

## 3.11 LAND USE, POPULATION, AND HOUSING

### 3.11.1 Introduction

This section evaluates the potential effects of the proposed Plan on land use and housing in the Bay Area. It describes trends in overall land use and physical development, including job and housing growth. The impact analysis addresses the potential for physical disruption to land uses, displacement of people or housing, and division or separation of communities. In addition, the proposed Plan's consistency with adopted land use plans and policies is addressed (see the discussion of Impact 3.11-1, below).

Comments received in response to the Notice of Preparation (NOP) included requests for analysis of the growth geographies outside existing urban growth boundaries; impacts to existing coast-side parks and beaches; consistency with the Delta Plan; financial ability of residents to purchase homes; low-income housing and jobs; and transportation and development corridors. Project elements such as land use strategies to address the job to housing ratio and low-income populations and the development of the transportation projects are addressed in Chapter 2, "Project Description." Consistency with natural community conservation plans and habitat conservation plans is addressed in Section 3.5, "Biological Resources." Consistency with airport land use compatibility plans is addressed in Section 3.9, "Hazards and Wildfire."

The CEQA Guidelines note that comments received during the NOP scoping process can be helpful in "identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important" (CEQA Guidelines Section 15083). Neither the CEQA Guidelines nor the statutes require a lead agency to respond directly to comments received in response to the NOP, but they do require that they be considered. Consistent with these requirements, the comments received in response to the NOP have been carefully reviewed and considered by MTC and ABAG in the preparation of the impact analysis in this section. Appendix B includes all NOP comments received.

### 3.11.2 Environmental Setting

#### PHYSICAL SETTING

##### Land Use Patterns

The pattern of land uses in the Bay Area includes a mix of open space, agriculture, developed urban centers, suburban commercial and residential areas, and scattered older towns. This pattern reflects the landforms that physically define the region: the bay, rivers, and valleys. The land uses surrounding the bay margins tend to be more intensely developed, particularly from San Francisco south along the peninsula to Santa Clara County, and from Contra Costa County south through Alameda County to Santa Clara County. These areas also include extensive networks of open space. The counties north of the bay (Marin, Sonoma, and Napa) are more sparsely developed with a combination of suburban development, smaller cities and towns, and agricultural areas of the Bay Area, such as the East Bay (away from the bay margins) and Solano County further to the east, tend to be more suburban in character, with heavy industry related to oil refineries dotting the landscape, as well as large swaths

of agriculture. These general characterizations do not capture all the land use types and patterns associated with the nine counties and 101 cities that make up the Plan area.

### Extent of Urban Development

According to the most recent data (available from 2016 and 2018), approximately 18 percent of the region's approximately 4.5 million acres were considered to be urban built-up land according to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) (DOC 2018, Bay Area Open Space Council 2019). The FMMP defines urban built-up land as "land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel." The remaining "undeveloped" area includes open space and agricultural lands, as well as water bodies (excluding the San Francisco Bay) and parks. Approximately 29 percent of the region is identified as protected open space (Bay Area Open Space Council 2019). The amount of urban built-up land according to the FMMP, in each of the nine counties, varies from a low of 5 percent in Napa County to a high of 80 percent in San Francisco (see **Table 2-6** in Chapter 2, "Project Description"). The Bay Area includes 101 cities, with San Jose, San Francisco, and Oakland representing the largest urban centers. Other major urban centers have formed throughout the region, leading to a pattern of urban land and open space as illustrated in **Figure 3.11-1**. As shown in **Table 3.11-1**, the counties with the highest job totals are Santa Clara, Alameda, and San Francisco Counties, while the counties with the highest population are Santa Clara, Alameda, and Contra Costa Counties.

**Table 3.11-1: 2015 Jobs and Households, by County**

County	Jobs	% of Jobs in TPAs	Households	% of Households in TPAs
Alameda	867,000	61%	552,000	39%
Contra Costa	404,000	27%	383,000	17%
Marin	135,000	28%	109,000	14%
Napa	72,000	6%	50,000	2%
San Francisco	682,000	100%	366,000	99%
San Mateo	393,000	48%	265,000	38%
Santa Clara	1,099,000	59%	623,000	37%
Solano	132,000	6%	142,000	3%
Sonoma	221,000	12%	188,000	8%
Regional Total	4,005,000	55%	2,677,000	37%

Notes: Whole numbers have been rounded (between 1,000 and 1,000,000 to the nearest 100, above 1,000,000 to the nearest 1,000). Figures may not sum because of independent rounding.

Source: Data compiled by MTC and ABAG in 2021

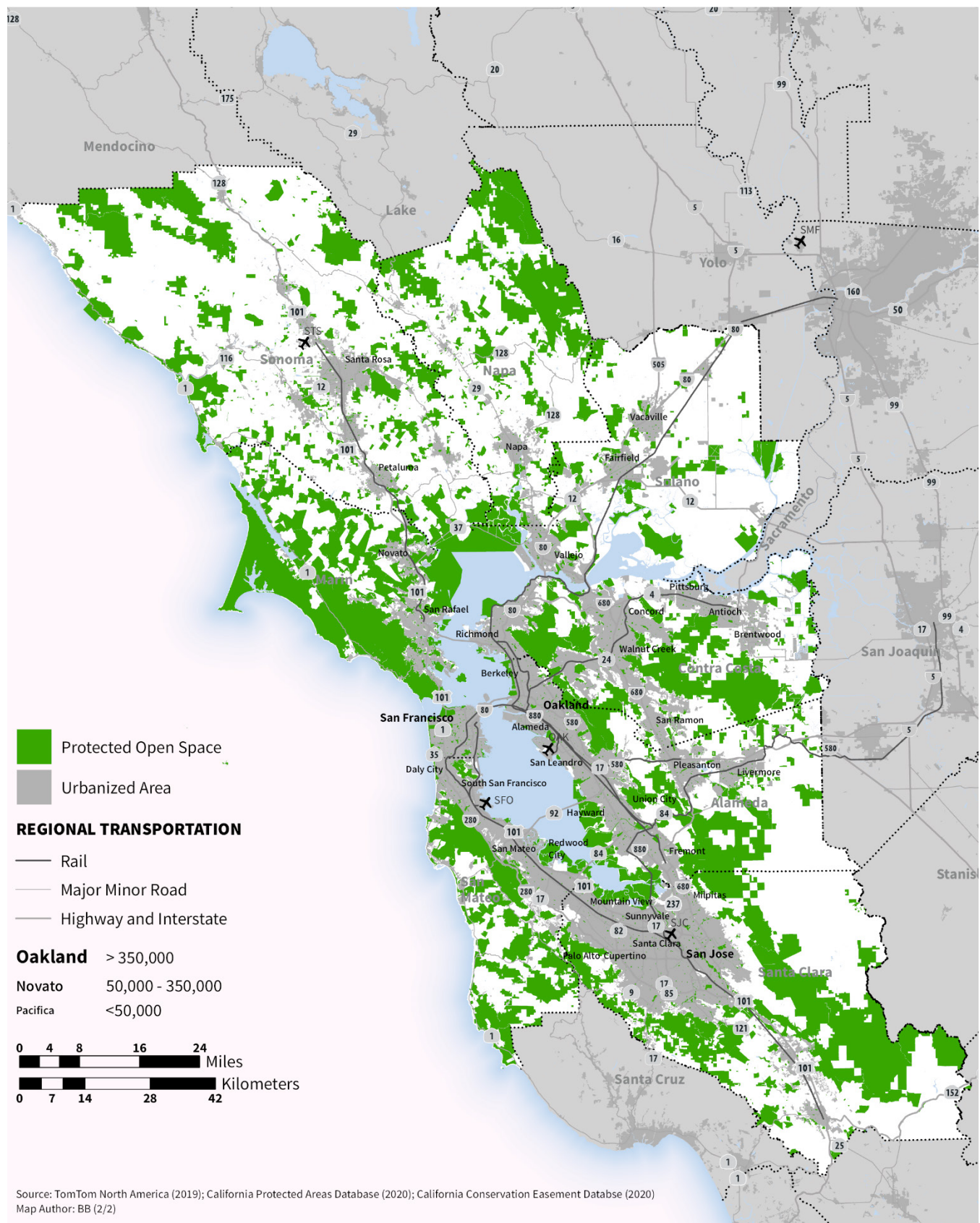


Figure 3.11-1: Urban Land and Open Space

## “Focused Growth” Strategy

The proposed Plan’s core strategy is “focused growth” in existing communities along the existing transportation network (see Chapter 2, “Project Description”). This strategy helps to achieve key regional economic, environmental, and equity goals: It builds upon existing community characteristics, efficiently leverages existing infrastructure, and lessens impacts in undeveloped areas. Key to implementing the focused growth strategy are designated growth geographies. Three of these growth geography designations—Priority Development Areas (PDAs), Priority Conservation Areas (PCAs), and Priority Production Areas (PPAs)—are nominated by local governments (see Section 2.3.4, “Proposed Plan Growth Geographies”).

The proposed Plan also includes the designation of new growth geographies for both housing and jobs. For housing, in addition to PDAs, growth geographies include the newly added High-Resource Areas (HRAs) and Transit-Rich Areas (TRAs). HRAs—communities with well-resourced schools and easy access to jobs, parks, and other amenities—identified by the State of California were included as a new housing growth geography to counterbalance housing policies that have historically led to limited housing development, particularly housing affordable to low-income households. TRAs—areas close to rail, ferry, or frequent bus service—were also included as growth geographies to support climate emissions goals, with more housing near transit allowing more people to have access to sustainable transportation options (see Section 2.3.4, “Proposed Plan Growth Geographies”).

## Housing Stock

The following discussion is summarized from the proposed Plan document and Vital Signs<sup>1</sup>. For more information, please see the full document, available at [www.mtc.ca.gov](http://www.mtc.ca.gov) and [www.vitalsigns.mtc.ca.gov](http://www.vitalsigns.mtc.ca.gov). Currently, the Bay Area does not contain enough housing, market-rate or affordable, to accommodate the growing number of residents and jobs. Key reasons for the lack of sufficient housing include the length of time it takes to secure development approvals at the local level, reduced support from State and federal government for affordable housing, and strong demand driven by exceptional regional economic performance, among others. Relatively high salaries and job growth in the fast-growing technology industry, for example, coupled with limited growth in housing supply, has driven up the cost of housing at a rapid pace. Today the Bay Area has one of the most severe housing crises of the nation’s large metropolitan areas, and there are limited policy tools to help address the problem at a regional level.

There has been a mismatch between growth in job levels and growth in housing supply. Jobs have grown by at least 3 percent each year since 2012, reaching a new peak of over 4 million jobs in 2018 (EDD 2020). The Bay Area has added nearly two jobs for every housing unit built since 1990. This deficit in housing production has been most substantial in jobs-rich parts of the region, especially in high-income areas along the peninsula and in Silicon Valley. Despite the COVID-19 economic downturn, the resilient regional economy, combined with increased household formation among the millennial generation, has contributed to an ever-more acute housing shortage. In 2018, the Bay Area added just 15,400 housing units, a fraction of the peaks seen in the 1990s. Multi-family home construction has driven growth since 2010, with 135,000 new multi-family units built between 2010 and 2018 – 73

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<sup>1</sup> Vital Signs is a monitoring initiative to track trends related to transportation, land and people, the economy, the environment, and social equity. Led by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), this effort relies upon extensive collaboration with the Bay Area Air Quality Management District, the San Francisco Bay Conservation and Development Commission and the Bay Area Regional Collaborative.

Vital Signs is a data-driven website that compiles dozens of indicators; each is presented with interactive visualizations that allow users to explore historical trends, examine differences between cities and counties, and compare the Bay Area with other peer metropolitan areas. <https://www.vitalsigns.mtc.ca.gov/about>



percent of the total produced. In 2018, there was a roughly 50-50 split between single-family and multi-family production. This is due in large part to substantially lower multi-family housing production rates in San Francisco and Santa Clara Counties, which produced 2,000 and 3,700 fewer multi-family units, respectively, in 2018 than in 2017 (MTC 2021). Please see the proposed Plan document for more information related to these issues.

