardous conditions on local roadways or intersections.

Preliminary project access plans are to be reviewed in light of commonly-accepted traffic engineering design standards to ascertain whether any deficiencies are apparent in the site access plans which would be considered significant. The determination of significance shall be on a case-by-case basis, considering the following factors:

- The relative amount of pedestrian activity at project access points.
- Design features/physical configurations that affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists.
- The type of bicycle facilities the project driveway(s) crosses and the relative level of utilization.
- The physical conditions of the site and surrounding area, such as curves, slopes, walks, landscaping or other barriers, that could result in vehicle/pedestrian, vehicle/bicycle, or vehicle/vehicle safety hazards.
- The project location, or project-related changes to the public right-of-way, relative to proximity to the High Injury Network or a Safe Routes to School program area.
- Any other conditions, including the approximate location of incompatible uses that would substantially increase a transportation hazard.

For vehicle, bicycle and pedestrian safety impacts, the City's TAG (refer to page 2-21) indicate that a review of all project access points, internal circulation, and parking access from an operational and safety perspective (for example, turning radii, driveway queuing, line of sight for turns into and out of project driveway[s]) should be conducted. Where project driveways would cross pedestrian facilities or bicycle facilities (bike lanes or bike paths), operational and safety issues related to the

potential for vehicle/pedestrian and vehicle/bicycle conflicts and the severity of consequences that could result should be considered. In areas with moderate to high levels of pedestrian or bicycle activity, the collection of pedestrian or bicycle count data is required.

As noted above, based on the current Pacific Avenue street designation as an Avenue II roadway, a 3-foot dedication is being planned along the Pacific Avenue frontage. No roadway widenings (i.e., curb line modifications) are currently proposed on Pacific Avenue, however, an expansion to the existing sidewalk would occur as a result of the 3-foot roadway dedication. In addition, the Project is expected to result in increased safety as the existing driveway on Pacific Avenue is planned for deletion, resulting in fewer potential conflicts points along this Avenue II roadway. Thus, the Project would not substantially increase hazards due to a geometric design feature. No sharp curves, incompatible uses, new intersections or roadways are proposed.

## **SUMMARY**

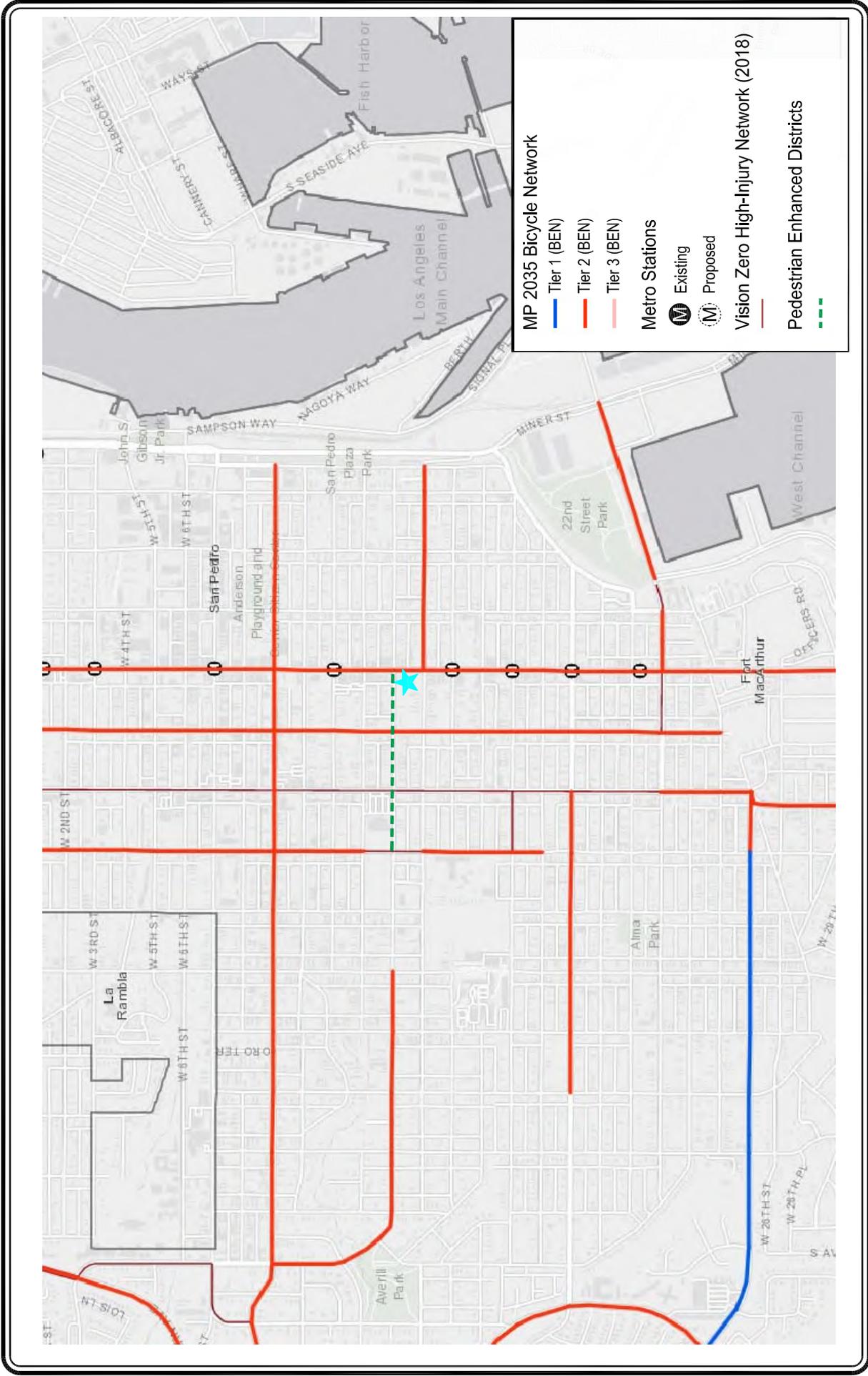
As summarized above, the proposed Project has been found to be consistent with the relevant City plans, policies and programs and does not include any features that would preclude the City from completing and complying with the guiding documents and policy objectives. A roadway dedication is planned along the Pacific Avenue project frontage in compliance with the Mobility Plan 2035. The proposed project would not substantially increase hazards due to a geometric design feature.

The proposed project is estimated to generate a total of 484 daily vehicle trips and a total of 4,164 daily VMT. The estimated household VMT per capita for the proposed Project is 9.2 VMT per capita, which is equal to the Harbor APC significance threshold of 9.2 VMT per capita which only an exceedance would result in a significant impact. The work VMT per employee for the proposed Project is not applicable (“N/A”) since the Project does not include a commercial component and is therefore presumed to be less than significant. Based on the analyses, the Project is not expected to result in a significant VMT impact. Therefore, no mitigation is necessary.

Please feel free to contact us at 626.796.2322 should you have any questions or comments regarding this transportation analysis memorandum.

c: File





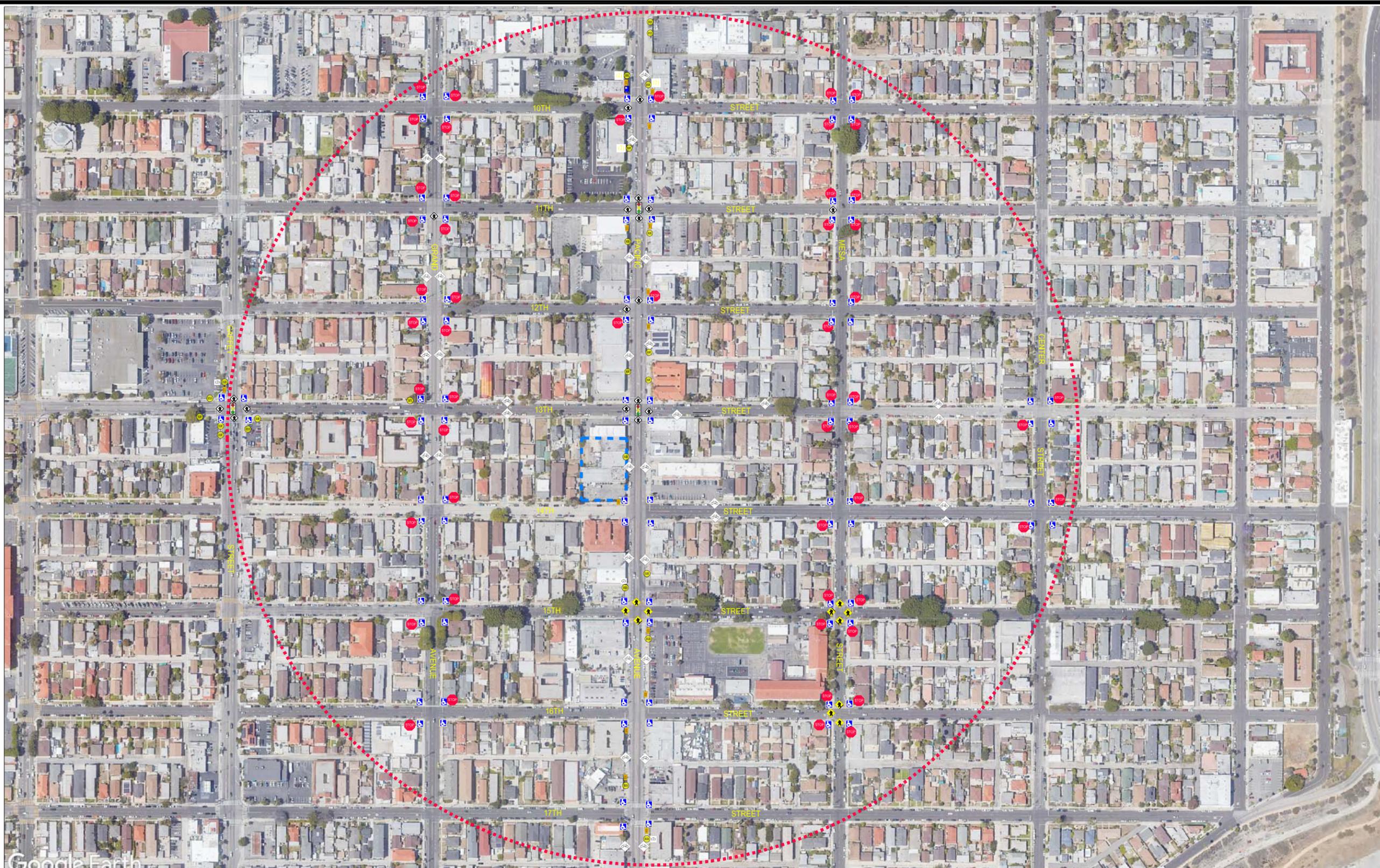
NOT TO SCALE

SOURCE: CITY OF LOS ANGELES: MOBILITY PLAN 2035

PROJECT SITE

# FIGURE 2 MOBILITY PLAN 2035 NETWORKS

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NOT TO SCALE



SITE



SIGNAL



STOP SIGN



ADA



ADA YELLOW TRUNCATED DOME



TRASH



CROSSWALK



CROSSWALK YELLOW



BIKE RACK



BIKE ROUTE



BUS STOP



BUS STOP WITH BUS BENCH



BUS STOP WITH BUS BENCH & SHELTER



MAIL BOX

LINSCOTT, LAW & GREENSPAN, engineers

# FIGURE 3 EXISTING NEARBY PEDESTRIAN AND TRANSIT FACILITIES

1331 S. PACIFIC AVENUE RESIDENTIAL PROJECT

**Table 1**  
**CITY OF LOS ANGELES VMT IMPACT CRITERIA [1]**

AREA PLANNING COMMISSION	15 PERCENT (15%) BELOW APC CRITERIA [2]	
	DAILY HOUSEHOLD VMT PER CAPITA	DAILY WORK VMT PER EMPLOYEE
Central	6.0	7.6
East Los Angeles	7.2	12.7
Harbor	9.2	12.3
North Valley	9.2	15.0
South Los Angeles	6.0	11.6
South Valley	9.4	11.6
West Los Angeles	7.4	11.1

[1] Source: City of Los Angeles Transportation Assessment Guidelines, July 2020.

