File No.
 241194
 Committee Item No.
Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS

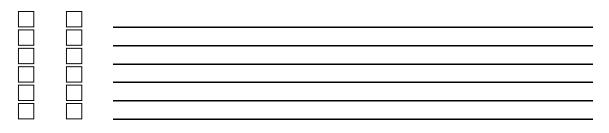
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Prepared by:	Jocelyn Wong	Date:	January 24, 2025
Prepared by:		Date:	

[Conditionally Reversing the Statutory Exemption Determination - Proposed MTA Mid-1 Valencia Curbside Protected Bikeway Project] 2 3 Motion conditionally reversing the determination by the Planning Department that the 4 proposed Mid-Valencia Curbside Protected Bikeway project is statutorily exempt from 5 environmental review, subject to the adoption of written findings of the Board of 6 Supervisors in support of this determination. 7 8 WHEREAS, On September 30, 2024, the Planning Department determined that the 9 proposed Mid-Valencia Curbside Protected Bikeway Project (the Project) is statutorily exempt 10 from the California Environmental Quality Act (CEQA) pursuant to CEQA, Section 21080.25 11 (CEQA determination); and 12 WHEREAS, The project site consists of an eight-block section of Valencia Street (from 13 15th Street to 23rd Street) located in the Mission neighborhood of San Francisco; and 14 WHEREAS, Between 15th Street and 23rd Street, Valencia Street is a 15 north-south, two-way street with one travel lane in each direction; a two-way, center-running 16 bikeway runs along this corridor with two- to six-foot buffers between the bikeway and travel lanes; and 17 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA or Project 18 19 Sponsor) proposes to remove the existing two-way, center-running bikeway on Valencia 20 Street and install curbside protected Class IV bikes lanes from 15th Street to 23rd Street; and 21 WHEREAS, The proposed bike lanes would be located directly adjacent to the curb or 22 weave around curbside parklets, and buffer zones would be placed between the proposed 23 bike lanes and parking and loading spaces to provide space for people to get in and out of 24 vehicles and provide more distance between people biking and parked vehicles; and 25

WHEREAS, On cross streets intersecting the project corridor, the proposed project would modify the color curb designation of existing loading spaces (e.g., from passenger loading to commercial loading) and would convert some parking spaces into bikeshare stations. Implementation of the proposed project would result in changes to the location and an overall decrease in the number of parking and loading spaces in the project corridor; and changes to the location of parklets, on-street bike share stations, and bicycle corrals (onstreet bicycle parking) throughout the project corridor; and

8 WHEREAS, CEQA exempts from environmental review "pedestrian and bicycle 9 facilities that improve safety, access, or mobility, including new facilities, within the public 10 right-of-way" (CEQA, Section 21080.25(b)(1)), and that meet other specified requirements; 11 and

12 WHEREAS, The Planning Department determined that the Project is exempt under 13 Section 21080.25, because it proposes to implement bicycle facilities that improve safety, 14 access, or mobility, and it meets the criteria for applicability of the statutory exemption; and 15 WHEREAS, On May 30, 2024, the SFMTA filed an application with the Planning 16 Department for the purpose of obtaining a CEQA determination for the Project; and 17 WHEREAS, On November 4, 2024, the Planning Department determined that the 18 Project was statutorily exempt under CEQA under Section 21080.25 and issued a statutory 19 exemption for the Project; and 20 WHEREAS, On November 19, 2024, the SFMTA Board of Directors approved the 21 Project; and 22 WHEREAS, On December 4, 2024, Julio Ramos of the Law Office of Julio J. Ramos, 23 on behalf of VAMANOS (hereinafter Appellant), filed an appeal of the statutory exemption

24 determination; and

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1 WHEREAS, By memorandum to the Clerk of the Board dated December 9, 2024, the 2 Planning Department's Environmental Review Officer determined that the appeal was timely 3 filed; and

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WHEREAS, On January 28, 2025, this Board held a duly noticed public hearing to 5 consider the appeal filed by Appellant; and

6 WHEREAS, In reviewing the appeal, this Board reviewed and considered the CEQA 7 determination, the appeal letter, the responses to the appeal documents that the Planning 8 Department and the Project Sponsor prepared, the other written records before the Board of 9 Supervisors and all of the public testimony made in support of and opposed to the appeal; and

10 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors 11 conditionally reversed the Planning Department's determination that the Project is statutorily 12 exempt, subject to the adoption of written findings of the Board in support of such 13 determination based on the written record before the Board of Supervisors as well as all of the 14

testimony at the public hearing in support of and opposed to the appeal; and 15 WHEREAS, The written record and oral testimony in support of and opposed to the

16 appeal and the oral and written testimony at the public hearing before the Board of

17 Supervisors by all parties and the public in support of and opposed to the appeal, including

18 the deliberations by the members of the Board, is in the Clerk of the Board of Supervisors File

19 No. 241192, and is incorporated in this motion as though set forth in its entirety; now,

20 therefore, be it

21 MOVED, That the Board of Supervisors conditionally reverses the determination by the 22 Planning Department that the Project is statutorily exempt from environmental review, subject 23 to the adoption of written findings of the Board in support of this determination.

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> Clerk of the Board **BOARD OF SUPERVISORS**

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 (Ordinance, Resolution, Motion or Charter Amendment) 2. Request for next printed agenda (For Adoption Without Committee Reference) (Routine, non-controversial and/or commendatory matters only) Request for Hearing on a subject matter at Committee 3. Request for Letter beginning with "Supervisor inquiries..." 4. 5. City Attorney Request Call File No. 6. from Committee. Budget and Legislative Analyst Request (attached written Motion) 7. Substitute Legislation File No. 8. Reactivate File No. 9. Topic submitted for Mayoral Appearance before the Board on 10. The proposed legislation should be forwarded to the following (please check all appropriate boxes): □ Small Business Commission \Box Youth Commission □ Ethics Commission □ Planning Commission □ Building Inspection Commission □ Human Resources Department General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53): □ No □ Yes (Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.) Sponsor(s): Clerk of the Board Subject: Conditionally Reversing the Statutory Exemption Determination - Proposed MTA Mid-Valencia **Curbside Protected Bikeway Project** Long Title or text listed: Motion conditionally reversing the determination by the Planning Department that the proposed Municipal Transportation Agency (MTA) Mid-Valencia Curbside Protected Bikeway project is

statutorily exempt from environmental review, subject to the adoption of written findings of the Board of Supervisors in support of this determination.

Alisa Emera