

#### CEQA STATUTORY EXEMPTION DETERMINATION Public Resources Code Section 21080.25

Date Issued: September 15, 2023 Record No.: 2023-008383ENV

**Hyde Street Quick-Build Project** Project:

Jennifer Molina, San Francisco Municipal Transportation Agency Project Sponsor:

Through: Victoria Chong, San Francisco Municipal Transportation Agency

Staff Contact: Jennifer McKellar, jennifer.mckellar@sfgov.org, (628) 652-7563

#### PROJECT DESCRIPTION

The SFMTA proposes to implement transit and pedestrian safety improvements on Hyde Street, between Geary Street and McAllister Street, as part of the Hyde Street Quick-Build Project (proposed project). The proposed project would include the following:

- Convert a general travel lane into a transit only lane along Hyde Street between McAllister Street and Eddy Street
- Convert three general travel lanes to two general travel lanes along Hyde Street between Eddy Street and Geary Street to slow vehicle traffic speeds and increase pedestrian safety
- Implement intersection safety improvements along the project corridor such as painted safety zones
- Make color curb changes to accommodate the transit and pedestrian safety improvements described above

Please see the attached Hyde Street Quick-Build Project memo and plans for a more detailed project description, which is also available under Planning Dept. Case No. 2023-008383ENV.

☐ Public Works ☑ SFMTA	Contracted through:  Public Works  SFMTA Public Agency:
☐ Public Agency.	☐ Public Agency.

#### SB922 ELIGIBILITY CHECKLIST

This project, as proposed, has been determined to be exempt under the California Environmental Quality Act (CEQA), specifically under a statutory exemption pursuant to Public Resources Code section 21080.25 as demonstrated below.

	Table 1: Project Type Checklist – Public Resources Code Section 21080.25(b) project must meet at least one project type to qualify for this Statutory Exemption. See Attachment 1 w for definitions of terms.
$\boxtimes$	(1) Pedestrian and bicycle facilities that improve safety, access, or mobility, including new facilities, within the public right-of-way.
	(2) Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians within the public right-of-way.
	(3) Transit prioritization projects.
$\boxtimes$	(4) A project for the designation and conversion of general purpose lanes to high-occupancy vehicle lanes or bus-only lanes, or highway shoulders to part-time transit lanes, for use either during peak congestion hours or all day on highways with existing public transit service or where a public transit agency will be implementing public transit service as identified in a short range transit plan.
	(5) A public project for the institution or increase of bus rapid transit, bus, or light rail service, including the construction or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission, near-zero-emission, low oxide of nitrogen engine, compressed natural gas fuel, fuel cell, or hybrid powertrain buses or light rail vehicles, on existing public rights-of-way or existing highway rights-of-way, whether or not the right-of-way is in use for public mass transit. The project shall be located on a site that is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.
	(6) A public project to construct or maintain infrastructure or facilities to charge, refuel, or maintain zero-emission public transit buses, trains, or ferries, provided the project is carried out by a public transit agency in compliance with the State Air Resources Board's Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations) or any regulations identified by the State Air Resources Board's 2020 Mobile Source Strategy, adopted on October 28, 2021, and the project is located on property owned by the local agency or within an existing public right-of-way or on property owned by a public or private utility.  *For projects including hydrogen refueling infrastructure or facilities necessary to refuel or maintain zero-emission public transit buses, trains, or ferries, see Table 3 for additional requirements.
	(7) The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in paragraphs (1) to (6), inclusive.
$\boxtimes$	(8) A project that consists exclusively of a combination of any of the components of a project identified in paragraphs (1) to (7), inclusive.
	(9) A planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.