The lack of new housing supply, combined with increasing job opportunities, growing population levels, and a growing disparity between high- and low-household income levels, has been a major contributor to rising housing prices. With the increased number of higher-income households and most income growth going to the top 20 percent of earners, demand for housing has remained very strong at the upper end of the market. Conversely it has become more difficult for low- and middle-wage households to compete for market-rate housing as a larger pool of high-wage workers bid up a limited housing supply. Housing has become increasingly more expensive for lower- and middle-income households, which has further intensified competition for limited affordable housing opportunities.

### Coastal Bay Land Uses

The California Coastal Commission and the Bay Conservation and Development Commission (BCDC) regulate land use near the coastline and along the bay (respectively) to protect and enhance the coastline and to promote public access within the coastal zone of California. On land, the coastal zone varies in width from several hundred feet in highly urbanized areas to up to 5 miles in certain rural areas, and offshore, the coastal zone extends along a 3-mile-wide band of ocean, as shown in **Figure 3.11-2**. The coastal zone established by the California Coastal Act does not include San Francisco Bay, where development is regulated by BCDC. More information on how these agencies regulate uses near the coast is addressed in the Section 3.11.3, “Regulatory Setting,” below.

### Parks and Open Space

The Bay Area contains over 1 million acres of parks and open space across nine counties (see **Table 3.11-2** and **Figure 3.11-3**). Approximately half of the nearly 1.4 million acres of parks and open space are available for public use (privately owned land held in permanent reserve as of 2020), while the remaining half is not available for public use. Although access by the general public to some areas is restricted, these areas are considered important for the preservation of wildlife habitats and the protection of the environmental and rural characteristics of various parts of the region. These areas, as defined in the Conservation Lands Network 2.0 and the Bay Area Protected Areas Database, are designated in one of two ways: either by purchasing or acquiring a “conservation easement” to a privately owned property or by purchasing a property outright for conservation purposes. These areas can be parks, preserves, ranches, farms, or forests and can be small, large, publicly accessible, or not publicly accessible.

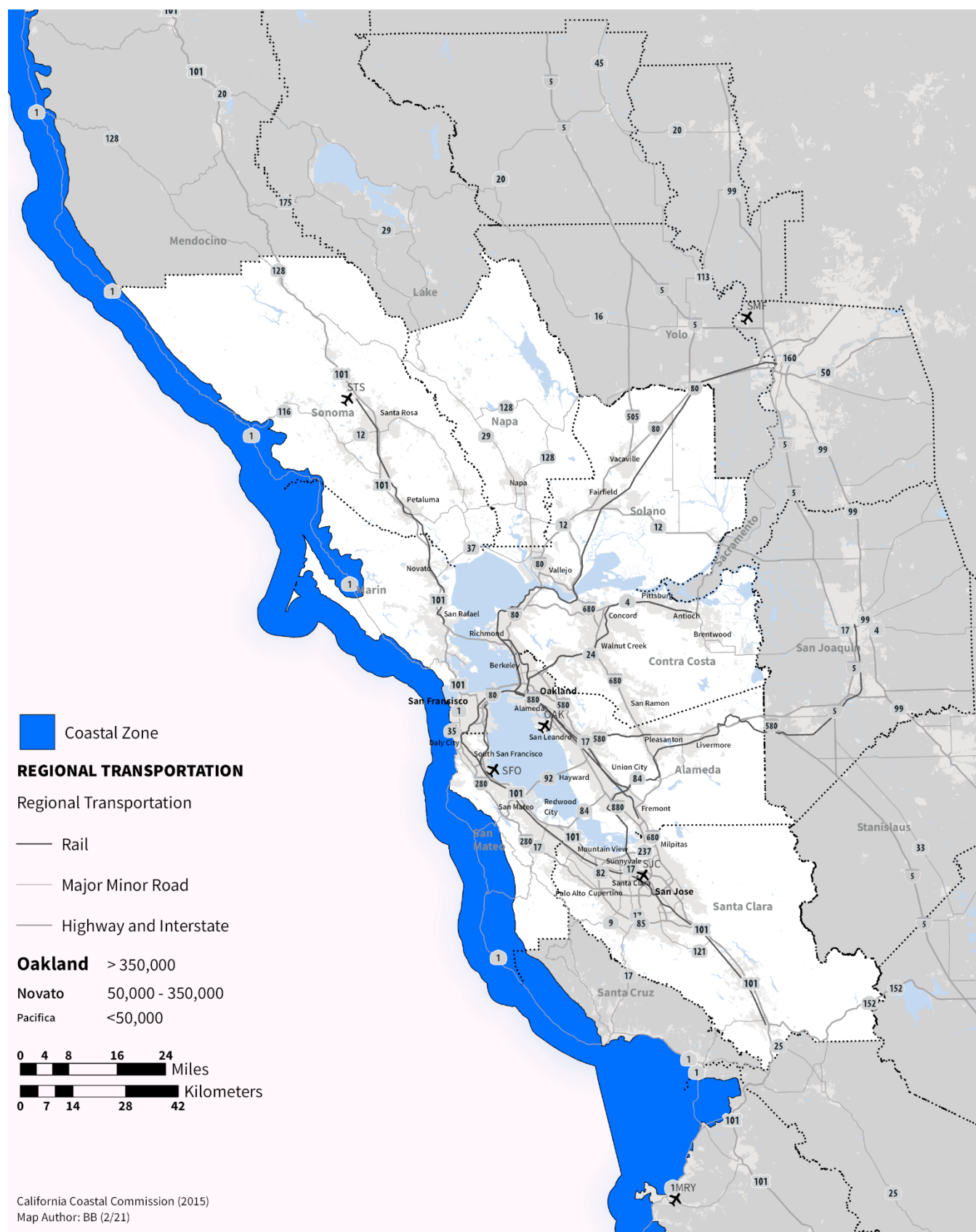


Figure 3.11-2: California Coastal Zone

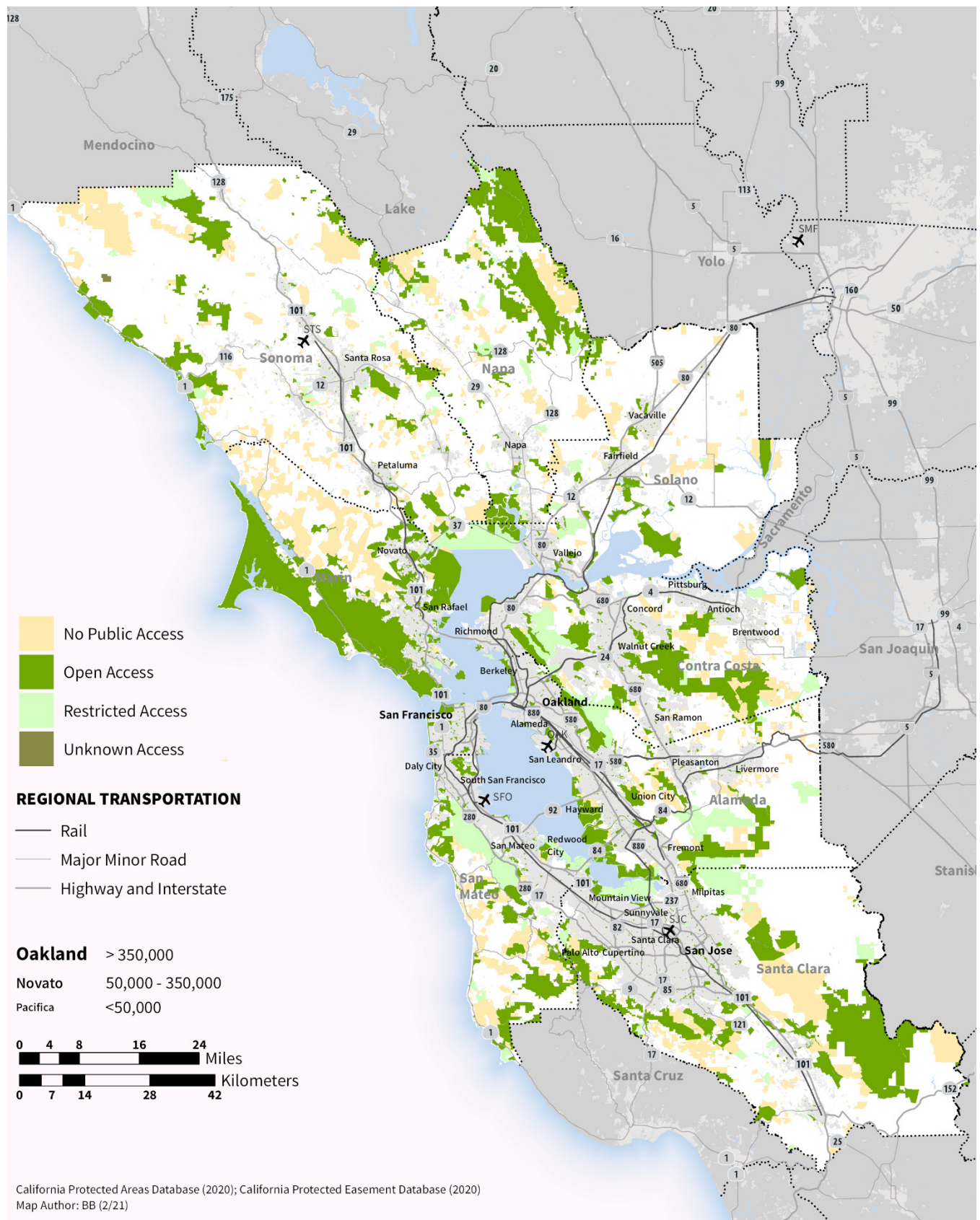


Figure 3.11-3: Access to Parks and Open Space Lands

**Table 3.11-2: Acreage of Parks and Open Space**

County	Open Access (acres)	Restricted Access (acres)	No Access (acres)	Other/ Unknown (acres)	Total (acres)
Alameda	66,600	32,000	30,400	0	128,600
Contra Costa	79,600	21,800	52,200	0	153,400
Marin	140,500	1,000	60,000	0	201,600
Napa	90,100	17,400	49,200	50	156,700
San Francisco	5,100	120	80	0	5,200
San Mateo	54,600	29,900	40,400	180	124,900
Santa Clara	140,800	31,800	93,900	<1	266,600
Solano	33,500	13,700	34,600	0	81,800
Sonoma	96,700	33,500	134,600	730	265,100
Regional Total	707,500	181,400	495,500	970	1,384,000

Notes: Numbers less than 1 are shown as "<1"; whole numbers have been rounded (between 11 and 999 to the nearest 10, between 1,000 and 1,000,000 to the nearest 100, above 1,000,000 to the nearest 1,000). Figures may not sum because of independent rounding.

Sources: California Conservation Easement Database 2020; California Protected Areas Database 2020

### 3.11.3 Regulatory Setting

#### FEDERAL REGULATIONS

##### Department of Housing and Urban Development Act

The Department of Housing and Urban Development Act created the U.S. Department of Housing and Urban Development (HUD) as a cabinet-level agency. HUD is responsible for national policy and programs that address housing needs in the United States. HUD is responsible for enforcing fair housing laws. HUD plays a major role in supporting homeownership by underwriting homeownership for lower- and moderate-income families through its mortgage insurance programs.

##### Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S. Code Section 4601 et seq.), passed in 1970 and amended in 1987, is intended to provide for uniform and equitable treatment for persons displaced through federally funded or assisted transportation and redevelopment projects that require property acquisition. The act lays out rules for notification, relocation counseling, social services or assistance for disabled residents, and compensation for replacement housing and moving costs. The rules stipulate that replacement housing must be comparable to previous housing in terms of location, size, and access to jobs and public facilities and that it must be "decent, safe, and sanitary." The rules apply if federal funds are in any phase of the program or project, even if the property acquisition itself is not federally funded.

