



CATEGORICAL EXEMPTION APPEAL

2001 37th Avenue / Saint Ignatius Stadium Lighting Project

Date: September 28, 2020

To: Angela Calvillo, Clerk of the Board of Supervisors

From: Lisa Gibson, Environmental Review Officer – lisa.gibson@sfgov.org
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RE: **Planning Record No. 2018.012648APL; Board of Supervisors File No. 200992 Appeal of Categorical Exemption for Saint Ignatius Stadium Lighting Project**

Hearing Date: October 6, 2020 (continued from September 22, 2020)

Attachment: A – Athletic Fields with Nighttime Lighting near Residential Areas

Project Sponsors: Ken Stupi, Saint Ignatius College Preparatory, (415) 682-5070
Chad Christie, Ridge Communications representing Verizon Wireless, (916) 396-1470

Appellant: Michael Graf of Michael W. Graf Law Offices, on behalf of Saint Ignatius Neighborhood Association, (510) 525-1208

Planning Department's Recommendation

Uphold the California Environmental Quality Act (CEQA) categorical exemption determination and deny the appeal.

Introduction

This memorandum is a response to the letter of appeal to the board of supervisors (the board) regarding the planning department's (the department) issuance of a categorical exemption under the California Environmental Quality Act (CEQA determination) for the proposed Saint Ignatius Field Lighting project.

The department, pursuant to Article 19 of the CEQA Guidelines, issued a categorical exemption for the project on June 3, 2020 finding that the proposed project is exempt from CEQA under two independent bases: as a Class 1 categorical exemption per CEQA guidelines section 15301 and Class 3 categorical exemption per CEQA guidelines section 15303.

The decision before the board is whether to uphold the department's decision that the project is exempt from environmental review under the categorical exemption for Class 1 and/or Class 3 and deny the appeal, or to overturn the department's decision that the project is exempt and return the project to the department staff for additional environmental review.

Site Description and Existing Use

Saint Ignatius (SI) College Preparatory has been located at 2001 37th Avenue since 1969. The SI campus occupies a 495,470-square-foot parcel and is developed with approximately 290,595 square feet of secondary school facilities.

The J.B. Murphy Field athletic stadium is located at the southwest corner of the campus, with frontage on 39th Avenue and Rivera Street. The stadium consists of a football field with artificial turf and a six-lane synthetic track that surrounds the football field perimeter. There is a seating capacity of 2,008 persons, which includes a 1,234-seat home bleacher section with press box and a 774-seat visitors' section. The field is currently used Monday through Sunday on an annual basis for approximately 110 games/meets (including pre-season), up to 20 playoff games, 750 practices and 50 events for outside not-for-profit groups. Practices take place from 6:00 am to 7:45 am and from 3:30 pm to dusk.

The attendance for football games at the stadium typically range between 500 to 1,500 spectators. For one to three times each year, attendance for football games approach 1,500 spectators. The remaining games at the stadium typically draw fewer than 1,000 spectators: soccer games range between 50 to 200; lacrosse games ranges between 100 to 250; and track meets range between 100 to 400.

For approximately 40 to 50 evenings a year, the school uses temporary (portable) field lights at the stadium until 7:30 pm to 8:00 pm.

The existing stadium sound system is comprised of an amplified blowhorn speaker type, which shares a single amplifier that controls the volume for all speakers.

The school campus also includes a practice field (known as the "upper practice field") that fronts on 37th Avenue. The upper practice field contains four 40-foot-tall light poles and the half-sized field is used until 7:30 pm on the weekdays during the school year.

The predominant use in the immediate area consists of two-story, single-family residences.

Project Description

The proposed project involves the installation of four 90-foot-tall light poles at SI's J.B. Murphy Field athletic stadium to support evening use at the stadium. In addition, Verizon Wireless proposes to place nine panel antennas, three integrated radio antenna units, six remote radio units, and two surge suppressors on the proposed northwest light pole. The antennas and related equipment installed on the light pole would be painted to match

the proposed light pole. Verizon Wireless would also house ancillary equipment within a 12-foot by 28-foot fenced enclosure area located on the ground, immediately adjacent to the proposed northwest light pole. Installation of each pole would require approximately 30 feet of excavation below ground surface, resulting in a total of 60 cubic yards of soil disturbance. The project would add small-scale safety lighting to the existing bleachers and sidewalk surrounding the field. The proposed project does not involve the replacement of the existing stadium sound system.¹

The proposed evening lighting would allow for additional weekday and weekend evening use of the stadium field for practice, games, and events. The lights would be used up to 150 evenings per year. The use of the lighted field would primarily be for practice and low attendance games (i.e., games where the anticipated attendance is below 1,000). Affiliates of the school would use the lights for up to 20 of the 150 evenings. With the exceptions noted below, on Monday through Friday during the school year, the lights would be dimmed no later than 8:30 pm and turned off no later than 9:00 pm.

For up to 20 evenings per year (out of the 150), the lights would remain on until 10:00 pm. Approximately 10 of these events would be for high attendance games (i.e., games where the anticipated attendance is above 1,000 to a maximum of 2,800) on Friday or Saturday evenings. The project sponsor anticipates that approximately 10 other weekday evening events would be necessary due to circumstances that prevent a Friday or Saturday evening event; the project sponsor does not anticipate lights being used on Sundays. The project sponsor would use the lights only during the school year (i.e., roughly between August 15 and May 31). The lights would not be used for groups unaffiliated with the school.

The proposed permanent evening lighting at the stadium would shift the timing of field use from early mornings on weekdays to early evenings on weekdays.² In addition, approximately 5 Saturday afternoon football games would be move to Friday evenings. Below is a table that shows the existing and proposed use of the stadium.

Table 1: J.B. Murphy Field Use

	Existing	Proposed	Change
Athletic Teams	79	79	0
Total Annual Games/Meets	110	110	0
Team Practices (approximate)	750	750	0
Saturday Daytime Football Games	15	5	-10
Friday Afternoon Football Games (Junior Varsity)	0	5	5
Friday Evening Football Games (Varsity)	0	5	5

¹ The June 3, 2020 CEQA determination incorrectly stated that the existing sound system would be replaced. Replacement of the existing sound system is not part of the project.

