

Building Inspection Commission
November 20, 2024

Agenda Item #X– File No. 241067

Ordinance amending the Planning Code to allow tourist hotels and motels to be used for Interim Housing without thereby abandoning or discontinuing the hotel use classification under that Code; amending the Building Code to allow Interim Housing without thereby changing the underlying occupancy classification of the property, and amending Appendix P to remove restriction that emergency housing be located on land owned or leased by the City; 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Background

In 2016, San Francisco passed Ordinance 57-16, which declared a shelter crisis throughout the City and County. In 2020, San Francisco followed up by passing Ordinance 60-19, which affirmed that the shelter crisis was ongoing, and established a streamlined approval process for shelters in accordance with state law.

Existing Law

San Francisco Building Code Section 106A.2 establishes specified actions that residents can take without the requirement for a permit. These are typically smaller projects, such as a fence under 3 feet, painting and other finish work, or replacing certain doors.

Additionally, existing state law, California Civil Code Sections 1954.08 to 1954.093, clarifies that temporary use of a hotel or motel as a shelter does not result in the hotel being labeled as non-transient, nor does it establish new tenancy for the residents.

Ordinance’s Proposed Changes to Existing Law

This ordinance, along with amending the Planning Code, seeks to add the use of a hotel or motel for Interim Housing as an additional category of work that can be done without a permit. This use shall not constitute a change to the underlying occupancy classification.

Code Advisory Committee Recommendation