(continued on the following page)



1 belo	Table 2: Other Project Eligibility Criteria – Public Resources Code Section 21080.25(c) roject must meet <u>all</u> the criteria listed below to qualify for this Statutory Exemption. See Attachment ow for definitions of terms. Note: Table 2 does not apply to a planning decision carried out by a local by to reduce or eliminate minimum parking requirements or institute parking maximums, remove or cat parking, or implement transportation demand management requirements or programs.									
$\boxtimes$	(1) A local agency is carrying out the project and is the lead agency for the project.									
×	(2) The project does not induce single-occupancy vehicle trips, add additional highway lanes, widen highways, or add physical infrastructure or striping to highways except for minor modifications needed for the efficient and safe movement of transit vehicles, bicycles, or high-occupancy vehicles, such as extended merging lanes, shoulder improvements, or improvements to the roadway within the existing right of way. The project shall not include the addition of any auxiliary lanes.									
$\boxtimes$	(3) The construction of the project shall not require the demolition of affordable housing units.									
	(4) The project would:									
$\boxtimes$	⊠ <u>not</u> exceed fifty million dollars (\$50,000,000) <b>OR</b>									
	$\Box$ exceed \$50,000,000 (but not exceed \$100,000,000)* and meet the noticed public meeting requirements in Table 3									
	project exceeds \$100,000,000, then Section 21080.25(d) imposes additional requirements. Please consult with anning Department staff.									
emiss	Table 3: Noticed Public Meetings Requirements – Public Resources Code Section 21080.25(d)(1)(D)(i), (iii), (iv) and Section 21080.25(d)(1)(E) acts including hydrogen refueling infrastructure or facilities necessary to refuel or maintain zero-ion public transit buses, trains, or ferries or projects exceeding \$50,000,000 must meet all the table criteria listed below to qualify for this statutory exemption.									
	The lead agency shall hold noticed public meetings as follows:									
	☐ Before determining that a project is exempt pursuant to this section, the lead agency shall hold at least three noticed public meetings in the project area to hear and respond to public comments. Public meetings occurred: [SFMTA fill in Dates]									
	☐ The lead agency shall conduct at least two noticed public meetings annually during project construction for the public to provide comments.									
	☐ The public meetings held pursuant to Section 21080.25(d)(1)(D)(i) to (iii), inclusive, shall be in the form of either a public community planning meeting held in the project area or in the form of a regularly scheduled meeting of the governing body of the lead agency.									
	The lead agency shall give public notice of the meetings (listed in the row above) to the last known name and address of all the organizations and individuals that have previously requested notice and shall also give the general public notice using <b>at least one</b> of the following procedures:									
	☐ Publication of the notice in a newspaper of general circulation in the area affected by the project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.									
	$\square$ Posting of the notice onsite and offsite in the area where the project is located.									
	$\square$ Posting of the notice on the lead agency's internet website and social media accounts.									
X	Not Applicable – Project type not applicable and cost of project is below \$50,000,000.									



statut plann institu	Table 4: Project Labor Requirements – Public Resources Code Section 21080.25(f) In addition to meeting the criteria in Table 2, the project must meet labor requirements to qualify for this statutory exemption. See Attachment 1 below for definitions of terms. Note: Table 4 does not apply to a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.							
	(1) Following the granting of an exemption under this section, the lead agency shall take an action at a public meeting of its governing board to certify that the project will be completed by a skilled and trained workforce. (Does not apply if the lead agency has an existing policy or certification approved by its governing board that requires the use of a skilled and trained workforce to complete the project if the lead agency is a signatory to a project labor agreement that will require the use of a skilled and trained workforce on the project.)							
	(2) (A) Except as provided in subparagraph (2) (B), for a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.							
	(2) (B) Subparagraph (2) (A) does not apply if any of the following requirements are met:							
П	$\Box$ (i) The lead agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project to use a skilled and trained workforce and the entity has agreed to be bound by that project labor agreement.							
	$\Box$ (ii) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the lead agency before January 1, 2021.							
	☐ (iii) The entity contracted to perform the project entered into a project labor agreement that will bind the entity and all its subcontractors at every tier performing the project to use a skilled and trained workforce.							
	A portion of the project would be constructed by SFMTA and/or Public Works Shops and this portion would not require the use of contractors for labor.							
$\boxtimes$	Not Applicable. The project would be entirely constructed by SFMTA Shops and would not require the use of contractors for labor.							

