



**Errata to Appeal Response for the
Final Environmental Impact Report
Central South of Market Area Plan**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: July 11, 2018
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa M. Gibson, Environmental Review Officer – (415) 575-9032
Jessica Range, Principal Environmental Planner – (415) 575-9018
Elizabeth White, Environmental Coordinator – (415) 575-6813
RE: File No. 180651, Planning Case No. 2011.1356E
Errata to the Appeal Response for the Final Environmental Impact Report for the
Central South of Market Area Plan
HEARING DATE: July 17, 2018

PROJECT SPONSOR: San Francisco Planning Department and legislative sponsors Supervisor Kim and the Mayor’s Office
APPELLANTS: Richard Drury on behalf of Central SoMa Neighbors and SFBlu
Phillip Babich on behalf of One Vassar, LLC
Angelica Cabande on behalf of South of Market Community Action Network
John Elberling on behalf of Yerba Buena Neighborhood Consortium

The San Francisco Planning Department (“Department”) is correcting an error in the appeal response for the Final Environmental Impact Report for the Central South of Market Area Plan submitted on July 9, 2018. No changes to the text of the draft EIR or Response to Comments (“RTC”) are required. The following text on the first full paragraph on page 12 of the appeal response submitted July 9, 2018 is revised as follows (deletions shown in ~~strike through~~ and additions shown in double underline):

Moreover, since publication of the RTC document, the Department has proposed changes to the Plan’s implementing zoning and other programs that include increasing the size of sites required to be commercially-oriented from 30,000 square feet to 40,000 square feet (proposed Planning Code section 249.78(c)(6)(A)). The Department has also proposed changing the proposed use district on portions of Assessor’s Blocks 3777 and 3778 from Western SoMa Mixed-Use Office to Central SoMa Mixed-Use Office, and removing rental housing from participation in the Plan Area’s proposed Mello-Roos Community Facilities District. These Planning Code, zoning map, and implementation program revisions would change the estimated projected increase in jobs and housing to approximately 33,000 jobs and 8,300 housing units (or approximately ~~8,715~~ 7,785 households), resulting in a jobs-housing ratio of ~~3.8:1~~ 4.2:1.⁷ These Plan revisions were recommended for adoption by the Planning Commission at its May 10, 2018 meeting.

Footnote 7 in the appeal response is also revised as follows:

The Plan is currently estimated to result in 8,300 housing units, which, assuming the same 5% vacancy rate as the EIR, results in ~~8,715~~ 7,785 households. The Plan is also currently estimated to

result in 33,000 jobs, resulting in a jobs-housing ratio of approximately ~~3.8:1~~ 4.2:1 ($33,000 \div 8,715$
7,785 = ~~3.8:1~~ 4.2:1).



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Appeal of Final Environmental Impact Report Central South of Market Area Plan

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 Appeal of the Final Environmental Impact Report for the Central South of
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HEARING DATE: July 17, 2018
ATTACHMENTS: Attachment A: Project and Procedural Background and Significant and
 Unavoidable Impacts Resulting from the Central SoMa Plan
 Attachment B: April 5, 2018, EIR Errata
 Attachment C: May 9, 2018, EIR Errata
 Attachment D: Summary of Appellants' Concerns
 Attachment E: Central SoMa Plan- Shadow on Public Schools in Plan Area and
 Vicinity

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PROJECT SPONSOR: San Francisco Planning Department and legislative sponsors Supervisor Kim and the Mayor's Office
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INTRODUCTION

This memorandum and the attached documents are a response to four letters of appeal submitted to the Board of Supervisors (the "Board") regarding the Planning Department's (the "Department") issuance of a Final Environmental Impact Report ("Final EIR") under the California Environmental Quality Act ("CEQA Determination") for the Central South of Market Area Plan ("Central SoMa Plan" or "Project"). The Final EIR (provided on a compact disc to the Board on March 29, 2018) was certified by the Planning Commission (the "Commission") on May 10, 2018.

The first appeal to the Board was filed by Richard Drury on behalf of Central SoMa Neighbors and SFBlu on June 8, 2018. Phillip Babich on behalf of One Vassar LLC, Angelica Cabande on behalf of the South of Market Community Action Network ("SOMCAN"), and John Elberling on behalf of the Yerba Buena Neighborhood Consortium ("YBNC"), each filed individual appeals of the Final EIR on June 11, 2018. All

four appeal letters are part of Board of Supervisors File No. 180651 and can be accessed here: <https://sfgov.legistar.com/LegislationDetail.aspx?ID=3532607&GUID=A0DAB8AC-0163-46A5-9FF2-2CE0FB107705&Options=ID|Text|&Search=180651>.

The decision before the Board is whether to uphold the Planning Commission's decision to certify the Final EIR and deny the appeals, or to reverse the Planning Commission's decision to certify the Final EIR and return the proposed project to the Department for staff to conduct additional environmental review.

PROJECT DESCRIPTION

The Planning Department developed the Central SoMa Plan as a comprehensive plan for the area surrounding much of the southern portion of the Central Subway transit line, a 1.7-mile extension of the Third Street light rail line that will link the Caltrain Depot at Fourth and King Streets to Chinatown and provide service within the South of Market ("SoMa") area. The Plan Area includes roughly 230 acres that comprise 17 city blocks, as well as the streets and thoroughfares that connect SoMa to adjacent neighborhoods: Downtown, Mission Bay, Rincon Hill, and the Mission District.

The Plan Area is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and an irregular border to the north that generally jogs along Folsom, Howard, and Stevenson streets and represents the border of the Downtown Plan Area. The project analyzed in the EIR includes street network changes throughout the Plan Area, including specific designs within, and in some cases beyond, the Plan Area for the following streets: Howard, Folsom, Harrison, Bryant, Brannan, Third, and Fourth streets. In addition, open space improvements would occur within and outside of the Plan Area.

As envisioned by the Department, the Central SoMa Plan endeavors to address the social, economic, and environmental aspects of sustainability through a planning strategy that accommodates anticipated population and job growth, provides public benefits, and respects and enhances neighborhood character. That strategy has informed the Central SoMa Plan, which comprehensively addresses a wide range of topics that include land use; transportation infrastructure; parks, open space, and recreation facilities; ecological sustainability; historic preservation; urban design and urban form; and financial programs and implementation mechanisms to fund public improvements.

The Plan seeks to encourage and accommodate housing and employment growth by: (1) removing land use restrictions to support a greater mix of uses while also emphasizing office uses in portions of the Plan Area; (2) amending height and bulk districts to allow for taller buildings; (3) modifying the system of streets and circulation within and adjacent to the Plan Area to meet the needs and goals of a dense, transit-oriented, mixed-use district; and (4) creating new, and improving existing, open spaces.

The Plan also proposes street network changes to certain individual streets, including Howard, Folsom, Harrison, Bryant, Brannan, Third, and Fourth streets. The EIR analyzes two different options for the couplet of Howard Street and Folsom Street. Under the One-Way Option, both streets would retain a one-way configuration (except Folsom Street east of Second Street, which would retain its existing two-way operation). Under the Two-Way Option, both streets would be converted into two-way operation, and some modifications to Harrison Street would also occur.

Plan policies include a call for public realm improvements, including planning for new open spaces; changes to the street and circulation system; policies to preserve neighborhood character and historic

structures; and strategies that aim to improve public amenities and make the neighborhood more sustainable. The Plan also includes financial programs to support its public improvements through the implementation of one or more new fees, in addition to taxes or assessments on subsequent development projects.

The EIR analyzed the proposed Central SoMa Plan, which consists of the proposed goals, objectives, policies, and implementation measures contained in the August 2016 draft of the Central SoMa Plan, as well as later modifications to various aspects of the Plan based upon feedback from the community and decision makers. In addition to the Central SoMa Plan, the EIR analyzed several components that were not specifically included as part of the Plan, including greater heights for certain parcels on Blocks 3733, 3762, 3776, 3777, 3785, and 3786;¹ height reductions on the site of Moscone Convention Center (north and south of Howard Street); open space improvements outside the Plan Area, on Ambrose Bierce Street, Annie Street, Jessie Street East, and Shipley Street; and the street network changes noted above.

The EIR contains a “program” level analysis, pursuant to section 15168 of the CEQA Guidelines, 14 Cal. Code of Regs. § 15000 *et seq.*, for adoption and implementation of the Plan. The EIR also contains a “project” level analysis pursuant to CEQA Guidelines section 15161 for street network changes and open space improvements. The EIR’s programmatic assessment of potential environmental impacts is based on the various Plan components that are required for its implementation and that would facilitate its goals and objectives. CEQA Guidelines section 15168(b) notes that the use of a programmatic EIR ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis; avoids duplicative reconsideration of basic policy considerations; allows the lead agency to consider broad policy alternatives and program-wide mitigation measures at an early time, when the agency has greater flexibility to deal with basic problems or cumulative impacts; and allows for a reduction in paperwork. The proposed open space improvements and street network improvements are, unless otherwise noted in the EIR, analyzed at the project-level because sufficient detailed information is available for this level of analysis.

The following provides a brief overview of the project development and procedural background, and provides a succinct list of the EIR’s significant and unavoidable impacts and accompanying mitigation measures. Attachment A to this appeal response contains a more detailed discussion of the project and procedural background and includes the specific significant and unavoidable project impacts identified in the EIR.

PROJECT BACKGROUND

In the early 2000s, the Department determined that the Central Subway transit project and development potential of the surrounding area warranted a focused planning process that took into account the city’s growth needs as well the opportunity to link transportation and land use planning. The Department

¹ An additional increase in height limits on a portion of Block 3763 was subsequently determined to have been adequately analyzed in the EIR.

initiated the Central SoMa planning process in 2011 and in 2013 issued the Central Corridor Plan, which covered a 28-block area from Market Street south to Townsend Street, between Second and Sixth streets. Although the northern portion of the 2013 draft Plan incorporated portions of the existing Downtown Plan area and C-3 (Downtown Commercial) Use District, none of the C-3 Use District was proposed for rezoning.

In 2016, after community feedback, the Department issued an updated Plan, known as the draft Central SoMa Plan and Implementation Strategy. In addition to changing the name of the Plan, the Department changed the boundary of the Plan Area to exclude areas zoned C-3 (where no change in zoning was proposed under the 2013 draft Plan), eliminated the “mid-rise” height limit option from the draft Plan², added several measures to support PDR space retention, and added more objectives, policies, and implementation measures to address neighborhood sustainability. The 2016 draft Plan has been subsequently refined through additional community feedback.

PROCEDURAL BACKGROUND

As discussed above, a detailed overview of the procedural CEQA background is provided in Attachment A. **Table 1. CEQA Procedural Background**, identifies the dates of the major CEQA milestones for the Central SoMa Plan’s environmental analysis.

TABLE 1. CEQA PROCEDURAL BACKGROUND	
CEQA Milestone	Date
Notice of Preparation (“NOP”) of an EIR Published	April 24, 2013
<i>NOP public review period</i>	April 24, 2013-May 24, 2013 (30 days)
<i>Public Scoping Meeting</i>	May 15, 2013
Initial Study ³ Published	February 12, 2014
<i>Initial Study public review period</i>	February 12, 2014-March 14, 2014 (30 days)
Draft EIR Published	December 14, 2016
<i>Draft EIR public review period</i>	December 14, 2016-February 14, 2017 (60 days)
<i>Public Hearing on Draft EIR</i>	January 26, 2017
Responses to Comments (“RTC”) Published	March 28, 2018
First Errata Published	April 10, 2018
Second Errata Published	May 9, 2018
Certification of the Final EIR	May 10, 2018

² This option is considered in the project’s environmental analysis, but is renamed the “Reduced Heights Alternative” in the EIR and “Option A” in the Initial Study.

³ Environmental effects determined to not be significant are also listed in Attachment A.

Significant and Unavoidable Project Impacts and Mitigation Measures

Attachment A to this appeal response includes a comprehensive list of the significant and unavoidable impacts resulting from the Central SoMa Plan. **Table 2. Significant and Unavoidable Impacts and Mitigation Measures**, provides an abbreviated list of the significant and unavoidable impacts and accompanying mitigation measures identified in the EIR. All other impacts would be either less than significant or can be reduced to a less-than-significant level with implementation of mitigation measures identified in the EIR.

TABLE 2. SIGNIFICANT AND UNAVOIDABLE IMPACTS AND MITIGATION MEASURES	
Significant and Unavoidable Impacts	Mitigation Measures
Land Use and Land Use Planning	
Subsequent development projects and street network changes in the Central SoMa Plan Area could result in traffic noise along Howard Street that could conflict with policy 9.6 of the General Plan’s Environmental Protection Element, related to changes to streets which will result in greater traffic noise. The EIR finds this to be a significant plan-level and cumulative land use impact.	M-NO-1a: Transportation Demand Management for New Development Projects M-NO-1b: Siting of Noise Generating Uses
Cultural and Paleontological Resources	
Subsequent development projects in the Central SoMa Plan Area would result in significant impacts to historic resources. The EIR finds this to be a significant plan-level and cumulative impact.	M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Historical Resources M-CP-1b: Documentation of Historical Resource(s) M-CP-1c: Oral Histories M-CP-1d: Interpretive Program M-CP-1e: Video Recordation
Transportation and Circulation	
Subsequent development projects, open space improvements and street network changes in the Central SoMa Plan Area would result in significant plan-level and cumulative transit impacts on local and regional transit providers.	M-TR-3a: Transit Enhancements M-TR-3b: Boarding Improvements M-TR-3c: Signalization and Intersection at Townsend/Fifth Streets
Subsequent development projects, open space improvements and street network changes in the Central SoMa Plan Area would result in crosswalk overcrowding. The EIR finds this to be a significant plan-level and cumulative impact.	M-TR-4: Upgrade Central SoMa Crosswalks

TABLE 2. SIGNIFICANT AND UNAVOIDABLE IMPACTS AND MITIGATION MEASURES	
Subsequent development projects in the Central SoMa Plan Area would result in significant plan-level and cumulative commercial and passenger loading impacts.	M-TR-6a: Driveway and Loading Operations Plan (DLOP) M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones
Subsequent development projects and street network changes in the Central SoMa Plan Area would result in significant construction impacts.	M-TR-9: Construction Management Plan and Construction Coordination
Noise and Vibration	
Subsequent development projects and street network changes in the Central SoMa Plan Area would result significant operational noise impacts. The EIR finds this to be a significant plan-level and cumulative impact.	M-NO-1a: Transportation Demand Management for New Development Projects M-NO-1b: Siting of Noise-generating Uses
Subsequent development projects and street network changes in the Central SoMa Plan Area would result significant construction noise impacts.	M-NO-2a: General Construction Noise Control Measures M-NO-2b: Noise and Vibration Control Measures during Pile Driving
Air Quality	
Subsequent development projects and street network changes in the Central SoMa Plan Area would result in significant operational criteria air pollutant impacts. The EIR finds this to be a significant plan-level and cumulative impact.	M-NO-1a: Transportation Demand Management for New Development Projects M-AQ-3a: Education for Residential and Commercial Tenants Concerning Low-VOC Consumer Products M-AQ-3b: Reduce Operational Emissions
Subsequent development projects and street network changes in the Central SoMa Plan Area would result in significant operational health risk impacts. The EIR finds this to be a significant plan-level and cumulative impact.	M-NO-1a: Transportation Demand Management for New Development Projects M-AQ-5a: Best Available Control Technology for Diesel Generators and Fire Pumps M-AQ-5b: Siting of Uses that Emit Particulate Matter, Diesel Particulate Matter, or Other Toxic Air Contaminants M-AQ-5c: Update Air Pollutant Exposure Zone for San Francisco Health Code Article 38 M-AQ-5d: Land Use Buffers around Active Loading Docks M-AQ-5c: Central SoMa Air Quality Improvement Strategy

TABLE 2. SIGNIFICANT AND UNAVOIDABLE IMPACTS AND MITIGATION MEASURES	
Wind	
The Plan would significantly affect pedestrian-level winds.	M-WI-1: Wind Hazard Criterion for Plan Area

CEQA Findings and Statement of Overriding Considerations

As described in CEQA Guidelines section 15093, if the Final EIR identifies significant effects for a proposed project, but the effects are not avoided or reduced to a less-than-significant level (i.e., significant and unavoidable impacts), a decision-maker that approves the project must find that any such unavoidable significant effects are acceptable due to overriding economic, legal, technological, social, or other policy considerations. This is known as a statement of overriding considerations. In making these findings, the decision-maker must balance the benefits of the proposed project against its unavoidable environmental effects.

The Planning Commission has sole authority to adopt a resolution recommending approval to the Board of the Central SoMa Plan, associated Planning Code and Administrative Code amendments, including amendments to the Zoning Map, and Implementation Program for the Plan. The Commission was the decision-maker, under CEQA, that was required to adopt CEQA findings, including a statement of overriding considerations, when it approved the Project (i.e., adopted resolutions recommending approval to the Board of the Plan). On May 10, 2018, following Planning Commission certification of the EIR, the Planning Commission approved the Project and adopted CEQA findings as part of its approval action, in Planning Commission Resolution No. 20183.

CEQA GUIDELINES

The Final EIR has been prepared in accordance with CEQA, the CEQA Guidelines, and local CEQA procedures under chapter 31 of the San Francisco Administrative Code. The purpose of the Final EIR is to disclose any potential impacts on the physical environment resulting from implementation of the proposed project and provide an opportunity for public review and comment before decision-makers decide to approve or deny the Project. The EIR is an informational document intended to inform public agency decision-makers and the public of the significant environmental effects of a project proposal, identify possible ways to minimize the significant effects, and describe feasible alternatives to the project to reduce or eliminate those significant effects. Certification of an environmental document does not constitute a project approval of any kind.

STANDARDS OF ADEQUACY FOR CERTIFICATION OF AN EIR

On May 10, 2018, the Planning Commission reviewed and considered the Final EIR at a duly noticed public hearing. The Planning Commission found that the Final EIR reflected the independent judgment and analysis of the City and County of San Francisco. The Planning Commission found that the Final EIR was adequate, accurate and objective, and that the RTC document and the errata dated April 5, 2018 (Attachment B) and May 9, 2018 (Attachment C) contained no significant revisions to the Draft EIR. The Planning Commission certified the Final EIR in compliance with the requirements of CEQA, the CEQA Guidelines, and chapter 31 of the San Francisco Administrative Code.

Under San Francisco Administrative Code section 31.16(c)(3), the grounds for appeal of an EIR

“shall be limited to whether the EIR complies with CEQA, including whether it is adequate, accurate and objective, sufficient as an informational document, correct in its conclusions, and reflects the independent judgment and analysis of the City and whether the Planning Commission certification findings are correct.”

The standards for adequacy of an EIR are set forth in CEQA Guidelines section 15151, which provides:

“An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

San Francisco Administrative Code section 31.16(b)(6) provides that in reviewing a CEQA decision on appeal, the Board of Supervisors “shall conduct its own independent review of whether the CEQA decision adequately complies with the requirements of CEQA. The Board shall consider anew all facts, evidence and issues related to the adequacy, accuracy and objectiveness of the CEQA decision, including, but not limited to, the sufficiency of the CEQA decision and the correctness of its conclusions.”

PLANNING DEPARTMENT RESPONSES

Four appeal letters were timely filed concerning certification of the EIR for the Central SoMa Plan. The concerns raised in each appeal letter are responded to below and in Attachment D, which provides a summary of how Appellants’ concerns are addressed in this appeal response. For Appellants who included their original comment letters on the Draft EIR in their appeal letters, Table D-1 (in Attachment D) provides a matrix containing the Appellants’ original comments, as coded by the Department in the RTC, and corresponding page numbers where the RTC provides responses to those comments. Where multiple appellants raise a similar concern, the response below refers to those concerns in the plural (e.g., “Appellants”). The responses below refer to the appellant in the singular when an appellant raises a concern that the other appellants did not (e.g., “Appellant”).

Response 1: The Planning Commission’s adoption of findings and statement of overriding considerations for the Central SoMa Plan are not appealable to the Board of Supervisors under CEQA Section 21151(c) or chapter 31 of the administrative code.

CEQA Requirement

Appellants claim to appeal the Planning Commission’s adoption of CEQA findings and statement of overriding considerations. CEQA section 21151(c) provides:

If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that *certification, approval, or*

determination may be appealed to the agency's elected decision-making body, if any (emphasis added).

That is, CEQA provides for appeal to the Board ("the agency's elected decision-making body") of the certification of the EIR by the Planning Commission ("a nonelected decision-making body of a local lead agency"), approval of a negative declaration or mitigated negative declaration, or determination that a project is not subject to CEQA. Section 21151(c) does not provide for appeal of any project approval actions.

Chapter 31 of the city's administrative code establishes the types of environmental review decisions that may be subject to appeal, as well as the grounds for such an appeal. Chapter 31.16(a) establishes that: (1) certification of a final EIR by the Planning Commission; (2) adoption of a negative declaration by the first decision-making body; and (3) determination by the Planning Department, or any other authorized city department, that a project is exempt from CEQA are the only environmental review decisions that may be appealed to the Board. Chapter 31.16(c)(3) states that the grounds for appeal of an EIR shall be limited to whether the EIR complies with CEQA, including whether it is adequate, accurate and objective, sufficient as an informational document, correct in its conclusions, and reflects the independent judgment and analysis of the city and whether the Planning Commission's EIR certification findings are correct.

The Planning Commission's statement of overriding considerations and findings are not environmental determinations subject to appeal under chapter 31. Project approvals are also not environmental review decisions subject to appeal under chapter 31. However, the Board may adopt, modify, or reject the Commission's CEQA findings and statement of overriding considerations in connection with any project approvals that require action by the Board, such as approval of the Central SoMa Plan and its implementing Planning Code provisions, including changes to the zoning maps.

Response 2: The EIR is adequate, accurate, objective, and sufficient as an informational document pursuant to the requirements under CEQA, the CEQA Guidelines, and chapter 31 of the administrative code.

CEQA Requirement

CEQA defines "substantial evidence" to include "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact" (CEQA sections 21080(e)(1), 21082.2(c)). "Substantial evidence" under CEQA "is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment" (CEQA sections 21080(e)(2), 21082.2(c)). Pursuant to CEQA Guidelines section 15064, an effect shall not be considered significant in the absence of substantial evidence in the record.

Analysis in the Central SoMa Plan EIR

On May 10, 2018, the Planning Commission voted unanimously to certify the Central SoMa Plan Final EIR as compliant with CEQA, the CEQA Guidelines, and chapter 31. Appellants contend that the EIR for the Central SoMa Plan is inaccurate, inadequate, and/or incomplete. Appellants have not provided facts or other substantial evidence necessary to support these claims or to support their argument that the certification of the Final EIR should be overturned. Section 31.16(b)(6) of the administrative code requires

appellants to provide “facts, evidence and issues” in support of the appeal, and the Appellants’ bulleted claims and generalized reference to the record do not meet this requirement. Furthermore, in order for the Board to ultimately accept Appellants’ claims and reject the Planning Commission’s Final EIR certification, its findings would need to be supported with substantial evidence in the record.

The appeal letters raise a number of alleged deficiencies in the EIR that the Appellants do not explain, or do not support with data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts. The Department is unable to respond to conclusory or speculative statements set forth by the Appellants. The responses in this document are a reasonable, good faith effort by the Department to respond to Appellants’ claims, and to describe where the EIR addresses the issues raised in the appeal letters.

The RTC document provides responses to all comments submitted on the Central SoMa Plan Draft EIR. Other than the claims specifically addressed in this appeal response, the Appellants have provided no other support for their claims that the responses are allegedly inadequate. Where Appellants have resubmitted their Draft EIR comment letters without providing information as to how their comments on the Draft EIR have not been adequately addressed, no further response is required. Nonetheless, Attachment D to this appeal response contains a detailed matrix indicating how and where in the RTC the Appellants’ comments were addressed.

The EIR is adequate, complete, and complies with CEQA, the CEQA Guidelines, and chapter 31 of the administrative code, and Appellants have not met their burden to provide evidence to the contrary.

Response 3: The Central SoMa Plan’s jobs-housing balance would not result in potential social and economic effects that would directly or indirectly result in significant impacts on the physical environment beyond that already disclosed in the EIR.

CEQA Requirement

Pursuant to CEQA Guidelines section 15131(a), “[e]conomic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.”

As stated above and in Response OC-1 (pp. RTC-248 through RTC-257), the focus of CEQA is on physical environmental impacts, such as impacts of a project on air quality, water quality, or wildlife habitat. In general, socioeconomic effects are beyond the scope of the CEQA environmental review process unless a link can be established between anticipated socioeconomic effects of a proposed action and adverse physical environmental impacts (CEQA Guidelines section 15131(a); CEQA section 21082.2).

Jobs-Housing Balance

One Appellant asserts that the Plan will create four times more jobs than housing and that this alleged jobs-housing imbalance will increase pressure on limited housing stock, which will in turn result in displacement and gentrification. The Appellant cites a memorandum from then-Attorney General

Kamala Harris to support the Appellant's contention that the Plan would result in displacement and dislocation. However, this memorandum does not support the Appellant's assertions. The memorandum identifies environmental justice-related responsibilities of local governments, including how socioeconomic considerations are addressed under CEQA. Specifically, the memorandum cites to requirements in CEQA Guidelines sections 15064(e), 15131 and 15382, which are the same sections cited in the EIR (see discussion in the Draft EIR beginning on pp. V-7) and RTC Response OC-1 (beginning on p. RTC-248). These sections all emphasize that CEQA focuses on *physical* environmental effects of a project, and that socioeconomic considerations are only relevant under CEQA in the following circumstances: (1) if economic and social effects lead to physical changes in the environment; (2) economic and social effects of a physical change to the environment may be considered in determining whether that physical change is significant; and (3) economic, social, and particularly housing factors shall be considered in deciding whether changes in a project are feasible to reduce or avoid any significant effects on the environment identified in an EIR. (CEQA Guidelines section 15131.) This memorandum does not present any new information not already disclosed in the EIR.

As stated in in RTC Response OC-2 (p. RTC-258), development under the Plan would not stimulate new population or job growth within San Francisco that is not already projected to occur, based on regional growth forecasts prepared by the Association of Bay Area Governments ("ABAG"). On the contrary, the Central SoMa Plan is necessary for San Francisco to accommodate job and housing growth for the City that is forecast by ABAG through 2040 in accordance with *Plan Bay Area*. *Plan Bay Area* is the region's Sustainable Communities Strategy, which identifies land use strategies and transportation funding to meet state-mandated greenhouse gas reductions pursuant to Senate Bill 375.

As shown in Table RTC-4 (p. RTC-259), the existing jobs-housing ratio for the Plan study area⁴ is approximately 6.7:1. The increment of Plan growth, as analyzed in the EIR, is projected be at a jobs-housing ratio of 4.4:1 for the Plan study area,⁵ which brings the overall jobs-housing ratio for the Plan study area at buildout down to approximately 5.2:1 for projected 2040 conditions (this ratio has changed since publication of the RTC, see below).⁶ The lower jobs-housing ratio as a result of the Plan reflects the

⁴ The One Vassar Appellant suggests that the EIR does not explain the distinction between the Plan study area versus the Plan Area. To clarify, the study area refers to the area bounded by Market Street to the north, Townsend Street to the south, Second Street to the east and Sixth Street to the west. In contrast, as indicated in the EIR (see Draft EIR page S-1 and throughout) the Plan Area is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and by an irregular border that generally jogs along Folsom, Howard and Stevenson streets to the north. The study area is the Plan Area from the 2013 Central Corridor Plan. As explained on Draft EIR p.IV-1, the change in the Plan Area boundary from the 2013 to 2016 Plan would not result in new effects or more severe physical environmental impacts than disclosed in the Initial Study. The 2016 Draft Plan Area is contained entirely within the 2013 Draft Plan Area and the 2013 Draft Plan did not propose substantial changes in allowable zoning and heights within the portion of the 2013 Draft Plan Area that is no longer within the current Plan Area, mainly the area zoned C-3.

⁵ Based on Draft EIR Table IV-1, Summary of Growth Projections, p. IV-6. 63,000 jobs ÷ 14,400 households = 4.4 jobs:1 household.

⁶ These calculations are based upon the plan study area, which represent the boundaries of the 2013 draft Plan and include Market Street to the north, Townsend Street to the south, Second Street to the east and Sixth Street to the west. The calculation includes build out of the portions of the C-3 zoning district which are no longer part of the

fact that the Plan would provide substantially more housing compared to jobs than is the case under existing conditions, and this is why the existing ratio of 6.7:1 would fall to 5.2:1 with Plan implementation. Therefore, while the Plan would provide for more employment than housing, it would do so at a much lower rate than is the case for the Plan Area under existing conditions.

Moreover, since publication of the RTC document, the Department has proposed changes to the Plan's implementing zoning and other programs that include increasing the size of sites required to be commercially-oriented from 30,000 square feet to 40,000 square feet (proposed Planning Code section 249.78(c)(6)(A)). The Department has also proposed changing the proposed use district on portions of Assessor's Blocks 3777 and 3778 from Western SoMa Mixed-Use Office to Central SoMa Mixed-Use Office, and removing rental housing from participation in the Plan Area's proposed Mello-Roos Community Facilities District. These Planning Code, zoning map, and implementation program revisions would change the estimated projected increase in jobs and housing to approximately 33,000 jobs and 8,300 housing units (or approximately 8,715 households), resulting in a jobs-housing ratio of 3.8:1.⁷ These Plan revisions were recommended for adoption by the Planning Commission at its May 10, 2018 meeting.

The Appellant also contends that the Department proposes that housing needs created by the Central SoMa Plan will be met by development in other areas of the city, specifically citing Treasure Island and Parkmerced. The Appellant further states that Treasure Island and Parkmerced are not yet built and are not available to address the near-term displacement allegedly caused by the Central SoMa Plan. The Appellant is mistaken on both counts. The Central SoMa Plan will not result in near-term development that would outpace construction of already approved development projects, including Treasure Island and Parkmerced. Unlike those projects, the Central SoMa Plan is not a development project. Instead, the Plan is a regulatory program and would result in new planning policies and controls for land use to accommodate jobs and housing growth projected to occur. The Plan itself does not provide approval of a development project. Subsequent development projects enabled by the Plan, except in the case of projects that are eligible for approval under the proposed Housing Sustainability District (see Response 4, below), may require additional environmental review and other discretionary approvals by the Planning Commission. Additionally, the amount of office space that may be approved throughout the city is regulated by Planning Code section 321, which sets an annual limit on the amount of new office space, whereas the amount of housing is not limited. Furthermore, the Central SoMa Plan Area (230 acres) is a relatively small geographic area of the approximately 30,000-acre city, and a number of completed planning efforts have resulted and continue to result in additional housing units elsewhere in the city. Therefore, housing needs would be met by not only the Treasure Island and Parkmerced developments, but also by other approved developments, including Hunters Point Shipyard, Candlestick Point Phase II, redevelopment of Pier 70, Seawall Lot 337, and other projects in the development pipeline. The city's first

Plan area, and because the C-3 zoning district primarily supports employment opportunities, inclusion of the C-3 zoning district in this calculation results in a higher jobs-housing ratio than that for the Plan.

⁷ The Plan is currently estimated to result in 8,300 housing units, which, assuming the same 5% vacancy rate as the EIR, results in 8,715 households. The Plan is also currently estimated to result in 33,000 jobs, resulting in a jobs-housing ratio of approximately 3.8:1 ($33,000 \div 8,715 = 3.8$).

quarter 2018 pipeline includes approximately 67,800 housing units, of which approximately 48,600 units have received entitlements and another 19,200 units are under review at the Department.⁸

The Appellant provides no substantial evidence that demand for housing resulting from subsequent development enabled by the Plan, but not yet approved, would outpace construction of housing as part of projects that are already approved, and in some cases, already under construction.

Environmental Impacts Resulting from Gentrification and Displacement

Appellants state that the Central SoMa Plan will increase home prices and will lead to gentrification and displacement. Appellants provide no substantial evidence demonstrating a link between the alleged socioeconomic effects of the Central SoMa Plan and adverse physical environmental impacts that have not been identified in the EIR. The Department fully responded to comments on the Draft EIR regarding potential gentrification and displacement in Response OC-1 (see pp. RTC-248 through RTC-257). The following is an excerpt from that response:

The focus of CEQA is on *physical* environmental impacts, such as impacts of a project on air quality, water quality, or wildlife habitat. In general, socioeconomic effects are beyond the scope of the CEQA environmental review process unless a link can be established between anticipated socioeconomic effects of a proposed action and adverse physical environmental impacts (CEQA Guidelines Section 15131(a), CEQA Section 21082.2). To establish this link with respect to the Plan, a two-part analysis is necessary. The first part would examine whether the Central SoMa Plan would *cause* additional gentrification[1] and displacement[2] at a level over and above what would occur without adoption of the Plan. If the analysis determines that the Plan would cause or contribute to gentrification or displacement effects, the analysis must then consider a second question—would the economic or social effects attributable to the Plan result in a significant adverse physical impact on the environment?

The Draft EIR conducted this two-part analysis to determine whether the Plan would result in indirect displacement above levels that would occur without the Plan. The Draft EIR addresses concerns related to gentrification and displacement on Draft EIR pp. V-7 to V-10. The Draft EIR finds that the Plan would increase the capacity for jobs and housing. Specifically, “Goals 2 and 3 address the socioeconomic concerns related to PDR jobs and affordable housing by (a) protecting PDR space within the Plan Area and the larger SoMa area while also allowing for a substantial amount of new office jobs and (b) setting affordability requirements for the Plan Area in an effort to ensure that 33 percent of new housing is affordable to very low, low, and moderate income households” (Draft EIR, p. V-9). The EIR concludes that, “There is no evidence that the Plan would result in potential social and economic effects that would indirectly result in significant effects to the physical environment and [socioeconomic and displacement effects] are therefore beyond the scope of this EIR. Changes to the physical environment as a result of the Central SoMa Plan are addressed in the appropriate environmental topics in this EIR and the accompanying Initial Study (Appendix B)” (Draft EIR, p. V-

⁸ San Francisco Planning Department, The Pipeline Report. Available at: <http://sf-planning.org/pipeline-report>. Accessed June 28, 2018.

10). Thus, the EIR did analyze the potential for the Plan to result in social and economic effects that could in turn result in environmental effects.

[1] *Gentrification* is a process associated with increased investment in existing neighborhoods and the related influx of residents of higher socioeconomic status and increased property values.

[2] *Displacement* refers to the process by which businesses and households are forced to move. Two types of displacement may occur: (1) direct displacement, such as demolition of a building; and (2) indirect displacement, such as increased rents driving households to move.

Given that the Plan: 1) would increase the opportunity for jobs within the Plan Area, while also protecting PDR building space, 2) would result in zoning that allows for more housing, and 3) would provide affordable housing at higher percentages than current requirements, there is no evidence to suggest that the Plan would result in gentrification and displacement above levels that would occur without the Plan. Therefore, there is no evidence to suggest that the Plan would result in physical environmental effects as a result of indirect displacement and gentrification from subsequent development projects. Additionally, for informational purposes, Response OC-1 in the RTC includes a summary of the Department's review of relevant academic literature to evaluate whether gentrification and displacement of residents or businesses could be attributed to market-rate residential and mixed-use development. This study⁹ concluded that the literature does not establish empirical evidence supporting the position that market-rate development is responsible for indirect residential or commercial displacement. That being said, even if the Appellants could demonstrate that market-rate development, as envisioned under the Plan, would lead to additional indirect displacement and gentrification above levels occurring without the Plan, the Appellants do not provide substantial evidence that such displacement and gentrification would result in adverse environmental impacts not disclosed in the EIR (e.g., air quality and noise impacts).

Response 4: Inclusion of the Housing Sustainability District Ordinance in the Central SoMa Plan EIR does not result in any changes to height, bulk, density, use, or other development standards proposed in the Plan. As such, the addition of the HSD to the project description analyzed in the EIR does not result in new significant environmental effects not previously disclosed, would not change any of the EIR's conclusions, and does not require recirculation.

