

Upper Market Safety Project –

Proposed Modifications for 1/16/2018 MTA Board

ADDITIONAL ENCLOSURES:

1. Dec 2017 Outreach Flier for Proposed Modifications
2. Market Street Protected Bikeway Design with Proposed Modified Loading
3. Upper Market Street Safety Project – Board of Supervisors Packet for July 2017 CEQA Appeal Hearing (Background)

UPPER MARKET SAFETY PROJECT

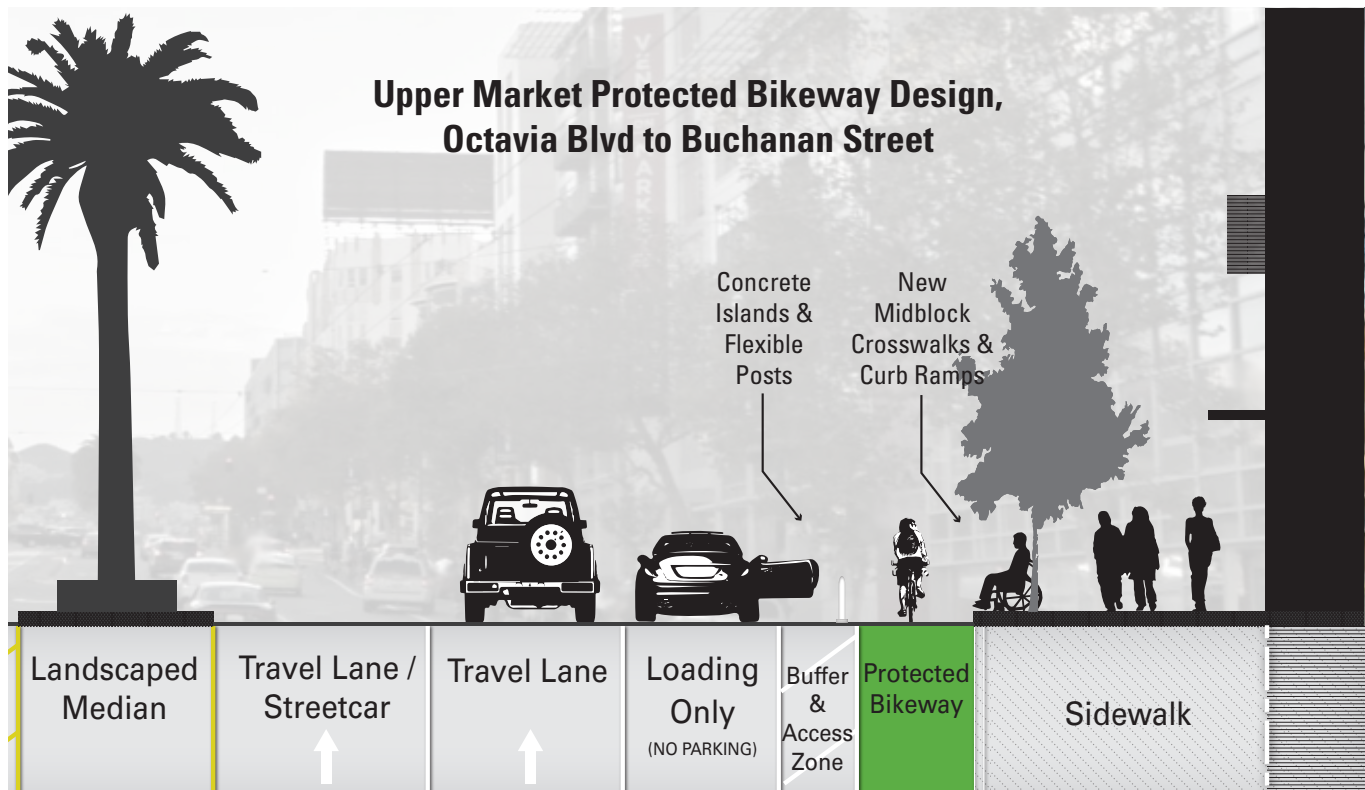
PROJECT UPDATE

Protected bikeway construction, proposed parking changes coming January 2018

The San Francisco Municipal Transportation Agency (SFMTA) and Public Works will begin construction of a protected, curbside bikeway on Market Street from Octavia Boulevard to Buchanan Street beginning late January 2018 through early March 2018. Construction activities will include repaving, building of concrete traffic islands, and re-stripping of the bike lane and parking/loading areas.

These changes are part of the larger **Upper Market Safety Project**, which seeks to improve safety for all travel modes on Market Street between Castro Street and Octavia Boulevard. This stretch of Market Street currently averages 35 collisions per year and is on **San Francisco's Vision Zero High Injury Network**, which represents 12 percent of the city's surface streets where severe and fatal injuries are most concentrated. The Network is the focus of citywide efforts to eliminate severe and fatal traffic injuries in San Francisco (thus the initiative's name, Vision Zero).

More information on the back of this flier is available regarding the proposed parking and loading changes to accompany the bikeway, to be considered by the SFMTA Board on January 16, 2018.



Questions or Comments? Contact project manager Casey Hildreth at [415.701.4817](tel:415.701.4817) or casey.hildreth@sfmta.com



SFMTA
Municipal
Transportation
Agency



UPPER MARKET SAFETY PROJECT

PROJECT UPDATE

SFMTA.COM/UPPERMARKET

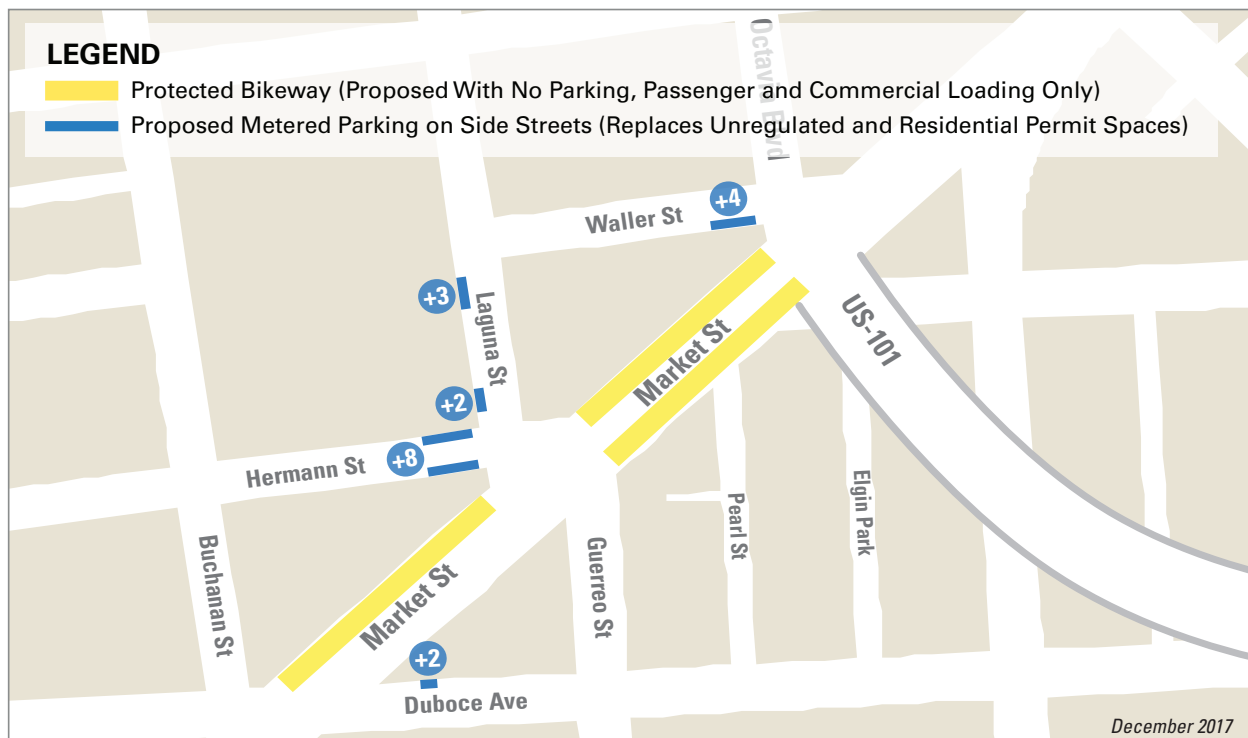
311 Free language assistance / 免費語言協助 / Ayuda gratis con el idioma / Бесплатная помощь переводчиков /
Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 지원 /
Libreng tulong para sa wikang Tagalog / การช่วยเหลือทาง ด้านภาษาโดยไม่เสียค่าใช้จ่าย / خط المساعدة المجاني على الرقم

Proposed Modifications

A protected, curbside bikeway for two blocks of Market Street was approved by the SFMTA Board in spring 2017 as part of the larger **Upper Market Safety Project**, which also includes sidewalk bulbouts, enhanced transit boarding islands, and various parking and traffic revisions to improve safety from Octavia Boulevard to Castro Street. While most of these improvements are still in design with construction planned for 2019/2020, the protected bikeway will be implemented much sooner.

Originally designed with metered parking to separate the bikeway and travel lanes, the SFMTA seeks to modify the approved design to prioritize availability of load zones while better serving the needs of people with disabilities and emergency first responders.

The **revised proposal** would eliminate metered parking on these two blocks of Market Street in favor of generously-sized, all-day (“24/7”) load zones with enhanced accessibility features and more substantial physical protection of the bikeway. As part of this proposal, new metered spaces would be added to nearby side-streets to retain similar availability of on-street parking (**see map below**).



The proposed changes will be considered for approval by the SFMTA Board on Tuesday, January 16 at 1:00pm in City Hall Room Hearing Room 400. More information at sfmta.com/units/board-directors.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Notice of Electronic Transmittal

Planning Department Response to the Appeal of Categorical Exemption for the SFMTA – Upper Market Street Safety Project

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DATE: July 3, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Christopher Espiritu, Environmental Planner (415) 575-9022

RE: BOS File No. 170718 [Planning Case No. 2017-000817ENV]
Appeal of Categorical Exemption for the SFMTA – Upper Market Street
Safety Project

HEARING DATE: July 11, 2017

In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents," the Planning Department has submitted a multi-page response to the Appeal of Categorical Exemption for the SFMTA – Upper Market Street Safety Project [BF 170718] in digital format. Hard copies of this response have been provided to the Clerk of the Board for distribution to the appellants and project sponsor by the Clerk of the Board. A hard copy of this response is available from the Clerk of the Board. Additional hard copies may be requested by contacting the Christopher Espiritu of the Planning Department at 415-575-9022 or Christopher.Espiritu@sfgov.org.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Categorical Exemption Appeal SFMTA – Upper Market Street Safety Project

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DATE: July 3, 2017
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Devyani Jain, Acting Deputy Environmental Review Officer – (415) 575-9051
Wade Wietgreffe – (415) 575-9050
Christopher Espiritu – (415) 575-9022
RE: Planning Case No. 2017-000817ENV
Appeal of Categorical Exemption for SFMTA - Upper Market Street Safety Project
HEARING DATE: July 11, 2017
ATTACHMENTS: A – CEQA CATEGORICAL EXEMPTION DETERMINATION
B – SFMTA BOARD RESOLUTION NO. 170502-059
C – APPEAL LETTERS
D – ELIGIBILITY CHECKLIST: CEQA SECTION 21099 – MODERNIZATION OF TRANSPORTATION ANALYSIS

PROJECT SPONSOR: Casey Hildreth, Senior Planner, San Francisco Municipal Transportation Agency (SFMTA), (415) 701-4817
APPELLANT: David Pilpel, (415) 977-5578

INTRODUCTION

This memorandum and the attached documents are a response to a letter of appeal to the Board of Supervisors (the “board”) regarding the Planning Department’s (the “department”) issuance of a Categorical Exemption under the California Environmental Quality Act (“CEQA Determination”) for the proposed San Francisco Municipal Transportation Agency (the “SFMTA”) – Upper Market Street Safety Project (the “project”).

The department issued a categorical exemption for the project on February 3, 2017, finding that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*, as a Class 1 categorical exemption (14 Cal.Code Reg. §§ 15301).

The decision before the board is whether to uphold the department’s decision to issue a categorical exemption and deny the appeal, or to overturn the department’s decision to issue a categorical exemption and return the project to the department for additional environmental review.

