



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** April 21, 2016  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Sarah B. Jones, Environmental Review Officer  
**RE:** Appeal timeliness determination – Mitigated Negative Declaration for 1066 Market Street

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An appeal of the Mitigated Negative Declaration for the proposed project at 1066 Market Street (Planning Department Case No. 2013.1753E) was filed with the Office of the Clerk of the Board on April 18, 2016 by Sue Hestor on behalf of San Franciscans for Reasonable Growth.

**Timeline:** On January 13, 2016, the Planning Department published the Preliminary Mitigated Negative Declaration (PMND) for the 1066 Market Street project. On February 2, 2016, an appeal of the PMND was filed by Sue Hestor, on behalf of San Franciscans for Reasonable Growth. On March 17, 2016, the Planning Commission held a duly noticed and advertised public hearing on the appeal of the PMND. On March 17, 2016, the Planning Commission denied the appeal and affirmed the Planning Department's decision to issue a Mitigated Negative Declaration. On March 17, 2016, the Planning Commission approved the Downtown Project Authorization, which is considered the Approval Action for the proposed project.

**Timeliness Determination:** Section 31.16(a) and (d) of the San Francisco Administrative Code states that any person or entity that has filed an appeal of the PMND with the Planning Commission may appeal the adoption of the MND to the Board of Supervisors during the time period beginning with the Planning Commission approval of the MND and ending 30 days after the Date of the Approval Action.

The appellant filed an appeal of the PMND to the Planning Commission and therefore may file an appeal of the MND to the Board of Supervisors. The appeal was timely filed during the specified window of time, after the approval of the MND (March 17, 2016) and before 30 days beyond the Date of the Approval Action (April 18, 2016).

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.