##### Code of Federal Regulations Title 25

Federally recognized Native American tribes are considered domestic dependent nations with tribal sovereignty. "Tribal sovereignty" refers to tribes' right to govern themselves, define their own membership, manage tribal property, and regulate tribal business and domestic relations; it further recognizes the existence of a government-to-government relationship between such tribes and the



federal government. In general, State and local governments do not have “civil regulatory” jurisdiction (i.e., land use) on Indian Land, which is land held in trust or restricted status for a tribe.

### **Fixing America's Surface Transportation Act (Public Law 114-94)**

As noted in Chapter 1, “Introduction,” under the Fixing America's Surface Transportation Act (FAST Act) and Moving Ahead for Progress in the 21st Century Act (MAP-21), the U.S. Department of Transportation requires that metropolitan planning organizations, such as MTC, prepare long-range RTPs and update them every 4 years if they are in areas designated as “nonattainment” or “maintenance” for federal air quality standards. While the FAST Act is primarily a transportation law, Section 78001 of the act also amended the United States Housing Act of 1937 to allow public housing agencies and owners in the Housing Choice Voucher, Public Housing, and Section 8 Project-Based Rental Assistance programs to eliminate annual income reviews in some years by applying a cost of living adjustment determined by the U.S. Department of Housing and Urban Development Secretary to fixed-income sources for families with incomes that are at least 90 percent fixed income. The public housing agency or owner is not required to verify nonfixed income amounts in years when no fixed-income review is required but is still required to use third-party documentation for a full income recertification every 3 years.

## **STATE REGULATIONS**

### **Zenovich–Moscone–Chacon Housing and Home Finance Act of 1975**

In response to State population and household growth, and to ensure the availability of affordable housing for all income groups, the California Department of Housing and Community Development (HCD) is responsible for determining the regional housing need for all jurisdictions in California.

### **Housing Element Law**

Enacted in 1969, housing element law (Government Code Sections 65580–65589.8) mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in the State rests largely upon the effective implementation of local general plans and, in particular, local housing elements. Housing element law also requires HCD to review local housing elements for compliance with State law and to report its written findings to the local government.

### **California Relocation Assistance Act of 1971**

The California Relocation Assistance Act (Government Code Section 7260 et seq.) was passed in 1971, following the Uniform Relocation Assistance and Real Property Acquisition Policies Act in 1970 (see discussion above under “Federal Regulations”). California's version of the law has similar provisions requiring notification, counseling, social services, and financial assistance for persons displaced by transportation and land redevelopment projects. Under the California act, these procedural protections and benefits apply when the project causing the displacement has received State funding during any phase of the program or project, even if it did not receive federal funding.

### **Regional Housing Needs Allocation**

California Government Code Sections 65583(a)(1) and 65584 require that each council of government consult with the California Division of Housing Policy Development and determine each region's existing and projected housing need through preparation of a Regional Housing Needs Allocation

(RHNA) that allocates a share of the regional housing need to each city, county, or city and county based on an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code.

The future need for housing is determined primarily by the forecasted growth in households in a community, based on historical growth patterns, job creation, household formation rates, and other factors to estimate how many households will be added to each community over the projection period. The housing need for new households is then adjusted to account for an ideal level of vacancy needed to promote housing choice, maintain price competition, and encourage acceptable levels of housing upkeep and repair. The RHNA also accounts for units expected to be lost because of demolition, natural disaster, or conversion to non-housing uses. The sum of these factors—household growth, vacancy need, and replacement need—form the “construction need” assigned to each community. Finally, the RHNA considers how each jurisdiction might grow in ways that will decrease the concentration of low-income households in certain communities. The need for new housing is distributed among income groups so that each community moves closer to the regional average income distribution.

### **Sustainable Communities and Climate Protection Act of 2008**

Senate Bill 375 (SB 375) (Chapter 728, Statutes of 2008) focuses on aligning transportation, housing, and other land uses to achieve regional greenhouse gas (GHG) emission reduction targets established under the California Global Warming Solutions Act, also known as Assembly Bill 32 (AB 32). SB 375 requires California metropolitan planning organizations to develop an SCS as part of the RTP, with the purpose of identifying policies and strategies to reduce per capita passenger vehicle-generated GHG emissions. The SCS must:

- ▲ identify the general location of land uses, residential densities, and building intensities within the region;
- ▲ identify areas within the region sufficient to house all the population of the region;
- ▲ identify areas within the region sufficient to house an 8-year projection of the regional housing need;
- ▲ identify a transportation network to service the regional transportation needs;
- ▲ gather and consider the best practically available scientific information regarding resources areas and farmland in the region; and
- ▲ consider the State housing goals; set forth a forecasted development pattern for the region; and allow the RTP to comply with the federal Clean Air Act of 1970 (42 U.S. Code Section 7401 et seq.).

The development pattern in the SCS, when integrated with the transportation network and other transportation measures and policies, must reduce the GHG from automobiles and light-duty trucks to achieve the GHG emission reduction targets approved by the California Air Resources Board (CARB). If the SCS does not achieve the GHG emission targets set by CARB, an alternative planning strategy must be prepared to demonstrate how the targets could be achieved.

SB 375 also imposes a number of new requirements on the regional housing needs process. Before SB 375, the RTP and regional housing needs processes were not required to be coordinated. SB 375

now synchronizes the schedules of the RHNA and RTP processes. The RHNA, which is adopted after the RTP, must also allocate housing units within the region consistent with the development pattern included in the SCS. Previously, the RHNA determination was based on population projections produced by the California Department of Finance (DOF). SB 375 requires the determination to be based upon population projections by DOF and regional population forecasts used in preparing the RTP. If the total regional population forecasted and used in the RTP is within a range of 3 percent of the regional population forecast completed by DOF for the same planning period, then the population forecast developed by the regional agency and used in the RTP shall be the basis for the determination. If the difference is greater than three percent, then the two agencies shall meet to discuss variances in methodology and seek agreement on a population projection for the region to use as the basis for the RHNA determination. If no agreement is reached, then the basis for the RHNA determination shall be the regional population projection created by DOF.

Existing law requires local governments to adopt a housing element as part of their general plan. Unlike the rest of the general plan, where updates sometimes occur at intervals of 20 years or longer, under previous law the housing element was required to be updated as frequently as needed and no less than every five years. Under SB 375, this period has been lengthened to eight years and timed so that the housing element period begins no less than 18 months after adoption of the RTP to encourage closer coordination between the housing and transportation planning done by local governments and metropolitan planning organizations. SB 375 also changes the implementation schedule required in each housing element. Previous law required the housing element to contain a program that set forth a five-year schedule to implement the goals and objectives of the housing element. The new law instead requires this schedule of actions to occur during the eight-year housing element planning period and requires that each action have a timetable for implementation.

Government Code Section 65583 (SB 2, Chapter 633, Statutes of 2007) strengthens State housing element law (Government Code Section 65583) by ensuring that every jurisdiction identifies potential sites where new emergency shelters can be located without discretionary review by the local government. It also increases protections for providers seeking to open a new emergency shelter, transitional housing, or supportive housing development by limiting the instances in which local governments can deny such developments.

### **The Delta Protection Act of 1992**

The Delta Protection Act of 1992 established the Delta Protection Commission, a State entity to plan for and guide the conservation and enhancement of the natural resources of the Delta while sustaining agriculture and meeting increased recreational demand. The act defines a Primary Zone, which comprises the principal jurisdiction of the Delta Protection Commission. The Secondary Zone is the area outside the Primary Zone and within the “Legal Delta”; the Secondary Zone is not within the planning area of the Delta Protection Commission. Portions of Alameda, Contra Costa, and Solano Counties overlap with the Primary Zone. The act requires the Delta Protection Commission to prepare and adopt a land use and resource management plan for the Primary Zone of the Delta, which must meet specific goals.

### **Sacramento-San Joaquin Delta Reform Act of 2009**

The Delta Plan, required by the 2009 Sacramento-San Joaquin Delta Reform Act, creates rules and recommendations to further the State’s coequal goals for the Delta: improve Statewide water supply reliability and protect and restore a vibrant and healthy Delta ecosystem. The plan provides that the goals can be achieved all in a manner that preserves, protects, and enhances the Delta’s unique agricultural, cultural, and recreational characteristics.

## Public Resources Code Sections 21094.5 and 21094.5.5

PRC Sections 21094.5 and 21094.5.5 (SB 226, Chapter 469, Statutes of 2011) set forth a streamlined review process for infill projects and include performance standards to be used to determine an infill project's eligibility for streamlined review. The intent of PRC Sections 21094.5 and 21094.5.5 is to streamline the environmental review process by "limiting the topics subject to review at the project level where the effects of infill development have been addressed in a planning level decision or by uniformly applicable development policies." Residential, commercial, and retail development, public office buildings, transit stations, and schools are eligible for this streamlining provided they meet the following requirements: (1) are located in an urban area on a site that has been previously developed or adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; (2) satisfy the performance standards provided in Appendix M of the CEQA Guidelines; and (3) are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, with some exceptions. Some development and transportation projects included in the proposed Plan may be eligible to use a streamlined version of the environmental review process.

## Senate Bill 743

SB 743 (2013) (PRC Sections 21099 and 21155.4) created an exemption from CEQA for certain projects that are consistent with a specific plan. (See PRC Section 21155.4.) A specific plan is a local plan that contains specific policies and development regulations for a defined area, such as a downtown core or along a transit corridor. The exemption applies if a project meets all of the following criteria:

- ▲ It is a residential, employment center, or mixed-use project.
- ▲ It is located within a TPA.
- ▲ The project is consistent with a specific plan for which an EIR was certified.
- ▲ It is consistent with an adopted SCS or alternative planning strategy.

The exemption cannot be applied if the project would cause new or worse significant environmental impacts compared to what was analyzed in the EIR for the specific plan. If the project would cause new or worse significant environmental impacts, supplemental environmental review must be conducted. SB 743 also specifies that aesthetic and parking impacts of residential, mixed-use residential, or employment center uses on infill sites within a TPA shall not be considered significant effects on the environment (see PRC Section 21099[d]). **Table 1-2** in Chapter 1 describes the SB 375 requirements for CEQA streamlining related to an SCS.

## California Coastal Act

The California Coastal Commission is one of California's three designated coastal management agencies that administer the federal Coastal Zone Management Act (CZMA) in California. In partnership with coastal cities and counties, it plans and regulates the use of land and water in the coastal zone. Development activities, which are broadly defined by the CZMA to include (among other activities) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal permit from either the California Coastal Commission or the local government. CZMA gives State coastal management agencies regulatory control over all activities that may affect coastal resources, including any new developments, and highway improvement projects that use federal funds.

The mission of the California Coastal Commission, established by voter initiative in 1972 and later made permanent by the legislature through adoption of the California Coastal Act of 1976, is to protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations. The



California Coastal Act includes specific policies that address issues such as shoreline public access and recreation, lower-cost visitor accommodations, terrestrial and marine habitat protection, visual resources, landform alteration, agricultural lands, commercial fisheries, industrial uses, water quality, offshore oil and gas development, transportation, development design, power plants, ports, and public works. The coastal zone, which was specifically mapped by the legislature, covers an area larger than the State of Rhode Island. On land, the coastal zone varies in width from several hundred feet in highly urbanized areas to up to 5 miles in certain rural areas, and offshore, the coastal zone includes a 3-mile-wide band of ocean. The coastal zone established by the Coastal Act does not include San Francisco Bay, where development is regulated by BCDC.

The California Coastal Commission plans and regulates the use of land and water in the coastal zone in partnership with coastal cities and counties. Development activities are defined by the Coastal Act to include (among others) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, and they generally require a coastal permit from either the Coastal Commission or the local government. Implementation of Coastal Act policies is accomplished primarily through the preparation of local coastal programs (LCPs), which are required to be completed by each of the 15 counties and 60 cities located in whole or in part in the coastal zone. Completed LCPs must be submitted to the California Coastal Commission for review and approval. An LCP includes a land use plan, which may be the relevant portion of the local general plan, including any maps necessary to administer it and the zoning ordinances, zoning district maps, and other legal instruments necessary to implement the land use plan. Coastal Act policies are the standards by which the commission evaluates the adequacy of LCPs, and amendments to certified land use plans and LCPs become effective only after approval by the commission. The California Coastal Commission is required to review each certified LCP at least once every 5 years to ensure that coastal resources are effectively protected in light of changing circumstances.

