

Bond Case Briefs

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San Franciscans for Livable Neighborhoods v. City and County of San Francisco

**Court of Appeal, First District, Division 4, California - August 22, 2018 - 26 Cal.App.5th 596
- 236 Cal.Rptr.3d 893 - 18 Cal. Daily Op. Serv. 8636 - 2018 Daily Journal D.A.R. 8546**

Objector filed petition for writ of mandate, challenging adequacy of program environmental impact report (EIR) prepared by city under California Environmental Quality Act (CEQA) prior to city's approval of revisions of housing element of its general plan.

The Superior Court denied petition. Objector appealed.

The Court of Appeal held that:

- City permissibly adopted baseline calculation forecasting traffic and water impacts in future year, rather than comparing existing conditions with and without housing element;
- City permissibly adopted baseline for land use and aesthetic impact which relied on maximum allowable density and height requirements set forth in general plan's housing element, instead of on existing physical environment;
- Evidence was sufficient to support EIR's finding that proposed housing element would have a less than significant impact on land use and visual resources;
- EIR adequately analyzed water supply impacts;
- EIR considered reasonable range of alternatives; and
- Evidence was sufficient to support EIR's finding that proposed mitigation measures were infeasible.