



1151 WASHINGTON STREET

APPEAL OF CLASS 32 CATEGORICAL EXEMPTION

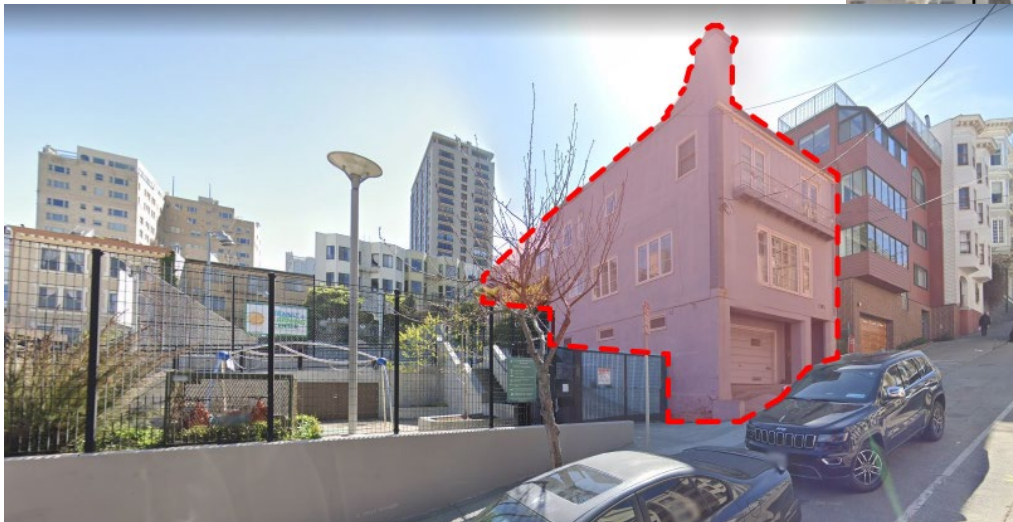
JUNE 27, 2023



San Francisco
Planning

Project Site

- Nob Hill neighborhood
- RM-3 zoning district
- 65-A height/bulk district
- Existing use: single-family home



Project Overview

- Proposed use: 10 for-sale townhomes (under State Density Bonus Program)



Overview of Planning Department Responses

- Project meets definition of Class 32 infill categorical exemption
- No exceptions to the issuance of a catex apply
- Project would not have significant impacts, including those related to hazards, shadow, fire safety, and geology
- Compliance with existing laws and regulations is not mitigation under CEQA



Categorical Exemptions

Class 32: In-fill Development Projects (CEQA Guidelines Sec. 15332)

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

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

Exceptions (CEQA Guidelines Sec. 15300.2)

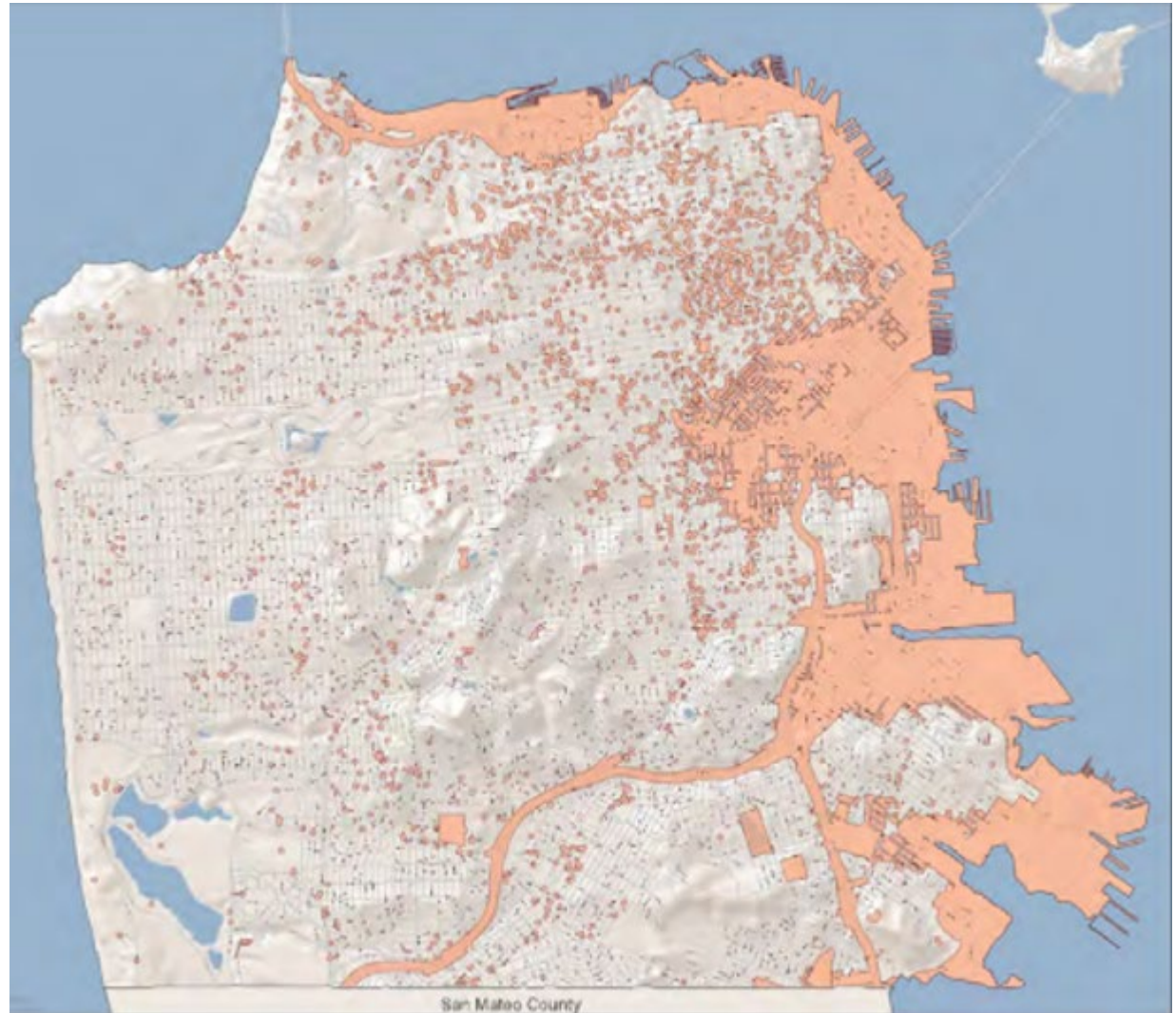
(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Hazardous Materials – The Maher Area

There are no “unusual circumstances” related to hazardous materials, including:

- Presence of undocumented fill
- Type of contaminants
- Site Mitigation Plan

Maher Program is not mitigation under CEQA



Planning Department Responses to Other Environmental Issues

Project as a whole would not have a significant effect related to:

- Fire department emergency access
- Shadow (on Betty Ong Recreation Center)
- Geology and soils (slope and seismicity)
- Air quality

In Conclusion

- Class 32 categorical exemption is the appropriate type of CEQA document
- Mitigated negative declaration or environmental impact report is not warranted
- Housing Element calls for City to practice CEQA in efficient manner to reduce constraints to housing production
- City routinely relies on Maher Program to ensure the safety of workers, those nearby, and future occupants
- Department requests that the Board reject appeal and uphold the categorical exemption

Questions?

SF Planning

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THANK YOU



San Francisco
Planning

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Planning Code Section 295 - Applicability

