

File No. 190047 Committee Item No. 6
 Board Item No. 24

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date March 11, 2019

Board of Supervisors Meeting Date March 19, 2019

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Referral FYI 021519 |
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Completed by: Erica Major Date March 7, 2019

Completed by: Erica Major Date 3/14/2019

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

3 **Ordinance amending the Administrative Code and Planning Code to streamline**
4 **contracting for homeless shelters, and siting of homeless shelters by, among other**
5 **things, authorizing the Department of Homelessness and Supportive Housing (HSH) to**
6 **enter into and amend contracts without requiring competitive bidding for professional**
7 **and other services relating to sites and programs for people experiencing**
8 **homelessness (Projects Addressing Homelessness); authorizing the Department of**
9 **Public Works to enter into and amend contracts without adhering to the Environment**
10 **Code or to provisions relating to competitive bidding, equal benefits, local business**
11 **enterprise utilization, and other requirements, for construction work and professional**
12 **and other services relating to Projects Addressing Homelessness; permitting**
13 **Homeless Shelters in PDR (Production Distribution Repair) and SALI**
14 **(Service/Arts/Light Industrial) districts; authorizing HSH to operate Navigation Centers**
15 **for more than two years; and affirming the Planning Department's determination under**
16 **the California Environmental Quality Act, and making findings of consistency with the**
17 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

18 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
19 **Additions to Codes** are in *single-underline italics Times New Roman font*.
20 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
21 **Board amendment additions** are in double-underlined Arial font.
22 **Board amendment deletions** are in ~~strikethrough Arial font~~.
23 **Asterisks (* * * *)** indicate the omission of unchanged Code
24 subsections or parts of tables.
25

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

2
3 Section 1. Findings.

4 (a) California Government Code Sections 8698 through 8698.2 authorize the
5 governing body of a political subdivision, including the Board of Supervisors, to declare the
6 existence of a shelter crisis upon a finding by the governing body that a significant number of
7 persons within the jurisdiction are without the ability to obtain shelter, and that the situation
8 has resulted in a threat to the health and safety of those persons. In 2016, through the
9 enactment of Ordinance No. 57-16, the Board of Supervisors declared the existence of a
10 shelter crisis in San Francisco, based on findings that in January 2015, there were 6,686
11 individuals in San Francisco who were homeless. Since that time, the shelter crisis has
12 grown. According to the January 2017 Point in Time Homeless Count administered by the
13 Department of Homelessness and Supportive Housing (HSH), there were approximately
14 7,499 people experiencing homelessness in San Francisco on a single night. Of those
15 persons, 58% were unsheltered, 21% were under the age of 25 years, and 32% were over the
16 age of 51 years with attendant deteriorating physical and mental health.

17 (b) On October 2, 2018, Mayor London Breed declared her intent that the City add
18 1,000 new shelter beds for people experiencing homelessness, with half of the new beds
19 becoming available by the summer of 2019, and the remainder becoming available by 2020.
20 The beds will become available as a result of establishing new Navigation Centers, expanding
21 existing Navigation Centers, and opening a new type of shelter called a SAFE Center, a name
22 that stands for Shelter Access for Everyone.

23 (c) In early 2018, the Board of Supervisors enacted Ordinance No. 29-18, which
24 waived competitive bidding requirements for contracts and leases relating to a number of
25 identified Shelter Crisis Sites, as well as the City's existing Navigation Centers and homeless

1 shelters. That ordinance allowed HSH to expedite the award of contracts and grants for
2 construction and services relating to homeless individuals, and to open three Navigation
3 Centers with 340 beds and a permanent supportive housing site with 51 units. However, the
4 expedited contracting and leasing authority that was granted by Ordinance No. 29-18 will
5 expire on March 1, 2019. It is in the public interest to extend this authority so long as the City
6 is experiencing a shelter crisis.

