



# EXECUTIVE SUMMARY

## PLANNING CODE TEXT AMENDMENT

**HEARING DATE: MAY 2, 2024**

**90-Day Deadline:** June 10, 2024

**Project Name:** Wawona Street and 45th Avenue Cultural Center Special Use District  
**Case Number:** **2024-002677PCA [Board File No. 240228]**  
**Initiated by:** Supervisors Joel Engardio, Aaron Peskin / Introduced March 12, 2024  
**Staff Contact:** Gabriela Pantoja, Senior Planner  
Gabriela.Pantoja@sfgov.org, 628-652-7380

**Environmental Review:** Exemption

**Recommendation:** Approval

### Planning Code Amendment

The proposed Ordinance would amend the Planning Code to clarify the Wawona Street and 45th Avenue Special Use District’s (Ordinance No. 241-23) height limit and principal permitted use for purposes of the City’s Local Coastal Program, amend the City’s Local Coastal Program to add the Wawona Street and 45th Avenue Cultural Center Special Use District, and amend the Local Coastal Program (Planning Code Section 330) to designate the principal permitted use within the City’s Coastal Zone for purposes of appeal to the California Coastal Commission.

## **The Way It Is Now:**

On December 12, 2023, the Board of Supervisors passed the Wawona Street and 45th Avenue Cultural Center Special Use District (“SUD”) (Ordinance No. 241-23, Board File No. 230505) to facilitate the redevelopment of the Irish Cultural Center, subject to certification by the California Coastal Commission (“Coastal Commission”). That ordinance, which amended the Planning Code, Zoning Map, and Local Coastal Program (“LCP”), having been signed by the Mayor on December 13, 2023, is now effective, but is not operative because it has not been certified by the Coastal Commission.

Under the California Coastal Act of 1976 (Public Resources Code Section 30000 et seq., “Coastal Act”), the City administers the LCP, which has been certified by the Coastal Commission. The LCP addresses coastal access, public recreation, transportation, land use, and habitat protection within the San Francisco Coastal Zone. Under the LCP, the City is authorized to issue coastal development permits for projects proposing development within a portion of the Coastal Zone. Certain coastal development permits issued by the City are appealable to the Coastal Commission, including coastal development permits for projects that involve a use that is not the designated principal permitted use for the project site under California Public Resources Code Section 30603(a)(4).

## **The Way It Would Be:**

This Ordinance will amend the Wawona Street and 45<sup>th</sup> Avenue Cultural Center Special Use District (SUD) to clarify for the purposes of the LCP Amendment the applicable height limit to be 100 feet and designate the principal permitted use for the SUD for the purposes of California Public Resources Code Section 30603(a)(4) as Commercial, where, solely for the purposes of the SUD, that term shall be understood to mean a community center with related educational, cultural, social, office, entertainment, recreational, wireless telecommunications services, and retail uses.

The Ordinance will amend Planning Code Section 330.9 to designate principal permitted uses for the purposes of California Public Resources Code Section 30603(a)(4) for all zoning districts with the City’s Coastal Zone. The designation of the principal permitted use for the purpose of the Local Coastal Program does not alter the uses permitted on any site under the Planning Code or applicable requirements under the Planning Code.

Within the Residential Zoning Districts, Residential Uses shall be principally permitted use.

Within the Parkmerced Residential Zoning Districts, Residential Uses shall be principally permitted use.

Within the Neighborhood Commercial Zoning Districts, Commercial Uses shall be principally permitted use.

Within the Public Zoning District, Public Uses, where that shall be understood to mean a Public Facility, Open Recreation Area, or Passive Outdoor Recreation, shall be principally permitted use.

## **Background**

### **Local Coastal Program**

The Local Coastal Program (LCP) is a policy and regulatory document required by the California Coastal Act that establishes land use, development, natural resource protection, coastal access, and public recreation policies for San Francisco’s Coastal Zone. The Coastal Zone extends approximately 6 miles along the City’s western shoreline,

from the Point Lobos recreational area in the north to the Fort Funston cliff area in the south and includes 2700 45<sup>th</sup> Avenue (Irish Cultural Center location). San Francisco's LCP was originally certified in 1986 and consists of two components the Implementation Plan and the Land Use Plan. The former is comprised of the City's Planning Code provisions that relate to development within the Coastal Zone including Planning Code Section 330. The latter consists of those portions of the Western Shoreline Area Plan as certified by the Coastal Commission.