² With implementation of the project, the school would eliminate early morning practices.

Background

On September 14, 2018, Saint Ignatius College Preparatory (hereinafter project sponsor) filed an application with the planning department (hereinafter department) for CEQA determination for the project described above.

On June 3, 2020, the department determined that the project was categorically exempt under two independent classes, CEQA Guidelines section 15301 (Class 1: existing facilities) and section 15303 (Class 3: new construction or conversion of small structures), and that no further environmental review was required.

On July 23, 2020, the planning commission approved the proposed project by granting a conditional use authorization. The planning commission required several conditions of approval. These conditions of approval have been included in the above project description.

On August 24, 2020, Michael Graf of Michael W. Graf Law Offices, on behalf of Saint Ignatius Neighborhood Association (hereinafter “appellant”), filed an appeal of the CEQA determination.

On September 17, 2020, the appellant filed six supplemental appeal letters.

CEQA Guidelines

Categorical Exemptions

CEQA Guidelines sections 15301 through 15333 list classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

CEQA Guidelines section 15301, or Class 1, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

CEQA Guidelines section 15303, or Class 3, consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

In determining the significance of environmental effects caused by a project, CEQA Guidelines section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA Guidelines section 15064(f)(5) offers the following guidance: “Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts.”

Planning Department Responses

The concerns raised in the appeal letter and supplemental letters are addressed in the responses below.

Response 1: The proposed project meets the definition of Class 1 and Class 3 exemptions.

The proposed project would add permanent evening lighting to an existing athletic stadium at a private secondary school. In addition, Verizon Wireless would install nine antennas and related equipment on the proposed northwest light pole with an approximately 336-square-foot fenced enclosure on the ground to hold ancillary equipment.

As stated above, CEQA Guidelines section 15301, or Class 1, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized in section 15301 are not intended to be all-inclusive of the types of projects which might fall within Class 1. This class, as a whole, includes a wide range of activities concerning existing structures and facilities. The key consideration is whether the project involves negligible or no expansion of an existing use.

The proposed project does not entail the construction of a new stadium or the expansion of the existing playing surface. The project would not expand the existing bleachers or increase the stadium's capacity. The proposed lights would primarily shift the school's existing use of the field to later times in the day and/or days of the week. The school would not be adding new athletic teams and would not rent the facility out to non-affiliated teams during evening hours. The addition of fixed, permanent lights would shift the times the school's existing programs currently use the stadium. For approximately 40 to 50 evenings a year, the school uses temporary (portable) field lights at the existing stadium. The proposed installation of permanent evening lights would support evening use at the stadium for up to 150 evenings a year. As shown above in table 1, the project would shift the timing of field use, from early mornings on weekdays to early evenings on weekdays, and would move approximately 5 Saturday afternoon football games to Friday evenings. With implementation of the project, evening games and practices are not intended to intensify the use of the stadium and the school does not anticipate an overall increase in attendance at these events.³ Therefore, the proposed alteration to the existing facility would fit within the Class 1 exemption.

CEQA Guidelines section 15303, or Class 3, consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This class, as a whole, includes a wide range of activities concerning new, small facilities or structures. The proposed installation of four lights poles, safety lighting, and a wireless telecommunications services facility, would all fit within the Class 3 exemption.

³ The attendance for football games typically range between 500 to 1,500 spectators. For one to three times each year, attendance approaches 1,500. The remaining games typically draw fewer than 1,000 spectators: soccer games range between 50 to 200; lacrosse games range between 100 to 250; and track meets range between 100 to 400.

When a lead agency determines that a project fits within a class of exemption, that determination will be upheld if it is supported by substantial evidence. CEQA Guidelines define substantial evidence as “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.” As presented above, the department’s determination is supported by substantial evidence; the appellant has not demonstrated otherwise.

Response 2: None of the exceptions for categorical exemptions apply to the proposed project.

CEQA Guidelines section 15300.2 identifies exceptions to the applicability of categorical exemptions. When any of the exceptions apply, a project that otherwise fits within a categorical exemption must undergo a higher level of environmental review. As outlined below, none of the exceptions to the categorical exemptions apply to the proposed project.

Location

Certain classes of exemptions, including a Class 3, may not be applied “where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.” The project site does not contain an environmental resource of hazardous or critical concern.

Cumulative Impacts

An exemption may not be applied “when the cumulative impact of successive projects of the same type in the same place, over time is significant.” This exception applies when a project, in combination with “closely related past, present and reasonably foreseeable probable future projects” in the same place over time, could create significant environmental impacts. The proposed project does not present the possibility of cumulative impacts. See Response 3 below for more details.

Significant Effect Due to Unusual Circumstances

Pursuant to CEQA, the department applies a two-part analysis to determine whether there is a reasonable possibility of having a significant effect on the environment due to unusual circumstances. The following describes the two-parts, or questions, and their applicability to the project.

Part 1 Question: Do unusual circumstances exist?

Part 1 Answer: There are no unusual circumstances surrounding the project.

The lead agency must determine if unusual circumstances are present. If a lead agency determines that a project does not present unusual circumstances, that determination will be upheld if it is supported by substantial evidence, as defined above.

The circumstances surrounding the project and the project site are not unusual nor are the project elements, as substantiated by several other similar facilities near residential areas⁴ in San Francisco. As shown in Attachment A:

⁴ Residential neighborhoods exist almost everywhere in San Francisco, regardless of the predominate zoning (e.g., RH-1 vs. UMU). Thus, the distinction the appellant attempts to make about locating this project in a residential neighborhood is moot.

Athletic Fields with Nighttime Lighting near Residential Areas, none of the following are unusual circumstances in San Francisco:⁵

- Evening lighting for athletic activities and events, including near residential areas.
- Noise generated from athletic events, including near residential areas.
- Limited parking supply or blocked driveways.
- Evening traffic.

Similarly, the proposed wireless telecommunications services facility does not present unusual circumstances where antennas and related equipment are located through-out San Francisco on buildings, light poles, and utility poles in and near residential areas.

The alleged issues raised by the appellant do not rise to the level of “unusual circumstances,” as similar conditions are encountered at other athletic fields in San Francisco. Further, some of the issues that the appellant raises are conditions that currently occur at the project site for the approximately 40 to 50 evenings the school uses temporary (portable) field lights at the stadium.

For the above reasons, the department’s determination that unusual circumstances are not present is supported by substantial evidence; the appellant has not demonstrated otherwise.

Part 2 Question: Would the project result in significant effects due to unusual circumstances?

Part 2 Answer: This question is not applicable, given that no unusual circumstances are present.

If the lead agency determines that a project presents unusual circumstances, then the lead agency must determine if a fair argument has been made supported by substantial evidence in the record that the project may result in significant effects.

As stated above, there are no unusual circumstances surrounding the project, so the answer to this question is moot.

For informational purposes, however, even if unusual circumstances were present, the proposed project would not result in a significant effect on the environment. This includes effects addressed in the exceptions to a categorical exemption discussed in this response, as well as the topics discussed in Responses 4 through 10, below.

Scenic Highways

Categorical exemptions may not be applied to projects that “may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.” The project site is not located near a designated state scenic highway.

Hazardous Waste

A project that is located on a site that is listed as a hazardous waste site pursuant to Section 65962.5 of the

⁵This document is attached to this memo.

California Government Code may not be categorically exempt. The project site is not listed as a hazardous waste site by the state.

Historical Resources

A categorical exemption cannot be applied to a project that “may cause a substantial adverse change in the significance of a historical resource.” No known historical resources are present at or neighboring the project site. The installation of four light poles and the wireless telecommunications services facility would not cause a substantial adverse change in the significance of a historical resource.

Conclusion regarding Exceptions to Categorical Exemption

Considering the above, the proposed project fits within the Class 1 and 3 categorical exemptions and none of the exceptions are triggered. As such, the project is not required to undergo further environmental review. Moreover, since the proposed project qualifies for an exemption, mitigation measures cannot be applied to the project. The appellant has not demonstrated that the department’s CEQA determination for the proposed project is not supported by substantial evidence in the record.

Response 3: The proposed project would not result in a significant cumulative impact.

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. These effects may be from a single project or a number of separate projects. 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 projects. The department generally considers reasonably foreseeable projects as those projects actively undergoing environmental review, recently completed environmental review, or the department anticipates undertaking environmental review soon because they have received sufficient project definition.⁶

The appellant incorrectly alleges that there are three projects that would combine with the proposed project, resulting in cumulative impacts. The appellant has also not presented substantial evidence as to how significant cumulative impacts would occur.

The first project that the appellant lists is the expansion of the lights used at SI’s upper practice field from 7:30 pm to 9:00 on practice evenings and to 10 pm on Friday game evenings. The planning department has not received a proposal from the school of this change. Therefore, any changes to the lighting schedule at the upper practice fields would not be considered reasonably foreseeable. Even if such a permit were filed, there would be no cumulative impacts because the increase of evening hours at the upper practice field would not substantially intensify the use of the half-sized sports field or would expect to have an adverse effect on the surrounding area.⁷

The second project that the appellant suggests will lead to cumulative impacts is the installation of safety lights at the stadium bleachers and sidewalk. However, these lights are part of the proposed project and were therefore

⁶ San Francisco Planning Department, “Transportation Impact Analysis Guidelines for Environmental Review,” updated October 2019, p. 22.

⁷ The nearest residential property to the upper practice field is approximately 230 feet away.

considered in the CEQA determination. The proposed installation of safety lighting is required because the lighting from the proposed 90-foot-tall lights poles would be directed towards the field in such a way that it would not spill over to provide adequate safety lighting for areas immediately surrounding the field. Since the proposed safety lighting is part of the proposed project, it would not be considered a cumulative project.

The third project cited by the appellant is the construction of a new theater/performing arts center and outdoor swimming pool, which is part of the school's Ten Year Institutional Master Plan.⁸ The school prepared the master plan for informational purposes only to facilitate its efforts to maintain and renovate the existing campus buildings, add new buildings to support their educational vision, and provide information to the public.⁹ The planning department has not received a project application or any other information from the school indicating that these facilities would be reasonable foreseeable under CEQA. The construction of these facilities is speculative as the project sponsor has indicated in their appeal response that the "school's conceptual plans for future expansion are, at this time, purely aspirational" and "no funds exist." The master plan also lists these facilities as "conceptual." Further, the appellant hasn't provided substantial evidence that a significant cumulative impact would occur with the proposed project even if this third project was reasonably foreseeable.

As discussed above, the proposed project does not have potential to combine with other projects to create a significant cumulative impact related to lighting or other environmental topics. Therefore, the cumulative impacts exception, per CEQA Guidelines section 15300.2, is not applicable to the proposed project as there are no past, present or reasonably foreseeable future projects that would have the potential to have significant cumulative impacts with the proposed project.

Response 4: For informational purposes, the proposed project would not result in a significant noise impact.

CEQA does not require that the department consider whether significant impacts associated with noise in general would occur, as noise by itself is not an exception to the use of a categorical exemption. Thus, the following discussion of the project's noise impacts is provided for informational purposes and may be more appropriately considered by the board in its deliberation of the conditional use authorization appeal for the proposed project.

The nearest sensitive receptors to the existing stadium are residents living along the west side of 39th Avenue and the south side of Rivera Street (approximately 100 to 180 feet away, respectively).¹⁰ Under CEQA, the impacts of a proposed project must be evaluated by comparing expected environmental conditions after project implementation to existing conditions referred to as the baseline. The baseline for noise includes noise that is generated from the existing stadium, which includes practices and game day events. The baseline also includes the approximately 40 to 50 evenings where the school uses temporary (portable) field lights at the stadium. The use of these portable lights requires diesel-powered generators.

