

1 [Interim Zoning Controls - Conditional Use Authorization for Certain Laboratory Uses in PDR-  
2 1-G]

3 **Resolution imposing interim zoning controls for 18 months to require a Conditional**  
4 **Use authorization and specified findings for proposed Laboratory Uses in the PDR-1-G**  
5 **(Production, Distribution, and Repair) District, excluding chemistry or analytical**  
6 **laboratories, biological laboratories, and animal facilities or vivariums; affirming the**  
7 **Planning Department's determination under the California Environmental Quality Act;**  
8 **and making findings of consistency with the General Plan, the eight priority policies of**  
9 **Planning Code, Section 101.1, and Planning Code, Section 306.7.**

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

17 WHEREAS, Planning Code, Section 210.3, affirms the intent of the Production,  
18 Distribution, and Repair ("PDR") districts and specifically, the PDR-1-G District, which is,  
19 generally, to retain and encourage existing production, distribution, and repair activities from  
20 the inherent economic and operational competition and conflicts with housing, large office,  
21 large-scale retail, self-storage, and other uses that are not permitted in the PDR districts; and

22 WHEREAS, The PDR-1-G District is concentrated in the southeastern portion of San  
23 Francisco, a majority of which is located within the Mission District, which has been the focus  
24 of multiple Citywide efforts to address the retention of low- and moderate-income residents,  
25 organizations, and businesses, including the Planning Department's Mission Action Plan

1 (“MAP2020”), launched in 2014, and the latest iteration of the Mission Action Plan

2 (“MAP2030”), endorsed by the Planning Commission in December 2024; and

3 WHEREAS, MAP2020 and MAP2030 included strategies to address the goals of  
4 attracting and retaining low- to moderate-income residents and community-serving  
5 businesses, including Production, Distribution, and Repair, artists, and nonprofits in order to  
6 strengthen and preserve the socioeconomic diversity of the neighborhood; those strategies  
7 include maintaining PDR capacity in PDR districts to preserve vital community resources and  
8 protect working-class jobs; and

9 WHEREAS, The Eastern Neighborhoods Area Plan—a sub-element of which is the  
10 Mission Area Plan or “Plan”—created PDR districts in the Mission to preserve PDR industries  
11 and the opportunities they provide; PDR districts are essential to provide economic diversity  
12 and employment to the City’s low- and moderate-income workforce; as further described in  
13 the Plan, traditional production, distribution, and repair uses serve as a source of employment  
14 for workers who may not have a college degree at a salary that is higher than the retail sector;  
15 and

16 WHEREAS, The Plan also recognized that the Mission is an attractive location for  
17 “Knowledge Sector” businesses, defined as businesses that create economic value through  
18 the knowledge they generate and provide for their customers, such as information technology,  
19 biotechnology, and environmental products and technologies; the Plan recognizes that these  
20 businesses differ from traditional PDR uses in that they involve research and development  
21 (“R&D”) functions “rang[ing] from office-only to a mixture of office and production and testing  
22 activities;” these businesses generally employ more highly skilled workers than the traditional  
23 PDR sector; however, the Plan noted the potential that these uses “may in the future be able  
24 to provide a greater number of quality jobs for some San Franciscans without a four-year  
25 college degree;” and

1 WHEREAS, Planning Code, Section 102, generally classifies these R&D functions as  
2 Laboratory Uses, which are currently principally permitted in the PDR-1-G district; and

3 WHEREAS, Since the adoption of the Plan in 2008, the Knowledge Sector economy  
4 has proliferated in the Mission, particularly in the PDR-1-G; while many types of Laboratory  
5 Uses, including chemistry, biochemistry, analytical laboratories, biological laboratories, and  
6 animal facilities, conduct analytical work in traditional “wet” and “dry” labs, ~~some of these R&D~~  
7 ~~functions other types of Laboratory Uses conduct differ from traditional PDR uses in that R&D~~  
8 activities ~~occur~~ primarily in a space that looks and functions like an office, where some  
9 operators perform predominately office uses; other operators misuse laboratory space for  
10 other purposes, which leads to the further diminution of PDR space; still others, which may  
11 have a hardware production and testing component, rely on innovations in artificial  
12 intelligence, which eliminate the jobs that PDR zoning seeks to maintain; while such  
13 innovations and uses are vital to the City’s economy, their proliferation in PDR-1-G competes  
14 with different City goals and policies for the PDR spaces in the Mission; and

15 WHEREAS, PDR employment has declined in recent years, from a peak 33% of the  
16 City total to 10% of the City total per the Planning Department’s most recent PDR report; the  
17 reasons for this decline include land competition and increasingly high rents compared to the  
18 rest of the Bay Area; a copy of this report is on file with the Clerk of the Board of Supervisors  
19 in File No. 251244; and

20 WHEREAS, According to the latest MAP 2020 Status Report, the Mission District has  
21 experienced shifts in its income distribution over the last two decades, including a significant  
22 increase of upper income households, a decrease in its share of low-income households, a  
23 massive rise in its Latino homeless population, and the loss of approximately 12,000 Latinos;  
24 and

