

**REPORT FROM**

## **OFFICE OF THE CITY ADMINISTRATIVE OFFICER**

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Date: December 1, 2023

CAO File No. 0220-05151-0507

Council File No. 15-1138-S33

Council District: All

To: The City Council

From: Matthew W. Szabo, City Administrative Officer



Reference: City of Los Angeles Shelter Crisis Declaration – Sixth Report Pursuant to Government Code 8698.4(a)(6)

Subject: **Status Report to the State on California Shelter Crisis**

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### **RECOMMENDATION**

That the City Council review the City's Fiscal Year 2022-23 Shelter Crisis Declaration status report (Attachment 1) outlining its progress in addressing its shelter crisis and provide authorization for the report to be submitted to the State of California, subject to approval by the Mayor.

### **SUMMARY**

On April 17, 2018, the City of Los Angeles (City) declared a shelter crisis pursuant to Government Code 8698.4, which allowed the City to adopt by ordinance reasonable local standards and procedures for the design, site development, and operation of homeless shelters. The City is required to submit an annual status report on its progress (Attachment 1) to the State Legislature as required by Government Code 8698.4(a)(6) (Attachment 2), which outlines key metrics to be reported by all jurisdictions that have declared a shelter crisis. This is the City's sixth report to the State of California Senate Committee on Housing and Assembly Committee on Housing and Community Development.

Attachment 1 outlines data describing the state of interim and crisis housing (shelter) and permanent supportive housing (PSH) units located in the City, as well as annual housing placements. The Los Angeles Homeless Services Authority (LAHSA) has provided the majority of the data for Fiscal Year 2022-23 (July 1, 2022 to June 30, 2023). Data sources include the Homeless Management Information System (HMIS) and the Los Angeles Continuum of Care (LA CoC) Housing Inventory Count (HIC). A copy of the City's ordinance adopted pursuant to Government Code 8698.4(a)(2) is attached as required by Government Code 8698.4(a)(6).

Attachment 1 – Letter to the State of California Senate Committee on Housing and State of California Assembly Committee on Housing and Community Development

Attachment 2 – State of California Government Code Section 8698.4(a)(6)

# CITY OF LOS ANGELES

CALIFORNIA



KAREN BASS  
MAYOR

MATTHEW W. SZABO  
CITY ADMINISTRATIVE OFFICER

ASSISTANT  
CITY ADMINISTRATIVE OFFICERS

PATRICIA J. HUBER  
MALAIKA BILLUPS  
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Via email

Date:

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State of California Senate Committee on Housing  
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State of California Assembly Committee on Housing and Community Development  
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**RE: City of Los Angeles Shelter Crisis Declaration – Sixth Status Report  
Pursuant to Government Code 8698.4(a)(6)**

Dear Ms. Hughes and Ms. Engel:

On April 17, 2018, the City of Los Angeles (City) declared a shelter crisis pursuant to Government Code 8698.4. This is the City's sixth status report to the State of California Senate Committee on Housing and the Assembly Committee on Housing and Community Development, as required by Government Code 8698.4(a)(6), outlining its progress in addressing its shelter crisis.

The Los Angeles Homeless Services Authority (LAHSA) has provided the majority of the data for Fiscal Year (FY) 2022-23 (July 1, 2022 to June 30, 2023). Data sources include the Homeless Management Information System (HMIS) and the Los Angeles Continuum of Care (LA CoC) Housing Inventory Count (HIC).

HMIS is the system used to collect outcome data from organizations that receive LAHSA funding. Organizations that do not receive LAHSA funding may voluntarily report outcome data in HMIS, but it is not required. Therefore, the data in this report does not include outcomes of organizations that do not report in HMIS.

The HIC describes the inventory of projects, including shelter and permanent supportive housing (PSH), dedicated to serving homeless and formerly homeless persons. LAHSA submits the HIC annually to the U.S. Department of Housing and Urban Development (HUD).

The information required by Government Code 8698.4(a)(6) is provided below.

