

File No. 220542 Committee Item No. 1  
 Board Item No. 26

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date November 14, 2022

Board of Supervisors Meeting Date November 29, 2022  
 Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
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**OTHER (Use back side if additional space is needed)**

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | CEQA Determination 060122 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | PC Transmittal 082322     |
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Completed by: Erica Major Date November 17, 2022  
 Completed by: Erica Major Date \_\_\_\_\_

1 [Planning Code - Temporary Safe Overnight Parking and Cannabis Retail Uses]

2

3 **Ordinance amending the Planning Code to allow long-term parking of and overnight**  
 4 **camping in vehicles and ancillary uses on parcels designated and authorized for use**  
 5 **as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use;**  
 6 **extending the date for expiration of temporary cannabis retail uses to January 1, 2024;**  
 7 **affirming the Planning Department’s determination under the California Environmental**  
 8 **Quality Act; and making findings of consistency with the General Plan, and the eight**  
 9 **priority policies of Planning Code, Section 101.1, and public necessity, convenience,**  
 10 **and welfare findings pursuant to Planning Code, Section 302.**

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

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

19 Section 1.

20 (a) The Planning Department has determined that the actions contemplated in this  
 21 ordinance comply with the California Environmental Quality Act (California Public Resources  
 22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
 23 Supervisors in File No. 220542 and is incorporated herein by reference. The Board affirms  
 24 this determination.

25 (b) On July 21, 2022, the Planning Commission, in Resolution No. 21146, adopted  
 findings that the actions contemplated in this ordinance are consistent, on balance, with the

1 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board  
2 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the  
3 Board of Supervisors in File No. 220542, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
5 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
6 Planning Commission Resolution No. 21146.

7  
8 Section 2. The Planning Code is hereby amended by revising Sections 190, 191 and  
9 205.2, to read as follows:

10 **SEC. 190. CONVERSION OF MEDICAL CANNABIS DISPENSARIES TO CANNABIS**  
11 **RETAIL ESTABLISHMENTS.**

12 **(a) Conversion of MCDs with Planning Commission Approval to Cannabis Retail**  
13 **Uses.**

14 (1) An establishment may convert from the prior authorized Use at the property  
15 to a Cannabis Retail Use by obtaining a building permit authorizing the change of Use, if the  
16 establishment (to be termed a “Grandfathered MCD”) satisfies one of the following three  
17 criteria:

18 (A) holds a valid final permit from the Department of Public Health to  
19 operate as a Medical Cannabis Dispensary, pursuant to Section 3307 of the Health Code, as  
20 of January 5, 2018;

21 (B) holds an approval for a Medical Cannabis Dispensary Use from the  
22 Planning Department as of January 5, 2018; or

23 (C) submitted a complete application for a permit from the Department of  
24 Public Health to operate as a Medical Cannabis Dispensary by July 20, 2017, and receives a  
25 final permit.

1 (2) A Grandfathered MCD converting to a Cannabis Retail Use pursuant to this  
2 Section 190 is not subject to

3 (A) a Conditional Use Authorization requirement for Cannabis Retail  
4 Uses in the zoning district in which it is located;

5 (B) the locational restrictions for Cannabis Retail set forth in Section  
6 202.2(a);

7 (C) the requirements of Section 311; or

8 (D) an application for discretionary review; provided however, that the  
9 Planning Commission or Planning Department staff may initiate discretionary review.

10 (3) A Grandfathered MCD is subject to all other Planning Code requirements.

11 **(b) Establishment of Cannabis Retail Uses at Sites with MCD Applications**  
12 **Pending Before the Planning Commission.**

13 (1) For the purposes of this subsection (b), a Pending MCD Applicant is an  
14 applicant that submitted a complete application to the Department of Public Health to operate  
15 a Medical Cannabis Dispensary by July 20, 2017, but that did not receive a permit or  
16 authorization from the Planning Department to operate such Use as of January 5, 2018, and  
17 that qualifies as either an Equity Applicant or an Equity Incubator pursuant to Section 1604 of  
18 the Police Code.

19 (2) A Pending MCD Applicant may establish a Cannabis Retail Use at the  
20 property where the application to operate a Medical Cannabis Dispensary was proposed by  
21 obtaining building permit authorization for the change of use.

22 (3) Except as specified in this subsection (b), a Pending MCD Applicant that  
23 obtains a change of use permit for a Cannabis Retail Use is subject to all Planning Code  
24 requirements, including but not limited to the neighborhood notification requirement set forth in  
25

1 Section 311 and Conditional Use Authorization if required for a Cannabis Retail Use by the  
2 zoning district in which the property is located.

3 (4) A Pending MCD Applicant is not subject to the minimum radius requirement  
4 between Cannabis Retailers or between a Cannabis Retailer and a Medicinal Cannabis  
5 Retailer, as set forth in subsection 202.2(a), but is subject to all other locational requirements  
6 for Cannabis Retail set forth in subsection 202.2(a).

7 (c) All other applications for a change of use from a Medical Cannabis Dispensary Use  
8 to a Cannabis Retail Use shall be subject to the zoning controls for the district in which the  
9 Medical Cannabis Dispensary is located.

10 (d) This Section 190 shall expire by operation of law on January 1, 2023~~4~~. Upon its  
11 expiration, the City Attorney shall cause this Section 190 to be removed from the Planning  
12 Code.

13 **SEC. 191. AUTHORIZATION OF TEMPORARY CANNABIS ~~SALES~~RETAIL USES.**

14 (a) A Grandfathered MCD, as defined in Section 190, that receives a permit to  
15 operate as a Medical Cannabis Dispensary from the Department of Public Health before  
16 December 31, 2020 shall be deemed a Temporary Cannabis ~~Sales~~Retail Use, as defined in  
17 Section 205.2. Upon expiration of the Temporary Cannabis ~~Sales~~Retail Use authorization, the  
18 land use authorization for the parcel will revert to the original authorization to operate as a  
19 Medical Cannabis Dispensary Use, unless the Planning Department or Planning Commission  
20 has issued a permanent authorization for a Cannabis Retail Use.

21 (b) This Section 191 shall expire by operation of law on January 1, 2022~~4~~. Upon its  
22 expiration, the City Attorney shall cause this Section 191 to be removed from the Planning  
23 Code.

1           **SEC. 205.2. TEMPORARY USES: ONE- TO ~~FOUR~~SIX-YEAR LIMIT.**

2           A temporary use may be authorized for the following uses as specified below~~a period not to~~  
3 ~~exceed two years, or, in the case of a Temporary Cannabis Retail Use, for a period not to exceed four~~  
4 ~~years, for any of the following uses:~~

5           **(a) Temporary authorization for a period not to exceed one year.**

6           Temporary Wireless Telecommunications Services (WTS) Facilities, if the following  
7 requirements are met:

8           (1) The Planning Director determines that the Temporary WTS Facility shall be sited  
9 and constructed so as to:

10           (A) avoid proximity to residential dwellings to the maximum extent feasible;

11           (B) comply with the provisions of Article 29 of the Police Code;

12           (C) be no taller than needed;

13           (D) be physically screened to the maximum extent feasible; and

14           (E) be erected for no longer than reasonably required.

15           (2) Permits in excess of 90 days for Temporary WTS Facilities operated for commercial  
16 purposes shall be subject to Sections 311 and 312 of this Code, where applicable.

17           (3) The Planning Department may require, where appropriate, notices along street  
18 frontages abutting the location of the Temporary WTS Facility indicating the nature of the facility and  
19 the duration of the permit.

20           **(b) Temporary authorization for a period not to exceed two years.**

21           (1) Temporary structures and uses incidental to the construction of a group of  
22 buildings on the same or adjacent premises;

23           (b2) Rental or sales office incidental to a new residential development, not  
24 including the conduct of a general real estate business, provided that it be located within the  
25 development, and in a temporary structure or part of a dwelling. A temporary use may be

1 authorized for a period not to exceed one year (including any extensions) for the following  
2 year.

3 \_\_\_\_\_(e3) In any M-1 or M-2 District, an Automobile Wrecking use as defined in  
4 Section 102 of this Code, provided if the operation would be a conditional use in the district in  
5 question, that the Planning Director determines the operation will meet within 90 days of  
6 commencing operation all conditions applicable to such use in that district.

7 ~~(d)~~

8 ~~Temporary Wireless Telecommunications Services (WTS) Facilities for a period of up to one~~  
9 ~~year if the following requirements are met:~~

10 ~~\_\_\_\_\_ (1) the Planning Director determines that the Temporary WTS Facility shall be sited~~  
11 ~~and constructed so as to:~~

12 ~~\_\_\_\_\_ (A) avoid proximity to residential dwellings to the maximum extent feasible;~~

13 ~~\_\_\_\_\_ (B) comply with the provisions of Article 29 of the Police Code;~~

14 ~~\_\_\_\_\_ (C) be no taller than needed;~~

15 ~~\_\_\_\_\_ (D) be screened to the maximum extent feasible; and~~

16 ~~\_\_\_\_\_ (E) be erected for no longer than reasonably required.~~

17 ~~\_\_\_\_\_ (2) Permits in excess of 90 days for Temporary WTS Facilities operated for commercial~~  
18 ~~purposes shall be subject to Section 311 and 312 of this Code, where applicable.~~

19 ~~\_\_\_\_\_ (3) The Planning Department may require, where appropriate, notices along street~~  
20 ~~frontages abutting the location of the Temporary WTS Facility indicating the nature of the facility and~~  
21 ~~the duration of the permit.~~

22 (c) Temporary authorization for a period not to exceed five years, with exceptions as  
23 specified herein.

24 (1) Vehicle Triage Centers or Safe Parking Program sites.

1 (A) On parcels designated and authorized, as applicable, for use as Vehicle  
2 Triage Centers or Safe Parking Program sites, temporary long-term parking of and overnight camping  
3 in vehicles, and ancillary uses in portable, temporary structures including administrative offices,  
4 restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating  
5 areas, may be permitted, subject to compliance with all other Municipal Code requirements, including  
6 but not limited to the Overnight Safe Parking Pilot Program, Administrative Code Chapter 119, Article  
7 I.

8 (B) The Director may authorize up to two extensions of this temporary use for a  
9 maximum of six months each, based on public health and safety considerations or delay in approval or  
10 operation of the site as a Vehicle Triage Center or Safe Parking Program site.

11 **(d) Temporary authorization for a period not to exceed six years.**

12 ~~(2)~~ Temporary Cannabis Retail Use ~~for a period of up to four years~~, as provided by  
13 Section 191, to be authorized no earlier than January 1, 2018 and to expire on January 1,  
14 2022~~4~~. This is the only type of Temporary Use allowed for the sale of cannabis or cannabis  
15 products.

16 ~~(f) On Assessor's Block 6973, Lot 039, long-term parking of and overnight camping in~~  
17 ~~vehicles, and ancillary uses in portable, temporary structures including administrative offices,~~  
18 ~~restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating~~  
19 ~~areas, may be permitted, subject to compliance with all other Municipal Code requirements, including~~  
20 ~~but not limited to the Overnight Safe Parking Pilot Program, Administrative Code Chapter 119, Article~~  
21 ~~I.~~

22  
23 Section 3. Effective Date; Retroactivity.

24 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
25 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not



1 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
2 Mayor’s veto of the ordinance.