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San Francisco Planning Department

Project Approval Action:

SFMTA Board Approval

Signature/Date:

September 15, 2023

Jennifer McKellar

Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at <a href="https://sfplanninggis.org/pim/">https://sfplanninggis.org/pim/</a> and inputting the record number. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link.

Once signed and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the SF Administrative Code. Per Chapter 31, an appeal of an exemption determination to the Board of Supervisors shall be filed within 30 days after the Approval Action occurs at a noticed public hearing, or, if the approval is not made at a noticed public hearing, within 30 days after posting on the Planning Department's website a written decision or notice of the Approval Action.

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#### **ATTACHMENT 1: DEFINITIONS**

Definitions for terms 1 through 12 are the same as provided in the text of Public Resources Code section 21080.25(a).

- (1) "Affordable housing" means any of the following:
  - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents or sales prices to levels affordable, as defined in Section 50052.5 or 50053 of the Health and Safety Code, to persons and families of moderate, lower, or very low income, as defined in Section 50079.5, 50093, or 50105 of the Health and Safety Code, respectively.
  - (B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
  - (C) Housing that had been occupied by tenants within five years from the date of approval of the development agreement by a primary tenant who was low income and did not leave voluntarily.
- (2) "Bicycle facilities" includes, but is not limited to, bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code.
- (3) "High-occupancy vehicle" means a vehicle with three or more occupants.
- (4) "**Highway**" means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. "Highway" includes a street.
- (5) "**Local agency**" means a public transit operator, city, county, city and county, special district, joint powers authority, local or regional transportation agency, or congestion management agency.
- (6) "Part-time transit lanes" means designated highway shoulders that support the operation of transit vehicles during specified times and are not open to nonpublic transit vehicles at any time.
- (7) "Project labor agreement" has the same meaning as defined in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- (8) "Public transit operator" has the same meaning as in Section 99210 of the Public Utilities Code.
- (9) "**Skilled and trained workforce**" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- (10) "**Transit lanes**" means street design elements that delineate space within the roadbed as exclusive to transit use, either full or part time.
- (11) "**Transit prioritization projects**" means any of the following transit project types on highways or in the public right-of-way:
  - (A) Signal and sign changes, such as signal coordination, signal timing modifications.



signal modifications, or the installation of traffic signs or new signals.

- (B) The installation of wayside technology and onboard technology.
- (C) The installation of ramp meters.
- (D) The conversion to dedicated transit lanes, including transit queue jump or bypass lanes, shared turning lanes and turn restrictions, the narrowing of lanes to allow for dedicated transit lanes or transit reliability improvements, or the widening of existing transit travel lanes by removing or restricting street parking.
- (E) Transit stop access and safety improvements, including, but not limited to, the installation of transit bulbs and the installation of transit boarding islands.
- (12) "Transportation demand management program" means a specific program of strategies, incentives, and tools to be implemented, including, with specified annual status reporting obligations, to reduce vehicle trips by providing opportunities for the public to choose sustainable travel options, such as transit, bicycle riding, or walking. A specific program of strategies, incentives, and tools includes, but is not limited to, any of the following:
  - (A) Provision of onsite electric vehicle charging stations in excess of applicable requirements.
  - (B) Provision of dedicated parking for car share or zero-emission vehicles, or both types of vehicles, in excess of applicable requirements.
  - (C) Provision of bicycle parking in excess of applicable requirements.
- (13) Pedestrian Facilities as a term is not defined in Public Resources Code Section 21080.25. The Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) is a national standard approved by the Federal Highway Administrator in accordance with Title 23 of the U.S. Code. In the MUTCD, **Pedestrian Facilities** is "a general term denoting improvements and provisions made to accommodate or encourage walking." This definition will be used by San Francisco Planning Department to determine if a project or project component includes a pedestrian facility and meets the eligibility criteria of Public Resources Code Section 21080.25.