⁸ Saint Ignatius College Preparatory's Ten Year Institutional Master Plan can be located here: <https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=44983aa73874e902da916ddc551b2fcd11620f616550cc8d836a40e7db038f16&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>

⁹ Secondary schools are not subject to Planning Code Section 304.5, Institutional Master Plans.

¹⁰ Ambient noise levels in the project vicinity are typical of noise levels in greater San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses and emergency vehicles.

The proposed lighting would allow for weekday and weekend evening use of the existing field for practice and games. The lights would be used for up to 150 evenings per year. Most of these evenings would be for practice and low attendance games. On Monday through Friday, the lights would be dimmed no later than 8:30 pm and turned off no later than 9:00 pm. For no more than 20 evenings per year, the lights would remain on until 10:00 pm. Approximately 10 of these events would be for high attendance games (i.e., games where the anticipated attendance is above 1,000 to a maximum of 2,800). All practices, low attendance games, and high attendance games already occur at the project site. Additional users are not expected, as some of the existing programs would be moved from daytime to evening use. Games with the largest attendance that currently occur on Saturday afternoons would be moved to Friday or Saturday evenings. The school does not expect the project to create an overall increase in event attendance.^{11,12} The school has one very large attendance game each year, the Bruce Mahoney game with Sacred Heart. This event is held at Kezar Stadium and would continue to do so after project implementation.

The project would not result in net new noise as the project would shift the timing of field use. There would not be an increase in noise by shifting practices from early morning to early evening. Additionally, there would not be an increase in crowd noise or public address announcers from moving approximately five football games from Saturday afternoons to Friday evenings. While the new hours of evening use would be considered at a more noise-sensitive time as more people in the surrounding area may be sleeping or approaching sleep periods, the noise generated for practices would not be considered substantial and the number of evening events would be limited to 20 and would be over before the lights turn off at 10 pm.

Similar to existing conditions, noise generated from the proposed evening use of the stadium would be largely from unamplified voices. Noise from unamplified voices is not typically a significant impact unless the noise could interfere with activities such as sleep. Noise associated with the stadium would primarily occur during the daytime and early evening, and would unlikely result in sleep disturbance. Noise that does not interfere with sleep disturbance or result in physiological effects may be an annoyance to nearby sensitive receptors, but is not unusual in the urban context of San Francisco, and is not considered a significant impact under CEQA.

Game events would be louder than practice events, but similar to existing conditions, as high-attendance game events would be infrequent with short-duration and would be considered temporary noise impacts. The noise generated from the evening use of the athletic stadium would not be considered to result in sleep disturbance. Rather, it would be perceived as an annoyance to some and may require some households to close windows.

Additionally, a potentially significant increase in the ambient noise level due to traffic resulting from the proposed project as the project is not expected to increase existing traffic levels in the surrounding area due to the shift in traffic levels to other times of the day.

¹¹ The project does not propose changes to the existing stadium bleachers or increases to stadium capacity.

¹² Event noise would not be expected to exceed 10 decibel (dBA) above existing ambient noise levels. A 10 decibel increase in ambient noise levels represents a perceived doubling of loudness which would be considered substantial.

The proposed project does not involve the replacement of the existing sound system.¹³

With installation of permanent evening lights, the school's use of the athletic stadium would change in times of day and/or days of week and would occur during more noise-sensitive times. However, as discussed above, this change would not result in a substantial permanent increase in ambient noise levels and the net-new noise would be comparable to baseline conditions

Response 5: For informational purposes, the proposed project would not result in a significant parking impact.

CEQA does not require that the department consider whether significant impacts associated with parking in general would occur, as parking by itself is not an exception to the use of a categorical exemption, nor is it considered a significant impact on the environment. Thus, the following analysis of parking impacts is provided for informational purposes only and may be more appropriately considered by the board in its deliberation of the conditional use authorization appeal for the proposed project.

Approximately 40 to 50 evenings a year, the school uses temporary (portable) field lights at the existing stadium. The appellant claims that the proposed project would result in a significant parking impact because in the past when the school used temporary lights for evening games, residents found their driveways blocked and there was no available on-street parking in the immediate area.

In 2009, the California Secretary of Natural Resources Agency removed inadequate parking capacity from the checklist form set forth in Appendix G of the CEQA Guidelines. While CEQA included inadequate parking capacity as a question to consider up until 2009, the department consistently found that, in the transit-rich urban context of San Francisco, parking loss or deficit in and of itself does not result in direct physical changes to the environment. In other words, the social inconvenience of a person searching in their vehicle for an available parking space is not an environmental impact under the purview of CEQA; instead, the secondary effect of this search in relation to other topics could be an environmental impact.¹⁴ In 2013, Governor Brown signed California Senate Bill 743, which affected parking analysis through legislation. Specifically, the senate bill stated that impacts to parking shall not be considered a significant impact on the environment.

Consistent with this history, the planning department's 2019 transportation impact guidelines do not include parking, by itself, as a significant impact. Instead, the department assesses whether a parking deficit could occur

¹³ The June 3, 2020 CEQA determination incorrectly stated that the existing sound system would be replaced. Replacement of the existing sound system is not part of the project.

¹⁴ For more information on the history of vehicular parking analysis in San Francisco, refer to San Francisco Planning Department, "California Environmental Quality Act: Vehicle Miles Traveled, Parking, For-Hire Vehicles, and Alternatives", February 23, 2017. The memo can be located at: https://default.sfplanning.org/publications_reports/TIA_Guidelines_Summary_of_Changes_Memo.pdf

using vehicle miles traveled (VMT) screening criteria.¹⁵ If a project meets the screening criteria, then a substantial parking deficit would not occur, and the project would not require parking analysis. Almost all projects located within San Francisco are located within transit priority areas and would not require parking analysis under CEQA.

