



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

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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.