<sup>&</sup>lt;sup>1</sup> U.S. Department of Transportation, Federal Highway Administration. 2009. *Manual on Uniform Traffic Control Devises for Streets and Highways*. See page 17. Online at <a href="https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf">https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf</a>. Accessed December 21, 2020



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Date: September 15, 2023

To: Jennifer McKellar, San Francisco Planning Department

From: Jennifer Molina, San Francisco Municipal Transportation Agency
Thru: Victoria Chong, San Francisco Municipal Transportation Agency

RE: Hyde Street Quick-Build Project

Case Number: 2023-008383ENV

The San Francisco Municipal Transportation Agency (SFMTA) proposes to implement transit and pedestrian safety improvements on Hyde Street, between Geary Street and McAllister Street, as part of the Hyde Street Quick-Build Project (proposed project). The Hyde Street Quick-Build project proposes the following:

- Convert a general travel lane into a transit only lane along Hyde Street between McAllister Street and Eddy Street
- Convert three general travel lanes to two general travel lanes along Hyde Street between Eddy Street and Geary Street to slow vehicle traffic speeds and increase pedestrian safety
- Implement intersection safety improvements along the project corridor
- Make color curb changes to accommodate the transit and pedestrian safety improvements described above

The Hyde Street Quick-Build project, between Geary Street and McAllister Street, is part of the Vision Zero quick-build initiative to implement safety improvements on the High-Injury Network. The project is an SFMTA response to community requests that the city increase investment in transportation solutions and bring forward tangible safety improvements to the Tenderloin neighborhood.

#### **EXISTING CONDITIONS**

This six-block project area extends along Hyde Street between Geary Street and McAllister Street in the Tenderloin neighborhood. Hyde Street is a southbound one-way corridor that generally consists of 45 feet of roadway space and an extension of 12-foot-

wide sidewalks on both sides of the street (Figure 1). There are three southbound vehicle travel lanes on Hyde Street between Geary Street and McAllister Street (Figure 2). All intersections along the project corridor have advanced limit lines and continental crosswalks. Some of the cross streets are one-way streets and all intersections are signalized.

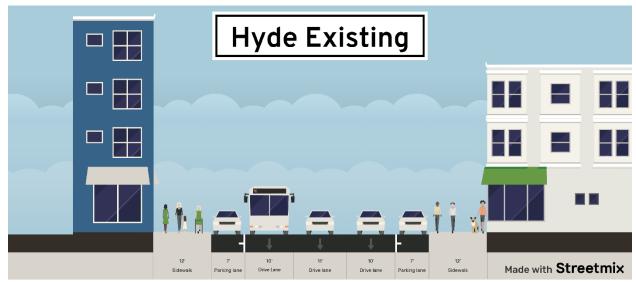


Figure 1: Existing Hyde Street Cross-Section (Typical between Geary and McAllister streets)

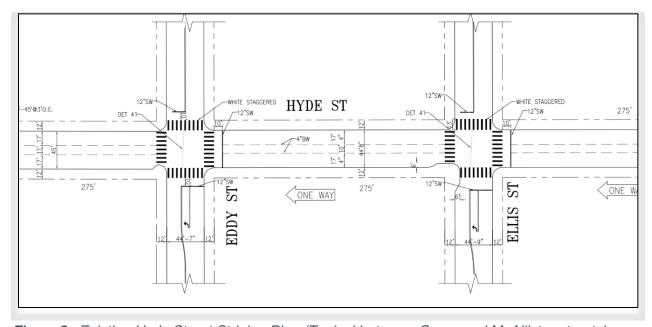


Figure 2: Existing Hyde Street Striping Plan (Typical between Geary and McAllister streets)

There is curbside metered parking, loading zones, and bus zones along the project area. There are 86 general metered parking spaces, 11 commercial loading spaces, two passenger loading zones, three ADA-accessible parking spaces (blue zone), three

short-term general metered parking stalls (green zone), one carshare space, and two bus zones in the project area.

The Muni 19 Polk bus routes travels inbound on Hyde Street between Eddy and Market streets within the project corridor (Figure 3). Other buses that travel along the project corridor include the 27 Bryant, 21 Hayes, three Golden Gate Transit regional bus routes (101, 130, and 150). Existing bus stop zones are located along Hyde Street at Turk Street and McAllister Street. As part of the University of California College of the Law, San Francisco (or UC Law SF) construction project on the 50-100 block of Hyde Street, the Muni stop was temporarily relocated. When construction concludes, expected in Fall 2023, the bus stop will return to its original location on the westside of Hyde Street in between McAllister Street and Golden Gate Avenue.

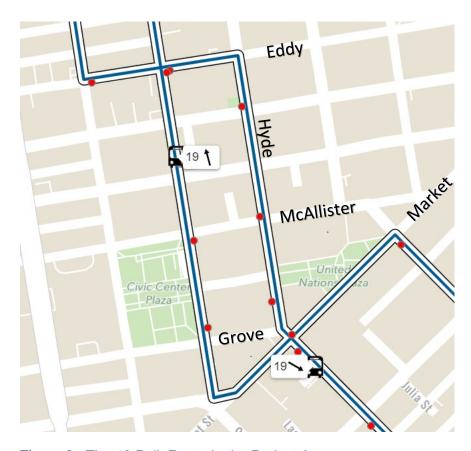


Figure 3: The 19 Polk Route in the Project Area

#### PROPOSED PROJECT

The proposed project would convert the street from three general travel lanes to two general travel lanes between Geary and Eddy streets, with small buffers between the travel lanes and parked cars (see Figure 4) to reduce vehicle speeds on the project corridor and increase safety for pedestrians. The two proposed travel lanes would be

wider than the three existing travel lanes (about one foot more for each lane). The proposed 3.5-foot buffers between the travel lanes and parking lanes would provide space for vehicles to pull over when an emergency vehicle needs to drive through.

Additionally, between Eddy and McAllister streets, a general travel lane would be converted to a transit only lane (TOL) that would improve transit reliability and efficiency (Figure 5). In addition to transit benefits, transit only lanes also offer traffic safety benefits such as reducing speeding and improving pedestrian safety.<sup>1</sup>

To further enhance safety for pedestrians, the proposed project would install painted safety zones<sup>2</sup> at select intersections along Hyde Street. The project would install new painted safety zones at Ellis and Eddy streets to increase pedestrian visibility and slow down turning vehicles to ensure they yield to pedestrians. All proposed painted safety zones would use the footprint of the existing red zones to install these improvements and would not necessitate parking or loading removal. Additionally, left turn safety interventions<sup>3</sup> would be installed at Ellis and Eddy streets to encourage drivers to take left turns more slowly and at a 90-degree angle (Figure 4).

To accommodate the improvements described above, the proposed design would include color curb changes to add additional commercial and passenger loading to provide more space for loading and deter double parking behavior. Eight general metered parking spaces would be converted into various loading zones including: six commercial loading zones, one blue zone (relocation from Hyde Street to Golden Gate Avenue), and one green zone.

Overall, an additional six general meter parking spaces would be removed along the project area to support a left turn pocket on Hyde Street between Geary and O'Farrell Streets, and transit operations on Hyde Street between Golden Gate Avenue and McAllister Street. One 40-foot yellow zone would be removed on the eastside between Eddy and Turk streets due to the business vacating the storefront, as well as community feedback the project team received during the outreach phase. One 44-foot white zone would be removed on the west side of Hyde Street between Turk Street and Golden Gate Avenue per the request of the business owner that it was no longer needed.