- [2] The development project will have a potential impact if the project meets the following:
- For residential projects, the project would generate household VMT per capita exceeding 15% below the existing average household VMT per capita for the APC area in which the project (refer to above [source: Table 2.2-1 of the guidelines]).
  - For office projects, the project would generate work VMT per employee exceeding 15% below the existing average work VMT per employee for the APC in which the project is located (refer to above [source: Table 2.2-1 of the guidelines]).
  - For retail projects, the project would result in a net increase in VMT.
  - For other land use types, measure VMT impacts for the work trip element using the criteria for office project above (source: Table 2.2-1 of the guidelines).

# CITY OF LOS ANGELES VMT CALCULATOR Version 1.3



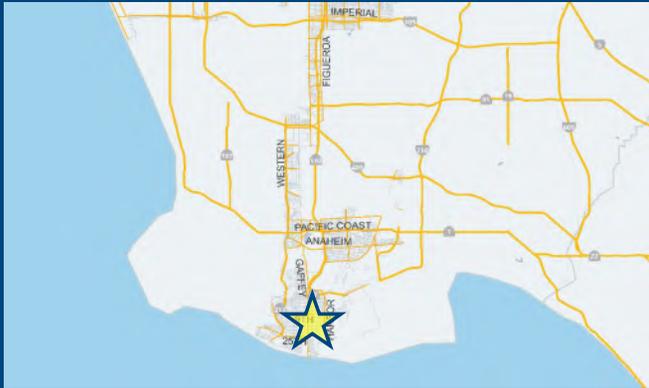
*Project Screening Criteria: Is this project required to conduct a vehicle miles traveled analysis?*

## Project Information

Project:

Scenario:

Address:



Is the project replacing an existing number of residential units with a smaller number of residential units AND is located within one-half mile of a fixed-rail or fixed-guideway transit station?

Yes  No

## Existing Land Use

Land Use Type	Value	Unit
Housing   Single Family		DU

[Click here to add a single custom land use type \(will be included in the above list\)](#)

## Proposed Project Land Use

Land Use Type	Value	Unit
Housing   Affordable Housing - Family	12	DU
Housing   Affordable Housing - Family	12	DU
Housing   Multi-Family	90	DU

[Click here to add a single custom land use type \(will be included in the above list\)](#)

## Project Screening Summary

Existing Land Use	Proposed Project
0 Daily Vehicle Trips	484 Daily Vehicle Trips
0 Daily VMT	4,164 Daily VMT
<b>Tier 1 Screening Criteria</b>	
Project will have less residential units compared to existing residential units & is within one-half mile of a fixed-rail station. <input type="checkbox"/>	
<b>Tier 2 Screening Criteria</b>	
The net increase in daily trips < 250 trips	484 Net Daily Trips
The net increase in daily VMT ≤ 0	4,164 Net Daily VMT
The proposed project consists of only retail land uses ≤ 50,000 square feet total.	0.000 ksf
<b>The proposed project is required to perform VMT analysis.</b>	



# CITY OF LOS ANGELES VMT CALCULATOR Version 1.3

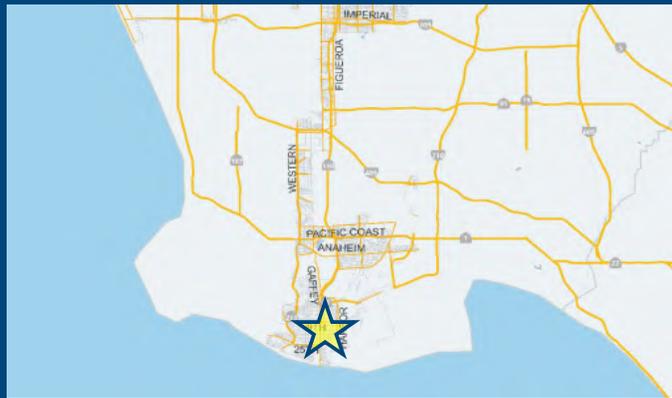


## Project Information

Project:

Scenario:

Address:



Proposed Project Land Use Type	Value	Unit
Housing   Affordable Housing - Family	12	DU
Housing   Multi-Family	90	DU

## TDM Strategies

Select each section to show individual strategies  
 Use  to denote if the TDM strategy is part of the proposed project or is a mitigation strategy

	Proposed Project	With Mitigation
Max Home Based TDM Achieved?	No	No
Max Work Based TDM Achieved?	No	No
<b>A</b> Parking		
<b>B</b> Transit		
<b>C</b> Education & Encouragement		
Voluntary Travel Behavior Change Program	<input type="checkbox"/> Proposed Prj <input type="checkbox"/> Mitigation	
	<input type="text" value="100"/> percent of employees and residents participating	
Promotions & Marketing	<input type="checkbox"/> Proposed Prj <input type="checkbox"/> Mitigation	
	<input type="text" value="50"/> percent of employees and residents participating	
<b>D</b> Commute Trip Reductions		
<b>E</b> Shared Mobility		
<b>F</b> Bicycle Infrastructure		
<b>G</b> Neighborhood Enhancement		

## Analysis Results

Proposed Project	With Mitigation
<b>484</b> Daily Vehicle Trips	<b>484</b> Daily Vehicle Trips
<b>4,164</b> Daily VMT	<b>4,164</b> Daily VMT
<b>9.2</b> Household VMT per Capita	<b>9.2</b> Household VMT per Capita
<b>N/A</b> Work VMT per Employee	<b>N/A</b> Work VMT per Employee
<b>Significant VMT Impact?</b>	
<b>Household: No</b> Threshold = 9.2 15% Below APC	<b>Household: No</b> Threshold = 9.2 15% Below APC
<b>Work: N/A</b> Threshold = 12.3 15% Below APC	<b>Work: N/A</b> Threshold = 12.3 15% Below APC



# CITY OF LOS ANGELES VMT CALCULATOR

## Report 1: Project & Analysis Overview

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

Project Information			
	Land Use Type	Value	Units
<b>Housing</b>	<i>Single Family</i>	0	DU
	<b>Multi Family</b>	90	DU
	<i>Townhouse</i>	0	DU
	<i>Hotel</i>	0	Rooms
	<i>Motel</i>	0	Rooms
<b>Affordable Housing</b>	<b>Family</b>	12	DU
	<i>Senior</i>	0	DU
	<i>Special Needs</i>	0	DU
	<i>Permanent Supportive</i>	0	DU
<b>Retail</b>	<i>General Retail</i>	0.000	ksf
	<i>Furniture Store</i>	0.000	ksf
	<i>Pharmacy/Drugstore</i>	0.000	ksf
	<i>Supermarket</i>	0.000	ksf
	<i>Bank</i>	0.000	ksf
	<i>Health Club</i>	0.000	ksf
	<i>High-Turnover Sit-Down</i>	0.000	ksf
	<i>Restaurant</i>	0.000	ksf
	<i>Fast-Food Restaurant</i>	0.000	ksf
	<i>Quality Restaurant</i>	0.000	ksf
	<i>Auto Repair</i>	0.000	ksf
	<i>Home Improvement</i>	0.000	ksf
	<i>Free-Standing Discount</i>	0.000	ksf
	<i>Movie Theater</i>	0	Seats
<b>Office</b>	<i>General Office</i>	0.000	ksf
	<i>Medical Office</i>	0.000	ksf
<b>Industrial</b>	<i>Light Industrial</i>	0.000	ksf
	<i>Manufacturing</i>	0.000	ksf
	<i>Warehousing/Self-Storage</i>	0.000	ksf
<b>School</b>	<i>University</i>	0	Students
	<i>High School</i>	0	Students
	<i>Middle School</i>	0	Students
	<i>Elementary</i>	0	Students
	<i>Private School (K-12)</i>	0	Students
<b>Other</b>		0	Trips

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 1: Project & Analysis Overview

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

<b>Analysis Results</b>			
Total Employees: 0			
Total Population: 240			
<b>Proposed Project</b>		<b>With Mitigation</b>	
484	Daily Vehicle Trips	484	Daily Vehicle Trips
4,164	Daily VMT	4,164	Daily VMT
9.2	Household VMT per Capita	9.2	Household VMT per Capita
N/A	Work VMT per Employee	N/A	Work VMT per Employee
<b>Significant VMT Impact?</b>			
<b>APC: Harbor</b>			
Impact Threshold: 15% Below APC Average			
Household = 9.2			
Work = 12.3			
<b>Proposed Project</b>		<b>With Mitigation</b>	
VMT Threshold	Impact	VMT Threshold	Impact
Household > 9.2	No	Household > 9.2	No
Work > 12.3	N/A	Work > 12.3	N/A

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs				
Strategy Type	Description	Proposed Project	Mitigations	
<b>Parking</b>	<i>Reduce parking supply</i>	<i>City code parking provision (spaces)</i>	0	0
		<i>Actual parking provision (spaces)</i>	0	0
	<i>Unbundle parking</i>	<i>Monthly cost for parking (\$)</i>	\$0	\$0
	<i>Parking cash-out</i>	<i>Employees eligible (%)</i>	0%	0%
	<i>Price workplace parking</i>	<i>Daily parking charge (\$)</i>	\$0.00	\$0.00
		<i>Employees subject to priced parking (%)</i>	0%	0%
	<i>Residential area parking permits</i>	<i>Cost of annual permit (\$)</i>	\$0	\$0
(cont. on following page)				

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs, Cont.				
Strategy Type	Description	Proposed Project	Mitigations	
<b>Transit</b>	<i>Reduce transit headways</i>	<i>Reduction in headways (increase in frequency) (%)</i>	0%	
		<i>Existing transit mode share (as a percent of total daily trips) (%)</i>	0%	
		<i>Lines within project site improved (&lt;50%, &gt;=50%)</i>	0	
	<i>Implement neighborhood shuttle</i>	<i>Degree of implementation (low, medium, high)</i>	0	0
		<i>Employees and residents eligible (%)</i>	0%	0%
	<i>Transit subsidies</i>	<i>Employees and residents eligible (%)</i>	0%	0%
<i>Amount of transit subsidy per passenger (daily equivalent) (\$)</i>		\$0.00	\$0.00	
<b>Education &amp; Encouragement</b>	<i>Voluntary travel behavior change program</i>	<i>Employees and residents participating (%)</i>	0%	
	<i>Promotions and marketing</i>	<i>Employees and residents participating (%)</i>	0%	
(cont. on following page)				

