



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment HEARING DATE: FEBRUARY 28, 2019 90-DAY DEADLINE: APRIL 15, 2019

Project Name: **Homeless Shelters in PDR and SALI Districts**
Case Number: **2019-000931PCA** [Board File No. 190047]
Initiated by: Mayor Breed / Introduced January 15, 2019
Staff Contact: Kate Conner, Special Projects and Policy
kate.conner@sfgov.org, 415-575-6914
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Approval**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PLANNING CODE AMENDMENT

The proposed Ordinance would permit Homeless Shelters in PDR (Production Distribution and Repair) and SALI (Service/Arts/Light Industrial) Districts during a declared shelter crisis. Homeless Shelters constructed during this period may be permanent.

The proposed Ordinance also amends the Administrative Code to authorize the Departments of Homelessness and Supportive Housing ("HSH") and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness and authorizes HSH to operate Navigation Centers for more than two years.

The Way It Is Now:

Currently, a Homeless Shelter is permitted with a Conditional Use Authorization in PDR and SALI Districts. In addition, Homeless Shelter uses are limited in operation in the follow regard:

- May operate no more than four years.
- Must be owned or leased by, operated by, and/or under the management or day-to-day control of the City and County of San Francisco.
- If located within an existing building or structure, the building or structure must either be (a) preexisting, having been previously completed and occupied by a use other than a Homeless Shelter or (b) temporary.
- Construction of a permanent structure or building to be used as a Homeless Shelter is not permitted.

The Way It Would Be:

As proposed, **during a declared shelter crisis**, Homeless Shelters that satisfy the provisions of California Government Code Section 8698.4(a)(1) shall be P, Principally Permitted and may be permanent.

In times where **there is not a declared shelter crisis**, a Homeless Shelter is permitted with a Conditional Use Authorization in PDR and SALI Districts. In addition, Homeless Shelter uses are limited in operation in the follow regard:

- May operate no more than four years.
- Must be owned or leased by, operated by, and/or under the management or day-to-day control of the City and County of San Francisco.
- If located within an existing building or structure, the building or structure must either be (a) preexisting, having been previously completed and occupied by a use other than a Homeless Shelter or (b) temporary.
- Construction of a permanent structure or building to be used as a Homeless Shelter is not permitted, **unless it was a Homeless Shelter that was constructed during a declared shelter crisis.**

BACKGROUND

In 2016, the Board of Supervisors declared the existence of a shelter crisis in San Francisco through the enactment of Ordinance 57-16, pursuant to California Government Code Section 8698.4. At this time San Francisco reported 6,686 homeless individuals and this number has since grown. According to the January 2017 Point in Time Homeless Count administered by HSH, there were 7,499 individuals experiencing homelessness. Of those, 58% were unsheltered, 21% were under the age of 25 years, and 32% were over the age of 51 years with attendant deteriorating physical and mental health.

In response, the Board of Supervisors enacted Ordinance No. 117-16, requiring the City to operate six Navigation Centers for a period no longer than two years, which the Board can extend. Two of the six Navigation Centers have received an extension to operate beyond the two year limit. The Navigation Centers currently operating include: Civic Center Hotel, Central Waterfront, Division Circle, Bryant Street, and Hummingbird at SF General. Navigation Centers located at 1515 South Van Ness and 1950 Mission Streets have closed.

ISSUES AND CONSIDERATIONS

Homeless Shelter Provisions in San Francisco

Shelters within San Francisco are permitted as of right in most zoning districts. A Conditional Use Authorization is required for shelters in the RH-2, RH-3, RED-MX, PDR, and SALI Districts. Within the SALI and PDR Districts, shelters authorized through the Conditional Use Authorization process may operate for a period of four years. This requirement does not preclude a project sponsor from applying for another Conditional Use Authorization to operate a shelter for another four years. This Ordinance is seeking to allow shelters constructed during a declared shelter crisis to be permanent. It also removes the Conditional Use Authorization requirement in the SALI and PDR Districts during a declared shelter crisis.

Changes to the Administrative Code

The proposed Ordinance also amends the Administrative Code to authorize HSH and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness. There is a significant cost savings for Public Works and a 3-6-month time savings by removing this requirement. In early 2018, the Board of Supervisors enacted Ordinance No. 29-18 to waive competitive bidding requirements for contracts and leases relating to several identified Shelter Crisis Sites, as well as the City's existing Navigation Centers and homeless shelters. This Ordinance allowed HSH to expedite the award of contracts and grants for construction and services relating to the opening of three Navigation Centers with 340 beds and a permanent supportive housing site with 51 units. This Ordinance is set to expire on March 1, 2019. It is in the public interest to extend this authority for the duration of a shelter crisis.

Sunset Provision

The proposed changes to the PDR and SALI Districts in the Planning Code are in effect during a declared shelter crisis and do not sunset; however, these changes are not anticipated to permanently alter the industrial nature of the SALI and PDR zoning districts. The proposed changes to the Administrative and Public Works Code have a sunset provision of five years or on the effective date of an ordinance making the findings that there are fewer than 5,250 homeless persons in San Francisco.

Related Legislation

California Government Code Section 8698.4 enables local jurisdictions to declare a shelter crisis. Further, with the passing of AB-932, cities that have declared a shelter crisis including Berkeley, Emeryville, Los Angeles, Oakland, San Diego, and San Francisco may adopt procedures for design site development, and operation of homeless shelters in lieu of complying with local building approvals. A related Ordinance, File 190045, activates AB-932, and is currently moving through the legislative process. File 190045 seeks to remove the requirement for discretionary building permits for homeless shelters and proposes an alternative approval process for homeless shelters subject to portions of Appendix N of the California Building Code. Appendix N provides consistent and available standards by which local agencies may develop emergency housing and provides a set of building standards for compliance. These standards have been proposed and approved by the state. DBI, Fire, Public Works, and Planning will enter into an MOU that outlines the procedure for written confirmation that the project complies with all applicable zoning, health and safety standards and Planning staff will continue to evaluate each site for compliance with the California Environmental Quality Act. This Section of the California Government Code is set to expire on January 1, 2021.

General Plan Compliance

Objective 6 of the General Plan is to reduce homelessness and the risk of homelessness. Although shelters do not provide permanently affordable housing, shelters are a successful strategy to combat homelessness. Further, Policy 6.4 calls for improved coordination among emergency assistance efforts, existing shelter programs, and health care outreach services. By permitting shelters in the PDR and SALI Districts, removing competitive bidding requirements, and allowing shelters constructed during a shelter crisis to remain permanently, this Ordinance is streamlining shelter construction and removing bureaucratic barriers for continued operation.

Implementation

The Department has determined that this Ordinance will impact our current implementation procedures; however, the proposed changes can be implemented without increasing permit costs or review time.

RECOMMENDATION

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

The Department finds that the proposed ordinance enables expedited shelter construction during a declared shelter crisis. The legislation will also ensure that PDR and SALI retain their industrial character by not changing the underlying zoning and proposing temporary provisions during a declared shelter crisis. Removing competitive bidding requirements is a significant time and cost savings for both Departments of HSH and Public Works. Finally allowing HSH to operate Navigation Centers longer than two years removes the requirement for a Board of Supervisors time extension. Two Navigation Centers have received such extensions based upon their operational success and the lack of adverse impacts on the surrounding neighborhood. These amendments ensure that there will not be any disruption in services provided to our most vulnerable population. Allowing expedited shelter construction is vital to combating homelessness.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Letters of Support/Opposition or other supporting documentation, etc.
- Exhibit C: Board of Supervisors File No. 190047