3 (b) Upon the effective date of this ordinance, Planning Code Section 205.2(d), as  
4 amended by this ordinance, shall be retroactive to January 1, 2022.

5  
6 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Planning  
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
10 additions, and Board amendment deletions in accordance with the “Note” that appears under  
11 the official title of the ordinance.

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

15 By: /s/ Victoria Wong  
16 VICTORIA WONG  
17 Deputy City Attorney

18  
19  
20  
21  
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## **LEGISLATIVE DIGEST**

[Planning Code - Temporary Safe Overnight Parking and Cannabis Retail Uses]

**Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.**

### Existing Law

Planning Code Section 205.2 permits temporary long-term parking and overnight camping in vehicles and ancillary uses on Assessor's Block 6973, Lot 039.

Planning Code Section 190 allows the conversion of certain Medical Cannabis Dispensary Uses to Cannabis Retail Uses, and expires by operation of law on January 1, 2023. Planning Code Section 191 authorizes Temporary Cannabis Sales Uses. Section 205.2 permits Temporary Cannabis Retail Uses through January 1, 2022.

### Amendments to Current Law

This ordinance would amend Section 205.2 to allow temporary long-term parking and overnight camping in vehicles and ancillary uses on parcels designated and authorized, as applicable, for use as Vehicle Triage Centers and Safe Parking Program sites, for up to five years, plus up to two extensions of six months each.

This ordinance would also amend Section 190 to expire by operation of law on January 1, 2024; would amend Section 191 to change the term Temporary Cannabis Sales Uses to the term Temporary Cannabis Retail Uses, for consistency with the remainder of the Planning Code; and would amend Section 205.2 to permit Temporary Cannabis Retail Uses through January 1, 2024.

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

May 18, 2022

File No. 220542

Lisa Gibson  
Environmental Review Officer  
Planning Department  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear Ms. Gibson:

On May 10, 2022, Supervisor Safai submitted the following legislation:

**File No. 220542**

**Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Handwritten signature of Erica Major.

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

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. Individual projects will require separate environmental review.

June 1, 2022

Handwritten signature of Joy Navarrete.



August 23, 2022

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

Re: Transmittal of Planning Department Case Number 2022-004725PCA:  
Temporary Safe Overnight Parking and Cannabis Retail Uses  
Board File No. 220542

**Planning Commission Recommendation: Approval**


Dear Ms. Calvillo and Supervisor Safai,

On July 21, 2022, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Safai that would amend the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; and extend the date for expiration of temporary cannabis retail uses to January 1, 2024. At the hearing the Planning Commission recommended approval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

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,

  
Digitally signed by Daniel A. Sider  
Date: 2022.08.22 13:58:28 -07'00'  
Adobe Acrobat version: 2022.002.20191

Daniel A. Sider, AICP  
Chief of Staff

cc: Victoria Wong, Deputy City Attorney  
Ernest Jones, Aide to Supervisor Safai  
Erica Major, Office of the Clerk of the Board

**Attachments :**

Planning Commission Resolution  
Planning Department Executive Summary



# PLANNING COMMISSION RESOLUTION NO. 21146

**HEARING DATE: July 21, 2022**

**Project Name:** Temporary Safe Overnight Parking and Cannabis Retail Uses  
**Case Number:** 2022-004725PCA [Board File No. 220542]  
**Initiated by:** Supervisor Safai / Introduced May 10, 2022  
**Staff Contact:** Veronica Flores, Legislative Affairs  
veronica.flores@sfgov.org, 628-652-7525  
**Reviewed by:** Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 628-652-7533

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ALLOW LONG-TERM PARKING OF AND OVERNIGHT CAMPING IN VEHICLES AND ANCILLARY USES ON PARCELS DESIGNATED AND AUTHORIZED FOR USE AS VEHICLE TRIAGE CENTERS OR SAFE PARKING PROGRAM SITES, AS A TEMPORARY USE; EXTENDING THE DATE FOR EXPIRATION OF TEMPORARY CANNABIS RETAIL USES TO JANUARY 1, 2024; 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 PUBLIC NECESSITY, CONVENIENCE, AND WELFARE FINDINGS PURSUANT TO PLANNING CODE, SECTION 302.**

WHEREAS, on May 10, 2022 Supervisor Safai introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 220542, which would amend the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; and extend the date for expiration of temporary cannabis retail uses to January 1, 2024;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 21, 2022; and,

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect change in the environment; 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 49 South Van Ness Avenue, Suite 1400, 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. The Commission's proposed recommendation(s) is/are as follows:

## 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:

Given the persistent and escalating homelessness crisis, it is crucial that the city find ways to connect individuals to housing and social services.

Creating a Planning Department authorization to establish a location for the vehicularly homeless to safely reside is an important strategy for making those connections.

MCDs and Cannabis Retail establishments provide economic activity to areas struggling with high vacancy rates by providing a destination retail outlet that can spur activity for nearby businesses.

## General Plan Compliance

The proposed Ordinance is 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 6.4

Improve coordination among emergency assistance efforts, existing shelter programs, and health care outreach services.

## **BALBOA PARK STATION AREA PLAN**

### **OBJECTIVE 4.5**

**PROVIDE INCREASED HOUSING OPPORTUNITIES AFFORDABLE TO A MIX OF HOUSEHOLDS AT VARYING INCOME LEVELS.**

#### Policy 4.5.1

Give first consideration to the development of affordable housing on publicly-owned sites.

## **COMMERCE AND INDUSTRY ELEMENT**

### **OBJECTIVE 3**

**PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED**

#### Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

#### Policy 3.4

Assist newly emerging economic activities. The proposed ordinance seeks to attract, retain and expand the newly emerging cannabis industry, which provides employment opportunities for unskilled and semi-skilled workers.

### **OBJECTIVE 6**

**MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.**

#### Policy 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

#### Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

*The proposed Ordinance supports the Housing Elements goals of providing housing opportunities for all San Franciscans. The Ordinance does so by facilitating the development of temporary locations for individuals experiencing homelessness to reside in their vehicles while accessing social services. Additionally, the proposed Ordinance aligns with the Commerce and Industry Element policies to support existing small businesses in the city by extending the expiration date for temporary Cannabis Retail uses.*



### 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 because the Ordinance expands an existing Temporary Use Authorization for a use that is not permanent and would be replaced within five years.*

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 as it expands an existing Temporary Use Authorization that allows the overnight parking of vehicles for those experiencing homelessness.*

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 as it proposes to facilitate the establishment of locations for vehicles to park overnight.*

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.*

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.*

**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 July 21, 2022.



Jonas P Ionin Digitally signed by Jonas P Ionin

Jonas P. Ionin  
Commission Secretary

AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

NOES: None

ABSENT: None

ADOPTED: July 21, 2022



# EXECUTIVE SUMMARY

## PLANNING CODE TEXT AMENDMENT

**HEARING DATE:** July 21, 2022

**90-Day Deadline:** August 16, 2022

**Project Name:** Temporary Safe Overnight Parking and Cannabis Retail Uses  
**Case Number:** 2022-004725PCA [Board File No. 220542]  
**Initiated by:** Supervisor Safai / Introduced May 10, 2022  
**Staff Contact:** Veronica Flores, Legislative Affairs  
veronica.flores@sfgov.org, 628-652-7525  
**Reviewed by:** Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 628-652-7533

**Recommendation:** Approval

### Planning Code Amendment

The proposed Ordinance would amend the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; and extend the date for expiration of temporary cannabis retail uses to January 1, 2024.

The Way It Is Now:	The Way It Would Be:
Temporary long-term parking of and overnight camping in vehicles is permitted for a period of up to two years at Assessor’s Parcel Block No. 6973, Lot No. 039 (commonly known as 2340 San Jose Avenue).	Temporary long-term parking of and overnight camping in vehicles is permitted for a period of up to five years on parcels designated and authorized for use as a Vehicle Triage Center or Safe Parking Program site. The Director may approve up to two extensions (six months each) based on public health and safety considerations or delay in approval or operation of the site.
Temporary Cannabis Retail Uses are permitted for a period of up to four years. Upon expiration, the land	Temporary Cannabis Retail Uses would be permitted for a period of up to six years instead of four.

use authorization for the parcel will revert to the original authorization to operation as a Medical Cannabis Dispensary Use.	This provision would be retroactive to January 1, 2022.
The term “Cannabis Sales Use” is used in the Planning Code.	“Cannabis Sales Use” references would be revised to “Cannabis Retail Use” for consistency.

## Background

### Programs for Vehicularly Homeless

The Safe Overnight Parking Pilot Program (Pilot Program) became effective on June 9, 2019.<sup>1</sup> The Pilot Program was comprised of a Vehicle Triage Center (VTC) established and operated by the Department of Homelessness and Supportive Services (HSH). The VTC would provide eligible individuals experiencing vehicular homelessness a safe place to park and sleep in their vehicles overnight and access to on-site services.

The Board of Supervisors designated Assessor’s Block 6973, Lot 039 (commonly known as 2340 San Jose Avenue) as an appropriate site for the Pilot Program.<sup>2</sup> It was an existing surface parking lot slated for a 100% affordable housing development scheduled to break ground in a few years. The Mayor’s Office of Housing and Community Development subsequently obtained Temporary Use Authorization (TUA) for a VTC at this location for a period of one year, expiring on November 30, 2020. The property is currently under construction, but there is still a need for safe long-term parking and overnight camping in vehicles. To address this need, the Bayview VTC opened at Candlestick Point State Recreation Area, a publicly zoned parcel. This Ordinance would provide more opportunities to serve those experiencing vehicular homelessness throughout the city, without requiring a legislative process for each individual site.

### Cannabis Retail Uses

In response to Proposition 64 and then Governor Brown’s Medicinal and Adult-Use Cannabis Regulations and Safety Act (MAUCRSA), “Cannabis Retail” was defined as its own land use in the Planning Code, which allowed the sale of cannabis products to non-medical consumers. Additionally, Section 190 was added to the Planning Code to provide existing Medicinal Cannabis Dispensaries (MCDs) a path and process to convert to Cannabis Retail. Section 191 was created to allow the temporary authorization of Cannabis Retail. The intent was to allow these grandfathered MCDs to operate as Cannabis Retail as they went through the official process of establishing a Cannabis Retail use. Section 191 was initially set to expire on January 1, 2020. Additional extensions were granted to provide applicants additional time to convert to Cannabis Retail. The proposed Ordinance extends Section 191’s expiration to January 1, 2024, which is meant to be the final extension.