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs, Cont.				
Strategy Type	Description	Proposed Project	Mitigations	
<b>Commute Trip Reductions</b>	<i>Required commute trip reduction program</i>	<i>Employees participating (%)</i>	0%	0%
	<i>Alternative Work Schedules and Telecommute</i>	<i>Employees participating (%)</i>	0%	0%
		<i>Type of program</i>	0	0
		<i>Degree of implementation (low, medium, high)</i>	0	0
	<i>Employer sponsored vanpool or shuttle</i>	<i>Employees eligible (%)</i>	0%	0%
		<i>Employer size (small, medium, large)</i>	0	0
	<i>Ride-share program</i>	<i>Employees eligible (%)</i>	0%	0%
<b>Shared Mobility</b>	<i>Car share</i>	<i>Car share project setting (Urban, Suburban, All Other)</i>	0	0
	<i>Bike share</i>	<i>Within 600 feet of existing bike share station - OR- implementing new bike share station (Yes/No)</i>	0	0
	<i>School carpool program</i>	<i>Level of implementation (Low, Medium, High)</i>	0	0
(cont. on following page)				

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 2: TDM Inputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

TDM Strategy Inputs, Cont.				
Strategy Type		Description	Proposed Project	Mitigations
<b>Bicycle Infrastructure</b>	<i>Implement/Improve on-street bicycle facility</i>	<i>Provide bicycle facility along site (Yes/No)</i>	0	0
	<i>Include Bike parking per LAMC</i>	<i>Meets City Bike Parking Code (Yes/No)</i>	0	0
	<i>Include secure bike parking and showers</i>	<i>Includes indoor bike parking/lockers, showers, &amp; repair station (Yes/No)</i>	0	0
<b>Neighborhood Enhancement</b>	<i>Traffic calming improvements</i>	<i>Streets with traffic calming improvements (%)</i>	0%	0%
		<i>Intersections with traffic calming improvements (%)</i>	0%	0%
	<i>Pedestrian network improvements</i>	<i>Included (within project and connecting off-site/within project only)</i>	0	0

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 3: TDM Outputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

### TDM Adjustments by Trip Purpose & Strategy

Place type: Suburban Center

		Home Based Work Production		Home Based Work Attraction		Home Based Other Production		Home Based Other Attraction		Non-Home Based Other Production		Non-Home Based Other Attraction		Source
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
<b>Parking</b>	Reduce parking supply	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Unbundle parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Parking cash-out	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Price workplace parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Residential area parking permits	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
<b>Transit</b>	Reduce transit headways	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Transit sections 1 - 3
	Implement neighborhood shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Transit subsidies	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
<b>Education &amp; Encouragement</b>	Voluntary travel behavior change program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Education & Encouragement sections 1 - 2
	Promotions and marketing	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
<b>Commute Trip Reductions</b>	Required commute trip reduction program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Commute Trip Reductions sections 1 - 4
	Alternative Work Schedules and Telecommute Program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Employer sponsored vanpool or shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Ride-share program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
<b>Shared Mobility</b>	Car-share	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	TDM Strategy Appendix, Shared Mobility sections 1 - 3
	Bike share	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	School carpool program	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 3: TDM Outputs

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

### TDM Adjustments by Trip Purpose & Strategy, Cont.

Place type: Suburban Center

		Home Based Work Production		Home Based Work Attraction		Home Based Other Production		Home Based Other Attraction		Non-Home Based Other Production		Non-Home Based Other Attraction		Source
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
		<b>Bicycle Infrastructure</b>	Implement/ Improve on-street bicycle facility	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Include Bike parking per LAMC	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Include secure bike parking and showers	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
<b>Neighborhood Enhancement</b>	Traffic calming improvements	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	TDM Strategy Appendix, Neighborhood Enhancement sections 1 - 2
	Pedestrian network improvements	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

### Final Combined & Maximum TDM Effect

	Home Based Work Production		Home Based Work Attraction		Home Based Other Production		Home Based Other Attraction		Non-Home Based Other Production		Non-Home Based Other Attraction	
	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated
	<b>COMBINED TOTAL</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>MAX. TDM EFFECT</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

$$= \text{Minimum}(X\%, 1 - [(1-A) * (1-B) \dots])$$

where X%=

<b>PLACE</b>	urban	75%
<b>TYPE</b>	compact infill	40%
<b>MAX:</b>	suburban center	20%
	suburban	15%

Note:  $(1 - [(1-A) * (1-B) \dots])$  reflects the dampened combined effectiveness of TDM Strategies (e.g., A, B, ...). See the TDM Strategy Appendix (*Transportation Assessment Guidelines Attachment G*) for further discussion of dampening.

# CITY OF LOS ANGELES VMT CALCULATOR

## Report 4: MXD Methodology

Date: February 11, 2021

Project Name: 1331 S. Pacific Avenue Residential

Project Scenario:

Project Address: 1331 S PACIFIC AVE, 90731



Version 1.3

### MXD Methodology - Project Without TDM

	Unadjusted Trips	MXD Adjustment	MXD Trips	Average Trip Length	Unadjusted VMT	MXD VMT
Home Based Work Production	91	-14.3%	78	12.3	1,119	959
Home Based Other Production	252	-30.6%	175	7.1	1,789	1,243
Non-Home Based Other Production	117	-1.7%	115	8.8	1,030	1,012
Home-Based Work Attraction	0	0.0%	0	14.7	0	0
Home-Based Other Attraction	120	-25.8%	89	7.3	876	650
Non-Home Based Other Attraction	28	-3.6%	27	11.1	311	300

### MXD Methodology with TDM Measures

	<i>Proposed Project</i>			<i>Project with Mitigation Measures</i>		
	TDM Adjustment	Project Trips	Project VMT	TDM Adjustment	Mitigated Trips	Mitigated VMT
Home Based Work Production	0.0%	78	959	0.0%	78	959
Home Based Other Production	0.0%	175	1,243	0.0%	175	1,243
Non-Home Based Other Production	0.0%	115	1,012	0.0%	115	1,012
Home-Based Work Attraction	0.0%	0	0	0.0%	0	0
Home-Based Other Attraction	0.0%	89	650	0.0%	89	650
Non-Home Based Other Attraction	0.0%	27	300	0.0%	27	300

### MXD VMT Methodology Per Capita & Per Employee

Total Population: 240

Total Employees: 0

APC: Harbor

	<i>Proposed Project</i>	<i>Project with Mitigation Measures</i>
<i>Total Home Based Production VMT</i>	<b>2,202</b>	<b>2,202</b>
<i>Total Home Based Work Attraction VMT</i>	<b>0</b>	<b>0</b>
<i>Total Home Based VMT Per Capita</i>	<b>9.2</b>	<b>9.2</b>
<i>Total Work Based VMT Per Employee</i>	<b>N/A</b>	<b>N/A</b>

# EXHIBIT I

March 29, 2021

Armbruster Goldsmith and Delvac LLP  
12100 Wilshire Boulevard, Suite 1600  
Los Angeles, California 90025  
Attn: Damon Mamalakis

Re: 1309-1331 South Pacific Avenue Project - Health Risk Assessment Evaluation

Mr. Mamalakis:

Per your request, Air Quality Dynamics has reviewed the Channel Law Group and associated comments by SWAPE which allege the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the proposed project fails to "adequately evaluate" the project's health risk impacts due to emissions of diesel particulates (DPM). SWAPE contends that DPM emissions associated with project construction and operation may have the potential to expose sensitive receptors to substantial pollutant concentrations. This is based upon the preparation of a "simple screening-level HRA" which reports cancer risk estimates for adjoining residents exceed the maximum incremental cancer risk threshold established by the South Coast Air Quality Management District (SCAQMD) for projects prepared under the auspices of the California Environmental Quality Act (CEQA).

As a result, SWAPE claims that a "potentially significant impact" exists whereby "an updated, quantified air pollution model as well as an updated, quantified refined health risk assessment which adequately and accurately evaluates health risk impacts associated with both Project construction and operation" be prepared.

SWAPE recommends utilizing the Office of Environmental Health and Hazard Assessment (OEHHA) Air Toxics Hot Spots Program guidelines (AB 2588, Connelly, Statutes of 1987; Health and Safety Code Section 44300 et seq.) which consider early-life exposure adjustments to characterize carcinogenic exposures to DPM emissions when conducting health risk assessments (HRAs).

Notwithstanding this recommendation, AB 2588 guidance has no statutory relation to projects prepared under the auspices of the California Environmental Quality Act (CEQA). As noted by the California Air Resources Board (ARB).

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly) was enacted in September 1987. Under this, stationary sources are required to report the types and quantities of certain substances their facilities routinely release into the air. Emissions of interest are those that result from the routine operation of a facility or that are predictable, including but not limited to continuous and intermittent releases and process upsets or leaks.

The Act requires that toxic air emissions from stationary sources (facilities) be quantified and compiled into an inventory according to criteria and guidelines developed by the ARB, that each facility be prioritized to determine whether a risk assessment must be conducted, that the risk assessments be conducted according to methods developed by the Office of Environmental Health Hazard Assessment (OEHHA).

As reported above, applicability is associated with commercial and industrial operations. There are two broad classes of facilities subject to the AB 2588 Program: Core facilities and facilities identified within discrete industry-wide source categories. Core facilities subject to AB 2588 compliance are sources whose criteria pollutant emissions (particulate matter, oxides of sulfur, oxides of nitrogen, and volatile organic compounds) are 25 tons per year or more as well as those facilities whose criteria pollutant emissions are 10 tons per year or more but less than 25 tons per year. Industry-wide source facilities are classified as smaller operations with relatively similar emission profiles (e.g., auto body shops, gas stations and dry cleaners using perchloroethylene). It is apparent that the emissions generated from the construction and subsequent occupancy of a residential apartment complex are not classified as core operations nor subject to industry-wide source evaluation.

To support SWAPE's recommendation, the SCAQMD is additionally cited regarding preparation of HRAs in a manner consistent with the *Risk Assessment Procedures for Rules 1401, 1401.1 and 212* which incorporate AB 2500 guidance. These rules relate to specific standards for approving permits and issuing public notice whereby reliance on rule compliance is inappropriate. The guidance cited to suggest its relevance relates to permit units and specific stationary sources. As noted in the following rules regarding source applicability:

For Rule 1401 (New Source Review of Toxic Air Contaminants):

Applications for new, relocated, and modified permit units which were received by the District on or after June 1, 1990 shall be subject to Rule 1401. Applications shall be subject to the version of Rule 1401 that is in effect at the time the application is deemed complete. Permit units installed without a required permit to construct shall be subject to this rule, if the application for a permit to operate such equipment was submitted after June 1, 1990.

