

REVISED LEGISLATIVE DIGEST
(Amended in Committee – March 4, 2024)

[Planning Code - Parcel Delivery Service]

Ordinance amending 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.

Existing Law

Section 102 of the Planning Code includes many definitions of uses that are permitted, conditional, or not permitted under the City’s zoning and planning regulations. Parcel Delivery Service (“PDS”) is defined as a non-retail automotive use where parcels can be loaded, unloaded, and sorted for delivery. PDS is either permitted or subject to a conditional use authorization in most manufacturing, PDR, mixed use, and commercial districts and not permitted in all other zoning districts. PDS is currently subject to interim controls that require a conditional use authorization in all areas where, under the code, it would otherwise be principally permitted. The interim controls expire on March 30, 2024.

Amendments to Current Law

The Proposed Legislation would amend the definition of PDS and all applicable zoning districts to require a conditional use authorization where formerly it was principally permitted. The Proposed Legislation creates new conditional use authorization criteria and findings for PDS uses 5,000 square feet or larger in size. To conditionally authorize such a PDS use, the Planning Commission would have to consider the following criteria: transit and traffic impacts, greenhouse gas emissions, and public and worker safety of the PDS use, as well as results of an economic impact study of the proposed project. The Proposed Legislation would also require that conditional authorization include electrification measures and adherence to vehicle idling limitations. PDS uses smaller than 5,000 square feet would use the standard conditional use criteria. Additionally, the Proposed Legislation would prohibit PDS as an accessory use, except for PDS for cannabis or cannabis products.

On March 4, 2024, the Land Use and Transportation Committee amended the Proposed Legislation to add new criteria to the conditional use authorization requirements for PDS uses 5,000 square feet or larger. The amendments require that the Planning Commission also consider the PDS use’s impacts on nearby educational institutions and require that the

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economic impact study's employment analysis include information regarding the PDS operator's utilization of artificial intelligence and autonomous vehicles in relation to the number of proposed on-site workers and vehicle drivers.

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