(A) The total number of residents in homeless shelters within the City

*Source: HMIS and LA CoC HIC*

- There are 16,181 shelter beds in the City. Of these, 11,907 are in facilities that participate in HMIS and report having served 20,287 people in FY 2022-23.
  - The number of shelter beds in the City decreased by 459 from the previous year for both HMIS-participating facilities and non-HMIS participating facilities, and by 170 for HMIS-participating facilities only. LAHSA reports that this decrease can be attributed to Project Roomkey and Project Homekey demobilizations or interim housing to permanent housing conversions that occurred between February 23, 2022 (the date of the 2022 HIC) and January 25, 2023 (the date of the 2023 HIC). Non-HMIS shelter bed decreases might be attributed either to sites converting to HMIS-participating sites or to sites that went two years without providing data and have been removed as “inactive.”

(B) The total number of residents who have moved from a homeless shelter into PSH within the City

*Source: HMIS and LA CoC HIC*

- 4,627 people experiencing homelessness were placed into all types of permanent housing in FY 2022-23, including those placed from shelters and those who did not access shelters prior to placement. This represents a decrease of 191 from the 4,818 total placements in FY 2021-22. LAHSA reports that this decrease from prior year numbers might be attributed to the following: 1) major increases in the rental cost for market-rate units; 2) trends toward stricter background checks from private market landlords that might screen out participants with criminal backgrounds or prior evictions; 3) lingering impacts of the COVID-19 pandemic on PSH project construction timelines; and 4) fewer available units in the rental market, which is in part believed to be related to the City’s eviction moratorium extension (at the same time, this extension likely prevented further increases in the number of persons experiencing homelessness).
  - Of this total, 276 residents have moved from shelters that participate in HMIS into PSH. This represents an increase from the previous year, when 261 residents transitioned from a shelter into PSH. Both the current and previous year have shown a decrease from pre-pandemic year statistics (e.g., 477 placements in 2019), which might be attributed to the persistent delays in construction timelines related to the COVID-19 pandemic.
  - 3,292 persons moved from shelter into any type of permanent housing (including both PSH and non-PSH units, such as rapid rehousing, subsidized affordable housing, Section 8 vouchers, etc.). This number is inclusive of the 276 residents who have moved from shelters that participate in HMIS into PSH reported above.

- 1,335 persons moved into PSH without having accessed shelter prior to placement.
  - This data is not available for homeless shelters that do not participate in HMIS, which represent 4,514 beds.
  - LAHSA notes that these placement numbers are not directly comparable to the 22,540 housing placements reported as part of the 2023 Greater Los Angeles Homeless Point in Time (PIT) Count. The placements reported in the 2023 PIT Count include clients placed into permanent housing outside the City of Los Angeles. The data used for the PIT Count placement number includes placements from other aggregated sources, such as the U.S. Department of Veterans Affairs (VA), that cannot be broken down by those that occurred within the City. Additionally, the number used for the PIT Count is a count of “placements” instead of “clients placed,” and clients may have multiple placements. According to LAHSA’s System Key Performance Indicator (KPI) data, in FY 2022-23 there were 2,934 PSH placements for adults enrolled in City interim housing programs, 1,800 PSH placements for families enrolled in City interim housing programs, and 336 PSH placements for transitional-aged youth (TAY) enrolled in City interim housing programs.
- (C) Total estimated number of PSH units  
*Source: LA CoC HIC*
- There are 16,449 estimated PSH beds in the City. This number includes beds in City-funded PSH housing developments, as well as tenant-based units, scattered site PSH units, and units that do not participate in HMIS. This represents an increase from the 16,005 units reported in FY 2022-23. As noted above, COVID-19 pandemic supply chain issues continue to impact PSH construction timelines.
- (D) The number of residents who have exited the system and are no longer in need of a homeless shelter or PSH within the City  
*Source: HMIS and LA CoC HIC*
- 959 residents have exited the system and are no longer in need of a homeless shelter or PSH within the City. This number is based on persons reported in HMIS as having left a shelter or PSH unit within the City for unassisted permanent housing, such as family reunification or unassisted rental housing.
- (E) The number and bed capacity of new homeless shelters built pursuant to this section within the City  
*Source: Office of the City Administrative Officer*
- 3 new interim housing facilities with 333 beds were built in FY 2022-23 pursuant to this section.
  - 3 additional shelters were under construction pursuant to this section before the end of FY 2022-23, representing an additional 379 shelter beds.

