

1 [Interim Zoning Controls - Conditional Use Authorization for Parcel Delivery Service Uses]

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3 **Resolution imposing interim zoning controls for 18 months to require a Conditional**
4 **Use authorization and specified findings for proposed Parcel Delivery Service uses;**
5 **affirming the Planning Department’s determination under the California Environmental**
6 **Quality Act; and making findings of consistency with the General Plan and the Priority**
7 **Policies of Planning Code, Section 101.1.**

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9 WHEREAS, Planning Code Section 306.7 authorizes the Planning Commission or the
10 Board of Supervisors to impose interim zoning controls to allow time for the orderly completion
11 of a planning study and the adoption of appropriate legislation, and to ensure that the
12 legislative scheme which may be ultimately adopted is not undermined during the planning
13 and legislative process by changes of use or approval actions which will conflict with that
14 scheme; and

15 WHEREAS, The Planning Department is evaluating the current zoning controls for new
16 Parcel Delivery Service uses in San Francisco, and is considering potential zoning
17 amendments and other policy approaches to address these issues; and

18 WHEREAS, It is necessary for the City and County of San Francisco (“City”) to further
19 study and assess new Parcel Delivery Service uses as a component of the City’s future
20 development; and

21 WHEREAS, The Board of Supervisors (“Board”) has considered the impact on the
22 public health, safety, and general welfare if these proposed interim zoning controls are not
23 imposed; and

24 WHEREAS, The Board has determined that the public interest will best be served by
25 imposition of these interim zoning controls at this time, to ensure that any legislative scheme

1 that may ultimately be adopted to regulate Parcel Delivery Service uses will not be
2 undermined during the planning and legislative process; and

3 WHEREAS, The Board finds that these interim controls are consistent with San
4 Francisco’s General Plan, in that they satisfy Commerce and Industry Element Objective 1 to
5 “manage economic growth and change to ensure enhancement of the total city living and
6 working environment,” and that they do not conflict with any other aspects of the General
7 Plan; and

8 WHEREAS, The following General Plan Policies of the Commerce and Industry
9 Element are specifically and particularly advanced by these interim controls:

10 Policy 1.2: Assure that all commercial and industrial uses meet minimum, reasonable
11 performance standards. Imposition of interim zoning controls while the City properly studies
12 this rapidly evolving industry and analyzes the region's quickly evolving logistics industry will
13 allow the City to determine the range of impacts and specifically tailor minimum and
14 reasonably practicable performance standards that accurately reflect the real-world practice of
15 the industry. This will allow for orderly development of package delivery service-type uses.

16 Policy 3.1: Promote the attraction, retention and expansion of commercial and
17 industrial firms which provide employment improvement opportunities for unskilled and semi-
18 skilled workers. Package delivery service uses are potentially high-volume employers of
19 unskilled and semi-skilled workers. Interim zoning controls that allow the City time to consider
20 updated land use and other regulatory standards to address current conditions will enable
21 San Francisco to better promote the attraction, retention and expansion of commercial and
22 industrial firms that provide employment opportunities for unskilled and semi-skilled workers;
23 and

1 WHEREAS, The Board finds that these interim zoning controls advance Planning Code
2 Section 101.1's Priority Policy No. 5, "That a diverse economic base be maintained by
3 protecting our industrial and service sectors from displacement due to commercial office
4 development, and that future opportunities for resident employment and ownership in these
5 sectors be enhanced," in that these interim zoning controls seek to control the establishment
6 of new Parcel Delivery Service uses, which are one of many uses in the City's industrial
7 sector, and the balance of various types of industrial uses, needs to be considered in order to
8 maintain San Francisco's diverse economic base. The Board also finds that these interim
9 zoning controls do not have an effect on and therefore are consistent with Priority Policy Nos.
10 1, 2, 3, 4, 6, 7, and 8 of Planning Code Section 101.1; and

11 WHEREAS, The Planning Department has determined that the actions contemplated in
12 this resolution comply with the California Environmental Quality Act (Pub. Res. Code § 21000
13 *et seq.*), which determination is on file with the Clerk of the Board in File No. _____ and is
14 incorporated herein by reference, and the Board affirms this determination; now therefore be it

15 RESOLVED, That, except as specified herein, any proposed Parcel Delivery Service
16 use, as defined in Section 102 of the Planning Code, shall require Conditional Use
17 Authorization pursuant to Planning Code Section 303, while these Interim Zoning Controls are
18 in effect; and be it

19 FURTHER RESOLVED, That, notwithstanding such interim Conditional Use
20 Authorization requirement, a temporary Parcel Delivery Service use at a given location may
21 be authorized, subject to all requirements of the Planning Code, for a single period not to
22 exceed 60 days once within a 12-month period, without the possibility of a renewal or
23 subsequent approval during the 12-month period; and, be it

24 FURTHER RESOLVED, That these interim zoning controls shall remain in effect for a
25 period of 18 months from the date of imposition, unless they are extended or otherwise

1 amended in accordance with the provisions of Planning Code Section 306.7, or until the
2 adoption of permanent legislation regulating Parcel Delivery Service uses, whichever first
3 occurs.

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