

1 [Planning Code - Allowing Long-Term Parking of and Overnight Camping in Vehicles and
2 Ancillary Uses at 2340 San Jose Avenue]

3 **Ordinance amending the Planning Code to allow temporary long-term parking of and**
4 **overnight camping in vehicles, and ancillary uses including administrative offices,**
5 **restrooms, showering or bathing facilities, kitchen or other food preparation facilities,**
6 **and eating areas at 2340 San Jose Avenue, Assessor's Parcel Block No. 6973, Lot No.**
7 **039, subject to compliance with all other Municipal Code requirements, including but**
8 **not limited to requirements of the Overnight Safe Parking Pilot Program; affirming the**
9 **Planning Department's determination under the California Environmental Quality Act;**
10 **making findings of consistency with the General Plan, and the eight priority policies of**
11 **Planning Code, Section 101.1; and making findings of public necessity, convenience,**
12 **and welfare under Planning Code, Section 302.**

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

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

21 Section 1. Environmental and Land Use Findings.

22 (a) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
25 Supervisors in File No. 190812 and is incorporated herein by reference. The Board affirms
this determination.

1 (b) On August 29, 2019, the Planning Commission, in Resolution No. 20507, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. 190812, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
7 amendments will serve the public necessity, convenience, and welfare for the reasons set
8 forth in Planning Commission Resolution No. 20507 and the Board incorporates such reasons
9 herein by reference. A copy of Planning Commission Resolution No. 20507 is on file with the
10 Clerk of the Board of Supervisors in File No. 190812.

11
12 Section 2. Factual Findings.

13 (a) On May 10, 2019, the City enacted Ordinance No. 82-19, creating the Safe
14 Overnight Parking Pilot Program to provide eligible vehicularly homeless persons a place to
15 park and sleep in their vehicles overnight, case management, and other services, to address
16 the increasing numbers of individuals residing in their vehicles.

17 (b) The 2019 San Francisco Homeless Point-in-Time Count and Survey estimates that
18 approximately 578 vehicles, including passenger vehicles, recreational vehicles ("RVs") and
19 vans, appear to be inhabited. According to housing rights advocates, these estimates are
20 conservative, and the actual number of people living temporarily or permanently in their
21 vehicles is much higher. The population of vehicularly homeless persons is diverse and
22 vulnerable, and includes families with children, young people, immigrants, the physically and
23 mentally disabled, seniors, veterans, the employed, and the underemployed.

24 (c) The Board of Supervisors finds that 2340 San Jose Avenue, Assessor's Block
25 6973, Lot 039, which is currently used as a parking lot, is a suitable site for implementation of

1 the Safe Overnight Parking Pilot Program on a temporary basis, until the site is used for
2 construction of affordable housing. The Mayor's Office of Housing and Community
3 Development anticipates that construction of affordable housing on the site will begin in Fall
4 2020.

5
6 Section 3. The Planning Code is hereby amended by revising Section 205.2, to read
7 as follows:

8 **SEC. 205.2. TEMPORARY USES: ONE- OR TWO-YEAR LIMIT.**

9 A temporary use may be authorized for a period not to exceed two years for any of the
10 following uses:

11 * * * *

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

17
18 Section 4. Effective Date. This ordinance shall become effective 30 days after
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
21 of Supervisors overrides the Mayor's veto of the ordinance.

22
23 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

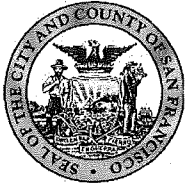
1 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
2 additions, and Board amendment deletions in accordance with the "Note" that appears under
3 the official title of the ordinance.

4
5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

7 By:  _____
8 VICTORIA WONG
9 Deputy City Attorney

10 n:\egana\as2019\2000002\01377839.docx

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

Tails
Ordinance

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

File Number: 190812

Date Passed: September 17, 2019

Ordinance amending the Planning Code to allow temporary long-term parking of and overnight camping in vehicles, and ancillary uses including administrative offices, restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating areas at 2340 San Jose Avenue, Assessor's Parcel Block No. 6973, Lot No. 039, subject to compliance with all other Municipal Code requirements, including but not limited to requirements of the Overnight Safe Parking Pilot Program; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

September 09, 2019 Land Use and Transportation Committee - RECOMMENDED AS COMMITTEE REPORT

September 10, 2019 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

September 17, 2019 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190812

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/17/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

9.20.19

Date Approved