



SAN FRANCISCO PLANNING DEPARTMENT

August 2, 2013

Ballot Simplification Committee
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Members, Ballot Simplification Committee:

Thank you for the opportunity to address you at your hearing earlier this week regarding the 8 Washington Referendum and the 8 Washington Parks, Public Access and Housing Initiative. I understand that an appeal of the Initiative digest prepared by your committee has been submitted regarding the processing of plans by the Planning Department, known as the administrative clearance process. I hope that I can be of assistance to your committee by providing clarity about process in San Francisco for approving and processing building permits, and I also hope to help explain how the Initiative fits into the typical process, including appeals, for projects like 8 Washington.

During a normal review process, once the Planning Commission approves a project like 8 Washington, building permit applications can be filed with the Department of Building Inspection. Building permit applications are then "routed" to the Planning Department so that we may review and confirm that building permit applications are consistent with the project approved by the Planning Commission. As I indicated earlier this week, the Zoning Administrator is the person responsible for this review for consistency to ensure compliance with the approved building design and conditions of approval.

The Initiative includes a preliminary step before the building permit process can proceed that the Planning Director must complete. Per the initiative language, the Planning Director would determine if complete project plans have been submitted to the Planning Department and whether those project plans comply with the project described in the Initiative. After determining that the application is complete, the Director would then approve or reject the project plans within 30 days. Once the Director determines if project plans are consistent with the project approved by the voters, the project plans can proceed for permits per the normal permit process. Only at this point may the typical building permit application process begin, as described above. Except for this preliminary step by the Planning Director that is in lieu of a similar step normally taken by the Zoning Administrator, the process of reviewing building permit applications listed in the Initiative is the same as the typical process that would apply to the 8 Washington project that was approved by the Board of Supervisors and other similar projects. That is, the plans would be reviewed by staff for building design, building materials,

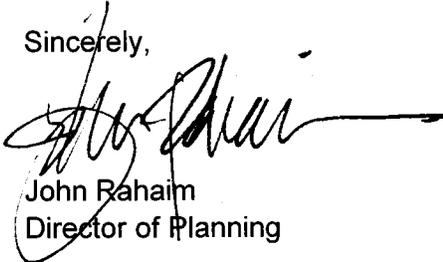
landscaping, etc, and the staff must approve the site permit and the architectural addendum.

So in sum, under the Initiative, the Planning Director must ensure that the building permit applications can only be granted for the same project that was approved by voters in the Initiative.

I would also like to address the concept of appealing the building permits. First, I understand that any decision by voters is not subject to appeal at a Board or Commission. Further, the 8 Washington project that was approved by the Board of Supervisors is a Conditional Use Authorization, and San Francisco Charter Section 4.106 provides that once a Conditional Use Authorization is approved by the Board of Supervisors, it cannot be appealed to the Board of Appeals because the Board of Supervisors already approved the project. Similarly, if voters approve the Initiative, it would not be subject to appeal because the voters would have already approved it.

I hope this letter helps to clarify the existing procedures of the City in reviewing projects. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "John Rahaim", with a long horizontal flourish extending to the right.

John Rahaim
Director of Planning

c: Elaine Warren, Deputy City Attorney