### **Timeline**

On July 27, 2023, the Planning Commission heard and recommended approval to the Board of Supervisors of an Ordinance amending the Planning Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District (SUD) at 2700 45<sup>th</sup> Avenue, Assessor's Parcel Block No. 2513, Lot No. 026, to facilitate the redevelopment of the Irish Cultural Center and amend the Zoning Map to illustrate the Wawona Street and 45th Avenue Cultural Center SUD. To facilitate the redevelopment, the Wawona St. and 45<sup>th</sup> Ave. Cultural Center SUD outlined permitted land uses, including General Office, Institutional, Retail Sales and Service, Wireless Telecommunications Facility, and Nighttime Entertainment, reduced Transportation Demand Management (TDM) requirements, eliminated applicability of Large Lot Development and Non-Residential Use Size Limit requirements, and allowed exceptions from the Floor Area Ratio (FAR), Rear Yard, and Bulk Planning Code requirements via the issuance of a Conditional Use Authorization. At the same hearing, the Commission granted said Conditional Use Authorization under Motion No. 21376 for the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet (sq. ft.)) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses.

On December 12, 2023, the Board of Supervisors passed the Wawona Street and 45th Avenue Cultural Center Special Use District ("SUD") (Ordinance No. 241-23, on file with the Clerk of the Board File No. 230505) to facilitate the redevelopment of the Irish Cultural Center, subject to certification by the California Coastal Commission ("Coastal Commission"). That ordinance, which amended the Planning Code, Zoning Map, and Local Coastal Program ("LCP"), having been signed by the Mayor on December 13, 2023, is now effective, but is not operative because it has not been certified by the Coastal Commission.

Similarly, on December 12, 2023, the Board of Supervisors also adopted Resolution No. 571-23, on file with the Clerk of the Board in File No. 231137. That resolution, which was signed by the Mayor on December 13, 2023, authorized the Director of the Planning Department to transmit Ordinance No. 241-23 to the Coastal Commission for certification.

Since the transmittal to the City's Local Coastal Program Amendment to the Coastal Commission, Coastal Commission staff have recommended that the City define principal permitted uses ("PPU") under the City's Local Coastal Program for both the Wawona Street and 45<sup>th</sup> Avenue Special Use District and all other zoning districts within the City's Coastal Zone to specify whether certain coastal development permitting decisions are appealable to the California Coastal Commission.

Additionally, the Coastal Commission staff have recommended the inclusion of reiterative language with regard to the Wawona Street and 45<sup>th</sup> Avenue Cultural Center SUD location's (Assessor's Parcel Block No. 2513, Lot No. 026) applicable height limit for the purposes of the Local Coastal Program (LCP). Since 1970, the subject location's applicable height limit has been 100 feet. That height limit is depicted on Zoning Map Sectional Map No. HT13. However, neither the City nor the Coastal Commission can locate a certified copy of said map within the 1986

initial Local Coastal Program certification for the City. The proposed amendment does not modify height limits in the SUD, but instead clarifies the height limit for the purposes of the LCP Amendment.

## **Issues and Considerations**

### **General Plan Compliance**

The proposed Ordinance will help facilitate the development of a state-of-the-art community facility for San Francisco's Irish population and larger community. As one of the few community facilities on the west side of the City, the new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a center that enhances the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns for all age groups. While the center's programming focus on preserving and reflecting the history of Irish community, the center will continue to enhance the community life of Outer Sunset residents by providing a space for all recreational, educational, and civic activities. Having served the community for more than 45 years, the United Irish Cultural Center, a non-profit organization, is a proven manager and operator of a large community facility.

The development will also expand the existing community facility's ability to serve the neighborhood with additional neighborhood serving retail use opportunities, job opportunities, and business opportunities and reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

As a prominent high-quality design, the development to be facilitated by the proposed Ordinance will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area and will also beautify the immediately adjacent public right of way with improved pedestrian walkways that include new ADA curb ramps, street trees, and bicycle parking spaces.

The proposed Ordinance will also remove an unintended consequence of the Coastal Act and provide more certainty in the regulatory review process for land uses that directly advance the City's goals of providing housing, business, and job opportunities, and in fostering recreational activities and community within neighborhoods in the Coastal Zone.

In conclusion, on balance, the proposed Ordinance is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan.

### **Racial and Social Equity Analysis**

Understanding the benefits, burdens, and opportunities to advance racial and social equity that proposed Planning Code and Zoning Map amendments provide is part of the Department's Racial and Social Equity Initiative. This is also consistent with the Mayor's Citywide Strategic Initiatives for equity and accountability and with the forthcoming Office of Racial Equity, which will require all Departments to conduct this analysis.

Since 1974, the establishment of the United Irish Cultural Center within the Outer Sunset neighborhood was a testament to the significant Irish-Celtic population in San Francisco and the greater Bay Area at the time. For decades, the Irish population was one of San Francisco's largest demographics and one of the most influential. Many notable Irish took part in the City's economic, political, and cultural history. However, since the late 1970's, the Irish population in San Francisco has been on a decline. By the 2000s, the Outer Sunset neighborhood was

compromised mainly by the Asian American community. As of today, the United Irish Cultural Center remains one of the few active storytellers and anchor points of the long history of the Irish in San Francisco.

For more than 45 years, the United Irish Cultural Center has been a space that enhances the lives of both the Irish and non-Irish community. Although focused on providing programming that helps preserve and reflect the history of Irish community, the Center provides programming of all ages related to recreation, education, and civic concerns.

