

3.9 LAND USE

This section describes the existing physical and regulatory setting related to land use and discusses the potential effects of the EIS Alternatives related to land use and planning.

3.9.1 Affected Environment

This section describes the land uses in the immediate vicinity of the existing SFVAMC Fort Miley Campus and in the Mission Bay area.

Existing and Adjacent Land Uses

Existing SFVAMC Fort Miley Campus

The existing SFVAMC Fort Miley Campus is a 29-acre site located in the northwestern corner of San Francisco, adjacent to the outer Richmond District neighborhood. The land is federal land owned by VA and is exempt from planning regulations of the City and County of San Francisco. The Campus is bounded by Clement Street/Seal Rock Drive and the outer Richmond District neighborhood to the south, and property owned by the National Park Service (NPS) to the north, east, and west (see Figure 1-2, “Existing SFVAMC Fort Miley Campus Layout”). The current uses of the existing Campus include a hospital, hoptel facilities, medical clinics, research facilities, administration/office buildings, childcare facilities, and parking facilities.

The existing SFVAMC Fort Miley Campus was formerly part of the Fort Miley Military Reservation on Point Lobos, which the U.S. Army acquired in 1893. In 1932, the U.S. Army transferred 25 acres (eventually 29 acres total) of land to VA for the Campus. The remaining portion of Fort Miley, east and west of the existing Campus, contains buildings and artillery bunkers and was not included in the land transfer to VA. These Fort Miley lands near the Campus, East Fort Miley and West Fort Miley, are owned by NPS and are part of the Golden Gate National Recreation Area (GGNRA) (NPS, 2011). East Fort Miley and West Fort Miley were listed in the National Register of Historic Places in 1980. Other land uses surrounding the existing Campus include other portions of the GGNRA to the north, Lincoln Park Golf Course to the north and east, the California Palace of the Legion of Honor Museum to the northeast, and the residential neighborhood of the outer Richmond District to the south.

Mission Bay Area

For purposes of this EIS, the Mission Bay area includes an approximately 2.5-square-mile area bounded by Market Street on the north, Second Street and San Francisco Bay on the east, Cesar Chavez Street on the south, and Seventh/Brannan/Potrero Streets on the west (see Figure 2-5). This area of San Francisco is commonly known as a combination of the South of Market Area (SOMA), Potrero Hill, and Mission Bay. SOMA is an area with a mix of residential, office, institutional, commercial, retail, entertainment, and public uses. Potrero Hill is a neighborhood that is bordered by freeways (Interstate 280 to the east and U.S. Highway 101 and Interstate 80 to the west) and contains a mix of residential, retail, and industrial uses. Mission Bay is a major redevelopment area of the city with a mix of vacant land, biotech research facilities (including the University of California, San Francisco Mission Bay Campus), residential, and warehouse uses.

Land Use Designations

Existing SFVAMC Fort Miley Campus

The existing SFVAMC Fort Miley Campus is zoned “Public Use” on the City’s Zoning Map (CCSF, 2010). The outer Richmond District is a residential neighborhood composed of medium-density development, with a mix of single-family homes and apartment buildings. The residential area immediately south of the Campus is zoned RH-1 (Residential, House Districts, One-Family) and RH-2 (Residential, House Districts, Two-Family).

The majority of the existing SFVAMC Fort Miley Campus, except for the east side, is located within the California Coastal Zone, which is under the jurisdiction of the California Coastal Commission (CCC) (CCSF, 2011a). The existing Campus is located in an area of the Coastal Zone where federal projects are subject to a review by CCC (see “Regulatory Framework,” below). The SFVAMC has a history of coordination with CCC.

