

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
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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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