CEQA Requirement

Pursuant to CEQA Guidelines section 15088.5, new information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.

⁹ San Francisco Planning Department, Planning Department Response to the Appeal of Community Plan Exemption for 2675 Folsom Street Project, Case No. 2014.000601ENV, March 13, 2017. See also a memo to the Board of Supervisors, "ARB | Chapple Study and Planning," May 2, 2017, <https://sfgov.legistar.com/View.ashx?M=F&ID=5147164&GUID=A02B19F7-5F3F-43AD-8DC7-347EB15FAD11>, accessed March 12, 2018.

Analysis in the Central SoMa Plan EIR

California Assembly Bill 73 (“AB 73”) took effect on January 1, 2018, after publication of the Draft EIR on December 14, 2016. AB 73 adds new sections 66200–66210 to the Government Code and authorizes local municipalities to establish Housing Sustainability Districts (“HSDs”) to facilitate the production of housing in areas served by existing infrastructure. Residential and mixed-use projects located within a designated HSD that meet certain requirements may utilize a streamlined and ministerial approval process. AB 73 also added sections 21155.10 and 21155.11 to CEQA. Pursuant to CEQA section 21155.10,

A lead agency shall prepare an environmental impact report when designating a housing sustainability district pursuant to Section 66201 of the Government Code to identify and mitigate, to the extent feasible, environmental impacts resulting from the designation. The environmental impact report shall identify mitigation measures that may be undertaken by housing projects in the housing sustainability district to mitigate the environmental impacts identified by the environmental impact report.

CEQA section 21155.11(c) requires a housing project that is approved under a HSD “to implement appropriate mitigation measures identified in the environmental impact report prepared pursuant to Section 21155.10 to mitigate environmental impacts identified by that environmental impact report.” A local agency “may apply uniform development policies or standards that will apply to all projects within the housing sustainability district, including parking ordinances, public access ordinances, grading ordinances, hillside development ordinances, flood plain ordinances, habitat or conservation ordinances, view protection ordinances, and requirements for reducing greenhouse gas emissions.” (Government Code Section 66201(c).) Further, a HSD allows a local agency to impose design review standards “to ensure that the physical character of development within the district is complementary to adjacent buildings and structures and is consistent with the city’s, county’s, or city and county’s general plan, including the housing element.” (Government Code Section 66207(a).)

Although the Draft EIR was published prior to the effective date of AB 73, the Department determined it was appropriate to include analysis of the designation of the HSD in the Central SoMa EIR project description. The Final EIR determines that the HSD as described in the RTC would not result in new physical effects that are not already analyzed in the EIR. Designation of the HSD, including the proposed HSD ordinance currently being considered by the Board (“HSD Ordinance”), would not result in any changes to height, bulk, density, use, or other development standards proposed in the Plan, and therefore would not change the amount, location, or intensity of growth that would be permitted pursuant to the Plan. Designation of a HSD in Central SoMa is a procedural change that may reduce the time required for approval of projects that satisfy all of the requirements of the HSD Ordinance. Qualifying projects would still be required to implement mitigation measures identified in the Central SoMa Plan EIR and comply with adopted design review standards and all existing City laws and regulations. The designation of the Central SoMa HSD would not result in any new significant effects or substantially more severe effects than those identified in the EIR, because the physical changes resulting from development would be the same as those analyzed in the EIR. Inclusion of analysis of the HSD in the Final EIR does not change the EIR’s environmental analysis or conclusions.

The Appellant specifically contends that reliance on AB 73 renders the EIR inadequate because significant impacts related to air quality, shadow, and consistency with the General Plan will not be mitigated. The

Appellant claims that the EIR relies on future project-level environmental review of subsequent projects to address their shadow impacts and mitigate their air quality impacts, and that inconsistencies with the general plan would be addressed in project specific EIRs. The Appellant is incorrect on all counts.

The EIR analyzes shadow impacts to the degree of specificity required of a Plan-level EIR. As the Central SoMa RTC explains (p. RTC-233), pursuant to Planning Code sections 295 and 147, additional shadow analysis will be required for projects that rely on the Central SoMa Plan EIR, including projects approved pursuant to the HSD Ordinance. Regarding air quality, the EIR finds that development pursuant to the Plan may result in significant construction and operational criteria air pollutant and health risk impacts, and identifies 11 mitigation measures applicable to development projects and proposed street network changes to reduce those impacts (see Draft EIR “Section IV.F Air Quality”, beginning on p. IV.F-1). As explained above, projects approved under the Central SoMa HSD would be required to implement mitigation measures from the Central SoMa Plan EIR that the Department determines are applicable to the project, including mitigation measures related to air quality impacts. The EIR does not rely on subsequent project-level CEQA review to mitigate air quality impacts resulting from projects approved pursuant to the Central SoMa HSD Ordinance. Regarding general plan consistency, the EIR states, “In general, potential conflicts with *General Plan* policy(ies) are considered by decision-makers...independently of the environmental review process.” (Draft EIR p. III-2). Thus, subsequent development projects would be required to be consistent with the general plan, on balance, and that determination of consistency would occur separately from any project-level CEQA review conducted for projects that rely on the Central SoMa Plan EIR. CEQA requires a lead agency to identify whether there are any inconsistencies with plans and policies adopted for the purposes of mitigating an environmental effect. The Central SoMa Plan EIR fulfills this requirement. The Appellant has provided no information to suggest that the proposed Central SoMa HSD Ordinance is inconsistent with any such policy, or that such an inconsistency would result in significant environmental effects not already disclosed and evaluated in the EIR. The EIR’s analysis of impacts related to shadow, air quality, and consistency with plans and policies remains accurate and adequate with the inclusion of analysis of the HSD, and the Appellant provides no evidence demonstrating otherwise.

Citing CEQA Guidelines section 15088.5, the Appellant asserts that the EIR’s inclusion of designation of a Central SoMa HSD constitutes significant new information that requires recirculation of the EIR. To the contrary, and as explained above, new information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. (CEQA Guidelines section 15088.5(a).) Inclusion of the HSD analysis does not require recirculation under the standard articulated in CEQA Guidelines section 15088.5(a)(1)–(4), because 1) as explained above, no new significant environmental impact would result from the HSD designation (i.e., there are no changes to the height, bulk, density, or development standards); 2) there is no increase in the severity of an environmental impact from the HSD designation; 3) there would be no new feasible project alternatives or mitigation measures different from those analyzed in the Central SoMa Plan EIR that would lessen the environmental impacts of the project; and 4) the EIR is adequate and provided an opportunity for meaningful public review and comment. The Appellant provides no evidence demonstrating how the EIR’s evaluation of procedural changes resulting from designation of the HSD deprives the public of a

meaningful opportunity to review and comment upon a substantial adverse environmental effect or a feasible way to mitigate or avoid such an effect that the project's proponents have declined to implement.

Response 5: The Plan and the HSD are not inconsistent with the Housing Element of the general plan and even if they were, such inconsistency would not result in significant physical environmental effects not already disclosed in the EIR.

One Appellant contends that both the Plan and the HSD are inconsistent with the Housing Element, and that such an inconsistency indicates that the Plan has a significant environmental impact on transit, traffic, and air quality. The Appellant confuses the CEQA requirement to analyze plans and policies and the requirement to identify physical environmental effects of a project. The case report for the Central SoMa Plan and the HSD contain a detailed analysis of conformity with the General Plan, including the Housing Element.¹⁰

CEQA Requirement

As stated in RTC Response PP-4, beginning on p. RTC-96, CEQA requires an EIR to “discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans.” (CEQA Guidelines Section 15125(d).) This consideration of plan inconsistency is part of the discussion of the project's environmental setting, pursuant to CEQA Guidelines section 15125(d). As stated on Draft EIR p. IV.A-8, a conflict between a proposed project and a general plan policy does not necessarily indicate a significant effect on the environment under CEQA. CEQA Guidelines section 15382 defines a significant effect on the environment as “a substantial or potentially adverse change in the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” Therefore, for a project to result in a significant impact under CEQA with respect to a conflict with the general plan or other policies, the project must be inconsistent or otherwise conflict with a plan or policy adopted for the purpose of mitigating an environmental effect *and* result in a physical environmental effect related to the identified policy conflict. To the extent that physical environmental impacts of a project may result from conflicts with one of the policies related to a specific resource topic, such physical impacts are adequately analyzed in the EIR within each topic section, as required under CEQA.

Central SoMa Plan

The Appellant contends that the Plan's goal for 33 percent of new housing to be affordable is inconsistent with the Housing Element of the general plan. Specifically, the Appellant cites the Regional Housing Needs Assessment (RHNA) for the entirety of San Francisco, which finds that 57 percent of new housing in all of San Francisco should be affordable to households making 120 percent of the area median income

¹⁰ Planning Commission resolutions 20183, 20184, 20185, 20186, and 20187 recommending approval of the Plan, and resolution 20188 recommending approval of the HSD Ordinance are available online at: <http://sf-planning.org/central-soma-plan>. The Planning Commission staff report for the Plan and HSD Ordinance are available online at: <http://sf-planning.org/meeting/planning-commission-may-10-2018-supporting-documents>. See case numbers 2011.1356EMTZU for the Plan's staff report and case number 2018-004477PCA for the HSD Ordinance staff report. Accessed June 28, 2018.

or less.¹¹ While the Housing Element must demonstrate that it substantially meets the requirements of the RHNA, the RHNA itself is not the Housing Element of the general plan. Part II of the Housing Element contains a comprehensive set of housing objectives and policies that are the framework for decision-making, priority setting, and program implementation and are the basis for making a finding of consistency. The Plan's goals for 33 percent of new housing within the South of Market area to be affordable is a higher level of affordability than what is currently required for individual projects under the city's existing local laws, and it is therefore consistent with the Housing Element goals to provide increased affordable housing.

Even if the Plan were determined to be inconsistent with the Housing Element, the Appellant's concerns relate to the affordability of new units projected to be developed under the Plan, and not the overall number of new housing units projected. Although the Appellant argues that affordable housing units may have reduced environmental effects from that of market-rate units for some topic areas (such as lower vehicle ownership rates, which, the Appellant argues, equate to fewer vehicle trips), at the Plan Area level such a distinction, even if true, would not substantially alter the conclusions in the EIR. The EIR does not distinguish between the environmental effects of an affordable unit versus a market rate unit. As a result, even if Appellant's argument is correct, the EIR provides a conservative, worst-case assessment of potential environmental effects from the construction of new housing units that could be developed under the Plan. Furthermore, even if the Plan were inconsistent with the Housing Element, the Appellant has provided no information or evidence that such an inconsistency would result in additional impacts, or an increased severity of an impact, on transit, traffic, and air quality not already disclosed in the EIR. The EIR did find that the Plan would result in significant impacts related to transit and air quality, identified appropriate mitigation measures, and concluded that even with mitigation, such impacts of the Plan would be significant and unavoidable.

Housing Sustainability District

The Appellant claims that because projects taller than 160 feet are not eligible for the proposed HSD's streamlined, ministerial approval process unless they are 100 percent affordable, the HSD Ordinance disincentivizes affordable housing and is therefore not consistent with the Housing Element. No HSD currently exists, and projects therefore cannot currently utilize a streamlined approval process under AB 73. AB 73 authorizes, but does not require, the city to designate a HSD in Central SoMa. Compared to existing conditions, an HSD designation may accelerate approval of projects that meet certain affordable housing requirements, and is therefore consistent with the Housing Element's objectives and policies to increase the supply of affordable housing in the city. Furthermore, for a project to result in a significant impact under CEQA with respect to a conflict with the general plan, the project must be inconsistent or otherwise conflict with the general plan *and* result in a physical environmental effect related to the identified policy conflict. As discussed in Response 4, the designation of the HSD would not result in significant environmental effects not already disclosed in the EIR. This conclusion remains true whether

¹¹ This percentage of affordable housing necessary to meet RHNA affordability goals in San Francisco is nearly the same as the regional percentage as a whole (58 percent). Many counties need to provide an even greater percentage of affordable housing than San Francisco.

or not projects taller than 160 feet that are not 100 percent affordable are able to utilize the HSD's streamlined, ministerial approval process. The Appellant provides no information or evidence to suggest that a significant environmental effect, not already disclosed in the EIR, would occur as a result of the restrictions set forth in the HSD Ordinance.

Response 6: The Central SoMa Plan EIR adequately evaluates transportation impacts under the provisions of CEQA Guidelines section 21099 (Senate Bill 743). The transportation impact analysis in the Central SoMa Plan EIR is adequate and accurate.

CEQA Requirement

In 2013, the Governor signed California Senate Bill 743 ("SB 743"), as implemented in CEQA section 21099. The senate bill directed the California Office of Planning and Research ("OPR") to prepare, develop, and transmit to the California Natural Resources Agency for certification and adoption proposed revisions to the CEQA Guidelines to "[establish] criteria for determining the significance of transportation impacts of projects within priority transit areas... [that] shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses."

SB 743 calls for OPR, in developing the criteria, to recommend potential metrics, including vehicle miles traveled ("VMT"). VMT is a measure of the amount and distance that a project causes potential residents, tenants, employees, and visitors to drive, including the number of passengers within a vehicle. The San Francisco Planning Commission replaced automobile delay (vehicular level of service, or "LOS") as a metric for determining the significance of transportation impacts with VMT criteria via Resolution 19579, which was adopted at the Planning Commission hearing on March 3, 2016. In this resolution, the Planning Commission stated that the VMT metric shall be effective for all projects moving forward under their purview. As such, the EIR for the Central SoMa Plan bases its transportation impact analysis on VMT per the adopted Planning Commission resolution.

Analysis in the Central SoMa Plan EIR

The Appellant disagrees with the statement in the RTC (p. RTC-141) that considering net VMT is essentially arguing for an automobile capacity metric and further contends that the city needs a VMT ceiling for evaluation of the Central SoMa Plan's VMT impact. As stated in RTC Response TR-3 (pp. RTC-140-141), the Department has substantial evidence to support its VMT criteria and thresholds of significance, including a robust state process, and the Planning Commission adoption of VMT thresholds of significance for general use consistent with CEQA Guidelines section 15064.7. While the Appellant may disagree with this approach, these criteria and thresholds of significance comply with CEQA and align with the city's goals and the region's goals for reducing VMT and greenhouse gas emissions as reflected in *Plan Bay Area*.

The Appellant correctly notes that the Central SoMa Plan would result in an increase in year 2040 VMT generated per employee compared to 2040 conditions without the Plan and suggests that this in and of itself means the Central SoMa Plan does not comply with the terms of SB 743. However, VMT is a regional issue and its use as a significance criterion "promote[s] the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (CEQA

section 21099(b)(1).) Locating jobs and housing in an urban area is far less impactful on the transportation network than locating those jobs in less urban areas (e.g., greenfield sites where most residents need to drive for trips). Using the VMT efficiency metric is consistent with CEQA, as stated in footnote 43 of RTC Response TR-3 (p. RTC-141), quoting a California Supreme Court case:

In discussing projects that are designed to accommodate long-term growth in California's population activity, 'a certain amount of greenhouse gas emissions is as inevitable as population growth. Under this view, a significance criterion framed in terms of efficiency is superior to a simple numerical threshold because CEQA is not intended as a population control measure.

In compliance with SB 743, OPR has released transportation thresholds based on the VMT metric. OPR recommends that for a Plan, such as the Central SoMa Plan, the VMT threshold is whether or not the Plan is consistent with the relevant Sustainable Communities Strategy ("SCS"), which for the region is *Plan Bay Area*. In determining consistency with the SCS, the analysis considers whether development specified in the Plan is also specified in the SCS and whether taken as a whole, development specified in the plan leads to a VMT that is equal to or less than the VMT per capita and VMT per employee specified in the SCS (Draft EIR p. IV.D-25). As stated on Draft EIR p. IV.D-36, *Plan Bay Area* is the region's adopted SCS and it sets a VMT reduction target for year 2040 at 10 percent below the 2005 regional average VMT per capita. The EIR finds that the Plan would result in development as specified in *Plan Bay Area* because development would be located within one of *Plan Bay Area's* Priority Development Areas (Draft EIR p. IV.D-36). As shown in Draft EIR Table IV.D-5 (p. IV.D-37), the Plan would result in a residential VMT per capita of 2.0, which is approximately 87 percent below the 2005 regional average residential VMT per capita with the plan, and an employment VMT per employee of 7.6, which is 69 percent below the 2005 regional average employment VMT per employee with the plan. Furthermore, this table demonstrates that the Plan, under 2040 conditions, would result in VMT per capita or employee that is 31 and 27 percent below the Plan Area's 2005 VMT per capita or employee for residential and employment uses, respectively. Therefore, the EIR determined that the Plan would meet the VMT per capita reduction target specified in *Plan Bay Area*.

The Appellant provides no substantial evidence or new information to substantiate the claim that the Central SoMa EIR does not comply with CEQA section 21099 and SB 743 and does not provide substantial evidence that the Central SoMa Plan would result in a significant VMT impact.

The Appellant takes issue with Response TR-3, which states that while year 2040 VMT per employee in the Plan Area would be greater with Plan implementation than without the Plan, "These increases in the employment category are within the general margin of error inherent in efforts to model travel behavior into the future." The Appellant correctly surmises that this refers to the error range in the validation of the San Francisco County Transportation Authority's San Francisco Chained Activity Modeling Process ("SF-CHAMP") transportation model, which was relied on for the Central SoMa EIR analysis. The Appellant inquires whether this means VMT reductions claimed per capita among future residents in Central SoMa are also within the margin of error of the SF-CHAMP model, and further asserts that this constitutes "cherry-picking results favorable to the Project while dismissing results unfavorable to the Project." The small variation between "with Plan" and "without Plan" conditions (less than 0.5 VMT per employee) support the determination that development within the Plan Area would produce very low VMT compared to the regional average (see Draft EIR Table IV.D-6, p. IV.D-38). Moreover, as also stated in Response TR-3, "while not used for determining consistency with the *Plan Bay Area*, the average daily

VMT per employee in the Central SoMa analysis area is also projected to decrease between 2005 and 2040 conditions from 10.4 to 7.6. Thus, the Central SoMa Plan Area is expected to attain the *Plan Bay Area* goal of reducing VMT per capita by 10 percent compared to 2005 levels, and the Plan-VMT impact would be less than significant." In sum, the Department has adequately and accurately identified the transportation impacts associated with the implementation of the Central SoMa Plan based on the significance thresholds recommended by OPR and developed for compliance with SB 743. As previously stated, the Appellant provides no evidence or new information to substantiate the claim that the Central SoMa EIR does not comply with the terms of SB 743 and does not provide substantial evidence that the Central SoMa Plan would result in a significant VMT impact.

Response 7: The Central SoMa Plan EIR adequately and accurately evaluates the Plan's transportation impacts with regards to Transportation Network Companies based on available information.

CEQA Requirement

Pursuant to CEQA Guidelines sections 15144 and 15145, if a lead agency, after thorough investigation and using "best efforts to find out and disclose all that it reasonably can," "finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." Speculation does not constitute substantial evidence on which a conclusion regarding the existence of a significant impact can be made. (CEQA Guidelines section 15384.)

Analysis in the Central SoMa Plan EIR

The EIR satisfied the best efforts requirement of CEQA. As stated in RTC Response TR-7 (p. RTC-155), the Central SoMa Plan EIR relies on the best data available at the time of publication about the existing and future travel patterns, in order to provide the public and decision-makers with the best information possible with which to evaluate the environmental impacts of the Plan. Despite recently completed and ongoing studies, the city currently lacks sufficient data to analyze the influence of transportation network companies ("TNCs") on overall travel conditions in San Francisco (including, for example, data regarding trip mode splits). Therefore, the precise effects of TNCs on transportation are considered speculative at this time and, pursuant to the CEQA Guidelines, should not be considered in making a determination of whether a significant impact from the Plan would result.

Based on available information, the EIR acknowledges that there have been changes to the travel network as a result of TNCs (and delivery services) and provides a discussion of TNC impacts on VMT, loading, and pedestrian safety in the RTC. Response TR-7 (beginning on p. RTC-151) also summarizes the studies cited by the Appellant, and acknowledges that TNCs may be influencing the amount of VMT generated in a given geographic area. However, as discussed in RTC Response TR-7, although the demand for travel via personal or TNC vehicles may increase as a result of the Plan, the overall number of vehicles on the road is limited by roadway capacity during peak periods of travel, and an increase in total VMT does not, in and of itself, constitute a significant impact on the environment. The analysis of future mode shares in the Central SoMa Plan Area supports the conclusion that VMT per capita would remain below the VMT significance thresholds recommended by OPR. The OPR significance threshold for an area plan, as discussed in Response 6, above, is based on consistency with an adopted SCS, which for the region is *Plan Bay Area*. *Plan Bay Area* establishes a target VMT of 10 percent below the 2005 regional average VMT

by year 2040. As stated in Response TR-7, even with the trend of increased for-hire vehicles, development within the Central SoMa Plan Area would not cause substantial additional VMT per capita or substantially increase automobile travel such that a significant effect would result.

The Appellant does not provide any methodology or evidence demonstrating how the Department could further evaluate the impact of TNCs given the lack of information available about existing and future TNC travel patterns. The Appellant also has not substantiated its claims that development enabled by the Central SoMa Plan and the trend of increased for-hire vehicles would result in VMT per capita in the Central SoMa Plan Area exceeding the EIR's threshold of significance. The Appellant suggests that the existing body of literature on TNCs constitutes substantial evidence that could alter the EIR's transportation analysis and that the Department simply needs to hire an outside expert to examine the impact of TNCs. However, the Department hired expert transportation analysts to prepare the transportation analysis presented in the EIR. The EIR and RTC present the best available information concerning the effects of TNCs, including the same literature cited by the Appellant. Data on TNCs is limited in part because much of that information is proprietary and would need to be voluntarily disclosed to the city.

Further, the agency with primary regulatory oversight of the TNC sector, the California Public Utilities Commission, which has collected data on TNCs that is not available to the city, finds that further data is still needed to assess the impact of TNC operations on VMT. The California Public Utilities Commission released a report in April 2018, following publication of the RTC, stating that, "the overall impact of TNC operations on VMT in California remains ambiguous. To identify these impacts in a rigorous way, we need reliable data on how TNC passengers would have traveled if they had no access to TNC services (e.g., driving alone in a personal vehicle, using public transit, or active modes of travel such as biking), which is not currently available."¹² Based on the available data concerning TNC travel patterns, any further analysis of the effects of TNCs on VMT is speculative and, pursuant to CEQA and the CEQA Guidelines, need not be considered in making a determination of whether a significant impact would occur as a result of the Plan. RTC Response TR-7 reflects a reasonable, good faith effort by the Department and its outside experts to analyze the environmental impacts of the Plan based on the best available information about TNCs.

Response 8: The baseline data used in the Central SoMa Plan EIR transportation analysis is adequate and reflects the best available information.

CEQA Requirement

CEQA Guidelines section 15125 states that an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is

¹² California Public Utilities Commission Policy & Planning Division. Electrifying the Ride-Sourcing Sector in California. April 2018. Available at: [http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/About_Us/Organization/Divisions/Policy_and_Planning/PPD_Work/PPD_Work_Products_\(2014_forward\)/Electrifying%20the%20Ride%20Sourcing%20Sector.pdf](http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/About_Us/Organization/Divisions/Policy_and_Planning/PPD_Work/PPD_Work_Products_(2014_forward)/Electrifying%20the%20Ride%20Sourcing%20Sector.pdf). Accessed June 14, 2018. See page 3.

published, and that the environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.

Analysis in the Central SoMa Plan EIR

The Appellant contends that the baseline data used in the transportation analysis is inadequate and specifically cites to the EIR's use of 2010 census data and other data sources that were used to describe the existing amount of jobs and households within the Plan Area. Specifically, the Appellant expresses concern with using 2010 data since that time period coincides with the great recession, inferring that the baseline jobs and household data used in the EIR are lower than current day (2018) conditions. The NOP for the Central SoMa EIR was published in April 2013. As described in RTC Response GC-2 (p. RTC-375), the NOP presents 2010 census data as its base for analysis of population, housing, and employment because that was the most recent data available at the time the NOP was published. As stated in Response GC-2:

Concerning population, housing, and employment, the EIR presents 2010 data as a baseline condition because, at the time of NOP publication, 2010 census data was current, given the time lag that occurs in publication of census data. For example, while the initial congressional redistricting population data from the 2010 census was released in early 2011, more detailed data concerning population housing characteristics, including, for example, the population and number of housing units in the Plan Area, was not released until later in 2011 and 2012. Although the Census Bureau issues annual American Community Survey estimates based on survey data, information from the 2010 census remains the most current decennial census data and the current set of complete (i.e., non-survey-based [sic]) population, housing, and employment counts. Likewise, the employment data compiled by the Planning Department on the basis of 2010 Dun & Bradstreet data was also the most currently available as of publication of the NOP. Furthermore, regional population and employment growth projections from the Association of Bay Area Governments (ABAG) are made only for five-year intervals. The Planning Department's Land Use Allocation, which was the basis for the transportation modeling undertaken for the Draft EIR, was based on ABAG growth projections from 2010 to 2040, as set forth in ABAG's Projections 2013 (based on forecasts prepared in 2012 for the development of Plan Bay Area). This was likewise the most recent set of forecasts at the time the NOP was published and the environmental analysis commenced. Therefore, the Draft EIR appropriately used data compiled in 2010 as the baseline for its growth forecasts and analyzed growth-related impacts over the 2010–2040 period.

Therefore, the EIR's assessment of existing jobs and housing within the Plan Area rely on the most current set of complete (i.e., non-sample-based) population, housing and employment counts currently available. Furthermore, the regional population and employment growth projections from Projections 2013, was, and remains, the most recent set of census level forecasts available for the Plan Area for the period covering 2010 to 2040. The baseline 2010 housing data used in the EIR assumes an 87 percent occupancy rate, reflecting a number of newly constructed but not yet occupied buildings. The "with Plan" analysis in the EIR assumes a 95 percent occupancy rate in addition to assuming build out of the Plan. The increased occupancy rate used in the EIR under "with Plan" conditions as well as the change between 2010 baseline conditions and "with Plan" conditions result in a greater delta (or change) between the existing condition and "with Plan" conditions. This means that, even if the 2010 data in the EIR show

a relatively lower population number than that which exists today, the Central SoMa Plan EIR evaluates a larger change associated with the Plan as a result of this greater delta. Therefore, Plan impacts identified in the EIR are conservative (i.e., worst case).

As stated in Response GC-2 (p. RTC-376), the analysis of transportation impacts is based on counted travel volumes and observed conditions as of 2013, consistent with the baseline conditions at the time of the NOP publication. Furthermore, where more recent information exists, the EIR made a good faith effort to update the baseline data. For example, the EIR's assessment of impacts to BART is based on 2015 ridership data.

As a result of the Central SoMa Neighbors and SFBlu's May 9, 2018 letter to the Planning Commission, the Department corrected an error regarding BART data on the record at the May 10, 2018 Planning Commission EIR certification hearing. Response GC-2, starting on p. RTC-375, states that the analysis of impacts to BART was based on data from 2012. These references are incorrect. The BART ridership data used in the EIR is based on 2015 ridership data. References to 2012 BART ridership as being the baseline data used in the analysis have been updated to reflect that the data used was 2015 BART ridership data.

The Appellant provides no substantial evidence or new information to support the assertions that the EIR conducted analysis using an incorrect baseline, and that use of other data would result in more severe environmental effects than those identified in the EIR. Pursuant to the requirements identified in CEQA Guidelines section 15125, the Central SoMa EIR described the conditions at the time the Central SoMa NOP was published. The city made good-faith efforts to update the EIR with the most recent data available where such data exists. The Central SoMa EIR is adequate and accurate, and there is no substantial evidence that suggests otherwise.

Response 9: The Central SoMa Plan would not result in a significant physical environmental impact with respect to Bay Area Rapid Transit ("BART") station capacity in downtown San Francisco.

CEQA Requirement

The Department evaluates projects in accordance with Appendix G of the CEQA Guidelines (also called the Initial Study checklist). In accordance with Appendix G, a project would result in a significant impact if the project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. (CEQA Guidelines Appendix G.) Furthermore, CEQA Guidelines section 15382 defines a significant effect on the environment as "a substantial or potentially adverse change in the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

Analysis in the Central SoMa Plan EIR

The Appellant correctly notes a reference error in the Central SoMa RTC. The annotation of the Appellant's comment O-CSN-1.62 in Attachment A of the RTC directs the commenter to Response TR-6, but the correct reference is to TR-8. Department staff corrected this reference error on the record at the May 10, 2018 Planning Commission hearing for certification of the EIR.

The Appellant incorrectly asserts that the Central SoMa Plan EIR does not disclose and mitigate the Plan's impact to BART in terms of station capacity and states that the Plan will exacerbate an existing safety issue at BART stations as a result of platform overcrowding. The EIR adequately and accurately analyzes the Plan's impacts on BART. The EIR concludes that the Plan would result in a substantial increase in transit demand and delays, resulting in significant and unavoidable impacts to local and regional transit, including BART.¹³ Regarding BART station capacity specifically, the Appellant provides no substantial evidence or new information to support the assertion that implementation of the Plan would result in a significant impact on BART station capacity. Likewise, the Appellant provides no substantial evidence or new information to support the assertions that the existing condition at the Montgomery Street BART station threatens the safety of BART patrons, or that the Central SoMa Plan would exacerbate these alleged safety concerns at the Montgomery Street station.

A letter of support for the Central SoMa Plan from BART's Chief Planning and Development Officer refutes the Appellant's statements regarding impacts to station capacity and safety in BART stations. As explained in RTC Response TR-8 (p. RTC-161), BART's letter acknowledges that the Plan "will stretch BART's ability to comfortably accommodate more customers on our trains and at Powell Station." The letter goes on to state that the city "has been working with BART to develop a funding strategy to support future upgrades and capacity projects in the Station Modernization Plans for Powell, Montgomery and Civic Center Stations." Plans are already being developed by BART to upgrade the Powell and Montgomery BART stations.¹⁴ RTC Response TR-8 further states that the Plan's public benefits package includes \$500 million for transit, and explains that, "These funds would be available to Muni and regional transit operators to accommodate the increased transit ridership as development that would be allowed under the Central SoMa Plan occurs." Of the \$500 million, approximately one-third of the funding, or \$160 million is allocated for regional transit and directed toward core capacity enhancement and expansion projects, of which BART is an eligible beneficiary.¹⁵

The Appellant takes issue with the RTC's reference to the Transit Center District Plan EIR in RTC Response TR-8. This reference to the Transit Center District Plan is a response to the Appellant's original comment on the DEIR that, "This DEIR *and other prior DEIRs* [emphasis added] in San Francisco are deficient in failing to disclose this impact [platform capacity deficiencies on BART at the Embarcadero and Montgomery stations] and failing to propose effective measures to mitigate it." RTC Response TR-8 points out that the Transit Center District Plan EIR analyzed impacts on BART station capacity at Montgomery and Embarcadero stations and determined those impacts to be significant and unavoidable. This response informs the commenter that prior EIRs identified significant impacts on BART station capacity. Response TR-8 further states that, "This assessment was based on BART's ongoing planning assessments of station operations at the time and the amount of increased ridership generated by

¹³ See Impact TR-3 beginning on Draft EIR page IV.D-43 and RTC Response TR-8 beginning on p. RTC-160.

¹⁴ For more information regarding BART's station capacity and modernization plans see:

<https://www.bart.gov/about/planning/station>. Accessed June 15, 2018.

¹⁵ Central SoMa Plan Adoption Packet, Exhibit V.3B- Draft Public Benefits Program, pp.4-7. Planning Department Case No. 2011.1356MTZU. Available online at: <http://commissions.sfplanning.org/cpcpackets/2011.1356EMTZU.pdf>. Accessed June 27, 2018.

development under the Transit Center District Plan” and that, “A portion of the fee revenues collected within the Transit Center District Plan has been allocated toward station capacity improvements to the Montgomery Street and Embarcadero BART Stations.” Thus, the information included in RTC Response TR-8 directly addresses the issues raised by the Appellant’s original comment letter.

The Appellant provides no evidence that construction of upgrades to BART facilities to accommodate development enabled under the Plan, if any are required, would result in any significant physical environmental impacts. To accommodate additional riders, BART is considering new entrances, stairs, elevators, better space planning, and the like.¹⁶ There is no evidence to suggest that such upgrades would result in significant physical environmental effects. The EIR adequately and accurately addresses the Central SoMa Plan’s impacts to transit, including impacts related to transit platform capacity at BART stations in downtown San Francisco.

Response 10: The Central SoMa Plan EIR adequately and accurately analyzes the Central SoMa Plan’s impact on transportation hazards.

CEQA Requirement

Under CEQA, a project would result in a significant impact if it would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (CEQA Guidelines, Appendix G).

Analysis in the Central SoMa Plan EIR

The EIR concludes that although the Central SoMa Plan would increase potential conflicts between all forms of travel –including pedestrians, bicyclists, and motor vehicles- this increase in exposure to conflict would not result in a substantial increase in hazards. (See Draft EIR p. IV.D-41). The Appellant disagrees with this conclusion. As described in the Draft EIR pp. IV.D-9 through IV.D-13, and in RTC Response TR-9 (p. RTC-168), the existing conditions of the Central SoMa Plan Area currently include many impediments to pedestrian circulation that often create an unwelcome pedestrian environment, especially for seniors and persons with disabilities. These impediments include narrow sidewalks, a lack of Americans with Disabilities Act (“ADA”)-compliant curb ramps, high vehicle volumes and speeds turning into crosswalks across multiple travel lanes, peak hour vehicle queues that block crosswalks, and long distances between intersections, which limit crossing opportunities on roadways with high vehicle speeds. The EIR also provides detail on specific areas where pedestrians are exposed to increased vehicle conflicts due to multiple turning lanes and wide turning radii. In particular, wide turning radii at intersection corners enable drivers to make turns at higher speeds during non-peak periods, reducing the time available for driver reaction, and increasing the frequency of pedestrian collisions and the severity of injuries. As presented on Draft EIR p. IV.D-13, these issues create a challenging pedestrian environment for the substantial number of seniors and persons with disabilities who currently live in the area. The

¹⁶ For more information regarding BART’s station capacity and modernization plans see: <https://www.bart.gov/about/planning/station>. Accessed June 15, 2018.

discussion of the existing pedestrian conditions presented in the EIR forms the CEQA baseline against which impacts of the Plan are evaluated.

As described on Draft EIR pp. IV.D-56 and IV.D-57 and in Response RTC TR-9, the Plan includes elements that would address many of the existing pedestrian impediments described above. The Plan would implement changes to the vehicle, pedestrian, and bicycle networks consistent with the goals of the Vision Zero program and the standards in the Better Streets Plan. The Plan includes, where possible: sidewalk widening, corner sidewalk extensions, pedestrian signal timing upgrades, signalized midblock pedestrian crossings, and opening currently closed crosswalks. The Plan's proposed street network changes were specifically designed to improve pedestrian and bicycle mobility and safety throughout the Plan Area to address the poor existing baseline pedestrian conditions. Furthermore, as discussed in the Draft EIR and RTC Response TR-9, implementation of the Central SoMa Plan would not introduce any unusual design features that would result in traffic hazards. The pedestrian safety hazards assessment in the EIR indicated that the street network changes would address existing deficiencies in the street network, accommodate increase in travel by all modes, and enhance pedestrian safety, and would not result in new hazards to pedestrians.

The Appellant further contends that the EIR is deficient because it does not provide a quantitative analysis of conflict incidence without and with development under the Plan, and without and with the street network changes. RTC Response TR-9 (p. RTC-170) responds to this contention:

The commenter claims that no quantitative analysis of conflict incidence without and with development under the Plan, and without and with the street network changes was conducted. However, the commenter provides no evidence that such an analysis is required under CEQA. Forecasts of future conflict incidences on an area wide Plan level that take into account countermeasures proposed for the transportation network are not possible to develop because no site-specific analysis has been conducted, given the programmatic nature of the Draft EIR analysis. The traffic engineering analysis requested by the commenter is appropriate for each specific street improvement, which would be undertaken by SFMTA [San Francisco Metropolitan Transportation Agency] and, as stated above, each improvement would be reviewed Transportation Advisory Staff Committee (TASC). Therefore, the lack of such an analysis does not render the transportation impact analysis as inadequate. As noted above, the planning process involved in developing the Central SoMa Plan street network changes analyzed in the Draft EIR did consider available collision data, as well as additional analyses of pedestrian, bicycle, and vehicle circulation in the Plan Area. Thus, based on the above, the Draft EIR presents a comprehensive qualitative assessment of the Plan's effects on safety and right-of-way issues, potential worsening of existing, or creation of new, safety hazards, and conflicts with bicycles, transit, and vehicles.

The Appellant expresses dissatisfaction with this response, but provides no substantial evidence or new information demonstrating that CEQA requires such quantitative analysis. The EIR adequately and accurately identifies the Central SoMa Plan's impact on safety hazards. Furthermore, the Draft EIR determines that Alternative 5 – Central SoMa Land Use Only results in significant pedestrian hazard impacts, and acknowledges that without the Plan's proposed street network changes, significant pedestrian hazard impacts would occur. In contrast, the Central SoMa Plan, including street network projects, would have a less-than-significant impact on pedestrian hazards.

Response 11: The Central SoMa EIR adequately and accurately analyzes the Central SoMa Plan's impact on emergency access.

CEQA Requirement

For Transportation/Traffic, Appendix G of the CEQA Guidelines requires identification of whether a project would result in inadequate emergency access.

Analysis in the Central SoMa Plan EIR

The Appellant questions the ability of Mitigation Measure M-TR-8, Emergency Vehicle Access Consultation, to effectively move traffic out of the way of emergency vehicles and reduce the significant emergency access impact identified in the EIR to a less-than-significant level. As discussed in RTC Response TR-12 (p. RTC-180), the EIR determined that the Plan's proposed street network changes, in combination with increases in vehicle traffic generated by development that could occur under the Plan, would result in a significant impact on emergency vehicle access. Mitigation Measure M-TR-8 would ensure that SFMTA, to the degree feasible, designs street network projects to include features that create potential opportunities for cars to clear travel lanes for emergency vehicles. Examples of these features include curbside loading zones, customized signal timing, or other approaches developed through ongoing consultation with the San Francisco Fire Department. In addition to M-TR-8, the EIR identifies three other mitigation measures that would contribute to reducing impacts to emergency access to a less-than-significant level: M-TR-3a Transit Enhancements, M-NO-1a Transportation Demand Management for New Development Projects, and M-AQ-5e Central SoMa Air Quality Improvement Strategy. M-TR-3a, M-NO-1a, and M-AQ-5e would all reduce the amount of congestion anticipated on Plan Area streets by funding transit services and reducing the number of vehicle trips anticipated to be generated from subsequent development under the Plan. Therefore, in addition to California law, which requires that drivers yield the right-of-way to emergency vehicles, the EIR identifies four mitigation measures that collectively ensure that impacts to emergency access would be reduced to less than significant levels. The Appellant provides no additional information or substantial evidence to demonstrate that impacts to emergency access as a result of the Central SoMa Plan would remain significant with the implementation of Mitigation Measures M-TR-8, M-TR-3a, M-No-1a, and M-AQ-5e.

Response 12: The Central SoMa Plan EIR accurately addresses plan-level and cumulative construction impacts on traffic, pedestrian, and bicyclist operations and safety.

CEQA Requirement

CEQA Guidelines section 15378 defines a "project" as "the whole of the action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment..." CEQA Guidelines section 15355 defines cumulative impacts as "two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts. (a) The individual effects may be changes resulting from a single project or a number of separate projects. (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present and reasonably foreseeable future projects."

Analysis in the Central SoMa Plan EIR

The Central SoMa Plan is the project that is analyzed in the EIR. The Central SoMa Plan, aside from proposed street network changes and open space improvements, would not result in direct changes to the physical environment. Rather, the Plan's proposed changes to the zoning map height and use districts would result in indirect effects on the environment because these changes would encourage redevelopment of sites. The EIR analysis focuses on the indirect impacts on the physical environment resulting from subsequent development enabled by the Plan. All components of the Plan are considered to be part of the project analyzed in the EIR at a program level. Subsequent development projects located within the Plan Area that would occur under the Plan, if approved, are considered in the EIR's programmatic analysis of the Plan.

Impact TR-9, beginning on Draft EIR p. IV.D-81, analyzes the impact of multiple subsequent development projects that, under the Plan, could be under construction at the same time within close proximity to each other. The EIR explains that construction of these projects could result in detours and delays to vehicles, including transit, and bicyclists, and other construction-related transportation impacts. The EIR determined that the Plan-level construction impacts are significant, and identified mitigation measure M-TR-9: Construction Management Plan and Construction Coordination to reduce those impacts. However, the EIR determined that impacts occurring from the simultaneous construction of multiple subsequent development projects and proposed street network changes could not be mitigated to less than significant levels. The EIR identifies this Plan-level impact as significant and unavoidable.

The Appellant appears to confuse the significant Plan-level construction impacts with the potential for the Plan's impacts to combine with the impacts of other reasonably foreseeable projects. The EIR's cumulative impact analysis examines the potential for significant construction-related transportation impacts to occur as a result of the Central SoMa Plan (the project) in combination with other cumulative projects (not reliant on the Central SoMa Plan or outside the Plan Area). As stated in the EIR (p. IV.D-109), the impacts of implementation of the Plan, in combination with construction of other reasonably foreseeable projects, would not result in significant cumulative construction-related transportation impacts for the following reasons:

- Many of the identified cumulative projects are currently underway, and/or will be completed in the near term, prior to initiation of construction of subsequent development projects, open space improvements, or street network projects under the Plan.
- Transportation-related construction impacts are typically confined to the immediate vicinity of the construction activities, and are of limited duration (e.g., typically two to three years for development projects, and one to two years for street network changes).
- There are no forecasted developments or other infrastructure projects in the vicinity of the Plan Area that would overlap in location and schedule with construction of subsequent development projects and the Plan's street network changes, so as to result in significant disruptions to traffic, transit, pedestrians, or bicyclists. This is particularly true given that the Plan's approval does not provide approval of any development project and any subsequent development project enabled by the Plan would require a separate approval, which may require further environmental review.

The Appellant provides no substantial evidence or other information to suggest that cumulative construction transportation impacts (impacts resulting from the Central SoMa Plan plus other reasonably foreseeable projects) would occur.

Response 13: The Central SoMa Plan EIR adequately and accurately identifies all feasible mitigation measures to reduce the Plan’s significant air quality impacts.

CEQA Requirement

CEQA Guidelines section 15126.4 governs the consideration and discussion of mitigation measures. This section states the following:

- An EIR shall describe feasible measures which could minimize significant adverse impacts;
- Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments;
- Mitigation measures are not required for effects which are not found to be significant; and
- Mitigation measures must be consistent with all applicable constitutional requirements, including: (1) there must be an essential nexus (i.e., connection) between the mitigation measure and a legitimate governmental interest, and (2) the mitigation measure must be “roughly proportional” to the impacts of the project.

Section 15364 of the CEQA Guidelines defines “feasible” as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Mitigation Measures in the Central SoMa Plan EIR

Appellant Central SoMa Neighbors and SFBlu are correct that the EIR determined that the proposed street network changes and subsequent development enabled under the Plan would result in significant and unavoidable air quality impacts. Draft EIR p. IV.F-48 clearly discloses the expected health risk impact resulting from development under the Plan. The Draft EIR, in “Section IV.F Air Quality,” beginning on p. IV.F-1 identified 12 mitigation measures to reduce air quality impacts, but determined that despite implementation of all of these mitigation measures, operational criteria air pollutant and health risk impacts resulting from the Plan and reasonably foreseeable cumulative projects would remain significant and unavoidable.

The Appellant contends that the EIR does not identify all feasible mitigation measures, and proposes a number of mitigation measures also suggested in their comment letter on the Draft EIR. Based on the Appellant’s comments on the Draft EIR, the Department identified one additional feasible air quality mitigation measure (M-AQ-5e), for a total of 13 mitigation measures. Response AQ-2 (pp. RTC-208 through RTC-213) contains a comprehensive evaluation of each of the air quality measures suggested by the Appellant in its comment letter on the Draft EIR. As discussed in Response AQ-2, a number of the suggested mitigation measures, such as solar panels on buildings, are already required by San Francisco’s Green Building Code, and need not be considered additional mitigation.

The Appellant does not identify any additional feasible mitigation measures beyond those suggested in their Draft EIR comment letter, and does not provide any evidence that the suggested mitigation measures would reduce localized health risks resulting from the Plan. A number of measures suggested by the Appellant, such as installation of solar water heaters and solar energy storage would not reduce localized health risks and the Appellant has provided no evidence of how such measures would reduce local health risk.

The Appellant asserts that the EIR refuses to require retrofit of existing buildings with air filtration to reduce indoor cancer risk. But Response AQ-2 contains a discussion regarding the challenges associated with retrofitting existing buildings, and concludes that substantial evidence does not demonstrate that it would be feasible to retrofit an occupied residential building for compliance with the enhanced ventilation requirements that Health Code Article 38 imposes upon new buildings. This mitigation measure was determined to be infeasible and need not be considered further. (CEQA Guidelines section 15126.4.) The RTC also identifies Mitigation Measure M-AQ-5e, Central SoMa Air Quality Improvement Strategy. This mitigation measure requires the Department to identify additional feasible measures to reduce Plan-generated emissions and population exposure. Specific potentially feasible measures identified in M-AQ-5e include: collection of air quality monitoring data, additional transportation demand management requirements, incentives for replacement or upgrade of existing emissions sources, the distribution of portable air cleaning devices, and public education regarding reducing air pollutant emissions and their health effects. This mitigation measure requires the Department to develop a strategy to explore the feasibility of such measures within four years of Plan adoption. The Central SoMa Plan public benefits package includes \$22 million to fund freeway corridor air quality and greening improvements, which may be used to implement this mitigation measure.¹⁷

The EIR includes the one mitigation measure suggested by the Appellant that the Department determined was feasible (i.e., M-AQ-5e).¹⁸ Other mitigation measures suggested by the Appellant were fully analyzed and determined to either be: (1) already required by existing regulations; (2) infeasible; or (3) would not reduce the significant air quality impacts identified in the EIR. The EIR identifies all feasible mitigation measures to reduce the Plan's health risk impact.

¹⁷ Central SoMa Plan Adoption Packet, Exhibit V.3B- Draft Public Benefits Program, p.4. Planning Department Case No. 2011.1356MTZU. Available online at: <http://commissions.sfplanning.org/cpcpackets/2011.1356EMTZU.pdf>. Accessed June 27, 2018.

¹⁸ The inclusion of Mitigation Measure M-AQ-5e does not meet the requirement for recirculation of the EIR, as the Planning Commission has adopted this mitigation measure. CEQA Guidelines section 15088.5(a)(3) requires recirculation of an EIR upon identification of a new mitigation measure that would clearly reduce environmental impacts, but only if "the project's proponents decline to adopt it."

Response 14: The EIR accurately and adequately analyzes shadow impacts resulting from the Central SoMa Plan.

Administrative Code Requirement

Neither CEQA nor the CEQA Guidelines require an analysis of shadow effects resulting from a proposed project. Chapter 31 of the administrative code sets forth San Francisco's procedures for implementing CEQA. Section 31.10(a) requires the Department to utilize Appendix G of the CEQA Guidelines as the basis for evaluating the environmental effects of a project, supplemented to address additional environmental effects, including shadow impacts, and the analysis set forth in Planning Code section 295. The Department's Initial Study checklist, adapted from CEQA Guidelines, Appendix G, asks whether the project would "create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas." Environmental review in San Francisco evaluates whether shadow from a project would adversely affect the use of outdoor publicly accessible open space.¹⁹ In making this determination, the Department typically prepares shadow figures showing the amount of shadow cast on the open space, and characterizes how the open space is used. Both of these types of information are necessary to determine whether new shadow cast by a project would substantially affect the use of the open space.²⁰ The Department evaluates shadow impacts on all public open spaces based on this checklist criterion.

Analysis in the Central SoMa Plan EIR

The Appellant is correct that the Draft EIR's shadow figures modeled a 300-foot-tall building on Harrison Street, east of Fourth Street instead of a 350-foot-tall building. This error was corrected in the RTC and additional shadow figures were prepared. As explained in Response PD-9, p. RTC-78, shadow "effects on the 303 Second Street [publicly accessible open spaces] POPOS would be less than significant because this open space would remain in sunshine during the lunchtime period throughout most of the year." This correction to the EIR's shadow figures did not result in new significant impacts or substantially increase the severity of an impact, and did not require new mitigation measures. Therefore, this correction does not require recirculation pursuant to CEQA Guidelines section 15088.5.

Contrary to the Appellant's contention, the Department evaluates shadow impacts on all public open spaces, not only impacts on Recreation and Parks Department property. The EIR evaluates the Plan's shadow impact on all existing public open spaces potentially affected by Plan development, whether or not that open space is under the jurisdiction of the Recreation and Parks Department. Beginning on Draft EIR pp. IV.H-36, the EIR makes significance determinations for shadow impacts on all other open spaces

¹⁹ To be significant, an impact under CEQA must be adverse. "A significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project." (CEQA Guidelines section 15002(g)).

²⁰ Memorandum from Rachel Schuett and Kevin Guy to Planning Department Staff and Shadow Analysis Consultants, *Shadow Analysis Procedures and Scope Requirements*, July 2014. Available on the Planning Department website at: <http://sfmea.sfplanning.org/Shadow%20Memo.pdf>. Accessed June 14, 2018. This document is also included as Attachment B to Exhibit B of the Central SoMa Neighbors and SFBlu's appeal letter.

not subject to Planning Code section 295, including privately owned, publicly accessible open spaces (“POPOS”) within and adjacent to the Plan Area.

The Appellant contends that the Plan would result in significant shadow impacts on the 303 Second Street POPOS. As discussed above, the significance criterion is not whether new shadow would occur on such open spaces, but whether that shadow would substantially adversely affect the use of the public open space being shadowed. As explained in the Draft EIR (p. IV.H-38) and again in Response PD-9 (p. RTC-78), Response SH-2 (p. RTC-233 to RTC-234), and the EIR’s May 9, 2018 erratum, the 303 Second Street POPOS is heavily used during the midday due to its seating, landscaping, fountain, and proximity to many restaurants in the adjacent office building. The EIR’s analysis finds that, although new shade from the Plan would be cast on this POPOS as early as 10 a.m. and through the afternoon on the winter solstice (December 21), this POPOS remains in at least partial sunlight in the noon hour year-round, and remains in full sunlight around the summer solstice. The EIR therefore concludes that the Plan would not substantially affect the use of this POPOS.

Unlike Recreation and Parks Department properties or other properties that provide substantial outdoor public open space, such as Yerba Buena Gardens, POPOS were originally required to be developed with office development as part of the Downtown Plan. The Downtown Plan’s goal was to “provide in the downtown quality open space in sufficient quantity and variety to meet the needs of downtown workers, residents and visitors.”²¹ Because POPOS were expected to be developed in connection with tall buildings, it was anticipated that they would be shaded by those buildings. The Appellant has not provided any evidence that shadows cast by subsequent development pursuant to the Plan would adversely affect the use of the 303 Second Street POPOS.

Although not a concern raised by the Appellants, the Department conducted additional analysis of shadow impacts on public schools within and near the Plan Area. That analysis concludes that the Plan would not result in shadows on public school open space that would substantially affect the use of those spaces. Therefore, the EIR’s less-than-significant shadow conclusion remains accurate when the Plan’s shadow is analyzed on public school facilities. This analysis is included as Attachment E to this appeal response.

Response 15: The Central SoMa Plan Initial Study adequately evaluated plan-level and cumulative impacts on public services and recreation facilities.

CEQA Requirement

Appendix G of the CEQA Guidelines (Initial Study checklist) requires identification of whether a project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities. For recreation, the Initial Study checklist requires the identification of 1) whether a project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, and 2) whether the project includes

²¹ Downtown Plan, Objective 9. Available at: <http://generalplan.sfplanning.org/Downtown.htm>. Accessed June 27, 2018.

recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. As stated in Response PS-2 on p. RTC-336, "It is not necessary for an EIR to evaluate the adequacy of public services, either individually or cumulatively, or to ensure that adequate services are provided. Rather, CEQA is concerned with the physical impacts of a project on the environment." Therefore, contrary to the Appellant's claim, the Public Services and Recreation questions in Appendix G of the CEQA Guidelines do not require the city to plan for adequate public services or recreation facilities as part of a proposed project, but rather, to evaluate the physical environmental effects of constructing new facilities that may be needed as a result of a proposed project. The Appellant has provided no evidence that new public service facilities or recreational facilities would be required, or that any such facilities would have significant environmental effects not already disclosed in the EIR. The following summarizes the Initial Study conclusions reached for each of these topics.

Central SoMa Plan Initial Study Public Services Analysis

The Initial Study evaluated the impacts of the Plan on public services and determined that the Plan would not result in the need for new facilities, the construction of which could result in significant physical impacts on the environment. RTC Response PS-2, beginning on p. RTC-336, thoroughly addresses the Appellant's concern. As stated in the Initial Study (p. 121) and the RTC (p. RTC-336), should the Fire Department (or Police Department or other City agency) determine at some point that new facilities are needed, any potentially significant effects from the construction of such facilities would be similar to those anticipated by development under the Plan, such as noise, archeological impacts, air quality impacts such as emissions of dust and other pollutants, including diesel exhaust, and temporary street closures or other traffic obstructions. That is, construction of a new fire station, police station, or other comparable government facility would not result in new significant impacts not already analyzed and disclosed in the EIR. Thus, the environmental analysis for the Central SoMa Plan evaluates the physical environmental effects from the construction of any such facilities.

The Central SoMa Plan EIR identified a number of significant impacts, including significant impacts that cannot be mitigated to a less-than-significant level, from growth in the Plan Area. Construction of new governmental facilities, should it be warranted, could contribute incrementally to such Plan-level impacts. Should such facilities be constructed, they would be subject to applicable mitigation measures identified in the EIR, just as any other physical development in the Plan Area would be. The Appellant has not provided substantial evidence or new information that the construction of new public services facilities, should those facilities be necessary, would result in any new significant impacts that are not already analyzed and disclosed in the Central SoMa Plan EIR.

Central SoMa Plan Initial Study Recreation Analysis

The Initial Study evaluated the Plan's impact on parks, open spaces, and recreational facilities, and determined that the Plan would not result in the physical deterioration of park facilities or environmental effects associated with new park facilities not already proposed in the Plan. RTC Responses RE-1 (beginning on p. RTC-326) and RE-2 (beginning on p. RTC 329) thoroughly address the Appellant's concerns regarding the Initial Study's recreation conclusion.

The Appellant asserts that the increased population resulting from the Plan merits additional recreation facilities. As noted in the Initial Study at p. 106 and in Draft EIR Table IV-1, Summary of Growth

Projections, p. IV-6, the growth forecasts for the Plan anticipate considerably more employment growth than residential growth. As a result, it is likely that much of the new recreational use resulting from development under the Plan would be passive use. Office workers and other employees in the area are less likely than residents to make “active” use of parks and open spaces, such as using playgrounds, ball fields, and similar facilities, and are more likely to spend time in publicly accessible open spaces during breaks, the lunch hour, and after work.

Furthermore, the Plan calls for the creation of three new public parks: a new public park in the southwest part of the Plan Area on the block bounded by Fourth, Fifth, Bryant and Brannan streets; a new linear park along Bluxome between Fourth and Fifth streets; and a third, large, new park within or near Central SoMa, including site identification and design, and potentially site acquisition and construction pending costs and funding. The Plan also calls for the development of new public recreational facilities other than parks, including working with developers of large new projects to locate and create a new public recreation center, and working with the California Department of Transportation (Caltrans) to develop new public recreational facilities under the Interstate 80 freeway.²² The Central SoMa Plan Public Benefits program estimates the Plan would result in a total of \$185 million in public benefits for parks and recreation facilities, which includes funding for the parks discussed above, in addition to: \$80 million worth of POPOS provided by new non-residential projects, \$25 million in funding for the reconstruction/expansion of the Gene Friend Recreation Center, \$10 million in funding for a new public recreation center, and \$5 million for initial site identification of a new large park in SoMa.²³

Finally, as noted in Response PM-1, p. RTC-355, in 2013, the Department of Public Health performed a Sustainable Communities Health Assessment analysis of the 2013 draft Plan using the City’s Healthy Development Measurement Tool and found that, among other things, implementation of the Plan would be expected to “substantially increase the amount of publicly accessible open space in the Plan Area.”

The Plan would provide a substantial amount of open space that would help offset the demand for open space in the Plan Area. There is no evidence to suggest that the Central SoMa Plan would result in the physical deterioration of recreational resources or create a need for new recreational facilities, the construction of which could result in significant physical environmental impacts, not already disclosed in the EIR. Furthermore, given that the Central SoMa EIR identified no significant plan-level or cumulative impacts to recreation facilities, no mitigation is required pursuant to CEQA section 21081.

²² Central SoMa Plan, Draft For Public Review, August 2016. Part II: Central SoMa Plan Implementation Strategy, Appendix A Implementation Strategy, pp.115-116. Available at: http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Plan_full_report_FINAL.pdf. Accessed June 27, 2018.

²³ Central SoMa Plan Adoption Packet, Exhibit V.3B- Draft Public Benefits Program, p.4. Planning Department Case No. 2011.1356MTZU. Available online at: <http://commissions.sfplanning.org/cpcpackets/2011.1356EMTZU.pdf>. Accessed June 27, 2018.

Response 16: The Central SoMa EIR evaluates a reasonable range of alternatives that would meet the basic project objectives and would reduce significant impacts, although not to less-than-significant levels.

CEQA Requirement

Pursuant CEQA Guidelines section 15126.6(a), an EIR is required to set forth alternatives necessary to permit a reasoned choice and shall be limited to alternatives that would avoid or substantially lessen any of the significant effects of the project. An EIR need not consider every conceivable alternative to a project but instead “must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” (CEQA Guidelines section 15126.6(a).) An EIR, however, does not have to identify and analyze alternatives that would not meet most of the project sponsor’s basic objectives, nor does it have to discuss every possible variant or permutation of alternatives, or alternatives that do not further reduce or eliminate significant impacts of the project. (*Id.*) Under the “rule of reason” governing the selection of the range of alternatives, the EIR is required “to set forth only those alternatives necessary to permit a reasoned choice.” (CEQA Guidelines Section 15126.6(f).)

Central SoMa Plan EIR Alternatives

The EIR identifies and analyzes five alternatives to the Plan, including: (1) the CEQA-required No Project Alternative; (2) the Reduced Heights Alternative; (3) the Modified TODCO Plan; (4) the Land Use Variant; and (5) the Land Use Plan Only Alternative. The EIR also discusses an alternative (initial TODCO Plan proposing higher height limits) that was initially considered for analysis and explains why this alternative was ultimately rejected for further analysis.

Alternatives were developed that would reduce the Central SoMa Plan’s significant and unavoidable impacts while still meeting most of the basic project objectives. The EIR identifies significant and unavoidable impacts that are generally tied to the Plan’s overall intensity of development, street network changes, and height limits, and includes effects related to historic architectural resources; transit capacity and delay; pedestrian overcrowding in crosswalks; on-street commercial loading and related hazardous conditions or delay that may affect transit, other vehicles, bicycles, or pedestrians; hazardous conditions and interference with pedestrian, bicycle, or vehicle circulation and accessibility due to construction; traffic noise (including a related General Plan Environmental Protection Element conflict); construction noise; emissions of criteria air pollutants and toxic air contaminants; and pedestrian-level wind.

The Appellants: (1) contend the EIR should have evaluated an increased housing alternative, claiming that such an alternative would substantially lessen the Plan’s significant impacts on transit, traffic, and air quality; (2) state that the EIR should include an alternative with lower heights on certain blocks; and (3) express support for the EIR’s Reduced Heights Alternative (referred to as the mid-rise height alternative in the 2013 Central Corridor Plan). The RTC document responds to all three of these issues. The Appellant’s expression of support for the EIR’s Reduced Height Alternative is not a comment on the adequacy or accuracy of the EIR, but rather the merits of the Plan, and does not require a response. Response AL-1 (p. RTC-274) explains why the EIR is not required to consider the alternatives proposed by the Appellants. The following summarizes the RTC’s findings in this regard.

Alternative with Lower Heights on the Blocks Bounded by I-80, Folsom, Second and Third Streets

As explained in Response AL-1 (pp.RTC-279 to RTC-280), the commenter (and now appellant) does not provide evidence that such an alternative would meet the Plan objectives, nor that the alternative would avoid or substantially lessen any significant effects of Plan implementation. The EIR includes an evaluation of the No Project Alternative, a scenario that assumes that building heights on the blocks in question are limited to 130 feet, as requested in the comments on the Draft EIR.

Increased Housing Alternative

The Central SoMa Plan, aside from proposed street network changes and open space improvements, would not result in direct changes to the physical environment. Rather, the Plan's proposed changes to the zoning map height and use districts would result in indirect effects on the environment because these changes would encourage redevelopment of sites. The growth projections presented in the EIR represent the city's assessment of likely development that could occur under the Plan. The growth projections analyzed in the EIR do not represent a "cap" on the amount of office or housing that may occur. Many of the Plan's zoning changes would permit both office and housing. Depending on market forces and other factors, it is possible that more housing could be developed under the proposed zoning, resulting in fewer overall jobs and more housing than the EIR estimates.

Response AL-1 contains a detailed analysis of why the EIR need not evaluate an increased housing alternative. The Appellant specifically states that such an alternative would reduce the Plan's significant traffic, transit, and air quality impacts. Regarding traffic, Response AL-1 states:

While the VMT analysis shows that the Plan would incrementally increase VMT per office job within the Plan Area by its increase in office jobs, these office jobs would still result in far less VMT per office job on a regional basis, assuming that the regional office employment total [as projected by ABAG in *Plan Bay Area*] would remain constant. This is because office jobs in the Plan Area, and in San Francisco in general, generate substantially lower VMT per job than do office jobs elsewhere in the Bay Area, given the Plan Area's proximity to other regional transportation modes. While decreased office employment in the Plan Area could incrementally reduce [total] VMT within the Plan Area itself, it may increase [total] VMT regionally by forcing those jobs to occur elsewhere and in less-efficient VMT per capita settings, which is the key metric for greenhouse gas reduction. Accordingly, increasing housing by reducing employment, relative to the Plan proposals, could have greater impacts than would be the case with the Plan.

In the same regard, it is possible that an increased housing alternative may reduce localized health risks, but if projected office jobs are located in other, less-efficient VMT areas, a regional increase in VMT could result in more severe criteria air pollutant impacts. Finally, although it is possible that an increased housing alternative could reduce local transit impacts, the EIR includes five alternatives, four of which—the No Project Alternative, the Reduced Heights Alternative, the Modified TODCO Plan, and the Land Use Variant—would reduce local transit impacts. The EIR evaluates a reasonable range of alternatives required by CEQA.

It is possible that the Appellant is suggesting that the EIR study a higher housing density alternative that would not reduce the amount of jobs predicted to occur under the Plan. The Appellant provides citations to various documents that support an argument that increasing housing densities could reduce

greenhouse gas emissions on a per capita basis. The Initial Study determined that the Plan would result in less-than-significant greenhouse gas emissions, in part for the same reasons as suggested by the Appellant: that the Plan would result in development patterns that bring people closer to jobs and services in more mixed use, compact communities that facilitate walking, biking, and use of transit. As discussed above, the focus of the alternatives analysis is to reduce or eliminate significant impacts of the Plan. Given that the Initial Study found greenhouse gas emissions resulting from the Plan to be less than significant, the EIR need not study an increased housing density alternative specifically to address greenhouse gas emissions. Additionally, while a higher housing density alternative could further reduce the Plan's less-than-significant greenhouse gas emissions (and its less-than-significant VMT impact), it is possible that such an alternative could incrementally increase the number of vehicle trips generated, thereby increasing localized health risks and traffic noise, both of which were found to be significant and unavoidable in the EIR.

The Appellant further suggests that a higher housing density alternative could be achieved by increasing building heights, without specifying those limits. Such an alternative could increase the severity of the significant and unavoidable wind impact identified in the EIR and could increase shadow impacts to the extent that a new significant shadow impact, not already disclosed in the EIR, could result. As such, an alternative that increases heights to allow for additional housing need not be considered.

Response 17: Publication of the Central SoMa Plan Response to Comments document complied with CEQA requirements and standard Planning Department practice.

CEQA Requirement

CEQA Guidelines section 15088 states that a lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report. This requirement is consistent with San Francisco Administrative Code section 31.15(a).

Publication of Central SoMa RTC

The Department published the RTC document on Wednesday, March 28, 2018, 14 days prior to the originally proposed April 12, 2018 EIR certification hearing date at the Planning Commission. This is consistent with CEQA requirements, chapter 31 of the administrative code, and the Department's practice of publishing RTC documents two weeks prior to the certification hearing. The certification hearing was later continued to May 10, 2018. Therefore, the RTC was published 42 days before the Planning Commission certified the EIR.

CONCLUSION

The Appellants have not raised any new issues relative to the Project's physical environmental impacts that were not previously addressed in the Draft EIR and appendices, RTC document and attachments, and errata and attachments, or at the EIR certification hearing. As discussed above, the analysis and conclusions of the Final EIR are supported by substantial evidence in the record. Moreover, the Appellants have not provided substantial evidence in support of their arguments regarding the adequacy and accuracy of the Final EIR. Argument and speculation alone are not substantial evidence under

CEQA. Even if the Appellants had provided substantial evidence that contradicts the analysis and conclusions of the Final EIR, the agency's adequacy determination remains valid when the EIR is based on substantial evidence in the record. The Final EIR and supporting documents provide such substantial evidence.

For the reasons stated above, the Planning Commission's certification of the EIR complies with the requirements of CEQA, the CEQA Guidelines, and chapter 31 of the San Francisco Administrative Code. The Department, therefore, recommends that the Board uphold the Commission's decision to certify the EIR and deny the appeals.

Attachment A. Project and Procedural Background and Significant and Unavoidable Project Impacts Resulting from the Central SoMa Plan

This attachment contains a detailed discussion of the project background, the procedural background for conducting the environmental analysis in compliance with the California Environmental Quality Act (“CEQA”), and lists the significant and unavoidable environmental impacts that were identified in the Environmental Impact Report (“EIR”). The appeal response contains a summarized version of the information in this attachment.

PROJECT BACKGROUND

Eastern Neighborhoods Planning Process and Central Subway Project Development

The need for the Central SoMa Plan became apparent during the Eastern Neighborhoods planning process, which was initiated in the early 2000s. The Eastern Neighborhoods planning efforts had two primary objectives: to address and attempt to ensure a stable future for PDR (“production, distribution and repair,” generally light industrial) businesses in the city, mainly through zoning restrictions; and to plan for a substantial amount of new housing, particularly housing affordable to low-, moderate- and middle-income families and individuals. New housing would be developed in the context of “complete neighborhoods,” which would provide sufficient amenities for new residents of these areas.

At that time, the City determined that the pending development of the Central Subway transit project and the development potential of the surrounding area necessitated a separate, focused planning process that took into account the City’s growth needs as well as the opportunity to link transportation and land use planning. The Department initiated the Central SoMa planning process in earnest in early 2011 with funding from the California Department of Transportation (“Caltrans”) and the San Francisco Municipal Transportation Agency (“SFMTA”).

April 2013 Draft Central Corridor Plan

The Department issued a draft of what was then called the Central Corridor Plan in 2013. The 2013 draft Plan covered a 28-block area from Market Street south to Townsend Street, between Second and Sixth streets. With the draft Central Corridor Plan, the Department sought to accommodate job and housing growth in close proximity to local and regional transit. Key objectives of the 2013 Plan were to increase development capacity and density, consider the future of remaining industrially zoned parcels, and improve the physical, social, and environmental conditions within the Plan Area. The 2013 draft Plan also included a robust public realm and a substantial transformation of key streets to support transit, walking, and biking. Although the northern portion of the 2013 draft Plan incorporated portions of the existing Downtown Plan area and C-3 (Downtown Commercial) Use Districts, none of the C-3 Use Districts were proposed for rezoning.

August 2016 Draft Central SoMa Plan and Implementation Strategy

In August 2016, the Department issued the Draft Central SoMa Plan and Implementation Strategy. The same underlying concepts and principles support both the 2013 and 2016 Plans. The current Plan, which

proposes to “accommodate growth, provide public benefits, and respect and enhance neighborhood character” (2016 Plan p. 5) is a refinement of the 2013 Plan, which aimed to “support transit-oriented growth” (2013 Plan Goal 1) while “respecting the rich context, character and community of SoMa, providing benefits for its existing residents and workers as well as the services needed for new ones, and growing sustainably” (2013 Plan p. 6). In addition to changing the name of the Plan and reorganizing the content of the report, the major changes in the Plan included the following:

- Changing the boundary of the Plan Area: formerly, the Plan Area extended further north, to the south side of Market Street; with the change, the current Plan Area includes all or part of 17 city blocks, excluding areas zoned C-3 (where no change in zoning was proposed under the 2013 draft Plan);
- Eliminating the “mid-rise” height limit option from the draft Plan; this option is still considered in the EIR, but is renamed the “Reduced Heights Alternative” in the EIR and “Option A” in the Initial Study (see Chapter VI, Alternatives);
- Adding several measures to support retention of PDR space in the Plan Area; and
- Additional objectives, policies, and implementation measures addressing neighborhood sustainability.

PROCEDURAL BACKGROUND

Notice of Preparation and Initial Study

In compliance with section 15082 of the CEQA Guidelines, the Department prepared a Notice of Preparation (“NOP”) and Initial Study,¹ which was sent to public agencies and interested individuals on April 24, 2013. On that date, an environmental review notice associated with the NOP was published in a newspaper of general circulation in San Francisco. During a 30-day public scoping period that ended on May 24, 2013, the Department accepted comments from agencies and interested parties identifying environmental issues that should be addressed in the EIR. In addition, a public scoping meeting was held on May 15, 2013, to explain the environmental review process for the Central SoMa Plan and to provide an opportunity to receive public comments and concerns related to the Plan’s environmental issues. The Department considered the public comments received at the scoping meeting and in writing during the scoping period and prepared an Initial Study assessing which of the Plan’s environmental topics would not result in significant impacts on the environment. The Department published the Initial Study on February 12, 2014. The Initial Study determined that the Plan would not result in significant environmental effects (in some cases, with mitigation identified in the Initial Study) for the following environmental topics:

- **Population and Housing;**
- **Greenhouse Gas Emissions;**
- **Recreation;**

¹ A copy of the NOP, Initial Study, Draft EIR, Response to Comments and errata may be accessed here: <http://sf-planning.org/area-plan-eirs>.

- **Utilities and Service Systems** (except for potential impacts related to combined sewer system operation on water quality and potential impacts of sea level rise, which are addressed in the EIR in Section IV.I, Hydrology and Water Quality);
- **Public Services;**
- **Biological Resources** (significant impact identified, but mitigated through measures identified in the Initial Study);
- **Geology and Soils;**
- **Hydrology and Water Quality** (except for potential impacts related to effects of combined sewer system operation on water quality and potential impacts of sea level rise, which are addressed in the EIR in Section IV.I, Hydrology and Water Quality);
- **Hazardous Materials** (significant impact identified, but mitigated through measures identified in the Initial Study);
- **Mineral and Energy Resources;** and
- **Agricultural Resources.**

Because the Initial Study analysis was based on a previous draft of the Plan circulated for review in 2013, the 2016 Plan was reviewed to ensure the Initial Study's conclusions reached on the 2013 draft remain valid. No new information related to the 2016 Plan necessitated changing any of the Initial Study's significance conclusions reached for the 11 topics that would be less than significant or less than significant with mitigation measures. As such, no further environmental analysis of these Initial Study topics was required in the Central SoMa Plan EIR.