As shown below in Table 2, the proposed project is within the VMT map-based screening area. The proposed project is located in transportation analysis zone (TAZ) 496. The existing and future VMT per capita for a school use in TAZ 496 are 14.3 and 12.8, respectively, which are both below the screening criteria.¹⁶ TAZ 496 exhibits VMT that is 11.7 percent below the respective existing and cumulative (2040) screening thresholds (Bay Area Regional Average Minus 15 percent) for the proposed use. Thus, no significant parking impacts would occur.

Table 2: Secondary Parking & Vehicle Miles Traveled Analysis

Land Use	Existing				Cumulative 2040			
	Bay Area Regional Average	Bay Area Regional Average minus 15% (threshold)	TAZ 496	Percent +/- Threshold	Bay Area Regional Average	Bay Area Regional Average minus 15% (threshold)	TAZ 496	Percent +/- Threshold
School Use	17.2	16.2	14.3	-11.7	16.1	14.5	12.8	-11.7

Response 6: Automobile delay (traffic) cannot be considered a significant effect on the environment.

The appellant alleges that the proposed project’s evening events would result in high traffic volumes but does not provide substantial evidence to support this claim. With the installation of permanent evening lights, the school’s Saturday football games would be moved to Friday evening. The proposed project would not expand the existing bleachers or increase the stadium capacity, and the project sponsor does not anticipate an overall increase in event attendance as compared to existing events that are held at the stadium, which includes the approximately 40 to 50 evenings a year that the school uses temporary (portable) field lights. Furthermore, and as discussed below, through planning commission resolution and subsequent state legislation, automobile delay is no longer a CEQA criteria.

In March 2016, the San Francisco Planning Commission unanimously passed a resolution that directed the department to remove automobile delay as a factor in determining significant impacts pursuant to CEQA and replace it with vehicle miles traveled (VMT) criteria.¹⁷ Pursuant to Public Resources Code section 21099(b)(1),

¹⁵ The planning department’s 2019 transportation impact analysis guidelines for environmental review can be located at: <https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update#impact-analysis-guidelines>.

¹⁶ The Office of Planning and Research has not provided proposed screening criteria or thresholds of significance for other types of land uses, other than those that meet the definition of a small project. Other land use projects means a land use other than residential, retail, and office. Child care facilities, K-12 schools, post-secondary institutional (non-student housing), medical, and production, distribution, and repair (PDR) land uses should be treated as office for screening and analysis.

¹⁷ On March 3, 2016, the Planning Commission adopted resolution 19579, which found that automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall no longer be considered a significant impact on the environment pursuant to CEQA. The resolution

automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant environmental impact under CEQA (effective December 2018).

Consistent with this change, the planning department's 2019 transportation impact guidelines include VMT map-based and other screening criteria, analysis, and methodology. The 2019 guidelines state that if a project meets the screening criteria, then no significant VMT impacts would occur (which is the case for most projects in the city). As shown above in Table 1, the proposed project meets the VMT screening criteria. Therefore, a VMT analysis is not required.

Response 7: For informational purposes, the proposed project would not result in a significant public safety impact.

CEQA does not require that the department consider whether significant impacts associated with public safety in general would occur, as public safety by itself is not an exception to the use of a categorical exemption. Thus, the following discussion of public safety is provided for informational purposes and may be more appropriately considered by the board in its deliberation of the conditional use authorization appeal for the proposed project.

The appellant states that the school has used temporary lighting in the past for night games which resulted in public urination, blocked driveways, and broken bottles. These types of issues are considered social impacts to which CEQA does not require analysis. CEQA serves to address physical changes in the environment. The project would not create a public safety impact related to hazards and hazardous materials, nor would the project create potentially hazardous conditions for people walking, bicycling, driving, or public transit operations. The appellant does not provide any substantial evidence to support their claim of a significant public safety impact.

Response 8: For informational purposes, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings.

CEQA does not require that the department consider whether significant impacts associated with aesthetics in general would occur, as aesthetics by itself is not an exception to the use of a categorical exemption. Thus, the following discussion of aesthetics is provided for informational purposes and may be more appropriately considered by the board in its deliberation of the conditional use authorization appeal for the proposed project.

The proposed installation of four 90-foot-tall light poles safety lighting, and the proposed wireless telecommunications services facility, would change the existing character of the project site. However, this change would not degrade the visual character or quality of the project site and its surroundings. The light poles would add a new vertical element to the project site, and these features would be consistent with the primary purpose of the project site as a school athletic stadium. The size of the proposed antennas and related equipment would be minimal in size and would be painted to match the proposed light poles. The light poles and the wireless facility would not substantially diminish the visual quality of the stadium. The proposed fenced ground enclosure that

directed the Environmental Review Officer to remove automobile delay as a factor in determining significant impacts pursuant to CEQA for all guidelines, criteria, and list of exemptions, and to update the Transportation Impact Analysis Guidelines for Environmental Review and Categorical Exemptions from CEQA to reflect this change.

would house Verizon's ancillary equipment would be minimally visible from the public right-of-way as the stadium is surrounded by a steel fence and landscaping. The proposed ground enclosure would be viewed in the context of the athletic stadium, which includes bleachers and other small structures that provide storage of athletic equipment, and the incremental visual effect would be minimal. The addition of small-scale safety lighting at the bleachers and sidewalk surrounding the field would also have a minimal visual effect as similar elements exist at and near the project site.

The four light poles would be installed in locations on the perimeter of the playfield in order to light the field most effectively. The proposed light poles would be visible from surrounding streets, but the poles would not be grouped such that they would be placed in proximity to one another. As such, the proposed light poles would not block views from nearby streets. Given the dense urban setting of the proposed project, its continued use as an athletic stadium, and the limited introduction of project elements into views of the site, the project would not result in a substantial adverse effect to the visual character or quality of the project site.