1 WHEREAS, Regulating new Laboratory Uses in the PDR-1-G district to ensure they  
2 comply with the goals of the PDR-1-G district will preserve the limited land zoned for  
3 traditional production, distribution, and repair industries; this in turn will support the City's low-  
4 and middle-income workforce and mitigate the high demand for PDR space, which prices out  
5 highly desired industrial firms from the Mission and broader City; and

6 WHEREAS, The interim controls established by this Resolution will allow time for the  
7 orderly completion of a planning study and for the adoption of appropriate legislation that  
8 supports the goals of the PDR-1-G district; and

9 WHEREAS, The Board has considered the impact on the public health, safety, and  
10 peace, and general welfare if these interim controls are not imposed; and

11 WHEREAS, The Board has determined that the public interest will best be served by  
12 imposition of these interim controls to ensure that the legislative scheme which may be  
13 ultimately adopted is not undermined during the planning and legislative process for  
14 permanent controls; and

15 WHEREAS, The Board finds that these interim controls are consistent with San  
16 Francisco's General Plan, in that they satisfy Commerce and Industry Element Objective 1 to  
17 "manage economic growth and change to ensure enhancement of the total city living and  
18 working environment," and Policy 4.5 to "control encroachment of incompatible land uses on  
19 viable industrial activity;" these interim controls do not conflict with any other aspects of the  
20 General Plan; and

21 WHEREAS, The Board finds that the following General Plan Policies in the Mission  
22 Area Plan portion of the Eastern Neighborhoods Area Plan are specifically and particularly  
23 advanced by these interim controls:

24 "Objective 1.7: Retain the Mission's role as an important location for Production,  
25 Distribution, and Repair (PDR) activities."

1           “Objective 1.4: Support a role for ‘Knowledge Sector’ businesses in appropriate  
2 portions of the Mission (sic).”

3           “Policy 1.4.2: Allow Knowledge Sector office-type uses in portions of the Mission  
4 where it is appropriate;” and

5           WHEREAS, For the reasons stated above, the Board finds that these interim controls  
6 support the development and conservation of the commerce and industry of the City in order  
7 to maintain the economic vitality of the City, to provide its citizens with adequate jobs and  
8 business opportunities, and to maintain adequate services for its residents, visitors,  
9 businesses and institutions, consistent with Planning Code, Section 306.7; and

10          WHEREAS, The Board finds that these interim controls are consistent with the Priority  
11 Policies set forth in Planning Code, Section 101.1, because these interim controls will  
12 preserve and enhance existing neighborhood-serving uses, the cultural and economic  
13 diversity of our neighborhoods, and maintain a diverse economic base by protecting the PDR  
14 industrial sector from displacement, and enhance future opportunities for resident employment  
15 and ownership, particularly in the PDR sector; and

16          WHEREAS, The Planning Department has determined that the actions contemplated in  
17 this Resolution comply with the California Environmental Quality Act (California Public  
18 Resources Code, Sections 21000 et seq.); said determination is on file with the Clerk of the  
19 Board of Supervisors in File No. 251244 and is incorporated herein by reference; the Board  
20 affirms this determination; now, therefore, be it

21          RESOLVED, That in the PDR-1-G district, any proposed Laboratory Use, as defined in  
22 Section 102 of the Planning Code, shall require Conditional Use authorization pursuant to  
23 Planning Code, Section 303, while these Interim Zoning Controls are in effect; the foregoing  
24 control shall not apply to the following types of Laboratory Uses:

25           (a) Chemistry, biochemistry, or analytical laboratory;

1           (b) Biological laboratories including those classified by the Centers for Disease  
2           Control (CDC) and National Institutes of Health (NIH) as Biosafety level 1, Biosafety level 2, or  
3           Biosafety level 3; and/or

4           (c) Animal facility or vivarium, including laboratories classified by the CDC/NIH as  
5           Animal Biosafety level 1, Animal Biosafety level 2, or Animal Biosafety level 3; and, be it

6           FURTHER RESOLVED, That in addition to the findings required by Planning Code,  
7           Section 303, in granting the Conditional Use authorization, the Planning Commission shall  
8           also consider: (1) whether the proposed Laboratory Use advances Objectives 1.4 and 1.7 of  
9           the Mission Area Plan, and the policies contained therein, and (2) the economic impact of the  
10          proposed Laboratory Use, including whether the proposed use will employ workers without a  
11          college degree; and, be it

12          FURTHER RESOLVED, That these interim zoning controls shall remain in effect for a  
13          period of 18 months from the date of imposition, unless they are extended or otherwise  
14          amended in accordance with the provisions of Planning Code, Section 306.7, or until the  
15          adoption of permanent legislation regulating Laboratory Uses in the PDR-1-G district,  
16          whichever first occurs; and, be it

17          FURTHER RESOLVED, That while the planning study is underway, the Board urges  
18          the Planning Department to evaluate what controls are best suited to ensure that Laboratory  
19          Uses in the PDR-1-G are consistent with the goals of that district, including but not limited to  
20          studying whether square footage limits or limits on the number of Laboratory Uses would meet  
21          those goals, and whether additional enforcement mechanisms are recommended to prevent  
22          misuse of existing Laboratory Uses in the PDR-1-G.

23          APPROVED AS TO FORM:  
24          DAVID CHIU, City Attorney

25          By:    /s/ Giulia Gualco-Nelson  
                GIULIA GUALCO-NELSON

Deputy City Attorney

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