(F) New actions the City is taking under the declared shelter crisis to better serve the homeless population and to reduce the number of people experiencing homelessness

- Since declaring a shelter crisis in April 2018, the City has allocated a total of \$703 million to the A Bridge Home and Homelessness Roadmap programs. This funding includes:
  - \$59 million from the City's State of California Homeless Emergency Aid Program (HEAP) grant allocation for capital and operating costs;
  - \$78 million from the City's State of California Homeless Housing and Assistance Program (HHAP) grant allocation for capital and operating costs;
  - \$88.7 million in City General Fund dollars allocated for capital and operating costs;
  - \$171 million from the City's Federal Coronavirus Relief Fund allocation for capital costs;
  - \$182 million from the City's Federal Emergency Shelter Grant (ESG) - COVID for capital and operating costs;
  - \$5 million from the City's Federal Community Development Block Grant (CDBG) - COVID for capital costs;
  - \$238 million from the Homelessness Efforts - County Funding Agreement Fund for operating costs.
- On June 16, 2020, the City reached an agreement with the County of Los Angeles (County) to develop an additional 6,700 homeless interventions to address the COVID-19 emergency within 18 months.
  - This agreement established the following milestones:
    - 700 beds in existing agreements with the County within 10 months;
    - 5,300 new beds within 10 months; and
    - 700 new beds within 18 months.
  - Six thousand of these beds must be new beds, which are not included in any existing agreements between the City and the County. The County has committed to providing the City up to \$60 million in services funding per year over the five-year term of the agreement, for a total of up to \$300 million, based on the number of interventions that are open and occupiable within 60 days of July 1st each year. The target population for this effort includes:
    - People experiencing homelessness and living in the City within 500 feet of freeway overpasses, underpasses, and ramps;
    - People experiencing homelessness within the City who are 65 years of age or older; and
    - Other vulnerable people experiencing homelessness within the City
  - As of June 30, 2023, 6,588 new beds were open and occupiable, including 1,263 rapid rehousing/shared housing interventions implemented by LAHSA.
- On June 14, 2022, the City reached an agreement with the LA Alliance for Human Rights to create shelter or housing to accommodate 60 percent of unsheltered persons experiencing homelessness in the City that do not require more acute services that can only be provided by the County. Based on the 2022 Point In Time

Count by LAHSA, the City is required to create 12,915 new interventions (e.g., interim housing beds, time-limited subsidies, permanent supportive housing units, etc.). As of June 30, 2023, 2,347 beds or units were open and 8,455 beds or units were in progress under the Alliance Settlement Agreement.

