

Alfred Martinez



San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103-2479

Dear Sirs:

I am supportive of the need for Discretionary Review Reform and have firsthand knowledge on the subject since I am a design professional and have been involved in several reviews before the SF Planning Department.

The current discretionary reform proposal as discussed at the November 5, 08 meeting is not in the best interest of society, taxpayers, or the San Francisco Planning Department (Dept). The best proposal to reduce and properly adjudicate discretionary review applications is to increase discretionary review fees to accurately reflect actual costs which should be borne by the applicant. Pairing costs to expenses is neither unfair nor burdensome and routinely employed in private industry and government. This policy also provides the added benefit of allowing the adjudicating discretionary review officer more time to fairly access each and every application prior to ruling and better serves the City.

The Dept's proposal to add a level of bureaucracy to an already overwhelmed process is misdirected. The cost to taxpayers is unfair since as pointed out almost all discretionary reviews are routinely denied. Passing this cost onto the applicant who is seeking discretion, which by its very nature is defined as "tactful, modest, restrained, and unobtrusive" is both fair and just. How can the Dept's proposal of adding another layer of bureaucracy at a cost to every San Francisco taxpayer reconcile with it unobtrusive? This rationale stands the meaning of discretionary review on its head, is pandering and bad governance. Those requesting the additional governmental service, discretionary review, should have the privilege of exercising it, but they, not every taxpayer in the City, should pay their fair share for the service!

Discretionary review is not a right. Enough is enough and asking applicants to pay for reconsideration services which they are requesting should be encouraged, but at a fair and reasonable cost. For example, fees under these circumstances could be waived or adjusted under a sliding scale for individuals with disabilities or applicants over the age of 72.

Alfred Martinez