



CATEGORICAL EXEMPTION APPEAL TIMELINESS DETERMINATION

Date: August 4, 2023
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Lisa Gibson, Environmental Review Officer – (628) 652-7571
RE: 939 Lombard Street Categorical Exemption; Planning Department Case No. 2021-007262ENV

On July 28, 2023, Martin Lee Eng filed an appeal with the Office of the Clerk of the Board of Supervisors (the Clerk) of the Categorical Exemption for the proposed project at 939 Lombard Street. 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, June 29, 2023	Saturday, July 29, 2023	Monday, July 31, 2023	Friday, July 28, 2023	Yes

Approval Action: On April 19, 2023, the Planning Department issued a Categorical Exemption for the proposed project. The Approval Action for the project was the Planning Commission's decision to approve the project and not take discretionary review, which occurred on June 29, 2023 (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, July 29, 2023. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, July 31, 2023 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Friday, July 28, 2023, prior to the end of the Appeal Deadline. Therefore, the appeal is timely.