

File No. 200373

Committee Item No. 1

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

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Date May 1, 2020

Board of Supervisors Meeting

Date \_\_\_\_\_

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Completed by: Linda Wong

Date April 27, 2020

Completed by: Linda Wong

Date \_\_\_\_\_

1 [Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People]

2  
 3 **Emergency ordinance to limit the spread of COVID-19 by requiring the City, through**  
 4 **service agreements with third parties, to provide, staff, and maintain restrooms**  
 5 **equipped with toilets and hand washing facilities, at a ratio of one restroom per 50**  
 6 **unsheltered people, within three weeks of the effective date of this ordinance; waive**  
 7 **the requirement under Charter, Section 9.118, that the Board of Supervisors approve**  
 8 **the service agreements for restrooms equipped with toilets and hand washing**  
 9 **facilities; and affirming the Planning Department’s determination under the California**  
 10 **Environmental Quality Act.**

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

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

20 Section 1. CEQA Findings.

21 The Planning Department has determined that the actions contemplated in this  
 22 ordinance comply with the California Environmental Quality Act (California Public Resources  
 23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
 24 Supervisors in File No. 200373 and is incorporated herein by reference. The Board affirms  
 25 this determination.

Section 2. Declaration of Emergency under Charter Section 2.107.

1 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in  
2 cases of public emergency affecting life, health, or property, or for the uninterrupted operation  
3 of any City or County department or office required to comply with time limitations established  
4 by law. The Board of Supervisors hereby finds and declares that an actual emergency exists  
5 that requires the passage of this emergency ordinance.

6 (b) On February 25, 2020, Mayor London Breed proclaimed a state of emergency in  
7 response to the COVID-19 pandemic. On March 3, 2020, the Board of Supervisors concurred  
8 in the February 25 Proclamation and in the actions taken by the Mayor to meet the  
9 emergency.

10 (c) On March 16, 2020, the County Health Officer issued Order No. C19-07, replaced  
11 by Order No. C19-07b on March 31, 2020 (March 31 Order), directing San Franciscans to  
12 stay in their homes and follow social distancing requirements when outside their residence.  
13 The social distancing requirements include a requirement that people frequently wash hands  
14 with soap and water for at least 20 seconds, or use hand sanitizer that is recognized by the  
15 Centers for Disease Control and Prevention (CDC) as effective in combatting COVID-19.  
16 Although the March 31 Order requires governmental agencies to “take appropriate steps to  
17 help ensure compliance with social distancing requirements, including adequate provision of  
18 hand sanitizer,” it does not go so far as to mandate the provision of bathrooms and  
19 handwashing stations. Rather, the March 31 order merely states that government agencies  
20 should provide restroom and hand washing or hand sanitation facilities to persons who are  
21 unsheltered.

22 (d) The March 31 Order references the CDC Interim Guidance: “Responding to  
23 Coronavirus Disease 2019 COVID-19 among People Experiencing Unsheltered Homeless,”  
24 which specifically provides that one method of preventing the spread of COVID-19 among  
25 those who are unsheltered is to “[e]nsure nearby restroom facilities have functional water

1 taps, are stocked with hand hygiene materials (soap, drying materials) and bath tissue, and  
2 remain open to people experiencing homelessness 24 hours per day. If toilets or  
3 handwashing facilities are not available nearby, provide access to portable latrines with  
4 handwashing facilities for encampments of more than 10 people.”

5 (e) The CDC guidance recommending the provision of restrooms is clear. Given the  
6 ever-present spread of COVID-19, individuals without homes should have the opportunity to  
7 comply with social distancing requirements, including as to hand washing, to the greatest  
8 extent possible. But absent a governmental mandate to provide restrooms equipped with  
9 hand washing or hand sanitation facilities, thousands of unsheltered people are unable to  
10 maintain proper personal hygiene and to comply with the social distancing requirements to  
11 wash their hands frequently and thoroughly. The lack of facilities that enable unhoused  
12 people to maintain personal hygiene and to frequently and thoroughly wash their hands,  
13 poses a severe and imminent threat to the health, safety, and well-being of themselves and  
14 others.