PROJECT DESCRIPTION

The SFMTA proposes the Upper Market Street Safety Project (the project). The project aims to increase safety and comfort for people using all modes of transportation along and across Market Street, from Castro Street to Octavia Boulevard. The project includes the construction of new curb extensions (bulb-outs) at several intersections along Market Street. The project includes changes to three existing transit boarding islands on Market Street, which would provide painted buffers for people boarding and off-boarding transit lines on Market Street. The project includes the construction of concrete pedestrian refuge islands on Market/Laguna, Market/Dolores, and Market/Octavia. The project also includes the installation of a new Class IV bikeway (parking-protected bicycle lanes) on westbound Market Street, between Octavia Boulevard and Duboce Street and eastbound Market Street, between Guerrero Street and Octavia Boulevard. Existing travel lanes would remain as part of the project and the proposed Class IV bikeway would replace the existing Class II bicycle lanes on Market Street.

All project-related construction would occur within the existing public right-of-way with some work occurring in the Caltrans right-of-way at Market Street/Octavia Street, and the depth of excavation would not exceed 12 feet. Project construction is anticipated to last approximately 16 months.

BACKGROUND

On October 6, 2016, Charles Ream, Transportation Planner with the SFMTA (hereinafter “project sponsor”) filed an application with the department for a determination under CEQA of the proposed Upper Market Street Safety Project which would implement roadway modifications on Market Street between Octavia Boulevard and Castro Street.

On February 3, 2017, the department determined that the project was categorically exempt under CEQA Class 1 – Existing Facilities, and that no further environmental review was required.

On May 2, 2017, the SFMTA Board of Directors (the “SFMTA board”) conducted a duly noticed public hearing at a regularly scheduled meeting. At that hearing, the SFMTA board approved the project by SFMTA Board Resolution No. 170502-059.

On June 1, 2017, an appeal of the categorical exemption determination was filed by David Pilpel (the “appellant”). The one-page appeal letter from the appellant, as well as related attachments, was dated and filed with the Clerk of the Board on June 1, 2017.

On June 7, 2017, in a letter to the clerk of the board, the Environmental Review Officer determined that the appeal of the categorical exemption determination was timely, because an approval action (SFMTA Board Resolution No. 170502-059) had been taken for the project.

On June 30, 2017, the appellant submitted supplemental materials to clerk of the board.

CONTINUANCE

The Planning Department understands that the SFMTA and the appellant have both agreed to request a continuance on this item to September 5, 2017. The Planning Department is in support of the proposed continuance to allow for both parties to potentially come to a resolution on this matter.

CEQA GUIDELINES

Section 21084 of the California Public Resources Code requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333, do not have a significant impact on the environment, and therefore are categorically exempt from the requirement for the preparation of further environmental review.

CEQA State Guidelines Section 15301, or Class 1, provides an exemption from environmental review for minor alterations to “existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purposes of public safety).” This includes traffic channelization measures, minor restriping of streets (e.g., turn lane movements, painted buffers, and parking changes), and other improvements on existing streets.

APPELLANT CONCERNS AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the appellant’s June 1, 2017 appeal letter and June 30, 2017 supplemental letter are cited below and are followed by the department’s responses.

Concern 1: Changes were made to the project description following the environmental determination and those changes need environmental clearance prior to SFMTA board action.

Response 1: The project approved by the SFMTA board does not include any substantial modifications to the scope of the project as described in the environmental determination.

The appellant claims that the project had undergone substantial changes after the issuance of the exemption on February 3, 2017, which would then require the project be re-submitted to the department for further evaluation. As described in the April 24, 2017 Staff Report by SFMTA, the Upper Market Street project and all related roadway modifications and streetscape components were appropriately included for analysis in the categorical exemption determination issued by the department on February 3, 2017.

The appellant's misunderstanding of the project originated from a discrepancy in the verbal description made by SFMTA staff during the May 2, 2017 SFMTA Board of Directors hearing.¹ A separate component (Item A) was incorrectly described by SFMTA staff as including "two bike boxes on Sanchez Street that were added as part of the design process." However, Item A was added to the project as a result of several public outreach and design refinement efforts conducted by SFMTA in March and April 2017. As originally described in the April 24, 2017 staff report and the May 2, 2017 hearing agenda, Item A included the establishment of "a new Class II bicycle lane on Sanchez Street, southbound, from Henry Street to Market Street; Sanchez Street, northbound, from Market Street to 40 feet southerly; Octavia Boulevard, southbound, from Waller Street to Market Street." Ultimately, no approval action occurred for Item A, and the Class II bicycle lane on Sanchez Street or Octavia Boulevard was not approved as part of the project.

The February 3, 2017 exemption certificate analyzed the components of the project as proposed by SFMTA and no other features were included for SFMTA Board approval, and listed in the MTA Board Resolution No. 170502-059, on May 2, 2017.

Concern 2: The SFMTA board did not properly consider the whole of the project (piecemeal) by removing an Item A ("Establish – Class II Bikeway – Sanchez Street, southbound, from Henry Street to Market Street; Sanchez Street, northbound, from Market Street to 40 feet southerly; Octavia Boulevard, southbound, from Waller Street to Market Street) from the approval action taken.

Response 2: Item A has independent utility and was not improperly piecemealed.

The Upper Market Street Project elements approved during the May 2, 2017 hearing, and as described in the SFMTA Board Resolution No. 170502-059, can be implemented independently from the Sanchez and Octavia Boulevard Bike Connections project, or "Item A" (Case No. 2017-007292ENV). The Sanchez and Octavia Boulevard Bike Connections project would facilitate north-south bicycle travel on the named streets, but would not benefit, depend on, or result from the changes proposed under the Upper Market Street Project. The Sanchez and Octavia Boulevard Bike Connections project changes would be located off the Market Street corridor and their construction is not dependent on the implementation of the Upper Market Street project. The Sanchez and Octavia Boulevard Bike Connections project was at one point added to the Upper Market Street project for purposes of legislative action due to its close proximity to Market Street, and in an effort to coordinate construction projects. However, as mentioned, these two projects are not interdependent and can be implemented independent of one another. Therefore the proposed project has independent utility and was not improperly piecemealed. Additionally, the potential for cumulative impacts from these two separate projects has been thoroughly analyzed. (See Response 3, below.)

¹ In addition, the project includes the removal of up to vehicular 29 parking spaces, not 28 vehicular parking spaces as described in the SFMTA memo submitted to the Planning Department for environmental review on October 6, 2016. This change to the project is not a substantial modification.

Concern 3: The project may result in cumulative impacts and unusual circumstances and a categorical exemption does not apply.

Response 3: The project would not result in significant cumulative impacts nor involve any unusual circumstances and therefore a categorical exemption is the appropriate level of evaluation for the project.

The determination of whether a project is eligible for a categorical exemption is based on a two-step analysis: (1) determining whether the project meets the requirements of the categorical exemption, and (2) determining whether any of the exceptions listed under CEQA Guidelines section 15300.2 apply to the project.

As described in the exemption, the project is categorically exempt from CEQA under Class 1, existing facilities. The appellant does not dispute that the description of the project meets definition of a Class 1 exemption. Instead, the appellant claims that the project may not meet the requirements of the categorical exemption because two exceptions apply related to: the potential for undisclosed significant cumulative impacts and the presence of unusual circumstances that would result in a reasonable possibility of a significant effect. The appellant is incorrect.

Cumulative Impacts. CEQA Guidelines section 15300.2(b) states that all exemptions are inapplicable “when the cumulative impact of successive projects of the same type in the same place, over time is significant.” The appellant claims that the Upper Market Street Safety project, combined with the Sanchez and Octavia Boulevard Bike Connections project, may result in significant cumulative impacts and thus this exception applies. Other streetscape projects in the area include the Twin Peaks Tunnel Trackway Improvement Project (Case No. 2015-008803ENV), Market-Octavia Traffic Calming Pilot Project (Case No. 2017-002109ENV), and Page Street Center-Running Bicycle Lane (Case No. 2017-001459ENV).

The streetscape projects would not combine to result in significant cumulative impacts. The projects, except for the pilot project, would not result in the removal of travel lanes. The pilot project would study the temporary lane modifications and vehicular restrictions and diversions. Thus, substantial permanent traffic diversion as a result of the projects and its secondary effects on transit operations would not occur. The streetscape projects are not anticipated to create potentially hazardous conditions for people walking or bicycling. On the contrary, the projects are anticipated to improve safety conditions compared to existing conditions.

Development projects adjacent to Market Street along the project corridor include 1870 Market Street (2014.1060ENV), 1965 Market Street (Case No. 2015-002825ENV), 2100 Market Street (Case No. 2014.0519E), and 2140 Market Street (Case No. 2014-002035ENV). While construction of these development projects could coincide with construction of the streetscape projects in the vicinity, including the project, the combined construction impacts would not combine to result in significant construction impacts. The streetscape projects are linear in nature and are limited duration (a few months to 18 months). The development projects construction activities would be mostly confined to their sites and would not include multi-phase, several year construction phases. Therefore, these cumulative

projects would not result in combined significant cumulative impacts with the project. The appellant has not submitted any evidence to demonstrate that the project would result in significant cumulative impacts. Therefore, the project, in combination with past, present and reasonably foreseeable projects, would result in less-than-significant cumulative impacts and this exception does not apply.

Unusual Circumstances. CEQA Guidelines Section 15300.2(c) states that a “categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment **due to unusual circumstances**” (emphasis added). The appellant claims, based upon testimony and a written letter provided by the San Francisco Fire Department at the May 2, 2017 SFMTA board hearing, that the project could have a significant effect on the environment due to unusual circumstances. In particular, the San Francisco Fire Department has objected to the project’s design because the parking protected bicycle lanes would be located on a street with overhead wires (i.e., Market Street).² According to the Fire Department, in an emergency fire situation that requires the Fire Department to respond with the use of an aerial ladder fire truck for firefighter access to the upper stories of the building, the project’s design results in placing the aerial ladder fire truck underneath or near overhead wires. This is because the project would shift vehicular parking away from the curb. According to the Fire Department, the overhead wires may prevent the use of the aerial ladder because it would interfere with the aerial ladder or would position the firefighters, and potentially rescuees, too close to those wires.

In CEQA, a two-part test is established to determine whether there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

- 1) The lead agency needs to determine whether unusual circumstances are present. If a lead agency determines that a project does not present unusual circumstances, that determination will be upheld if it is supported by substantial evidence. CEQA Guidelines define substantial evidence as “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.”
- 2) *If* the lead agency determines that a project does present unusual circumstances, then the lead agency must determine whether a fair argument has been made supported by substantial evidence in the record that the project may result in significant effects. CEQA Guidelines states that whether “a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.”

In the case of the project, the presence of overhead wires combined with a vertical barrier (in this instance vehicular parking separating a bicycle lane from the curb) does not present unusual circumstances.

² The Planning Department submitted an information request to the Fire Department on June 28, 2017 requesting more details regarding their comments on this project’s design.

According to the SFMTA, 900 miles of striped streets exist in San Francisco.³ According to a March 2015 Board of Supervisors, Budget and Legislative Analyst Policy Analyst Report, 400 miles of overhead Pacific Gas & Electric (PG&E) wires remain on streets.⁴ Assuming that two miles of PG&E wires exist for every one mile of street,⁵ approximately 200 miles of streets include overhead PG&E wires or approximately 22 percent of all street miles in San Francisco include overhead PG&E wires. A Planning Department geographic information system analysis shows approximately 90 miles of streets exist with Muni overhead wires. It is unknown the extent the Muni overhead wires or any other type of overhead wires overlap with the PG&E wires cited, but the 200 miles of streets with overhead wires estimate may be low. In some of these locations, the presence of a vertical barrier (e.g., vehicular parking) could place an aerial ladder fire truck underneath or near overhead wires. Examples include segments of Columbus Avenue, Haight Street, and Fulton Street.