The Planning Code Text and Local Coastal Program Amendments will help preserve a key component of San Francisco's history and maintain a longstanding community facility in the Outer Sunset neighborhood. As one of the last remaining community facilities on the western section of San Francisco, the previously approved Special Use District (SUD) and its subsequent amendments will permit the development of an expanded space that better fits the needs of the Center and its partnering associations and offers the Center the ability to thrive during a challenging time. Without the previously approved Special Use District (SUD) and its subsequent amendments, the redevelopment of the Irish Cultural Center will not achieve its optimal massing, scale, and use. Thus, both the Planning Code Text and Local Coastal Program Amendments are required for the Center to remain an anchoring point of San Francisco's Irish history and to better serve the larger community.

The Planning Code Text and Local Coastal Program Amendments will also eliminate an unintended consequence of Section 30603 of the Coastal Act. Section 30603 states that the approval action by a local government on a coastal development application for "any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500)" may be appealed to the Coastal Commission. By identifying a principally permitted land use for the purposes of the Coastal Act, an uncertainty from regulatory review processes will be removed for the identified land uses (i.e. housing) that are already permitted by the Planning Code within their respective Zoning Districts. The identified land uses reflect the City's goals in advancing housing, business, and job opportunities, and in fostering community within neighborhoods.

## **Implementation**

The Department has determined that this ordinance will not impact our current implementation procedures.

## **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 finds that the Ordinance is, on balance, consistent with the Western Shoreline Area Plan and the Objectives and Policies of the General Plan. The Ordinance will help maintain a longstanding community member, United Irish Cultural Center, within the Outer Sunset neighborhood and preserve an important part of San Francisco's history. The Ordinance will facilitate the expansion of the Center's ability to enhance lives by providing informal activities for all ages related to recreation, education, and civic concerns with a focus on preserving and reflecting the history of the Irish community. The Ordinance will also remove uncertainty in the regulatory review

process for developments that advance the City’s goals of providing housing, job, and business opportunities, fostering community, and promoting recreational activities.

## **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 Ordinance was determined to be exempt under Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 on July 17, 2023 (Planning Case No. 2022-001407ENV).

## **Public Comment**

As of the date of this report, the Planning Department has received two correspondence from members of the public regarding the proposed Ordinance. Members of the public have expressed concerns regarding the clarification height limit language for the Wawona St. and 45<sup>th</sup> Ave. Cultural Center SUD location.

### **Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 240228



# PLANNING COMMISSION DRAFT RESOLUTION

**HEARING DATE: MAY 2, 2024**

**Project Name:** Wawona Street and 45th Avenue Cultural Center Special Use District  
**Case Number:** 2024-002677PCA [Board File No. 240228]  
**Initiated by:** Supervisors Joel Engardio, Aaron Peskin / Introduced March 12, 2024  
**Staff Contact:** Gabriela Pantoja, Senior Planner  
Gabriela.Pantoja@sfgov.org, 628-652-7380

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO CLARIFY THE WAWONA STREET AND 45TH AVENUE SPECIAL USE DISTRICT'S (ORDINANCE NO. 241-23) HEIGHT LIMIT AND PRINCIPAL PERMITTED USE FOR PURPOSES OF THE CITY'S LOCAL COASTAL PROGRAM, AMEND THE CITY'S LOCAL COASTAL PROGRAM TO ADD THE WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND AMEND THE LOCAL COASTAL PROGRAM (PLANNING CODE SECTION 330) TO DESIGNATE THE PRINCIPAL PERMITTED USE WITHIN THE CITY'S COASTAL ZONE FOR PURPOSES OF APPEAL TO THE CALIFORNIA COASTAL COMMISSION; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, on March 12, 2024, Supervisors Joel Engardio and Aaron Peskin introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 240228, which would amend the Planning Code to clarify the Wawona Street and 45th Avenue Special Use District's (Ordinance No. 241-23) height limit and principal permitted use for purposes of the City's Local Coastal Program, amend the City's Local Coastal Program to add the Wawona Street and 45th Avenue Cultural Center Special Use District, and amend the Local Coastal Program (Planning Code Section 330) to designate the principal permitted use within the City's Coastal Zone for purposes of appeal to the California Coastal Commission;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 2, 2024; and,

WHEREAS, the proposed Ordinance has been determined to be exempt under Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 on July 17, 2023 (Planning Case No. 2022-001407ENV); 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. The Commission's proposed recommendation(s) is/are as follows:

## 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 Commission finds that the proposed Ordinance will support social, recreational, athletic, and cultural needs of the San Francisco and greater Bay Area Irish community and facilitate the redevelopment of a distinctive building that reflects the Irish heritage helps maintain a sense-of-place for the community. The Commission also finds that the proposed Ordinance will remove an unintended consequence of the Coastal Act and remove uncertainty in the regulatory review process for developments that advance the City's goals of providing housing, job, and business opportunities, fostering community, and promoting recreational activities.

## General Plan Compliance

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

### HOUSING ELEMENT

Goals, Objectives, and Policies

**GOAL 5. PROMOTE NEIGHBORHOODS THAT ARE WELL-CONNECTED, HEALTHY, AND RICH WITH COMMUNITY CULTURE.**

#### OBJECTIVE 5.C

**ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES.**

Policy 37



Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities.

### COMMUNITY FACILITIES ELEMENT

#### Objectives and Policies

#### OBJECTIVE 3

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

##### Policy 3.1

Provide neighborhood centers in areas lacking adequate community facilities.

##### Policy 3.3

Develop centers to serve an identifiable neighborhood.

##### Policy 3.4

Locate neighborhood centers so they are easily accessible and near the natural center of activity.

##### Policy 3.5

Develop neighborhood centers that are multipurpose in character, attractive in design, secure and comfortable, and inherently flexible in meeting the current and changing needs of the neighborhood served.

##### Policy 3.6

Base priority for the development of neighborhood centers on relative need.

##### Policy 3.8

Provide neighborhood centers with a network of links to other neighborhood and citywide services.

### COMMERCE AND INDUSTRY ELEMENT

#### Objectives and Policies

#### OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

##### Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

#### OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

**OBJECTIVE 3**

**PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.**

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

*The Ordinance will facilitate the development of an expanded community facility for the United Irish Cultural Center, a longtime community member of the Outer Sunset neighborhood, within proximity to public transportation. The Ordinance will foster the development of a high-quality design and prominent mixed-use building that better meets the needs of an established community facility that provides recreational, educational, and civic opportunities for the residents of the Outer Sunset neighborhood. The Ordinance will also preserve an important part of San Francisco and its Irish community's history.*

**WESTERN SHORELINE AREA PLAN**

**TRANSPORTATION AND ACCESS**

**OBJECTIVE 1**

**IMPROVE PUBLIC TRANSIT ACCESS TO THE COAST.**

Policy 1.2

Provide transit connections amongst the important coastal recreational destinations.

Policy 1.4

Provide incentives for transit usage.

*Located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-MUNI line, the proposed Ordinance and associated development will increase transit usage and further increase public access to the immediate neighborhood and coast. The associated development will implement a Transportation Demand Management (TDM) plan that intends to decrease the number of single occupancy vehicle trips, and the pressures they add to San Francisco's limited public streets and rights-of-way, contributing to congestion, transit delays,*

*and public health and safety concerns caused by motorized vehicles, air pollution, greenhouse gas (GHG) emissions, and noise, thereby negatively impacting the quality of life in the City. Specifically for the immediate neighborhood of the subject site, the concern is the pressure that potential increase in demand for on-street parking associated with private businesses spills over to public beach parking, thereby limiting coastal access to only those people who live within walking or biking distance of the shoreline. The TDM plan includes providing real time transportation information displays at the site, multimodal wayfinding signage, tailored marketing and communication campaigns for employees and attendees of the site and improving walking conditions. As part of the development, the adjacent sidewalk will increase in width, new street trees will be planted, and new ADA ramps and bulbout will be provided at the intersection of Wawona Street and 45<sup>th</sup> Avenue.*

*In addition to incentivizing transit usage, the proposed Ordinance and associated development will also encourage other means of transportation to the site and immediate neighborhood. As part of the TDM plan, the development will provide four car-share spaces on site and 86 bicycle parking spaces either on site or within the adjacent public-right-of-way. Bicycle parking is a prominent form of transportation in the immediate neighborhood. The location of the development is located less than four blocks from Great Highway, a prominent recreational and bike trail along the coast. Attendees and employees traveling by bicycle and looking to enjoy the Great Highway can easily access it via a connecting bike lane along Sloat Boulevard, directly south of the site.*

*The proposed Ordinance will facilitate a development that includes 54 off-street parking spaces, including ADA passenger spaces, and commercial loading spaces along the public-right-of-way. As identified in the project specific transportation study, the proposed development will generate an estimated 352 net new vehicle trips during the weekday p.m. peak hour, including 334 trips by vehicle and 18 trips by taxi or transportation network company. However, the project site is located in an area where existing vehicle miles traveled (VMT) is more than 15 percent below the existing Bay Area regional average VMT per capita (or employee). The associated development would not cause substantial additional VMT nor create significant public transit delay impacts. The number of proposed off-street parking spaces at the site will not generate a significant volume of vehicular traffic such that public transit operations on nearby roadways would be affected.*

## **OCEAN BEACH**

### **OBJECTIVE 6**

#### **MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.**

##### **Policy 6.1**

**Continue Ocean Beach as a natural beach area for public recreation.**

##### **Policy 6.5**

**Enhance the enjoyment of visitors to Ocean Beach by providing convenient visitor-oriented services, including take-out food facilities.**

*The proposed Ordinance and associated development will also not significantly impact the enjoyment of the adjacent recreation areas or parks nor impact any candidate, sensitive, or special-status species, wetlands as defined by section 404 of the Clean Water Act, riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations. The site does not contain any candidate, sensitive, or special-*