<sup>&</sup>lt;sup>1</sup> As part of the Geary Rapid Project 2022 Evaluation, findings suggest that egregious speeding (over 40 MPH) dropped on Geary, while bus travel times improved. The number of vehicles going over 40 mph was reduced by about 70-80%. (https://www.sfmta.com/sites/default/files/reports-and-documents/2022/12/geary\_rapid\_before\_after\_evaluation.pdf) page 26 to 27.

<sup>&</sup>lt;sup>2</sup> Painted safety zones are painted road areas that wrap around sidewalk corners to make pedestrian crossing intersections more visible to people driving.

<sup>&</sup>lt;sup>3</sup> Left turn safety treatments consist of installing vertical safe-hit posts and small rubber speed bumps to extend the center median to encourage slower turns and increase driver awareness of other road users.

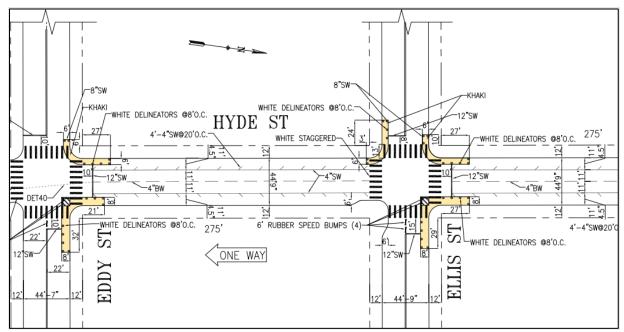


Figure 4: Proposed Hyde Street Striping Plan with two travel lanes and buffers between Geary Street and Eddy Street (Typical)

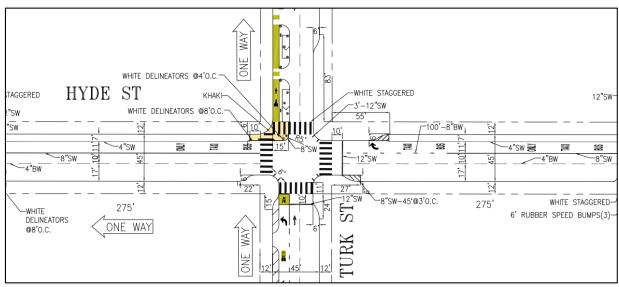


Figure 5: Proposed Hyde Street Striping Plan with transit only lane and two travel lanes between Eddy and McAllister Streets (Typical)

#### **NEARBY PROJECTS**

The Hyde Street Transit Lane Project (Planning Case No. 2023-007453ENV) is located directly south of the proposed project and consists of construction of a transit only lane on Hyde Street between McAllister and Market Streets. This previously approved project, and the currently proposed project have independent utility because neither

depend on each other to be constructed. The former project was developed in anticipation of increased traffic congestion expected during the 2023 Asia-Pacific Economic Cooperation (APEC) CEO Summit taking place in mid-November 2023, in order to safeguard transit riders from experiencing extended travel time. The latter (proposed project) was developed to improve safety and mobility along Hyde Street south of Geary Street.

#### **CONSTRUCTION**

Construction for this project would be led by SFMTA Field Shops. The Paint Shop would remove existing thermoplastic striping and paint new thermoplastic striping on the roadway. The Sign Shop and Meter Shop would provide construction support for parking changes.