Horizontal distances between a property line and a vertical barrier greater than 30 feet also currently exist within San Francisco. In some of these locations, this would place aerial ladder fire truck underneath or near overhead wires. Sidewalks east of Van Ness Avenue along Market Street are between 25 and 35 feet wide, which the roadway also includes overhead wires for transit operations and a bicycle facility.⁶ Other examples are: sidewalks and a parking lane along Masonic Avenue between Ewing and Fulton streets (31 feet);⁷ sidewalk and parking lane along many of the streets within the Civic Center area, which McAllister Street also includes overhead wires for transit operations; and the Embarcadero.⁸

Given the abundance of the presence of overhead wires combined with a vertical barrier, the existence of overhead wires along Market Street at the location of the proposed parking protected bicycle lanes does not constitute an unusual circumstance in the context of San Francisco. Therefore, it is unnecessary to determine whether substantial evidence exists that the project may result in significant effects. A categorical exemption is the appropriate level of evaluation for the project as no exceptions apply.

For informational purposes, the horizontal distance between existing buildings along Market Street and the outside edge of vertical barriers (vehicles occupying parking space or a curb) as proposed by the project would be similar to existing conditions (15-25 feet) throughout the project's boundaries, with a few exceptions. In the location where a parking-protected bicycle lane is proposed, the horizontal distance between the outside edge of parked cars and existing buildings would be 33 feet (where vehicular parking is shifted). For the westbound bicycle lane, between Duboce and Laguna streets, the

³ SFMTA, "San Francisco Transportation Fact Sheet," December 30, 2013. Available online at:

<https://www.sfmta.com/sites/default/files/2013%20SAN%20FRANCISCO%20TRANSPORTATION%20FACT%20SHEET.pdf>.

⁴ City and County of San Francisco Board of Supervisors, Budget and Legislative Analysis, "Policy Analysis Report: Utility Wire Undergrounding Costs," March 2, 2015. Available online at: <http://sfbos.org/sites/default/files/FileCenter/Documents/51706-BLA.Utility%20Undergrounding.030215.pdf>.

⁵ Email correspondence between Fred Brousseau, Director of Policy Analysis, Budget and Legislative Analyst's Office and Wade Wietgreffe, Senior Planning, Planning Department regarding whether the 400 miles represent miles of streets with wires or miles of wires remain on streets, June 30, 2017 and if those estimates only include PG&E wires.

⁶ San Francisco Planning Department, "Better Market Street Project Initial Study," March 30, 2016. Available online at: http://sfmea.sfplanning.org/2014.0012E_BMS_Initial%20Study%20document-Final.pdf.

⁷ SFMTA, "Masonic Avenue Streetscape Project". Various materials available online at: <https://www.sfmta.com/projects-planning/projects/masonic-avenue-streetscape-project>.

⁸ SFMTA, "The Embarcadero Enhancement Project". Various materials available online at: <https://www.sfmta.com/projects-planning/projects/embarcadero-enhancement-project>.

parking protected portion would represent approximately 30 percent of the block face. For the westbound bicycle lane, between Laguna Street and Octavia Boulevard, the parking protected portion would represent approximately 49 percent of the block face. For the eastbound bicycle lane, between Guerrero Street and Octavia Boulevard, the parking protected portion would represent approximately 48 percent of the block face. None of the cumulative development projects listed above front Market Street adjacent to the parking-protected portion of the bicycle lanes proposed as part of the project.

Concern 4: The project may not be eligible under the Planning Department’s Eligibility Checklist: CEQA Section 21099 - Modernization of Transportation Analysis, because no documentation was provided.

Response 4: The project and all its components are considered eligible under the Planning Department's Eligibility Checklist: CEQA Section 21099 - Modernization of Transportation.

The appellant claims that the exemption is unclear on how the determination was made that the project would not significantly impact VMT. Also, the appellant questions how the project can be concluded that no further VMT analysis was required or how that factors in the analysis of transportation impacts.

As described in the department’s Eligibility Checklist: CEQA Section 21099 - Modernization of Transportation (Attachment D), the department identified screening criteria to identify types, characteristics, or locations of projects and a list of transportation project types that would not result in significant transportation impacts under the VMT metric. These screening criteria are consistent with CEQA Section 21099 and the screening criteria recommended by OPR. If a project would generate VMT, but meets the screening criteria or falls within a specific type of transportation project, then a detailed VMT analysis would not be required for that project.

The project is a transportation project and is not anticipated to induce growth that would generate new trips, including transit trips, in contrast with a land use development project. The proposed project would not change transit service (e.g., decrease service, such that capacity may increase). As proposed, project components would be categorized under the “Active transportation, rightsizing (aka road diet) and transit project” type, which include infrastructure projects that improve safety and accessibility for people walking or bicycling. The project also involves the installation of traffic calming devices such as raised center medians and reconfiguration of turn lanes.

Other components of the project would be categorized under the “other minor transportation project” type, which includes the installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, or emergency breakdown lanes that are not used as through lanes. Also, the project includes the installation, removal, or reconfiguration of traffic control devices, as well as the timing of signals to optimize vehicle, bicycle or pedestrian flow on local or collector streets. Further, the project includes the addition of transportation wayfinding signage and involves the removal of on-street parking spaces.

Overall, the project and its components conform to the abovementioned project types and the project was appropriately evaluated under the department’s screening criteria. The department’s exemption noted a reference to the screening criteria that the project would include “transportation right-sizing elements designed to improve safety for all modes.” While a project-specific checklist was not prepared, the project and all its components were determined, by conformance with the screening criteria, that the project would not result in significant transportation impacts under the VMT metric and no further analysis of VMT was necessary.

CONCLUSION

No substantial evidence supporting a fair argument that a significant environmental effect due to unusual circumstances may occur as a result of the project has been presented that would warrant preparation of further environmental review. The department has found that the project is consistent with the cited exemption. The appellant has not provided any substantial evidence to refute the conclusions of the department.

For the reasons stated above and in the February 3, 2017 CEQA Categorical Exemption Determination, the CEQA Determination complies with the requirements of CEQA and the project is appropriately exempt from environmental review pursuant to the cited exemption. The department therefore recommends that the board uphold the CEQA Categorical Exemption Determination and deny the appeal of this CEQA Determination.

Attachment A

CEQA Categorical Exemption Determination



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
Case No.	Permit No.	Plans Dated	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ___

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
<u>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: right;"><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p style="padding-left: 40px;"><input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>:</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p>	
<p>Preservation Planner Signature:</p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="padding-left: 40px;"><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p style="padding-left: 40px;"><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name:</p>	<p>Signature:</p>
	<p>Project Approval Action:</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



SAN FRANCISCO PLANNING DEPARTMENT

ENVIRONMENTAL EVALUATION APPLICATION COVER MEMO - PUBLIC PROJECTS ONLY

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.

Please attach this memo along with all necessary materials to the Environmental Evaluation Application.

Project Address and/or Title:	Upper Market Street Safety Project
Project Approval Action:	SFMTA Board of Directors
Will the approval action be taken at a noticed public hearing? <input checked="" type="checkbox"/> YES* <input type="checkbox"/> NO	
* If YES is checked, please see below.	

IF APPROVAL ACTION IS TAKEN AT A NOTICED PUBLIC HEARING, INCLUDE THE FOLLOWING CALENDAR LANGUAGE:

End of Calendar: CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code If the Commission approves an action identified by an exemption or negative declaration as the Approval Action (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA decision prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Individual calendar items: This proposed action is the Approval Action as defined by S.F. Administrative Code Chapter 31.

THE FOLLOWING MATERIALS ARE INCLUDED:

- 2 sets of plans (11x17)
- Project description
- Photos of proposed work areas/project site
- Necessary background reports (specified in EEA)
-



Date: 10/6/2016

To: Jeanie Poling, San Francisco Planning Department

From: Charles Ream, San Francisco Municipal Transportation Agency

Through: Erik Jaszewski, San Francisco Municipal Transportation Agency

Re: Upper Market Street Safety Project

BACKGROUND/PROJECT GOALS

The goal of the Upper Market Street Safety Project¹ (the project) is to increase safety and comfort for people using all modes of transportation along and across Market Street from Castro Street to Octavia Boulevard. This corridor is on the high-injury networks for walking, bicycling, and driving.

Consistent with the guidance of the Better Streets Plan, the project includes new curb extensions at several locations designed to shorten crossing distances and increase the visibility of people entering crosswalks, and related transit island and pedestrian refuge improvements. The project also includes parking-protected (Class IV) bike lanes, and changes to traffic circulation to increase safety for people using all modes of transportation.

Project construction will include ADA-compliant curb ramps; catch basins or manholes may be relocated, and pull boxes may need to be replaced. All project work will occur within the existing public right-of way, with some work occurring in the Caltrans right-of-way at Market Street/Octavia Street, and the depth of excavation will not exceed 12 feet. The project does not anticipate relocation of any historic light fixtures on Market Street.

EXISTING CONDITIONS

Market Street between Castro Street and Octavia Boulevard is a two-way, predominantly four-lane divided roadway. There are streetcar tracks in the lanes adjacent to a center median island and a Class II bike lane adjacent to the parking lane except where roadway width is constrained by Muni boarding islands and bulbouts.

Bicycle Connections

The Upper Market Street corridor provides a key bicycle route and connects Lower Market Street to the Wiggle via the Duboce Avenue bike path, as well as connections to Octavia Boulevard, McCoppin Street, 14th Street, Sanchez Street and 17th Street bike routes.

¹ For the purposes of this memorandum, the Upper Market Safety Project ('the project') is assumed to include all features and elements previously identified from the SFMTA's Market-Octavia Safety Project.

Transit Connections

In addition to the F-line streetcar, the corridor is served by 37-Corbett bus. Light rail transit stations are located underground at Castro Street and Church Street, and the J-Church light rail has stops at Church and Market Streets and Church and 14th Streets.

Vehicle Connections

Market Street is a principal arterial as defined by Caltrans in the California Road System, and includes a connection to the Central Freeway toward Highway 101, although this connection is restricted to where Octavia Street intersects with Market Street, and turns from Market Street onto the freeway are prohibited.

PROPOSED PROJECT

The following sections of this memorandum describe the improvements proposed as part of this project.

Curb Extensions/Modifications

Curb extensions decrease crossing distance, increase visibility of pedestrians, and can reduce the speed of turning vehicles to increase reaction time and reduce the severity of collisions, if they occur. In some instances, changes to existing curb extensions are required to facilitate other improvements, just and improving the conditions of bicycle lanes or allowing improved transit access. Curb extensions/modifications are planned for the following locations (with details described in parenthesis):

1. The southeast corner of Market Street and the US-101 off-ramp (into both streets)
2. The southwest corner of Market Street and the US-101 on-ramp (into the on-ramp)
3. The southeast corner of the intersection of Pearl Street and Market Street (into Pearl Street)
4. Hermann Street, north side, from Laguna Street westerly
5. Laguna Street, west side, from Hermann Street northerly
6. Market Street, north side, from Laguna Street easterly (elimination of existing bulbout into Market Street to accommodate improved transit island access and bike lane)
7. Guerrero Street, east side, from Market Street southerly (into Guerrero Street; shortening the pedestrian crossing distance across Guerrero and Market Streets)
8. Duboce Street, north side, from Market Street easterly (extension of existing bulb into Market, and new extension into Duboce; removal of pork chop island)
9. 14th Street, south side, from Market Street easterly (into 14th Street)
10. Northwest corner of 15th Street and Sanchez Street (into both streets)
11. Sanchez Street, east side, from Market Street southerly (into Sanchez Street)
12. Sanchez Street, west side, from Market Street northerly (into Sanchez Street)
13. 15th Street, south side, from Market Street westerly (into 15th Street)
14. 15th Street, south side, from Market Street easterly (into 15th Street)
15. Northwest corner of 16th Street and Noe Street (into both streets)
16. 16th Street, south side, from Market Street westerly (into 16th Street)
17. 16th Street, north side, from Market Street easterly (into 16th Street)
18. 16th Street, south side, from Market Street easterly (redesign of existing bulbout into 16th Street)

Transit Island Improvements

The project proposes improvements to the transit boarding islands on Market Street at Laguna Street and Guerrero Street. These enhancements will improve conditions crossing Market Street as well as improve boarding and alighting for passengers with mobility impairments. The planned improvements include:

1. The eastbound boarding island on Market Street at Guerrero Street will be enhanced with a thumbnail that buffers pedestrians from motor vehicles and provides guidance for people with sight impairment.
2. The westbound boarding island on Market Street at Laguna Street will be extended and widened to meet standards for wheelchair lift deployment and enhanced with a thumbnail that buffers pedestrians from motor vehicles and provides guidance for people with sight impairment
3. Thumbnail islands for the Market Street boarding islands in the inbound and outbound direction at Noe/16th Streets, Sanchez/15th Streets, Church/14th Streets, the outbound boarding island at Buchanan Street, and the inbound island at Dolores Street.