*status species, wetlands as defined by section 404 of the Clean Water Act, riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations.*

*A geotechnical investigation was prepared for the proposed development that reviewed available geologic and geotechnical data in the site vicinity to develop preliminary recommendations regarding soil and groundwater conditions, site seismicity and seismic hazards, the most appropriate foundation type(s) for the proposed structure, and construction considerations, among other topics. The geotechnical report includes recommendations related to construction, including site preparation and grading, seismic design, foundations, retaining walls, slab-on-grade floors, site drainage, underpinning, temporary and finished slopes, and temporary shoring. Implementation of these recommendations, which would be overseen by the Department of Building Inspection, would ensure that the proposed project would not cause the soil underlying the project site to become unstable and result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The potential for risk of loss, injury, or death related to landslides of liquefaction would be low as the site is also not in within landslide or liquefaction hazard zones, Alquist-Priolo Earthquake Fault Zone, nor within a 100-year flood hazard zone, or a tsunami or seiche hazard area.*

*Additionally, the proposed Ordinance and associated development is the culmination of a collaborative effort between the applicants, United Irish Cultural Center, and the community. Prior to the submittal of the required applications, the applicants conducted a Pre-Application Meeting on August 4, 2021 and subsequently held a kick-off meeting on August 28, 2021. Both meetings were well attended. Since the kick-off meeting, the applicants have continued to provide community members with updates via a monthly newsletter and a dedicated website.*

## **RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS**

### **OBJECTIVE 11**

#### **PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.**

##### **Policy 11.3**

**Continue the enforcement of citywide housing policies, ordinances and standards regarding the provision of safe and convenient housing to residents of all income levels, especially low- and moderate-income people.**

##### **Policy 11.7**

**Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.**

*The proposed Ordinance will eliminate an unintended consequence of the Coastal Act. By identifying a principally permitted land use for the purposes of the Coastal Act, an uncertainty from regulatory review processes will be removed for the identified land uses (i.e. housing) that are already permitted by the Planning Code within their respective Zoning Districts. The identified land uses reflect the City's goals in advancing housing, business, and job opportunities, and in fostering community within neighborhoods.*

*The proposed Ordinance and associated Project will also reinforce and enhance the existing commercial corridor along Sloat Boulevard that includes the Zoo and Ocean Beach by introducing new patrons to the area. The surrounding neighborhood includes variety of land uses including residential, restaurant, motel, retail, and the*

Zoo. As one of the few community facilities on the west side of the City, the proposed new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a recreational outlet aside from the coast and Zoo and continue to enhance the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns of all age groups. While the center's programming will have a focus on preserving and reflecting the history of Irish community, the center will continue to enhance the community life of Outer Sunset residents by providing a space for all recreational, educational, and civic activities. Having served the community for more than 45 years, the United Irish Cultural Center, a non-profit organization, has deep roots in the neighborhood and is a respected and beloved member of the Parkside and Outer Sunset communities. For these reasons, supporters of the center include Cub Scout Park 0108, the Kennelly School of Irish Dance, Michel Dillion School of Irish Dance, SF Connaught Social and Athletic Club, and more than 260 public members,

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building to be facilitated by the proposed Ordinance will be prominent high-quality design that incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. The rooftop will be designed to include a roof deck that faces the coast and provides a view onto the Pacific Ocean. Located more than four blocks from the coast, the proposed building will not impact protected views to and along the ocean and scenic coastal areas. As a new and improved United Irish Cultural Center with public and civic importance, the building warrants a prominent design. The surrounding neighborhood is characterized by a mix of buildings with a variety of building heights, architectural styles, and materials. While there is a majority of smaller scale, one-to-three story residential and commercial buildings immediately adjacent to the subject property, the property is located within close proximity to a commercial corridor that includes buildings that are taller and bigger in size including a five-story-over-basement development at 2800 Sloat Boulevard.

### **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 May 2, 2024.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: May 2, 2024

1 [Planning Code, Local Coastal Program Amendment - Wawona Street and 45th Avenue  
2 Cultural Center Special Use District]

3 **Ordinance amending the Planning Code to clarify the Wawona Street and 45th Avenue**  
4 **Special Use District's height limit and principal permitted use for purposes of the Local**  
5 **Coastal Program; amending the Local Coastal Program to add the Wawona Street**  
6 **and 45th Avenue Cultural Center Special Use District; amending the Local Coastal**  
7 **Program to designate the principal permitted use within the City's Coastal Zone for**  
8 **purposes of appeal to the California Coastal Commission; affirming the Planning**  
9 **Department's determination under the California Environmental Quality Act; and**  
10 **making findings of consistency with the General Plan, and the eight priority policies of**  
11 **Planning Code, Section 101.1, and findings of public necessity, convenience, and**  
12 **welfare under Planning Code, Section 302.**

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

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

21 Section 1. CEQA and Land Use Findings.

22 (a) The Planning Department has determined that the actions contemplated in this  
23 ordinance comply with the California Environmental Quality Act (California Public Resources  
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
25 Supervisors in File No. 240228 and is incorporated herein by reference. The Board affirms  
this determination.



