



Categorical Exemption Appeal Timeliness Determination

DATE: July 13, 2020
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Devyani Jain, Acting Environmental Review Officer
RE: Appeal Timeliness Determination – 1846 Grove Street
Categorical Exemption; Planning Department Case No. 2018-011441PRJ

On May 11, 2020, Brian Kingan (Appellant) filed an appeal with the Office of the Clerk of the Board of Supervisors of the Categorical Exemption for the proposed project at 1846 Grove Street (letter dated May 8, 2020). As explained below, the appeal is timely.

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must Be Day Clerk of Board’s Office Is Open for Remote Business)	Date of Appeal Filing	Timely?
Thursday, April 9, 2020	Saturday, May 9, 2020	Monday, May 11, 2020	Monday, May 11, 2020	Yes

Approval Action: On November 21, 2029, the Planning Department issued a Categorical Exemption for the proposed project. The Approval Action for the project was the Planning Commission’s issuance of a conditional use authorization, which occurred on April 9, 2020 (Date of the Approval Action).

Appeal Deadline: Sections 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal an exemption determination (including a CPE) to the Board of Supervisors during the time period beginning with the date of the exemption determination (including a CPE) and ending 30 days after the Date of the Approval Action. The 30th day after the Date of the Approval Action was Saturday, May 9, 2020. The next day when the Office of the Clerk of the Board of Supervisors was open for remote business was Monday, May 11, 2020 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Monday, May 11, 2020 prior to the end of the Appeal Deadline. Therefore, the appeal is timely.