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<sup>1</sup> [Ordinance 82-19](#)

<sup>2</sup> [Ordinance 213-19](#)

## Issues and Considerations

### Homelessness in San Francisco

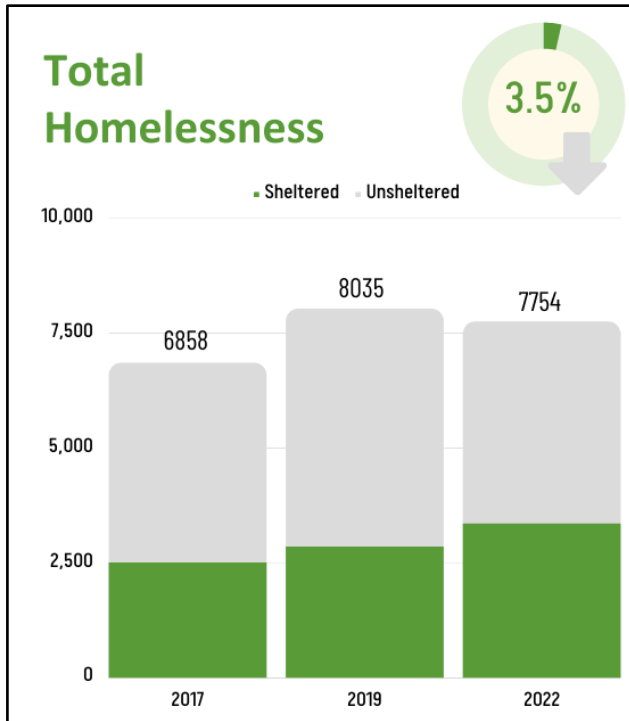


Figure 1: Source: 2019 San Francisco Homeless Count & Survey Comprehensive Report

According to the 2019 Point-in-Time (PIT) Count, there was a 17% increase in the number of people experiencing homelessness compared to the 2017 PIT Count.<sup>3</sup> The advent of COVID-19 heightened the need to devote City resources to ensuring that people experiencing homelessness, and particularly those with high vulnerability to illness, are safely sheltered, receive critical health and service supports, and are moved to permanent housing as quickly and equitably as possible.

The PIT Count is typically conducted every two years; however, due to the impacts of COVID-19, the 2021 Count focused only on sheltered homelessness and postponed the unsheltered count to 2022. The preliminary results of the 2022 PIT Count found a slight decrease in overall homelessness as illustrated in Figure 1. Further, there was a 15% decrease of unsheltered homelessness since 2019.<sup>4</sup> This is largely in response to increased housing and shelter resources such as expanding the Homelessness Response System and the approval of Shelter-in-Place Hotels.

The level of total homelessness has decreased, but the number of those experiencing vehicular homelessness is on the rise.

The PIT Count notes the total number of those experiencing homelessness that are sheltered versus unsheltered. Unsheltered persons have primarily resided outdoors, parks, or tents. Of those unsheltered, the amount of those experiencing vehicular homelessness has been on the rise since 2015 as illustrated in Figure 2. In 2019, 35% of those unsheltered resided in their vehicles, the highest rate in the most recent PIT Counts. As a result, the Department of Homelessness and Supportive Housing (HSH) sought to respond with additional resources targeted towards vehicle encampments. Additionally, HSH expanded the Encampment Resolution Team to also include encampments of inhabited vehicles in addition to tent encampments. The goal is to ultimately transition those experiencing homelessness to permanent housing. However, the data suggests that other resources, such as safe overnight parking locations, are needed in addition to more traditional resources like permanent supportive housing.

<sup>3</sup> [2019 San Francisco Homeless Count & Survey Comprehensive Report](#)

<sup>4</sup> [2022 Point-in-Time Count: Preliminary Results](#)

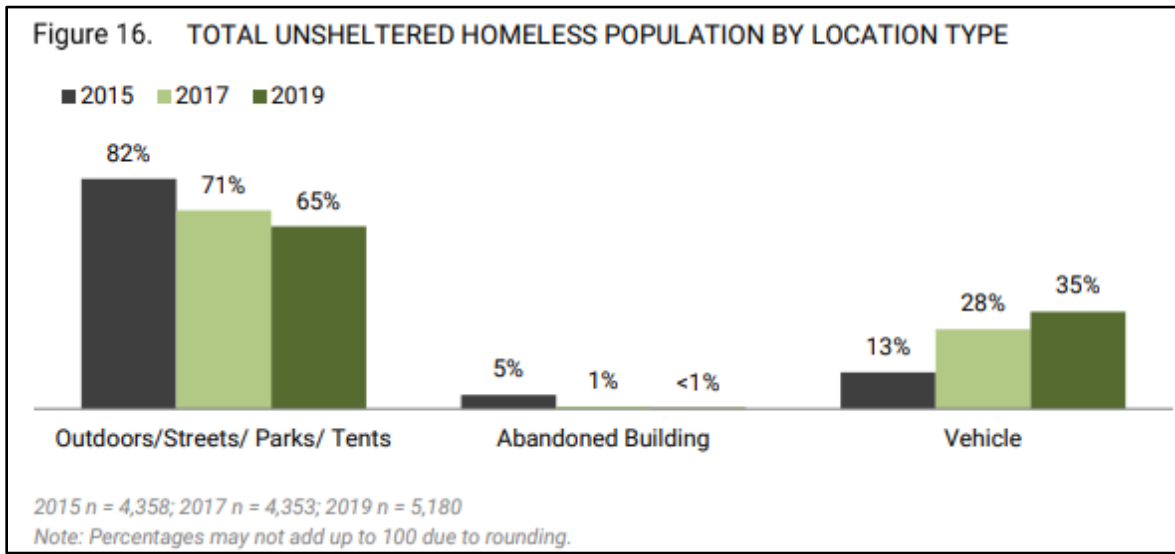


Figure 2: Source: 2019 San Francisco Homeless Count & Survey Comprehensive Report

### Success at Vehicle Triage Centers

The Safe Overnight Parking Pilot Program was located on a surface parking lot at the Balboa Park Upper Yard (commonly known as 2340 San Jose Avenue). The Balboa Park Upper Yard had the capacity for 29 passenger vehicles and recreational vehicles (RVs). In its first year of operation, the Vehicle Triage Center (VTC) served a total of 75 individuals, with a priority for unsheltered individuals in Supervisorial District 11. Clients had access to on-site services such as showers, laundry services, electricity, and internet. The VTC originally did not include case management services, but eventually case managers from the San Francisco Homeless Outreach Team (SFHOT) visited the site weekly and on an as-needed basis.

Clients participating in the Pilot Program had an average length of stay of 103 days. All adult clients were assessed for housing prior to intake into the VTC. Among the 75 clients served at the VTC, a total of 44 guests (59%) exited during the year, with 25% of these exits going to housing.<sup>5</sup> The Department of Homelessness and Supportive Housing conducted a client survey with both structured and open-ended questions. Clients generally felt the site was a safe, secure location for sleeping overnight and storing their vehicle/belongings. Clients also appreciated the shower and laundry services.

Additional information on this Pilot Program can be found in the “Vehicle Triage Center Evaluation” attached as Exhibit C. Part of the evaluation included recommendations for future VTCs such as including more electricity and having a full-time case manager on-site. Lessons learned from the Pilot Program were considered when opening the Bayview VTC in January. The Bayview VTC includes 135 parking spaces and includes security, showers, and access to supportive services. The end goal is still the same: provide pathways to housing.

<sup>5</sup> [Vehicle Triage Center Evaluation](#)

## Temporary Use Authorizations

A Temporary Use Authorization (TUA) allows specific land uses for limited periods of time on properties where they may not otherwise be allowed. The temporary authorizations range from 24 hour to four-year durations, with certain allowances for limited re-authorizations. TUAs can be secured across the City, are not site specific, and allow the same land use on multiple properties. For example, during October different parcels across the city are used as pumpkin patches in anticipation of Halloween. Another example includes weekly farmers markets in various neighborhoods throughout the city. TUAs provide the opportunity for the temporary use of different properties for specific uses without requiring a separate legislative process for each individual site.

## Converting to Cannabis Retail

Currently there are more than 30 grandfathered MCDs in the process of converting to Cannabis Retail. Converting to Cannabis Retail has taken longer than expected. Before converting the land use, the Office of Cannabis must review the first part of the license application. This process has taken more time than anticipated because they are required to process equity applications first. It is only after the Office of Cannabis issues the license that Planning Department can approve a change of use. Once the Ordinance is enacted, these businesses would need to establish a Cannabis Retail Use by January 1, 2024, otherwise they would be reverted to the previously authorized use of Medicinal Cannabis Dispensaries.

## General Plan Compliance

The proposed Ordinance supports the Housing Elements goals of providing housing opportunities for all San Franciscans. The Ordinance does so by facilitating the development of temporary locations for individuals experiencing homelessness to reside in their vehicles while accessing social services. Additionally, the proposed Ordinance aligns with the Commerce and Industry Element policies to support existing small businesses in the city by extending the expiration date for temporary Cannabis Retail uses.

## Racial and Social Equity Analysis

The Planning Code amendments in the proposed Ordinance would protect our most vulnerable populations experiencing homelessness. The 2019 PIT Count found that Hispanic/Latinx, Black or African American, and Multiracial respondents were homeless at rates higher than their corresponding ratio of the City's general population. Further, the survey of persons living in vehicles also showed that Hispanic/Latinx and Black or African American respondents disproportionately comprise that population. While the latest PIT Count shows a slight decrease in overall homelessness, there is still a severe need for more services and resources for our unsheltered residents. These additional resources and targeted services will help improve racial and social equity in San Francisco.

There are several resources for those experiencing sheltered homelessness such as shelters or Permanent Supportive Housing. However, there are fewer resources for those experiencing unsheltered homelessness. Further, there has been a substantial increase in those experiencing vehicular homelessness, with even fewer resources devoted to their needs. It is important to note that the vehicularly homeless may have been undercounted in the PIT count since it is not always clear how many inhabitants there are in a vehicle. Therefore, the PIT count might not truly reflect the need for resources for vehicularly homeless. HSH has worked on more

resources for those vehicularly homeless, and the City needs to expand. This Ordinance would help with such efforts.

VTCs are one solution to transitioning to safe, stable housing in a timely manner. They provide basic needs for its residents including restroom facilities, showers, and electricity. VTCs may also provide Case Managers available daily on-site or during regular visits. These resources and built-in support system are critical in ensuring the City meets the tenants' short- and long-term needs.

### **Implementation**

The Department has determined that this Ordinance will impact our current implementation procedures by requiring a minor revision to the Temporary Use Authorization application. 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**

Given the escalating homelessness crisis, the Department supports the proposed Ordinance and its ultimate intention of connecting individuals to housing and social services. The Safe Overnight Parking Pilot Program allowed the use of 2340 San Jose Avenue to be used for safe overnight parking and to connect those experiencing homelessness to needed services. That site is now under construction for a housing development, but there is still a need for safe long-term overnight parking. The need has increased further in recent years, especially due to COVID-19. This Ordinance has a greater reach than the 2019 Ordinance and aligns with the previous Department recommendation to allow safe overnight parking on other sites.

Additionally, the Department supports the Cannabis Retail component of the Ordinance because of the Commerce and Industry Element policies to support maintaining and strengthening viable neighborhood commercial areas. MCDs and Cannabis Retail establishments provide economic activity to areas struggling with high vacancy rates by providing a destination retail outlet that can spur activity for nearby businesses. Grandfathered MCD's operating as temporary Cannabis Retail uses had until January 1, 2022 to officially convert to a Cannabis Retail use, otherwise they would be reverted to the authorized use of an MCD. The proposed amendment would be retroactive to January 1, 2022. This would provide small business owners an additional two years in response to licensing delays from the Office of Cannabis, as well as COVID-19 hardship delays.