7 (d) In 2016, the Board of Supervisors enacted Ordinance No. 117-16, requiring the
8 City to open and operate six Navigation Centers to address street homelessness and connect
9 homeless people to health and mental health services, housing, and other benefits. The City
10 has complied with that mandate, and plans to expand upon this successful model of shelter
11 and service delivery. Ordinance No. 117-16 provided that once a Navigation Center opened,
12 it could operate for no more than two years without approval of extension of the time limit by
13 resolution of the Board of Supervisors. In light of the success of Navigation Centers, the
14 capital investments that are required to open a center, and the fact that Navigation Centers
15 have not been found to have had adverse impacts on the neighborhoods in which they have
16 been located, the Board of Supervisors has, in Resolution No. 180522, approved the
17 extension of two Navigation Centers beyond the two-year limit. For the same reasons, it is in
18 the public interest to permit Navigation Centers generally to operate longer than two years
19 without re-authorization. The City plans to expand upon the successful model of shelter and
20 service delivery with greater geographic diversity across a majority of supervisorial districts.

21 (e) For all HSH-funded projects that involve new construction, a change in use, or an
22 expansion of an existing use at a specific location, HSH complies with the requirements of
23 Administrative Code Chapter 79 (Citizens' Right-to-Know Act of 1998) and Chapter 79A by
24 providing community notice that it is considering approval of such a project, and by
25 establishing a process by which members of the public may obtain additional information

1 about the project, and submit comments. Before opening a new facility, HSH staff collaborate
2 with the member of the Board of Supervisors who represents the district in which the facility
3 will be located, to conduct a thorough community outreach process that includes, at a
4 minimum, written notice to neighbors located within 300 feet of the facility, information about
5 how neighbors may provide input into the proposed programming at the facility, and the
6 hosting of a community meeting. After opening a facility, HSH takes steps to ensure that its
7 immediate surroundings are kept clean and secure.

8 (f) The Planning Department has determined that the actions contemplated in this
9 ordinance comply with the California Environmental Quality Act (California Public Resources
10 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
11 Supervisors in File No. 190047 and is incorporated herein by reference. The Board
12 affirms this determination.

13 (g) The Planning Department has determined that the actions contemplated in this
14 ordinance are consistent, on balance, with the City's General Plan and eight priority policies of
15 Planning Code Section 101.1. The Board adopts these findings as its own. A copy of this
16 determination is on file with the Clerk of the Board of Supervisors in File No. 190047, and
17 is incorporated herein by reference.

18
19 Section 2. The Administrative Code is hereby amended by adding Chapter 21B,
20 consisting of Sections 21B.1, 21B.2, 21B.3, and 21B.4, to read as follows:
21

22 **CHAPTER 21B: COMMODITIES AND SERVICES RELATING TO PROJECTS**

23 **ADDRESSING HOMELESSNESS.**

24
25 **SECTION 21B.1. PURPOSE AND GOALS.**

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

8
9 **SECTION 21B.2. WAIVER OF COMPETITIVE BIDDING REQUIREMENTS.**

10 Notwithstanding Section 21.1 of the Administrative Code or any other provision of the
11 Municipal Code, the Department of Public Works and the Department of Homelessness and Supportive
12 Housing may enter into and/or amend contracts, including grants, for professional and other services
13 or commodities relating to Projects Addressing Homelessness without adhering to the requirements of
14 Section 21.1 or any other competitive procurement requirements. The power to amend such contracts
15 and grants extends to contracts and grants entered into prior to the effective date of the ordinance in
16 Board File No. 190047 enacting this Chapter 21B.

17
18 **SECTION 21B.3. REPORTING.**

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

1
2 **SECTION 21B.4. SUNSET PROVISION.**

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

8
9 Section 3. Article IV of Chapter 6 of the Administrative Code is hereby amended by
10 adding Section 6.76, to read as follows.

11
12 **SECTION 6.76. PUBLIC WORKS ADDRESSING HOMELESSNESS.**

13 *(a) The Department of Public Works is authorized to enter into and/or amend any contract for*
14 *any Public Work or Improvement, as defined in Administrative Code Section 6.1, including any*
15 *professional services for a Public Work or Improvement, without adherence to the requirements of this*
16 *Chapter 6, Administrative Code Chapters 12B and 14B, and the Environment Code; provided,*
17 *however, that the Public Work or Improvement is for the construction, repair, or improvement of one or*
18 *more sites that will be used for the primary purpose of providing housing, shelter, or services to people*
19 *experiencing homelessness. The power to amend such contracts extends to contracts entered into prior*
20 *to the effective date of the ordinance in Board File No. 190047 enacting this Chapter 21B.*

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

1
2 Section 4. Chapter 106 of the Administrative Code is hereby amended by revising
3 Sections 106.1 and 106.3, to read as follows:
4

5 **SEC. 106.1. NAVIGATION CENTERS REQUIRED.**

6 As specified further in this Chapter 106, the City ~~may open and operate~~*shall open and*
7 ~~operate no fewer than six~~ Navigation Centers to address street homelessness and connect
8 homeless people to health and mental health services, housing, benefits, and other services.
9 For purposes of this Chapter, "Navigation Center" means a temporary, low-barrier-to-entry
10 shelter that, through case management and social service programs, aids in moving homeless
11 people off the streets and into permanent housing or transitional or stable supportive housing
12 that eventually leads to permanent housing.
13

14 **SEC. 106.3. PROGRAM IMPLEMENTATION.**

15 * * * *

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

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

21 * * * *

22
23 Section 5. Article 2 of the Planning Code is hereby amended by modifying Section
24 210.3 as follows:
25

1
2 **SEC. 210.3. PDR DISTRICTS.**

3 * * * *

4 (19) During a declared shelter crisis, Homeless Shelters that satisfy the provisions of
5 California Government Code Section 8698.4(a)(1) shall be P, principally permitted and may be
6 permanent. Otherwise, ~~In this District,~~ Homeless Shelter uses are permitted only with
7 Conditional Use authorization and only if each such use (a) would operate for no more than
8 four years, and (b) would be owned or leased by, operated by, and/or under the management
9 or day-to-day control of the City and County of San Francisco. If such a use is to be located
10 within a building or structure, the building or structure must be either (a) preexisting, having
11 been completed and previously occupied by a use other than a Homeless Shelter, or (b)
12 temporary. Other than qualifying Homeless Shelters constructed during a declared shelter crisis, ~~In~~
13 this District, construction of a permanent structure or building to be used as a Homeless
14 Shelter is not permitted.

15
16 Section 6. Article 8 of the Planning Code is hereby amended by modifying Section 846
17 as follows:

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

19 * * * *

20

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>

21
22
23
24
25

		<p>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. <u>Other than qualifying Homeless Shelters constructed during a declared shelter crisis.</u> In this District, construction of a permanent structure or building to be used as a Homeless Shelter is not permitted.</p>
****	****	****

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

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

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

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

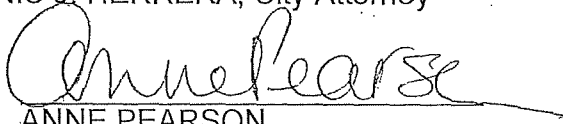
Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

1 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
2 additions, and Board amendment deletions in accordance with the "Note" that appears under
3 the official title of the ordinance.
4

5 Section 9. Undertaking for the General Welfare. In enacting and implementing this
6 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
7 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
8 is liable in money damages to any person who claims that such breach proximately caused
9 injury.
10

11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:


14 ANNE PEARSON
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(Amended in Committee, 3/11/2019)

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

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing 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.

Existing Law

California law authorizes the Board of Supervisors to declare the existence of a shelter crisis based on a finding that a significant number of people in the City and County of San Francisco (the "City") lack shelter, and that the situation has resulted in a threat to their health and safety. The law authorizes the City to suspend state or local laws setting housing, health, or safety standards for new homeless shelter facilities in response to the shelter crisis, to the extent that strict compliance would prevent, hinder, or delay the mitigation of the shelter crisis. In Ordinances No. 57-16 and 29-18, and Resolution No. 319-18, the Board of Supervisors has declared the existence of a shelter crisis.

Local Law generally requires City departments to use a competitive bidding process and follow other contracting requirements for personal services, procurement, and construction contracts, subject to exceptions. In 2018, the Board of Supervisors enacted Ordinance No. 29-18, which waived competitive bidding requirements for contracts and leases relating to a number of identified Shelter Crisis Sites, as well as the City's existing Navigation Centers and homeless shelters. The expedited contracting and leasing authority that was granted by Ordinance No. 29-18 will expire on March 1, 2019.

Chapter 106 of the City's Administrative Code regulates the opening and operation of Navigation Centers. Currently, Navigation Centers are defined as temporary facilities, and once opened may operate at 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.

Currently, homeless shelter uses are permitted in Production, Design, and Repair ("PDR") and Service/Arts/Light Industrial ("SALI") districts only with conditional use authorization, and only if such use would operate for no more than four years.

Amendments to Current Law

The proposed ordinance would reaffirm the Board of Supervisors' prior declarations of a shelter crisis.

The proposed ordinance would allow the Departments of Homelessness ("HSH") and Supportive Housing and Public Works to enter into and amend contracts and grants for professional and other services or commodities relating to projects addressing homelessness without using a competitive bidding process. For purposes of this authority, "projects addressing homelessness" are 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. The authority to enter into and amend contracts without competitive bidding would expire five years from the effective date of the ordinance, or on the effective date of an ordinance making a finding that according to the most recent Point in Time Homeless Count, there are fewer than 5,250 homeless persons in San Francisco, whichever date is earlier.

The proposed ordinance would also allow the Department of Public Works to enter into or amend contracts for public works and improvements without using a competitive bidding process, provided the contracts are for public works or improvements for the construction, repair, or improvement of one or more sites that will be used for the primary purpose of providing housing, shelter, or services to people experiencing homelessness. The authority to enter into and amend contracts without competitive bidding would expire five years from the effective date of the ordinance, or on the effective date of an ordinance making a finding that according to the most recent Point in Time Homeless Count, there are fewer than 5,250 homeless persons in San Francisco, whichever date is earlier.

The proposed ordinance would also eliminate the requirement that the Board of Supervisors approve by resolution an extension of the deadline for operation of a Navigation Center beyond two years, and would clarify that HSH may enter into grant agreements with nonprofit organizations to provide services relating to Navigation Centers.

The proposed ordinance would amend the Planning Code to provide that during a declared shelter crisis, homeless shelters that are located or constructed on land owned or leased by

the City would be principally permitted in PDR and SALI districts and therefore would not require a conditional use permit, and would not be subject to the four-year limit, but may operate permanently.

Background Information

In 2016, through the enactment of Ordinance No. 57-16, the Board of Supervisors declared the existence of a shelter crisis in San Francisco, based on findings that in January 2015, there were 6,686 individuals in San Francisco who were homeless. Since that time, the shelter crisis has grown. According to the January 2017 Point in Time Homeless Count administered by HSH, there were approximately 7,499 people experiencing homelessness in San Francisco on a single night. Of those persons, 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.

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

In 2016, the Board of Supervisors enacted Ordinance No. 117-16, requiring the City to open and operate six Navigation Centers to address street homelessness and connect homeless people to health and mental health services, housing, and other benefits. The City has complied with that mandate, and plans to expand upon this successful model of shelter and service delivery. Ordinance No. 117-16 provided that once a Navigation Center opened, it could operate for no more than two years without approval of extension of the time limit by resolution of the Board of Supervisors. In light of the success of Navigation Centers, the capital investments that are required to open a center, and the fact that Navigation Centers have not been found to have had adverse impacts on the neighborhoods in which they have been located, the Board of Supervisors has, in Resolution No. 180522, approved the extension of two Navigation Centers beyond the two-year limit.