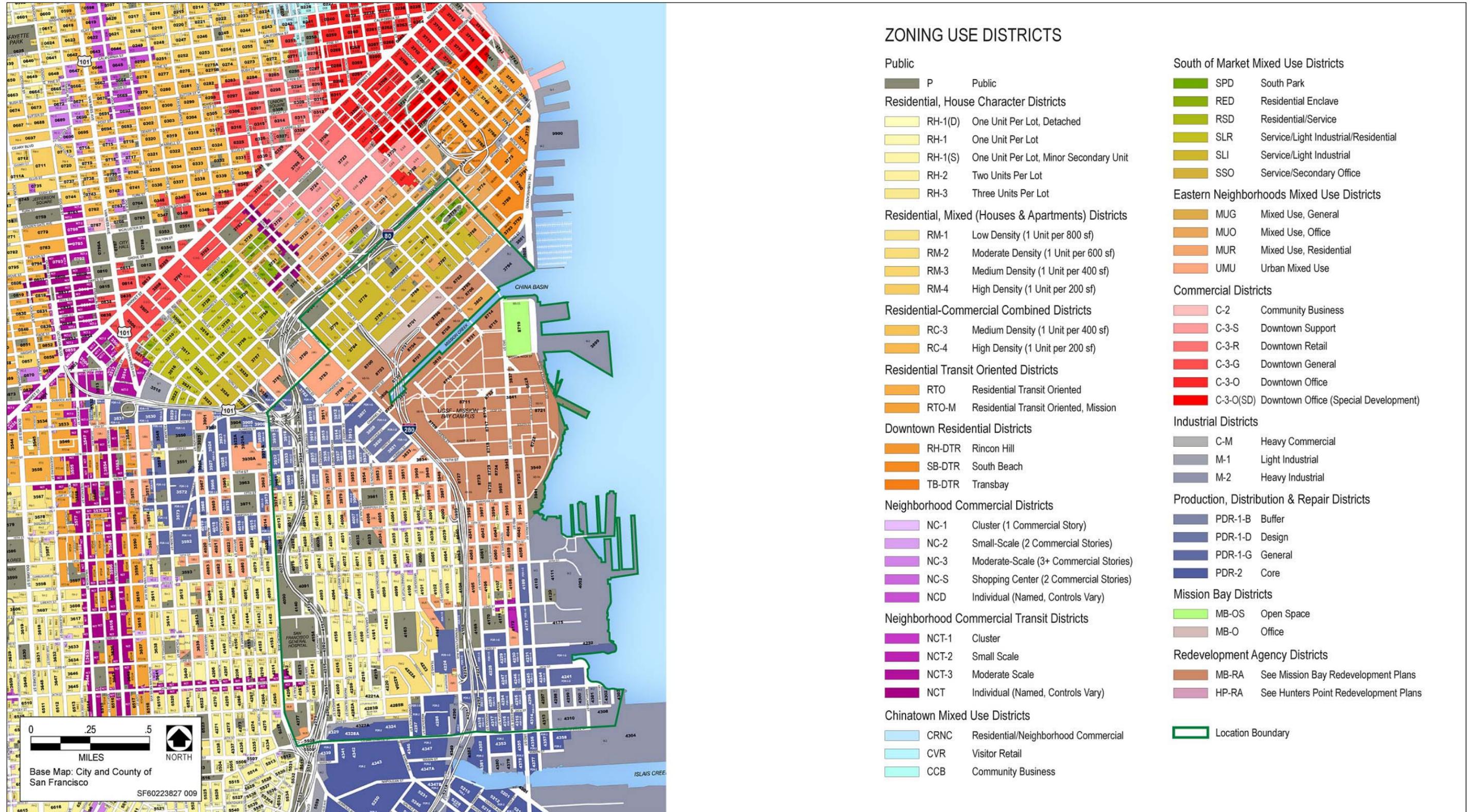
Mission Bay Area

The Mission Bay area, as defined in this EIS, is an approximately 2.5-square-mile area with various land uses. This area includes City zoning designations from the following districts: SOMA Mixed Use Districts, Eastern Neighborhoods Mixed Use Districts, Commercial Districts, Production, Distribution and Repair Districts, Industrial Districts, Mission Bay Districts, Redevelopment Agency Districts, Public, Residential, House Character District, Residential, Mixed Districts, Residential-Commercial Districts, and Downtown Residential Districts (Figure 3.9-1).

The coastal portions of the Mission Bay area, like all land that borders San Francisco Bay, are under the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC), the federally designated State coastal management agency. This designation empowers BCDC to use the authority of the federal Coastal Zone Management Act (CZMA) to ensure that federal projects and activities are consistent with the policies of the *San Francisco Bay Plan* and State law. BCDC has jurisdiction over the open water, marshes, and mudflats of greater San Francisco Bay, including Suisun, San Pablo, Honker, Richardson, San Rafael, San Leandro, and Grizzly Bays and the Carquinez Strait, as well as the first 100 feet shoreward from the line of highest tidal action (mean high-tide line) around San Francisco Bay.

3.9.2 Regulatory Framework

No federal or VA regulations related to land use are directly applicable to development on the existing SFVAMC Fort Miley Campus or the potential new SFVAMC Mission Bay Campus. The existing Campus is located on federal land owned by VA and, therefore, is exempt from City planning regulations. It is also assumed that a potential new Campus located in the Mission Bay area (Alternative 2) would be located on land that would be purchased and owned by VA, thus making it federal land. For this reason would receive intergovernmental immunity from the City zoning and building codes; however, the existing operations of VA facilities in San Francisco currently follow local zoning, which is considered by VA in its NEPA guidance.



