



MEMO

TO: Elli Rassbach, Department of Homelessness and Supportive Housing

FROM: Don Lewis, Senior Environmental Planner

DATE: October 23, 2024

PROJECT: 1015 Geary Street – Proposed Temporary Shelter

SUBJECT: Planning Department / Environmental Review Officer Concurrence
California Environmental Quality Act (CEQA) Exemption per AB 101

This memorandum is in response to a memorandum from the Department of Homelessness and Supportive Housing dated October 22, 2024, requesting Planning Department confirmation that no environmental review is required for the proposed temporary shelter at 1015 Geary Street. The memo will confirm that the proposed temporary shelter is not subject to the California Environmental Quality Act (CEQA) pursuant to California law set forth in Assembly Bill 101, California Government Code Sections 65660 – 65668 (AB 101).

AB 101 provides that a low barrier navigation center that meets certain criteria and is located in a mixed-use zoning district or a non-residential zone that permits multifamily uses is a use by right and is not subject to CEQA (Government Code Section 65660(b)). A “use by right” is defined in Government Code Section 65583.2(i) to mean that the local government’s review of the use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of CEQA.

The zoning designation for this site is Lower Polk Street Neighborhood Commercial District (NCD). This zoning district provides for residential uses on all floors and diversified commercial uses with special emphasis on neighborhood-serving businesses. A homeless shelter that is owned, operated, or leased by the City and County of San Francisco is a principally permitted use in the Lower Polk Street NCD pursuant to Planning Code Section 744.

The memorandum dated October 22, 2024 from the Department of Homelessness and Supportive Housing explains how the proposed temporary, low-barrier homeless shelter complies with the criteria set forth in AB 101. It meets the definition of a low barrier navigation center set forth in Government Code Section 65660(a) and meets the criteria set forth in Government Code Section 65662. Accordingly, the temporary homeless shelter at 1015 Geary Street is not subject to CEQA.