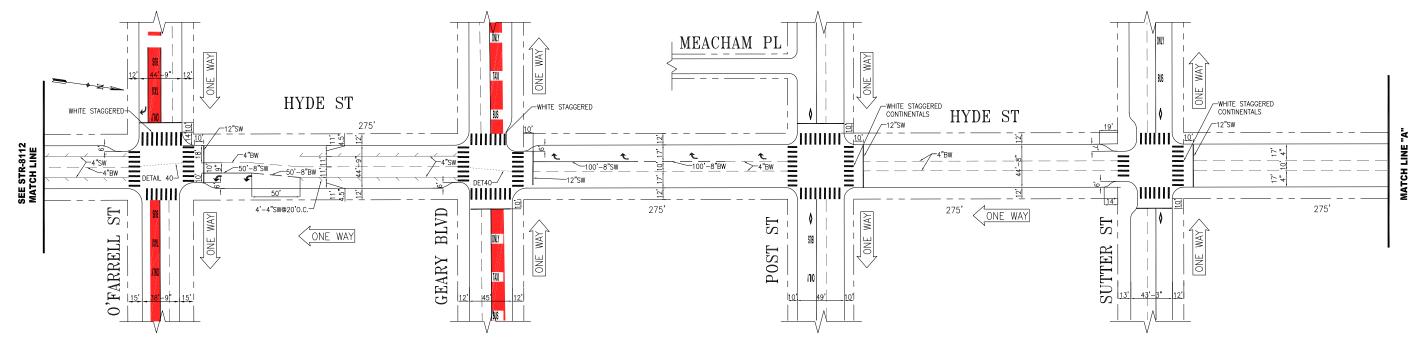
#### APPROVAL ACTION

The Approval Action as defined by San Francisco Administrative Code Chapter 31, Section 31.04(h)(2) is SFMTA Board Approval. The approval action starts the 30-day appeal period for the environmental review determination under Administrative Code Section 31.16.