Median Refuge

The project will also improve pedestrian safety and comfort with a concrete median refuge at the following locations:

1. Crossing Laguna Street north of Market Street
2. Crossing Market Street at Dolores Street (shorten the pedestrian crossing distance across Market by modifying the median refuge and straightening the pedestrian path across Market)
3. Crossing Market Street at Octavia Boulevard, east and west crosswalks

Protected Bike Lanes

The project will provide a parking-protected bike lane on westbound Market Street between Octavia Boulevard and Duboce Street, and on eastbound Market Street between Guerrero Street and Octavia Boulevard. In a parking-protected bike lane, the parking lane is adjacent to the travel lane, and the bike lane is located between the parking and the curb. A buffer area separates the bike lane from the parking lane to protect people on bicycles from car doors and provide space for passengers accessing their vehicles. The buffer area will be designated by either painted stripes or by a raised concrete island.

Circulation Changes

The following changes to circulation will help improve pedestrian, bicycle and vehicle safety, and improve transit efficiency. These changes are not anticipated to have a significant influence on transit performance, and will improve safety for passengers walking to and from transit stops:

1. Prohibit left turns from eastbound Market Street to northbound Octavia Boulevard
2. Convert existing left-turn lane on eastbound Market Street to a raised center median
3. Add protected left turn phase for eastbound and westbound Market Street at Laguna and Guerrero Streets
4. Prohibit right turns from the center lanes of southbound Octavia Boulevard onto westbound Market Street (southbound Octavia Boulevard traffic making this right turn will use the local lane)
5. Remove approximately 50-foot left turn pocket from southbound Laguna Street approaching Market Street (create consolidated through/left turn lane)

7. Remove approximately 120-foot left turn pocket from northbound Guerrero Street approaching Market Street (create consolidated through/left turn lane)
8. No right turn on red:
 - a. Northbound Guerrero Street at Market Street
 - b. Westbound Market Street at Octavia Boulevard
 - c. Westbound Market Street at Laguna Street
 - d. Westbound Market Street at Buchanan Street
 - e. Eastbound Market Street at Guerrero Street
9. Convert Hermann Street to one-way eastbound from Buchanan Street to Laguna Street, and convert parallel parking on the north side to 45-degree angle parking
10. Remove approximately 160-foot left turn lane on northbound Buchanan Street approaching Hermann Street, and convert parallel parking on the west side of Buchanan Street to 45-degree angle parking
11. Remove approximately 220-foot right turn lane on westbound Duboce Street approaching Market Street, remove pork-chop island (create consolidated left/through/right turn lane)
12. Add bicycle signals and bicycle signal phase for EB cyclists exiting the Duboce Street path and continuing onto EB Market Street, and for cyclists at all legs at Market Street and Octavia Boulevard
13. Prohibit left turns from Sanchez Street (northbound and southbound) onto Market and 15th Streets, except for emergency vehicles
14. Prohibit left turns from Noe Street (northbound and southbound) onto Market and 16th Streets, except for emergency vehicles
15. Prohibit left turns from eastbound 16th Street onto Market and Noe Streets, except for emergency vehicles
16. Provide a protected left turn for vehicles traveling westbound on 16th Street, turning westbound on Market Street
17. Install an approximately 150 foot long left-turn pocket and provide a protected left turn for vehicles traveling eastbound on Market Street, turning northbound on Castro Street
18. Provide a protected left-turn signal phase for westbound Market Street, turning southbound on Castro Street.

Parking Modifications

The overall impact to parking supply in the project area is a net reduction of up to twenty-eight (28) automobile parking spaces and eight (8) motorcycle parking spaces.

The following parking spaces will be removed to accommodate curb extensions and parking protected bike lanes, and achieve minimum standard dimensions where existing bike lanes currently provide inadequate separation between cyclists and parked vehicles (exposing cyclists to the “door zone”):

1. Five (5) automobile spaces, north side of Market Street between Octavia Boulevard and Laguna Street
2. Two (2) automobile spaces, south side of Market Street between Octavia Boulevard and Laguna Street
3. Two (2) automobile spaces, north side of Market Street between Laguna Street and Buchanan Street
4. One (1) automobile space on Octavia Boulevard, west side, between Market Street and Waller Street (existing blue zone to be relocated to Market or Waller streets)

5. One (1) automobile space on Laguna Street, east side, north of Hermann Street
6. Three (3) automobile spaces on Hermann Street, south side, between Buchanan Street and Laguna Street
7. One (1) shared automobile spaces on Pearl Street, west side, south of Market Street
8. Two (2) automobile spaces, south side of Market Street between Dolores Street and Church Street
9. One (1) automobile space, on the south side of Market Street between Castro Street and Noe Street
10. One (1) automobile space and three (3) motorcycle spaces on the north side of Market Street between Noe Street and 15th Street
11. One (1) automobile space on the south side of 16th Street at Market Street
12. One (1) automobile space on the west side of Noe Street north of Market Street
13. Two (2) automobile spaces and five (5) motorcycle parking spaces on the south side of Market Street between 16th Street and Sanchez Street
14. One (1) automobile space on the south side of 15th Street at Market Street
15. One (1) automobile space on the west side of Sanchez Street at 15th Street
16. One (1) automobile space on the east side of Sanchez Street at Market Street
17. One (1) automobile space on the north side of Market Street between Sanchez Street and 14th Street
18. Two (2) automobile spaces on the south side of Market Street between 14th Street and Dolores Street

The project will seek to increase parking supply by up to 13 automobile spaces on adjacent streets by reconfiguring parallel parking to angle parking at two locations. Additionally, relocation of impacted motorcycle spaces on Market Street and/or adjacent side streets will also be explored; however, the final parking configuration may be limited to existing conditions pending final designs on these streets:

1. Reconfigured parking on Buchanan Street between Market Street and Hermann Street could yield up to six (6) parking spaces
2. Reconfigured parking on the north side of Hermann Street between Laguna Street and Buchanan Street could yield up to seven (7) parking spaces

DISCUSSION

Vehicle Miles Traveled

The proposed Bicycling and Walking Safety Improvement Project and Reconfiguration of Traffic Lanes are considered Active Transportation and Other Minor Transportation Projects in accordance with the Planning Department's *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis*, and is therefore presumed to not significantly impact VMT and no further VMT analysis is required.

Pedestrians

The bulbouts proposed by this project will increase the visibility of pedestrians waiting to cross the street, reduce the crossing distance for pedestrians crossing the street, and provide more sidewalk space for pedestrians. This project will also increase the allowed pedestrian crossing time for pedestrians crossing

Market Street at Octavia Boulevard. The addition of protected left turn lanes and signal phases will reduce conflicts between pedestrians and left-turning vehicles at Castro/17th and 16th/Noe Streets. The prohibition of selected left turns at Noe/16th and Sanchez/15th Streets, this project will reduce conflicts between pedestrians and left-turning vehicles.

Bicycles

This project will install a parking-protected bike lane in the westbound direction from Octavia Boulevard to Buchanan Street, and in the eastbound direction from Guerrero Street and Octavia Boulevard. This protected facility will physically separate bicycle traffic from moving vehicle traffic.

Transit

This project will improve ADA accessibility on transit boarding islands by installing thumbnail islands at all crosswalks adjacent to boarding islands. The project will improve the outbound boarding island on Market Street at Laguna Street by widening the island to meet standards for wheelchair lift deployment.

Loading

This project will not reduce the supply of unmetered or metered parking spaces devoted to loading activities. One blue zone on Octavia Boulevard will be relocated to a nearby location. All other parking spaces slated for removal are general or motorcycle parking spaces.

Emergency Access

This project will not prohibit emergency access to any streets in the project area.

Parking

The overall changes to parking supply in the project area is a net reduction of up to twenty-eight (28) automobile parking spaces and eight (8) motorcycle parking spaces.

The following parking spaces will be removed to accommodate curb extensions and parking protected bike lanes, and achieve minimum standard dimensions where existing bike lanes currently provide inadequate separation between cyclists and parked vehicles (exposing cyclists to the “door zone”):

1. Five (5) automobile spaces, north side of Market Street between Octavia Boulevard and Laguna Street
2. Two (2) automobile spaces, south side of Market Street between Octavia Boulevard and Laguna Street
3. Two (2) automobile spaces, north side of Market Street between Laguna Street and Buchanan Street
4. One (1) automobile space on Octavia Boulevard, west side, between Market Street and Waller Street (existing blue zone to be relocated to Market or Waller streets)
5. One (1) automobile space on Laguna Street, east side, north of Hermann Street

6. Three (3) automobile spaces on Hermann Street, south side, between Buchanan Street and Laguna Street
7. One (1) shared automobile spaces on Pearl Street, west side, south of Market Street
8. Two (2) automobile spaces, south side of Market Street between Dolores Street and Church Street
9. One (1) automobile space, on the south side of Market Street between Castro Street and Noe Street
10. One (1) automobile space and three (3) motorcycle spaces on the north side of Market Street between Noe Street and 15th Street
11. One (1) automobile space on the south side of 16th Street at Market Street
12. One (1) automobile space on the west side of Noe Street north of Market Street
13. Two (2) automobile spaces and five (5) motorcycle parking spaces on the south side of Market Street between 16th Street and Sanchez Street
14. One (1) automobile space on the south side of 15th Street at Market Street
15. One (1) automobile space on the west side of Sanchez Street at 15th Street
16. One (1) automobile space on the east side of Sanchez Street at Market Street
17. One (1) automobile space on the north side of Market Street between Sanchez Street and 14th Street
18. Two (2) automobile spaces on the south side of Market Street between 14th Street and Dolores Street

The project will seek to increase parking supply by up to 13 automobile spaces on adjacent streets by reconfiguring parallel parking to angle parking at two locations. Additionally, relocation of impacted motorcycle spaces on Market Street and/or adjacent side streets will also be explored; however, the final parking configuration may be limited to existing conditions pending final designs on these streets:

1. Reconfigured parking on Buchanan Street between Market Street and Hermann Street could yield up to six (6) parking spaces
2. Reconfigured parking on the north side of Hermann Street between Laguna Street and Buchanan Street could yield up to seven (7) parking spaces