The proposed stadium lighting, including the proposed nine antennas and related equipment to be installed on the northwest pole, would modestly interrupt or alter some existing private views currently available to nearby residences in the vicinity of the stadium. The residences located immediately across from the stadium along Rivera Street and 39th Avenue would be most affected by the new light standards and evening lighting that would be used to illuminate the playfield in the evening. Changes to private views would differ based on proximity to the project site, quality of the view currently experienced, and relative sensitivity of the viewer. Such views could be perceived as undesirable consequence for affected residents who are used to the existing visual conditions. However, CEQA does not consider impacts to private views to be part of the environment. Thus, the proposed project's impact on private views would not be considered a potentially significant environmental impact, even if an unusual circumstance were present.

Response 9: For informational purposes, the proposed project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area or that would substantially affect other people or properties.

CEQA does not require that the department consider whether significant impacts associated with aesthetics in general would occur, as aesthetics by itself is not an exception to the use of a categorical exemption. Thus, the following discussion of aesthetics is provided for informational purposes and may be more appropriately considered by the board in its deliberation of the conditional use authorization appeal for the proposed project.

Existing sources of evening light in the area surrounding the existing stadium include street lights on adjacent streets as well as existing light standards at the school's upper practice field. Approximately 40 to 50 evenings a year, the school uses temporary (portable) field lights at the existing stadium. The temporary lights that are not equipped with spill and glare shielding to minimize light spill.¹⁸ Other sources of light include vehicles traveling along roadways and light emanating from nearby residences and other buildings.

¹⁸ Here is a link to the specifications of the portable lights that SI uses: <https://www.unitedrentals.com/marketplace/equipment/light-towers-generators/towable-light-towers/light-tower-6kw-generator#/>

The proposed project includes installation of permanent field lighting that would consist of four 90-foot-tall light poles composed of galvanized steel. Two light poles would be installed at the west side of the stadium and two at the east side. The proposed lighting design uses a light structure system equipped with total light control for LED fixtures designed and manufactured by Musco Lighting Systems, which requires 36 1,500-watt LED fixtures to achieve the recommended 50 foot-candle (fc) average.¹⁹ The total light control for LED fixtures are designed to concentrate the light on the field area with minimal light emitted outside the targeted areas. The lighting system is capable of being switched to a “dimmed” setting. This feature would allow the lights to be turned down during events not requiring full lighting. The proposed lighting system, which is specifically designed for sports fields, would be equipped with spill and glare shielding. The light system would be designed to focus the light on the field evenly while minimizing the spread of light upward and beyond the project site boundaries. Due to the limited amount of spill from the 90-foot-tall light poles, the project would add safety lighting to the existing bleachers and sidewalk surrounding the field.

The playing field would be illuminated to a guaranteed average of 50 fc.²⁰ The light spillover on the visiting bleachers, which are located on the west side of the field closest to the nearest residences along 39th Avenue would have an illuminated average of 25 fc. The track that surrounds the playing field would be illuminated with an average of 21 fc. Light spilling over the project boundary from the light poles would be greatly reduced beyond the stadium field. The average spillover immediately adjacent to the light poles (outside of the stadium) would be approximately 14 fc. The spillover to the nearest residential property lines would diminish farther. The maximum illuminance at the front residential property line along 39th Avenue would range from 0.0 to 0.7 fc and would range from 0.0 to 0.1 fc along Rivera Street. In addition, glare impacts on adjacent residents would be also be considered limited. The glare from the proposed lighting would be approximately 5,000 candela at the residents adjacent to the stadium, which is not substantial.²¹ Visual simulations prepared for the proposed project also indicate that the light and glare would not be expected to substantially affect the closest residences.²²

Factors that affect the impact of lighting include the brightness of surrounding lighting, such as residential lights and moonlight, and the “bounce” of the field lights off surrounding structures, the ground, and particles of water in the air (i.e., fog). Thus, the impact of additional artificial lighting on light spillover can depend on such things as the reflectivity and wetness of the synthetic turf, fog conditions, and the phase of the moon. Although lighting proposed by the project would appear brighter compared to existing conditions, the lighting levels for locations off the field are not sufficient to adversely and substantially affect the surrounding neighborhood given that the

¹⁹ A foot-candle is defined as the illuminance on a one square foot surface from a uniform source of light. The closer to a light source the illuminated area is, the higher the illuminance value. Horizontal illuminance describes the amount of light landing on a horizontal surface, such a field or sidewalk. Vertical illuminance describes the illuminance landing on a vertical surface, such as a wall.

²⁰ Musco Lighting, Photometrics, December 20, 2019. This document is available for review at: <http://citypln-m-extnl.sfgov.org/External/link.ashx?Action=Download&ObjectVersion=-1&vault={A4A7DADC-B0DC-4322-BD29-F6F07103C6E0}&objectGUID={07DF29DA-4657-4909-A2D0-547B1DF761E5}&fileGUID={DE57C84A-ACDC-46E6-B5CF-F891B9C81A4F}>

²¹ For informational purposes, glare between 25,000 to 75,000 candela is equivalent to the high beam headlights on a car and 500 or fewer candela is equivalent to a 100-watt incandescent light bulb.

²² Verde Design, *3D Views for Saint Ignatius High School Field Lighting Design*, January 7, 2020. <https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=0837d936c3fec632ad24ad747e8c78f0f75217015979fdc11a1d0de9211c8549&VaultGUID=A4A7DADC-B0DC-4322-BD29-F6F07103C6E0>

project site is in an urban neighborhood with existing street lighting and other light sources. In addition, lighting would be directed onto the field surface and not the windows of adjacent properties. Furthermore, while the lights would be used for up to 150 evenings per year, the lights would only remain on until 10 pm for up to 20 times a year.²³ These later evening events would be infrequent with short-duration, and the light generated from the evening use of the athletic stadium would be perceived as an annoyance to some and may encourage some households to close shades or blinds. The light would not be unusual in the urban context of San Francisco. Therefore, the effects of evening lighting would not substantially impact people or properties in the project vicinity.

Please see the project sponsor's response for further discussion. Also, please see Response 8 for the consideration of visual character.

Response 10: For informational purposes, the proposed project would not result in a significant impact to biological resources.

