



July 28, 2014

Chair Betty Packard and Members of the Ballot Simplification Committee
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102

Via email to: publications@sfgov.org

Re: **Ballot Measure – Pier 70**

Dear Chair Packard and Members of the Committee:

On behalf of No Wall on the Waterfront, the citywide coalition that led the fight for Proposition B on the June 2014 ballot, I write with a comment and suggested edit to the Draft Digest for the “Pier 70” measure that will be before the BSC for consideration on July 30th.

UNDER THE PROPOSITION B DISCLOSURE REQUIREMENTS, THE EXISTING PIER 70 WATERFRONT HEIGHT LIMITS SHOULD BE SPECIFIED IN THE “PROPOSAL” AND “ A’YES’ VOTE MEANS” SECTIONS OF THE PIER 70 MEASURE DIGEST

Proposition B, the Waterfront Height Limit Right to Vote Act, was approved by 58.8 percent of San Francisco voters on June 3, 2014. The ordinance is now incorporated into city code as Section 61.5.1 of the San Francisco Administrative Code, which is attached for your reference.

In addition to requiring voter approval of any proposed increases to the existing waterfront height limits, Prop. B contained specific language which now requires that: “Any ballot measure placed before the electors to approve increased height limits for development on the waterfront must specify both the existing and proposed height limits in the ballot question. The failure to specify both the existing and proposed height limits in the ballot question shall render such an increase in height limits void.” see *SF Administrative Code, Section 61.5.1 (b)*.

The Draft Digest for the Pier 70 measure contains language in “The Proposal” section and the “A ‘Yes’ Vote Means” Sections that state what the proposed new height limit would be, but fail to state what the existing height limit at the Pier 70 site is (40 feet). Since the language of the Ballot Simplification Committee Digest is heavily relied upon by the Department of Elections to formulate the ballot question for ballot measures, it would be sensible for the Pier 70 Measure Digest to comport with the language of Prop. B and specify both the existing and proposed height limits in the “Proposal” section and the “A ‘Yes’ Vote Means” Section. This would also help to provide voters with necessary context when making their voting decision.

Suggested Pier 70 digest edits:

“The Proposal:

Proposition _ is an ordinance that would increase the height limit for buildings on the Pier 70 development site *from 40 feet* to 90 feet.”

“A ‘YES’ Vote Means: If you vote “yes,” you want to increase the height limit for buildings on the Pier 70 development site *from 40 feet* to 90 feet.”

Making these changes will better inform voters as to the effect of the measure and ensure that it complies with the waterfront height limit disclosure requirements of Proposition B.

Thank you for your time and consideration.

Sincerely,



Jon Golinger
No Wall on the Waterfront

SAN FRANCISCO ADMINISTRATIVE CODE
CHAPTER 61: WATERFRONT LAND USE

SEC. 61.5.1. WATERFRONT HEIGHT LIMIT RIGHT TO VOTE
REQUIREMENT.

(a) No city agency or officer may take, or permit to be taken, any action to permit development located in whole or in part on the waterfront to exceed at any point the building and structure height limits in effect as of January 1, 2014, which are set forth in San Francisco Planning Code Article 2.5, unless a height limit increase for the development has been approved by a vote of the electors of the City and County of San Francisco.

(b) Any ballot measure placed before the electors to approve increased height limits for development on the waterfront must specify both the existing and proposed height limits in the ballot question. The failure to specify both the existing and proposed height limits in the ballot question shall render such an increase in height limits void.

(c) For the purposes of this Section, the term "waterfront" means land transferred to the City and County of San Francisco pursuant to Chapter 1333 of the Statutes of 1968, as well as any other property which is owned by or under the control of the Port Commission of San Francisco as of January 1, 2014 or acquired thereafter.

(Added by Proposition B, 6/3/2014)