15 (f) This emergency ordinance is necessary to reduce the spread of COVID-19 by  
16 enhancing the ability of people experiencing homelessness to comply with social distancing  
17 protocols, particularly the ability to maintain personal hygiene and to frequently and thoroughly  
18 wash their hands as recommended by the CDC.

19

### 20 Section 3. Findings and Purpose.

21 (a) The occurrence of COVID-19 is rapidly increasing within the City and County of  
22 San Francisco (“City”) and throughout the Bay Area. According to the County Health Officer,  
23 there is also “a significant and increasing number of suspected cases of community  
24 transmission and likely further significant increases in transmission.” Even if there is a  
25 “flattening of the curve” and some stabilization or even decline in the occurrence of COVID-19

1 in the City and/or Bay Area, COVID-19 will remain an extremely serious public health risk  
2 locally for the duration of this emergency ordinance.

3 (b) The County Health Officer’s Orders, together with directives from public health  
4 experts at the local, state, and national level, recognize that limiting interactions among  
5 people as much as possible slows transmission of COVID-19. The CDC has found that “[t]he  
6 potential for presymptomatic transmission underscores the importance of social distancing,”  
7 including frequently washing hands with soap and water for at least 20 seconds, or using  
8 hand sanitizer that is recognized by the CDC as effective in combatting COVID-19, to reduce  
9 COVID-19 spread.

10 (c) The approximately 5,180 San Francisco unsheltered residents experiencing  
11 homelessness have no realistic way to comply with social distancing and personal hygiene  
12 protocols when living in encampments or on the street. Communicable diseases, such as  
13 COVID-19, have the potential to spread quickly through the homeless community due in part  
14 to the close proximity of people in these settings and the lack of adequate sanitation. Many  
15 public restrooms that were accessible to the unsheltered are now closed, making it difficult, if  
16 not impossible, for unhoused residents to comply with social distancing guidelines, including  
17 frequently and thoroughly washing their hands.

18 (d) The prevalence of underlying health conditions among people experiencing  
19 homelessness increases their vulnerability to COVID-19 infection, and therefore increases the  
20 likelihood that COVID-19 will spread rapidly through the homeless community. This makes it  
21 especially important that unsheltered individuals have access to free, public restrooms with  
22 hand washing facilities.

23 (e) In Order No. C19-07b, the County Health Officer requires government agencies  
24 and other entities operating shelters and other congregate facilities for the homeless to “take  
25 appropriate steps to help ensure compliance with Social Distancing Requirements, including

1 adequate provision of hand sanitizer.” Additionally the Order states that government agencies  
2 should provide restroom and handwashing or hand sanitation facilities to persons who are  
3 unsheltered.

4 (f) Notwithstanding these requirements, according to the San Francisco Public Works  
5 website there are currently only thirty-nine Pit Stop combined toilet and hand washing units in  
6 all of San Francisco. This number does not meet the need for restroom and hand washing  
7 facilities for San Francisco’s unsheltered residents. The United Nations High Commissioner  
8 for Refugees Emergency Handbook establishes standards for the ratio of toilets to individuals  
9 at one toilet for 50 people in an emergency. This ratio corresponds to the standards set by  
10 Sphere, an international humanitarian organization that provides disaster relief response  
11 guidance. To meet the needs of San Francisco’s approximately 5,180 unsheltered individuals  
12 at a ratio one restroom for 50 unsheltered persons, the City needs approximately 65 additional  
13 restrooms.

14 (g) Having a sufficient number of restrooms equipped with hand washing facilities will  
15 allow people experiencing homelessness to maintain proper personal hygiene and to  
16 frequently and thoroughly wash their hands, and will help slow community spread of COVID-  
17 19.

18  
19 Section 4. City Procurement of Restrooms and Hand Washing Facilities to Slow  
20 Community Spread of COVID-19.

21 (a) Subject to the budgetary and fiscal provisions of the Charter, by no later than three  
22 weeks after the effective date of this ordinance, the City shall procure, through service  
23 agreements, restroom units equipped with both a toilet and a hand washing facility, at a ratio  
24 of one restroom unit per 50 unsheltered individuals.

1 (b) If an adequate supply of such units is not available to meet the required 1:50 ratio,  
2 the City shall procure alternative toilet units sufficient to meet the required ratio, and must  
3 accompany them with a corresponding hand washing station.

4 (c) As unsheltered individuals are placed in hotels or other housing, the total number  
5 of required restrooms under subsection (a) or, if necessary, toilet units/hand washing stations  
6 under subsection (b), may be reduced, consistent with maintaining the required 1:50 ratio.

7 (d) Notwithstanding the requirements of Charter Section 9.118, the service  
8 agreements authorized by this emergency ordinance shall not be subject to approval by the  
9 Board of Supervisors.

10  
11 Section 5. Maintenance and Cleaning of the Restrooms and Hand Washing Facilities.

12 (a) The City shall also procure, through service agreements, adequate staffing,  
13 maintenance and cleaning services for each restroom and hand washing facility procured  
14 under this ordinance.

15 (b) The maintenance and cleaning of restrooms and hand washing facilities procured  
16 under this ordinance shall, at a minimum, conform to the Minimum Environmental Cleaning  
17 Standards for Businesses, Schools and SRO Settings (“Minimum Standards”) published by  
18 the Department of Public Health on March 9, 2020, and attached to the Order of the Health  
19 Officer No. C19-04, on file with the Clerk of the Board of Supervisors in File No. 200373 .  
20 Should the Minimum Standards be revised, the maintenance and cleaning of restrooms and  
21 handwashing facilities procured under this ordinance shall, at a minimum, conform to the  
22 Minimum Standards as revised.

23  
24 Section 6. Implementation.

1           The Mayor, as the City’s Chief Executive Officer, is authorized to designate one or  
2 more City agencies to develop rules, regulations, guidance, forms, and procedures as  
3 necessary and appropriate to effectuate the purposes of this emergency ordinance.  
4

5           Section 7. Undertaking for the General Welfare.

6           In enacting and implementing this emergency ordinance, the City is assuming an  
7 undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its  
8 officers and employees, an obligation for breach of which it is liable in money damages to any  
9 person who claims that such breach proximately caused injury. This emergency ordinance  
10 does not create a legally enforceable right by any member of the public against the City.  
11

12           Section 8. Severability. If any section, subsection, sentence, clause, phrase, or word  
13 of this emergency ordinance, or any application thereof to any person or circumstance, is held  
14 to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such  
15 decision shall not affect the validity of the remaining portions or applications of the ordinance.  
16 The Board of Supervisors hereby declares that it would have passed this ordinance and each  
17 and every section, subsection, sentence, clause, phrase, and word not declared invalid or  
18 unconstitutional without regard to whether any other portion of this ordinance or application  
19 thereof would be subsequently declared invalid or unconstitutional.  
20

21           Section 9. Effective Date; Expiration.

22           Consistent with Charter Section 2.107, this emergency ordinance shall become  
23 effective immediately upon enactment. Enactment occurs when the Mayor signs the  
24 ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within  
25 ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the



1 ordinance. Once enacted, it shall remain in effect for 60 days, unless reenacted as provided  
2 by Section 2.107. If not reenacted, it shall expire on the 61st day after enactment.

3  
4 Section 10. Supermajority Vote Required. In accordance with Charter Section 2.107,  
5 passage of this emergency ordinance by the Board of Supervisors requires an affirmative vote  
6 of two-thirds of the Board of Supervisors.

7  
8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

10 By: /s/ Virginia Dario Elizondo  
11 VIRGINIA DARIO ELIZONDO  
12 Deputy City Attorney

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## LEGISLATIVE DIGEST

[Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People]

**Emergency ordinance to limit the spread of COVID-19 by requiring the City, through service agreements with third parties, to provide, staff, and maintain restrooms equipped with toilets and hand washing facilities, at a ratio of one restroom per 50 unsheltered people, within three weeks of the effective date of this ordinance; waive the requirement under Charter, Section 9.118, that the Board of Supervisors approve the service agreements for restrooms equipped with toilets and hand washing facilities; and affirming the Planning Department’s determination under the California Environmental Quality Act.**

### Existing Law

This ordinance does not amend existing law.

