

File No. 231088

Committee Item No. _____

Board Item No. 30

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: October 24, 2023

Cmte Board

- Motion
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- Youth Commission Report
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- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

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Prepared by: Lisa Lew

Date: October 20, 2023

Prepared by: _____

Date: _____

1 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Family
2 Housing Opportunity Special Use District (File No. 230808)]

3 **Resolution retroactively extending by 90 days the prescribed time within which the**
4 **Planning Commission may render its decision on an Ordinance (File No. 230808)**
5 **amending 1) the Planning Code to create the Family Housing Opportunity Special Use**
6 **District; 2) the Planning Code to authorize the greater of up to four units or one unit per**
7 **1,000 square feet of lot area on individual lots in the RH (Residential, House) District,**
8 **up to six dwelling units on individual Corner Lots in the RH District, the greater of up to**
9 **12 units or one unit per 1,000 square feet of lot area on three merged lots and the**
10 **greater of up to eight units or one unit per 1,000 square feet of lot area on two merged**
11 **lots in RH-1 (Residential, House: One Family) districts, up to 18 units on Corner Lots**
12 **resulting from three lot mergers in RH-1 districts, up to 12 units on Corner Lots**
13 **resulting from two lot mergers in RH-1 districts, and Group Housing in RH-1 districts**
14 **for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible**
15 **projects in the Special Use District from certain height, open space, dwelling unit**
16 **exposure, and rear-yard requirements, conditional use authorizations, and**
17 **neighborhood notification requirements; 4) the Subdivision Code to authorize eligible**
18 **projects in the Special Use District to qualify for condominium conversion or a**
19 **condominium map that includes the existing dwelling units and the new dwelling units**
20 **that constitute the project; 5) the Administrative Code to require new dwelling or group**
21 **housing units constructed pursuant to the density limit exception to be subject to the**
22 **rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family**
23 **Housing Opportunity Special Use District; and affirming the Planning Department's**
24 **determination under the California Environmental Quality Act, and making findings of**
25 **consistency with the General Plan, and the eight priority policies of Planning Code,**

1 **Section 101.1, and findings of public necessity, convenience, and welfare under**
2 **Planning Code, Section 302.**

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WHEREAS, On July 10, 2023, Supervisor Engardio introduced legislation amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, up to six dwelling units on individual Corner Lots in the RH District, the greater of up to 12 units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, up to 18 units on Corner Lots resulting from three lot mergers in RH-1 districts, up to 12 units on Corner Lots resulting from two lot mergers in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of

1 Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare
2 under Planning Code, Section 302.; and

3 WHEREAS, On or about July 12, 2023, the Clerk of the Board of Supervisors referred
4 the proposed ordinance to the Planning Commission; and

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

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

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

14 WHEREAS, Supervisor Engardio has requested additional time for the Planning
15 Commission to review the proposed Ordinance; and

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

19 RESOLVED, That by this Resolution, the Board hereby retroactively extends the
20 prescribed time within which the Planning Commission may render its decision on the
21 proposed Ordinance for approximately 90 additional days, until January 8, 2024.

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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: