

LEGISLATIVE DIGEST

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

Ordinance amending the Planning Code to clarify the Wawona Street and 45th Avenue Special Use District's height limit and principal permitted use for purposes of the Local Coastal Program; amending the Local Coastal Program to add the Wawona Street and 45th Avenue Cultural Center Special Use District; amending the Local Coastal Program to designate the principal permitted use within the City's Coastal Zone for purposes of appeal to 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.

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. 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 in 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).

Amendments to Current Law

This ordinance would amend the SUD to clarify the applicable height limit and to 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

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shall be understood to mean a community center with related educational, cultural, social, office, entertainment, recreational, wireless telecommunications services, and retail uses.

This ordinance would also designate the principal permitted use for the purposes of California Public Resources Code Section 30603(a)(4) for all zoning districts with the City's coastal zone.

This ordinance would constitute an amendment to 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 amendments to the SUD would facilitate the permitting and 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 will become operative upon certification by the Coastal Commission. If the Coastal Commission certifies this ordinance subject to modifications, this ordinance, as so modified, shall become operative 30 days after enactment of the modifications.

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