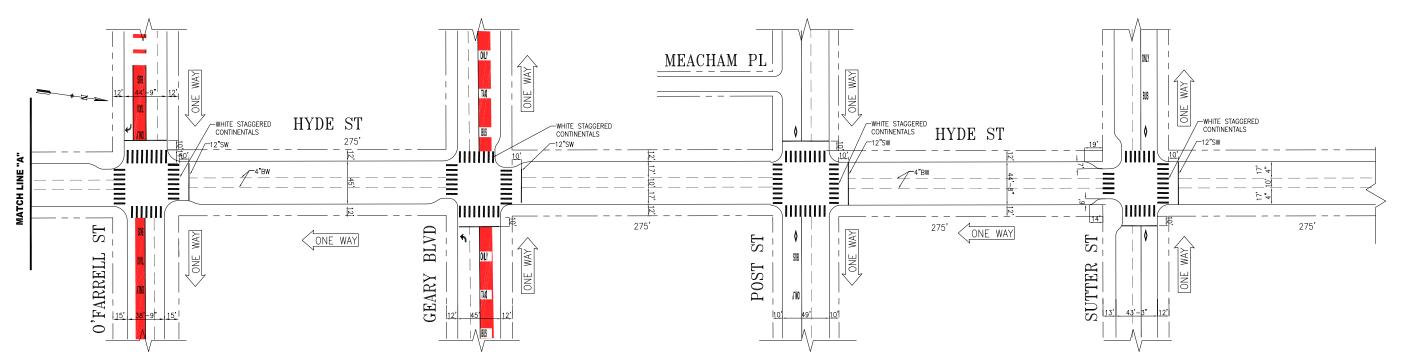
#### **ATTACHMENTS**

**Existing and Proposed Drawings** 

## PROPOSED CONDITIONS



### EXISTING CONDITIONS

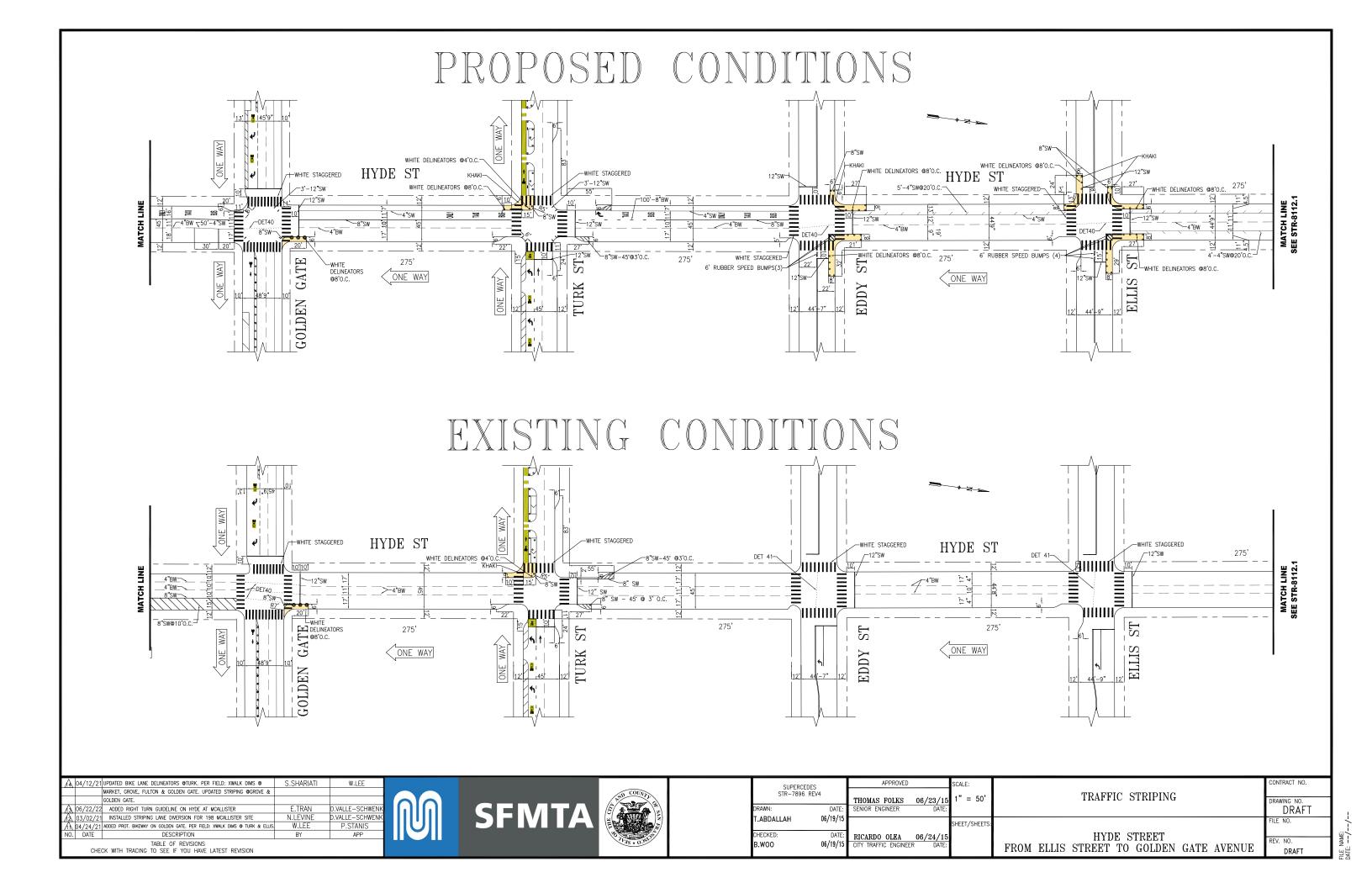


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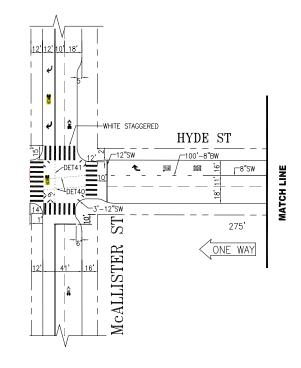
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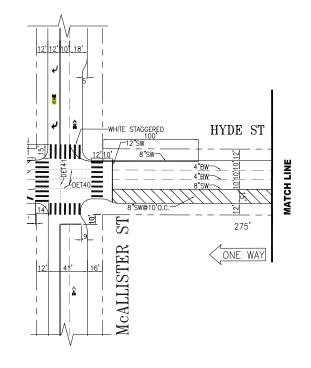
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# PROPOSED CONDITIONS



# EXISTING CONDITIONS



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