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MOTION

The growth of the app-based gig economy has created new and undefined land uses in the zoning code. ‘Ghost Kitchens,’ first flagged in a Motion (Koretz-Harris Dawson) adopted by the Council on September 15, 2021(Council File No. 21-0665), and which remains undefined in the Zoning Code, has resulted in impacts to nearby residents, businesses, and pedestrians as a result of the car-centered nature of these operations.



The lack of a defined ‘Ghost Kitchen’ use and appropriate conditions of approval has left many locations without adequate regulations to effectively manage the impacts that they generate. Without a definition, ‘Ghost Kitchens’ typically follow requirements for catering land uses, which have very different operational demands. Catering land uses prepare food in large batches for a few scheduled deliveries. ‘Ghost Kitchens’ prepare individual take-out orders on demand, with high volume orders, causing higher impacts on local streets.

In Council District 13, there are at least two kitchens currently disrupting the areas around them and creating an uptick of unsafe driving behaviors including: double parking, red-curb violations, parking at bus stops, parking in intersections, and parking in center turn lanes. While the City no longer mandates onsite parking minimums for projects in transit-rich areas, it must still ensure that any businesses entirely based on car-centric delivery methods using third party worker systems are not free to offload the impacts by taking advantage of our shared City spaces and streets.

These businesses which are causing these issues must be adequately defined to support businesses while mitigating the impacts to neighbors. Additionally, imposition of conditions of approval, and enforcement should also be considered as tools to mitigate the negative externalities associated with ‘Ghost Kitchens.’

I THEREFORE MOVE that the Council instruct the Planning Department, in consultation with the Department of Building and Safety, and the City Attorney, report on a draft definition of ‘Ghost kitchens’ and criteria to assess the impacts of ‘Ghost Kitchens’ and inform potential land use controls that can mitigate nuisances on neighboring land uses.

PRESENTED BY: 
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SECONDED BY: 


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