The Bay Area coastline is part of the North Central Coast Area. As of 2020, LCPs were effectively certified for Sonoma County, Marin County, San Francisco City and County, San Mateo County, Daly City, and the City of Pacifica (certification draft sent to the California Coastal Commission June 2020).

### **McAteer-Petris Act**

BCDC is dedicated to the protection and enhancement of San Francisco Bay and the Suisun Marsh and to the encouragement of their responsible use. As the other designated coastal zone management agency, and pursuant to the McAteer-Petris Act, BCDC is designated as the agency responsible for the protection of the bay and its natural resources and for the regulation of the development of the bay and shoreline to their highest potential with a minimum of bay fill. For development projects, including transportation projects, BCDC jurisdiction includes the bay itself (including San Pablo and Suisun Bays, sloughs, and certain creeks) and, in general, a 100-foot band along the bay shoreline.

The McAteer-Petris Act further specifies that certain water-oriented land uses should be permitted on the shoreline, including ports, water-related industries, airports, wildlife refuges, water-oriented recreation and public assembly, desalinization plants, and power plants requiring large amounts of water for cooling purposes. BCDC implements the SF Bay Plan to control bay filling dredging and shoreline development. To minimize the future filling of the bay, the Bay Plan identifies Priority Use Areas (PUAs), which are reserved for these water-oriented land uses. It is necessary to obtain BCDC approval before undertaking any work within 100 feet of the bay shoreline (including grading); filling of the bay or certain tributaries of the bay; dredging; Suisun Marsh projects; and any filling, new construction, major remodeling, substantial change in use, and many land subdivisions in the bay,

along the shoreline, in salt ponds, duck hunting preserves or other managed wetlands adjacent to the bay.

### Regional Conservation Investment Strategy Program

AB 2087 (2016) created the California Department of Fish and Wildlife's Regional Conservation Investment Strategy pilot program and was amended by SB 103 on July 21, 2017. The program uses a science-based approach to identify conservation and enhancement opportunities that, if implemented, will help California's declining and vulnerable species by protecting, creating, restoring, and reconnecting habitat and may contribute to species recovery and adaptation to climate change and resiliency. The program consists of three components: regional conservation assessments (RCAs), regional conservation investment strategies (RCISs), and mitigation credit agreements (MCAs). An RCA is a voluntary, nonregulatory, nonbinding conservation assessment that includes information and analyses of important species, ecosystems, protected areas, and habitat linkages at the U.S. Department of Agriculture ecoregion scale and may include more than one ecoregion. An RCIS is a voluntary, nonregulatory, and nonbinding conservation assessment that includes information and analyses relating to the conservation of focal species, their associated habitats, and the conservation status of the RCIS land base. An RCIS establishes biological goals and objectives at the species level and describes conservation actions and habitat enhancement actions that, if implemented, will contribute to those goals and objectives. An MCA is a mitigation credit agreement developed under an approved RCIS. An MCA is developed in collaboration with the California Department of Fish and Wildlife to create mitigation credits by implementing the conservation or habitat enhancement actions identified in an RCIS. RCISs have been adopted in Alameda, Contra Costa, and Santa Clara Counties.

### Quimby Act

The 1975 Quimby Act (California Government Code Section 66477) authorized cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The act states that the dedication requirement of parkland can be a minimum of 3 acres per thousand residents or more and up to 5 acres per thousand residents if the existing ratio is greater than the minimum standard. Revenues generated through in-lieu fees collected under the Quimby Act cannot be used for the operation and maintenance of park facilities. In 1982, the act was substantially amended. The amendments further defined acceptable uses of and restrictions on the use of Quimby Act funds, provided acreage/population standards and formulas for determining the exaction, and indicated that the exactions must be closely tied to a project's impacts as identified through studies required by CEQA.

### State Open Space Standards

State planning law (Government Code Section 65560) provides a structure for the preservation of open space by requiring every city and county in the State to prepare, adopt, and submit to the Secretary of the Resources Agency a "local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction." The following open space categories are identified for preservation:

- ▲ **open space for public health and safety**, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions;
- ▲ **open space for the preservation of natural resources**, including, but not limited to, natural vegetation, fish and wildlife, and water resources;

- ▲ **open space for resource management and production**, including, but not limited to, agricultural and mineral resources, forests, rangeland, and areas required for the recharge of groundwater basins;
- ▲ **open space for outdoor recreation**, including, but not limited to, parks and recreational facilities, areas that serve as links between major recreation and open space reservations (such as trails, easements, and scenic roadways), and areas of outstanding scenic and cultural value; and
- ▲ **open space for the protection of Native American sites**, including, but not limited to, places, features, and objects of historical, cultural, or sacred significance, such as Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property (further defined in PRC Sections 5097.9 and 5097.993).

### State Public Park Preservation Act of 1971

The primary instrument for protecting and preserving parkland is the State Public Park Preservation Act of 1971 (PRC Sections 5400–5409). Under the act, cities and counties may not acquire any real property that is in use as a public park for any nonpark use unless compensation or land, or both, are provided to replace the parkland acquired. This ensures no net loss of parkland and facilities.

## REGIONAL AND LOCAL REGULATIONS

In accordance with Government Code Section 65584(a), ABAG has been designated by the State and federal governments as the official comprehensive planning agency for the Bay Area. ABAG reviews projects of regional significance for consistency with regional plans. Plan Bay Area provides a policy guide for planning the region's housing, economic development, environmental quality, transportation, recreation, and health and safety.

### MTC Resolution 3434 Transit Oriented Development Policy for Regional Transit Expansion Projects

MTC adopted a Transit Oriented Development (TOD) Policy (Resolution 3434) in 2005 to support the development of communities around new transit lines and stations identified as part of the Resolution 3434 Regional Transit Expansion Program. Resolution 3434 is intended to improve the cost-effectiveness of regional investments in new transit expansions to ease the Bay Area's chronic housing shortage, create vibrant new communities, and help preserve open space through ensuring that new development patterns are more supportive of transit. The three key elements of the regional TOD policy are:

- ▲ corridor-level thresholds to quantify appropriate minimum levels of development around transit stations along new corridors;
- ▲ local station area plans that address future land use changes, station access needs, circulation improvements, pedestrian-friendly design, and other key features in a TOD; and
- ▲ corridor working groups that bring together congestion management agencies (CMAs), city and county planning staff, transit agencies, and other key stakeholders to define expectations, timelines, roles and responsibilities for key stages of the transit project development process.

TOD policy application applies only to physical transit extensions funded in Resolution 3434 with regional discretionary funds (as defined in the policy guidelines), regardless of the level of funding. However, single-station extensions to international airports are not subject to the TOD policy because of the infeasibility of housing development. The implementation process of the TOD policy involved

coordination with the transit agency, city, and MTC/CMA/ABAG to determine thresholds for station areas and housing. Each transit extension project funded in Resolution 3434 must determine corridor-level thresholds, which may vary by modes of transit, in the form of minimum number of housing units along the corridor. Along with determining thresholds, each physical transit extension project seeking funding from Resolution 3434 must demonstrate that the thresholds for the corridor are met through existing development and adopted station area plans that commit local jurisdictions to a level of housing that meets the threshold.

### One Bay Area Grant Program

MTC's One Bay Area Grant program (OBAG) is a funding approach that aligns MTC's investments with support for focused growth. Established in 2012, OBAG taps federal funds to maintain MTC's commitments to regional transportation priorities while also advancing the Bay Area's land use and housing goals. OBAG includes both a regional program and a county program that:

- ▲ targets project investments in PDAs and
- ▲ rewards cities and counties that approve new housing construction and accept allocations through the RHNA process.

Cities and counties can use these OBAG funds to invest in:

- ▲ local street and road maintenance,
- ▲ streetscape enhancements,
- ▲ bicycle and pedestrian improvements,
- ▲ transportation planning,
- ▲ Safe Routes to School projects, and
- ▲ PCAs.

MTC in late 2015 adopted a funding and policy framework for the second round of OBAG grants. Known as OBAG 2 for short, the second round of OBAG funding is projected to total about \$800 million to fund projects from 2017-18 through 2021-22.

### California Government Code, Section 56000

Each county in California has a local agency formation commission (LAFCO), which is the agency that has the responsibility to create orderly local government boundaries, with the goals of encouraging the orderly formation of local governmental agencies and the preservation of open space lands and discouraging urban sprawl. LAFCOs are governed by Section 56000 of the California Government Code. This legislation sets the commission's powers and duties, procedures for establishing and changing governmental boundaries, and other Statewide policies that LAFCOs must consider while making their determinations. While LAFCOs have no direct land use power, their actions determine which local government will be responsible for planning new areas. LAFCOs address a wide range of boundary actions, including creation of spheres of influences for cities, adjustments to boundaries of special districts, annexations, incorporations, detachments of areas from cities, and dissolutions of cities.

### City and County General Plans

The most comprehensive land use planning for the San Francisco Bay Area region is provided by city and county general plans, which local governments are required by State law (California Government Code Section 65300 et seq.) to prepare as a guide for future development. The general plan contains goals and policies concerning topics that are mandated by State law or that the jurisdiction has chosen to include. Required topics are land use, circulation, housing, conservation, open space, noise,



and safety. Other topics that local governments frequently choose to address are public facilities, parks and recreation, community design, and/or growth management. City and county general plans must be consistent with each other. County general plans must cover areas not included by city general plans (i.e., unincorporated areas). Issues pertaining to land use are described in the land use element, issues pertaining to agricultural and forest resources are described in the conservation element, and issues pertaining to open space are described in the open space element of general plans.

### Specific and Master Plans

A city or county may also provide land use planning by developing community or specific plans for smaller, more specific areas within their jurisdiction. These plans are more localized and provide focused guidance for developing a specific area, including development standards tailored to the area, and systematic implementation of the general plan.

### Zoning

The city or county zoning code is the set of detailed requirements that implement the general plan policies at the level of the individual parcel. The zoning code presents standards for different uses and identifies which uses are allowed in the various zoning districts of the jurisdiction. Since 1971, State law has required the city or county zoning code to be consistent with the jurisdiction's general plan (California Government Code Section 65860).

### Growth Control Measures

Local growth control endeavors to manage community growth by various methods, including tying development to infrastructure capacity or traffic level of service standards, limiting the number of new housing units, setting limits on the increase of commercial square footage, linking development to a jobs-to-housing balance, and adopting urban growth boundaries. These goals and others can be achieved through the adoption of a countywide growth management program. Growth management programs, including those related to adopting urban growth boundaries, have been implemented by county government and/or cities in all of the nine Bay Area counties. **Table 3.11-3** lists cities and counties that have implemented urban growth boundaries and countywide land use measures.

**Table 3.11-3: Bay Area Urban Growth Boundaries and Wide Land Use Measures**

County	Wide Measure	Cities with an Urban Growth Boundary
Alameda	Yes	Dublin, Fremont, Hayward, Livermore, Pleasanton
Contra Costa	Yes	Antioch, Contra Costa, Danville, El Cerrito, Hercules, Martinez, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, Walnut Creek
Marin	Yes	Novato
Napa	Yes	American Canyon, Napa, St. Helena, Yountville
San Francisco	No	--
San Mateo	Yes	Urban-Rural Boundary applies to all jurisdictions in the
Santa Clara	Yes	Cupertino, Gilroy, Los Gatos, Milpitas, Morgan Hill, Palo Alto, San José
Solano	Yes	Benicia, Fairfield, Rio Vista, Vallejo, Vacaville
Sonoma	Yes	Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, Windsor

Notes: San Francisco has no affected farmland acres.