This rule shall apply to new, relocated, and modified equipment identified in Rule 219 as not requiring a written permit if the risk from the equipment will be greater than identified in subparagraph (d)(1)(A), or paragraphs (d)(2) or (d)(3) in Rule 1401.

For Rule 1401.1 (Requirements for New and Relocated Facilities near Schools):

This rule applies to new and relocated, but not to existing facilities. Applications for Permit to Construct/Operate from such new or relocated facilities shall be evaluated under this rule using the list of toxic air contaminants in the version of Rule 1401 and the risk assessment procedures that are in effect at the time the application is deemed complete.

For Rule 212 (Standards for Approving Permits and Issuing Public Notice):

(A)ny new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX that may emit air contaminants located within 1000 feet from the outer boundary of a school. This subdivision shall not apply to a modification of an existing facility if the Executive Officer determines that the modification will result in a reduction of emissions of air contaminants from the facility and no increase in health risk at any receptor location. (This paragraph shall not apply to modifications that have no potential to affect emissions); or any new modified facility which has on-site emission increases exceeding any of the daily maximums specified in subdivision (g) of this rule; or any new or modified permit unit, source under Regulation XX, or equipment under Regulation XXX with increases in emissions of toxic air contaminants, for which the Executive Officer has made a determination that a person may be exposed to.

As noted above, applicability is associated with stationary source operations. Emissions generated by construction and non-permitted operational sources are not subject to the above referenced rules and agency regulations.

Additionally, in comments presented to the SCAQMD Governing Board (Meeting Date: June 5, 2015, Agenda No. 28) relating to toxic air contaminant exposures under Rules 1401, 1401.1, 1402 and 212 revisions, use of the revised OEHHA guidelines and their applicability for projects subject to CEQA, as they relate to the incorporation of early-life exposure adjustments, it was reported that:

The Proposed Amended Rules are separate from the CEQA significance thresholds. The Response to Comments Staff Report PAR 1401, 1401.1, 1402, and 212 A - 8 June 2015 SCAQMD staff is currently evaluating how to implement the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will evaluate a variety of options on how to evaluate health risks under the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will conduct public workshops to gather input before bringing recommendations to the Governing Board.

Contrary to SWAPE's assertion that available guidance exists, the SCAQMD, as a commenting agency, has not conducted public workshops nor developed policy relating to the applicability of applying the revised OEHHA guidance for projects prepared by other public/lead agencies subject to CEQA.

To emphasize variability in methodology for conducting HRAs, regulatory agencies throughout the State of California including the Department of Toxic Substances Control (DTSC) which is charged with protecting individuals and the environment from the effects of toxic substances and responsible for assessing, investigating and evaluating sensitive receptor populations to ensure that properties are free of contamination or that health protective remediation levels are achieved have adopted the U.S. Environmental Protection Agency's policy in the application of early-life exposure adjustments.

Specifically, U.S. Environmental Protection Agency guidance relating to the use of early life exposure adjustments (*Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens*, EPA/630/R-003F) are considered when carcinogens act "through the mutagenic mode of action." As reported:

The Agency considered both the advantages and disadvantages of extending the recommended, age dependent adjustment factors for carcinogenic potency to carcinogenic agents for which the mode of action remains unknown. EPA recommends these factors only for carcinogens acting through a mutagenic mode of action based on a combination of analysis of available data and long-standing science policy positions that set out the Agency's overall approach to carcinogen risk assessment, e.g., the use of a linear, no threshold extrapolation procedure in the absence of data in order to be health protective. In general, the Agency prefers to rely on analyses of data rather than on general defaults. When data are available for a susceptible lifestage, they should be used directly to evaluate risks for that chemical and that lifestage on a case-by-case basis. In the case of nonmutagenic carcinogens, when the mode of action is unknown, the data were judged by EPA to be too limited and the modes of action too diverse to use this as a category for which a general default adjustment factor approach can be applied. In this situation per the Agency's *Guidelines for Carcinogen Risk Assessment*, a linear low-dose extrapolation methodology is recommended. It is the Agency's long-standing science policy position that use of the linear low-dose extrapolation approach (without further adjustment) provides adequate public health conservatism in the absence of chemical-specific data indicating differential early-life susceptibility or when the mode of action is not mutagenicity.

In 2006, the U.S. Environmental Protection Agency published a memorandum which provides guidance regarding the preparation of health risk assessments should carcinogenic compounds elicit a mutagenic mode of action (USEPA, 2006). As presented in the technical memorandum, numerous compounds were identified as having a mutagenic mode of action. For diesel particulates, polycyclic aromatic hydrocarbons (PAHs) and their derivatives, which are known to exhibit a mutagenic mode of action, comprise < 1% of the exhaust particulate mass. To date, the U.S. Environmental Protection Agency reports that whole diesel engine exhaust has not been shown to elicit a mutagenic mode of action (USEPA, 2018).

Although project construction will utilize diesel fueled off-road equipment, SWAPE additionally asserts that particulate (PM<sub>10</sub>) exhaust emissions, as reported in the project's air quality report, be used as a surrogate for DPM emissions to address operational emissions. To the contrary, for operational emissions, predictive model estimates are associated with area, energy and mobile sources. On-site area source emissions include hearths and landscape maintenance equipment. Energy related emissions are associated with natural gas and electricity consumption. On-road mobile sources include running and start emissions. In consideration of these source categories, DPM emissions are only associated with a portion of the mobile source profile whereby the predominant source of emissions relate to vehicle miles traveled to and from the project site. Although a portion of start emissions are generated on-site, they are associated with gasoline fueled vehicles not diesel vehicles. As such, use of PM<sub>10</sub> exhaust estimates to address operational emissions is not supported by the model's emission inventory to warrant inclusion in the assessment of carcinogenic risk.

As noted above, the HRA assessment methodology for the proposed project is not subject to AB 2588 nor SCAQMD command and control regulations. As such, Air Quality Dynamics presents a revised health risk assessment which utilizes all relevant and appropriate

assessment and dispersion modeling methodologies presented by the U.S. Environmental Protection Agency, California Environmental Protection Agency and SCAQMD to ensure a viable quantification of pollutant exposures associated with the generation of contaminant emissions from construction related activity.

Results of the refined health risk assessment showed lower DPM concentrations than the SWAPE screening analysis whereby cancer risk estimates were found to be below SCAQMD's significance threshold. The following discussion outlines the methodology utilized to conduct the refined health risk assessment and presents the revised estimate of risk.

### Source Identification

The proposed project will involve the construction of a 4-story multi-family residential building to accommodate 102 dwelling units, including 12 designated for very low income occupancies over two levels of subterranean parking. The site is currently improved with vacant commercial structures built between 1924 and 1940.

All existing structures and vegetation will be removed to facilitate project construction. The project will involve the grading of approximately 2,500 cubic yards and the export of approximately 20,000 cubic yards of soil, respectively. It is anticipated that construction and buildout of the proposed project will occur over an 18 month period.

The project is located at the northwestern corner of the intersection of Pacific Avenue and 14th Street in the San Pedro Community Plan area and is designated for Neighborhood Commercial land uses, with corresponding zones of C1, C1.5, C2, C4, R3, and RAS3. Figure 1 presents an aerial photograph of the project location and adjoining land uses.

Figure 1  
Site Location /Vicinity Aerial Photograph



### Source Characterization

For on-site construction, emission estimates were based upon the Los Angeles-South Coast County profile generated by the CalEEMod land use emission software provided by DKA Planning whereby off-road PM<sub>10</sub> exhaust estimates were used as a surrogate for DPM emissions. To assess localized impacts, construction phase, calendar year and number of days associated with each activity were identified to produce an average daily emission rate. Construction operations are reported to occur for 276 days based upon a 5 day per week operational schedule which accounts for concurrent phase activities during demolition and grading operations.

Table 1 provides a summary of estimated maximum daily particulate emissions associated with each identified construction phase and year. The emission rates for both winter and summer scenarios were found to be commensurate. Attachment B presents the emission calculation worksheet used to quantify pollutant source strength. Excerpts from the CalEEMod output file which identify construction phase timelines and associated emission rates are provided in Attachment C.

Table 1  
Maximum Daily Emissions/PM<sub>10</sub>

Construction Phase/Year	Emissions (Lbs/Day)
Site Preparation/2021	0.3338
Demolition/2021	0.5997
Grading/2021	0.7968
Building Construction/2021	0.8948
Building Construction/2022	0.7654
Architectural Coating/2022	0.5117
<b>Average Daily Emissions</b>	<b>0.6786</b>

### Exposure Quantification

In order to assess the impact of DPM emissions, air quality modeling utilizing the AMS/EPA Regulatory Model AERMOD was performed. AERMOD's air dispersion algorithms are based upon a planetary boundary layer turbulence structure and scaling concepts, including the treatment of surface and elevated sources in simple and complex terrain. AERMOD is a steady-state Gaussian plume model applicable to directly emitted air pollutants that employs best state-of-practice parameterizations for characterizing meteorological influences and atmospheric dispersion. AERMOD is the U.S. Environmental Protection Agency's guideline model for the assessment of near-field pollutant dispersion and was, therefore, utilized in the refined health risk assessment.

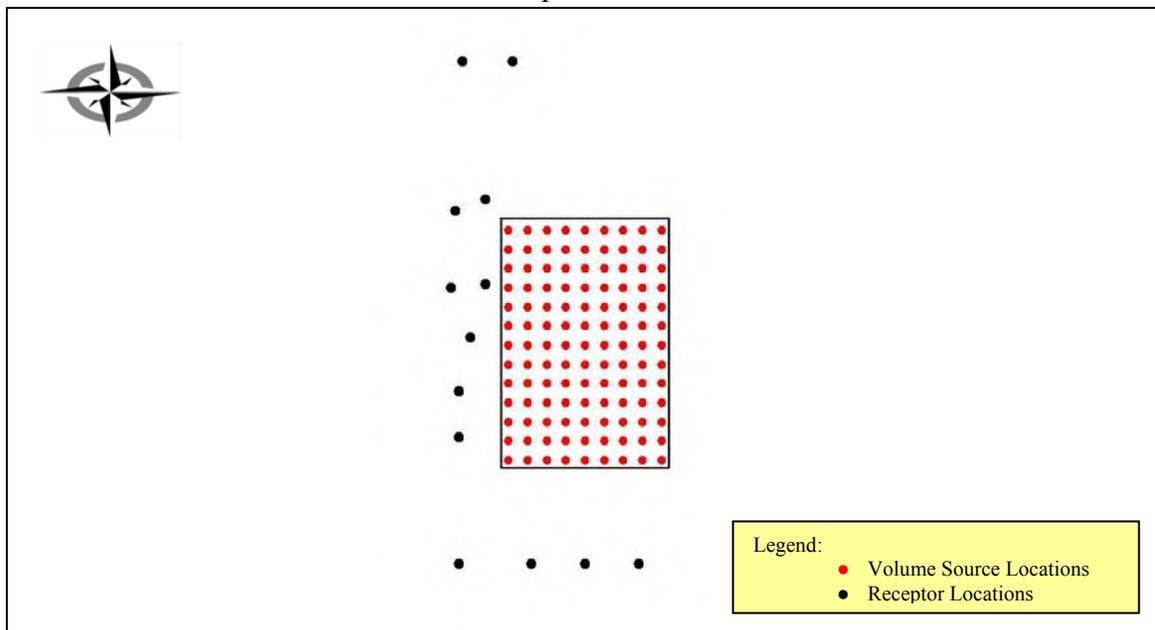
The SCAQMD provides guidance (*Localized Significance Threshold Methodology*, July 2008) on the evaluation of localized air quality impacts to public agencies conducting environmental review of projects located within its jurisdiction. As such, source treatment outlined in the

Localized Significance Threshold (LST) methodology was utilized whereby exhaust emissions from construction equipment were treated as a set of side-by-side elevated volume sources with a release height of five and an initial vertical ( $\sigma_z$ ) dimension of 1.4 meters, respectively. A horizontal ( $\sigma_y$ ) parameter of 2.32 meters was utilized and produced by dividing a source separation distance of 5 meters by a standard deviation of 2.15.