### Background Information

This emergency ordinance addresses the present high risk of COVID-19 spread through lack of adequate sanitation and hygiene facilities for unsheltered individuals. On March 22, 2020, the Centers for Disease Control ( CDC) issued Interim Guidance: “Responding to Coronavirus Disease 2019 COVID-19 among People Experiencing Unsheltered Homeless,” which specifically provides that one method of preventing the spread of COVID-19 among those who are unsheltered is to “[e]nsure nearby restroom facilities have functional water taps, are stocked with hand hygiene materials (soap, drying materials) and bath tissue, and remain open to people experiencing homelessness 24 hours per day. If toilets or handwashing facilities are not available nearby, provide access to portable latrines with handwashing facilities for encampments of more than 10 people.”

The CDC guidance recommending the provision of restrooms is clear. But thousands of unsheltered people are unable to maintain proper personal hygiene and to comply with the social distancing requirements to wash their hands frequently and thoroughly. The lack of restrooms equipped with a toilet and hand washing facility that enable unhoused people to maintain personal hygiene and to frequently and thoroughly wash their hands, poses a severe and imminent threat to the health, safety, and well-being of themselves and others.

The United Nations High Commissioner for Refugees Emergency Handbook establishes standards for the ratio of toilets to individuals at one toilet for 50 people in an emergency. This ratio corresponds to the standards set by Sphere, an international humanitarian organization that provides disaster relief response guidance. To meet the needs of San Francisco’s approximately 5,180 unsheltered individuals at a ratio one restroom for 50 unsheltered persons, the City needs approximately 65 additional restrooms.

The prevalence of underlying health conditions among people experiencing homelessness increases their vulnerability to COVID-19 infection, and therefore increases the

likelihood that COVID-19 will spread rapidly through the homeless community. This makes it especially important that unsheltered individuals have access to free, public restrooms with hand washing facilities.

Having a sufficient number of restrooms equipped with hand washing facilities will allow people experiencing homelessness to maintain proper personal hygiene and to frequently and thoroughly wash their hands, and will help slow community spread of COVID-19.

The Mayor is authorized to designate one or more City agencies to administer the ordinance.

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## Attachment A

### COVID-19 Minimum Environmental Cleaning Standards For Businesses, Schools, and SRO Settings

March 9, 2020

This guidance provides confirmation of the cleaning and disinfection standards for rooms or common areas of businesses, schools, and SRO settings. It aims to limit the survival of novel coronavirus in key environments. These recommendations are based on what is currently known about the (COVID-19) and will be updated as needed and as additional information becomes available.

**Intended audience:** These guidelines are focused on community, non-healthcare facilities (e.g., schools, institutions of higher education, offices, daycare centers, businesses, community centers) that do and do not house persons overnight.

#### Highlights of Public Health Order and Attachment A

The Order applies only to common areas of residential hotels.

1. On a daily basis or more frequently when needed, clean and disinfect surfaces like doorknobs, tables, desks, bathroom and kitchen surfaces, handrails, elevator controls, light switches, and other frequently touched surfaces.
2. Maintain a compliance log for all common areas—a log that records areas cleaned, date, time, and cleaning staffs' initials.
3. Provide hand sanitizers in all common gathering areas, such as the kitchen, bathroom, computer lounge.
4. Provide soap in a dispenser at all communal sinks.

Always wear disposable gloves when cleaning and use disinfectants according to the manufacturing instructions on the product label!

#### How does the COVID-19 spread?

The virus spreads from person-to-person through close contact (within about 6 feet).

#### Can COVID-19 spread by contaminated surfaces?

There is still so much to learn about the virus, but the spreading of the virus from surfaces to people has not been documented yet. Current evidence suggests that the virus may remain infectious for hours to days on surfaces made from a variety of materials.

#### How can I clean to protect myself and others?

Practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks) with household cleaners. Clean on a daily basis, increasing frequency if surfaces are found to be dirty during spot-checks performed throughout the day.

Cleaning staff should clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the ill persons, focusing especially on frequently touched surfaces.

### **Is it necessary to use a disinfectant?**

If surfaces are dirty, clean them first using a detergent and water and then disinfect them.

