



# SAN FRANCISCO PLANNING DEPARTMENT

MEMO

**DATE:** February 12, 2015  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Sarah B. Jones, Environmental Review Officer  
**RE:** Appeal timeliness determination – 53 States Street, Planning Department Case No. 2014.0177E

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An appeal of the categorical exemption for the proposed project at 53 States Street (Planning Department Case No. 2014.0177E) was filed with the Office of the Clerk of the Board on February 9, 2015 by Hector Martinez, owner of 51 States Street.

**Timeline:** The Categorical Exemption was issued on May 28, 2014. The exemption identified the Approval Action for the project as the Discretionary Review Hearing by the Planning Commission, as provided for in Planning Code Section 311, which occurred on January 8, 2015 (Date of the Approval Action).

**Timeliness Determination:** Section 31.16(a) and (e) of the San Francisco Administrative Code states 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 appeal of the exemption determination was filed on February 9, 2015, which is the first business day within 30 days after the Date of the Approval Action and is within the time frame specified above. Therefore the appeal is considered timely.

Section 31.16(b)(4) of the San Francisco Administrative Code states that the Clerk of the Board shall schedule the appeal hearing no less than 21 days and no more than 45 days following expiration of the specified time period for filing of the appeal.