

July 27, 2015

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 – “Mission Rock” Waterfront Height Limit Increase**

Dear Members of the Committee:

I write to request an edit to the Draft Digest for the “Mission Rock” ballot measure that will be before the Ballot Simplification Committee for consideration on July 27, 2015.

The Proposition B Waterfront Height Limit Act requires that both the existing waterfront height limits and the proposed new waterfront height limits must be specified in the ballot question, which the Ballot Simplification Committee did with the Digest for last November’s Proposition F measure regarding Pier 70

Proposition B, the Waterfront Height Limit Right to Vote Act, was approved by San Francisco voters on June 3, 2014. The ordinance, which is the reason the “Mission Rock” measure is on the ballot, has been incorporated as Section 61.5.1 of the San Francisco Administrative Code.

In addition to requiring voter approval of any proposed increases to the existing waterfront height limits, Prop. B contained specific language which 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.” SF Admin. Code, Sec. 61.5.1 (b).*

The proposed increase to waterfront height limits is the only reason that the “Mission Rock” measure is being put to the voters for their consideration. Therefore, it would make sense to state the existing and proposed new waterfront height limits first in “The Proposal” and “Yes” sections of the Digest. The Ballot Simplification Committee’s did exactly that with last November’s Proposition F regarding increases to waterfront height limits as Pier 70.

To comply with Proposition B disclosure requirements and to minimize voter confusion, I respectfully suggest that the Committee revise the “Mission Rock” Digest to be consistent with its Digest for the Pier 70 ballot measure as follows:

Suggested "Mission Rock" Digest edits (proposed new language in italics):

The Way It Is Now:

In June 2014, San Francisco voters adopted Proposition B, preventing the City from allowing any development on Port property to exceed the height limits in effect as of January 1, 2014 unless the City's voters approved the height limit increase. *Any ballot question to increase height limits on Port property must specify both existing and proposed height limits.*

The Proposal:

Proposition _ is an ordinance that would increase the waterfront height limit for buildings on the Seawall Lot 337 development site from no more than one-story up to 240 feet for 11 office buildings and residential towers.

A 'YES' Vote Means: If you vote "yes," you want to increase *the waterfront height limit for buildings on the Seawall Lot 337 development site from no more than one-story up to 240 feet for 11 office buildings and residential towers.*

Making these changes will better inform voters as to the effect of the measure, ensure that it complies with the disclosure requirements of Proposition B, and be consistent with the Ballot Simplification Committee's Digest for last November's Proposition F regarding Pier 70.

Thank you very much for your time and consideration.

Sincerely,



Jon Golinger

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)