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution

HEARING DATE FEBRUARY 28, 2019

Project Name: Homeless Shelters in PDR and SALI Districts
Case Number: 2019-000931PCA [Board File No. 190047]
Initiated by: Mayor Breed / Introduced January 15, 2019
Staff Contact: Kate Conner, Legislative Affairs
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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE ADMINISTRATIVE CODE AND PLANNING CODE TO AUTHORIZE THE DEPARTMENTS OF HOMELESSNESS AND SUPPORTIVE HOUSING ("HSH") AND PUBLIC WORKS TO ENTER INTO AND AMEND CONTRACTS WITHOUT REQUIRING COMPETITIVE BIDDING FOR CONSTRUCTION WORK AND PROFESSIONAL AND OTHER SERVICES RELATING TO SITES AND PROGRAMS FOR PEOPLE EXPERIENCING HOMELESSNESS; PERMITTING HOMELESS SHELTERS IN PDR AND SALI DISTRICTS; AUTHORIZING HSH TO OPERATE NAVIGATION CENTERS FOR MORE THAN TWO YEARS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on January 15, 2019 Mayor Breed introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 190047, which would amend Sections 210.3 and 846 of the Planning Code to permit Homeless Shelters in PDR and SALI Districts as of right during a declared shelter crisis and would amend the Administrative Code to authorize the Departments of Homelessness and Supportive Housing ("HSH") and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness and authorizes HSH to operate Navigation Centers for more than two years;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on February 28, 2019; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of

Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves** the proposed ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. Ordinance enables expedited shelter construction during a declared shelter crisis which is vital to combatting homelessness. These amendments ensure that there will not be any disruption in services provided to our most vulnerable population.
2. Ordinance ensures that PDR and SALI retain their industrial character by not changing the underlying zoning and proposing temporary provisions during a declared shelter crisis.
3. Ordinance removing competitive bidding requirements is a significant time and cost savings for both Departments of HSH and Public Works.
4. Ordinance allowing HSH to operate Navigation Centers longer than two years removes the requirement for a Board of Supervisors time extension. Two Navigation Centers have received such extensions based upon their operational success and the lack of adverse impacts on the surrounding neighborhood.
5. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 6

REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS.

Policy 6.1

Prioritize permanent housing and service enriched solutions while pursuing both short- and long-term strategies to eliminate homelessness.

Policy 6.2

Prioritize the highest incidences of homelessness, as well as those most in need, including families and immigrants.

Policy 6.3

Aggressively pursue other strategies to prevent homelessness and the risk of homelessness by addressing its contributory factors.

Policy 6.4

Improve coordination among emergency assistance efforts, existing shelter programs, and health care outreach services.

Although shelters do not provide permanently affordable housing, shelters are a successful strategy to combat homelessness. Further, Policy 6.4 calls for improved coordination among emergency assistance efforts, existing shelter programs, and health care outreach services. By permitting shelters in the PDR and SALI Districts, removing competitive bidding requirements, and allowing shelters constructed during a shelter crisis to remain permanently, this Ordinance is streamlining shelter construction and removing bureaucratic barriers for continued operation.

6. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing. Conversely, the Ordinance will be providing temporary shelter for our most vulnerable population.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future

opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired. The proposed Ordinance permits shelters as a permitted use in the SLAI and PDR Districts during a declared shelter crisis and is not anticipated to permanently alter the industrial character of these districts.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

7. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 28, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

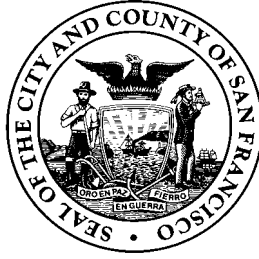
ABSENT:

**Resolution XXXXXX
February 28, 2019**

**CASE NO.2019-000931PCA
Homeless Shelters in PDR and SALI Districts**

ADOPTED: February 28, 2019.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 19, 2019

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On February 12, 2019, Mayor Breed introduced the following substitute legislation:

File No. 190047

Ordinance amending the Administrative Code and Planning Code to authorize the Departments of Homelessness and Supportive Housing (HSH) and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness; permitting Homeless Shelters in PDR (Production Distribution Repair) and SALI (Service/Arts/Light Industrial) districts; authorizing HSH to operate Navigation Centers for more than two years; 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 Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), and or public hearing and recommendation. The ordinance is pending before the Rules Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Clerk
Rules Committee

Attachment

c: John Rahaim, Director
Dan Sider, Director of Executive Programs
Aaron Starr, Manager of Legislative Affairs

AnMarie Rodgers, Director of Citywide Planning
Scott Sanchez, Acting Deputy Zoning Administrator
Corey Teague, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

[Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters]

Ordinance amending the Administrative Code and Planning Code to authorize the Departments of Homelessness and Supportive Housing (HSH) and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness; permitting Homeless Shelters in PDR (Production Distribution Repair) and SALI (Service/Arts/Light Industrial) districts; authorizing HSH to operate Navigation Centers for more than two years; 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 Planning Code, Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough italics Times New Roman font*.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) California Government Code Sections 8698 through 8698.2 authorize the governing body of a political subdivision, including the Board of Supervisors, to declare the existence of a shelter crisis upon a finding by the governing body that a significant number of persons within the jurisdiction are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons. In 2016, through the

1 enactment of Ordinance No. 57-16, the Board of Supervisors declared the existence of a
2 shelter crisis in San Francisco, based on findings that in January 2015, there were 6,686
3 individuals in San Francisco who were homeless. Since that time, the shelter crisis has
4 grown. According to the January 2017 Point in Time Homeless Count administered by the
5 Department of Homelessness and Supportive Housing (HSH), there were approximately
6 7,499 people experiencing homelessness in San Francisco on a single night. Of those
7 persons, 58% were unsheltered, 21% were under the age of 25 years, and 32% were over the
8 age of 51 years with attendant deteriorating physical and mental health.

9 (b) On October 2, 2018, Mayor London Breed declared her intent that the City add
10 1,000 new shelter beds for people experiencing homelessness, with half of the new beds
11 becoming available by the summer of 2019, and the remainder becoming available by 2020.
12 The beds will become available as a result of establishing new Navigation Centers, expanding
13 existing Navigation Centers, and opening a new type of shelter called a SAFE Center, a name
14 that stands for Shelter Access for Everyone.

15 (c) In early 2018, the Board of Supervisors enacted Ordinance No. 29-18, which
16 waived competitive bidding requirements for contracts and leases relating to a number of
17 identified Shelter Crisis Sites, as well as the City's existing Navigation Centers and homeless
18 shelters. That ordinance allowed HSH to expedite the award of contracts and grants for
19 construction and services relating to homeless individuals, and to open three Navigation
20 Centers with 340 beds and a permanent supportive housing site with 51 units. However, the
21 expedited contracting and leasing authority that was granted by Ordinance No. 29-18 will
22 expire on March 1, 2019. It is in the public interest to extend this authority so long as the City
23 is experiencing a shelter crisis.

24 (d) In 2016, the Board of Supervisors enacted Ordinance No. 117-16, requiring the
25 City to open and operate six Navigation Centers to address street homelessness and connect

1 homeless people to health and mental health services, housing, and other benefits. The City
2 has complied with that mandate, and plans to expand upon this successful model of shelter
3 and service delivery. Ordinance No. 117-16 provided that once a Navigation Center opened,
4 it could operate for no more than two years without approval of extension of the time limit by
5 resolution of the Board of Supervisors. In light of the success of Navigation Centers, the
6 capital investments that are required to open a center, and the fact that Navigation Centers
7 have not been found to have had adverse impacts on the neighborhoods in which they have
8 been located, the Board of Supervisors has, in Resolution No. 180522, approved the
9 extension of two Navigation Centers beyond the two-year limit. For the same reasons, it is in
10 the public interest to permit Navigation Centers generally to operate longer than two years
11 without re-authorization.

12 (e) For all HSH-funded projects that involve new construction, a change in use, or an
13 expansion of an existing use at a specific location, HSH complies with the requirements of
14 Administrative Code Chapter 79 (Citizens' Right-to-Know Act of 1998) and Chapter 79A by
15 providing community notice that it is considering approval of such a project, and by
16 establishing a process by which members of the public may obtain additional information
17 about the project, and submit comments. Before opening a new facility, HSH staff collaborate
18 with the member of the Board of Supervisors who represents the district in which the facility
19 will be located, to conduct a thorough community outreach process that includes, at a
20 minimum, written notice to neighbors located within 300 feet of the facility, information about
21 how neighbors may provide input into the proposed programming at the facility, and the
22 hosting of a community meeting. After opening a facility, HSH takes steps to ensure that its
23 immediate surroundings are kept clean and secure.

24 (f) The Planning Department has determined that the actions contemplated in this
25 ordinance comply with the California Environmental Quality Act (California Public Resources

Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms this determination.