### **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 Sections 15378 and 15060(c)(2) 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: Board of Supervisors File No. 220542
- Exhibit C: Vehicle Triage Center Evaluation

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# PLANNING COMMISSION DRAFT RESOLUTION

**HEARING DATE: July 21, 2022**

**Project Name:** Temporary Safe Overnight Parking and Cannabis Retail Uses  
**Case Number:** 2022-004725PCA [Board File No. 220542]  
**Initiated by:** Supervisor Safai / Introduced May 10, 2022  
**Staff Contact:** Veronica Flores, Legislative Affairs  
 veronica.flores@sfgov.org, 628-652-7525  
**Reviewed by:** Aaron Starr, Manager of Legislative Affairs  
 aaron.starr@sfgov.org, 628-652-7533

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ALLOW LONG-TERM PARKING OF AND OVERNIGHT CAMPING IN VEHICLES AND ANCILLARY USES ON PARCELS DESIGNATED AND AUTHORIZED FOR USE AS VEHICLE TRIAGE CENTERS OR SAFE PARKING PROGRAM SITES, AS A TEMPORARY USE; EXTENDING THE DATE FOR EXPIRATION OF TEMPORARY CANNABIS RETAIL USES TO JANUARY 1, 2024; 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 PUBLIC NECESSITY, CONVENIENCE, AND WELFARE FINDINGS PURSUANT TO PLANNING CODE, SECTION 302.**

WHEREAS, on May 10, 2022 Supervisor Safai introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 220542, which would amend the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; and extend the date for expiration of temporary cannabis retail uses to January 1, 2024;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 21, 2022; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Sections 15378 and 15060(c)(2); 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 49 South Van Ness Avenue, Suite 1400, 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. The Commission's proposed recommendation(s) is/are as follows:

## 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:

Given the persistent and escalating homelessness crisis, it is crucial that the city find ways to connect individuals to housing and social services.

Creating a Planning Department authorization to establish a location for the vehicularly homeless to safely reside is an important strategy for making those connections.

MCDs and Cannabis Retail establishments provide economic activity to areas struggling with high vacancy rates by providing a destination retail outlet that can spur activity for nearby businesses.

## General Plan Compliance

The proposed Ordinance is 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 6.4

Improve coordination among emergency assistance efforts, existing shelter programs, and health care outreach services.

## BALBOA PARK STATION AREA PLAN

### OBJECTIVE 4.5

PROVIDE INCREASED HOUSING OPPORTUNITIES AFFORDABLE TO A MIX OF HOUSEHOLDS AT VARYING INCOME LEVELS.

#### Policy 4.5.1

Give first consideration to the development of affordable housing on publicly-owned sites.

## COMMERCE AND INDUSTRY ELEMENT

### OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED

#### Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

#### Policy 3.4

Assist newly emerging economic activities. The proposed ordinance seeks to attract, retain and expand the newly emerging cannabis industry, which provides employment opportunities for unskilled and semi-skilled workers.

### OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

#### Policy 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

#### Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

*The proposed Ordinance supports the Housing Elements goals of providing housing opportunities for all San Franciscans. The Ordinance does so by facilitating the development of temporary locations for individuals experiencing homelessness to reside in their vehicles while accessing social services. Additionally, the proposed Ordinance aligns with the Commerce and Industry Element policies to support existing small businesses in the city by extending the expiration date for temporary Cannabis Retail uses.*

### 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 because the Ordinance expands an existing Temporary Use Authorization for a use that is not permanent and would be replaced within five years.*

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 as it expands an existing Temporary Use Authorization that allows the overnight parking of vehicles for those experiencing homelessness.*

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 as it proposes to facilitate the establishment of locations for vehicles to park overnight.*

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.*

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.*

**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 July 21, 2022.

Jonas P. Ionin  
*Commission Secretary*

AYES:

NOES:

ABSENT:

ADOPTED: July 21, 2022

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1 [Planning Code - Temporary Safe Overnight Parking and Cannabis Retail Uses]

2

3 **Ordinance amending the Planning Code to allow long-term parking of and overnight**  
 4 **camping in vehicles and ancillary uses on parcels designated and authorized for use**  
 5 **as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use;**  
 6 **extending the date for expiration of temporary cannabis retail uses to January 1, 2024;**  
 7 **affirming the Planning Department’s determination under the California Environmental**  
 8 **Quality Act; and making findings of consistency with the General Plan, and the eight**  
 9 **priority policies of Planning Code, Section 101.1, and public necessity, convenience,**  
 10 **and welfare findings pursuant to Planning Code, Section 302.**

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

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

19 Section 1.

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

25 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
 adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
3 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
5 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
6 Planning Commission Resolution No. \_\_\_\_\_.

7  
8 Section 2. The Planning Code is hereby amended by revising Sections 190, 191 and  
9 205.2, to read as follows:

10 **SEC. 190. CONVERSION OF MEDICAL CANNABIS DISPENSARIES TO CANNABIS**  
11 **RETAIL ESTABLISHMENTS.**

12 **(a) Conversion of MCDs with Planning Commission Approval to Cannabis Retail**  
13 **Uses.**

14 (1) An establishment may convert from the prior authorized Use at the property  
15 to a Cannabis Retail Use by obtaining a building permit authorizing the change of Use, if the  
16 establishment (to be termed a "Grandfathered MCD") satisfies one of the following three  
17 criteria:

18 (A) holds a valid final permit from the Department of Public Health to  
19 operate as a Medical Cannabis Dispensary, pursuant to Section 3307 of the Health Code, as  
20 of January 5, 2018;

21 (B) holds an approval for a Medical Cannabis Dispensary Use from the  
22 Planning Department as of January 5, 2018; or

23 (C) submitted a complete application for a permit from the Department of  
24 Public Health to operate as a Medical Cannabis Dispensary by July 20, 2017, and receives a  
25 final permit.

1 (2) A Grandfathered MCD converting to a Cannabis Retail Use pursuant to this  
2 Section 190 is not subject to

3 (A) a Conditional Use Authorization requirement for Cannabis Retail  
4 Uses in the zoning district in which it is located;

5 (B) the locational restrictions for Cannabis Retail set forth in Section  
6 202.2(a);

7 (C) the requirements of Section 311; or

8 (D) an application for discretionary review; provided however, that the  
9 Planning Commission or Planning Department staff may initiate discretionary review.

10 (3) A Grandfathered MCD is subject to all other Planning Code requirements.

11 **(b) Establishment of Cannabis Retail Uses at Sites with MCD Applications**  
12 **Pending Before the Planning Commission.**

13 (1) For the purposes of this subsection (b), a Pending MCD Applicant is an  
14 applicant that submitted a complete application to the Department of Public Health to operate  
15 a Medical Cannabis Dispensary by July 20, 2017, but that did not receive a permit or  
16 authorization from the Planning Department to operate such Use as of January 5, 2018, and  
17 that qualifies as either an Equity Applicant or an Equity Incubator pursuant to Section 1604 of  
18 the Police Code.

19 (2) A Pending MCD Applicant may establish a Cannabis Retail Use at the  
20 property where the application to operate a Medical Cannabis Dispensary was proposed by  
21 obtaining building permit authorization for the change of use.

22 (3) Except as specified in this subsection (b), a Pending MCD Applicant that  
23 obtains a change of use permit for a Cannabis Retail Use is subject to all Planning Code  
24 requirements, including but not limited to the neighborhood notification requirement set forth in  
25

1 Section 311 and Conditional Use Authorization if required for a Cannabis Retail Use by the  
2 zoning district in which the property is located.

3 (4) A Pending MCD Applicant is not subject to the minimum radius requirement  
4 between Cannabis Retailers or between a Cannabis Retailer and a Medicinal Cannabis  
5 Retailer, as set forth in subsection 202.2(a), but is subject to all other locational requirements  
6 for Cannabis Retail set forth in subsection 202.2(a).

7 (c) All other applications for a change of use from a Medical Cannabis Dispensary Use  
8 to a Cannabis Retail Use shall be subject to the zoning controls for the district in which the  
9 Medical Cannabis Dispensary is located.

10 (d) This Section 190 shall expire by operation of law on January 1, 2023~~4~~. Upon its  
11 expiration, the City Attorney shall cause this Section 190 to be removed from the Planning  
12 Code.

13 **SEC. 191. AUTHORIZATION OF TEMPORARY CANNABIS ~~SALES~~RETAIL USES.**

14 (a) A Grandfathered MCD, as defined in Section 190, that receives a permit to  
15 operate as a Medical Cannabis Dispensary from the Department of Public Health before  
16 December 31, 2020 shall be deemed a Temporary Cannabis ~~Sales~~Retail Use, as defined in  
17 Section 205.2. Upon expiration of the Temporary Cannabis ~~Sales~~Retail Use authorization, the  
18 land use authorization for the parcel will revert to the original authorization to operate as a  
19 Medical Cannabis Dispensary Use, unless the Planning Department or Planning Commission  
20 has issued a permanent authorization for a Cannabis Retail Use.

21 (b) This Section 191 shall expire by operation of law on January 1, 2022~~4~~. Upon its  
22 expiration, the City Attorney shall cause this Section 191 to be removed from the Planning  
23 Code.

1           **SEC. 205.2. TEMPORARY USES: ONE- TO ~~FOUR~~SIX-YEAR LIMIT.**

2           A temporary use may be authorized for the following uses as specified below~~a period not to~~  
3 ~~exceed two years, or, in the case of a Temporary Cannabis Retail Use, for a period not to exceed four~~  
4 ~~years, for any of the following uses:~~

5           **(a) Temporary authorization for a period not to exceed one year.**

6           Temporary Wireless Telecommunications Services (WTS) Facilities, if the following  
7 requirements are met:

8           (1) The Planning Director determines that the Temporary WTS Facility shall be sited  
9 and constructed so as to:

- 10           (A) avoid proximity to residential dwellings to the maximum extent feasible;
- 11           (B) comply with the provisions of Article 29 of the Police Code;
- 12           (C) be no taller than needed;
- 13           (D) be physically screened to the maximum extent feasible; and
- 14           (E) be erected for no longer than reasonably required.

15           (2) Permits in excess of 90 days for Temporary WTS Facilities operated for commercial  
16 purposes shall be subject to Sections 311 and 312 of this Code, where applicable.

17           (3) The Planning Department may require, where appropriate, notices along street  
18 frontages abutting the location of the Temporary WTS Facility indicating the nature of the facility and  
19 the duration of the permit.

20           **(b) Temporary authorization for a period not to exceed two years.**

21           (1) Temporary structures and uses incidental to the construction of a group of  
22 buildings on the same or adjacent premises;

23           (b2) Rental or sales office incidental to a new residential development, not  
24 including the conduct of a general real estate business, provided that it be located within the  
25 development, and in a temporary structure or part of a dwelling. A temporary use may be

1 authorized for a period not to exceed one year (including any extensions) for the following  
2 year.

3 \_\_\_\_\_(e3) In any M-1 or M-2 District, an Automobile Wrecking use as defined in  
4 Section 102 of this Code, provided if the operation would be a conditional use in the district in  
5 question, that the Planning Director determines the operation will meet within 90 days of  
6 commencing operation all conditions applicable to such use in that district.

7 (d)

8 ~~Temporary Wireless Telecommunications Services (WTS) Facilities for a period of up to one~~  
9 ~~year if the following requirements are met:~~

10 ~~\_\_\_\_\_ (1) the Planning Director determines that the Temporary WTS Facility shall be sited~~  
11 ~~and constructed so as to:~~

12 ~~\_\_\_\_\_ (A) avoid proximity to residential dwellings to the maximum extent feasible;~~

13 ~~\_\_\_\_\_ (B) comply with the provisions of Article 29 of the Police Code;~~

14 ~~\_\_\_\_\_ (C) be no taller than needed;~~

15 ~~\_\_\_\_\_ (D) be screened to the maximum extent feasible; and~~

16 ~~\_\_\_\_\_ (E) be erected for no longer than reasonably required.~~

17 ~~\_\_\_\_\_ (2) Permits in excess of 90 days for Temporary WTS Facilities operated for commercial~~  
18 ~~purposes shall be subject to Section 311 and 312 of this Code, where applicable.~~

19 ~~\_\_\_\_\_ (3) The Planning Department may require, where appropriate, notices along street~~  
20 ~~frontages abutting the location of the Temporary WTS Facility indicating the nature of the facility and~~  
21 ~~the duration of the permit.~~

22 (c) Temporary authorization for a period not to exceed five years, with exceptions as  
23 specified herein.

24 (1) Vehicle Triage Centers or Safe Parking Program sites.

1 (A) On parcels designated and authorized, as applicable, for use as Vehicle  
2 Triage Centers or Safe Parking Program sites, temporary long-term parking of and overnight camping  
3 in vehicles, and ancillary uses in portable, temporary structures including administrative offices,  
4 restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating  
5 areas, may be permitted, subject to compliance with all other Municipal Code requirements, including  
6 but not limited to the Overnight Safe Parking Pilot Program, Administrative Code Chapter 119, Article  
7 I.

8 (B) The Director may authorize up to two extensions of this temporary use for a  
9 maximum of six months each, based on public health and safety considerations or delay in approval or  
10 operation of the site as a Vehicle Triage Center or Safe Parking Program site.

11 **(d) Temporary authorization for a period not to exceed six years.**

12 ~~(2)~~ Temporary Cannabis Retail Use ~~for a period of up to four years~~, as provided by  
13 Section 191, to be authorized no earlier than January 1, 2018 and to expire on January 1,  
14 2022~~4~~. This is the only type of Temporary Use allowed for the sale of cannabis or cannabis  
15 products.

16 ~~(f) On Assessor's Block 6973, Lot 039, long-term parking of and overnight camping in~~  
17 ~~vehicles, and ancillary uses in portable, temporary structures including administrative offices,~~  
18 ~~restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating~~  
19 ~~areas, may be permitted, subject to compliance with all other Municipal Code requirements, including~~  
20 ~~but not limited to the Overnight Safe Parking Pilot Program, Administrative Code Chapter 119, Article~~  
21 ~~I.~~

22  
23 Section 3. Effective Date; Retroactivity.

24 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
25 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not

1 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
2 Mayor’s veto of the ordinance.

3 (b) Upon the effective date of this ordinance, Planning Code Section 205.2(d), as  
4 amended by this ordinance, shall be retroactive to January 1, 2022.

5  
6 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Planning  
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
10 additions, and Board amendment deletions in accordance with the “Note” that appears under  
11 the official title of the ordinance.

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

15 By: /s/ Victoria Wong  
16 VICTORIA WONG  
17 Deputy City Attorney

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OFFICE OF THE CONTROLLER  
CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield  
Controller

Todd Rydstrom  
Deputy Controller

## MEMORANDUM

**TO:** Board of Supervisors

**FROM:** Bryan Okelo, Performance Analyst  
Laura Marshall, Project Manager  
Peg Stevenson, City Performance Director

**CC:** Angela Calvillo, Clerk of the Board  
Abigail Stewart-Kahn, Interim Director, Department of Homelessness and Supportive Housing  
Dylan Schneider, Manager of Policy and Legislative Affairs, Department of Homelessness and Supportive Housing

**DATE:** February 1, 2021

**SUBJECT:** **Vehicle Triage Center Evaluation**

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### BACKGROUND

The Department of Homelessness and Supportive Housing (HSH) operates a Vehicle Triage Center (VTC) in Supervisorial District 11. HSH launched this pilot project as part of the Safe Parking Program instituted by a City ordinance passed by the Board of Supervisors in April 2019. According to the ordinance, a VTC is a facility or location where homeless persons residing in a vehicle may be given a license to park and sleep in their vehicles while they are assessed by HSH staff for eligibility for City services and programs. The City ordinance requires an evaluation report on the VTC to be jointly developed between the Controller's Office and HSH and submitted to the Board of Supervisors once the center has been in operation for one calendar year.

### What is the Vehicle Triage Center?

The VTC began operations in November 2019. The VTC is located in a parking lot at 2340 San Jose Avenue and includes parking spots for approximately 29 passenger vehicles and recreational vehicles (RVs). Guests can either park their vehicle within the VTC parking lot and remain sleeping in their vehicle while accessing case management and other stabilization services or store their vehicles at the site while accessing other services within the Homelessness Response System such as Temporary Shelter. HSH did not establish a cap on the length of stay during the pilot.

HSH contracted with a nonprofit service provider to operate the facility. That contractor provides 24/7 site monitoring, unarmed security, and practitioners on site to address guest needs. Site operation also includes subcontracted laundry and shower facilities.<sup>1</sup> In addition to contracted site operation, HSH provided case management services via the SFHOT<sup>2</sup> case management team. Case management was not explicitly funded via the ordinance but was delivered by existing staff in addition to other assignments. Case management services include supporting guests to access the Homelessness Response System, conducting assessments, and engaging in exit planning and other service linkage.

Guests access the site via referrals from SFHOT. Adult and Family Access Points may contact SFHOT if they identify clients who are living in vehicles who may be an eligible candidate for the VTC. SFHOT used the 311 application to identify where individuals living in vehicles in need of outreach may be located.<sup>3</sup> SFHOT conducted outreach among people living in vehicles citywide, and prioritized intakes for households living in Supervisorial District 11. Prior to launching outreach efforts, HSH coordinated a community process to identify locations and individuals that should receive outreach for the site.

### Evaluation Methodology

The Board of Supervisors required several key data points for evaluation and the Controller's Office worked with HSH to develop an evaluation plan that addressed the interests of the Board as well as operational considerations that support HSH to refine and adapt the VTC program model as needed. The evaluation period is November 30, 2019 through November 30, 2020. The evaluation answers the following questions:

- Who did the VTC serve?
  - E.g., number of clients served, demographics, household characteristics, etc.
- What were the outcomes for VTC clients?
  - E.g., average length of stay, exit destinations, and service connections, etc.
- What were clients' perceptions and experiences of the VTC?
  - E.g., perceived value and quality of the VTC, feedback about the VTC, etc.
- Is the VTC model feasible and sustainable as a shelter setting?
  - E.g., cost effectiveness and operational advantages and disadvantages, etc.

The Controller's Office used the following data sources to answer the evaluation questions:

- VTC client records, with matching to HSH ONE System reports for supplemental information
- Program budgets and scopes of work
- Stakeholder Interviews with 1) HSH Program Manager/Clinical Team Lead, 2) Contracted Site Operator, 3) DPW Site Planning Lead and 4) Community Advisory Group Chair
- Guest survey administered to 15 guests by SFHOT case managers

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<sup>1</sup> Provision of food is not a component of the VTC service model. As part of the COVID-19 emergency response, the City began delivering food to the site, funded either through donations or COVID-related resources.

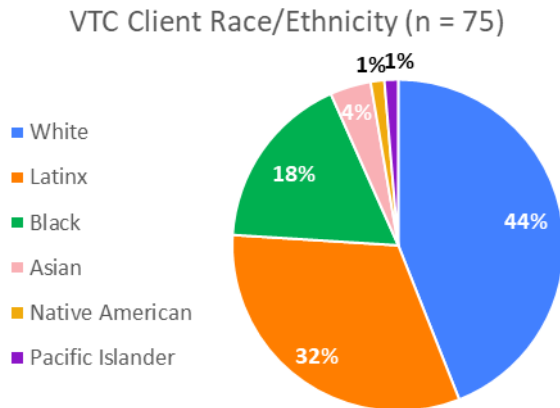
<sup>2</sup> The San Francisco Homeless Outreach Team (SFHOT) is a program of HSH with services and staffing provided through a contract with a nonprofit provider.

<sup>3</sup> During the pilot, some guests may have been referred through non-standard processes, including self-referral. HSH assessed these non-standard referrals and some were approved to be placed on the wait list.

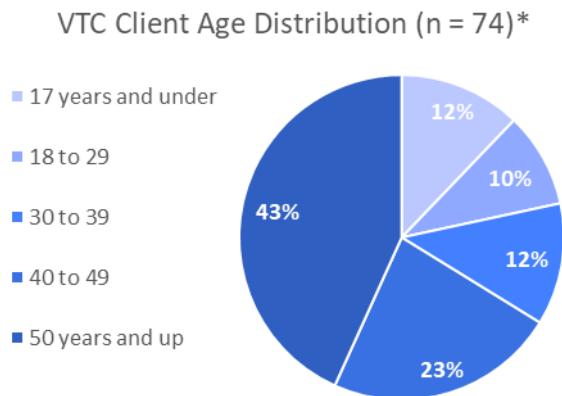
## ANALYSIS

### Clients Served by the VTC

In its first year of operation from November 2019 to November 2020, the VTC served a total of 75 individuals.



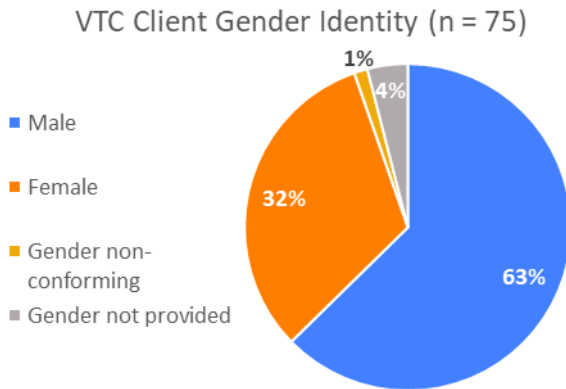
The 2019 Point-in-Time (PIT) Count<sup>4</sup> estimated that 15-18% of homeless individuals have an ethnicity of Hispanic/Latinx and 37% have a race of Black or African American. However, the PIT Count uses a two-question method for assigning race and ethnicity, while the VTC uses a combined race/ethnicity question. As such we cannot accurately compare race and ethnicity demographics of VTC residents to the PIT Count. These comparisons are provided for context only.



VTC clients trend slightly older than the general homeless population, and they are most likely to be seniors (50+ years old). The 2019 PIT Count found that approximately 35% of surveyed individuals were over age 50, whereas 43% of VTC guests are 50+.

\*one client's age could not be verified.

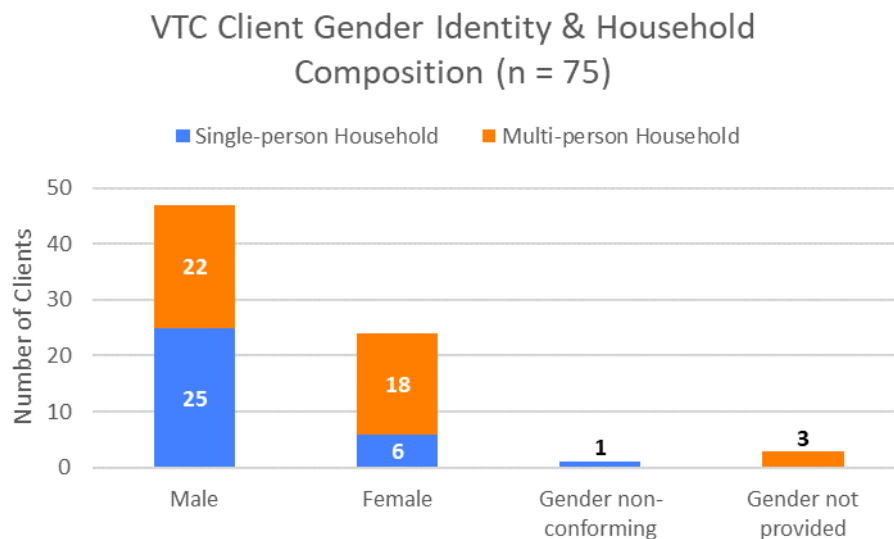
<sup>4</sup> [https://hsh.sfgov.org/wp-content/uploads/2020/01/2019HIRDReport\\_SanFrancisco\\_FinalDraft-1.pdf](https://hsh.sfgov.org/wp-content/uploads/2020/01/2019HIRDReport_SanFrancisco_FinalDraft-1.pdf)



VTC clients are more likely to be male (almost 2-to-1 male-to-female ratio).

Nine clients (12%) identify as Bisexual, Gay, Lesbian, Same-Gender Loving, Questioning, and/or Unsure. According to the 2019 PIT Count report, "it is estimated that 12% of San Francisco's population identifies as LGBTQ+; 27% of survey respondents identified as LGBTQ+."<sup>5</sup>

Single-person households are defined as households comprising a single adult client. Multi-person households are those comprising at least one adult and one partner or minor. Male clients were almost evenly split between single-person and multi-person households (47% and 53%, respectively), while most female clients (75%) were living in a multi-person household while at the VTC.

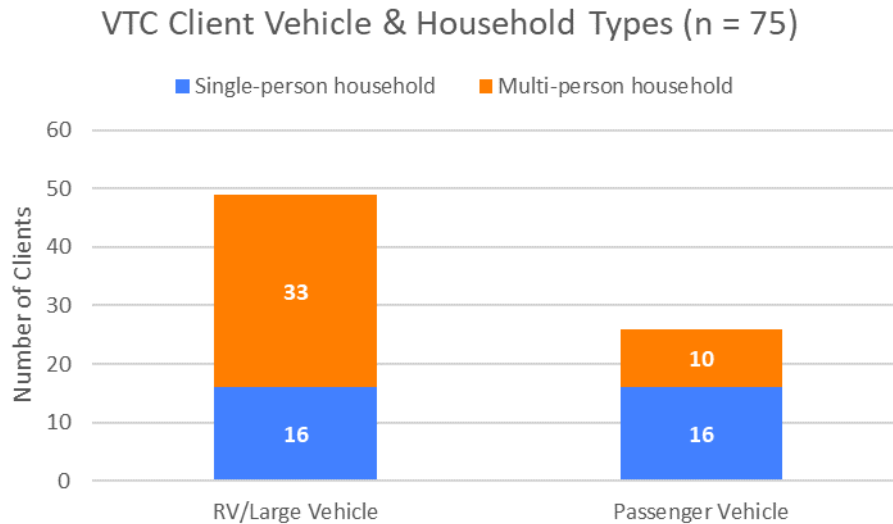


Two thirds of clients who entered the VTC were living in RV's or large vehicles. About 67% of households living in an RV or a large vehicle were multi-person households. The remaining third of VTC clients entered the site in passenger vehicles, with about 60% of these clients living alone.

During initial planning for the VTC, HSH hypothesized that half of the parking spots at the VTC would be reserved for clients staying on site, and the other half would be for clients whose vehicles are parked on site while they stay at another location. Because of this, the site was designed with a power grid that supplied electricity via outlets located only on one half of the site that is largely occupied by non-RV vehicles. However, during its first year of operations, a majority of guests remained on site and in their

<sup>5</sup> Additionally, HSH's FY19-20 Sexual Orientation and Gender Identify (SOGI) Report showed that 5%-15% of clients in the Homelessness Response System identify as Bisexual, Gay, Lesbian, Same-Gender Loving, Questioning, and/or Unsure: [https://hsh.sfgov.org/wp-content/uploads/2021/01/SOGI-Report\\_FINAL\\_HSH\\_FY19-20.pdf](https://hsh.sfgov.org/wp-content/uploads/2021/01/SOGI-Report_FINAL_HSH_FY19-20.pdf)

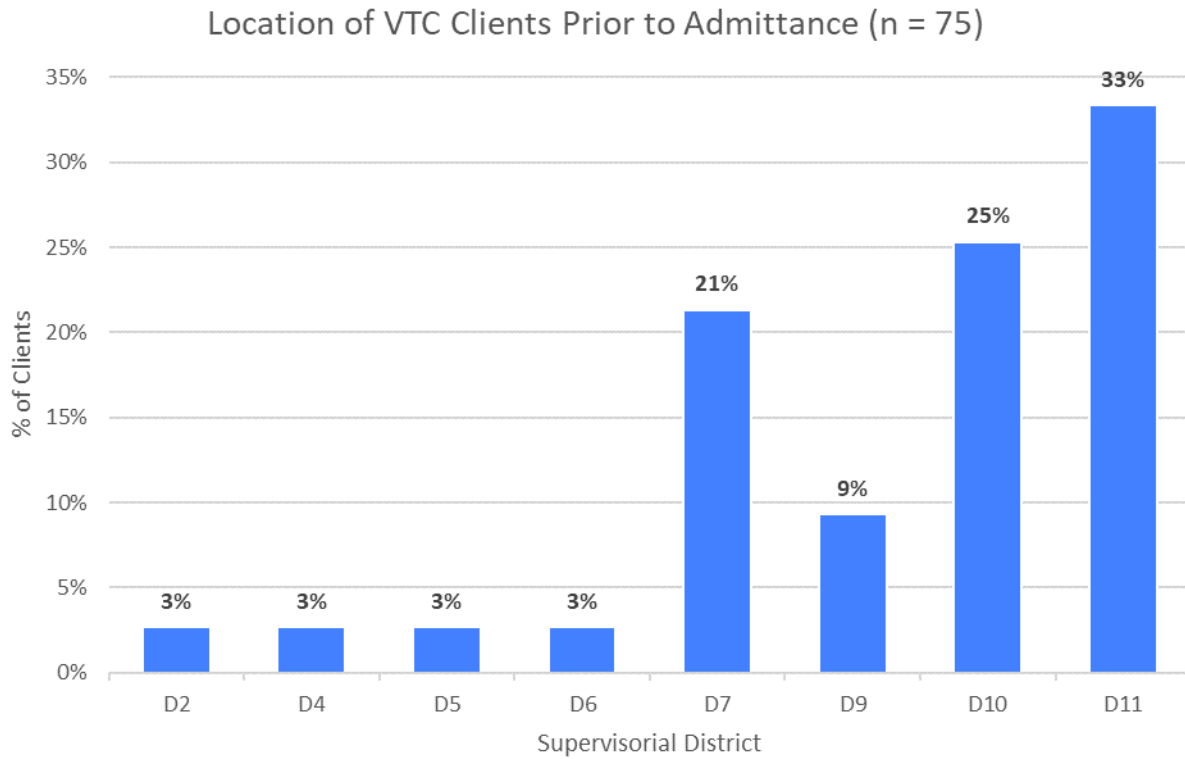
vehicles. Feedback from guests and staff indicate that additional power outlets would support both passenger vehicles and RVs and should be arrayed around the site, so as not to limit intakes based on vehicle type.



One third of clients who entered the VTC were living in Supervisorial District 11 prior to their stay at the site, making it the supervisorial district with the greatest representation in the client population. Significant portions of the client population also originated from Districts 7 and 10.

Client outreach, referral, and intake were largely managed by members of SFHOT. The Vehicle Encampment Resolution Team (VERT) within SFHOT distributed flyers across District 11 informing the general public about the site and contact information. This team also sought out potential clients during routine encampment resolution work. An announcement from the Mayor’s Office also publicized the program.

The VTC prioritized unsheltered individuals living in Supervisorial District 11 who were Housing Referral Status or eligible for housing via Care Not Cash and were willing to apply for benefits. Other target groups included unsheltered individuals with medical issues exacerbated by living in a vehicle, and those whose medical records could verify them as San Francisco residents.



The average period a client household waited in the VTC’s pre-admission queue was 22 days. Admission was slightly dependent on appropriate space becoming available; however, the wait time did not vary much between households living in RVs/large vehicles (24 days) and those living in passenger vehicles (21 days). One-third of households that stayed at the VTC were admitted with no wait time.

### Client Outcomes

All adult clients were required to be assessed for housing prior to intake into the VTC. Coordinated Entry is a consistent intake process used by HSH to match individuals to available housing and resources. The assessment prioritizes people with longer durations of homelessness, more barriers to housing such as a history of eviction or incarceration, and greater vulnerability. Individuals who are not prioritized for a housing resource based on the Coordinated Entry assessment are referred to Problem Solving, an HSH program that seeks to help individuals resolve their homelessness outside of the formal response system, e.g., with small grants for rental assistance, one-time flexible grants or by connecting with family or friends for support. Because of their high level of vulnerability clients assessed as Housing Referral Status were given priority for intake into the VTC.

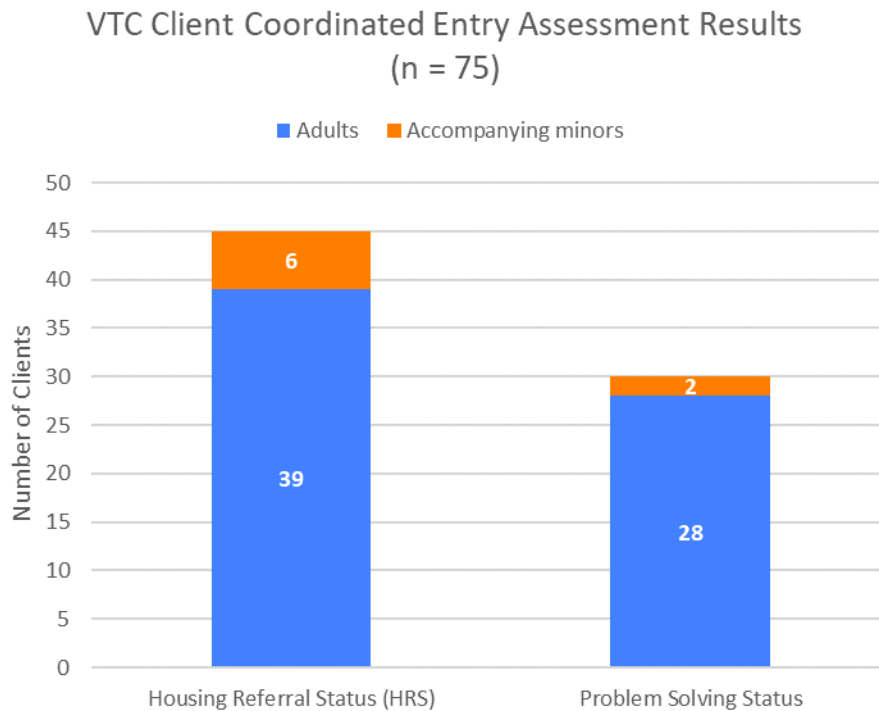
### Assessment Results

Among the 75 guests at the VTC in its first year, 57% of adult clients were assessed as Housing Referral Status while remaining 43% of adult clients were assessed as Problem Solving Status.<sup>6</sup> The chart below

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<sup>6</sup> The data source for this figure is the VTC client log, which may vary slightly from ONE System records.

