

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed San  
2 Francisco Municipal Transportation Agency - 13th Street Eastbound Bicycle Facility Project]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the Planning Department that the San Francisco Municipal Transportation Agency’s**  
5 **proposed 13th Street Eastbound Bicycle Facility Project is categorically exempt from**  
6 **further environmental review.**

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8 On April 10, 2017, the Planning Department determined that the proposed San  
9 Francisco Municipal Transportation Agency Project located on eastbound 13th Street between  
10 South Van Ness Avenue and Bryant Street (“Project”) is exempt from environmental review  
11 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San  
12 Francisco Administrative Code, Chapter 31; and

13 WHEREAS, The proposed Project involves the removal of one travel lane along  
14 eastbound 13th Street to accommodate a new bicycle lane, relocation and removal of existing  
15 on-street parking, restriping portions of the street, changing curb colors, installing signage,  
16 and installing painted bicycle boxes at the intersections of Folsom Street/13th Street, Harrison  
17 Street/13th Street and Bryant Street/13th Street; and

18 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on May  
19 18, 2017, Mary Miles, on behalf of the Coalition for Adequate Review, (Appellant), appealed  
20 the exemption determination; and

21 WHEREAS, Appellant provided a copy of the Planning Department’s Categorical  
22 Exemption Determination, signed April 10, 2017, which found that the proposed Project was  
23 exempt under Classes 1 and 4 of the CEQA Guidelines (14 Cal. Code Reg. Sections 15301  
24 and 15304), which provide exemptions for minor alterations to existing facilities (specifically,  
25 to “[e]xisting highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and

1 similar facilities,” Section 15301(c)) and minor alterations to land (specifically for “creation of  
2 bicycle lanes on existing rights-of-way,” Section 15304(h)) ; and

3 WHEREAS, The San Francisco Municipal Transportation Agency, by Resolution No.  
4 170418-050, approved the proposed Project on April 18, 2017; and

5 WHEREAS, The Planning Department’s Environmental Review Officer, by  
6 memorandum to the Clerk of the Board dated May 24, 2017, determined that the appeal was  
7 timely; and

8 WHEREAS, On June 27, 2017, this Board held a duly noticed public hearing to  
9 consider the appeal of the exemption determination filed by Appellant and, following the public  
10 hearing, reversed the exemption determination subject to the adoption of written findings in  
11 support of such determination; and

12 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
13 reviewed and considered the exemption determination, the appeal letter, the responses to the  
14 appeal documents that the Planning Department prepared, the other written records before  
15 the Board of Supervisors and all of the public testimony made in support of and opposed to  
16 the exemption determination appeal; and

17 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
18 conditionally reversed the exemption determination for the project subject to the adoption of  
19 written findings of the Board in support of such determination based on the written record  
20 before the Board of Supervisors as well as all of the testimony at the public hearing in support  
21 of and opposed to the appeal; and

22 WHEREAS, The written record and oral testimony in support of and opposed to the  
23 appeal and deliberation of the oral and written testimony at the public hearing before the  
24 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
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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 the Board of Supervisors directs the Clerk of the Board to prepare the  
4 findings specifying the basis for its decision on the appeal of the exemption determination  
5 issued by the Planning Department for the project.

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