Excavation

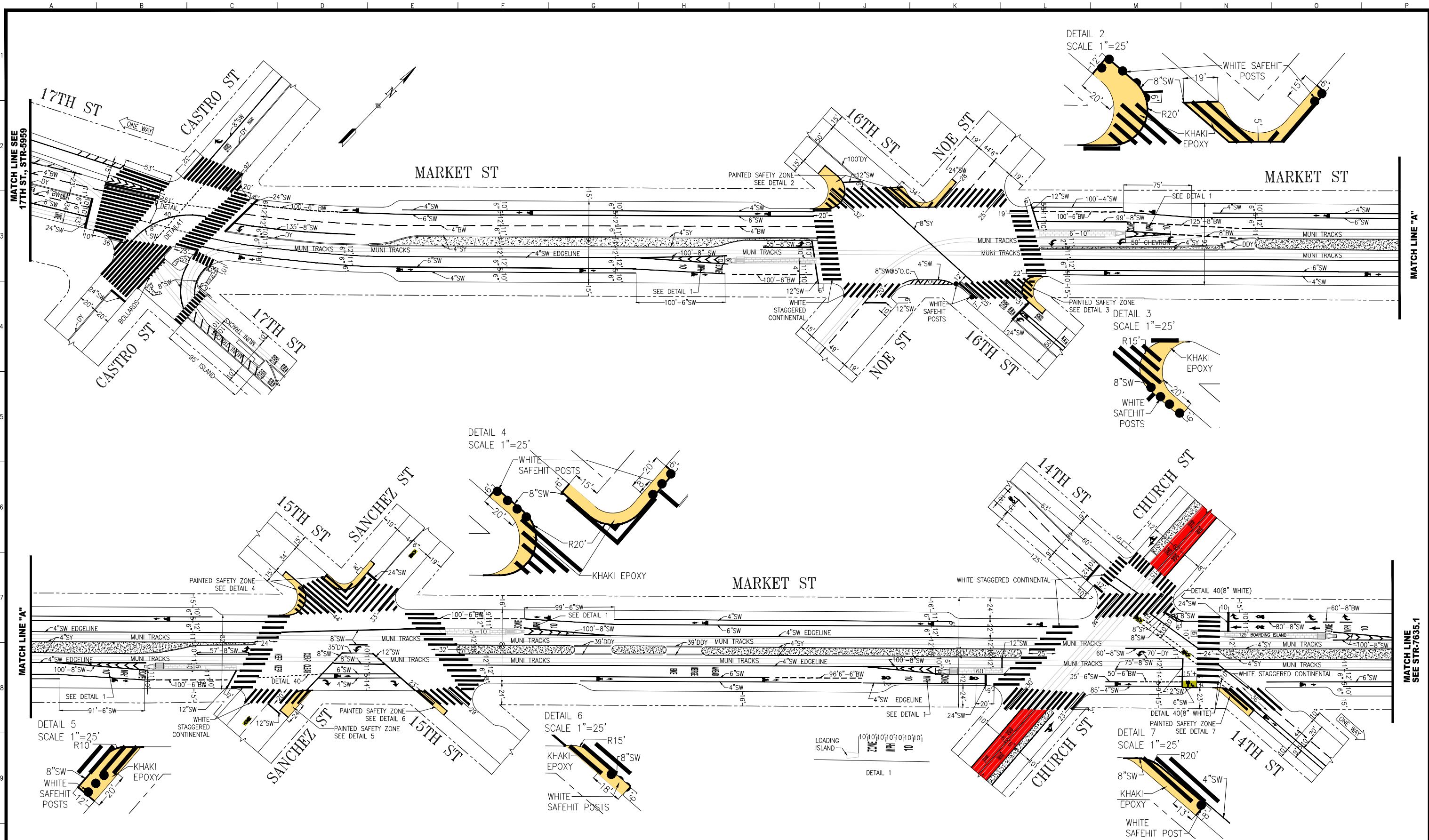
Depth of excavation for curb bulbouts, ADA-compliant curb ramps, catch basins, signal infrastructure, and boarding islands will not exceed 12 feet. All project work will occur within the existing right-of-way.

Construction

Construction of this project will take approximately 16 months, with construction crews performing work on a block-by-block basis.

ATTACHMENT A
Existing Plans/Drawings





NO.	DATE	DESCRIPTION	BY	APP.
10/16/15		REMOVE DETAIL 41s, INSTALL 8"SY GUIDELINE @ 16TH/NOE	CB	MS
09/08/15		INSTALLED PAINTED SAFETY ZONES @ 14TH, 15TH/SANCHEZ, & 16TH/NOE; UPGRADED TO CONTINENTAL XWALKS @ ALL XWALKS. PER FIELD COND.	CB	MS
03/03/15		INSTALL LT GUIDELINE, NARROW BIKE LANE @ WB CASTRO	KAS	CL
09/12/14		ADJUST LIMIT LINE AND ADD KEEP CLEAR FOR WB 16TH. ADD 4"SW/8"SW	DY	BW
07/10/14		UPDATED PER FIELD AT 16TH - ADD BULBOUT & UPDATE SIDE ST	DY	BW

TABLE OF REVISIONS
CHECK WITH TRACING TO SEE IF YOU HAVE LATEST REVISION



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
CITY AND COUNTY OF SAN FRANCISCO

DESIGNED:	DATE:	APPROVED:	SCALE:
JACK L. FLECK	6/13/02	JACK L. FLECK	1"=50'
SECTION ENGINEER	DATE:		
DRAWN:	DATE:		
T.A	5/02		
CHECKED:	DATE:	BOND M. YEE	6/13/02
R.O	5/02	CITY TRAFFIC ENGINEER	DATE:

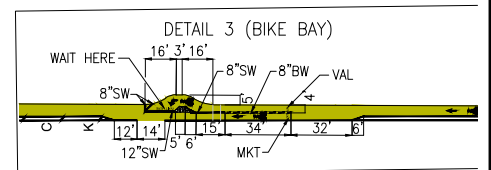
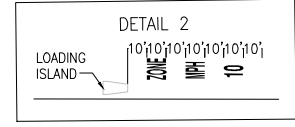
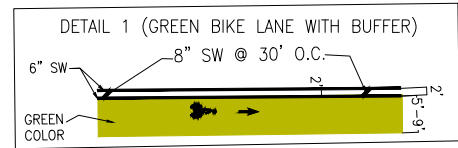
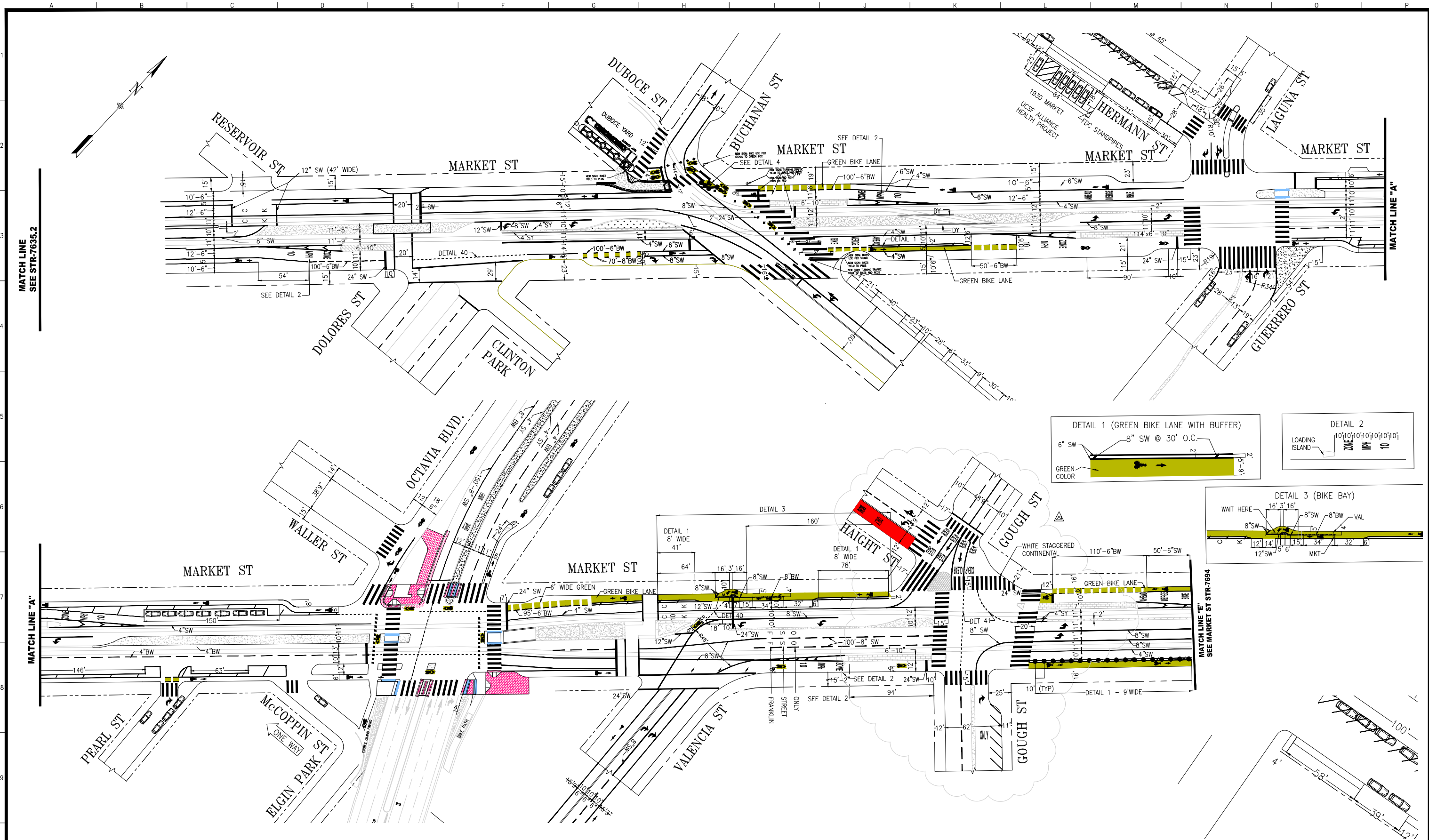
SUPERCEDES STR-6134	
LOADING ISLAND	
DETAIL 1	

TRAFFIC STRIPING
MARKET STREET 17TH STREET TO RESERVOIR STREET

CONTRACT NO.
DRAWING NO. STR-7635.2
FILE NO.
REV. NO. 15

ATTACHMENT B
Proposed Plans/Drawings/Diagrams





MATCH LINE
SEE STR-7635.2

MATCH LINE "A"

MATCH LINE "A"

MATCH LINE "E"
SEE MARKET STR-7694

NO.	DATE	DESCRIPTION	BY	APP.
7/16/15		ADD WHITE STAGGERED CONTINENTAL & DET 41, REDESIGN MEDIANS AT GOUGH	KN	CH
10/31/14		ADD GREEN & PAINTED BUFFER TO BIKEWAYS OCTAVIA TO DUBOCE	GH	MS
5/6/14		INSTALL CROSSBIKE AND CONTINENTAL CROSSWALKS AT DUBOCE	PS	MS
2/11/13		REMOVE PART OF ADV. LIMIT LINE & 6" SW EB @ DUBOCE	DY	MV
11/29/12		REMOVED SAFE HIT POSTS ADDED BIKE BAY, DETAIL 40, GREENBACK SHARROW, REDESIGNED MEDIAN AND EXTENDED 8" SW TO VALENCIA STREET	PL	DRC
4/13/13		ADDED GREEN TO BIKE LANE FROM PEARL TO OCTAVIA AND EB GREEN-BACKED SHARROWS AND DETAIL 40 AT OCTAVIA	KK	MS

TABLE OF REVISIONS
CHECK WITH TRACING TO SEE IF YOU HAVE LATEST REVISION

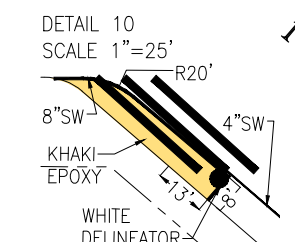
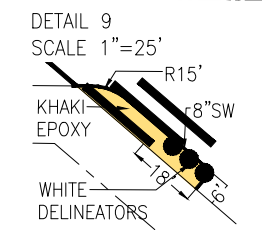
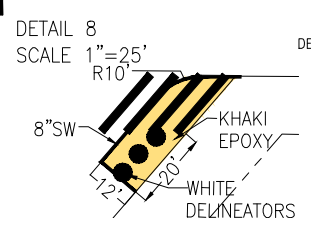
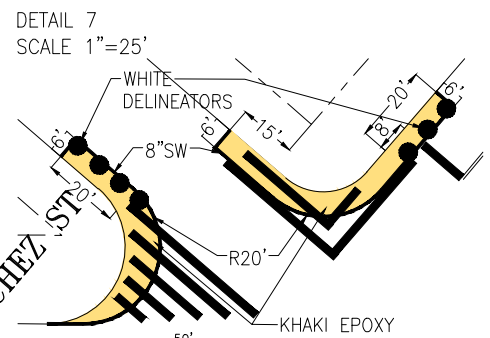
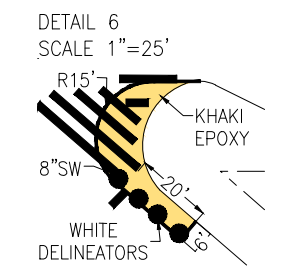
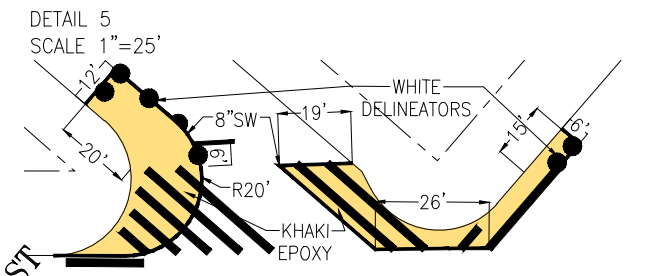
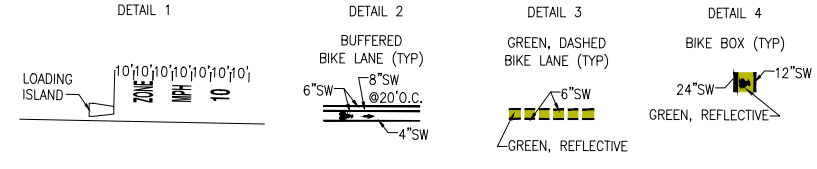
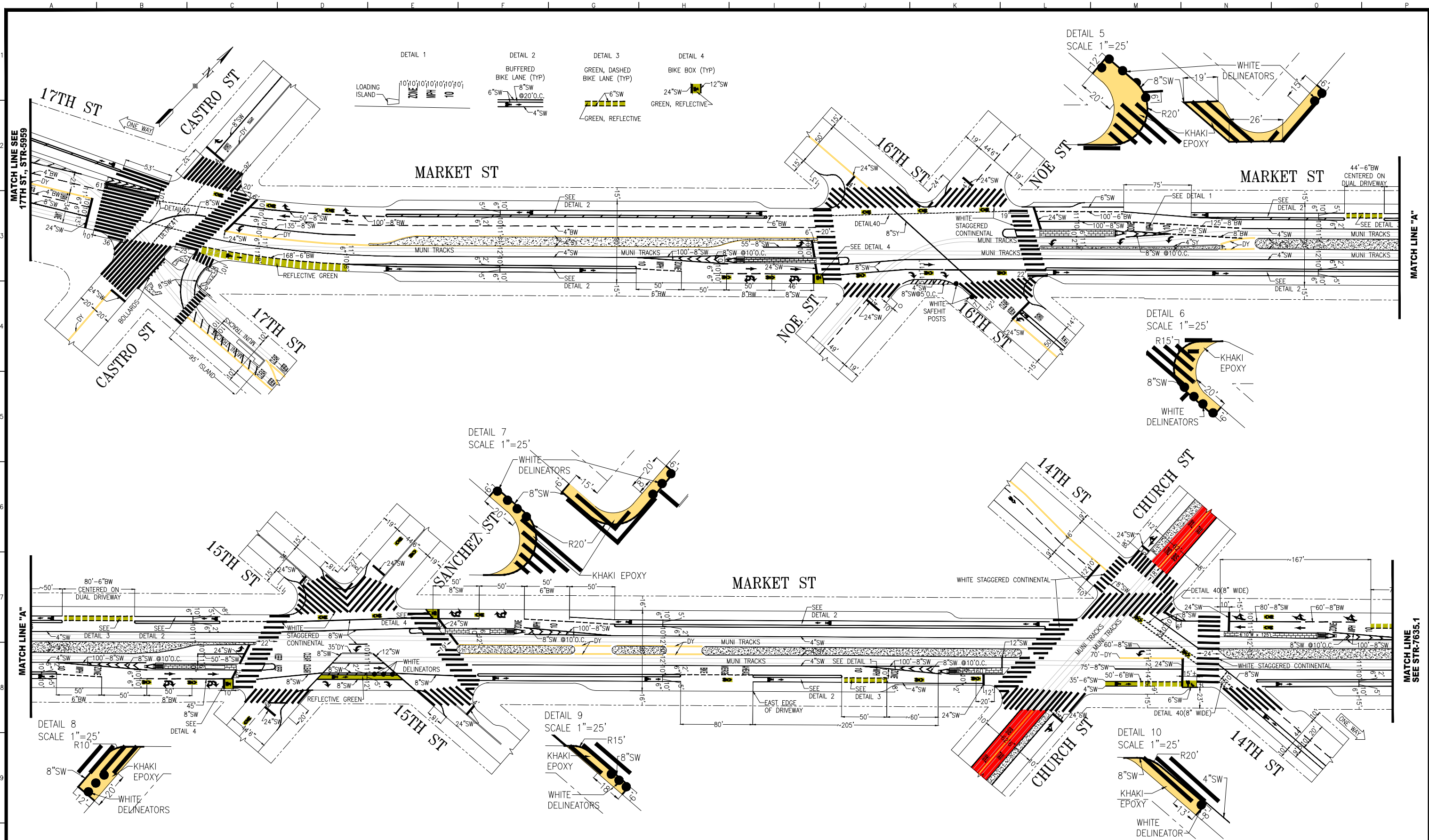


SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
CITY AND COUNTY OF SAN FRANCISCO

DESIGNED: DATE:	APPROVED:	SCALE:
JACK L. FLECK 6/13/02	JACK L. FLECK 6/13/02	1"=50'
SECTION ENGINEER DATE:		
DRAWN: DATE:		
T.A 5/02		
CHECKED: DATE:	BOND M. YEE 6/13/02	SHEET OF SHEETS
R.O 5/02	CITY TRAFFIC ENGINEER DATE:	

CONTRACT NO.	TRAFFIC STRIPING
DRAWING NO.	STR-7635.1
FILE NO.	
REV. NO.	29

EXTERNAL REFERENCES:
FONTS USED:
SCALE FACTOR: 1"=1'
PLOT SCALE: 1"=1'
FILE NAME: T:\eoff_rec\dwgs\0-2\m\str-7635.1.dwg
ORIGIN: OPERATIONS
DATE:



NO.	DATE	DESCRIPTION	BY	APP.
1	9/8/15	INSTALLED PAINTED SAFETY ZONES @ 14TH, 15TH/SANCHEZ, & 16TH/NOE; UPGRADED TO CONTINENTAL XWALKS @ ALL XWALKS. PER FIELD CONDITION	CR	MS
2	3/03/15	INSTALL LT GUIDELINE, NARROW BIKE LANE @ WB CASTRO	KAS	CL
3	9/12/14	ADJUST LIMIT LINE AND ADD KEEP CLEAR FOR WB 16TH. ADD 4"SW/8"SW	DY	BW
4	7/10/14	UPDATED PER FIELD AT 16TH - ADD BULBOUT & UPDATE SIDE ST	DY	BW
5	7/10/14	UPDATED CROSSWALKS, LANE WIDTHS & LANE CONFIGURATION AT CASTRO STREET	LV	DLA



SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
CITY AND COUNTY OF SAN FRANCISCO

DESIGNED: DATE:	APPROVED: DATE:	SCALE:
JACK L. FLECK 6/13/02	SECTION ENGINEER 6/13/02	1"=50'
DRAWN: DATE:	CHECKED: DATE:	SHEET OF SHEETS
T.A 5/02	BOND M. YEE 6/13/02	
R.O 5/02	CITY TRAFFIC ENGINEER 6/13/02	

CONTRACT NO.	TRAFFIC STRIPING
DRAWING NO.	STR-7635.2
FILE NO.	
REV. NO.	14

EXTERNAL REFERENCES: FONTS USED:
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PLOT SCALE: 1"=1'
FILE NAME: T:\off_rec\dwgs\0-2\m\str-7635.2.dwg
DATE:

Attachment B

SFMTA Resolution No. 170502-059

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 170502-059

WHEREAS, The San Francisco Municipal Transportation Agency, building on past neighborhood planning efforts, and in support of the City's Vision Zero goals, identified a need for safety improvements on the Upper Market Street corridor from Octavia Boulevard to Castro Street; and,

WHEREAS, The segment of the Upper Market Street corridor from Octavia Boulevard to Duboce Avenue carries some of the highest numbers of daily bicyclists in the City, is a critical gap in the City's low-stress bikeway network, and has been prioritized for a protected Class IV bike lane; and,

WHEREAS, The SFMTA Project team has engaged the community since October 2014 via Public Open House meetings, workshops, briefings to community groups, walkthroughs, public events, and other forums to gather feedback on areas of safety concern and to solicit feedback on project proposals; and,

WHEREAS, Section 891 of the Streets and Highways Code provides that agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted may utilize minimum safety design criteria other than those established by Section 890.6 if the following conditions are met: the alternative criteria are reviewed and approved by a qualified engineer, the alternative criteria is adopted by resolution at a public meeting after public comment and proper notice, and the alternative criteria adheres to the guidelines established by a national association of public agency transportation officials; and,

WHEREAS, The parking protected cycletrack proposed as part of the project meets these three requirements; and,

WHEREAS, The parking protected cycletrack has been reviewed and approved by a qualified engineer prior to installation; and,

WHEREAS, The alternative criteria for the project are to discourage motor vehicles from encroaching or double parking in the bicycle facility, provide a more inviting and greater sense of comfort for bicyclists, and to provide a greater perception of safety for bicyclists; and,

WHEREAS, The project's alternative criteria adhere to guidelines set by the National Association of City Transportation Officials; and,

WHEREAS, The Upper Market Street Safety Project identified the following traffic and parking modifications necessary to implement the proposed project:

PAGE 2.

- A. ESTABLISH – CLASS IV BIKEWAY - Market Street, westbound, from Octavia Boulevard to Buchanan Street (parking-protected bikeway); Market Street, eastbound, from Guerrero Street to Octavia Boulevard (parking-protected bikeway); Octavia Boulevard, northbound, from Market Street to 80 feet northerly (protected bikeway with concrete island)
- B. ESTABLISH – MID-BLOCK CROSSWALK - Market Street, between Laguna Street and Octavia Boulevard (crossing westbound Class IV bikeway); Market Street, between Buchanan Street and Laguna Street (crossing westbound Class IV bikeway)
- C. ESTABLISH – MEDIAN ISLANDS - Market Street, at Noe Street, east crossing (thumbnail for boarding island); Market Street, at Noe Street, west crossing (thumbnail for boarding island); Guerrero Street, from 50 feet to 150 feet south of Market Street (3-foot wide median extension); Laguna Street, at Hermann Street, north crossing (6-foot wide island); Market Street, from 90 feet to 250 feet west of Octavia Boulevard (10-foot wide center median); Market Street, at Laguna Street, east crossing (10-foot wide boarding island extension with pedestrian refuge, through eastern crosswalk, from current terminus to 40 feet westerly)
- D. ESTABLISH – SIDEWALK NARROWING - Market Street, north side, from Laguna Street to 90 feet easterly (8-foot narrowing, removes corner bulb); Market Street, south side, from McCoppin Street to 40 feet westerly (8-foot narrowing, removes corner bulb); Market Street, south side, from McCoppin Street to Highway 101 Off-Ramp (8-foot narrowing)
- E. ESTABLISH – TOW AWAY NO STOPPING ANY TIME, ESTABLISH – SIDEWALK WIDENING - 16th Street, north side, from Market Street to 20 feet easterly (6-foot wide bulb); 16th Street, south side, from Market Street to 24 feet westerly (12-foot wide bulb); Noe Street, west side, from 16th Street to 24 feet northerly (6 foot-wide bulb); 15th Street, south side, from Market Street to 29 feet westerly (6-foot wide bulb); 15th Street, south side, from Market Street to 18 feet easterly (6-foot wide bulb); 15th Street, north side, from Sanchez Street to 18 feet westerly (6-foot wide bulb); Sanchez Street, west side, from 15th Street to 27 feet northerly (6-foot wide bulb); Sanchez Street, east side, from Market Street to 50 feet southerly (12-foot wide bulb); 14th Street, south side, from Market Street to 33 feet easterly (6-foot wide bulb, relocates one blue zone); Guerrero Street, east side, from Market Street to 54 feet southerly (29-foot wide bulb, removes 3 motorcycle stalls); Pearl Street, east side, from Market Street to 41 feet southerly (15-foot wide bulb, relocates pilot on-street car share stall); Market Street, south side, from Highway 101 Off-Ramp to 31 feet easterly (6-foot wide bulb)
- F. ESTABLISH – TOW AWAY NO STOPPING ANYTIME - Market Street, south side, from 150 feet to 170 feet west of Noe Street (removes meter #2309); Market Street, north side, from 108 feet to 149 feet east of Noe Street (removes meter #2254, REINO 569-2260 [3 motorcycle spaces]); Market Street, south side, from 90 feet to 154 feet west of Sanchez Street (removes meters #2217, #2219, REINO 569-22110 [5 motorcycle spaces]); Market Street, south side, from 260 feet to 275 feet east of Church Street (removes meter #2135); Market Street, south side, from 95 feet to 144 feet west of Dolores Street (removes meters #2045, #2047); Market Street, north side, from 189 feet to 211 feet west of Duboce Avenue (removes meter #2028); Market Street, north side, from 231 feet to 278 feet west of Laguna Street (removes meters #1932, 1930 for parking-protected bikeway); Market Street, north side, from 111 feet to 131 feet west of Laguna