CEQA does not require that the department consider whether significant impacts associated with biological resources in general would occur, as biological resources by itself is not an exception to the use of a categorical exemption.²⁴ Thus, the following discussion of biological resources is provided for informational purposes and may be more appropriately considered by the board in its deliberation of the conditional use authorization appeal for the proposed project.

The existing stadium is comprised of a synthetic turf playing field that is surrounded by a track and bleachers. The project site has been heavily disturbed and does not provide potential habitat for special-status species. The project involves the installation of four 90-foot-tall light poles and safety lighting. The project does not involve tree or vegetation removal. Since the project does not propose the removal of habitat, the project would not have a substantial adverse effect on special-status species at the project site. Additionally, the installation of the four 90-foot-tall light standards would not result in a barrier to wildlife movement and is not expected to result in substantial impacts on any migratory wildlife corridor.

With the installation of permanent light poles, the stadium would be lit for up to 150 evenings a year. For approximately 40 to 50 evenings a year, the school uses temporary (portable) field lights at the existing stadium. Other existing sources of light, include four light standards that illuminate the school's upper practice field nearby street lighting and other light sources, such as from traffic and buildings. The project site is located immediately adjacent to the West Sunset soccer fields which includes approximately 6 acres of natural grass turf that could be potential habitat for special-status species.²⁵ The proposed lighting system would be equipped with spill and glare shielding and would be designed to minimize the spread of light beyond the project site boundaries. According to Musco's photometrics analysis, which included 9 location points at West Sunset soccer fields, the project would not result in horizontal illuminance on the immediately adjacent grass field and would have a vertical illuminance

²³ On Monday through Thursday, the lights would be dimmed no later than 8:30 pm and turned off no later than 9:00 pm.

²⁴ Response 2, above, addresses the location exception that can relate to biological resources.

²⁵ The West Sunset Playground includes tennis courts that have nighttime lighting until 10 pm.

in range of 0 to 0.1 foot-candles.^{26,27} Therefore, the proposed lights would not considerably spill on the West Sunset soccer fields. The proposed stadium lights would be used for up to 150 evenings per year, and for most evenings, the lights would be dimmed no later than 8:30 pm and turned off no later than 9:00 pm. For up to 20 times a year, the lights would remain on until 10 pm. The light and glare from the proposed project would not have a substantial adverse effect on special-status species on the project site or surrounding area.

The project site is within the Pacific Flyway along with much of the greater San Francisco Bay Area, within three miles of the Pacific Ocean. While exact migratory corridors through the area are unknown and vary by species, birds typically follow coastlines, rivers, and mountain ranges in their migratory passages from wintering to breeding grounds and back again. The project site does not provide foraging habitat for migratory species, but migrating birds likely fly over the stadium. Although the project site is located within the Pacific Flyway and in close proximity to the Pacific Ocean shoreline, migratory corridors in the vicinity of the project site are unknown. It can be assumed, however, that numerous birds pass overhead or in the project vicinity during spring and fall migrations.

Birds in the project area are accustomed to varying levels of ambient noise and lighting emanating from existing human activities, which includes athletic activities at SI's stadium (including the 40 to 50 evenings of temporary stadium lighting and the diesel generators that power the portable lights) and upper practice field and the adjacent West Sunset soccer fields, and vehicular traffic along Sunset Boulevard and other nearby streets. Evening lighting could potentially deter the general use of the project site and its immediate surroundings from birds. However, the project is not anticipated to interfere substantially with bird movement given the existing conditions and the shielding of the proposed stadium lighting.

Furthermore, the project would not result in net new noise as the project would shift the timing of field use and would not expand the use. There would not be an increase in noise by shifting practices from early morning to early evening. Additionally, there would not be an increase in crowd noise or public address announcers from moving approximately five football games from Saturday afternoons to Friday evenings. The project would not result in noise impacts on biological resources.

For the above reasons, the proposed project would not result in significant impacts to biological resources.

Response 11: The planning department appropriately reviewed the proposed project and considered all aspects of the project.

CEQA generally prohibits an agency from "chopping up" a large project into many little ones, each of which might have individually minimal environmental consequences, but collectively may have significant environmental

²⁶ Musco Lighting, Photometrics, December 20, 2019. This document is available for review at: <http://citypln-m-extnl.sfgov.org/External/link.ashx?Action=Download&ObjectVersion=-1&vault={A4A7DACD-B0DC-4322-BD29-F6F07103C6E01}&objectGUID={07DF29DA-4657-4909-A2D0-547B1DF761E5}&fileGUID={DF57C84A-ACDC-46F6-B5CF-F891B9C81A4F}>

²⁷ Horizontal illuminance describes the amount of light landing on a horizontal surface, such a field or sidewalk. Vertical illuminance describes the illuminance landing on a vertical surface, such as a wall

impacts. This “chopping up” of a large project is known as “piecemealing.” The planning department considered all aspects of the proposed project, which includes the installation of four 90-foot-tall light poles, the installation of safety lighting at the existing bleachers and sidewalk surrounding the field, and the installation of the wireless facility. The replacement of the existing stadium sound system is not part of the project.²⁸ As discussed in Response 3, the CEQA determination did not include the expansion of lights at the existing upper practice field because it is not part of the project and the planning department has no information that the school is proposing this change at the upper practice field.²⁹ The department considered the whole of the project and did not conduct “piecemeal” environmental review. The appellant does not provide substantial evidence to support their claim.

Conclusion

The department has determined that the proposed project is categorically exempt from environmental review under CEQA on the basis that: (1) the project independently meets the definition of two of the classes of projects that the Secretary of Resources has found do not have a significant effect on the environment, and (2) none of the exceptions specified in CEQA Guidelines section 15300.2 prohibiting the use of a categorical exemption are applicable to the project. The appellant has not demonstrated that the department’s determination is not supported by substantial evidence in the record.

For the reasons stated above and in the June 3, 2020 CEQA categorical exemption determination, the CEQA determination complies with the requirements of CEQA and the project is appropriately and independently exempt from environmental review pursuant to the cited exemptions. The department therefore respectfully recommends that the board uphold the CEQA categorical exemption determination and deny the appeal of the CEQA determination.