Source: Greenbelt Alliance 2020

### 3.11.4 Impact Analysis

#### SIGNIFICANCE CRITERIA

Significance criteria are based on CEQA Guidelines Appendix G, the criteria used in the Plan Bay Area 2040 EIR (2017), and professional judgment. Under these criteria, implementation of the proposed Plan would have a potentially significant adverse impact if it would:

- ▲ physically divide an established community (Criterion LU-1);
- ▲ cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Criterion LU-2);
- ▲ induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) (Criterion LU-3); or
- ▲ displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (Criterion LU-4).

#### METHOD OF ANALYSIS

This program-level EIR evaluates potential impacts on land use, population, and housing based on the location of the proposed Plan's footprint associated with the forecasted development pattern (i.e., the land use growth footprint), sea level rise adaptation infrastructure (i.e., sea level rise adaptation footprint), and transportation projects (i.e., transportation system footprint) relative to the known distribution of land use, population, and housing throughout the Bay Area. The baseline for the following analysis reflects existing conditions when the EIR NOP was released in September 2020.

Quantitative results are presented for the region (i.e., the entire footprint, often summarized by county) and for the portions of the land use growth footprint specifically within transit priority areas (TPAs). TPAs are presented as a subset of the regional and county totals. Information provided by county includes both incorporated and unincorporated areas in the county.

For this impact assessment, a geographic information system (GIS) was used to digitally overlay the proposed Plan's footprints associated with forecasted land use development, sea level rise adaptation infrastructure, and transportation projects onto parks and open space, BCDC's Priority Use Areas, Delta Plan/Primary Zone, and the coastal zone.

This evaluation of land use, population, and housing impacts assumes that construction and development under the proposed Plan would adhere to applicable federal, State, and local regulations and would conform to appropriate standards in the industry, as relevant for individual projects. Where existing regulatory requirements or permitting requirements exist that are law and binding on responsible agencies and project sponsors, it is reasonable to assume that they would be implemented, thereby reducing impacts. Land use impacts related implementation of the proposed Plan's land use development pattern, sea level rise adaptation infrastructure, and transportation projects would be inherently operational in nature, and the following analyses discuss effects of the proposed Plan following implementation. Therefore, construction impacts are not addressed separately. The physical effects of future construction are addressed in the other EIR technical

sections. For additional information on analysis methodology, refer to Section 3.1, “Approach to the Analysis.”

## Residential Displacement

This assessment evaluates potential direct impacts to existing communities, including potential displacement of residents, as a result of the proposed land use strategy and transportation projects. This analysis provides a qualitative approach to address effects of implementation of the proposed Plan. The Equity Report (which is available as a supplemental report to Plan Bay Area 2050) provides an analysis of risk of displacement; this information was used in consideration of potential Plan effects.

CEQA requires analysis and mitigation of potentially substantial adverse changes in the physical environment (PRC Sections 21151, 21060.5, and 21068). “Economic and social changes resulting from a project are not treated as significant environmental effects [citation] and, thus, need not be mitigated or avoided under CEQA.” (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 209 Cal.App.3d 1502, 1516.). Physical changes in the environment caused by economic or social effects of a project may constitute significant environmental effects (CEQA Guidelines Sections 15131 and 15064(e)). Social and economic effects in and of themselves, however, are not significant effects on the environment under CEQA (*Melom v. City of Madera* (2010) 183 Cal.App.4th 41, 55.).

## Consistency with Local Growth Controls

The EIR qualitatively evaluates local and sub-regional growth controls and the potential impacts of the proposed Plan on those efforts, including:

- ▲ general plan policies and development controls that require voter approval (such as those set by initiative),
- ▲ general plan policies and development controls based on joint powers agreements (such as regional open space reserves, buffers between communities, or urban service boundaries and urban limit lines), and
- ▲ general plan policies and development controls reflecting infrastructure constraints or severe environmental constraints.

Local jurisdictions are responsible for adopting land use policies as part of their general and neighborhood plans and implementing them through local ordinance. As a result, MTC and ABAG have no direct control over local land use planning, nor does SB 375 require that local jurisdictions align their general plans to conform to the proposed Plan; this alignment is discretionary but encouraged through the availability of streamlined environmental review for consistent projects. MTC’s OBAG targets federal transportation funds to projects in PDAs to support the proposed Plan’s focused growth strategy.

## IMPACTS AND MITIGATION MEASURES

### Impact LU-1: Physically divide an established community (PS)

#### Land Use Impacts

The proposed Plan was designed to accommodate the people, households, and jobs identified in the regional growth forecast. The proposed Plan designates growth geographies as areas prioritized to accommodate the forecasted regional growth. The proposed Plan’s core strategy remains “focused growth” in existing communities along the existing transportation network. This reflects the

foundational and regional growth pattern established in the original Plan Bay Area (2013) and Plan Bay Area 2040. Urbanization—in this context defined as development on land not designated as urban built-up land according to the FMMP—is forecasted to occur on approximately 12,300 acres, representing 31 percent of the land use growth footprint, as described in Section 2.2.3, “Conditions Under the Proposed Plan.” The greatest amount of urbanization is forecasted to occur in Contra Costa County (5,300 acres), followed by Solano and Alameda Counties (see Impact AGF-1 in Section 3.3, “Agriculture and Forestry Resources”).

The majority (69 percent) of the proposed Plan’s land use growth footprint would occur on land identified by the FMMP as urban built-up. The proposed Plan’s strategies and growth geographies would create more centralized residential areas and commercial centers. Development and redevelopment to accommodate the regional growth forecast would typically occur on vacant or underutilized sites. Thus, the land use growth footprint would not result in the physical division of established communities. Rather, development would be integrated into established communities. Thus, this impact would be less than significant (LTS).

### **Sea Level Rise Adaptation Impacts**

The proposed Plan’s sea level rise adaptation footprint would include a variety of levees, seawalls, elevated roadways, marsh restoration, and tidal gates that would be located along the shoreline edges of existing communities. This infrastructure is not anticipated to physically divide established communities by creating a physical barrier between existing established communities. The sea level rise adaptation infrastructure would protect established shoreline communities from sea level rise. Sea level rise adaptation infrastructure would be required to conform to land use restrictions detailed in the Bay Plan or applicable LCP. In cases where the sea level rise adaptation footprint overlaps a PUA, the uses within the PUA must be consistent with Bay Plan requirements.

Potential for the proposed Plan to result in a barrier that would divide communities from the shoreline, which would affect the ability of residents to access and utilize regionally important water-oriented uses, such as shoreline parks and trails, water-related recreation, ports, water-related industry, and wildlife refuges along the bay or coast is addressed in Section 3.13, “Public Services and Recreation.” The potential for sea level rise adaptation infrastructure to physically divide an established community would be less than significant (LTS).

### **Transportation System Impacts**

The proposed Plan includes a variety of transportation projects and programs, including regional transit projects, local transit projects, road pricing improvements, and highway and roadway improvements projects. Most of the major proposed transportation projects would be located in existing rights-of-way, meaning they would not create a new physical division within existing communities. Some projects in the proposed Plan could improve or expand interconnections between neighborhoods and communities that are currently separated by major transportation corridors. Examples include bridges or undercrossings (with bike lanes) of commuter rail lines, the Transbay railway, bicycle/pedestrian overcrossings of freeways, and urban trail and pathway projects. Additionally, many proposed projects, such as expansion of transit services, are intended to improve mobility and accessibility and may, as a result, improve community connectivity. However, larger infrastructure projects, such as rail extension or expansion projects, may require the acquisition of land in existing communities, which may divide established communities. These transportation projects would require subsequent project-level environmental review prior to their implementation. Detailed project design or specific plans could address potential divisions of existing communities. Through regional programs such as OBAG, MTC and ABAG would continue to support planning efforts



for locally sponsored traffic calming and alternative transportation initiatives, such as paths, trails, overcrossings, bicycle plans, that foster improved neighborhoods and community connections. However, MTC and ABAG cannot require local implementing agencies to implement these projects. Project approval would remain subject to the discretion of local agencies. Transportation project impacts related to division of an established community would be potentially significant (PS). be potentially significant (PS).

### **Conclusion**

Implementation of the proposed Plan's land use strategies would result in future development being integrated into existing communities along the existing transportation network and would therefore not physically divide established communities. Sea level rise adaptation infrastructure would primarily be located along the shoreline or other waterways, which would limit the potential for this infrastructure to physically divide an established community. Many proposed transportation projects, such as expansion of transit services or the building of active transportation infrastructure, are intended to improve mobility and accessibility and may, as a result, improve community connectivity. However, larger infrastructure projects, such as new rail extension or expansion projects, may require the acquisition of land in existing communities, which may divide established communities. As a result, this impact would be **potentially significant (PS)**. Mitigation Measure LU-1 addresses this impact and is described below.

### **Mitigation Measures**

**Mitigation Measure LU-1** Implementing agencies and/or project sponsors shall implement measures, where feasible and necessary based on project- and site-specific considerations, that include those identified below:

- ▲ Incorporate design features such as sidewalks, bike lanes, and bike/pedestrian bridges or tunnels that maintain or improve access and connections within existing communities and to public transit through regional programs, such as OBAG.
- ▲ Encourage implementing agencies to orient transportation projects to minimize impacts on existing communities by:
  - selecting alignments within or adjacent to existing public rights-of-way;
  - designing sections above or below grade to maintain viable vehicular, cycling, and pedestrian connections between portions of communities where existing connections are disrupted by the transportation project; and
  - wherever feasible incorporating direct crossings, overcrossings, or undercrossings at regular intervals for multiple modes of travel (e.g., pedestrians, bicyclists, vehicles).

Where it has been determined that it is infeasible to avoid creating a barrier in an established community, encourage implementing agencies to consider other measures to reduce impacts, including but not limited to:

- ▲ shifting alignments to minimize the area affected;
- ▲ reducing the proposed right-of-way take to minimize the overall area of impact; and
- ▲ providing for bicycle, pedestrian, and vehicle access across improved roadways.

### **Significance after Mitigation**

Implementation of Mitigation Measure LU-1 would reduce the potentially significant impact of division of an established community because it would implement design features that would improve access and connections within existing communities and to public transit, which would reduce the effects of separation on existing communities. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because sites are unique, it cannot be concluded with certainty that all potentially significant divisions of established communities could be avoided. This impact would remain **significant and unavoidable (SU)**.

### **Impact LU-2: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (PS)**

#### **Land Use Impacts**

##### **General Plans and Specific Plans**

The proposed Plan's land use strategies are designed to accommodate the region's forecasted growth of 1.4 million households and 1.4 million jobs from 2015 through 2050. Strategy H03, "Allow a Greater Mix of Housing Densities and Types in Growth Geographies," would call for increased density and intensity of development in many designated growth geographies compared to that currently planned for and/or allowed by the local jurisdictions. Local lead agencies would determine consistency with adopted general plans and specific plans by conforming the projects or amending land use designations. If the lead agency wishes to approve a project that is consistent with the proposed Plan in order for the project to take advantage of streamlined environmental review, but the project is inconsistent with an adopted general plan or specific plan, project approval would include amendment of the general plan or specific plan.

The proposed Plan contains strategies to guide anticipated population, households, and employment growth in the Plan area by 2050. The land use strategies were developed as a result of MTC's bottom-up planning process outlined in the proposed Plan. This process involved extensive outreach to and input from local jurisdictions, including counties and local city planners. While the Plan was developed primarily from assumptions derived from local general plans and input from local governments and transportation agencies, SB 375 does not require local land use policies, regulations, or general plans to be consistent with the Plan. Also, although the land use strategies included in the Plan are generally compatible with county- and regional-level general plans, local general plans may not have been updated since the adopted 2017 RTP/SCS. Therefore, it is possible that there could be incompatibilities with existing general plans in the region.

Two of the proposed Plan's environmental strategies—Strategy EN04, "Maintain Urban Growth Boundaries," and Strategy EN05, "Protect and Manage High-Value Conservation Lands"—expand access to parks and open space and seek to reduce conflicts with applicable open space protection policies by focusing new growth in existing urban areas to help preserve natural areas. Furthermore, Strategy EN06, "Modernize and Expand Parks, Trails, and Recreation Facilities," would invest in parks, trails, and open spaces to expand access across the region. However, portions of the proposed Plan's land use growth footprint (approximately 740 acres) could overlap with open space/parklands. The largest overlaps are anticipated in Santa Clara, Sonoma, Contra Costa, and San Francisco Counties (**Table 3.11-4**). In TPAs, open space/parklands included in the land use growth footprint are smaller,

totaling 150 acres regionwide. While TPAs are areas in which growth is focused, they would not be developed in their entirety and would include diverse land uses, in addition to jobs and housing, that could include preservation of open space and parklands.