### **Which types of disinfectants will kill the COVID-19?**

A list of products suitable for use against COVID-19, prepared by the American Chemistry Council's Center for Biocide Chemistries is attached. It is not complete or exhaustive; any disinfectant which the manufacturer states meet the EPA's Emerging Viral Pathogens (EVP) requirement can be used. Manufacturer's statements are most commonly found on the manufacturer's website or in letters issued by the manufacturer. When no such products are available, a dilute household bleach solution can be made from:

- 5 tablespoons (1/3rd cup) bleach added to one gallon of water or
- 4 teaspoons bleach added to one quart of water

### **Are there any precautions I should take when using disinfectants?**

1. Make sure there is good ventilation during the use of the product when cleaning. Open available windows or doors to the outside.
2. Always use disinfectants according to the label instructions.
3. Use the safety equipment specified on the label.
4. Even if not required by the label wear gloves.
  - a. Fresh disposable gloves should be used for cleaning. Gloves should be changed immediately after using disinfectants. Do not attempt to reuse disposable gloves.
  - b. Clean the outside of reusable gloves immediately after using disinfectants. You can use your disinfectant to clean the gloves. **Always wash your hands immediately after removing your gloves. If running water is not available use hand sanitizer.**
5. Wear eye protection (goggles or safety glasses) if spraying cleaning chemicals above shoulder height.
6. For concentrated products requiring dilution, do not use more of the product than is specified on the label. Using more product does not improve cleaning, but it may cause problems for the user and room occupants. Make sure there is good ventilation during the use of the product.
7. Do not use alcohol for cleaning, it is a fire hazard.

### **Are there additional instructions for facilities that house people overnight (including SROs)?**

- Follow Interim Guidance for [US Institutions of Higher Education](#) on working with state and local health officials to isolate ill persons and provide temporary housing as needed.
- It is recommended to close off areas used by the ill persons and wait as long as practical before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets. Open outside doors and windows to increase air circulation in the area. If possible, wait up to 24 hours before beginning cleaning and disinfection.
- In areas where ill persons are being housed in isolation. This includes focusing on cleaning and disinfecting common areas where staff/others providing services may come into contact with ill persons, but reducing cleaning and disinfection of bedrooms/bathrooms used by ill persons to as needed.
- In areas where ill persons have visited or used, continue routine cleaning and disinfection as in this guidance.

### **How should surfaces be cleaned and disinfected?**

- If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection.
- For disinfection, see "*Which types of disinfectants will kill the COVID-19?*" above.
- For soft (porous) surfaces such as carpeted floor, rugs, and drapes, remove visible contamination if present and clean with appropriate cleaners indicated for use on these surfaces. After cleaning:
  - If the items can be laundered, launder items in accordance with the manufacturer's instructions using the warmest appropriate water setting for the items and then dry items completely.
  - Otherwise, use products with the EPA-approved emerging viral pathogens claim that are suitable for porous surfaces

### **How should linens, clothing, and other laundered items be managed?**

- Do not shake dirty laundry; this minimize the possibility of dispersing virus through the air.
- Wash items as appropriate in accordance with the manufacturer’s instructions. If possible, launder items using the warmest appropriate water setting for the items and dry items completely. Dirty laundry that has been in contact with an ill person can be washed with other people’s items.
- Clean and disinfect hampers or other carts for transporting laundry according to guidance above for hard or soft surfaces.

### **What are the instructions for handling trash?**

- Wear gloves.
- Only handle trash bags by their empty upper sections. Do not hold the trash bag against your body.
- Tie the trash bag off before placing it into the conventional (municipal) waste.