Refined air dispersion models require meteorological information to account for local atmospheric conditions. Due to their sensitivity to individual meteorological parameters such as wind speed and direction, the U.S. Environmental Protection Agency recommends that meteorological data used as input into dispersion models be selected on the basis of relative spatial and temporal conditions that exist in the area of concern. In response to this recommendation, meteorological data from the SCAQMD Long Beach Airport (Source Receptor Area 4) monitoring station was used to represent local weather conditions and prevailing winds. In a manner consistent with SCAQMD guidance for the assessment of chronic exposures, maximum concentrations were produced by incorporating all five years of available data. The model scalar option was additionally invoked to account for emissions generated during construction related activity corresponding to 8 hours per day as reported in the CalEEMod construction profile from 8 a.m. to 4 p.m. (ending hours 9 to 16).

The modeling analysis also considered the spatial distribution of volume source emissions in relation to adjoining residential receptors. A flagpole receptor height of two meters was assumed and assigned to each receptor location. A graphical representation of the source-receptor grid network is presented in Figure 2.

Figure 2  
Source-Receptor Grid Network



Attachment D provides a copy of the AERMOD dispersion model output file associated with the assessment of residential exposures.

### Risk Characterization

Carcinogenic compounds are not considered to have threshold levels (i.e., dose levels below which there are no risks). Any exposure, therefore, will have some associated risk. As a result, the State of California has established a threshold of one in one hundred thousand (1.0E-05) as a level posing no significant risk for exposures to carcinogens regulated under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). This threshold is also consistent with the maximum incremental cancer risk established by the SCAQMD for projects prepared under CEQA.

Health risks associated with exposure to carcinogenic compounds can be defined in terms of the probability of developing cancer as a result of exposure to a chemical at a given concentration. Under a deterministic approach (i.e., point estimate methodology), the cancer risk probability is determined by multiplying the chemical's annual concentration by its unit risk factor (URF). The URF is a measure of the carcinogenic potential of a chemical when a dose is received through the inhalation pathway. It represents an upper-bound estimate of the probability of contracting cancer as a result of continuous exposure to an ambient concentration of one microgram per cubic meter ( $\mu\text{g}/\text{m}^3$ ) over a 70 year lifetime. The URF and corresponding cancer potency factor for DPM utilized in the assessment was obtained from the *Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values*.

To quantify dose, the procedure requires the incorporation of several discrete exposure variates. To account for upper-bound exposures associated with residential occupancies, lifetime risk values were adjusted to account for an exposure frequency of 276 days commensurate with reported construction related activity.

A point estimate daily breathing rate of 1090 liters per kilogram (L/kg) of body weight representing the 95<sup>th</sup> percentile was employed for residential occupancies consistent with an infant exposure scenario. Third trimester exposures were not considered as a lower breathing rate is assumed which would result in a lower dose estimate. The algorithm utilized to quantify dose is presented below:

$$Dose_{air} = C_{air} \times \{BR/BW\} \times A \times EF \times 10^{-6}$$

Where:

$Dose_{air}$	=	dose through inhalation (mg/kg/day)
$C_{air}$	=	concentration of contaminant in air ( $\mu\text{g}/\text{m}^3$ )
$\{BR/BW\}$	=	daily breathing rate normalized to body weight (L/kg body weight/day)
$A$	=	inhalation absorption factor (unitless)
$EF$	=	exposure frequency (days/365 days)
$10^{-6}$	=	micrograms to milligrams conversion

The inhalation dose estimate for the identified age group was incorporated into the following equation to produce the carcinogenic risk estimate commensurate with the duration of construction activity:

$$Risk_{inh} = Dose_{air} \times CPF \times ED/AT \times FAH$$

Where:

$Risk_{inh}$	=	<i>inhalation cancer risk</i>
$Dose_{air}$	=	<i>daily inhalation dose (mg/kg/day)</i>
$CPF$	=	<i>inhalation cancer potency factor (mg/kg/day<sup>-1</sup>)</i>
$ED$	=	<i>exposure duration for specified age group (years)</i>
$AT$	=	<i>averaging time (years)</i>
$FAH$	=	<i>fraction of time at home (unitless)</i>

Table 2 presents the carcinogenic risk estimate for the maximum exposed residential receptor. Attachment A, Table A1, column b identifies the predicted DPM concentration, columns f-h, present the URF, corresponding cancer potency factor and dose estimate for the exposure scenario considered in the assessment. The cancer risk estimate is presented in column i.

Table 2  
Carcinogenic Risk / Maximum Exposed Residential Receptor

Receptor/Age Group	Risk
Residential/Infant	6.7E-06

Note: 6.7E-06 denotes an excess case of cancer of 0.67 in one hundred thousand (100,000) individuals exposed.

As noted above, the cancer risk estimate for the maximum exposed residential receptor was predicted to be below the SCQAMD significance threshold of one in one hundred thousand (1.0E-05).

An evaluation of the potential noncancer effects of DPM exposure was also conducted. Under the point estimate approach, adverse health effects are evaluated by comparing the pollutant concentration with the appropriate Reference Exposure Level (REL). The REL presented in the *Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values* was considered in the assessment.

To quantify noncarcinogenic impacts, the hazard index approach was used. The hazard index assumes that subthreshold exposures adversely affect a specific organ or organ system (i.e., toxicological endpoint). To calculate the hazard index, the pollutant concentration or dose is divided by its toxicity value. Should the total equal or exceed one (i.e., unity), a health hazard is presumed to exist. No exposure frequency or duration adjustments are considered for noncarcinogenic exposures.

For chronic noncarcinogenic effects, the hazard index for the respiratory endpoint totaled less than one for the maximum exposed residential receptor.

Table 3 presents the hazard index value for the maximum exposed residential receptor. Attachment A, Table A1, column j presents the REL used in the evaluation of chronic noncarcinogenic exposure. The noncancer hazard index generated from off-road mobile source activity is presented in column k.

Table 3  
Noncarcinogenic Hazard / Maximum Exposed Residential Receptor

Receptor/Age Group	Hazard
Residential/Infant	1.3E-01

Note: 1.3E-01 is commensurate with a numeric value of 0.13.

### Conclusion

Based upon the predicted carcinogenic risk and noncarcinogenic hazard estimates for the residential exposure scenario, the refined health risk assessment demonstrates that construction of the proposed project will not result in unacceptable localized impacts.

I can be reached at (818) 703-3294 should you have any questions or require additional information.

Sincerely,



Bill Piazza

- Attachment A: Carcinogenic Risk/Noncarcinogenic Hazard Calculation Worksheet
- Attachment B: Emission Calculation Worksheet
- Attachment C: CalEEMod Output File
- Attachment D: Dispersion Model Output File
- Attachment E: List of References

ATTACHMENT A

Carcinogenic Risk/Noncarcinogenic Hazard Calculation Worksheet

**Table A1**  
**Quantification of Carcinogenic Risks and Noncarcinogenic Hazards**  
**Infant Exposure Scenario / Maximum Receptor Location**

Source (a)	Mass GLC		Weight Fraction (d)	Contaminant (e)	Carcinogenic Risk				Noncarcinogenic Hazards / Toxicological Endpoints*									
	(ug/m <sup>3</sup> ) (b)	(mg/m <sup>3</sup> ) (c)			URF (ug/m <sup>3</sup> ) <sup>-1</sup> (f)	CPF (mg/kg/day) <sup>1</sup> (g)	DOSE (mg/kg-day) (h)	RISK (i)	REL (ug/m <sup>3</sup> ) (j)	RESP (k)	CNS/PNS (l)	CV/BL (m)	IMMUN (n)	KIDN (o)	GI/LV (p)	REPRO (q)	EYES (r)	
On-Site Exhaust	0.63464	6.35E-04	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	6.6E-04	6.7E-06	5.0E+00	1.3E-01								
TOTAL								6.7E-06		1.3E-01	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

\* Key to Toxicological Endpoint

RESP            Respiratory System  
CNS/PNS        Central/Peripheral Nervous System  
CV/BL          Cardiovascular/Blood System  
IMMUN         Immune System  
KIDN            Kidney  
GI/LV          Gastrointestinal System/Liver  
REPRO         Reproductive System (e.g. teratogenic and developmental effect)  
EYES            Eye irritation and/or other effects

Note:            Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	0.79
inhalation rate (L/kg-day)	1090
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85

ATTACHMENT B

Emission Calculation Worksheet

## Emission Rate Summary Worksheet

Emissions	Phase	Year	Lb/Day	# Days	Emissions
On-Site Exhaust PM10	Site Preparation	2021	0.3338	12	4.0056
	Demolition	2021	0.5997	32	19.1904
	Grading	2021	0.7968	31	24.7008
	Building Construction	2021	0.8948	90	80.532
	Building Construction	2022	0.7654	22	16.8388
	Architectural Coating	2022	0.5117	110	56.287
				297	201.5546
Average Daily Construction (Lb/Day)					0.6786
				Combustion mass	Combustion g/s/source
Combustion Sources		117		0.6786	9.1353E-05

Note: Number of days represents the time associated with a given construction phase. For the demolition and grading phases there are 21 days of concurrent activities.