**Table 3.11-4: Acreage of Land Use Growth Footprint within Parks and Open Space**

County		Total (acres)
Alameda	County Total	40
	Within TPAs	20
Contra Costa	County Total	120
	Within TPAs	<1
Marin	County Total	20
	Within TPAs	10
Napa	County Total	30
	Within TPAs	<1
San Francisco	County Total	110
	Within TPAs	20
San Mateo	County Total	80
	Within TPAs	20
Santa Clara	County Total	170
	Within TPAs	60
Solano	County Total	7
	Within TPAs	<1
Sonoma	County Total	160
	Within TPAs	20
Regional Total	County Total	740
	Within TPAs	150

Notes: TPA acreages are a subset of county acreages. Numbers less than 1 are shown as "<1"; whole numbers have been rounded (between 0 and 10 to the nearest whole number, between 11 and 999 to the nearest 10). Figures may not sum because of independent rounding.

Sources: Data compiled by MTC and ABAG in 2021 based on data from California Conservation Easement Database 2020 and California Protected Areas Database 2020

### Local Coastal Programs

Sonoma County, Marin County, the City and County of San Francisco, San Mateo County, and the cities of Daly City, Pacifica, and Half Moon Bay all have certified LCPs. As calculated using a GIS-based overlay analysis, the land use growth footprint overlaps with areas of the Coastal Zone in approximately 90 acres in San Mateo County, 10 acres in San Francisco County, 3 acres in Sonoma County, and less than one acre in Marin County. Development that occurs within the Coastal Zone would be subject to the respective LCP. LCPs contain, generally, a land use plan, development code, and policy and zoning maps. Development in the coastal zone is subject to a coastal development permit when there would be change in the use of land or water. The overall goal of applying for and receiving a coastal development permit is to ensure that a project is consistent with the Coastal Act, and by extension LCPs. However, conflicts could occur between specific projects and LCPs.

### BCDC

The San Francisco Bay Plan establishes policies to guide the use of San Francisco Bay and its shoreline. In particular, BCDC, which is responsible for implementation of the Bay Plan, is authorized to control both bay filling/dredging and shoreline development. To minimize the future filling of the bay, the Bay Plan identifies PUAs, which are reserved for water-oriented land uses including ports, water-related industries, airports, wildlife refuges, water-oriented recreation and public assembly, desalinization plants, and power plants requiring large amounts of water for cooling purposes.

Regionally, overlap between PUAs and the land use growth footprint is approximately 870 acres. As shown in **Table 3.11-5**, the overlap is greatest in Contra Costa and San Francisco Counties. Individual projects that overlap with PUAs would be required to conform to land use restrictions detailed in the Bay Plan. Generally, implementation of the proposed Plan is intended to result in development of communities that would complement transportation systems; however, some of the proposed uses in the projected development area may conflict with BCDC land use policies. In cases where the projected development area overlaps a PUA, the uses within the PUA must be consistent with Bay Plan requirements. Land use compatibility would be further addressed during subsequent environmental review as individual projects are implemented and detailed project design or specific plans resolve land use inconsistencies. This would include consideration of zoning and land use designation amendments, as appropriate, to allow for implementation of a specific project. However, conflicts could occur between specific projects and the Bay Plan.

**Table 3.11-5: Acreage of Land Use Growth Footprint within BCDC's Priority Use Areas**

County		Total (acres)
Alameda	County Total	30
	Within TPAs	10
Contra Costa	County Total	570
	Within TPAs	<1
Marin	County Total	<1
	Within TPAs	0
Napa	County Total	0
	Within TPAs	0
San Francisco	County Total	190
	Within TPAs	120
San Mateo	County Total	40
	Within TPAs	30
Santa Clara	County Total	3
	Within TPAs	0
Solano	County Total	50
	Within TPAs	20
Sonoma	County Total	0
	Within TPAs	0
Regional Total	County Total	870
	Within TPAs	180

Notes: TPA acreages are a subset of county acreages. Numbers less than 1 are shown as "<1"; whole numbers have been rounded (between 0 and 10 to the nearest whole number, between 11 and 999 to the nearest 10). Figures may not sum because of independent rounding.

Sources: Data compiled by MTC and ABAG in 2021 based on data from BCDC 2020

### Delta Plan

Portions of Alameda, Contra Costa, and Solano Counties overlap with areas covered by the Delta Plan. The boundaries, which are described in Delta Plan Policy DP PI, Locate New Urban Development Wisely (23 CCR Section 5010), are intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk. Delta Plan Policy DP PI is consistent with the Delta Reform Act (PRC Section 29702), which states that one of the basic goals of the State for the Delta is to "[p]rotect, maintain, and, where possible, enhance and restore the overall quality of the Delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities. Projected development could affect consistency with the Delta Plan adopted by the Delta Stewardship Council because development at the urban edge could adversely impact agriculture, natural resources, recreational land, and water quality in the Delta. In



order to be consistent with Delta Plan Policy DP P1, new residential, commercial, or industrial development is permitted outside the urban boundaries only if it is consistent with the land use designated in the relevant county general plan as of the date of the Delta Plan's adoption (January 2019). Jurisdictions with land in the Primary Zone are required by PRC Section 29763 to adopt general plans with land uses consistent with the goals and policies in the Delta Plan, subject to review by the Delta Stewardship Council. Therefore, subsequent projects within the proposed Plan that fall within the Delta Plan boundaries would be required to demonstrate consistency with the plan and satisfy mitigation requirements.

### **Sea Level Rise Adaptation Impacts**

#### **General Plans and Specific Plans**

Implementation of the proposed adaption infrastructure archetypes would affect shoreline development as compared to that planned for/allowed by the local jurisdiction. Development that occurs within land subject to adopted General Plan and Specific Plans would be subject to the respective land use designations. Local lead agencies would determine consistency with adopted General Plans and Specific Plans by conforming the projects or amending land use designations. The bay shoreline includes large areas of open space in parks and wildlife refuges. Implementation of the Plan would have a potential to result in conflicts with open space/parklands protection policies. Portions of the proposed Plan's sea level rise adaptation footprint (approximately 1,600 acres) overlap with open space/parklands. The largest overlaps are anticipated in Santa Clara, Alameda, and Marin Counties (**Table 3.11-6**). Thus, conflicts could occur between specific projects and local general and specific plans.

**Table 3.11-6: Acreage of Sea Level Rise Adaptation Footprint within Parks and Open Space**

County	Total (acres)
Alameda	380
Contra Costa	40
Marin	320
Napa	<1
San Francisco	2
San Mateo	210
Santa Clara	590
Solano	270
Sonoma	40
Regional Total	1,600

Notes: Numbers less than 1 are shown as "<1"; whole numbers have been rounded (between 0 and 10 to the nearest whole number, between 11 and 999 to the nearest 10, between 1,000 and 1,000,000 to the nearest 100). Figures may not sum because of independent rounding.

Sources: Data compiled by MTC and ABAG in 2021 based on data from California Conservation Easement Database 2020 and California Protected Areas Database 2020

#### **Local Coastal Programs**

Sonoma County, Marin County, the City and County of San Francisco, San Mateo County, and the cities of Daly City, Pacifica, and Half Moon Bay all have certified LCPs. As calculated using a GIS-based overlay analysis, the sea level rise adaptation footprint overlaps with areas of the Coastal Zone in approximately 20 acres in Marin County. Development that occurs within the Coastal Zone would be subject to the respective LCP. LCPs contain, generally, a land use plan, development code, and policy and zoning maps. Development in the coastal zone is subject to a coastal development permit when

there would be change in the use of land or water. The overall goal of applying for and receiving a coastal development permit is to ensure that a project is consistent with the Coastal Act and, by extension, LCPs. However, conflicts could occur between specific projects and LCPs

## BCDC

The San Francisco Bay Plan establishes policies to guide the use of San Francisco Bay and its shoreline. In particular, BCDC, which is responsible for implementation of the Bay Plan, is authorized to control both bay filling/dredging and shoreline development. To minimize the future filling of the bay, the Bay Plan identifies PUAs, which are reserved for water-oriented land uses including ports, water-related industries, airports, wildlife refuges, water-oriented recreation and public assembly, desalinization plants, and power plants requiring large amounts of water for cooling purposes.

Regionally, overlap between PUAs and the sea level rise adaptation footprint is approximately 1,300 acres. As shown in **Table 3.11-7**, the overlap is greatest in Santa Clara, San Mateo, Alameda, and Solano Counties. Individual projects that overlap with PUAs would be required to conform to land use restrictions detailed in the Bay Plan. Generally, implementation of the proposed Plan is intended to result in shoreline adaptation that maximizes use of green archetypes and maintains or provides access to shoreline PUAs. In cases where the projected footprint associated with sea level rise adaptation infrastructure overlaps a PUA, the uses within the PUA must be consistent with Bay Plan requirements. Land use compatibility would be further addressed during subsequent environmental review as individual projects are implemented and detailed project design or specific plans resolve land use inconsistencies. However, conflicts could occur between specific projects and the Bay Plan.

**Table 3.11-7: Acreage of Sea Level Rise Adaptation Footprint within BCDC's Priority Use Areas**

County	Total (acres)
Alameda	270
Contra Costa	80
Marin	110
Napa	0
San Francisco	3
San Mateo	300
Santa Clara	310
Solano	220
Sonoma	10
Regional Total	1,300

Notes: Whole numbers have been rounded (between 0 and 10 to the nearest whole number, between 11 and 999 to the nearest 10, between 1,000 and 1,000,000 to the nearest 100). Figures may not sum because of independent rounding.

Sources: Data compiled by MTC and ABAG in 2021 based on data from BCDC 2020

## Transportation System Impacts

### General Plans and Specific Plans

The majority of proposed transportation projects were nominated by local jurisdictions and may already exist in local or Countywide Transportation Plans. While it is not anticipated that the proposed Plan's transportation strategies would conflict with local general plans, where inconsistencies could occur local agencies could amend their general plans to be consistent with the proposed Plan.

Transportation projects that require the expansion of existing, or designation of new, rights-of-way have the potential to result in direct and indirect effects on open space/parkland—conversion, fragmentation, and use conflicts—similar to those of the land use growth footprint. Generally, to minimize environmental impacts and project costs, it is common practice to design the footprint of new transportation projects within existing rights-of-way as much as feasible. This practice is assumed as a part of this analysis. However, development of some projects, such as roadway widening, roadway extension, and transit expansion projects, could result in the disturbance and/or loss of open space / parkland. The proposed Plan's transportation projects footprint has the potential to convert 650 acres of parks and open space. The largest overlaps are anticipated in Alameda and Solano Counties (**Table 3.11-8**). Local jurisdictions are precluded by State law from undertaking land use activities inconsistent with their respective general plans. While transportation projects on State and interstate highways and those sponsored by special districts are not necessarily derived from local general plans, these project sponsors work with their respective county CMA's to ensure consistency with local jurisdiction planning efforts. As a result, the transportation projects in the proposed Plan are not expected to conflict with the land use designations of current local general plans.

**Table 3.11-8: Acreage of Transportation Projects Footprint within Parks and Open Space**

County	Total (acres)
Alameda	230
Contra Costa	70
Marin	<1
Napa	4
San Francisco	20
San Mateo	30
Santa Clara	90
Solano	220
Sonoma	3
Regional Total	650

Notes: Numbers less than 1 are shown as "<1"; whole numbers have been rounded (between 0 and 10 to the nearest whole number, between 11 and 999 to the nearest 10). Figures may not sum because of independent rounding.