For all HSH-funded projects that involve new construction, a change in use, or an expansion of an existing use at a specific location, HSH complies with the requirements of Administrative Code Chapter 79 (Citizens' Right-to-Know Act of 1998) and Chapter 79A by providing community notice that it is considering approval of such a project, and by establishing a process by which members of the public may obtain additional information about the project, and submit comments. Before opening a new facility, HSH staff collaborate with the member of the Board of Supervisors who represents the district in which the facility will be located, to conduct a thorough community outreach process that includes, at a minimum, written notice to

FILE NO. 190047

neighbors located within 300 feet of the facility, information about how neighbors may provide input into the proposed programming at the facility, and the hosting of a community meeting. After opening a facility, HSH takes steps to ensure that its immediate surroundings are kept clean and secure.

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SAN FRANCISCO PLANNING DEPARTMENT

March 1, 2019

Ms. Angela Calvillo, Clerk
Honorable Mayor Breed
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Re: Transmittal of Planning Department Case Number 2019-000931PCA:
Homeless Shelters in PDR and SALI Districts
Board File No. 190047
Planning Commission Recommendation: Approval

Dear Ms. Calvillo and Mayor Breed,

On February 28, 2019, the Planning Commission conducted duly noticed public hearing at regularly scheduled meeting to consider the proposed Ordinance, introduced by the Honorable Mayor London Breed that would amend Planning Code Sections 210.3 and 846. At the hearing the Planning Commission recommended approval.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc:

Anne Pearson, Deputy City Attorney
Mawuli Tugbenyoh, Legislative Director, Liaison to the Board of Supervisors
Kanishka Cheng, Mayor's Liaison to the Board of Supervisors
Erica Major, Office of the Clerk of the Board

Attachments:

Planning Commission Resolution 20394
Planning Department Executive Summary

www.sfplanning.org



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20394

HEARING DATE: FEBRUARY 28, 2019

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

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
 kate.conner@sfgov.org, 415-575-6914
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
 aaron.starr@sfgov.org, 415-558-6362

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 SALI 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: Commissioners Melgar, Koppel, Hillis, Moore, and Richards.

NOES: None.

ABSENT: Commissioner Johnson.

ADOPTED: February 28, 2019.



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



Declaring a Shelter Crisis

Land Use & Transportation Committee

March 11, 2019

1377

Office of Mayor London N. Breed
City and County of San Francisco

1

190045
190047
3/11/2019
SUBMITTED and
PRESENTED



The Homelessness Crisis in San Francisco

- **7,500** people experience homelessness in San Francisco on any given night.
 - **4,300** of are unsheltered living on the streets
 - 32% of the homeless population is over the age of 51
 - 39% of people experiencing homelessness report a psychiatric condition
 - 31% report a chronic health issue
 - 41% report drug or alcohol abuse
- There are consistently over 1,100 people in the shelter waiting list.

1378



2018 Shelter Emergency

- The 2018 ordinance expedited the contracting procedures for specifically named shelter crisis sites.
- Helped expedite the opening of 340 new temporary shelter beds in 3 navigation centers.
- Expedited the master lease of 50 units of permanent supportive housing at the Minna Lee Hotel.
- The ordinance expires on March 1, 2019.
- However the crisis on our streets continues and the 2019 ordinance will build upon the success of the more modest 2018 ordinance.

1379



Shelter Crisis Overview

On January 15, 2019 Mayor Breed introduced two ordinances declaring a shelter crisis.

Ordinance #1 (Admin & Planning Code Amendments)

- Streamlines the contracting process for the construction and operations of new homeless shelters and programs.
- Removes planning code barriers to opening shelters in certain zoning districts that currently have limitations or restrictions.
- Extend operations of Navigation Centers beyond the current two-year limit to ensure that we do not lose shelter capacity during this time of crisis.

1380



Shelter Crisis Overview

Ordinance #1

- Require HSH to engage in a robust community process before opening any site-specific homeless service program (shelters, navigation center, etc).
- The ordinance would remain in effect for five years or until homelessness has been reduced by 30%.
- The ordinance requires HSH and DPW to submit detailed annual reports on all contracts awarded under this expedited procedure, to ensure accountability.
- Ordinance was unanimously supported by the Planning Commission on February 28th.

