

1 [Planning Code - Supportive Housing for Homeless Veterans]

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3 **Ordinance amending the Planning Code to allow an existing Tourist Hotel to rent**
4 **rooms to homeless veterans for a period of time without abandoning the Tourist Hotel**
5 **use classification; and making environmental findings, and findings of consistency**
6 **with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strike-through italics Times New Roman*~~.
9 Board amendment additions are double-underlined;
10 Board amendment deletions are ~~strike through normal~~.

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

12 Section 1. Findings.

13 (a) The Planning Department has determined that the actions contemplated in this
14 ordinance comply with the California Environmental Quality Act (California Public Resources
15 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
16 Supervisors in File No. _____ and is incorporated herein by reference.

17 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
18 amendments will serve the public necessity, convenience, and welfare for the reasons set
19 forth in Planning Commission Resolution No. ____ and the Board hereby incorporates such
20 reasons herein by reference. A copy of Planning Commission Resolution No. _____ is on file
21 with the Clerk of the Board of Supervisors in File No. _____.

22 (c) This Board finds that these Planning Code amendments are consistent with the
23 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
24 forth in Planning Commission Resolution No. _____, and the Board hereby incorporates
25 those reasons herein by reference.

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Section 2. The San Francisco Planning Code is hereby amended by amending Section 205, to read as follows:

SEC. 205. TEMPORARY USES, GENERAL.

(a) The temporary uses listed in Sections 205.1 through ~~205.5~~ 205.4, where not otherwise permitted in the district, may be authorized as provided herein, up to the time limits indicated. Further time for such uses may be authorized only by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205.1 through ~~205.5~~ 205.4.

(b) Action upon such uses may be authorized by the Zoning Administrator without a public hearing.

(c) Wherever a use exists at the effective date of this Code or of an amendment thereto under which such use is classified as a temporary use, or wherever a use is being conducted under a temporary use authorization given prior to such a date, such use may be continued for the maximum term specified therefore, calculated from said effective date or date of authorization. No such use shall continue thereafter unless a temporary use authorization shall have been sought and obtained under a new application. Continuance of a temporary use beyond the date of expiration of the period authorized therefore, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

(d) The time periods referenced in Sections 205.1 through 205.3 are consecutive hours or consecutive calendar days; they are not the total number of hours or days that the use is in operation. Therefore, a 24-hour authorization that begins at 6:00 a.m. expires at 6:00 a.m. the following day, even if the use was in operation only eight hours of that period. Similarly, a 60-day authorization expires after 60 calendar days even though the use may only have been

1 open for business three days per week during that period. Hours or days of unused
2 authorization cannot be stored or credited.

3 Section 3. The San Francisco Planning Code is hereby amended by adding Section
4 205.5, to read as follows:

5 **SEC. 205.5. TEMPORARY USES: SUPPORTIVE HOUSING FOR HOMELESS VETERANS.**

6 **(a) Findings.**

7 (1) The Federal Government has a supportive housing program for homeless veterans
8 known as the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program. The HUD-VASH
9 program combines rental assistance in the form of a voucher together with case management and
10 clinical services provided by the Department of Veterans Affairs (VA). After determining which areas of
11 the country have the highest number of homeless veterans, the VA Central Office identifies VA facilities
12 in the corresponding communities and allocates the available rental vouchers throughout the country.
13 Since 2008, a total of 48,385 rental vouchers under the HUD-VASH program have been awarded
14 nationwide. San Francisco has been awarded a number of HUD-VASH rental vouchers in the past.

15 (2) While it is a federal priority to find housing for veterans and San Francisco would
16 like to be awarded more HUD-VASH rental vouchers in the future, it is difficult to find supportive
17 housing for veterans because of San Francisco's tight rental market. Therefore, San Francisco desires
18 to encourage and facilitate the use of rooms in existing Tourist Hotels for the HUD-VASH program.

19 (3) Pursuant to Section 178 of this Code, once a permitted conditional use has been
20 changed to a principal use permitted in the district in which the property is located, the conditional use
21 has been discontinued for a period of three years, or the conditional use is otherwise abandoned, the
22 property may not thereafter be returned to its former permitted conditional use status except upon
23 approval of a new conditional use application. Pursuant to Section 183, once a nonconforming use has
24 been changed to a conforming use, is discontinued for a period of three years, or is otherwise
25 considered abandoned, the nonconforming use may not be reestablished. This Section 205.5 authorizes

1 the use of an existing Tourist Hotel for supportive housing under the HUD-VASH program without the
2 potential loss of the Tourist Hotel use designation or conditional use authorization.

3 (b) **Temporary Supportive Housing Use.** Pursuant to the provisions of Section 205 of this Code
4 and notwithstanding the provisions of Section 178, Section 183, or any other provision of this Code,
5 some or all of the rooms in a Tourist Hotel, as defined in Section 790.46, may be occupied by veterans
6 participating in the HUD-VASH program without the Tourist Hotel use being considered to have been
7 changed, discontinued, or abandoned. The Zoning Administrator is authorized to approve this use for
8 an initial period of up to ten years and to extend the initial period for subsequent 10-year periods for
9 the purpose of the Tourist Hotel's participation in the HUD-VASH program or a similar supportive
10 housing program for homeless veterans.

11 Section 3. Effective Date. This ordinance shall become effective 30 days from the
12 date of passage.

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14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: _____
17 JUDITH A. BOYAJIAN
18 Deputy City Attorney

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