- On December 12, 2022, Mayor Karen Bass declared a local emergency to address Los Angeles' housing and homelessness crisis, allowing for expediting contracting and streamlined processing of temporary, affordable, and permanent supportive housing projects. The local emergency declaration was ratified by the City Council on December 13, 2022 and was renewed by the City Council every 30 days with a sunset date of July 9, 2023. On June 28, 2023, the City Council and Mayor approved Los Angeles Administrative Code Section 8.33, which created a procedure by which the Mayor is empowered to declare a local emergency on housing and/or homelessness when certain local conditions are met. This ordinance went into effect on July 5, 2023, and the Mayor declared a local housing and homelessness emergency under this ordinance on July 7, 2023. Executive Directives issued by the Mayor under the emergency declaration include an executive directive issued December 16, 2022 (revised June 12, 2023) which expedites the processing of shelters and 100% affordable housing projects in Los Angeles and an executive directive issued February 10, 2023 which allows for the emergency use of viable City-owned property for temporary and permanent housing.
- From July 1, 2022 to June 30, 2023, the City completed assessments of approximately 20 City- or privately-owned properties to determine the feasibility of establishing new shelter facilities. In total, over 400 sites have been assessed from July 1, 2018 to June 30, 2023. The City has to date conducted numerous reviews of all available vacant and surplus City properties and has examined the feasibility of all of these properties. In addition, under Mayor Bass's executive directive(s), the Mayor's Office reviewed parcels of both publicly-owned and privately-owned land for use as temporary or permanent housing.
- Announced in April 2018, the A Bridge Home (ABH) program provides low-barrier interim housing beds to unhoused residents. As of June 30, 2023, there were 27 ABH sites operating with 2,095 beds. These sites provide much needed housing and support services for unsheltered residents in Los Angeles.
- Proposition HHH (Prop HHH) was approved in 2016, authorizing the City to issue up to \$1.2 billion in General Obligation Bonds for permanent supportive and affordable housing and homeless facilities. As of June 30, 2023, 51 projects with 3,053 units, 2,469 of which were PSH units, had received a Temporary Certificate of Occupancy or Certificate of Occupancy. In addition, an additional 79 projects with 5,543 units, 4,687 of which were PSH units, were in the pipeline.

Attached please find a copy of the City's ordinance adopted pursuant to Government Code 8698.4(a)(2).

The City's next report will continue to reflect our progress in these and other efforts. Should you have any questions, please contact Assistant City Administrative Officer Edwin Gipson at [edwin.gipson@lacity.org](mailto:edwin.gipson@lacity.org).

Sincerely,

Matthew W. Szabo  
City Administrative Officer

Attachment: City of Los Angeles Ordinance 185490

cc: State of California Senate Committee on Housing  
Despina Demas

**ORDINANCE NO. 185490**

An ordinance amending Section 91.8605 of Division 86 of Article 1 of Chapter IX of the Los Angeles Municipal Code to update the standards applicable to temporary emergency homeless shelters established in response to the City's declaration of a shelter crisis pursuant to California Government Code Section 8698, et seq.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Section 91.8605 of Division 86 of Article 1 of Chapter XV of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 91.8605. EMERGENCY HOMELESS SHELTERS.**

**91.8605.1. Applicability of Standards.** The provisions and standards set forth in Section 91.8605.2 shall be applicable to any emergency shelter for the homeless located in new or existing buildings or structures that are established pursuant to the declaration of a shelter crisis under Section 12.80 of the Los Angeles Municipal Code.

**91.8605.2. General.** Notwithstanding any provisions of this Code to the contrary, the following requirements shall apply to emergency homeless shelters operated during a shelter crisis, as provided for in Government Code Section 8698, et seq. Other than the requirements set forth below, the facilities need not comply with the requirements of this Code for Group R occupancies unless otherwise specified in this Code:

1. The maximum occupant load allowed in these facilities shall be the number determined appropriate by the professional service provider operating the facility and be computed at a rate of 70 square feet for the first occupant and 50 square feet for each occupant thereafter. The Superintendent of Building, with concurrence with the Fire Department, may grant an increase of occupant load provided that an aisle, seating, furniture, and fixed equipment diagram, substantiating the increase in occupant load, be submitted and approved pursuant to Section 91.8605.3 of this Code. Such diagram shall be posted on site for each level where occupant load increase is granted.

**2. Fire Safety Requirements.**

A. Means of egress shall comply with Section 57.1001 through Section 57.1031 of Article 7 of Chapter V of the LAMC.

B. Smoke alarms shall be provided in all sleeping areas and shall be installed in accordance with Article 7 of Chapter V of the LAMC and CBC Section 907.2.11.



C. A fire alarm system capable of arousing occupants shall be installed in accordance with Article 7 of Chapter V of the LAMC and CBC Section 907.1.