Sources: Data compiled by MTC and ABAG in 2021 based on data from California Conservation Easement Database 2020 and California Protected Areas Database 2020

### Local Coastal Programs

The proposed Plan's transportation projects footprint minimally overlaps with the Coastal Zone, with less than one acre of overlap occurring in San Francisco and San Mateo Counties. As described above, San Mateo County and San Francisco County have adopted LCPs, consistent with the Coastal Act. Development in the coastal zone is subject to a coastal development permit when there would be change in the use of land or water. The overall goal of applying for and receiving a coastal development permit is to ensure that a project is consistent with the Coastal Act, and by extension LCPs. Thus, inconsistencies with LCPs would not occur.

### BCDC

Regionally, overlap between PUAs and the transportation projects footprint is approximately 290 acres. As shown in **Table 3.11-9**, the overlap is greatest in Solano, Alameda, San Mateo, and San Francisco Counties. Proposed transportation projects generally seek to improve access and mobility throughout the region and are expected to promote public access to lands within BCDC jurisdictions

in general. BCDC can permit auto and transit projects on bay fill only if the structure is a bridge. It is necessary to obtain BCDC approval before undertaking any work within 100 feet of the bay shoreline (including grading); filling of the bay or certain tributaries of the bay; dredging; Suisun Marsh projects; and any filling, new construction, major remodeling, substantial change in use, and many land subdivisions in the bay, along the shoreline, in salt ponds, and in duck hunting preserves or other managed wetlands adjacent to the bay. Future analysis would be conducted to identify areas of overlap between specific project footprints and these areas. However, conflicts could occur between specific projects and the Bay Plan.

**Table 3.11-9: Acreage of Transportation Projects Footprint within BCDC's Priority Use Areas**

County	Total (acres)
Alameda	80
Contra Costa	1
Marin	0
Napa	<1
San Francisco	40
San Mateo	50
Santa Clara	0
Solano	120
Sonoma	5
Regional Total	290

Notes: Numbers less than 1 are shown as "<1"; whole numbers have been rounded (between 0 and 10 to the nearest whole number, between 11 and 999 to the nearest 10). Figures may not sum because of independent rounding.

Sources: Data compiled by MTC and ABAG in 2021 based on data from BCDC 2020

### Delta Plan

Portions of Alameda, Contra Costa, and Solano Counties overlap with areas covered by the Delta Plan, adopted by the Delta Stewardship Council. The boundaries, which are described in Delta Plan Policy DP PI, Locate New Urban Development Wisely (23 CCR Section 5010), are intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk. Delta Plan Policy DP PI is consistent with the Delta Reform Act (PRC Section 29702), which states that one of the basic goals of the State for the Delta is to "[p]rotect, maintain, and, where possible, enhance and restore the overall quality of the Delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities. Development of transportation projects could affect consistency with the Delta Plan if transportation projects were developed at the urban edge and had adverse impacts on agriculture, natural resources, recreational land, and water quality in the Delta. Therefore, subsequent transportation projects within the proposed Plan that fall within the Delta Plan boundaries would be required to demonstrate consistency with the plan and satisfy mitigation requirements.

### Conclusion

Implementation of the proposed Plan could result in a land use development pattern, sea level rise adaption infrastructure, and transportation projects in areas that are not consistent with existing long-range plans, including local general plans, the Bay Plan, and LCPs. MTC does not have the authority to adopt, approve, implement, or otherwise regulate local or regional land use plans. In addition, cities and counties are not required to change their land use plans and policies, including general plans, to be consistent with the proposed Plan. Therefore, there is a potential for



inconsistencies with general plans and regional conservation plans. This impact would be **potentially significant (PS)**. Mitigation Measure LU-2 addresses this impact and is described below.

### Mitigation Measures

**Mitigation Measure LU-2** Implementing agencies and/or project sponsors shall implement measures, where feasible and necessary based on project- and site-specific considerations, that include those identified below:

- ▲ MTC shall continue to provide targeted technical services, such as GIS and data support for cities and counties to update their general plans at least every 10 years, as recommended by the Governor's Office of Planning and Research.
- ▲ MTC shall provide technical assistance and regional leadership to encourage implementation of the Plan goals and strategies that integrate growth and land use planning with the existing and planned transportation network.

### Significance after Mitigation

Mitigation Measure LU-2 would reduce significant impacts related to conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because of the regional nature of the analysis and MTC's lack of authority to ensure consistency with local and regional plans, there may still be instances in which conflicts with land use plans, policies, and regulations would occur. This impact would remain **significant and unavoidable (SU)** for purposes of this program-level review.

### **Impact LU-3: Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) (LTS)**

#### Land Use Impacts

As discussed in Chapter 2, "Project Description," the forecasted housing and employment growth includes the projected population distribution that would occur in 2050 if the policies and investments included in the Plan are implemented. The regional growth forecast projects the region's employment to grow by 1.4 million to just over 5.4 million total jobs between 2015 and 2050. Population is forecasted to grow by 2.7 million people, to a population of 10.3 million. This population would comprise over 4.0 million households, for an increase of nearly 1.4 million households from 2015. The draft regional growth forecast was released in spring 2020 and subsequently revised to integrate substantial reductions in population and employment levels due to the pandemic caused by the COVID-19 coronavirus and 2020 recession on the first decade of the planning period. In September 2020, MTC and ABAG approved the regional growth forecast (see Section 2.3, "Planning Assumptions"). The proposed Plan designates growth geographies and identifies a set of land use strategies to accommodate the projected growth that would result in focused housing and job growth concentrated primarily in or adjacent to already developed areas and along existing transit corridors. The proposed Plan does not induce growth; rather, it identifies integrated strategies to accommodate the forecasted growth.

Government Code Section 65080(b)(2)(B)(ii) requires that an RTP/SCS must accommodate all the population of the region, including all economic segments of the population, over the course of the

planning period of the regional transportation plan. In accordance with requirements, the proposed Plan's housing strategies detail how the region's forecasted 1.5 million new housing units could be accommodated over the next 30 years. The housing strategies continue the region's commitment to "focused growth" but are also intended to protect current residents from displacement, preserve existing affordable housing, and produce new housing to secure long-term affordability in order to address the Bay Area's housing crisis, especially housing at the lower income categories. As mandated by State Housing Law as part of the periodic (every eight years) process of updating local housing elements of the General Plan, ABAG is responsible for the allocation of regional housing need to jurisdictions in the region. As discussed in the Regulatory Framework above, ABAG is in the process of its RHNA Allocation Plan, which is expected to be adopted in 2022.

The proposed Plan's growth geographies build on local and regional planning efforts and include 216 locally nominated PDAs and 36 locally nominated PPAs within the nine-county Bay Area. HRAs—communities with well-resourced schools and easy access to jobs, parks, and other amenities—identified by the State of California were also included as a new housing growth geography to counterbalance housing policies that have historically led to limited housing development, particularly housing affordable to low-income households. Areas close to rail, ferry, or frequent bus service (TRAs) were also included as growth geographies to support climate emissions goals, with more housing near transit allowing more people to have access to sustainable transportation options.

Implementation of the proposed Plan's land use development pattern would accommodate 54 percent of the region's future growth within PDAs, 15 percent in PPAs, 11 percent in HRAs, 9 percent in TRAs, and 11 percent in HRA-TRAs. Proposed Plan strategies would move the region towards more compact, mixed-use development with a variety of housing types leading to more opportunities for walking and biking, more transit use, and shorter auto trips. Additionally, proposed Plan Strategy EN04, "Maintain Urban Growth Boundaries," confines new development within areas of existing development or areas otherwise suitable for growth within urban growth boundaries, as established by local jurisdictions. This would limit the potential for inducement of unplanned growth within the region.

Nonetheless, in some cases, implementation of the proposed Plan's land use development pattern would in some cases result in greater density/intensity of growth than included in current adopted local general plans. The proposed Plan does not change local land use policies; individual jurisdictions retain land use authority. As such, implementation of the proposed Plan would require the local jurisdiction to consider and resolve those differences through appropriate amendments to local planning documents and appropriate environmental review, thus avoiding impacts related to unplanned growth at the local level. The impacts of implementing the proposed Plan's land use development pattern are analyzed throughout this EIR.

Overall, the Plan accommodates forecasted growth through implementation of the Plan's land use strategies to intensify density in developed areas, rather than induces unplanned growth. Impacts would be less than significant (LTS).

### **Sea Level Rise Adaptation Impacts**

The proposed Plan's sea level rise adaptation infrastructure would protect existing developed areas and support the proposed Plan's focused growth strategy by adapting shorelines and reducing sea level rise inundation hazards. Strategy EN01, "Adapt to Sea Level Rise," protects shoreline communities expected to be affected by sea level rise. The protection of existing communities would limit the potential for inducement of unplanned growth within the region. Impacts would be less than significant (LTS).

### **Transportation System Impacts**

The proposed Plan's transportation strategies detail how the region's \$573 billion in forecasted transportation revenues would be invested over the next 30 years. The proposed Plan strategies would move the region towards more compact, mixed-use development with a variety of housing types leading to more opportunities for walking and biking, more transit use, and shorter auto trips. Transportation strategies included in the proposed Plan would support increased density in existing urban areas by facilitating travel and would not be expected to induce population growth as these projects are growth accommodating and generally are intended to improve the existing transportation networks.

The proposed Plan would result in increased transit productivity, an increased bicycling and walking mode share, a decreased auto mode share, and decreased VMT per capita. This substantiates the conclusion that the strategic roadway expansions in the proposed Plan, in combination with other modal investments, support more compact development and more sustainable and more efficient development without inducing the type of population growth that would require development of more land for urban purposes. As a result, the transportation projects in the proposed Plan are not expected to induce substantial unplanned population growth. Impacts would be less than significant (LTS).

### **Conclusion**

Implementation of the proposed Plan's land use development pattern, sea level rise adaptation infrastructure, and transportation projects would move the region toward more compact, mixed-use development with a variety of housing types. As discussed, the proposed Plan does not induce growth but accommodates growth forecasted to occur in the region. Additionally, proposed Plan strategies confine new development within areas of existing development or areas otherwise suitable for growth within urban growth boundaries, as established by local jurisdictions. This would limit the potential for inducement of unplanned growth within the region. Sea level rise adaptation infrastructure would protect existing development and locally planned growth. Transportation strategies likewise are designed to support existing uses and accommodate forecasted development rather than induce unplanned growth. Impacts would be **less than significant (LTS)**.

### **Mitigation Measures**

None required.

### **Impact LU-4: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (PS)**

#### **Land Use Impacts**

The discussion in this section addresses both regional and localized displacement, including displacement of lower-income residents. The proposed Plan's housing strategies support accommodation of the region's forecasted 1.5 million new housing units over the next 30 years. The housing strategies continue the region's commitment to "focused growth" but are also intended to protect current residents from displacement, preserve existing affordable housing, and produce new housing to secure long-term affordability in order to address the Bay Area's housing crisis. Protecting and preserving existing affordable housing, including policies and investments that ensure existing affordable housing is not converted into market rate housing is key to advancing the proposed Plan's vision for a more affordable region. Additionally, the proposed Plan takes on the region's decades-long housing affordability challenges and resulting displacement—affecting both renters and owners in the Bay Area—including legal protections and prohibition of exploitative landlord behaviors.

Strategies build upon existing State and local legislation to protect renters from discriminatory action from landlords or untenable rent increases, creating a standard of tenant protections and services available regionwide to limit displacement. These strategies are detailed in Chapter 2, “Project Description.” These targets are discussed in the performance supplemental report to the Plan.

Displacement risk is a function of the location and availability of affordable housing near major job centers in a growing regional economy. As the growth in jobs (particularly those that pay higher wages) outpaces the supply of housing (particularly those that are affordable to lower-income households), the cost of housing inevitably rises faster than wages for all workers. In such market conditions, higher-income workers are better positioned to compete for the limited supply of housing opportunities, resulting in a higher risk of displacement for all other residents. To the extent that the private or the public sectors can provide more market rate and deed-restricted affordable housing in these communities, this risk subsides.