ATTACHMENT C

CalEEMod Output File

1331 South Pacific Avenue Future - Los Angeles-South Coast County, Summer

**1331 South Pacific Avenue Future  
Los Angeles-South Coast County, Summer**

**1.0 Project Characteristics**

**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Enclosed Parking with Elevator	127.00	Space	0.00	50,800.00	0
Apartments Mid Rise	102.00	Dwelling Unit	0.72	83,158.00	245

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	2.2	<b>Precipitation Freq (Days)</b>	33
<b>Climate Zone</b>	11	<b>Operational Year</b>	2022		
<b>Utility Company</b>	Los Angeles Department of Water & Power				
<b>CO2 Intensity (lb/MWhr)</b>	1227.89	<b>CH4 Intensity (lb/MWhr)</b>	0.029	<b>N2O Intensity (lb/MWhr)</b>	0.006

**3.0 Construction Detail**

**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	6/15/2021	6/30/2021	5	12	
2	Demolition	Demolition	7/1/2021	8/15/2021	5	32	
3	Grading	Grading	7/16/2021	8/28/2021	5	31	
4	Building Construction	Building Construction	8/30/2021	2/1/2022	5	112	
5	Architectural Coating	Architectural Coating	6/1/2022	11/1/2022	5	110	

## OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Dumpers/Tenders	2	8.00	16	0.38
Site Preparation	Graders	1	8.00	187	0.41
Demolition	Dumpers/Tenders	5	8.00	16	0.38
Demolition	Excavators	1	8.00	158	0.38
Grading	Bore/Drill Rigs	1	8.00	221	0.50
Grading	Dumpers/Tenders	5	8.00	16	0.38
Grading	Excavators	2	8.00	158	0.38
Building Construction	Air Compressors	2	8.00	78	0.48
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Building Construction	Generator Sets	1	8.00	84	0.74
Architectural Coating	Air Compressors	2	8.00	78	0.48
Architectural Coating	Generator Sets	2	8.00	84	0.74
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Demolition	Rubber Tired Dozers	1	1.00	247	0.40
Grading	Rubber Tired Dozers	1	1.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

### 3.2 Site Preparation - 2021

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.1965	0.0000	0.1965	0.0212	0.0000	0.0212			0.0000			0.0000
Off-Road	0.7857	8.7309	4.5235	0.0112		0.3338	0.3338		0.3099	0.3099	0.0000	1,062.4302	1,062.4302	0.3173		1,070.3621
<b>Total</b>	<b>0.7857</b>	<b>8.7309</b>	<b>4.5235</b>	<b>0.0112</b>	<b>0.1965</b>	<b>0.3338</b>	<b>0.5303</b>	<b>0.0212</b>	<b>0.3099</b>	<b>0.3311</b>	<b>0.0000</b>	<b>1,062.4302</b>	<b>1,062.4302</b>	<b>0.3173</b>		<b>1,070.3621</b>

### 3.3 Demolition - 2021

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.8699	0.0000	0.8699	0.1317	0.0000	0.1317			0.0000			0.0000
Off-Road	1.3941	11.7404	12.1114	0.0209		0.5997	0.5997		0.5726	0.5726	0.0000	1,954.8283	1,954.8283	0.4091		1,965.0564
<b>Total</b>	<b>1.3941</b>	<b>11.7404</b>	<b>12.1114</b>	<b>0.0209</b>	<b>0.8699</b>	<b>0.5997</b>	<b>1.4696</b>	<b>0.1317</b>	<b>0.5726</b>	<b>0.7043</b>	<b>0.0000</b>	<b>1,954.8283</b>	<b>1,954.8283</b>	<b>0.4091</b>		<b>1,965.0564</b>

### 3.4 Grading - 2021

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.3262	0.0000	0.3262	0.1598	0.0000	0.1598			0.0000			0.0000
Off-Road	1.8839	16.9424	17.4839	0.0356		0.7968	0.7968		0.7539	0.7539	0.0000	3,374.1440	3,374.1440	0.8682		3,395.8480
<b>Total</b>	<b>1.8839</b>	<b>16.9424</b>	<b>17.4839</b>	<b>0.0356</b>	<b>0.3262</b>	<b>0.7968</b>	<b>1.1229</b>	<b>0.1598</b>	<b>0.7539</b>	<b>0.9136</b>	<b>0.0000</b>	<b>3,374.1440</b>	<b>3,374.1440</b>	<b>0.8682</b>		<b>3,395.8480</b>

### 3.5 Building Construction - 2021

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8336	15.9591	16.4119	0.0273		0.8948	0.8948		0.8590	0.8590	0.0000	2,577.8111	2,577.8111	0.4506		2,589.0759
<b>Total</b>	<b>1.8336</b>	<b>15.9591</b>	<b>16.4119</b>	<b>0.0273</b>		<b>0.8948</b>	<b>0.8948</b>		<b>0.8590</b>	<b>0.8590</b>	<b>0.0000</b>	<b>2,577.8111</b>	<b>2,577.8111</b>	<b>0.4506</b>		<b>2,589.0759</b>

### 3.5 Building Construction - 2022

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.6792	14.4463	16.2818	0.0273		0.7654	0.7654		0.7356	0.7356	0.0000	2,578.5346	2,578.5346	0.4460		2,589.6844
<b>Total</b>	<b>1.6792</b>	<b>14.4463</b>	<b>16.2818</b>	<b>0.0273</b>		<b>0.7654</b>	<b>0.7654</b>		<b>0.7356</b>	<b>0.7356</b>	<b>0.0000</b>	<b>2,578.5346</b>	<b>2,578.5346</b>	<b>0.4460</b>		<b>2,589.6844</b>

### 3.6 Architectural Coating - 2022

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	4.8588					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	1.2054	9.6125	12.1881	0.0211		0.5117	0.5117		0.5117	0.5117	0.0000	1,996.5973	1,996.5973	0.1081		1,999.2989
<b>Total</b>	<b>6.0642</b>	<b>9.6125</b>	<b>12.1881</b>	<b>0.0211</b>		<b>0.5117</b>	<b>0.5117</b>		<b>0.5117</b>	<b>0.5117</b>	<b>0.0000</b>	<b>1,996.5973</b>	<b>1,996.5973</b>	<b>0.1081</b>		<b>1,999.2989</b>

ATTACHMENT D

Dispersion Model Output File

\*\*BEE-Line Software: (Version 12.04) data input file  
\*\* Model: AERMOD.EXE Input File Creation Date: 3/19/2021 Time: 9:39:18 AM  
NO ECHO

\*\*\* Message Summary For AERMOD Model Setup \*\*\*

----- Summary of Total Messages -----

A Total of 0 Fatal Error Message(s)  
A Total of 2 Warning Message(s)  
A Total of 0 Informational Message(s)

\*\*\*\*\* FATAL ERROR MESSAGES \*\*\*\*\*  
\*\*\* NONE \*\*\*

\*\*\*\*\* WARNING MESSAGES \*\*\*\*\*

ME W186 397 MEOPEN: THRESH\_1MIN 1-min ASOS wind speed threshold used 0.50  
ME W187 397 MEOPEN: ADJ\_U\* Option for Stable Low Winds used in AERMET

\*\*\*\*\*  
\*\*\* SETUP Finishes Successfully \*\*\*  
\*\*\*\*\*

\*\*\* AERMOD - VERSION 19191 \*\*\* \*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
\*\*\* AERMET - VERSION 16216 \*\*\* \*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23  
PAGE 1

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* MODEL SETUP OPTIONS SUMMARY \*\*\*

-----  
\*\*Model Is Setup For Calculation of Average CONCentration Values.

-- DEPOSITION LOGIC --

\*\*NO GAS DEPOSITION Data Provided.  
\*\*NO PARTICLE DEPOSITION Data Provided.  
\*\*Model Uses NO DRY DEPLETION. DRYDPLT = F  
\*\*Model Uses NO WET DEPLETION. WETDPLT = F

\*\*Model Uses URBAN Dispersion Algorithm for the SBL for 117 Source(s),  
for Total of 1 Urban Area(s):  
Urban Population = 9818605.0 ; Urban Roughness Length = 1.000 m

\*\*Model Uses Regulatory DEFAULT Options:  
1. Stack-tip Downwash.  
2. Model Accounts for ELEVated Terrain Effects.  
3. Use Calms Processing Routine.  
4. Use Missing Data Processing Routine.  
5. No Exponential Decay.  
6. Urban Roughness Length of 1.0 Meter Assumed.

\*\*Other Options Specified:  
ADJ\_U\* - Use ADJ\_U\* option for SBL in AERMET  
CCVR\_Sub - Meteorological data includes CCVR substitutions  
TEMP\_Sub - Meteorological data includes TEMP substitutions

\*\*Model Accepts FLAGPOLE Receptor Heights.

\*\*The User Specified a Pollutant Type of: OTHER

\*\*Model Calculates ANNUAL Averages Only

\*\*This Run Includes: 117 Source(s); 1 Source Group(s); and 13 Receptor(s)  
with: 0 POINT(s), including  
0 POINTCAP(s) and 0 POINTHOR(s)

and: 117 VOLUME source(s)  
 and: 0 AREA type source(s)  
 and: 0 LINE source(s)  
 and: 0 RLINE/RLINEXT source(s)  
 and: 0 OPENPIT source(s)  
 and: 0 BUOYANT LINE source(s) with 0 line(s)

\*\*Model Set To Continue RUNNING After the Setup Testing.

\*\*The AERMET Input Meteorological Data Version Date: 16216

\*\*Output Options Selected:  
 Model Outputs Tables of ANNUAL Averages by Receptor  
 Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)  
 Model Outputs Separate Summary File of High Ranked Values (SUMMFILE Keyword)

\*\*NOTE: The Following Flags May Appear Following CONC Values: c for Calm Hours  
 m for Missing Hours  
 b for Both Calm and Missing Hours

\*\*Misc. Inputs: Base Elev. for Pot. Temp. Profile (m MSL) = 10.00 ; Decay Coef. = 0.000 ; Rot. Angle = 0.0  
 Emission Units = GRAMS/SEC ; Emission Rate Unit Factor = 0.10000E+07  
 Output Units = MICROGRAMS/M\*\*3

\*\*Approximate Storage Requirements of Model = 3.6 MB of RAM.