D. The use of any open flames and the possession or storage of any combustibles shall not be permitted.

**EXCEPTION:** The Superintendent of Building may approve the use of open flames and storage of combustibles in these buildings with concurrence of the Fire Department.

E. Sleeping quarters shall be limited to the ground floor only.

F. Automatic fire sprinklers shall be provided for new and existing buildings or structures as required per Article 7 of Chapter V of the LAMC and CBC Section 903.

G. New shelter buildings or structures shall be located in accordance with the requirements of Table 602 of the CBC, based on the fire-resistance rating of the exterior walls for the proposed type of construction.

H. Portable fire extinguishers shall be provided per Article 7, Chapter V of the LAMC and Title 19 of the California Code of Regulations.

I. Tents and membrane structures shall comply with Section 57.3101 through 57.3104 of Article 7 of Chapter V of the LAMC, and California Code of Regulations, Title 19, Division 1, Chapter 2, Sections 303, 310, 312, 315, 316, 317, 319, 320, 321, 324, 325, 326, 332, 334, 335, 340, and 341. Tents and membrane structures shall be limited to one level located at the level of Fire Department vehicle access road or lane.

J. All interior finishes shall comply with Sections 57.803 and 57.804 of Article 7 of Chapter V of the LAMC.

K. Fire Department access to building and premises identification shall be in compliance with Sections 57.503, 57.504, and 57.505 of Article 7 of Chapter V of the LAMC.

**3. Light, Heating, Ventilation and Sanitation.**

A. Exterior openings for natural light and ventilation shall be provided as required for Group R occupancy, CBC Sections

1203 and 1205; exterior openings for artificial lighting shall be provided per CBC section 1205.3; and exterior openings for mechanical ventilation shall be provided per the California Mechanical Code.

B. All sleeping areas shall be provided with heating facilities capable of maintaining a room temperature of 70°F at a point 8 feet above the floor.

C. Every building shall be provided with at least one water closet and one bathing facility for every 15 occupants of each sex. Bathing facilities shall be provided with heating equipment that shall be capable of maintaining a temperature of 70 degrees F within such facilities. Lavatories shall be provided and maintained in or adjacent to the toilet facilities.

D. Kitchen facilities, where provided, shall comply with applicable sections of Chapter IX of the LAMC and CBC Section 1208. Where kitchen or cooking facilities are not provided, all food shall be catered or delivered on site.

E. All garbage, kitchen waste and rubbish shall be deposited in approved covered receptacles, which shall be emptied when filled and the contents shall be disposed of in a sanitary manner.

#### **4. Structural Requirements.**

A. The structural design for the shelter shall comply with the provisions of this Code unless determined otherwise by the Superintendent of Building pursuant to Section 91.8605.3 of this Code. All structural design documents, where deemed necessary, shall be prepared and stamped by a licensed engineer or architect registered in the State of California.

B. Shelters shall not be located in existing, substandard buildings subject to mandatory earthquake hazard reduction requirements such as:

- Unreinforced masonry (URM) buildings,
- Wood-frame with soft, weak or open-front walls,
- Non-ductile concrete buildings

**5. Additional Requirements.**

A. Operating procedures including a security plan and service requirements shall be developed by the professional service provider and shown to be consistent with the standards imposed by the Los Angeles Homeless Service Authority (LAHSA) service agreements. These procedures shall be designed to maintain order and safety within the Emergency Homeless Shelter.

B. Emergency homeless shelters required to be accessible must be in compliance with Title 24 of the CBC, Chapters 11A and 11B and federal standards for accessibility, whichever is more stringent and/or the US Access Board Final Guidelines for Emergency Transportable Housing.

**91.8605.3.** Alternative compliance and/or slight modifications in individual cases, that are reasonably equivalent to the building ordinances of the city and regulations under Articles 1 through 8 of Chapter IX of the LAMC may be granted by the Department pursuant to Section 98.403.1(a)10 of the LAMC.


