

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: November 6, 2023
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230505
AMENDED - Planning Code, Zoning Map, Local Coastal Program Amendment - Wawona Street and 45th Avenue Cultural Center Special Use District

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☐ General Plan
 - ☒ Planning Code, Section 101.1
 - ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

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

Ordinance amending the Planning Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District (Assessor's Parcel Block No. 2513, Lot No. 026) to facilitate the redevelopment of a cultural center; amending the Zoning Map to show the Wawona Street and 45th Avenue Cultural Center Special Use District; amending the Local Coastal Program to add the Wawona Street and 45th Avenue Cultural Center Special Use District, subject to certification by the California Coastal Commission; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1 and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

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

Section 1. CEQA and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. ____ 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) The Irish Cultural Center ("Cultural Center") has operated at 2700 45th Avenue for
14 more than 45 years and has established a strong community presence by providing facilities
15 for social, recreational, athletic, and cultural activities. The Cultural Center has operated in
16 the original 2-story building since 1975 and has not been significantly renovated since it was
17 first constructed. To ensure the long-term viability of the Cultural Center and its ability to
18 continue serving the San Francisco community, a larger space that can better accommodate
19 its ongoing cultural, educational, and recreational activities is necessary.

20 (b) The Wawona Street and 45th Avenue Cultural Center Special Use District would
21 facilitate the construction of a modern, state-of-the-art community center that will reactivate
22 the street frontages and beautify the neighborhood. The Special Use District will allow for an
23 expanded Cultural Center that will provide the public with additional educational, cultural,
24 social, entertainment, recreational, and retail opportunities, including an aquatic center with a
25 kiddie pool, a gym and youth basketball court, art gallery, banquet event space, library, 99-

1 person screening theater, cafes, restaurants, and a pub. The proposed expansion of the
2 Cultural Center will also include nonprofit office space, classrooms, a children's playroom, and
3 a member lounge.

4 (c) The Board of Supervisors finds that the ~~proposed amendment~~ Planning Code and
5 Zoning Map amendments in this ordinance will fulfill a public purpose and serve the public
6 convenience and general welfare by facilitating the continued operation and expansion of the
7 longstanding Cultural Center. The continuation of this use is important to retain existing
8 neighborhood character and will benefit area residents, visitors, and the broader community
9 for years to come.

10
11 Section 3. The Planning Code is hereby amended by adding Section 249.96, to read
12 as follows:

13
14 **SEC. 249.96. WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL**
15 **USE DISTRICT.**

16 (a) **General.** *A special use district entitled the "Wawona Street and 45th Avenue Cultural*
17 *Center Special Use District" consisting of Assessor's Parcel Block No. 2513, Lot No. 026, is hereby*
18 *established for the purposes set forth below. The boundaries of the Wawona Street and 45th Avenue*
19 *Cultural Center Special Use District are designated on Sectional Map No. SU13 of the Zoning Map.*

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

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

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

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

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

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

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

(2) **Rear Yard Setbacks.** The provisions of Section 134 do not apply.

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

Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet SU 13 of the Zoning Map of the City and County of San Francisco is hereby amended, as follows:

Assessor's Parcels (Block/Lot Numbers)	Special Use District Hereby Approved
2513/026	Wawona Street and 45th Avenue Cultural Center Special Use District

1
2 Section 5. Effective Date; Operative Date.

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

7 (b) Upon enactment pursuant to this Section 5, the Director of the Planning
8 Department shall submit this ordinance to the California Coastal Commission for certification
9 as a Local Coastal Program Amendment. This ordinance shall be operative upon final
10 certification by the California Coastal Commission. If the California Coastal Commission
11 certifies this ordinance subject to modifications, this ordinance, as so modified, shall become
12 operative 30 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. 230505.
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/ Giulia Gualco-Nelson
23 GIULIA GUALCO-NELSON
24 Deputy City Attorney

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REVISED LEGISLATIVE DIGEST
(Amended in Committee, 10/30/2023)

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

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Existing Law

The property at 2700 45th Avenue (Assessor's Parcel Block No. 2513, Lot. No. 026) is subject to the controls in the Planning Code that govern the Small-Scale Neighborhood Commercial District (NC-2), and the controls that govern the 100-A height and bulk district.

Amendments to Current Law

This ordinance would create the Wawona Street and 45th Avenue Cultural Center Special Use District ("SUD") to govern the development of a new building for the Irish Cultural Center at 2700 45th Avenue. To facilitate this project, the SUD allows exceptions from specified Planning Code requirements through a conditional use authorization, including requirements relating to floor area ratio, rear-yard setbacks, and bulk. The SUD would also principally permit the following use and use categories on all floors of the development: General Office, Institutional, Retail Sales and Service, Wireless Telecommunications Facility, and Nighttime Entertainment. The provisions of Planning Code Sections 121.1 (Development of Large Lots, Neighborhood Commercial Districts) and 121.2 (Non-Residential Use Size Limits in Neighborhood Commercial and Neighborhood Commercial Transit Districts) would not apply in the SUD. Development projects in the SUD would be required to meet 30% of the applicable Transportation Demand Management target (Planning Code Section 169).

This ordinance would also amend the Zoning Map to create the Wawona Street and 45th Avenue Cultural Center Special Use District.

This ordinance would also amend the City's Local Coastal Program, subject to certification by the California Coastal Commission.

Background Information

The Irish Cultural Center has operated at 2700 45th Avenue for more than 45 years. The two-story building not been significantly renovated since it was first constructed. The Wawona Street and 45th Avenue Cultural Center Special Use District would facilitate the construction of a modern, state-of-the-art community center that will reactivate the street frontages, beautify the neighborhood, and provide the public with additional educational, cultural, social, entertainment, recreational, and retail opportunities.

This ordinance is the result of amendments made on October 30, 2023 at the Land Use and Transportation Committee to the ordinance in Board File No. 230505, version 3. Those amendments:

- provide that the ordinance will become operative upon certification by the California Coastal Commission. If the California Coastal Commission certifies this ordinance subject to modifications, this ordinance, as so modified, shall become operative 30 days after enactment of the modifications; and
- direct the Planning Department Director to transmit a copy of the certified Local Coastal Program Amendment to the Clerk of the Board for inclusion in File No. 230505 and retain a copy of the certified Local Coastal Program Amendment in the Planning Department's files.

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