



CATEGORICAL EXEMPTION APPEAL TIMELINESS DETERMINATION

Date: May 22, 2023
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Lisa Gibson, Environmental Review Officer – (628) 652-7571

RE: 1151 Washington Street Categorical Exemption; Planning Department Case No. 2022-010833ENV

On May 17, 2023, Richard Drury of Lozeau Drury, LLP, on behalf of Clayton Timbrell 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 1151 Washington Street. On May 22, 2023, Mr. Drury provided notice to the Clerk that the Upper Chinatown Neighborhood Association joined the appeal. (Collectively, both parties are the Appellant.) 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, April 20, 2023	Saturday, May 20, 2023	Monday, May 22, 2023	Wednesday, May 17, 2023	Yes

Approval Action: On April 7, 2023, the Planning Department issued a Categorical Exemption for the proposed project. The Approval Action for the project was approval of a Conditional Use Authorization by the Planning Commission, which occurred on April 20, 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, May 20, 2023. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, May 22, 2023 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Wednesday, May 17, 2023, prior to the end of the Appeal Deadline. Therefore, the appeal is timely.