Displacement risk for lower-income residents may increase because of other reasons as well. These include:

- ▲ physical constraints such as a lack of available land for new housing in communities that have a significant number of jobs, with the resulting potential for redevelopment of existing residential areas with new employment or residential development;
- ▲ policy constraints such as regulations that hinder environmentally-sound development of infill sites or other sites that could support higher-density housing, and inadequate public spending on housing and transportation infrastructure;
- ▲ social constraints such as local community opposition to higher-density rental housing; and
- ▲ economic conditions, such as high land and labor costs, loss of household income as a result of a shrinking market for middle-wage jobs, and competition for available land from other uses.

The Bay Area is currently facing a severe housing shortage, leading to significant displacement pressures on the region’s lower-income residents. These risks are expected to continue to increase with or without the adoption of the proposed Plan. To the extent that the proposed Plan provides incentives to local jurisdictions to plan for and build new housing at all income levels, preserve existing affordable housing, and implement anti-displacement policies and programs, the future risk of displacement will be lower than what can be anticipated otherwise.

Adoption of the proposed Plan does not authorize or provide entitlement to redevelopment or construction projects in the region. Rather, the proposed Plan is a collection of integrated strategies that set a vision for future development, which must still be reviewed, analyzed, and approved by local governments, which retain full control over local land use authority. This is described in more detail in Chapter 2, “Project Description.”

Despite these limitations, the proposed Plan addresses displacement risk by increasing resources for affordable housing and non-automobile transportation access in lower-income neighborhoods, and by supporting economic opportunities across the region that benefit existing residents. Additional strategies to address housing affordability and displacement risk are described in the proposed Plan. The Implementation Plan includes several recommendations:

- ▲ **Advance funding and legislative solutions for housing:** Implement the recommendations of the Committee to House the Bay Area, in coordination with ABAG’s Regional Planning Committee.

- ▲ **Continue recent housing successes:** Implement the housing initiatives adopted in OBAG, including the Naturally Occurring Affordable Housing preservation fund, JumpStart program, and funding for transportation conditioned on RHNA performance.
- ▲ **Spur housing production at all income levels and invest directly in affordable housing:** Seek to include housing provisions or conditions in upcoming new funding sources (including planning grants), analyze applicability for additional regional funding sources to incentivize housing production and affordability. Continue to monitor and evaluate PDA performance.
- ▲ **Use housing performance to prioritize funding for long-range transportation projects:** Continue to evolve RTP/SCS Project Performance methods to seek stronger alignment between prioritizing transportation projects and housing performance.
- ▲ **Strengthen policy leadership on housing:** Expand and transform regional agency technical assistance for local jurisdictions tailored to both Bay Areawide challenges and challenges unique to specific parts of the region. Focus areas for technical assistance could include guidance on implementing State legislation for housing production, guidance on housing preservation and community stabilization policies and coordination of neighboring jurisdictions along transit corridors and in sub-regions to identify shared solutions to housing challenges.
- ▲ **Close data gaps for housing:** Continue to collect, analyze, and disseminate information about housing opportunity sites, zoning, development trends and policy implementation by local governments to inform local, regional, and State policy development and evaluation; create accessible database of major development and publicly owned sites.

CEQA requires analysis and mitigation of potentially substantial adverse changes in the physical environment (PRC Sections 21151, 21060.5, and 21068). “Economic and social changes resulting from a project are not treated as significant environmental effects [citation] and, thus, need not be mitigated or avoided under CEQA” (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 209 Cal.App.3d 1502, 1516). Physical changes in the environment caused by economic or social effects of a project may constitute significant environmental effects (CEQA Guidelines Sections 15131 and 15064(e)). Social and economic effects in and of themselves, however, are not significant effects on the environment under CEQA (*Melom v. City of Madera* (2010) 183 Cal.App.4th 41, 55). The following addresses the potential for physical impacts associated with displacement risk at the regional and local levels.

### Regional Displacement Impacts

Regional displacement is addressed under SB 375, which requires that the SCS identify sufficient areas in the region to house all the projected population. The proposed Plan’s housing targets are based on the regional growth forecast, which identifies how much the Bay Area might grow between the proposed Plan’s baseline year (2015) and its horizon year (2050), including population, jobs, households and associated housing units. During the Blueprint planning phase, the regional growth forecast was used to identify the total amount of growth for the region. The draft regional growth forecast was released in spring 2020 and subsequently revised to integrate the significant adverse effects of the coronavirus pandemic and 2020 recession on the first decade of the planning period. In September 2020, MTC and ABAG approved the regional growth forecast.

The regional growth forecast projects the region’s employment to grow by 1.4 million to just over 5.4 million total jobs between 2015 and 2050. Population is forecasted to grow by 2.7 million people to 10.3 million. This population will comprise over 4.0 million households, for an increase of nearly 1.4 million



households from 2015. The number of housing units plans for no net growth in the in-commute into the region, consistent with State law and MTC and ABAG's legal settlements with the Building Industry Association. This housing unit projection includes housing for all projected households plus the number of units that would be needed to house the increased number of workers estimated to commute into the region.

Incorporating the regional growth forecast into the proposed Plan ensures sufficient capacity such that the entire regional workforce added under the Plan is housed within the Bay Area with no net increase in in-commuting from other counties outside the region. Thus, the projected land use strategy would accommodate 1.4 million new households and 1.4 million new jobs between 2015 and 2050, which would be consistent with population and employment growth projections in the Bay Area. Through the use of modeling, described in detail in Chapter 2, "Project Description," the land use growth footprint assumes an adequate number of residential units to meet the forecasted demand, taking into account localized displacement of some households within the region. Thus, implementation of the proposed Plan would not result in displacement at the regional scale and impacts at the regional level would be less than significant (LTS). Displacement outside of the region is discussed in the cumulative analysis provided in Chapter 5, "Other CEQA-Mandated Sections."

### **Local Displacement Impacts**

At the local level, displacement can result in physical effects both directly and indirectly. The potential for direct effects would result from projected growth occurring at the site of existing residential units. Redevelopment of such a site could result in displacement of current residents and may necessitate construction of replacement housing, resulting in direct impacts. Projected redevelopment and new housing is included in the overall land use strategy and development footprint of the proposed Plan, and as a result the associated physical environmental impacts from this development are analyzed throughout this EIR. The full impacts from the projected redevelopment and new housing construction would depend on site-specific conditions and project design details that cannot be known at this time. This EIR analyzes potential impacts that may result from this change in the following areas: aesthetics and visual resources, agriculture and forestry resources, air quality, biological resources, climate change, greenhouse gases, and energy, cultural resources and tribal cultural resources, geology, seismicity, and mineral resources, hazards and wildfire, hydrology and water quality, land use, population, and housing, noise, public services and recreation, public utilities and facilities, and transportation.

The potential for indirect (or secondary) impacts results from economic factors potentially driving some households to find other housing because of rising rents. When these forces result in housing further from jobs, household commutes may increase, thus affecting air quality, noise, traffic, and GHG emissions. These impacts are analyzed in other sections of this EIR as part of the analysis of overall impacts of the proposed Plan on air quality, noise, traffic, and GHG emissions.

As explained above, the proposed Plan accounts for future replacement housing, because it includes sufficient housing to accommodate new job growth, including in-commuters from adjacent counties. The impacts of this growth are addressed throughout this EIR and in some cases has been identified as potentially significant. For this reason, this impact would be potentially significant (PS).

### **Sea Level Rise Adaptation Impacts**

The proposed Plan's sea level rise adaptation infrastructure would require the expansion of existing, or addition of new levees, seawalls, elevated roadways, marsh restoration, and tidal gates for regularly inundated shoreline areas. Not all of the proposed Plan's sea level rise adaptation infrastructure would be expected to require earthmoving activities and/or have a footprint associated with

implementation. For example, marsh land restoration was not included in the adaptation footprint, whereas elevated highway/roadways, levees, sea walls and tidal gates have been included in the footprint. The overall footprint associated with adaptation infrastructure is approximately 5,500 acres. Actual displacement of homes by sea level rise adaptation infrastructure would depend on site-specific conditions and project design details that cannot be known at this time. This EIR analyzes the potential impacts that may result from replacement of these housing units in the following areas: aesthetics and visual resources, agriculture and forestry resources, air quality, biological resources, climate change, greenhouse gases, and energy, cultural resources and tribal cultural resources, geology, seismicity, and mineral resources, hazards and wildfire, hydrology and water quality, land use, population, and housing, noise, public services and recreation, public utilities and facilities, and transportation. This impact would be potentially significant (PS).

### **Transportation System Impacts**

Transportation projects that require the expansion of existing, or designation of new, rights-of-way have the potential to result in the direct displacement of existing housing that must be removed for infrastructure development. Generally, to minimize environmental impacts and project costs, it is common practice to design the footprint of new transportation projects within existing rights-of-way as much as feasible. This practice is assumed as a part of this analysis. However, development of some projects, such as roadway widening, roadway extension, and transit expansion projects, could result in the disturbance and/or loss of residential uses. In particular, the proposed Plan includes: New Transbay Rail Crossing, Bay Area Rapid Transit to Silicon Valley Phase 2, Valley Link and Caltrain/High-Speed Rail Grade Separations projects, which would be located in urban areas and could cause displacement of residents. The degree of the disruption would generally depend on the size and extent of the project and the resulting need for new right-of-way. For the purposes of this analysis, proposed transportation projects were assumed to affect approximately 14,300 additional acres across the Bay Area. This is described in more detail in Section 3.1, "Approach to the Analysis." This is a conservative assumption intended to avoid a risk of understating the impact. Actual displacement of homes by transportation projects would depend on site-specific conditions and project design details that cannot be known at this time. The replacement of these housing units would result in environmental impacts, which are described throughout this EIR for the following potential impact areas: aesthetics and visual resources, agriculture and forestry resources, air quality, biological resources, climate change, greenhouse gases, and energy, cultural resources and tribal cultural resources, geology, seismicity, and mineral resources, hazards and wildfire, hydrology and water quality, land use, population, and housing, noise, public services and recreation, public utilities and facilities, and transportation. This impact would be potentially significant (PS).

### **Conclusion**

Implementation of the proposed Plan's land use development pattern, sea level rise adaptation infrastructure, and transportation projects may result in displacement of existing residential units, necessitating the construction of replacement housing elsewhere. Significant environmental impacts associated with the replacement housing are addressed throughout this EIR. This is a **potentially significant (PS)** impact. Mitigation Measure LU-4 addresses this impact and is described below.

### **Mitigation Measures**

**Mitigation Measure LU-4** Implementing agencies and/or project sponsors shall implement, where feasible and necessary based on project- and site-specific considerations, the mitigation measures described throughout this EIR to address the effects of displacement that could result in the construction of replacement housing, including:

- ▲ Mitigation Measures AES-1 through AES-4
- ▲ Mitigation Measures AGF-1 through AGF-3
- ▲ Mitigation Measures AQ-2 through AQ-4
- ▲ Mitigation Measures BIO-1 through BIO-3 and BIO-5
- ▲ Mitigation Measures GHG-1 and GHG-3
- ▲ Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
- ▲ Mitigation Measure GEO-7
- ▲ Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
- ▲ Mitigation Measures LU-1 and LU-2
- ▲ Mitigation Measures NOISE-1 through Noise-4
- ▲ Mitigation Measures PSR-1 and PSR-2
- ▲ Mitigation Measures PUF-1 through PUF-4
- ▲ Mitigation Measure TRA-2

### **Significance after Mitigation**

Implementation of this mitigation measure would reduce the magnitude of potentially significant impacts, as explained in the impact discussions related to each impact and mitigation measure. However, as noted under Impacts AES-1, AES-2, AES-3, AGF-1, AGF-2, AGF-3, AQ-3, AQ-4, GHG-1, GHG-3, CUL/TCR-1, CUL/TCR-2, CUL/TCR-4, HAZ-7, LU-1, LU-2, PSR-1, PSR-2, PUF-1, PUF-2, PUF-4, and TRA-2, there would still be instances where the impact remains significant following implementation of mitigation measures. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. This impact would remain **significant and unavoidable (SU)**.