File No. __170640__   Committee Item No. _____
                                  Board Item No. _____30_____

COMMITTEE/BOARD OF SUPERVISORS
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Committee: _____   Date: _____
Board of Supervisors Meeting   Date: _June 27, 2017_____

Cmte Board

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OTHER

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Prepared by: _Brent Jalipa_____   Date: _June 22, 2017_____
Prepared by: _____   Date: _____

1   [Conditionally Reversing the Categorical Exemption Determination - Proposed San Francisco
    Municipal Transportation Agency - 13th Street Eastbound Bicycle Facility Project]

2

3   **Motion conditionally reversing the determination by the Planning Department that the**

4   **San Francisco Municipal Transportation Agency's proposed 13th Street Eastbound**

5   **Bicycle Facility Project is categorically exempt from further environmental review,**

6   **subject to the adoption of written findings of the Board in support of this**

7   **determination.**

8

9   On April 10, 2017, the Planning Department determined that the proposed San

10 Francisco Municipal Transportation Agency Project located on eastbound 13th Street between

11 South Van Ness Avenue and Bryant Street ("Project") is exempt from environmental review

12 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San

13 Francisco Administrative Code, Chapter 31; and

14   WHEREAS, The proposed Project involves the removal of one travel lane along

15 eastbound 13th Street to accommodate a new bicycle lane, relocation and removal of existing

16 on-street parking, restriping portions of the street, changing curb colors, installing signage,

17 and installing painted bicycle boxes at the intersections of Folsom Street/13th Street, Harrison

18 Street/13th Street and Bryant Street/13th Street; and

19   WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on May

20 18, 2017, Mary Miles, on behalf of the Coalition for Adequate Review, (Appellant), appealed

21 the exemption determination; and

22   WHEREAS, Appellant provided a copy of the Planning Department's Categorical

23 Exemption Determination, signed April 10, 2017, which found that the proposed Project was

24 exempt under Classes 1 and 4 of the CEQA Guidelines (14 Cal. Code Reg. Sections 15301

25 and 15304), which provide exemptions for minor alterations to existing facilities (specifically,

1   to "[e]xisting highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and

2   similar facilities," Section 15301(c)) and minor alterations to land (specifically for "creation of

3   bicycle lanes on existing rights-of-way," Section 15304(h)) ; and

4   WHEREAS, The San Francisco Municipal Transportation Agency, by Resolution No.

5   170418-050, approved the proposed Project on April 18, 2017; and

6   WHEREAS, The Planning Department's Environmental Review Officer, by

7   memorandum to the Clerk of the Board dated May 24, 2017, determined that the appeal was

8   timely; and

9   WHEREAS, On June 27, 2017, this Board held a duly noticed public hearing to

10 consider the appeal of the exemption determination filed by Appellant and, following the public

11 hearing, conditionally reversed the exemption determination subject to the adoption of written

12 findings in support of such determination; and

13 WHEREAS, In reviewing the appeal of the exemption determination, this Board

14 reviewed and considered the exemption determination, the appeal letter, the responses to the

15 appeal documents that the Planning Department prepared, the other written records before

16 the Board of Supervisors and all of the public testimony made in support of and opposed to

17 the exemption determination appeal; and

18 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors

19 conditionally reversed the exemption determination subject to the adoption of written findings

20 of the Board in support of such determination based on the written record before the Board of

21 Supervisors as well as all of the testimony at the public hearing in support of and opposed to

22 the appeal; and

23 WHEREAS, The written record and oral testimony in support of and opposed to the

24 appeal and deliberation of the oral and written testimony at the public hearing before the

25 Board of Supervisors by all parties and the public in support of and opposed to the appeal of

1   the exemption determination is in the Clerk of the Board of Supervisors File No. 170638, and

2   is incorporated in this motion as though set forth in its entirety; now, therefore, be it

3   MOVED, That this Board of Supervisors conditionally reverses the determination by the

4   Planning Department that the project is exempt from environmental review, subject to the

5   adoption of written findings of the Board in support of this determination.

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)

☐ 2. Request for next printed agenda Without Reference to Committee.

☒ 3. Request for hearing on a subject matter at Committee.

☐ 4. Request for letter beginning "Supervisor [_____] inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. [_____] from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No. [_____]

☐ 9. Reactivate File No. [_____]

☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on [_____]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission   ☐ Youth Commission   ☐ Ethics Commission

☐ Planning Commission   ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Conditionally Reversing the Categorical Exemption Determination - Proposed San Francisco Municipal
Transportation Agency - 13th Street Eastbound Bicycle Facility Project

The text is listed below or attached:

Motion conditionally reversing the determination by the Planning Department that the San Francisco Municipal
Transportation Agency's proposed 13th Street Eastbound Bicycle Facility Project is categorically exempt from
further environmental review, subject to the adoption of written findings of the Board in support of this
determination.

Signature of Sponsoring Supervisor: _____

Clerk's Use Only: