



May 6, 2024

Ms. Angela Calvillo, Clerk
Honorable Supervisor Chan
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 2024-002074PCA:
Parcel Delivery Service
Board File No. 240193

Planning Commission Recommendation: Approval

Dear Ms. Calvillo and Supervisor Chan,

On April 25, 2024, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Chan that would amend the additional Conditional Use Authorization (CUA) criteria for Parcel Delivery Services greater than 5,000 square feet. 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,

Veronica Flores for Aaron D. Starr
Manager of Legislative Affairs

cc: Robb Kapla, Deputy City Attorney
Angelina Yu, Aide to Supervisor Chan
John Carroll, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution

Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21549

HEARING DATE: April 25, 2024

Project Name: Parcel Delivery Service
Case Number: 2024-002074PCA [Board File No. 240193]
Initiated by: Supervisor Chan / Introduced March 4, 2024
Staff Contact: Veronica Flores, Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron D. Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE CONDITIONAL USE AUTHORIZATIONS FOR ESTABLISHING PARCEL DELIVERY SERVICE USES, PROHIBIT NON-CANNABIS PARCEL DELIVERY SERVICE AS AN ACCESSORY USE, AND REVISE ZONING CONTROL TABLES TO REFLECT THESE CHANGES; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING PUBLIC NECESSITY, CONVENIENCE, AND WELFARE FINDINGS UNDER PLANNING CODE, SECTION 302, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1.

WHEREAS, on March 4, 2024 Supervisor Chan introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 240193, which would amend the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes;

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 25, 2024; 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.

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:

The proposed Ordinance would refine the additional CUA criteria for Parcel Delivery Services greater than 5,000 square feet. This also allows for closer review of each proposed project.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

ENVIRONMENTAL JUSTICE FRAMEWORK

SECTION 2

WHAT IS ENVIRONMENTAL JUSTICE?

Environmental Justice is the equitable distribution of environmental benefits and elimination of environmental burdens to promote healthy communities where everyone in San Francisco can thrive.

Government should foster environmental justice through processes that address, mitigate, and amend past injustices while enabling proactive, community-led solutions for the future.

SECTION 3

ENVIRONMENTAL JUSTICE PRIORITIES

Healthy & Resilient Environments

The proposed Ordinance refines the additional CUA criteria for Parcel Delivery Services greater than 5,000 square feet. This could help ensure that Parcel Delivery Service uses, and their impacts are more closely analyzed during the public hearing process. Additionally, this analysis is important in potentially distributing Parcel Delivery Services and their impacts more evenly throughout the city. This supports the Environmental Justice Framework that is included in the General Plan Introduction. The Environmental Justice Framework recognizes that in San Francisco, as in many other communities, people of color, low-income residents, and other vulnerable groups are disproportionately exposed to hazards, such as unsafe housing conditions, illegal dumping, polluting industries, high-risk traffic conditions, among other factors. Specifically, the Environmental Justice Framework emphasizes the importance of the equitable distribution of environmental benefits and elimination of environmental burdens to promote healthy communities where everyone in San Francisco can thrive. Additionally, requiring Parcel

Delivery Service uses to go through the full CUA process and these additional criteria allows closer review of each project. This supports one of the Environmental Justice Framework's primary reasons of why environmental justice is important: government should foster environmental justice through processes that address, mitigate, and amend past injustices.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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 April 25, 2024.



Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2024.05.02 15:44:22 -07'00'

Jonas P. Ionin
Commission Secretary

AYES: Williams, Braun, Imperial, Koppel, Moore, Diamond

NOES: None

ABSENT: None

ADOPTED: April 25, 2024



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: April 25, 2024

90-Day Deadline: June 6, 2024

Project Name: Parcel Delivery Service
Case Number: 2024-002074PCA [Board File No. 240193]
Initiated by: Supervisor Chan / Introduced March 4, 2024
Staff Contact: Veronica Flores, Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, (628) 652-7533
Environmental Review: Not a Project Under CEQA

Recommendation: Approval

Planning Code Amendment

The proposed Ordinance would amend the additional Conditional Use Authorization (CUA) criteria for Parcel Delivery Services greater than 5,000 square feet.

The Way It Is Now:

The additional CUA criteria for Parcel Delivery Services greater than 5,000 square feet includes but is not limited to 1) the impact to traffic patterns, 2) greenhouse gas emissions, 3) an economic impact study, and 4) employment analysis.

The Way It Would Be:

This ordinance would add one new additional CUA criterion: Impacts on educational institutions located near the site. It would also refine the existing employment analysis criterion to include “an analysis on the use of artificial intelligence and autonomous vehicles driven in ratio of human-oriented activities.”

Background

Recently, the City has passed several ordinances that have amended the Planning Code related to Parcel Delivery Services. These ordinances have focused on the use’s impacts on labor, adjacent uses, and the surrounding neighborhood. The following is a summary of those Ordinances for reference. Full background and additional details are also outlined in Planning Department Case No. [2024-000027PCA](#).

- Board File No. 220159, interim controls which expired on September 30, 2023,¹
- Board File No. 230817, modified and expanded interim controls which expired on March 30, 2024,²
- Board File No. 231223, effective date of April 14, 2024,³ and
- Board File No. 240169, effective date of April 21, 2024.⁴

Each of these legislative efforts built on the last, with the two most recent efforts making the interim controls permanent. Board File No. 231223 also added additional criteria and conditions for Parcel Delivery Services greater than 5,000 square feet. This proposed Ordinance would further refine the additional CUA criteria for Parcel Delivery Services.

Issues and Considerations

Transportation Analysis

Under CEQA’s transportation analysis, a proposed project is evaluated to see if it would create potentially hazardous conditions for people walking or bicycling around or to the facility. Further, the Department’s Transportation Impact Analysis Guidelines identify schools as major destinations, in addition to being a land use with particularly vulnerable people (e.g. children, seniors, people with disabilities). This means schools are already considered in the existing conditions of the transportation study area and are included in the evaluation of a project’s transportation impact analysis. Since these are already being studied, including them as a criterion, while redundant, would not create a costly new requirement for the applicant.

¹ [Ordinance No. 109-22](#).

² [Ordinance No. 437-23](#).

³ [Ordinance No. 047-24](#).

⁴ [Ordinance No. 054-24](#).

Employment Analysis

An employment analysis is already required as one of the criteria for Parcel Delivery Service. The proposed Ordinance would add to that analysis in the following way (underlined/italicized indicates new language):

The employment analysis shall also include a discussion of the past and current employment practices of the proposed operator, if any, *including but not limited to artificial intelligence utilization and autonomous vehicles driven in ratio of human-operated activities.*

As the employment analysis is already required, and including these new considerations in that analysis should be fairly straight forward, the Department does not find the proposed additions to be overly burdensome; however, it's not clear how this analysis relates to land use impacts.

General Plan Compliance

The proposed Ordinance refines the additional CUA criteria for Parcel Delivery Services greater than 5,000 square feet. This could help ensure that Parcel Delivery Service uses, and their impacts are more closely analyzed during the public hearing process. Additionally, this analysis is important in potentially distributing Parcel Delivery Services and their impacts more evenly throughout the city. This supports the Environmental Justice Framework that is included in the General Plan Introduction. The Environmental Justice Framework recognizes that in San Francisco, as in many other communities, people of color, low-income residents, and other vulnerable groups are disproportionately exposed to hazards, such as unsafe housing conditions, illegal dumping, polluting industries, high-risk traffic conditions, among other factors. Specifically, the Environmental Justice Framework emphasizes the importance of the equitable distribution of environmental benefits and elimination of environmental burdens to promote healthy communities where everyone in San Francisco can thrive. Additionally, requiring Parcel Delivery Service uses to go through the full CUA process and these additional criteria allows closer review of each project. This supports one of the Environmental Justice Framework's primary reasons of why environmental justice is important: government should foster environmental justice through processes that address, mitigate, and amend past injustices.

Racial and Social Equity Analysis

Parcel Delivery Services have historically been focused on the southeast sector of the city. Exhibit C shows that while Parcel Delivery Services are allowed elsewhere in the city such as the Financial District, they currently require a CUA in those areas. Exhibit C also shows that Parcel Delivery Services are mostly principally permitted in the South of Market and Bayview today. These areas of the city are classified as Environmental Justice Communities, which are areas of San Francisco that have higher pollution than other parts of the city and are predominantly low-income,⁵ Because these uses include heavy diesel trucks, an over-concentration could further deteriorate air quality in these neighborhoods and, as a result, reduce life expectancy for residents.

The proposed Ordinance builds on the prior legislation that required a CUA for Parcel Delivery Services. This additional process allows the Planning Commission to review each proposal more closely. It also provides the public an opportunity to bring up community concerns to the Planning Commission. It also provides an

⁵ [San Francisco Planning Department, Environmental Justice Framework.](#)

opportunity for any major concerns to be resolved prior to permit approval. For example, concerns related to proximity or quantity of Parcel Delivery Services can be raised through the CUA process. Additionally, members of the public can voice opinions on traffic or pollution concerns and ways to lessen those impacts on these burdened neighborhoods.

Implementation

The Department has determined that this ordinance will not have an impact on our current implementation procedures; however, there may be some challenges related to understanding how impacts from artificial intelligence should be evaluated in this context.

Recommendation

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department endorses the proposed ordinance. Although one provision mirrors CEQA analysis while the other lacks a distinct land use link, neither seems excessively burdensome. The new criterion aligns with existing CEQA requirements, posing no extra burden for applicants. Furthermore, the refined employment analysis should be straightforward for them to furnish.

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. 240193



PLANNING COMMISSION DRAFT RESOLUTION

HEARING DATE: April 25, 2024

Project Name: State-Mandated Accessory Dwelling Unit Controls
Case Number: 2024-002074PCA [Board File No. 240193]
Initiated by: Supervisor Chan / Introduced March 4, 2024
Staff Contact: Veronica Flores, Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE CONDITIONAL USE AUTHORIZATIONS FOR ESTABLISHING PARCEL DELIVERY SERVICE USES, PROHIBIT NON-CANNABIS PARCEL DELIVERY SERVICE AS AN ACCESSORY USE, AND REVISE ZONING CONTROL TABLES TO REFLECT THESE CHANGES; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING PUBLIC NECESSITY, CONVENIENCE, AND WELFARE FINDINGS UNDER PLANNING CODE, SECTION 302, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1.

WHEREAS, on March 4, 2024 Supervisor Chan introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 240193, which would amend the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 25, 2024; 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.

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:

The proposed Ordinance would refine the additional CUA criteria for Parcel Delivery Services greater than 5,000 square feet. This also allows for closer review of each proposed project.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

ENVIRONMENTAL JUSTICE FRAMEWORK

SECTION 2

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Environmental Justice is the equitable distribution of environmental benefits and elimination of environmental burdens to promote healthy communities where everyone in San Francisco can thrive.

Government should foster environmental justice through processes that address, mitigate, and amend past injustices while enabling proactive, community-led solutions for the future.

SECTION 3

ENVIRONMENTAL JUSTICE PRIORITIES

Healthy & Resilient Environments

The proposed Ordinance refines the additional CUA criteria for Parcel Delivery Services greater than 5,000 square feet. This could help ensure that Parcel Delivery Service uses, and their impacts are more closely analyzed during the public hearing process. Additionally, this analysis is important in potentially distributing Parcel Delivery

Services and their impacts more evenly throughout the city. This supports the Environmental Justice Framework that is included in the General Plan Introduction. The Environmental Justice Framework recognizes that in San Francisco, as in many other communities, people of color, low-income residents, and other vulnerable groups are disproportionately exposed to hazards, such as unsafe housing conditions, illegal dumping, polluting industries, high-risk traffic conditions, among other factors. Specifically, the Environmental Justice Framework emphasizes the importance of the equitable distribution of environmental benefits and elimination of environmental burdens to promote healthy communities where everyone in San Francisco can thrive. Additionally, requiring Parcel Delivery Service uses to go through the full CUA process and these additional criteria allows closer review of each project. This supports one of the Environmental Justice Framework's primary reasons of why environmental justice is important: government should foster environmental justice through processes that address, mitigate, and amend past injustices.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would

not be impaired.

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 April 25, 2024

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: April 25, 2024

1 [Planning Code - Parcel Delivery Service]

2

3 **Ordinance amending the Planning Code to require Conditional Use authorizations for**
4 **establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery**
5 **Service as an accessory use, and revise zoning control tables to reflect these changes;**
6 **affirming the Planning Department’s determination under the California Environmental**
7 **Quality Act; and making public necessity, convenience, and welfare findings under**
8 **Planning Code, Section 302, and findings of consistency with the General Plan and the**
9 **eight priority policies of Planning Code, Section 101.1.**

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

14

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

16

17 Section 1. Findings.

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

23 (b) On _____, the Planning Commission, in Resolution No. _____,
24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
25 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
2 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
4 amendments will serve the public necessity, convenience, and welfare for the reasons set
5 forth in Planning Commission Resolution No. _____, and the Board adopts such
6 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
7 Supervisors in File No. _____ and is incorporated herein by reference.

8
9 Section 2. The Planning Code is hereby amended by revising Sections 102, 204.3,
10 210.1, 210.2, 210.3, 210.4, 303, 703, 712, 803.2, 830, 831, 832, 833, 836, 838, 839, and 840,
11 to read as follows:

12
13 **SEC. 102. DEFINITIONS.**

14 * * * *

15 **Service, Parcel Delivery.** A Non-Retail Automotive Use limited to facilities for the
16 unloading, sorting, and reloading of local retail merchandise for deliveries, including but not
17 limited to cannabis and cannabis products, where the operation is conducted entirely within a
18 completely enclosed building, including garage facilities for local delivery trucks, but excluding
19 repair shop facilities. ~~Within Where permitted in~~ PDR Districts, this use is not required to be
20 operated within a completely enclosed building. Parcel Delivery Service for merchandise or
21 products other than cannabis and cannabis products use requires a Conditional Use
22 authorization pursuant to Section 303(cc) and is not allowed as an accessory use to any other
23 principal use.

24 * * * *

1 **SEC. 204.3. ACCESSORY USES FOR USES OTHER THAN DWELLINGS IN C, RC,**
 2 **M, AND PDR DISTRICTS.**

3 * * * *

4 (e) **Accessory Storage in C Districts.** Accessory storage on the second floor and
 5 above is permitted for stock and trade relating to retail uses with street level storefronts in the
 6 same building. There shall be no limitation on the square footage of accessory storage as
 7 long as the storage supports a ground floor use in the same building.

8 (f) **Prohibition of Non-Cannabis Parcel Delivery Service as Accessory Use.**
 9 **Parcel Delivery Service, as defined in Section 102 of the Planning Code, for merchandise or**
 10 **products other than cannabis and cannabis products is not allowed as an accessory use to**
 11 **any other principal use.**

12
 13 **SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.**

14 * * * *

15 **Table 210.1**

16 **ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Service, Parcel Delivery	§§ 102, 303(cc)	C
* * * *		

* * * *

SEC. 210.2. C-3 DISTRICTS: DOWNTOWN COMMERCIAL.

* * * *

Table 210.2

ZONING CONTROL TABLE FOR C-3 DISTRICTS

Zoning Category	§ References	C-3-O	C-3-O(SD)	C-3-R	C-3-G	C-3-S
* * * *						
NON-RESIDENTIAL STANDARDS AND USES						
* * * *						
Automotive Use Category						
* * * *						
Service, Parcel Delivery	§§ 102, 303(cc)	C	C	C	C	<u>CP</u>

* * * *

SEC. 210.3. PDR DISTRICTS.

* * * *

Table 210.3

ZONING CONTROL TABLE FOR PDR DISTRICTS

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					

* * * *					
Automotive Use Category					
* * * *					
Service, Motor Vehicle Tow	§ 102	P	P	P	P
<u>Service, Parcel Delivery</u>	<u>§§ 102, 303(cc)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
* * * *					

* * * *

SEC. 210.4. M DISTRICTS: INDUSTRIAL.

* * * *

Table 210.4

ZONING CONTROL TABLE FOR M DISTRICTS

Zoning Category	§ References	M-1	M-2
* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
Automotive Use Category			
* * * *			
Parking Lot, Public	§§ 102, 142, 156	C	C
<u>Service, Parcel Delivery</u>	<u>§§ 102, 303(cc)</u>	<u>C</u>	<u>C</u>
* * * *			

1 * * * *

2 **SEC. 303. CONDITIONAL USES.**

3 * * * *

4 (bb) **Social Service and Philanthropic Facilities in Chinatown Visitor Retail,**
5 **Chinatown Residential Neighborhood Commercial, and Chinatown Community**
6 **Business Districts.** With regard to a Conditional Use application for a Social Service or
7 Philanthropic Facility use pursuant to Section 121.4 of this Code, in addition to consideration
8 of the criteria set forth in subsection (c) above, the Planning Commission shall, in order to
9 grant a Conditional Use Authorization, find that the proposed use will primarily serve the
10 Chinatown neighborhood.

11 (cc) Parcel Delivery Services.

12 (1) Criteria. With respect to a Conditional Use application for Parcel Delivery
13 Service use as defined in Section 102 of the Planning Code that is less than 5,000 square feet
14 in size, the Planning Commission shall consider the criteria in subsections (c) and (d) above.
15 With respect to a Conditional Use application for Parcel Delivery Service use that is 5,000 square
16 feet or larger, as defined in Section 102 of the Planning Code, in addition to the criteria in
17 subsections (c) and (d) above, the Planning Commission shall consider the following:

18 (A) The extent to which the use will adversely impact traffic patterns and
19 queuing times and add total vehicle miles traveled, including by delivery drivers and couriers operating
20 to and from the site;

21 (B) The greenhouse gas emissions resulting from operating of the site, including
22 from indirect sources such as courier and delivery vehicles;

23 (C) The impact that the use will have on public transit, public safety, and
24 emergency response, with particular attention paid to the rate of workplace injury associated with the
25 use and moving violations and traffic accidents requiring public safety or emergency service response;

1 (D) The impact on educational institutions located near the site; and

2 (E) An economic impact study. The Planning Department shall prepare an
3 economic impact study using City staff or shall, consistent with the Charter, select a consultant from a
4 pool of pre-qualified consultants to prepare the economic impact study required by this subsection (cc).
5 The economic impact study shall be considered by the Planning Commission in its review of the
6 application. In the event a consultant is used, the applicant shall bear the cost of paying the consultant
7 for their work preparing the economic impact study, and any necessary documents prepared as part of
8 that study. The study shall evaluate the potential economic impact of the applicant's proposed project,
9 including:

10 (i) **Employment Analysis.** The report shall include the following
11 employment information: a projection of both construction-related and permanent employment
12 generated by the proposed project, and a discussion of whether the employer of the proposed project
13 will pay a living wage, inclusive of non-salary benefits expected to be provided, relative to San
14 Francisco's cost of living. The employment analysis shall also include a discussion of the past and
15 current employment practices of the proposed operator, if any, including but not limited to artificial
16 intelligence utilization and autonomous vehicles driven in ratio of human-operated activities.

17 (ii) **Fiscal Impact.** The report shall itemize public revenue created by the
18 proposed project and public services needed because of the proposed project, relative to net fiscal
19 impacts to the General Fund. The impacts to the City's public facilities and infrastructure shall be
20 estimated using the City's current assumptions in existing nexus studies (including area plan, transit,
21 open space in-lieu fee and other impact fees), and should account for any contributions the proposed
22 project would make through such impact fee payments.

23 (2) **Required Additional Conditions.** All Parcel Delivery Service facilities shall be
24 subject to at least the following conditions of project approval:

1 (A) **Electrification.** Facilities shall include necessary infrastructure and
2 electrical capacity to accommodate and charge electric vehicles—including electric heavy-duty
3 delivery trucks, employee vehicles, and all other zero-emission vehicles accessing the facility; power
4 refrigeration for refrigerated spaces; and serve any other processes that would otherwise rely upon
5 fossil fuel combustion. Facilities shall install battery storage to address power disruption. Diesel
6 back-up generators shall only be permitted if the facility demonstrates battery storage is infeasible and
7 shall meet CARB’s Tier 4 emission standards or meet the most stringent in-use standard, whichever has
8 the least emissions.

9 (B) **Idling of Vehicles.** To reduce idling emissions from transport trucks, the
10 facility shall have signage placed at truck access points, loading docks, and truck parking areas that
11 clearly notes idling for more than three minutes is strictly prohibited on the subject property. The
12 facility shall fund placement of similar signs installed by the City in the adjacent streets used for
13 access. Each sign placed outside the property should note the California Air Resources Board idling
14 prohibitions on the adjacent streets and include telephone numbers of the building facilities manager
15 and the California Air Resources Board to report violations. All signage should be made of weather-
16 proof materials. All site and architectural plans submitted to the City shall note the locations of these
17 signs.

18 **SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.**

19 * * * *

20 **(d) Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1
21 (Accessory Uses for Dwellings in All Districts), 204.4 (Dwelling Units Accessory to Other
22 Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, Accessory Uses as
23 defined in Section 102 shall be permitted when located on the same lot. Notwithstanding the
24 foregoing, a Retail Workspace, as defined in Section 102, shall be permitted as an Accessory
25 Use in connection with any Eating and Drinking Use regardless of the floor area occupied by

1 such Accessory Use, so long as (1) the hours of operation for the accessory Retail
 2 Workspace use are limited to 9 a.m. to 5 p.m. and (2) such Eating and Drinking Use is also
 3 open for business to the general public on each day during which the accessory Retail
 4 Workspace use is open. Any Use that does not qualify as an Accessory Use shall be
 5 classified as a Principal or Conditional Use unless it qualifies as a temporary use under
 6 Sections 205 through 205.4 of this Code. Parcel Delivery Service, as defined in Section 102
 7 of the Planning Code, for merchandise or products other than cannabis and cannabis
 8 products is not allowed as an accessory use to any other principal use.

9 * * * *

10
 11 **SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL**
 12 **DISTRICT.**

13 * * * *

14 **Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3**
 15 **ZONING CONTROL TABLE**

		NC-3		
Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
* * * *				
Automotive Use Category				

1	Automotive Uses*	§§ 102, 187.1, 202.2(b), <i>303(cc)</i>	C	NP	NP
2					
3	* * * *				

4 * * * *

5 **SEC. 803.2. USES PERMITTED IN CHINATOWN MIXED USE DISTRICTS.**

6 * * * *

7 **(d) Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1
8 (Accessory Uses for Dwelling Units in All Districts), 204.4 (Dwelling Units Accessory to Other
9 Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, an Accessory Use
10 as defined in Section 102, shall be permitted in Chinatown Mixed Use Districts when located
11 on the same lot. Any Use not qualified as an Accessory Use shall only be allowed as a
12 Principal or Conditional Use, unless it qualifies as a temporary use under Sections 205
13 through 205.4 of this Code. Parcel Delivery Service, as defined in Section 102 of the
14 Planning Code, for merchandise or products other than cannabis and cannabis products is not
15 allowed as an accessory use to any other principal use.

16 * * * *

17 **SEC. 830. CMUO—CENTRAL SOMA MIXED USE-OFFICE DISTRICT.**

18 * * * *

19 **Table 830**

20 **CMUO—CENTRAL SOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE**

21 Central SoMa Mixed Use-Office District Controls		
22 Zoning Category	§ References	Controls
23 NON-RESIDENTIAL STANDARDS & USES		
24 * * * *		
25 Automotive Use Category		

* * * *		
Service, Motor Vehicle Tow	§ 102	C
<i>Service, Parcel Delivery</i>	<i>§§ 102, 303(cc)</i>	<u>C</u>
* * * *		

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SEC. 831. MUG – MIXED USE-GENERAL DISTRICT.

* * * *

Table 831

MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Mixed Use-General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Service, Motor Vehicle Tow	§ 102	C(1)
<i>Service, Parcel Delivery</i>	<i>§§ 102, 303(cc)</i>	<u>C</u>
* * * *		

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SEC. 832. MUO – MIXED USE-OFFICE DISTRICT.

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Table 832

MUO – MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Public Parking Lot	§ 102	NP
<i>Service, Parcel Delivery</i>	<i> §§ 102, 303(cc)</i>	<u>C</u>
* * * *		

* * * *

SEC. 833. MUR – MIXED USE-RESIDENTIAL DISTRICT.

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Table 833

MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Mixed Use-Residential District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Public Parking Lot	§ 102	NP
<i>Service, Parcel Delivery</i>	<i> §§ 102, 303(cc)</i>	<u>C</u>

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SEC. 836. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

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Table 836

SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Service/Arts/Light Industrial District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Public Parking Lot	§ 102	NP
<i>Service, Parcel Delivery</i>	<i> §§ 102, 303(cc)</i>	<u>C</u>
* * * *		

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SEC. 838. UMU – URBAN MIXED USE DISTRICT.

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Table 838

UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Urban Mixed Use District Controls
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NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Public Parking Lot	§ 102	NP
<i>Service, Parcel Delivery</i>	<i> §§ 102, 303(cc)</i>	<u>C</u>
* * * *		

* * * *

SEC. 839. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.

* * * *

Table 839

WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

Zoning Category	§ References	Western SoMa Mixed Use- General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
* * * *		
Public Parking Lot	§ 102	NP
<i>Service, Parcel Delivery</i>	<i> §§ 102, 303(cc)</i>	<u>C</u>
* * * *		

* * * *

1 Therefore, upon the effective date of this ordinance, the ordinance shall be retroactive to
2 March 30~~8~~, 2024.

3
4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the “Note” that appears under
9 the official title of the ordinance.

10
11
12 APPROVED AS TO FORM:
13 DAVID CHIU, City Attorney

14 By: /s/ Robb Kapla
15 ROBB KAPLA
16 Deputy City Attorney

17 n:\legana\as2024\2300343\01741016.docx