Draft EIR

The Draft EIR² was published on December 14, 2016, and circulated to governmental agencies and to interested organizations and individuals for a 60-day public review period that began December 14, 2016, and concluded on February 13, 2017. In addition, the Planning Commission held a public hearing on the Draft EIR on January 26, 2017, and planning commissioners, organizational representatives, and individuals made oral comments at that hearing.

Responses to Comments

The Department prepared a Responses to Comments ("RTC")³ document that includes responses to comments on environmental issues received at the Draft EIR public hearing that was held on January 26, 2017, and in writing during the 60-day public review period for the Draft EIR. In addition, the RTC document included text changes (or text revisions) that were proposed in response to comments received or based on additional information that became available during the public review period and that represent a refinement or clarification to the text of the EIR. The comments do not provide evidence of new significant impacts or a substantial increase in the severity of previously identified impacts, nor do they identify feasible project alternatives or mitigation measures that are considerably different from those analyzed in the Draft EIR and that the project sponsor has not agreed to implement. None of the conclusions in the Draft EIR changed, and no significant new information that would require

² The Draft EIR may be accessed here: <http://sf-planning.org/area-plan-eirs>.

³ The RTC may be accessed here: <http://sf-planning.org/area-plan-eirs>.

recirculation of the Draft EIR under section 21092.1 of CEQA, California Public Resources Code § 21000 *et seq.* and the CEQA Guidelines section 15088.5 was identified.

The RTC document was published on March 28, 2018, distributed to the Planning Commission and all parties who commented on the Draft EIR, and made available to others upon request at the Department offices. The document, along with the Draft EIR, was originally proposed to be presented to the Planning Commission for Final EIR certification on April 12, 2018. While CEQA requires the RTC document to be released a minimum of 10 days prior to the certification of the EIR, the Department released the document a full 14 days prior to the proposed April 12, 2018 certification date. The certification date of the Central SoMa Plan EIR was continued to May 10, 2018, resulting in the release of the RTC 42 days prior to the EIR certification hearing.

Errata

Following publication of the RTC document, the legislative sponsors proposed modifications to various aspects of the Plan based upon feedback from the community and decision makers. On April 5, 2018, the Department issued errata to the EIR (Attachment B to the appeal response) that analyzed the Plan changes that occurred after February 15, 2018, revised Mitigation Measure M-CP-1a, and made a minor correction to the Draft EIR.

After the issuance of the first errata, the Department determined that it was necessary to update the Central SoMa Plan Final EIR certification date, provide an analysis of additional changes to the Central SoMa Plan's proposed height and zoning maps for Block 3763, Lots 112 and 113 that was included in substitute legislation introduced on April 10, 2018, clarify the application of EIR mitigation measures to subsequent development projects, amend mitigation measures, include a list of approvals for the Housing Sustainability District Ordinance, and evaluate a list of recommended and other potential changes to the Central SoMa Plan included in the May 3, 2018 Planning Commission packet. In a second errata to the EIR, issued on May 9, 2018 (Attachment C to the appeal response), the Department determined that these proposed modifications would not result in new significant environmental impacts or substantially increase the severity of a significant impact identified in the Draft EIR, as modified by the RTC document, and no new mitigation measures would be necessary. Furthermore, these modifications to the project description and additional revisions to the EIR do not change any of the conclusions in the Draft EIR, as modified by the RTC document, and do not constitute significant new information that requires recirculation of the Draft EIR under CEQA section 21092.1 and CEQA Guidelines section 15088.5.

EIR Certification

On May 10, 2018, the Planning Commission held a hearing to consider certification of the Final EIR, which consists of the Draft EIR and appendices, RTC and attachments, and errata and attachments. The Planning Commission reviewed and considered the information contained in the Final EIR and found that the Final EIR reflected the independent judgment and analysis of the City and County of San Francisco. The Planning Commission found that the Final EIR was adequate, accurate and objective, and that the RTC document and the errata dated April 5, 2018 and May 9, 2018 contained no significant revisions to the Draft EIR. The Planning Commission certified the Final EIR in compliance with the requirements of CEQA, the CEQA Guidelines, and chapter 31 of the San Francisco Administrative Code.

The EIR is an informational document intended to inform public agency decision-makers and the public of the significant environmental effects of a project proposal, identify possible ways to minimize the

significant effects, and describe feasible alternatives to the project to reduce or eliminate those significant effects. Certification of an environmental document does not constitute a project approval of any kind.

Project Impacts

The EIR concludes that the Central SoMa Plan would result in the following significant and unavoidable environmental impacts, even where feasible mitigation measures were identified:

Land Use and Land Use Planning

1. Central SoMa Plan development, including proposed open space improvements and street network changes, would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Specifically, the Plan could result in traffic noise along Howard Street that could conflict with policy 9.6 of the General Plan's Environmental Protection Element, related to changes to streets which will result in greater traffic noise. The EIR finds this to be a significant plan-level and cumulative land use impact.

Cultural Resources

2. Central SoMa Plan development would result in a substantial adverse change in the significance of historical resources, contributors, and historic districts as defined in CEQA Guidelines Section 15064.5. The EIR finds this to be a significant plan-level and cumulative impact.

Transportation and Circulation

3. Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in significant plan-level and cumulative transit impacts on local and regional transit providers.
4. Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in crosswalk overcrowding. The EIR finds this to be a significant plan-level and cumulative impact.
5. Central SoMa Plan development would result in significant plan-level and cumulative commercial and passenger loading impacts that may create hazardous conditions or cause significant delays that affect transit, other vehicles, bicycles and pedestrians.
6. Construction activities associated with Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially hazardous conditions.

Noise

7. Central SoMa Plan development, including the proposed street network changes, would result in a substantial permanent increase in ambient noise above existing levels. The EIR finds this to be a significant plan-level and cumulative impact.
8. Construction activities resulting from Central SoMa Plan development, including the proposed street network changes and open space improvements, would result in a substantial temporary or periodic increase in noise levels.

Air Quality

9. The operation of subsequent individual development projects in the Central SoMa Plan Area and the proposed street network changes would violate an air quality standard, contribute to an existing or projected air quality violation, and/or result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under federal or state ambient air quality standards.
10. Central SoMa Plan development, including the proposed street network changes, would result in operational emissions of fine particulate matter (PM_{2.5}) and toxic air contaminants that would result in exposure of sensitive receptors to substantial pollutant concentrations. The EIR finds this to be a significant plan-level and cumulative impact.

Wind

11. Subsequent future development under the Plan could alter wind in a manner that substantially affects public areas.

All other impacts would be either less than significant or can be reduced to a less-than-significant level with implementation of the mitigation measures identified in the EIR.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: April 5, 2018
TO: Planning Commission
FROM: Elizabeth White and Jessica Range, Environmental Planning
RE: Errata to the Environmental Impact Report for the
 Central South of Market (SoMa) Area Plan
 Planning Department Case No. 2011.1356E

1650 Mission St.
 Suite 400
 San Francisco,
 CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

Following publication of the Responses to Comments document (RTC) for the Central South of Market Area (SoMa) Plan Draft Environmental Impact Report (Draft EIR), the Planning Department determined it was necessary to: (1) further clarify Mitigation Measure M-CP-1a in the Draft EIR, (2) correct an error in the Draft EIR, and (3) provide an analysis of whether the EIR evaluates the environmental effects of additional Plan changes proposed by legislative sponsors between February 15, 2018 and April 5, 2018, as presented in the Planning Commission packet for consideration on April 12, 2018. This errata addresses each of these three items.

The Environmental Planning Division of the Planning Department has determined that these clarifications, corrections, and analysis of Plan changes do not change any of the conclusions in the EIR and do not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

These additional staff-initiated text changes will be incorporated into the Final EIR. New revisions are noted in **red**, with deletions marked with ~~strikethrough~~ and additions noted with double underline.

1. Clarification of Mitigation Measure M-CP-1a:

The following revisions are made to Table S-1, Summary of Impacts of the Plan-Identified in the EIR [Revisions Only], on RTC page 402.

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN – IDENTIFIED IN THE EIR [REVISIONS ONLY]

Impact	Level of Significance Before Mitigation	Mitigation and Improvement Measures	Level of Significance After Mitigation
C. Cultural and Paleontological Resources			
<p>Impact CP-1: Development under the Plan would result in the demolition or substantial alteration of individually identified historic architectural resources and/or contributors to a historic district or conservation district located in the Plan Area, including as-yet unidentified resources, a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.</p>	S	<p>* Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Identified Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department's Preservation staff <u>at the time of submittal of an environmental evaluation application</u> to determine whether there are feasible means to re-design or otherwise revise the project to avoid a substantial significant adverse change in the significance of an effects on <u>historic architectural resource(s) (including historic districts), whether previously identified or identified as part of the project's historical resources analysis. Pursuant to CEQA Guidelines Section 15064.5(b), "[s]ubstantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired."</u> If avoidance is not feasible, the project sponsor shall <u>consult with Planning Department staff to determine whether there are feasible means to</u> seek feasible means to reduce effects on historic architectural resource(s) to the maximum extent feasible, a less than significant level. <u>Avoidance and minimization measures shall seek to retain the resource's character-defining features, and may include, but are not limited to: retention of character-defining features, building setbacks, salvage, or adaptive reuse. In evaluating the feasibility of avoidance or reduction of effects, the Planning Department shall consider whether avoidance or reduction can be accomplished successfully within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, along with the Central SoMa Plan policies and project objectives. The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis, with the significance of the impact to be judged based on whether the proposed project would materially impair the resource as defined in CEQA Guidelines Section 15064.5(b).</u></p> <p><u>Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is Mitigation Measure M-CP-1a be determined to be infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable, based on the specific circumstances of the project in question. CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis.</u></p> <p>...</p>	SUM

The following revisions are made to RTC page 455:

On Draft EIR p. IV.C-58, Mitigation Measure M-CP-1a has been revised as follows to clarify guidance with regard to avoiding or minimizing effects on historical impacts:

Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Identified Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department's ~~Preservation staff at the time of submittal of an environmental evaluation application~~ to determine whether there are feasible means to ~~redesign or otherwise revise the project to avoid a substantial significant adverse change in the significance of an effects on~~ historic architectural resource(s) (including historic districts), whether previously identified or identified as part of the project's historical resources analysis. Pursuant to CEQA Guidelines Section 15064.5(b), "[s]ubstantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." If avoidance is not feasible, the project sponsor shall consult with Planning Department staff to determine whether there are feasible means to ~~seek feasible means to~~ reduce effects on historic architectural resource(s) ~~to the maximum extent feasible, a less than significant level.~~ Avoidance and minimization measures shall seek to retain the resource's character-defining features, and may include, but are not limited to: retention of character-defining features, building setbacks, salvage, or adaptive reuse. In evaluating the feasibility of avoidance or reduction of effects, the Planning Department shall consider whether avoidance or reduction can be accomplished successfully within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, along with the Central SoMa Plan policies and project objectives. The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis. ~~with the significance of the impact to be judged based on whether the proposed project would materially impair the resource as defined in CEQA Guidelines Section 15064.5(b).~~

Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is Mitigation Measure M-CP-1a be determined to be infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable, based on the specific circumstances of the project in question. CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The applicability of each factor would vary from project to project, and would be determined by staff on a case by case basis.

2. Corrections to the Draft EIR

The following revisions are made to the last two sentences on Draft EIR page VI-4:

Development under the The No Project Alternative assumes that growth in the Plan Area and the city would occur with or without implementation of the Plan, but that absent implementation of the Plan, a smaller percentage of citywide growth would occur in the Plan Area. The No Project Alternative Plan would result in additional traffic that would increase traffic noise levels throughout the Plan Area vicinity. As shown in Table IV.E-9, Cumulative Plus Plan Traffic Noise Analysis, under 2040 cumulative no project conditions traffic noise levels would increase by 3 dBA or more along Fourth Street between Brannan and Townsend

Streets, which would be a significant and unavoidable impact and would conflict with *General Plan* policy regarding traffic noise (Impact LU-2).

3. Analysis of Plan Changes that Occurred After February 15, 2018

The attached memorandum evaluates the environmental effects of Plan changes proposed by legislative sponsors between February 18, 2018 and April 5, 2018, as presented in the Planning Commission packet for consideration on April 12, 2018. This analysis finds that the EIR adequately addresses the Central SoMa Plan, with these proposed modifications. This document is being included in the EIR as a new Appendix G. Therefore, the following revision is made to the Draft EIR's Table of Contents' list of appendices on Draft EIR page vi:

[Appendix G Analysis of Environmental Effects of Plan Changes for the Central South of Market Area \(SoMa\) Plan](#)

Enclosures:

Appendix G Analysis of Environmental Effects of Plan Changes Presented April 5, 2018 for the Central South of Market Area (SoMa) Plan



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

DATE: April 5, 2018
TO: Planning Commission
FROM: Elizabeth White and Jessica Range, Environmental Planning
Steve Wertheim, Citywide Planning
RE: Analysis of Environmental Effects of Plan Changes
Presented April 5, 2018 for the Central South of Market
Area (SoMa) Plan
Planning Department Case No. 2011.1356E

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Following publication of the Responses to Comments document (RTC) for the Central South of Market Area (SoMa) Plan Draft Environmental Impact Report (Draft EIR), the legislative sponsors and the Planning Department propose to modify various aspects of the Plan based upon feedback from the community and decision-makers. The Environmental Planning division has reviewed these changes, which are detailed in the Planning Commission packet for April 5, 2018 and determined that the environmental analysis conducted for the EIR adequately analyzes the Central SoMa Plan, with these modifications.

This memoranda explains how proposed strategies designed to maximize the number of housing units anticipated under the Plan would not result in increased physical environmental effects beyond that already studied in the EIR, and therefore would not change any of the conclusions in the EIR and do not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

Proposal to Maximize Housing under the Central SoMa Plan

The Planning Department has developed a two-pronged proposal to maximize the number of housing units anticipated under the Plan. These proposals include a modification to the Planning Code and Zoning Map as discussed below.

Planning Code Amendments

The Planning Department proposes to modify Planning Code Section 249.78(c)(6)(A) to increase the size of sites previously designated to be commercially-oriented from 30,000 square feet to 40,000 square feet.

This change to the Planning Code would require two sites in the Plan Area previously anticipated to be commercial to become residential, which would result in a net increase of 640 units above that anticipated by the Plan and a net decrease of approximately 2,050 jobs.¹ This change would also result in a commensurate reduction in the total number of projected jobs, discussed further below.

Zoning Map Amendments

The Planning Department proposes to change the zoning map from the currently proposed West SoMa Mixed Use Office (WMUO)² to Central SoMa Mixed Use Office (CMUO) on the following parcels: Block 3777, Lots 047-049 and Block 3778, Lots 001, 001C, 001D, 001E, 001F, 016-019, 022-023, 025-026, 032, 046A, 046B, 046C, 046D, 046E, 046F, 046G, 046H, and 051-087. The existing zoning on these parcels is West SoMa Service, Arts, Light Industrial (WS-SALI). Both WS-SALI and WMUO generally do not allow residential uses. The proposed change to CMUO would allow residential uses on these sites, thus shifting the Plan's projected amount of jobs and housing units. The EIR assumed soft sites on these parcels would result in new office jobs. If the soft sites were developed as residential uses, this zoning change could generate about 600 additional housing units, with a commensurate reduction in the projected number of 2,700 jobs.³

Effect of Changes on Housing Units and Jobs Projected Under the Central SoMa Plan

The above proposed modifications to the Central SoMa Plan would result in a shift from projected office uses to residential uses. Altogether, these Planning Code and Zoning Map amendments would result in a net increase of 1,240 residential units and a commensurate reduction of 4,750 jobs.

¹ Calculation based on the Planning Department's *Buildout Analysis for Central SoMa*, January 25, 2018. This document and all other documents referenced in this memoranda are on file and available for public review as part of Case File No. 2011.1356E at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, 94103. This document includes a parcel-level analysis of development potential in the Plan Area that was utilized for the EIR and conveys that the two sites affected by this proposed change (490 Brannan Street and 330 Townsend Street) had a development potential under the previously proposed requirements of approximately 184,000 gross square feet of residential development, resulting in approximately 150 units and approximately 450,000 of non-residential uses, resulting in space for approximately 2,050 jobs, based on the EIR's assumption of 1,200 gross square feet per unit and 219 gross square feet per new job (including 200 square feet per office worker and higher for other types of jobs)(calculations of density contained in the Planning Department's *Central SoMa EIR Inputs by TAZ*, November 13, 2017). Subsequent analysis determined that, based on the revised proposal, these two sites could contain approximately 972,000 square feet of residential development if these sites are developed as fully residential, resulting in approximately 790 units.

² Note that the Plan uses the term "WMUO" and the EIR uses the term "WS-MUO." Both refer to the WSoMa Mixed-Use Office District contained in Section 845 of the Planning Code.

³ Calculation based on the Planning Department's *Buildout Analysis for Central SoMa*, (January 25, 2018), which includes a parcel-level analysis of development potential in the Plan Area. This document conveys that the 62 lots affected by this proposed change had a development potential under the previously proposed requirements of approximately 800,000 square feet of non-residential space, resulting in space for approximately 3,650 jobs)(calculations of density contained in the Planning Department's *Central SoMa EIR Inputs by TAZ*, November 13, 2017). Subsequent analysis determined that, based on the revised proposal, these lots could contain approximately 720,000 square feet of residential development and 200,000 square feet of non-residential development, presuming these small sites are predominantly residential but include some small office and other non-residential uses. Such development would result in space for approximately 600 new units and 950 jobs.

Central SoMa Plan EIR Analysis

As explained in the EIR, the analysis of physical impacts related to the proposed Planning Code and Zoning Map amendments are based, in part, on growth projections developed by the Planning Department. These growth projections inform the quantitative analysis of effects of the Plan on the physical environment.

As shown in **Table IV-1, Summary of Growth Projections** on Draft EIR page IV-6, the EIR analyzes an increase of approximately 14,500 residential units within the EIR study area, of which 8,320 units are anticipated to occur within the Plan Area. The Plan, on the other hand, projects a total of 7,060 residential units.⁴ With the additional 1,240 residential units projected under the Plan, the total projected number of residential units would be 8,300 units, which is below the 8,320 units analyzed in the EIR. Additionally, there would be a commensurate reduction in the number of jobs projected in the Plan area of about 4,750 jobs. As shown in **Table IV-1, Summary of Growth Projections** on Draft EIR page IV-6, the EIR analyzes an increase of approximately 63,600 jobs within the EIR study area, of which 44,000 are anticipated to occur within the Plan Area.⁵ The Plan, on the other hand, projects a total of 39,000 jobs.⁶ As a result of this change, the number of new jobs anticipated under the Plan would be reduced to approximately 34,250 jobs.

Conclusion

The Central SoMa Plan EIR conservatively analyzed higher growth projections than could occur from the proposed Plan's Planning Code and Zoning Map amendments. The modification to the Central SoMa plan would result in a shift in anticipated jobs and housing, but would not exceed the total number of residential units analyzed in the EIR. Thus, these changes to the Plan would not result in increased physical environmental effects beyond that already studied in the EIR, and therefore would not change any of the conclusions in the EIR and do not constitute significant new information that requires recirculation of the EIR under CEQA and the CEQA Guidelines. Other changes to the Plan are proposed and detailed in the Planning Commission packet for April 5, 2018 and those changes have also been evaluated and determined to not result in physical environmental effects beyond that already analyzed in the EIR.

⁴ Steve Wertheim, *Memorandum Regarding Central SoMa Plan-Clarification of Housing Numbers*. December 7, 2017.

⁵ Calculation based on the Planning Department's *Central SoMa EIR Inputs by TAZ* (November 13, 2017).

⁶ Calculation based on the Planning Department's *Buildout Analysis for Central SoMa*, (January 25, 2018), which includes a parcel-level analysis of development potential in the Plan Area.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 9, 2018
 TO: Planning Commission
 FROM: Jessica Range and Elizabeth White, Environmental Planning
 RE: Errata to the Environmental Impact Report for the Central South of Market (SoMa) Area Plan
 Planning Department Case No. 2011.1356E

1650 Mission St.
 Suite 400
 San Francisco,
 CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

Following publication of the Responses to Comments (RTC) document for the Central South of Market Area (SoMa) Plan Draft Environmental Impact Report (Draft EIR), the Planning Department determined it was necessary to:

- (1) update the Central SoMa Plan Final EIR certification date;
- (2) provide an analysis of changes to the Central SoMa Plan's proposed height and zoning maps for Block 3763, Lots 112 and 113 that was included in substitute legislation introduced on April 10, 2018 by Mayor Farrell and Supervisor Kim;
- (3) clarify the application of Central SoMa Plan EIR mitigation measures to subsequent development projects;
- (4) amend mitigation measures;
- (5) include a list of required approvals for the Housing Sustainability District Ordinance; and
- (6) evaluate a list of recommended and other potential changes to the Central SoMa Plan included in the May 3, 2018 Planning Commission packet to determine whether the EIR adequately analyzes these potential changes in the event decision makers choose to include these changes in the Central SoMa Plan.

This erratum addresses each of these items. Staff-initiated EIR text changes will be incorporated into the Final EIR. New revisions are noted in **red** with additions noted with double underline and deletions noted in ~~strikethrough~~.

1. Central SoMa Plan Final EIR Certification Date

On April 12, 2018, the Planning Commission continued certification of the Final EIR to May 10, 2018. As such, the following revision is made to the exterior and interior RTC cover pages and page RTC-i:

Final EIR Certification Date: ~~April 12, 2018~~ May 10, 2018

Additionally, the following revisions are made to the distribution memoranda accompanying the RTC:

This document, along with the Draft EIR, will be before the Planning Commission for Final EIR certification on ~~April 12, 2018~~ May 10, 2018. The Planning Commission will receive public testimony on the Final EIR certification at the ~~April 12, 2018~~ May 10, 2018, hearing.

These revisions to the Final EIR's certification date do not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code section 21092.1) and the CEQA Guidelines (14 California Code of Regulations section 15088.5).

2. Update Central SoMa Plan analysis for Block 3763, Lots 112 and 113

On April 10, 2018 Mayor Farrell and Supervisor Kim introduced substitute legislation implementing the Central SoMa Plan. The Environmental Planning Division of the Planning Department reviewed the substitute legislation and determined that the proposed changes to the zoning and height map for Block 3763 and Lots 112 and 113 require additional analysis to determine whether the proposed changes would result in new significant impacts or impacts of greater severity that were not disclosed in the Draft EIR. The substitute legislation would extend the proposed Central SoMa Mixed Use-Office (CMUO) Use District onto an approximately 7,400-square-foot, irregularly shaped area at the north-easternmost portion of Block 3763, Lot 112. The proposal would also extend a 350-CS Height and Bulk District to encompass the southern portion of this same 7,400-square-foot area (Block 3763, Lot 112), as well as the southern portion of Block 3763, Lot 113, which is an approximately 5,400-square-foot, irregularly shaped parcel, immediately north of Lot 112. EIR Appendix H, attached to this erratum, analyzes these proposed changes and finds that the proposed revisions to the Central SoMa Plan's Use District and Height and Bulk District Maps on Block 3763, Lots 112 and 113, would not result in any new or substantially more-severe significant impacts with respect to aesthetics, wind, or shadow, or any other CEQA topic, than those that were identified in the Draft EIR. However, in light of these proposed changes, the following revisions to the EIR are necessary:

Figure II-3 [Revised] in the RTC has been revised following publication of the RTC to show the zoning now proposed on a portion of Block 3763, Lot 113.

Figure II-7 [Revised] in the RTC has been revised following publication of the RTC to show the heights now proposed on Block 3763, Lot 112 and a portion of Lot 113.

Figure IV.B-19, Mid-Range Visual Simulation: Interstate 80 Westbound: Existing Conditions Plus Plan has been revised following publication of the RTC to show the heights now proposed on Block 3763, Lot 112 and a portion of Lot 113.

Figure IV.H-6 and the December 10 a.m. image in EIR Appendix E have been revised to depict the changes in shadow analysis resulting from the proposed revisions to the Central SoMa Height Map.

These revised figures are presented on the following pages.



SOURCE: San Francisco Planning Department Case No. 2011.1356E: Central SoMa Plan **Figure II-3**
 Proposed Plan Area Use Districts [Revised]



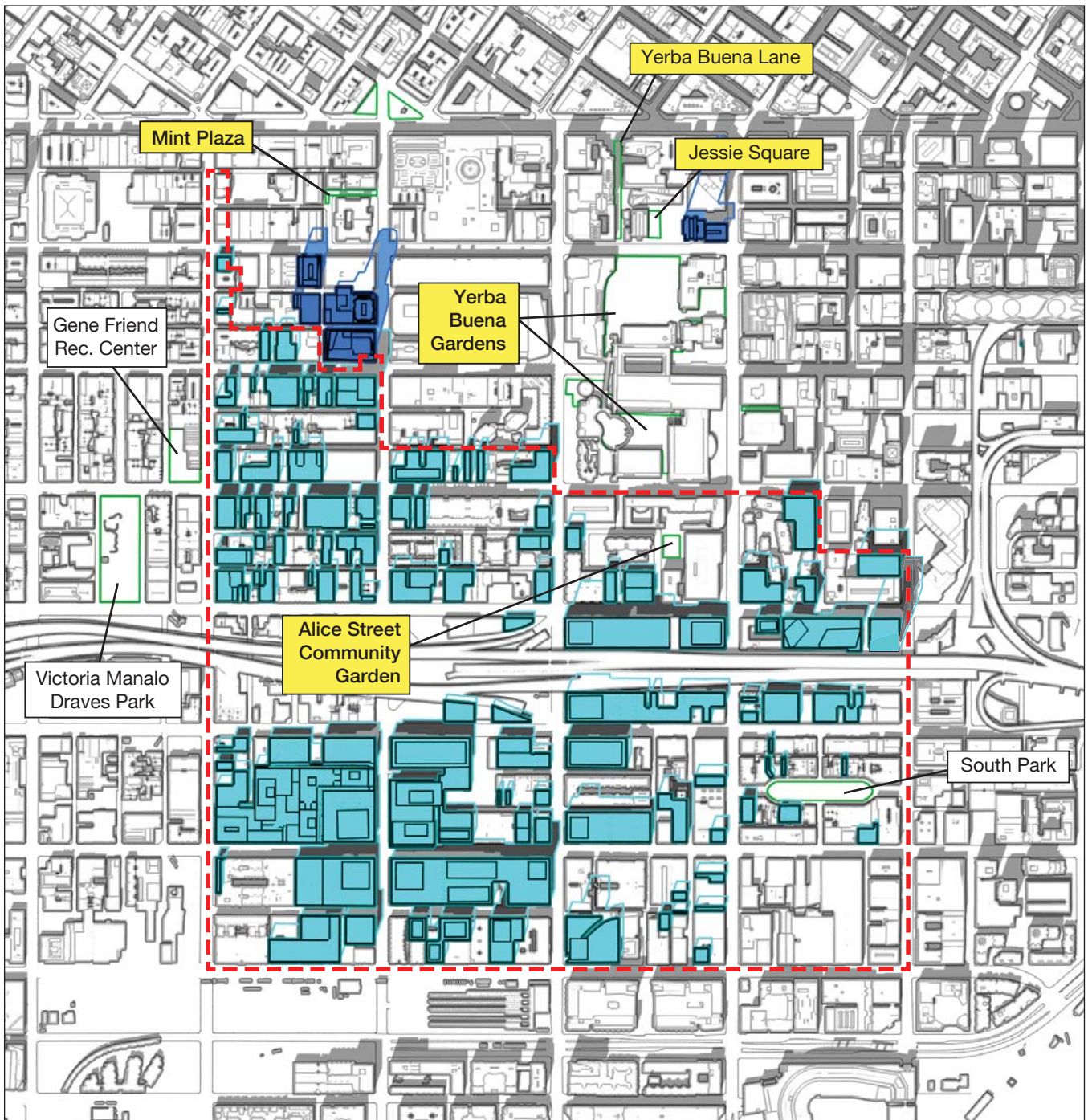
SOURCE: San Francisco Planning Department

Case No. 2011.1356E: Central SoMa Plan

Figure II-7
Proposed Plan Area Height and Bulk Districts [Revised]



■ Plan Building



--- Plan Area Boundary



OPEN SPACES

- Section 295 Park
- Other Open Space

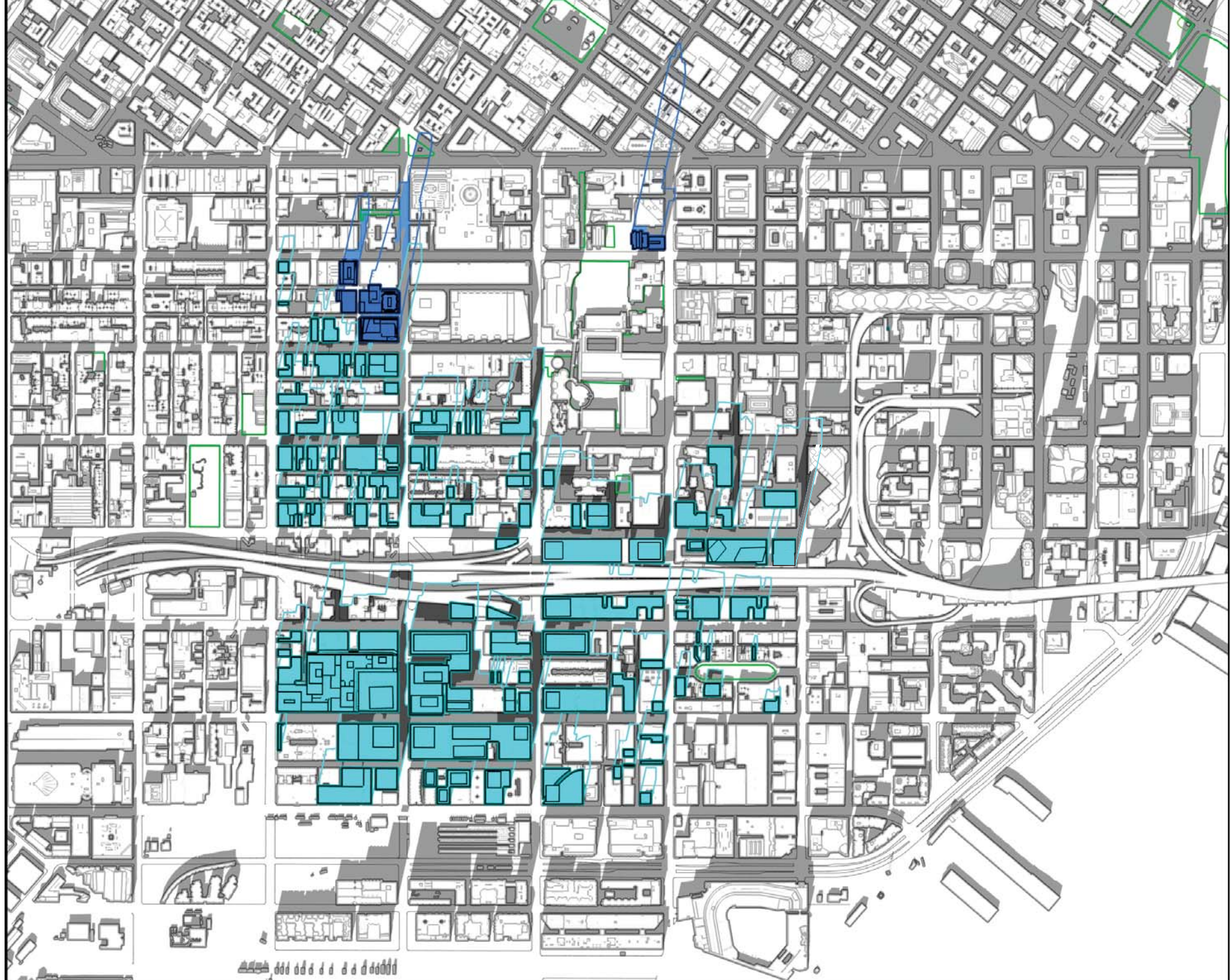
- Potential New Buildings and their Shadows
- Potential New Buildings' Net New Shadows at Ground Level
- Existing Shadows at Ground Level

- Approved New Buildings (5M and 706 Mission) and their Shadows
- Approved New Buildings' (5M & 706 Mission) Net New Shadows at Ground Level

SOURCE: CADP

Case No. 2011.1356E: Central SoMa Plan

Figure IV.H-6
Shadows: September 20 (Fall Equinox) 12:00 noon [Revised]



Central SoMa Plan
 December 20 10:00 am

- Proposed New Buildings
- Proposed New Buildings Net New Shadows
- Existing Shadows
- Proposed New Buildings 5M & 706 Mission
- Proposed New Buildings 5M & 706 Mission Net New Shadows



In addition, the following text changes are made to the first paragraph of the wind analysis on page IV.G-13 in the Draft EIR:

Two other new exceedances would occur at the intersection of Fourth and Townsend Streets (#47 and 48), near the southwestern corner of a potential 400-foot-tall building, and five new exceedances would occur near, and south of, the intersection of Second and Harrison Streets (#4, 5, 7, 8, and 14), in proximity to a site at 400 Second Streets that would have height limits permitting ~~three towers at heights of up to 200 feet, 350 feet, and 350 feet.~~

The following text changes are made to the first full paragraph of Draft EIR p. IV.H-38 to reflect the potential change in net new shadow from the proposed height map revision.

New shadow from Plan Area development could cast a small amount of new shadow on the western edge of the POPOS in front of 303 Second Street, across Second Street from the Plan Area, in the mid-afternoon on the solstice. At 10:00 a.m. on the winter solstice in December, new shadow from Plan Area development would be cast eastward onto the 303 Second Street POPOS. On the equinoxes, new shading would begin around noon, and would continue through much of the afternoon, reaching a peak around 2:00 p.m., when about one quarter to one third of the POPOS could be shaded. On the winter solstice, new shading could increase, beginning around 10 a.m. and continuing through most of the afternoon. At its peak, new shading could cover most of the plaza, especially between about noon and 2:00 p.m. By 3:00 p.m. on the winter solstice, most of the plaza is currently shaded. The actual amount of shading would depend on the height and massing of the building projecting its shadow toward this POPOS.

As explained above, Appendix H, attached to this erratum, evaluates the environmental effects of the substitute Central SoMa Plan legislation introduced on April 10, 2018. This document is being included in the EIR as a new Appendix H. Therefore, the following revision is made to the Draft EIR's Table of Contents' list of appendices on Draft EIR page vi:

Appendix H. Central SoMa Plan Draft EIR Revisions Arising from Zoning Changes at Second and Harrison Streets

These revisions to the Draft EIR does not constitute significant new information that requires recirculation of the EIR under CEQA (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5)

3. Clarification of the Application of EIR Mitigation Measures to Subsequent Development Projects

Subsequent development projects may be required to undergo additional environmental review in accordance with *California Public Resources Code* Section 21083.3 and CEQA Guidelines Section 15183 or *California Public Resources Code* Section 21094.5 and CEQA Guidelines Section 15183.3. That analysis would determine whether Central SoMa EIR mitigation measures apply to a subsequent development project. During that analysis, program-level mitigation measures identified in the Central SoMa EIR may be amended to address the specific characteristics of the subsequent project's impact. To clarify this, the following revision is made to Section I.B.4 on Draft EIR page I-6:

CEQA Guidelines Section 15168(c) states that subsequent activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared. Thus, this EIR assumes that subsequent development projects in the Plan Area would be subject to environmental review at such time as those projects are proposed. The analysis of subsequent projects would be based on existing conditions at the site and vicinity, at such time a project is proposed, and would take into account any updated information relevant to the environmental analysis of the subsequent project (e.g., changes to the environmental setting or updated growth forecasts, models, etc.). Furthermore, for the environmental analysis of the subsequent project, the Planning Department would identify applicable mitigation measures in this EIR and prepare a project-specific Mitigation, Monitoring, and Reporting Program (MMRP), to reflect the specific characteristics of the subsequent project.