1381



Shelter Crisis Overview

- Ordinance #2 (Building Code Amendment)
 - **Activates AB 932 (Ting):** California law allowing communities to adopt by ordinance standards and procedures for the design, site development and opening of homeless shelters in lieu of complying with local building approval procedures during a declared shelter crisis.
 - In lieu of requiring discretionary building permits for homeless shelters, the ordinance adopts an alternative approval process for homeless shelters.
 - 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.

1382



Shelter Crisis Overview

- Ordinance #2:

- Adopts Appendix N to the state building code. Appendix N provides a consistent and available standards by which local agencies may develop emergency shelters and provide a set of building standards for compliance. These standards have been proposed and approved by the state.
- The ordinance allows the Board of Supervisors to pass an ordinance prohibiting specific shelter sites from utilizing this expediting procedure.
- Following passage by the Board of Supervisors, the California Department of Housing and Community Development must sign off on the ordinance.
- The ordinance would remain in effect as long as AB 932 is in effect. AB 932 is currently set to expire on January 1, 2021.
- Ordinance was reviewed and unanimously supported by the Building Inspection Commission on February 20th.

1383

190045

190047

From: Board of Supervisors, (BOS)
Sent: Thursday, March 14, 2019 11:31 AM
To: BOS-Supervisors; Major, Erica (BOS)
Subject: FW: Letter of Support: Shelter Crisis Ordinance & Streamlined Contracting Ordinance
Attachments: Shelter and streamlining ordinance letter of support 3.13.19.pdf

From: Avni Desai <adesai@chp-sf.org>
Sent: Wednesday, March 13, 2019 2:51 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Doug Gary <douggary@dishsf.org>; T Garner <tgarner@stp-sf.org>; Cohen, Emily (DPH) <emily.cohen@sfgov.org>; Kositsky, Jeff (HOM) <jeff.kositsky@sfgov.org>
Subject: Letter of Support: Shelter Crisis Ordinance & Streamlined Contracting Ordinance

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Attached is a letter of support from the Supportive Housing Providers Network (SHPN) for the shelter crisis ordinance (file # 190045) and the streamlined contracting ordinance (file # 1900047). The co-chairs of the SHPN, Doug Gary and Tramecia Garner, are cc'ed should you have any questions or concerns.

Thank you,

Avni Desai, MPH
Public Policy Manager
Community Housing Partnership
Email: adesai@chp-sf.org
Cell: (510) 213-5067
Web: www.chp-sf.org

San Francisco Board of Supervisors
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: Letter of Support for Shelter Crisis Ordinance & Streamlined Contracting Ordinance

Dear Honorable Board of Supervisors,

The Supportive Housing Providers Network (SHPN) is writing to express our support for legislation to expedite siting and construction of shelters, and streamline contracting for services provided to people facing homelessness:

- Temporary Homeless Shelter Provisions During Shelter Crisis (File #190045)
- Streamlined Contracting for Homeless Services and Siting for Homeless Shelters (File #190047)

As supportive housing providers, we understand that there is a dire need for immediate access to shelter and that expanding the capacity of this system must be a priority. While there may be concerns over the processes outlined in the legislation, we too align our support and thinking with that of the Human Services Network (HSN) and the Homeless Emergency Service Providers Association (HESPA).

The urgent need to address the emergency of people living – and dying – on our streets far outweighs the benefits of rigorous application of administrative processes for the duration of this shelter crisis.

We urge the Board to approve these Ordinances and forward them to Mayor Breed for her signature.

Sincerely,

Tramecia Garner

Tramecia Garner, SHPN Co-Chair

Doug Gary

Doug Gary, SHPN Co-Chair

Cc: Mayor London Breed, Emily Cohen, Jeff Kositsky

190047

To: Karunaratne, Kanishka (MYR)
Subject: RE: HSN support for shelter ordinances

From: Debbi Lerman [mailto:debbilerman@sfnhsn.org]

Sent: Friday, March 08, 2019 11:51 AM

To: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>

Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Cohen, Emily (DPH) <emily.cohen@sfgov.org>; Kositsky, Jeff (HOM) <jeff.kositsky@sfgov.org>

Subject: HSN support for shelter ordinances

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: San Francisco Board of Supervisors
Cc: Mayor London Breed, Emily Cohen, Jeff Kositsky

The San Francisco Human Services Network (HSN) is writing to express our support for legislation to expedite siting and construction of shelters, and streamline contracting for services provided to people facing homelessness:

- Temporary Homeless Shelter Provisions During Shelter Crisis (File #190045)
- Streamlined Contracting for Homeless Services and Siting for Homeless Shelters (File #190047)

On March 5, a group of HSN representatives participated in a conversation with Emily Cohen, the Mayor's Policy Advisor on Homelessness, and Jeff Kositsky, Director of the Department of Homelessness and Supportive Housing. We raised potential concerns about the importance of community engagement, the benefits of competitive bidding and the possibility of unintended consequences. Ms. Cohen and Mr. Kositsky provided thoughtful responses that addressed these issues. We are encouraged that the legislation maintains Prop I provisions for public notice, includes regular reports to the Board of Supervisors, allows for the use of RFQ's to ensure bidders are qualified, and ensures that the Department will monitor the performance of contractors who receive a no-bid contract.

Most importantly, we believe that the urgent need to address the emergency of people living – and dying – on our streets far outweighs the benefits of rigorous application of administrative processes for the duration of this shelter crisis. We urge the Board to approve these Ordinances and forward them to Mayor Breed for her signature.

Sincerely,

Sherilyn Adams, HSN Co-Chair
Steve Fields, HSN Co-Chair
Debbi Lerman, HSN Director

Debbi Lerman
S.F. Human Services Network
(415) 668-0444 (office)
(415) 846-4637 (mobile)

BOARD of SUPERVISORS



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

March 8, 2019

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

Dear Commissioners:

On March 5, 2019, Mayor Breed introduced the following substitute legislation:

File No. 190047

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing 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 substitute ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

C: John Rahaim, Director
Scott Sanchez, Acting Deputy Zoning Administrator
Corey Teague, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Devyani Jain, Deputy Environmental Review Officer
AnMarie Rodgers, Director of Citywide Planning
Dan Sider, Director of Executive Programs
Aaron Starr, Manager of Legislative Affairs
Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

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

March 8, 2019

File No. 190047-3

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On March 5, 2019, Mayor Breed introduced the following proposed substitute legislation:

File No. 190047-3

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Jeff Kositsky, Director, Department of Homelessness and Supportive Housing

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: March 8, 2019

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed substitute legislation, introduced by Mayor Breed on March 5, 2019:

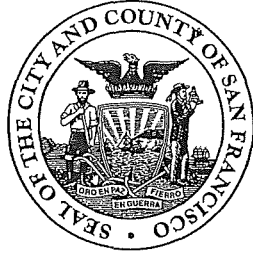
File No. 190047-3

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing 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.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

c: Emily Cohen, Department of Homelessness and Supportive Housing

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Jeff Kositsky, Director
Department of Homelessness and Supportive Housing

FROM: Victor Young, Assistant Clerk
Rules Committee

DATE: February 15, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed substitute legislation, introduced by Mayor Breed on February 12, 2019:

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.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c: Emily Cohen, Department of Homelessness and Supportive Housing

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 15, 2019

File No. 190047

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

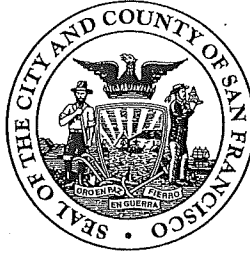
A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

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

January 29, 2019

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

Dear Commissioners:

On January 15, 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".

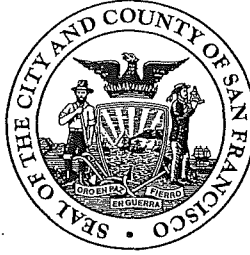
By: Victor Young, Clerk
Rules Committee

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

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Jeff Kositsky, Director

FROM: Victor Young, Assistant Clerk
Rules Committee

DATE: January 29, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Mayor Breed on January 15, 2019:

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.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c: Emily Cohen, Department of Homelessness and Supportive Housing

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

January 29, 2019

File No. 190047

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On January 15, 2019, Mayor Breed introduced the following 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Victor Young".

By: Victor Young, Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

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

January 29, 2019

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

Dear Commissioners:

On January 15, 2019, Mayor Breed introduced the following 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 cursive script 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

03
03-11
Leg
Rules
Clerk
Dep. City Atty
Mayor's Office
Clerk's Office

President, District 7
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-6516
Fax No. 554-7674
TDD/TTY No. 544-6546

Norman Yee

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 MAR -7 PM 1:08
BY [Signature]

PRESIDENTIAL ACTION

Date: 3/7/2019
To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. _____
(Primary Sponsor)

Title. _____

Transferring (Board Rule No 3.3)

File No. 190047 Mayor
(Primary Sponsor)

Title. Administrative, Planning Codes - Streamlined Contracting for
Homeless Services and Siting for Homeless Shelters

From: Rules _____ Committee

To: Land Use & Transportation _____ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____ Meeting
(Date) (Committee)

Norman Yee, President
Board of Supervisors

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
RECEIVED
BOARD OF SUPERVISORS
MAYOR
SAN FRANCISCO

2019 MAR -5 PM 4:06

BY

Handwritten signature of London N. Breed.

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Kanishka Karunaratne Cheng *KKC*
RE: Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters
DATE: March 5, 2019

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing the Department of Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing 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; and 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.

This legislation is intended to substitute File No. 190047.

Please note that Supervisors Brown, Walton, Haney, Mandelman, and Stefani are co-sponsors of this legislation.

Should you have any questions, please contact Kanishka Karunaratne Cheng at 415-554-6696.



2019 FEB 12 PM 4:32

37

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Kanishka Karunaratne Cheng *KKC*
RE: Administrative, Planning Codes - Streamlined Contracting for Homeless
Services and Siting for Homeless Shelters
DATE: February 12, 2019

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 and SALI districts; authorizing HSH to operate Navigation Centers for more than two years; and affirming the Planning Department’s determination under the California Environmental Quality Act, and making findings of consistency with the City’s General Plan and the eight priority policies of Planning Code, Section 101.1.

This legislation is intended to substitute File No. 190047.

Please note that Supervisors Brown, Walton, Haney, Mandelman, and Stefani are co-sponsors of this legislation.

Should you have any questions, please contact Kanishka Karunaratne Cheng at 415-554-6696.



2019 JAN 15 PM 4:22

BY _____

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Kanishka Karunaratne Cheng *KKC*
RE: Administrative, Planning Codes - Streamlined Contracting for Homeless
Services and Siting for Homeless Shelters
DATE: 1/15/2019

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 and SALI districts; authorizing HSH to operate Navigation Centers for more than two years; and affirming the Planning Department’s determination under the California Environmental Quality Act, and making findings of consistency with the City’s General Plan and the eight priority policies of Planning Code, Section 101.1.

Please note that Supervisors Brown, Walton, Haney, Mandelman, and Stefani are co-sponsors of this legislation.

Should you have any questions, please contact Kanishka Karunaratne Cheng at 415-554-6696.

Member, Board of Supervisors
District 9



City and County of San Francisco

HILLARY RONEN

March 7, 2019

President Norman Yee
Board of Supervisors

Re: Waiving option to hear Files 190045 and 190047 at Rules Committee

Dear President Yee:

I am respectfully requesting that Files 190045 [Building, Business and Tax Regulations Codes - Temporary Homeless Shelter Provisions During Shelter Crisis] and 190047 [Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters] — be transferred from Rules Committee to Land Use & Transportation Committee, as requested by Mayor London Breed, sponsor of that legislation. As Chair of Rules Committee, I am waiving this committee's authority to hear these matters.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Hillary Ronen".

Hillary Ronen
Supervisor, District 9

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 MAR -7 PM 1:08
BY [Signature]