\*\*Input Runstream File: F:\WD Passport\san pedro\model\PACIFIC AVENUE\_CONSTRUCTION\_DPM.DTA  
 \*\*Output Print File: F:\WD Passport\san pedro\model\PACIFIC AVENUE\_CONSTRUCTION\_DPM.LST  
 \*\*File for Summary of Results: F:\WD Passport\san pedro\model\PACIFIC AVENUE\_CONSTRUCTION\_DPM.SUM

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23  
 PAGE 2

\*\*\* MODELOPTs: RegDFault CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* VOLUME SOURCE DATA \*\*\*

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
C1	0	0.91353E-04	380628.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C2	0	0.91353E-04	380633.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C3	0	0.91353E-04	380638.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C4	0	0.91353E-04	380643.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C5	0	0.91353E-04	380648.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C6	0	0.91353E-04	380653.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C7	0	0.91353E-04	380658.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C8	0	0.91353E-04	380663.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C9	0	0.91353E-04	380668.0	3733143.0	27.0	5.00	2.32	1.40	YES	HROFDY
C10	0	0.91353E-04	380628.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C11	0	0.91353E-04	380633.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C12	0	0.91353E-04	380638.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C13	0	0.91353E-04	380643.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C14	0	0.91353E-04	380648.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C15	0	0.91353E-04	380653.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C16	0	0.91353E-04	380658.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C17	0	0.91353E-04	380663.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C18	0	0.91353E-04	380668.0	3733148.0	27.0	5.00	2.32	1.40	YES	HROFDY
C19	0	0.91353E-04	380628.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C20	0	0.91353E-04	380633.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C21	0	0.91353E-04	380638.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C22	0	0.91353E-04	380643.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C23	0	0.91353E-04	380648.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C24	0	0.91353E-04	380653.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C25	0	0.91353E-04	380658.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY

C26	0	0.91353E-04	380663.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C27	0	0.91353E-04	380668.0	3733153.0	27.0	5.00	2.32	1.40	YES	HROFDY
C28	0	0.91353E-04	380628.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C29	0	0.91353E-04	380633.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C30	0	0.91353E-04	380638.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C31	0	0.91353E-04	380643.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C32	0	0.91353E-04	380648.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C33	0	0.91353E-04	380653.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C34	0	0.91353E-04	380658.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C35	0	0.91353E-04	380663.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C36	0	0.91353E-04	380668.0	3733158.0	27.0	5.00	2.32	1.40	YES	HROFDY
C37	0	0.91353E-04	380628.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C38	0	0.91353E-04	380633.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C39	0	0.91353E-04	380638.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C40	0	0.91353E-04	380643.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY

\*\*\* AERMOD - VERSION 19191 \*\*\*      \*\*\* 1309-1331 South Pacific Avenue      \*\*\*      03/19/21  
\*\*\* AERMET - VERSION 16216 \*\*\*      \*\*\* Construction Scenario / DPM Emissions      \*\*\*      09:39:23  
\*\*\* MODELOPTs:      RegDFault CONC      ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*      \*\*\*      PAGE 3

\*\*\* VOLUME SOURCE DATA \*\*\*

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
C41	0	0.91353E-04	380648.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C42	0	0.91353E-04	380653.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C43	0	0.91353E-04	380658.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C44	0	0.91353E-04	380663.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C45	0	0.91353E-04	380668.0	3733163.0	27.0	5.00	2.32	1.40	YES	HROFDY
C46	0	0.91353E-04	380628.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C47	0	0.91353E-04	380633.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C48	0	0.91353E-04	380638.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C49	0	0.91353E-04	380643.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C50	0	0.91353E-04	380648.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C51	0	0.91353E-04	380653.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C52	0	0.91353E-04	380658.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C53	0	0.91353E-04	380663.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C54	0	0.91353E-04	380668.0	3733168.0	27.0	5.00	2.32	1.40	YES	HROFDY
C55	0	0.91353E-04	380628.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C56	0	0.91353E-04	380633.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C57	0	0.91353E-04	380638.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C58	0	0.91353E-04	380643.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C59	0	0.91353E-04	380648.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C60	0	0.91353E-04	380653.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C61	0	0.91353E-04	380658.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C62	0	0.91353E-04	380663.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C63	0	0.91353E-04	380668.0	3733173.0	27.0	5.00	2.32	1.40	YES	HROFDY
C64	0	0.91353E-04	380628.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C65	0	0.91353E-04	380633.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C66	0	0.91353E-04	380638.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C67	0	0.91353E-04	380643.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C68	0	0.91353E-04	380648.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C69	0	0.91353E-04	380653.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C70	0	0.91353E-04	380658.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C71	0	0.91353E-04	380663.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C72	0	0.91353E-04	380668.0	3733178.0	27.0	5.00	2.32	1.40	YES	HROFDY
C73	0	0.91353E-04	380628.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C74	0	0.91353E-04	380633.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C75	0	0.91353E-04	380638.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C76	0	0.91353E-04	380643.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C77	0	0.91353E-04	380648.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C78	0	0.91353E-04	380653.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C79	0	0.91353E-04	380658.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C80	0	0.91353E-04	380663.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

\*\*\* 03/19/21  
 \*\*\* 09:39:23  
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\*\*\* MODELOPTs: RegDFault CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* VOLUME SOURCE DATA \*\*\*

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
C81	0	0.91353E-04	380668.0	3733183.0	27.0	5.00	2.32	1.40	YES	HROFDY
C82	0	0.91353E-04	380628.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C83	0	0.91353E-04	380633.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C84	0	0.91353E-04	380638.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C85	0	0.91353E-04	380643.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C86	0	0.91353E-04	380648.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C87	0	0.91353E-04	380653.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C88	0	0.91353E-04	380658.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C89	0	0.91353E-04	380663.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C90	0	0.91353E-04	380668.0	3733188.0	27.0	5.00	2.32	1.40	YES	HROFDY
C91	0	0.91353E-04	380628.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C92	0	0.91353E-04	380633.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C93	0	0.91353E-04	380638.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C94	0	0.91353E-04	380643.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C95	0	0.91353E-04	380648.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C96	0	0.91353E-04	380653.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C97	0	0.91353E-04	380658.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C98	0	0.91353E-04	380663.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C99	0	0.91353E-04	380668.0	3733193.0	27.0	5.00	2.32	1.40	YES	HROFDY
C100	0	0.91353E-04	380628.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C101	0	0.91353E-04	380633.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C102	0	0.91353E-04	380638.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C103	0	0.91353E-04	380643.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C104	0	0.91353E-04	380648.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C105	0	0.91353E-04	380653.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C106	0	0.91353E-04	380658.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C107	0	0.91353E-04	380663.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C108	0	0.91353E-04	380668.0	3733198.0	27.0	5.00	2.32	1.40	YES	HROFDY
C109	0	0.91353E-04	380628.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C110	0	0.91353E-04	380633.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C111	0	0.91353E-04	380638.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C112	0	0.91353E-04	380643.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C113	0	0.91353E-04	380648.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C114	0	0.91353E-04	380653.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C115	0	0.91353E-04	380658.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C116	0	0.91353E-04	380663.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY
C117	0	0.91353E-04	380668.0	3733203.0	27.0	5.00	2.32	1.40	YES	HROFDY

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 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFault CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* SOURCE IDs DEFINING SOURCE GROUPS \*\*\*

SRCGROUP ID	SOURCE IDs
ALL	C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, C18, C19, C20, C21, C22, C23, C24



\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C1 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C2 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C3 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C4 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C5 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C6 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C7 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C8 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C9 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C10 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\*      \*\*\* 1309-1331 South Pacific Avenue      \*\*\*      03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\*      \*\*\* Construction Scenario / DPM Emissions      \*\*\*      09:39:23  
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\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C11 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C12 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C13 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C14 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C15 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C16 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C17 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C18 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C19 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C20 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C21 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C22 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C23 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C24 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C25 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\*     \*\*\* 1309-1331 South Pacific Avenue     \*\*\*     03/19/21  
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\*\*\* MODELOPTs:    RegDFault    CONC    ELEV    FLGPOL    NODRYDPLT    NOWETDPLT    URBAN    ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C26 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C27 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C28 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C29 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C30 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C31 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C32 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C33 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C34 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C35 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C36 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C37 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C38 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C39 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C40 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\*    \*\*\* 1309-1331 South Pacific Avenue    \*\*\*    03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\*    \*\*\* Construction Scenario / DPM Emissions    \*\*\*    09:39:23  
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\*\*\* MODELOPTs:    RegDFault    CONC    ELEV    FLGPOL    NODRYDPLT    NOWETDPLT    URBAN    ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C41 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C42 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C43 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C44 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C45 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C46 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C47 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C48 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C49 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C50 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C51 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C52 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C53 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C54 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C55 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\*      \*\*\* 1309-1331 South Pacific Avenue      \*\*\*      03/19/21  
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\*\*\* MODELOPTs: RegDFault CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C56 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C57 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C58 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C59 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C60 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C61 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C62 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C63 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C64 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C65 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C66 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C67 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C68 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C69 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C70 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\*      \*\*\* 1309-1331 South Pacific Avenue      \*\*\*      03/19/21  
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\*\*\* MODELOPTs:    RegDFault    CONC    ELEV    FLGPOL    NODRYDPLT    NOWETDPLT    URBAN    ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C71 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C72 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C73 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C74 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C75 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C76 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C77 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C78 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C79 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C80 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C81 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C82 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C83 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C84 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C85 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\*      \*\*\* 1309-1331 South Pacific Avenue      \*\*\*      03/19/21  
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\*\*\* MODELOPTs: RegDFault CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C86 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C87 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C88 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C89 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C90 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C91 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C92 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C93 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C94 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C95 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C96 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C97 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00



\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C106 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C107 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C108 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C109 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C110 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue  
\*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions

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\*\*\* MODELOPTs: RegDFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR	HOUR	SCALAR
SOURCE ID = C111 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00
SOURCE ID = C112 ; SOURCE TYPE = VOLUME :											
1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C113 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C114 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C115 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\* SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY \*

HOUR	SCALAR										
------	--------	------	--------	------	--------	------	--------	------	--------	------	--------

SOURCE ID = C116 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

SOURCE ID = C117 ; SOURCE TYPE = VOLUME :

1	.00000E+00	2	.00000E+00	3	.00000E+00	4	.00000E+00	5	.00000E+00	6	.00000E+00
7	.00000E+00	8	.00000E+00	9	.10000E+01	10	.10000E+01	11	.10000E+01	12	.10000E+01
13	.10000E+01	14	.10000E+01	15	.10000E+01	16	.10000E+01	17	.00000E+00	18	.00000E+00
19	.00000E+00	20	.00000E+00	21	.00000E+00	22	.00000E+00	23	.00000E+00	24	.00000E+00

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* DISCRETE CARTESIAN RECEPTORS \*\*\*  
 (X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)  
 (METERS)

( 380629.0, 3733247.0, 27.0, 27.0, 2.0);	( 380616.0, 3733247.0, 27.0, 27.0, 2.0);
( 380622.0, 3733211.0, 27.0, 27.0, 2.0);	( 380614.0, 3733208.0, 27.0, 27.0, 2.0);
( 380622.0, 3733189.0, 27.0, 27.0, 2.0);	( 380613.0, 3733188.0, 27.0, 27.0, 2.0);
( 380618.0, 3733175.0, 27.0, 27.0, 2.0);	( 380615.0, 3733161.0, 27.0, 27.0, 2.0);
( 380615.0, 3733149.0, 27.0, 27.0, 2.0);	( 380615.0, 3733116.0, 27.0, 27.0, 2.0);
( 380634.0, 3733116.0, 27.0, 27.0, 2.0);	( 380648.0, 3733116.0, 27.0, 27.0, 2.0);
( 380662.0, 3733116.0, 27.0, 27.0, 2.0);	



First hour of profile data  
 YR MO DY HR HEIGHT F WDIR WSPD AMB\_TMP sigmaA sigmaW sigmaV  
 12 01 01 01 7.9 1 322. 1.13 282.1 99.0 -99.00 -99.00  
 F indicates top of profile (=1) or below (=0)

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23  
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\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* THE ANNUAL AVERAGE CONCENTRATION VALUES AVERAGED OVER 5 YEARS FOR SOURCE GROUP: ALL \*\*\*  
 INCLUDING SOURCE(S): C1 , C2 , C3 , C4 , C5 ,  
 C6 , C7 , C8 , C9 , C10 , C11 , C12 , C13 ,  
 C14 , C15 , C16 , C17 , C18 , C19 , C20 , C21 ,  
 C22 , C23 , C24 , C25 , C26 , C27 , C28 , . . .

