

File No. 230945

Committee Item No. \_\_\_\_\_

Board Item No. 27

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: September 12, 2023

### Cmte Board

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- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

### OTHER

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Prepared by: Jocelyn Wong

Date: September 7, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Planning  
2 Code - Eliminating Public Art Requirement for 100% Affordable Housing Projects (File No.  
3 230706)]

4 **Resolution retroactively extending by 90 days the prescribed time within which the**  
5 **Planning Commission may render its decision on an Ordinance (File No. 230706)**  
6 **amending the Planning Code to eliminate the public art requirement for 100%**  
7 **affordable housing projects and provide for the relocation or removal of existing**  
8 **artwork at such projects subject to certain conditions, and affirming the Planning**  
9 **Department’s California Environmental Quality Act determination; and making Planning**  
10 **Code, Section 302, findings, and making findings of consistency with the General Plan,**  
11 **and the eight priority policies of Planning Code, Section 101.1.**

12 WHEREAS, On June 6, 2023, Supervisor Matt Dorsey introduced legislation amending  
13 the Planning Code to eliminate the public art requirement for 100% affordable housing  
14 projects and provide for the relocation or removal of existing artwork at such projects subject  
15 to certain conditions, and affirming the Planning Department’s California Environmental  
16 Quality Act determination; and making Planning Code, Section 302, findings, and making  
17 findings of consistency with the General Plan, and the eight priority policies of Planning Code,  
18 Section 101.1; and

19 WHEREAS, On or about June 13, 2023, the Clerk of the Board of Supervisors referred  
20 the proposed Ordinance to the Planning Commission; and

21 WHEREAS, The Planning Commission shall, in accordance with Planning Code,  
22 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date  
23 of referral of the proposed amendment or modification by the Board to the Commission; and  
24

1           WHEREAS, Failure of the Commission to act within 90 days shall be deemed to  
2 constitute disapproval; and

3           WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by  
4 Resolution, extend the prescribed time within which the Planning Commission is to render its  
5 decision on proposed amendments to the Planning Code that the Board of Supervisors  
6 initiates; and

7           WHEREAS, Supervisor Dorsey has requested additional time for the Planning  
8 Commission to review the proposed Ordinance; and

9           WHEREAS, The Board deems it appropriate in this instance to grant to the Planning  
10 Commission additional time to review the proposed Ordinance and render its decision; now,  
11 therefore, be it

12           RESOLVED, That by this Resolution, the Board hereby extends the prescribed time  
13 within which the Planning Commission may render its decision on the proposed Ordinance for  
14 approximately 90 additional days, until December 10, 2023.

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## Introduction Form

*(by a Member of the Board of Supervisors or the Mayor)*



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor  inquires..."
- 5. City Attorney Request
- 6. Call File No.  from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission       Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

*(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)*

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: