



## Categorical Exemption Appeal Timeliness Determination

**DATE:** February 13, 2020  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Lisa Gibson, Environmental Review Officer – (415) 575-9032  
**RE:** Appeal Timeliness Determination –743 Vermont Street  
Categorical Exemption; Planning Department Case No. 2017-014666ENV

On February 7, 2020, Ryan Patterson of Zacks, Freedman & Patterson on behalf of Meg McKnight filed an appeal with the Office of the Clerk of the Board of Supervisors of the categorical exemption determination for 743 Vermont Street project. 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)	Date of Appeal Filing	Timely?
Thursday, January 9, 2020	Saturday, February 8, 2020	Monday, February 10, 2020	Friday, February 7, 2020	Yes

**Approval Action:** On September 5, 2019, the Planning Department issued a Categorical Exemption for the proposed project. The Approval Action for the project was the issuance of a building permit or the discretionary review hearing before the planning commission if discretionary review is requested. The Planning Commission held a discretionary review hearing and approved the project which occurred on January 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 to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action. The 30th day after the Date of the Approval Action was Saturday, February 8, 2020. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, February 10, 2020 (Appeal Deadline).

**Appeal Filing and Timeliness:** The Appellant filed the appeal of the exemption determination on Friday, February 7, 2020, prior to the appeal deadline. Therefore, the appeal is considered timely.