**Sec. 2. URGENCY CLAUSE.** The City finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: The measures contained in the ordinance are designed to protect those without shelter from the life-threatening impacts related to homelessness, including but not limited to exposure to extreme temperatures, weather conditions, and communicable diseases. The City of Los Angeles is already in the midst of a shelter crisis, with the City Council having formally declared a shelter crisis under California Government Code Section 8698, based on a finding that a significant number of homeless people in Los Angeles are without the ability to obtain shelter, resulting in a threat to their health and safety. In order to address the threat to the health and safety of the homeless there must be an increase in the number of shelters available to the homeless to find refuge. For all of these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

**Sec. 3. SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
ADRIENNE KHORASANEE  
Deputy City Attorney

Date April 12, 2018

File No. 15-1138-S30


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I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR





Ordinance Passed 04/17/2018

Approved 04/17/2018

Published Date: 04/20/2018  
Ordinance Effective Date: 04/20/2018  
Council File No.: 15-1138-S30

**GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** (*Title 2 enacted by Stats. 1943, Ch. 134.*)

**DIVISION 1. GENERAL [8000 - 8899.95]** (*Division 1 enacted by Stats. 1943, Ch. 134.*)

**CHAPTER 7.8. Shelter Crisis [8698 - 8698.4]** (*Chapter 7.8 added by Stats. 1987, Ch. 1116, Sec. 2.*)

**8698.4.**

(a) Notwithstanding any other provision in this chapter, upon a declaration of a shelter crisis by a city, county, or city and county, the following shall apply to the respective city, county, or city and county during the shelter crisis:

(1) Emergency housing may include homeless shelters for the homeless located or constructed on any land owned or leased by a city, county, or city and county, including land acquired with low- and moderate-income housing funds.

(2) (A) (i) The city, county, or city and county, in lieu of compliance with local building approval procedures or state housing, health, habitability, planning and zoning, or safety standards, procedures, and laws, may adopt by ordinance reasonable local standards and procedures for the design, site development, and operation of homeless shelters and the structures and facilities therein, to the extent that it is determined at the time of adoption that strict compliance with state and local standards or laws in existence at the time of that adoption would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. For a jurisdiction that adopts an ordinance establishing reasonable local standards, those standards shall, at a minimum, meet the standards provided in the 2019 California Residential Code Appendix X, and California Building Code Appendix O, and any future standards adopted by the Department of Housing and Community Development related to emergency housing or emergency housing facilities, unless the city, county, or city and county adopts findings stating why the standards cannot be met and stating how the standards in the ordinance protect health and safety. Upon the adoption of an ordinance, the city, county, or city and county shall file a copy of the adopted ordinance, and any associated findings, with the department.

(ii) During the shelter crisis, except as provided in this section, provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws shall be suspended for homeless shelters, provided that the city, county, or city and county has adopted health and safety standards and procedures for homeless shelters consistent with ensuring minimal public health and safety and those standards are complied with. Landlord tenant laws codified in Sections 1941 to 1942.5, inclusive, of the Civil Code providing a cause of action for habitability or tenantability shall be suspended for homeless shelters, provided that the city, county, or city and county has adopted health and safety standards for homeless shelters and those standards are complied with. During the shelter crisis, the local and state law requirements for homeless shelters to be consistent with the local land use plans, including the general plan, shall be suspended.

(B) This section applies only to a public facility or homeless shelters reserved entirely for the homeless pursuant to this chapter.

(3) Homeless shelters constructed or allowed under this chapter shall not be subject to the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), or the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), except that disposition of any vehicle or its contents abandoned by its owner shall be performed pursuant to Chapter 5 (commencing with Section 1980) of Title 5 of Part 4 of Division 3 of the Civil Code.

(4) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) shall not apply to actions taken by a state agency or a city, county, or city and county, to lease, convey, or encumber land owned by a city, county, or city and county, or to facilitate the lease, conveyance, or encumbrance of land owned by the local government for, or to provide financial assistance to, a homeless shelter constructed or allowed by this section.