This revision to the Draft EIR does not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

4. Amend Mitigation Measures

To clarify the process for mandatory consultation regarding avoidance or minimization of effects on historical resources, the following amendment has been made to EIR Mitigation Measure M-CP-1a (Mitigation M-CP-1a was revised as part of the April 5, 2018 errata to the EIR for the Central SoMa Area Plan):

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN — IDENTIFIED IN THE EIR [REVISIONS ONLY]

Impact	Level of Significance Before Mitigation	Mitigation and Improvement Measures	Level of Significance After Mitigation
...			
C. Cultural and Paleontological Resources			
<p>Impact CP-1: Development under the Plan would result in the demolition or substantial alteration of individually identified historic architectural resources and/or contributors to a historic district or conservation district located in the Plan Area, including as-yet unidentified resources, a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.</p>	S	<p>* Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Identified Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department's Preservation staff <u>at the time of submittal of an environmental evaluation application or consolidated development application</u> to determine whether there are feasible means to redesign or otherwise revise the project to avoid a substantial significant adverse change in the significance of an effects on historic architectural resource(s) (including historic districts), whether previously identified or identified as part of the project's historical resources analysis. <u>Pursuant to CEQA Guidelines Section 15064.5(b), "[s]ubstantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired."</u> If avoidance is not feasible, the project sponsor shall <u>consult with Planning Department staff to determine whether there are feasible means to</u> seek feasible means to reduce effects on historic architectural resource(s) to the maximum extent feasible, a less than significant level. <u>Avoidance and minimization measures shall seek to retain the resource's character-defining features, and may include, but are not limited to: retention of character-defining features, building setbacks, salvage, or adaptive reuse. In evaluating the feasibility of avoidance or reduction of effects, the Planning Department shall consider whether avoidance or reduction can be accomplished successfully within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, along with the Central SoMa Plan policies and project objectives. The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis.</u> with the significance of the impact to be judged based on whether the proposed project would materially impair the resource as defined in CEQA Guidelines Section 15064.5(b).</p> <p><u>Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is Mitigation Measure M-CP-1a be determined to be infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable, based on the specific circumstances of the project in question. CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis.</u></p> <p>...</p>	SUM

The following revisions are made to RTC page 455:

On Draft EIR p.IV.C-58, Mitigation Measure M-CP-1a has been revised as follows to clarify guidance with regard to avoiding or minimizing effects on historical impacts:

Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Identified Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department's Preservation staff at the time of submittal of an environmental evaluation application or consolidated development application to determine whether there are feasible means to ~~redesign or otherwise revise the project to avoid a substantial significant~~ change in the significance of an effects on historic architectural resource(s) (including historic districts), whether previously identified or identified as part of the project's historical resources analysis. Pursuant to CEQA Guidelines Section 15064.5(b), "[s]ubstantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." If avoidance is not feasible, the project sponsor shall consult with Planning Department staff to determine whether there are feasible means to ~~seek feasible means to reduce effects on historic architectural resource(s) to the maximum extent feasible.~~ a less than significant level. Avoidance and minimization measures shall seek to retain the resource's character-defining features, and may include, but are not limited to: retention of character-defining features, building setbacks, salvage, or adaptive reuse. In evaluating the feasibility of avoidance or reduction of effects, the Planning Department shall consider whether avoidance or reduction can be accomplished successfully within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, along with the Central SoMa Plan policies and project objectives. The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis. ~~with the significance of the impact to be judged based on whether the proposed project would materially impair the resource as defined in CEQA Guidelines Section 15064.5(b).~~

Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is Mitigation Measure M-CP-1a be determined to be infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable, based on the specific circumstances of the project in question. CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis.

To further reduce the significant and unavoidable transit impact identified in the EIR, the following amendments are made to EIR Mitigation Measure M-TR-3a in Table S-1, Summary of Impacts of the Plan-Identified in the EIR.

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN – IDENTIFIED IN THE EIR [REVISIONS ONLY]

Impact	Level of Significance Before Mitigation	Mitigation and Improvement Measures	Level of Significance After Mitigation
D. Transportation and Circulation			
<p>Impact TR-3: Development under the Plan, including the proposed open space improvements and street network changes, would result in a substantial increase in transit demand that would not be accommodated by local transit capacity, and would cause a substantial increase in delays resulting in adverse impacts on local and regional transit routes.</p>	S	<p>Mitigation Measure M-TR-3a: Transit Enhancements. The following are City and County <u>and sponsors of subsequent development projects</u> actions that could reduce the transit impacts associated with implementation of the Central SoMa Plan.</p> <p><i>Enhanced Transit Funding.</i> To accommodate project transit demand, the SFMTA, and other City agencies and departments as appropriate, shall seek sufficient operating and capital funding, including through the following measures:</p> <ul style="list-style-type: none"> • Establish fee-based sources of revenue. • Establish a congestion-charge scheme for downtown San Francisco, with all or a portion of the revenue collected going to support improved local and regional transit service on routes that serve Downtown and the Central SoMa Plan Area. • Area Plan funding for transit enhancements. <p><i>Transit Corridor Improvement Review.</i> During the design phase, the SFMTA shall review each street network project that contains portions of Muni transit routes where significant transit delay impacts have been identified (routes 8 Bayshore, 8AX Bayshore Express, 8BX Bayshore Express, 10 Townsend, 14 Mission, 14R Mission Rapid, 27 Bryant, 30 Stockton, 45 Union-Stockton, and 47 Van Ness). Through this review, SFMTA shall incorporate feasible street network design modifications that would meet the performance criteria of maintaining accessible transit service, enhancing transit service times, and offsetting transit delay. Such features could include, but shall not be limited to, transit-only lanes, transit signal priority, queue jumps, stop consolidation, limited or express service, corner or sidewalk bulbs, and transit boarding islands, as determined by the SFMTA, to enhance transit service times and offset transit delay. Any subsequent changes to the street network designs shall be subject to a similar review process.</p> <p><i>Transit Accessibility.</i> To enhance transit accessibility, the Planning Department and the SFMTA shall establish a coordinated planning process to link land use planning and development in Central SoMa to transit and other sustainable mode planning. This shall be achieved through some or all of the following measures:</p> <ul style="list-style-type: none"> • Implement recommendations of the <i>Better Streets Plan</i> that are designed to make the pedestrian environment safer and more comfortable for walk trips throughout the day, especially in areas where sidewalks and other realms of the pedestrian environment are notably unattractive and intimidating for pedestrians and discourage walking as a primary means of circulation. This includes traffic calming strategies in areas with fast-moving, one-way traffic, long blocks, narrow sidewalks and tow-away lanes, as may be found in much of the Central SoMa area. • Implement building design features that promote primary access to buildings from transit stops and pedestrian areas, and discourage the location of primary access points to buildings through parking lots and other auto-oriented entryways. 	SUM

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN — IDENTIFIED IN THE EIR [REVISIONS ONLY]

Impact	Level of Significance Before Mitigation	Mitigation and Improvement Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> • Develop Central SoMa transportation implementation programs that manage and direct resources brought in through pricing programs and development-based fee assessments, as outlined above, to further the multimodal implementation and maintenance of these transportation improvements. • <u>Sponsors of development projects with off-street vehicular parking facilities with 20 or more vehicular parking spaces shall ensure that recurring vehicle queues do not substantially affect public transit operations on the public right-of-way near the off-street vehicular parking facility. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.</u> <u>If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).</u> <u>Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or onsite queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; transportation demand management strategies such as those listed in the San Francisco Planning Code TDM Program.</u> <u>If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.</u> <p><i>Muni Storage and Maintenance.</i> To ensure that Muni is able to service additional transit vehicles needed to serve increased demand generated by development in Central SoMa, the SFMTA shall provide maintenance and storage facilities.</p>	

Similarly, on Draft EIR p. IV.D-54, Mitigation Measure M-TR-3a has been amended as follows:

Mitigation Measure M-TR-3a: Transit Enhancements. The following are City and County and sponsors of subsequent development projects actions that could reduce the transit impacts associated with implementation of the Central SoMa Plan.

Enhanced Transit Funding. To accommodate project transit demand, the SFMTA, and other City agencies and departments as appropriate, shall seek sufficient operating and capital funding, including through the following measures:

- Establish fee-based sources of revenue.
- Establish a congestion-charge scheme for downtown San Francisco, with all or a portion of the revenue collected going to support improved local and regional transit service on routes that serve Downtown and the Central SoMa Plan Area.
- Area Plan funding for transit enhancements.

Transit Corridor Improvement Review. During the design phase, the SFMTA shall review each street network project that contains portions of Muni transit routes where significant transit delay impacts have been identified (routes 8 Bayshore, 8AX Bayshore Express, 8BX Bayshore Express, 10 Townsend, 14 Mission, 14R Mission Rapid, 27 Bryant, 30 Stockton, 45 Union-Stockton, and 47 Van Ness). Through this review, SFMTA shall incorporate feasible street network design modifications that would meet the performance criteria of maintaining accessible transit service, enhancing transit service times, and offsetting transit delay. Such features could include, but shall not be limited to, transit-only lanes, transit signal priority, queue jumps, stop consolidation, limited or express service, corner or sidewalk bulbs, and transit boarding islands, as determined by the SFMTA, to enhance transit service times and offset transit delay. Any subsequent changes to the street network designs shall be subject to a similar review process.

Transit Accessibility. To enhance transit accessibility, the Planning Department and the SFMTA shall establish a coordinated planning process to link land use planning and development in Central SoMa to transit and other sustainable mode planning. This shall be achieved through some or all of the following measures:

- Implement recommendations of the *Better Streets Plan* that are designed to make the pedestrian environment safer and more comfortable for walk trips throughout the day, especially in areas where sidewalks and other realms of the pedestrian environment are notably unattractive and intimidating for pedestrians and discourage walking as a primary means of circulation. This includes traffic calming strategies in areas with fast-moving, one-way traffic, long blocks, narrow sidewalks and tow-away lanes, as may be found in much of the Central SoMa area.
- Implement building design features that promote primary access to buildings from transit stops and pedestrian areas, and discourage the location of primary access points to buildings through parking lots and other auto-oriented entryways.

- Develop Central SoMa transportation implementation programs that manage and direct resources brought in through pricing programs and development-based fee assessments, as outlined above, to further the multimodal implementation and maintenance of these transportation improvements.
- Sponsors of development projects with off-street vehicular parking facilities with 20 or more vehicular parking spaces shall ensure that recurring vehicle queues do not substantially affect public transit operations on the public right-of-way near the off-street vehicular parking facility. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or onsite queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; transportation demand management strategies such as those listed in the San Francisco Planning Code TDM Program.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

Muni Storage and Maintenance. To ensure that Muni is able to service additional transit vehicles needed to serve increased demand generated by development in Central SoMa, the SFMTA shall provide maintenance and storage facilities.

Additionally, to further reduce the significant and unavoidable loading impact identified in the EIR, the following amendments are made to Mitigation Measure M-TR-6b in Table S-1, Summary of Impacts of the Plan-Identified in the EIR.

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN — IDENTIFIED IN THE EIR [REVISIONS ONLY]

Impact	Level of Significance Before Mitigation	Mitigation and Improvement Measures	Level of Significance After Mitigation
D. Transportation and Circulation			
<p>Impact TR-6: Development under the Plan, including the proposed open space improvements and street network changes, would result in an increased demand of on-street commercial and passenger loading and a reduction in on-street commercial loading supply such that the loading demand during the peak hour of loading activities would not be accommodated within on-street loading supply, would impact existing passenger loading/unloading zones, and may create hazardous conditions or significant delay that may affect transit, other vehicles, bicycles, or pedestrians.</p>	S	<p>Mitigation Measure M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones.</p> <p>The SFMTA shall develop a curb management strategy (strategy) for Central SoMa or within proximity of the street network changes that articulates curb use priorities for different types of streets, while safely managing loading demands. This strategy should guide the approach to any affected commercial and passenger loading/unloading zones (loading zones) during any City agency’s development of detailed plans for each segment of the proposed street network changes. Replacement of loading zones will be considered, to the extent feasible.</p> <p>The SFMTA and the Planning Department shall should develop protocols for ongoing assessment of commercial and passenger loading needs on the affected streets, and for review of new development projects along the affected street segments to identify needed changes to the street network design (e.g., when a new driveway to a development site is required), or need for additional on-street commercial and passenger loading spaces.</p> <p><u>Sponsors of development projects that provide more than 100,000 square feet of residential or commercial uses with frontages along a public right-of-way identified on the High Injury Network, with an existing or proposed bicycle facility, or a public right-of-way that includes public transit operations, shall develop a Passenger Loading Plan. The plan shall address passenger loading activities and related queueing effects associated with for-hire services (including taxis and Transportation Network Companies) and vanpool services, as applicable. Elements of this Passenger Loading Plan may include but would not be limited to the following measures:</u></p> <ul style="list-style-type: none"> <u>Coordination with for-hire vehicle companies to request passenger loading zones are incorporated into companies’ mobile app device to better guide passengers and drivers where to pick up or drop off.</u> <u>Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and allow no other vehicles to stop/park for any duration of time. For these zones, set specific time limits restricting vehicles to stop/park over a certain period of time (e.g., three minutes) and alert passengers that their driver will depart/arrive within the allotted timeframe.</u> <u>Notifications and information to visitors and employees about passenger loading activities and operations, including detailed information on vanpool services and locations of pick-up/drop-off of for-hire services.</u> <u>Detailed roles and responsibilities for managing and monitoring the passenger loading zone(s) and properly enforcing any passenger vehicles that are in violation (e.g., blocking bicycle lane, blocking a driveway, etc.).</u> <p><u>The plan shall be reviewed and approved by the Environmental Review Officer or designee of the Planning Department and the Sustainable Streets Director or designee of the SFMTA. The plan shall be evaluated by</u></p>	SUM

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN — IDENTIFIED IN THE EIR [REVISIONS ONLY]

Impact	Level of Significance Before Mitigation	Mitigation and Improvement Measures	Level of Significance After Mitigation
		<u>a qualified transportation professional, retained by the Project Sponsor after a building(s) reaches 50% occupancy and once a year going forward until such time that the SFMTA determines that the evaluation is no longer necessary or could be done at less frequent intervals. The content of the evaluation report shall be determined by SFMTA staff, in consultation with the Planning Department, and generally shall include an assessment of on-street loading conditions, including actual loading demand, loading operation observations, and an assessment of how the project meets this mitigation measure. The evaluation report may be folded into other mitigation measure reporting obligations. If ongoing conflicts are occurring based on the assessment, the evaluation report shall put forth additional measures to address ongoing conflicts associated with loading operations. The evaluation report shall be reviewed by SFMTA staff, which shall make the final determination whether ongoing conflicts are occurring. In the event that ongoing conflicts are occurring, the above plan requirements may be altered (e.g., the hour and day restrictions listed above, number of loading vehicle operations permitted during certain hours listed above).</u>	

Similarly, on Draft EIR p. IV.D-54, Mitigation Measure M-TR-6b has been amended as follows:

Mitigation Measure M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones.

The SFMTA shall develop a curb management strategy (strategy) for Central SoMa or within proximity of the street network changes that articulates curb use priorities for different types of streets, while safely managing loading demands. This strategy should guide the approach to any affected commercial and passenger loading/unloading zones (loading zones) during any City agency's development of detailed plans for each segment of the proposed street network changes. Replacement of loading zones will be considered, to the extent feasible.

The SFMTA and the Planning Department ~~shall~~ ~~should~~ develop protocols for ongoing assessment of commercial and passenger loading needs on the affected streets, and for review of new development projects along the affected street segments to identify needed changes to the street network design (e.g., when a new driveway to a development site is required), or need for additional on-street commercial and passenger loading spaces.

Sponsors of development projects that provide more than 100,000 square feet of residential or commercial uses with frontages along a public right-of-way identified on the High Injury Network, with an existing or proposed bicycle facility, or a public right-of-way that includes public transit operations, shall develop a Passenger Loading Plan. The plan shall address passenger loading activities and related queueing effects associated with for-hire services (including taxis, and Transportation Network Companies) and vanpool services, as applicable. Elements of this Passenger Loading Plan may include but would not be limited to the following measures:

- Coordination with for-hire vehicle companies to request passenger loading zones are incorporated into companies' mobile app device to better guide passengers and drivers where to pick up or drop off.
- Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and allow no other vehicles to stop/park for any duration of time. For these zones, set specific time limits restricting vehicles to stop/park over a certain period of time (e.g., three minutes) and alert passengers that their driver will depart/arrive within the allotted timeframe.
- Notifications and information to visitors and employees about passenger loading activities and operations, including detailed information on vanpool services and locations of pick-up/drop-off of for-hire services.
- Detailed roles and responsibilities for managing and monitoring the passenger loading zone(s) and properly enforcing any passenger vehicles that are in violation (e.g., blocking bicycle lane, blocking a driveway, etc.).

The plan shall be reviewed and approved by the Environmental Review Officer or designee of the Planning Department and the Sustainable Streets Director or designee of the SFMTA. The plan shall be evaluated by a qualified transportation professional, retained by the Project Sponsor after a building(s) reaches 50% occupancy and once a year going forward until such time that the SFMTA determines that the evaluation is no longer necessary or

could be done at less frequent intervals. The content of the evaluation report shall be determined by SFMTA staff, in consultation with the Planning Department, and generally shall include an assessment of on-street loading conditions, including actual loading demand, loading operation observations, and an assessment of how the project meets this mitigation measure. The evaluation report may be folded into other mitigation measure reporting obligations. If ongoing conflicts are occurring based on the assessment, the plan report shall put forth additional measures to address ongoing conflicts associated with loading operations. The evaluation report shall be reviewed by SFMTA staff, which shall make the final determination whether ongoing conflicts are occurring. In the event that ongoing conflicts are occurring, the above plan requirements may be altered (e.g., the hour and day restrictions listed above, number of loading vehicle operations permitted during certain hours listed above).

These amendments to the Final EIR mitigation measures do not constitute significant new information that requires recirculation of the EIR under CEQA (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

5. List of Approvals Required for the Housing Sustainability District Ordinance

The following approval has been added to Section II.E Approvals Required in Draft EIR, page II-45:

II.E Approvals Required

Approval and implementation of the final Central SoMa Plan would require the following actions. (Approving bodies are identified in italics.) Specific and detailed actions would be determined as the Plan is developed.

- Approval of the Housing Sustainability District, which would consist of the following actions:
 - *San Francisco Planning Commission: (1) Certify the EIR and (2) recommend planning code text amendments to the San Francisco Board of Supervisors*
 - *San Francisco Board of Supervisors: (1) Approve planning code text and (2) adopt an ordinance amending the planning code to designate portions, or all of the Central SoMa Plan area, as a Housing Sustainability District.*

6. Evaluation of Potential Changes to the Central SoMa Plan Included in the May 3, 2018

Planning Commission Packet

The May 3, 2018 Planning Commission packet includes a list of “Changes since Introduction” (Exhibits II.6, III.5, IV.4, and V.4), recommended modifications to the Planning Code (contained in Exhibit III.1) and “Issues for Consideration” (contained in Exhibits III.6, IV.5, and V.5). The Environmental Planning Division reviewed these items and determined that, apart from the following item, the changes merely clarify or make corrections to the current proposal, or would not result in environmental effects beyond that analyzed in the EIR.

Item not covered in the EIR analysis: Setting the maximum development capacity at each site to the amount listed in the Key Development Sites Guidelines, rather than the formula provided.

Rationale: The proposed Planning Code formula (Section 263.32(c)(1)) setting development capacity for the key sites was developed to ensure that development on key sites do not exceed the growth projected under the EIR. It is unclear how setting maximum development capacity according to the

Key Development Sites Guidelines would affect the overall growth anticipated and evaluated in the EIR. More information regarding the effects of this proposal on the Plan's anticipated growth projections would be required before the Commission adopt this proposal in order to assess whether the environmental effects of the proposal are adequately addressed in the EIR. Furthermore, the Planning Department staff do not recommend the Central SoMa Plan be amended to incorporate this request.

In addition, as further explained in EIR Appendix I (attached), Planning Department staff recommend a modification to the Plan to allow for limited grandfathering of the Planning Department's TDM requirements in Central SoMa. As explained in Appendix I, should the Planning Commission choose to adopt this recommendation, they would need to amend Mitigation Measure M-NO-1a in the EIR to align with this policy directive in the CEQA findings.

An analysis of the remaining Plan Changes since Introduction and Issues for Consideration, as set forth in the May 3, 2018 Planning Commission packet, are included in Appendix I, attached. This analysis finds that these potential changes to the Central SoMa Plan have been adequately analyzed in the EIR and any amendments to the Central SoMa Plan, apart from that discussed above related to the allowable development on Key Sites, to incorporate these potential changes would not result in any changes to the EIR analysis and would not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5). This document is being included in the EIR as a new Appendix I. Therefore, the following revision is made to the Draft EIR's Table of Contents' list of appendices on Draft EIR page vi:

[Appendix I. Analysis of Environmental Effects of Potential Changes Presented May 9, 2018 for the Central South of Market \(SoMa\) Plan](#)

Enclosures:

Appendix H. Central SoMa Plan Draft EIR Revisions Arising from Zoning Changes at Second and Harrison Streets

Appendix I. Analysis of Environmental Effects of Potential Changes Presented May 9, 2018 for the Central South of Market (SoMa) Plan



memorandum

date May 2, 2018

to Jessica Range and Liz White, Environmental Planning

from Karl Heisler and Eryn Brennan

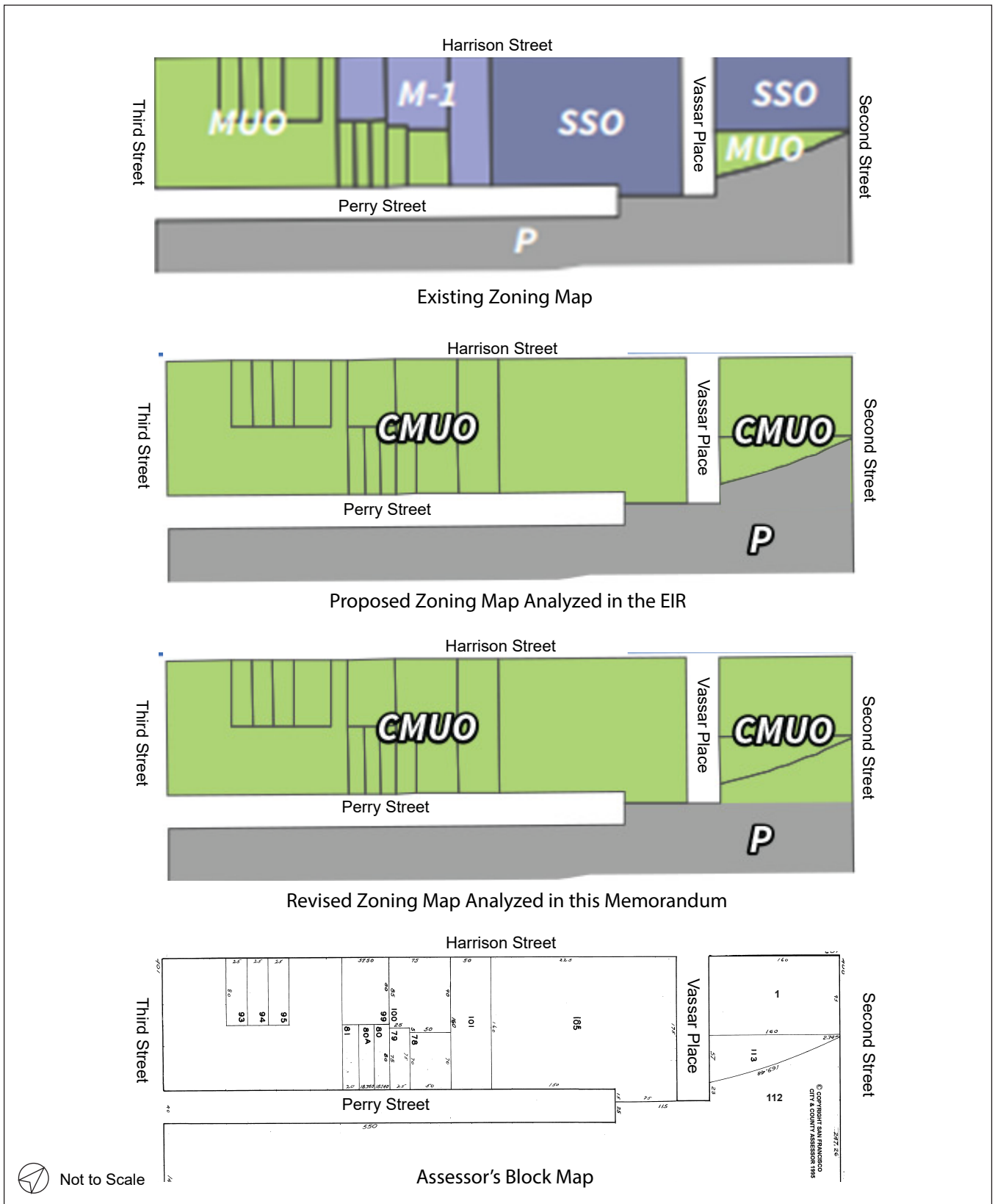
subject Central SoMa Plan EIR Revisions Arising From Zoning Changes at Second and Harrison Streets

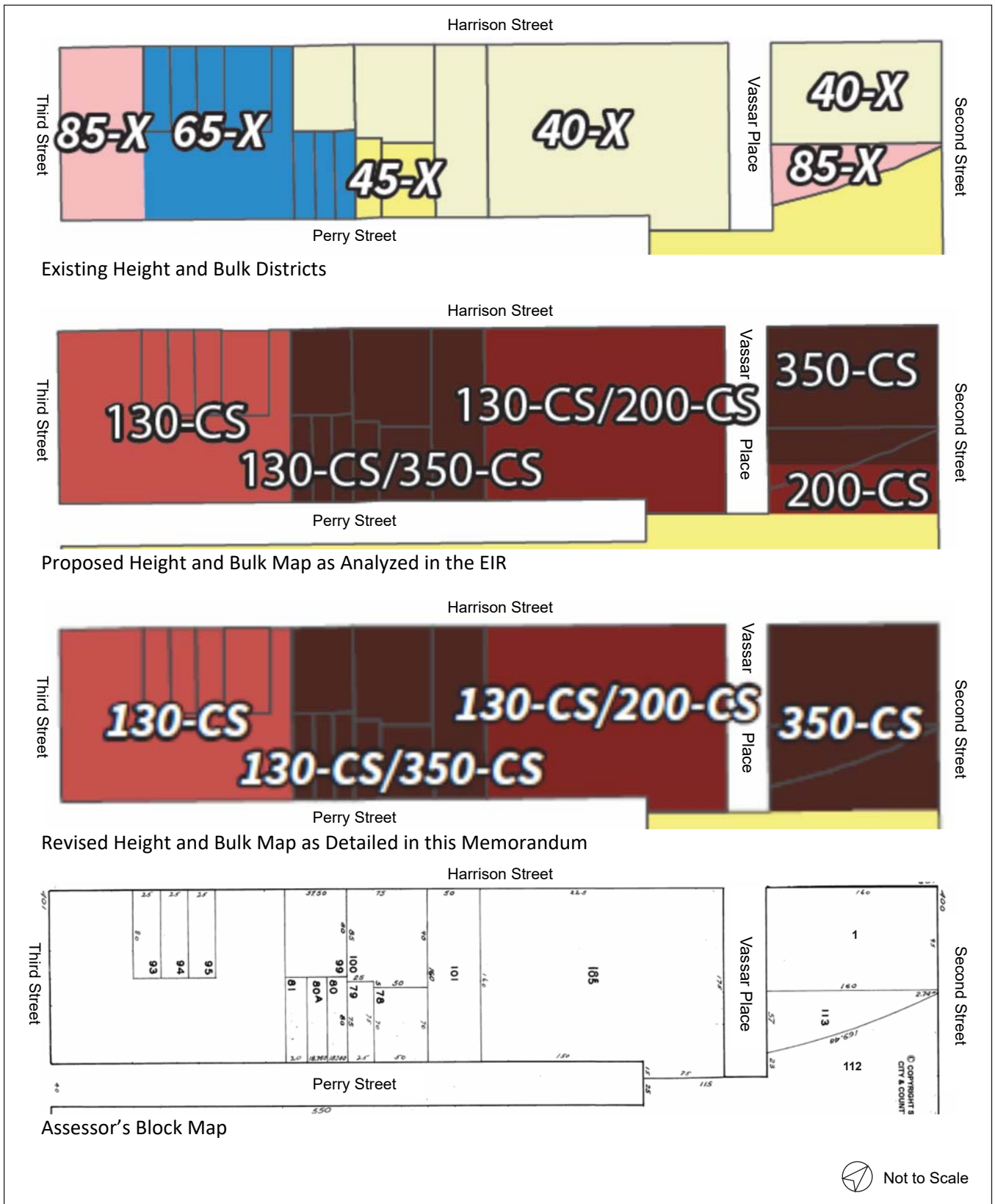
This memorandum evaluates changes in impacts that would result from a proposal by the Planning Department to alter the proposed Use District Map and Height and Bulk District Map (also referred to as “zoning maps”) from those analyzed in the Central SoMa Plan Environmental Impact Report (EIR)¹ for a small portion of the block bounded by Harrison, Second, Bryant, and Third Streets. Specifically, the proposal entails extending a Central SoMa Mixed Use-Office (CMUO) Use District onto an approximately 7,400-square-foot, irregularly shaped area at the north-easternmost portion of Block 3763, Lot 112. This area has approximately 77 feet of frontage on the west side of Second Street between Harrison and Bryant Streets, and tapers in a curve to 23 feet of frontage on Vassar Place, a mid-block, dead-end street that extends south from Harrison Street west of Second Street. The proposal would also extend a 350-CS Height and Bulk District to encompass the southern portion of this same 7,400-square-foot area (Block 3763, Lot 112), as well as the southwestern portion of Block 3763, Lot 113, which is an approximately 5,400-square-foot, irregularly shaped parcel immediately north of Lot 112. The net result of these changes for this 12,800-square-foot area would be to create a rectangular lot at the southwest corner of Second and Harrison streets with uniform zoning as to both use district and height and bulk district. The 160-by-175-foot parcel would total 28,000 square feet (0.64 acres) and would be entirely within a CMUO Use District and a 350-CS Height and Bulk District.

Currently, Lot 113 is in a Mixed-Use Office (MUO) Use District, while the northeastern portion of Lot 112 is in a Public (P) Use District as a result of its former use as California Department of Transportation (Caltrans) right-of-way.² The Plan, as analyzed in the EIR, proposed to rezone Lot 113 to CMUO and make no change to the northeastern portion of Lot 112, now also proposed as CMUO. Lot 113 is currently within an 85-X Height and Bulk District and the northeastern portion of Lot 112 is within a 45-X Height and Bulk District. The EIR evaluated the southern approximately 60 percent of the 12,800-square-foot area as a 200-CS Height and Bulk District, while the northern part of the area was evaluated as a 350-CS Height and Bulk District. See **Figure 1, Existing, Proposed, and Revised Use District Map for Block 3763**, and **Figure 2, Existing, Proposed, and**

¹ The Central SoMa Plan EIR consists of the Draft EIR, the Responses to Comments (RTC), and all errata issued by the San Francisco Planning Department following the publication of the RTC. All documents are available for review at: <http://sf-planning.org/central-soma-plan-environmental-review>.

² The 7,400-square-foot portion of Lot 112 owes its irregular shape to its former use within the right-of-way of the Terminal Separator Structure, a series of on- and off-ramps that connected the now-demolished Embarcadero Freeway to the elevated I-80 freeway.





SOURCE: San Francisco Planning Department

Case No. 2011.1356E: Central SoMa Plan

Figure 2
Existing, Proposed, and Revised Height and Bulk Map for Block 3763

Revised Height and Bulk District Map for Block 3763, which depicts the existing height of the block, the proposed heights analyzed in the EIR, and the revised use district and height and bulk district now proposed. Draft EIR **Figure II-3, Proposed Plan Area Use Districts**, and **Figure II-7, Proposed Plan Area Height and Bulk Districts [Revised]** are also revised to show the changes.

The Planning Department has determined that the potential changes to the Use District and Height and Bulk District maps would not permit development at a density beyond that included in the population and employment growth forecasts that were the basis for the transportation modeling undertaken for the EIR by the San Francisco County Transportation Authority, and subsequent noise and air quality analyses.³ The Planning Department quantified the potential development capacity associated with the proposed Use District Map and Height and Bulk District Map revisions and determined that the EIR's growth projections are conservative (i.e., high-end) estimates of potential growth because:

1. The EIR studied development capacity resulting from a maximum residential and maximum commercial build out scenario,
2. The EIR analyzed higher heights than those proposed under the Plan on certain sites, and
3. The Plan's limitations on tower bulk (discussed in detail below under Aesthetics) mean that the extension of the 350-CS Height and Bulk District southward toward the Interstate-80 (I-80) freeway would not permit a larger tower, in terms of floor area, than would already be permitted under the Plan, although the change in the Height and Bulk District Map would permit the tower to be built closer to the freeway than would otherwise be the case.⁴

Therefore, the additional growth facilitated by these revisions to the Plan is adequately captured by the EIR's growth projections. Accordingly, the Use District and Height and Bulk District map changes would not result in growth at levels in excess of that evaluated in the EIR. Additionally, the minimal physical distribution of anticipated development—south onto the approximately 7,400-square-foot portion of Block 3763, Lot 112, would not extend development to a previously unbuilt-upon location, given the former presence of the Caltrans Terminal Separator Structure on this site. Therefore, there is no need for further analysis of impacts resulting from these map changes to land use (division of a community or conflict with plans adopted to avoid environmental impacts); cultural and paleontological resources (historical, archeological, tribal, cultural, and unique paleontological resources and human remains); transportation (traffic, transit, pedestrian and bicycle circulation, loading, parking, and emergency vehicle access); air quality (consistency with the relevant clean air plan, traffic-generated emissions and construction emissions of criteria air pollutants and fine particulate matter and toxic air contaminants, and odors); noise (traffic-generated noise, noise generated by stationary sources, and construction noise); or hydrology (flooding risk and wastewater generation).

With regard to impacts analyzed in the Initial Study for the Plan, there would be no change in impacts related to population and housing, recreation, utilities, or public services because the intensity of development would not change. As the zoning changes would not rezone previously undeveloped land, there would be no substantial change in effects related to site-specific conditions, including biology; geology; hydrology other than flooding

³ Steve Wertheim, San Francisco Planning Department, "Zoning changes at Second and Harrison Streets (One Vassar)" memorandum to Jessica Range, April 17, 2018.

⁴ The change in Use District from P to CMUO for the northeastern portion of Lot 112 would allow for a tower with about 6.5 percent more floor area than would otherwise be the case because the P Use District does not permit residential, office, or other commercial uses.

and wastewater, analyzed in the EIR, as noted above; or hazardous materials; mineral; energy; and agricultural and forestry resources, analyzed in the Initial Study.

Based on the foregoing, the potential changes in impacts compared to those analyzed in the EIR would be limited to three environmental topic areas: aesthetics, wind, and shadow. Each of these issues is discussed below.

Aesthetics

Analysis in the EIR

The EIR found that development pursuant to the Plan: (1) would not substantially degrade the visual character or quality of the Plan Area or substantially damage scenic resources; (2) would alter public views of the Plan Area from short-, mid-, and long-range vantage points and alter views into the surrounding neighborhoods from within the Plan Area, but would not adversely affect public views or have a substantial adverse effect on scenic vistas; and (3) would not create a new source of substantial light or glare in the Plan Area that would adversely affect day or nighttime views or substantially impact other people or properties. All aesthetic impacts were determined to be less than significant, and no mitigation measures were identified.