1 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
4 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
5 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

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

11  
12 Section 2. Background and Findings.

13 (a) On December 12, 2023, the Board of Supervisors passed the Wawona Street and  
14 45th Avenue Cultural Center Special Use District ("SUD") (Ordinance No. 241-23, on file with  
15 the Clerk of the Board in File No. 230505) to facilitate the redevelopment of the Irish Cultural  
16 Center, subject to certification by the California Coastal Commission ("Coastal Commission").  
17 That ordinance, which amended the Planning Code, Zoning Map, and Local Coastal Program  
18 ("LCP"), having been signed by the Mayor on December 13, 2023, is now effective, but is not  
19 operative because it has not been certified by the Coastal Commission. See Section 5 of  
20 Ordinance No. 241-23.

21 (b) On December 12, 2023, the Board of Supervisors also adopted Resolution No.  
22 571-23, on file with the Clerk of the Board in File No. 231137. That resolution, which was  
23 signed by the Mayor on December 13, 2023, authorized the Director of the Planning  
24 Department to transmit Ordinance No. 241-23 to the Coastal Commission for certification.  
25

1 (c) Coastal Commission staff have recommended that the City define the principal  
2 permitted use (“PPU”) under the City’s LCP for both the SUD and all other zoning districts  
3 within the City’s Coastal Zone to specify whether certain coastal development permitting  
4 decisions are appealable to the California Coastal Commission. The City will continue to  
5 evaluate the PPUs identified in this ordinance within the City’s Coastal Zone, and may seek to  
6 amend those PPUs in the future.

7 (d) The existing 100-foot height limit for the SUD (Assessor’s Parcel Block No. 2513,  
8 Lot No. 026) has been in effect since 1970 (see Ordinance No. 177-70, on file with the Clerk  
9 of the Board in File No. \_\_\_\_\_), 16 years before the Coastal Commission’s certification of the  
10 City’s LCP in 1986. That height limit is depicted on the Zoning Map in Sectional Map No.  
11 HT13. The City’s Coastal Zone Issue Papers (on file with the Clerk of the Board in File No.  
12 \_\_\_\_\_) discussed the 100-foot height limit in the years leading up to the certification of the  
13 LCP. However, neither the City nor the Coastal Commission can locate a certified copy of  
14 Sectional Map No. HT13. As such, out of an abundance of caution, the controls of this SUD  
15 also reaffirm the 100-foot height limit for the purposes of this LCP amendment. This  
16 amendment does not modify height limits in the SUD, but instead clarifies the height limit for  
17 the purposes of the LCP.

18 (e) Because Ordinance No. 241-23 is now effective, although not yet operative and  
19 thus not published in the Planning Code, the ordinance in this Board File No. 240228 shows in  
20 “existing text” font (plain Arial) Planning Code Section 249.96, which established the SUD in  
21 Ordinance No. 241-23. The ordinance shows the amendments clarifying the maximum height  
22 in the SUD and principal permitted use in “addition to Code” font (single-underline italics  
23 Times New Roman) or “deletion to Code” font (strikethrough italics Times New Roman), as  
24 applicable.

1 (f) The Board of Supervisors finds that the Planning Code amendments in this  
2 ordinance will fulfill a public purpose and serve the public convenience and general welfare by  
3 facilitating the continued operation and expansion of the Cultural Center, a longstanding San  
4 Francisco community center. The continuation of this use is important to retain existing  
5 neighborhood character and will benefit area residents, visitors, and the broader community  
6 for years to come. The Board of Supervisors also finds that specifying PPU's for purposes of  
7 potential appeal to the Coastal Commission is consistent with the Coastal Act's intent, and will  
8 help to ensure that only the types of coastal development permitting decisions that are  
9 specified in the Coastal Act are appealable to the Coastal Commission.

10 (g) The Board of Supervisors finds that the Wawona Street and 45th Avenue Cultural  
11 Center Special Use District and its controls, as shown in Section 3 of this ordinance,  
12 constitute an amendment to the City's LCP. The Board of Supervisors finds that the LCP  
13 amendment conforms with the applicable provisions of the Coastal Act of 1976, and that the  
14 amendment is consistent with and adequate to carry out the provisions of the City's certified  
15 LCP Land Use Plan – the Western Shoreline Area Plan. The Board further finds that the  
16 amendment will be implemented in full conformance with the Coastal Act's provisions.