\*\*\* DISCRETE CARTESIAN RECEPTOR POINTS \*\*\*

\*\* CONC OF OTHER IN MICROGRAMS/M\*\*3 \*\*

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
380629.00	3733247.00	0.28625	380616.00	3733247.00	0.20182
380622.00	3733211.00	0.48399	380614.00	3733208.00	0.35395
380622.00	3733189.00	0.63464	380613.00	3733188.00	0.41429
380618.00	3733175.00	0.52438	380615.00	3733161.00	0.41687
380615.00	3733149.00	0.35266	380615.00	3733116.00	0.14244
380634.00	3733116.00	0.19554	380648.00	3733116.00	0.22110
380662.00	3733116.00	0.22589			

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23  
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\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* THE SUMMARY OF MAXIMUM ANNUAL RESULTS AVERAGED OVER 5 YEARS \*\*\*

\*\* CONC OF OTHER IN MICROGRAMS/M\*\*3 \*\*

GROUP ID	AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZHILL, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	0.63464 AT ( 380622.00, 3733189.00,	27.00, 27.00, 2.00)	DC
	2ND HIGHEST VALUE IS	0.52438 AT ( 380618.00, 3733175.00,	27.00, 27.00, 2.00)	DC
	3RD HIGHEST VALUE IS	0.48399 AT ( 380622.00, 3733211.00,	27.00, 27.00, 2.00)	DC
	4TH HIGHEST VALUE IS	0.41687 AT ( 380615.00, 3733161.00,	27.00, 27.00, 2.00)	DC
	5TH HIGHEST VALUE IS	0.41429 AT ( 380613.00, 3733188.00,	27.00, 27.00, 2.00)	DC
	6TH HIGHEST VALUE IS	0.35395 AT ( 380614.00, 3733208.00,	27.00, 27.00, 2.00)	DC
	7TH HIGHEST VALUE IS	0.35266 AT ( 380615.00, 3733149.00,	27.00, 27.00, 2.00)	DC
	8TH HIGHEST VALUE IS	0.28625 AT ( 380629.00, 3733247.00,	27.00, 27.00, 2.00)	DC
	9TH HIGHEST VALUE IS	0.22589 AT ( 380662.00, 3733116.00,	27.00, 27.00, 2.00)	DC
	10TH HIGHEST VALUE IS	0.22110 AT ( 380648.00, 3733116.00,	27.00, 27.00, 2.00)	DC

\*\*\* RECEPTOR TYPES: GC = GRIDCART  
 GP = GRIDPOLR  
 DC = DISCCART  
 DP = DISCPOLR

\*\*\* AERMOD - VERSION 19191 \*\*\* 1309-1331 South Pacific Avenue \*\*\* 03/19/21  
 \*\*\* AERMET - VERSION 16216 \*\*\* Construction Scenario / DPM Emissions \*\*\* 09:39:23  
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\*\*\* MODELOPTs: RegDEFAULT CONC ELEV FLGPOL NODRYDPLT NOWETDPLT URBAN ADJ\_U\*

\*\*\* Message Summary : AERMOD Model Execution \*\*\*

----- Summary of Total Messages -----

A Total of 0 Fatal Error Message(s)  
A Total of 2 Warning Message(s)  
A Total of 1017 Informational Message(s)  
  
A Total of 43848 Hours Were Processed  
  
A Total of 747 Calm Hours Identified  
  
A Total of 270 Missing Hours Identified ( 0.62 Percent)

\*\*\*\*\* FATAL ERROR MESSAGES \*\*\*\*\*  
\*\*\* NONE \*\*\*

\*\*\*\*\* WARNING MESSAGES \*\*\*\*\*

ME W186 397 MEOPEN: THRESH\_1MIN 1-min ASOS wind speed threshold used 0.50  
ME W187 397 MEOPEN: ADJ\_U\* Option for Stable Low Winds used in AERMET

\*\*\*\*\*  
\*\*\* AERMOD Finishes Successfully \*\*\*  
\*\*\*\*\*

ATTACHMENT E

List of References

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# EXHIBIT J



## SPECIAL REQUIREMENTS

### INFILL DEVELOPMENT PROJECTS - CLASS 32 CATEGORICAL EXEMPTION

#### SPECIAL REQUIREMENT CRITERIA

**RELATED CODE SECTION:** The State of California Public Resource Code, Division 13 Environmental Quality and the State of California Environmental Quality Act and CEQA Guidelines, Section 15300.

#### **WHAT IS CEQA?**

CEQA, or the California Environmental Quality Act, is a statute that requires state and local agencies to identify the significant environmental impacts of their actions by conducting environmental review before making a determination on a project. Environmental review procedures are used to identify a project's potential impacts, develop ways to reduce those impacts, and report the results of the analysis to the public.

#### **WHAT IS A CATEGORICAL EXEMPTION?**

Every discretionary action requires environmental review pursuant to CEQA. However, the CEQA Guidelines include a list of classes of projects which have been determined to not have a significant effect on the environment, also known as Categorical Exemptions. If your project falls within one of these classes, it is exempt from the provisions of CEQA and no environmental review is required unless one of the exceptions in CEQA Guideline Section 15300.2 applies (discussed below).

#### **WHAT IS THE CLASS 32 CATEGORICAL EXEMPTION?**

The Class 32 "Infill" Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects.

#### **HOW DO I QUALIFY?**

The Class 32 Exemption *is not* available for any project that requires mitigation measures to reduce potential environmental impacts to less than significant. Additionally, there are exceptions to the exemptions depending on the nature or location of the project, pursuant to CEQA Section 15300.2. For a proposed project to qualify, none of the following Exceptions can apply to the project:

- a. *The project and successive projects of the same type in the same place will result in cumulative impacts;*
- b. *There are unusual circumstances creating the reasonable possibility of significant effects;*
- c. *The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway;*
- d. *The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code section 65962.5, as being affected by hazardous wastes or clean-up problems; or*
- e. *The project may cause a substantial adverse change in the significance of an historical resource.*

## HOW DO I REQUEST A CLASS 32 EXEMPTION?

If your project does not fall under any of the Exceptions listed above, you may request a Class 32 Exemption by indicating on your Environmental Assessment Form (EAF) that you would like your project to be considered by checking the box under Section 5. As part of the preliminary review of the project, the Project Planner will determine whether it is eligible for a Class 32 Exemption. In order for the Project Planner to make such a determination, you will still need to file an EAF, and provide the CEQA justifications listed below, including that none of the applicable Exceptions to the Exemption apply.

## WHAT DO I NEED TO SUBMIT?

When filing a request for the Class 32 Exemption, the following items are required:

1. An Environmental Assessment Form (EAF) (CP-1204), including required exhibits, materials and fees pursuant to Los Angeles Municipal Code (LAMC) Section 19.05. This includes the “Environmental Assessment Form (EAF)/Initial Study leading to Negative Declaration or Mitigation Negative Declaration”. A “Publication Fee for Negative Declaration or Mitigated Negative Declaration” fee will not be charged unless it is determined that the project is not eligible for the Class 32 Exemption.
2. Any supporting documents and/or technical studies to corroborate your position that the proposed project is eligible for the Class 32 Exemption, and/or to further substantiate the justifications listed under Paragraph 3 below. Examples of supporting documents, and when they may be required, are listed below.
  - a. **Traffic Study.** A Traffic Study may be required for projects which exceed the Traffic Study Exemption Thresholds set by the Department of Transportation (DOT). In order to determine whether or not a Traffic Study is required, the Applicant shall submit a DOT Referral Form after case filing. If it is determined that a Traffic Study is required, the Applicant shall have one prepared and reviewed by DOT. A DOT Interdepartmental Correspondence Letter will be transmitted to Planning staff and must reflect that no significant traffic impacts will result from the proposed project in order for the project to qualify for the Class 32 Exemption.
  - b. **Air Quality (AQ) Study.** Working with the South Coast Air Quality Management District (SCAQMD), Department staff has established interim air quality screening criteria to determine if a project requires an Air Quality Assessment. The purpose of this assessment is to evaluate the regional significance of criteria pollutant emissions from both the construction and operation of a proposed project. The analysis is provided utilizing the California Emissions Estimator Model (CalEEMod). The selected screening criteria is based on a survey of published air quality studies for which the criteria pollutants did not exceed the established SCAQMD construction or operational thresholds.

If the proposed project has less than 80 residential units OR less than 75,000 square feet of non-residential use, AND involves less than 20,000 cubic yards of soil export, it will not likely exceed the SCAQMD construction or operational thresholds, and therefore will not require an Assessment. If your proposed project exceeds this screening criteria, an air quality assessment will be required. An Air Quality Study may also be required if prompted by the South Coast Air Quality Management District (SCAQMD), if the CE is challenged or if the project is particularly controversial. The applicant may voluntarily provide one if it is anticipated that this information will be requested by another party.

Please note this does not mean the project will have any significant impacts under CEQA, just that further analysis is required. The criteria can be used for all CEQA clearances, including Class 32 (Infill Development) exemptions pursuant to Section 15332 of the CEQA Guidelines.

- c. **Noise Study.** Depending on the size, scope and features of the project and the project site, the City may require additional documentation or analysis to provide substantial evidence supporting a determination that the project will not have significant impacts related to noise, which may include but is not limited to, the preparation of a Noise Study by a qualified consultant.

- d. **Phase I and/or II Environmental Site Assessment (ESA).** A Phase I ESA may be required if the project site was previously developed with a dry cleaning, auto repair, gasoline station, industrial/manufacturing use, or other similar type of use that may have resulted in site contamination. If the Phase I ESA states that the site is contaminated, a Phase II ESA will be required. If a Phase II is required, only if the Phase II ESA demonstrates that the site has been fully remediated without mitigation is the project still eligible for the Class 32 Exemption.
- e. **Historic Resource Assessment.** A Historic Resource Assessment and/or historic impact report may be required if the Project site is listed on the National Register of Historic Places, California Register of Historical Resources, or the Los Angeles Historic-Cultural Monuments Register; or is found to be a potential historic resource in HistoricPlacesLA, SurveyLA or based on discussion with the Office of Historic Resources. If it can be demonstrated that the project complies with the Secretary of Interior's Standards, the project may still be eligible for the CE.
- f. **Biological Survey and Impact Assessment.** A biological survey and/or biological impact report may be required by the City if the Project site is on or adjacent to open space or previously undisturbed land to demonstrate that the site does not provide habitat for special status flora or fauna.

3. Written justification that the proposed Project meets the following criteria:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

As mentioned above, technical studies may be required in order to substantiate the above justification. If they are not submitted with your application, they may be requested by the Project Planner prior to acceptance of the Class 32 Exemption. Note also that the assigned Project Planner will determine what CEQA clearance is required to process the application after the request has been submitted and the required submittals reviewed. Note, consistent with the requirements of CEQA, the City may require additional documentation, studies, or evidence to support the Class 32 Exemption, or the preparation of an initial study at any time prior to project approval, if evidence in the record supports that the exemption does not apply or that an exception to the exemption does apply.