(g) The Planning Department has determined that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of this determination is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

Section 2. The Administrative Code is hereby amended by adding Chapter 21B, consisting of Sections 21B.1, 21B.2, 21B.3, and 21B.4, to read as follows:

**CHAPTER 21B: COMMODITIES AND SERVICES RELATING TO PROJECTS
ADDRESSING HOMELESSNESS.**

SECTION 21B.1. PURPOSE AND GOALS.

In recognition of the fact that a significant number of persons within San Francisco lack the ability to obtain shelter, resulting in a threat to the health and safety of those persons, and that such threat constitutes a shelter crisis, the intent of this Chapter 21B is to expedite the procurement of professional and other services relating to Projects Addressing Homelessness. For purposes of this Chapter 21B, "Projects Addressing Homelessness" means projects designed to prevent homelessness through the provision of housing subsidies or other services, and projects designed to provide shelter, housing, food, and/or social services to people experiencing homelessness.

SECTION 21B.2. WAIVER OF COMPETITIVE BIDDING REQUIREMENTS.

1 Notwithstanding Section 21.1 of the Administrative Code or any other provision of the
2 Municipal Code, the Department of Public Works and the Department of Homelessness and Supportive
3 Housing may enter into and/or amend contracts, including grants, for professional and other services
4 or commodities relating to Projects Addressing Homelessness without adhering to the requirements of
5 Section 21.1 or any other competitive procurement requirements. The power to amend such contracts
6 and grants extends to contracts and grants entered into prior to the effective date of the ordinance in
7 Board File No. _____ enacting this Chapter 21B.

8
9 **SECTION 21B.3. REPORTING.**

10 Within one year of the effective date of this Chapter 21B, and every year thereafter, the
11 Department of Homelessness and Supportive Housing and the Department of Public Works shall
12 submit to the Board of Supervisors a report that includes the following information for each contract or
13 grant that the department executed during the prior year without adhering to the requirements of
14 Section 21.1, pursuant to the authority in this Section 21B.3: the name of the contractor or grantee; the
15 services to be provided under the contract or grant; the amount of funds conveyed; the duration of the
16 contract or grant; and any measurable outcomes of the contract or grant.

17
18 **SECTION 21B.4. SUNSET PROVISION.**

19 This Chapter 21B shall expire by operation of law five years from its effective date, or on the
20 effective date of an ordinance making the finding that according to the most recent Point in Time
21 Homeless Count, there are fewer than 5,250 homeless persons in San Francisco, whichever date is
22 earlier. Upon expiration of this Chapter 21B, the City Attorney shall cause this Chapter to be removed
23 from the Administrative Code.

1 Section 3. Article IV of Chapter 6 of the Administrative Code is hereby amended by
2 adding Section 6.76, to read as follows.

3
4 **SECTION 6.76. PUBLIC WORKS ADDRESSING HOMELESSNESS.**

5 (a) The Department of Public Works is authorized to enter into and/or amend any contract for
6 any Public Work or Improvement, as defined in Administrative Code Section 6.1, including any
7 professional services for a Public Work or Improvement, without the competitive bid, quote, or
8 proposal requirements in Sections 6.20, 6.21, 6.40, and Article IV of Chapter 6 of the Administrative
9 Code; provided, however, that the Public Work or Improvement is for the construction, repair, or
10 improvement of one or more sites that will be used for the primary purpose of providing housing,
11 shelter, or services to people experiencing homelessness. The power to amend such contracts extends
12 to contracts entered into prior to the effective date of the ordinance in Board File No. _____ enacting
13 this Chapter 21B.

14 (b) This Section 6.76 shall expire by operation of law five years from its effective date, or on
15 the effective date of an ordinance making the finding that according to the most recent Point in Time
16 Homeless Count, there are fewer than 5,250 homeless persons in San Francisco, whichever date is
17 earlier. Upon expiration of this Section 6.76, the City Attorney shall cause this Section to be removed
18 from the Administrative Code.