Source: Data provided by the San Francisco Planning Department in 2010; data compiled by AECOM in 2012

Figure 3.9-1:

Mission Bay Area Zoning Map

Although a federal action on federally owned land would not be subject to the zoning code of other jurisdictions, local land use plans are discussed below to provide a land use planning context that is responsive to other uses near the existing SFVAMC Fort Miley Campus and at the site of the potential new SFVAMC Mission Bay Campus.

SFVAMC Long Range Development Plan

The proposed action is an LRDP that supports the mission of the SFVAMC and provides for the healthcare needs of San Francisco Bay Area and North Coast Veterans. The LRDP would provide the framework for development of the existing Campus and the potential new Campus, calling for the construction of new buildings and the retrofitting of existing patient care, research, office/administrative, hoptel, and parking structures. Implementation of the LRDP is planned to occur in two major phases (including several subphases) over an 11-year time frame. The LRDP would serve the facility needs of San Francisco Bay Area and North Coast Veterans through 2030.

Coastal Zone Management Act

The U.S. Congress passed the CZMA in 1972. The CZMA, administered by the National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management, provides for management of the nation's coastal resources and balances economic development with environmental conservation. See Section 3.5, "Floodplains, Wetlands, and Coastal Management," for a description of the CZMA.

Because the existing SFVAMC Fort Miley Campus is located mostly within the Coastal Zone and portions of the Mission Bay area are located along San Francisco Bay and, therefore, could be located within the Coastal Zone, the CZMA is applicable to the Proposed Action and Alternatives. CCC and BCDC would issue either a negative determination or a federal consistency determination for the Proposed Action or selected Alternative.

Also see Section 3.5, "Floodplains, Wetlands, and Coastal Management," for a discussion of the *San Francisco Waterfront Special Area Plan* (Special Area Plan). If portions of Alternative 2 projects would be located within the area covered by the Special Area Plan, the Special Area Plan would be applicable.

City and County of San Francisco General Plan

The *City and County of San Francisco General Plan* (City General Plan) sets forth the comprehensive, long-term land use policy for San Francisco. One of the basic goals of the City General Plan is "coordination of the growth and development of the City with the growth and development of adjoining cities and counties and of the San Francisco Bay region." The City General Plan provides general policies and objectives to guide land-use decisions and contains policies that relate to physical environmental issues. The City General Plan consists of 10 issue-oriented plan elements: Air Quality, Arts, Commerce and Industry, Community Facilities, Community Safety, Environmental Protection, Housing, Recreation and Open Space, Transportation, and Urban Design. Area plans include Bayview-Hunters Point, Central Waterfront, Chinatown, Civic Center, Downtown, Northeastern Waterfront, Rincon Hill, South of Market, Van Ness Avenue, and Western Shoreline. Under Alternative 2, a portion of the SFVAMC would be developed in the Mission Bay area, and relevant policies from the City General Plan are included in this section.

Western Shoreline Area Plan

The *Western Shoreline Area Plan* is part of the City General Plan, and with policies of the Local Coastal Program, this plan provides the City with objectives and policies to protect the coast of California. The existing SFVAMC Fort Miley Campus lies within the boundaries of this area plan (CCSF, 2011b). The *Western Shoreline Area Plan* does not specifically mention the SFVAMC, but an objective of the plan for the Richmond District neighborhood is to “preserve the scale of residential and commercial development along the coastal zone area.”

San Francisco Planning Code and Zoning Ordinance

The San Francisco Planning Code (Planning Code), which incorporates by reference the City’s zoning maps, implements the City General Plan and governs permitted uses, densities, and configuration of buildings in San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless (1) the proposed project conforms to the Planning Code, (2) allowable exceptions are granted pursuant to provisions of the Planning Code, or (3) amendments to the Planning Code are approved as part of the project. The Planning Code provides location-specific development and use regulations that govern density and configuration of buildings (CCSF, 2009). Because the existing SFVAMC Fort Miley Campus is located and the potential new SFVAMC Mission Bay Campus would be located on federal land, relevant sections of the San Francisco Zoning Ordinance are included in this land use discussion as a reference for the surrounding land uses and zoning.

3.9.3 Environmental Consequences

Significance Criteria

A NEPA evaluation must consider the context and intensity of the environmental effects that would be caused by, or result from, the EIS Alternatives. There is no standard federal guidance or established threshold pertaining to land use. Therefore, other environmental assessment documents were reviewed and the following criteria were selected for the evaluation.

An alternative would be considered to result in an adverse impact related to land use if it would:

- conflict with established recreational, educational, or scientific uses;
- conflict with land use goals of the community; or
- be associated with the incompatibility of physical development to adjacent existing and planned uses.

Assessment Methods

Land use impacts are related to the level of consistency with federal plans and policies and local land use plans (such as general plans, zoning ordinances, master plans, and other specific land use policies). A significant impact would occur if proposed land uses would not be consistent with relevant federal plans and policies. As noted above, no federal or VA land use regulations are directly applicable to development of the existing SFVAMC Fort Miley Campus or a potential new SFVAMC Mission Bay Campus.

Impacts related to the California Coastal Zone are discussed in Section 3.5, “Floodplains, Wetlands, and Coastal Management.” Impacts related to recreational uses are discussed in Section 3.3, “Community Services.”

Alternative 1: SFVAMC Fort Miley Campus Buildout Alternative

Near-Term Projects

Construction

Alternative 1 near-term (Phase 1) project components would involve construction of 208,300 gross square feet (gsf) (204,000 of which would be net new) at the existing SFVAMC Fort Miley Campus. Implementation of Alternative 1 near-term projects could result in temporary impacts on adjacent land uses as a result of construction activities that would generate noise and dust. Section 01568, EP-5 (F) of VA's environmental protection specifications includes specific mitigating actions that would be required of any development on VA property to reduce construction-related noise. In particular, construction activities would mainly be limited to between the hours of 7:30 a.m. and 6:00 p.m. and would abide by City of San Francisco noise ordinances, unless otherwise permitted. In addition, all equipment must be properly maintained and muffled such that noise levels of specific equipment would not exceed VA's environmental protection specifications. VA also requires monitoring of noise levels at least once every 5 days during high-noise-generating construction activities. These temporary, short-term construction activities would not significantly affect adjacent land uses, because best management practices (BMPs) and VA's environmental protection specifications would be implemented during construction to reduce the potential for adverse impacts. Therefore, this impact would be minor.

Operation

Land Uses

Alternative 1 would not substantially alter the existing land uses at the existing SFVAMC Fort Miley Campus, because near-term projects would involve retrofitting patient care buildings and developing research, administrative, hoptel, and parking structures, all of which represent a continuation of existing land uses already in place at the Campus. Development of the near-term projects under Alternative 1, which would include 204,300 net new gsf, would be compatible with existing SFVAMC uses. The same activities and land uses at the existing SFVAMC Fort Miley Campus would continue; thus, no on-site or surrounding land use conflicts would occur as a result of the near-term projects under this alternative. This impact would be minor.

Plans, Policies, and Ordinances

As noted above, no federal or VA land use plans or policies currently apply to the proposed LRDP. The existing SFVAMC Fort Miley Campus is zoned "Public Use" on the City's Zoning Map and recognized as an area with an institutional facility plan (CCSF, 2011a). Therefore, the operation of the near-term projects under Alternative 1 would not conflict with federal or local land use plans, policies, or ordinances. This impact would be minor.

Long-Term Projects

Construction

Alternative 1 long-term (Phase 2) project components would involve construction of 247,300 gsf (189,700 of which would be net new) at the existing SFVAMC Fort Miley Campus. Implementation of Alternative 1 long-

term projects could result in temporary impacts on adjacent land uses, because construction activities would generate noise and dust. These temporary, short-term activities would not significantly affect adjacent land uses, because BMPs would be implemented during construction to reduce the potential for adverse air and noise impacts. This impact would be minor.

Operation

Land Uses

Like Alternative 1 near-term projects, Alternative 1 long-term projects, including operation of clinical and research buildings as well as administrative/mixed-use buildings, would include a continuation of existing land uses already in place at the existing SFVAMC Fort Miley Campus, because it would involve complimentary uses consistent with existing VA medical research and patient care. Development of Alternative 1 long-term projects, which would include 189,700 net new gsf, would be compatible with existing Campus uses. Activities and land uses at the Campus would continue in their current form; thus, no on-site or surrounding land use conflicts would occur as a result of implementation of Alternative 1 long-term projects. This impact would be minor.

Plans, Policies, and Ordinances

As noted above, no federal land use plans or policies currently apply to the proposed LRDP. The existing SFVAMC Fort Miley Campus is zoned “Public Use” on the City’s Zoning Map and recognized as an area with an institutional facility plan (CCSF, 2010). Therefore, the operation of Alternative 1 near-term projects would not conflict with federal or local land use plans, policies, or ordinances. This impact would be minor.

Alternative 2: SFVAMC Fort Miley Campus plus Mission Bay Campus Alternative

Near-Term Projects

Alternative 2 near-term projects (both construction and operation) would be the same as Alternative 1 near-term projects (see Table 2-1 and Figure 2-1). Therefore, the impacts of Alternative 2 near-term projects would be the same as the impacts of Alternative 1 near-term projects. These impacts would be minor.

Long-Term Projects

Alternative 2 long-term projects (both construction and operation) at the existing SFVAMC Fort Miley Campus would be the same as Alternative 1 long-term projects, except that the ambulatory care center would be located at the potential new SFVAMC Mission Bay Campus under Alternative 2 (see Tables 2-1 and 2-2 and Figures 2-1 and 2-2). Therefore, the impacts of Alternative 2 long-term projects, which would include 69,700 net new gsf, at the existing Campus would be the same as or less than the impacts of Alternative 1 long-term projects. The impact discussion below focuses on the impacts that may result from construction and operation of the ambulatory care center, research building, and associated parking structures at the potential new Campus, as proposed as part of Alternative 2, Phase 2.

Construction

Alternative 2 long-term (Phase 2) project components would involve construction of 620,000 gsf of new construction, including an ambulatory care clinic, research space, and associated parking structures, at the potential new SFVAMC Mission Bay Campus. This alternative would involve construction of new facilities on approximately 0.25 acre at the existing Campus and approximately 3.56 acres at the potential new Campus. Thus, implementation of Alternative 2 long-term projects could result in temporary impacts on adjacent land uses, because construction activities would generate noise and dust. These temporary, short-term activities would not significantly affect adjacent land uses, because BMPs would be implemented during construction to reduce the potential for adverse air and noise impacts. This impact would be minor.

Operation*Land Uses*

Alternative 2 long-term (Phase 2) project components would involve operation of 620,000 gsf of new construction, including an ambulatory care clinic, research space, and associated parking structures, at the potential new SFVAMC Mission Bay Campus. This alternative would involve operation of new buildings at both the existing Fort Miley Campus and the potential new Campus. Because of the size of the potential new Campus, it is assumed that this off-site portion of Alternative 2 long-term projects would be located on vacant or partially vacant land in the Mission Bay area. It is anticipated that the available land in the Mission Bay area would be compatible with a new medical campus, because such land is located near biotech research facilities and the University of California, Mission Bay Campus, interspersed with residential and other office uses. Therefore, implementation of Alternative 2 long-term projects is anticipated to be compatible with on-site and surrounding land uses. This impact would be minor.

Plans, Policies, and Ordinances

Assuming that Alternative 2 long-term projects at a potential new SFVAMC Mission Bay Campus would be implemented on VA-purchased—and thus federal—land within the Mission Bay area, no federal plans or policies would apply to operation of long-term projects at the potential new Campus under this alternative. Therefore, the operation of Alternative 2 long-term projects in the Mission Bay area would not conflict with federal land use plans, policies, or ordinances. This impact would be minor.

Alternative 3: No Action Alternative*Near-Term and Long-Term Projects***Construction**

Under Alternative 3, there would be no new construction or retrofitting of existing buildings. Therefore, no construction-related land use impacts would occur.

Operation

Under Alternative 3, the LRDP would not be implemented and there would be no change in land uses, and no new land uses or operational changes of existing uses would occur. Therefore, no impacts on on-site or surrounding land uses would occur. In addition, the existing SFVAMC Fort Miley Campus is zoned “Public Use” on the City’s Zoning Map and recognized as an area with an institutional facility plan (CCSF, 2011a). As a result, the continued operation of the existing Campus under Alternative 3 would not conflict with federal or local land use plans, policies, or ordinances. Thus, no impacts related to plans, policies, and ordinances would occur.

3.9.4 References

City and County of San Francisco (CCSF). 2009. *San Francisco Municipal Code and Planning Code*. Codified through Ordinance No. 35-09, File No. 090097. Approved March 9, 2009. San Francisco, CA.

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National Park Service (NPS). 2011. Fort Miley Military Reservation. Available: <<http://www.nps.gov/nr/travel/wwiibayarea/mil.HTM>>. Accessed May 3, 2011.