

1 [Administrative Code - Transitional Housing for Homeless Transitional Age Youth in Haight-
2 Ashbury]

3 **Ordinance amending the Administrative Code to require the City to acquire at least 20**
4 **additional dwelling units for use as transitional housing for homeless transitional age**
5 **youth in the Haight-Ashbury neighborhood no later than March 31, 2023; and to require**
6 **the Department of Homelessness and Supportive Housing to report to the Board of**
7 **Supervisors on its progress for such acquisition no later than 120 days after the**
8 **effective date of this Ordinance; affirming the Planning Department’s determination**
9 **under the California Environmental Quality Act; and making findings of consistency**
10 **with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

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

19 Section 1. CEQA and General Plan Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 220286 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On May 20, 2022, the Planning Department determined that the actions
contemplated in this ordinance are consistent, on balance, with the City’s General Plan and

1 eight priority policies of Planning Code Section 101.1. The Board adopts this determination
2 as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in
3 File No. 220286, and is incorporated herein by reference.

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5 Section 2. The Administrative Code is hereby amended by adding Chapter 41H,
6 consisting of Sections 41H.1 through 41H.8, to read as follows:

7
8 **CHAPTER 41H: EXPANDING TRANSITIONAL HOUSING FOR TRANSITIONAL AGE**
9 **YOUTH IN HAIGHT-ASHBURY**

10
11 **SEC. 41H.1. FINDINGS AND PURPOSE.**

12 (a) Citywide, youth aged 18-24 make up 14% of the City’s homeless population, according
13 to the last point-in-time count. Youth experiencing homelessness have unique trauma, unique needs,
14 and face unique barriers. According to the last point-in-time count, approximately two-thirds of youth
15 experiencing homelessness in San Francisco identify as LGBTQ.

16 (b) The Haight-Ashbury neighborhood (the “Haight-Ashbury”) has long been a place of
17 refuge to many youth experiencing homelessness. An estimated 48% of youth experiencing
18 homelessness in San Francisco are homeless because they were displaced from housing in San
19 Francisco. As the Homeless Youth Alliance has noted, the Haight-Ashbury is a destination for youth
20 seeking refuge from abusive families, alienating foster care and group home situations, and juvenile
21 justice system involvement. And yet it is not a particularly safe refuge; these young people encounter
22 constant threats to both their physical and mental health while on the streets.

23 (c) Housing options for youth in the Haight-Ashbury have been extremely limited. Several
24 service providers – including Larkin Street Youth Services, Homeless Youth Alliance, and Huckleberry
25 House – provide services and housing assistance in various forms, but, as of 2022, no new housing

1 units – temporary or permanent – have been opened for youth in the Haight-Ashbury over the last
2 decade.

3 (d) Services for youth experiencing homelessness in the Haight-Ashbury enjoys broad
4 support in the community. Neighborhood organizations, including the Haight Ashbury Merchants
5 Association, Haight Ashbury Neighborhood Council, and Cole Valley Haight Allies, have supported
6 efforts including the safe sleeping site and other youth services in the neighborhood. This is further
7 evidenced by the Haight Ashbury neighborhood voting in overwhelming support of 2018’s Proposition
8 C, the Our City, Our Home initiative.

9 (e) Notwithstanding this community support, in October 2021, the City abandoned a
10 planned temporary drop-in center at 730 Stanyan Street after pressure from a small group of vocal
11 opponents of homeless services in the neighborhood. Despite having over \$10 million in uncommitted
12 funds for bridge housing for homeless transitional age youth (“TAY”) in the Our City, Our Home
13 Fund, the program approved by the voters as Proposition C in November 2018, the City also rejected
14 calls for the purchase of The Red Victorian hotel, a 21-room vacant building on Haight Street that
15 many urged be acquired for homeless TAY bridge housing.

16 (f) With an ongoing need for transitional housing for youth experiencing homelessness, and
17 no plan or commitment from the City to acquire, build, or otherwise create such housing despite
18 possessing the financial resources to do so, this Chapter 41H seeks to direct the City to create such
19 housing opportunities in the Haight-Ashbury without further delay.

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21 **SEC. 41H.2. DEFINITIONS.**

22 For purposes of this Chapter 41H, the following definitions apply:

23 “Acquisition Deadline” means March 31, 2023.