- Street (removes meter #1918 for SFFD clear zone); Market Street, north side, from Laguna Street to 71 feet westerly (removes meter #1912 for parking-protected bikeway); Market Street, north side, from Hermann Street to 139 feet easterly (removes meters #1828-G, 1826, 1824 for parking-protected bikeway); Market Street, north side, from 159 feet to 179 feet east of Hermann Street (removes meter #1820 for SFFD clear zone); Market Street, north side, from Octavia Boulevard to 92 feet westerly (relocates passenger loading zone for parking-protected bikeway); Market Street, south side, from Guerrero Street to 77 feet easterly (removes meter #1823-G for parking protected bikeway); Market Street, south side, from 117 feet to 137 feet east of Guerrero Street (removes meter #1817 for SFFD clear zone); Market Street, south side, from 177 feet to 197 feet east of Guerrero Street (removes meter #1811 for SFFD clear zone); Market Street, south side, from McCoppin Street to 43 feet westerly (relocates 2 existing yellow zones westerly for SFFD clear zone); Hermann Street, south side, from Laguna Street to 30 feet westerly (removes 1 unregulated parking space for SFFD clear zone); Laguna Street, east side, from Hermann Street to 35 feet northerly (removes meter #2 for SFFD clear zone); Octavia Boulevard, west side, from Market Street to Waller Street (relocates existing blue zone)
- G. ESTABLISH YELLOW METERED LOADING ZONE, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - Market Street, north side, from 171 feet to 193 feet east of Noe Street (replaces GMP meter #2250)
- H. ESTABLISH YELLOW METERED LOADING ZONE, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - Market Street, south side, from 154 feet to 174 feet west of Sanchez Street (replaces GMP meter #2221)
- I. ESTABLISH YELLOW METERED LOADING ZONE, 7 AM TO 11 AM, MONDAY THROUGH FRIDAY - Market Street, south side, from 43 feet to 66 feet west of McCoppin Street (relocates meter #1803); Market Street, south side, from 66 feet to 88 feet west of McCoppin Street (relocates meter #1805)
- J. ESTABLISH – PASSENGER LOADING ZONE, AT ALL TIMES - Market Street, north side, from 92 feet to 132 feet west of Octavia Boulevard (relocated westerly for parking-protected bikeway, removes meters #1810, #1812)
- K. RESCIND – BLUE ZONE - 14th Street, south side, from 11 feet to 33 feet east of Market Street; Octavia Boulevard, west side, from 2 feet to 22 feet north of Market Street
- L. ESTABLISH - BLUE ZONE - 14th Street, south side, from 33 feet to 55 feet east of Market Street; Market Street, north side, from 132 feet to 154 feet west of Octavia Boulevard (removes meter #1814)
- M. RESCIND – GREEN METERED PARKING, 30 MINUTE TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - 14th Street, south side, from 33 feet to 55 feet east of Market Street (removes meter #633-G); Market Street, north side, from 77 feet to 99 feet east of Hermann Street (removes meter #1828-G); Market Street, south side, from 57 feet to 77 feet east of Guerrero Street (removes meter #1823-G)
- N. ESTABLISH - GREEN METERED PARKING, 30 MINUTE TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - 14th Street, south side, from 78 feet to 100 feet east of Market Street (replaces meter #633); Market Street, north side, from 139 feet to 157 feet east of

PAGE 4.

Hermann Street (replaces meter #1822); Market Street, south side, from 97 feet to 117 feet east of Guerrero Street (replaces meter #1819)

- O. RESCIND – TOW AWAY, NO STOPPING ANYTIME EXCEPT PERMITTED CAR SHARE VEHICLES - Pearl Street, east side, from Market Street to 18 feet southerly
- P. ESTABLISH – TOW AWAY, NO STOPPING ANYTIME EXCEPT PERMITTED CAR SHARE VEHICLES - Pearl Street, east side, from 18 feet to 38 feet south of Market Street
- Q. ESTABLISH – ONE-WAY STREET - Hermann Street, eastbound, between Buchanan Street and Laguna Street
- R. ESTABLISH – NO RIGHT TURN ON RED - Market Street, westbound, at Buchanan Street (for bike box); Market Street, westbound, at Laguna Street (for bike box); Market Street, eastbound, at Guerrero Street; Guerrero Street, northbound, at Market Street; Laguna Street, southbound, at Market Street; Octavia Boulevard, southbound, at Market Street

WHEREAS, The public has been notified about the proposed modifications and has been given the opportunity to comment on those modifications through the public hearing process; and,

WHEREAS, The proposed Upper Market Street Safety Project is subject to the California Environmental Quality Act (CEQA); CEQA provides an exemption from environmental review for operation, repair, maintenance, or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, as well as for minor public alterations in the condition of land including the creation of bicycle lanes on existing rights-of-way as defined in Title 14 of the California Code of Regulations Sections 15301 and 15304 respectively; and,


WHEREAS, The Planning Department determined that the proposed Upper Market Street Safety Project is categorically exempt from CEQA, pursuant to Title 14 of the California Code of Regulations Section 15301 and 15304 (Case Number 2017-000817ENV); and

WHEREAS, The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31; and

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco, and is incorporated herein by reference; now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors approves the proposed bicycle and parking and traffic modifications, listed in items A-S above, associated with the Upper Market Street Safety Project.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 2, 2017.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

Attachment C1

Appeal Letter dated June 1, 2017 from David Pilpel

David Pilpel
2151 27th Ave
San Francisco CA 94116-1730

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 JUN -1 PM 3:55

BY BJ

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Carlton B Goodlett Pl Ste 244
San Francisco CA 94102-4689

June 1, 2017

Re: California Environmental Quality Act (CEQA) Appeal

Dear Ms. Calvillo,

I write to appeal a CEQA exemption determination made by the Planning Department regarding the Municipal Transportation Agency (MTA) Upper Market Street Safety Project (Project), elements of which were approved by the MTA Board on May 2, 2017. I have attached the agenda, staff report on the subject item (13), presentation, Planning Department exemption, adopted resolution, and minutes from the MTA Board meeting. The Planning Department, in File No. 2017-000817ENV, determined that the Project was categorically exempt from CEQA on February 3, 2017. I expressed my concern about this matter during public comment on the item at the MTA Board meeting, as did representatives of the Fire Department. Other members of the public expressed support for the Project.

My concerns about this exemption determination include the project description, whether the entire project needed to be re-submitted for environmental review based on changes to the project description and scope, piecemealing, and whether either (or both) of the exceptions (cumulative impacts or unusual circumstances) to an exemption apply here (particularly transportation and emergency access). I intend to more fully brief these issues on or before June 30, 2017, based on an anticipated hearing date of July 11, 2017.

As always, I am open to creative approaches to my underlying concerns and willing to withdraw this appeal if an acceptable solution can be reached. I have already contacted Sarah Jones of the MTA to initiate such discussions. Please notify Christopher Espiritu of the Planning Department, Sarah Jones and Charles Ream of the MTA, and Joanne Hayes-White of the Fire Department of this appeal. I also reserve the right to amend this appeal should any new information become available. Please contact me at (415) 977-5578 if you need any further information.

Sincerely,



David Pilpel

Attachments:

MTA Board May 2, 2017 Agenda

MTA Board May 2, 2017 Item 13 Staff Report

MTA Board May 2, 2017 Item 13 Presentation

DCP File No. 2017-000817ENV MTA Upper Market St Safety Project Exemption

MTA Board May 2, 2017 Item 13 Adopted Resolution 170502-059

MTA Board May 2, 2017 Minutes

cc: Lisa Gibson, Environmental Review Officer, Planning Department

Attachment C2

**Supplemental Appeal Letter dated June 30, 2017 from
David Pilpel**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

David Pilpel
2151 27th Ave
San Francisco CA 94116-1730

2017 JUN 30 AM 11:52

BY BJ

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Carlton B Goodlett Pl Ste 244
San Francisco CA 94102-4689

June 30, 2017

Re: File No. 170718, California Environmental Quality Act (CEQA) Appeal

Dear Ms. Calvillo,

I write to more fully brief the issues referenced in my June 1, 2017 appeal letter. As an initial matter, however, as the Appellant I join with the Respondent Planning Department and the Municipal Transportation Agency (MTA), the Project Sponsor / Real Party in Interest, to ask the Board not to hear the appeal on July 11, 2017 but instead to continue the hearing and related items on that date to September 5, 2017 to allow the parties more time for continued discussion about how to move forward and possibly resolve the appeal without the Board needing to hear it.

As I stated in my June 1, 2017 letter, my concerns about this exemption determination include the project description, whether the entire project needed to be re-submitted for environmental review based on changes to the project description and scope, piecemealing, and whether either (or both) of the exceptions (cumulative impacts or unusual circumstances) to an exemption apply here (particularly transportation and emergency access).

1. Regarding the project description, the MTA Board agenda described the item as "Approving various bicycle and parking and traffic modifications associated with the Upper Market Street Safety Project as follows" and listed 19 separate elements, 18 of which were approved by the MTA Board on May 2, 2017. The Staff Report, at pages 3 to 5, described 5 types of pedestrian safety improvements and 8 types of bicycle safety improvements. The Exemption Determination includes an October 6, 2016 memorandum from MTA to the Planning Department, which, at pages 2 to 5, describes the Project with at least 63 elements. It is difficult to nearly impossible to reconcile the various ways the Project is described to understand both its components and whether the Project elements approved by the MTA Board were included and within the scope of the project analyzed by the Planning Department and determined to be exempt from CEQA. A more clear, definite, and stable project description is needed here.

2. As to whether the entire project needed to be re-submitted for environmental review based on changes to the project description and scope, the October 6, 2016 memorandum discussed above presumably described the Project as it was conceived and designed at that time. The Planning Department made the categorical exemption determination on February 3, 2017, presumably based on the October 6, 2016 memorandum. Meanwhile, the Staff Report notes, at page 8, that Open House events were held on May 5 and 13, 2016 and April 1 and 5, 2017. The

Staff Report also notes that an Engineering Public Hearing was held on March 3, 2017. Next, the Staff Report notes that field visits were held with the Fire Department on August 19, 2016; February 3, 2017; and March 20, 2017. Finally, the Staff Report notes, at pages 9 and 10, that changes were made to the Project following each of the field visits. What is not clear is what version of the Project (presumably the October 6, 2016 version?) was reviewed by the Planning Department under CEQA. Especially given the various elements of project description discussed above, the final version of the Project should have been submitted or re-submitted to the Planning Department for environmental review, covering all of the design and scope changes made following the field visits, open houses, public hearing, and any other changes.

3. Regarding piecemealing, while MTA staff decided to pull the Sanchez and Octavia Street bikeway elements (item 13.A) from consideration at the May 2, 2017 MTA Board meeting and handle them separately at a later date, following concern that I expressed to MTA staff on May 1, 2017, the Staff Report includes those elements as part of the Project. While MTA staff may argue that these elements have "independent utility," I don't think that you can have it both ways; either they are elements integral to the Project, without independent utility, or they are severable, and thus with independent utility, not both. Which is it? Meanwhile, these elements were heard at an Engineering Public Hearing on June 2, 2017 and are likely headed for approval at a future MTA Board meeting. I strongly urge that they be re-combined with the other Project elements and re-evaluated for environmental review as discussed above. Disjointed review and approval of such elements results in piecemealing and ignores possible cumulative impacts.

4. As to whether either (or both) of the exceptions (cumulative impacts or unusual circumstances) to an exemption apply here (particularly transportation and emergency access), there is no discussion in either the Planning Department's Exemption Determination or the MTA's October 6, 2016 memorandum about the possibility of either exception applying, or other past, current, and reasonably foreseeable projects in the area that might contribute to cumulative impacts. For example, MTA had been preparing for the Twin Peaks Tunnel Improvement Project, to replace worn out tracks and make other improvements in that 99-year old tunnel, with construction staging near Castro and Market Streets. While that project has now been delayed, probably for about a year, its construction impacts should be considered here for cumulative impacts analysis purposes. Other projects, private and public, should also be considered. A summary statement that such projects were considered and determined not to create cumulative impacts should be included in an Exemption Determination if appropriate.