19
20 Section 4. Chapter 106 of the Administrative Code is hereby amended by revising
21 Sections 106.1 and 106.3, to read as follows:

22
23 **SEC. 106.1. NAVIGATION CENTERS REQUIRED.**

24 As specified further in this Chapter 106, the City ~~may open and operate~~~~shall open and~~
25 ~~operate no fewer than six~~ Navigation Centers to address street homelessness and connect

homeless people to health and mental health services, housing, benefits, and other services. For purposes of this Chapter, "Navigation Center" means a temporary, low-barrier-to-entry shelter that, through case management and social service programs, aids in moving homeless people off the streets and into permanent housing or transitional or stable supportive housing that eventually leads to permanent housing.

SEC. 106.3. PROGRAM IMPLEMENTATION.

* * * *

~~(b) Navigation Centers shall be temporary facilities, and once opened shall operate on a specific site for no fewer than six months and no more than two years without approval of adjustment or extension of the time limit by resolution of the Board of Supervisors.~~

(b) The City may enter into grant agreements with nonprofit organizations to provide services relating to Navigation Centers.

* * * *

Section 5. Article 2 of the Planning Code is hereby amended by modifying Section 210.3 as follows:

SEC. 210.3. PDR DISTRICTS.

* * * *

(19) During a declared shelter crisis, Homeless Shelters that satisfy the provisions of California Government Code Section 8698.4(a)(1) shall be P, principally permitted and may be permanent. Otherwise, In this District, Homeless Shelter uses are permitted only with Conditional Use authorization and only if each such use (a) would operate for no more than four years, and (b) would be owned or leased by, operated by, and/or under the management

or day-to-day control of the City and County of San Francisco. If such a use is to be located within a building or structure, the building or structure must be either (a) preexisting, having been completed and previously occupied by a use other than a Homeless Shelter, or (b) temporary. Other than qualifying Homeless Shelters constructed during a declared shelter crisis, In this District, construction of a permanent structure or building to be used as a Homeless Shelter is not permitted.

Section 6. Article 8 of the Planning Code is hereby amended by modifying Section 846 as follows:

SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

* * * *

SPECIFIC PROVISIONS FOR SALI DISTRICTS		
Article Code Section	Other Code Section	Zoning Controls
§ 846.23b § 890.88(d)	§ 102	<u>During a declared shelter crisis, Homeless Shelters that satisfy the provisions of California Government Code Section 8698.4(a)(1) shall be P, principally permitted and may be permanent.</u>
		<u>Otherwise In this District,</u> Homeless Shelter uses are permitted only with Conditional Use authorization and only if each such use (a) would operate for no more than four years, and (b) would be owned or leased by, operated by, and/or under the management or day-to-day control of the City and County of San Francisco. If such a use is to be located within a building or structure, the building or structure must be either (a) preexisting, having been completed and previously occupied by a use other than a Homeless Shelter, or (b) temporary. <u>Other than qualifying Homeless Shelters constructed during a declared shelter crisis, In this District,</u> construction of a permanent structure or building to be used as a Homeless Shelter is not permitted.
* * * *	* * * *	* * * *

1
2 Section 7. Effective Date; Retroactive Operation; Ratification of Prior Acts.

3 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
4 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
5 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
6 Mayor's veto of the ordinance.

7 (b) Sections 2 and 3 of this ordinance (Chapter 21B and Section 6.76 of the
8 Administrative Code, respectively) shall be retroactive to March 1, 2019.

9 (c) The Board of Supervisors hereby ratifies and confirms all actions taken by City
10 officials or City agencies in accordance with the provisions of Chapter 21B and Section 6.76
11 of the Administrative Code, respectively, from March 1, 2019, to the effective date of this
12 ordinance.

13
14 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

20
21 Section 9. Undertaking for the General Welfare. In enacting and implementing this
22 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
23 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it

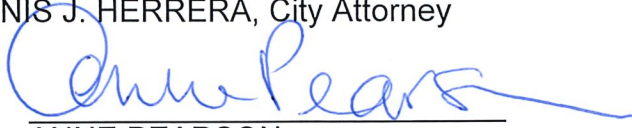
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1 is liable in money damages to any person who claims that such breach proximately caused
2 injury.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:



7 ANNE PEARSON
8 Deputy City Attorney

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