(5) (A) On or before July 1, 2019, the Cities of Berkeley, Emeryville, Los Angeles, Oakland, and San Diego, the County of Santa Clara, and the City and County of San Francisco shall develop a plan to address the shelter crisis, including, but not limited to, the development of homeless shelters and permanent supportive housing, as well as onsite supportive services. The city, county, or city and county shall make the plan publicly available.

(B) In the case of a shelter crisis declared by the County of Alameda, a city located within the County of Alameda, the County of Orange, a city located within the County of Orange, or the City of San Jose, the county or the city, as applicable, shall develop the plan described in subparagraph (A) on or before July 1, 2020, and shall include in the plan required by this subparagraph a plan to transition residents from homeless shelters to permanent housing.

(C) In the case of a shelter crisis declared by any other county or city not described in subparagraph (A) or (B) on or before January 1, 2021, the county or the city, as applicable, shall develop the plan described in subparagraph (A) on or before July 1, 2021, and shall include in the plan required by this subparagraph a plan to transition residents from homeless shelters to permanent housing.

(D) In the case of a shelter crisis declared by any other county or city not described in subparagraph (A) or (B) after January 1, 2021, the county or the city, as applicable, shall develop the plan described in subparagraph (A) on or before July 1 of the year following the declaration of the shelter crisis, and shall include in the plan required by this subparagraph a plan to transition residents from homeless shelters to permanent housing.

(6) If the city, county, or city and county has declared a shelter crisis, the city, county, or city and county shall report, by January 1 of each year, all of the following to the Senate Committee on Housing and the Assembly Committee on Housing and Community Development:

(A) The total number of residents in homeless shelters within the city, county, or city and county.

(B) The total number of residents who have moved from a homeless shelter into permanent supportive housing within the city, county, or city and county.

(C) The estimated number of permanent supportive housing units.

(D) The number of residents who have exited the system and are no longer in need of a homeless shelter or permanent supportive housing within the city, county, or city and county.

(E) The number and bed capacity of new homeless shelters built pursuant to this section within the city, county, or city and county. The information regarding the bed capacity shall be included in reports due by January 1, 2022, and by January 1 of each year thereafter. Bed capacity shall not include the parking vehicle capacity of a homeless shelter on a parking lot owned or leased by a city, county, or city and county specifically identified as one allowed for safe parking by homeless and unstably housed individuals.

(F) New actions the city, county, or city and county is taking under the declared shelter crisis to better serve the homeless population and to reduce the number of people experiencing homelessness.

(G) The ordinance and any associated findings adopted by the city, county, or city and county pursuant to paragraph (2).

(b) A declaration of a shelter crisis by a city, county, or city and county and the provisions in this section that are or may be utilized by a city, county, or city and county, including an ordinance adopted by a city, county, or city and county pursuant to clause (i) of subparagraph (A) of paragraph (2) of subdivision (a), shall apply to any land owned or leased by an agency or entity created pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code) if the city, county, or city and county that declared a shelter crisis is one of the parties to the agreement creating the entity or agency and the real property owned or leased by the agency or entity is located within the jurisdiction of the city, county, or city and county that declared the shelter crisis.

(c) For purposes of this section, the following terms have the following meanings:

(1) "Homeless shelter" means a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. A temporary homeless shelter community may include supportive and self-sufficiency development services. A "homeless shelter" shall include a parking lot owned or leased by a city, county, or city and county specifically identified as one allowed for safe parking by homeless and unstably housed individuals.

(2) "Permanent supportive housing" means housing for people who are homeless, with no limit on length of stay, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving the person's health status, and maximizing the person's ability to live and, when possible, work in the community.

(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

*(Amended by Stats. 2020, Ch. 147, Sec. 1. (AB 2553) Effective September 25, 2020. Repealed as of January 1, 2026, by its own provisions.)*