5. Regarding unusual circumstances, the idea that the Fire Department's expressed concern that parking protected bicycle lanes under Muni overhead wires substantially impairs emergency access, firefighting operations, and ultimately public safety was discounted or ignored here is troubling at best. While MTA apparently communicated extensively with the Fire Department and modified the Project several times to address some of the Fire Department's concerns, the Planning Department had an independent obligation to review the Project's environmental impacts, including emergency access and public safety, and to the extent that the Planning Department lacks subject matter expertise on Fire Department issues, the Planning Department should have consulted directly with the Fire Department on those issues, not just take the MTA's representations that design details would be "worked out" or something later. In fact, the October 6, 2016 memorandum from MTA to the Planning Department, at page 6,

simply asserts that "This project will not prohibit emergency access to any streets in the project area." Even if true, that statement is not nearly the end of the story and obfuscates the real objections by the Fire Department to certain design elements of the Project. An April 18, 2017 email from the Fire Department to MTA staff, attached hereto, succinctly states its conclusions.

6. Although I choose not to dwell on the discussion of Vehicles Miles Traveled (VMT) right now, the October 6, 2016 memorandum, at page 5, states that "The proposed Bicycling and Walking Safety Improvement Project and Reconfiguration of Traffic Lanes are considered Active Transportation and Other Minor Transportation Projects in accordance with the Planning Department's Eligibility Checklist: CEQA Section 21099 - Modernization of Transportation Analysis, and is therefore presumed to not significantly impact VMT and no further VMT analysis is required." I have not seen the referenced Section 21099 checklist and do not know at this time how it plays into the discussion and analysis of transportation impacts. In any event, the quoted statement was MTA's assertion, which the Planning Department responded to in summary on the Exemption Determination, at page 2, by stating that "The proposed project would not include the removal of any existing travel lanes and would include transportation right-sizing elements designed to improve safety for all modes." The Exemption Determination does not document or elaborate as to how that conclusion was reached.

7. In general, I believe that the quality and quantity of documentation for Environmental Impact Reports and Negative Declarations issued by the Planning Department is about right. I also believe that most exemption determinations for private projects have adequate writeups. Further, I believe that small public projects generally do not warrant extensive documentation to support an exemption determination. However, I think that more care and effort should be given to document certain exemption determinations for public projects that are controversial, involve a large area or corridor of more than a few blocks, or have more potential to result in significant environmental effects due to cumulative impacts or unusual circumstances. Such projects are likely still eligible and appropriate for exemptions from CEQA; I just think that slightly more text in an exemption determination certificate would better document the Planning Department review process, any interdepartmental consultation, and the justification for an exemption based on substantial evidence in the Planning Department's records. For example, attached hereto is the Exemption Determination Certificate, prepared by the Planning Department, for the MTA 13th Street Eastbound Bicycle Facility Project, Case No. 2017-001180ENV, which was before the Board of Supervisors on appeal recently. While I take no position on that appeal or its underlying project, I note the superior approach of a certificate with text compared to a checklist.

8. Although the Planning Department may assert that in order to reverse an exemption determination, the Appellant must provide substantial evidence or expert opinion to refute the conclusions of the Planning Department, San Francisco Administrative Code section 31.16 (e) (5) provides, in relevant part, that "The Board shall reverse the exemption determination if it finds that the project does not conform to the requirements set forth in CEQA for an exemption." I believe that means that the burden is on the Planning Department to justify or support the exemption, not on the Appellant to show otherwise.

9. Finally, I note that Charter sections 8A.102 (b) (7) (i) and (b) (8) (i) provide that "the Board of Supervisors may by ordinance establish procedures by which the public may seek

Board of Supervisors review of" certain MTA decisions, which the Board has not done, and which I strongly urge the Board to do. Many controversial decisions of the MTA Board cannot now be appealed to the Board of Supervisors on substantive grounds, leaving only CEQA appeals as a poor and often ill-suited option for any kind of review.

In conclusion, I believe that the Project here does not conform to the requirements set forth in CEQA for an exemption, and that the Board should therefore reverse the exemption determination and remand it to the Planning Department for further action. If the Board agrees, appropriate findings would incorporate points raised here and in discussion at the Board.

Please contact me at 415 977-5578 with any questions.

Sincerely,



David Pilpel

Attachments:

Fire Department April 18, 2017 email to MTA staff

DCP Case No. 2017-001180ENV MTA 13th St Eastbound Bicycle Facility Project Exemption

cc: Devyani Jain, Acting Deputy Environmental Review Officer, Planning Department

Attachment D

Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis



SAN FRANCISCO PLANNING DEPARTMENT

Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date of Preparation:

Case No.:

Project Title:

Zoning: xxx District Name
xxx Special Use District
xxx Height and Bulk District

Block/Lot:

Lot Size: xx square feet [xx acres]

Project Sponsor: [Name of company, agency, or organization]

Staff Contact: [EP staff name, phone]
[xxx.xxx@sfgov.org]

This checklist is in response to California Environmental Quality Act (CEQA) Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects and Planning Commission Resolution 19579. CEQA Section 21099 allows for a determination that aesthetic and parking effects of a project need not be considered significant environmental effects. Planning Commission Resolution 19579 replaces automobile delay with vehicle miles traveled analysis. This checklist provides screening criteria for determining when detailed VMT analysis is required for a project.

Aesthetics and Parking

In accordance with California Environmental Quality Act (CEQA) Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria (Attachment A sets forth the definitions of the terms below):

- a) The project is residential, mixed-use residential, or an employment center; and
- b) The project is on an infill site; and
- c) The project is in a transit priority area.

As demonstrated by Table 1 on page 3, the proposed project described below satisfies each of the above criteria and therefore qualifies as a transit-oriented infill project subject to CEQA Section 21099.

Automobile Delay and Vehicle Miles Traveled

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar

measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a [*Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*](#) recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects. (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.)

The Planning Department has identified screening criteria to identify types, characteristics, or locations of projects and a list of transportation project types that would not result in significant transportation impacts under the VMT metric. These screening criteria are consistent with CEQA Section 21099 and the screening criteria recommended by OPR. If a project would generate VMT, but meets the screening criteria in Table 2a or 2b or falls within the types of transportation projects listed in Table 3, then a detailed VMT analysis is not required for a project.

Project Description:

Table 1: Transit-Oriented Infill Project Eligibility Checklist The project must meet all three criteria below for <u>aesthetics and parking</u> to be excluded from CEQA review. See Attachment A for definitions and other terms.	
<input checked="" type="checkbox"/>	Criterion 1. Does the project meet the definition of a residential, mixed-use residential, or “employment center”¹ and
<input checked="" type="checkbox"/>	Criterion 2. Is the proposed project located on an “infill site” and
<input checked="" type="checkbox"/>	Criterion 3. Is the proposed project site located within a “transit priority area?” Map: See Attachment B.

¹ See **Attachment A** for definitions.

Table 2a: Vehicle Miles Traveled Analysis – Screening Criterion	
If a project meets the screening criterion listed below, then a detailed <u>VMT</u> analysis is not required. ² See Attachment A for definitions and other terms.	
<input checked="" type="checkbox"/>	Criterion 1. Is the proposed project site located within the “map-based screening” area?

Table 2b: Vehicle Miles Traveled Analysis – Additional Screening Criteria	
Identify whether a projects meets any of the additional screening criteria. See Attachment A for definitions and other terms.	
<input checked="" type="checkbox"/>	Criterion 1. Does the proposed project qualify as a “small project”? or
<input checked="" type="checkbox"/>	Criterion 2. Proximity to Transit Stations (must meet all four sub-criteria)
	Is the proposed project site located within a half mile of an existing major transit stop; and
	Would the proposed project have a floor area ratio of greater than or equal to 0.75, and
	Would the project result in an amount of parking that is less than or equal to that required or allowed by the Planning Code without a conditional use authorization, and
	Is the proposed project consistent with the Sustainable Communities Strategy? ³

² For projects that propose multiple land use types (e.g, residential, office, retail, etc.), each land use type must qualify under the three screening criterion in Table 2a.

³ A project is considered to be inconsistent with the Sustainable Communities Strategy if development is located outside of areas contemplated for development in the Sustainable Communities Strategy.

Table 3: Induce Automobile Travel Analysis	
If a project contains transportation elements and fits within the general types of projects described below, then a detailed VMT analysis is not required. See Attachment A for definitions and other terms.	
<input checked="" type="checkbox"/>	Project Type 1. Does the proposed project qualify as an “active transportation, rightsizing (aka Road Diet) and Transit Project”? or
<input checked="" type="checkbox"/>	Project Type 2. Does the proposed project qualify as an “other minor transportation project”?

ATTACHMENT A
DEFINITIONS

Active transportation, rightsizing (aka road diet) and transit project means any of the following:

- Reduction in number of through lanes
- Infrastructure projects, including safety and accessibility improvements, for people walking or bicycling
- Installation or reconfiguration of traffic calming devices
- Creation of new or expansion of existing transit service
- Creation of new or conversion of existing general purpose lanes (including vehicle ramps) to transit lanes
- Creation of new or addition of roadway capacity on local or collector streets, provided the project also substantially improves conditions for people walking, bicycling, and, if applicable, riding transit (e.g., by improving neighborhood connectivity or improving safety)

Employment center project means a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area. If the underlying zoning for the project site allows for commercial uses and the project meets the rest of the criteria in this definition, then the project may be considered an employment center.

Floor area ratio means the ratio of gross building area of the development, excluding structured parking areas, proposed for the project divided by the net lot area.

Gross building area means the sum of all finished areas of all floors of a building included within the outside faces of its exterior walls.

Infill opportunity zone means a specific area designated by a city or county, pursuant to subdivision (c) of Section 65088.4, that is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in Section 21064.3 of the Public Resources Code, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

Infill site means a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

Lot means all parcels utilized by the project.

Major transit stop is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Map-based screening means the proposed project site is located within a transportation analysis zone that exhibits low levels of VMT.

Net lot area means the area of a lot, excluding publicly dedicated land and private streets that meet local standards, and other public use areas as determined by the local land use authority.

Other land use projects mean a land use other than residential, retail, and office. OPR has not provided proposed screening criteria or thresholds of significance for other types of land uses, other than those that meet the definition of a small project.

- Tourist hotels, student housing, single room occupancy hotels, and group housing land uses should be treated as residential for screening and analysis.
- Childcare, K-12 schools, post-secondary institutional (non-student housing), Medical, and production, distribution, and repair (PDR) land uses should be treated as office for screening and analysis.
- Grocery stores, local-serving entertainment venues, religious institutions, parks, and athletic clubs land uses should be treated as retail for screening and analysis.
- Public services (e.g., police, fire stations, public utilities) and do not generally generate VMT. Instead, these land uses are often built in response to development from other land uses (e.g., office and residential). Therefore, these land uses can be presumed to have less-than-significant impacts on VMT. However, this presumption would not apply if the project is sited in a location that would require employees or visitors to travel substantial distances and the project is not located within ½ mile of a major transit stop or does not meet the small project screening criterion.
- Event centers and regional-serving entertainment venues would most likely require a detailed VMT analysis. Therefore, no screening criterion is applicable.

Other minor transportation project means any of the following:

- Rehabilitation, maintenance, replacement and repair projects designed to improve the condition of existing transportation assets (e.g., highways, roadways, bridges, culverts, tunnels, transit systems, and bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, or emergency breakdown lanes that are not used as through lanes
- Conversion of existing general purpose lanes (including vehicle ramps) to managed lanes (e.g., HOV, HOT, or trucks) or transit lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g. HOV, HOT, or trucks) from general vehicles
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features
- Traffic metering systems
- Timing of signals to optimize vehicle, bicycle or pedestrian flow on local or collector streets
- Installation of roundabouts
- Adoption of or increase in tolls
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Addition of transportation wayfinding signage
- Removal of off- or on-street parking spaces

- Adoption, removal, or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)

Small project means the project would not result in over 100 vehicle trips per day.

Transit priority area means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.

Vehicle miles traveled measures the amount and distance that a project might cause people to drive and accounts for the number of passengers per vehicle.

ATTACHMENT B
MAJOR TRANSIT STOPS