Analysis of Proposed Changes to the EIR Zoning Maps

The proposed changes to the Use District and Height and Bulk District maps on Block 3763 would permit development on the west side of Second Street between Harrison Street and I-80 that would be closer to I-80 than what was analyzed in the EIR. However, the Plan includes tower controls for office and other non-residential, non-hotel buildings taller than 160 feet in height. These tower controls include a maximum individual floor plate of 17,000 square feet and a maximum average size for all tower floors in a building of 15,000 square feet, as well as maximum plan dimensions for towers of 150 feet in length and 190 feet in diagonal dimension. Buildings taller than 250 feet must also include additional reduction in massing of the upper one-third of the tower, compared to the lower two-thirds of the tower. Finally, the Plan would require a minimum distance of 115 feet between any two towers and minimum setbacks from the street of 15 feet for all towers. (All of these tower controls are similar to tower controls in the Downtown (C-3) Use Districts.) Together, these requirements would serve to reduce building massing, compared to what could otherwise be constructed. Because the overall site at the southwest corner of Second and Harrison streets is 160 feet wide by 175 feet deep (which results in a diagonal dimension of approximately 237 feet, compared to the maximum permitted 190-foot diagonal), a tower on that site would be required to include setbacks that would preclude a tower covering more than approximately 65 percent of the overall site. Therefore, a tower constructed in the 350-CS Height and Bulk District that is newly proposed to be expanded southward toward the I-80 freeway would have to include setbacks on all four sides to accommodate both street and interior lot line setback requirements. Because the minimum 15-foot setbacks on all four sides would not achieve the maximum permitted diagonal dimension, additional setback(s) would be necessary, likely on the west side to achieve the required tower separation from a potential tower across Vassar Place, where the maximum height limit would be 200 feet. Accordingly, while development on the site in question could be closer to the I-80 freeway, such development would likely occupy less of the lot width than had been assumed in the EIR. **Figure 3, Visual Simulation from I-80 Westbound, with Revision to Zoning Maps for Block 3763**, depicts modifications to Draft EIR Figure IV.B-19 to show the approximate outline of a potential building on the site in question that could be visible with the changes to the Use District and Height and Bulk District maps. As can be seen, the building would appear slightly taller than shown in the EIR because it would be closer to the

freeway; however, assuming setbacks as described above, the building could appear slightly narrower than depicted in the EIR. Therefore, the proposed change to the Use District Map and the Height and Bulk District Map would result in a relatively minor change in the view from the freeway.



SOURCE: Square One Productions; Environmental Science Associates, 2018

Figure 3
Visual Simulation from I-80 Westbound, with Revision to Zoning Maps for Block 3763

The change in views from other viewpoints for which visual simulations were presented in the EIR would not be readily apparent. This is due to the combination of distance from the viewpoint to Block 3763 and the orientation of other Plan Area buildings. For example, in the view from Potrero Hill (Draft EIR Figures IV.B-13 and IV.B-14), the change in potential building envelope resulting from the southward extension of the 350-CS Height and Bulk District and increased height on the southern portion of the site in question would be largely obscured by a 400-foot tower that is illustrated at the corner of Fourth and Townsend streets. In the most distant view, from Corona Heights (Draft EIR Figures IV.B-15 and IV.B-16), the change in potential building envelope would be negligible. From the I-280 Sixth Street off-ramp (Draft EIR Figures IV.B-17 and IV.B-18), the change in potential building envelope would add a slight extension to a distant building modeled, resulting in an incremental amount of sky obscured, but not blocking any views of any natural or built features. Figure IV.B-19 is discussed above, and the site in question is not visible in the other EIR visual simulations (Figures IV.B-20 through IV.B-23). Accordingly, the only change to the EIR visual simulations necessary is to Draft EIR Figure IV.B-19.

In close-in views from the street, the change in potential building envelope could be noticeable, but not substantially so because of the bulk limitations discussed above. As discussed above, the changes to the Use District and Height and Bulk District maps would not make a substantial difference in the bulk of a potential tower that could be built on the site in question. The change to the Use District Map, however, would permit development on what is now a parking lot south of the existing building at 400 Second Street, a location that would not be buildable under the existing and current Plan-designated P Use District. However, most of this portion of the site in question would be occupied by a podium-level structure at a height of 85 feet, which would not result in a substantial change in street-level views compared to what would otherwise be allowed under the Plan.

As with the Use District and Height and Bulk District maps analyzed in the EIR, the proposed changes to the Use District and Height and Bulk District maps would not substantially degrade the visual character or quality of the area or its surroundings, would not have a substantial adverse effect on a scenic vista, and would not substantially damage scenic resources (as none exist in the Plan Area). Light and glare impacts would be similar to those discussed in the EIR because the proposed changes to the Use District and Height and Bulk District maps are consistent with other heights analyzed in the EIR.

Based on the foregoing, the revisions to the Use District and Height and Bulk District maps would not result in any new or substantially more-severe significant aesthetic impacts than identified in the EIR.

Wind

Analysis in the EIR

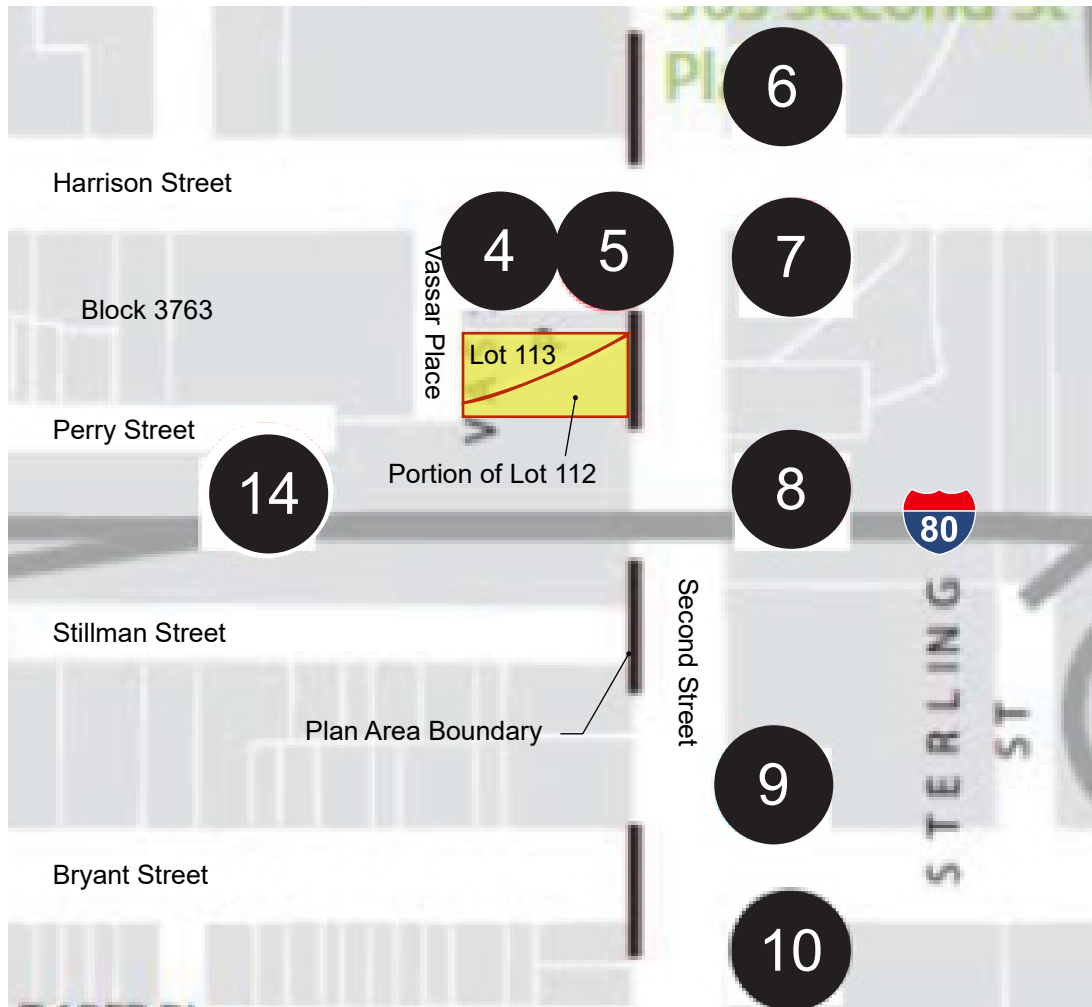
The EIR found that development anticipated under the Plan could alter wind in a manner that substantially affects public areas. This was found to be a significant effect of the Plan. Although mitigation in the form of building setbacks and other wind-reduction measures are identified in the EIR, the EIR concluded that, absent project-specific wind-tunnel testing that would be required for taller subsequent projects in the Plan Area, it could not be stated with certainty that each subsequent development project would be able to comply with the EIR's significance criterion without substantial modifications to the project's design and program such that the project would not be able to be developed to allowable building heights proposed by the Plan. Therefore, this impact was identified as significant and unavoidable.

Analysis of Proposed Changes to the EIR Zoning Maps

Programmatic wind-tunnel testing for the EIR was undertaken at the Plan level, based on the same building masses as evaluated in the visual simulations. In the vicinity of the proposed changes to the Use District and Height and Bulk District maps, wind test points were located at the following eight locations⁵ (see **Figure 4, Wind Tunnel Test Points near Block 3763, Lots 112 and 113**):

- Two locations at and near the southwest corner of Second and Harrison streets, including along the Second Street frontage of the site in question and at the corner. These points would be at the base of a potential tower that would be permitted by the changes in the Use District and Height and Bulk District maps), Test Points 4 and 5;

⁵ For a complete map of the wind test points in the Plan Area, refer to Figure VI.G-2 in the EIR on page IV.G-8.



 Area of Proposed Zoning Map Changes

Test Location Number	Wind Comfort Criterion Speed (mph)	Existing Conditions		Existing Conditions		Speed Change Relative to Existing (mph)
		Equivalent Wind Speed Exceeded 10% of Time (mph)	% Time Wind Speed Exceeds Criterion	Equivalent Wind Speed Exceeded 10% of Time (mph)	% Time Wind Speed Exceeds Criterion	
4	11	9	4	13	16	4
5	11	7	3	17	32	10
6	11	6	0	9	2	3
7	11	7	2	14	22	7
8	11	9	2	12	12	3
9	11	13	17	10	8	2
10	11	8	2	8	2	0
14	11	6	1	13	14	7


 Not to Scale

Figure 4
Wind Tunnel Test Points near Block 3763, Lots 112 and 113

- The northeast and southeast corners of Second and Harrison streets, Test Points 6 and 7;
- The east side of Second Street just north of the elevated I-80 freeway, Test Point 8;
- The northeast and southeast corners of Second and Bryant streets, Test Points 9 and 10; and
- The eastern terminus of Perry Street north of I-80, Test Point 14.

Existing conditions at the eight test points noted above are generally relatively calm, with the wind speed that is exceeded 10 percent of the time, or wind comfort speed, ranging from 6 miles per hour (mph) to 9 mph, except at the northeast corner of Second and Bryant Streets (Point 9), where the existing wind comfort speed is 13 mph, the speed at which winds typically begin to bother pedestrians.⁶ With the exception of Test Point 9, all test points currently meet the 11-mph pedestrian comfort criterion contained in the Planning Code. (In general, conditions in SoMa are less windy than in very windy locations in San Francisco, such as the Van Ness and Market area.) The Planning Code's wind hazard criterion of 26 mph for one full hour of the year is not exceeded at any of the eight nearby test points under existing conditions.

Of the eight test points, the EIR wind-tunnel testing found that Plan Area development would increase the wind comfort speed at six locations, by 3 to 10 mph, with the greatest increases at the southwest and southeast corners of Second and Harrison streets and on Perry Street. Wind comfort speeds would decrease slightly with Plan development at the northeast corner of Second and Bryant streets and remain unchanged at the southeast corner of Second and Bryant streets. With Plan development, wind speeds at five of the eight test points would exceed the Planning Code's 11-mph comfort criterion. Wind speeds would not exceed the 26-mph hazard criterion at any of the eight locations under conditions with Plan development.

The following analysis specifically addresses potential wind impacts associated with the proposed changes in the Use District and Height and Bulk District Map to permit development to extend farther southward toward the elevated I-80 freeway (approximately 45 feet tall at the location nearest to Block 3763, Lots 112 and 113) and to increase the permitted height from 200 to 350 feet on a portion of Lot 12 and on Lot 13 of Block 3763. The proposed changes to the Use District and Height and Bulk District maps would not be anticipated to substantially alter the above results for the following reasons:

- For the closest test points to the proposed changes (Test Points 4 and 5, at Second and Harrison streets), extending the development envelope toward the freeway and increasing the permitted building height in the southern portion of the site in question would result in only a negligible change in wind conditions because the permitted overall building height would not change and, in particular, the permitted height at the street wall along Harrison Street would not change. Prevailing northwest, west, and southwest winds would be diverted by a proposed building at a height of 350 feet, much as would be the case for the Plan zoning maps analyzed in the EIR. In particular, Test Point 5, where the wind comfort speed would increase by 10 mph to 17 mph with Plan development, would be comparably windy with the proposed Use District and Height and Bulk District map changes.

⁶ The wind speed that is exceeded 10 percent of the time (with turbulence factored into the speed) is the speed relied upon in the Planning Code for evaluation of pedestrian comfort. This "wind comfort speed" is useful as a general measure of typical maximum wind speeds, since winds are at or below this speed 90 percent of the time.

- Test Points 6 and 7 are located across Second Street from the site in question. The zoning map changes would not substantially affect these points because, as with Points 4 and 5, Points 6 and 7 would be primarily influenced by the height and massing along Harrison Street, which would not be altered, and by the west-facing façade. Although the changes would permit the west-facing façade to extend southward toward the freeway, any effect of changes in potential building mass at this location on Test Points 6 and 7 would be ameliorated by the remainder of the potential building mass, which would be closer to those points and therefore exert more influence with respect to pedestrian winds.
- Test Point 8 is across Second Street from the southeast corner of the site in question. The southward extension of the potential building mass and the increase in height to 350 feet on the southern portion of the site in question could provide some shielding of this test point from prevailing northwest, west, and southwest winds. Moreover, this test point is adjacent to the elevated I-80 freeway, some 45 feet in height, which would tend to function somewhat like a building podium in slowing winds descending from taller buildings. The wind comfort speed at Test Point 8, therefore, would not be anticipated to increase substantially with the zoning map changes, compared to what was reported in the EIR.
- The other two test points (9 and 10), while downwind from the location of the proposed Use District and Height and Bulk District maps changes with respect to northwest winds, are 400 feet or more from the potential 350-foot-tall building on the site in question. Moreover, these test points are partially sheltered by the adjacent elevated I-80 freeway (approximately 45 feet in this location) and by the existing 50-foot-tall building at the northeast corner of Second and Bryant streets, both of which would further limit any effect on wind from the potential 350-foot-tall building that could be built at the site in question. Therefore, wind speeds at these two test points also would be only minimally altered by the Use District and Height and Bulk District map changes, as compared to wind speeds reported in the EIR.
- Test Point 14, on Perry Street, is located closest to the southwest corner of the potential building mass that could be permitted as a result of the changes to the Use District and Height and Bulk District maps. The southwest and northwest building corners often result in the greatest change in pedestrian winds due to their role in diverting winds that strike a building's west-facing facing façade. Therefore, southward extension and increasing the height of the west-facing façade of a building on this site could result in greater ground-level winds near the southernmost point of Vassar Place. However, Test Point 14 is approximately 150 feet upwind of the potential building and is likely to be more affected by development on the west side of Vassar Place, which, along with the adjacent I-80 freeway, would shield this location from prevailing winds. Accordingly, the proposed changes to the Use District and Height and Bulk District maps would not result in substantially greater wind effects at Test Point 14 than were reported in the EIR. It is noted that required project-specific wind-tunnel testing would further evaluate whether conditions in Vassar Place would be adversely affected.

Based on the foregoing, the revisions to the Use District and Height and Bulk District maps would not result in any new or substantially more-severe significant wind impacts than identified in the EIR. Furthermore, projects proposed within the Central SoMa Plan Area outside of a C-3 Use District at a roof height greater than 85 feet would be required to be evaluated by a qualified wind expert to determine their potential to result in a new wind hazard exceedance or aggravate an existing pedestrian-level wind hazard exceedance. If the expert determines this would be the case, the project may be required to undergo wind-tunnel testing.

Shadow

Analysis in the EIR

The EIR found that development under the Plan would not create new shadow in a manner that substantially affects existing outdoor recreation facilities or other public areas. This impact was determined to be less than significant, and no mitigation measures were identified. The EIR found that Plan Area development would add new shadow to three parks (South Park, Victoria Manalo Draves Park, and Gene Friend Recreation Center) under the jurisdiction of the Recreation and Park Commission and, therefore, is subject to Planning Code Section 295. However, the EIR found that the relatively minimal new shadow would not be anticipated to adversely affect the use of these parks, and the effect was, therefore, found to be less than significant. The EIR also found that Plan Area development would add new shadow to two non-Planning Code Section 295 open spaces—the Alice Street Community Garden and the Yerba Buena Center Children’s Garden. Again, however, the relatively small shadow increment was determined not to adversely affect the use of these spaces, and the effect was found to be less than significant. Likewise, Plan-generated shadow was found to result in less-than-significant impacts on nearby POPOS.

Analysis of Proposed Changes to the EIR Zoning Maps

The EIR employed programmatic shadow modeling to support its analysis, based on the same building masses as evaluated in the visual simulations and wind-tunnel testing. This analysis specifically addresses potential new shadow impacts associated with the proposed changes in the Use District and Height and Bulk District Map to permit development to extend farther southward toward the elevated I-80 freeway and to increase the permitted height from 200 to 350 feet on a portion of Lot 112 and on Lot 113 of Block 3763. To evaluate the potential for the proposed Use District Map and Height and Bulk District Map changes to result in new or more-severe shadow effects, the modeling was revised to incorporate the larger potential building mass that could be built at the location of the zoning map revisions. The results of the modeling show that the only open space for which shadows would be different than those reported in the EIR is the POPOS at 303 Second Street, across both Second and Harrison streets from the site in question. However, the increase in net new shadow resulting from the proposed zoning map changes would be limited. For example, of the 37 hourly shadow projections presented for the solstices and equinoxes in EIR Appendix E, there would only be one instance in which the potential building mass resulting from the proposed changes to the Use District and Height and Bulk District maps would increase shadow on the 303 Second Street POPOS. This would be at 10:00 a.m. on the winter solstice in December, when the longer eastern frontage of the potential building mass on the site in question would move the line of net new shadow eastward into the POPOS. There would also be a small increase in net new shadow on the spring/fall equinoxes at 12:00 noon (the time depicted in Draft EIR Figure IV.H-6); however, at this time, the increased shadow would fall only on Second Street and its sidewalks, and not on the POPOS. **Figure 5, Net New Shadow Resulting from Zoning Map Changes**, depicts the changes in shadow resulting from the proposed changes to the Use District and Height and Bulk District maps. Given the very limited new shadow compared to that reported in the EIR, use of the 303 Second Street POPOS would not result in substantially more severe adverse impacts than those reported in the EIR. Therefore, shadow effects would remain less than significant with the revised height and bulk limits, as was reported in the EIR.

In addition to shadow impacts shown in Figure 5, the potential building mass resulting from the change in the zoning maps would add some new shadow to Second Street sidewalks in the afternoon year-round, owing to the

increased cross-section of the building mass (i.e., increased depth as measured from Harrison Street). However, no other open spaces, either public or private, would be affected, compared to what was analyzed in the EIR. This incremental increase in shading would be consistent with typical urban shadows, including in other parts of the Plan Area where new buildings could be constructed, and would not be anticipated to adversely affect the use of nearby sidewalks, given that sidewalks are typically used for pedestrian travel from one location to another. With the changes in the Use District and Height and Bulk District maps, and similar to conditions without the change, shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA. This conclusion would hold true both with and without the revised Use District and Height and Bulk District maps.



SOURCE: Fastcast; Environmental Science Associates, 2018

Figure 5
Net New Shadow on 303 Second Street POPOS Resulting from Zoning Map Changes

Based on the foregoing, the revisions to the EIR Use District and Height and Bulk District maps (Draft EIR Figure II-3, p. II-11, and Figure II-7, p. II-19) would not result in any new or substantially more-severe significant shadow impacts than identified in the EIR.

Conclusion

The proposed revisions to the EIR Use District Map and Height and Bulk District Map on Block 3763, Lots 112 and 113, would not result in any new or substantially more-severe significant impacts with respect to aesthetics, wind, or shadow, or any other CEQA topic, than those that were identified in the EIR.

Attachments

Appendix A. Memorandum from Steve Wertheim, Citywide Policy and Analysis, April 17, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Attachment A

MEMO

Date: April 17, 2018
To: Jessica Range, Principal Environmental Planner
From: Steve Wertheim, Project Manager
Re: Zoning changes at Second and Harrison Streets (One Vassar)

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Introduction

The Central SoMa Plan is a comprehensive plan for the area surrounding much of the southern portion of the Central Subway transit line. The Plan Area includes roughly 230 acres that comprise 17 city blocks, as well as the streets and thoroughfares that connect SoMa to its adjacent neighborhoods: Downtown, Mission Bay, Rincon Hill, and the Mission District. In December 2016, the San Francisco Planning Department published a Draft Environmental Impact Report (EIR) for the proposed project and circulated the Draft EIR for public review and comment. On March 28, 2018, the San Francisco Planning Department published the Responses to Comments (RTC).

Purpose of this Memorandum

On April 10, 2018, Mayor Farrell and Supervisor Kim introduced a substitute Central SoMa Zoning Map Ordinance. That ordinance included two additional changes that had not been previously been analyzed for conformance with the Project Description analyzed in the Central SoMa EIR, as follows:

- On Block 3763 Lots 112 and 113, the height limit was increased from 200 feet to 350 feet on the portion between 145 feet and 175 feet from Harrison Streets (refer to Figure 1. Existing, Proposed and Revised Height and Bulk Map for Block 3763)
- On Block 3763 Lot 112, allowable zoning was changed from Public (P) to Central SoMa Mixed-Use Office (CMUO) (refer to Figure 2. Existing, Proposed, and Revised Zoning District Map for Block 3763)

The purpose of this memorandum is to document why the changes to the Central SoMa Height and Bulk and Zoning District maps would not result in growth beyond that included in the population and employment growth forecasts, which informed the impact analysis in the Central SoMa Plan EIR.

Figure 1. Existing, Proposed, and Revised Height and Bulk Map for Block 3763

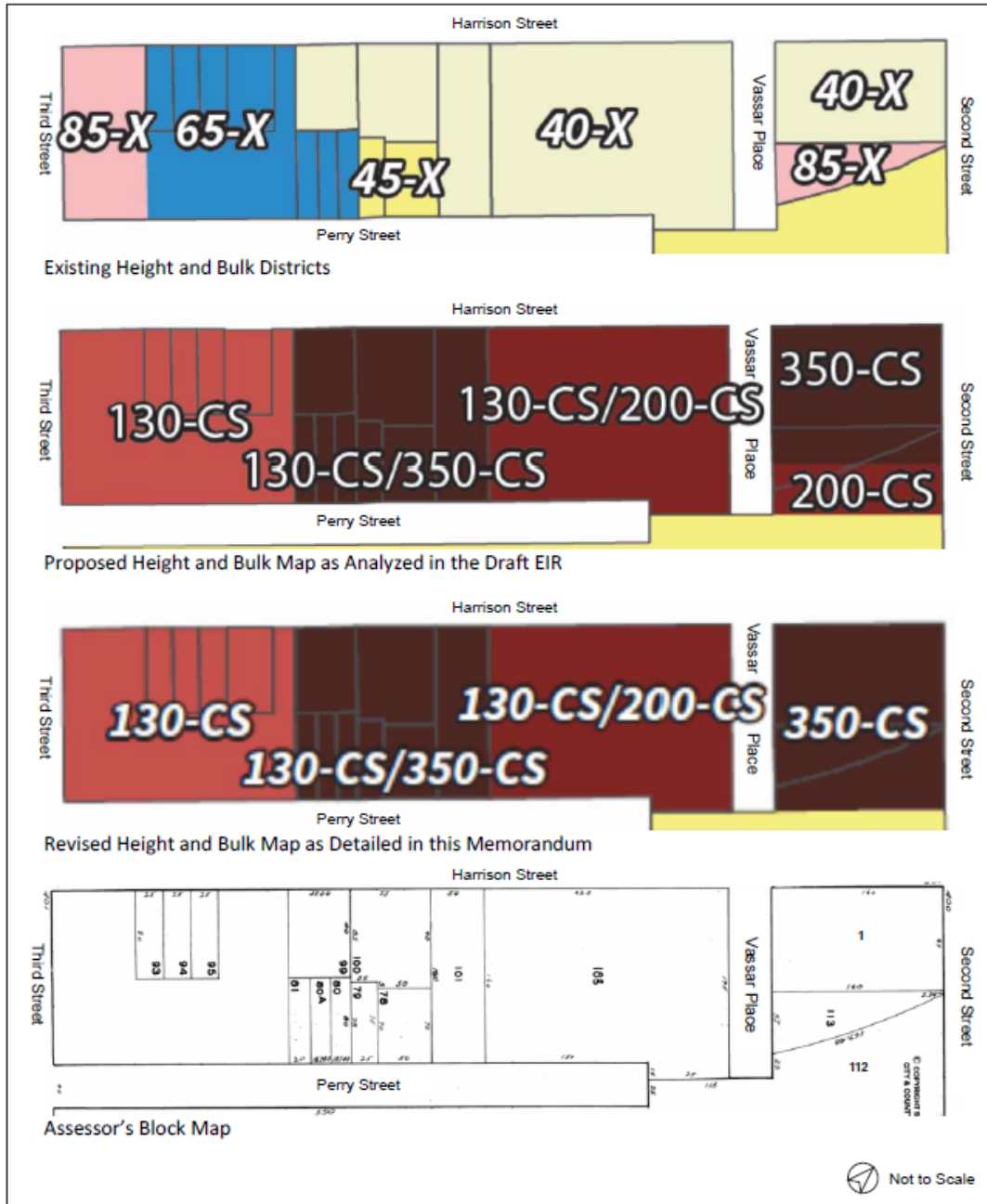
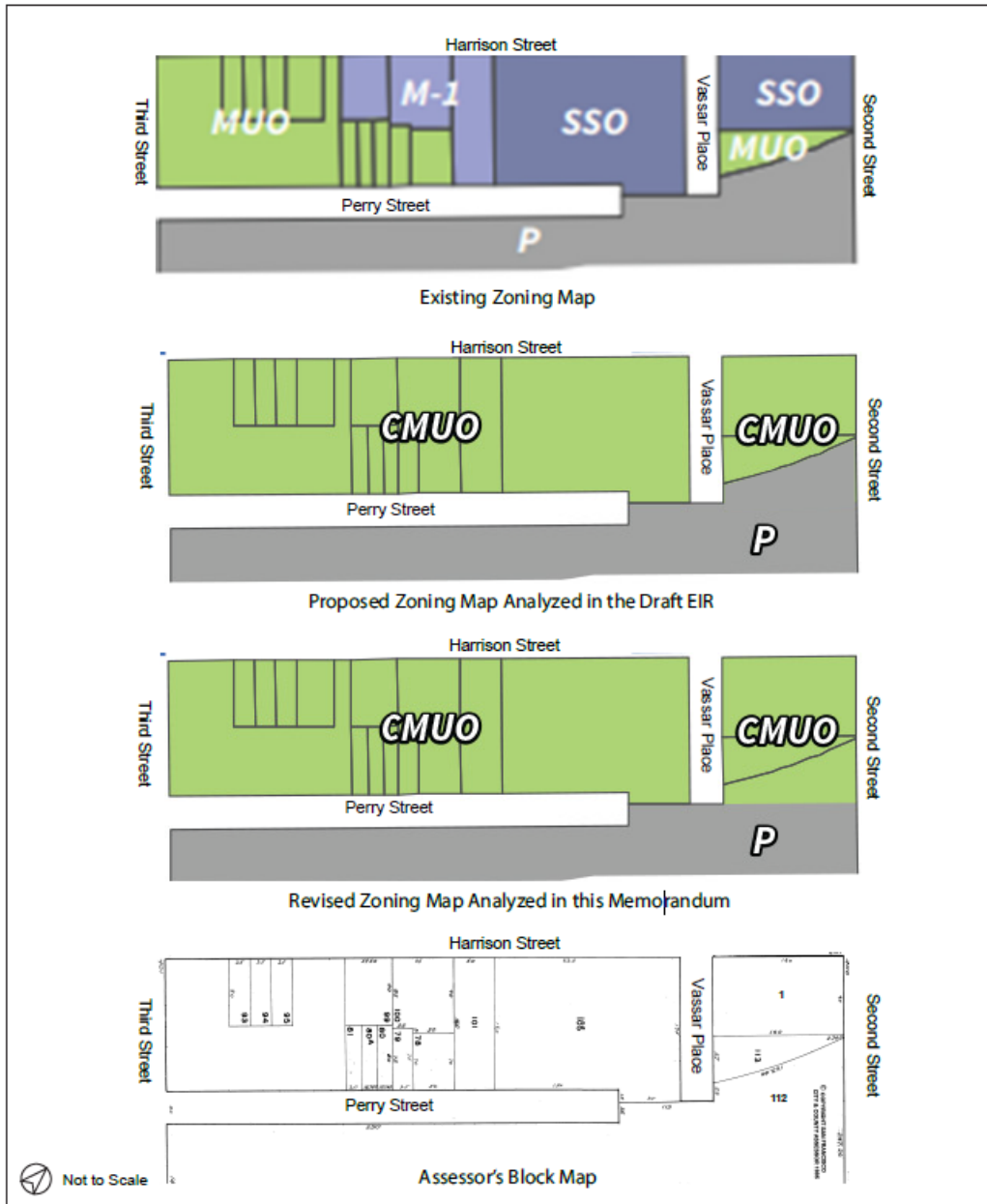


Figure 2. Existing, Proposed, and Revised Zoning District Map for Block 3763



Analysis

These parcels are associated with the proposed office building at 400 2nd Street (Planning Department Case 2012.1384) which also would be located on Block 3763 Lot 001. This office building is proposed to be up to 350 feet in height and be 535,000 gross square feet. It would replace an existing office building of 113,484 gross square feet, resulting in an increase of 421,516 gross square feet of office.

The changes included in the April 10, 2018 version of the Zoning Map Ordinance would not increase development capacity of this office building beyond what was studied in the Central SoMa EIR, for the following reasons:

- The Central SoMa Plan requires that office buildings taller than 160 feet in height have an average floor area of 15,000 square feet above 85 feet in height. Such a tower could be accommodated within the previously proposed height limits. The increase in the height limit for a portion of the site enables the potential tower to move within the site. However, it does not change the development capacity of the tower.
- The rezoning from P to CMUO would enable new development on this portion of Block 3763 Lot 112. However, this development was anticipated in the EIR based on the previous submittals of the project sponsor. Based on these previous submittals, the EIR anticipated 427,300 square feet of new development,¹ which is greater than the 421,516 net new gross square feet proposed by the new development.

Conclusion

The changes to the Central SoMa Plan EIR Height and Bulk and Zoning Use District Maps would not result in growth beyond that included in the population and employment forecasts, which informed the impact analysis in the Central SoMa Plan EIR.

¹ Calculation based on the Planning Department's *Buildout Analysis for Central SoMa*, January 25, 2018. This document and all other documents referenced in this memoranda are on file and available for public review as part of Case File No. 2011.1356E at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, 94103. This document includes a parcel-level analysis of development potential in the Plan Area that was utilized for the EIR.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 9, 2018
TO: Planning Commission
FROM: Jessica Range and Elizabeth White, Environmental Planning
Steve Wertheim, Citywide Planning
RE: Analysis of Environmental Effects of Potential Plan
Changes Presented May 3, 2018 for the Central South of
Market Area (SoMa) Plan
Planning Department Case No. 2011.1356E

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The May 3, 2018 Planning Commission packet includes (1) changes to the Central SoMa Plan since introduction, (2) a list of modifications recommended by Planning Department staff, and (3) a list of “Issues for Consideration” (which are proposals for changes to the Central SoMa Plan received from the public during the public review process). This memorandum evaluates the environmental effects of all three of these categories of information, in the event decision makers choose to incorporate additional changes into the Central SoMa Plan.

Changes to the Central SoMa Plan since Introduction

The Environmental Planning Division of the Planning Department has reviewed changes to the Central SoMa Plan, as they appear in the May 3, 2018 Planning Commission Packet. The following conclusions are made (references to the location of these changes in the May 3, 2018 Planning Commission packet are provided in parentheses):

- Changes to the Central SoMa General Plan Amendments Draft Ordinance since introduction (Exhibit II.6) were determined not to result in physical environmental effects.
- Changes to the Zoning Map Amendments Ordinance since introduction (Exhibit IV.4): (1) correct a drafting error, (2) change the allowable zoning on certain blocks and lots from West SoMa Mixed Use Office (WMUO) to Central SoMa Mixed-Use Office (CMUO); and (3) change the allowable zoning for Block 3763, Lot 112 and change the allowable heights for this block and lot along with Lot 113. The changes from the correction of a drafting error were determined not to result in physical environmental effects, the changes to proposed zoning from WMUO to CMUO are evaluated in an erratum issued on April 5, 2018, and changes to the zoning and

height at Block 3763 were evaluated in a second erratum issued on May 9, 2018 and in Environmental Impact Report (EIR) Appendix H.

- Changes to Planning Code and Administrative Code Amendments Ordinance since introduction (Exhibit III.5) correct or clarify the Planning Code Amendments, or were determined to not result in environmental effects, with the exception of changes to the Planning Code that require sites to be commercially-oriented, changing this requirement from sites that are 30,000 square feet in area to sites that are 40,000 square feet in area. The environmental effects of this change to the Planning Code were evaluated in an erratum issued on April 5, 2018 and determined not to result in new significant effects or effects of greater severity than that disclosed in the EIR.
- Changes to the Central SoMa Plan Implementation Program since introduction (Exhibit V.4) merely implement changes to the General Plan, Planning Code, and Zoning Map amendments as discussed above, or were determined not to result in physical environmental effects. It should be noted that an implementation measure identifies funding for a potential park at 1133 Mission Street. The EIR, at a programmatic level, evaluates the environmental effects of the creation of a new park within or near Central SoMa. Once a specific proposal is put forth, additional environmental review may be required to ensure that the environmental effects of the park are adequately addressed in the EIR.

In summary, the above changes to the Central SoMa Plan have been adequately evaluated in the EIR and the revisions made to the EIR to address these changes are presented in errata dated April 5, 2018 and May 9, 2018 and do not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code section 21092.1) and the CEQA Guidelines (14 California Code of Regulations section 15088.5).

Recommended Modifications and Issues for Consideration

In addition to the above changes to the Central SoMa Plan, the May 3, 2018 Planning Commission packet contains recommended modifications to the Planning Code and Administrative Code Ordinance (contained in Exhibit III.1) and additional zoning map, Planning and Administrative Code, and implementation program “issues for consideration” (Exhibits IV.5, III.6, and V.5, respectively). These “issues for consideration” are proposals for changes to the Central SoMa Plan received from the public during the public review process. The following contains an analysis of the environmental effects of these recommended modifications and issues for consideration, should decision makers choose to include them in the Central SoMa Plan. In this analysis, staff has determined that, apart from the following item (which is not currently recommended by staff), the changes merely clarify or make corrections to the current proposal, or would not result in environmental effects beyond that analyzed

in the EIR.

Issue not covered in the EIR analysis: Setting the maximum development capacity at each site at the level listed in the Key Development Sites Guidelines, rather than the formula provided in Section 263.32(c)(1).