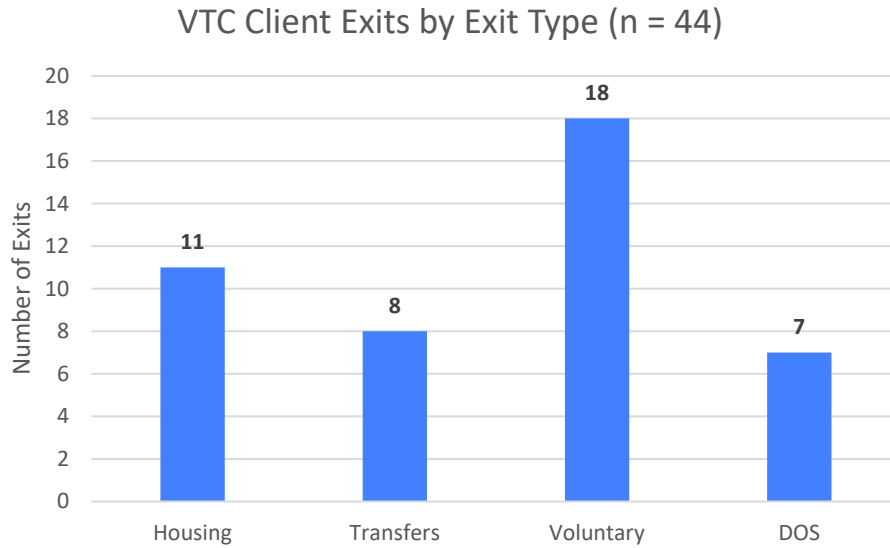
indicates the status of all household members, including accompanying minors (who receive the status of their adult head of household).



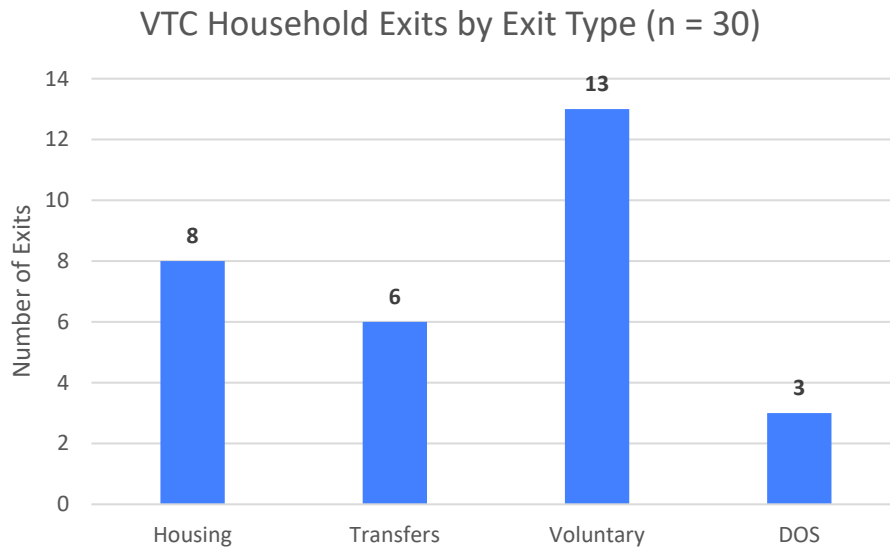
Clients who are Housing Referral Status (whether through an initial assessment or further vulnerability review) are eligible for a housing resource within the portfolio of subsidized housing. Problem Solving status work with case managers on strategies to end their homelessness via job placement, reconnection to families of origin, submitting referrals to the Mayor’s Office of Housing and Community Development for affordable housing, relocating to other cities, connecting to medical and/or behavioral health services, etc.

### Client Exits

Among the 75 guests served at the VTC, 44 total guests (59%) exited during the year, representing 27 households. Of these exits, 25% of clients exited to housing, the majority of which was subsidized. Two of the exiting guests (one household) exited via Problem Solving. Eight guests had medical needs that could not be properly cared for while they resided in their vehicles. These guests were transferred from the VTC to a stabilization room or Shelter-in-Place hotel. Though they continued to receive case management services via SFHOT, they did not reside at the VTC, and are reflected as “transfers” in the data below.



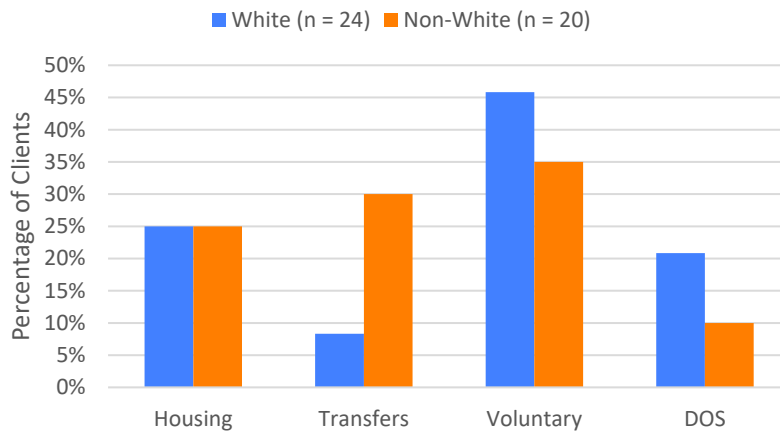
The majority of exits (57%) were either voluntary or denials of service (DOS). In voluntary exits, clients may or may not indicate a reason or destination and are most commonly noted as due to households leaving the site and not returning for more than 48 hours. Seven clients, representing three households, had a denial of service due to behaviors of one or more household members. Because households typically exit together, the chart above is replicated below showing the total exits by household as opposed to by client.



Over the VTC's first year, 73% of its white client population exited the program, compared to 48% percent of its non-white client population. White and non-white guests exited to housing at the same rate. However, white clients were more likely than non-white clients to exit due to denials of service or voluntary reasons.

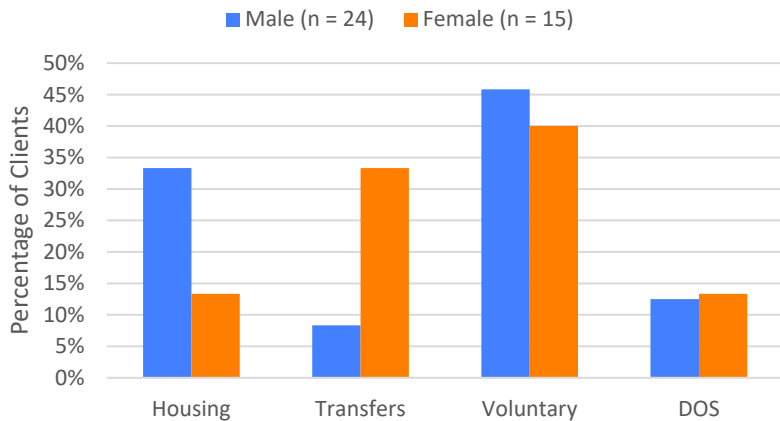


### VTC Client Exit Types and Race/Ethnicity\*



Excluding minors—who only exit to follow their adult guardians—male clients that exit the program are over twice as likely as female clients to exit to housing (33% vs 13%). Female clients typically enter and exit the VTC with accompanying partners/children. All single adult female clients who exited the VTC (n=6) either transferred out of the program or voluntarily left.

### VTC Adult Exit Types and Gender Identity\*



\*1 DOS exit not shown. Client gender was not provided.

### Average Length of Stay

Clients who exited to housing had an average length of stay of 103 days. Clients who exited voluntarily or due to a DOS had an average length of stay of 39 days. The average length of stay among current clients is 214 days. Public health orders made in response to the COVID-19 emergency (including the closure of some government services like the Social Security Administration) have delayed the housing process, including gathering needed documentation, for Housing Referral Status guests. This may be impacting the observed length of stay among current guests who are identified as Housing Referral Status.

## Program Costs

In its first year of operations, the City expended \$1,662,503 to establish and operate the VTC for 75 guests. This equates to \$22,166 per client served in the last year. Costs include \$552,783 in one-time capital expenditures made by DPW for site set-up and \$615,946 in ongoing site operations expenditures established as part of the contract with the site operator.

VTC Program Operating Costs	Total
Contractor Salaries	\$ 493,774
Operating, Subcontracts and Indirect Expenses	\$ 615,946
<i>Subtotal – Operating Costs</i>	<i>\$1,109,720</i>
VTC Capital Costs (one-time)	
DPW Site Set-Up Costs	\$552,783
<i>Subtotal – Capital Costs</i>	<i>\$552,783</i>
<b>Total Costs – Year 1</b>	<b>\$1,662,503</b>

One-time capital expenses include site construction, electrical and utility service setup, and rental of an office trailer, and water tanks.

Operating costs include salaries for contracted staff, costs associated with the subcontractors for other expenses such as phones and uniforms, and indirect costs. The site operator provides 24-hour staffing across three shifts: morning, swing, and night. Staff roles include a site supervisor and deputy supervisor as well as 6.5 full-time equivalent Parking Lot Practitioners to conduct guest engagement, ensure a clean and safe environment, collaboration with SFHOT on intakes and case management. There are typically two Parking Lot Practitioners on each shift.<sup>7</sup>

Considering just ongoing expenditures, the VTC costs \$14,796 per client served over its first year. It should be noted that the number of clients served in the first year was impacted by the COVID pandemic and may not represent the number of clients possible to be served in a year. Another way to evaluate costs is to assess it per parking spot. The VTC has 29 parking spots serving single and multi-person households. Operating costs total \$36,990 per spot, or \$101 per spot per night.

The costs listed above do not include the proportional costs associated with existing SFHOT case managers providing services to the site as part of their duties. HSH has indicated that it would contract for such services in any future sites. Using an existing Navigation Center contract

### VTC Operating Costs

**\$14,796** per client served in year one

**\$38,266** per parking spot

**\$105** per parking spot per night

### Potential Cost of Case Management

**\$4,500** per parking spot (estimate)

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<sup>7</sup> Program operating costs reflect negotiated rates for a single provider and may not reflect the cost to replicate the program, as other contracted providers may have varying salary rates or internal cost structures that would change the overall cost of the program.