17  
18 Section 3. The Local Coastal Program and Articles 2 and 3 of the Planning Code are  
19 hereby amended by revising Sections 249.96, 330.9, and 330.10 to read as follows:

20  
21 **SEC. 249.96. WAWONA STREET AND 45TH AVENUE CULTURAL CENTER**  
22 **SPECIAL USE DISTRICT.**

23 (a) **General.** A special use district entitled the "Wawona Street and 45th Avenue  
24 Cultural Center Special Use District" consisting of Assessor's Parcel Block No. 2513, Lot No.  
25 026, is hereby established for the purposes set forth below. The boundaries of the Wawona

1 Street and 45th Avenue Cultural Center Special Use District are designated on Sectional Map  
2 No. SU13 of the Zoning Map.

3 (b) **Purpose.** The purpose of this special use district is to provide for the development  
4 of a community center with related educational, cultural, social, entertainment, recreational,  
5 and retail uses to serve both the immediate neighborhood and the larger San Francisco  
6 community.

7 (c) **Development Controls.** Applicable provisions of the Planning Code shall control  
8 except as otherwise provided in this Section 249.96. If there is a conflict between other  
9 provisions of the Planning Code and this Section 249.96, this Section 249.96 shall prevail.

10 (1) The following uses and use categories shall be permitted as principal uses  
11 on all floors: General Office, Institutional, Retail Sales and Service, Wireless  
12 Telecommunications Facility, and Nighttime Entertainment.

13 (2) The provisions of Planning Code Sections 121.1 (Development of Large  
14 Lots, Neighborhood Commercial Districts) and 121.2 (Non-Residential Use Size Limits in  
15 Neighborhood Commercial and Neighborhood Commercial Transit Districts) shall not apply.

16 (3) For the purposes of compliance with Planning Code Section 169  
17 (Transportation Demand Management Program), development projects shall be subject to  
18 30% of the applicable target. All other provisions of Section 169 shall apply.

19 (4) The applicable height limit shall be 100 feet.

20 (d) ~~Conditional Use Authorization~~ **Additional Exceptions.** ~~The following e~~Exceptions from  
21 otherwise applicable requirements of ~~the~~ is ~~Planning~~ Code may be appropriate to further the  
22 purpose of the Wawona Street and 45th Avenue Cultural Center Special Use District. The  
23 Planning Commission may authorize the following exceptions from ~~the following~~ Planning Code  
24 requirements through a Conditional Use Authorization:

25 (1) **Floor Area Ratio.** The maximum Floor Area Ratio shall be 7.0:1.

1 (2) **Rear Yard Setbacks.** The provisions of Section 134 do not apply, and thus  
2 there shall be no required rear yard.

3 (3) **Bulk.** The applicable Bulk limits shall be a maximum length of 130 feet and  
4 a maximum diagonal of 176 feet, applying at a height of 40 feet and above.

5 (e) **Principal Permitted Use Under the Local Coastal Program.** Notwithstanding any other  
6 provisions of this Code or the City and County's Local Coastal Program Implementation Plan that  
7 identify principal permitted, conditional, and other types of uses, within the Wawona Street and 45th  
8 Avenue Cultural Center Special Use District, the principal permitted use for the purposes of California  
9 Public Resources Code Section 30603(a)(4) shall be Commercial, where, solely for the purposes of this  
10 Special Use District, that shall be understood to mean a community center with related educational,  
11 cultural, social, office, entertainment, recreational, wireless telecommunications services, and retail  
12 uses. The designation of the principal permitted use for the purpose of the Local Coastal Program  
13 does not alter the uses permitted on the site under the Planning Code or applicable requirements under  
14 the Planning Code to establish such uses.

15  
16 **SEC. 330.9. APPEAL PROCEDURES.**

17 (a) All Coastal Zone Permit Applications may be appealed to the Board of Appeals as  
18 described in Section 308.2 of this Code. Local appeal of a Coastal Zone Permit is not subject  
19 to the aggrieved party provisions in Section 330.2(a) of this Code, but must comply with the  
20 appeal review procedures of Section 330.5.1(b) and Section 330.5.2 of this Code.

21 (b) Appeal to the California Coastal Commission is available only for approved projects  
22 in the appealable area of the Coastal Zone, as designated in Sectional Maps CZ4, CZ5 and  
23 CZ13 of the Zoning Map; under California Public Resources Code Section 30603(a)(4), for  
24 approved projects that involve a use that is not the principal permitted use designated in Planning  
25 Code Section 330.9(c); and under California Public Resources Code Section 30603(a)(5), for approved

1 ~~or- Disapproved projects that involve a major public works project or a major energy facility, all as~~  
2 ~~further described in Section 330.10 Coastal Zone Permit Applications are not appealable to the~~  
3 ~~California Coastal Commission.~~

4 (c) **Principal Permitted Use Under the Local Coastal Program.** Notwithstanding any other  
5 provisions of this Code or the City and County’s Local Coastal Program Implementation Plan that  
6 identify principal permitted, conditional, and other types of uses, the principal permitted use for the  
7 purposes of California Public Resources Code Section 30603(a)(4) shall be as described in this  
8 subsection (c). The designation of the principal permitted use for the purpose of the Local Coastal  
9 Program does not alter the uses permitted on any site under the Planning Code or applicable  
10 requirements under the Planning Code.