Rationale: The proposed Planning Code formula setting development capacity for the Key Sites was developed to ensure that development on Key Sites does not exceed the growth projected under the EIR. It is unclear how setting maximum development capacity according to the Key Development Sites Guidelines would affect the overall growth anticipated and evaluated in the EIR. More information regarding the effects of this proposal on the Plan's anticipated growth projections would be required before the Commission adopts this proposal in order to assess whether the environmental effects of the proposal are adequately addressed in the EIR. Furthermore, the Planning Department staff do not recommend the Central SoMa Plan be amended to incorporate this request.

The following issues require additional explanation as to how the environmental effects of these issues are addressed in the Draft EIR:

1. For the area north of Harrison Street, change the proposed zoning from CMUO to Mixed-Use General (MUG) or Mixed-Use Residential (MUR)

Analysis: Under the zoning proposed in the Central SoMa Plan and analyzed in the EIR, it is anticipated that the currently proposed zoning change to this area, which would create a uniform zoning of CMUO, could result in approximately 3,000 jobs (680,000 square feet of commercial space) and 1,100 residential units (1,330,000 square feet of residential space).¹ If the CMUO zoning district north of Harrison Street was rezoned to MUG or MUR (which limits office uses), it is estimated that this zoning change would result in 2,500 jobs (550,000 square feet of commercial space) and 1,250 residential units (1,500,000 square feet of residential space). The proposal would result in a loss of 500 jobs and a gain of 150 residential units in the Central SoMa Plan Area.

As explained in EIR Appendix G (attachment to the EIR, provided in an erratum issued April 5, 2018), other changes to the Central SoMa Plan have resulted in changes to the Plan's growth projections. Specifically, based on the amendments to the Plan addressed in the April 5, 2018 erratum, the Plan is anticipated to result in 8,300 net new housing units and 34,250 jobs. These changes to the Plan were determined to be within the growth projections used as the basis for the EIR's quantitative analysis as shown in Table IV-1, Summary of

¹ Wertheim, Steve (San Francisco Planning Department), "MUO to MUG". Email communication to Jessica Range and Elizabeth White. April 17, 2018.

Growth Projections on Draft EIR page IV-6. The EIR analyzes an increase of 14,500 residential units within the EIR study area, of which 8,320 units are anticipated to occur in the Plan Area and an increase of 63,600 jobs within the EIR study area, of which 44,000 are anticipated to occur within the Plan Area.^{2, 3} The above change in zoning (from CMUO to MUG or MUR) would change the Plan's overall growth projections, resulting in a total of 8,450 housing units and 33,750 jobs. These changes would result in growth projections for the number of residential units exceeding those for the Plan Area that were used as the basis for the EIR by 130 units. However, the changes to the Plan that have taken place since publication of the Responses to Comments document would also result in a reduction of about 10,250 jobs within the Plan Area. As such, it can be reasonably concluded that the environmental effects of an additional 130 residential units within the Plan Area, beyond that anticipated in the EIR, would be off-set by a reduction in environmental effects anticipated to occur as a result of approximately 10,000 fewer jobs being developed within the Plan Area. Therefore, there would be no substantial change to the EIR's analysis for topics that rely upon the EIR's growth projections (transportation; noise; air quality; and hydrology and water quality). Similarly, because the overall intensity of development under the Plan would still be within that which was studied in the EIR, there would be no change to impacts identified in the initial study related to population and housing, recreation, utilities or public services.

Furthermore, the rezoning of CMUO north of Harrison Street to MUG or MUR would not change height and bulk proposals studied in the EIR, and therefore, would not result in changes to the aesthetics, shadow, or wind analysis in the EIR. Additionally, there would be no change in the location of projected development, and no significant changes in construction techniques. As such, there would be no substantial change in effects related to site-specific conditions, including: land use and land use planning, cultural and paleontological resources, biology, geology, hazardous materials, mineral resources, energy, and agricultural and forestry resources.

For the above reasons, including this change to the Central SoMa Plan's proposed zoning would not result in overall growth beyond that anticipated by the Plan and therefore would not result in increased physical environmental effects beyond that already studied in the EIR and would not constitute new significant information that requires recirculation of the EIR under CEQA and the CEQA Guidelines.

² Errata to the Environmental Impact Report for the Central South of Market (SoMa) Area Plan. April 5, 2018. Available at: http://sfmea.sfplanning.org/Central_SoMa_EIR_Errata_April52018.pdf

³ Central SoMa Draft Environmental Impact Report. Appendix G. Analysis of Environmental Effects of Plan Changes Presented April 5, 2018 for the Central South of Market (SoMa) Plan. April 5, 2018.

2. Prohibit large office uses (greater than 50,000 square feet) in the area currently zoned Service, Arts, Light Industrial (SALI) except for Key Sites

Analysis: This change would allow small office, retail and institutional uses to be developed and was determined to not substantially affect the growth projections used as the basis for the analysis in the EIR.

3. Do not eliminate the grandfathering clause for compliance with the Transportation Demand Management requirements

Analysis: The current Planning Code Transportation Demand Management (TDM) requirements allow for grandfathering of certain projects with applications on file with the Planning Department and would reduce the TDM requirements of the Central SoMa Plan for these projects. Projects that meet the current eligibility requirements, which include a number of Central SoMa projects, are required to meet 50% of the TDM requirements. The Planning Department proposes to include a more limited grandfathering provision in the Central SoMa Plan, requiring projects with complete development applications or environmental evaluation applications on file before January 1, 2018, to meet 75% of the TDM requirements, and not 100% of the TDM requirements. The EIR found that noise and air quality impacts from traffic generated by subsequent development projects would be significant and unavoidable. Mitigation Measure M-NO-1a: Transportation Demand Management for New Development was identified in the EIR prior to adoption of the current TDM Ordinance. This mitigation measure would apply the equivalent of the current TDM requirements to projects within the Central SoMa Plan area, with not grandfathering. Thus this measure would reduce the number of vehicle trips generated by subsequent development projects to a greater degree than under the current requirements. The EIR determined that because it is uncertain the degree to which this mitigation measure could reduce traffic noise to a less than significant level, noise (and air quality) impacts would be significant and unavoidable.

Including a grandfathering clause as part of the Central SoMa TDM requirements, as described above, would reduce the effectiveness of TDM measures to reduce vehicle trips and subsequent noise and air quality effects. However, increased noise and air quality effects resulting from reduced TDM requirements that would occur under a grandfathering clause would be limited, as it would only apply to approximately 20 projects within the Plan Area and these projects would still be required to incorporate a substantial number of TDM measures into their project. In addition, the EIR concludes, in Impact TR-8, Emergency Vehicle Access, that the Central SoMa Plan would result in a significant impact to emergency vehicle access. The EIR concludes that with implementation of mitigation

measures M-TR-8, M-TR-3a, M-NO-1a, and M-AQ-5e, this impact would be reduced to less than significant. Including a grandfathering clause as part of the Central SoMa TDM requirements would not affect the EIR's significance determination for Impact TR-8 related to emergency vehicle access because, as stated above, the grandfathering clause would apply to a limited number of projects, which would still be required to implement a substantial number of TDM measures. Additionally, this mitigation measure and three other mitigation measures (M-TR-8, M-TR3a, and M-AQ5e) would all contribute to reducing this impact to less than significant levels.

Should the Planning Commission adopt the Central SoMa Plan with the proposed TDM requirements, which allow for grandfathering, the Commission would need to amend Mitigation Measure M-NO-1a in the EIR to align with this policy directive. This would be accomplished through the CEQA findings.

4. Various amendments that would increase or decrease the total amount (in square feet) of open space or POPOS that may be developed under the Plan

Analysis: The list of issues for consideration includes various requests to modify the Planning Code requirements that would either increase or decrease the amount of open space or POPOS that would ultimately be developed on private property under the plan (whether private open space or publicly-accessible open space). However, these proposals would not entirely eliminate the requirement for subsequent development projects to provide open space. Additionally, POPOS and open space requirements are intended to be a complement, not a substitute for neighborhood and regional parks or other recreational facilities. Residents and workers within the Central SoMa Plan area would have access to existing open spaces such as Yerba Buena Gardens and South Park in the Plan Area and nearby facilities, in addition to additional parks and open spaces proposed under the Plan. Therefore, even with changes that could reduce the amount of open space required by the Central SoMa Plan, it is not anticipated that the plan would result in the physical deterioration of recreational resources and impacts to recreational resources would remain less than significant. This analysis concludes that the potential changes to the Plan's open space requirements would still result in a less-than-significant impact to recreation and that the Central SoMa Initial Study analysis remains valid.

Attachment D: Summary of Appellants' Concerns

Introduction

Attachment D first provides a summary of how Appellants' concerns are addressed in this appeal response. Second, for Appellants who included their original comment letters on the Draft EIR in their appeal letters, Table D-1 (in this Attachment D) provides a matrix containing the Appellants' original comment, as coded by the Department in the Response to Comments ("RTC"), and corresponding page numbers where the RTC provides responses to those comments. The RTC provides sufficient responses to all comments submitted on the Draft EIR.

Summary of How Appellants' Concerns Are Addressed in this Appeal Response

Four appeal letters were timely filed concerning certification of the EIR for the Central SoMa Plan. This Appendix D summarizes the concerns raised in the June 8, 2018, Central SoMa Neighbors and SFBlu Appeal Letter, the June 11, 2018, One Vassar, LLC Appeal Letter, the June 11, 2018 SOMCAN Appeal Letter, and the June 11, 2018, YBNC Appeal Letter, and indicates where in the appeal response the Department addresses any concerns related to the accuracy and adequacy of the information in the EIR. The Department's responses to concerns raised in all four appeal letters are provided below, as well as in the appeal response itself. Pursuant to chapter 31 of the Administrative Code, section 31.16(c)(3), the grounds for appeal of an EIR are limited to whether the EIR complies with CEQA, including whether it is adequate, accurate and objective, sufficient as an informational document, is correct in its conclusions, and reflects the independent judgment and analysis of the city and whether the Planning Commission's EIR certification findings are correct. Some of the concerns raised in the appeal letters do not require a response because they do not concern the adequacy or accuracy of the EIR.

Central SoMa Neighbors ("CSN") and SFBlu Appeal Letter

The appeal letter submitted by CSN and SFBlu includes Exhibits A, B, and C. Exhibit A contains the EIR certification motion and other Planning Commission motions, which do not require a response. Exhibit B is cited in the appeal letter as additional reasons for appeal of the EIR and contains a letter submitted by CSN and SFBlu to the Planning Commission on May 9, 2018, with an attachment from Smith Engineering and also a memorandum to Planning Department staff regarding shadow analysis procedures. Exhibit C contains the comment letter CSN and SFBlu submitted on the Draft EIR. The Appellant claims that the responses to the comments submitted by CSN and SFBlu were inadequate. However, aside from the reasons set forth in the appeal letter and Exhibit B, which are addressed in the appeal response, the Appellants have provided no evidence or information regarding how they believe the responses in the Draft EIR are inadequate. Therefore, the concerns raised in Exhibit C do not require a response. Instead, the matrix below indicates how the Appellants' comments were bracketed and assigned in the RTC and provides the page number where the RTC provides responses to their comments. The following summarizes the remaining concerns raised in the appeal letter and Exhibit B, where they are addressed in this response, and, where a response is not necessary, the reasons why:

- The CEQA findings adopted by the Planning Commission for the Central SoMa Plan are incorrect (see Response 1);
- The EIR is not adequate, accurate and objective and is inadequate as an informational document for the reasons set forth in their appeal letter (see Response 2);
- Concerns regarding displacement and gentrification resulting from the Plan's jobs and housing balance (see Response 3);

- Support for an alternative analyzed in the EIR as well as a second alternative not analyzed in the EIR. (Although this concern is not related to the accuracy or adequacy of the EIR and therefore does not require a response, a response has been provided in Response 16. Furthermore, Response AL-1 starting on p. RTC-274 fully addresses the reasons the alternative suggested by the Appellant need not be considered in the EIR.);
- Concerns regarding the adequacy of the responses to CSN and SFBlu's comments on the Draft EIR, which, aside from the concerns addressed in the appeal response, are not supported by any additional information and thus do not require a response;
- Concerns that the Plan would isolate the Central SoMa neighborhood from surrounding neighborhoods (see Response LU-3 on p. RTC-111; the Appellants have provided no additional information or evidence that the Plan would physically divide the Central SoMa neighborhood; therefore no further response is required);
- Environmental effects that could result from the designation of a Housing Sustainability District ("HSD") and a contention that revising the EIR to include the HSD constitutes significant new information under CEQA (see Response 4);
- Concerns regarding the adequacy of the EIR's vehicle miles traveled ("VMT") analysis and the RTC's response to the Draft EIR comments submitted by CSN and SFBlu regarding the EIR's VMT analysis (see Response 6);
- Concerns regarding the impacts of the Plan with respect to increased use of TNCs (see Response 7).
- Concerns regarding the date of baseline data used in the transportation analysis (see Response 8)
- Concerns regarding the RTC response to the analysis of impacts to Bay Area Rapid Transit ("BART") (see Response 9);
- Concerns regarding the EIR's traffic hazard analysis (see Response 10);
- Concerns regarding the ability of Mitigation Measure M-TR-8 to effectively mitigate the Plan's impact on emergency access (see Response 11);
- Concerns regarding the cumulative construction traffic analysis (see Response 12); and
- Concerns that the EIR's air quality mitigation measures are inadequate (see Response 13);
- Concerns regarding the adequacy of the shadow analysis (see Response 14);

One Vassar LLC Appeal Letter

One Vassar LLC submitted comments on the Draft EIR. The RTC fully responded to those comments. None of the comments submitted by One Vassar in its appeal letter were raised in its comments on the Draft EIR. One Vassar's appeal letter raises three main concerns:

- The Planning Commission's statement of overriding considerations is not supported in all aspects by substantial evidence (see Response 1);
- The EIR should have included an increased housing density alternative as a means of reducing the Plan's impacts on transit, traffic and air quality (see Response 16); and

- The Plan and the proposed HSD are inconsistent with the Housing Element of the General Plan and such inconsistencies would result in significant impacts to transit, traffic and air quality (see Response 5).

The One Vassar appeal letter also includes exhibits 1-11 which One Vassar claims support the concerns in its appeal letter. The Department's responses to the One Vassar appeal letter address each of these exhibits as they relate to the adequacy and accuracy of the information in the EIR.

SOMCAN Appeal Letter

The SOMCAN appeal letter includes Exhibits A through D. Exhibit A, C, and D include the EIR certification motion and CEQA findings, links to videos of hearings in which testimony was given on the Central SoMa Plan, and the transcript of the Planning Commission hearing on May 10, 2018. These exhibits do not provide evidence supporting the claims in the SOMCAN appeal letter, and therefore do not need to be addressed in the appeal response. Exhibit B includes SOMCAN's letter on the Draft EIR. The Appellants state that they disagree with the responses to their comments on the Draft EIR, but provide no additional detail as to what those disagreements are. Therefore, the concerns raised in Exhibit B do not require a response. However, the matrix below indicates how the city has addressed SOMCAN's comments on the Draft EIR. Exhibit B also includes letters submitted to the Planning Commission on May 10, May 3, and April 12, 2018. The appeal letter and the May 10, May 3, and April 12, 2018 letters to the Planning Commission in Exhibit B raise the following concerns:

- Appeal of the Central SoMa Plan CEQA findings (see Response 1);
- There was inadequate time to review the RTC prior to the scheduled EIR certification hearing (see Response 17);
- Concerns regarding gentrification and displacement that could occur from the jobs and housing balance of the Plan (see Response 3); and
- Concerns regarding inclusion of the HSD in the EIR (see Response 4).

The SOMCAN appeal letter also states that the EIR is inadequate, incomplete, fails to disclose the severity of various environmental effects, and does not adopt all feasible mitigation, and that the Appellant disagrees with the response to the comments on the Draft EIR. However, the Appellants provide no information or evidence to support these contentions. In the absence of such information, no response is required. Lastly, this appeal letter contains a number of recommendations to address displacement and gentrification that the Appellants contend will occur in Central SoMa. The EIR determines that there is no evidence that the Plan would result in potential social and economic effects that would result in significant effects to the physical environment beyond those already disclosed in the EIR. In the absence of any such information, no mitigation measures are required. The recommendations suggested by the Appellant are considered comments on the merits of the Plan and therefore are not addressed in the appeal response.

Yerba Buena Neighborhood Consortium Appeal Letter

The YBNC appeal letter includes as an attachment the Planning Commission motion certifying the EIR, which need not be addressed in the appeal response. YBNC's reasons for appeal of the EIR include that the EIR is not adequate, accurate or objective or sufficient as an informational document. The Appellant provides no information or evidence to support these claims. Other concerns raised by the Appellant include:

- The EIR does not analyze site specific and cumulative environmental impacts in regards to the Plan's impact on public services and recreational facilities (see Response 15).

In addition to the concerns raised above, comments from Appellant related to the merits of the plan do not relate to the adequacy or accuracy of the EIR and therefore are not addressed in the appeal response.

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Committer Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
O-CSN-1	Richard Drury, Attorney, Central SoMa Neighbors, S.F. Blu	Letter	1	AL-3: Support for Alternatives Identified in the Draft EIR	p. VI-1 p. RTC-292
			2	LU-3: Plan Would Disrupt/Divide Neighborhood	p. IV.A-9 p. RTC-111
			3	AL-3: Support for Alternatives Identified in the Draft EIR	p. VI-1 p. RTC-26
			4	AL-1: Analyze Additional Alternatives in the Draft EIR	p. VI-1 p. RTC-274
			5	PD-8: Request for Park on Second Street	p. II-7 p. RTC-78
			6	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			7	PD-6: Initial Study Describes a Different Project Than the Draft EIR and the Initial Study is Inadequate	p. IV-1 p. RTC-60
			8	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			9	PD-6: Initial Study Describes a Different Project Than the Draft EIR and the Initial Study is Inadequate	p. IV-1 p. RTC-60
			10	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			11	GC-3: CEQA Process	p. I-1 p. RTC-383
			12	PP-4: General Plan Consistency	p. III-1 p. RTC-96
			13	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			14	TR-3: Vehicle Miles Traveled (VMT) Impacts	p. IV.D-35 p. RTC-139

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Committer Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
			15	TR-6: Transportation Impact Figures	p. IV.D-12 p. RTC-149
			16	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			17	TR-12: Emergency Vehicle Access Impacts	p. IV.D-79 p. RTC-180
			18	TR-11: Parking Impacts	p. IV.D-75 p. RTC-178
			19	CU-3: Cumulative Transportation and Air Quality Analysis	p. IV.D-85; IV.F-21 p. RTC-301
			20	AQ-1: Adequacy of Air Quality Impact Analysis and Conclusion	p. IV.F-20 p. RTC-201
			21	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			22	AQ-1: Adequacy of Air Quality Impact Analysis and Conclusion	p. IV.F-20 p. RTC-201
			23	AQ-1: Adequacy of Air Quality Impact Analysis and Conclusion	p. IV.F-20 p. RTC-201
			24	AQ-2: Air Quality Mitigation Measures	p. IV.F-20 p. RTC-208
			25	AQ-2: Air Quality Mitigation Measures	p. IV.F-20 p. RTC-208
			26	AE-2: Conclusion Regarding Aesthetics Impacts	p. IV.B-27 p. RTC-121
			27	OC-3: Growth-Inducement Analysis	p. V-5 p. RTC-263
			28	PH-3: Population Analysis and Conclusion on Housing	p. 82 (Initial Study)

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Committer Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
					p. RTC-321
			29	RE-1: Adequacy of Open Space and Privately Owned Public Open Space (POPOS)	p. IV.H-40 p. RTC-326
			30	SH-2: Conclusion Regarding Shadow Impacts	p. IV.H-11 p. RTC-232
			31	TR-9: Pedestrian and Bicycle Impacts	p. IV-D-56; IV.D-65 p. RTC-167
			32	OC-1: Gentrification and Displacement	p. RTC-248 p. V-7
			33	PS-2: Public Services Analysis Is Inadequate	p. 121 (Initial Study) p. RTC-336
			34	TR-13: Mitigation and Improvement Measures	p. IV.D-35 p. RTC-184
			35	BI-1: Biological Resources Impact Analysis	p. 131 (Initial Study) p. RTC-347
			36	CU-3: Cumulative Transportation and Air Quality Analysis	p. IV.D-85; IV.F-21 p. RTC-301
			37	AL-2: Environmentally Superior Alternative Analysis	p. VI-67 p. RTC-286
			38	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			39	AL-3: Support for Alternatives Identified in the Draft EIR	p. VI-1 p. RTC-292
			40	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			41	PD-6: Initial Study Describes a Different Project Than the Draft EIR and the Initial Study is Inadequate	p. IV-1 p. RTC-60
			42	PM-4: Plan Will Adversely Affect Central SoMa Neighborhood	p. RTC-361

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Committer Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
			43	PD-6: Initial Study Describes a Different Project Than the Draft EIR and the Initial Study is Inadequate	p. IV-1 p. RTC-60
			44	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			45	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			46	OC-3: Growth-Inducement Analysis	p. V-5 p. RTC-263
			47	PH-3: Population Analysis and Conclusion on Housing	p. 82 (Initial Study) p. RTC-321
			48	OC-1: Gentrification and Displacement	p. RTC-248 p. V-7
			49	PS-2: Public Services Analysis Is Inadequate	p. 121 (Initial Study) p. RTC-336
			50	SH-2: Conclusion Regarding Shadow Impacts	p. IV.H-11 p. RTC-232
			51	RE-2: Adequacy of Recreational Facilities	p. 106 (Initial Study) p. RTC-329
			52	PP-4: General Plan Consistency	p. III-1 p. RTC-96
			53	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			54	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			55	AQ-1: Adequacy of Air Quality Impact Analysis and Conclusion	p. IV.F-20 p. RTC-201
			56	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			57	CU-3: Cumulative Transportation and Air Quality Analysis	p. IV.D-85; IV.F-21

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Committer Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
					p. RTC-301
			58	AL-2: Environmentally Superior Alternative Analysis	p. VI-67 p. RTC-286
			59	TR-3: Vehicle Miles Traveled (VMT) Impacts	p. IV.D-35 p. RTC-139
			60	TR-5: Traffic Level of Service Analysis	p. IV.D-21 p. RTC-147
			61	GC-2: CEQA Baseline	p. IV-4 p. RTC-375
			62	TR-8: Transit Impacts	p. IV.D-79 p. RTC-160
			63	CU-3: Cumulative Transportation and Air Quality Analysis	p. IV.D-85; IV.F-21 p. RTC-301
			64	TR-9: Pedestrian and Bicycle Impacts	p. IV-D-56; IV.D-65 p. RTC-167
			65	TR-12: Emergency Vehicle Access Impacts	p. IV.D-79 p. RTC-180
			66	TR-2: Methodology	p. IV.D-25 p. RTC-134
			67	BI-1: Biological Resources Impact Analysis	p. 131 (Initial Study) p. RTC-347
O-One Vassar	Melinda A. Sarjapur, Attorney	Letter	1	PD-9: Revise Maximum Height Proposed for Parcels North of I-80 Freeway and East of Fourth Street	p. III-10 p. RTC-78
			2	PP-7: One Vassar Project	p. III-19 p. RTC-103
			3	OV-1: Description of Subsequent Development Projects	p. IV-8 p. RTC-108

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Committer Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
			4	AE-3: One Vassar Project	p. IV.B-38 p. RTC-123
			5	CP-4: Object to Identification of 645 Harrison Street as a Potential Article 10 Landmark	p. IV.C-28 p. RTC-130
			6	CP-1: Historic Resources That Could Be Affected by the Plan	p. IV.C-55 p. RTC-125
			7	TR-14: Miscellaneous Transportation Comments	p. RTC-189
			8	GC-6: Individual Project Analysis	p. IV-8 p. RTC-390
			9	GC-6: Individual Project Analysis	p. IV-8 p. RTC-390
			10	CU-4: Transbay Joint Powers Authority Bus Facility	p. RTC-305
O-SOMCAN-Cabande	Angelica Cabande, Organizational Director, South of Market Community Action Network	Letter	1	GC-3: CEQA Process	p. I-1 p. RTC-383
			2	GC-3: CEQA Process	p. I-1 p. RTC-383
			3	PM-1: Do Not Support the Plan	p. RTC-356
			4	PM-5: Youth and Family Zone Special Use District	p. IV.A-7 p. RTC-363
			5	TR-8: Transit Impacts	p. IV.D-79 p. RTC-160
			6	TR-7: Transportation Network Companies (TNCs) and Delivery Vehicles	p. IV.D-32 p. RTC-151
			7	PD-10: State Density Bonus Program	p. RTC-80
			8	OC-1: Gentrification and Displacement	p. RTC-248 p. V-7

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Commenter Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
			9	GC-13: Non-Traditional Housing/Short-Term Rentals	p. RTC-397
			10	CU-2: Address 5M Project in Cumulative Analysis	p. IV-11 p. RTC-295
			11	PP-6: Office Uses in Central SoMa	p. III-19 p. RTC-102
			12	PD-5: Impact of Plan on Production, Distribution, and Repair (PDR) Uses	p. II-14 p. RTC-51
			13	OC-1: Gentrification and Displacement	p. RTC-248 p. V-7
			14	RE-1: Adequacy of Open Space and Privately Owned Public Open Space (POPOS)	p. IV.H-40 p. RTC-326
			15	OC-1: Gentrification and Displacement	p. RTC-248 p. V-7
			16	WI-8: Impacts of the Plan Wind Conditions on Seniors and the Disabled	p. RTC-223
			17	NO-1: Construction Noise Impacts	p. IV.E-23 p. RTC-192
			18	AQ-1: Adequacy of Air Quality Impact Analysis and Conclusion	p. IV.F-20 p. RTC-201
			19	TR-9: Pedestrian and Bicycle Impacts	p. IV-D-56; IV.D-65 p. RTC-167
			20	GC-3: CEQA Process	p. I-1 p. RTC-383
			21	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
			22	AL-1: Analyze Additional Alternatives in the Draft EIR	p. VI-1 p. RTC-274
			23	GC-3: CEQA Process	p. I-1

TABLE D-1 APPELLANT COMMENTS AND CORRESPONDING PAGE NUMBERS IN RTC

Commenter Code	Name and Title of Commenter	Format	Com. No.	Topic Code	Page Reference in IS, EIR, and RTC
					p. RTC-383
			24	AL-1: Analyze Additional Alternatives in the Draft EIR	p. VI-1 p. RTC-274
			25	GC-5: Adequacy of Draft EIR Analysis and Mitigation	p. RTC-388
O-YBNC-Elberling	John Elberling, Chair, The Yerba Buena Neighborhood Consortium	Letter	1	PS-2: Public Services Analysis Is Inadequate	p. 121 (Initial Study) p. RTC-336
			2	PS-1: Childcare	p. RTC-332
			3	RE-2: Adequacy of Recreational Facilities	p. 106 (Initial Study) p. RTC-329
			4	PM-1: Do Not Support the Plan	p. RTC-356

memorandum

date July 7, 2018

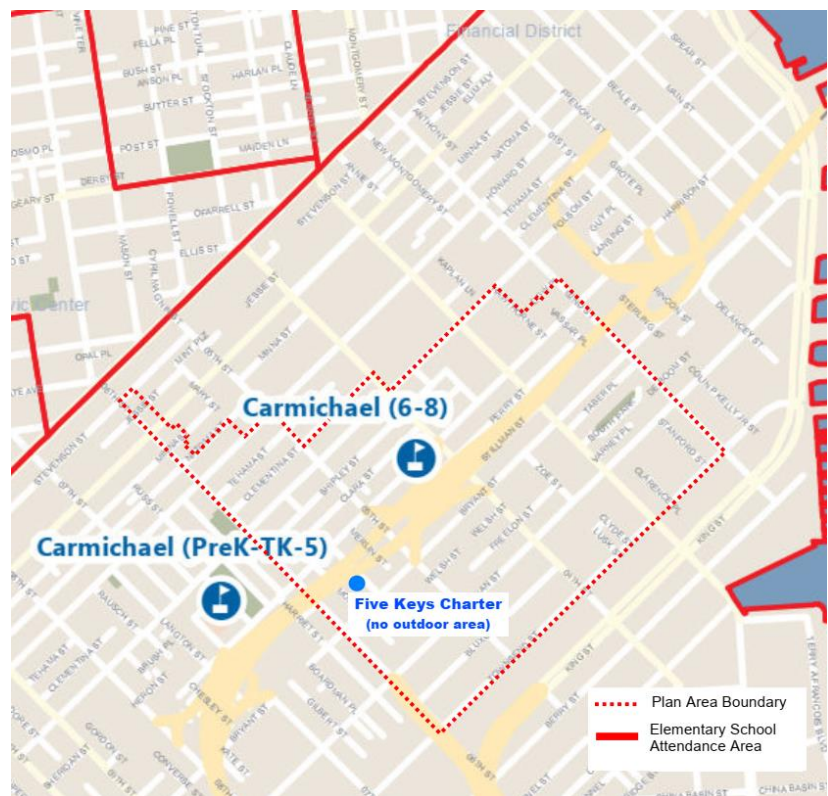
to Jessica Range and Liz White, Environmental Planning

from Karl Heisler and Eryn Brennan, ESA

subject Central SoMa Plan – Shadow on Public Schools in Plan Area and Vicinity

This memorandum evaluates the Central SoMa Plan’s potential shadow effects on outdoor play areas associated with public schools in the Plan Area and nearby. As stated on p. IV.A-3 of the Plan EIR, the San Francisco Unified School District’s Bessie Carmichael Middle School is located within the Plan Area, on Harrison Street just west of Fourth Street (see **Figure 1**). The Bessie Carmichael elementary campus is just west of the Plan Area, on Seventh Street.¹ Neither Bessie Carmichael Middle School nor Bessie Carmichael Elementary School is currently part of the San Francisco Shared Schoolyard Project, under which certain school play yards are opened to public access on weekends.²

The EIR shadow analysis (Section IV.H) included figures showing potential shadow that would be cast at key times by buildings that could be built with Plan implementation.³ Appendix E of the EIR included a set of 37 figures showing



SOURCE: San Francisco Unified School District; ESA

Figure 1
 Public Schools in and near the Plan Area

¹ A third school, Five Keys Charter School, which is associated with the San Francisco County Jail, has no outdoor space.

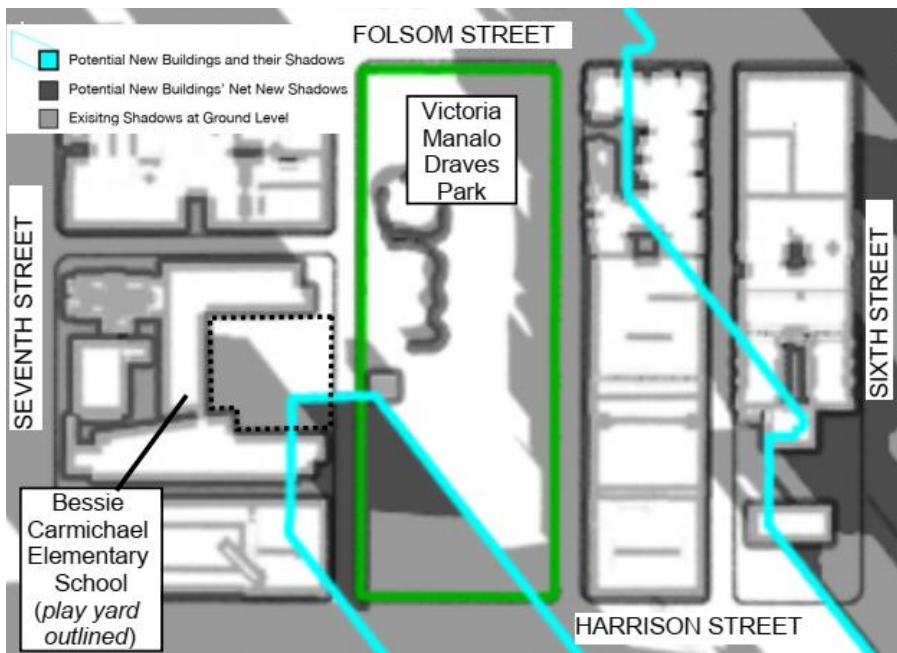
² E-mail correspondence from Amy Randel, Program Manager, Shared Schoolyard Project, San Francisco Unified School District, to Environmental Science Associates and San Francisco Planning Department, June 30, 2017.

³ This analysis also accounts for potential development from existing building heights up to existing height limits on “soft sites” (sites currently developed with a relatively lower-value use than allowed by current zoning, but assumed more likely to redevelop under the Plan, including buildings that are below the existing height limit), even where the Plan would not change a site’s height limits or allowable uses. Development of these sites up to existing height limits may not occur. This analysis therefore provides a conservative estimate of the shadow effects of Plan implementation.

shadow from Plan Area development at hourly intervals on the summer and winter solstices and on the spring and fall equinoxes. Review of those images indicates that Plan Area development could cast new shadow on the outdoor play yard at Bessie Carmichael Middle School, located on Harrison Street west of Fourth Street. The figures in Appendix E also show that the Plan could potentially cast shadow on the outdoor play area at Bessie Carmichael Elementary School, on Seventh Street north of Harrison Street, in the early morning (before 8 a.m.) around the spring and fall equinoxes. This shadow could be caused by development under the Plan that would be allowed at a height of up to 270 feet on the block bounded by Bryant, Fifth, Brannan, and Sixth streets (the location of the existing San Francisco Flower Market), as shown in **Figure 2**. However, there is a proposed project on file at that site (Case No. 2015-004256ENV) that was designed to avoid casting net new shadow on Victoria Manalo Draves Park, which is immediately east of the elementary school play yard. This project

proposes maximum building heights of 236 feet, nearly 35 feet shorter than the Plan’s proposed height limit. Analysis of this proposed project indicates that it would not cast net new shadow on Victoria Manalo Draves Park nor Bessie Carmichael Elementary School.⁴ Accordingly, the remainder of this memorandum discusses potential shadow that could be cast by Plan Area development on the outdoor play area at Bessie Carmichael Middle School.

Bessie Carmichael Middle School (also known as Filipino Education Center) is located on the north side of Harrison Street



SOURCE: Fastcast; ESA

Figure 2
Potential Plan Shadow on Bessie Carmichael Elementary School

west of Fourth Street (Block 3752, Lot 12). The outdoor play yard faces the north sidewalk of Harrison Street and extends along Harrison Street for about 135 feet, beginning at a point about 175 feet west of Fourth Street (see **Figure 3**). The play yard is paved and painted with sports court markings, and has four basketball hoops. A cyclone fence covered in green tarpaulin-like material and ivy separates the play yard from the sidewalk. School buildings form the northern and eastern borders of the play yard, while the western boundary is comprised of adjacent buildings. A large mural covers the western wall of the play yard.

