



Categorical Exemption Appeal Timeliness Determination

DATE: September 2, 2020
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer
RE: CEQA Appeal Timeliness Determination – 2001 37th Avenue Categorical Exemption; Planning Department Case No. 2018-012648ENV

On August 24, 2020, Michael Graf of Michael W. Graf Law Offices, on behalf of Saint Ignatius Neighborhood Association (SINA), filed an appeal with the Office of the Clerk of the Board of Supervisors of the categorical exemption for the proposed project at 2001 37th Avenue. As explained below, the appeal is timely.

Date of Approval Action	30 Days after Approval Action/Appeal Deadline	Appeal Deadline (Must Be Day Clerk of Board’s Office Is Open)	Date of Appeal Filing	Timely?
Thursday, July 23, 2020	Saturday, August 22, 2020	Monday, August 24, 2020	Monday, August 24, 2020	Yes

Approval Action: On June 3, 2020, the planning department issued a categorical exemption for the proposed project. The approval action for the project was approval of the conditional use authorization by the planning commission. On July 23, 2020, the planning commission approved the conditional use authorization.

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, August 22, 2020. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, August 24, 2020 (appeal deadline).

Appeal Filing and Timeliness: The appellant filed the appeal of the exemption determination on Monday, August 24, 2020, prior to the end of the appeal deadline. Therefore, the appeal is timely.