### **How can cleaning and disinfecting staff protect themselves?**

- Cleaning staff should wear disposable gloves for all tasks in the cleaning process, including handling trash. If there is the possibility of body contact with an infected person or contaminated surfaces, gowns or disposable suits should be worn.
- Gloves and protective garments should be removed carefully inside out to avoid contamination of the wearer and the surrounding area. Be sure to [clean](#) hands after removing gloves.
- Gloves should be removed after cleaning a room or area occupied by ill persons. [Clean hands](#) immediately after gloves are removed.
- Cleaning staff and others should [clean](#) hands often, including immediately after removing gloves and after contact with an ill person, by washing hands with soap and water for 20 seconds. If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains 60%-95% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.
- Follow normal preventive actions while at work and home, including cleaning hands and avoiding touching eyes, nose, or mouth with unwashed hands.
- Additional key times to clean hands include:
  - After blowing one’s nose, coughing, or sneezing
  - After using the restroom
  - Before eating or preparing food
  - After contact with animals or pets
  - Before and after providing routine care for another person who needs assistance (e.g., a child)

### **Resources:**

[Environmental Cleaning and Disinfection Recommendations - Interim Recommendations for US Community Facilities with Suspected/Confirmed Coronavirus \(March 6, 2020\)](#)

[Interim Guidance for Environmental Cleaning and Disinfection for U.S. Households with Suspected or Confirmed Coronavirus Disease 2019.](#)

Interim Guidance for [US Institutions of Higher Education](#)



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
BOS: Emergency Ord - Restroom and Hand Washing Facilities for Unshel		
<b>Case No.</b>		<b>Permit No.</b>
2020-004534ENV		
<input type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b>            Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People</p> <p>Emergency ordinance to limit the spread of COVID-19 by requiring the City, through service agreements with third parties, to provide, staff, and maintain restrooms equipped with toilets and hand washing facilities, at a ratio of one restroom per 50 unsheltered people, within three weeks of the effective date of this ordinance; waive the requirement under Charter, Section 9.118, that the Board of Supervisors approve the service agreements for restrooms equipped with toilets and hand washing facilities; and affirming the Planning Department's determination under the California Environmental Quality Act.</p>		

### STEP 1: EXEMPTION CLASS

<b>The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).</b>	
<input type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input checked="" type="checkbox"/>	<p><b>Class _____</b></p> <p><b>Class 4 - Minor Alterations to Land:</b> Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc;</p>

## STEP 2: CEQA IMPACTS

### TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p><b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p><b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p><b>Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</b></p>
<input type="checkbox"/>	<p><b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input type="checkbox"/>	<p><b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p><b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p><b>Slope = or &gt; 25%:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography) <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</b></p>
<p><b>Comments and Planner Signature (optional):</b> Joy Navarrete</p>	



**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE  
TO BE COMPLETED BY PROJECT PLANNER**

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Property Information Map)	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input checked="" type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST  
TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW  
TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</b>	
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION  
TO BE COMPLETED BY PROJECT PLANNER**

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Board of Supervisors Ordinance adoption	<b>Signature:</b> Joy Navarrete
		04/14/2020
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.  In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action.  Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

### MODIFIED PROJECT DESCRIPTION

Modified Project Description:

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code;   |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312;  |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)?   |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

**If at least one of the above boxes is checked, further environmental review is required.**

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

**Planner Name:**

**Date:**

Member, Board of Supervisors  
District 1



City and County of San Francisco

**SANDRA LEE FEWER**

**李麗嫦市參事**

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DATE: April 27, 2020

TO: Angela Calvillo  
Clerk of the Board of Supervisors

FROM: Supervisor Fewer  
Chairperson

RE: Budget and Finance  
COMMITTEE REPORT

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Pursuant to Board Rule 4.20, as Chair of the Budget and Finance Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on Tuesday, May 5th, as a Committee Report:

**200373: Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People**

This matter will be heard in the Budget and Finance Committee on May 1st, at 9:30am.

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [redacted] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [redacted] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [redacted]
- 9. Reactivate File No. [redacted]
- 10. Topic submitted for Mayoral Appearance before the BOS on [redacted]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Haney, Walton, Preston, Mar

Subject:

Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People

The text is listed:

Emergency ordinance to limit the spread of COVID-19 by requiring the City, through service agreements with third parties, to provide, staff, and maintain restrooms equipped with toilets and hand washing facilities, at a ratio of one restroom per 50 unsheltered people, within three weeks of the effective date of this ordinance; waive the requirement under Charter, Section 9.118, that the Board of Supervisors approve the service agreements for restrooms equipped with toilets and hand washing facilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

Signature of Sponsoring Supervisor: MATT HANEY