Plan Area development would cast net new shadow on the Bessie Carmichael Middle School Play Yard during the early morning and late afternoon throughout the year. Shadow would primarily be cast by development on two nearby sites: the southeast corner of Fourth and Harrison streets, where the Plan proposes a 240-foot height limit and a change in use district from Service Light Industrial to Mixed Use Office, and a site immediately across Harrison Street, where the Plan proposes no change in the existing 30-foot height limit or in use district (currently Service Arts Light Industrial)⁵. At Fourth and Harrison streets, a proposed project is on file with the

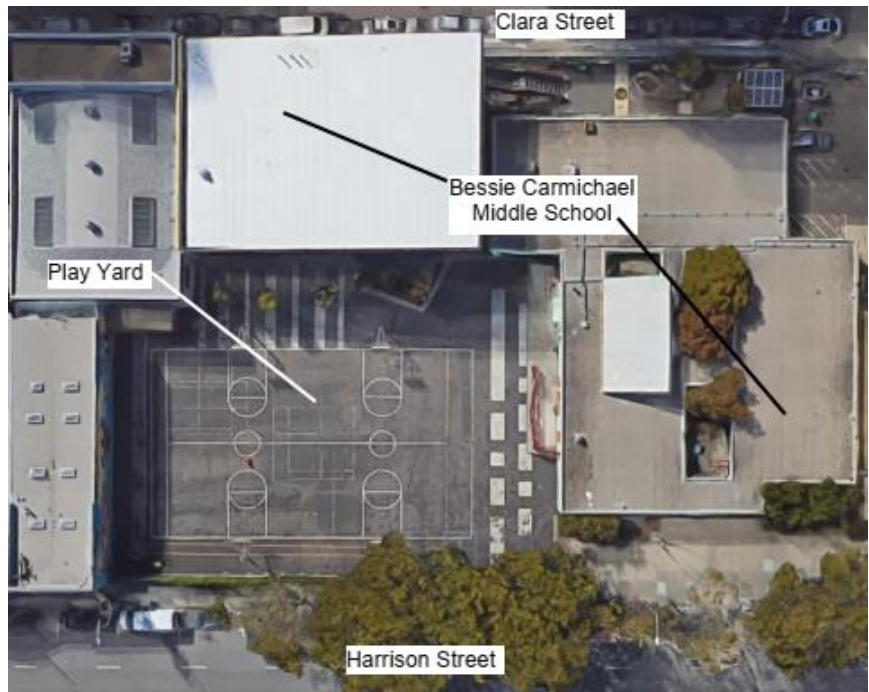
⁴ Fastcast, *Flower Mart Shadow Analysis*, December 14, 2017.

⁵ The Plan would not increase height limits or change the allowable uses on this site. Any shadow cast by future development of a 30-foot-tall building at this location would be caused by development built to the existing height limit, which would be maintained under the Plan.

Planning Department (Case No. 2005.0759ENV). This project proposes a 185-foot-tall, irregularly shaped tower at the corner of Fourth and Harrison streets, some 55 feet shorter than the Plan’s proposed height limit. No project is currently proposed across Harrison Street from the play yard.

Shadow from Plan Area Development

This analysis is based on the shadow diagrams prepared for the Central SoMa Plan EIR and included in EIR Appendix E. Because the proposed project at Fourth and Harrison streets would be about 55 feet shorter than the height analyzed for the EIR, this analysis is conservative. **Figures 4 through 12**, attached, depict this potential shadow.



SOURCE: Google Maps

Figure 3
Bessie Carmichael Middle School Play Yard

At the summer solstice (June 21), shadow would be cast on the play yard beginning at the first “Section 295 minute,” or 6:47 a.m.⁶ At this time, shadow would be cast by both a potential 30-foot-tall building across Harrison Street from the play yard and by a potential 240-foot tower at Fourth and Harrison streets (see Figure 4). Shadow from these buildings would fully cover approximately two-thirds of the play yard that is currently in sunlight at this time. By 8 a.m., shadow cast by the 30-foot-tall building would no longer reach the school yard, but a 240-foot-tall building would continue to shade most of the play yard (see Figure 5). However, if the currently proposed 185-foot-tall building were built at this location, considerably less shadow would be cast by 8 a.m., with net new shadow covering only a narrow band along the southernmost boundary of the play yard. Shadow from Plan Area development would leave the play yard by 9 a.m. (see Figure 5). In the evening, the play yard would not receive any net new shadow from Plan Area development because, by the time this could occur (7 p.m.), the play yard is already fully shaded by existing buildings (see Figure 6). In summary, although Plan Area development would shade portions of the play yard before 9 a.m., the play yard would remain mostly in sun from 9 a.m. until shortly before 6 p.m. on the summer solstice with implementation of the Plan.

At the fall equinox (approximately September 20; conditions are very similar on the spring equinox, March 22), the play yard would be shaded by a potential 30-foot-tall building across Harrison Street, from the first Section 295 minute (7:57 a.m.) until about 9:30 a.m. (see Figure 7). The play yard would be completely shaded (about 85 percent by development pursuant to the Plan, with the remainder from existing buildings) for about

⁶ The Planning Department commonly relies upon the hours governed by Planning Code section 295—from one hour after sunrise to one hour before sunset—in environmental review of potential shadow impacts of a project. This is because, during the first hour after sunrise and the last hour before sunset, shadows are very long due to the sun’s low position near the horizon, meaning that most of the City is shaded at these times: for example, shadow from a single-story, 20-foot-tall building reaches a length of 250 feet 30 minutes after sunrise on June 21. Moreover, in the first and last hours of sunlight, these very lengthy shadows move more quickly across the ground than do shadows at other times of day.

10 minutes, but after about 8:10 a.m., shadow would begin to recede and the play yard would become progressively sunnier. In the afternoon, new shadow would begin to fall on the play yard at about 5 p.m., from a potential 45-foot-tall building to the west (see Figure 8).⁷ By 6 p.m., the play yard is mostly shaded by existing buildings and a potential 45-foot-tall building would nearly complete shading of the play yard (see Figure 9). In summary, although Plan Area development would shade portions of the play yard before about 9:30 a.m. and again after about 5 p.m., the play yard would remain mostly in sun from 9:30 a.m. until 5 p.m. on the fall and spring equinoxes with implementation of the Plan.

At the winter solstice (December 20), when shadows are longest, the play area would be newly shaded beginning at the first Section 295 minute (8:20 a.m.; see Figure 10). This net new shadow, which would shade most of the approximately three-fourths of the play yard currently in sunlight, would be cast primarily by a potential 30-foot-tall building across Harrison Street, with additional shadow cast by a potential 250-foot-tall tower at the southwest corner of Fourth and Brannan streets.⁸ By 9 a.m., new shadow, only from a 30-foot building, would be limited to the eastern third of the play yard. This shadow would be largely gone from the play yard by 10 a.m. and fully gone from the play yard by 11 a.m. (see Figure 11). In the afternoon, the potential 45-foot-tall building to the west would cast shadow on the play yard beginning at 3 p.m., when the yard is already approximately 60 percent shaded by the existing building immediately west of the yard (see Figure 12). Because shadow from the existing building would lengthen as the sun gets lower in the sky, the potential 45-foot building would continue to add only a small increment of net new shadow beyond existing shadow. By the last Section 295 minute (3:54 p.m.), the play yard is fully shaded by existing buildings and Plan Area development would add no net new shadow. In summary, although Plan Area development would shade portions of the play yard before about 11 a.m. and again after 3 p.m., the play yard would remain mostly in sun from 11 a.m. until shortly before 3 p.m. on the winter solstice with implementation of the Plan.

Conclusion

Plan Area development would add shadow to the Bessie Carmichael Middle School play yard during the early morning and late afternoon throughout the year. However, the net new shadow would be of limited duration on any given day and the play yard would remain in sunlight throughout the midday period year-round. Moreover, by the time school starts, at 8:30 a.m., most of the play yard would be in sunlight throughout the year. Therefore, shadow that may result from Plan implementation is not expected to adversely affect the use of the play yard. Should the Bessie Carmichael Middle School play yard become part of the San Francisco Shared Schoolyard Project and be publicly accessible on weekends at some point in the future, shadow that may result from Plan implementation is not anticipated to adversely affect that potential future public use of the play yard, given that shadow would be largely absent from the play yard during the Shared Schoolyard opening hours of 9 a.m. to 4 p.m.⁹

⁷ No development application is on file for this site. Under the Plan, the parcels east and west of the school would see their height limit reduced from the existing 55 feet to 45 feet. Nevertheless, shadow from a 45-foot-tall building—shorter than what is currently permitted—on a “soft site” about 75 feet west of the school would add a small amount of new shadow to the play yard in the late afternoon except around the summer solstice.

⁸ Applications are on file for locations immediately west and south of this site to construct buildings 240 to 250 feet in height (Case No. 2015-009704ENX and Case No. 2015-003880ENX); one or both of these structures could be built in lieu of the potential 250-foot-tall tower at the southwest corner of Fourth and Brannan streets that was assumed in the Plan EIR’s shadow analysis. Either one of these buildings, if built, would result in similar, but slightly different, shadow effects than analyzed here.





⁹ San Francisco Shared Schoolyard Project hours of operation, “San Francisco Shared Schoolyard Project: Benefits.” Available at <http://www.sfshareschoolyard.org/benefits>. Accessed July 6, 2018.



June 21, Sunrise + 1 hour (6:47 a.m.)



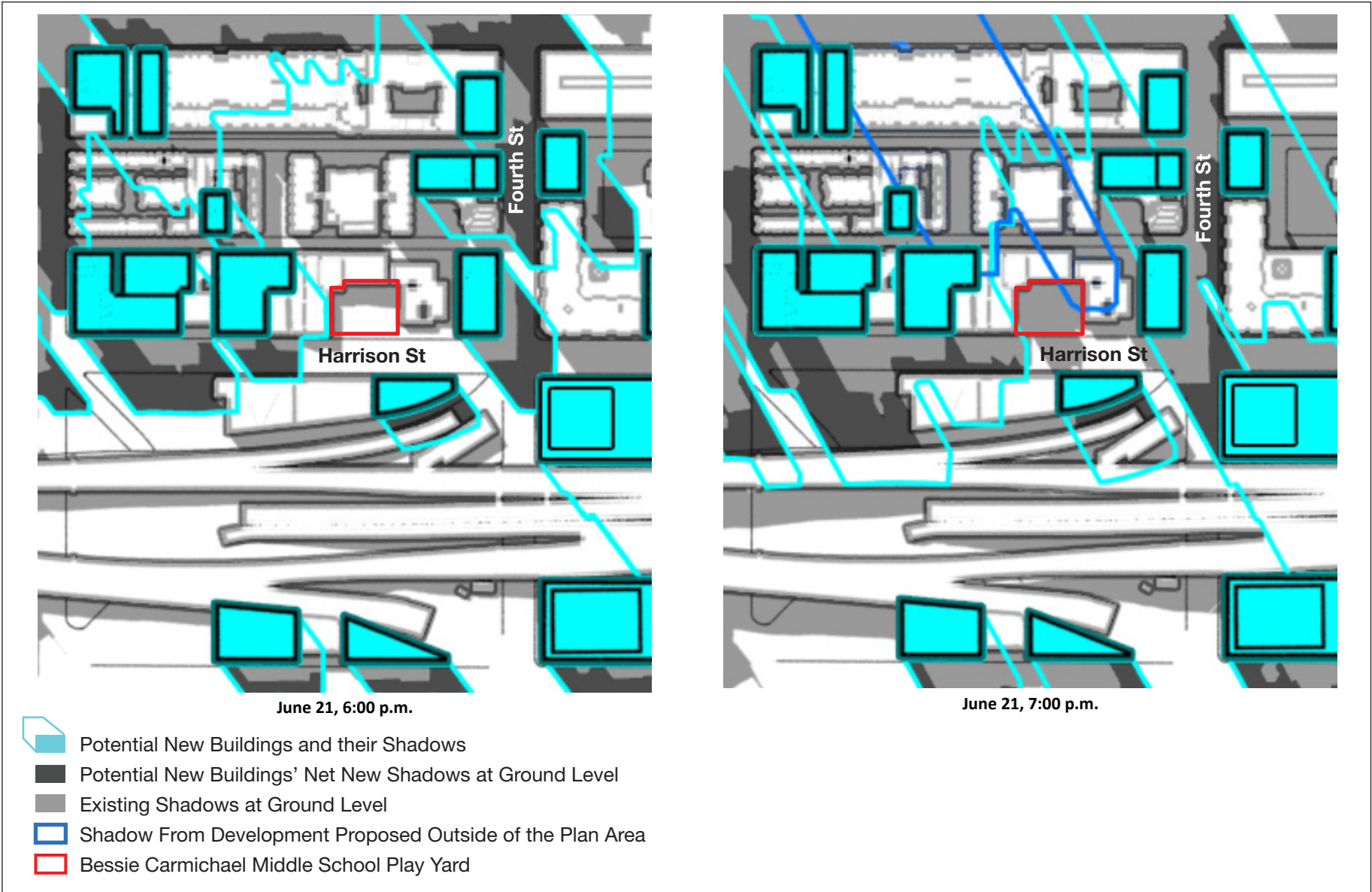
June 21, 7:00 a.m.

-  Potential New Buildings and their Shadows
-  Potential New Buildings' Net New Shadows at Ground Level
-  Existing Shadows at Ground Level
-  Bessie Carmichael Middle School Play Yard



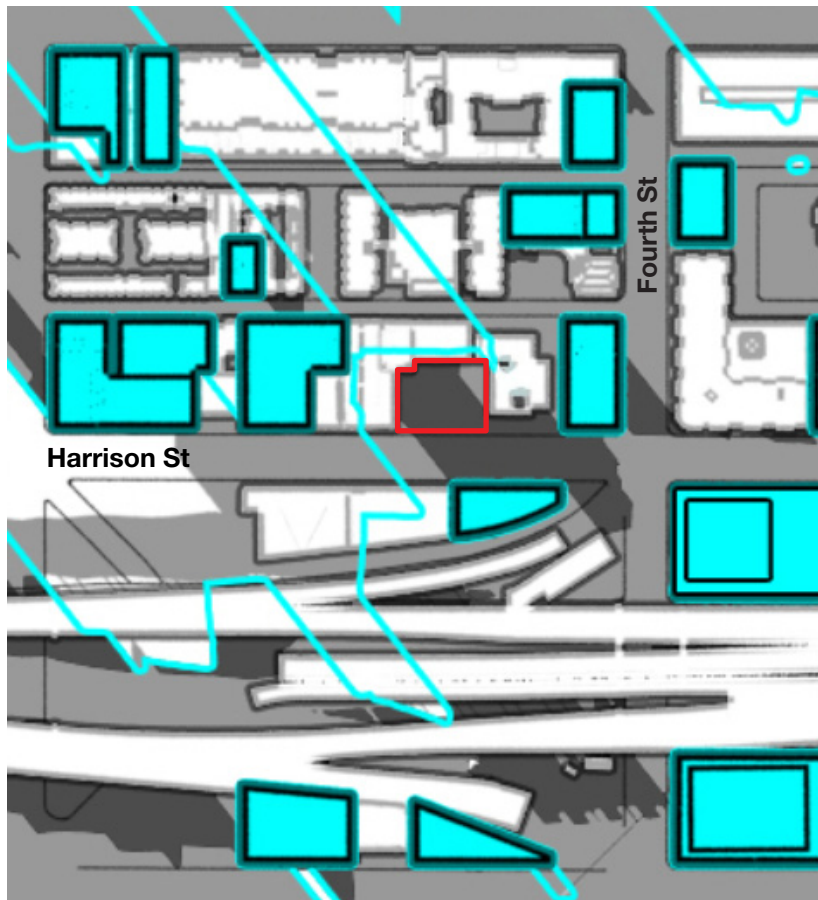
SOURCE: Fastcast; Environmental Science Associates

Figure 5
Shadow on Bessie Carmichael Middle School Play Yard

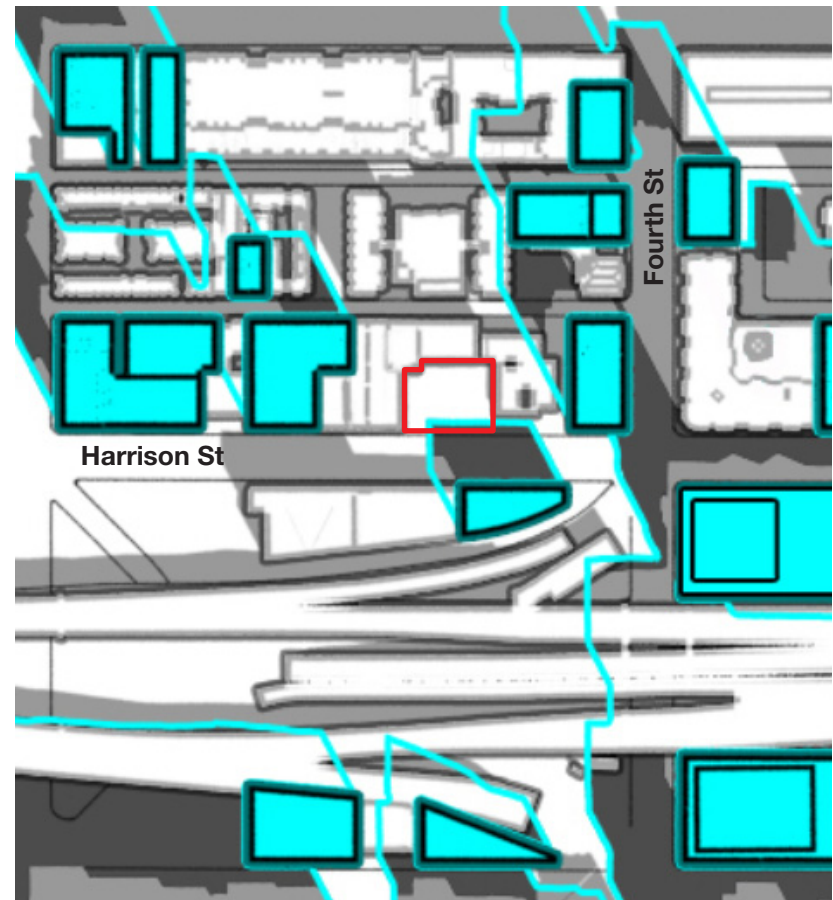


SOURCE: Fastcast; Environmental Science Associates





Figure 6
Shadow on Bessie Carmichael Middle School Play Yard

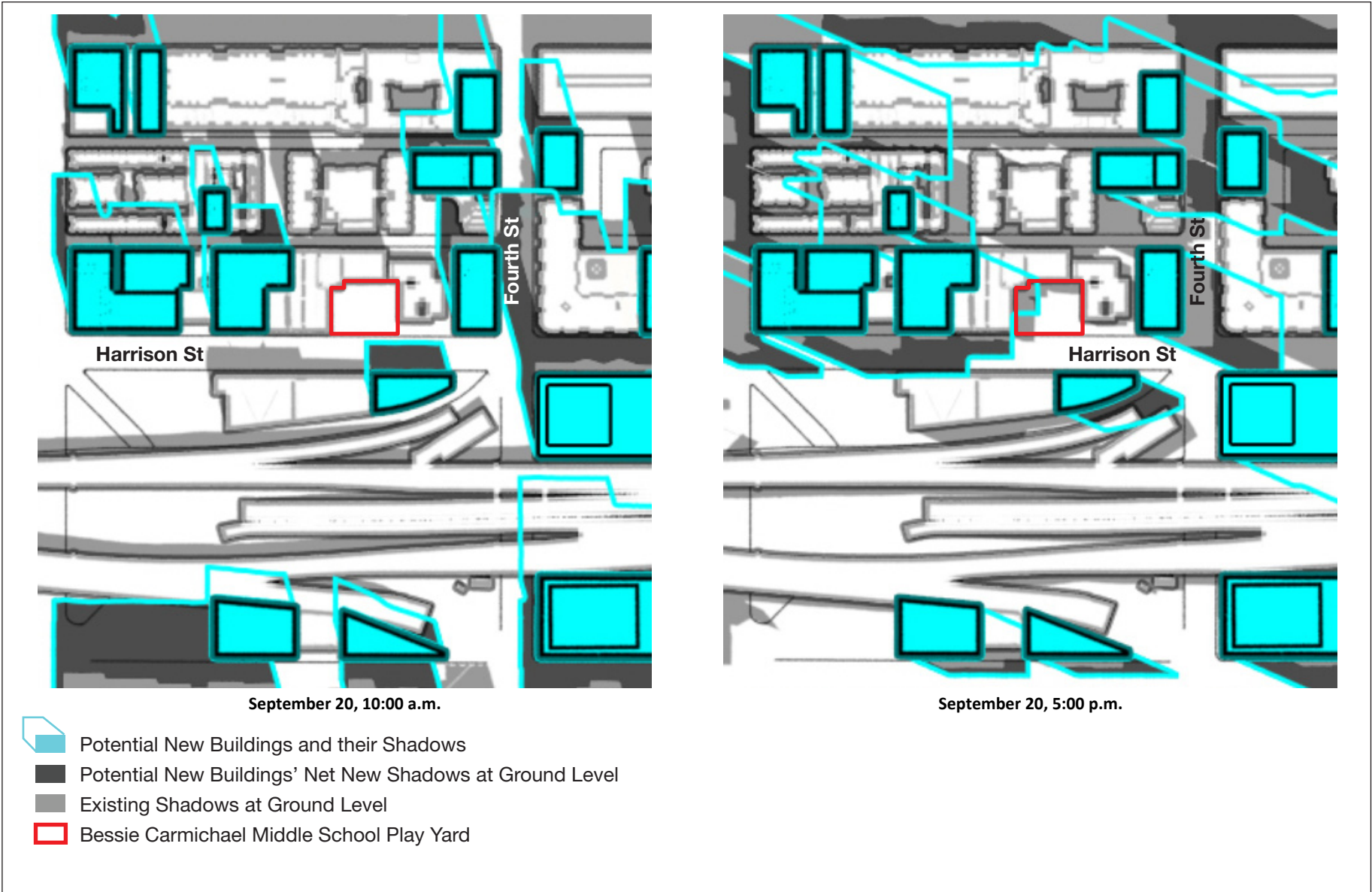


September 20, Sunrise + 1 hour (7:57 a.m.)



September 20, 9:00 a.m.

-  Potential New Buildings and their Shadows
-  Potential New Buildings' Net New Shadows at Ground Level
-  Existing Shadows at Ground Level
-  Bessie Carmichael Middle School Play Yard



SOURCE: Fastcast; Environmental Science Associates

Figure 8
Shadow on Bessie Carmichael Middle School Play Yard

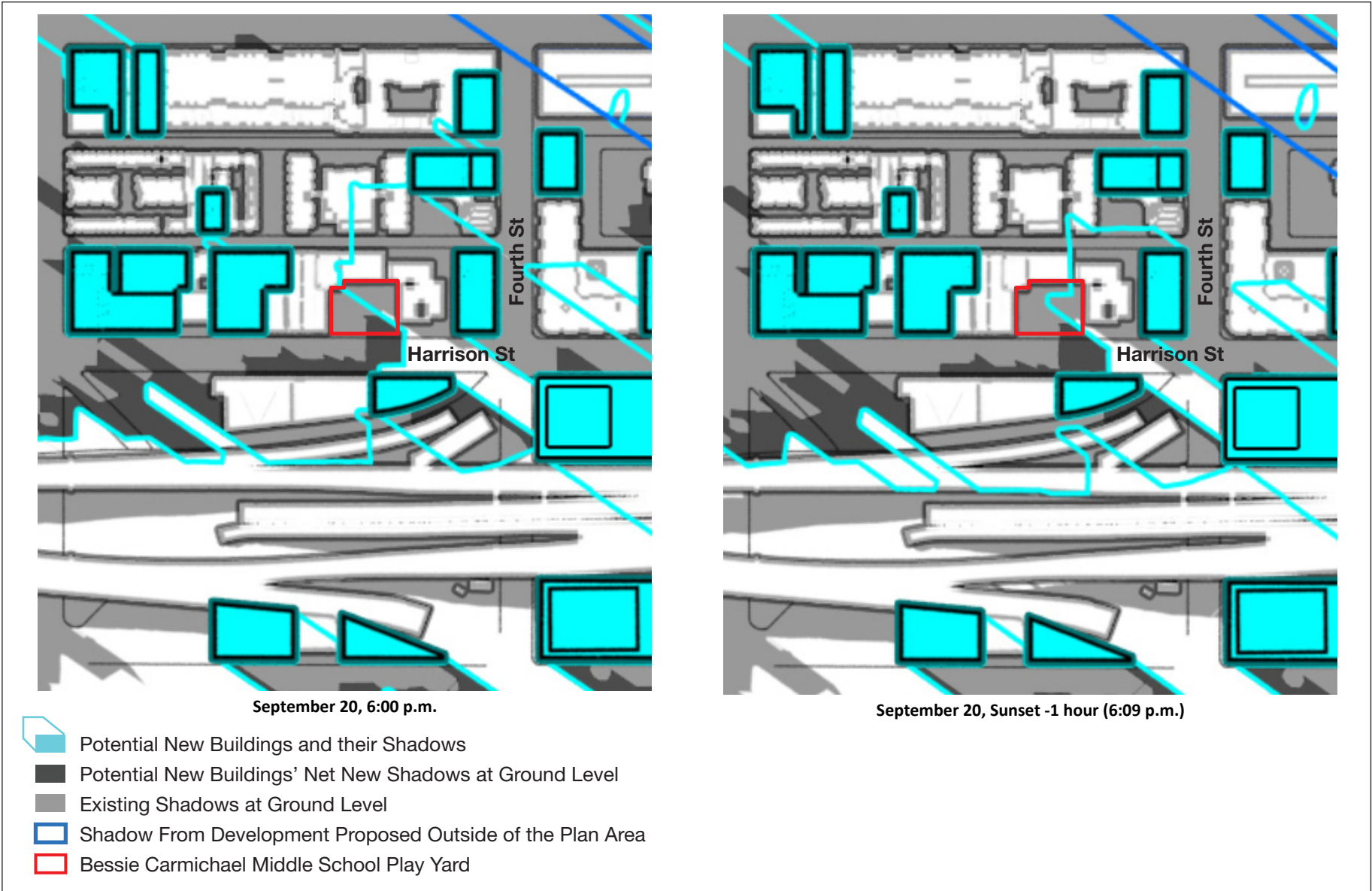
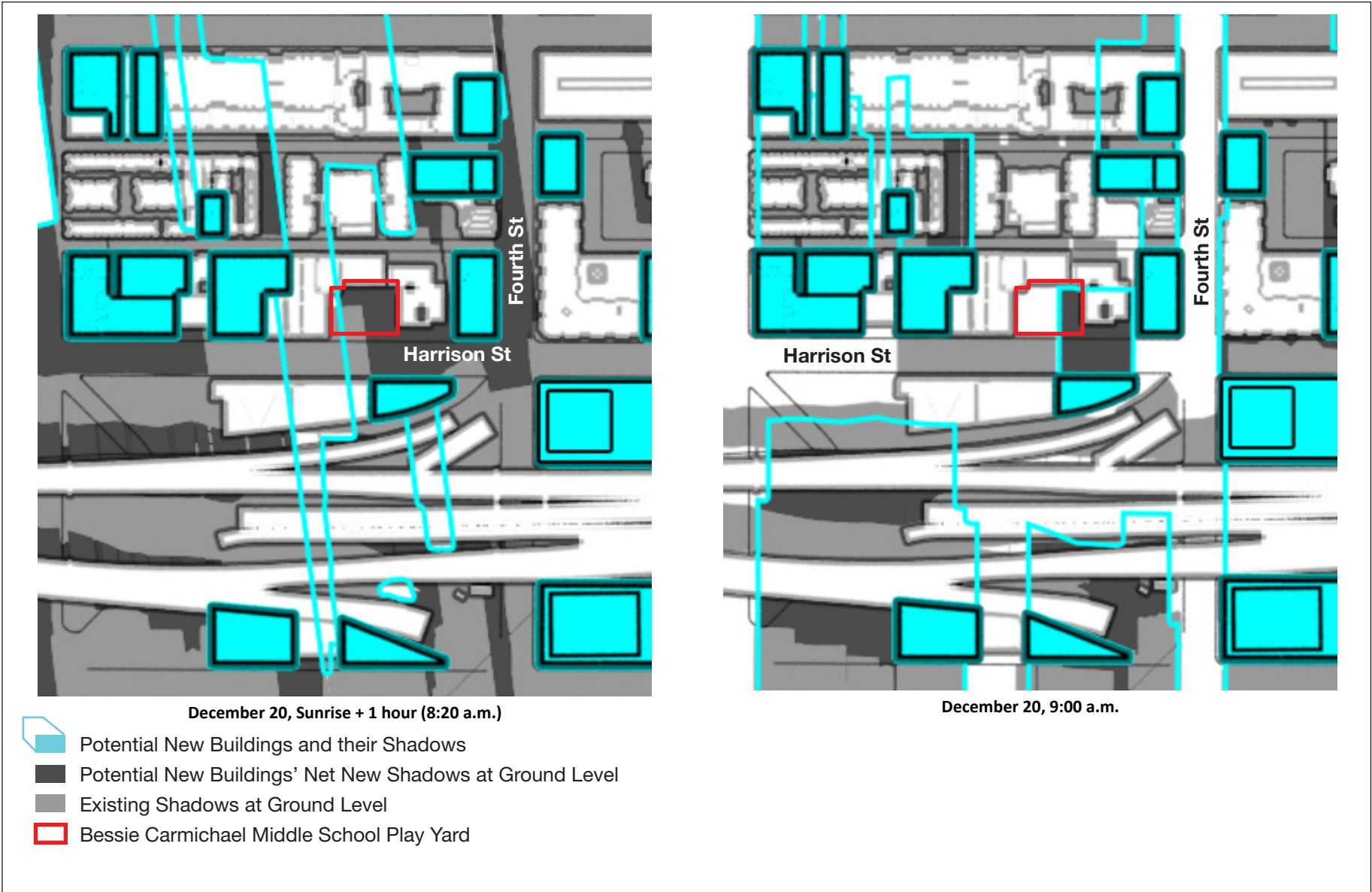
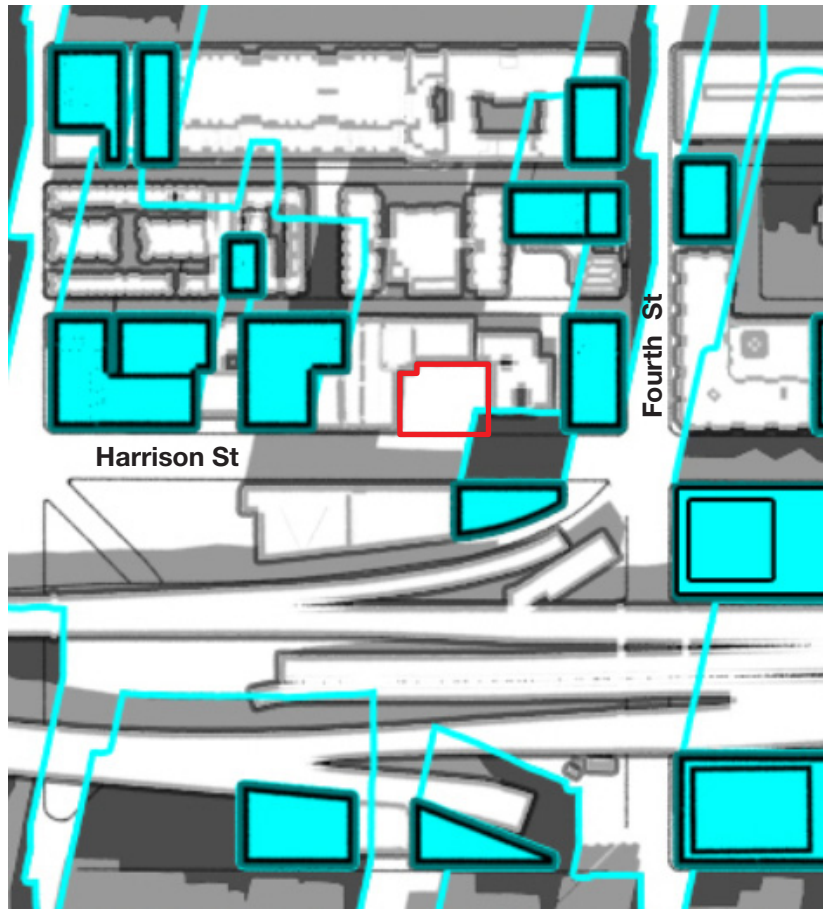


Figure 9
Shadow on Bessie Carmichael Middle School Play Yard



SOURCE: Fastcast; Environmental Science Associates





Figure 10
Shadow on Bessie Carmichael Middle School Play Yard

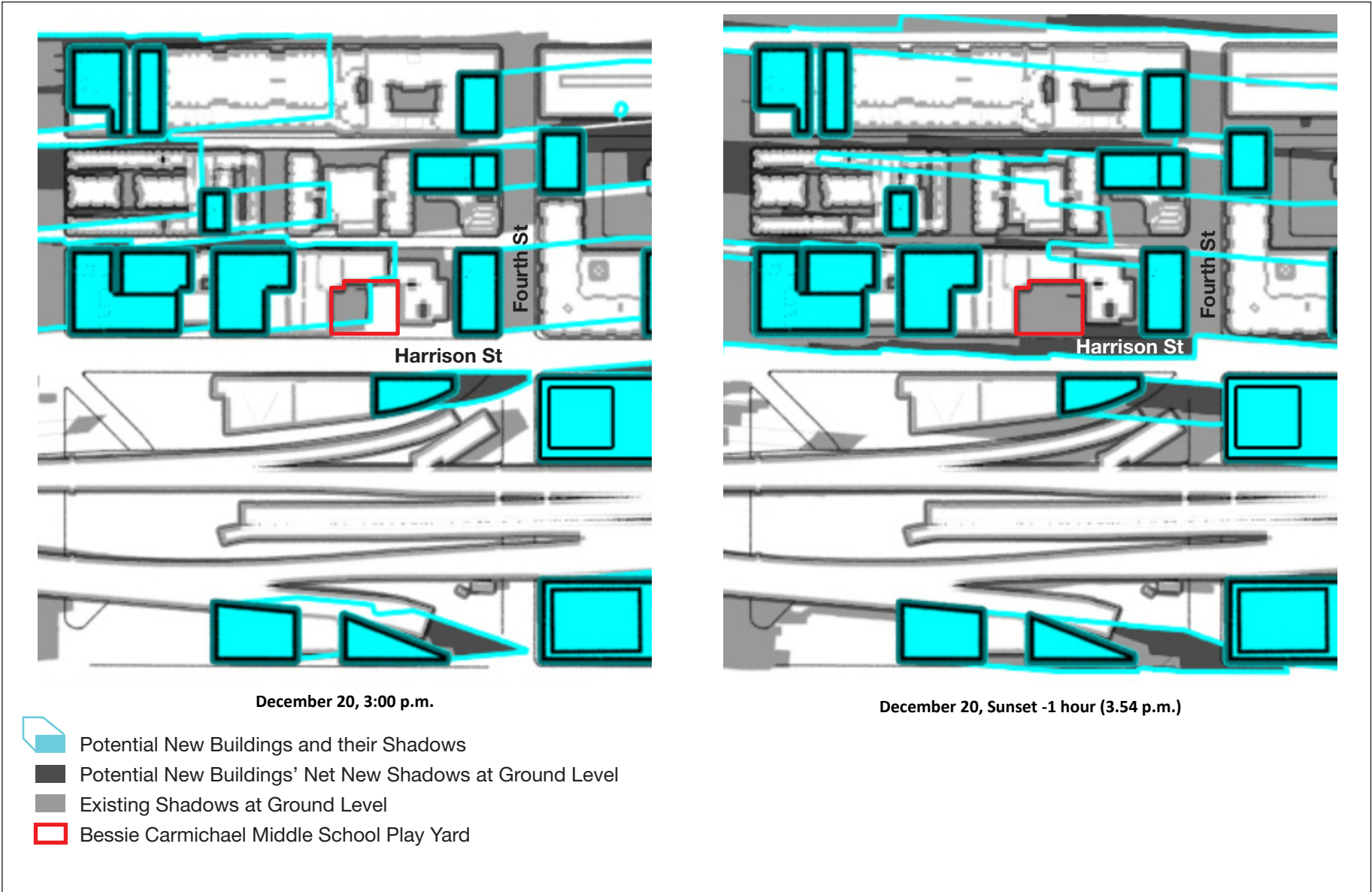


December 20, 10:00 a.m.



December 20, 11:00 a.m.

-  Potential New Buildings and their Shadows
-  Potential New Buildings' Net New Shadows at Ground Level
-  Existing Shadows at Ground Level
-  Bessie Carmichael Middle School Play Yard



SOURCE: Fastcast; Environmental Science Associates

Figure 12
Shadow on Bessie Carmichael Middle School Play Yard