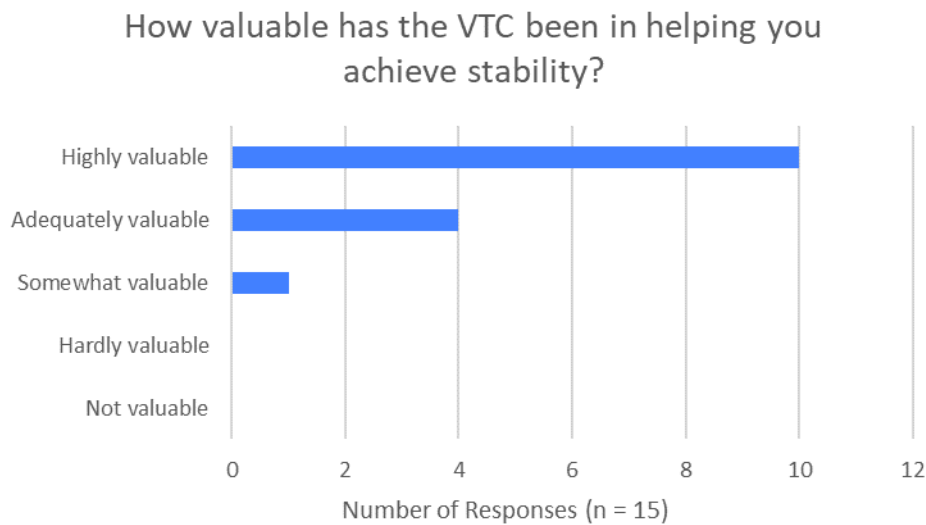
as a model, we estimate that incorporating case management support in a future VTC program could add up to \$4,500 per parking spot. The VTC includes 29 parking spots, and this model would have added approximately \$130,000 to the annual operating expense of the program.<sup>8</sup>

The Controller’s Office did not compare the cost of the VTC to other shelter settings, but further comparative analysis could support an assessment of cost effectiveness of the VTC. However, just seven of the total guests at the VTC (9%) had a shelter stay during the two years prior to the launch of the VTC pilot. As such, a comparative cost analysis should acknowledge the distinctions between settings and the clients likely to be served in each.

## SUMMARY OF FEEDBACK

### Client Feedback

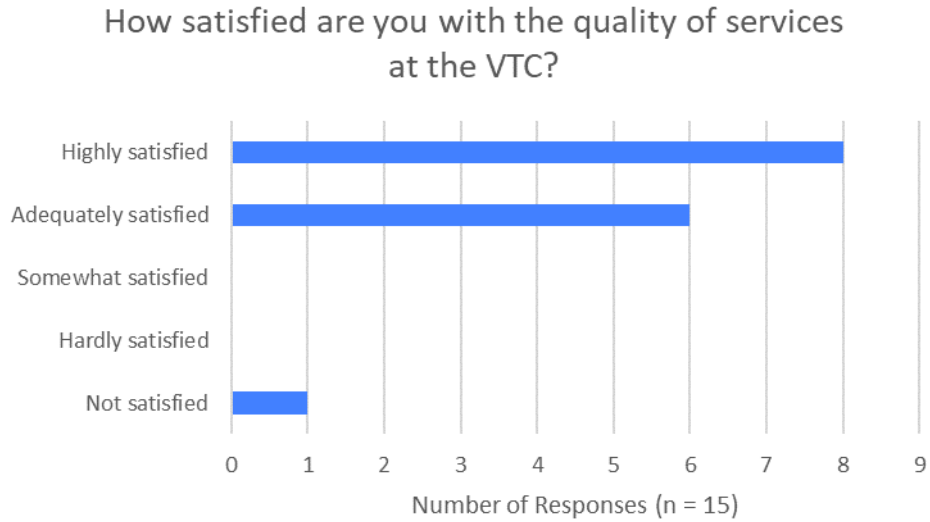
The Controller’s Office designed a client survey in Survey Monkey which was administered by SFHOT case management team members to clients in English, Spanish and Tagalog. The survey had a 47% response rate (15 of 32 current VTC clients). The survey included structured and open-ended questions, which have been aggregated and summarized below.



Perceptions of the VTC program were generally positive with the majority respondents indicating that their stay at the VTC has been either highly or adequately valuable in helping them achieve stability. Clients reported that on-site staff are generally helpful, trustworthy, and they contribute to a positive atmosphere. Clients also generally reported that they felt the site was a safe, secure location both for sleeping overnight and for storing their vehicle/belongings. Shower and laundry services were also highlighted as positive aspects of the program.

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<sup>8</sup> The \$4,500 per spot cost is based on the FY19-20 contract budget of a navigation center operating with a 1:25 case manager to bed ratio, plus proportional clinical supervision. An alternate scenario would be to apply the SAFE Navigation Center model to a future VTC program, which operates at a 1:40 case manager to slot ratio, and if this model were applied, it would reduce the cost per spot estimate.



While clients mostly responded that they were highly or adequately satisfied with the quality of services at the VTC, there were some who expressed desires for better electricity and internet access across the site, as well as permanent showers and to be able to cook on-site. Some clients would also like for visitors to be allowed on-site.

### Additional Operational Considerations

Interview participants and surveyed guests offered various points of feedback about the VTC that could inform HSH's and the City's decisions about site operations, and/or continuing or replicating the program model.

### Cost Projections

Feedback from the DPW site planning lead indicated that site set-up costs depend on several factors including number and the types of parking spaces, the shape and size of the program's physical site, and the level and variety of care provided at the site. Site set-up costs cannot be uniformly predicted, and it is unclear how cost analysis presented in this evaluation would translate to new sites with varied set-up needs. This inability to directly scale costs may also apply to the level of staffing needed to keep a site safe and secure, which depends on lines of sight, number of access points and other site-specific issues.

### Client-Centered Approach

Feedback suggests that the program model is client-centered and addresses a specific population's needs. Few guests used the traditional shelter system prior to staying at the VTC, indicating the site may serve a population not otherwise accepting shelter. Input from guests indicates they are satisfied with the services they receive, including positive feedback for the site operator's engagement with guests. For example, the site operator maintains a "client wish list" and connects with the VTC Community Working Group to facilitate donations of food, supplies, and other items to meet client needs.

## Community Investment

HSH conducted a robust community engagement process for the Vehicle Triage Center. The process began with HSH working with the District Supervisor's office to identify and set up a meeting with community leaders. HSH complied with Prop I notification requirements including signage posted on the proposed site. A letter was sent to all residents and businesses within 200 feet of the proposed site that included an upcoming public meeting hosted by HSH, District Supervisor's Office and community leaders. Following the public meetings, HSH worked with the District Supervisor's Office to develop a Vehicle Triage Center Community Working Group that included some of the pre-identified community leaders as well as others in the district representing diverse stakeholder groups. This group met monthly starting in October 2019 with HSH, the District Supervisor's Office and the site provider to provide input and ensure commitments to the community and clients were being met. The Community Working Group also supported the Vehicle Triage Center through donations including holiday decorations and gifts, additional supplies during COVID-19 and provided connections to other resources within the district.

Feedback from the VTC Community Working Group community chair indicates that the VTC program benefited from early, community-driven community engagement. The community chair also reported that establishing a community leader as chair of the working group was effective at relieving neighbor's concerns about site safety and security and also promoted donation of supplies to the site.

## Case Management Services

The original VTC model did not include case management services. However, the HSH program team identified a need for case management services when designing the program model of the VTC. For the pilot period, the VTC program relies on three case managers and one supervisor, all part of the SFHOT case management team to provide case management services to clients and connect them with housing services and/or benefit programs, including one case manager identified to address the needs of the LatinX population using the VTC. Case managers visit the site weekly or as needed to work with clients, as well as visiting guests who transferred from living in their vehicles to stabilization rooms or other settings to better manage health issues.

Case managers document client needs and support getting clients document ready and connect to the following services: application for public benefits such as general assistance, Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI) and veterans' benefits; medical services provided by the Department of Public Health's Street Medicine team or other connection to health resources; and enrollment or applications for other affordable housing options.

Case managers support guests to access needed treatment services, including by coordinating with the site operator's on-site practitioners who may flag behavioral health issues clients are manifesting so that referrals to appropriate providers can be made. The site operator's staff addresses client issues and deescalates situations day to day, and the SFHOT case management team conducts additional interventions needed to keep the environment safe for all guests.

The Clinical Lead noted that most vehicularly housed clients want to access the VTC site for safety and respite from the day-to-day harassment and fear of and/or actual violence on the streets, stating that until this daily sense of survival is addressed it is difficult to imagine getting other "higher" needs met like medical and behavioral health. Once people are placed at the VTC, they are initially grateful and

then need to acclimate to the new environment and new case manager before starting to address issues they have had to neglect for survival while living unhoused. The VTC provides the safety and security necessary for attention to wellness to begin.

According to the Clinical Team Lead, finding appropriate housing for VTC guests can be difficult based on the preferences of these individuals. Many tend to live in remote areas of the city away from neighborhoods or busy streets, and guests report wanting similarly calm and quiet settings for housing. Those living in an RV may have their own bathroom, shower and kitchen and also want such amenities in their housing. According to the Clinical Team Lead, many guests at the VTC report that they do not want to live in an SRO in busy downtown areas, which encompasses many of the subsidized options. Case managers support guests staying at the VTC to identify and seek out appropriate housing options.

According to the Clinical Team Lead, due to COVID-19, case managers saw an increased need for addressing isolation and conflict, including domestic violence, as guests were asked to shelter in place and could not access clinics, libraries, restaurants and other places to have space away from their partners or other households. There were very few incidences of violence at the VTC due to the 24/7 onsite supervision provided by the site operator. Safety and having a no tolerance for violence policy was needed to keep the VTC a safe place for everyone.

The program team asserted in interviews that case management services provided as part of the VTC model are valuable and that any future VTC program should include funding case management as an integrated component of the program. As a comparison, Navigation Centers offer case management at a 20:1 ratio. While this ratio is lower than the VTC's pilot model using three SFHOT case managers across 29 households at the site at a given time, Navigation Center case managers are on site full time rather than visiting the site at key intervals. Additionally, HSH staff report that case management included as part of a service contract is better integrated with site monitors to deliver wrap-around guest services. Further analysis is necessary to determine the appropriate level and type(s) of services the VTC model should employ in order to best serve client needs, but it is HSH's recommendation to deliver such services as an embedded part of a site operation contract.

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

May 18, 2022

**File No. 220542**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear Ms. Gibson:

On May 10, 2022, Supervisor Safai submitted the following legislation:

**File No. 220542**

**Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.**

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  
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



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May 18, 2022

Planning Commission  
Attn: Jonas Ionin  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear Commissioners:

On May 10, 2022, Supervisor Safai submitted the following legislation:

**File No. 220542**

**Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.**

The proposed ordinance is being transmitted for 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

c: Rich Hillis, Director  
Tina Tam, 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, Chief of Staff  
Aaron Starr, Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning



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## MEMORANDUM

TO: Shireen McSpadden, Executive Director, Department of Homelessness and Supportive Housing  
John Pierce, Interim Director, Office of Cannabis  
Dr. Grant Colfax, Director, Department of Public Health

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

DATE: May 18, 2022

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Safai on May 10, 2022:

**File No. 220542**

**Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.**

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](mailto:erica.major@sfgov.org).

cc: Dylan Schneider, Department of Homelessness and Supportive Housing  
Emily Cohen, Department of Homelessness and Supportive Housing  
Bridget Badasow, Department of Homelessness and Supportive Housing  
Greg Wagner, Department of Public Health  
Dr. Naveena Bobba, Department of Public Health  
Sneha Patil, Department of Public Health  
Ana Validzic, Department of Public Health

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MEMORANDUM

TO: Katy Tang, Director
Small Business Commission, City Hall, Room 448
FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee
DATE: November 1, 2022
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 220542

Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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RESPONSE FROM SMALL BUSINESS COMMISSION - Date: \_\_\_\_\_

\_\_\_ No Comment

\_\_\_ Recommendation Attached

Chairperson, Small Business Commission

c: Kerry Birnbach