²⁸ The June 3, 2020 CEQA determination incorrectly stated that the existing sound system would be replaced. Replacement of the existing sound system is not part of the project.

²⁹ As discussed in Response 3, the construction of a new theater/performing arts center and outdoor swimming pool is speculative at this time since there are no funds available for future expansion.

Attachment A: Athletic Fields with Nighttime Lighting near Residential Areas

Athletic Facility	Address	Nearest Residential Property (approximate)	Weekday Lights Off	Saturday Lights Off	Sunday Lights Off	7 Days of the Week	Parking	Notes
Proposed Conditions: Saint Ignatius J.B. Murphy Stadium	2001 37th Avenue	100 feet	Dimmed at 8:30 PM, off at 9 PM (except for 20 events that are permitted until 10 PM)	N/A	N/A	Monday to Saturday only	No parking at facility, limited on-street parking supply	The school cannot use the lights more than 150 nights per year.
Existing Conditions: Saint Ignatius "Upper Practice Field"	2001 37th Avenue	230 feet	7:30 PM	N/A	N/A	weekdays only	No parking at facility, limited on-street parking supply	1 half-sized practice field with permanent lights
Existing Conditions: Saint Ignatius "Temporary Stadium Lighting"	2001 37th Avenue	100 feet	7:30 to 8:00 PM	N/A	N/A	Monday to Friday only	No parking at facility, limited on-street parking supply	Temporary (portable) lights are used at the stadium approximately 40 to 50 nights a year during the school year.
Crocker Amazon Soccer Fields and Crocker Diamonds	799 Moscow Street	140 feet	10:00 PM	10:00 PM	8:30 PM	Yes	Two parking lots, limited on-street parking supply	5 soccer fields and 5 baseball diamonds
Excelsior Athletic Field	579 Madrid Street	70 feet	7:00 PM	By permit only	By permit only	Yes, but weekends by permit only	No parking at facility, limited on-street parking supply	1 baseball diamond
Franklin Athletic Field	2500 17th Street	170 feet	10:00 PM	10:00 PM	8:30 PM	Yes	Parking lot at facility, limited on-street parking supply	1 soccer field

Athletic Facility	Address	Nearest Residential Property (approximate)	Weekday Lights Off	Saturday Lights Off	Sunday Lights Off	7 Days of the Week	Parking	Notes
Galileo Academy of Science and Technology	North Point Street at Polk Street	60 feet	Unknown	Unknown	Unknown	Unknown	Parking lot at facility, limited on-street parking supply	1 football/soccer field at stadium. Lights installed on fence along North Point Street.
Garfield Soccer Pitch	2965 Harrison Street	80 feet	9:00 PM	6:30 PM	5:30 PM	Yes	No parking at facility, limited on-street parking supply	Half-sized soccer field
Jackson Athletic Field	17th Street and Arkansas Street	85 feet	10:00 PM	6:00 PM	6:00 PM	Yes	No parking at facility, limited on-street parking supply	2 baseball diamonds and grassy area
James Rolph Mission Athletic Field	2850 Cesar Chavez Street	60 feet	10:00 PM	10:00 PM	10:00 PM	Yes	No parking at facility, limited on-street parking supply	2 baseball diamonds and grassy area
Kezar Stadium	670 Kezar Drive	170 feet	By permit only	By permit only	By permit only	Yes, but by permit only (10 PM off)	Parking lot at facility, limited on-street parking supply	10,000-person capacity stadium with a soccer/football field and track
Kimbell Athletic Field	Geary Boulevard and Steiner Street	75 feet	10:00 PM	7:30 PM	7:30 PM	Yes	No parking at facility, limited on-street parking supply	1 soccer field and 3 baseball diamonds
Lang Athletic Field	1102 Eddy Street	70 feet	10:00 PM	6:00 PM	6:00 PM	Yes	No parking at facility, limited on-street parking supply	2 baseball diamonds and grassy area
Minnie and Lovie Ward Recreation Center and Playfields	650 Capitol Avenue	90 feet	10:00 PM	7:30 PM	6:30 PM	Yes	No parking at facility, limited on-street parking supply	2 soccer fields, 2 diamonds, and grassy area
Mission Playground Soccer Field	19th Street and Linda Street	20 feet	10:00 PM	10:00 PM	10:00 PM	Yes	No parking at facility, limited on-street parking supply	1 half-sized soccer field

Athletic Facility	Address	Nearest Residential Property (approximate)	Weekday Lights Off	Saturday Lights Off	Sunday Lights Off	7 Days of the Week	Parking	Notes
Mosccone Athletic Fields	1800 Chestnut Street	130 feet	10:00 PM	7:30 PM	6:30 PM	Yes	No parking at facility, limited on-street parking supply	4 baseball diamonds and grassy area
Negoesco Stadium (USF)	222 Stanyan Street	50 feet	Unknown	Unknown	Unknown	Unknown	Parking lot at facility, limited on-street parking supply	3,000-person capacity stadium with 1 soccer field
Silver Terrace Athletic Fields	1700 Silver Terrace	15 feet	10:00 PM	8:00 PM	8:00 PM	Yes	No parking at facility, limited on-street parking supply	1 soccer field and 2 baseball diamonds
South Sunset Athletic Fields	40th Avenue and Wawona Avenue	100 feet	10:00 PM (Friday 8:00 PM)	8:00 PM	8:00 PM	Yes	No parking at facility, limited on-street parking supply	2 baseball diamonds or 3 soccer fields
West Campus Green Recreation Field (SF State)	700 Font Boulevard	100 feet	10:00 PM	10:00 PM	10:00 PM	Yes	No parking at facility, limited on-street parking supply	2 soccer fields
Youngblood Coleman Soccer Field	Mendell Street at Galvez Street	30 feet	10:00 PM	10:00 PM	10:00 PM	Yes	No parking at facility, limited on-street parking supply	1 soccer field and 1 baseball diamond