24 “City” means the City and County of San Francisco.

25 “Haight-Ashbury” means the area bounded to the north by Oak Street, to the east by Baker

1 Street, to the south by Frederick Street and the northern border of Buena Vista Park, and to the west by
2 Stanyan Street. While the Board recognizes that there are broader definitions of the Haight-Ashbury
3 neighborhood, the Board intends to use this definition solely for the purpose of this Chapter 41H.

4 “Homeless” means an individual or family that lacks a fixed, regular, and adequate nighttime
5 residence, and whose primary nighttime residence is one or more of the following: a shelter; a sidewalk
6 or street; outdoors; a vehicle; a structure not certified or fit for human residence, such as an
7 abandoned building; a couch used for sleeping in accommodations that are inadequate or overly
8 crowded; an SRO Unit in which one or more family members are under the age of 18; a transitional
9 housing program; or in such other location that is unsafe or unstable.

10 “HSH” means the Department of Homelessness and Supportive Housing, or any successor
11 agency, department, or office.

12 “TAY” means Transitional Age Youth.

13 “TAY Services” means in-person support for TAY, provided by full-time, direct-service
14 behavioral health and medical staff, with a strong focus on supporting successful exits to permanent
15 housing.

16 “Transitional Age Youth” means Homeless youth between the ages of 18 and 29, inclusive.

17 “Transitional Housing Unit” means a dwelling unit made available to Transitional Age Youth
18 for a period of two years or less, with onsite TAY Services.

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20 **SEC. 41H.3. ACQUISITION.**

21 Subject to the budgetary and fiscal provisions of the Charter, no later than the Acquisition
22 Deadline, the City shall acquire, either by purchase or by lease for a period of 10 years or more, or by
23 some combination of purchase and such lease, 20 or more additional dwelling units in Haight-Ashbury
24 for use as Transitional Housing Units. For the purposes of this requirement, “additional” shall mean
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1 additional as compared to the number of Transitional Housing Units in Haight-Ashbury owned or
2 leased by the City as of March 22, 2022.

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4 **SEC. 41H.4. ADMINISTRATION.**

5 This Chapter 41H shall be administered by HSH. The Director of HSH may adopt regulations
6 to carry out the provisions and purposes of this Chapter.

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8 **SEC. 41H.5. REPORTING.**

9 No later than 120 days after the effective date of this Chapter 41H, HSH shall submit a written
10 report to the Board of Supervisors describing its progress as it relates to this Chapter. The report shall,
11 at a minimum, describe the status of the acquisition of the Transitional Housing Units referenced in
12 Section 41H.3, the steps taken and anticipated to be taken to complete the acquisition and provide TAY
13 Services at the acquired Transitional Housing Units, and the expected timeline to complete the
14 acquisition and the provision of TAY Services at the acquired Transitional Housing Units.

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16 **SEC. 41H.6. UNDERTAKING FOR THE GENERAL WELFARE.**

17 In enacting and implementing this Chapter 41H, the City is assuming an undertaking only to
18 promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
19 obligation or duty for breach of which it is liable in money damages or any other relief to any person
20 who claims that such a breach proximately caused injury.///

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24 **SEC. 41H.7. SEVERABILITY.**

1 If any section, subsection, sentence, clause, phrase, or word of this Chapter 41H, or any
2 application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
3 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
4 portions or applications of this Chapter. The Board of Supervisors hereby declares that it would have
5 enacted this Chapter and every section, subsection, sentence, clause, phrase, and word not declared
6 invalid or unconstitutional without regard to whether any other portion of this Chapter or application
7 thereof would be subsequently declared invalid or unconstitutional.

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9 **SECT. 41H.8. SUNSET DATE.**

10 Unless extended by ordinance, this Chapter 41H shall continue in effect through December 31,
11 2023 and expire by operation of law on January 1, 2024. Upon expiration of this Chapter, the City
12 Attorney shall cause the ordinance to be removed from the Administrative Code.

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14 Section 3. Effective Date. This ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor’s veto of the ordinance.

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20 APPROVED AS TO FORM:
21 DAVID CHIU, City Attorney

22 By: /s/
23 JESSIE ALFARO-CASSELLA
24 Deputy City Attorney

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