11 (A) Residential Districts: Residential Uses.

12 (B) Parkmerced Residential District: Residential Uses.

13 (C) Neighborhood Commercial Districts: Commercial Uses.

14 (D) Public Districts: Public Uses, where that shall be understood to mean a  
15 Public Facility, Open Recreation Area, or Passive Outdoor Recreation.

16 (E) Wawona Street and 45th Avenue Cultural Center Special Use District:  
17 Commercial Uses, as defined in Section 249.96(e).

18 (ed) A Coastal Zone Permit decision which may be appealed to the California Coastal  
19 Commission can be appealed by filing with the California Coastal Commission within 10  
20 working days after the California Coastal Commission receives notice of final action from the  
21 Planning Department. Appeals to the California Coastal Commission are subject to the  
22 aggrieved party provisions in Section 330.2(a).

23 (de) An applicant is required to exhaust local appeals before appealing to the  
24 California Coastal Commission.

1           (e~~f~~) Major public works and energy facilities within the Coastal Zone may be appealed  
2 to the California Coastal Commission whether approved or not by the local government.

3  
4           **SEC. 330.10. APPEALABLE PROJECTS**

5           The following projects may be appealed to the California Coastal Commission:

6           (a) Projects approved between the sea and the first public road paralleling the sea or  
7 within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where  
8 there is no beach, or as otherwise indicated in Sectional Maps CZ4, CZS, and CZ13 of the  
9 Zoning Map.

10           (b) Projects approved and located on tidelands, submerged lands, public trust lands,  
11 within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward  
12 face of any coastal bluff.

13           (c) Any project which constitutes a major public works project or a major energy  
14 facility, including the following:

15                   (1) All production, storage, transmission, and recovery facilities for water,  
16 sewerage, telephone, and other similar utilities owned or operated by any public agency or by  
17 any utility subject to the jurisdiction of the Public Utilities Commission, except for energy  
18 facilities.

19                   (2) All public transportation facilities, including streets, roads, highways, public  
20 parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and  
21 stations, bridges, trolley wires, and other related facilities. A railroad whose primary business  
22 is the transportation of passengers shall not be considered public works nor a development if  
23 at least 90 percent of its routes located within the coastal zone utilize existing rail or highway  
24 rights-of-way.

1 (3) All publicly financed recreational facilities, all projects of the State Coastal  
2 Conservancy, and any development by a special district.

3 (4) All community college facilities.

4 (5) Major public works or energy facility with an estimated cost of \$100,000 or  
5 more.

6 (6) Energy facilities is any public or private processing, producing, generating,  
7 storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other  
8 source of energy.

9 (d) Projects proposing a use that is not designated as the principal permitted use in the  
10 applicable Zoning District in subsection 330.9(c).

11 Section 4. Ordinance No. 241-23 included, pursuant to Sections 106 and 302(c) of the  
12 Planning Code, an amendment of Sheet SU 13 of the Zoning Map of the City and County of  
13 San Francisco. The Zoning Map amendment is hereby reprinted:

| <b>Assessor's Parcel (Block/Lot Numbers)</b> | <b>Special Use District Hereby Approved</b>                        |
|--|--|
| 2513/026                                     | Wawona Street and 45th Avenue Cultural Center Special Use District |

18  
19 Section 5. Local Coastal Program. The Local Coastal Program is hereby amended to  
20 add Planning Code Section 249.96 and to modify Planning Code Sections 330.9 and 330.10,  
21 as set forth above in Section 3, including the Zoning Map amendment as reprinted above in  
22 Section 4.

23  
24 Section 6. Effective Date; Operative Date.  
25



1 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
2 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
3 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
4 Mayor's veto of the ordinance.

5 (b) Upon enactment pursuant to this Section 6, the Director of the Planning  
6 Department shall submit this ordinance to the California Coastal Commission for certification  
7 as a Local Coastal Program Amendment. This ordinance, which constitutes both the  
8 unamended and amended text of Planning Code Section 249.96 in Section 3 and the  
9 reprinted Zoning Map amendment in Section 4, shall be operative upon final certification by  
10 the California Coastal Commission. If the California Coastal Commission certifies this  
11 ordinance subject to modifications, this ordinance, as so modified, shall become operative 30  
12 days after enactment of the modifications.

13  
14 Section 6. Transmittal of Ordinance. Upon certification by the California Coastal  
15 Commission, the Director of the Planning Department shall transmit a copy of the certified  
16 Local Coastal Program Amendment to the Clerk of the Board for inclusion in File No. 240228.  
17 The Planning Department shall also retain a copy of the certified Local Coastal Program  
18 Amendment in its Local Coastal Program files.

19  
20 APPROVED AS TO FORM:  
21 DAVID CHIU, City Attorney

22 By: /s/ Peter R. Miljanich  
23 PETER R. MILJANICH  
24 Deputy City Attorney

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