

BOARD of SUPERVISORS



City Hall
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TDD/TTY No. 554-5227

February 21, 2019

Richard Drury
Lozeau Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607

**Subject: File No. 190198 - Appeal of CEQA Categorical Exemption
Determination - Proposed Outside Lands Festival Use Permit**

Dear Mr. Drury:

The Office of the Clerk of the Board was in receipt of a memorandum dated February 21, 2019, from the Planning Department regarding their determination on the timely filing of appeal of the Categorical Exemption Determination issued by the Planning Department under CEQA for the proposed Outside Lands Festival Use Permit.

The Planning Department has determined that the appeal was filed in a timely manner (copy attached).

Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, April 2, 2019, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

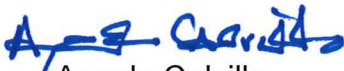
For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and two copies of the documentation for distribution.

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NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554 7712, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7702.

Very truly yours,



Angela Calvillo
Clerk of the Board

- c: Jon Givner, Deputy City Attorney
- Kate Stacy, Deputy City Attorney
- Kristen Jensen, Deputy City Attorney
- John Rahaim, Director of Planning, Planning Department
- Corey Teague, Zoning Administrator, Planning Department
- Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
- Lisa Gibson, Environmental Review Officer, Planning Department
- Devyani Jain, Deputy Environmental Review Officer, Planning Department
- Joy Navarette, Environmental Planning, Planning Department
- Laura Lynch, Environmental Planning, Planning Department
- AnMarie Rodgers, Director of Citywide Planning, Planning Department
- Dan Sider, Director of Executive Programs, Planning Department
- Aaron Starr, Manager of Legislative Affairs, Planning Department
- Dana Ketcham - Staff Contact, Recreation and Park Department
- Julie Rosenberg, Executive Director, Board of Appeals
- Gary Cantara, Legal Assistant, Board of Appeals
- Alec Longaway, Staff Contact, Board of Appeals



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: February 21, 2019

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer

RE: Appeal Timeliness Determination – Extension of Outside Lands Music Festival Permit Categorical Exemption
Planning Department Case No. 2019-000684PRJ

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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415.558.6378

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415.558.6377

An appeal of the categorical exemption for the proposed Recreation and Parks Department Extension of Outside Lands Music Festival Permit was filed with the Office of the Clerk of the Board of Supervisors on February 14, 2019 by Richard Drury of Lozeau Drury LLP, on behalf of Andrew Solow and Stephen Somerstein. As explained below, the appeal was timely filed.

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, January 17, 2019	Saturday, February 16, 2019	Tuesday, February 19, 2019	Wednesday, February 14, 2019	Yes

Approval Action: On January 17, 2019, the Planning Department issued a categorical exemption for the proposed Extension of Outside Lands Music Festival Permit. The categorical exemption identified the approval action for the Extension of the Outside Lands Music Festival Permit as the Recreation and Parks Commission approval. The Recreation and Parks Commission approved a use permit extension for the project at a duly noticed hearing on January 17, 2019 (Date of the Approval Action).

Appeal Deadline: 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 30th day after the Date of the Approval Action was Saturday, February 16, 2019. However, when an appeal deadline falls on a weekend day, it has been the longstanding practice of the Clerk of the Board to accept appeals until the close of business on the following workday. That date was Tuesday, February 19, 2019 (Appeal Deadline).

Appeal Filing and Timeliness: The appellant filed the appeal of the categorical exemption on February 14, 2019, prior to the Appeal Deadline. Therefore, the appeal is considered timely.